

# KITS

5-28-2008 Version # 1



## BOARD OF COUNTY COMMISSIONERS ZONING HEARINGS

COUNTY COMMISSIONERS CHAMBERS OF THE STEPHEN P. CLARK CENTER -  
2ND FLOOR

111 NW 1 Street, Miami

Thursday, July 3, 2008 at 9:30 a.m.

### CURRENT

### DISTRICT

1.	08-7-CC-1	KENDALL GREENS PROPERTY, LLC	(DEVELOPMENTAL IMPACT COMMITTEE)	06-220	33-54-39	N	11
2.	08-7-CC-2	AMB CODINA BEACON LAKES, LLC	(DEVELOPMENT OF REGIONAL IMPACT)	07-20	35/36-53-39	N	12
3.	08-7-CC-3	MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT	(DEVELOPMENT OF REGIONAL IMPACT)	07-186	25/26/35/36- 55-39	N	9
4.	08-7-CC-4	UNITED AT KENDALL LAKES, INC.		07-294	33-54-39	N	11
5.	08-7-CC-5	SOUTHWESTERN GRANT LLC	(DEVELOPMENTAL IMPACT COMMITTEE)	07-303	18-56-40	N	8
6.	08-7-CC-6	SOUTHWESTERN GRANT, LLC	(DEVELOPMENTAL IMPACT COMMITTEE)	07-318	19-56-40	N	8
7.	08-7-CC-7	SUMMERVILLE CHARTER SCHOOL, INC.	(DEVELOPMENTAL IMPACT COMMITTEE)	08-38	19-56-40	N	8



# **Official Zoning Agenda**

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BOARD OF COUNTY COMMISSIONERS

**COUNTY COMMISSION MEETING OF THURSDAY, JULY 3, 2008**

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

**ALL PARTIES SHOULD BE PRESENT AT THAT TIME**

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

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

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

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

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

**SWEARING IN OF WITNESSES**

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1. **KENDALL GREENS PROPERTY L. L. C. (08-7-CC-1/06-220)**

**33-54-39  
BCC/District 11**

- (1) SPECIAL EXCEPTION to permit the expansion of an existing charter school.
- (2) MODIFICATION of Paragraphs #4, #12 and #15 of Declaration of Restrictions recorded in Official Record Book 26359, Pages 90-117, reading as follows:

FROM: "4. The Owner shall comply with all applicable conditions and requirements of the Public Works Department as contained in Section IV of the DIC Memorandum."

TO: "4. The Owner shall comply with all applicable conditions and requirements of the Public Works Department as contained in the DIC Memorandum."

FROM: "12. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Kendall Greens Charter School,' as prepared by The Corradino Group, dated last revised 1/9/04, and dated stamped received January 20, 2004, consisting of 9 sheets (the 'Plan')."

TO: "12. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Kendall Greens Charter School,' as prepared by Civica, dated stamped received 5/13/08, with sheet A-1 last revised 5/27/08 for a total of 9 sheets (the Plan)."

FROM: "15. The charter school shall have a minimum of two start and dismissal times separated by a minimum of 30 minutes."

TO: "15. The charter school shall have a minimum of four start and dismissal times, Monday through Friday, accommodating 200 students in each start and dismissal period, as follows:

7:45 a.m. to 2:00 p.m.  
8:15 a.m. to 2:30 p.m.  
8:45 a.m. to 3:00 p.m.  
9:15 a.m. to 3:30 p.m."

The purpose of request #2 is to allow the applicant to submit new plans indicating an expansion to an existing charter school by increasing the number of students from 600 to 800, allowing the applicant to comply with a new Public Works Department memorandum and changing the start and dismissal times.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

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

LOCATION: 15130 S.W. 80 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.8 Acres

Developmental Impact Committee  
Recommendation:

Denial without prejudice.

Protests: \_\_\_\_\_ 0 \_\_\_\_\_

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

APPROVED: \_\_\_\_\_

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

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

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

**2. AMB CODINA BEACON LAKES L. L. C. (08-6-CZ5-1/07-20)**

**35/36-53-39  
BCC/District 12**

THE BELOW REQUESTS PERTAIN TO MODIFICATION OF THE DEVELOPMENT ORDER OF RESOLUTION No. Z-11-02:

(D1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION to Development of Regional Impact pursuant to Section 380.06(19) of the Florida Statutes with respect to the following amendments and requests:

(D2) MODIFICATION of portions of the Recital of Resolution No. Z-11-02, passed and adopted by the Board of County Commissioners on May 30, 2002, and reading as follows:

FROM: "4. General Description of Proposed Development: The applicant is requesting approval of a multi-use development entitled "Beacon Lakes," consisting of: 6,600,000 square feet for warehouses, 150,000 sq. ft. of office space, and 75,000 square feet of development serving retail space. The applicant is also requesting to rezone the subject property (excluding the existing lake, which is intended to be used for stormwater management) from GU (Interim District) to BU-1A (Limited Business District) and IU-1 (Light Industrial Manufacturing District)."

TO: "4. General Description of Proposed Development: The applicant is requesting approval of a multi-use development entitled "Beacon Lakes," consisting of: ~~6,600,000~~ 5,300,000 square feet for warehouses, ~~150,000~~ 175,000 sq. ft. of office space, and ~~75,000~~ 495,000 square feet of retail space. ~~The applicant is also requesting to rezone the subject property (excluding the existing lake, which is intended to be used for stormwater management) from GU (Interim District) to BU-1A (Limited Business District) and IU-1 (Light Industrial Manufacturing District)."~~

FROM: "Developer Name: C/WDL, LTD."

TO: "Developer Name: ~~C~~AWDL, LTD. AMB Codina Beacon Lakes L. L. C."

(D3) MODIFICATION of Conditions #58, #59, and #60 of Resolution No. Z-11-02, passed and adopted by the Board of County Commissioners and reading as follows:

FROM "58. December 31, 2008 is hereby established as the build out date for this project and is the date until which the local government of jurisdiction agrees that the Beacon Lakes DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have

occurred, or that the DRI development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety, or welfare.”

TO: "58. ~~December 31, 2008~~ December 30, 2011 is hereby established as the build out date for this project, which includes the 3-year extension for projects under active construction pursuant to Sec. 380.06(19)(c), F.S. (2007), and is the date until which the local government of jurisdiction agrees that the Beacon Lakes DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety, or welfare.”

FROM: "59. The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in Section 380.04, F.S. The termination date for completing physical development shall be December 31, 2008. This termination date may only be modified in accordance with Section 380.06(19)(c), F.S.”

TO: "59. The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in Section 380.04, F.S. The termination date for completing physical development shall be ~~December 31, 2008~~ December 30, 2011, ~~This termination date may only be modified in accordance with Section 380.06(19)(c), F.S.~~ which includes the 3-year extension for projects under active construction pursuant to Sec. 380.06(19)(c), F.S. (2007).”

FROM: "60. December 31, 2013 is hereby established as the expiration date for the development order.”

TO: "60. ~~December 31, 2013~~ December 30, 2016 is hereby established as the expiration date for the development order, which includes the 3-year extension for projects under active construction pursuant to Sec. 380.06(19)(c), F.S. (2007).”

(D4) MODIFICATION of Exhibits 1, 2, 3 and 5 of Resolution No. Z-11-02, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: “Exhibit 1, Master Development Plan  
Exhibit 2, Vehicle Access Points of Offsite Roadway Network  
Exhibit 3, Project Trip Generation Rates  
Exhibit 5, Intersection Improvements.”

TO: “Exhibit 1, Master Development Plan Map H (Revised 12/20/06)  
Exhibit 2, Vehicle Access Points to Offsite Roadway Network (Revised 12/20/06)  
Exhibit 3, ~~Project Trip Generation Rates~~ Net External PM Peak Hour Project Trip Generation Rates for the Proposed Development Program (Revised 12/18/06).”

Exhibit 5, Intersection Improvements at N.W. 12 Street at N.W. 127 Avenue  
(Revised 12/20/06)."

(D5) MODIFICATION of Paragraph "E" of Exhibit #4 of Resolution No. Z-11-02, last modified by Resolution #Z-28-07, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: EXHIBIT 4 - BEACON LAKES DRI TRANSPORTATION IMPROVEMENTS

E. Widen N.W. 127 Avenue from N.W. 12 Street to S.W. 8 Street to a four-lane roadway or an alternative cross section that adequately mitigates project impacts as acceptable to Miami-Dade County Public Works Department.

TO: "EXHIBIT 4 - BEACON LAKES DRI TRANSPORTATION IMPROVEMENTS

E. Widen N.W. 127 Avenue from N.W. 12 Street to S.W. 8 Street to a ~~four-lane~~ five-lane roadway ~~or an alternative cross section that adequately mitigates project impacts as acceptable to Miami-Dade County Public Works Department.~~ "

The purpose of requests #D1-#D5 is to permit the applicant to decrease the square footage requirements for the warehouse use; to increase the square footage requirements for the office and retail uses; to revise Exhibits indicating the revised master development site plan, vehicle trip count, access points and intersection improvements and to extend the build-out date, termination date and expiration date of the previously approved Beacon Lakes DRI.

REQUESTS #D1 TO #D5 ON PARCEL 1.

THE BELOW REQUESTS PERTAIN TO ZONING:

(Z1) MODIFICATION of Paragraph #1 of a Declaration of Restrictions recorded in Official Record Book 20487, Pages 4478-4496, as last modified by a covenant proviso contained in Resolution No. CZAB5-10-04, and reading as follows:

FROM: "1. The property shall be developed in substantial accordance with the plans entitled 'Beacon Lakes Master Plan,' as prepared by Retzsch, Lanao, Caycedo, Architects, consisting of 5 sheets dated 6/28/04 and 9 sheets prepared by URG & Assoc., Inc., dated, signed and sealed 1/6/04."

TO: "1. The property shall be developed in substantial accordance with the plans entitled '~~Beacon Lakes Master Plan,~~' ~~as prepared by Retzsch, Lanao, Caycedo, Architects, consisting of 5 sheets dated 6/28/04 and 9 sheets prepared by URG & Assoc., Inc., dated, signed and sealed 1/6/04.~~ Beacon Lakes," as prepared by Creech Engineers, Inc., Retzsch Lanao Caycedo Architects, and Conceptual Design Group, Inc., dated stamped received February 25, 2008 and consisting of twenty (20) sheets, as said plan may be modified from time to time in a manner consistent with Miami-Dade County Code requirements."

The purpose of request #Z1 is to allow the applicant to submit new site plans for a commercial development consisting of retail and restaurant uses.

(Z2) IU-1 to BU-2.

(Z3) UNUSUAL USE to permit outdoor dining and table service in connection with restaurants.

REQUESTS #Z1 - Z3 ON PARCEL 2.



Moats	20	
Landscaping	285	
TOTAL Zoo	740	100.0
<b>Land Use - Metropolitan Park</b>		
Park Public Facilities (sidewalks, roads, parking, tennis, bike paths, paths, etc.)	25	9.3
Marinas/Restaurants & Other Buildings	3	1.1
Open Space (includes campgrounds, observation hill and landscaped areas)	220	81.5
Lake	22	8.1
TOTAL Park	270	100.0
TOTAL DEVELOPMENT	1,010	

TO: "B. PROJECT SUMMARY:

1. Land Use Characteristics –

<b><u>Miami MetroZoo Entertainment Area and Gold Coast Railroad Museum</u></b>		<u>Acres</u>
<u>Water Park</u>		<u>23</u>
<b>Family Entertainment Center</b>		<u>20</u>
<u>Hotel (up to 200 rooms)</u>		<u>15</u>
<u>Entrance</u>		<u>7.3</u>
<u>Public Facilities</u>		<u>57.1</u>
<u>(Utilities, roads, parking)</u>		
Gold Coast Museum building, facilities and ancillary theme-related retail food service and open space		<u>45</u>
Open Space (Landscaping)		<u>2.6</u>
<u>Total: Miami Metrozoo, Miami Metro Zoo Entertainment Area and Gold Coast Railroad Museum</u>		<u>170</u>
<b>TOTAL: Metro Zoo, Miami Metro Zoo Entertainment Area and Gold Coast Museum</b>		<b><u>792.3</u></b>
<b><u>Metropolitan Park</u></b>		
Park Public Facilities		25

(sidewalks, roads, parking, tennis, bike paths, paths, etc.)	
Marinas/Restaurants & Other Buildings	3
Open Space (includes campgrounds, observation hill and landscaped areas)	<u>356</u>
Lake	22
<b>TOTAL Metropolitan Park</b>	<b>406 Acres</b>

<b><u>Gold Coast Railroad Museum</u></b>	
<u>Open Space and Transportation Facilities</u>	<u>5</u>
TOTAL Gold Coast Railroad Museum	<u>5</u>
<b>TOTAL DEVELOPMENT</b>	<b><u>1 203.3 Acres</u></b>

FROM : 5. Recreation facility Data  
Number of Parking Spaces:

Zoo:	5,000	Park:	655
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TO: 5. Recreation facility Data  
Number of Parking Spaces:

<b>Zoo:</b>	<b><u>3,565</u></b>	Park:	655
<b>Water theme park:</b>	<b><u>500</u></b>		
<b>Family Entertainment Center:</b>	<b><u>275</u></b>		
Hotel:	275		
<b>Gold Coast Railroad Museum:</b>	<b><u>385</u></b>		
<b>Total:</b>	<b><u>5,000</u></b>		

**AND TO ADD THE FOLLOWING:**

December 31, 2021 is hereby established as the build-out date for this project and is the date until which the local government of jurisdiction agrees that the **MetroZoo and Miami Metrozoo Entertainment Area, Metropolitan Park AND Gold Coast Railroad Museum** shall not be subject to downzoning, a unit density reduction, or an intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes in the conditions underlying the approval of the DRI Development Order have occurred or that the DRI Development Order was based on substantially inaccurate information provided by the Applicant, or unless the Board of County Commissioners has clearly established that the change is essential to the public health, safety, or welfare.”

December 31, 2028 is hereby established as the expiration date for the Development Order.



(2) MODIFICATION of Paragraph One of the Declaration of Restrictions recorded at Official Record Book 21660, Pages 4050-4060, as modified by Paragraph #2 of a modification of a Declaration of Restrictions recorded at Official Record Book 25839, Pages 1199-1209, reading as follows:

FROM: "2. Paragraph One of the Existing Covenant is hereby amended to read as follows:

The Multi-Family Residential Parcel, described in Exhibit 'B' attached hereto, shall be developed substantially in compliance with the plans previously submitted, entitled 'The Greens at Kendall Condominiums,' by ReyMar & Associates, Inc., Architects and Planners, consisting of eighteen (18) pages dated stamped received 10-5-05."

TO: "2. Paragraph One of the Existing Covenant is hereby amended to read as follows:

The Multi-Family Residential Parcel, described in Exhibit 'B' attached hereto, shall be developed substantially in compliance with the plans previously submitted, entitled 'Tradition at Kendall,' as prepared by Robayna and Associates, Inc. consisting of 4 sheets, dated stamped received 3/17/08 and Sheet S-5 dated stamped received 5/16/08 entitled 'Tradition at Kendall Kendall Lakes, Florida,' as prepared by Richard Jones Architecture, consisting of 20 sheets, dated stamped received 3/17/08 and plans entitled 'Tradition at Kendale Lakes,' as prepared by JFS Design, Inc., consisting of 10 sheets, dated stamped received 3/17/08 for a total of 35 sheets,."

The purpose of requests #1 and #2 is to allow the applicant to submit revised plans for a pre-approved multi-family apartment development showing fewer units, new building configuration, filling of a portion of the lake slope and providing a new condition for workforce housing.

(3) UNUSUAL USE to permit the partial filling of a lake.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 and #3 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

LOCATION: Lying approximately 350' north of S.W. 88 Street (North Kendall Drive) and east of Hammocks Boulevard, Miami-Dade County, Florida.

SIZE OF PROPERTY: 15.81 Acres

Department of Planning and Zoning Recommendation:

Approval with conditions of requests #1 and #2 under Section 33-311(A)(7) (generalized modification standards), denial without prejudice of same requests under Section 33-311(A)(17) (modification or elimination of conditions and covenants after public hearings); approval with conditions of request #3.

Protests: \_\_\_\_\_ 1 \_\_\_\_\_

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

APPROVED: \_\_\_\_\_

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

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

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

**5. SOUTHWESTERN GRANT L.L.C. (08-7-CC-5/07-303)**

**18-56-40  
BCC/District 8**

(1) MODIFICATION of Paragraph 6(a) of a Declaration of Restrictions as recorded in Official Record Book 22662, Pages 3984 – 4007, only as it applies to the subject property, reading as follows:

FROM: "6. Charter School.

(a), The Plan identifies 7.82 acres (hereinafter collectively the 'School Site') designated for the construction and operation of one or more K-12 charter schools, which will provide 1100 student stations, operated under one or more charter(s) from the School Board of the County (hereinafter the 'School Board'). Prior to construction of the School Site, the charter school(s) shall be subject to review by the Miami-Dade County Developmental Impact Committee ('DIC') Executive Council under separate application in accordance with procedures for the review of charter schools. The application(s) for such review shall include a Phase I Environmental Assessment and subsurface investigations and, if required, Phase II Environmental Assessment and subsurface investigations prepared by a licensed geotechnical firm. The cost of the Phase I Environmental Assessment and Phase II Environmental Assessment if required, shall be paid for by the Owners."

TO: "6. Charter School.

(a), The Plan identifies 7.82 acres (hereinafter collectively the 'School Site') designated for the construction and operation of one or more K-12 charter schools, which will provide 1,600 student stations, operated under one or more charter(s) from the School Board of the County (hereinafter the 'School Board'). Prior to construction of the School Site, the charter school(s) shall be subject to review by the Miami-Dade County Developmental Impact Committee ('DIC') Executive Council under separate application in accordance with procedures for the review of charter schools. The application(s) for such review shall include a Phase I Environmental Assessment and subsurface investigations and, if required, Phase II Environmental Assessment and subsurface investigations prepared by a licensed geotechnical firm. The cost of the Phase I Environmental Assessment and Phase II Environmental Assessment if required, shall be paid for by the Owners."

(2) MODIFICATION of Conditions 6(d) and 6(e) of Resolution #Z-20-06, passed and adopted by the Board of County Commissioners, only as it applies to the subject property (Parcel "C") and reading as follows:

FROM: "6(d). The Owners shall obtain a Certificate(s) of Use and Occupancy for a charter school(s) providing a minimum of 800 student stations for grades K-12 no later than the beginning of the 2007-08 school year."

TO: "6(d). The Owners shall obtain a Certificate(s) of Use for a charter school(s) providing an aggregate total of 1,600 student stations in accordance with the following schedule:

- (i) a minimum of 800 student stations for grades K-12, no later than the beginning of the 2007-08 school year;
- (ii) a minimum of an additional 300 student stations for grades K-12, on Parcels "A" and "B" providing an aggregate total of 1,100 student stations, no later than the beginning of the 2009-10 school year; and
- (iii) a minimum of an additional 500 student stations for grades K-5 on Parcel "C", providing an aggregate total of 1,600 student stations, no later than the beginning of the 2010-11 school year."

FROM: "6(e) The owner shall obtain a certificate(s) of use and occupancy for a charter school(s) providing a minimum of an additional 300 student stations for grades K-12, providing an aggregate total of 1,100 student stations no later than the beginning of the 2008-09 school year. The owner shall apply for the creation of a special taxing district, create a homeowners association, and/or similar entity approved by Miami-Dade County to maintain and operate the charter school(s) in the event that such a maintenance or operation would become necessary. Owners shall be deemed to have complied with Paragraph 6(a) – (e) herein upon completing and opening a 1,100-student station charter school."

TO: "6(e) The owner shall obtain a Certificate(s) of Use for a charter school(s) providing a minimum of an additional 300 student stations for grades K-12, providing an aggregate total of 1,100 student stations no later than the beginning of the 2009-10 school year. Additionally, the owner shall obtain a Certificate(s) of Use for a minimum of an additional 500 student stations for grades K-12, providing an aggregate total of 1,600 student stations, no later than the beginning of the 2010-11 school year. The owner shall apply for the creation of a special taxing district, create a homeowners association, and/or similar entity approved by Miami-Dade County to maintain and operate the charter school(s) in the event that such a maintenance or operation would become necessary. Owners shall be deemed to have complied with Paragraph 6(a) – (e) herein upon completing and opening a 1,600-student station charter school."

(3) MODIFICATION of Paragraphs 6(d) and 6(e) of Declaration of Restrictions for Charter Schools as recorded in the Official Record Book 22662, Pages 3984 – 4007, last modified by a Modification of Declaration of Restrictions, recorded at Official Records Book 22662, Pages 3984-4007, as recorded in Official Records Book 24780, Pages 2321 – 2406, only as it applies to the subject property (Parcel "C"), reading as follows:

FROM: "6(d). The Owners shall obtain a Certificate(s) of Use and Occupancy for a charter school(s) providing a minimum of 800 student stations for grades K-12 no later than the beginning of the 2007-08 school year."

TO: "6(d). The Owners shall obtain a Certificate(s) of Use for the charter school(s) providing a total of 1,600 student stations in accordance with the following schedule:

- (i) a minimum of 800 student stations for grades K-12, no later than the beginning of the 2007-08 school year;
- (ii) a minimum of an additional 300 student stations for grades K-12 on Parcels "A" and "B", providing an aggregate total of 1,100 student stations, no later than the beginning of the 2009-10 school year; and
- (iii) a minimum of an additional 500 student stations for grades K-5 on Parcel "C", providing an aggregate total of 1,600 student stations, no later than the beginning of the 2010-11 school year."

FROM: "6(e) The owner shall obtain a certificate(s) of use and occupancy for a charter school(s) providing a minimum of an additional 300 student stations for grades K-12, providing an aggregate total of 1,100 student stations no later than the beginning of the 2008-09 school year. The owner shall apply for the creation of a special taxing district, create a homeowners association, and/or similar entity approved by Miami-Dade County to maintain and operate the charter school(s) in the event that such maintenance or operation would become necessary. Owners shall be deemed to have complied with Paragraph 6(a) – (e) herein upon completing and opening an 1,100-student station charter school."

TO: "6(e) The charter school shall be constructed in phases on three sites. Parcel A consists of approximately 4.9 acres located on the south side of S.W. 232 Street, on the east side of theoretical S.W. 115 Avenue, and shall be limited to 1,100 students in grades Kindergarten through 12. Parcel B consists of approximately one acre located on the north side of S.W. 232 Street, on the east side of theoretical S.W. 115 Avenue, and shall be improved as a paved parking lot serving the Charter School. Parcel C consists of approximately 2.47 acres located on the north side of S.W. 232 Street, on the east side of S.W. 117 Avenue, and shall be limited to 500 students in grades K through 5. The Owner shall apply for the creation of a special taxing district, create a homeowners' association, and/or similar entity approved by Miami-Dade County to maintain and operate the charter school(s) in the event that such maintenance or operation would become necessary. Owners shall be deemed to have complied with Paragraph 6(a)-(e) herein upon completing and opening a 1,600 student station charter school."

(4) MODIFICATION of Paragraphs #2 and #11 of a Declaration of Restrictions as recorded in the Official Record Book 26217, Pages 1426 – 1434 on Parcel "C", reading as follows:

FROM: "2. That the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Somerset Charter School at Silver Palm,' by Civica, dated stamped received January 27, 2005."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Somerset Charter Elementary School at Silver Palm, S.W. 117<sup>th</sup> Avenue and Silver Palm Drive, Miami, FL' by Civica Architect, dated stamped received 5/21/08 and consisting of 10 pages."

FROM: "11. That the charter school use shall be limited to grades K-5 for a maximum of 300 students."

TO: "11. That the charter school use shall be limited to grades K-5 for a maximum of 500 students."

The purpose of these requests is to allow the applicant to submit revised plans indicating an increase in the number of students for a previously approved Charter School.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #1 - #4 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants after Public Hearing).

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

LOCATION: The Northeast corner of S.W. 232 Street and S.W. 117 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.47 Acres

Developmental Impact Committee Recommendation:

Must be deferred.

Protests: 0

Waivers: 0

APPROVED: \_\_\_\_\_

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

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

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

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**6. SOUTHWESTERN GRANT L.L.C. (08-7-CC-6/07-318)**

**18/19-56-40  
BCC/District 8**

(1) MODIFICATION of Paragraph 6(a) of a Declaration of Restrictions as recorded in Official Record Book 22662, Pages 3984 – 4007, only as it applies to the subject property, reading as follows:

FROM: "6. Charter School.

(a), The Plan identifies 7.82 acres (hereinafter collectively the 'School Site') designated for the construction and operation of one or more K-12 charter schools, which will provide 1100 student stations, operated under one or more charter(s) from the School Board of the County (hereinafter the 'School Board'). Prior to construction of the School Site, the charter school(s) shall be subject to review by the Miami-Dade County Developmental Impact Committee ('DIC') Executive Council under separate application in accordance with procedures for the review of charter schools. The application(s) for such review shall include a Phase I Environmental Assessment and subsurface investigations and, if required, Phase II Environmental Assessment and subsurface investigations prepared by a licensed geotechnical firm. The cost of the Phase I Environmental

Assessment and Phase II Environmental Assessment if required, shall be paid for by the Owners.”

TO: “6. Charter School.

(a), The Plan identifies 7.82 acres (hereinafter collectively the ‘School Site’) designated for the construction and operation of one or more K-12 charter schools, which will provide 1,600 student stations, operated under one or more charter(s) from the School Board of the County (hereinafter the ‘School Board’). Prior to construction of the School Site, the charter school(s) shall be subject to review by the Miami-Dade County Developmental Impact Committee (‘DIC’) Executive Council under separate application in accordance with procedures for the review of charter schools. The application(s) for such review shall include a Phase I Environmental Assessment and subsurface investigations and, if required, Phase II Environmental Assessment and subsurface investigations prepared by a licensed geotechnical firm. The cost of the Phase I Environmental Assessment and Phase II Environmental Assessment if required, shall be paid for by the Owners.”

(2) MODIFICATION of Conditions 6(d) and 6(e) of Resolution #Z-20-06, passed and adopted by the Board of County Commissioners, only as it applies to the subject property (Parcels “A” and “B”), and reading as follows:

FROM: “6(d). The Owners shall obtain a Certificate(s) of Use and Occupancy for a charter school(s) providing a minimum of 800 student stations for grades K-12 no later than the beginning of the 2007-08 school year.”

TO: “6(d). The Owners shall obtain a Certificate(s) of Use for a charter school(s) providing an aggregate total of 1,600 student stations in accordance with the following schedule:

- (i) a minimum of 800 student stations for grades K-12, no later than the beginning of the 2007-08 school year;
- (ii) a minimum of an additional 300 student stations for grades K-12, on Parcels “A” and “B” providing an aggregate total of 1,100 student stations, no later than the beginning of the 2009-10 school year; and
- (iii) a minimum of an additional 500 student stations for grades K-5 on Parcel “C”, providing an aggregate total of 1,600 student stations, no later than the beginning of the 2010-11 school year.”

FROM: “6(e) The owner shall obtain a Certificate(s) of Use and Occupancy for a charter school(s) providing a minimum of an additional 300 student stations for grades K-12, providing an aggregate total of 1,100 student stations no later than the beginning of the 2008-09 school year. The owner shall apply for the creation of a special taxing district, create a homeowners association, and/or similar entity approved by Miami-Dade County to maintain and operate the charter school(s) in the event that such a maintenance or operation would become necessary. Owners shall be deemed to have complied with Paragraph 6(a) – (e) herein upon completing and opening a 1,100-student station charter school.”

TO: "6(e) The owner shall obtain a Certificate(s) of Use for a charter school(s) providing a minimum of an additional 300 student stations for grades K-12, providing an aggregate total of 1,600 student stations no later than the beginning of the 2009-10 school year. Additionally, the owner shall obtain a certificate(s) of Use for a minimum of an additional 500 student stations for grades K-12, providing an aggregate total of 1,600 student stations, no later than the beginning of the 2010-11 school year. The owner shall apply for the creation of a special taxing district, create a homeowners association, and/or similar entity approved by Miami-Dade County to maintain and operate the charter school(s) in the event that such a maintenance or operation would become necessary. Owners shall be deemed to have complied with Paragraph 6(a) – (e) herein upon completing and opening a 1,600-student station charter school."

(3) MODIFICATION of Paragraphs 6(d) and 6(e) of Declaration of Restrictions for Charter Schools as recorded in the Official Record Book 22662, Pages 3984 – 4007, last modified by a "Modification of Declaration of Restrictions Recorded at Official Records Book 22662, Pages 3984-4007," as recorded on Official Records Book 24780, Pages 2321 – 2406, only as it applies to the subject property (Parcels "A" and "B"), reading as follows:

FROM: "6(d). The Owners shall obtain a certificate(s) of use and occupancy for a charter school(s) providing a minimum of 800 student stations for grades K-12 no later than the beginning of the 2007-08 school year."

TO: "6(d). The Owners shall obtain a Certificate(s) of Use for a charter school(s) providing an aggregate total of 1,600 student stations in accordance with the following schedule:

- (i) a minimum of 800 student stations for grades K-12, no later than the beginning of the 2007-08 school year;
- (ii) a minimum of an additional 300 student stations for grades K-12, on Parcels "A" and "B" providing an aggregate total of 1,100 student stations, no later than the beginning of the 2009-10 school year; and
- (iii) a minimum of an additional 500 student stations for grades K-5 on Parcel "C", providing an aggregate total of 1,600 student stations, no later than the beginning of the 2010-11 school year."

FROM: "6(e) The owner shall obtain a certificate(s) of use and occupancy for a charter school(s) providing a minimum of an additional 300 student stations for grades K-12, providing an aggregate total of 1,100 student stations no later than the beginning of the 2008-09 school year. The owner shall apply for the creation of a special taxing district, create a homeowners association, and/or similar entity approved by Miami-Dade County to maintain and operate the charter school(s) in the event that such a maintenance or operation would become necessary. Owners shall be deemed to have complied with Paragraph 6(a) – (e) herein upon completing and opening a 1,100-student station charter school."

TO: "6(e) The charter school shall be constructed in phases on three sites. Parcel A consists of approximately 4.9 acres located on the south side of S.W. 232 Street, on the east side of theoretical S.W. 115 Avenue, and shall be limited to 1,100 students in grades kindergarten through 12. Parcel B consists of approximately one acre located on the north side of S.W. 232

Street, on the east side of theoretical S.W. 115 Avenue, and shall be improved as a paved parking lot serving the Charter School. Parcel C consists of approximately 2.47 acres located on the north side of S.W. 232 Street, on the east side of S.W. 117 Avenue, and shall be limited to 500 students in grades K through 5. The Owner shall apply for the creation of a special taxing district, create a homeowners' association, and/or similar entity approved by Miami-Dade County to maintain and operate the charter school(s) in the event that such maintenance or operation would become necessary. Owners shall be deemed to have complied with Paragraph 6(a)-(e) herein upon completing and opening a 1,600 student station charter school."

(4) MODIFICATION of Paragraphs #2 and #11 of a Declaration of Restrictions as recorded in the Official Record Book 26217, Pages 1290 – 1298 on Parcels "A" and "B", reading as follows:

FROM: "2. That the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Somerset Charter School at Silver Palm Kindergarten School and 1<sup>st</sup> – 12<sup>th</sup> Grade School,' by Civica, dated stamped received January 27, 2005."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Somerset Charter School at Silver Palm' as prepared by Civica Architect, Sheet A-1.1 dated stamped received 5/28/08 with Sheets A-1.0 through A-1.2 dated last revised 5/15/08 and the remaining sheets dated stamped received 5/21/08 for a total of 14 sheets."

FROM: "11. That the charter school use shall be limited to grades Kindergarten to 12<sup>th</sup> grade for a maximum of 800 students."

TO: "11. That the charter school use shall be limited to grades Kindergarten-12<sup>th</sup> grade for a maximum of 1,100 students."

The purpose of these requests is to allow the applicant to submit revised site plans indicating an increase in the number of students and to show Parcel "B" to be used for parking only for a previously approved Charter School.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #1-#4 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

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

LOCATION: The north and south sides of S.W. 232 Street, between S.W. 114 Place and S.W. 115 Avenue, Miami-Dade County, Florida; A/K/A: 23255 S.W. 115 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4.9 Acres

Developmental Impact Committee  
Recommendation:

Must be deferred.

Protests:           0          

Waivers:           0

APPROVED: \_\_\_\_\_

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

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

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

**7. SUMMERVILLE CHARTER SCHOOL, INC. (08-7-CC-7/08-38)**

**19-56-40  
BCC/District 8**

(1) MODIFICATION of Conditions #2, #11, #12 and #14 of Resolution No. Z-24-05, passed and adopted by the Board of County Commissioners, and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Summerville Charter School,' by Juan A. Rodriguez Jomolca, dated stamped received July 08, 2005, (except as modified herein to indicate that all parking aisles shall have a minimum of 15' radius on the driveway side)."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Summerville Charter School,' by Juan A. Rodriguez-RA Jomolca, dated stamped received March 24, 2008 and consisting of 5 pages (except as modified herein to indicate that all parking aisles shall have a minimum of 15' radius on the driveway side)."

FROM: "11. That the charter school use shall be limited to grades kindergarten through 5<sup>th</sup> grade."

TO: "11. That the charter school use shall be limited to grades kindergarten through 8<sup>th</sup> grade."

FROM: "12. That phase 1 of the charter school facility be limited to a maximum of 300 students, and that phase 2 be limited to a maximum of 455 students."

TO: "12. That the charter school facility be limited to a maximum of 550 students."

FROM: "14. That there be three staggered shifts of arrival and dismissal for students at the charter school. Said shifts shall be as follows:

Grade Levels	#Students	Arrival	Dismissal
K-1	155	8:00 AM	2:00 PM
2-3	150	8:20 AM	2:20 PM
4-5	150	8:40 AM	2:40 PM

TO: "14. That there be three staggered shifts of arrival and dismissal for students at the charter school. Said shifts shall be as follows:

Grade Levels	#Students	Arrival	Dismissal
K-3	190	8:50 AM	11:50 AM
4-5	180	8:20 AM	2:20 PM
6-8	180	8:50 AM	2:50 PM

(2) MODIFICATION of Paragraphs #1, #2 and #3 of a Declaration of Restrictions recorded in Official Record Book 24126, Pages 700-708, reading as follows:

FROM: "1. The use of the Property shall be established and maintained substantially in accordance with the plan submitted with the Application entitled 'Summerville Charter School,' prepared by Juan A. Rodriguez, dated stamped received on September 1, 2005 (the 'Plan'), as said plan may be further modified at public hearing on the Application."

TO: "1. The use of the Property shall be established and maintained substantially in accordance with the plan submitted with the Application entitled 'Summerville Charter School Dade County, Florida,' prepared by Juan A. Rodriguez, RA Jomolca dated stamped received on March 24, 2008 and consisting of 5 pages, as said plan may be further modified at public hearing on the Application."

FROM: "2. The Charter School use shall be limited to kindergarten through fifth grades with four hundred fifty-five (455) students, and shall open in a permanent facility, depicted as Phase II in the Plan, no later than the beginning of the 2007 school year. In the event the Charter School is constructed in two phases, Phase I of the Charter School, as depicted in the Plan, shall be limited to 300 students and any modular facilities erected as part of Phase I shall be removed from the property no later than August 1, 2007."

TO: "2. The Charter School use shall be limited to kindergarten through eighth grades with five hundred fifty (550) students."

FROM: "3. The proposed start/dismissal times for the Charter School are as follows:  
Kindergarten and 1<sup>st</sup> Grade – Start 8 a.m./Dismissal 2 p.m.  
2<sup>nd</sup> and 3<sup>rd</sup> Grades – Start 8:20 a.m./Dismissal 2:20 p.m.  
4<sup>th</sup> and 5<sup>th</sup> Grades – Start 8:40 a.m./Dismissal 2:40 p.m.  
However, the owner, at it its (sic) discretion, may modify the foregoing schedule so long as the Charter School has a minimum of three (3) start/dismissal times staggered at least twenty (30) minutes apart. Further, the Owner shall provide written notice of any modifications to the start/dismissal times to the directors of the Department of Planning and Zoning and the Public Works Department, respectively, and said modifications shall be subject to the approval of the directors."

TO: "3. The proposed start/dismissal times for the Charter School area as follows:  
Kindergarten to 3<sup>rd</sup> Grade – Start 7:50 a.m./Dismissal 1:50 p.m.  
4<sup>th</sup> and 5<sup>th</sup> Grades – Start 8:20 a.m./Dismissal 2:20 p.m.  
6<sup>th</sup> to 8<sup>th</sup> Grade – Start 8:50 a.m./Dismissal 2:50 p.m.  
However, the owner, at its discretion, may modify the foregoing schedule so long as the Charter School has a minimum of three (3) start/dismissal times staggered at least twenty (20) minutes apart. Further, the Owner shall provide written notice of any modifications to the start/dismissal times to the directors of the Department of Planning and Zoning and the Public Works Department, respectively, and said modifications shall be subject to the approval of the directors."

The purpose of these requests is to allow the applicant to increase the amount of students, to increase the grades and to modify the schedule for the Charter School.

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

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

LOCATION: 11575 S.W. 243 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.5 Acres

Developmental Impact Committee  
Recommendation:

Approval with conditions of requests #1 and #2 under Section 33-311(A)(7) (generalized modification standards), and denial without prejudice of same requests under Section 33-311(A)(17) (modification or elimination of conditions and covenants after public hearing).

Protests: 0

Waivers: 0

APPROVED: \_\_\_\_\_

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

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

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

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T H E E N D

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 Planning and Zoning within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Legal Counsel's office for the Department of Planning and Zoning at (305) 375-3075, or the Zoning Hearings Section 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.

**Board of County Commissioners**

**July 3, 2008**

The following two items **MUST BE DEFERRED:**

➤ **Item #5 - Southwestern Grant LLC #07-303**

**And**

➤ **Item #6 - Southwestern Grant LLC #07-318**

**1. KENDALL GREENS PROPERTY, LLC**  
**(Applicant)**

**08-7-CC-1 (06-220)**  
**BCC/District 11**  
**Hearing Date: 7/3/08**

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:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1969	Simeon D. Spear, Trustee	- Zone change from GU to RU-1, RU-TH, RU-3M, RU-4L, RU-4M, and BU-2. - Unusual Use for golf course. - Lake excavation.	BCC	Approved
1969	Simeon D. Spear	- Zone change from GU to RU-1, RU-TH, RU-3M, RU-4L, RU-4M, and BU-2. - Unusual Use for golf course. - Lake excavation.	ZAB	Recommended for approval
1993	Paul J. Sansone	- Zone change from GU and BU-2 to BU-1A. - Deletion of covenant and resolution. - Special exception for religious facility. - Non-Use variance of parking. - Non-Use variance of setbacks.	BCC	Approved w/conds.
1994	Paul Sansone	Reformation of previous resolution for legal description.	BCC	Approved
2003	Benz Leasing, Inc.	- Zone change from GU to RU-4L & RU-1. - Deletion of covenant.	BCC	Approved

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:** July 3, 2008

**To:** The Board of County Commissioners

**From:** Developmental Impact Committee  
Executive Council

**Subject:** Developmental Impact Committee Recommendation

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**APPLICANT:** Kendall Greens Property, LLC (Z06-220)

**SUMMARY OF REQUESTS:**

The applicant, Kendall Greens Property, LLC, is seeking a special exception to increase the number of students for a previously approved charter school and a modification of a declaration of restrictions to submit new plans indicating the proposed increase in the number of students, number of classrooms, comply with a new Public Works Department memorandum and to change the staggered drop-off and dismissal times.

**LOCATION:** 15130 SW 80 Street, Miami-Dade County, Florida.

**COMMENTS:**

This application went before the Developmental Impact Committee because the applicant is requesting a modification of conditions of a previously approved 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 and the attached Department memoranda were reviewed and considered by said Committee.

**DIC RECOMMENDATION:**

**Approval with conditions.**

In addition, as part of the motion, the Executive Council added the following conditions:

1. That a revised Declaration of Restrictions be submitted to the Department of Planning and Zoning within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director, for good cause shown.
2. That the applicant comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of this application and incorporated herein by reference.
3. That the Charter School use shall be limited to Kindergarten through 5<sup>th</sup> grade with eight hundred (800) students.
4. The charter school shall have a minimum of four start and dismissal times, Monday through Friday, accommodating 200 students in each start and dismissal period, as follows:

7:45 a.m. and 2:00 p.m.

8:15 a.m. and 2:30 p.m.

8:45 a.m. and 3:00 p.m.

9:15 a.m. and 3:30 p.m.

The Executive Council found that the proposed application, with the applied conditions, is in keeping with the Comprehensive Development Master Plan Land Use map designation for the subject parcel and is in compliance with Article XI -Public Charter School facilities of Chapter 33 of the Code of Miami-Dade County. In relation to the present and future development of the area, the Executive Council finds that the modifications to the charter school site, with the applied conditions, will permit a development which is **consistent** with the Comprehensive Development Master Plan (CDMP), and will not be contrary to the public interest. In addition, the Council also finds that the development will be **compatible** with the surrounding area and would not detrimentally impact same.

APPLICATION NO. Z06-220  
KENDALL GREENS PROPERTY, LLC

Respectfully Submitted,

DIC Executive Council  
May 28, 2008

Susanne M. Torriente  
Assistant County Manager

Absent

Herminio Lorenzo, Fire Chief  
Miami-Dade Fire Rescue Department

Absent

Irma San Roman, Deputy Director  
Metropolitan Planning Organization Secretariat



AYE

Subrata Basu, Interim Director  
Department of Planning and Zoning



NAY

Esther Calas, P.E., Director  
Public Works Department



AYE

Carlos Espinosa, P.E., Director  
Department of Environmental Resources Mgmt

Absent

Jorge S. Rodriguez, P.E., Assistant Director  
Miami-Dade Water and Sewer Department



AYE

**DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO THE DEVELOPMENTAL IMPACT COMMITTEE**

**APPLICANT:** Kendall Greens Property, LLC

**PH:** Z06-220

**SECTION:** 33-54-39

**DIC DATE:** May 28, 2008

**COMMISSION DISTRICT:** 11

**ITEM NO.:** 08-7-CC-1

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**A. INTRODUCTION:**

o **REQUESTS:**

- (1) Special Exception to permit the expansion of an existing charter school.
- (2) Modification of Paragraphs #4, #12 and #15 of a Declaration of Restrictions recorded in Official Record Book 26359 pages 90-117, reading as follows:

FROM: "4. The Owner shall comply with all applicable conditions and requirements of the Public Works Department as contained in Section IV of the DIC Memorandum."

TO: "4 The Owner shall comply with all applicable conditions and requirements of the Public Works Department as contained in the DIC Memorandum."

FROM: "12. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Kendall Greens Charter School," as prepared by The Corradino Group, dated last revised 1/9/04, and dated stamped received January 20, 2004, consisting of 9 sheets (the Plan)."

TO: "12. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Kendall Greens Charter School,' as prepared by Civica, dated stamped received 5/13/08, with sheet A-1 last revised 5/27/08 for a total of 9 sheets (the Plan)."

FROM: "15. The charter school shall have a minimum of two start and dismissal times separated by a minimum of 30 minutes.

TO: "15. The charter school shall have a minimum of four start and dismissal times, Monday through Friday, accommodating approximately 200 students in each start and dismissal period, as follows:  
7:45 a.m. and 2:00 p.m.  
8:15 a.m. and 2:30 p.m.  
8:45 a.m. and 3:00 p.m.  
9:15 a.m. and 3:30 p.m.

The purpose of the request is to allow the applicant to submit new plans indicating an expansion to an existing charter school by increasing the number of students from 600 to 800, allowing the applicant to comply with a new Public Works Department memorandum and changing start and dismissal times.

Upon a demonstration that the applicable standards have been satisfied, approval of the request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

o **SUMMARY OF REQUESTS:**

The applicant, Kendall Greens Property, LLC, is seeking a special exception to increase the number of students for a previously approved charter school and a modification of a declaration of restrictions to submit new plans indicating the proposed increase in the number of students, number of classrooms, comply with a new Public Works Department memorandum and to change the staggered drop-off and dismissal times.

o **LOCATION:** 15130 SW 80 Street, Miami-Dade County, Florida.

o **SIZE:** 2.8 Acres

o **IMPACT:**

This application would allow the applicant to expand the number of children at the previously approved charter school on the subject site which will allow the applicant to provide an expanded service to the community. However, the request could visually impact and bring additional noise and traffic to the surrounding area.

**B. ZONING HEARINGS HISTORY:**

In 2003, pursuant to Resolution #Z-13-03, the subject property was part of an application which was granted approval for a district boundary change from GU, Interim District, to RU-4L, Limited Apartment House District, pursuant to the Resolution #Z-13-03. The owner proffered a Declaration of Restrictions recorded in Official Record Book 21660 Pages 4050-4060, which among other things, proffered to set aside a 2.8 acre parcel for a charter school for a minimum of 300 student stations for grades kindergarten (K) through five (5). In 2006, pursuant to Resolution #Z-13-06, the subject property was part of an application which was granted approval for a modification of various paragraphs of the abovementioned Declaration of Restrictions. Among the modifications, the 2.8 acre charter school site was allowed on the Multi-Family Residential Parcel in lieu of on the Senior Housing Parcel. Subsequently, the owner proffered a Modification to the Declaration of Restrictions, reflecting such modifications and recorded in Official Record Book 25839 Pages 1199 through 1209. In 2004, pursuant to Application #S03008008, the Developmental Impact Committee (DIC) approved the subject charter school on the designated 2.8 acre parcel (subject property), and the owner proffered an additional Declaration of Restrictions recorded in Official Record 26359 Pages 0090-117, which among other things, restricts the school site to the site plan, to hours of operation, compliance with landscaping code requirement (Chapter 18A) and compliance with conditions of the various Departments.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within approximately 1.25 miles of the Urban Development Boundary for **Low Medium Density Residential**. The residential densities allowed in this category shall range from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre.

This density range is typically characterized by single-family homes, townhouses and low rise-apartments. Zero-lot-line single-family developments in this category shall not exceed density of 7.0 units per gross acre.

2. **Residential Communities.** Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, day care centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood.
3. **Policy LU-4A.** When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.
4. **Institutional and Public Facility.** Neighborhood- or community-serving institutional uses, cell towers and utilities including **schools**, libraries, sanitary sewer pumps 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 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.
5. **Educational Element Goal.** Develop, operate, and maintain a system of public education by Miami-Dade County Public Schools, in cooperation with the County and other appropriate governmental agencies, which will strive to improve the quality and quantity of public educational facilities available to the citizenry of Miami-Dade County, Florida.
6. **Objective EDU-1.** Work towards the reduction of the overcrowding which currently exists in the Miami-Dade County Public School System while striving to attain an optimum level of service. Strive to provide additional solutions to overcrowding so that countywide enrolment in Miami-Dade County's public schools does not exceed 115% of current Florida Inventory of School Houses (FISH) capacity (both permanent and relocatables). Additionally, by 2010 Miami-Dade County Public Schools shall meet state requirements for class size. This numeric objective is adopted solely as a guideline for school facility planning and shall not be used as a Level of Service Standard or as a basis for denial of development orders
7. **Policy EDU-1C.** Cooperate with the Miami-Dade County Public School System in their efforts to develop and implement alternative educational facilities such as primary learning centers which can be constructed on small parcels of land and relieve overcrowding at elementary schools, in so far as funding and rules permit.
8. **Policy EDU-1D.** Cooperate with the Miami-Dade County Public School System in their efforts to provide public school facilities to the students of Miami-Dade County,

which operate at optimum capacity, in so far as funding is available. Operational alternatives may be developed and implemented, where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.

9. **Policy EDU-2A.** It is the policy of Miami-Dade County that the Miami-Dade Public School System 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 ¼ mile inside the UDB; new middle schools should be located at least ½ a 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 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.

**D. NEIGHBORHOOD CHARACTERISTICS:**

<u>ZONING</u>	<u>LAND USE PLAN DESIGNATION</u>
<b><u>Subject Property:</u></b>	
RU-4L; charter school	Low-Medium Density, 6 to 13 dua
<b><u>Surrounding Properties:</u></b>	
<b><u>NORTH:</u></b> RU-1; park	Low-Medium Density, 6 to 13 dua
<b><u>SOUTH:</u></b> RU-4L; vacant	Low-Medium Density, 6 to 13 dua
<b><u>EAST:</u></b> RU-4L; vacant	Low-Medium Density, 6 to 13 dua
<b><u>WEST:</u></b> RU-4M; apartments	Low-Medium Density, 6 to 13 dua

The subject parcel is an irregularly shaped 2.8 acre parcel of land located at 15130 SW 80 Street. The surrounding area where the subject property lies is characterized by apartments and townhouses to west, and a lake and vacant land to the east and south.

**E. SITE AND BUILDINGS:**

<b>Site Plan Review:</b>	(site plan submitted)
Scale/Utilization of Site:	<b>Unacceptable</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Unacceptable</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>N/A</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Unacceptable</b>

Visibility/Visual Screening: N/A  
Service Areas: N/A  
Urban Design: N/A

**F. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311 (A)(3) Special Exception, Unusual and New Uses.** Hear applications for and grant or deny **special exceptions**; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual use which by the regulations are only permitted upon approval after public hearing; provide 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 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.

**33-311(A)(7) Generalized Modification Standards.** The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) 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.

**Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing.** The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof, which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the following paragraphs have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**Section 33-314 Direct applications and appeals to the County Commission**

(C) The County Commission shall have jurisdiction to directly hear other applications as follows:

(12) 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 Section 33-311 (A)(3) of this code.

(13) Applications for public charter school facilities and expansions or modifications to existing public charter school facilities.

**Section 33-153 Public hearing required in all districts.**

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.

**G. NEIGHBORHOOD SERVICES:**

DERM	<b>No objection</b>
Public Works	<b>No objection</b>
Parks	<b>No objection</b>
MDT	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No objection</b>

**H. ANALYSIS:**

The applicant, Kendall Greens Property, LLC, is requesting approval to permit the expansion of the existing charter school, modification of certain conditions imposed by the Public Works Department, modification of the previously approved site plan, and modification of the charter school arrival and dismissal times. This application is before the Board of County Commissioners because it involves an expansion to the existing charter school and modification of a Declarations of Restrictions submitted pursuant to the Development Impact Committee (DIC) approval of the existing charter school. Section 33-314C(13) provides that the Board of County Commissioners shall have jurisdiction to directly hear applications for public charter school facilities and expansions or modifications to existing public charter school facilities. Therefore, this application must be heard before this Board. In 2003, pursuant to Resolution #Z-13-03, the property owner proffered a Declaration of Restrictions, recorded in Official Record Book 21660 Pages 4050-4060, setting aside a 2.8 acre parcel of land for the development of the site with a charter school. Subsequently, in 2004, pursuant to Application #S03008008, the subject 2.8-acre parcel of land was granted the approval by the Development Impact Committee (DIC) for a charter school for 600 students for grades kindergarten through the fifth grade (k-5). The approved plans depicted a total of 32

classrooms containing a total of 19,424 square feet of classroom area. The charter school is surrounded by apartments and townhouses to the west and by vacant land to the east and south.

The Public Works Department **does not object** to this application, as indicated in their memorandum dated May 28, 2008 submitted for this application, which indicates that the proposed expansion to the existing charter school is acceptable subject to the conditions. Staff notes that the Department of Environmental Resources Management (DERM) **does not object** to this application and that the Police Department **does not object** to this application. The Fire Department offers **no objections** to this application as well and has indicated in their memorandum that the response time to this charter school facility is approximately 6 minutes.

The Land Use Plan (LUP) Map of the Comprehensive Development Master Plan (CDMP) indicates that the subject property is designated **Low Medium Density Residential** use, which permits residential densities from a minimum of 6 to a maximum of 13 units per gross acres. The CDMP indicates that also permitted in Residential Communities are neighborhood and community services including schools only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. Additionally, existing uses and zoning classifications are not specifically depicted on the LUP map; however, all existing lawful uses and zoning are deemed to be consistent with the Master Plan. As such, the existing charter school is consistent with the CDMP. However, Policy LU-4A of the CDMP 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 is of the opinion that the additional 200 students would be a substantial increase to the existing charter school which could cause a negative impact to the traffic flow in the area and could cause parking overflow on the swale area of the adjacent residential community.

Although, the Public Works Department has stated in their revised memorandum dated May 28, 2008 that they **do not object** to this application, Department of Planning and Zoning staff is of the opinion that the proposed increase in the number of students will negatively impact the neighboring residential community by factors such as an increase in noise and parking which result from the additional students and staffing being added to the existing charter school. As such, due to the negative impact that is anticipated, staff opines that the proposed expansion to the existing charter school is **incompatible** with the surrounding area, and therefore, is **inconsistent** with the interpretative text of the CDMP.

The Special Exception Standards, Section 33-311(A)(3), provide for the approval of an application when the applied for exception, in the opinion of the 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 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 the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development. In staff's opinion, the special exception to allow the expansion of an

existing charter school is not supported by staff due to the negative impact to the surrounding area which would result in an **incompatible** use for the area.

As stated above, the Development Impact Committee originally approved the existing charter school on February 4, 2004. The subject charter school, located at 15130 SW 80 Street, was approved prior to Ordinance #04-108 which established the zoning regulations applicable to charter schools. Ordinance #04-108 was approved by the Board of County Commissioners on June 8, 2004, four (4) months after the approval of the subject charter school by the Development Impact Committee. As such, the existing charter school was developed in accordance with the plans approved by the Development Impact Committee. The approved plans indicated setbacks varying from 27' to 44'4" from the interior side (east) property line, where a 50' setback is now required under Ordinance #04-108 and with a 0' to 3' wide landscaped strip along the interior side (west) and rear property line (south), where a 5' wide landscaped strip is now required under Ordinance #04-108. As such, staff has determined that the existing charter school is in compliance with the approved plans, approved pursuant to S2003008008, and such charter school is a legally established charter school with non-conforming setbacks and with a non-conforming landscaped strip along the interior side and rear property lines.

Staff notes that on page 6 of the Miami-Dade County Public Schools - Charter School Facilities Information Report, the subject charter school currently has an actual enrollment of 446 students in grades K-5 and 150 students in grades 6-8 with a prior zoning approval for 600 students. Although the total number of students on this report is below the number of students approved by the DIC, the facility does include grades 6-8 for the 2007-2008 school year which was not part of the approval by the DIC. Although, the proposed expansion to the existing charter school by 200 students complies with the Physical Standards (Section 33-157) of the Zoning Code, staff opines that the 200 student increase is a substantial increase and will negatively impact and will be intrusive to the adjacent residential community. As such, staff recommends denial without prejudice of request #1 under Section 33-311(A)(3).

The applicant is also requesting a modification of Paragraph #4 of a Declaration of Restrictions recorded in Official Record Book 26359 Pages 90-117, in order to change the conditions previously stipulated by the Public Works Department when the charter school was originally approved by the DIC, to the new conditions. Additionally, the applicant is requesting a modification of Paragraph #12 of the aforementioned Declaration of Restrictions, which restricts the existing charter school site to plans indicating 600 students, grades kindergarten through fifth, and 32 classrooms with an area of 19,424 square feet. The applicant is requesting to submit a new site plan indicating an increase in the number of students, number of classrooms and classroom square footage. As depicted on the submitted plans, the modifications to the interior of the existing charter school building is intended to accommodate an increase in the number of students from 600 students to 800, an increase in the number of classrooms from 32 classrooms to 40 and an increase in the classroom area from 19,424 square feet to 22,000. Furthermore, the applicant requests to modify Paragraph #15 of the same Declaration of Restrictions in order to change the start and dismissal times of the charter school to four specific start and dismissal times at 30 minute intervals accommodating 200 students in each period. However, staff does not support this request for the 200 student increase for this charter school due to the reasons stated above for request #1. As such, staff recommends denial without prejudice of request #2 under Section 33-311(A)(7).

The standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to request #2 and therefore, staff is unable to analyze the request under said standards. As such, request #2 should be denied without prejudice under Section 33-311(A)(17).

As previously mentioned, staff notes that, although the Public Works Department has revised their recommendation and **no longer objects** to this application, staff opines that the proposed increase in the number of students will cause a negative impact and be intrusive to the surrounding residential community by generating noise and traffic that could have a negative impact thereon. Staff therefore opines that the expansion of the existing charter school will result in a negative impact on the surrounding area. Based on all of the aforementioned, staff is of the opinion that approval of this application is **incompatible** with the surrounding area, and therefore, is **inconsistent** with the policies and objectives of the CDMP. Accordingly, staff recommends denial without prejudice of request #1 and denial without prejudice of request #2 under Section 33-311(A)(7) and under Section 33-311(A)(17).

I. **RECOMMENDATION:** Denial without prejudice.

J. **CONDITIONS:** None

**DATE INSPECTED:**

**DATE TYPED:** 05/07/08

**DATE REVISED:** 05/08/08; 05/09/08; 05/12/08; 05/13/08; 05/16/08; 5/23/08; 06/04/08;  
06/05/08; 06/09/08

**DATE FINALIZED:** 06/09/08

SB: MTF:LVT:NDN:AA



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Subrata Basu, Interim Director  
Miami-Dade County Department of  
Planning and Zoning

**Date:** May 6, 2008

**To:** Nicholas D. Nitti  
Educational Facilities Coordinator  
Department of Planning and Zoning

**From:** Jeff Cohen, P.E., Assistant Chief  
Traffic Engineering Division  
Public Works Department

**Subject:** Recommendations for Kendall Greens Charter School (aka Pinecrest Academy)  
Process No.: Z2006000220

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The following is a list of recommendations and comments on the Site Plans, dated March 2008, and the Queue and Parking Analysis, dated "October 2006" (however evidently, updated since then), for the facility located at 15130 SW 80<sup>th</sup> Street:

Site Specific Comments:

- Site Plan Review

1. The specific requirements for, and locations of, any additional, or modifications to, required signs, pavement marking, and signal installations will be determined at the time of Paving and Drainage, Sign, Pavement Marking, and Signal Plans Review. However, all existing and proposed traffic control devices must be shown or indicated on the site plans.
2. Depict "Special Emphasis Crosswalks" as per PWD standards.
3. Maintain pedestrian and vehicular Safe Sight Distance Triangles at facility driveways to the site.
4. The site plans must properly show existing and proposed paving, sidewalks, swale areas, pavement markings, signs, etc. around the site including dimensions where applicable, and indicating which are existing and which are proposed. For example, the plans show the proposed relocated crosswalk across SW 80<sup>th</sup> Street, but does not show the existing crosswalk and that it is to be removed. The required improvements must be completed prior to the 2008/2009 school year unless other provisions are made with this Department.
5. School Speed Zone posted time intervals must be modified as required by the new proposed staggered arrival and dismissal times. These times must be shown on the site plans as well as the P&D Plans when submitted.
6. Plans must clearly indicate which stalls are for staff and which are for visitor including quantity for each.
7. Curb and gutter is required along the north and south side of SW 80<sup>th</sup> Street 100 feet on either side of the facility driveways where feasible due to school parents constantly using the swale areas for loading activities to the detriment of these swales in the public ROW. This must be constructed prior to the 2008/2009 school year unless other provisions are made with this Department. The proposed guardrail design in this area must be coordinated with the curbing.

- Traffic Impact Review

1. The specific times for beginning and ending of classes per shift including grade levels, and number of students, as well as, an operation plan indicating arrival and dismissal operations for passenger vehicles and school buses, must be provided in a covenant for this facility.

Included in this covenant must be an agreement that the school administration will take corrective measures if conditions change in the future where passenger vehicles are stacked or parking in the public ROW, to be approved by the Department.

2. Arrival times, i.e. – commencement of classes, must clearly be designated, not a range of time, 8:00 – 8:45 AM, and an assessment of impact provided. All 800 students evidently will have the same commencement of classes which can cause significant traffic congestion.
3. The Queue and Parking Analysis took into account a somewhat optimistic view of stacking demand considering the data on page 8. Also on page 6, it is indicated that 5 vehicles were "improperly" parked in the onsite traffic circle, 6 were parked in the onsite eyebrow in the front of the school, and all remaining parking stalls were occupied. Therefore, the site is evidently currently deficient by 11 parking stalls. The provided stacking space accommodates 47 vehicles. Since the projected demand for passenger loading vehicles is a minimum of 50 plus whatever new staff is required for the 200 additional students, there is a projected deficiency of a minimum of 14 vehicles. These issues must be addressed and resolved.
4. As indicated in the Analysis, "No U-Turn" signs are required for westbound traffic at the median opening of the school and an eastbound right turn lane is recommended for the main entrance into the school.

All offsite and onsite improvements indicated on the submitted site plans, in the submitted Queue and Parking Analysis, and in this memorandum are required to be installed by the applicant prior to the student population and grade expansion of the school unless other provisions are made with this Department.

Until such time as the aforementioned comments and discrepancies are properly dealt with, this application is not acceptable.

#### Standard Comments:

- 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.
- 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 ft 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 this Department. Also, any relocation or removal of trees must be approved by DERM. 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 record, must be provided prior to permitting any of these types of installations within the public right-of-way.
- Plans submitted for Permit shall conform to MUTCD, MDPWD 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.

- 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.
- The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

Should you need additional information or clarification on this matter, please contact me at (305) 375-2030.

cc: Esther L. Calas, P.E., Director  
Muhammed M. Hasan, P.E., Chief, Traffic Engineering Division  
Robert Williams, P.E., Head, Traffic Control Center, Traffic Signals and Signs Division  
Raul A. Pino, P.L.S., Chief, Land Development Division  
David Cardenas, Acting Chief, Right of Way and Aesthetic Assets Management Division  
Harvey L. Bernstein, Educational Facilities Administrator, Traffic Engineering Division  
Armando Hernandez, Concurrency Coordinator, Traffic Engineering Division

# Memorandum



**Date:** March 28, 2008  
**To:** Subrata Basu, Interim Director  
Department of Planning & Zoning  
**From:** Herminio Lorenzo, Director  
Miami-Dade Fire Rescue Department  
**Subject:** DIC # 06-220 Kendall Greens Property, Inc.  
15130 SW 80<sup>th</sup> Street, Miami Dade County, FL

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## SERVICE IMPACT/DEMAND

- (A) Based on development information, this project is expected to generate approximately 12 fire and rescue calls annually.
- (B) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires three (3) suppressions or engines, telesquirts or tankers, one (1) aerial, one (1) rescue and an accompanying command vehicle. This assignment requires twenty (20) firefighters and officers.

## EXISTING SERVICES

Based on data retrieved during calendar year 2007, the average travel time to the vicinity of the proposed development was **6.00** 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.

The stations responding to a fire alarm will be:

STATION	ADDRESS	EQUIPMENT	STAFF
36	10001 Hammocks Blvd.	Rescue, 50' ALS Sqrt, Batt.	8
56	16250 SW 72 Street	Rescue, ALS Engine (Haz Mat)	7
37	4200 SW 142 Avenue	Rescue, ALS Engine	7
57	8501 SW 127 Avenue	Rescue	3

## SITE PLAN REVIEW:

- (A) Fire Engineering & Water Supply Bureau has reviewed and approved the plans entitled 'Kendall Greens Charter School,' as prepared by Civica Architects dated stamp received March 6, 2008.
- (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.

If you need additional information, please contact the Planning Section at 786-331-4540.

# Memorandum



**Date:** May 8, 2008

**To:** Subrata Basu, AIA, AICP, Interim Director  
Department of Planning and Zoning

**From:** Jose Gonzalez, P.E., Assistant Director  
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

**Subject:** DIC No. Z2006000220-Revised  
Kendall Greens Property, LLC  
15130 S.W. 80<sup>th</sup> Street  
Special Exception to Permit an Expansion of an Existing Charter School  
Request to Permit Less Setback and Landscape than Required  
Modification of a Declaration of Restrictions  
(RU-4L) (2.8 Acres)  
33-54-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

### Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The West Wellfield is located between S.W. 72<sup>nd</sup> Street and Coral Way along theoretical S.W. 172<sup>nd</sup> Avenue. 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 located within the franchised water service area of the Miami-Dade Water & Sewer Department (MDWASD). Public water, in the form of a 12-inch main, abuts the site along S.W. 150<sup>th</sup> Avenue. Accordingly, connection to the public water supply system shall be required, in accordance with the Code. The estimated demand for this project is 12,705 gallons per day (gpd). This figure does not include irrigation demands. All sewer lines serving the property shall comply with the exfiltration standards, as applied to development within wellfield protection areas.

The source of water for these water mains is MDWASD's Alexander Orr Water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State and County drinking water standards.

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

Notwithstanding that adequate system capacity is available for this project, DERM will require that water-conserving plumbing fixtures be installed, in accordance with the requirements of the South Florida Building Code, in order to use the southeast Florida water resources more efficiently.

It is recommended that the landscaping conform to Xeriscape concepts. Included in these concepts is the use of drought-tolerant plants, which reduce the use of turf grass, together with efficient irrigation system design. Details of Xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water Management District.

#### Wastewater Disposal

The property is located within the franchised sewer service area of the MDWASD. Public sanitary sewers, in the form of an 8-inch gravity main, abut the property. Connection of the proposed development to the public sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards, as applied to development within wellfield protection areas.

Existing public sanitary sewer facilities and services meet the LOS standards set forth in the CDMP. Furthermore, the proposed development order, if approved, will not result in a reduction of 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.

#### Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that the requested use of the subject property may require operating permits from DERM. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

#### 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 site development, final plat, or Miami-Dade County Public Works Department approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Positive drainage systems and overland stormwater runoff into the existing lake is not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along the perimeter of the lake in order to prevent overland discharge of stormwater runoff. A Class II Permit from DERM will be required for the construction and operation of any drainage system with an overflow outfall to any existing lake.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

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 by DERM for this proposed development order.

#### Wetlands

The subject property does not contain jurisdictional wetlands, as defined in 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 property contains prohibited trees, as defined in Section 24-49.9 of the Code. Pursuant to Section 24-49.9 of the Code, all prohibited trees must be removed from the site prior to development.

Notwithstanding the foregoing, the applicant is advised that Section 24-49 of the Code requires the preservation of tree resources. A Miami-Dade County Tree Removal Permit will be required prior to the removal or relocation of any county regulated tree resources (non-prohibited species) at this location. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

#### Enforcement History

DERM has found the following open enforcement record for the subject property:

Kendall Greens Charter School (PSO-1024):

On 2/1/07, DERM issued a Warning Notice to responsible parties for failure to provide a complete Operations & Maintenance (O&M) Manual as required by the facility's PSO Permit #1024. A Notice of Violation (NOV) followed by a Final Notice Prior to Court Action (FNPTCA) were subsequently issued. On 1/28/08, DERM received the O&M Manual submittal, which was disapproved on 3/4/08. Resubmittal of an approvable O&M Manual remains pending.

#### Concurrency Review Summary

DERM has conducted a concurrency review 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 DERM's written approval, as required by the Code.

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

# Memorandum



**Date:** April 8, 2008

**To:** Nicholas D. Nitti  
DIC Coordinator  
Department of Planning and Zoning

**From:** John Garcia  
Principal Planner  
Miami-Dade Transit - Planning & Development Division

**Subject:** Review of DIC Project No. 06-220 (Kendall Greens Property, LLC)

---

## Project Description

The applicant is seeking to reinstate its request for a Special Exception to allow the expansion of the Charter School from a maximum of 600 students to a maximum student population of 800 students. The applicant maintains its request for a modification to allow the expansion of the Charter School grade levels from grades K through 5 to grades K through 8. The subject property is  $\pm 4.16$  acres and is located at 15130 SW 80<sup>th</sup> Street in unincorporated Miami-Dade County, Florida.

## Current Transit Service

There is direct transit service within the immediate vicinity of the proposed site. The closest transit service is provided by Metrobus Routes 72, 88, 104 and 288 (Kendall KAT) across the intersection of SW 80<sup>th</sup> Street and SW 152<sup>nd</sup> Avenue. The service headways (in minutes) are as follows:

<u>Route</u>	<u>Peak</u>	<u>Off-Peak</u>	<u>Evening</u>	<u>Overnight</u>	<u>Sat</u>	<u>Sun</u>
72	60	60	n/a	n/a	60	60
88	30	60	30	n/a	40	60
104	30	30	60	n/a	30	30
288	15	n/a	n/a	n/a	n/a	n/a

## Future Transportation/Transit Improvements

The 2008 Transportation Improvement Program (TIP) does not propose any improvements in the immediate vicinity of this project. The 2030 Long Range Transportation Plan (LRTP) does not propose any improvements in the immediate vicinity of this project.

The 2007 Transit Development Program (TDP) identifies in its 2012 Recommended Service Plan the following improvements on the existing routes serving the vicinity of the project:

- Route 72: Improve peak headway from 30 to 15 minutes (60 to 30 minutes on each branch).
- Route 88: Straighten route and extend westward to the future West Kendall Bus Terminal (eliminate SW 142 Avenue branch).
- Route 104: Improve peak headway from 30 to 15 minutes.  
Extend route westward to the future West Kendall Bus Terminal.
- Route 288: Extend route westward to the future West Kendall Bus Terminal.

#### **MDT Comments/Recommendations**

Based on the information presented, MDT has no objections to this project.

#### **Concurrency**

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

# Memorandum



**Date:** March 12, 2008

**To:** Nicholas D. Nitti, DIC Coordinator  
Department of Planning and Zoning

**From:** Randy Koper  
Property Management Section  
Planning and Research Division  
Park and Recreation Department

**Subject:** DIC 06-220  
Kendall Greens Property, LLC  
Sec 33 Twp 54 Rge 39

*Randy Koper*

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The applicant is requesting a special exception to allow the expansion of the existing public charter school facility onto additional neighboring property and to increase the number of students on the property from 600 to 800 in grades K through 8. The subject property is approximately 4.16 acres located at 15130 SW 80th Street in Miami-Dade County, Florida. Plans may be modified prior to the DIC Executive Council meeting.

Because this application does not generate any residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application.

cc: Barbara Falsey, Planning and Research Division

# Memorandum



**Date:** March 13, 2008  
**To:** Nicholas D. Nitti, DIC Coordinator  
Department of Planning and Zoning  
**From:** Phillip Torres, P.E.  
Miami-Dade Water and Sewer Department  
Manager, Plans Review Section  
**Subject:** DIC

The Miami-Dade Water and Sewer Department comments and recommendations are as follows:

1. **Project:** Kendall Greens Property, LLC. (06-220)  
**Location:** 15130 SW 80 St.

## **WATER:**

Connect to any of the existing twelve (12)-in and/or eight (8)-in W.M.(s) in SW 80 St., within the property and/or close to the southern boundary of the property respectively. Any W.M. extension within the property shall be eight (8)-in. min. in diameter. 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) P.O.C.(s). There are water and/or sewer mains within the property, either in existing dedicated right of way or easements, which need to be removed and relocated if in conflict with the proposed development. Easements associated with mains to be removed and relocated shall be closed and vacated before starting construction in the easement(s) areas. In case of right of ways to be closed and vacated within the property, mains shall be removed and relocated if needed before closing/vacating them. In the event that the existing facilities are to be removed and relocated, replacement mains shall be installed, tested and accepted by the department before existing ones can be removed.

Please refer to water conservation requirements attached.

## **SEWER:**

A private pump station is required, as long as all legal requirements are met. Connect to an existing ten(10)-in F.M. in SW 80 St.

## **GENERAL NOTES:**

The size of the required water mains will depend upon the subject property's approved zoning, being twelve (12)-in. min. in diameter required for high density residential, commercial, business, industrial, hospitals, public buildings, etc. and eight (8)-in. min. in diameter required for low and medium density residential zonings. Please note that the aforementioned zonings are Miami-Dade County or equivalent, based on total amount of units per acre.

Please be advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in the Settlement Agreement between the Florida Department of Environmental Protection ("DEP") and the County dated July 27<sup>th</sup>, 1993, the First Amendment to Settlement Agreement between DEP and County dated December 21<sup>st</sup>, 1995, the First Partial Consent Decree and the Second and Final Partial Consent Decree entered in the United States of America Environmental Protection Agency vs. Metropolitan Dade County (Case Number 93-1109 CIV-MORENO), as currently in effect or as modified in the future, and all other current, subsequent or future agreements, court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, State of Florida and/or any other governmental entity, and all other current, subsequent or future enforcement and regulatory actions and proceedings.

Should you have any questions, please do not hesitate to call me at 786-268-5214.

Cc: Jorge S. Rodriguez, Assistant Director

# Memorandum



**Date:** April 11, 2008

**To:** Subrata Basu, Interim Director  
Department of Planning & Zoning

**From:** Sunil Harman, Director, Aviation Planning, Land-Use & Grants  
Aviation Department

**Subject:** DIC Application #06-220  
Kendall Greens Property, LLC

A handwritten signature in black ink, appearing to be "SH/rb", written over the "From:" field of the memorandum.

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #06-220 for Kendall Greens Property, LLC. The applicant is requesting a special exception to allow the expansion of the existing public charter school facility onto additional neighboring property and to increase the number of students on the property from 600 to 800 in grades k through 8. The subject property is approximately 4.16 acres located at 15130 SW 80<sup>th</sup> Street in Miami-Dade County, Florida.

MDAD has determined that the application is compatible with MDAD's System of Airports Zoning Ordinances.

SH/rb

C: Max Fajardo, E.I., Deputy Aviation Director  
John Cospers, P.E., Deputy Aviation Director – CIP  
José Ramos, R.A., Chief, Aviation Planning  
File DIC

# CHARTER SCHOOL INFORMATION SHEET

**Miami-Dade County Public Schools  
Charter School Facilities Information**

School Number/Location Number	Name of School	Address	Grade Levels	SY Open	Municipality	Expiration Dates			Enrollment				Specified Use on CO/CU	Issues/Concerns	Non-Compliance Letters		
						Fire Permit	Certificate of Occupancy	Certificate of Use	Occupational License	Health Permit	Contract Cap	CO/CU Cap				Architect's Letter Cap	Other Official Document Cap
5010	Oxford Academy	10870 SW 113 Place Miami, FL 33176	K-5	2005	County	6/1/2008		9/30/2008			450	223	N/A	N/A	119	Bus. Use: Day Care Child/Pre-School; Use Specific: Day Care Child/Pre-School	3/29/2007; 10/24/2007
0600	Pinecrest Preparatory Academy	14301 SW 42 Street Miami, FL 33175	K-5	2001	County	1/11/2009		9/30/2008			1250	650 (between elem. & middle)	N/A	N/A	412	Bus. Use: School Other than Listed; Use Specific: Charter School	(Housed with 6022 Main Campus middle school students)
0342	Pinecrest Preparatory (South Campus)	15130 SW 80 Street Miami, FL 33193	K-5	2006	County	7/1/2008		9/30/2008			800	600 (between elem. & middle)	1072	N/A	446	Bus. Use: School Use, Use Specific: Charter School	(Housed with 6022 South Campus middle school students)
6022	Pinecrest Academy Middle	14301 SW 42 Street Miami, FL 33175	6-8	2003	County	1/11/2009		9/30/2008			800 (both campuses)	650 (between elem. & middle)	N/A	N/A	212	Bus. Use: School Other than Listed; Use Specific: Charter School	(Housed with 0600)
6022	Pinecrest Academy Middle (South Campus)	15130 SW 80 Street Miami, FL 33193	6-8	2006	County	7/1/2008		9/30/2008			800 (both campuses)	600 (between elem. & middle)	N/A	N/A	150	Bus. Use: School Use, Use Specific: Charter School	(Housed with 0600)
0400	Renaissance Elementary	6350 NW 33 Street Miami, FL 33122	K-5	1999	City of Doral	9/22/2008		7/27/2010			500	500 (between elem. & middle)	N/A	N/A	499	Bus. Use: School Use, Use Specific: Grades K-5	Enrollment exceeds CO of 500 students. CO specifies K-5, no mention of middle school grades. Letter on file from principal explaining situation and steps to rectify problem. (Housed with 6028)
6028	Renaissance Middle	6360 NW 33 Street Miami, FL 33122	6-8	2005	City of Doral	9/22/2008					1050	500 (between elem. & middle)	N/A	N/A	123	Bus. Use: School Use, Use Specific: Grades K-5	Issue same as above. (Housed with 0400)
0300	Rosa Parks Charter School (K-5)	303 West Palm Drive Florida City, FL 33034	K-5	1999	Florida City	1/23/2008		Permanent (Florida City)			600 (K-8)	None	210	N/A	110 (K-5 as per PAR)	School	Spoke with Dr. Goldby @ Work America he will follow up as to the status of the permits - need

28

# TEAM METRO

## ENFORCEMENT HISTORY

KENDALL GREENS PROPERTY,  
LLC

15130 S.W. 80 STREET, MIAMI-  
DADE COUNTY, FLORIDA.

---

**APPLICANT**

---

**ADDRESS**

---

Z2006000220

---

**HEARING NUMBER**

### CURRENT ENFORCEMENT HISTORY:

CMS 200812000139

12/19/07 Case opened for violation of 19-13(A): Junk/Trash/Overgrown. First inspection was conducted by NCO M. Rojas and W/L R101555 was issued.

01/10/08 Re-inspection conducted by NCO M. Rojas. Violation remained and CVN B017435 was issued.

02/13/08 Compliance inspection conducted by NCO M. Rojas. Violation corrected by owner and Affidavit of Compliance was issued.

03/10/08 CVN was paid and case was closed.

05/14/08 No current violations at the present time.

KENDALL GREENS PROPERTY, LLC.

MARITZA ROJAS

**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: Kendall Greens Property, LLC, a Florida limited liability company

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Wolfson Hutton Company, Inc., a Florida corporation</u>	<u>100%</u>
<u>- Ignacio Zulueta, President and 100% shareholder</u>	

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].

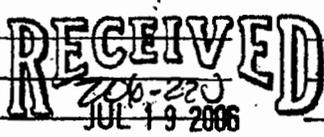
CORPORATION NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

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

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


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

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: \_\_\_\_\_

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 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: \_\_\_\_\_

Ignacio Zulueta, Manager  
Kendall Greens Property, LLC

Sworn to and subscribed before me this 9 day of FEBRUARY, 2006 Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

*Annette M Frances*  
(Notary Public)

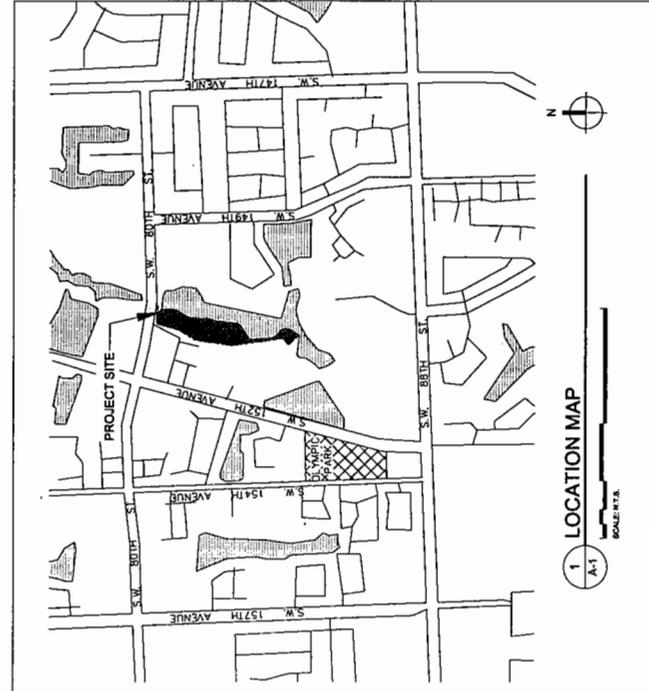


My commission expires \_\_\_\_\_

\*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 at every level of ownership, shall only be required to disclose those ownership interests which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

**RECEIVED**  
200-220  
JUL 19 2006

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



ADDITIONAL NUMBER OF TRANSPORTATION VEHICLES TO USED BY THE SCHOOL: 6 VANS (GRADES K-8th)

**R.O.W. NOTE:**  
 APPLICANT AGREES TO INSTALL CURB & GUTTER ON NORTH & SOUTH SIDES OF SW 80TH STREET EXTENDING 100 FEET FROM THE ENTRANCE TO THE PROPERTY. THE PLANS FOR SAID IMPROVEMENT SHALL BE SUBMITTED TO THE PUBLIC WORKS DEPT. NO LATER THAN 90 DAYS FROM MAY 1, 2008.

**EXISTING TO REMAIN**

ZONING CLASSIFICATION	ALLOWABLE	EXISTING TO REMAIN
ZONING INFORMATION (MAM-DADE COUNTY ORDINANCE) M-1 (MIDDLE GRADE) NET LOT AREA: 102,365 S.F. (2.3 ACRES) GROSS LOT AREA: 121,888 S.F. (2.8 ACRES)	25'-0" 15'-0" 25'-0" 80'-0" - 40% 54 (INCLUDES 3 HG ACCESSIBLE) 54 (INCLUDES 3 HG ACCESSIBLE)	96'-10" 27'-10" 145'-0" 34'-0" (TOP OF PARAPET) 44'-0" (TOP OF CURB) 28,075 S.F. 57,235 S.F. (53%) PROPOSED 54 (INCLUDES 3 HG ACCESSIBLE)

**NOTES:**  
 (1) PARKING REQUIREMENTS BASED ON MAM-DADE COUNTY CODE OF ORDINANCE SECTION 33-124 FOR SCHOOL USE.

**CHILD CARE CHECKLIST FOR CHARTER SCHOOLS:**

School Name: **KENDALL GREENS CHARTER SCHOOL**  
 School Address: **8300 SW 80th Street, Miami, FL 33143**  
 Total Area of site: **102,365 S.F. (2.3 ACRES)**  
 Number of children of preschool to school age: **31**  
 Number of classrooms: **06**  
 Number of outdoor recreation space: **28,075 S.F.**  
 Number of outdoor recreation space in square footage: **15,000 S.F.**  
 Number of parking spaces provided for staff, visitors, and transportation vehicles: **54**  
 Date and time of completion: **March 20, 2008 10:00 AM**  
 The information above is complete and correct to the best of my knowledge.  
 Signed: **[Signature]**, **Principal**  
 County: **Dade**  
 I hereby certify that the information above is true and correct to the best of my knowledge.  
 Signed: **[Signature]**, **Site Supervisor**  
 County: **Dade**

**SIGNAGE NOTE:**

THE TOTAL FREE-PARKING SPACE IN ANY RESIDENTIAL DISTRICT SHALL NOT EXCEED 10% OF THE TOTAL FREE-PARKING SPACE IN THE DISTRICT.

**CLASSROOM REQUIREMENTS:** THE NUMBER OF CLASSROOMS SHALL BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME. The following information will determine the maximum number of children permitted at the facility, which grade levels overlap, the more restrictive shall be used.  
**CLASSROOM SPACE:** Calculated by gross level.  
 a. Day Nursery / Kindergarten (number of children) = 225 sq. ft. of classroom area required.  
 b. Elementary Grades 1-4 (number of children) = 18,000 sq. ft. of classroom area required.  
 c. Junior High and Senior High School (Grades 7-8) 25 sq. ft. x 180 (number of children) = 4,500 sq. ft. of classroom area required.  
**TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 21,000 S.F.**  
**TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 21,000 S.F.**

**OUTDOOR RECREATION SPACE:**  
 a. Day Nursery / Kindergarten, Pre-school and After school care 45 sq. ft. x 30 (1/75 of children) = 1,350 S.F.  
 b. Grades 1-6 500 sq. ft. x 30 (1/30 of children) = 15,000 S.F.  
 c. Grades 7-8 800 sq. ft. x 30 (1/30 of children) = 24,000 S.F.  
**TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 26,350 S.F.**  
**TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 28,075 S.F.**  
**SEE SECTION 33-151.18 (4), and Planning Department for additional requirements (10th issue).**  
 a. 28 trees are required per full acre. Trees required: 83 Trees provided: 83  
 b. 10 shrubs are required for each tree required. Shrubs required: 830 Shrubs provided: 830  
 c. Green Area in square feet (exclusive of organized sports / play area): 11,800 S.F.

**PARKING DATA FOR MIDDLE/GRADES K-8 SCHOOL SITE:**

Uses Proposed	No. of Classrooms	Classroom Area	No. of Students	No. of Teachers	No. of Aides	No. of Admin	Total Personnel	Transportation Vehicles	Parking Required	Parking Provided
Classroom (Elementary) K-8th GRADES	26	(14,300 SQ.FT.)	520	26	1	0	27	4-Vans	(31 Staff x 1 space) = 31 spaces	Total Parking Required for K-8: 31 + 23 = 54 Spaces
(Aide/In) 8th-11th GRADES	14	(7,700 SQ.FT.)	280	14	1	1	16	2-Vans	(18 Staff x 5) = 90 spaces	
<b>Grand Total</b>	<b>40</b>	<b>(22,000 SQ.FT.)</b>	<b>800 Students</b>	<b>40</b>	<b>2</b>	<b>1</b>	<b>43</b>	<b>6-Vans</b>	<b>54 Spaces Required</b>	<b>Total Parking Provided: 54 Spaces</b>

\* Total Handicapped Spaces Provided: (0)  
 \* Total Staffing Provided: (31 + 44 hgh) = 75 Spaces  
 \* On Site Parking Impassment: 4 15' x 30' Spaces on site  
 40 On Site Vans including 47 Staff Spaces on site  
 3 ADA Spaces on Site

**CIVICA**  
 8823 NW 80th Street  
 Suite No. 208  
 Doral, FL 33178  
 Tel: 305 486 8888  
 Fax: 305 486 8888

**PROJECT:**  
**KENDALL GREENS CHARTER SCHOOL**  
 15700 S.W. 80th Street,  
 Miami, FL 33143.

**OWNER:**  
**KENDALL GREENS LLC**  
 6250 SW 80th Street, Ft. Lauderdale, FL 33309

**CIVICA PROJECT No:**  
**2006-04**

**ISSUED FOR:**  
**D.I.C.**

No.	DATE	REVISION	BY
1	08.20.08	ISSUED FOR PERMIT	MM
2	08.20.08	ISSUED FOR PERMIT	MM
3	08.20.08	ISSUED FOR PERMIT	MM
4	08.20.08	ISSUED FOR PERMIT	MM
5	08.20.08	ISSUED FOR PERMIT	MM

**DRAWN BY:** APPROVED BY:  
**DATE:** SCALE:

*[Signature]*

**ROLANDO LLANER, AIA**  
 04.20.08  
 15700 S.W. 80th Street, Suite No. 208, Doral, FL 33178  
 Phone: 305 486 8888  
 Fax: 305 486 8888

**SHEET TITLE**  
**LOCATION MAP & SITE INFORMATION**  
**SHEET NUMBER**  
**A-1**



**CIVICA**  
 88223 NW 82nd Street  
 Suite No. 308  
 Doral, FL 33126  
 Tel: 305.583.8888

**PROJECT:**  
 KENDALL GREENS  
 CHARTER SCHOOL

**OWNER:**  
 KENDALL GREENS  
 LLC

4255 BRIDGWOOD MANOR BL, 33153  
 MIAMI, FL 33156

**CIVICA PROJECT No:**  
 2006-04

**ISSUED FOR:**  
 D.I.C.

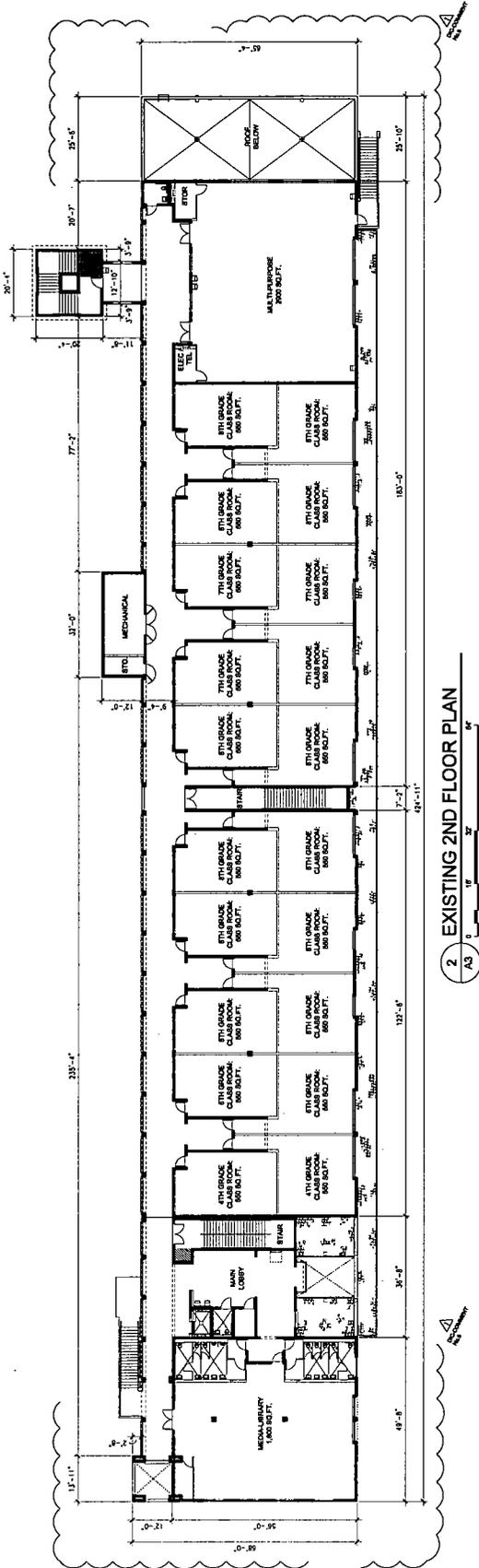
NO.	DATE	REVISION	BY
1		ISSUED FOR D.I.C.	MM
2		FOR PERMITS	MM
3			
4			
5			
6			
7			
8			
9			
10			

**DRAWN BY:**  
**APPROVED BY:**  
**DATE:**  
**SCALE:**

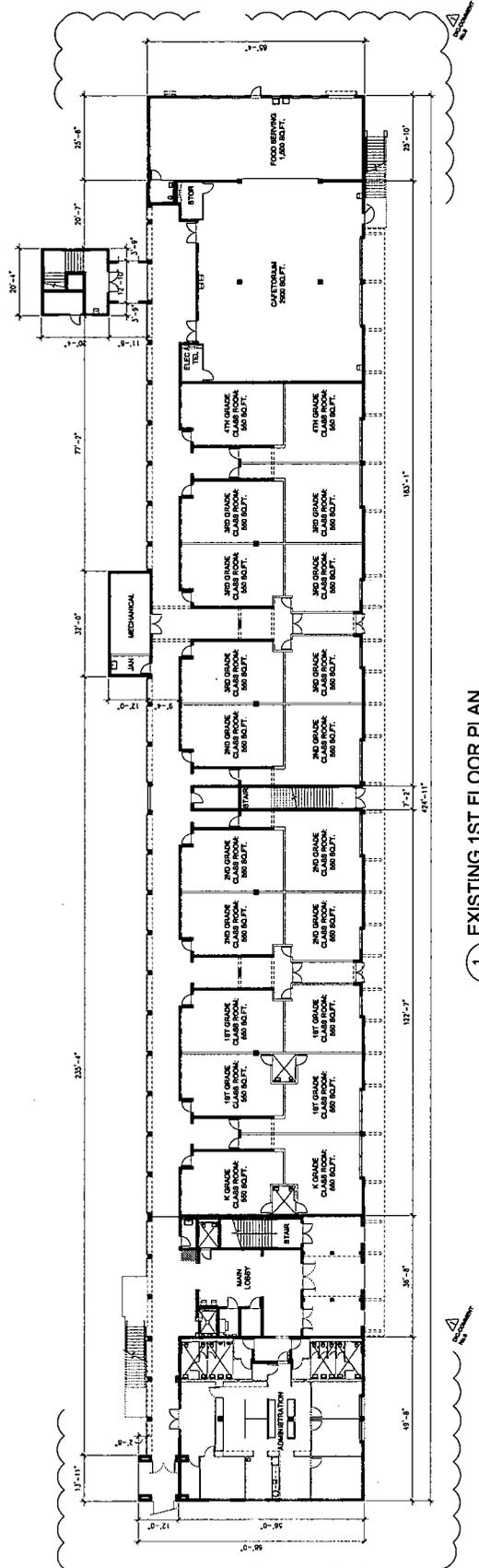
*Handwritten signature*  
 SEAL, FLORIDA  
 04.28.2009  
 ROLAND LAMAR, AIA  
 A1-001810

**SHEET TITLE:**  
 EXISTING  
 1ST & 2ND  
 FLOOR PLANS

**SHEET NUMBER:**  
 A-3



**2 EXISTING 2ND FLOOR PLAN**  
 A3  
 SCALE: 1/8" = 1'-0"



**1 EXISTING 1ST FLOOR PLAN**  
 A3  
 SCALE: 1/8" = 1'-0"







**CIVICA**  
 8823 NW 87th Street  
 Miami, FL 33178  
 Tel: 305.692.6998  
 Fax: 305.692.6999

**PROJECT:**  
 KENDALL GREENS  
 CHARTER SCHOOL  
 15130 S.W. 80th Street  
 Miami, FL 33183

**OWNER:**  
 KENDALL GREENS  
 LLC  
 6331 SW 15th St., Suite 101, 33155  
 Miami, FL 33187

**CIVICA PROJECT No:**  
 2006-04

**ISSUED FOR:**  
 D.I.C.

No.	DATE	REVISION	BY
1	09-20-06	CONTRACT	MF
2	04-02-06	REVISION	MF

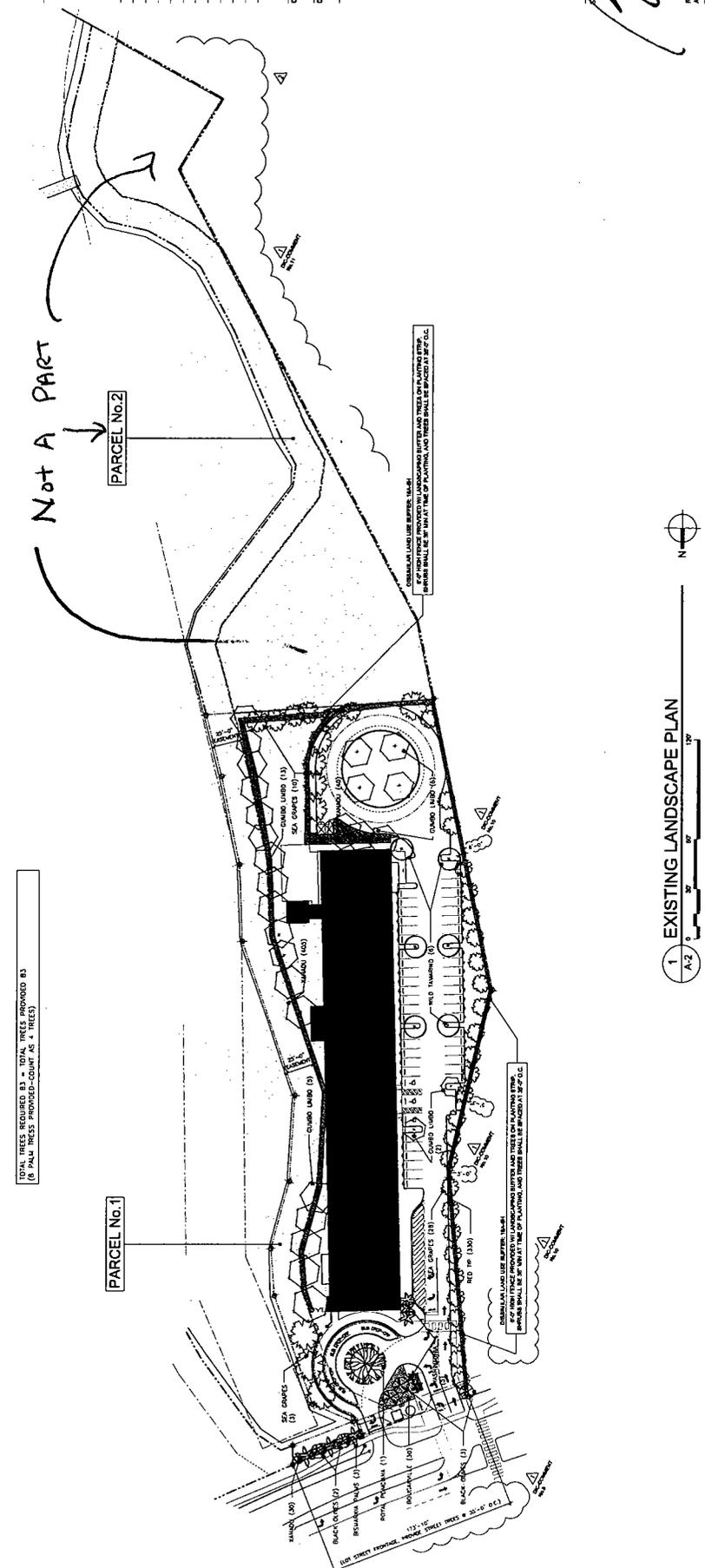
**DRAWN BY:** APPROVED BY:  
**DATE:** SCALE:

SCALE: 1"=20'-0"  


**NO. JORDI LAMBER, P.E.**  
 1400 N.W. 11th Street, Suite 100  
 Miami, FL 33136  
 Tel: 305.375.1111  
 Fax: 305.375.1112

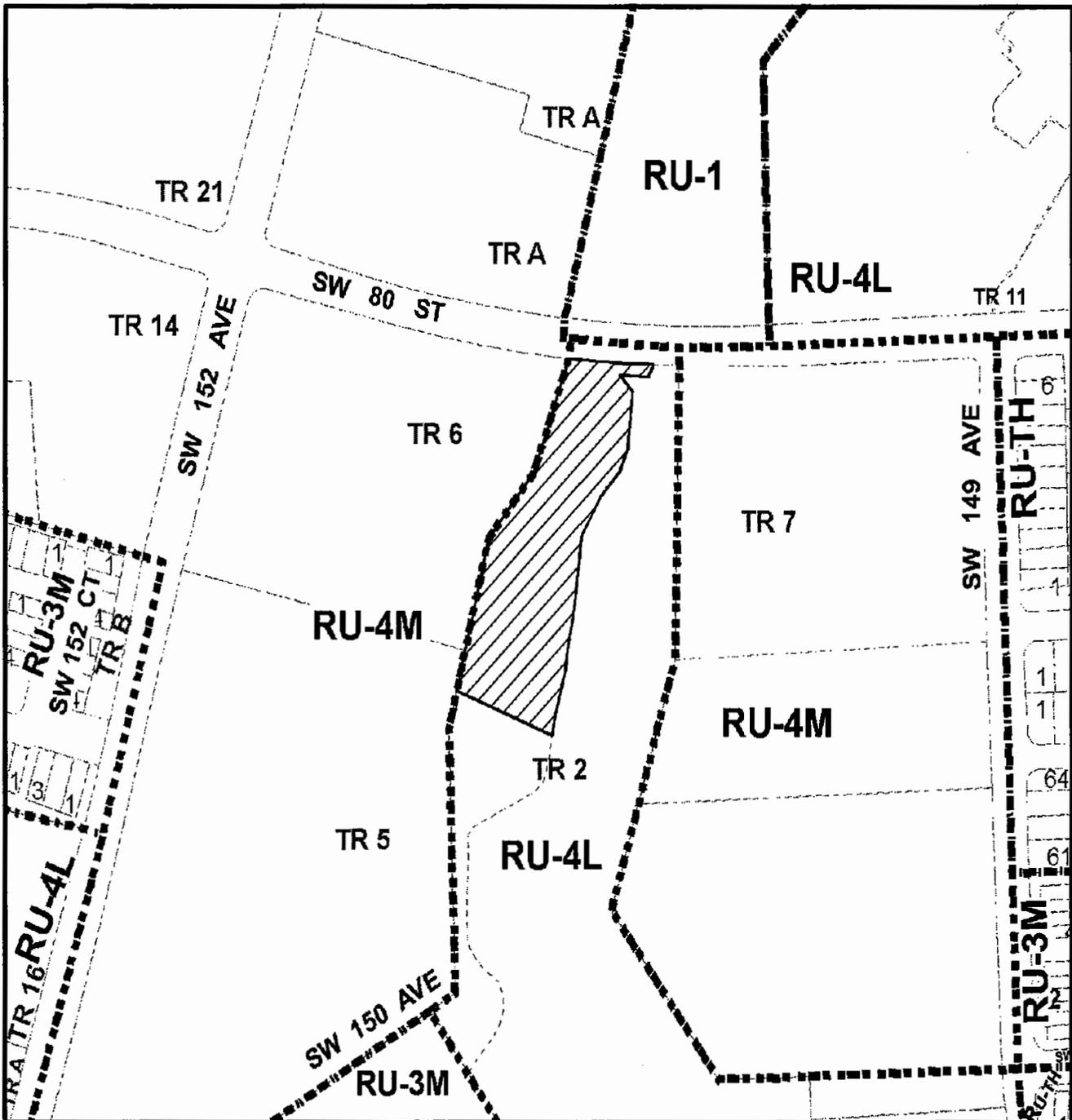
**SHEET TITLE:**  
 EXISTING  
 LANDSCAPE  
 PLAN

**SHEET NUMBER:**  
 LA-1



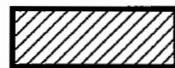
**1 EXISTING LANDSCAPE PLAN**  
 A-2  
 SCALE: 1" = 20'-0"





MIAMI-DADE COUNTY  
HEARING MAP

Process Number  
**06-220**

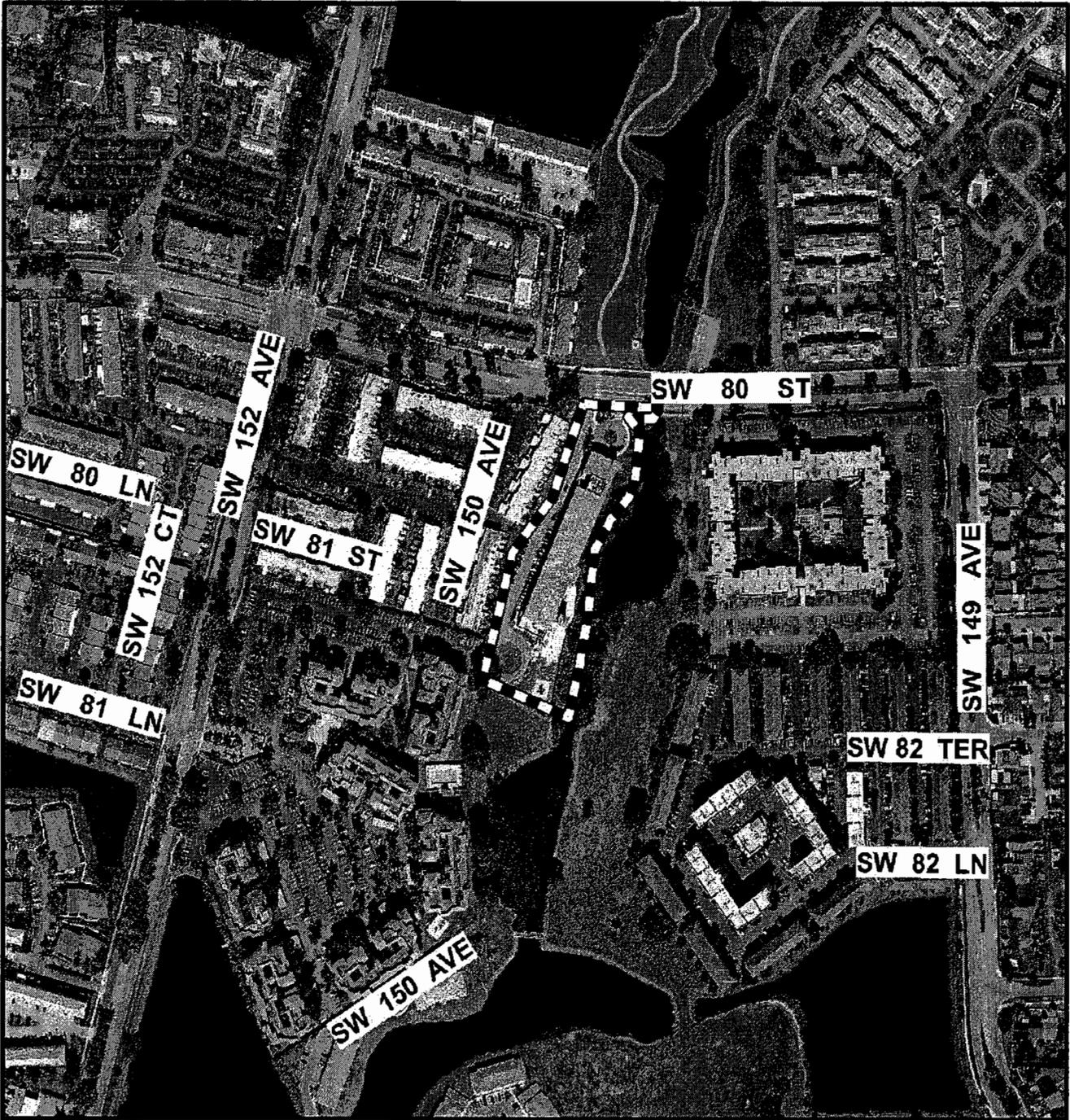


**SUBJECT PROPERTY**

Section: 33 Township: 54 Range: 39  
 Applicant: KENDALL GREENS PROPERTY, LLC  
 Zoning Board: BCC  
 District Number: 11  
 Drafter ID: JEFFER  
 Scale: NTS



REVISION	DATE	BY
Draw Legal Services	06/12/06	JAWED
Legal Counsel - J.S.	06/12/06	JAWED
Lead Out Panel	06/09/06	JAWED



MIAMI-DADE COUNTY  
AERIAL

Process Number  
**06-220**



**SUBJECT PROPERTY**

Section: 33 Township: 54 Range: 39  
 Applicant: KENDALL GREENS PROPERTY, LLC  
 Zoning Board: BCCC  
 District Number: 11  
 Drafter ID: JEFFER  
 Scale: NTS



REVISION	DATE	BY
New Legal Services	07/11/06	JGARD
Legal Parcel 1 & 2	04/17/06	JGARD
Less Out Parcel	06/06/06	JGARD

**2. AMB CODINA BEACON LAKES, LLC**  
**(Applicant)**

**08-7-CC-2 (07-20)**  
**BCC /District 12**  
**Hearing Date: 7/3/08**

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:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1962	H. M. Ekus	- Zone change from GU to IU-1. - Unusual use for lake excavation. - Use variance for rock crushing.	BCC	Approved
1962	H. M. Ekus	Zone change from GU to IU-1.	BCC	Approved
1964	Oolite Industries, Inc.	Unusual use for excavation.	ZAB	Approved
1965	Sam Levine	Zone change from GU to IU-2.	BCC	Approved
1974	Harold Friedman, Tr.	Zone change from GU to IU-C.	BCC	Approved
1974	Morris Mosk & Yale Mosk	Zone change from GU to IU-C.	BCC	Approved
1980	Terryland Investments, N.V. & Shoppyland	Unusual use for two lake excavations.	ZAB	Approved
1982	Yale Mosk et al	Unusual use to permit a lake excavation.	ZAB	Approved in part
1982	Directors of the Building & Zoning Dept.	Zone change from IU-2 to GU.	BCC	Approved
1988	Tarmac Florida, Inc.	- Unusual use for lake excavation. - Modification to conditions on previous resolution. - Use variance to waive right-of-way.	BCC	Approved
1992	Tarmac Florida, Inc.	Unusual use to permit a lake excavation,	BCC	Approved w/conds.
2002	Steven Robinson	Zone change from GU to IU-1 and GU to BU-1A.	CZAB-9	Approved w/conds.
2002	Steven D. Robinson	Development Approval.	BCC	Approved w/conds.
2002	Steven D. Robinson, et al	Zone change from GU to IU-1 and GU to BU-1A.	BCC	Approved in part
2004	AMB Codina Beacon Lakes LLC	- To permit E. F. lighthouse. - Non-Use variance open space, - Waive the required wall. - Modification of condition of a covenant.	CZAB-5	Approved

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:** July 3, 2008

**To:** The Board of County Commissioners

**From:** Developmental Impact Committee  
Executive Council

**Subject:** Developmental Impact Committee Recommendation

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**APPLICANT:** AMB Codina Beacon Lakes (Z07-020)

**SUMMARY OF REQUESTS:**

The applicant is seeking a substantial deviation determination pursuant to Section 380.06(19) of the Florida Statutes as it pertains to a modification of Resolution No. Z-11-02 that would extend the buildout and termination dates of the DRI from December 31, 2008 to December 30, 2011, to modify the expiration date from December 31, 2013 to December 30, 2016, reduce the warehouse square footage and increase the office and retail square footages. Additionally the applicant is seeking to modify the names of the Developer from C/WDL, LTD to AMB Codina Beacon Lakes, LLC. Requests are also being sought to modify Exhibits 1, 2, 3 and 5 of Resolution No. Z-11-02 which are Exhibits indicating the master development site plan, vehicle trip count, access points and intersection improvements. A request to modify a condition of a subsequent Resolution that modified the 2002 Development Order would allow a roadway to be expanded to five lanes in lieu of the previously approved 4. The applicant is also seeking to modify Resolution No. CZAB5-10-04 and a previously proffered approved Declaration of Restrictions to allow the applicant to submit a new site plan. Additionally, the applicant is requesting a zone change from IU-1, Light Industrial District, to BU-2, Limited Business District, and an unusual use to permit outdoor dining and table service in conjunction with restaurants.

**LOCATION:** The south side of N.W. 25 Street, between N.W. 117 Avenue and N.W. 137 Avenue, Miami-Dade County, Florida.

**COMMENTS:**

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

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

**DIC RECOMMENDATION:**

**Approval with conditions**, subject to the Boards acceptance of the proffered covenant.

The Executive Council found that the proposed application does not create a substantial deviation (Request #D1) and is of the opinion that the approval of this application, with the acceptance of the proffered covenant and applied conditions, is **consistent** with the CDMP, **compatible** with the surrounding area, and would not have an unfavorable effect on the economy of Miami-Dade County, Florida. In addition, the Executive Council found that this application also 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.

APPLICATION NO. Z07-20  
AMB CODINA BEACON LAKES, LLC

Respectfully Submitted,

DIC Executive Council  
May 28, 2008

Susanne M. Torriente  
Assistant County Manager

Absent

Herminio Lorenzo, Fire Chief  
Miami-Dade Fire Rescue Department

Absent

Irma San Roman, Deputy Director  
Metropolitan Planning Organization Secretariat



AYE

Subrata Basu, Interim Director  
Department of Planning and Zoning



AYE

Esther Calas, P.E., Director  
Public Works Department



AYE

Carlos Espinosa, P.E., Director  
Department of Environmental Resources Mgmt

Absent

Jorge S. Rodriguez, P.E., Assistant Director  
Miami-Dade Water and Sewer Department



AYE

**DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO THE DEVELOPMENTAL IMPACT COMMITTEE**

**APPLICANT:** AMB Codina Beacon Lakes, LLC

**PH:** Z07-020 (08-6-CZ5-2)

**SECTION:** 35/36-53-39

**DIC DATE:** May 28, 2008

**COMMISSION DISTRICT:** 12

=====

**A. INTRODUCTION**

o **REQUESTS:**

THE BELOW REQUESTS PERTAIN TO MODIFICATION OF THE DEVELOPMENT ORDER OF RESOLUTION NO. Z-11-02

- (D1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION to a Development of Regional Impact pursuant to Section 380.06(19) of the Florida Statutes with respect to the following amendments and requests:
- (D2) MODIFICATION of portions of the Recital of Resolution No. Z-11-02, passed and adopted by the Board of County Commissioners on May 30, 2002, and reading as follows:

FROM: "4. General Description of Proposed Development: The applicant is requesting approval of a multi-use development entitled "Beacon Lakes," consisting of: 6,600,000 square feet for warehouses, 150,000 sq. ft. of office space, and 75,000 square feet of development serving retail space. The applicant is also requesting to rezone the subject property (excluding the existing lake, which is intended to be used for storm water management) from GU (Interim District) to BU-1A (Limited Business District) and IU-1 (Light Industrial Manufacturing District)."

TO: "4. General Description of Proposed Development: The applicant is requesting approval of a multi-use development entitled "Beacon Lakes," consisting of: ~~6,600,000~~ 5,300,000 square feet for warehouses, ~~150,000~~ 175,000 sq. ft. of office space, and ~~75,000~~ 495,000 square feet of retail space." The applicant is also requesting to rezone the subject property (excluding the existing lake, which is intended to be used for storm water management) from GU (Interim District) to BU-1A (Limited Business District) and IU-1 (Light Industrial Manufacturing District)."

FROM: "Developer Name: C/WDL, LTD."

TO: "Developer Name: ~~C/WDL, LTD.~~ AMB Codina Beacon Lakes, LLC."

- (D3) MODIFICATION of Conditions #58, #59, and #60 of Resolution No. Z-11-02, passed and adopted by the Board of County Commissioners and reading as follows:

FROM "58. December 31, 2008 is hereby established as the build out date for this project and is the date until which the local government of jurisdiction agrees that the Beacon Lakes DRI shall not be subject to down-zoning,

unit density reduction, or intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety, or welfare."

TO: "58. ~~December 31, 2008~~ December 30, 2011 is hereby established as the build out date for this project, which includes the 3-year extension for projects under active construction pursuant to Sec. 380.06(19)(c), F.S. (2007), and is the date until which the local government of jurisdiction agrees that the Beacon Lakes DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety, or welfare."

FROM: "59. The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in Section 380.04, F.S. The termination date for completing physical development shall be December 31, 2008. This termination date may only be modified in accordance with Section 380.06(19)(c), F.S."

TO: "59. The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in Section 380.04, F.S. The termination date for completing physical development shall be ~~December 31, 2008~~. December 30, 2011. ~~This termination date may only be modified in accordance with Section 380.06(19)(c), F.S.~~ which includes the 3-year extension for projects under active construction pursuant to Sec. 380.06(19)(c), F.S. (2007)."

FROM: "60 December 31, 2013 is hereby established as the expiration date for the development order."

TO: "60. ~~December 31, 2013~~ December 30, 2016 is hereby established as the expiration date for the development order, which includes the 3-year extension for projects under active construction pursuant to Sec. 380.06(19)(c), F.S (2007)."

(D4) MODIFICATION of Exhibits 1, 2, 3, and 5 of Resolution No. Z-11-02, passed and adopted by the Board of County Commissioners reading as follows:

FROM: Exhibit 1, Master Development Plan  
Exhibit 2, Vehicle Access Points of Offsite Roadway Network.  
Exhibit 3, Project Trip Generation Rates.  
Exhibit 5, Intersection Improvements.

TO: Exhibit 1, Master Development Plan Map H (Revised 12/20/06).  
Exhibit 2, Vehicle Access Points of Off-Site Roadway Network (Revised 12/20/06).  
Exhibit 3, ~~Project Trip Generation Rates~~ Net External PM Peak Hour Project Trip Generation Rates for the Proposed Development Program (Revised 12/18/06).  
Exhibit 5, Intersection Improvements at NW 12 Street at NW 127 Avenue (Revised 12/20/06).

(D5) MODIFICATION of Paragraph "E" of Exhibit #4 of Resolution No. Z-11-02 last modified by Resolution No. Z-28-07, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: EXHIBIT 4-BEACON LAKES DRI TRANSPORTATION IMPROVEMENTS

E. Widen N.W. 127 Avenue from N.W. 12 Street to S.W. 8 Street to a four-lane roadway or an alternative cross section that adequately mitigates project impacts as acceptable to Miami-Dade County Public Works Department.

TO: EXHIBIT 4 – BEACON LAKES DRI TRANSPORTATION IMPROVEMENTS

E. Widen N.W. 127 Avenue from N.W. 12 Street to S.W. 8 Street to a ~~four-lane~~ five-lane roadway ~~or an alternative cross section that adequately mitigates project impacts as acceptable to Miami-Dade County Public Works Department.~~

The purpose of requests #D-1 to D-5 is to permit the applicant to decrease the square footage requirements for the warehouse use; to increase the square footage requirements for the office and retail uses; to revise Exhibits indicating the revised master development site plan, vehicle trip count, access points and intersection improvements and to extend the build-out date, termination date and expiration date of the previously approved Beacon Lakes DRI.

REQUESTS #D1 to #D5 ON PARCELS 1 AND 2.

THE BELOW REQUESTS PERTAIN TO ZONING:

(Z1) MODIFICATION of Paragraph #1 of a Declaration of Restrictions recorded in Official Record Book 20487, Pages 4478-4496, as further modified by a covenant proviso contained in Resolution No. CZAB5-10-04, and reading as follows:

FROM: "1. The property shall be developed in substantial accordance with the plans entitled 'Beacon Lakes Master Plan,' as prepared by Retzch, Lanao, Caycedo, Architects, consisting of 5 sheets dated 6/28/04 and 9 sheets prepared by URG & Assoc., Inc., dated, signed and sealed 1/6/04."

TO: "1. The property shall be developed in substantial accordance with the plans entitled '~~Beacon Lakes Master Plan,~~' ~~as prepared by Retzch, Lanao, Caycedo, Architects, consisting of 5 sheets dated 6/28/04 and 9 sheets~~

prepared by URG & Assoc., Inc., dated, signed and sealed 1/6/04." entitled "Beacon Lakes," as prepared by Creech Engineers, Inc., Retzsch Lanoa Caycedo Architects, and Conceptual Design Group, Inc., dated stamped received February 25, 2008 and consisting of twenty (20) sheets, as said plan may be modified from time to time in a manner consistent with Miami-Dade County Code requirements."

The purpose of request #Z1 is to allow the applicant to submit new site plans for a commercial development consisting of retail and restaurant uses.

(Z2) IU-1 to BU-2.

(Z3) UNUSUAL USE to permit outdoor dining and table service in connection with restaurants.

#### REQUESTS #Z1 to #Z3 ON PARCEL 2.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #D2- #D5 and #Z1 may be considered under Section 33-311(A)(7) (Generalized Modification Standards) or Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

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

#### o **SUMMARY OF REQUESTS:**

The applicant is seeking a substantial deviation determination pursuant to Section 380.06(19) of the Florida Statutes as it pertains to a modification of Resolution No. Z-11-02 that would extend the buildout and termination dates of the DRI from December 31, 2008 to December 30, 2011, to modify the expiration date from December 31, 2013 to December 30, 2016, reduce the warehouse square footage and increase the office and retail square footages. Additionally the applicant is seeking to modify the names of the Developer from C/MDL, LTD to AMB Codina Beacon Lakes, LLC. Requests are also being sought to modify Exhibits 1, 2, 3 and 5 of Resolution No. Z-11-02 which are Exhibits indicating the master development site plan, vehicle trip count, access points and intersection improvements. A request to modify a condition of a subsequent Resolution that modified the 2002 Development Order would allow a roadway to be expanded to five lanes in lieu of the previously approved 4. The applicant is also seeking to modify Resolution No. CZAB5-10-04 and a previously proffered approved Declaration of Restrictions to allow the applicant to submit a new site plan. Additionally, the applicant is requesting a zone change from IU-1, Light Industrial District, to BU-2, Limited Business District, and an unusual use to permit outdoor dining and table service in conjunction with restaurants.

o **LOCATION:** The south side of N.W. 25 Street, between N.W. 117 Avenue and N.W. 137 Avenue, Miami-Dade County, Florida.

o **SIZE:** 480 acres

o **IMPACT:**

The approval of the application would bring additional traffic into the community, would impact public services and lessen the amount of warehouse space available for the area. Additionally, future residents and patrons of the restaurants may also be negatively affected by the maliforous odors emitted from a nearby industrial enterprise. This application will also provide additional retail and office space to the community and provide outdoor dining for restaurants.

**B. ZONING HEARINGS HISTORY:**

In 2002, the Community Zoning Appeals Board-9 (CZAB-9) recommended approval of CDMP amendment to redesignate the subject property from Open Land to Industrial and Office use, and of a Development of Regional Impact (DRI) application to rezone the subject property from GU, Interim District, to IU-1, Industrial Light Manufacturing District, and BU-1A, Limited Business District. The CZAB-9's recommendation was subject to approval by the Board of County Commissioners (BCC) and in 2002, pursuant to Resolutions #Z-11-02 and #Z 12-02, the BCC redesignated the subject property to Industrial and Office and also granted a zone change from GU, Interim District, to IU-1, Light Industrial District, and BU-1A, Limited Business District. A special exception to permit site plan approval and several non-use variance requests accompanied the rezoning requests; however, said requests, including the special exception, were withdrawn at the public hearing. The applicant proffered a Declaration of Restrictions, which was accepted by the BCC, that restricted, among other things, the development of the site to the submitted plans and limited the BU uses to those intended to serve the firms and workers in the industrial and office areas. In 2004, the Community Zoning Appeals Board (CZAB 5) granted several requests that allowed an entrance feature lighthouse structure to be greater in height than permitted; a half-section line road (NW 132 Avenue) and a section line road (NW 137 Avenue) to be 0' in width; less landscaped open space than required where the industrially zoned parcel abuts a parcel zoned GU, Interim District; waived the required 5' high decorative masonry wall where a business lot abuts a residential zone; and modified a condition of a previous Declaration of Restrictions to permit the applicant to submit a revised plan showing the aforementioned entrance feature lighthouse structure, eliminating two required rights-of-way, and showing a reduction in the landscaped open space, pursuant to Resolution #CZAB5-10-04. The applicant also proffered a Declaration of Restrictions. In 2007, the BCC granted a substantial deviation determination pursuant to Section 380.06(19) of the Florida Statutes as it pertains to a modification to Resolution #Z-11-02 that was part of the originally approved Development of Regional Impact (DRI) in order to remove the requirement to install a dedicated westbound to northbound right turn lane at NW 25 Street and NW 112 Avenue, pursuant to Resolution #Z-28-07.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2015 and 2025 Land Use Plan designates most of the subject property except for a small portion surrounding the lake as being immediately east of and within the Urban Development Boundary for **Restricted Industrial and Office use**. Industrial and Office areas designated as "Restricted" are areas where the range of uses and design of facilities are governed by special groundwater protection regulations. This

category primarily affects "wellfield protection areas" designated in the Miami-Dade County Code (Chapter 24, Code of Miami-Dade County). The boundaries of the "Restricted" areas shall be periodically reviewed and amended as necessary to maintain consistency with wellfield protection area boundaries provided by Chapter 24, Code of Miami-Dade County. Development in Restricted Industrial and Office areas should generally to offices uses, but certain business, warehousing and manufacturing uses may be permitted, provided that the use employs best management practices, and the use does not involve the on-site use, handling, storage manufacture or disposal of hazardous materials or waste as defined in Chapter 24 of the County Code. Provisions of the "Industrial and Office" category which allow and limit residential and business uses, TNDs and hotels also apply to the Restricted category. Quarrying and environmentally compatible ancillary uses may also be approved in these areas. The inclusion of this Restricted category for the LUP map does not preclude the application of these or similar use limitations to other land contained in the Industrial and Office or any other land use category where necessary to protect groundwater resources.

#### **COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) CONCURRENT AMENDMENT**

2. The present designation for the 45.59-acre portion of the site (Parcel 2) is Restricted Industrial and Office use that does not allow the proposed BU-2 zoning. This DRI is being considered concurrently with the CDMP amendment to redesignate Parcel 2. If the concurrent CDMP amendment is approved for the site, it will be redesignated as **Business and Office** which will allow BU-2 zoning.

The **Business and Office** category accommodates the full range of sales and services 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 telecommunications facilities such as cell towers and satellite telecommunications 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 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.

3. The Adopted 2015 and 2025 Land Use Plan designates a small portion of the subject property that surrounds the lake as being inside the UDB for **“Open Land” use**. The land designated as Open Land is not needed for urban uses between now and the year 2015 and has been set aside for uses other than urban development. It is not simply surplus undeveloped land, but rather it is land that is intended to serve one or more of the following functions; production such as agriculture, limestone extraction or other resource-based activity such as development of potable water supplies; rural residential development at a maximum density indicated for the specific Open Land subarea. Because Open Land areas primarily consist of wetlands, all proposed uses will be reviewed on a case-by-case basis. The aforementioned portion of the subject property is specifically designated as **Open Land Subarea 2**. Limestone quarrying and ancillary uses including the continued operation of existing cement plants, necessary and compatible institutional uses, public facilities, utility facilities, and communications facilities, recreational uses, rural residences at a maximum density of 1 dwelling unit per 5 acres and seasonal agriculture may be considered for approval in this area, in keeping with the Northwest Wellfield Protection Plan (Board of County Commissioners Resolution R-1541-85) and Chapters 24 and 33 of the Miami-Dade County Code, and wetland protection requirements. Uses that could compromise groundwater quality shall not occur in this area. In furtherance of Board of County Commissioners Resolution R-1098-88, the creation of a State Protection Area in this subarea is also supported.
4. **Objective LU-1.** The location and configuration of Miami-Dade County’s urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
5. **Policy LU-1G.** Business developments shall preferably be placed in cluster or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.
- 6, **Objective LU-3.** Upon the adoption of the CDMP, the location, design and management practices of development and redevelopment in Miami-Dade County shall ensure the protection of natural resources and systems of recognizing, and sensitively responding to constraints posed by soil conditions, topography, water table level, vegetation type, wildlife habitat, and hurricane and other flood hazards, and by reflecting the management policies contained in resource planning and management plans prepared pursuant to Chapter 380, Florida Statutes, and approved by the Governor and Cabinet, or included in the Comprehensive Everglades Restoration Plan approved by Congress through the Water Resources Development Act of 2000.

7. **Policy LU-3B.** All significant natural resources and systems shall be protected from incompatible land use including Biscayne Bay, future coastal and inland wetlands, future potable water-supply wellfield areas identified in the Land Use Element or in adopted wellfield protection plans, and forested portions of Environmentally Sensitive Natural Forest Communities as identified in the Natural Forest Inventory, as may be amended from time to time.
8. **Objective LU-4.** Miami-Dade County shall by the year 2015, 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.
9. **Policy LU-4A.** When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.
10. **Policy LU-4B.** Uses designated on the LUP map and interpretive text, which generate or cause to generate significant noise, dust, odor, vibration, or truck or rail traffic shall be protected from damaging encroachment by future approval of new incompatible uses such as residential uses.
11. **Objective LU-6.** Miami-Dade County shall protect, preserve, ensure the proper management, and promote public awareness of historical, architectural and archaeologically significant sites and districts in Miami-Dade, and shall continue to seek the addition of new listings to the National Register, and increase the number of locally designated historical and archeological sites, districts and zones.
12. **Policy LU-6A.** Miami-Dade County shall continue to identify, seek appropriate designation, and protect properties of historic, architectural and archeological significance.
13. **Objective LU-8.** Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan map, consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan Map accommodates projected countywide growth.
14. **Policy LU-8B.** Distribution of neighborhood or community-serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic and physical considerations.
15. **Objective CON-3.** Regulations within wellfield protection areas shall be strictly enforced. The recommendations of the NW Wellfield Protection Plan shall continue to be fully implemented, as are recommendations that evolve from the West Wellfield and South Dade Wellfield planning processes.
16. **Policy CON-3E.** The area west of the Turnpike, east of the Dade-Broward Levee, north of NW 12<sup>th</sup> Street and south of Okeechobee Road shall be reserved for limestone mining and approved ancillary uses as provided for in Chapter 24 and 33 of the Miami-Dade County Code and the entire area west of the Turnpike, north of NW 25<sup>th</sup> Street

and south of Okeechobee Road shall remain unurbanized.

17. **LU-8E.** Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:
- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
  - ii) Enhance or impede provision of services at or above adopted LOS Standards;
  - iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods, and
  - iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
  - v) If located in a planned Urban Center, or within ¼ mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.
18. **Objective CIE-1.** The CIE shall provide for necessary replacement of existing facilities, upgrading of facilities when necessary to maintain adopted level of service (LOS) standards, and for new facility investments which are needed and affordable in the future.
19. **Objective CIE-3.** CDMP land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels.
20. **Objective TC-1.** It is desirable that all roadways in Miami-Dade County operate at level of service (LOS) C or better. By the year 2010 no roadway in Miami-Dade County should operate at a level of service lower than the base level of service standard contained herein.
21. **Policy TC-1A.** Miami-Dade County will continue to update and readopt a Long Range Transportation Plan, as periodically required, that will achieve Traffic Circulation Objective TC-1 above, in a manner consistent with the other objectives of the Comprehensive Development Master Plan (CDMP). Upon completion of each update of the Long Range Transportation Plan, Miami-Dade County shall prepare for submittal, pursuant to Chapter 163, Part II, F.S., proposals to enhance and revise the Traffic Circulation and Mass Transit Subelements of the Transportation Element as warranted by said technical findings and policy proposals, consistent with the goals, objectives and policies of the CDMP.
22. **Uses and Zoning Specifically Depicted.** Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this

chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan.

23. **Other Land Uses Not Addressed.** Certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

**Subject Property:**

IU-1 and BU-1A; warehouse buildings, cleared parcels and a lake

Restricted Industrial and Office and Open Land  
Parcel 2 concurrently proposed for Business and Office

**Surrounding Properties:**

**NORTH:** GU ; vacant parcels, lakes and cement factory

Open Land

**SOUTH:** IU-1 and GU; vacant parcels lake

Open Land

**EAST:** IU-1 and IU-C; Florida Turnpike

Restricted Industrial and Office

**WEST:** IU-1 and GU; vacant parcel concrete manufacturing

Restricted Industrial and Office and Open Land

The 436-acre parcel lies immediately east of and within the Urban Development Boundary (UDB), east of NW 137<sup>th</sup> Avenue, on the west side of the Florida Turnpike and extends to N.W. 137 Avenue to the west and lies between N.W. 12 Street and N.W. 25 Street. The area is characterized with concrete manufacturing plants, industrial uses, lakes and vacant parcels.

**E. SITE AND BUILDINGS:**

(The following comments are contingent upon the approval of the CDMP amendment)

<b>Site Plan Review:</b>	(Site plan submitted)
Scale/Utilization of Site:	<b>Acceptable</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Acceptable</b>
Landscape Treatment:	<b>N/A</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>N/A</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Visibility/Visual Screening:	<b>N/A</b>
Energy Considerations:	<b>N/A</b>
Roof Installations:	<b>N/A</b>
Service Areas:	<b>N/A</b>
Signage:	<b>N/A</b>
Urban Design:	<b>Acceptable</b>

**F. PERTINENT REQUIREMENTS/STANDARDS:**

In evaluating an application for a **district boundary change**, **Section 33-311** provides that the Board take into consideration, among other factors, the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;

- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

**Section 33-311(A)(7) (Generalized Modification Standards).** The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; 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 fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, 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.

**Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing).** The Community Zoning Appeals shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs of this section have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**Section 33-311(A)(3) Special Exceptions, Unusual and New Uses.** The Board shall hear an application for and grant or deny **special exceptions**; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by 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.

**Florida Statutes §380.06(19) Developments of Regional Impact-Substantial Deviation**

The term "development of regional impact," as used in this section, means any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

- (a) Any proposed change to a previously approved development which creates a reasonable likelihood of additional regional impact, or any type of regional impact created by the change not previously reviewed by the regional planning agency, shall constitute a substantial deviation and shall cause the proposed change to be subject to further development-of-regional-impact review. There are a variety of reasons why a developer may wish to propose changes to an approved development of regional impact, including changed market conditions. The procedures set forth in this subsection are for that purpose.
- (b) Any proposed change to a previously approved development or regional impact or development order condition which, either individually or cumulatively with other changes, exceeds any of the following criteria shall constitute a substantial deviation and shall cause the development to be subject to further development-of-regional-impact review without the necessity for a finding of same by the local government;
  - 1. An increase in the number of parking spaces at an attraction or recreational facility by 10 percent or 330 spaces, whichever is greater, or an increase in the number of spectators that may be accommodated at such a facility by 10 percent or 1,100 spectators, whichever is greater.
  - 3. An increase in industrial development area by 10 percent or 35 acres, whichever is greater.
  - 5. An increase in land area for office development by 10 percent or an increase of gross floor area of office development by 10 percent or 66,000 gross square feet, whichever is greater.
  - 8. An increase in commercial development by 55,000 square feet of gross floor area or of parking spaces provided for customers for 330 cars or a 10-percent increase of either of these, whichever is greater.
  - 12. A proposed increase to an approved multiuse development of regional impact where the sum of the increases of each land use as a percentage of the applicable substantial deviation criteria is equal to or exceed 110 percent. The percentage of any decrease in the amount of open space shall be treated as an increase for purposes of determining when 110 percent has been reached or exceeded.

13. A 15-percent increase in the number of external vehicle trips generated by the development above that which was projected during the original development-of-regional-impact review.
14. Any change which would result in development of any area which was specifically set aside in the application for development approval or in the development order for preservation or special protection of endangered or threatened plants or animals designated as endangered, threatened, or species of special concern and their habitat, any species protected by 16 U.S.C. ss. 668a-668d, primary dunes, or archaeological and historical sites designated as significant by the Division of Historical Resources of the Department of State. The refinement of the boundaries and configuration of such areas shall be considered under sub-subparagraph (e)2.j.

The substantial deviation numerical standards in <sup>2</sup>subparagraphs 3.,5.,8.,9., and 12., excluding residential uses, and in subparagraph 13., are increased by 100 percent for a project certified under s. 403.973 which creates jobs and meets criteria established by the Office of Tourism, Trade and Economic Development as to its impact on an area's economy, employment, and prevailing wage and skill levels. The substantial deviation numerical standards in subparagraphs 3.,5.,6.,7.,8.,9.,12., and 13. are increased by 50 percent for a project located wholly within an urban infill and redevelopment area designated on the applicable adopted local comprehensive plan future land use map and not located within the coastal high hazard area.

- (c) An extension of the date of buildout of a development, or any phase thereof, by more than 7 years shall be presumed to create a substantial deviation subject to further development-of-regional-impact review. An extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years shall be presumed not to create a substantial deviation. The extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a substantial deviation. These presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of 5 years or less is not a substantial deviation. For the purpose of calculating when a buildout or phase date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to the development permits. Any extension of the buildout date of the project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time. In recognition of the 2007 real estate market conditions, all phase, buildout, and expiration dates for projects that are developments of regional impact and under active construction on July 1, 2007, are extended for 3 years regardless of any prior extension. The 3-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review.

and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection.

- (d) A change in the plan of development of an approved development of regional impact resulting from requirements imposed by the Department of Environmental Protection or any water management district created by s. 373.069 or any of their successor agencies or by any appropriate federal regulatory agency shall be submitted to the local government pursuant to this subsection. The change shall be presumed not to create a substantial deviation subject to further development-of-regional-impact review. The presumption may be rebutted by clear and convincing evidence at the public hearing held by the local government.
- (e)1. Except for a development order rendered pursuant to subsection (22) or subsection (25), a proposed change to a development order that individually or cumulatively with any previous change is less than any numerical criterion contained in subparagraphs (b)1.-13. and does not exceed any other criterion, or that involves an extension of the buildout date of a development, or any phase thereof, of less than 5 years is not subject to the public hearing requirements of subparagraph (f)3., and is not subject to a determination pursuant to subparagraph (f)5. Notice of the proposed change shall be made to the regional planning council and the state land planning agency. Such notice shall include a description of previous individual changes made to the development, including changes previously approved by the local government, and shall include appropriate amendments to the development order.
- 2. The following changes, individually or cumulatively with any previous changes, are not substantial deviations:
  - a. Changes in the name of the project, developer, owner, or monitoring official
  - b. Changes to a setback that do not affect noise buffers, environmental protection or mitigation areas, or archaeological or historical resources.
  - c. Changes to minimum lot sizes.
  - d. Changes in the configuration of internal roads that do not affect external access points.
  - e. Changes to the building design or orientation that stay approximately within the approved area designated for such building and parking lot, and which do not affect historical buildings designated as significant by the Division of Historical Resources of the Department of State.
  - f. Changes to increase the acreage in the development, provided that no development is proposed on the acreage to be added.

- g. Changes to eliminate an approved land use, provided that there are no additional regional impacts.
- h. Changes required to conform to permits approved by any federal, state, or regional permitting agency, provided that these changes do not create additional regional impacts.
- i. Any renovation or redevelopment of development within a previously approved development of regional impact which does not change land use or increase density or intensity of use.
- j. Changes that modify boundaries and configuration of areas described in subparagraph (b)14. due to science-based refinement of such areas by survey, by habitat evaluation, by other recognized assessment methodology, or by an environmental assessment. In order for changes to qualify under this sub-subparagraph, the survey, habitat evaluation, or assessment must occur prior to the time a conservation easement protecting such lands is recorded and must not result in any net decrease in the total acreage of the land specifically set aside for permanent preservation in the final development order.
- k. Any other change which the state land planning agency, in consultation with the regional planning council, agrees in writing is similar in nature, impact, or character to the changes enumerated in sub-subparagraphs a.-j. and which does not create the likelihood of any additional regional impact.

This subsection does not require the filing of a notice of proposed change but shall require an application to the local government to amend the development order in accordance with the local government's procedures for amendment of a development order. In accordance with the local government's procedures, including requirements for notice to the applicant and the public, the local government shall either deny the application for amendment or adopt an amendment to the development order which approves the application with or without conditions. Following adoption, the local government shall render to the state land planning agency the amendment to the development order. The state land planning agency may appeal, pursuant too s. 380.07(3), the amendment to the development order if the amendment involves sub-subparagraph g., sub-subparagraph h., sub-subparagraph j., or sub-subparagraph k. and it believes the change creates a reasonable likelihood of new or additional regional impacts.

- 3. Except for the change authorized by sub-subparagraph 2.f., any addition of land not previously reviewed or any change not specified in paragraph (b) or paragraph (c) shall be presumed to create a substantial deviation. This presumption may be rebutted by clear and convincing evidence.
- 4 Any submittal of a proposed change to a previously approved development shall include a description of individual changes previously made to the development, including changes previously approved by the local government. The local

government shall consider the previous and current proposed changes in deciding whether such changes cumulatively constitute a substantial deviation requiring further development-of-regional-impact review.

5. The following changes to an approved development of regional impact shall be presumed to create a substantial deviation. Such presumption may be rebutted by clear and convincing evidence.
  - a. A change proposed for 15 percent or more of the acreage to a land use not previously approved in the development order. Changes of less than 15 percent shall be presumed not to create a substantial deviation.
  - b. Notwithstanding any provision of paragraph (b) to the contrary, a proposed change consisting of simultaneous increases and decreases of at least two of the uses within an authorized multiuse development of regional impact which was originally approved with three or more uses specified in s. 380.065(3)(c), (d), (e), and (f) and residential use.
- (f) 1. The state land planning agency shall establish by rule standard forms for submittal of proposed changes to a previously approved development of regional impact which may require further development-of-regional-impact review. At a minimum, the standard form shall require the developer to provide the precise language that the developer proposes to delete or add as an amendment to the development order.
2. The developer shall submit, simultaneously, to the local government, the regional planning agency, and the state land planning agency the request for approval of a proposed change.
3. No sooner than 30 days but no later than 45 days after submittal by the developer to the local government, the state land planning agency, and the appropriate regional planning agency, the local government shall give 15 days' notice and schedule a public hearing to consider the change that the developer asserts does not create a substantial deviation. This public hearing shall be held within 60 days after submittal of the proposed changes, unless that time is extended by the developer.
4. The appropriate regional planning agency or the state land planning agency shall review the proposed change and, no later than 45 days after submittal by the developer of the proposed change, unless that time is extended by the developer, and prior to the public hearing at which the proposed change is to be considered, shall advise the local government in writing whether it objects to the proposed change, shall specify the reasons for its objection, if any, and shall provide a copy to the developer.
5. At the public hearing, the local government shall determine whether the proposed change requires further development-of-regional-impact review. The provisions of paragraphs (a) and (e), the thresholds set forth in paragraph (b), and the presumptions set forth in paragraphs (c) and (d) and subparagraph (e)3. shall be

applicable in determining whether further development-of-regional-impact review is required.

6. If the local government determines that the proposed change does not require further development-of-regional-impact review and is otherwise approved, or if the proposed change is not subject to a hearing and determination pursuant to subparagraphs 3. and 5. and is otherwise approved, the local government shall issue an amendment to the development order incorporating the approved change and conditions of approval relating to the change. The requirement that a change by otherwise approved shall not be construed to require additional local review or approval is the change is allowed by applicable local ordinances without further local review or approval. The decision of the local government to approve, with or without conditions, or to deny the proposed change that the developer asserts does not require further review shall be subject to the appeal provisions of s. 380.07. However, the state land planning agency may not appeal the local government decision if it did not comply with subparagraph 4. The state land planning agency may not appeal a change to a development order made pursuant to subparagraph (e)1. or subparagraph (e)2. for developments of regional impact approved after January 1, 1980, unless the change would result in a significant impact to a regionally significant archaeological, historical, or natural resource not previously identified in the original development-of-regional-impact review.
- (g) If a proposed change requires further development-of regional-impact review pursuant to this section, the review shall be conducted subject to the following additional conditions:
1. The development-of-regional-impact review conducted by the appropriate regional planning agency shall address only those issues raised by the proposed change except as provided in subparagraph 2.
  2. The regional planning agency shall consider, and the local government shall determine whether to approve, approve with conditions, or deny the proposed change as it relates to the entire development. If the local government determines that the proposed change, as it relates to the entire development, is unacceptable, the local government shall deny the change.
  3. If the local government determines that the proposed change should be approved, any new conditions in the amendment to the development order issued by the local government shall address only those issues raised by the proposed change and require mitigation only for the individual and cumulative impacts of the proposed change.
  4. Development within the previously approved development of regional impact may continue, as approved, during the development-of-regional-impact review in those portions of the development which are not directly affected by the proposed change.
- (h) When further development-of-regional-impact review is required because a substantial deviation has been determined or admitted by the developer, the amendment to the development order issued by the local government shall be

consistent with the requirements of subsection (15) and shall be subject to the hearing and appeal provisions of s. 380.07. The state land planning agency or the appropriate regional planning agency need not participate at the local hearing in order to appeal a local government development order issued pursuant to this paragraph.

**G. NEIGHBORHOOD SERVICES:**

DERM	<b>No objection*</b>
Public Works	<b>No objection*</b>
MDT	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Water and Sewer	<b>No objection</b>
Solid Waste	<b>No objection</b>
Aviation	<b>No objection</b>
Historic Preservation	<b>No objection*</b>

\*Subject to the conditions indicated in their memoranda.

**H. ANALYSIS:**

The applicant is seeking a substantial deviation determination pursuant to Section 380.06(19) of the Florida Statutes as it pertains to a modification to Resolution No. Z-11-02 which was an originally approved Development of Regional Impact (DRI), the purpose of which is to extend both the buildout and termination dates from December 31, 2008 to December 30, 2011, to amend the expiration date from December 31, 2013 to December 30, 2016, to reduce the warehouse square footage, and to increase the office and retail square footages; the DRI modification is accompanied by a request for district boundary change from IU-1 to BU-2 on Parcel 2. The applicant is also seeking a concurrent CDMP amendment to change a portion (Parcel #2) of the subject property to Business and Office from Restricted Industrial and Office. The original DRI was approved by the Board of County Commissioner (BCC) on May 30, 2002 and consisted of 6,600,000 square feet for warehouses, 150,000 square feet of office space, and 75,000 square feet of retail space. The applicant is seeking a reduction of warehouse space to 5,300,000 square feet, an increase in office space to 175,000 square feet, an increase in the retail space to 495,000 square feet. In addition, the applicant is seeking to modify the names of the Developer from C/WDL, LTD to AMB Codina Beacon Lakes, LLC. Additional requests are being sought to amend Exhibit 1 (Master Development Plan), Exhibit 2 (Vehicle Access Points of Offsite Roadway Network), Exhibit 3 (Project Trip Generation Rates), and Exhibit 5 (Intersection Improvements), and to modify Paragraph E of Exhibit 4 to Resolution No. Z-11-02, last modified by Resolution No. Z-28-07, to allow the widening of N.W. 127 Avenue from N.W. 12 Street to S.W. 8 Street to five lanes. On Parcel #2, the applicant is seeking modifications of Paragraph #1 of a Declaration of Restrictions as modified by a covenant proviso contained in Resolution No. CZAB5-10-04. Additionally, on Parcel 2 the applicant is requesting a district boundary change from IU-1, Light Industrial District, to BU-2, Special Business District, and an unusual use to permit outdoor dining and table service in connection with restaurants. The applicant is also concurrently requesting a CDMP amendment that would change the 45.59-acre Parcel 2 from Restricted Industrial and

Office to Business and Office. The intent of this request is to change the land use designation to allow the applicant to develop a commercial center. The applicant has submitted a site plan reflecting the above requests and a covenant that will prohibit residential development on the site.

The applicant is seeking a substantial deviation determination to a Development of Regional Impact (DRI) pursuant to Section 380.06(19)(c) of the Florida Statutes as it pertains to modifying portions of the Recital of Resolution No. Z-11-02, modifying Conditions #58, #59, and #60, and modifying Exhibits 1, 2, 3, and 5. In addition, the applicant is seeking to modify Paragraph E of Exhibit 4 to Resolution No. Z-11-02, last modified by Resolution No. Z-28-07, to modify Paragraph #1 of a Declaration of Restrictions and a covenant proviso of Resolution No. CZAB5-10-04. As previously mentioned, the applicant is also requesting a concurrent CDMP amendment on Parcel #2 of the subject property to change the land use category to Business and Office from Restricted Industrial and Office. In accordance with Section 380.06(19)(e)(4) of the Florida Statutes, any submittal of a proposed change to a previously approved Development Order (D.O.) shall include a description of individual changes previously made to the development, including changes previously approved by the local government. The local government shall consider the previous and current proposed changes in deciding whether such changes cumulatively constitute a substantial deviation requiring further development-of-regional-impact review. In 2007, staff determined that the applicant's request to modify the requirement to provide a dedicated right turn lane for westbound N. W. 25 Street at the intersection of N.W. 112 Avenue was not a substantial deviation. Request #D2 of this application is to reduce the allocations of warehouse square footage from 6,600,00 to 5,300,000 square feet, to increase the office space from 150,000 to 175,000 square feet, and to increase the retail square footage from 75,000 to 495,000 square feet. Section 380.06(19)(b)(5),(8) and (13) of the Florida Statutes provides that: "Any proposed changes to a previously approved DRI or Development Order which, either individually or cumulatively with other changes, exceeds any of the following criteria shall constitute a substantial deviation: an increase of office development by 10 percent or 66,000 square feet, whichever is greater, an increase in commercial development by 10 percent or a 15 percent increase in the number of external trips. The applicant may rebut this presumption by clear and convincing evidence." Though the proposed modification to the previously approved D.O. does exceed the criteria for increased square footage pursuant to Section 380.06(19)(b)(8), the applicant has rebutted the presumption that the simultaneous increase and decrease of office/retail square footage and warehouse square footage is a substantial deviation by demonstrating, through their traffic study, that the proposed changes will not increase external vehicle trips by 15 percent. The South Florida Regional Planning Council concurs and, in their February 4, 2008 letter, indicates that the detailed traffic study submitted with the Notice of Proposed Change (NOPC) would increase the external PM trips by 12.4 percent, which would not significantly impact the surrounding regional network. The traffic study submitted by the applicant indicates that the development will continue to meet concurrency standards as determined by the Public Works Department and will not further burden the infrastructure or surrounding community. Furthermore, the applicant estimates that the proposed development will enhance the Miami-Dade County tax rolls by approximately \$75 million. In analyzing the request to modify the developer's name, pursuant to Section 380.06(19), this request is not considered a substantial deviation. In analyzing Request #D3, to modify the build-out, termination and expiration dates, this

request is not deemed a substantial deviation since, in 2007, the State Legislature changed Chapter 163, Florida Statutes, and granted, in recognition of the 2007 real estate market conditions, an additional 3-year extension to all DRIs under active construction on July 1, 2007. Staff has reviewed the 2006-2007 Beacon Lakes DRI Annual Status Report, submitted by the applicant, and the report indicates that the subject property was under active construction on July 1, 2007, as evidenced by the active permits in the report. Noting all the aforementioned, staff is of the opinion that the request to modify the approved Development Order to simultaneously decrease and increase the square footage of warehouse space, the square footage of office and retail space, to change the developer's name, extend the build-out, termination and expiration dates, and to modify certain Exhibits of the original DRI, will not create a substantial deviation.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application. Additionally, the Miami-Dade County Aviation Department (**MDAD**) **does not object** to this application and provides in their memorandum that the site is located outside of any land use restrictive zones, as depicted in the Zoning Ordinance for Miami International Airport (#04-203). Further, the Department of Solid Waste Management (**SWM**), the Miami-Dade Police Department (**MDPD**), and the Miami-Dade Water and Sewer Department (**WASD**) **do not object** to this project. The Miami-Dade Fire and Rescue Department (**MDFR**) **does not object** to this application; MDFR notes in their memorandum that the average travel time to the vicinity of the proposed development was **9.31** minutes, which **does not comply** with the performance objective of the national industry, but MDFR estimates that once the Beacon Lakes Station #75, planned for N.W. 17 Street and N.W. 129 Avenue, is operational, it will improve travel times for fire and medical emergencies in the vicinity of the subject property. The applicant has previously committed to convey to MDFR a 2-acre site for the station in exchange for Impact Fee Credit. The Public Works Department (**PWD**) **does not object** to this application, and indicates that the applicant's traffic consultant has submitted a revised traffic concurrency analysis and provided recommendations for improving accessibility to the site. According to the Public Works Department's memorandum, the latest analysis determines that the roadways, that would be impacted by the application are all projected to operate within their adopted LOS standard. The Miami Dade Transit (**MDT**) **does not object** to this application and their memorandum indicates that the application is concurrent with the level-of-service standards established for Miami-Dade County.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) currently designates the majority this site for **Restricted Industrial and Office** use. In the Restricted Industrial and Office category, Industrial and Office areas designated as "Restricted" are areas where the range of uses and design of facilities are governed by special groundwater protection regulations. This category primarily affects "wellfield protection areas" designated in the Miami-Dade County Code (Chapter 24, Code of Miami-Dade County). Development in **Restricted Industrial and Office** areas should generally be limited to office uses, but certain business, warehousing and manufacturing uses may be permitted, provided that the use employs best management practices, and the use does not involve the on-site use, handling, storage, manufacture or disposal of hazardous materials or waste as defined in Chapter 24 of the County Code. Provisions of the "Industrial and Office" category that allow and limit residential and business uses, TNDs and hotels also apply to the Restricted category. Quarrying and environmentally compatible ancillary uses may also be approved in these areas. The applicant is

proposing a commercial center on Parcel #2, which would be **inconsistent** with the current Restricted Industrial and Office designation. However, as previously mentioned, the applicant is concurrently requesting a CDMP amendment that would change the 45.59-acre Parcel 2 from Restricted Industrial and Office to **Business and Office**. If the concurrent CDMP amendment is approved, the proposed commercial center will be **consistent** with the Business and Office LUP map designation of the CDMP. The balance of the subject property remains primarily designated Restricted Industrial and Office and is zoned IU-1 with the exception of the center portion of the site, which contains a lake and is designated Open Land, and the northeasterly corner of the subject property, which is zoned BU-1A. Staff notes that an existing covenant on the BU-1A portion of the site restricts the permitted uses to those commercial uses that serve the firms and workers within the industrial area.

As previously mentioned, only a portion of the subject property is designated **Open Land Subarea 2 (Northwest Wellfield)**. The area designated **Open Land** is a small portion surrounding the lake located in the center of the site. The interpretative text of the CDMP provides that land designated as "Open Land" is not needed for urban uses between now and the year 2015 and has been set aside for uses other than urban development. Limestone quarrying and ancillary uses including the continued operation of existing cement plants, necessary and compatible institutional uses, public facilities, utility facilities, and communications facilities, recreational uses, rural residences at a maximum density of 1 dwelling unit per 5 acres and seasonal agriculture may be considered for approval in this area, in keeping with the Northwest Wellfield Protection Plan (Board of County Commissioners Resolution R-1541-85), Chapters 24 and 33 of the Miami-Dade County Code, and wetland protection requirements. Uses that compromise groundwater quality shall not occur in this area. Staff notes that the portion of the site designated Open Land is not affected by the current proposals, will remain a lake as shown on the plans, and therefore, is **consistent** with the Open Land Subarea 2 provision of the CDMP.

The applicant has applied for a concurrent CDMP amendment to change the 45.59-acre Parcel #2 from its current **Restricted Industrial and Office** designation to **Business and Office** with the intent of developing a commercial center on the southwesterly portion of the subject property. The Land Use Plan (LUP) of the Comprehensive Development Master Plan (CDMP) in 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. Also allowed are telecommunications facilities such as cell towers and satellite telecommunications 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. Policy LU-1G states that business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous trips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. The subject property is located within N.W. 12 Street, N.W. 25 Street, N.W. 137 and N.W. 117 Avenues which are section line roads. Therefore, staff opines that the requested commercial development on Parcel #2 is **consistent** with the provisions of Policy LU-1G of the CDMP. Additionally, the applicant has submitted a revised traffic concurrency analysis which addressed the Public Works Department concerns for the N.W. 12 Street segment between NW 137 and 127 Avenues; the high percentage of trips allocated to N. W. 25 Street; and the consideration in the analysis of N.W. 132 Avenue from/to N.W. 12 Street as another direct access point to the application site. Policy LU-4B stipulates that uses which generate or cause to generate significant noise, dust, odor, vibration, or truck or rail traffic shall be protected from damaging encroachment by future approval of new incompatible uses such as residential. The Business and Office designation would allow residential uses. However, the applicant has proffered a covenant prohibiting residential use on the subject property. Staff also notes that the subject property is located adjacent to a fat rendering plant which emits unpleasant odors and the applicant has also proffered a covenant which will inform buyers/lessees of any portion of the subject property of the existence of this plant. If the concurrent Master Plan amendment is approved the application it will be **consistent** with the CDMP and, subject to the Board's **compatible** with the surrounding area.

When requests #D2 through #D5 and #Z1 are analyzed under the General Modification Standards, Section 33-311(A)(7), in staff's opinion, the proposed modification will not adversely impact the surrounding area and will be **compatible** with same. Requests #D2 through #D5 are to allow the applicant to modify portions of the Recital of Resolution No. Z-11-02 (request #D2), modify Conditions #58, #59 and #60 of the same resolution (request #D3), modify Exhibits 1, 2, 3 and 5 of Resolution #Z-11-02 (request #D4) and modify Paragraph E to Exhibit #4 of the same Resolution (request #D5). The purpose of these modifications is to allow the applicant to decrease the square footage requirements for the warehouse; to increase the square footage requirements for the office and retail uses; to revise exhibits indicating the master development site plan, vehicle trip count, access points and intersection improvements and to extend the build-out, termination and expiration dates for the DRI project. Additionally, the applicant is requesting to modify Paragraph #1 of a Declaration of Restrictions as further modified by a covenant proviso contained in Resolution No. CZAB5-10-04 (request Z1). The purpose of this request is to allow the applicant to submit new site plans for a commercial development. Requests #D2 through #D5 and #Z1 will not generate excessive traffic, tend to create a fire or other equally or greater dangerous hazard, provoke excessive overcrowding of people, tend to provoke a nuisance, be incompatible with the area, nor be contrary to the public interest. When considering the necessity for and the reasonableness of the proposal in relation to the surrounding area and the compatibility of said use with the area and its development, staff is of the opinion that this application will not have an unfavorable effect on same, and will not be contrary to the public interest. The South Florida Regional Planning Council (SFRPC) has reviewed the Notice of Proposed Change (NOPC) as it relates to the simultaneous decrease of warehouse space and increase in commercial and office space

and has indicated that the change will increase external PM trips by 12.4 percent (418 trips), which, according to their report, would not significantly impact the surrounding regional road network. In addition, request #D3, to modify the buildout, commencement and termination dates, are within the automatic 3-year extension which, as previously explained, is provided pursuant to Section 380.06(19)(c). Request #D4 reflects changes to the following: the Master Development Plan Map H (Exhibit 1) which shows the change from the former warehouse space on Parcel 2 to the proposed commercial development; Vehicle Access Points to Offsite Roadway Network (Exhibit 2) shows an updated aerial with more details; Net External PM Peak Hour Project Trip Generation Rates for the Proposed Development Program (Exhibit 3) is a new exhibit with a more detailed breakdown of the external PM trip generation; and Intersection Improvements to N.W. 12 Street at N.W. 127 Avenue (Exhibit 5), which are changes related to the new development program, refers to the new lane geometry from the previous four lane to five line roadway. The request to modify Paragraph E to Exhibit 4 (request #D5) is to acknowledge the recently completed intersection improvements to N.W. 127 Avenue from N.W. 12 Street to S.W. 8 Street. The applicant, in conjunction with the Public Works Department in developing design plans, constructed the fifth lane at N.W. 12 Street, which provides continuous left turn capacity from N.W. 12 Street onto N.W. 137 Avenue. The modification of Paragraph #1 of a Declaration of Restrictions as further modified by a covenant proviso contained in Resolution No. CZAB5-10-04 (request #Z1) will allow the applicant to submit new site plans that reflect the new proposed commercial development on a portion of the subject property. This request refers only to Parcel #2 of the subject property. The previous plan submitted by the applicant was a Master Plan indicating a typical grid for warehouses with sparse landscaping on N.W. 25 Street. The current plans show a commercial center with 470,000 square feet of commercial retail space. The site plan for Parcel #2 has 19 retail units varying in size from 141,495 square feet to 3,500 square feet. The largest stores are anchored on the east and west sides of the property. There are four 15,400 sq. ft. buildings that form a center court for the subject property. Additionally, there are four out parcels shown to the north and two out parcels to the south. There is a 20' landscape buffer along the east, west and south perimeter of the site plan for Parcel #2. In staff's opinion, the applicant incorporated urban design principles by providing pedestrian walkways throughout the site that are located close to and link the commercial stores. Based on all of the aforementioned, staff is of the opinion that the approval of requests #D2 through #D5 and #Z1 would be **compatible** with the surrounding area. Therefore, staff recommends approval with conditions of the modification of portions of the Recital of Resolution No. Z-11-02, modification of Conditions #58, #59 and #60, Exhibits #1, #2, #3 and #5 and Paragraph E to Exhibit #4 of Resolution Z-11-02 and Paragraph #1 of a Declaration of Restrictions, as further modified by a covenant proviso in Resolution No. CZAB5-10-04 as it pertains to the subject property, under Section 33-311(A)(7) (Generalized Modification Standards).

The Standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to this application. Due to the lack of information, staff is unable to analyze requests #D2

through #D5 and #Z1 under said standards and, as such, this request should be denied without prejudice under same.

In request #Z2, the applicant is requesting a zone change on Parcel #2 from IU-1, Light Industrial District, to BU-2, Special Business District. When considering district boundary changes, the Zoning Code requires that the Board consider whether the development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered. Additionally, the Board shall consider if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently utilize or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities 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. The applicant is seeking approval for a district boundary change from IU-1 to BU-2, which staff supports. The portion of the subject property where the zone change is being requested is Parcel #2 which is located at the southwest corner and is also the location of the proposed CDMP amendment where the commercial center is proposed. As previously mentioned, subject to the approval of the concurrent Master Plan Amendment, the requested zone change on Parcel #2 will be **consistent** with the Business and Office land use designation on the LUP map. Additionally, staff opines that the request is **compatible** with the area. The Department recommends that concerns regarding the nearby fat rendering plant be addressed by requiring the applicant to submit a covenant requiring disclosure to future sellers/lessors that the fat rendering plant exists nearby. Staff opines that, subject to the covenant, the requested zone change will not have adverse impacts on the area. Essentially, the applicant's request for BU-2 zoning would permit proposed retail and commercial uses on Parcel #2. Staff notes that the proposed zone change would not result in a detrimental impact on the environmental and transportation resources of the County, as evidenced by the comments from DERM and the Public Works Department in their memoranda submitted as a part of this application. Additionally, staff opines that the proposed development will not have a negative impact on the economy of the Miami-Dade County. Accordingly, staff recommends approval of the district boundary change from IU-1 to BU-2, subject to the Board's acceptance of the proffered covenants and subject to the approval of the concurrent CDMP amendment.

The applicant is seeking an unusual use to permit outdoor dining and table service in connection with restaurants in a commercial center. The Master Plan specifies that certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the Zoning Code. However, it provides that uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that

the use would be compatible with and would not have an unfavorable effect on the surrounding area by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. The unusual use request for outdoor dining is similar to children's accessory outdoor playing facilities, which are also accessory uses permitted in conjunction with restaurants and provide external areas where people can engage in some form of outdoor activity or entertainment. In this regard, the use is substantially similar to uses permitted in the LUP map category and in the proposed zone and will be compatible with indoor restaurant uses that will be established within the subject development. The outdoor dining and table service will complement the indoor restaurants, add to the shopping and working experience of the development, and offer an alternative to indoor eating establishments. As previously noted, the applicant is requesting a concurrent CDMP amendment to change the current land use designation to Business and Office. Additionally, the applicant is requesting a zone change from IU-1 to BU-2. If these requests are approved, the request for an unusual use would be consistent with the CDMP. It should be noted that the subject property is adjacent to the fat rendering plant that emits noxious odors. The Department recommends that approval be conditioned on the applicant submitting a covenant that discloses the existence of the fat rendering plant adjacent to the subject property and requires a disclosure statement prior to the sale or lease of any portion of site, informing the future purchasers or tenants of the existence of the plant and that it will emit unpleasant odors from time to time. Staff notes that no environmental impacts are generated by the outdoor uses, as indicated by the various Department memoranda, and the outdoor patio dining activities do not require structures with a scale that could detrimentally impact adjoining uses. Furthermore, staff notes that the proposed outdoor dining and table service associated with restaurant uses will be easily accessed from the nearby network of roadways. As such, staff is of the opinion that the unusual use to permit outdoor dining and table service for proposed restaurants is **consistent** with the CDMP. Accordingly, staff recommend approval of request #Z3 under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses.

Based on all the foregoing, staff recommends approval of request #D1 and finds that this application does not result in a substantial deviation requiring further development of regional impact review, approval with conditions of requests #D2 through #D5 subject to the Board's acceptance of the proffered covenant under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of requests #D1 through #D5 and #Z1 under Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing), approval of request #Z2, the district boundary change from IU-1 to BU-2 subject to the Board's acceptance of the proffered covenant and approval of request #Z3.

#### **I. RECOMMENDATION:**

Approval of request #D1, with a finding that this application does not result in a substantial deviation requiring further Development of Regional Impact review; approval with

conditions of requests #D2 through #D5 and #Z1 and subject to the Board's acceptance of the proffered covenant under Section 33-311(A)(7) (Generalized Modification Standards); and denial without prejudice of requests #D2 through #D5 and #Z1 under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing); approval of request #Z2 for a district boundary change from IU-1 to BU-2 subject to the Board's acceptance of the proffered covenant; and approval of request #Z3.

**J. CONDITIONS:**

1. That all conditions of Resolution Nos. Z-11-02, CZAB5-10-04, and Z-28-07 remain in full force and effect except as herein modified. **(ZONING and DRI)**
2. That a revised Declaration of Restrictions be submitted to the Department of Planning and Zoning within ninety (90) days after public hearing approval of this application, unless a time extension is granted by the Director, for good cause shown. **(ZONING)**
3. That the Applicant comply with all applicable requirements, recommendations, requests and other provisions of the various Departments as contained in the departmental memoranda which are part of the record of this recommendation incorporated herein by reference. **(ZONING and DRI)**
4. That the Applicant comply with the following requirements, recommendations, requests and other provisions of the Miami-Dade County Public Works Department:
  - a. A northbound acceleration lane to improve northbound travel, shall be constructed on the east side of NW 137th Avenue collecting right turn eastbound right turn traffic for NW 12th Street, according to the Miami-Dade Public Works Department standards. **(DRI)**
  - b. NW 14th Street shall be built as a three (3) lane roadway from NW 132 Avenue to NW 137 Avenue, according to Miami-Dade County Public Works Department standards. **(DRI)**
  - c. A Traffic Signal Warrant Study for the intersection of NW 14 Street and NW 137 Avenue shall be submitted for review and approval by the Public Works Director within 180 days of the issuance of the first certificate of occupancy for the retail center, and shall be repeated annually until two years after the final certificate of occupancy is issued for 450,000 square feet or more of retail use within the commercial rezoning parcel that is the subject of this application. The Applicant shall proceed with signal design, permitting and installation in the event that a signal is warranted. **(DRI)**
  - d. The southwest driveway connection to the property (crossing the existing FPL easement) shall be designed to provide adequate stacking capacity at the junction of the driveway with the parking area and shall be extended eastward into the retail center to improve connectivity while avoiding conflicts with parking movements. These drive aisle modifications shall be subject to administrative review and approval by the Public Works Department and the Department of Planning and Zoning. **(ZONING)**

5. That the Applicant shall mitigate and monitor any odor emissions from the adjacent fat rendering/tallow plant, located within the property described by folio numbers 30-3935-001-0030, 30-3935-001-0020, 30-3935-001-0010 (the "Tallow Plant"), through the following program: **(DRI)**
  - a) Extend NW 132nd Avenue and sewer infrastructure (including along NW 14<sup>th</sup> Street, if necessary) to the property frontage of the Tallow Plant in a manner that will ensure that the fat rendering plant will be able to connect to public sewer.
  - b) Within 180 days following the final approval of the rezoning of the property legally described in Exhibit A to this resolution (the "Commercial Rezoning Property"), including the expiration of all appeals and appeal timeframes, retain an expert in odor issues and odor control to prepare a study of the Tallow Plant odor emissions and provide said study, including mitigation recommendations (the "Odor Study"), to the Department of Environmental Resources Management, Department of Planning and Zoning and the owners of the Tallow Plant.
  - c) Within 30 days of receipt of the Odor Study by the Directors of the Departments of Environmental Resources Management, Planning and Zoning, and the Tallow Plant, schedule a meeting with said Directors, or their designees, (and invite the owners of the Tallow Plant or its representatives) to devise a program for monitoring and/or controlling odor emissions from the Tallow Plant (the "Odor Control Program") which may include the installation and operation of monitoring equipment on the Commercial Rezoning Parcel or installation of odor control equipment within the Tallow Plant.
  - d) The Applicant shall fund or cause the implementation some or all of the Odor Control Program, provided that said funding or said implementation measures caused shall not exceed \$50,000, in addition to the cost of extending the sewer line pursuant to subparagraph (a).
  - e) Within 45 days following the final approval of this development order amendment, including the expiration of all appeal periods, the Developer shall record a Notice of Adoption in the public records of Miami-Dade County, Florida, so as to provide notice to the public of this and all other new conditions to the amended DRI development order. This amended DRI development order shall serve as disclosure to any parties of interest within the Commercial Parcel of the existence of the Tallow Plant and that it may emit unpleasant odors from time to time.

The timeframes provided within this condition may be extended by the Director of the Planning and Zoning Department for good cause shown. This condition shall continue until such time as the use of the existing fat rendering plant has ceased or until it has been satisfied.

6. That DERM shall monitor the Tallow Plant for compliance with Chapter 24 air quality requirements to ensure that proper quality control is employed to maintain a clean facility

and to mitigate any nuisance created by plant operations for the surrounding property owners.

7. That prior to issuing the first building permit, the Applicant will coordinate with Miami-Dade Transit to develop service plan alternatives for providing transit service to the proposed 46± acre retail center located at the southwest corner of the Beacon Lakes DRI. Options for providing transit service shall include one or more of the following: neighborhood circulators, route extension/realignment, as well as applicant/developer contributions. Other transit amenities, including bus bays and shelters for all bus stops, especially at all possible turnaround location(s), shall be included.
8. That the Applicant convey a 2± acre parcel within the Property for the development of the Beacon Lakes Rescue Station and such conveyance shall constitute a contribution in lieu of payment of impact fees in accordance with Condition No. 28 of Resolution No. Z-11-02.

**DATE INSPECTED:** 12/18/07

**DATE TYPED:** 3/12/08,

**DATE REVISED:** 3/17/08, 3/18/08, 3/17/08, 3/18/08, 4/14/08, 4/15/08, 4/16/08, 4/17/08, 4/18/08, 4/20/08, 4/22/08, 4/23/08, 4/24/08, 4/25/08, 4/26/08, 4/28/08, 4/30/08, 5/13/08, 5/14/08, 5/22/08, 5/23/08, 6/3/08

**DATE FINALIZED:**

SB:MTF:LVT:NN:CI



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Subrata Basu, Interim Director  
Miami-Dade County Department of  
Planning and Zoning

# Memorandum



**Date:** April 25, 2008

**To:** Subrata Basu  
Interim Director  
Planning & Zoning Department

**From:** Esther L. Calas, P.E. *Esther Calas*  
Director  
Public Works Department

**Subject:** DIC07-020 Revised April 3, 2008  
Name: AMB Codina Beacon Lakes, LLC  
Location: e/o NW 137<sup>th</sup> Avenue, n/o NW 12<sup>th</sup> Street  
Sec. 35 & 36 Twp. 53 Rge. 39

## I. INTRODUCTION

Beacon Lakes is an approved multiuse DRI consisting of a mixture of warehouse, office, business and commercial uses located on 480.04 gross acres in west-central Miami-Dade County.

AMB Codina Beacon Lakes, LLC (the Applicant/Owner of the DRI) is requesting a change to the Miami-Dade County Comprehensive Master Plan (CDMP) to modify a 48 Acre portion of the Industrial and Office land area approved under the Beacon Lakes DRI to Business and Office.

## II. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION

Location	NW 137 Ave	NW 14 St	NW 132 Ave	SR 836 Ext.	NW 12 St
Description	N. of NW 12 St	NW 137 to 132 Ave	NW 14 St to SR 836	NW 137 to HEFT	NW 137 to 127 Ave
No. of Lanes	4	3	2	4L. Exp	4
Location	NW 137 Ave	NW 17 St	NW 127 Ave	NW 127 Ave	
Description	S. of NW 12 St	NW 137 to 127 Ave	N. of NW 12 St	S. of NW 12 St	
No. of Lanes	6	4	4	5	

## III. CONCURRENCY:

The reserved number of net external PM peak hour trips assigned to the Beacon Lakes DRI Development Order was 3,364 of which 533 net external PM peak hour trips have been used based upon the completion of 905,616 square feet of warehouse use and 100,000 square feet of office use. The proposed change to the DRI under this DIC requests the addition of 418 net external PM peak hour trips. Based upon the simultaneous decrease of 1,300,000 square feet of warehouse use and the simultaneous increase of 25,000 square feet of office use and 420,000 square feet of retail use.

The 418 net external PM peak hour additional trips are assigned to the following count station as follows:

**Station 2272** located on the HEFT south of Okeechobee Road has a maximum LOS “D” of **10,050** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **8,697** vehicles and **54** vehicles have been assigned to this section of road from previously approved Development Orders. **Station 2272** with its **8,751** PHP and assigned vehicles is at LOS “D”. The **35** vehicles generated by this development when combined with the **8,751** vehicles equals **8,786** and LOS “D” where the range of LOS “D” is from **8,271** to **10,050** vehicles.

**Station 9365** located on NW 12 Street west of the HEFT has a maximum LOS “D” of **3,870** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **2,864** vehicles and **964** vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9365** with its **3,828** PHP and assigned vehicles is at LOS “D”. The **35** vehicles generated by this development when combined with the **3,828** equals **3,863** and LOS “D” where the range of LOS “D” is from **3,651** to **3,870** vehicles.

**Station 9408** located on NW 25 Street west of NW 107 Avenue has a maximum LOS “D” of **3,510** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1,626** vehicles and **1,072** vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9408** with its **2,698** PHP and assigned vehicles is at LOS “C”. The **64** vehicles generated by this development when combined with the **2,698** equals **2,762** and LOS “C” where the range of LOS “D” is from **3,441** to **3,510** vehicles.

**Station 9442** located on NW 41 Street west of NW 107 Avenue has a maximum LOS “D” of **5,940** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **3,899** vehicles and **952** vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9442** with its **4,851** PHP and assigned vehicles is at LOS “D”. The **32** vehicles generated by this development when combined with the **4,851** equals **4,883** and LOS “D” where the range of LOS “D” is from **3,691** to **5,940** vehicles.

**Station 9770** located on NW 127 Avenue north of NW 8 Street has a maximum LOS “D” of **2,800** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1,531** vehicles and **1,092** vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9770** with its **2,623** PHP and assigned vehicles is at LOS “D”. The **149** vehicles generated by this development when combined with the **2,623** equals **2,772** and LOS “D” where the range of LOS “D” is from **1,661** to **2,800** vehicles.

**Station 9798** located on NW 137 Avenue north of SW 8 Street has a maximum LOS “D” of **3,830** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1,773** vehicles and **457** vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9798** with its **2,230** PHP and assigned vehicles is at LOS “B”. The **102** vehicles generated by this development when combined with the **2,230** equals **2,332** and LOS “B” where the range of LOS “B” is from **1** to **2,800** vehicles.

IV IMPROVEMENTS REQUIRED FOR THIS DEVELOPMENT

The following improvements shall be in place and open to traffic before the first Certificate of Occupation (CO) is issued for the retail uses on the Amendment. Requirements from original DRI, Development Order, shall be completed as scheduled

- A. A northbound acceleration lane shall be constructed on the east side of NW 137<sup>th</sup> Avenue collecting right turn eastbound right turn traffic for NW 12<sup>th</sup> Street, according the Miami-Dade County Public Works standards.
- B. NW 14<sup>th</sup> Street shall be built as a 3 lane roadway from NW 132<sup>nd</sup> Avenue to SW 137<sup>th</sup> Avenue, according the Miami-Dade County Public Works standards.
- C. A full signalized intersection shall be installed at the intersection of NW 137<sup>th</sup> Avenue and NW 14<sup>th</sup> Street, according the Miami-Dade County Public Works standards.
- D. The southwest driveway connection to the property thru the FPL easement. To be submitted for approval under a separate application.

This application **meets** the criteria for traffic concurrency for an Initial Development Order. The additional 418 vehicle trips required by this application will be reserved under the DRI Development Order. In addition they will be subject to the payment of road Impact Fees.

The proposed southwest driveway connection to the property thru the FPL easement is not approved under this application. It shall be submitted for approval under a separate application.

If approved, a document from Florida Power & Light Co. authorizing the access thru the easement will be required before a building permit is requested for the construction of said southwest connection to NW 137<sup>th</sup> Avenue.

cc: Nicholas Nitti, Development Impact Coordinator.  
Planning and Zoning Department

Armando E. Hernandez, Special Administrator for Concurrency.  
Public Works Department

# Memorandum

**Date:** February 7, 2008

**To:** Subrata Basu, AIA, AICP, Interim Director  
Department of Planning and Zoning

**From:** Jose Gonzalez, P.E., Assistant Director  
Environmental Resources Management



**Subject:** DIC No. Z2007000020-Revised  
AMB Codina Beacon Lakes, LLC  
South of N.W. 25<sup>th</sup> Street between N.W. 117<sup>th</sup> Avenue and N.W. 137<sup>th</sup> Avenue  
Modification of a Development of Regional Impact Development Order and  
District Boundary Change from IU-1 and GU to BU-2  
(IU-1/GU) (436 Acres)  
36-53-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

#### Wellfield Protection

The subject is located within the Northwest Wellfield 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 within the wellfield protection area. Since the subject request would permit non-residential land uses, the owner of the property has submitted a properly executed covenant, in accordance with Section 24-43(5) of the Code, which provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property. Therefore, DERM can approve the application and it can be scheduled for public hearing.

#### Potable Water Service

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (MDWASD). The closest public water is an abutting 12-inch water main located along N.W. 25<sup>th</sup> Street. Connection of the proposed development to the public water supply system shall be required, in accordance with Code requirements. The estimated demand for this project is 148,250 gallons per day (gpd). This figure does not include irrigation demands.

The source of water for this water main is MDWASD's Hialeah Preston Water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State and County drinking water standards.

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

Notwithstanding that adequate system capacity is available for this project; DERM will require that water-conserving plumbing fixtures be installed, in accordance with the requirements of the Florida Building Code, in order to use the Southeast Florida water resources more efficiently.

It is recommended that the landscaping conform to Xeriscape concepts. Included in these concepts is the use of drought-tolerant plants, which reduce the use of turf grass, together with efficient irrigation system design. Details of Xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water Management District.

#### Sanitary Sewer Service

The subject property is located within the franchised sewer service area of MDWASD. The closest public sanitary sewer is an abutting 12-inch force main located along N.W. 25<sup>th</sup> Street. Downstream flow is directed to the Central District Treatment Plant, which has adequate capacity to meet projected demands from this project. Connection of the proposed development to the public sanitary sewer system shall be required, in accordance with the Code requirements. All sewer lines serving the property shall comply with the exfiltration standards, as applied to development within wellfield protection areas.

Existing public sanitary sewer facilities and services meet the LOS standards set forth in the CDMP. Furthermore, the proposed development order, if approved, will not result in a reduction of 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.

#### Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of some land uses permitted in the proposed zoning classification, operating permits from DERM may be required. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

#### Pollution Remediation

DERM has reviewed the subject property and found the following information:

1. There are records of buried solid waste material within the northwest corner of the subject property at N.W. 117<sup>th</sup> Avenue and N.W. 25<sup>th</sup> Street. The subject property is currently under investigation for contamination associated to solid waste and is pending a site assessment report.
2. A former landfill located at N.W. 118<sup>th</sup> Avenue and N.W. 17<sup>th</sup> Street (Valido/Busot/De La Vega Beacon Lakes Development) was identified immediately south of the subject property, Folio #30-

3936-000-0012, with the extent of the buried solid waste material encroaching onto Folio #30-3936-000-0012. The landfill property is currently under investigation for contamination.

3. There are records of contamination assessment and remediation issues associated with solid waste on the abutting property southeast of Folio #30-3936-000-0071, Tarmac Florida Inc., 12400 N.W. 12<sup>th</sup> Street.

The subject property is located within a designated brownfield area. The applicant is advised that there are economic incentives available for development within this area. For further information concerning these incentives, contact the Pollution Remediation Section of DERM at (305) 372-6700.

#### Wetlands

The subject properties lie within the Transitional Northeast Everglades Wetland Basin and the properties have been determined to be jurisdictional wetlands as defined by Section 24-5 of the Code. However, a Class IV Wetlands Permit FW01-021 has been issued for the filling of 274.23 acres of jurisdictional wetlands for a commercial and industrial office and warehouse facility.

DERM has reviewed the site plan submitted with this zoning application entitled "Beacon Lakes Master Site Plan" Sheet 1 of 3, dated January 2008 and prepared by Creech Engineers, Inc. The proposed roadways that connect to S.W. 137<sup>th</sup> Avenue, on the southwest part of the property, and the expansion of N.W. 14<sup>th</sup> Street will impact mitigation area #3 (FPL easement); therefore, a new Class IV Wetland Permit, including all departmental mitigation requirements, will be required for the impacts to the mitigation area.

DERM has no objection to the proposed development provided the applicant acquires all permits prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources. The Wetlands Resources Section of DERM may be contacted at (305) 372-6585 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. Section 24-48 of the Code requires the preservation of all tree islands. The applicant is advised that any tree resources on-site that are not regulated through a Class IV Wetland Permit will require a Miami-Dade County Tree Removal Permit prior to removal or relocation.

#### Enforcement History

DERM has found the following closed enforcement records for the subject property:

Folio No. 30-3935-000-0010  
Mosk/Beacon Lake – N.W. 17<sup>th</sup> Street and N.W. 129<sup>th</sup> Avenue  
DERM File #FW87-145

A DERM inspection revealed clearing and filling of wetlands without prior approval by DERM. On August 20, 2003, a Class IV Permit was issued to Beacon Lake and the case was subsequently closed.

Folio No. 30-3935-000-0015

Tarmac FLA

DERM File #FW90-039

A DERM inspection revealed clearing of wetlands without prior approval by DERM. DERM issued a permit, mitigation to be incorporated into rockmining permit, to the applicant on June 17, 1993 and the case was subsequently closed.

Folio No. 30-3935-000-0020

Shopyland – N.W. 12<sup>th</sup> Terrance between 132<sup>nd</sup> and 136<sup>th</sup> Avenue

DERM File #FW01-088

A DERM inspection revealed clearing and filling of wetlands and improper disposal of solid waste. An inspection in June 2002 revealed that the solid waste was removed, but unauthorized fill material remained present. In February 2004, DERM was notified that the property had been acquired for the SR 836 expansion. The existing violation was incorporated into the extension of the SR 836 and mitigation costs were paid under the State permit. Case closed.

Folio No. 30-3935-000-0050

Talton Enterprises – N.W. 12<sup>th</sup> Terrace between 132<sup>nd</sup> and 136<sup>th</sup> Avenue

DERM File #FW01-089

A DERM inspection revealed clearing and filling of wetlands and improper disposal of solid waste. An inspection in June 2002 revealed that the solid waste was removed but unauthorized fill material remained present. In February 2004, DERM was notified that the property had been acquired for the SR 836 expansion. The existing violation was incorporated into the extension of the SR 836 and mitigation costs were paid under the State permit. Case closed.

Folio No. 30-3936-000-0071

1. Interlagos, Inc – 11750 N.W. 25<sup>th</sup> Street

DERM File #SW-1218

On July 2, 1997, a Uniform Civil Violation Notion (UCVN) was issued for failure to secure operating permits; specifically, a Solid Waste Permit and Industrial Facilities Permit. On October 9, 2002, the violation was corrected and an Affidavit of Compliance was submitted to the Clerk of Courts; subsequently, closing the case.

2. Nor-Fel Corporation – 11750 N.W. 25<sup>th</sup> Street

DERM File #SW-1218

Inn October 1997, a Consent Agreement was sent to the Nor-Fel Corporation regarding corrective actions (removal of solid waste and horse bedding) and remediation issues (removal of contaminated soils) on the site. On November 26, 1997, a Notice of Violation (NOV) was issued to the Nor-Fel Corporation for the on-site violations. An inspection on April 20, 2000 revealed that the solid waste was removed from the site. The case was subsequently closed.

3. Nor-Fel Corporation – NW 25<sup>th</sup> Street and N.W. 127<sup>th</sup> Avenue

On June 16, 1989, a Contamination Assessment Report was submitted to DERM for the subject site. A DERM inspection revealed that the on-site facility was operating within the cone of influence of a wellfield; consequently, an NOV was issued. Subsequent DERM inspections revealed that bedding material was removed. The case was closed.

Concurrency Review Summary

DERM has conducted a concurrency review 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 DERM's written approval, as required by the Code.

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

cc: Nick Nitti, DIC Coordinator

# Memorandum



**Date:** May 14, 2008

**To:** Subrata Basu, Interim Director  
Department of Planning & Zoning

**From:** Herminio Lorenzo, Director  
Miami-Dade Fire Rescue Department

**Subject:** DIC # 2007000020 – AMD Codina Beacon Lakes, LLC  
South of NW 25<sup>th</sup> Street, between NW 117<sup>th</sup> & 137<sup>th</sup> Avenue,  
Miami-Dade County, FL (Revision 1)

## SERVICE IMPACT/DEMAND:

- (A) Based on the proposed development information, the modification to the DRI is expected to generate approximately **419** fire and rescue calls annually. However, as a result of the increase in retail space and the complexity of the development, this project may generate a higher number of alarms than anticipated. The estimated volume of alarms will **severely** impact existing fire and rescue service.

MDFR is of the assumption that the adoption of the Notice of Proposed Change (NOPC) and the CDMP amendment would result in positive, economic and fiscal benefits for both the property and the quality of life for the residents and business owners in the surrounding area.

- (B) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires three (3) suppressions or engines, telesqrts or tankers, one (1) aerial, one (1) rescue and an accompanying command vehicle. This assignment requires twenty (20) firefighters and officers.

## EXISTING SERVICES:

Based on data retrieved during calendar year 2007, the average travel time to the vicinity of the proposed development was **9.31 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 does not comply with the performance objective of national industry. However, it is estimated that once the planned Beacon Lakes Station #75, located in the vicinity of the subject application, is operational, it will improve travel times for fire and medical emergencies in the vicinity of the subject parcel.

## EXISTING STATIONS:

STATION	ADDRESS	EQUIPMENT	STAFF
58	12700 SW 6 <sup>th</sup> Street	Rescue, ALS Engine	7
29	351 SW 107 <sup>th</sup> Avenue	Rescue, ALS 50' Sqrut	7
48	8825 NW 18 <sup>th</sup> Terrace	Rescue, ALS Engine	7
45	9710 NW 58 <sup>th</sup> Street	ALS Engine	4

PLANNED SERVICE / EXPANSIONS:

<b>STATION</b>	<b>ADDRESS</b>	<b>Estimated Occupancy</b>
68	NW 112 <sup>th</sup> Ave. & NW 17 St.	2010
75	NW 129 <sup>th</sup> Ave. & NW 17 <sup>th</sup> St.	2012

SITE PLAN REVIEW:

Fire Engineering and Water Supply has reviewed and approved the site plan entitled "Beacon Lakes Site Plan", as prepared by Creech Engineering, Inc. dated October 2007, consisting of three (3) sheets.

CONCLUSION:

According to the development information, the number of alarms forecasted for this project, along with the congested roadways within the area, will generate a severe impact on existing services. Under provisions of Chapter 33J of the Code of Miami-Dade County, all developments are deemed to create an impact and therefore create a demand for increased fire and rescue service capacity. As such, the cost of new facilities should be borne by new users to the extent new uses require new facilities. However, MDFR is satisfied with the dedication of the 2-acre parcel of land for the construction of the Beacon Lakes Fire Rescue Station. It is anticipated that this station will provide adequate coverage to the Beacon Lakes DRI including adjacent residential and business communities. The site will be conveyed in exchange for Impact Fee Credit.

CONDITION:

Approval of this application shall be subject to the owner's continued commitment to pledge conveyance of the 2-acre parcel of land for the development of the Beacon Lakes Fire Rescue Station.

If you need additional information, please contact Mr. Carlos Heredia at 786 331-4540.

HL:ch

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Memorandum

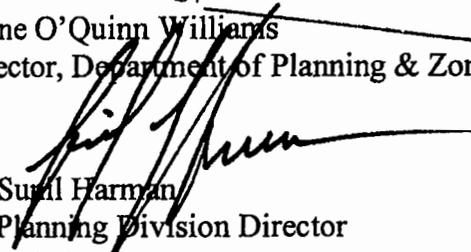
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ZONING SERVICES DIVISION, DADE COUNTY  
DEPT. OF PLANNING & ZONING

MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE  
OF PLANNING & ZONING

TO: Diane O'Quinn Williams  
Director, Department of Planning & Zoning

DATE: February 1, 2007

BY:   
FROM: Sunit Harman  
Planning Division Director  
Aviation Department

SUBJECT: DIC Application #06-380

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed the feasibility of a modification to a previously approved Development of Regional Impact (DRI) in order to modify a condition of the Development Order which would allow a change of use on the south forty-six (46) acres of the property and simultaneous increase and decreases in the overall development program. In addition, the applicant is seeking a substantial deviation determination pursuant to §380.06(19) of the Florida Statutes. The subject property consists of 436 acres and is located on the south side of NW 25 Street, between 117<sup>th</sup> Avenue and NW 137<sup>th</sup> Avenue, Miami-Dade County, Florida. Please be advised that MDAD has reviewed the application for both land use and airspace restrictions.

**Land Use Review:**

Based on the available information, MDAD has determined that the referenced property is located outside of any land use restrictive zones as depicted in the Zoning Ordinance for Miami International Airport (#04-203).

**Airspace Review:**

Based on a cursory review of the project information provided to us, the referenced project's proposed height was not given with the application; therefore in the future when the project height (building/structure) is determined, please resubmit to MDAD for re-evaluation. At such time, if the project height meets our review criteria for its location, we will require that a Height Analysis or Letter of Determination be issued from this Department.

However, any construction cranes for this project reaching or exceeding 200 ft AMSL (Above Mean Sea Level) must be filed by the construction contractor using the same form. The form is available through this office or through the FAA website: <http://forms.faa.gov/forms/faa7460-1.pdf>. This form should be mailed to: Federal Aviation Administration, Air Traffic Airspace Branch - ASW-520, 2601 Meacham Blvd, Ft. Worth, TX 76137-0520. Alternatively, the construction contractor may "e-file" online at <https://oeaaa.faa.gov>.

Diane O'Quinn Williams

February 1, 2007

Page Two

Please note that the airspace review process is governed by two different regulations: the Miami-Dade County Height Zoning Ordinances and Federal Regulation Title 14 Part 77. The FAA has its own airspace evaluation requirements, and issues airspace determinations for structures and cranes based on the particular facts then presented before the FAA. The County's Department of Planning and Zoning (P&Z) or the applicable municipal building official determines whether the County's zoning requirements and height limitations are met, and FAA determines whether FAA building, marking and height requirements are met.

This determination is based, in part, on the description provided to us by you, which includes specific building locations and heights. Any changes in building locations/layouts or heights will void this determination. Any future construction or alteration, including an increase to heights requires separate notice to the FAA and the Miami-Dade Aviation Department.

Should you have any questions in obtaining and/or filling out FAA form 7460-1, please feel free to contact Mr. José A. Ramos, R.A., Chief of Aviation Planning Section at 305-876-7090.

SH/rb

C: José Ramos, Chief, Aviation Planning  
Anely Herrera, Aviation Planner, Aviation Planning  
Renee Bergeron, Administrative Officer, Aviation Planning

# Memorandum



**Date:** December 21, 2007

**To:** Rosa Davis, Principal Planner  
Department of Planning and Zoning

**From:** Jeff B. Ransom, County Archaeologist  
Department of Planning and Zoning  
Historic and Archaeological Resources

**Subject:** Request for Analysis of Beacon Lakes Development of Regional Impact (DRI)  
Application to Amend the CDMP

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This agency has reviewed the November 2000 Cultural Resource Assessment Survey conducted by Janus Research and the recently provided color aerial map of the 48 Acre Application Area.

We are satisfied with the survey report and concur that there are no archaeological concerns within the 48 Acre Application Area. However, the property owner must provide us with a copy of the letter from the Florida Division of Historical Resources which concurs with the results of the survey.

# Memorandum



**Date:** April 5, 2007

**To:** Nicholas Nitti  
DIC Coordinator  
Miami-Dade Planning and Zoning

**From:** Maria Batista  
Principal Planner  
Transit System Planning Division  
Miami-Dade Transit

**Subject:** Review of DIC Project No. ~~06-380~~ <sup>07-20</sup> – AMD Codina Beacon lakes, LLC

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06-380 – AMD Codina Beacon lakes, LLC – The applicant is requesting a modification to a previously approved Development of Regional Impact (DRI) in order to modify conditions of the Development Order which would allow a change of use on the south 46 acres of the property and simultaneous increase and decreases in the overall development program. In addition, the applicant is seeking a substantial deviation determination pursuant to §380.06(19) of the Florida Statutes. The subject property consists of 436 acres and is located on the south side of NW 25 Street, between NW 117 Avenue and NW 137<sup>th</sup> Avenue, Miami-Dade County, Florida

MDT has no objection to this modification of the previously approved DRI.

MDT is conducting the Easy-West Corridor Study. The applicant is being made aware of the on-going study as some of the proposed alignments being studied are in close proximity to this property.

Miami-Dade Transit staff has reviewed the proposed project for mass transit concurrency and has found it concurrent with the level-of-service standards established for Miami-Dade County.

# Memorandum



**Date:** December 28, 2007

**To:** Nicholas D. Nitti, DIC Coordinator  
Department of Planning and Zoning

**From:** J.D. Patterson, Assistant Director  
Miami-Dade Police Department  
Support Services 

**Subject:** DIC Application: AMB Codina Beacon Lakes, LLC

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## APPLICATION

07-020 – AMB Codina Beacon Lakes, LLC – is requesting a substantial deviation determination pursuant to 380.06(19) of the Florida Statutes and a modification to a previously approved Development of Regional Impact (DRI) in order to modify conditions of the Development Order which would allow a change of use on the south 46 acres of the property and would allow simultaneous increase and decreases in the overall development program. In addition, the applicant is seeking a district boundary change from IU-1, Light Industrial District and GU, Interim District to BU-2, Special Business District on this 46 acres in order to develop the property with a 470,000 SF commercial development. The subject property consists of 436 acres and is located on the south side of NW 25 Street, between NW 117 Avenue and NW 137 Avenue, Miami-Dade County, Florida.

## CURRENT POLICE SERVICES

The proposed development will be located in unincorporated Miami-Dade County and serviced by our Midwest District (Police District 3), located at 9101 NW 25 Street, Miami, Florida. Our current staffing permits an average emergency response time under eight minutes. As the demand for police service increases, additional sworn personnel may be required to maintain current levels of service.

## REVIEW

A careful review of the application was conducted to predict the impact on Miami-Dade Police Department (MDPD) resources and the impact the location could have on the proposed development. Sergeant Walter Hopwood, the designated MDPD representative to the DIC, visited the site and reviewed the site plan for the proposed development. **The police department does not object to the proposed development.**

- **Impact on Existing Traffic Conditions** – The proposed development will increase traffic conditions at the NW 14 Street/NW 127 Avenue, and NW 14 Street/NW132 Avenue intersections.

If you need additional information or assistance, please contact Sergeant Hopwood at 305-471-2099.

JDP/wh

# Memorandum



**Date:** December 21, 2007

**To:** Nicholas D. Nitti  
DIC Coordinator  
Department of Planning and Zoning

**From:**   
Deputy Director, Administration  
Department of Solid Waste Management

**Subject:** DIC #07-020  
AMD Codina Beacon Lakes, LLC

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Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Cornelius Allen at 305-514-6649. Thank you.

Attachment

DEPARTMENT OF SOLID WASTE MANAGEMENT

DIC REVIEW #07-020

**AMB Codina Beacon Lakes, LLC**

**Application:** *AMB Codina Beacon Lakes, LLC* – The applicant is seeking a substantial deviation determination pursuant to §380.06(19) of the Florida Statutes and a modification to a previously approved Development of Regional Impact (DRI) in order to modify conditions of the Development Order which would allow a change of use on the south 46 acres of the property and would allow simultaneous increase and decreases in the overall development program. In addition, the applicant is seeking a district boundary change from IU-1, Light Industrial District and GU, Interim District to BU-2, Special Business District on these 46 acres in order to develop the property with a 470,000 SF commercial development. Plans may be modified prior to the DIC Executive Council meeting.

**Size:** The subject property consists of 436 acres.

**Location:** The subject property is located on the south side of NW 25 Street, between NW 117 Avenue and 137<sup>th</sup> Avenue, Miami-Dade County, Florida.

**Analysis:**

1. Solid Waste Disposal

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 17, 2007, which is valid for one (1) year, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Department of Planning and Zoning is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The project proposes commercial uses. Chapter 15-2 of the Miami-Dade County Code requires the following of commercial uses located in unincorporated Miami-Dade County:

**Section 15-2** - "every commercial establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department."

3. Recycling

The following language from **Section 15-2.3** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

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

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

#### 4. Waste Storage/Setout Considerations

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

#### 5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

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

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



MEMORANDUM

TO: Nicholas D. Nitti, DIC Coordinator  
Department of Planning and Zoning

DATE: December 12, 2007

FROM: Phillip Torres, P.E.  
Plans Review Section

*for Phillip T. Torres* *PT*

SUBJECT: DIC

The Miami-Dade Water and Sewer Department comments and recommendations are as follows:

- 1. **Project:** AMB Codina Beacon Lakes, LLC.  
**Location:** NW 25 St. between NW 117 Ave and NW 137 Ave.

Water & Sewer:

M-DWASD already provided comments regarding points of connection including our requirements for water and sewer for all different phases of this project under different service agreements, as follows: ID# 18170, 18510, 18954, 19182, 19295, 19627& 19777.

Please see Water Conservation Requirements attached.

GENERAL NOTES:

The size of the required water mains will depend upon the subject property's approved zoning, being twelve (12)-in. min. in diameter required for high density residential, commercial, business, industrial, hospitals, public buildings, etc. and eight (8)-in. min. in diameter required for low and medium density residential zonings. Please note that the aforementioned zonings are Miami-Dade County or equivalent, based on total amount of units per acre.

Please be advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in the Settlement Agreement between the Florida Department of Environmental Protection ("DEP") and the County dated July 27<sup>th</sup>, 1993, the First Amendment to Settlement Agreement between DEP and County dated December 21<sup>st</sup>, 1995, ~~the First Partial Consent Decree and the Second and Final Partial Consent Decree~~ entered in the United States of America Environmental Protection Agency vs. Metropolitan Dade County (Case Number 93-1109 CIV-MORENO), as currently in effect or as modified in the future, and all other current, subsequent or future agreements, court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, State of Florida and/or any other governmental entity, and all other current, subsequent or future enforcement and regulatory actions and proceedings.

Should you have any questions, please do not hesitate to call me at 305-669-7658.

Cc: Eduardo A. Vega, P.E.

## WATER CONSERVATION

Miami-Dade County is currently developing recommendations for new development that would achieve higher water use savings than currently required by code.

The following is a list of water saving practices to be used as a guide to achieve additional water savings above current code requirements. These recommendations are targeted at new commercial and institutional construction projects and are based on the following principles:

- Use waterless technologies where available
- Maximize use of on-site sources of water
- Choose equipment that is water and energy efficient
- Install automatic shut offs, solenoids and controllers to turn water off when not in use
- Install flow restrictors when possible
- Eliminate once-through cooling

### Plumbing Fixtures and Practices

#### Toilets and Urinals

- Ensure all water closets use no more than 1.3 gallons per flush, high efficiency toilets (HETs) can achieve 20 to 25% water use savings.
- Use toilets included the Uniform North American Requirements (UNAR) certified list.
- Consider waterless urinals

#### -Faucets

- Install hand washing faucets or aerators that use no more than 1.0 gallons per minute
- Install sensor controls on hand washing faucets in public restrooms
- Install showerheads that use no more than 1.5 gallons per minute

#### Plumbing Design

- Use tankless water heating or other devices that reduce water wasted waiting for the water to get hot where possible
- Post prominent signs in all restrooms and other water using areas listing telephone numbers to promptly report leaks and other plumbing problems.

## Metering and Sub-Metering

- Install a separate meter and keep monthly records of all major water-using function such as cooling towers and individual buildings.

## Heating Ventilation and Air Conditioning Equipment

### Cooling Towers

- Eliminate all once-through cooling
- On cooling towers, install both makeup and blowdown meters
- Equip cooling towers with overflow sensors on the overflow pipes to alert the operator to problems that can waste thousands of gallons daily
- All cooling towers should achieve at least (5.0) cycles of concentration

### Boilers

- Equip boilers with makeup meters and conductivity controllers for blowdown control
- Reuse or return steam condensate to the boiler wherever possible
- Install makeup meters on all recirculating closed water loops used for heating and cooling systems so that leaks in the recirculating systems can be easily detected.

## Food Service

### Equipment Selection

- Eliminate all water cooled equipment using once-through cooling
- All water-cooled equipment should be eliminated unless it uses chilled water or cooling tower loop. This includes ice makers, refrigeration equipment, and ice cream machines.

### Dishwashing Equipment

- ~~Dishwashers should use less than 1.2 gallons per rack for fill-and-dump machines and less than 0.9 gallons per rack for all other types of machines. For under the counter machines, water use should not exceed 1.0 gallons per rack for high-temperature machines and 1.7 gallons per rack for low-temperature machines and 1.7 gallons per rack for low temperature machines.~~
- Pre-rinse spray valves that use 1.6 gallons per minute and have a shot off valve

### Food Preparation

- Use connectionless steamers. They do not need either a water supply or a wastewater drain.
- Select ice machines that use no more than 20 gallons per hundred pounds of ice made.

## Efficient Landscape Irrigation

Water can be conserved through the use of a properly designed and managed landscape irrigation systems, and choice of plant material.

### Irrigation controllers

- Moisture sensing shut-off switch equipment for automatic irrigation systems to avoid irrigation during periods of sufficient soil moisture. Said equipment shall consist of an automatic mechanical or electronic sensing devise or switch that will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.

### Irrigation equipment and design

- Use drip irrigation or microsprinklers for planting beds (once plants are established, irrigation is not usually needed)
- Irrigated areas shall not be less than 4 feet wide, except when next to contiguous property or using micro or drip irrigation.
- Create hydrozoned areas, with beds and turf watered separately (plant beds may not need irrigation after plants are established)
- Design systems to maintain manufacturer-recommended pressure to prevent misting and unnecessary pipe wear

### Soil

- Terrace any area that exceeds a 3:1 slope
- Do not add soil on top of tree roots

### Mulch

- Use organic, preferably locally derived mulch, such as pine bark, dyed landscape mulch, or enviromulch. ~~Avoid cypress mulch which encourages deforestation of natural areas.~~
- Limit use of rock mulch due to increased heat and reflection
- Mulch should be 3-4 inches deep over the root zone and several inches away from the base of plants

## Plant Selection

- Use low-maintenance (drought tolerant) species. The Extension Service's Florida Yards and Neighborhoods Program list these in a publication for South Florida. <http://miami-dade.ifas.ufl.edu/programs/fyn/publications/dtpl.htm>
- Plant selection should be based on the plant's adaptability to the existing conditions present at the landscaped area and native plant communities. Select plants that are drought and freeze tolerant.
- For areas with limited soil space such as parking lots, use naturally small stature trees or use palms. Information for small stature trees for restricted spaces, such as narrow swales and limited space residential lots where canopy and roots can become problem can be found at <http://miami-dade.ufl.edu/programs/urbanhort/publications/PDF/SamlI%20Trees%20for%20Miami-Dade.pdf>
- 
- Xeriscape or Florida-friendly landscape principles should be applied. These principles conserve water and protect the environment and include efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance. (Ref. 373.185 F.S.)



11(B1)  
3/3/08

## Florida Department of Transportation

CHARLIE CRIST  
GOVERNOR

District Six  
Office of Director of Transportation Development  
1000 NW 111 Avenue, Miami, FL 33172  
Phone: 305-470-5464 Fax: 305-470-5610

STEPHANIE C. KOPELOUSOS  
SECRETARY

February 5, 2008

Mr. Ray Eubanks  
Division of Community Planning  
Florida Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

**SUBJECT: Beacon Lakes DRI Application to Amend the Miami-Dade County Comprehensive Development Master Plan (DCA #08-D1)**

Dear Mr. Eubanks:

In accordance with your request, and the provisions of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code, this office has completed a review of the Beacon Lakes DRI Application to Amend the Miami-Dade County Comprehensive Development Master Plan.

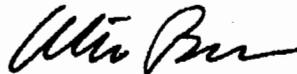
The proposed CDMP amendment requests the re-designation on the Adopted 2015 and 2025 Land Use Plan map of approximately 48 acres of land from "Restricted Industrial and Office" to "Business and Office." The intent of the amendment is to allow the development of 420,000 sq. ft. of retail space on the subject property. The site is located near the northeast corner of State Road 836 and NW 137<sup>th</sup> Avenue.

Access points have not been requested along SR 836 or any other state facility by this application. The proposed land use change is expected to generate 418 new external trips to the surrounding roadway network. The traffic analysis submitted with this application demonstrates that the application will not significantly impact any state facilities found to be operating below the adopted Level-of-Service standards. Therefore, the Department has no objections or recommendations for this amendment at this time.

Mr. Ray Eubanks  
February 5, 2008  
Page 2

Please contact Phil Steinmiller at 305-470-5825, if you have any questions concerning our response.

Sincerely,



Alice N. Bravo, P.E.  
District Director of Transportation Systems  
Development

Cc: Aileen Boucle, AICP  
Phil Steinmiller

# TEAM METRO

## ENFORCEMENT HISTORY

AMB CODINA BEACON LAKES, LLC

THE SOUTH SIDE OF N.W. 25  
STREET, BETWEEN N.W. 117  
AVENUE & N.W. 137 AVENUE,  
MIAMI-DADE COUNTY, FLORIDA.

---

**APPLICANT**

---

**ADDRESS**

Z2007000020

---

**HEARING NUMBER**

### CURRENT ENFORCEMENT HISTORY:

Case #200807000986 No violations observed, Folio Number 3039360000050, 3039360000012 and 3039360000016

AMB CODINA BEACON LAKES, LLC

OSIEL MORALES

**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: Beacon Village, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>See attached Exhibit "D"</u>	

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

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

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>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 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 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.

BEACON VILLAGE, LLC, a Delaware limited liability company  
By: AMB Codina Beacon Lakes Series 2, LLC, a Delaware limited liability company, sole member  
By: FEC Lakes, LLC, a Florida limited liability company, Member

By: [Signature]  
Name: Jose Heuk  
Title: VP

Sworn to and subscribed before me this 19 day of December, 2006. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
(Notary Public)

 Ana C. Lopez  
My Commission DD199945  
Expires April 03, 2007

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

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

EXHIBIT D

Disclosure of Interest for **AMB Codina Beacon Lakes, LLC**, a Delaware limited liability company:

**The members of AMB Codina Beacon Lakes, LLC a/k/a AMB Codina Beacon Lakes Series I, LLC, are as follows:**

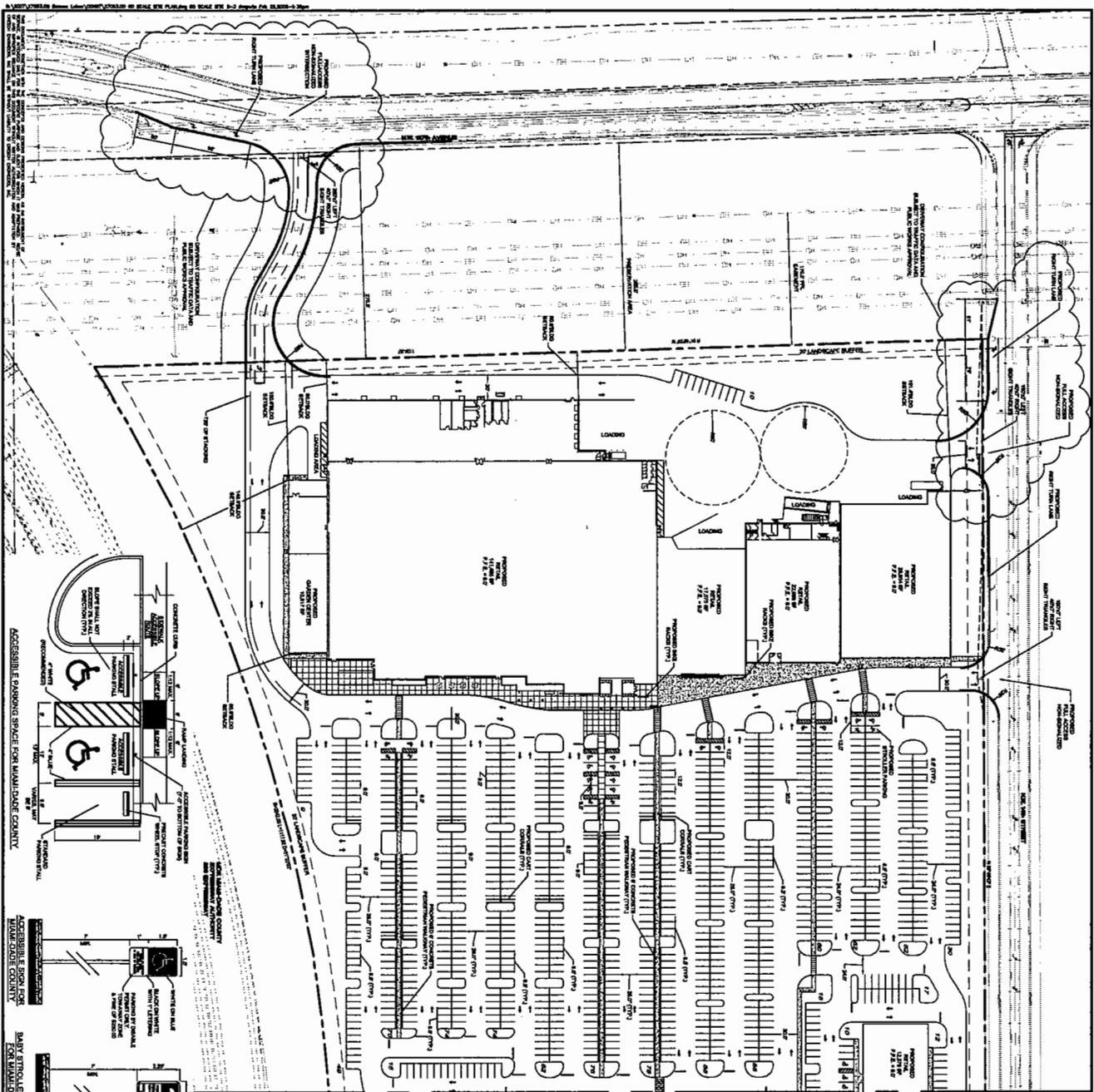
1. **FEC Lakes, LLC**, a Florida limited liability company ..... 21.225%
  - Florida East Coast Industries, Inc. f/k/a Foxx Holdings, Inc., a publicly traded Florida corporation, is the 100% owner of FEC Lakes, LLC
  
2. **AMB/IMDH Beacon Lakes, LLC** ..... 78.775%
  - AMB Property, L.P., a Delaware limited partnership is the 50% owner of AMB/IMDH Beacon Lakes, LLC
    - AMB Property Corporation, a publicly traded Maryland corporation, is the 100% owner of AMB Property, L.P.
  - IMD Holding Corporation is the 50% owner of AMB/IMDH Beacon Lakes, LLC
    - AMB Property Corporation, a publicly traded Maryland corporation, is the 100% owner of IMD Holding Corporation

Disclosure of Interest for **Beacon Village, LLC**, a Delaware limited liability company:

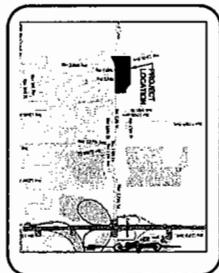
**The members of Beacon Village, LLC are as follows:**

1. **AMB Codina Beacon Lakes Series II, LLC**, a Delaware limited liability company ..... 100%
  - FEC Lakes, LLC, a Florida limited liability company is the 50% owner of AMB Codina Beacon Lakes Series II, LLC
    - Florida East Coast Industries, Inc. f/k/a Foxx Holdings, Inc., a publicly traded Florida corporation, is the 100% owner of FEC Lakes, LLC
  - IMD Holding Corporation is the 50% owner of AMB Codina Beacon Lakes Series II, LLC
    - AMB Property Corporation, a publicly traded Maryland corporation, is the 100% owner of IMD Holding Corporation





MATCHLINE SHEET C4



ZONING LEGEND

Zone	Permitted	Prohibited
Commercial	Commercial	Residential
Industrial	Industrial	Residential
Office	Office	Residential
Professional	Professional	Residential
Community	Community	Residential
Neighborhood	Neighborhood	Residential
Single-Family	Single-Family	Residential
Multi-Family	Multi-Family	Residential
Public	Public	Residential
Special	Special	Residential

Item	Description	Quantity	Notes
1	Asphalt Paving	10,000 sq ft	See Schedule B
2	Concrete Paving	5,000 sq ft	See Schedule B
3	Gravel Paving	2,000 sq ft	See Schedule B
4	Site Preparation	10,000 sq ft	See Schedule B
5	Site Grading	10,000 sq ft	See Schedule B
6	Site Erosion Control	10,000 sq ft	See Schedule B
7	Site Lighting	10,000 sq ft	See Schedule B
8	Site Security	10,000 sq ft	See Schedule B
9	Site Signage	10,000 sq ft	See Schedule B
10	Site Fencing	10,000 sq ft	See Schedule B
11	Site Utilities	10,000 sq ft	See Schedule B
12	Site Stormwater Management	10,000 sq ft	See Schedule B
13	Site Access	10,000 sq ft	See Schedule B
14	Site Safety	10,000 sq ft	See Schedule B
15	Site Maintenance	10,000 sq ft	See Schedule B

PRINTED DATE: \_\_\_\_\_

SHEET 2 OF 3

PLAN FILE: 23040

PROJECT NO. 23040

BEACON LAKES

SITE PLAN

FLORIDA

DATE BY: \_\_\_\_\_

REVISIONS:

**CREECH**

ENGINEERS, INC.

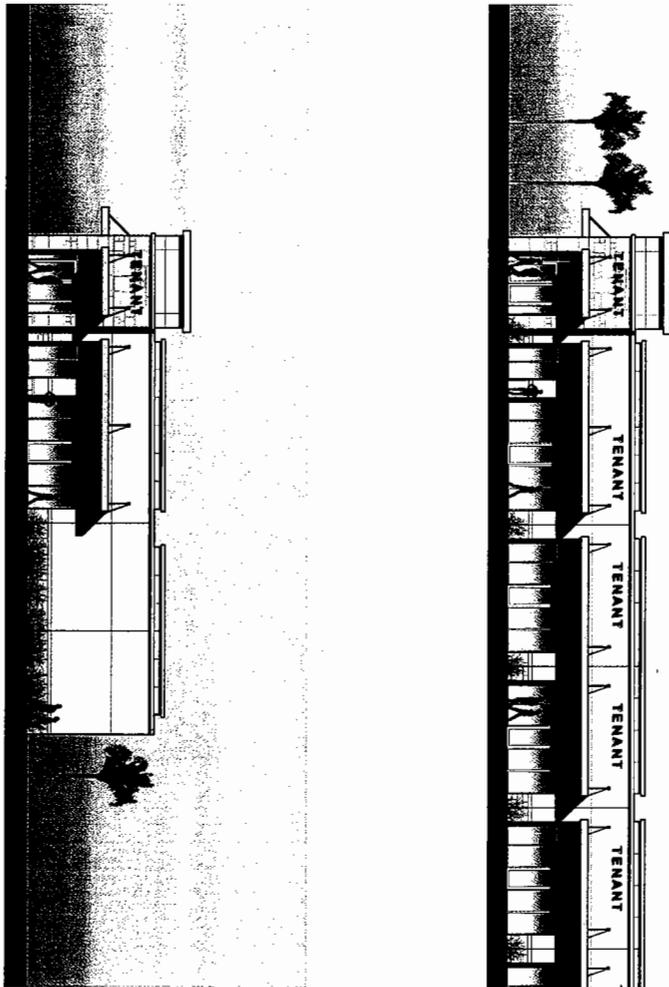
1845 PARK LANE SUITE 100, WEST PALM BEACH, FLORIDA 33411-4400

PH: 561-833-8888 FAX: 561-833-8889

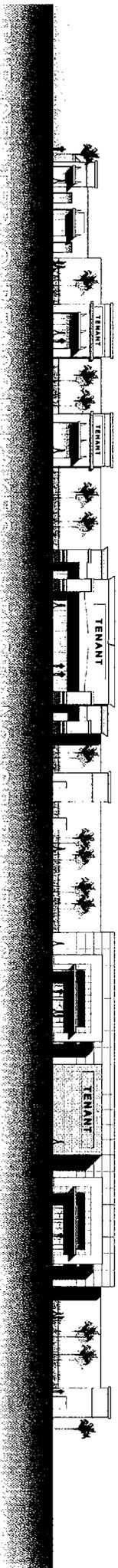
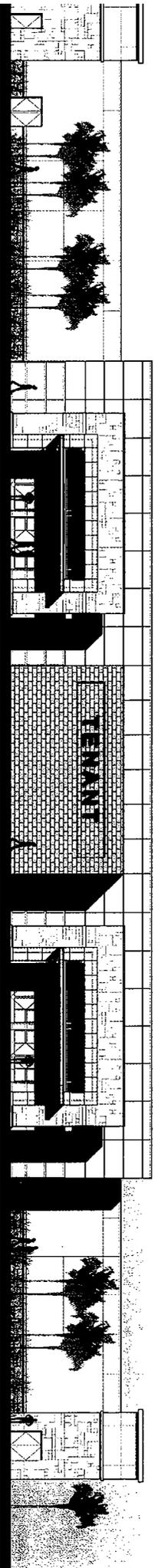
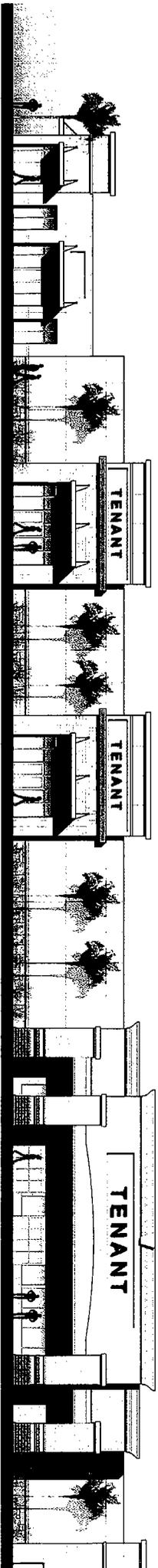
OFFICES ALSO IN AUSTIN, TEXAS, MIAMI, FLORIDA AND TALLAHASSEE, FL.

64

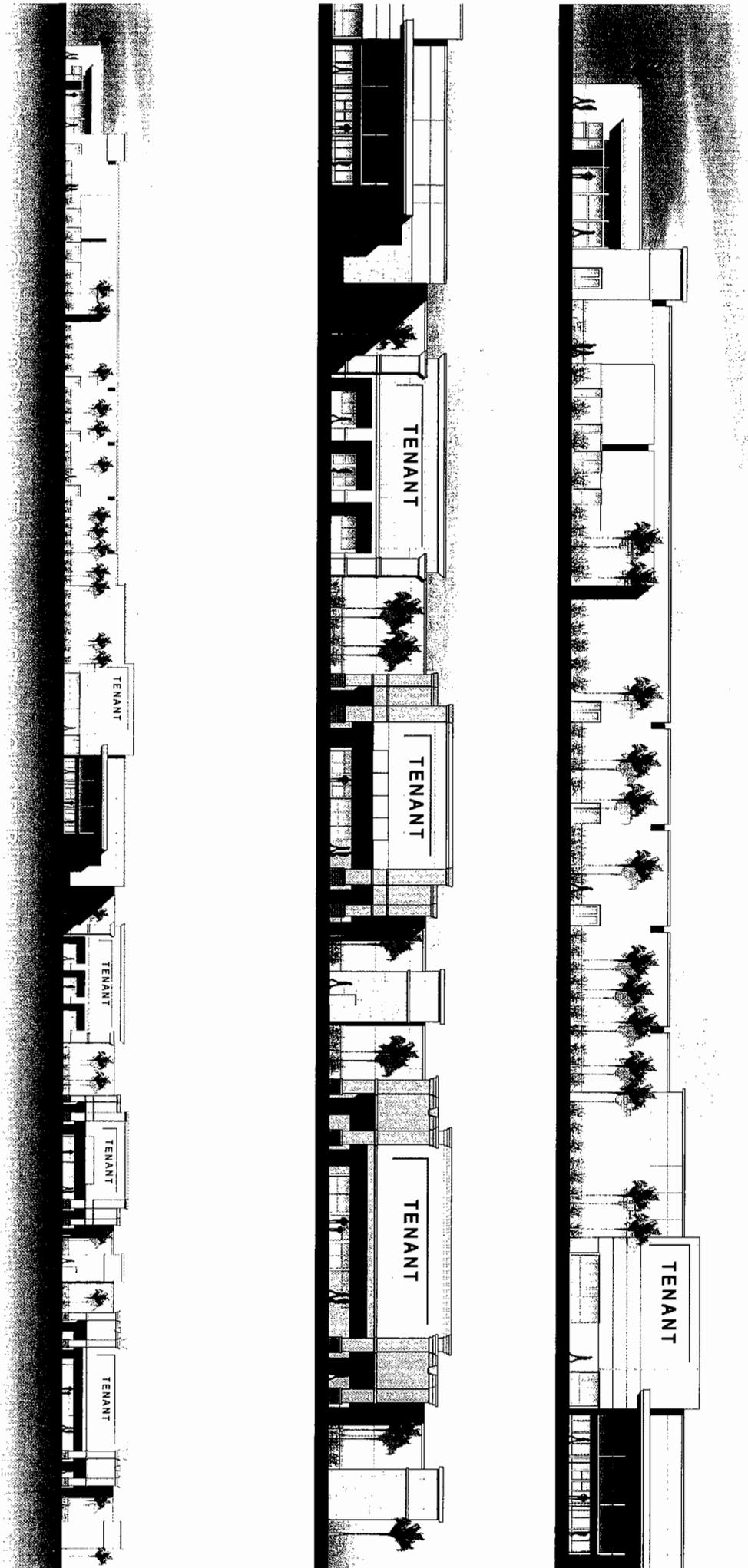




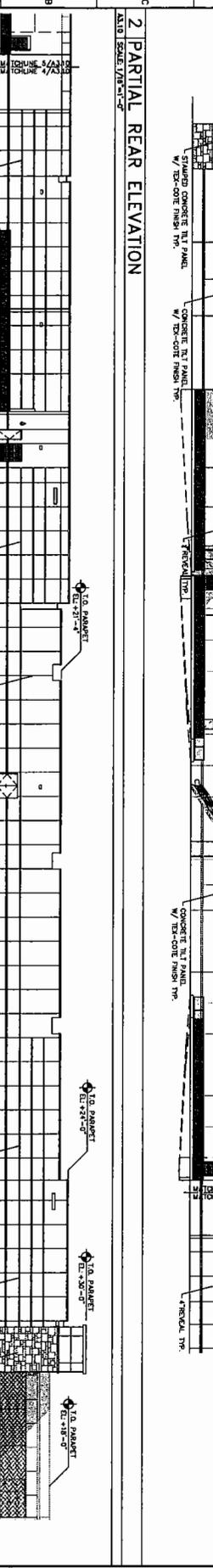
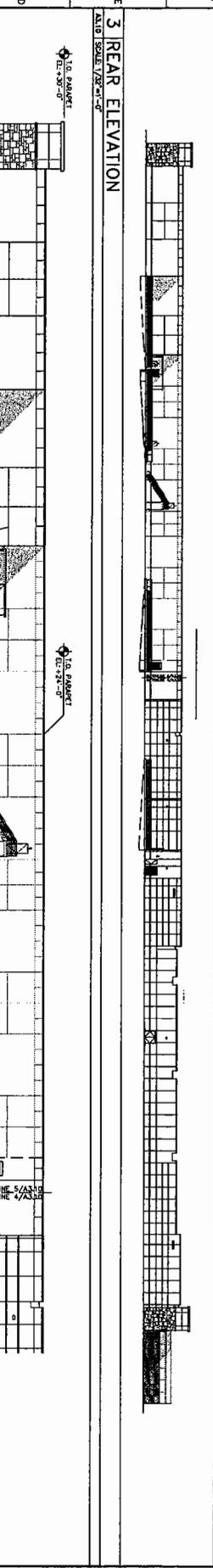
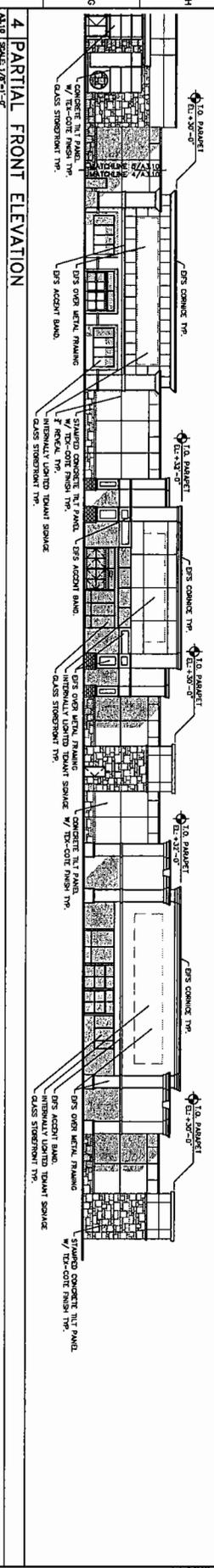
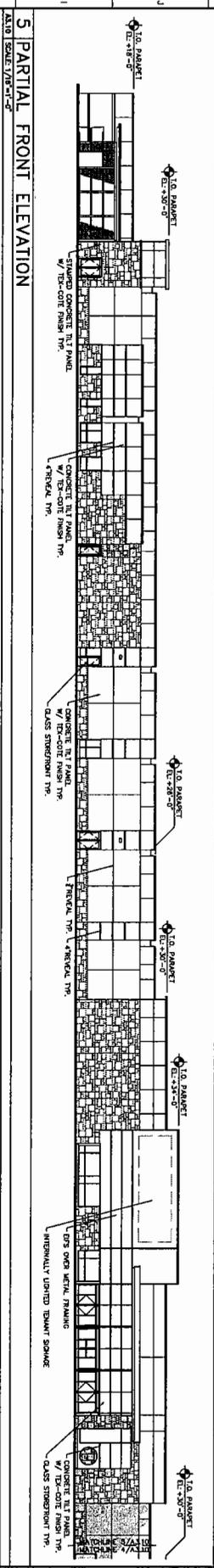
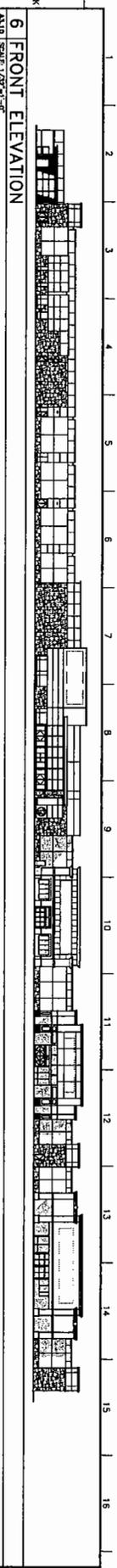
RLC RetschA Lanaochi Caycedo et al



RLC RetschAr Lanaochi Caycedo Octis



RLC Retsch Ar Lanaochi Caycedo tectis



Sheet No.	A3.10
Project Name	BEACON LAKES WEST ANCHOR BUILDING
Project Location	Miami-Dade County FL
Project No.	0208035
Date	1/23/07
Project Designer	AKS
Project Engineer	HOS
Checked By	MOG

REVISIONS

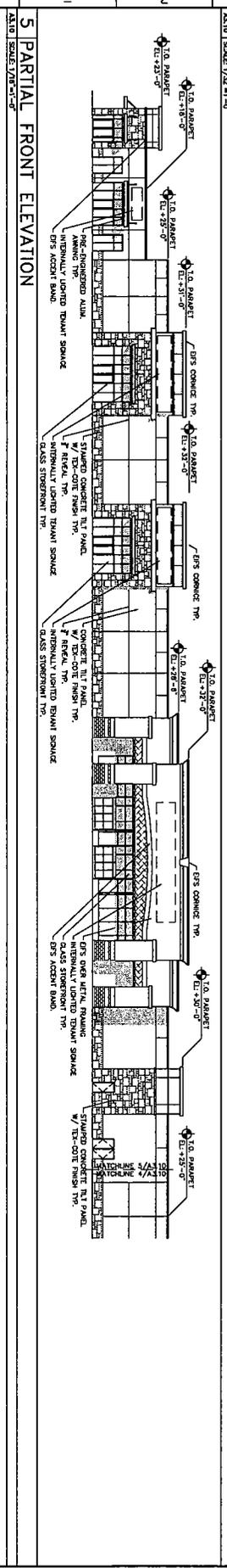
**BEACON LAKES WEST ANCHOR BUILDING**  
Miami-Dade County FL



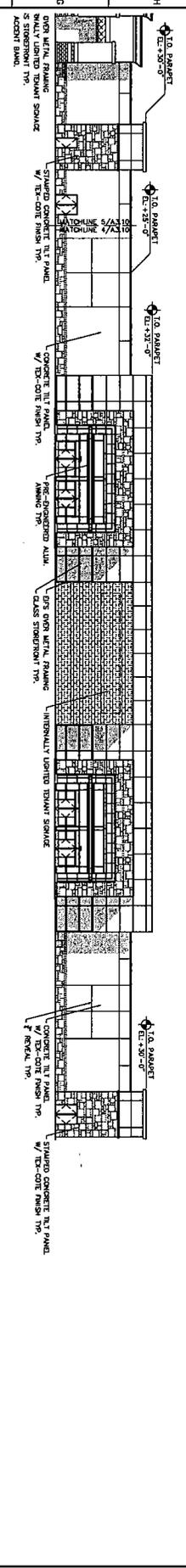
**RLCRetzachArLanaochiCaycedotects**  
127 West Palm Beach Blvd, Suite 200, Ft. Lauderdale, FL 33309  
Tel: 954 589 0000 Fax: 954 589 0077 Web: www.rlcra.com



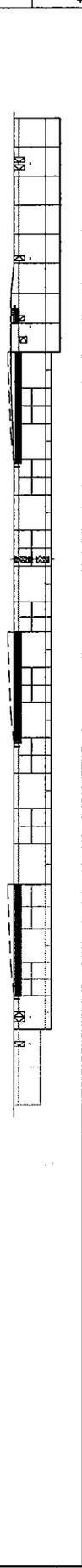
6 FRONT ELEVATION



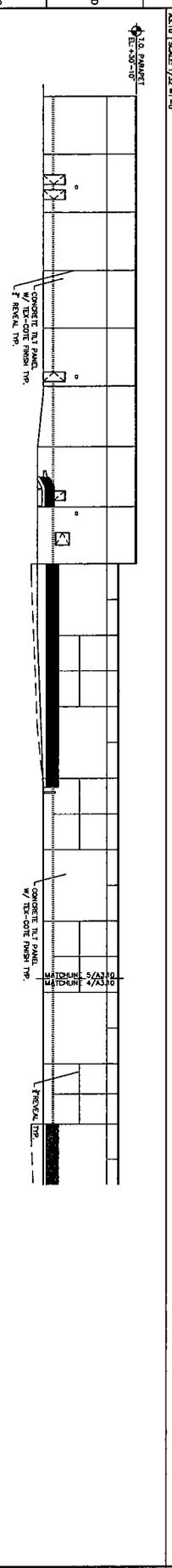
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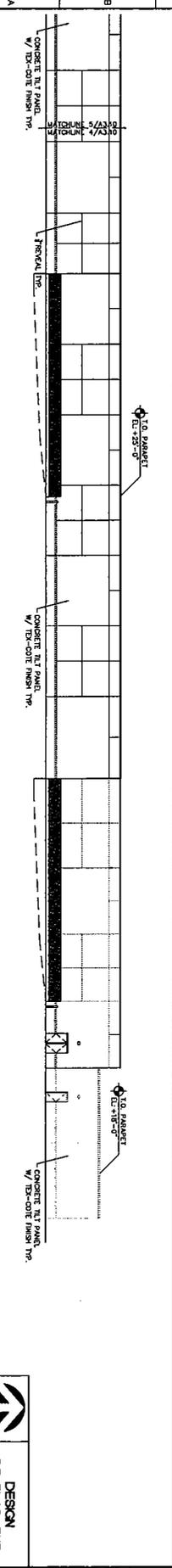
4 PARTIAL FRONT ELEVATION



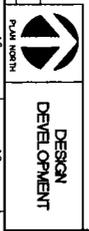
3 REAR ELEVATION



2 PARTIAL REAR ELEVATION



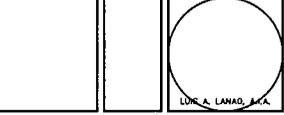
1 PARTIAL REAR ELEVATION



Scale: 1/8" = 1'-0"	Project No. 0700100	Date: 1/23/07
Drawn: LJA	Checked: GDA	Project Manager: NDC
Designed: NDC	Reviewed: NDC	Approved: NDC
Created by:		

REVISIONS

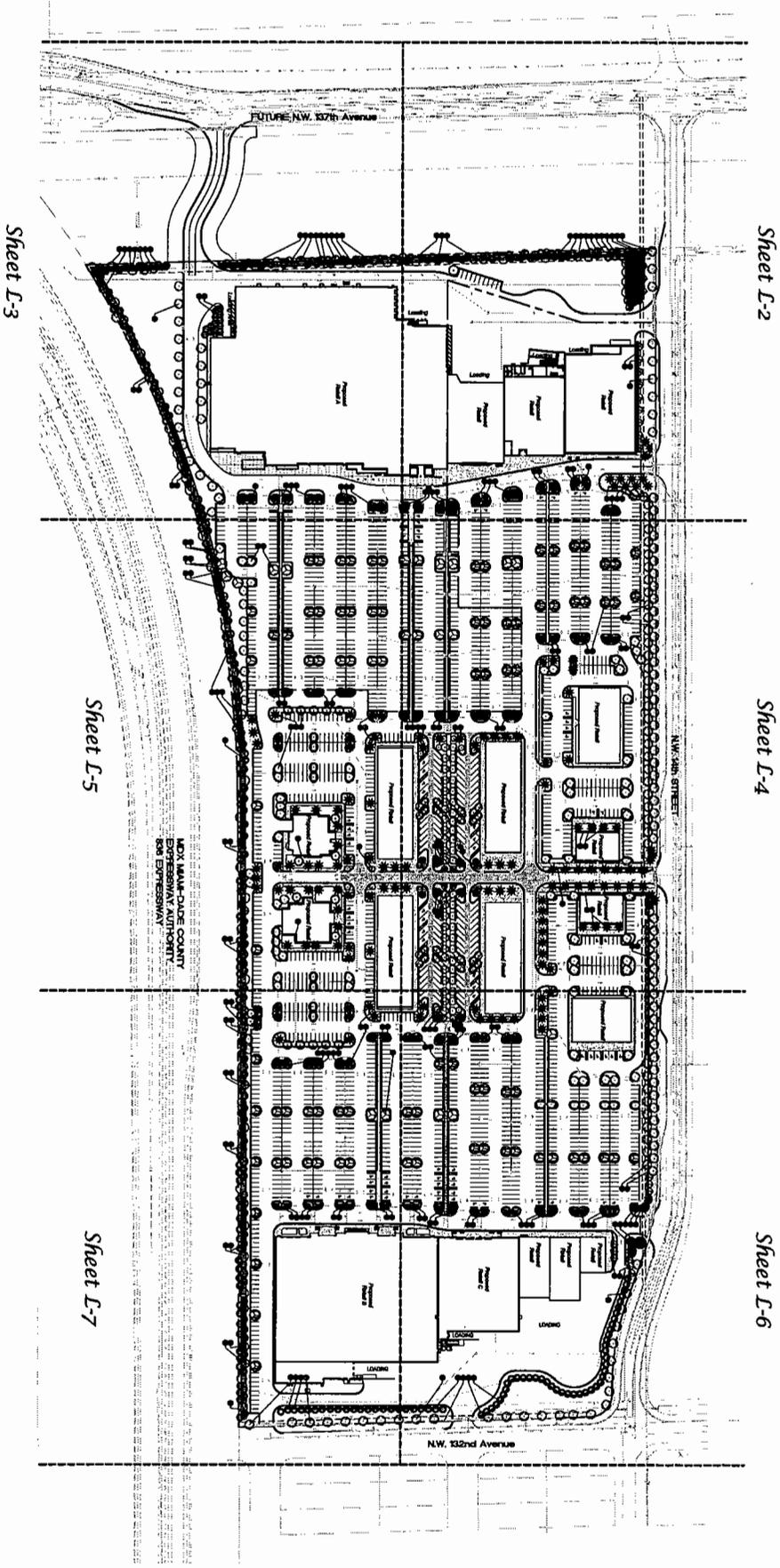
**BEACON LAKES EAST ANCHOR BUILDING**  
Miami-Dade County FL



**R.L.C. Ratzsch | Lanach | Caycedo | detects**  
177 West Royal Palm Road, Suite 2000, Ft. Lauderdale, FL 33305  
Tel: 954 363 0000 Fax: 954 363 0007 Web: www.ratzsch.com







# Landscape Plan



Job No.	07-0204
Drawn By	JMS
Submitted Date	11-4-02
	1-30-03
	2-20-03
	2-25-03
Revision Dates	1-30-03
Number	2-15-03
	2-20-03

THESE PLANS ARE THE PROPERTY OF THE DESIGNER AND SHALL BE KEPT IN THE OFFICE OF THE DESIGNER. NO PART OF THESE PLANS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.

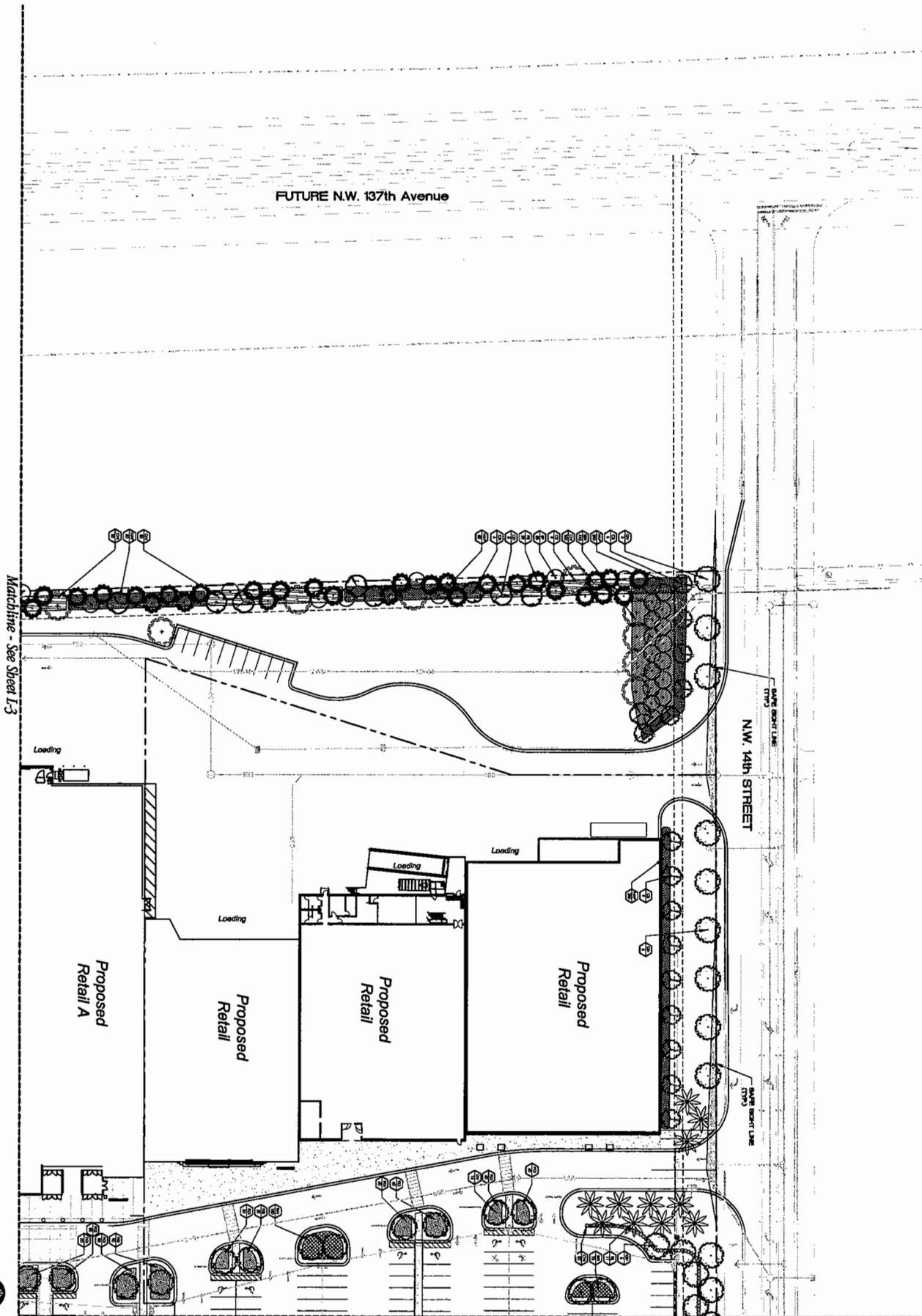
Sheet **L-1** of **8**

## Beacon Lakes

Miami-Dade County, Florida

**Conceptual Design Group, Inc.**  
 Landscape Architecture - Site Planning  
 202 SW Ocean Boulevard, Suite 1204  
 Fort Lauderdale, Florida 33304  
 (954) 573-4444 FAX (954) 573-4411  
 WWW.CONCEPTUALDESIGN.COM

74



*Landscape Plan*

North  
Scale: 1" = 30'

Matchline - See Sheet L-4

Job No.	07-0704
Drawn By	JMS
Submittal Name	11-557
	3-15-08
	3-20-08
Revision Date:	1-30-08
	2-15-08
	2-27-08

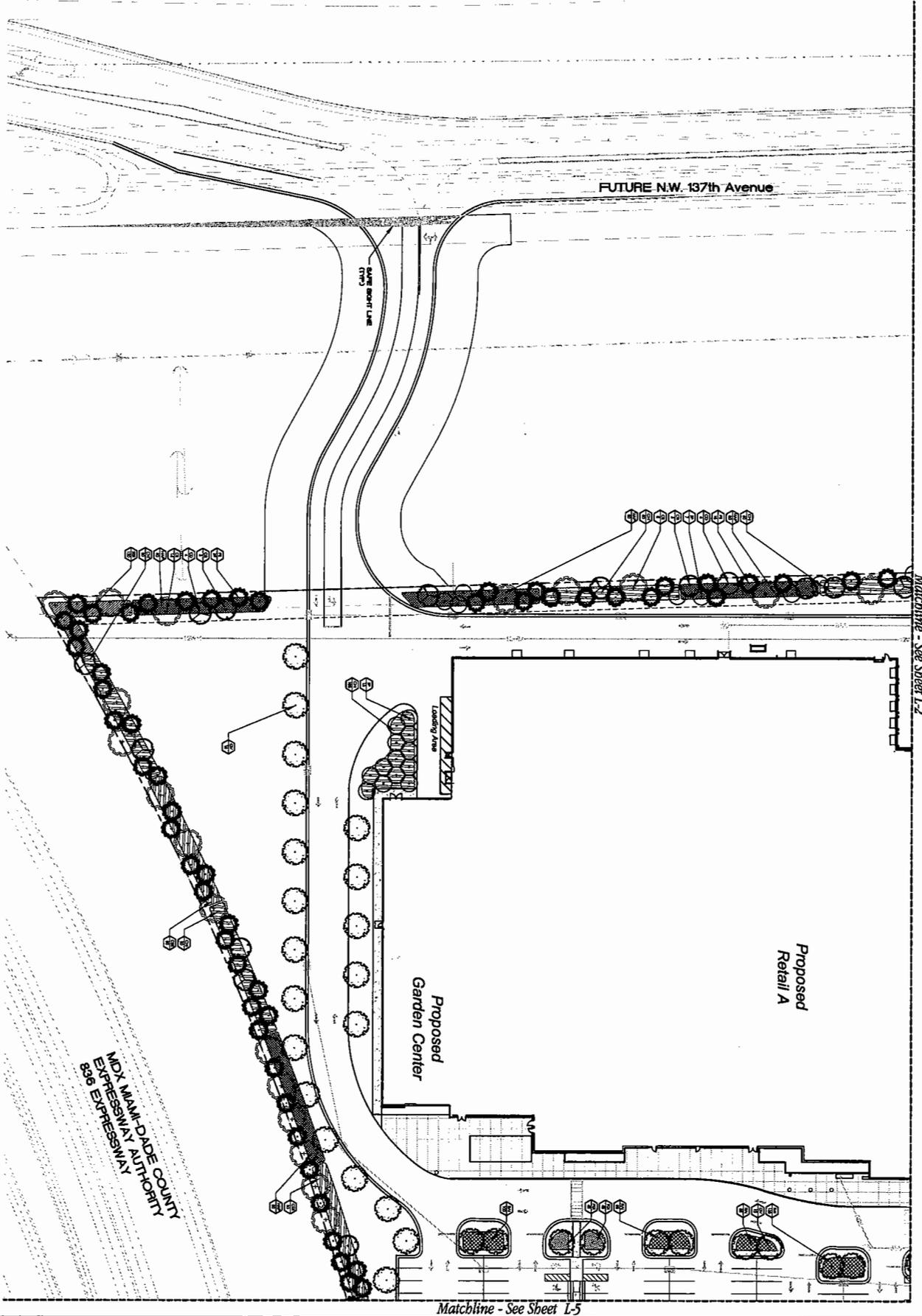
Notes: Check for the presence of the...  
 1. This plan is a conceptual design and is not to be used for construction without the approval of the...  
 2. The landscape architect is not responsible for the...  
 3. The landscape architect is not responsible for the...  
 4. The landscape architect is not responsible for the...

# Beacon Lakes

Miami-Dade County, Florida

**Conceptual Design Group, Inc.**  
 Landscape Architecture - 300 Peninsula  
 300 Peninsula Drive, Suite 1000  
 Fort Lauderdale, Florida 33304  
 (772) 344-1444 Fax: (772) 344-4411  
 www.conceptualdesigngroup.com

75



# Landscape Plan



Job No.	07-0704
Drawn By	JMS
Submitted Dates	11-5-07 2-3-08 3-20-08
Revision Dates	1-30-08 2-15-08 2-25-08
Author	JMS
Checker	JMS
Designer	JMS
Project Manager	JMS
Client	Beacon Lakes
Site	137th Avenue
Sheet	L-3 8

## Beacon Lakes

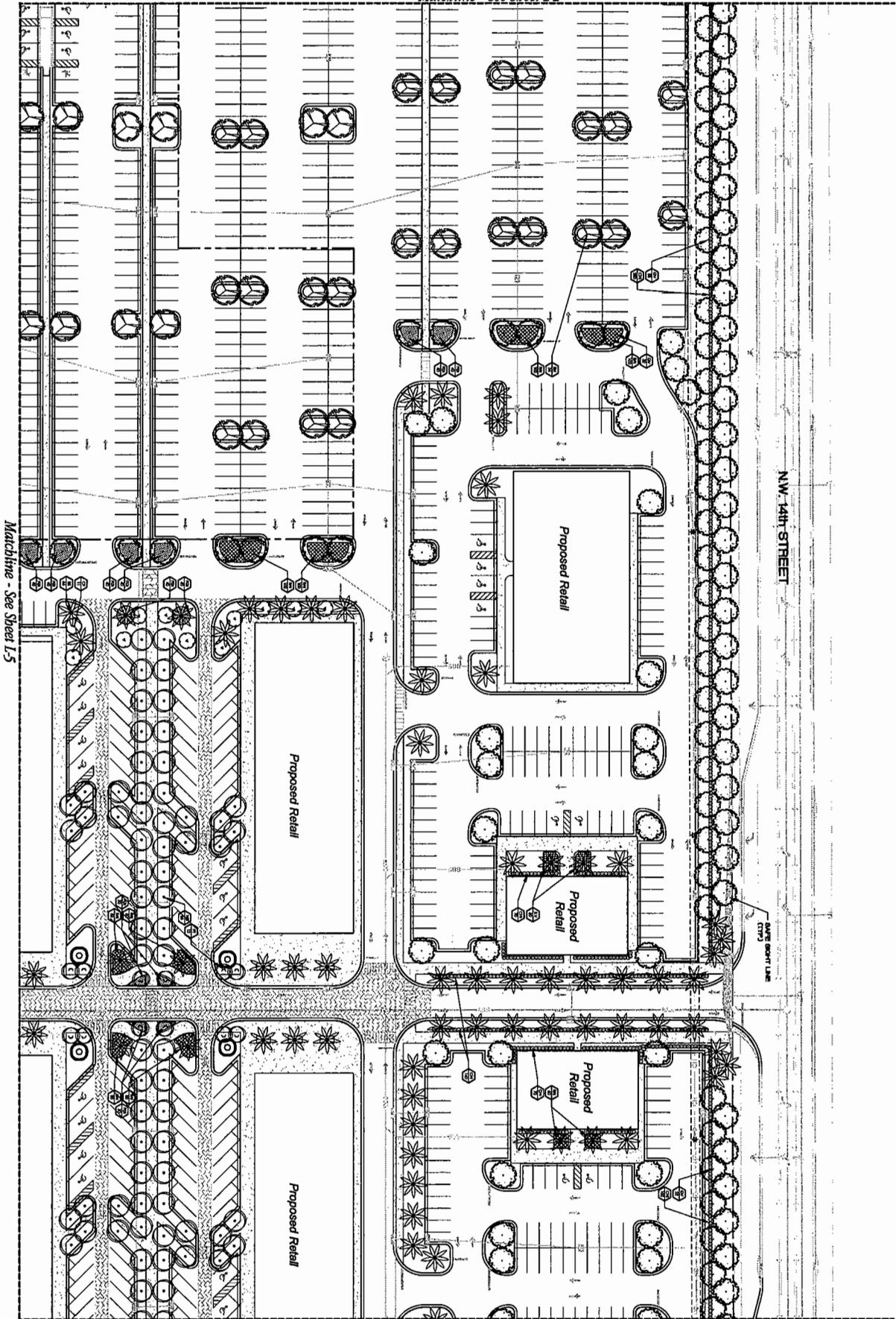
Miami-Dade County, Florida

**Conceptual Design Group, Inc.**

Landscape Architecture - Site Planning

10000 South Dixie Highway, Suite 100  
Miami, Florida 33156  
(773) 443-2800 FAX (773) 443-2811  
www.conceptualdesign.com

Matchline - See Sheet L-2



Matchline - See Sheet L-5

N.W. 14th STREET

PROP. SCURT LAKE

Matchline - See Sheet L-6

# Landscape Plan



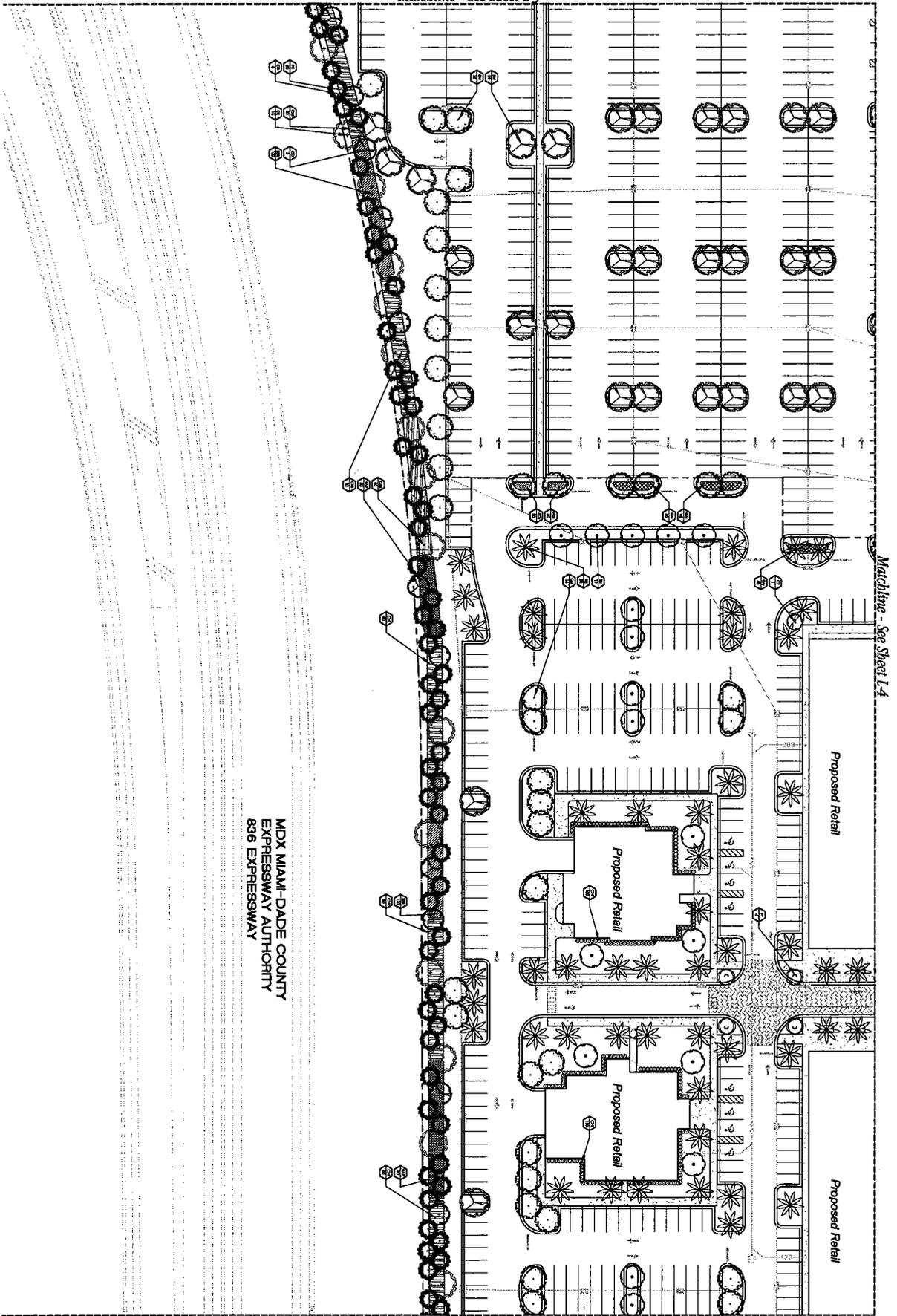
Job No.	07-0704
Drawn By	11-2005
Submitted Date	1-3-06
Revised Date	2-24-06
Approval Date	1-30-06
Drawn Date	2-15-06
Scale	2-25-06

## Beacon Lakes

Miami-Dade County, Florida

**Conceptual Design Group, Inc.**  
 Landscape Architecture - Site Planning  
 10000 South Dade Boulevard, Suite 104  
 Miami, Florida 33156  
 (772) 366-1000 Fax: (772) 366-1011

Matchline - See Sheet L-3



Matchline - See Sheet L-4

MDX MIAMI-DADE COUNTY  
EXPRESSWAY AUTHORITY  
836 EXPRESSWAY

Matchline - See Sheet L-7

# Landscape Plan



Job No.	07-0704
Drawn By	11-2005
Submittal Dates	1-30-06 2-16-06 2-22-06
Approval Dates	1-30-06 2-16-06 2-22-06
Notes	1-30-06 2-16-06 2-22-06

Small disclaimer text at the bottom of the table.

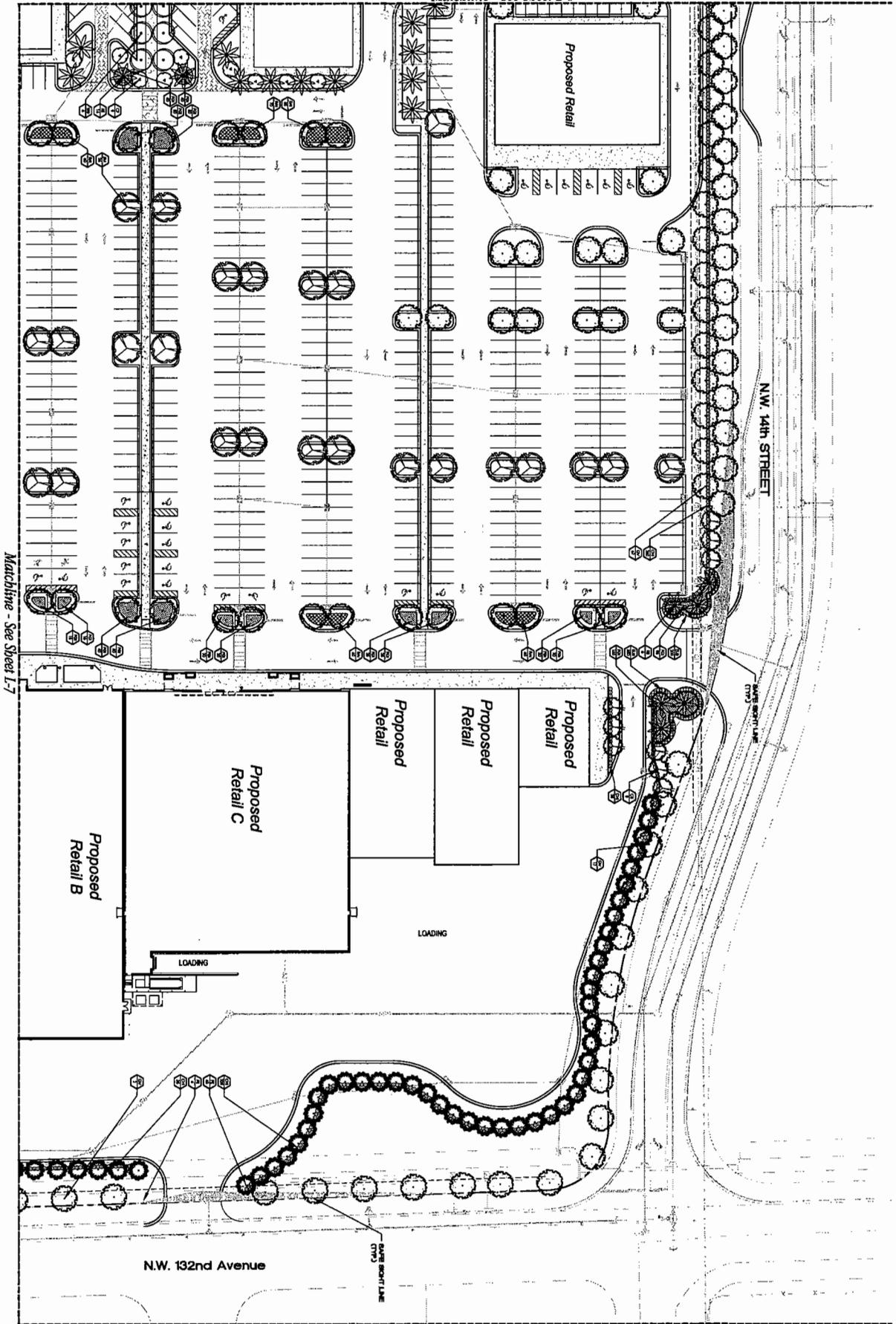
## Beacon Lakes

Miami-Dade County, Florida

**Conceptual Design Group, Inc.**  
Landscape Architecture - Civil Planning  
10000 South Dade Boulevard, Suite 1204  
Miami, Florida 33156  
Tel: (305) 344-4411  
Fax: (305) 344-4411

28

Matchline - See Sheet L-4



*Landscape Plan*

North  
Scale: 1" = 30'

Job No.	07-0704
Drawn By	JMS
Submitted Date	11-9-07
Revision Date	1-30-08
Revision Description	2-20-08
Revision Date	1-30-08
Revision Description	3-15-08
Revision Date	3-29-08

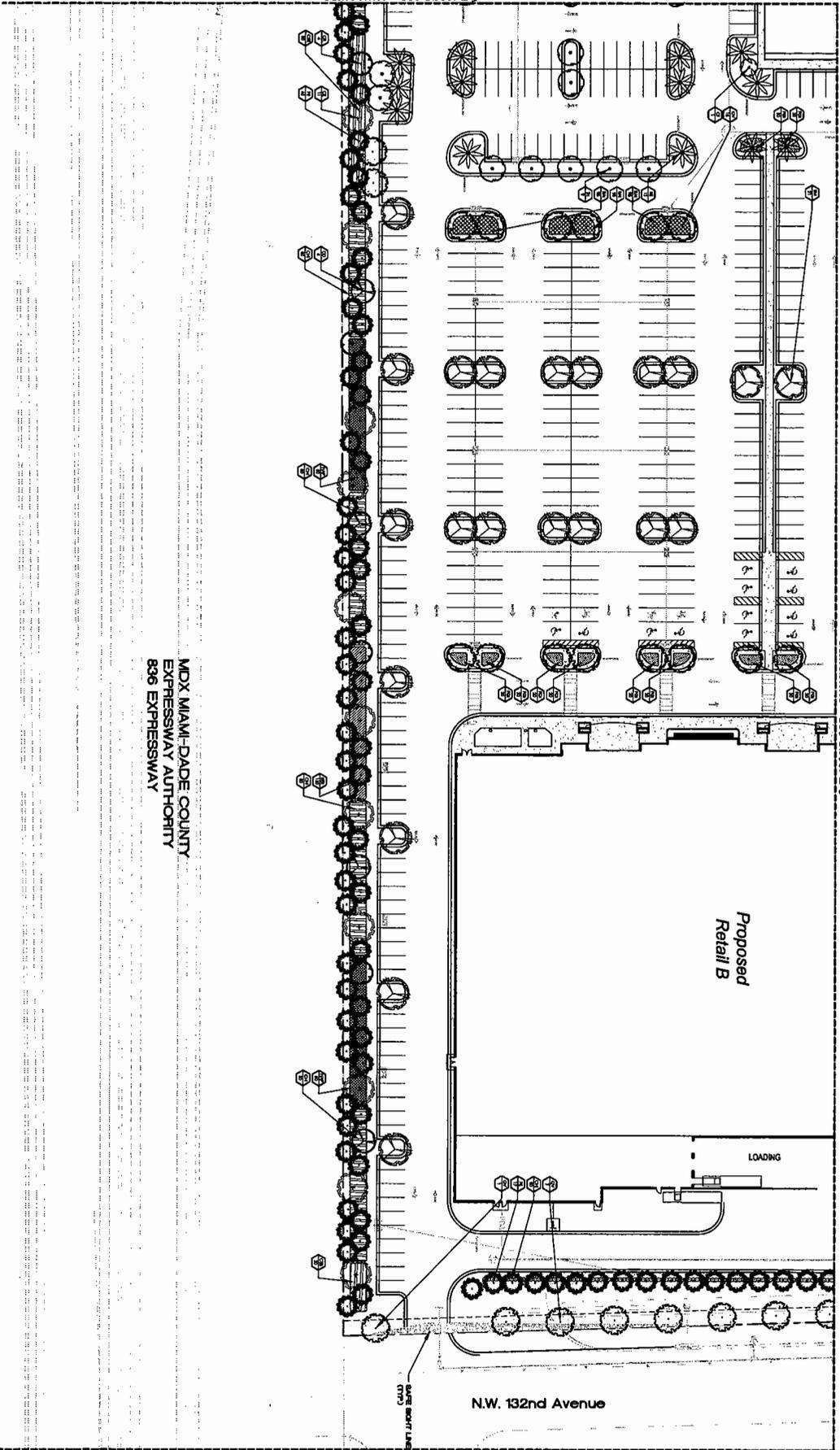
This drawing is the property of the Designer. It is to be used only for the project and site for which it was prepared. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the Designer.

**Beacon Lakes**  
Miami-Dade County, Florida

**Conceptual Design Group, Inc.**  
 200 West Green Street, Suite 1204  
 Fort Lauderdale, FL 33304  
 (772) 344-2346 Fax (772) 344-4111  
 www.conceptualdesigngroup.com

Matchline - See Sheet L-5

Matchline - See Sheet L-6



MDX MIAMI-DADE COUNTY  
EXPRESSWAY AUTHORITY  
836 EXPRESSWAY

Proposed  
Retail B

LOADING

N.W. 132nd Avenue

DRAFT NORTH LINE  
(TYP)

*Landscape Plan*



Scale: 1" = 30'

Job No.	07-024
Drawn By	JMS
Submittal Date	11-5-07
	1-30-08
	2-28-08
	2-28-08
Revision Dates	1-30-08
	2-15-08
	2-27-08

*Beacon Lakes*

Miami-Dade County, Florida

**Conceptual Design Group, Inc.**  
Landscape Architecture - Civil Planning  
200 West Orange Blvd., Suite 204  
West Palm Beach, Florida 33411  
(561) 835-2288 FAX (561) 835-2411  
www.conceptualdesign.com

# General Notes

1. Refer to Appendix A and Appendix B for additional information.
2. The Contractor shall be responsible for obtaining all necessary permits and licenses for the work.
3. The Contractor shall be responsible for obtaining all necessary insurance coverage.
4. The Contractor shall be responsible for obtaining all necessary safety training for all workers.
5. The Contractor shall be responsible for obtaining all necessary safety equipment for all workers.
6. The Contractor shall be responsible for obtaining all necessary safety signage for all workers.
7. The Contractor shall be responsible for obtaining all necessary safety protocols for all workers.
8. The Contractor shall be responsible for obtaining all necessary safety procedures for all workers.
9. The Contractor shall be responsible for obtaining all necessary safety policies for all workers.
10. The Contractor shall be responsible for obtaining all necessary safety manuals for all workers.

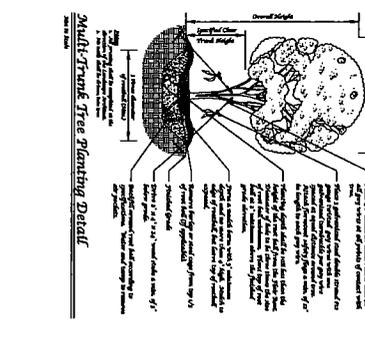
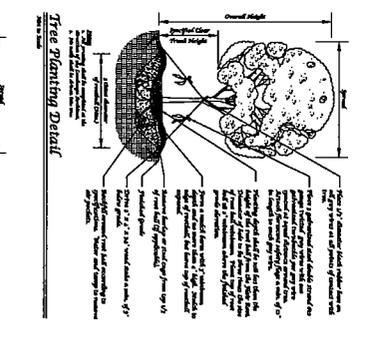
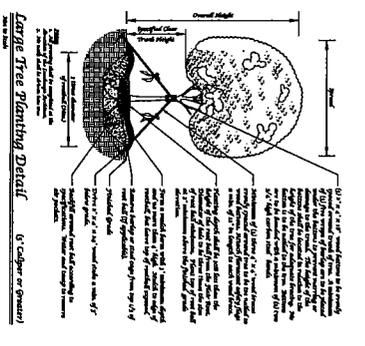
# Landscape Data

Zone/Chart	Size	Net Lot Area	REQUIRED	PROHIBED
OPEN SPACE			235,328 S.F.	352,438 S.F.
A. Square Foot of open space required by Chapter 22, as indicated on the plan			1,890 S.F. ± 1.1% ± 20,000 S.F. ± 1.1%	
B. Square Foot of parking by open space required by Chapter 19A			22,500 S.F.	45,488 S.F.
C. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
D. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
E. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
F. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
G. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
H. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
I. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
J. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
K. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
L. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
M. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
N. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
O. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
P. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
Q. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
R. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
S. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
T. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
U. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
V. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
W. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
X. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
Y. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.
Z. Total S.F. of landscaped open space required by Chapter 22, as indicated on the plan			235,328 S.F.	352,438 S.F.

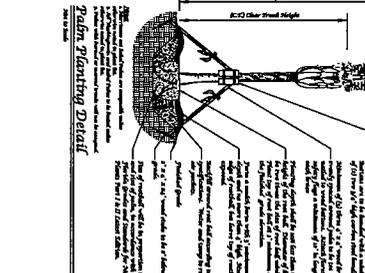
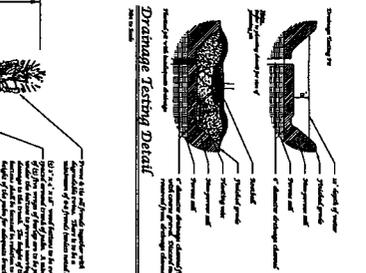
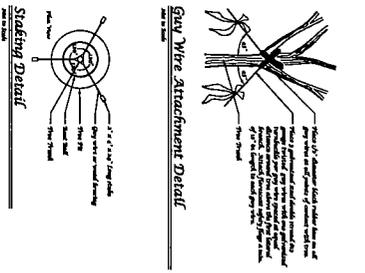
# Plant List

SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE	PLACEMENT	REMARKS
1	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
2	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
3	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
4	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
5	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
6	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
7	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
8	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
9	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
10	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
11	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
12	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
13	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
14	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
15	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
16	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
17	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
18	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
19	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
20	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
21	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
22	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
23	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
24	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
25	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
26	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
27	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
28	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
29	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
30	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
31	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
32	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
33	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
34	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
35	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
36	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
37	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
38	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
39	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
40	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
41	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
42	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
43	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
44	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
45	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
46	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
47	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
48	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
49	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	
50	COCCONUT PALM	ROBUSTA PALM	10 FT. H. x 10 FT. W.	PLANT	

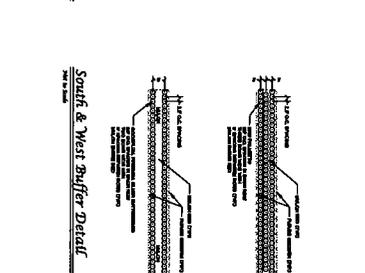
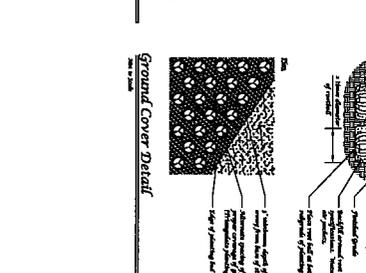
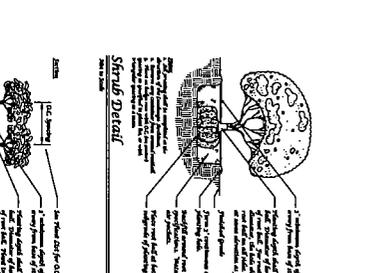
# Landscape Details



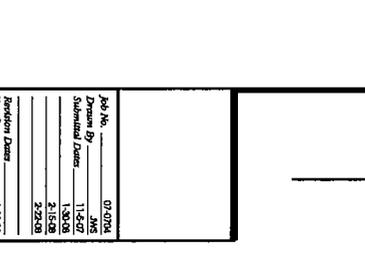
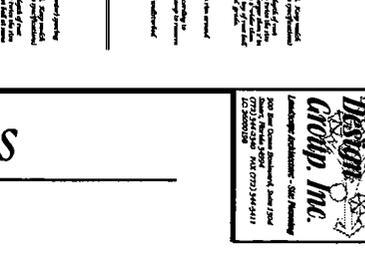
# Staking Detail



# Ground Cover Detail



# Soil & Root Buffer Detail



# Landscape Details & Specifications

Job No. 07-0704  
 Drawn By JMS  
 Submitted Date 1-15-07  
 Revision 3-15-08  
 3-25-08  
 Revision Dates 1-30-08  
 New Dates 2-15-08  
 3-25-08

This drawing is the property of the Designer and shall not be used for any other project without the written consent of the Designer. The Designer shall not be responsible for any errors or omissions in this drawing.

Sheet L-8 8 of 8

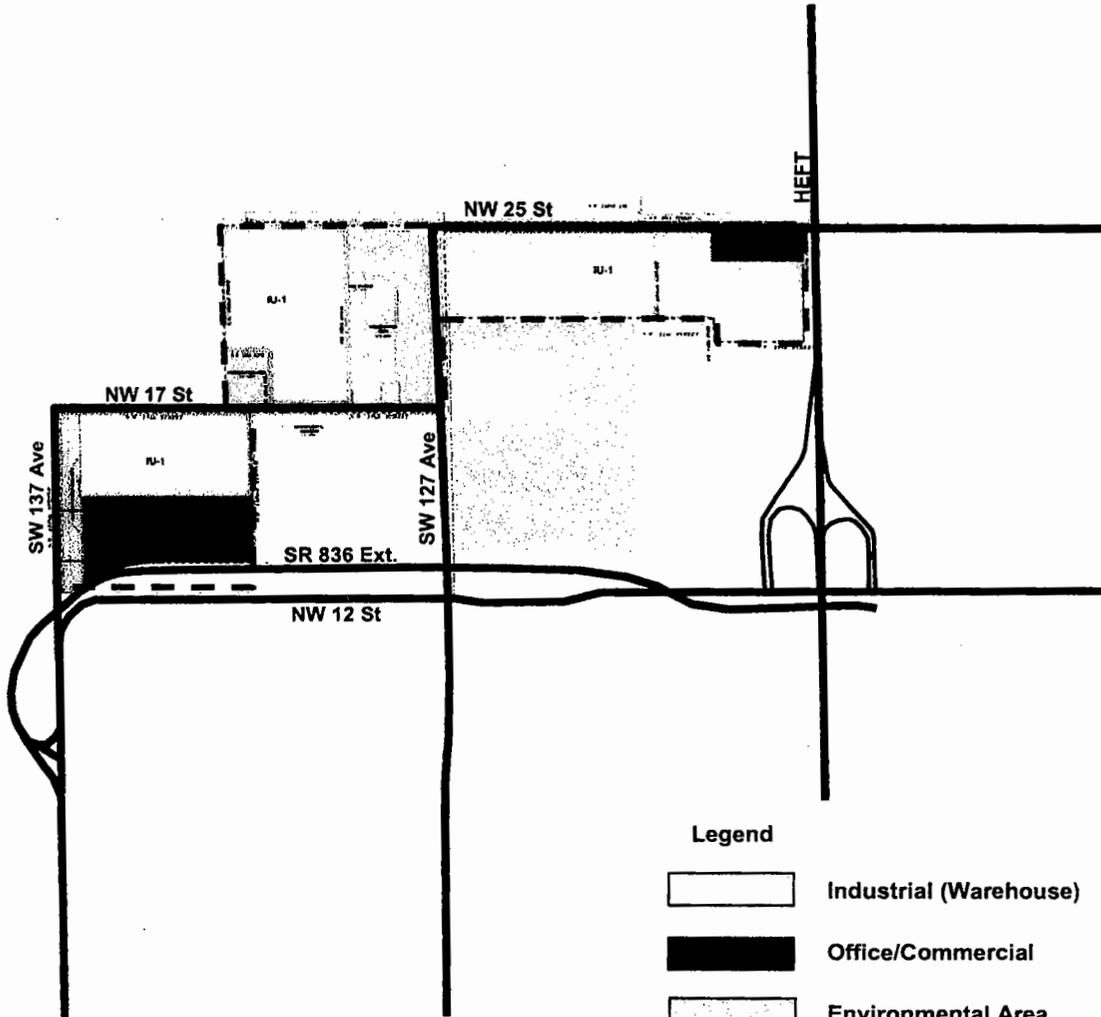
# Beacon Lakes

Miami-Dade County, Florida

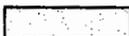
**Conceptual Design Group, Inc.**  
 Landscape Architecture - Civil Engineering  
 200 West Causeway - Suite 200  
 Fort Lauderdale, FL 33304  
 (954) 344-1111



# Proposed changes to Exhibits 1-5



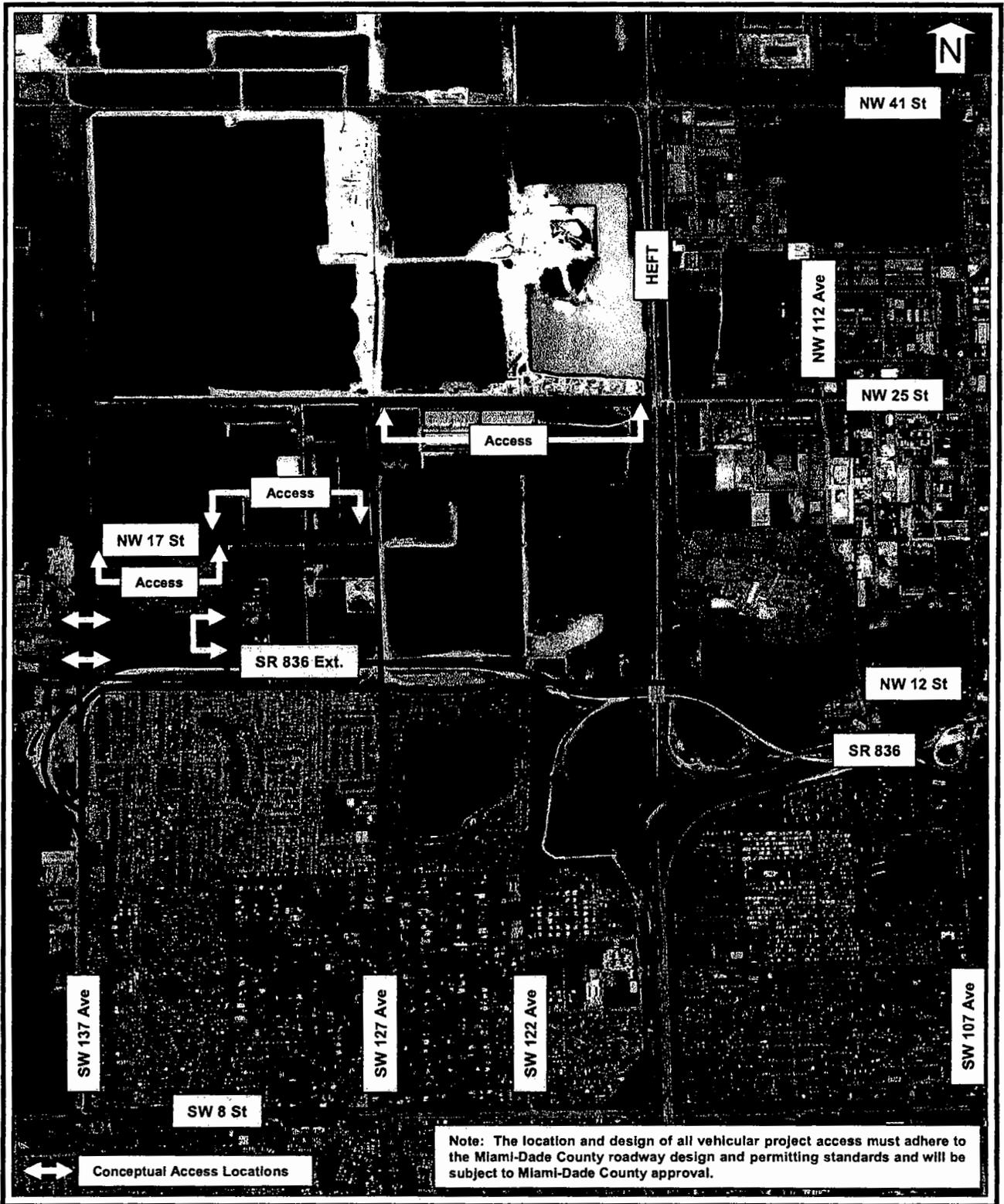
Legend

-  Industrial (Warehouse)
-  Office/Commercial
-  Environmental Area
-  Lakes
-  DRI Boundary

12-20-06

**BEACON LAKES DRI**  
 Master Development Plan  
 Map H

**EXHIBIT**  
 1



Legend
— Site Location
12-20-06

**BEACON LAKES DRI**  
**Vehicle Access Points**  
**To Off-Site Roadway Network**

**EXHIBIT**  
**2**

REVISED EXHIBIT 3  
 BEACON LAKES DRI  
 NET EXTERNAL PM PEAK HOUR PROJECT TRIP GENERATION RATES FOR THE PROPOSED DEVELOPMENT PROGRAM

18-Dec-06

USES	UNITS	ITE LUC	ITE 7TH EDITION RATE OR FORMULA	GROSS PM TRIPS	INTERNAL TRIP RATE	INTERNAL TRIPS	PASS-BY TRIPS	NET EXTERNAL TRIPS	NET EXTERNAL TRIP RATE
COMMERCIAL/RETAIL OFFICE	495,000 SQ. FT. GLA	820	$\ln(T) = 0.66 \ln(X) + 3.40$	1,799	8.56%	154	144	1,501	3.032
WAREHOUSE	175,000 SQ. FT. GFA	710	$T = 1.12(X) + 78.81$	275	5.00%	14		261	1.492
COMMUNICATIONS FACILITIES	5,300,000 SQ. FT. GFA	150	Recommended Procedure	2,160	6.48%	140		2,020	0.381
GROSS TRIPS	Per 1,000 SQ. FT. GFA		Included in the Approved Exhibit 3 to Resolution Z-11-02	4,234		308	144	3,782	0.288

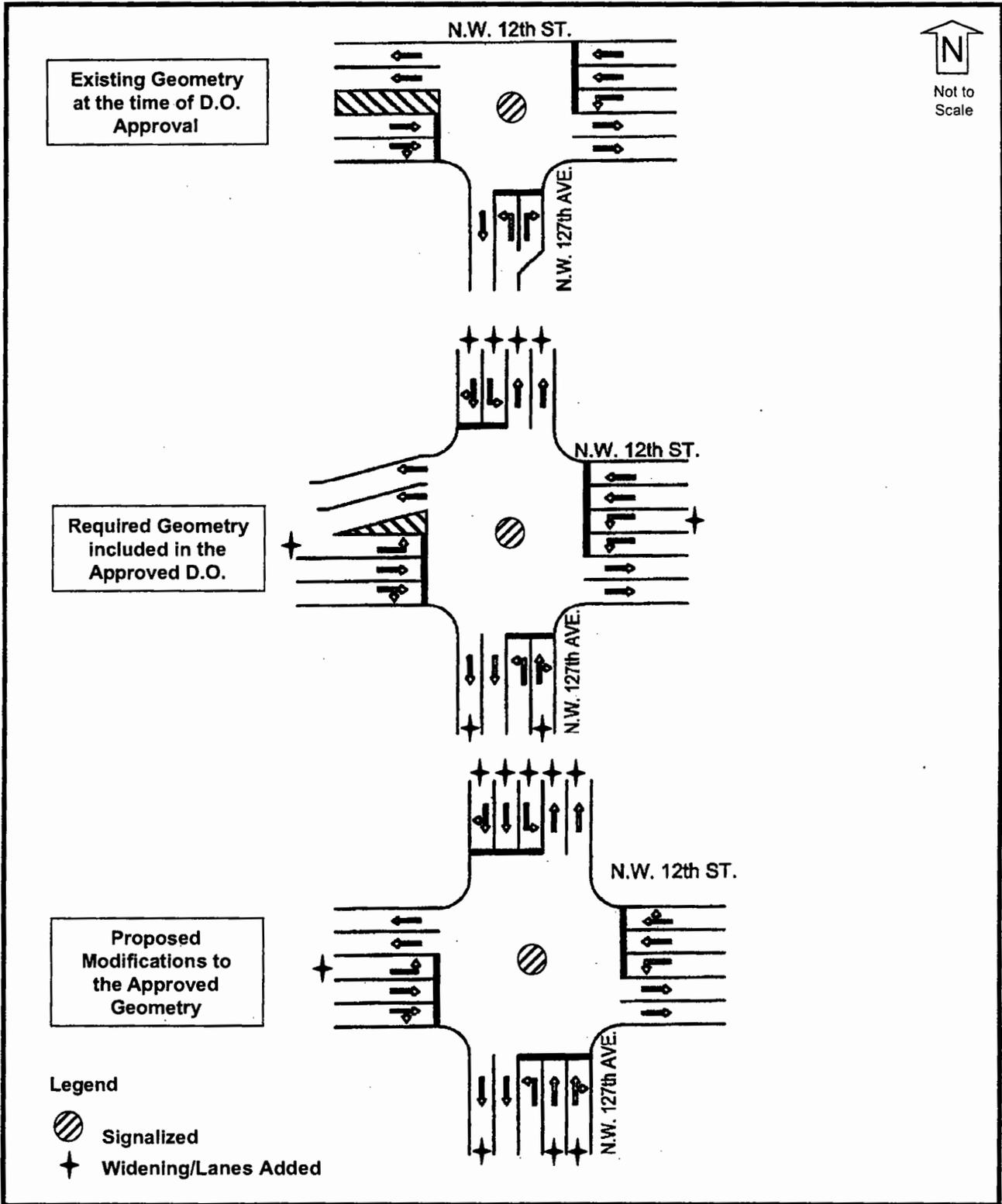
GLA = Gross Leaseable Area  
 GFA = Gross Floor Area

## EXHIBIT 4

### BEACON LAKES DRI TRANSPORTATION IMPROVEMENTS

- A. Construct NW 25 Street from NW 117 Avenue to theoretical NW 127 Avenue as a four-lane roadway.
- B. Construct NW 127 Avenue from NW 25 Street to NW 12 Street as a four-lane roadway including intersection improvements and signal modifications at NW 12 Street as depicted in Exhibit 5.
- C. Construct NW 17 Street from NW 127 Avenue to theoretical NW 137 Avenue as a four-lane roadway.
- D. Construct NW 137 Avenue from NW 17 Street to NW 12 Street as a four-lane roadway.
- E. Widen NW 127 Avenue from NW 12 Street to SW 8 Street to a five-lane roadway.
- F. Construction by others of the Extension of State Road 836 from the H.E.F.T. to NW 137 Avenue.
- G. Construct NW 122 Avenue from NW 25 Street to theoretical NW 41 Street as a two lane roadway.

Revised April 9, 2008

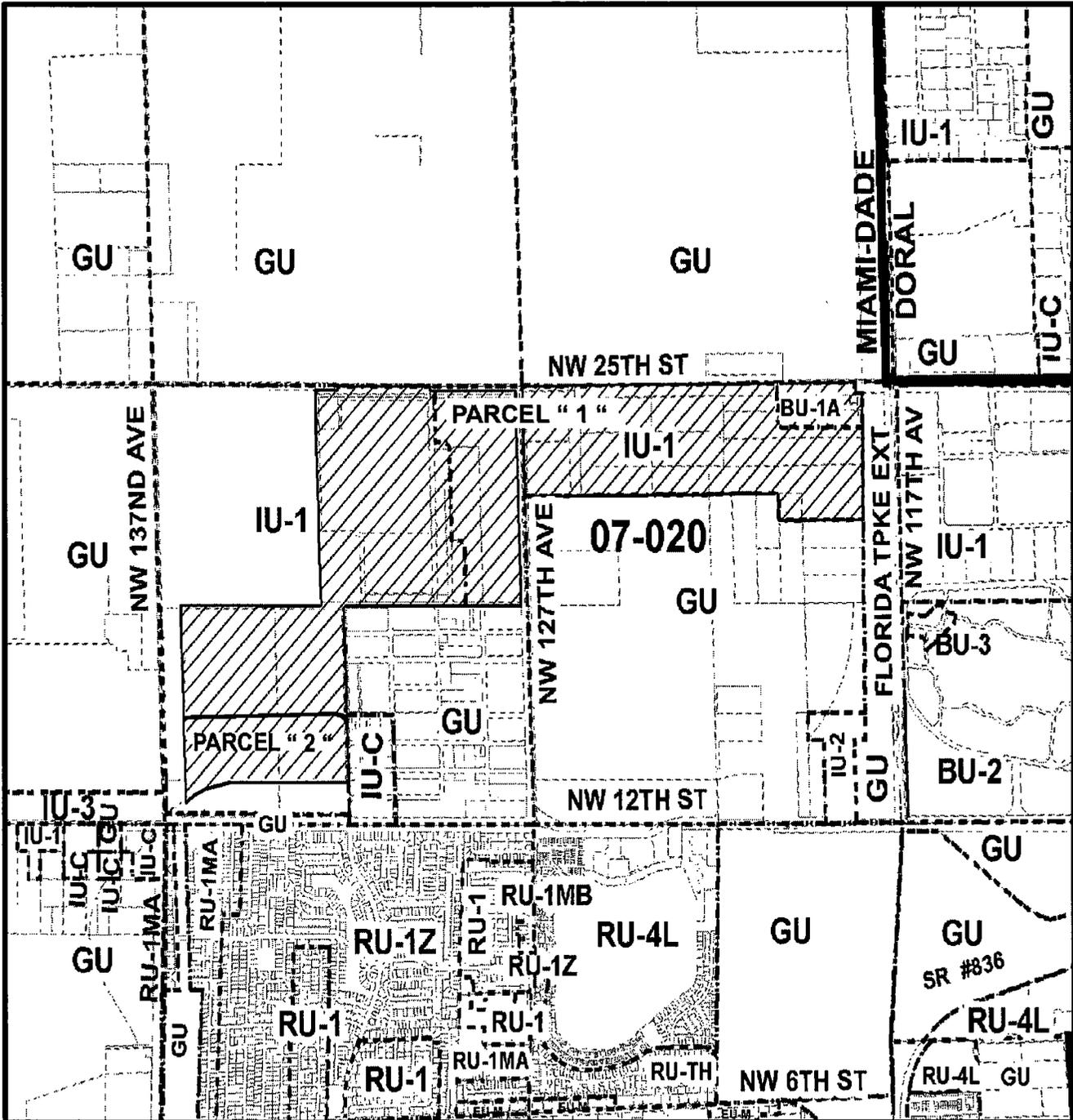


12-20-06

**BEACON LAKES DRI**  
**Intersection Improvements at**  
**NW 12 Street at NW 127 Avenue**

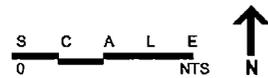
**EXHIBIT**  
**5**

88



**MIAMI-DADE COUNTY  
HEARING MAP**

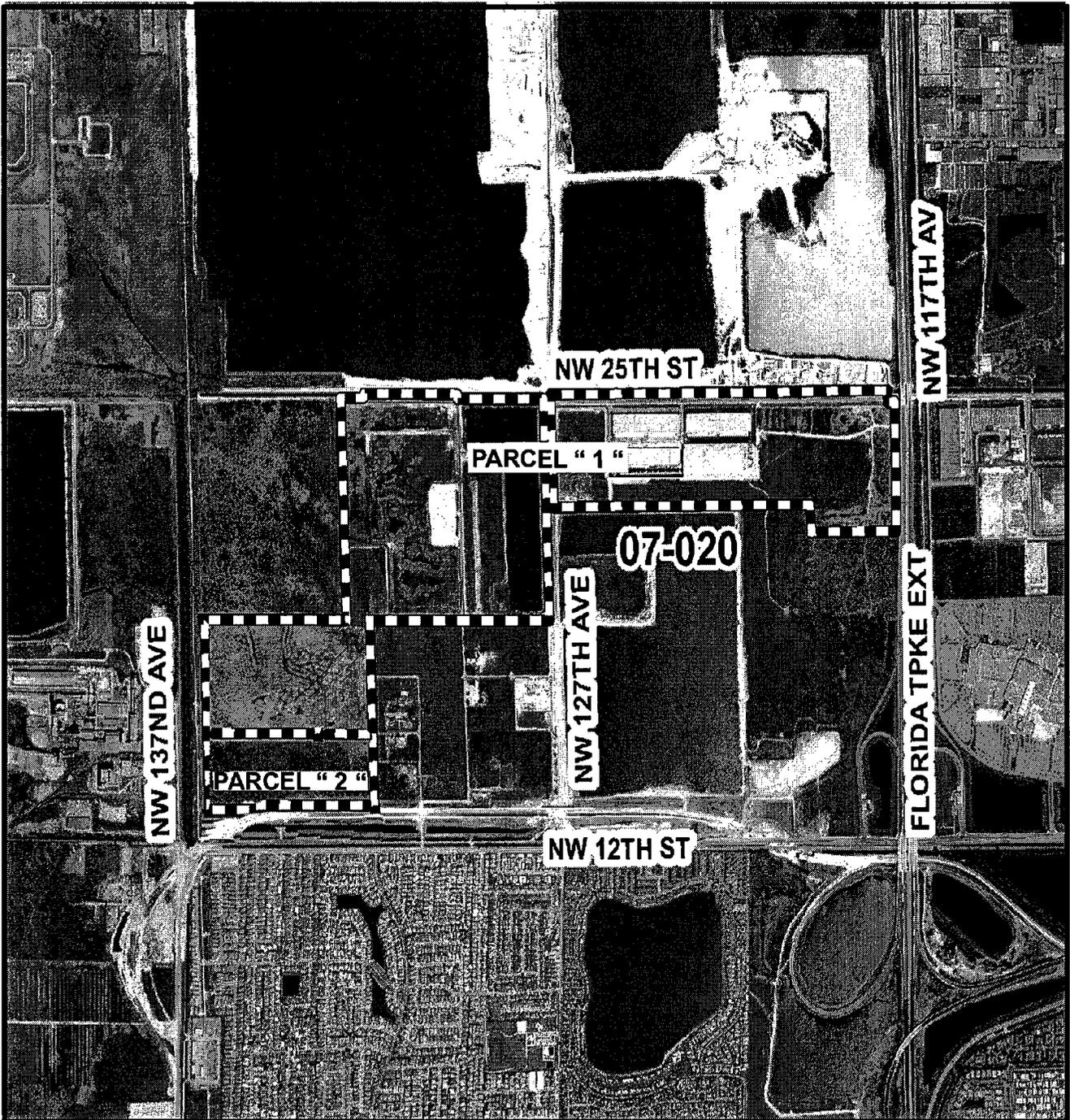
Section: 36 Township: 53 Range: 39  
 Process Number: 07-020  
 Applicant: AMB CODINA BEACON LAKES, LLC  
 Zoning Board: BCC  
 District Number: 12  
 Cadastral: KEELING  
 Scale: NTS



SUBJECT PROPERTY



Parcel (03/20/04)	Parcel (03/20/04)
Parcel (03/20/04)	Parcel (03/20/04)



**MIAMI-DADE COUNTY  
AERIAL**

**Section: 36 Township: 53 Range: 39  
 Process Number: 07-020  
 Applicant: AMB CODINA BEACON LAKES, LLC  
 Zoning Board: BCC  
 District Number: 12  
 Cadastral: KEELING  
 Scale: NTS**



 **SUBJECT PROPERTY**



APPROVED	DATE	BY
Formal (with address)	1/24/07	LOJRO
Formal Sp4 (1A.2)	2/20/07	LOJRO

**3. MIAMI-DADE COUNTY PARKS & RECREATION DEPARTMENT**  
**(Applicant)**

**08-7-CC-3 (07-186)**

**BCC/District 9**

**Hearing Date: 7/3/08**

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>
1975	Dade County	Approval of new county zoo. (Gov. Facility).	BCC	
1984	University of Miami	Non-Use variance setbacks for parking and right-of-way.	ZAB	Approved w/conds.
1989	University of Miami	Modification of one condition of a previous resolution.	ZAB	Approved

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:** March 26, 2008

**To:** The Board of County Commissioners

**From:** Developmental Impact Committee  
Executive Council

**Subject:** Developmental Impact Committee Recommendation

---

**APPLICANT:** Miami-Dade County Park & Recreation Department (Z07-186)

## **SUMMARY OF REQUESTS:**

The applicant is seeking a substantial deviation determination pursuant to Section 380.06(19) of the Florida Statutes along with an accompanying request for a modification of the Program Summary for the Dade County Zoological Park and the South Dade Metropolitan Park Development of Regional Impact (DRI), also known as the Miami Metrozoo and Larry and Penny Thompson Park DRI, as defined in the report of the South Florida Regional Planning Council approved pursuant to Resolution No. R-1207-75.

**LOCATION:** 12400 S. W. 152 Street, Miami-Dade County, Florida.

## **COMMENTS:**

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

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

## **DIC RECOMMENDATION:**

**Approval with conditions** of Request #2 and the authorization to execute and record a proffered covenant as required by DERM.

The Executive Council found that the proposed application does not create a substantial deviation (Request #1) and is of the opinion that the approval of this application is **consistent** with the CDMP, **compatible** with the surrounding area, and would not have an unfavorable effect on the economy of Miami-Dade County, Florida. In addition, the Executive Council found that this application also 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.

APPLICATION NO. Z07-186  
MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT

Respectfully Submitted,

DIC Executive Council  
March 26, 2008

Susanne M. Torriente  
Assistant County Manager



AYE

Manny Mena, Assistant Fire Chief  
Miami-Dade Fire Rescue Department



AYE

Irma San Roman, Deputy Director  
Metropolitan Planning Organization Secretariat



AYE

Subrata Basu, Interim Director  
Department of Planning and Zoning



AYE

Esther Calas, P.E., Director  
Public Works Department

Absent

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



AYE

Jorge S. Rodriguez, P.E., Assistant Director  
Miami-Dade Water and Sewer Department



AYE

**RESOLUTION NO. CZAB14-20-08**

**WHEREAS, MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT**

applied for the following:

- (1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION TO A DEVELOPMENT OF REGIONAL IMPACT (DRI) pursuant to Section 380.06(19) of the Florida Statutes with respect to the following amendments and requests.
- (2) MODIFICATION to the Program Summary of the Dade County Zoological Park and the South Dade Metropolitan Park as defined in the report of the South Florida Regional Planning Council approved pursuant to Resolution No. R-1207-75, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "B. PROJECT SUMMARY:

1. Land Use Characteristics –

<u>Land Use — Zoo</u>	<u>Acres</u>	<u>Percent</u>
Zoo Display Areas and Zoo Buildings	242	32.7
Public Facilities (Utilities, roads, parking)	115.1	15.6
Zoo Facilities (walkways, service roads)	50.6	6.8
Open Space		44.9
Parks	5.8	
Lakes	21.5	
Moats	20	
Landscaping	285	
TOTAL Zoo	740	100.0
 <u>Land Use - Metropolitan Park</u>		
Park Public Facilities (sidewalks, roads, parking, tennis, bike paths, paths, etc.)	25	9.3
Marinas/Restaurants & Other Buildings	3	1.1
Open Space (includes campgrounds, observation hill and landscaped areas)	220	81.5
Lake	22	8.1
TOTAL Park	270	100.0

TOTAL DEVELOPMENT 1,010

TO: "B. PROJECT SUMMARY:

1. Land Use Characteristics –

**MetroZoo and Miami Metrozoo Entertainment Area**

<b><u>MetroZoo</u></b>	<u>Acres</u>	
Zoo Display Areas and Zoo Buildings	242	
Public Facilities (Utilities, roads, parking)	<u>0</u>	
Zoo Facilities (walkways, service roads)	50.6	
Open Space		
Parks	5.8	
Lakes	21.5	
Moats	20	
Landscaping	<u>282.4</u>	
<b>Total MetroZoo</b>	<b><u>622.3</u></b>	<b><u>Acres</u></b>

**Miami Metrozoo Entertainment Area and Gold Coast  
Railroad Museum**

<u>Water Park (2,500 visitors per day)</u>	<u>23</u>	
<u>Family Entertainment Center (75,000 sq. ft.)</u>	<u>20</u>	
<u>Hotel (150,000 sq. ft., 200 rooms)</u>	<u>15</u>	
<u>Entrance</u>	<u>7.3</u>	
<u>Public Facilities</u> (Utilities, roads, parking)	<u>57.1</u>	
<b>Total Miami Metrozoo Entertainment Area</b>	<b><u>125</u></b>	<b><u>Acres</u></b>

**TOTAL MetroZoo and Miami Metrozoo Entertainment  
Area** **747.3** **Acres**

**Metropolitan Park**

Park Public Facilities (sidewalks, roads, parking, tennis courts, bike paths, paths, etc.)	25	
Marinas/Restaurants & Other Buildings	3	
Open Space (includes campgrounds, observation hill and Landscaped areas)	<u>356</u>	
Lake	22	
<b>TOTAL Metropolitan Park</b>	<b><u>406</u></b>	<b><u>Acres</u></b>

**Land Use — Gold Coast Railroad Museum**

Museum Facilities and Open Space (in Miami Metrozoo Entertainment Area) (50,000 sq.ft. museum, 20,000 sq. ft. ancillary, theme-related retail, 30,000 sq. ft. of ancillary food service space)	<u>45</u>	
Open Space and Transportation Facilities (outside Miami Metrozoo Entertainment Area)	<u>5</u>	
<b><u>TOTAL Gold Coast Railroad Museum</u></b>	<b><u>50</u></b>	<b><u>Acres</u></b>

**TOTAL DEVELOPMENT** **1,203.3 Acres**

FROM : 5. Recreation facility Data  
Number of Parking Spaces:

Zoo:	5,000	Park:	655
------	-------	-------	-----

TO: 5. Recreation facility Data  
Number of Parking Spaces:

<b>Zoo:</b>	<b><u>3,565</u></b>	Park:	655
<b>Water theme park:</b>	<b><u>500</u></b>		
<b>Family Entertainment Center:</b>	<b><u>275</u></b>		
<b>Hotel:</b>	<b><u>275</u></b>		
<b>Gold Coast Railroad Museum:</b>	<b><u>385</u></b>		
<b><u>Total:</u></b>			<b><u>5,000.</u></b>

**AND TO ADD THE FOLLOWING:**

December 31, 2021 is hereby established as the build-out date for this project and is the date until which the local government of jurisdiction agrees that the **MetroZoo and Miami Metrozoo Entertainment Area, Metropolitan Park AND Gold Coast Railroad Museum** shall not be subject to downzoning, a unit density reduction, or an intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes in the conditions underlying the approval of the DRI Development Order have occurred or that the DRI Development Order was based on substantially inaccurate information provided by the Applicant, or unless the Board of County Commissioners has clearly established that the change is essential to the public health, safety, or welfare."

December 31, 2028 is hereby established as the expiration date for the Development Order. The purpose of this request is to allow the applicant to increase the area of the subject site and to add new uses to the previously approved Miami-Dade County Zoological Park and the South Dade Metropolitan Park

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(7) (Generalized Modification Standards) or

§33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

SUBJECT PROPERTY: A portion of Sections 25, 26, 35, and 36, Township 55 South, Range 39 east. more particularly described as follows:

Commence at the northwest corner of the NE  $\frac{1}{4}$ , of Section 26; thence S01°44'01"E, along the west line of the NE  $\frac{1}{4}$  of said Section 26, for a distance of 35'; thence S88°05'03"W, along a line parallel with and 35' south of and measured at right angle to the north line of the NW  $\frac{1}{4}$  of said Section 26, for a distance of 42.17'; thence S38°47'18"W, along the SE/ly Right-of-Way line of the Seaboard Railroad, for a distance of 4,124.57'; thence S03°07'03"E, along a line parallel with and 35' east of as measured at right angle to the west line of the SW  $\frac{1}{4}$  of said Section 26, for a distance of 603.63'; thence N87°59'41"E, along a line parallel with the south line of the SW  $\frac{1}{4}$  of said Section 26, for a distance of 1,725'; thence S03°07'03"E, along a line parallel with the west line of the SW  $\frac{1}{4}$  of said Section 26, for a distance of 308.25' to the Point of beginning; thence N85°39'01"E, for a distance of 3,904.77'; thence N31°09'08"E, for a distance of 750'; thence N06°32'05"E, for a distance of 929.04'; thence N16°48'39"E, for a distance of 986.03'; thence N87°29'25"E, along a line parallel with the north line of the NW  $\frac{1}{4}$  of said Section 25, for a distance of 1,554.39'; thence S02°06'52"E, along the east line of the west  $\frac{1}{2}$  of said Section 35, for a distance of 2,705.53'; thence S87°53'39"W, along a line parallel with the south line of the SW  $\frac{1}{4}$  of said Section 25, for a distance of 400'; thence S02°06'52"E, along a line parallel with the east line of the aforementioned west  $\frac{1}{2}$  of said Section 25, for a distance of 1,200'; thence N87°53'39"E, along a line parallel with and 35' north of as measured at right angles to the aforementioned south line of the SW  $\frac{1}{4}$  of said Section 25, for a distance of 365'; thence S02°06'52"E, along a line parallel with and 35' of the east line of the aforementioned west  $\frac{1}{2}$  of said Section 25, for a distance of 35'; thence S02°42'05"E, along a line parallel with and 35' west of the east line of the NW  $\frac{1}{4}$  of said Section 36, for a distance of 2,704.08'; thence S02°42'17"E, along a line parallel with and 35' west of as measured at right angles to the east line of the SW  $\frac{1}{4}$  of said Section 36, for a distance of 2,666.54'; Thence S87°42'31"W, along a line parallel with and 35' north of as measured at right angles to the south line of the SW  $\frac{1}{4}$  of said Section 36, for a distance of 2,628.51'; thence S87°44'01"W, along a line parallel with and 35' to the north of as measured at right angles to the south line of the SE  $\frac{1}{4}$  of said Section 35, for a distance of 2,691.22'; thence S87°43'49"W, along a line parallel with and 35' north of the south line of the east  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of said Section 35, for a distance of 1,310.35'; thence N02°55'38"W, along a line parallel with and 35' east of the west line of the east  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of said Section 35, for a distance of 2,715.09'; thence N88°19'11"E, along the north line of the east  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of said Section 35, for a distance of 1,318.24'; thence N02°45'54"W, along the east line of the NW  $\frac{1}{4}$  of said Section 35, for a distance of 2,655.01'; thence S87°59'41"W, along a line parallel with and 35' south of the north line of the NW  $\frac{1}{4}$  of said Section 35, for a distance of 943.88'; thence N03°07'03"W, parallel with the west line of the SW  $\frac{1}{4}$  of said Section 25, for a distance of 1,291.75' to the Point of beginning. ENTRANCE TO MIAMI METROZOO: A portion of Sections 25, Township 55 South, Range 39 East, more particularly described as follows:

Commence at the northeast corner of the NW  $\frac{1}{4}$  of Section 25, Township 55 South, Range 38 East; thence  $S02^{\circ}06'44''E$ , along the east line of said NW  $\frac{1}{4}$ , for a distance of 1,436.59'; thence  $S87^{\circ}34'19''W$ , for a distance of 970.01' to a point 970' from and measured at right angle of said east line of the NW  $\frac{1}{4}$  of Section 25; thence along a line 790' from and parallel to the west of the east line of the NW  $\frac{1}{4}$  of said Section 25,  $N02^{\circ}06'44''W$ , for a distance of 1,441.94' to the intersection with the north line of said NW  $\frac{1}{4}$  of Section 25; thence  $S87^{\circ}29'58''W$ , along said north line of the NW  $\frac{1}{4}$  of Section 25, for a distance of 220.01'; thence  $S02^{\circ}06'44''E$ , for a distance of 1,443.25'; Thence  $N87^{\circ}34'19''E$ , for a distance of 220.01' to the Point of beginning; LESS: the north 35' for road Right-of-Way purposes. AND: A portion of Sections 25 and 26, Township 55 South, Range 39 East, more particularly described as follows:

Commence at the northwest corner of the NE  $\frac{1}{4}$ , of Section 26; thence  $S01^{\circ}44'01''E$ , along the west line of the NE  $\frac{1}{4}$  of said Section 26, for a distance of 35'; Thence  $S88^{\circ}05'03''W$ , along a line parallel with and 35' south of, as measured at right angles to, the north line of the NW  $\frac{1}{4}$  of said Section 26, for a distance of 42.17'; thence  $S38^{\circ}47'18''W$ , along the SE/ly Right-of-Way line of CSX Transportation, Inc., for a distance of 712.14' to the Point of beginning; thence SW/ly, and SE/ly, along a circular curve to the left, having a radius of 731.1', and a central angle of  $77^{\circ}17'46''$ , for an arc distance of 986.31' to a Point of tangency; thence  $S51^{\circ}44'51''E$ , for a distance of 79.24'; Thence  $S58^{\circ}51'18''E$ , for a distance of 1,917.17' to a point hereinafter called Point "E"; thence continue  $S58^{\circ}51'18''E$ , for a distance of 40' (the last four courses being along the NE/ly Right-of-Way line of the CSX Transportation, inc. spur line); thence  $S31^{\circ}08'07''W$ , for a distance of 260.87' feet; thence  $S58^{\circ}51'08''E$ , for a distance of 2,009.93'; thence  $S85^{\circ}39'01''W$ , for a distance of 1,366.98'; thence  $N58^{\circ}55'54''W$ , for 906.55'; thence  $N28^{\circ}48'50''W$ , for a distance of 492.59' to a Point of curvature; Thence NW/ly along a circular curve to the right having a radius of 771.1' and a central angle of  $24^{\circ}32'45''$ , for an arc distance of 330.34' to a Point of tangency; thence  $N04^{\circ}16'05''W$ , for a distance of 290.73' to a Point of curvature; Thence NW/ly, along a circular curve to the left having a radius of 741.1' and a central angle of  $54^{\circ}35'13''$ , for an arc distance of 706.06' to a Point of tangency; Thence  $N58^{\circ}51'18''W$ , for a distance of 696.41' to a Point of curvature; thence NW/ly and SW/ly, along a curve to the left, having a radius of 741.1' and a central angle of  $66^{\circ}36'06''$ , for an arc distance of 861.46'; Thence  $N38^{\circ}47'18''E$ , along the SE/ly Right-of-Way line of the CSX Transportation, Inc. railroad, for a distance of 1,161.1' to the Point of beginning. AND: A portion of Section 35, Township 55 South, Range 39 East, more particularly described as follows:

Beginning at the southeast corner of the NW  $\frac{1}{4}$  of Section 35, Township 55 South, Range 39 East and at plane coordinate position North 462170.77' and East 695816.19' (N: 462170, E: 695896.19), based on State Plane Coordinate System Florida East Zone-1974 Adjustment; thence run  $S88^{\circ}19'01''W$ , along the south line of the NW  $\frac{1}{4}$  of said Section 35, for a distance of 1,318.09' to a point (N: 462132.06', E: 694498.67'); thence run  $N02^{\circ}44'30''W$ , for a distance of 35.01' to a point (N: 462167.03', E: 694497'); thence run  $S88^{\circ}19'01''W$ , along a line parallel to and 35' north of the south line of the NW  $\frac{1}{4}$  of said Section 35, for a distance of 504.12' to a point (N: 462152.22', E: 693993.09'); thence run  $N02^{\circ}34'35''W$ , for a distance of 1,024.72' to a Point N: 462152,22' E: 693947.04'); thence run  $S88^{\circ}16'36''W$ , for a distance of 851.86' to a point (N: 463150.04', E:

693095.56'); thence run N02°43'00"W, along a line parallel to and 35' east of the west line of the NW ¼ of said Section 35, for a distance of 1,655.75' to a point (N: 464803.94', E: 693017.09'); thence run N87°59'24" E, along a line parallel to a point (N: 462152.22', E: 693947.04'); thence run S88°16'36"W, for a distance of 851.86' to a point (N: 463150.04', E: 693095.56'); thence run N02°43'00"W, along a line parallel to and 35' and 40' north of the north line of the NW ¼ of said Section 35, for a distance of 1,725.28' to a point (N: 464864.45', E: 694741.3'); thence run S02°44'30"E, for a distance of 75.01' to a point (N: 464789.53', E: 694744.89'); thence run N87°59'24" E, along a line parallel to and 35' south of the north line of the NW ¼ of said Section 35, for a distance of 943.73' to a point (N: 464822.63', E: 695688.04'), said point being on the east line of the NW ¼ of said Section 35; thence run S02°46'00"E, along the east line of the NW ¼ of said Section 35, for a distance of 2,654.95' to the Point of beginning. LESS: those lands conveyed for right-of way pursuant to O.R. Book 18546 Page 552; AND LESS: the North 660' and the West 660' of the NW ¼ of the NW ¼ of the NW ¼ of Section 35, Township 55 South, Range 39 East thereof. AND: A portion of Sections 25, 26, 35, and 36, Township 55 South, Range 39 East; Beginning at the center of Section 35, Township 55 South, Range 39 East; thence S88°18'52"W, along the south line of the NW ¼ of said Section 35, for a distance of 1,318.46' to a line parallel to and 35' east of the west line of the east ¼ of the SW ¼ of said Section 35; thence S02°55'39"E, along a line parallel to and 35' east of the west line of the east ½ of the SW ¼ of said Section 35, for a distance of 2,715.34' to a line parallel to and 35' north of the south line of the SW ¼ of said Section 35; thence N87°43'44"E, along a line parallel to and 35' to the north of the south line of the SW ¼ of said Section 35, for a distance of 1,310.7' to the west line of the Southeast 1/4 of said Section 35; Thence N 87°43'54" E, along a line parallel to and 35.00 feet North of the South line of the SE ¼ of said Section 35, for a distance of 2,690.80 feet to the West line of the SW ¼ of Section 36, Township 55 South, Range 39 East, Miami Dade County, Florida; Thence N 87°42'27" E, along a line parallel to and 35.00 feet North of the South line of the SW ¼ of said Section 36, for a distance of 2,628.41 feet, to a line parallel to and 35' west of the east line of the SW ¼ of said Section 36; thence N02°42'06"W, along a line parallel to and 35' west of the east line of the SW ¼ of said Section 36, for a distance of 132'; thence S87°42'27"W, along a line parallel to the south line of the SW ¼ of said Section 36, for a distance of 1,050'; thence N02°42'06"W, along a line parallel to the east line of the SW ¼ of said Section 36, for a distance of 750'; thence N28°50'34"E, for a distance of 864.51'; thence N87°42'27"E, along a line parallel to the south line of the SW ¼ of said Section 36, for a distance of 597.71', to a line parallel to and 35' west of the east line of the SW ¼ of said Section 36; thence N02°42'06"W, along a line parallel to and 35' west of the east line of the SW ¼ of said Section 36, for a distance of 1,043.65' to the south line of the NW ¼ of said Section 36; thence N02°42'00"W, along a line parallel to and 35' west of the east line of the NW ¼ of said Section 36, for a distance of 342.57'; Thence S87°42'27"W, along a line parallel to the south line of the SW ¼ of said Section 36, for a distance of 531.73'; thence S64°04'00"W, for a distance of 500'; thence S36°51'30"W, for a distance of 999.71'; thence S30°59'00"W, for a distance of 500'; thence S50°09'00"W, for a distance of 500'; thence S64°03'56"W, for a distance of 797.07'; thence N84°31'00"W, for a distance of 500'; thence N71°31'00"W, for a distance of 500'; thence N56°31'00"W, for a distance of 500'; thence N40°37'56"W, for a distance of 1,498.83' to the Point of beginning. LESS THE FOLLOWING: Commence at the southeast corner of the SW ¼ of said Section 36; thence

N02°42'17"W, along the east line of the SW ¼ of said Section 36 (S.W.122nd Avenue), for a distance of 167'; thence S87°42'31"W, along a line 167' north of and parallel with the south line of the SW ¼ of said Section 36, for a distance of 35' to the Point of beginning; thence continue S87°42'31"W, for a distance of 1,045'; thence N02°42'17"W, parallel with the east line of said SW ¼ of Section 36, for a distance of 750'; thence N28°49'46"E, for a distance of 864.77'; thence N87°44'27"E, for a distance of 597.71' to the intersection with a line 35' west and parallel with the east line of the SW ¼ of said Section 36; thence S02°42'17"E, along said line 35' from and parallel with the east line of the SW ¼ of Section 36, for a distance of 1,490' to the Point of beginning.

LOCATION: 12400 S.W. 152 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 14 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 and to the recommendation of the Developmental Impact Committee, it is the opinion of this Board that the amendment to the existing Development Order (i.e. Resolution R-1207-75) noted herein as requested Item #1, does not, when considered individually, or in any combination or cumulatively pursuant to Section 380.06(19) Florida Statutes, constitute a substantial deviation requiring further development of regional impact review, and that the requested modification to the Program Summary of the Dade County Zoological Park and the South Dade Metropolitan Park as defined in the report of the South Florida Regional Planning Council approved pursuant to Resolution No. R-1207-75, passed and adopted by the Board of County Commissioners (Item #2), would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion to recommend to the Board of County Commissioners, a finding of no substantial deviation (Item #1) and approval of the requested modification to the Program Summary approved pursuant to Resolution No. R-1207-75 (Item #2), was offered by Wilbur B. Bell, seconded by Gary J. Dufek, and upon a poll of the members present, the vote was as follows:

Wilbur B. Bell	aye	Gary J. Dufek	aye
Dawn Lee Blakeslee	absent	Dr. Pat Wade	aye
		Curtis Lawrence	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 14, that the Board recommends to the Board of County Commissioners to find that the amendment to the existing Development Order (i.e. Resolution Z-1207-75) be approved, and that said amendment, does not, when considered individually, or in any combination or cumulatively pursuant to Section 380.06(19) Florida Statutes, constitute a substantial deviation requiring further development of regional impact review (Item #1).

BE IT FURTHER RESOLVED this Board recommends to the Board of County Commissioners that the requested modification to the Program Summary of the Dade County Zoological Park and the South Dade Metropolitan Park as defined in the report of the South Florida Regional Planning Council approved pursuant to Resolution No. R-1207-75, passed and adopted by the Board of County Commissioners (Item #2) be approved, subject to the following conditions:

1. That all the conditions of the "Program Summary of the Dade County Zoological Park" as defined in the report of the South Florida Regional Planning Council remain in full force and effect except as herein modified.
2. That all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental

memoranda which are attached and made part of the recommendation of this application be complied with except that the only conditions relating to the Florida Department of Transportation (FDOT) memoranda shall be those set forth in this section.

3. That the intersection expansion of SW 117 Avenue and SW 152 Street to create a free-flow southbound right turn lane and an additional shared southbound through/right turn lane as well as the completion of all other improvements to said intersection be completed prior to any development.
4. That a continuous right turn lane from the HEFT southbound exit ramp to SW 117<sup>th</sup> Avenue and tying this into the free-flow right turn lane for southbound to westbound traffic onto SW 152<sup>nd</sup> Street be completed prior to the issuance of the Certificate of Use for the proposed hotel.
5. That no commercial uses on the Gold Coast Railroad Museum property other than ancillary food services and theme related specialty retail establishments that support museum uses be permitted without approval or referendum, if required.
6. That all conditions contained in the 2007 Agreement in Principle (AIP) between the United States Department of the Army and Miami-Dade County be satisfied prior to development.
7. That no building permits for any proposed development be issued until all required deed modifications and other deed-related actions required by the National Park Service have been satisfied.
8. That the former Princeton Railroad Station car and the archeological building remnants of the Richmond Naval Air Station, be preserved in accordance with the order of the Miami-Dade County Office of Historic Preservation (OHP).
9. That pursuant to the recommendation of the Miami-Dade County Office of Historic Preservation, a cultural resource assessment be conducted by a professional consultant prior to any development for each of the following sites: the water park, the family entertainment area and the hotel.
10. That a new lift station and an additional private pump station be constructed on the subject property as required by the Department of Environmental Resources Management (DERM) and subject to DERM's approval.
11. That water conservation practices be incorporated in the design of the water theme park, the family entertainment, the hotel and the Gold Coast Museum facilities to the extent allowed by law. These practices shall include the reuse of water that is drained from the water park slides, pools and other facilities, consistent with state and local regulations, as well as other opportunities specific to the MetroZoo DRI site. Prior to design, the applicant shall meet with WASD to identify additional water use efficiency technology to achieve maximum water savings. Additionally, the water supply for the

water theme park pool shall be provided by WASD facilities and at the end of the season, the water from the pool be treated and discharged to the moat. Furthermore, the reclaimed water be used for all irrigation needs when available and feasible.

12. That energy efficient measures be incorporated in the design of the water theme park, the family entertainment center, the hotel and the Gold Coast Museum facilities that are consistent with the Florida Green Building Coalition, US Green Building Council Leadership in Energy and Environmental Design (LEED) standards, or other acceptable standards for county-owned facilities.
13. That Natural Forest Communities (NFC) and related pine rockland habitats be preserved and managed for conservation purposes, consistent with the preservation standards set forth in Section 24-49.2(l)(1) of the Code.
14. That NFC preservation areas be identified and established by recording a restrictive covenant prior to development that is substantially to the form introduced into the record.
15. That within preservation areas, only activities that do not disturb the substrate or native vegetation will be allowed, and all activities must be compatible with required management strategies including prescribed burns and/or herbicide application.
16. That any work, activity, or management plan within a designated NFC must be approved in writing by the Department of Environmental Resources Management prior to implementation.
17. December 31, 2021 is hereby established as the build out date and December 31, 2028 is hereby established as the expiration date for the Development Order.
18. That public transportation service be expanded based on need to include evening service to serve the Miami Metrozoo Entertainment Area and that that the demand for public transportation to serve the Miami Metrozoo Entertainment Area be reviewed on a yearly basis thereafter.

*BE IT FURTHER RESOLVED*, that the requested modification to the Program

Summary of the Dade County Zoological Park and the South Dade Metropolitan Park as defined in the report of the South Florida Regional Planning Council approved pursuant to Resolution No. R-1207-75, passed and adopted by the Board of County Commissioners, which this Board recommends for approval, read as follows:

**B. PROJECT SUMMARY:**

1. Land Use Characteristics –

MetroZoo and Miami Metrozoo Entertainment Area

MetroZoo	Acres	
Zoo Display Areas and Zoo Buildings	242	
Public Facilities (Utilities, roads, parking)	0	
Zoo Facilities (walkways, service roads)	50.6	
Open Space		
Parks	5.8	
Lakes	21.5	
Moats	20	
Landscaping	282.4	
Total MetroZoo	622.3	Acres

Miami Metrozoo Entertainment Area and Gold Coast

Railroad Museum

Water Park (2,500 visitors per day)	23	
Family Entertainment Center (75,000 sq. ft.)	20	
Hotel (150,000 sq. ft., 200 rooms)	15	
Entrance	7.3	
Public Facilities (Utilities, roads, parking)	57.1	
Total Miami Metrozoo Entertainment Area	125	Acres

TOTAL MetroZoo and Miami Metrozoo Entertainment  
Area

747.3    Acres

Metropolitan Park

Park Public Facilities (sidewalks, roads, parking, tennis courts, bike paths, paths, etc.)	25	
Marinas/Restaurants & Other Buildings	3	
Open Space (includes campgrounds, observation hill and landscaped areas)	356	
Lake	22	
TOTAL Metropolitan Park	406	Acres

Land Use — Gold Coast Railroad Museum

Museum Facilities and Open Space (in Miami Metrozoo Entertainment Area) (50,000 sq.ft. museum, 20,000 sq. ft. ancillary, theme-related retail, 30,000 sq. ft. of ancillary food service space)	45	
Open Space and Transportation Facilities (outside Miami Metrozoo Entertainment Area)	<u>5</u>	
TOTAL Gold Coast Railroad Museum	50	Acres
TOTAL DEVELOPMENT	1,203.3	Acres

5. Recreation facility Data

Number of Parking Spaces:

Zoo:	3,565	Park:	655
Water theme park:	500		
Family Entertainment Center:	275		
Hotel:	275		
Gold Coast Railroad Museum:	385		
Total:			5,000.

AND THE FOLLOWING:

December 31, 2021 is hereby established as the build-out date for this project and is the date until which the local government of jurisdiction agrees that the MetroZoo and Miami Metrozoo Entertainment Area, Metropolitan Park and Gold Coast Railroad Museum shall not be subject to downzoning, a unit density reduction, or an intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes in the conditions underlying the approval of the DRI Development Order have occurred or that the DRI Development Order was based on substantially inaccurate information provided by the Applicant, or unless the Board of County Commissioners has clearly established that the change is essential to the public health, safety, or welfare."

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

*PASSED AND ADOPTED* this 17<sup>th</sup> day of June, 2008.

Hearing No. 08-6-CZ14-1

Is

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 23<sup>RD</sup> DAY OF JUNE, 2008.**

**STATE OF FLORIDA**

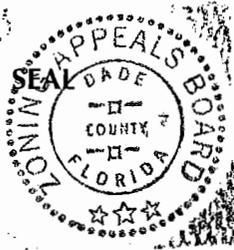
**COUNTY OF MIAMI-DADE**

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 14, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB14-20-08 adopted by said Community Zoning Appeals Board at its meeting held on the 17<sup>th</sup> day of June 2008.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 23<sup>rd</sup> day of June 2008.



\_\_\_\_\_  
Luis Salvat, Deputy Clerk (2678)  
Miami-Dade County Department of Planning and Zoning



**DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO THE DEVELOPMENTAL IMPACT COMMITTEE**

**APPLICANT:** Miami-Dade County Park & Recreation  
Department

**PH:** Z07-186

**SECTION:** 25/26/35/36-55-39

**DIC DATE:** March 28, 2008

**COMMISSION DISTRICT:** 9

=====

**A. INTRODUCTION**

o **REQUESTS:**

- (1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION TO A DEVELOPMENT OF REGIONAL IMPACT (DRI) pursuant to Section 380.06(19) of the Florida Statutes with respect to the following amendment:
- (2) MODIFICATION of the Program Summary of the Dade County Zoological Park and the South Dade Metropolitan Park as defined in the report of the South Florida Regional Planning Council approved pursuant to Resolution No. R-1207-75, passed and adopted by the Board of County Commissioners, reading as follows:

FROM:

**"B. PROJECT SUMMARY:**

1. Land Use Characteristics –

<u>Land Use — Zoo</u>	<u>Acres</u>	<u>Percent</u>
Zoo Display Areas and Zoo Buildings	242	32.7
Public Facilities (Utilities, roads, parking)	115.1	15.6
Zoo Facilities (walkways, service roads)	50.6	6.8
Open Space		44.9
Parks	5.8	
Lakes	21.5	
Moats	20	
Landscaping	<u>285</u>	
TOTAL Zoo	740	100.0

<u>Land Use - Metropolitan Park</u>		
Park Public Facilities (sidewalks, roads, parking, tennis, bike paths, paths, etc.)	25	9.3
Marinas/Restaurants & Other Buildings	3	1.1
Open Space (includes campgrounds, observation hill and landscaped areas)	220	81.5
Lake	22	8.1
TOTAL Park	270	100.0
TOTAL DEVELOPMENT	1,010	

TO:

"B. PROJECT SUMMARY:

1. Land Use Characteristics –

**Metrozoo and Miami Metro Zoo Entertainment Area**

<u>Metrozoo</u>	<u>Acres</u>	<u>Percent</u>
Zoo Display Areas and Zoo Buildings	242	32.7
Public Facilities (Utilities, roads, parking)	115.1	15.6
Zoo Facilities (walkways, service roads)	50.6	6.8
Open Space		44.9
Parks	5.8	
Lakes	21.5	
Moats	20	
Landscaping	285	<u>282.4</u>
Total: Metrozoo	740	<u>622.3</u> 100

**Miami Metro Zoo Entertainment Area and Gold Coast Railroad Museum**

<u>Water Park</u>		<u>23</u>
<u>Family Entertainment Center</u>		<u>20</u>
<u>Hotel (up to 200 rooms)</u>		<u>15</u>
<u>Entrance</u>		<u>7.3</u>
<u>Public Facilities</u> (Utilities, roads, parking)		<u>57.1</u>
<u>Gold Coast Museum buildings, facilities and ancillary theme-related retail, food service and open space</u>		<u>45</u>
<u>Open Space (Landscaping)</u>		<u>2.6</u>

Total: Miami Metrozoo, Miami Metrozoo Entertainment Area and Gold Coast Railroad Museum **170**

**TOTAL: Metrozoo, Miami Metro Zoo Entertainment Area and Gold Coast Museum** **792.3**

**Metropolitan Park**

Park Public Facilities (sidewalks, roads, parking, tennis, bike paths, paths, etc.)		25	9.3
Marinas/Restaurants & other Buildings		3	1.1
Open Space (includes campgrounds, observation hill and landscaped areas)	220	<u>356</u>	81.5
Lake		22	8.1
<b>TOTAL Metropolitan Park</b>	<b>-270</b>	<b><u>406</u></b>	<b>100</b>

**Gold Coast Railroad Museum**

Open Space and Transportation Facilities 5

**TOTAL Gold Coast Railroad Museum** **5**

**TOTAL DEVELOPMENT** **1,203.3**

FROM :

5. **Recreation Facility Data**

Number of Parking Spaces:

Zoo:	5,000	Park:	655
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TO:

5. **Recreation Facility Data**

Number of Parking Spaces:

Zoo:	-5000	<b><u>3,565</u></b>	Park:	655
<b><u>Water theme park:</u></b>		<b><u>500</u></b>		
<b><u>Family Entertainment Center:</u></b>		<b><u>275</u></b>		
<b><u>Hotel:</u></b>		<b><u>275</u></b>		
<b><u>Gold Coast Railroad Museum:</u></b>		<b><u>385</u></b>		
<b><u>Total:</u></b>		<b><u>5,000</u></b>		

AND TO ADD THE FOLLOWING:

December 31, 2021 is hereby established as the build-out date for this project and is the date until which the local government of jurisdiction agrees that **the Metrozoo and Miami Metro Zoo Entertainment Area, Metropolitan Park and Gold Coast Railroad Museum** shall not be subject to downzoning, a unit density reduction, or an intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes in the conditions underlying the approval of the DRI Development Order have occurred or that the DRI Development Order was based on substantially inaccurate information provided by the Applicant, or unless the Board of County Commissioners has clearly established that the change is essential to the public health, safety, or welfare. December 31, 2028 is hereby established as the expiration date for the Development Order.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under Section 33-311(A)(7) (Generalized Modification Standards) or Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

o **SUMMARY OF REQUESTS:**

The applicant is seeking a substantial deviation determination pursuant to Section 380.06(19) of the Florida Statutes along with an accompanying request for a modification of the Program Summary for the Dade County Zoological Park and the South Dade Metropolitan Park Development of Regional Impact (DRI), also known as the Miami Metrozoo and Larry and Penny Thompson Park DRI, as defined in the report of the South Florida Regional Planning Council approved pursuant to Resolution No. R-1207-75.

- o **LOCATION:** 12400 S. W. 152 Street, Miami-Dade County, Florida.
- o **SIZE:** 1,203.3 acres
- o **IMPACT:** This application will expand the amenities currently available on the Miami-Metrozoo site, could generate jobs for low- and moderate-income Miami-Dade County residents and generate millions of dollars for the local and regional economy. However, the application could also impact the traffic in the surrounding area and thereby cause increased congestion and noise. Additionally, the application could have an impact on environmentally sensitive land that surrounds the subject property and have an impact on the water supply.

**B. ZONING HEARINGS HISTORY:**

The Miami-Dade County Zoological Park and South Dade Metropolitan Park (aka Miami Metrozoo and Larry and Penny Thompson Park) DRI was approved in 1975, pursuant to Resolution No. R-1207-75. In 1975, pursuant to Resolution No. R-1206-75, the Board of County Commissioners approved the General Masterplan and authorized construction of a new zoological park. In 1975, the Board of County Commissioners (BCC), pursuant to Resolution No. R-1208-75, approved the General Master Plan for the South Dade Metropolitan Park. In 1984, pursuant to Resolution No. R-771-84, the BCC approved the construction and operation of a water theme park and in 1986, pursuant to Resolution No. Z-169-86, the BCC approved an Unusual Use to permit a lake excavation. In 1987, Resolution No. R-771-84 was rescinded pursuant to Resolution No. R-81-87 by the BCC. In November 2006, a special countywide referendum on further development at the Metrozoo property on land that is not environmentally sensitive was approved by the voters, thereby authorizing the County to contract for, develop, and operate an entertainment district with certain commercial uses and structures at the Miami Metrozoo property.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) CURRENT LANGUAGE:**

1. The adopted 2015 and 2025 Land Use Plan currently designates the subject property as being within the Urban Development Boundary for **Parks and Recreation** use. The Land Use Plan map specifically illustrates parks and recreation areas of metropolitan significance, including State parks and the Biscayne and Everglades National Parks. Also illustrated are golf courses and other parks of approximately 40 acres and larger which are significant community features. Most neighborhood local parks smaller than 40 acres in size are not specifically shown on the Plan map; however, this omission should not be interpreted as meaning that these parks will be taken out of public use. Compatible parks are encouraged in all of the residential categories and may be allowed in all other categories of the LUP map. The siting and use of future parks and recreation areas shall be guided by the Park and Open Space, and Capital Improvement Elements, and by the goals, objectives and policies of the CDMP. Both governmentally and privately owned lands are included in areas designated for Parks and Recreation use. Most of the designated privately owned land either possesses outstanding environmental qualities and unique potential for public recreation, or is a golf course included within a large scale development. Unless otherwise restricted, the privately owned land designated as Parks and Recreation may be developed for a use or a density comparable to, and compatible with, surrounding development

providing that such development is consistent with the goals, objectives and policies of the CDMP. Except as consistent with the provisions below, however, this allowance does not apply to land designated Parks and Recreation that was set aside for park recreation or open space use as a part of, or as a basis for approving the density or other aspect of, a residential development or other is otherwise subject to a restrictive covenant accepted by a public entity.

Certain commercial activities that support the recreational uses and relate to the resources of the park, such as marine supply stores, fuel docks or tennis and golf clubhouses may be considered for approval in the Parks and Recreation category. Other commercial recreational, entertainment or cultural uses may also be considered for approval in the Parks and Recreation category if authorized in accordance with Article 6 of the Miami-Dade Charter, as amended, and if they are related to, and would increase the quality, utility or enjoyment of the site and its natural, historical, and archaeological resources and facilities.

- Miami-Dade County's minimum level of service standard for the provision of recreational open space shall be the following: 1) 2.75 acres of local recreation space per 1000 permanent residents in unincorporated areas; ii) A County-provided, or an annexed or incorporated, local recreation open space of 5 acres or larger must exist within a 3 mile distance from the residential development; iii) The acreage/population measure of the Level of Service Standard will be calculated for each Park Benefit District (PBD); iv) For purposes of issuing residential development orders, the minimum LOS standard does not apply to rural and agricultural residences outside the Urban Development Boundary (UDB), and ; v.) For purposes of issuing development orders, a PBD is considered below standard if the projected deficiency is greater than five acres. This does not relieve applicants for development orders of applicable requirements for contributions of impact fees.
2. **Policy LU-1J.** Miami-Dade County will maintain its commitment to improve Community Development Block Grant (CDBG)-eligible areas, enhance the County's Enterprise Zone and participate in the Empowerment Zone program as tools to expand the economy in locally distressed areas.
  3. **Policy LU-5B.** All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.
  4. **Policy LU-6A.** Miami-Dade County shall continue to identify, seek appropriate designation and protect properties of historic, architectural and archaeological significance.
  5. **Policy LU-8E.** Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
  - ii) Enhance or impede provision of services at or above adopted LOS Standards;
  - iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods; and
  - iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
  - v) If located in a planned Urban Center, or with ¼ mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7 herein.
6. **Policy HO-6B.** Continue to use incentives, such as the Federal Empowerment Zone and State Enterprise Zone designations, Brownsfields, the Urban Job Tax Credit Program, and Community Redevelopment areas, to attract industries to locate in or near infrastructure-ready infill sites in very low, low and moderate income residential areas and to employ residents of these areas.
7. **Policy CON-9A.** All activities that adversely affect habitat that is critical to federal or State designated, endangered or threatened species shall be prohibited unless such activity(ies) are a public necessity and there are no possible alternative sites where the activity(ies) can occur.
8. **Objective ICE-7.** Encourage the achievement of a coordinated strategy for regional economic development that addresses opportunities and threats and promotes assets in South Florida for sports and entertainment, international business, tourism and other economic development activities.
9. **Objective CIE-3.** CDMP land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels.
10. **Policy CIE-3A.** The capital facilities and infrastructure implications of land use and development plans and implementation will be analyzed and set forth with attention to the following:
1. Safety improvements and elimination of hazard.
  2. Providing the necessary capacity to maintain and/or improve levels of service and quality of life in areas designated for redevelopment, infill development, and/or higher residential densities in accordance with transit oriented development plans, smart growth initiatives, and other strategies to accommodate population growth in existing communities.
  3. Elimination of below-standard conditions and capacity deficits,
  4. Demonstrated linkage between projected growth and facility service area,
  5. Financial feasibility, including operating costs

6. Coordination with the capital programming of other public agencies,
  7. Contractual and/or mandated obligations.
- 
11. **Policy CIE-3B.** Service and facility impacts of new development must be identified and quantified so that sufficient public facilities will be planned and programmed to be available when needed. All development orders authorizing new, or significant expansion of existing urban land uses, shall be contingent upon the provision of services at levels, which meet or exceed the adopted LOS standards except as otherwise provided in the "Concurrency Management Program" section of the CIE.
  12. **Objective TC-1.** It is desirable that all roadways in Miami-Dade County operate at level of service (LOS) C or better. By the year 2010 no roadway in Miami-Dade County should operate at a level of service lower than the base level of service standard contained herein.
  13. **Policy TC-1B.** The minimum acceptable peak period\* operating level of service for all State and County roads in Miami-Dade County outside the Urban Development Boundary (UDB) identified in the Land Use Element shall be LOS D on State minor arterials and LOS C on all other State roads and on all County roads. The minimum acceptable peak-period LOS for all State and County roads inside the UDB shall be the following:
    - 2) Notwithstanding the foregoing, as required in §163.3180 (10), F.S, the following standards established by rule by the Florida Department of Transportation (FDOT), are adopted by Miami-Dade County as its minimum LOS standards for Florida Intrastate Highway System (FIHS) roadways in Miami-Dade County:
      - (b) Inside the UDB
        1. Limited access State highways shall operate at LOS D or better, except where exclusive through lanes exist, roadways may operate at LOS E.
        7. Controlled access State highways shall operate at LOS D or better, except where such roadways are parallel to exclusive transit facilities or are located inside designated transportation concurrency management areas (TCMA's), roadways may operate at LOS E.
        8. Constrained or backlogged limited and controlled access State highways operating below the foregoing minimums must be managed to not cause significant deterioration.
  14. **Policy TC-1D.** Issuance of all development orders for new development or significant expansions of existing development shall be contingent upon compliance with the Level of Service standards contained in Policy TC-1B, except as otherwise provided in the "Concurrency Management Program" section on the Capital Improvement Element.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) PROPOSED LANGUAGE:**

The present designation for the subject property is **Parks and Recreation** which does not allow for the proposed uses. This DRI application is being considered concurrently with the

Comprehensive Development Master Plan (CDMP) Amendment to adopt a new land use category to the CDMP identified as the **Miami Metro Zoo Entertainment Area**. The below amendment is being proposed to allow the new uses. The proposed new language is as follows:

**Miami Metro Zoo Entertainment Area**

*This category is for tourist attractions and ancillary uses that are adjacent to the zoological park and that are themed to establish a unified Miami Metrozoo Entertainment Area. Primary uses in the Miami Metrozoo Entertainment Area may include one or more of the following: attractions and recreation facilities (such as water park rides and attractions, family entertainment center, museums, and parks and open space) and hotels or other lodging. Certain other related and support activities such as theme-related retail concessions, food and beverage establishments, administrative offices, and passenger transportation facilities that are supportive of the primary uses may also be considered for approval in the Miami Metrozoo Entertainment Area category. The allowable primary uses shall be distributed as follows:*

<u>Miami Metrozoo Entertainment Area</u>	<u>Percent</u>
Attractions and Recreation	60-99
Hotels and other lodging	1- 40

*The allowable primary uses shall be distributed as follows:*

*The development of the Miami Metro Zoo Entertainment Area shall include the following:*

- *Water Theme Park (23 acres) with 500 parking spaces*
- *Family Entertainment Center (20 acres) with 275 parking spaces*
- *Gold Coast Railroad Museum (45 acres) with museum structures, transit railroad with stops throughout the Miami Metro Zoo Entertainment Area and the Miami Metrozoo, 30,000 sq. ft. of restaurant space ancillary to the Museum, and 385 parking spaces*
- *Hotel (15 acres) with 200 rooms and 275 parking spaces*

*The specific range and intensity of uses appropriate in the Miami Metrozoo Entertainment Area may vary by location as a function of the availability of and ease of access to public services and facilities, and compatibility with neighboring development. The areas within the Miami Metro Zoo Entertainment Area designated for the water theme park and the Gold Coast Railroad Museum shall have a maximum allowable floor area ratio (F.A.R.) of .30 and the areas designated for the family entertainment center and the hotel shall have a maximum F.A.R. of .40. The F.A.R. shall apply only to developable areas (building structures) and shall not apply to parking facilities, landscaped areas, environmentally protected lands, and other non-buildable common areas. Through the zoning review process, the use of particular sites or areas may be limited to something less than the maximum allowed in these categories. Moreover, special limitations may be imposed where necessary to protect environmental resources or to ensure compatibility with adjacent sites. Notwithstanding the foregoing, the use of the Gold Coast Railroad Museum property shall be limited to Parks and Recreation uses, museums, and ancillary food service and related retail establishments that support museum uses, as authorized pursuant to the approved General Plan and Program of Utilization (R-493-85) and Article 7 of the Home Rule Amendment and Charter, Miami-Dade County, Florida as amended through January 29, 2008.*

*The **Miami Metro Zoo Entertainment Area** shall be developed in a manner that: is consistent with the adopted goals, objectives, and policies of this plan and with all applicable environmental regulations; preserves Natural Forest Communities (NFC) and other environmentally sensitive areas that are at or adjacent to the site; enhances the quality, utility, or enjoyment of the site and its recreational, entertainment, natural, historical, or archaeological resources; and promotes a pedestrian-oriented environment and provides safe and easy transportation between the primary uses.*

**D. NEIGHBORHOOD CHARACTERISTICS:**

**ZONING**

**LAND USE PLAN DESIGNATION**

**Subject Property:**

AU and GU; Metrozoo, Gold Coast Museum  
 Larry and Penny Thompson Park

Parks and Recreation, concurrently proposed  
 for Miami Metro Zoo Entertainment Area

**Surrounding Properties:**

**NORTH:** AU and RU3M; University of Miami  
 and Coast Guard facility

Institutions, Utilities and Communications  
 Low-Medium Density

**SOUTH:** EU-M, AU and RU-1; single family  
 residences

Estate Density and Low Density Residential

**EAST:** AU and RU-1; Coast Guard Station and  
 single family residences

Low Density Residential and Institutions  
 Utilities, and Communications

**WEST:** RU-1Z, RU-1M(a), RU-3M, AU; vacant  
 land, federal prison, single family  
 residences

Institutions Utilities and Communications  
 Industrial and Office and Low Density

The 1,203.3-acre subject property is located at 12400 S.W. 152 Street, Miami-Dade County, Florida. It is the site of the existing Miami Metrozoo, the Gold Coast Museum and the Larry and Penny Thompson Park. The site is bounded by S.W. 152 Street (Coral Reef Drive) to the north, single-family residences and theoretical SW 184 Street to the south, theoretical S.W. 122 Avenue to the east, and the CSX Railroad and theoretical S.W. 137 Avenue (Lindgren Road) to the west. SW 117 Avenue lies approximately ¾ mile to the east.

**E. PERTINENT REQUIREMENTS/STANDARDS:**

**Florida Statutes §380.06(19) Developments of Regional Impact-Substantial Deviation**

The term “development of regional impact,” as used in this section, means any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

- (a) Any proposed change to a previously approved development which creates a reasonable likelihood of additional regional impact, or any type of regional impact created by the change not previously reviewed by the regional planning agency, shall constitute a substantial deviation and shall cause the proposed change to be subject to further development-of-regional-impact review. There are a variety of reasons why a developer may wish to propose changes to an approved development of regional impact, including changed market conditions. The procedures set forth in this subsection are for that purpose.
- (b) Any proposed change to a previously approved development of regional impact or development order condition which, either individually or cumulatively with other changes, exceeds any of the following criteria shall constitute a substantial deviation and shall cause the development to be subject to further development-of-regional-impact review without the necessity for a finding of same by the local government:
1. An increase in the number of parking spaces at an attraction or recreational facility by 10 percent or 330 spaces, whichever is greater, or an increase in the number of spectators that may be accommodated at such a facility by 10 percent or 1,100 spectators, whichever is greater.
  5. An increase in land area for office development by 10 percent or an increase of gross floor area of office development by 10 percent or 66,000 gross square feet, whichever is greater.
  8. An increase in commercial development by 55,000 square feet of gross floor area or of parking spaces provided for customers for 330 cars or a 10-percent increase of either of these, whichever is greater.
  9. An increase in hotel or motel rooms by 10 percent or 83 rooms, whichever is greater.
  10. An increase in a recreational vehicle park area by 10 percent or 110 vehicle spaces, whichever is less.
  11. A decrease in the area set aside for open space of 5 percent or 20 acres, whichever is less.
  12. A proposed increase to an approved multiuse development of regional impact where the sum of the increases of each land use as a percentage of the applicable substantial deviation criteria is equal to or exceeds 110 percent. The percentage of any decrease in the amount of open space shall be treated as an increase for purposes of determining when 110 percent has been reached or exceeded.
  13. A 15-percent increase in the number of external vehicle trips generated by the development above that which was projected during the original development-of-regional-impact review.

14. Any change which would result in development of any area which was specifically set aside in the application for development approval or in the development order for preservation or special protection of endangered or threatened plants or animals designated as endangered, threatened, or species of special concern and their habitat, any species protected by 16 U.S.C. ss. 668a-668d, primary dunes, or archaeological and historical sites designated as significant by the Division of Historical Resources of the Department of State. The refinement of the boundaries and configuration of such areas shall be considered under sub-subparagraph (e)2.j.

The substantial deviation numerical standards in subparagraphs 3., 5., 8., 9., and 12., excluding residential uses, and in subparagraph 13., are increased by 100 percent for a project certified under s. 403.973 which creates jobs and meets criteria established by the Office of Tourism, Trade, and Economic Development as to its impact on an area's economy, employment, and prevailing wage and skill levels. The substantial deviation numerical standards in subparagraphs 3., 5., 6., 7., 8., 9., 12., and 13. are increased by 50 percent for a project located wholly within an urban infill and redevelopment area designated on the applicable adopted local comprehensive plan future land use map and not located within the coastal high hazard area.

- (e) 1. Except for a development order rendered pursuant to subsection (22) or subsection (25), a proposed change to a development order that individually or cumulatively with any previous change is less than any numerical criterion contained in subparagraphs (b)1.-13. and does not exceed any other criterion, or that involves an extension of the buildout date of a development, or any phase thereof, of less than 5 years is not subject to the public hearing requirements of subparagraph (f)3., and is not subject to a determination pursuant to subparagraph (f)5. Notice of the proposed change shall be made to the regional planning council and the state land planning agency. Such notice shall include a description of previous individual changes made to the development, including changes previously approved by the local government, and shall include appropriate amendments to the development order.
2. The following changes, individually or cumulatively with any previous changes, are not substantial deviations:
  - a. Changes in the name of the project, developer, owner, or monitoring official.
  - b. Changes to a setback that do not affect noise buffers, environmental protection or mitigation areas, or archaeological or historical resources.
  - c. Changes to minimum lot sizes.
  - d. Changes in the configuration of internal roads that do not affect external access points.
  - e. Changes to the building design or orientation that stay approximately within the approved area designated for such building and parking lot, and which do not affect

historical buildings designated as significant by the Division of Historical Resources of the Department of State.

- f. Changes to increase the acreage in the development, provided that no development is proposed on the acreage to be added.
- g. Changes to eliminate an approved land use, provided that there are no additional regional impacts.
- h. Changes required to conform to permits approved by any federal, state, or regional permitting agency, provided that these changes do not create additional regional impacts.
- i. Any renovation or redevelopment of development within a previously approved development of regional impact which does not change land use or increase density or intensity of use.
- j. Changes that modify boundaries and configuration of areas described in subparagraph (b)14. due to science-based refinement of such areas by survey, by habitat evaluation, by other recognized assessment methodology, or by an environmental assessment. In order for changes to qualify under this sub-subparagraph, the survey, habitat evaluation, or assessment must occur prior to the time a conservation easement protecting such lands is recorded and must not result in any net decrease in the total acreage of the lands specifically set aside for permanent preservation in the final development order.
- k. Any other change which the state land planning agency, in consultation with the regional planning council, agrees in writing is similar in nature, impact, or character to the changes enumerated in sub-subparagraphs a.-j. and which does not create the likelihood of any additional regional impact.

This subsection does not require the filing of a notice of proposed change but shall require an application to the local government to amend the development order in accordance with the local government's procedures for amendment of a development order. In accordance with the local government's procedures, including requirements for notice to the applicant and the public, the local government shall either deny the application for amendment or adopt an amendment to the development order which approves the application with or without conditions. Following adoption, the local government shall render to the state land planning agency the amendment to the development order. The state land planning agency may appeal, pursuant to s. 380.07(3), the amendment to the development order if the amendment involves sub-subparagraph g., sub-subparagraph h., sub-subparagraph j., or sub-subparagraph k. and it believes the change creates a reasonable likelihood of new or additional regional impacts.

- 3. Except for the change authorized by sub-subparagraph 2.f., any addition of land not previously reviewed or any change not specified in paragraph (b) or paragraph (c) shall

be presumed to create a substantial deviation. This presumption may be rebutted by clear and convincing evidence.

4. Any submittal of a proposed change to a previously approved development shall include a description of individual changes previously made to the development, including changes previously approved by the local government. The local government shall consider the previous and current proposed changes in deciding whether such changes cumulatively constitute a substantial deviation requiring further development-of-regional-impact review.
  5. The following changes to an approved development of regional impact shall be presumed to create a substantial deviation. Such presumption may be rebutted by clear and convincing evidence.
    - a. A change proposed for 15 percent or more of the acreage to a land use not previously approved in the development order. Changes of less than 15 percent shall be presumed not to create a substantial deviation.
    - b. Notwithstanding any provision of paragraph (b) to the contrary, a proposed change consisting of simultaneous increases and decreases of at least two of the uses within an authorized multiuse development of regional impact which was originally approved with three or more uses specified in s. 380.065(3)(c), (d), (e), and (f) and residential use.
- (f) 1. The state land planning agency shall establish by rule standard forms for submittal of proposed changes to a previously approved development of regional impact which may require further development-of-regional-impact review. At a minimum, the standard form shall require the developer to provide the precise language that the developer proposes to delete or add as an amendment to the development order.
2. The developer shall submit, simultaneously, to the local government, the regional planning agency, and the state land planning agency the request for approval of a proposed change.
  3. No sooner than 30 days but no later than 45 days after submittal by the developer to the local government, the state land planning agency, and the appropriate regional planning agency, the local government shall give 15 days' notice and schedule a public hearing to consider the change that the developer asserts does not create a substantial deviation. This public hearing shall be held within 60 days after submittal of the proposed changes, unless that time is extended by the developer.
  4. The appropriate regional planning agency or the state land planning agency shall review the proposed change and, no later than 45 days after submittal by the developer of the proposed change, unless that time is extended by the developer, and prior to the public hearing at which the proposed change is to be considered, shall advise the local government in writing whether it objects to the proposed change, shall specify the reasons for its objection, if any, and shall provide a copy to the developer.

5. At the public hearing, the local government shall determine whether the proposed change requires further development-of-regional-impact review. The provisions of paragraphs (a) and (e), the thresholds set forth in paragraph (b), and the presumptions set forth in paragraphs (c) and (d) and subparagraph (e)3. shall be applicable in determining whether further development-of-regional-impact review is required.
  6. If the local government determines that the proposed change does not require further development-of-regional-impact review and is otherwise approved, or if the proposed change is not subject to a hearing and determination pursuant to subparagraphs 3. and 5. and is otherwise approved, the local government shall issue an amendment to the development order incorporating the approved change and conditions of approval relating to the change. The requirement that a change be otherwise approved shall not be construed to require additional local review or approval if the change is allowed by applicable local ordinances without further local review or approval. The decision of the local government to approve, with or without conditions, or to deny the proposed change that the developer asserts does not require further review shall be subject to the appeal provisions of s. 380.07. However, the state land planning agency may not appeal the local government decision if it did not comply with subparagraph 4. The state land planning agency may not appeal a change to a development order made pursuant to subparagraph (e)1. or subparagraph (e)2. for developments of regional impact approved after January 1, 1980, unless the change would result in a significant impact to a regionally significant archaeological, historical, or natural resource not previously identified in the original development-of-regional-impact review.
- (g) If a proposed change requires further development-of-regional-impact review pursuant to this section, the review shall be conducted subject to the following additional conditions:
1. The development-of-regional-impact review conducted by the appropriate regional planning agency shall address only those issues raised by the proposed change except as provided in subparagraph 2.
  2. The regional planning agency shall consider, and the local government shall determine whether to approve, approve with conditions, or deny the proposed change as it relates to the entire development. If the local government determines that the proposed change, as it relates to the entire development, is unacceptable, the local government shall deny the change.
  3. If the local government determines that the proposed change should be approved, any new conditions in the amendment to the development order issued by the local government shall address only those issues raised by the proposed change and require mitigation only for the individual and cumulative impacts of the proposed change.
    4. Development within the previously approved development of regional impact may continue, as approved, during the development-of-regional-impact review in those portions of the development which are not directly affected by the proposed change.

## **Miami-Dade County Home Rule Charter Article 7**

### **Section 7.01**

#### **Policy.**

Parks, aquatic preserves, and land acquired by the County for preservation shall be held in trust for the education, pleasure, and recreation of the public and they shall be used and maintained in a manner which will leave them unimpaired for the enjoyment of future generations as a part of the public's irreplaceable heritage. They shall be protected from commercial development and exploitation and their natural landscape, flora and fauna, and scenic beauties shall be preserved. In lands acquired by the County for preservation and in parks along the Ocean or the Bay the public's access to and view of the water shall not be obstructed or impaired by buildings or other structures or concessions which are in excess of 1500 square feet each. Adequate maintenance shall be provided.

### **Section 7.02**

#### **Restrictions and Exceptions.**

In furtherance of this policy parks shall be used for public park purposes only, and subject to the limited exceptions set forth in this Article, there shall be no permanent structures or private commercial advertising erected in a public park or private commercial use of a public or renewals, expansion, extensions of existing leases, licenses, or concessions to private parties of public park property, unless each such structure, lease, license, renewal, expansion, extension, concession or use shall be approved by a majority vote of the voters in a County-wide referendum. Nothing in this Article shall prevent any contract with federally tax-exempt not-for-profit youth, adult, and senior cultural, conservation and parks and recreation program providers. To ensure aquatic preserves, lands acquired by the County for preservation, and public parks or parts thereof which are nature preserves, beaches, natural forest areas, historic or archeological areas, or otherwise possess unique natural values in their present state, such as Matheson Hammock, Greynolds Park, Redlands Fruit and Spice Park, Castellow Hammock, Crandon Park, Trail Glades Park, Deering Estate Park, Pine Shore Park, Old Cutler Hammock, Chapman Field, Tamiami Pinelands, Wainright Park, Larry and Penny Thompson Paark, Whispering Pines Hammock, Mangrove Preserves, Owaissa Bauer Park, Fuchs Hammock, Black Point Marina, Simpson Park, Sewell Park, Barnes Park, Virginia Key, mangroves preserves, and all other natural or historical resource based parks do not lose their natural or historical values, any structure, lease, license, renewal, extension, concession or use in any of this class of public parks or in aquatic preserves and preservation lands must be approved by an affirmative vote for two-thirds of the voters in a County-wide referendum. No park shall be designed to used beyond its appropriate carrying capacity and to the extent required by law all parks and facilities and permitted special events and concessions operating in the parks shall be fully accessible to persons with disabilities. Nothing in this Article shall prevent the maintenance of existing facilities, the maintenance operation, and renovation of existing golf course and marina restaurants at their existing square footage by government agencies or private operators, provided such private operators are chosen as a result of competitive selection and their initial contract terms are limited to no more than ten years, or the construction, operation, maintenance, and repair by government agencies or private operators of or issuance of temporary permits for:

- A. Appropriate access roads, bridges, fences, lighting, flag poles, entrance features, picnic shelters, tables, grills, benches, irrigation systems, walls,

erosion control devices, utilities, trash removal, parking and security and fire facilities for the primary use of the park system;

- B. Food and concession facilities each not in excess of 1500 square feet of enclosed space, with any complementary outdoor or covered areas needed to service park patrons;
- C. User-participation non-spectator recreation and, playground facilities, golf courses and golf-course related facilities, and bandstands and bandshells containing less than 1,000 spectator seats and athletic facilities, sports fields and arenas containing less than 3,000 spectator seats;
- D. Facilities for marinas, sightseeing and fishing boats, visiting military vessels, and fishing;
- E. Park signage and appropriate plaques and monuments;
- F. Rest rooms;
- G. Fountains, gardens, and works of art;
- H. Park service facilities, senior, day care and pre-school facilities, small nature centers with not more than one classroom;
- I. Film permits, temporary fairs, art exhibits, performing arts, concerts, cultural and historic exhibitions, regattas, athletic contests and tournaments, one of which require the erection of permanent structures;
- J. Advertising in connection with sponsorship of events or facilities in the park, provided however all such facilities and uses are compatible with the particular park and are scheduled so that such events do not unreasonably impair the public use of the park or damage the park.
- K. Programming partnerships with qualified federally tax exempt not-for-profit youth, adult, and senior cultural, conservation, and parks and recreation program providers;
- L. Agreements with cable, internet, telephone, electric or similar service providers or utilities, so long as any installations are underground or do not adversely impact natural resources, or parks facilities and uses.

No park facilities, golf courses, or County lands acquired for preservation shall be converted to or used for non-park offices, purposes, or uses. The County, the municipalities, and agencies or groups receiving any public funding shall not expend any public money or provide any publicly funded services in kind to any project which does not comply with the Article. No building permit or certificate of occupancy shall be issued for any structure in violation of this Article. The restrictions applying to parks in this Article shall not apply to the Dade County Youth Fair site, Metro Zoo, Tamiami Stadium, Haulover Fishing Pier, the Dade County

Auditorium, the Museum of Science, the Gold Coast Railroad Museum, Vizcaya Museum and Gardens, Trail Glade Range, the Orange Bowl, the Commodore Ralph Munroe Marine Stadium, the Seaquarium, Curtis Park track and stadium, Fairchild Tropical Gardens, and mini and neighborhood parks except that no mini or neighborhood park may be leased or disposed of unless a majority of the residents residing in voting precincts any part of which is within 1 mile of the park authorize such sale or lease by majority vote in an election.

### **Section 7.03**

#### **Enforcement and Construction.**

All elections required by this Article shall be held either in conjunction with state primary or general elections or as part of bond issue elections. The provisions of this Article may be enforced in the same manner as provided in Section ( C ) of the Citizens' Bill of Rights of this Charter. The provisions of this Article shall be liberally construed in favor of the preservation of all park lands, aquatic preserves, and preservation lands. If any provision of this Article shall be declared invalid it shall not affect the validity of the remaining provisions of this Article. This Article shall not be construed to illegally impair any previously existing valid written contractual commitments or bids or bonded indebtedness.

### **Section 7.04**

#### **Jurisdiction.**

Except as otherwise provided herein the provisions of this Article shall apply to all County and municipal parks, aquatic preserves, and lands acquired by the County for preservation now in existence or hereafter acquired, provided that if this Article was not favorably voted upon by a majority of the voters voting in any municipality at the time of the adoption of this Article the municipal parks of such municipality shall be excluded from the provisions of this Article.

### **Code of Miami-Dade County**

**Section 33-311(A)(7) (Generalized Modification Standards).** The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; 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 fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, 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.

**Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).** The Community Zoning Appeals shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs of this section have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the

application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

V. Modification or Elimination of Conditions and Restrictive Covenants After Public Hearing, Where Public Benefits Are Created or Enhanced to a Level or Degree that Clearly Outweighs Additional New Public Burdens. *The Community Zoning Appeals Board shall approve an application to modify or eliminate a condition or part thereof, or a restrictive covenant or part thereof, where demonstratively greater public benefit will result from the modification or elimination than the resulting public burden as measured by the following:*

(A) Approval of the application will result in the provision of public benefits in two (2) or more of the following categories of public benefits:

1. Enhancement and/or preservation of substantial open space, public parks, environmentally sensitive land, or natural or historic resources in terms of one or more of the following:

- (a) provision of additional on- or off-site open space, configured in such a manner that it provides a public benefit in terms of either public use or improved aesthetics when viewed from public rights-of-way (except where 2 (d) below is relied upon); or
- (b) an increase in the amount of land available for public parks acceptable to the Park and Recreation Department, or in the recreational facilities of public parks; or
- (c) perpetual preservation of "environmentally endangered lands"; or
- (d) perpetual preservation of additional wetlands (which may include, in addition, restoration or enhancement); or
- (e) removal of a use or structure that either has an adverse effect on a wellfield or aquifer recharge area, or that poses a high risk of wellfield contamination, and replacement with a use or structure that significantly lessens the impact or risk; or
- (f) removal, or reduction of the intensity of a use, that results in a substantial reduction of risk of groundwater contamination; or
- (g) preservation of designated historic resources or rehabilitation of contributing historic structures.

8. The creation of 15 or more new permanent jobs.

(B) Notwithstanding the provisions of the preceding paragraphs, no application will be approved under this subsection if such approval would result in:

- 1. a use of land which will have a significant adverse effect upon the value of properties in the immediate vicinity;
- 2. community design, architecture, or layout and orientation of buildings, open space, or amenities that is inconsistent with and deleterious to the aesthetic character of the immediate vicinity;

3. a material change in the density, intensity, or use of the subject property that so differs from the density, intensity, or use of other existing or approved development in the immediate vicinity that the subject property would represent an obvious and significant departure from the established development pattern of the immediate vicinity which has a deleterious effect on its community character;
4. a substantial degradation of localized traffic patterns or a substantial adverse impact on the roadway network;
5. unmitigated demands on potable water, sanitary sewer, or stormwater treatment systems which exceed the capacity of those systems; or
6. a new or continued and substantial risk to human life or safety or to the environment, or a nuisance; or
7. a material increase in height or volume of open lot uses or facilities, or a material increase in intensity of allowed open lot uses, including but not limited to such open lot uses as outdoor storage of products, materials or equipment, fleamarkets, carnivals, telecommunications facilities, concrete and asphalt batching plants, landfills and private playgrounds and recreational facilities;

The Community Zoning Appeals Board shall impose such conditions and requirements in connection with an approval under this subsection as shall prevent or mitigate any resulting adverse impacts to the County or to any aggrieved person who has reasonably, demonstrably and detrimentally relied upon the condition or covenant sought to be modified or eliminated.

**G. NEIGHBORHOOD SERVICES:**

DERM	No objection*
Public Works	No objection
MDT	No objection
Fire Rescue	No objection
Police	No objection
Solid Waste	No objection*
Aviation	No objection
Schools	No objection
WASD	No objection*

\*Subject to conditions

**H. ANALYSIS**

The applicant is seeking a substantial deviation determination to a Development of Regional Impact (DRI) pursuant to Section 380.06(19)(c) of the Florida Statutes along with an accompanying request for a modification of the "Program Summary for the Dade County Zoological Park" also known as Miami Metrozoo and the "South Dade Metropolitan Park" also

known as Larry and Penny Thompson Park, as defined in the report of the South Florida Regional Planning Council adopted by the Board of County Commissioners (BCC), pursuant to Resolution No. R-1207-75. The previously approved DRI included a land area of 1,010 acres and 5,000 parking spaces for the Zoological Park and the Metropolitan Park. A concurrent CDMP amendment is being filed with this application.

The applicant is seeking a substantial deviation determination with respect to a modification to the approved Development Order (DO) in order to increase the acreage of the original DRI, allow additional uses, reduce the number of parking spaces for the Zoological Park, and reallocate spaces to the Gold Coast Railroad Museum and the proposed Water Theme Park, Family Entertainment Center, restaurants, themed retail uses and a hotel. In accordance with Section 380.06(19)(e)(4) of the Florida Statutes, any submittal of a proposed change to a previously approved Development of Regional Impact shall include a description of individual changes previously approved by the local government. The local government shall consider the previous and current changes in deciding whether such changes cumulatively constitute a substantial deviation requiring further development-of-regional-impact review.

In February 2005, the Miami-Dade Park and Recreation Department submitted to the State of Florida Department of Community Affairs a Notification of a Proposed Change (NOPC) for the subject property. The NOPC requested that the DRI area be increased from 1,010 acres to 1,203.3 acres, adding 193 acres that Miami-Dade County acquired through Federal surplus. The additional acreage includes 50 acres currently used for the Gold Coast Railroad Museum, 136 acres to be used to extend passive trails in the Larry and Penny Thompson Park, and 7 acres that are currently being used as the Metrozoo's main entrance connecting the approved DRI property with S.W. 152 Street. In addition, the NOPC requested to exchange 1,435 parking spaces originally allocated to the Metrozoo to serve the 200 proposed hotel rooms, water theme park, family entertainment center, and the Gold Coast Museum. The South Florida Regional Planning Council has indicated that the proposed change will not have significant additional regional impact. Staff notes that the request does not increase the number of parking spaces at an attraction or recreational facility by 10 percent or 330 spaces, and therefore, as provided by Florida Statutes Section 380.06 (19)(b)(1), is not presumed to create a substantial deviation. Additionally, since the traffic study submitted for the applicant has determined that the trip generation will not result in a 15 percent increase in the number of external trips generated by the development above that projected during the original development of regional impact review, pursuant to Florida Statutes Section 380.06(19)(e)(5), it is presumed not to create a substantial deviation. Noting all the aforementioned, staff is of the opinion that the request to modify the approved Development Order in order to increase the acreage of the original DRI, allow additional uses, reduce the number of parking spaces for the Zoological Park, and reallocate the spaces to the Gold Coast Railroad Museum, the proposed Water Theme Park, Family Entertainment Center and hotel, is not a substantial deviation. It should also be noted that no specific buildout or termination date were specified in the original Development Order and therefore both are proposed herein.

The present application is to determine if the proposal to modification is a substantial deviation. The decisions made in this application will set the parameters for the future zoning, land use development orders and permits. The Park and Recreation Department plans to bring before the BCC and the appropriate CZAB competitive proposals to build and operate various aspects of this project. The applicant is also concurrently requesting that a new land use category be

added to the Comprehensive Development Master Plan (CDMP) and that the Miami Metrozoo and Gold Coast Railroad properties be designated on the 2015 and 2025 Land Use Plan (LUP) map with the new category – **Miami Metro Zoo Entertainment Area**. The intent of this request is to modify the Development Order of the DRI to allow the future construction of a water park, family entertainment center and hotel on the currently underutilized Metrozoo parking lots. The current CDMP land use category does not permit the proposed uses.

On November 7, 2006, a special countywide referendum was held and the voters of Miami-Dade County approved additional further development at the Metrozoo property on land that is not environmentally sensitive and is outside the animal attractions. The referendum was required under Article Seven of the Miami-Dade County Home Rule Charter in order to give the County the authority to contract, develop and operate an entertainment area designation with certain commercial uses and structures at the Miami Metrozoo property. The Gold Coast Railroad Museum property was not included in the 2006 countywide referendum, therefore, although areas inside the approved Museum development area (R-493-85) are still exempt from Article Seven restrictions, should areas outside of the approved Museum development area be considered for commercial development in the future, it may be necessary to hold a countywide referendum to approve any such commercial uses and structures on the Gold Coast property.

The subject property is currently designated on the adopted 2015 and 2025 Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) for **Parks and Recreation** use. The LUP map specifically illustrates parks and recreation areas of metropolitan significance, including State parks and the Biscayne and Everglades National Parks. As previously mentioned, concurrently filed with this application is a proposed CDMP Plan Amendment for the creation of a new land use category specifically for this site that would allow for tourist related entertainment, recreation and hotel uses. This new land category, **Miami Metro Zoo Entertainment Area**, would apply to the 170 acres of the existing Miami Metrozoo and Gold Coast Railroad Museum properties. Although museums are allowable uses under the Parks and Recreation land use category, the proposed water park, family entertainment center and hotel, as well as the themed retail uses and restaurants, are not presently permitted by the CDMP. However, if the plan amendment is approved, these uses will be **consistent** with the CDMP.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application subject to conditions. Among other things, DERM has determined that the private sewer system does not have enough capacity for the additional sewage flows that the proposed development would generate and therefore requires construction of a new lift station. DERM also requires that the addition of 136 acres of the N.W. corner of Larry and Penny Thompson Park and other natural forest communities be clearly defined, preserved and managed for conservation in order to satisfy the requirements of Sections 24-49.2 and 24-49.3 of the Code. In such areas, only passive uses that will not disturb substrate or native vegetation may occur.

The Department of Solid Waste Management (**SWM**) and the Miami-Dade Police Department (**MDPD**) **do not object** to this application. Miami-Dade Transit (**MDT**) also has no objection, but because there will be a significant increase in trip generation, as evidenced by the applicant's report, the staff is of the opinion that transit service should be expanded to serve this development. Additionally, the Miami-Dade Fire Rescue Department (**MDFRD**) **does not object** to this application. The MDFRD memorandum indicates that the response time of 5.24

minutes for the proposed development complies with the performance objective of the national industry.

The Miami-Dade Water and Sewer Department (**WASD**) **does not object** subject to conditions. WASD requires that the water supply for the theme park pool be potable water provided by WASD facilities. Additionally, they have requested, that at the end of the season the water from the pool be treated and injected into the moat, where WASD is planning to recharge the aquifer with highly treated reclaimed water. WASD has an ongoing water reclamation project and this request is mandated by the State as part of the County's 20-year Water Use Permit. Also, WASD has requested that the water theme park use reclaimed water for all irrigation needs when available and feasible. Additionally, this project will incorporate water conservation practices in the design of the proposed water theme park, the family entertainment center, the hotel, and the Gold Coast Museum facilities to the extent allowed by law.

The Public Works Department (**PWD**) **does not object** to this application and their memorandum indicates that the application meets the criteria for Traffic Concurrency for an Initial Development Order. The Public Works Department memorandum requires a comprehensive internal site circulation analysis prior to submittal of any zoning application for the new uses. Initially, the Florida Department of Transportation (**FDOT**) reviewed the NOPC and indicated in their memorandum that there is a need to improve the intersection of SW 152<sup>nd</sup> Street and SW 117<sup>th</sup> Avenue and that the final approval of the application should be contingent upon those improvements. Subsequently, the Miami-Dade Department of Public Works, the Miami-Dade County Department of Planning and Zoning and FDOT met, and through a coordinated effort, addressed FDOT's concerns. FDOT provided a second memorandum dated February 29, 2008 which indicates that proposed improvements by the Public Works Department and FDOT in Phases I and II will provide the needed traffic operational relief for SW 152<sup>nd</sup> Street and SW 117<sup>th</sup> Avenue. Phase I is currently underway and entails the widening of the intersection of SW 152<sup>nd</sup> Street and SW 117<sup>th</sup> Avenue. Phase I improvements must be completed prior to any development on the site. Phase II improvements, which include a continuous right turn lane from the HEFT southbound exit ramp to 117<sup>th</sup> Avenue, and tying into the free-flow right turn lane for southbound to westbound traffic onto SW 152<sup>nd</sup> Street, must be completed prior to the issuance of the Certificate of Occupancy (CO) for the hotel. Both Phase I and II improvements are funded either within the Miami-Dade Transportation Improvement Plan (TIP) or by FDOT.

In 2007, Miami-Dade County signed an Agreement in Principle (**AIP**) with the United States Department of the Army. The agreement was necessary because the County found that prior to seeking the DRI for the subject property, it needed to modify deed restrictions to permit the proposed development. In order to eliminate federal objections, the County agreed to certain conditions contained in the agreement including restrictions on height, easements, hours of operation, addressing security needs of the adjacent federal facilities, and other restrictions. The AIP also included the transfer of 4 acres of land to the federal government. The Miami-Dade County Department of Planning and Zoning (**DPZ**) recommends that approval of the application with all the provisions contained in the 2007 AIP.

Additionally, approval should be conditioned on the development incorporating energy efficient measures in the design of the water theme park, the family entertainment center, the hotel and the Gold Coast Museum facilities that are consistent with the Florida Green Building Coalition,

US Green Building Council Leadership in Energy and Environmental Design (LEED) standards, or other acceptable standards for county-owned facilities. Furthermore, the Miami-Dade County Office of Historic Preservation (**OHP**) recommends that a cultural resource assessment be individually conducted by a professional consultant prior to any development of the proposed water park, family entertainment center, and hotel sites.

When request #2 is analyzed under Section 33-311(A)(7), the Generalized Modification Standards, staff is of the opinion that the modification of the Program Summary Report would not generate excessive noise or traffic, would not provoke overcrowding of people, and would not be incompatible with the area. The site is well buffered, and much of the activity will occur internal to the site, which would reduce noise concerns. Although this application will increase traffic in the area, the traffic analysis concludes that the trip generation increase will be less than 15 percent, and the Public Works Department has indicated in their memorandum that this application meets traffic concurrency criteria. Additionally, the 1203.3-acre site is large enough to accommodate the anticipated increase in attendance. When considering the necessity for and reasonableness of the proposed modification in relation to the present and future development of the area, staff maintains that the modification will not have an unfavorable effect on the area, will not be contrary to public interest and is **compatible** with the surrounding area because it is an expansion of the current entertainment and tourist attraction. It should also be noted that the proposed new uses would have a positive impact on the regional economy by potentially providing an estimated 1,900 new jobs and \$154 million per year gain in personal income and substantial revenue to the County. Furthermore, the subject property is designated a State Enterprise Zone (EZ), and the proposal will be instrumental in attracting businesses and creating job opportunities for low-to-moderate income residents of Miami-Dade County. Accordingly, staff recommends that request #2 be conditioned on all RFPs giving preference to businesses that agree to follow the EZ hiring and business policies. Additionally, as previously mentioned, Miami-Dade County residents voted to approve the proposed new uses on the subject property at the November 7, 2006 special county-wide referendum. Based on all the aforementioned, staff recommends approval of request #2 with conditions from the various departments under Section 33-311(A)(7) (Generalized Modification Standards).

Section 33-311(A)(17), the Modification or Elimination of Conditions or Covenants After Public Hearing Standards, staff is of the opinion that the modification of the Program Summary Report would create or enhance public benefits to a level or degree that clearly outweighs additional public burden. The application must meet two or more of the public benefits outlined in the Code. First, the modification preserves and enhances historic resources. The proposed development will enhance and preserve the historically designated Gold Coast Railroad portion of the Richmond Naval Air Station. On December 9, 2007, the site received a historic preservation designation, pursuant to Resolution No. 07-48. Furthermore, the memorandum from the Office of Historic Preservation requires that the Former Princeton Railroad car and the archeological building remnants of the Richmond Naval Station must be preserved by the County. Second, the modification creates 15 or more new permanent jobs. As previously mentioned, it is estimated that 1900 new jobs will be created as a result of this development, far exceeding this threshold. Section 33-311(A)(17) provides that the modification cannot be approved if the application will result in any of the following: a use of land which will have a significant adverse effect upon the value of properties in the immediate vicinity; community design, architecture, or layout and orientation of buildings, open space, or amenities that is inconsistent with and deleterious to the aesthetic character of the immediate vicinity; a material

change in the density, intensity, or use of the subject property that so differs from the density, intensity, or use of other existing or approved development in the immediate vicinity that the subject property would represent an obvious and significant departure from the established development pattern of the immediate vicinity which has a deleterious effect on its community character; a substantial degradation of localized traffic patterns or a substantial adverse impact on the roadway network; unmitigated demands on potable water, sanitary sewer, or stormwater treatment systems which exceed the capacity of those systems; or a new or continued and substantial risk to human life or safety or to the environment, or a nuisance; or a material increase in height or volume of open lot uses or facilities, or a material increase in intensity of allowed open lot uses, including but not limited to such open lot uses as outdoor storage of products, materials or equipment, flea markets, carnivals, telecommunications facilities, concrete and asphalt batching plants, landfills and private playgrounds and recreational facilities. Staff opines that the application will not have an adverse effect on property values, nor be a risk to human life or safety, or the environment, nor be a nuisance. Though the stages of development are proposed for future approvals, staff opines that the proposed new CDMP category and the zoning regulations will prevent the design or density or intensity to be deleterious to the surrounding community. In addition, as evidenced by the traffic study submitted with this application and the memorandum from the Public Works Department, there will not be a substantial degradation of localized traffic, and any adverse impact on the roadway will be mitigated before development is completed. While staff notes that the proposed development will impact the water and sewer systems, the memoranda and conditions from WASD and DERM will mitigate any negative impact. Although Section 33-311(A)(17) is not tailored to modification of DRIs, it appears to meet all the criteria except one, regarding a material increase in intensity of allowed open lot uses. Based on all the aforementioned, staff recommends denial of request #2 under Section 33-311(A)(17) (Modification or Conditions After Public Hearing).

Accordingly, staff recommends that the DIC Executive Council make a finding that the proposed modification to the DRI does not result in a substantial deviation to the Development Order requiring further development of regional impact review. In addition staff recommends approval with conditions of request #2 under Section 33-311(A)(7) (Generalized Modification Standards) or denial of said request under Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing). Staff notes that approval pursuant to this recommendation includes the authorization to execute and record a restrictive covenant required by DERM to identify and establish certain Natural Forest Community preservation areas.

**I. RECOMMENDATION:**

Approval of a finding that the proposed modification to the DRI Development Order does not result in a substantial deviation; and approval with conditions of request #2 under Section 33-311(A)(7) (Generalized Modification Standards) and the authorization to execute and record a restrictive covenant required by DERM to identify and establish certain Natural Forest Community preservation areas; denial without prejudice under Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

**J. CONDITIONS:**

1. That all the conditions of the "Program Summary of the Dade County Zoological Park" as defined in the report of the South Florida Regional Planning Council remain in full force and effect except as herein modified.
2. That all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are attached and made part of the recommendation of this application be complied with except that the only conditions relating to the Florida Department of Transportation (FDOT) memoranda shall be those set forth in this section.
3. That the intersection expansion of SW 117 Avenue and SW 152 Street to create a free-flow southbound right turn lane and an additional shared southbound through/right turn lane as well as the completion of all other improvements to said intersection be completed prior to any development.
4. That a continuous right turn lane from the HEFT southbound exit ramp to SW 117<sup>th</sup> Avenue and tying this into the free-flow right turn lane for southbound to westbound traffic onto SW 152<sup>nd</sup> Street be completed prior to the issuance of the Certificate of Use for the proposed hotel.
5. That no commercial uses on the Gold Coast Railroad Museum property other than ancillary food services and theme related specialty retail establishments that support museum uses be permitted without approval or referendum, if required.
6. That all conditions contained in the 2007 Agreement in Principal (AIP) between the United States Department of the Army and Miami-Dade County be satisfied prior to development.
7. That no building permits for any proposed development be issued until all required deed modifications and other deed-related actions required by the National Park Service have been satisfied.
8. That the Former Princeton Railroad Station car and the archeological building remnants of the Richmond Naval Air Station, be preserved in accordance with the order of the Miami-Dade County Office of Historic Preservation (OHP).
9. That pursuant to the recommendation of the Miami-Dade County Office of Historic Preservation, a cultural resource assessment be conducted by a professional consultant prior to any development for each of the following sites: the water park, the family entertainment area and the hotel.
10. That a new lift station and an additional private pump station be constructed on the subject property as required by the Department of Environmental Resources Management (DERM) and subject to DERM's approval.

11. That water conservation practices be incorporated in the design of the water theme park, the family entertainment center, the hotel and the Gold Coast Museum facilities to the extent allowed by law. These practices shall include the reuse of water that is drained from the water park slides, pools and other facilities, consistent with state and local regulations, as well as other opportunities specific to the Metrozoo DRI site. Prior to design, the applicant shall meet with WASD to identify additional water use efficiency technology to achieve maximum water savings. Additionally, the water supply for the water theme park pool shall be provided by WASD facilities and at the end of the season, the water from the pool be treated and discharged to the moat. Furthermore, that reclaimed water be used for all irrigation needs when available and feasible.
12. That energy efficient measures be incorporated in the design of the water theme park, the family entertainment center, the hotel and the Gold Coast Museum facilities that are consistent with the Florida Green Building Coalition, US Green Building Council Leadership in Energy and Environmental Design (LEED) standards, or other acceptable standards for county-owned facilities.
13. That Natural Forest Communities (NFCs) and related pine rockland habitats be preserved and managed for conservation purposes, consistent with the preservation standards set forth in Section 24-49.2(l)(1) of the Code.
14. That NFC preservation areas be identified and established by recording a restrictive covenant prior to development that is substantially to the form introduced into the record.
15. That within preservation areas, only activities that do not disturb the substrate or native vegetation will be allowed, and all activities must be compatible with required management strategies including prescribed burns and/or herbicide application.
16. That any work, activity, or management plan within a designated NFC must be approved in writing by the Department of Environmental Resources Management prior to implementation.
17. December 31, 2021 is hereby established as the buildout date and December 31, 2028 is hereby established as the expiration date for the Development Order.
18. That public transportation service be expanded based on need to include evening service to serve the Miami Metro Zoo Entertainment Area and that the demand for public transportation to serve the Miami Metro Zoo Entertainment Area be reviewed on a yearly basis thereafter.

DATE TYPED: 09/05/07

DATE REVISED: 09/05/07, 9/12/07, 9/14/07, 9/24/07, 10/01/07, 10/05/07, 10/06/07, 2/07/08,  
3/11/08, 3/12/08, 3/21/08, 3/24/08, 3/27/08

DATE FINALIZED:

SB:MTF:LT:NN:CI



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Subrata Basu, Interim Director  
Miami-Dade County Department of  
Planning and Zoning

# Memorandum



**Date:** June 27, 2007

**To:** Subrata Basu, AIA, AICP, Interim Director  
Department of Planning and Zoning

**From:** Jose Gonzalez, P.E., Assistant Director  
Environmental Resources Management 

**Subject:** DIC No. Z2007000186  
Miami-Dade County Department of Park and Recreation  
West of S.W. 122<sup>nd</sup> Avenue and South of S.W. 152<sup>nd</sup> Street  
Modification of the Metro Zoo Development of Regional Impact  
(AU) (1,200Acres)  
25/26/35/46-55-39

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The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

#### Potable Water Supply

There are several water mains surrounding the subject area. There is an existing 24-inch water main line running along S.W. 152<sup>nd</sup> Street (located north of the project), a 16-inch water main runs along S.W. 122<sup>nd</sup> Avenue (west of the subject area), and a 16-inch water main across the subject property. All mentioned water mains are owned and operated by Miami-Dade Water and Sewer Department (MDWASD). Therefore, connection of the proposed development to the public water supply system shall be required, in accordance with Code requirements. The total estimated water demand estimated flow is 153,000 gallons per day.

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 by DERM for this proposed development order.

#### Wastewater Disposal

The Miami Metro Zoo has a private sanitary sewer system that operates with three lift stations, which are 99-00531A, 99-00531B and 99-00531C. Lift Station 99-531A discharges downstream to Pump Station 30-0522. Lift Station 99-531B discharges downstream to Lift Station 99-531A, and then to Pump Station 30-0522. Lift Station 99-531C discharges to Lift Station 99-531B, then to Lift Station 99-00531A, and then to Pump Station 30-0522. Pump Station 30-0522 is owned and operated by MDWASD, and discharges the flow to MDWASD's South District Treatment Plant.

Lift Station 99-0531B is currently under "initial moratorium" status, due to high operating hours. All other pump stations mentioned above are currently working within the mandated criteria set forth in the First Partial Consent Decree. However, DERM staff has determined that, at the present time, the above-noted sanitary sewer private system does not have enough capacity for the additional sewage flows

that the proposed development would generate; therefore, the construction of a new lift station would be required.

#### Stormwater Management

A Surface Water Management Individual Permit from the South Florida Water Management District shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat, or Miami-Dade Public Works Department approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on-site, utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 5-year/1-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

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 by DERM for this proposed development order.

#### Hazardous Waste

A review of departmental files indicates that no records of current contamination, assessment, or remediation issues were identified directly abutting the property.

#### Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that, due to the nature of the existing land use, operating permits from DERM will be required for those activities that can be a source of pollution. It is, therefore, suggested that the applicant contact Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning operating requirements.

#### Hazardous Materials Management

Due to the nature of uses allowed in the existing and proposed land uses, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some of the activities inherent to the existing land use. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning required management practices.

#### Wetland Resources

Portions of the subject properties with folios 30-5935-000-0010 and 0015 contain transverse glade wetlands. Proposed impacts or work within the wetland areas within these properties will require a Class IV Wetland Permit. A full evaluation of the resources on-site is performed during the permitting process; however, please be advised that any proposed project must avoid and minimize impacts to *sensitive or high quality wetlands to the maximum extent possible.*

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 Resources

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 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. 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 DERM staff for additional information regarding tree permitting procedures and requirements prior to site development.

### Ecosystem Restoration

The Development of Regional Impact (DRI) requests modifications to the Dade County Zoological Park and South Dade Metropolitan DRI. Lands within the currently approved DRI area, and lands that are being added through the modification, include pine rockland Natural Forest Communities (NFC's) that are part of the Richmond Complex. The Richmond Complex contains some of the largest and most healthy pine rockland communities remaining in Miami-Dade County, and has been undergoing active management for some time. Pine rocklands are globally imperiled and provide habitat for several endangered and threatened species.

One of the proposed changes is the addition of 136 acres (+/-) to be added to the N.W. corner of Larry and Penny Thompson Park to be used to extend passive trails and for environmental interpretation. This parcel was acquired by the County from the federal government for conservation purposes. The 136-acre area is a designated NFC, and is protected, pursuant to Section 24-49 of the Code. The 136 acres must be preserved and managed for conservation, and only passive uses that are consistent with standards contained in Section 24-49.2 of the Code may be permitted.

On pages 3 and 5 of the DRI notification, it states that the 136 acres is to be used to extend passive trails for environmental interpretation. On page 7, Table 1 the 136 acres is included with an additional 270 acres (Larry and Penny) and is classified as "Park with Campgrounds". A summary table on pages 46-51 entitled "Substantial Deviation Determination Chart" includes land use categories described as "Open Space -all natural and vegetated non-impervious surfaces" and "Preservation, Buffer or Special Protection Areas", yet does not include any portion of the proposed DRI site in the approved or proposed modification as this category. Further, no maps or descriptions of the protected NFC's are included, nor is any information provided to define the proposed uses or on how the preservation standards of Section 24-49.2 of the Code will be met. Section 24-49.3(2)(a) of the Code requires that proposed site actions that are not in accordance with Section 24-49.2 of the Code shall receive a recommendation of denial from DERM. In order to satisfy this code requirement, at a minimum, the report should be amended to clarify or define the uses, and Table 1 and the chart on pages 46-51 should be revised to indicate that the 136-acre site and other natural forest communities will be preserved and managed for conservation, in accordance with Section 24-49.2 of the Code. The report should state that only passive uses that will not disturb substrate or native vegetation, including both trees and understory plants, and which are compatible with prescribed burns and herbicide application *will occur on this portion of the DRI site.*

Accordingly, DERM staff recommends that the following specific conditions be incorporated into the documents that ultimately authorize the proposed changes to the DRI:

1. NFC's and related pine rockland habitats shall be preserved and managed for conservation purposes, consistent with the preservation standards set forth in Section 24-49.2(l)(1) of the Code.
2. NFC reservation areas shall be identified and established by recording of a restrictive covenant.
3. Within preservation areas, only activities that do not disturb the substrate or native vegetation will be allowed, and all activities must be compatible with management strategies including prescribed burns and/or herbicide application.
4. Any work, activity, or management plan within a designated NFC must be approved in writing by DERM prior to implementation.

Enforcement History

DERM has found the following open enforcement record for the subject property:

Folio No. 30-5936-000-0050

Miami-Dade County Parks and Recreation Department – Metro Zoo (PSO-531)

On July 24, 2004, DERM issued a Notice of Violation (NOV) for failure to submit the required Sanitary Sewer Evaluation Survey (SSES). On January 4, 2005, DERM granted an extension of time in order to provide adequate time for the design and financing of the project. On September 12, 2006, it was reported that operational issues were being addressed to reduce flows to the sewer and to dispose some wastewater to the notes. On October 5, 2006, DERM granted an extension of time until July 15, 2007 of the next wet season to complete the flow re-test. This site is currently listed in DERM's annual report on Violations at Government Facilities and Properties in Miami-Dade County.

Concurrency Review Summary

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards, 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 constitutes a final concurrency statement and is valid for this final development order throughout the buildout time, as provided for in the adopted methodology for concurrency review.

This memorandum shall constitute DERM's written approval, as required by the Code.

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

cc: Nick Nitti, DIC Coordinator

# Memorandum



**Date:** January 11, 2008 (Revised 2/29/08)  
**To:** Subrata Basu  
Interim Director  
Planning & Zoning Department  
**From:** Esther L. Calas, P.E. *ELC*  
Director  
Public Works Department  
**Subject:** DIC07-186  
Name: Miami-Dade County Metro Zoo (Revised)  
Location: s/o Sw 152<sup>nd</sup> Street at 124<sup>th</sup> Avenue  
Sec. 1 Twp. 55 Rge. 39

## I. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION

A. Location:	SW 152 St.	SW 117 Ave.	Fla. Turnpike	SW 137 Ave.
B. Description				
No. of lanes:	6	4	6	6
Classification:	Arterial	Arterial	Highway	Arterial
Maintenance:	FDOT	MD County	FDOT	MD County

## II. IMPACT ON EXISTING ROADWAYS

The Metro Zoo site is located within a portion of Miami-Dade County that is surrounded by current and pending roadway improvements funded in the Transportation Improvement Program (TIP). The Miami-Dade Transit provides express bus service from the Dadeland Transit Station. The Coral Reef Max provides express bus service into the site during operating hours.

In addition the Public Works, Highway Division is currently improving SW 117 Ave from SW 184 St to SW 152 St (Project No. 662410); a set of plans will be forwarded to you by mail. Included in that project is the construction of a right turn lane for southbound SW 117 Ave onto westbound SW 152 St. This new lane will begin at the entrance to the car dealership located at the northwest corner of the intersection of SW 117 Ave and SW 152 St. The Miami-Dade County as well as the Office of Commission District 9 (Dennis Moss) is respectfully requesting the Turnpike Authority to consider the construction of a dedicated lane from the HEFT off-ramp for southbound SW 117 Ave that will connect with the new right turn lane previously mentioned and thus facilitate west bound travel onto SW 152 St.

## III. ADDITIONAL IMPROVEMENTS REQUIRED FOR THIS DEVELOPMENT

Prior to submittal of any zoning application for the new uses proposed by the NOPC application to the DRI, the Parks & Recreation Department shall prepare a comprehensive internal site circulation analysis, which shall include a coordinated entry roadway and circulation plan outlining main driveway and non-motorized facility design and connections; parking toll facility design, including queuing and accumulation; and preliminary signage and striping plan.

DIC 07-186

Miami-Dade County Metro Zoo

NOPC application to DRI

Page 2 of 2

IV SITE PLAN CRITIQUE

Since this zoning application addresses the DRI only, there is no Site Plan submitted to be reviewed. The applicant will be required to submit zoning applications which requires Site Plan submittal to be reviewed by Miami-Dade County Departments.

V CONCURRENCY

This application meets the criteria for Traffic Concurrency for an Initial Development Order. Vehicle trips have been reserved in the original Metro Zoo DRI. Vehicle trips and the impacts of the Metro Zoo new uses have been reanalyzed, as part of an updated Concurrency analysis.

Adequate capacity is maintained on the affected Traffic Count stations on the adjacent regional roadway network. It will be subject to the payment of road Impact Fees.

VI BUILT OUT DATE

The Public Works Department agrees to a built out date of the year 2030.

cc: Nicholas Nitti, Development Impact Coordinator.  
Planning and Zoning Department

Jeff Cohen, P.E. Assistant Traffic Section Chief  
Public Works Department

Armando E. Hernandez, Special Administrator.  
Public Works Department

# Memorandum



**Date:** September 17, 2007

**To:** Subrata Basu, Interim Director, Department of Planning and Zoning

**From:** *Kathleen Woods Richardson*  
Kathleen Woods-Richardson, Director, Department of Solid Waste Management

**Subject:** Solid Waste Disposal Concurrency Determination

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The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of ten (10) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements, long term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2014 or two (2) years beyond the minimum standard (five years capacity). This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2008), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

#### Attachment

cc: Vicente Castro, Deputy Director, Operations  
Christopher Rose, Deputy Director, Administration  
James Bostic, Assistant Director, Operations  
Asok Ganguli, Assistant Director, Technical Services

Department of Solid Waste Management (DSWM)  
Solid Waste Management Disposal Facility Available Capacity  
From Fiscal Year 2007-08 Through Fiscal Year 2016-17

FISCAL YEAR PERIOD	WASTE PROJECTION	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****
		Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	
OCT. 1, 2007 TO SEPT. 30, 2008	1,885,000	828,686	155,000	673,686	2,518,633	307,000	2,211,633	2,068,785	355,000	1,713,785	250,000
OCT. 1, 2008 TO SEPT. 30, 2009	1,885,000	673,686	155,000	518,686	2,211,633	307,000	1,904,633	1,713,785	355,000	1,358,785	250,000
OCT. 1, 2009 TO SEPT. 30, 2010	1,885,000	518,686	155,000	363,686	1,904,633	307,000	1,597,633	1,358,785	355,000	1,003,785	250,000
OCT. 1, 2010 TO SEPT. 30, 2011	1,885,000	363,686	155,000	208,686	1,597,633	307,000	1,290,633	1,003,785	355,000	648,785	250,000
OCT. 1, 2011 TO SEPT. 30, 2012	1,885,000	208,686	155,000	53,686	1,290,633	307,000	983,633	648,785	355,000	293,785	250,000
OCT. 1, 2012 TO SEPT. 30, 2013	1,885,000	53,686	53,686	0	983,633	408,314	575,319	293,785	293,785	0	311,215
OCT. 1, 2013 TO SEPT. 30, 2014	1,885,000	0	0	0	575,319	567,000	8,319	0	0	0	500,000
OCT. 1, 2014 TO SEPT. 30, 2015	1,885,000	0	0	0	8,319	8,319	0	0	0	0	500,000
OCT. 1, 2015 TO SEPT. 30, 2016	1,885,000	0	0	0	0	0	0	0	0	0	0
OCT. 1, 2016 TO SEPT. 30, 2017	1,885,000	0	0	0	0	0	0	0	0	0	0
REMAINING YEARS				5			7				5

ANNUAL DISPOSAL RATE (in tons)  
RESOURCES RECOVERY ASHFILL 155,000  
SOUTH DADE LANDFILL 307,000  
NORTH DADE LANDFILL 355,000  
WMI CONTRACT 250,000  
TOTAL TO BE LANDFILLED 1,067,000

\* Ashfill capacity for Cell 19 (Cell 20 is not included). When Cell 19 is depleted Resources Recovery Plant Ash and Okeelanta Ash will go to South Dade Landfill and WMI.

\*\* South Dade includes Cells 3 and 4 (Cell 5 is not included). Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.

\*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted, trash goes to South Dade Landfill and WMI.

\*\*\*\* Maximum Contractual Tonnage per year to WMI is 500,000 tons, 250,000 tons to the Medley Landfill and 250,000 tons to the Pompano Landfill in Broward County. WMI disposal contract ends September 30, 2015.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by the Brown and Caldwell based on the actual January, 2007, survey with actual tons from January, 2007, through June, 2007, and projected tons for July, August and September, 2007.

# Memorandum



**Date:** June 27, 2007

**To:** Nicholas D. Nitti  
DIC Coordinator  
Department of Planning and Zoning

**From:** Chris Rose  
Acting Deputy Director, Administration  
Department of Solid Waste Management

**Subject:** DIC # 07-186  
Miami-Dade County Parks and Recreation Department

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Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Cornelius Allen at 305-514-6649.

Attachment

DEPARTMENT OF SOLID WASTE MANAGEMENT

DIC REVIEW #07-186

*Miami-Dade County Parks and Recreation Department*

**Application:** *Miami-Dade County Parks and Recreation Department* is requesting a modification to the previously approved Metro Zoo Development of Regional Impact (DRI), in order to permit a family entertainment center, water park, and entrance feature.

**Size:** The subject property is 1,203 acres.

**Location:** The subject property is located lying west of SW 122 Street and south of 152 Street, Miami-Dade County, Florida.

**Analysis:**

1. Solid Waste Disposal

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 15, 2006, which is valid for one (1) year, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Department of Planning and Zoning is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The project proposes commercial uses. Chapter 15-2 of the Miami-Dade County Code requires the following of commercial uses located in unincorporated Miami-Dade County:

**Section 15-2** - "every commercial establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department."

3. Recycling

The following language from **Section 15-2.3** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

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

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

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

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

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

# Memorandum



**Date:** May 14, 2007

**To:** Nicholas D. Nitti  
DIC Coordinator  
Department of Planning and Zoning

**From:** John Garcia  
Principal Planner  
Miami-Dade Transit - Planning & Development Division

**Subject:** Review of DIC Project No. 07-186 (Miami-Dade County Parks and Recreation Department - Miami Metrozoo)

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## Project Description

The applicant is seeking a modification to the 1975 Metrozoo DRI to include increasing the DRI land area, exchanging land associated for Metrozoo parking for space for a hotel, water theme park and family entertainment area and relocating the Gold Coast Transportation Museum. The subject property is located at 12400 SW 152<sup>nd</sup> Street, Miami-Dade County, Florida.

## Current Transit Service

There is direct transit service within the immediate vicinity of the proposed site. The closest transit service is provided by Metrobus Route 252 (Coral Reef MAX) along SW 152<sup>nd</sup> Street (Coral Reef Drive). The service headways (in minutes) are as follows:

<u>Route</u>	<u>Peak</u>	<u>Off-Peak</u>	<u>Evening</u>	<u>Overnight</u>	<u>Sat</u>	<u>Sun</u>
252	15	30	45	n/a	40	40

## Future Transportation/Transit Improvements

The 2008 Transportation Improvement Program (TIP) shows under the Road Impact Fee a roadway widening improvement of 2 lanes to 4 lanes for SW 117<sup>th</sup> Avenue from SW 152<sup>nd</sup> Street to SW 184<sup>th</sup> Street. The 2030 Long Range Transportation Plan (LRTP) identifies the same improvement listed in the 2008 TIP.

In addition, the 2007 Transit Development Program (TDP) identifies in its 2012 Recommended Service Plan the following improvements on the existing routes serving the vicinity of the project:

- Route 252: Operate weekday long trips to/from SW 162<sup>nd</sup> Avenue directly via Coral Reef Drive operating non-stop from 137<sup>th</sup> Avenue to 152<sup>nd</sup> Avenue.  
Extend evening service to SW 162<sup>nd</sup> Avenue loop trips.

**MDT Comments/Recommendations**

Based on the information presented, MDT has no objections to this project.

**Concurrency**

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

# Memorandum



**Date:** October 24, 2007

**To:** Subrata Basu, Interim Director  
Department of Planning & Zoning

**From:** Herminio Lorenzo, Fire Chief  
Miami-Dade Fire Rescue Department

**Subject:** DIC # 2007000186 – Miami Metro Zoo  
12400 SW 152<sup>nd</sup> Street, Miami-Dade County, FL

## SERVICE IMPACT/DEMAND

- (A) Based on development information, this project is expected to generate approximately 733 fire and rescue calls annually.
- (B) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires three (3) suppressions or engines, telesquirts or tankers, one (1) aerial, one (1) rescue and an accompanying command vehicle. This assignment requires twenty (20) firefighters and officers.

## EXISTING SERVICES

Based on data retrieved during calendar year 2006, the average response time to the vicinity of the proposed development was **5.24 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.

The stations responding to a fire alarm will be:

STATION	ADDRESS	EQUIPMENT	STAFF
43	13390 SW 152 Street	Rescue, ALS 50' Squrt	7
53	11600 Turnpike Highway	Rescue	3
52	12105 Quail Roost	Rescue, ALS Tanker	7
4	9201 SW 152 Street	Rescue, BLS Engine	7

## SITE PLAN REVIEW:

No plans were submitted as part of this application. However, at time of permitting, the applicant must demonstrate that all access roads associated with the operation of the Metro Zoo and ancillary uses conform with the minimum standard identified in the document entitled, 'Miami-Dade Fire Rescue Access Road Synopsis,' consisting of five (5) pages and last revised on August 3, 2006 at 8:05 AM, or with all prevailing Miami-Dade Fire Rescue access road standards then in effect.

If you need additional information, please contact the Planning Section at 786-331-4540.

# Memorandum



**Date:** March 11, 2008

**To:** Mark R. Woerner, Chief  
Metropolitan Planning Section  
Department of Planning and Zoning

**From:** *for* Bertha M. Goldenberg, P.E., Assistant Director  
Regulatory Compliance and Planning

**Subject:** Consolidation of Comments for Metrozoo Application to Amend the CDMP

Comments for the Metrozoo application to amend the CDMP have been provided by Miami-Dade Water and Sewer (MDWASD) on March 9, 2007, October 9, 2007, and January 18, 2008. This memo is a consolidation of the previously submitted comments reflecting the most updated information for the application.

Attached please find our assessment of the impact that the Metrozoo application would have on the water and sewer services, assuming that the application is developed as requested in said application. The evaluation performed on the sewer system capacity is based on the criteria established by the United States Environmental Protection Agency (USEPA) – First Partial Consent Decree, which may change in the future when the Peak Flow Study, required by the USEPA Second and Final Consent Decree is completed.

It is our understanding that the proposed water park plans to use onsite wells to provide the water needs for the pools; using an initial annual amount of 1.5 million gallons (MG) to fill the pools at the opening of the season and a daily make-up amount of about 5,000 gallons per day, throughout the season. It is also our understanding that the park will be open from March to September, or about 220 days per year. MDWASD is requesting that the development order conditions for the Metrozoo DRI include a requirement that the pool water supply come from potable water provided by MDWASD. The MDWASD has developed a 20-year Alternative Water Supply (AWS) Plan, which utilizes alternative water supplies to meet all potable water supplies for future growth. If the Metrozoo water park were to utilize potable water from MDWASD's supply; it will in effect be using alternative sources. In addition, the development order conditions should include a requirement that at the end of the season the water from the pool be treated and discharged at the moat, where MDWASD is planning to recharge the aquifer with highly treated reclaimed water as required by the 20-year Water Use Permit.

Furthermore, MDWASD requests that the development order conditions include the requirement that reclaimed water be used for ALL irrigation needs, at the water park and the zoo, when available and where feasible. The Metrozoo should be directed to address the feasibility of using reclaimed water for other non-potable water usages within the parks.

In addition, Miami-Dade has developed recommendations for new development that would achieve higher water use savings than currently required by code. The recommendations were developed by an Advisory Committee and were presented to the Board of County Commissioners (BCC) on June 5, 2007 (see attached copy). These Water Conservation recommendations were adopted by Ordinance on February 5, 2008 (see attached copy). The Ordinance requires that a manual for implementation of the recommendations be developed by

July 2008. Furthermore, MDWASD is requesting that the development order conditions include a requirement that prior to design, the applicant meet with the Department to identify additional water use efficiency technology to achieve maximum water savings.

In compliance with County Ordinance No. 01-163, also attached is our cost estimate for water and sewer infrastructure in the public right-of-way for the Metrozoo application to amend the CDMP. The cost estimate provided herein is preliminary and final project cost will vary from this estimate. The final cost of the project and resulting feasibility will depend on actual labor and material costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors.

The impact fee, connection fee, and annual operation and maintenance cost associated with this application are also enclosed. The water connection charge (impact fee) was calculated at a rate of \$1.39 per gallon per day (gpd), and the sewer connection charge (impact fee) was calculated at a rate of \$5.60 per gpd. The annual Operations and Maintenance (O&M) cost was based on \$0.9605/1000gallons for the water, and \$1.2399/1000gallons for the sewer. The connection fee was based on providing two 10-inch meters. Please note that construction connection charges may apply to a particular application but can not be provided until the construction of the development has been completed.

Should you have any questions, please call me at (786) 552-8120 or contact Maria A. Valdes at (786) 552-8198.

Cc: Paula Church, DP&Z  
Doug Yoder, DP&Z  
Ralph Terrero, MDWASD  
Maribel Balbin, MDWASD  
Howard Fallon, MDWASD  
Harold Concepcion, MDWASD  
William Pitt, MDWASD

**MARCH 2007 METROZOO CDMP AMENDMENT  
CONNECTION CHARGES  
March 11, 2008**

<b>Application</b>	<b>Total Usage (gpd)</b>	<b>Water Connection Charges (Impact Fee)</b>	<b>Sewer Connection Charges (Impact Fee)</b>	<b>Water Meter Installation Fee*</b>	<b>Annual O&amp;M Cost**</b>
Metrozoo	97,000	\$134,830	\$543,200	\$13,060	\$77,905
Meetrozoo-Pool only	11,818	\$16,427	\$66,182	n/a	\$9,492
<b>Total</b>	<b>108,818</b>	<b>\$151,257</b>	<b>\$609,382</b>	<b>\$13,060</b>	<b>\$87,397</b>

\*Water Meter installation fee based on two 10-inch (\$6,530 each). Parks to install the line and pay for meter.

**March 2007 Metrozoo application to amend the CDMP  
 Cost Estimate for Water and Sewer Infrastructure in Public Right-of-Way  
 March 11, 2008**

Description	Unit	Quantity	Unit Cost	Total Probable Cost
<b>A. Water</b>				
16-inch water main	LF	5,900	\$178	\$1,050,200
10-inch Water Meters	EA	2	\$13,060	\$13,060
<b>B. Sewer *</b>				
12-inch sanitary sewer force main**	FT	1,300	\$155	\$201,500
Private Pump Station	EA	1	\$250,000	\$250,000
Application No.1-Subtotal				\$1,514,760
Engineering Fees (10%)				\$151,476
Subtotal				\$1,666,236
Contingency (15%)				\$249,935
<b>Total Cost</b>				<b>\$1,916,171</b>

**Estimating Disclaimer:**

The final costs of the project and resulting feasibility will depend on actual labor and material costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. Accordingly, the final project costs will vary from the estimate. The cost provided herein are based on water and sewer unit cost.

\*This estimate is for the sewer system inside the Park

\*\*The length of the 12-inch Force Main is based on an estimated location for the private Pump Station. This length will vary when actual site layout is defined.

**Request for Analysis of Metrozoo Application to Amend the CDMP  
March 2008**

Below are Miami-Dade Water and Sewer Department's (MDWASD) comments and recommendations on the Metrozoo application to amend the CDMP. Please note that the Department does not have any objections on the changes of the land use. Any proposed development will have to be done by the developer at their own expense and according to the MDWASD Rules and Regulations and Specifications and Regulations.

**WATER:**

Connect to an existing 24-inch water main along SW 168th Street and SW 117th Ave with a minimum 16-inch water main and extend west along SW 168th Street to the Metrozoo property. A water meter shall be installed at this location, within the public right of way. The 16-inch water main shall continue west from this location and interconnect to the existing 16-inch water main within the property.

Also, install a meter where the existing 16-inch water main interconnects with the existing 24-inch along SW 152 St. Any other propose water main extension inside the park shall be 16-inch and 12-inch minimum with two points of connection.

Note that MDWASD meters will be installed in the public right-of-way outside the park. Also, the park shall be responsible for the maintenance of the pipes.

**SEWER :**

The existing sewer system inside the park is private. It is assumed that the proposed development will be serviced with an additional private pump station. The point of connection for the private pump station could be to an existing 12-inch forcemain approximately 1,600 feet north of S.W. 168<sup>th</sup> street and 3,245 feet west of S.W. 117<sup>th</sup> street. There is an existing 12-inch stub-out where the 8-inch forcemain from PS 681 changes to a 12-inch forcemain.

**WATER CONSERVATION:**

Miami-Dade has developed recommendations for new development that would achieve higher water use savings than currently required by code. The recommendations were developed by an Advisory Committee and were presented to the Board of County Commissioners (BCC) on June 5, 2007 (see attached copy). These Water Conservation recommendations were adopted by Ordinance on February 5, 2008 (see attached copy). The Ordinance requires that a manual for implementation of the recommendations be developed by July 2008. MDWASD is requesting that the development order conditions include a requirement that prior to design, the applicant meet with the Department to identify additional water use efficiency technology to achieve maximum water savings.

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# Memorandum



**Date:** June 5, 2007

**To:** Honorable Chairman Bruno A. Barreiro and  
Members, Board of County Commissioners

**From:** George M. *Barreiro*  
County Manager

Agenda Item No. 12(B)3

**Subject:** Set of standards and directions for the development community that addresses water conservation issues and alternative water supplies

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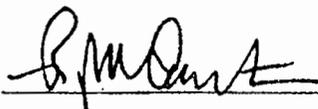
At the request of the Government Operations and Environment Committee Chair, an Advisory Committee was established with the goal of developing countywide guidelines that address water conservation issues and alternative water supplies for the development community, specifically, for new development. The Advisory Committee is comprised of several departments including the Department of Environmental Resources Management, the General Services Administration, the Building Department, Park and Recreation, Planning and Zoning, the Building Code Compliance Office, the Fire Department, the Public Works Department and the Water and Sewer Department. In addition to County staff, the Advisory Committee includes representation from stakeholder groups such as the American Society of Landscape Architects, the South Florida Builders Association, the Sierra Club, the Latin Builders Association, the Tropical Audubon, the Association of Cuban American Engineers, the Florida Regional Planning Council, the Farm Bureau, the South Florida Water Management District, the Audubon Society and the Greater Miami Chamber of Commerce.

The Advisory Committee held five meetings between January 26, 2007 and April 20, 2007. These meetings were advertised in the County's meeting calendar and were open to public comment. The Advisory Committee, as part of its review process, evaluated the documents including "Green Building" practices, the Florida Friendly Landscape Guidelines and the Florida Yards and Neighborhoods criteria.

The Advisory Committee has summarized its findings as shown on Attachment A which consists of recommendations for 1) Residential New Construction, 2) Commercial Development, 3) Alternative Water Supplies, and 4) Public Information/Education/Legislation recommendations. In the first category, Residential New Construction, the recommendations are divided into two parts, indoor water use specifications such as high efficiency toilets, faucets, clothes washers, and outdoor water use specifications which include the implementation of the Florida Friendly Landscape Guidelines, gutter downspouts, roof runoffs and rain harvesting for recharge purposes as well as drip irrigation or micro-sprinklers. Examples of recommendations made in the second category, Commercial Development, take into account the use of automatic shut-offs, solenoids, controllers, flow restrictors, plumbing fixtures for toilets and faucets, designs for toilet and fixtures that reduce the volume of water wasted and the installation of overflow sensors on equipment cooling towers. The third category, Alternative Water Supplies, bases its recommendations on the eventuality that water service is not available in a particular area, as such the construction of a 1 million gallons per

Honorable Chairman Bruno A. Barreiro and Members,  
Board of County Commissioners  
Page 2

day reverse osmosis plant is proposed as an option or the construction of an alternative water supply water treatment plant and distribution system. If water service is available and the area is considered to be within a reuse zone, developers should consider installing "purple pipes". The fourth category, Public Information/Education/Legislation provides recommendations on the dissemination of public information and education and legislation regarding water conservation.



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Assistant County Manager

## Attachment A

### Water Conservation Issues & Alternative Water Supplies for the Development Community

#### Residential Indoor Water Use Specifications

1. Only High Efficiency Toilets (HET) which shall be defined as 1.2 gallons per flush, that meet the standard specifications of the Unified North America Requirements (UNAR) and display the Environmental Protection Agency's WaterSense label shall be installed. [http://cuwcc.org/Uploads/product/HET\\_06-07-19.pdf](http://cuwcc.org/Uploads/product/HET_06-07-19.pdf)
2. There shall be one control valve, or one set of hot and cold valves required for each High Efficiency Showerhead which shall be defined to provide no more than 1.5 gallons per minute (gpm).
3. High Efficiency faucets which shall be defined to provide 1.0 gpm.
4. Residential units equipped with clothes washer connections shall have installed High Efficiency (HE) Clothes Washer(s) with a water factor of 6 or less (Tier 3b) as identified by the Consortium for Energy Efficiency at <http://www.ceel.org/reid/seha/rwsh.rwsh-prod.pdf>, Energy Star (and WaterSense certified when available).
5. Dishwashers shall be rated with use of 6.5 gallons/cycle or less, Energy Star and WaterSense certified.
6. Multi-unit residential – apply items 1-6 and:  
Require sub-metering for all multi-unit residential development which will include: separate meter and monthly records kept of all major water-using functions such as cooling towers and individual buildings.

#### Residential Outdoor Water Use Specifications:

1. Florida Friendly Landscapes guidelines and principles shall be applied to all landscape installations in compliance with Florida Yards & Neighborhoods criteria.
2. Gutter downspouts, roof runoff, and rain harvesting shall be used to encourage increased recharge and other non-potable uses on the property, thru the use of elements and features such as rain barrels and directing runoff to landscaped areas.
3. Require and provide "Florida Friendly Landscapes" within all public rights-of-way.
4. Use drip irrigation or micro-sprinklers when appropriate.
5. Use of porous surface (bricks, gravel, turf block, mulch, pervious concrete, etc) whenever possible on walkways, driveways, and patios.
6. Florida Yards and Neighborhoods Program information on Florida Friendly Landscapes shall be included in the sales literature provided to homebuyers.
7. The landscape plan and plant palette shall be developed based on site characteristics (soil, drainage, structural limitations (utilities, overhangs, lights, etc.) and shall include:
  - a. Per the County's Landscaping Ordinance, existing native trees, palms and associated native understory, shall be retained and preserved along with identified undergrowth and be a focal point of the landscape.
  - b. 80% of plant materials to be utilized on site shall be from the Florida-Friendly Plant List and shall have a moderate to high drought tolerance.
  - c. All plants will be grouped in the landscape plan by similar water and maintenance requirements and shall be spaced to allow for maturation.
  - d. Turf areas will be evenly shaped for ease of maintenance and will be no less than 4 feet wide and will not be placed on any berms.

- e. No more than 30% of the total area required for landscaping may be turf or grass.
- f. Soils analysis should be completed and used in the plant selection process where applicable and a copy should be provided to the home buyer.
- g. Limit use of rock mulch due to heat loading: rock mulch shall not exceed 5% of total landscaped area.
- h. Use of environmentally friendly organic mulches that are applied 3 inches deep around plants and trees with two inches clear around each plant.
- i. Homes with landscapes adjoining surface water bodies should provide for maintenance free or low maintenance zone up to 10 feet within and to the water body. This area can be enhanced with natural wetland vegetation, in any case, the area should be planted to eliminate erosion potential.

**The Irrigation Plan for Common Areas:** Shall be developed to meet the water use requirements of the landscape plan.

- a. All landscape beds shall be irrigated by a low volume irrigation system, preferably utilizing bubbler and low trajectory spray heads.
- b. All landscape plant beds shall be irrigated with low-volume irrigation appropriate for plant type.
- c. Turf shall be irrigated by zones separate from zones for irrigation of shrubs and ground cover plantings.
- d. Swing joints or flex pipe shall be used when installing sprinklers to help prevent broken pipes and sprinklers.
- e. Irrigation systems shall be designed for minimum overlap.
- f. Soil moisture sensors or other water saving technologies shall be installed. Devices shall be installed and function according to manufacturers' recommendations.

1. Use waterless technologies where available.
2. Maximize use of on-site sources of water.
3. Choose equipment that is water and energy efficient.
4. Install automatic shut offs, solenoids and controllers to turn water off when not in use.
5. Install flow restrictors when possible.
6. Eliminate once-through cooling.

#### **Plumbing Fixtures and Practices**

##### *Toilets and Urinals*

- a. Ensure all water closets use no more than 1.3 gallons per flush, high efficiency toilets (HETs) can achieve 20 to 25% water use savings.
- b. Use toilets included the Uniform North American Requirements (UNAR) certified list.
- c. Consider waterless urinals.

##### *Faucets*

- a. Install hand washing faucets or aerators that use no more than 1.0 gallons per minute.
- b. Install sensor controls on hand washing faucets in public restrooms.
- c. Install showerheads that use no more than 1.5 gallons per minute.

##### *Plumbing Design*

- a. Use tankless water heating or other devices that reduce water wasted waiting for the water to get hot where possible.

- b. Post prominent signs in all restrooms and other water using areas listing telephone numbers to promptly report leaks and other plumbing problems.

#### *Cooling Towers*

- a. Eliminate all once-through cooling.
- b. On cooling towers, install both makeup and blowdown meters.
- c. Equip cooling towers with overflow sensors on the overflow pipes to alert the operator to problems that can waste thousands of gallons daily.
- d. All cooling towers should achieve at least (5.0) cycles of concentration.

#### *Boilers*

- a. Equip boilers with makeup meters and conductivity controllers for blowdown control.
- b. Reuse or return steam condensate to the boiler wherever possible.
- c. Install makeup meters on all recirculating closed water loops used for heating and cooling systems so that leaks in the recirculating systems can be easily detected.

#### *Equipment Selection*

- a. Eliminate all water cooled equipment using once-through cooling.
- b. All water-cooled equipment should be eliminated unless it uses chilled water or cooling tower loop. This includes ice makers, refrigeration equipment, and ice cream machines.

#### *Dishwashing Equipment*

- a. Dishwashers should use less than 1.2 gallons per rack for fill-and-dump machines and less than 0.9 gallons per rack for all other types of machines. For under the counter machines, water use should not exceed 1.0 gallons per rack for high-temperature machines and 1.7 gallons per rack for low-temperature machines.
- b. Pre-rinse spray valves that use 1.6 gallons per minute and have a shot off valve.

#### *Food Preparation*

- a. Use connectionless steamers. They do not need either a water supply or a wastewater drain.
- b. Select ice machines that use no more than 20 gallons per hundred pounds of ice made.

#### *Irrigation controllers*

- a. Soil moisture sensors or other water saving technologies shall be installed. Devices shall be installed and function according to manufacturers' recommendations.

#### *Irrigation equipment and design*

- a. Use drip irrigation or microsprinklers for planting beds (once plants are established, irrigation is not usually needed).
- b. Create hydrozoned areas, with beds and turf watered separately.
- c. Design systems to maintain manufacturer-recommended pressure to prevent misting and unnecessary pipe wear.

#### *Soil*

- a. Do not add soil on top of tree roots.

#### *Mulch*

- a. Use organic, preferably locally derived mulch, such as pine bark, dyed landscape mulch, or enviromulch. Avoid cypress mulch which encourages deforestation of natural areas.
- b. Limit use of rock mulch due to increased heat and reflection.
- c. Mulch should be 3-4 inches deep over the root zone and several inches away from the base of plants.

#### *Plant Selection*

- a. Use low-maintenance (drought tolerant) species. The Florida Extension Service's Florida Yards and Neighborhoods Program list these species in a publication for South Florida. <http://miami-dade.ifas.ufl.edu/programs/fyn/publications/dtpl.htm>.
- b. Plant selection should be based on the plant's adaptability to the existing conditions present at the landscaped area and native plant communities. Select plants that are drought and freeze tolerant.
- c. For areas with limited soil space such as parking lots, use naturally small stature trees or use palms. Information for small stature trees for restricted spaces, such as narrow swales and limited space residential lots where canopy and roots can become problem can be found at <http://miami-dade.ufl.edu/programs/urbanhort/publications/PDF/SaMI%20Trees%20for%20Miami-Dade.pdf>.
- d. Florida-friendly landscape principles should be applied. These principles conserve water and protect the environment and include efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance. (Ref. 373.185 F.S.)

## **Infrastructure Requirements**

1. In the event that the MDWASD cannot provide services, the construction of Reverse Osmosis (RO) plants for

developments equal or larger than 1 MGD water allocation.

- a. Requirement of installation of a potable water treatment plant and distribution system. This requirement should exempt the developer from water connection charges.
  - b. RO plants should be owned and operated by MDWASD – Chapter 24 language needs to be amended.
2. In the event that the MDWASD cannot provide services, the construction of satellite wastewater reclamation facilities producing irrigation quality reclaimed water (62-610, Part III), larger than 100,000 gallons per day.
- a. Modify language in Chapter 24 to allow for the construction of wastewater reclamation facilities plants even if the project is within feasible distance of, or actually connected to sanitary sewers. The quality of the treated effluent should be reviewed to possibly allow for a lower level of treatment for irrigation and other uses.
  - b. Wastewater reclamation facilities should be owned and operated by MDWASD – Chapter 24 language needs to be amended.
3. For developments where water supply is available, all developers should consider the installation of "purple pipes" if the development is within a reuse zone and feasible distance from the "Mandatory Reuse Area" (MRA).

#### Public Information, Outreach, and Education

1. Expand "Factual Data" concept to encourage water conservation.  
Revise Section 24-43.1(5) includes provisions for use of factual data in lieu of tabulated rates. Section can be expanded to provide credits for the use of water saving strategies (e.g., reuse of gray water for toilet flushing, dual-flush toilets, etc.).  
NOTE: This will require similar adoption in MDWASD rules.
2. Add "Non-Revenue Water" ordinance to Chapter 24, Miami-Dade County Environmental Protection Ordinance. Implement an Ordinance for "unaccounted-for" water (a.k.a. "non-revenue" water) that requires compliance with an established standard. The ordinance shall be structured to address "real" and "apparent" water losses in accordance with the principles established by the International Water Association (IWA) and IWA book 'Losses in Water Distribution Networks - A Practitioner's Guide to Assessment, Monitoring and Control.' The ordinance can be incorporated into Chapter 24, Miami-Dade County Environmental Protection Code and managed by the Department of Environmental Resources Management (DERM) similar to the Volume Sewer Customer Ordinance.
3. Encourage the review and adoption of County ordinances for both:
  - landscape protection, preservation and management, and for
  - water conservation by the County and its municipalities
4. A Hot Water Recirculation System or Point-of-Use Hot Water heater shall supply water to hot water fixtures further than ten linear feet of pipe away from the hot water heater. All hot water pipes shall be insulated.
5. Promote use of grey water for toilets and other uses discharging to public sanitary sewers.
6. All withdrawal from the aquifer should be metered including residential irrigation wells.
7. Landscape irrigation controller, soil moisture sensor, and irrigation system run time information. This sleeve shall be connected to the irrigation controller for use by the homeowner.



Memorandum

RECEIVED  
JUN 29 2007

Asst. Director Planning

TO: Subrata Basu  
Interim Director  
Department of Planning & Zoning

2007 JUL -3 A 9:02 DATE: June 27, 2007

PLANNING & ZONING  
METROPOLITAN PLANNING SECT

FROM: Sunil Harnay, Division Director  
Aviation Planning, Land-Use & Grants  
Aviation Department

SUBJECT: Miami Metrozoo DRI  
Application to Amend the CDMP  
DIC Application #07-186

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed Miami Metrozoo's application to amend the Comprehensive Development Master Plan (CDMP). Miami Metrozoo is requesting that a new land use category be added to the CDMP and that portions of the Miami Metrozoo and Gold Coast Railroad properties be designated on the 2015/2025 Land Use Map with the category: Miami MetroZoo Entertainment Area. The intent is to allow the construction of a proposed water park, family entertainment center and hotel on currently underutilized Metrozoo parking lots. Please be advised that MDAD has reviewed the application for both land use and airspace restrictions.

Land Use Review:

Based on the available information, MDAD has determined that the referenced property is located inside the No School Zone (NSZ) as depicted in the Zoning Ordinance for Kendall-Tamiami Executive Airport (#99-118).

Airspace Review:

A review of the application by the Aviation Planning Division has ascertained that the indicated maximum structure height of 80 ft AGL (assumed 90 ft NGVD) at the Southeast corner of SW 152 St and SW 122 Ave conforms to County Ordinance. Furthermore, an FAA Airspace Determination by MDAD for the project is not required, provided it is less than or equal to the assumed height stated herein.

This height determination is an estimate issued on a preliminary or advisory basis. Any construction cranes for this project exceeding 117 ft will be required to file with the FAA by using form 7460-1 'Notice of Proposed Construction Alteration for Determination of Known Hazards'. This form should be sent with a 45 day advance notice prior to raising the crane. The form is available through this office or through the FAA website: <http://forms.faa.gov/forms/faa7460-1.pdf>.

Subrata Basu  
June 27, 2007  
Page 2

This form should be mailed to:

Federal Aviation Administration  
Air Traffic Airspace Branch - ASW-520  
2601 Meacham Blvd, Ft. Worth, TX 76137-0520

Alternatively, you may "e-file" online at: <https://oeaaa.faa.gov>

This determination is based, in part, on the description provided to us by you, which include: specific building locations and heights. Any changes in building locations/layouts or heights will void this determination. Any future construction or alteration, including an increase to height: requires separate notice to the FAA and the Miami-Dade Aviation Department.

Should you have any questions, or in obtaining and/or filling out FAA form 7460-1 you may contact Mr. José A. Ramos, Chief of Aviation Planning at 305-876-8080.

SH/rb

C: John Cospers, Deputy Aviation Director – CIP  
José Ramos, Chief, Aviation Planning  
Daryl Vreeland, Aviation Planner, Aviation Planning  
Renee Bergeron, Administrative Officer, Aviation Planning

# TEAM METRO

## ENFORCEMENT HISTORY

MIAMI-DADE COUNTY PARKS &  
RECREATION DEPARTMENT

12400 S.W. 152 STREET, MIAMI-  
DADE COUNTY, FLORIDA.

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**APPLICANT**

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**ADDRESS**

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Z2007000186

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**HEARING NUMBER**

### CURRENT ENFORCEMENT HISTORY:

05-14-08  
No current violations found.

Prior Case 200002005347 for overgrowth. Case Closed

Jose Lopez

**DISCLOSURE OF INTEREST\***

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

CORPORATION NAME: Miami-Dade County (through Department of Park and Recreation)

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Miami-Dade County is a political subdivision of the State of Florida. See Article VIII of the Constitution of the State of Florida (1974) with Home Rule Authority under Section 11 of Article VIII of the Florida Constitution of 1985</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

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

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

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

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

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MAY 22 2007

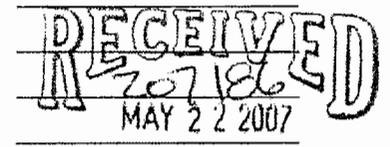
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT  
BY \_\_\_\_\_

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: N/A

NAME AND ADDRESS (if applicable) Percentage of Interest

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



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

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

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

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

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

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

Signature: [Signature]  
Vivian Rodriguez, Director, Miami-Dade County Department of Park and Recreation

Sworn to and subscribed before me this 17 day of May, 2007 Affiant is personally known to me or has produced self as identification.

Marie Elena Regojo  
(Notary Public)

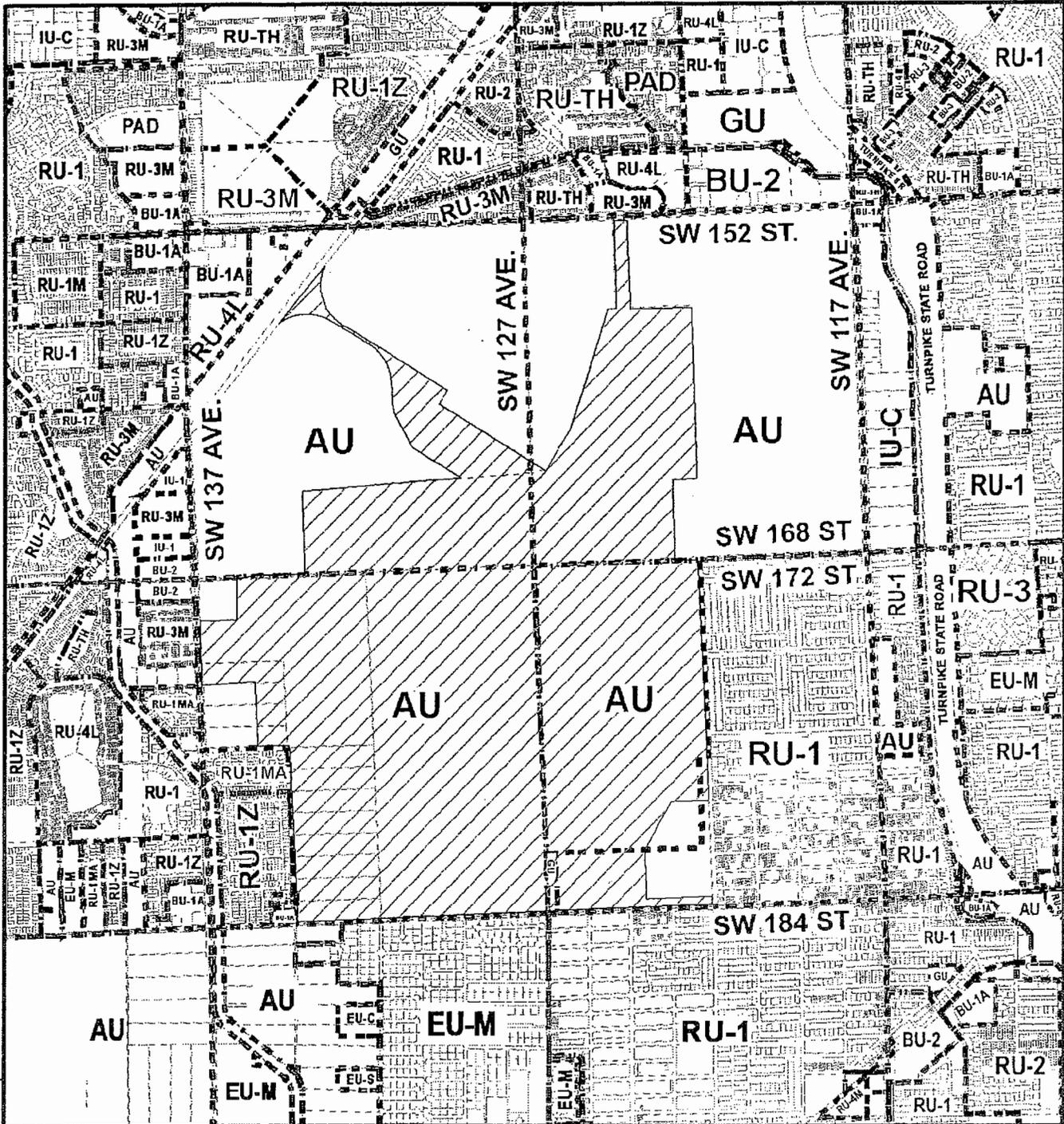


Marie Elena Regojo  
Commission # DD350409  
Expires: AUG. 26, 2008  
Bonded Thru  
Atlantic Bonding Co., Inc.

My commission expires 8/26/08

\*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.

475



MIAMI-DADE COUNTY  
HEARING MAP

Process Number  
**07-186**



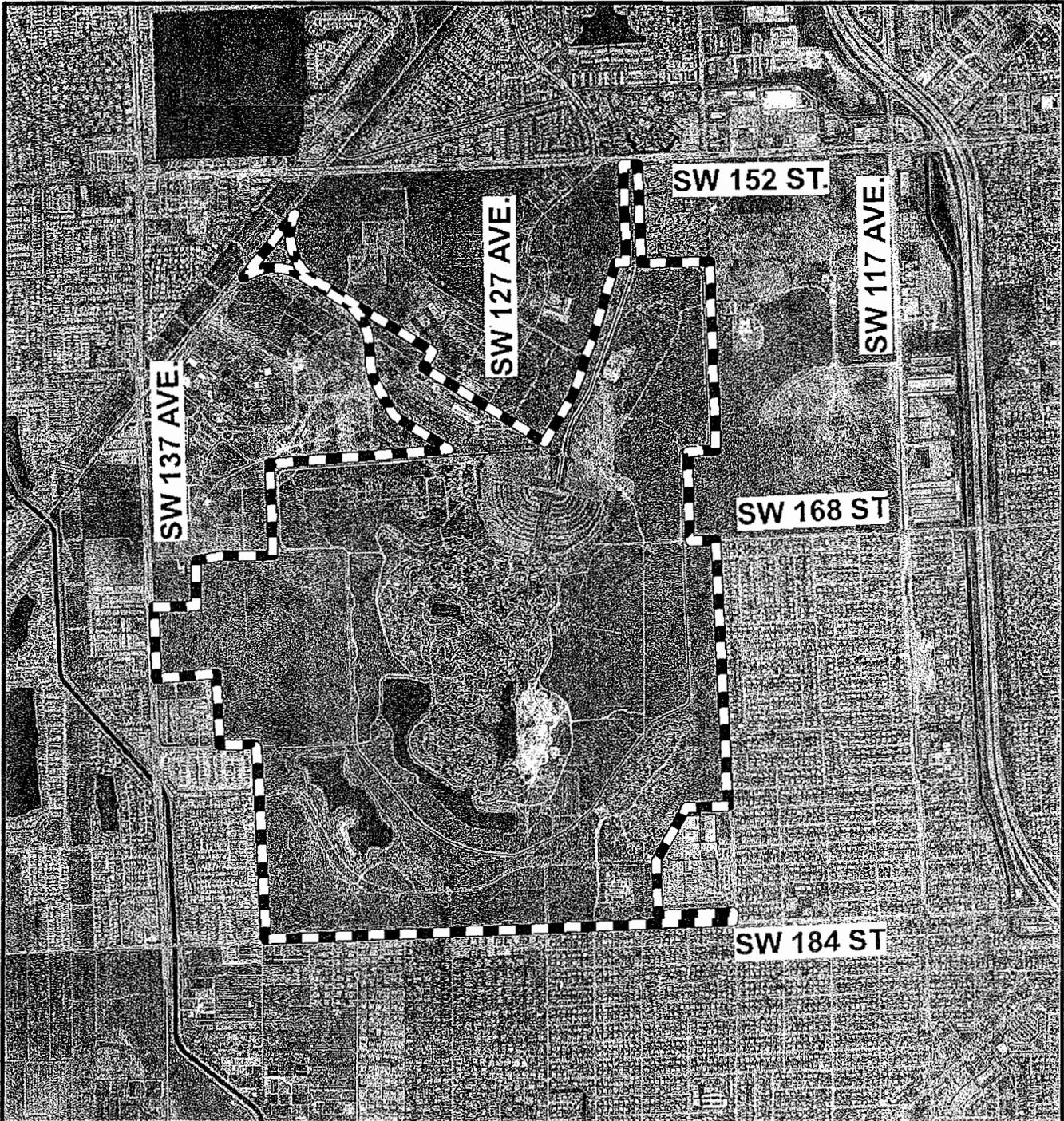
SUBJECT PROPERTY

Section: 25/26/35/36 Township: 55 Range: 39  
 Applicant: MIAMI-DADE COUNTY PARKS & RECREATION DEPARTMENT  
 Zoning Board: C14  
 District Number: 9  
 Drafter ID: N'NAGBE  
 Scale: NTS

76



FIGURE	DATE	BY
100th Collection	09/13/07	KALAM



MIAMI-DADE COUNTY  
AERIAL

Process Number  
**07-186**



**SUBJECT PROPERTY**

Section: 25/26/35/36 Township: 55 Range: 39  
Applicant: MIAMI-DADE COUNTY PARKS & RECREATION DEPARTMENT  
Zoning Board: C14  
District Number: 9  
Drafter ID: N'NAGBE  
Scale: NTS



REVISION	DATE	BY
Sketch Correction	07/12/07	TAJAN

**4. UNITED AT KENDALL LAKES, INC.**  
**(Applicant)**

**08-7-CC-4 (07-294)**  
**BCC/District 11**  
**Hearing Date: 7/3/08**

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>
1969	Simeon D. Spear, Trustee	Zone change from GU to RU-1, RU-TH, RU-3M, RU-4L, and RU-4M.	BCC	Appeal approved Application approved
1969	Simeon D. Spear, Trustee	Zone change from GU to RU-1, RU-TH, RU-3M, RU-4L, and RU-4M.	ZAB	Approved w/conds.
1993	Paul J. Sansone	- Zone change from GU and BU-2 to BU-1A. - Deletion of covenants. - Non-use variance.	BCC	Approved
1994	Paul Sansone	Reformation of a previous resolution.	BCC	Approved
2003	Benz Leasing, Inc.	- Zone change from GU to RU-4L and RU-1. - Deletion of a covenant.	BCC	Approved
2006	United at Kendall Lakes, Inc.	Modification and deletion of a covenant.	BCC	Approved
2007	Little Havana Activities & Nutrition	To permit a senior citizen center.	CZAB-11	Approved w/conds.

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 DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

**APPLICANT:** United At Kendall Lakes, Inc.

**PH:** Z07-294 (08-7-CC-4)

**SECTION:** 33-54-39

**DATE:** July 3, 2008

**COMMISSION DISTRICT:** 11

**ITEM NO.:** 4

=====

**A. INTRODUCTION**

o **REQUESTS:**

- (1) MODIFICATION of Condition #2 of Resolution No. Z-13-06, passed and adopted by the Board of County Commissioners, only as it applies to the subject property, and reading as follows:

FROM: "2. That the applicant provide ten affordable housing units at the sales price of no more than \$225,000 with an annual consumer price index (cpi) adjustment."

TO: "2. That the applicant provide ten affordable housing units at the sales price of no more than \$225,000 with an annual consumer price index (cpi) adjustment, or alternatively, provide ten rental units with a monthly rent that does not exceed the Fair Market Rent for Miami-Dade County as determined by the United States Department of Housing and Urban Development (HUD)."

- (2) MODIFICATION of Paragraph One of the Declaration of Restrictions recorded at Official Record Book 21660, Pages 4050-4060, as modified by Paragraph #2 of a modification of a Declaration of Restrictions recorded at Official Record Book 25839, Pages 1199-1209, reading as follows:

FROM: "2. Paragraph One of the Existing Covenant is hereby amended to read as follows:

The Multi-Family Residential Parcel, described in Exhibit 'B' attached hereto, shall be developed substantially in compliance with the plans previously submitted, entitled 'The Greens at Kendall Condominiums,' by ReyMar & Associates, Inc., Architects and Planners, consisting of eighteen (18) pages dated stamped received 10-5-05."

TO: "2. Paragraph One of the Existing Covenant is hereby amended to read as follows:

The Multi-Family Residential Parcel, described in Exhibit 'B' attached hereto, shall be developed substantially in compliance with the plans previously submitted, entitled 'Tradition at Kendall,' as prepared by Robayna and Associates, Inc. consisting of 4 sheets dated stamped 03/17/08 and sheet S-5 dated stamped received 05/16/08, plans entitled 'Tradition at Kendall Kendall Lakes, Florida,' by Richard Jones Architecture, consisting of 20 sheets dated

stamped received 3/17/08 and plans entitled 'Tradition at Kendale Lakes,' as prepared by JFS Design, Inc., consisting of 10 sheets dated stamped received 3/17/08, for a total of 35 sheets."

The purpose of requests #1 and #2 is to allow the applicant to submit revised plans for a previously approved multi-family apartment development showing fewer units, a new building configuration, filling a portion of a lake, and providing a new condition for workforce housing.

(3) UNUSUAL USE to permit a partial filling of an existing lake.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #1 and #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

- o **SUMMARY OF REQUESTS:** Approval of this application will allow the modification of a Condition of a prior Resolution that will allow the applicant to provide, as an alternative to ten affordable housing units at the sale price of no more than \$225,000 with an annual consumer price index (cpi) adjustment, the option of providing ten rental units with a monthly rent that does not exceed the Fair Market Rent for Miami-Dade County as determined by the United States Department of Housing and Urban Development (HUD). Further, approval of this application will allow the modification of a Declaration of Restrictions submitted in conjunction with a previously approved resolution that will allow the applicant to submit revised plans for a previously approved multi-family development showing fewer dwelling units, a new building configuration, and the partial filling of a lake.
  - o **LOCATION:** Lying approximately 350' north of SW 88 Street (North Kendall Drive) and east of Hammocks Boulevard, Miami-Dade County, Florida.
  - o **SIZE:** 15.81 Acres
  - o **IMPACT:** Approval of this application will allow the applicant to construct seven (7) three-story apartment buildings and a two-story clubhouse that will provide 228 housing units for the community. The proposed multi-family residential development will have an option for 10 of the units to be priced as affordable housing units or to be rented at the Fair Market Rent for Miami-Dade County. The residential development proposes 2 fewer units than previously approved which will decrease traffic, noise and the student population in the area from what was previously approved. The proposed partial filling of an existing lake in connection with the residential development will have a minimal impact on public services.
- B. **ZONING HEARINGS HISTORY:** In 1969 the subject property was part of a larger tract of land which the Board of County Commissioners (BCC) rezoned from GU, Interim District, to RU-1, Single-Family Residential District, RU-TH, Townhouse District, RU-3M, Minimum Apartment House District, RU-4L, Limited Apartment House District, RU-4M, Modified Apartment House District, and BU-2, Special Business District, pursuant to Resolution #Z-357-69. The subject property remained

zoned GU and was utilized as a golf course that served the residential development (Kendall Lakes West) approved by the aforementioned Resolution. A Declaration of Restrictions was subsequently recorded, which among other things, restricted the use of the subject property to a golf course and country club with ancillary recreational facilities. In 1993, pursuant to Resolution #Z-170-93, the BCC rezoned a portion of the parent tract from GU and BU-2 to BU-1A, Limited Business District. That Resolution also deleted restrictions and covenants for Parcels M and L, deleted Resolution #4ZAB-21-77, deleted conditions as applied to an unusual use for a golf course (#4ZAB-598-69), and granted a special exception and non-use variances that permitted the development of a church. However, the aforementioned Resolution did not affect the subject property. In 1994, pursuant to Resolution #Z-218-94, the BCC granted a Reformation of the legal description of Resolution #Z-170-93. In 2003, pursuant to Resolution #Z-13-03, the BCC approved zone changes from GU to RU-4L on the subject property and GU to RU-1 on the property to the north. Additionally, the Board approved a deletion of a Declaration of Restrictions that limited the use of the property to a golf course and country club with ancillary recreational facilities. This deletion allowed the applicant to develop the subject property with a park, a charter school, 240 low to moderate income housing units for older persons and a senior center. In March 2006, the BCC approved a modification of a Declaration of Restrictions of a previously approved resolution that allowed the applicant to submit revised plans showing the property developed as a multi-family apartment development consisting of three 6-story buildings, pursuant to Resolution #Z-13-06. That Resolution also removed the requirement that the subject site be developed with senior housing units and deleted a paragraph limiting the development to very low to moderate income or senior housing developed at 240 units or more.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The adopted 2015 and 2025 Land Use Plan currently designates the subject property as being within the Urban Development Boundary for **Parks and Recreation** use.

The Land Use Plan map specifically illustrates parks and recreation areas of metropolitan significance, including State parks and the Biscayne and Everglades National Parks. Also illustrated are golf courses and other parks of approximately 40 acres and larger which are significant community features. Most neighborhood local parks smaller than 40 acres in size are not specifically shown on the Plan map; however, this omission should not be interpreted as meaning that these parks will be taken out of public use. Compatible parks are encouraged in all of the residential categories and may be allowed in all other categories of the LUP map. The siting and use of future parks and recreation areas shall be guided by the Park and Open Space, and Capital Improvement Elements, and by the goals, objectives and policies of the CDMP. Both governmentally and privately owned lands are included in areas designated for Parks and Recreation use. Most of the designated privately owned land either possesses outstanding environmental qualities and unique potential for public recreation, or is a golf course included within a large scale development.

Unless otherwise restricted, the privately owned land designated as Parks and Recreation may be developed for a use or a density comparable to, and compatible

with, surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP. Except as consistent with the provisions below, however, this allowance does not apply to land designated Parks and Recreation that was set aside for park recreation or open space use as a part of, or as a basis for approving the density or other aspect of, a residential (or other) development or is otherwise subject to a restrictive covenant accepted by a public entity.

2. **Goal 1 of the Housing Element.** Ensure the provision of affordable housing that will meet the spatial and economic necessities of all current and future Miami-Dade County Residents, regardless of household type or income.
3. **Objective 3 of Housing Element.** Assist the private sector in providing affordable housing products in sufficient numbers for existing and future residents throughout the County by the year 2025, (approximately 294,000 units), with an appropriate percentage (about 42 percent) of new housing available to very low, low and moderate-income households.
4. **Other Land Uses Not Addressed.** Certain uses are not authorized under any LUP map category, including many of the uses listed as "**unusual uses**" in the Zoning Code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area.
5. **Uses and Zoning Not Specifically Depicted on the LUP Map.** Within each map category numerous land uses, zoning classifications and housing types may occur. Many existing uses and zoning classifications are not specifically depicted on the Plan map. This is due largely to the scale and appropriate specificity of the countywide LUP map, graphic limitations, and provisions for a variety of uses to occur in each LUP map category. In general, 5 acres is the smallest site depicted on the LUP map, and smaller existing sites are not shown. All existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning (a) is found through a subsequent planning study, as provided in Policy LU-4E, to be inconsistent with the criteria set forth below; and (b) the implementation of such a finding will not result in a temporary or permanent taking or in the abrogation of vested rights as determined by the Code of Miami-Dade County, Florida. The criteria for determining that an existing use or zoning is inconsistent with the plan are as follows: 1) Such use or zoning does not conform with the conditions, criteria or

standards for approval of such a use or zoning in the applicable LUP map category; and 2) The use or zoning is or would be incompatible or has, or would have, an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. Also deemed to be consistent with this Plan are uses and zoning which have been approved by a final judicial decree which has declared this Plan to be invalid or unconstitutional as applied to a specific piece of property. The presence of an existing use or zoning will not prevent the County from initiating action to change zoning in furtherance of the Plan map, objectives or policies where the foregoing criteria are met. The limitations outlined in this paragraph pertain to existing zoning and uses. All approval of new land uses must be consistent with the LUP map and the specific land use provisions of the various LUP map categories, and the objectives and policies of this Plan. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning.

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-4L; vacant

Parks and Recreation

Surrounding Properties

NORTH: RU-1; park

Parks and Recreation

SOUTH: RU-4L; vacant

Parks and Recreation

EAST: RU-4L & RU-4M; apartments & a lake

Low-Medium Density, 6 to 13 dua

WEST: RU-4L; RU-3M & RU-4M; townhouse residences  
charter school & apartments

The subject parcel is currently vacant and located in the general vicinity of West Kendale Lakes that lies north of SW 88 Street, North Kendall Drive, between SW 147 Avenue and SW 152 Avenue. A charter school, apartments and townhouses are located to the east and west. The land to the south of the subject site is currently vacant and undergoing development of a senior citizen center. A park is located to the north of the subject site, across SW 80 Street.

**E. SITE AND BUILDINGS:**

<b>Site Plan Review:</b>	(site plan submitted)
Scale/Utilization of Site:	<b>Acceptable</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Acceptable</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Acceptable</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Visibility/Visual Screening:	<b>N/A</b>
Urban Design:	<b>N/A</b>

**F. PERTINENT REQUIREMENTS/STANDARDS:**

**33-311(A)(7) Generalized Modification Standards.** The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; 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.

**Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing.** The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses.** The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by 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.

**G. NEIGHBORHOOD SERVICES:**

DERM	<b>No objection*</b>
Public Works	<b>No objection*</b>
Parks	<b>No objection</b>
MDT	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No objection</b>

\*Subject to conditions indicated in their memoranda.

**H. ANALYSIS:**

The subject property is irregularly shaped and is located approximately 350' north of S.W. 88 Street (North Kendall Drive) and to the east of Hammocks Boulevard, between SW 147 Avenue and SW 152 Avenue. The subject site is vacant and the surrounding area is characterized by apartment and townhouse developments to the east and west, and a lake, park and vacant land to the north and south. The applicant is seeking a modification of a Condition of a prior Resolution that will allow the applicant to provide, as an alternative to affordable housing units, ten rental units with a monthly rent that does not exceed the Fair Market Rent for Miami-Dade County as determined by the United States Department of Housing and Urban Development (HUD) (request #1). The applicant is also seeking a modification of a previously recorded Declaration of Restrictions in order to submit revised plans for a previously approved multi-family development showing fewer dwelling units, a new building configuration, and a partial filling of a lake (request #2). The applicant has submitted plans illustrating the aforementioned requests.

The plans previously approved in 2006 depict three (3) six-story residential buildings totaling 230 units with a two-story parking garage located in the center of the buildings and a clubhouse adjacent to the lake. Each apartment building includes a parking level on the ground floor. Staff's review of the previously approved plans reveals that said residential buildings and clubhouse are located on the southern portion of the subject site. Plans submitted in conjunction with this application illustrate seven (7) three-story residential buildings totaling 228 units with surface parking lots interspersed along the northerly-southerly axis of the site around the existing lake. The submitted plans also depict a clubhouse located on the southern portion of the site near the Hammocks Boulevard entrance that features amenities such as a pool, fitness area, tot lot and

lounge area. Further, staff notes that lush landscaping such as Jamaica Caper and Green Buttonwood trees are provided along most of the east property line and that landscaping such as Spider Lily, Cocoplum, and Foxtail palms adorn the areas near the entrances located at Hammocks Boulevard and SW 80 Street. Access to the site is provided via two 2-way drives located at the terminus of Hammocks Boulevard and along SW 80 Street. Staff's review of the submitted plans indicate that portions of the existing lake on both the northern and southern portion of the site are to be filled in order to accommodate the proposed parking configurations.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application. According to their memorandum, an entrance feature application will be required for any installation of gates or controlled entrance access and guardrail installation is required along pavement and driveways adjacent to the lake areas. Their memorandum further indicates that additional improvements and lake section requirements may be required at the time of permitting. Furthermore, the Public Works Department's memorandum indicates that this application does meet traffic concurrency criteria since it was evaluated and approved previously under a Tentative Plat. The **Miami-Dade County Public Schools** (MDCPS) has **no objections** to this application and has indicated that the proposal does not entail an increase in residential density. The **Miami-Dade County Fire Rescue Department** (MDFR) has no objections to this application and their memorandum indicates that the estimated average travel response time is **6:32 minutes**.

This application will allow the applicant to modify plans that were previously approved for a multi-family residential apartment development to show fewer dwelling units, a new building configuration, and a modified lake slope, which will provide 228 housing units for the community. Additionally, the approval of the application will allow the applicant the option of providing ten rental units with a monthly rent that does not exceed the Fair Market Rent for Miami-Dade County as determined by the United States Department of Housing and Urban Development (HUD) in lieu of ten affordable housing units at a sale price of no more than \$225,000 with a cpi adjustment. The Comprehensive Development Master Plan (CDMP) designates this property for **Parks and Recreation** use. The Master Plan indicates that both governmentally and privately owned lands are included in areas designated for Parks and Recreation use. However, unless otherwise restricted, the privately owned land designated as Parks and Recreation may be developed for a use or a density comparable to, and compatible with, surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP. As previously mentioned the site was rezoned from GU to RU-4L in 2003, which permits a density of 23 units per acre, for a total of 241 units on the subject site. As such, the proposed development with 228 residential units is within the numerical threshold for density allowed under the RU-4L zoning regulations. The CDMP states that all existing lawful uses and zoning are deemed to be consistent with the Master Plan. As such, the existing RU-4L zoning is **consistent** with the CDMP. Staff notes that in conjunction with the 2003 zone change approval, a covenant was proffered and recorded which provided that under any development plan, no less than fifty percent (50%) of the property's gross acreage must remain as park or recreational open space, which requires that a minimum

of 25 acres of the original 50 acre site remain as park or recreational open space. Staff notes that this application complies with said covenant provision in that the proposal preserves the existing 26.273 acre park parcel located to the north of the subject site, across SW 80 Street.

Further, the CDMP indicates that uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. The proposed multi-family residential development illustrated in the submitted plans is less intense in terms of density and scale than that previously approved and is **compatible** with the residential development in the area. The proposed partial filling of an existing lake in order to achieve the new building and parking lot configurations will allow for wider driveways which will improve traffic circulation on the property. Moreover, staff notes that DERM has no objections to the proposed partial filling of the lake and indicates in their memorandum that the proposal will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with conditions required by DERM. In staff's opinion, this proposal will not detrimentally impact surrounding uses and is **consistent** with the CDMP.

When request #1 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the requested modification of Condition #2 of Resolution No. Z-13-06 would be, in staff's opinion, **compatible** with the surrounding area, and would not be detrimental to the neighborhood. Staff notes that the applicant seeks to modify Condition #2 of Resolution No. Z-13-06 in order to allow the applicant to provide, as an alternative to ten affordable housing units at the sales price of no more than \$225,000 with an annual consumer price index (cpi) adjustment, to provide ten rental units with a monthly rent that does not exceed the Fair Market Rent for Miami-Dade County as determined by the United States Department of Housing and Urban Development (HUD). Approval of this modification would be in keeping with Objective 3 of the Housing Element, which indicates that the County should assist the private sector in providing affordable housing products in sufficient numbers for existing and future residents throughout the County by the year 2025, (approximately 294,000 units), with an appropriate percentage (about 42 percent) of new housing available to very low, low and moderate-income households. In accordance with the U.S. Department of Housing and Urban Development (HUD), the Fair Market Rent for Miami-Dade County is as follows: \$753 per month for an efficiency, \$853 per month for a one bedroom unit, \$1,035 per month for a two bedroom unit, \$1,324 per month for a three bedroom unit, and \$1,547 per month for a four bedroom unit. Staff opines that the requested modification would provide an added alternative that

would ensure the provision of affordable housing that will meet the spatial and economic necessities of current and future Miami-Dade County residents, regardless of household type or income (Goal 1 of the Housing Element). Accordingly, based on all of the aforementioned, staff recommends approval with conditions of request #1 under Section 33-311(A)(7).

When request #2 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the proposed 228-unit apartment complex would be, in staff's opinion, **compatible** with the surrounding area, and would not be detrimental to the neighborhood. Staff notes that townhouse residences and apartments exist immediately adjacent to the subject site to the west and east of where the proposed development will be constructed. The proposed development, in staff's opinion, would not be out of character with the surrounding area, detrimental to the neighborhood, nor would it affect the appearance of the community. As previously mentioned, the plans approved in 2006 depict three (3) six-story residential buildings totaling 230 units with a two-story parking garage located in the center of the buildings and a clubhouse adjacent to the lake. Each apartment building included a parking level on the ground floor. Staff's review of the previously approved plans from 2006 reveals that said residential buildings and clubhouse were to be located on the southern portion of the subject site. Plans submitted in conjunction with this application illustrate seven (7) three-story residential buildings totaling 228 units with surface parking lots interspersed along the northerly-southerly axis of the site around the existing lake. The submitted plans also depict a clubhouse located on the southern portion of the site near the Hammocks Boulevard entrance. Therefore, in staff's opinion, the current plan is less intense in size and scale than the previously approved plan. Staff further notes that townhouse residences and apartments exist immediately adjacent to the west and east of the subject site where the proposed development will be constructed. Specifically, staff notes that 5-story apartments and 2-story townhouses are located to the west of the subject site and that 3-story and 5-story apartments are located to the east of the subject site. As such, the proposed three-story residential buildings would not be out of character and scale with the aforementioned residential developments, 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, nor would it tend to provoke a nuisance or be incompatible with the area. As such, staff recommends approval subject to conditions of request #2 under the generalized modification standards, Section 33-311(A)(7).

The standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards under this section are applicable to this application. Due to the lack of information, staff is unable to analyze requests #1 and #2 under said standards and, as such, these requests should be denied without prejudice under same.

When analyzing request #3 under Section 33-311(A)(3), Standards For Special Exceptions, **Unusual Uses** and New Uses, and when considering the necessity for and

reasonableness of the proposed partial filling of an existing lake 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 is of the opinion that the proposed use would not have an unfavorable effect on the surrounding area, would not generate or result in excessive noise or traffic, nor cause an undue or excessive burden on public facilities, nor would it tend to create a fire or other equally or greater dangerous hazards nor provoke excessive overcrowding or concentration of people or population. When considering the necessity for and reasonableness of the applied for use in relation to the present and future development of this area and the compatibility of the use with the area and its development, staff is of the opinion that the proposal is not out of character and is **compatible** with the surrounding area. As previously mentioned, staff's review of the submitted plans indicate that portions of the existing lake on both the northern and southern portion of the site are to be filled in order to accommodate the proposed building and parking configurations. Staff's review of the submitted plans reveals that the proposed partial filling of the lake will not impede the 55' wide flow rights reservation area and as such proper flow within the existing lake will be preserved. Further, staff notes that the portions of the lake to be filled adjoin parking areas and drives which will allow for wider driveways and expanded parking areas that will facilitate proper traffic flow within the site. As such, staff recommends approval with conditions of request #3 under Section 33-311(A)(3).

Based on all of the aforementioned, staff notes that the requests area **consistent** with the CDMP and **compatible** with the existing residential development in the surrounding area. Accordingly, staff recommends approval with conditions of requests #1 and #2 under Section 33-311(A)(7), denial without prejudice of same under Section 33-311(A)(17) and approval with a condition of request #3 under Section 33-311(A)(3), standards for special exceptions, unusual uses and new uses.

**I. RECOMMENDATION:**

Approval with conditions of requests #1 and #2 under Section 33-311(A)(7), denial without prejudice of same under Section 33-311(A)(17) and approval with conditions of request #3.

**J. CONDITIONS:**

1. That the applicant submit a revised Declaration of Restrictions to the Department of Planning and Zoning within 90 days of approval of this application, unless a time extension is granted by the Director, for good cause shown.
2. That complete lake fill plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a lake fill permit; said plans shall be substantially in accordance with that submitted for the hearing entitled "Tradition at Kendall," as prepared by Robayna and Associates, Inc. consisting of 4 sheets dated stamped 03/17/08 and sheet S-5 dated stamped received 05/16/08, plans entitled "Tradition at Kendall Kendall Lakes, Florida," by Richard Jones Architecture, consisting of 20 sheets dated stamped received 3/17/08 and plans entitled "Tradition at Kendale Lakes," as prepared by JFS

Design, Inc., consisting of 10 sheets dated stamped received 3/17/08, for a total of 35 sheets.

3. That no fill be permitted within the adjacent rights-of-way.
4. That the applicant obtain a lakefill permit from the Department of Planning and Zoning, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the applicant record the resolution of approval for the use in the public records of Miami-Dade County prior to the issuance of a Certificate of Use.
6. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Department of Planning and Zoning and the Director of Environmental Resources Management.
7. That the hours of the lake fill operation shall be controlled by the Director of the Department of Planning and Zoning, except that the applicant shall be permitted to operate between the hours of 7:00 A.M. and 6:00 P.M. on weekdays only. Saturday/Sunday operation and/or other hours of operation than 7:00 A.M. to 6:00 P.M., may be permitted by the Director of the Department of Planning and Zoning only if the same does not become a nuisance to the surrounding area.
8. That the lake fill operation shall be carried on continuously and expeditiously so that the entire project will be completed within three (3) months of the issuance of the lake fill permit.
9. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the lake fill operation progresses. In accordance with this requirement, the applicant shall submit "as built" surveys prepared and sealed by a Florida licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the lake fill operation or at six months intervals, whichever is of a lesser duration, or upon request of either the Director of the Department of Planning and Zoning or the Director of the Environmental Resources Management when it appears that the lake fill is proceeding contrary to approved plans.
10. That the property shall be staked to meet with the approval of the Director of the Department of Planning and Zoning and the Director of Environmental Resources Management; said stakes shall be maintained in proper position so that the limits of the lake fill, slopes and grade levels may be easily determined.
11. That the property shall be suitably posted to meet with the approval of the Director of the Department of Planning and Zoning and the Director of Environmental Resources Management; said posting shall denote the lake fill operation and warn the public concerning possible hazards, prior to commencement of the lake fill operation.

12. That if in the opinion of the Director of the Department of Planning and Zoning the lake fill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicant as directed by the Director.
13. If the lake fill operation is discontinued, abandoned, falls behind schedule or time expires, the existing excavation shall immediately be sloped to conform with the previously approved lake plans and the entire lake fill operation shall be removed from the premises.
14. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda that are part of the record of this recommendation and are incorporated herein by reference.

**DATE INSPECTED:** 09/11/07  
**DATE TYPED:** 05/22/08  
**DATE REVISED:** 05/28/08; 05/30/08; 06/05/08; 06/13/08  
**DATE FINALIZED:** 06/13/08  
MCL:MTF:LVT:NC



Marc C. LaFerrier, AICP, Director  
Miami-Dade County Department of  
Planning and Zoning

# Memorandum



**Date:** December 6, 2007

**To:** Subrata Basu, AIA, AICP, Interim Director  
Department of Planning and Zoning

**From:** Jose Gonzalez, P.E., Assistant Director  
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is written in a cursive, flowing style.

**Subject:** C-11 #Z2007000294-Revised  
United at Kendall Lakes, Inc.  
Northeast Corner of North Kendall Drive and S.W. 150<sup>th</sup> Avenue  
Modification of Declaration of Restrictions and Resolution Z-13-06  
Unusual Use to Permit a Lake Fill  
(RU-4L) (15 Acres)  
33-54-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

#### Wellfield Protection

The subject property is located within the West Wellfield Interim protection area. The West Wellfield is located between SW 72<sup>nd</sup> Street and Coral Way along theoretical SW 172<sup>nd</sup> Avenue. 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 is for a residential zoning district, a covenant prohibiting hazardous materials is not required. However, all development shall comply with the requirements of Section 24-43 of the Code.

#### 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. All sewer lines serving the property shall comply with the exfiltration standards, as applied to development within wellfield protection areas.

Existing public water and public sanitary 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 of 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 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 platting and site development, or Miami-Dade Public Works Department approval of paving and drainage plans. The applicant is advised to contact the DERM Water Control Section for further information regarding permitting procedures and requirements.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

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 by DERM for this proposed development order.

Wetlands

The subject property does not contain jurisdictional 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 property contains prohibited trees, as defined in Section 24-49.9 of the Code. Pursuant to Section 24-49.9 of the Code, all prohibited trees must be removed from the site prior to development. Notwithstanding the foregoing, the applicant is advised that Section 24-49 of the Code requires the preservation of tree resources. A Miami-Dade County Tree Removal Permit will be required prior to the removal or relocation of any County-regulated tree resources (non-prohibited species) at this location. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of sites and landscaping plans.

Enforcement History

DERM has found no open or closed enforcement record for the subject property.

Concurrency Review Summary

DERM has conducted a concurrency review 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 DERM's written approval, as required by the Code.

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

cc: Lynne Talleda, Zoning Evaluation - P&Z  
Ron Connally, Zoning Hearings - P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator - P&Z

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: UNITED AT KENDALL LAKES, INC

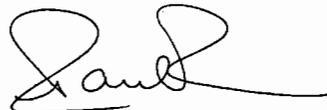
This Department has no objections to this application.

Gates are not part of this application. An entrance feature application will be required for any installation of gates or controlled entrance access.

Guardrail installation is required along pavement and driveways adjacent to lake and must comply with Miami-Dade County Code and the Standard Details of the Public Works Manual.

Additional improvements and lake section requirements may be required at time of permitting.

This application meets the traffic concurrency criteria for an Initial Development Order because it was evaluated and approved previously under Tentative Plat (T-22498).



Raul A Pino, P.L.S.

09-JAN-08

# Memorandum



**Date:** 25-MAR-08  
**To:** Subrata Basu, Interim Director  
 Department of Planning and Zoning  
**From:** Herminio Lorenzo, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2007000294

**Fire Prevention Unit:**

This Memo supersedes MDFR Memorandum dated December 11, 2007.

**APPROVAL**

Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped March 17, 2008. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

**Service Impact/Demand:**

Development for the above Z2007000294

located at LYING APPROX 350' NORTH OF NORTH KENDALL DRIVE AND EAST OF S.W. 150 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

in Police Grid 1780 is proposed as the following:

<u>228</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>4,225</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 65.25 alarms-annually.  
 The estimated average travel time is: 6:32 minutes

**Existing services:**

The Fire station responding to an alarm in the proposed development will be:

Station 36 - Hammocks - 10001 Hammock Blvd.  
 Rescue, ALS 50' Sqrt, Battalion

**Planned Service Expansions:**

The following stations/units are planned in the vicinity of this development:

None.

**Fire Planning Additional Comments:**

Current service impact calculated based on plans date stamped March 17, 2008. Substantial changes to the plans will require additional service impact analysis.

# TEAM METRO

## ENFORCEMENT HISTORY

UNITED AT KENDALL LAKES, INC

LYING APPROX 350' NORTH OF  
NORTH KENDALL DRIVE AND EAST  
OF S.W. 150 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

---

**APPLICANT**

---

**ADDRESS**

---

Z2007000294

---

**HEARING NUMBER**

### CURRENT ENFORCEMENT HISTORY:

NO CURRENT VIOLATIONS WITH TEAM METRO

Folio No. 30-4933-0020020

CMS 200002001614

02/18/00 Case opened for violation of Section Code 33-86: Sign violation on private property.  
Warning notice No.1422 of code violation posted by NCO Jose Lopez

07/05/00 Re-inspection conducted by NCO Lopez – violation corrected and case closed.

CMS 200012003356

09/26/00 Case opened for violation of Section Code 19-6: Junk/Trash/Overgrown. Change of  
ownership.

10/18/00 Re-inspection conducted by NCO San Martin. Violation remained and CVN 773690 was  
issued.

12/12/00 Compliance inspection was conducted by NCO M. San Martin. Violation remained and  
case was sent for remediation.

05/22/01 File sent to Lien Unit.

CMS 200112006543

09/22/01 Case opened for violation of Section code 19-6: Junk/Trash/Overgrown. CVN 803330 issued by NCO S. Martin.

11/26/01 Re-inspection conducted by NCO San Martin. Violation remained. Case was sent to remediation and file was sent to Lien Unit.

CMS 200212002113

04/17/02 Case opened for violation of Section code 19-6: Junk/Trash/Overgrown. CVN 869990 issued by NCO M. San Martin.

05/28/02 Compliance inspection was conducted by NCO San Martin. Case was sent to remediation and file was sent to Lien Unit.

CMS 200312003674

06/03/03 Case opened for violation of Section code 19-6: Junk/Trash/Overgrown. CVN 913734 issued by NCO Robert Marin.

07/15/03 Re-inspection conducted by NCO Marin. Violation corrected by owner and CVN paid. Case closed.

CMS 200512004747

09/27/05 Case opened for violation of Section code 19-13(A): Junk/Trash/Overgrown. W/L issued by NCO R. Marin.

11/03/05 Re-inspection conducted by NCO R. Marin. Violation corrected by owner and case closed.

CMS 200712014346

01/14/08 Case opened for violation of 19-13(A): Junk/Trash/Overgrown. First inspection was conducted by NCO M. Rojas and W/L R101558 was issued.

02/12/08 Re-inspection conducted by NCO M. Rojas. Violation corrected and case closed.

03/24/08 No current violations at the present time.

UNITED AT KENDALL LAKES, INC

Maritza Rojas

**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: United at Kendall Lakes, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Silvio Cardoso</u>	<u>50%</u>
<u>7975 N.W. 154 Street, Suite 400, Miami Lakes Florida 33016</u>	
<u>Anthony Mijares</u>	<u>50%</u>
<u>7975 N.W. 154 Street, Suite 400, Miami Lakes Florida 33016</u>	

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

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

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

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

**RECEIVED**  
207-294  
AUG 22 2007

ZONING HEARINGS SECTION  
PLANNING AND ZONING DEPT.

*[Handwritten signature]*

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: BSP Florida, L.L.C.

NAME ADDRESS AND OFFICE (if applicable)	Percentage of Interest
<u>See attached</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.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

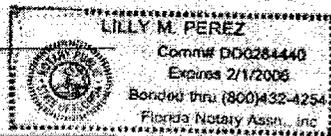
**NOTICE:** For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: *[Handwritten Signature]*  
(Applicant)

Sworn to and subscribed before me this 16<sup>th</sup> day of Aug., 2007. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

*[Handwritten Signature]*  
(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 a other 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.

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ZONING HEARING SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

**Exhibit B**

**Interests in Jamestown BSP Kendall, L.P.**

Name and Address	Percentage of Interest
Jamestown Co-Invest 4, L.P.	75%
BSP/Kendall GP, L.L.C. 250 Park Avenue South, Suite 200 Winter Park, Florida 32789	25%

**Interests in James Co-Invest 4, L.P.**

Entity owned by over 5,000 limited partners, none of which holds more than five (5) percent of the interest in the partnership

**Interests in BSP/Kendall GP, L.L.C.**

Name and Address	Percentage of Interest
BSP/Kendall, L.L.C. 250 Park Avenue South, Suite 200 Winter Park, Florida 32789	100%

**Interests in BSP/Kendall, L.L.C.**

Name and Address	Percentage of Interest
Stephen R. Walsh 250 Park Avenue South, Suite 200 Winter Park, Florida 32789	58%
Denny St. Romain 250 Park Avenue South, Suite 200 Winter Park, Florida 32789	25%
Ken L. Kupp 250 Park Avenue South, Suite 200 Winter Park, Florida 32789	7.5%

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**MIAMI-DADE COUNTY**  
**PROCESS #: Z07-294**  
**DATE: MAR 28 2008**  
**BY: VALDEZV**

**Interests in BSP/Kendall, L.L.C. Continued**

Name and Address	Percentage of Interest
Damien Madsen 250 Park Avenue South, Suite 200 Winter Park, Florida 32789	4.5%
Jeffrey A. Robbins 250 Park Avenue South, Suite 200 Winter Park, Florida 32789	3%
Edwin A. Hallberg 250 Park Avenue South, Suite 200 Winter Park, Florida 32789	2%

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**PROCESS #: Z07-294**  
**DATE: MAR 28 2008**  
**BY: VALDEZV**

# TRADITION AT KENDALL SITE PLAN SUBMITTAL

UNINCORPORATED MIAMI-DADE COUNTY

## HEARING APPROVED SITE DETAILS Z-13-08

ENGINEERING PLANS BY: ROBAYNA & ASSOCIATES, INC.

### INDEX TO SHEETS

- S-1 COVER SHEET
- S-2 OVERALL SITE PLAN (ENLARGED)
- S-3 SUPPLEMENTAL SITE PLAN (ENLARGED)
- S-4 SUPPLEMENTAL SITE PLAN (ENLARGED)
- S-5 SUPPLEMENTAL SITE PLAN (ENLARGED)
- S-6 SUPPLEMENTAL SITE PLAN (ENLARGED)
- S-7 BOUNDARY SURVEY
- S-8 BOUNDARY SURVEY
- S-9 BOUNDARY SURVEY
- S-10 BOUNDARY SURVEY
- S-11 BOUNDARY SURVEY
- S-12 BOUNDARY SURVEY

LANDSCAPE PLANS BY: JES DESIGN, INC.

- LD-1 TREE DISTRIBUTION PLAN
- LD-2 SOUTH LANDSCAPE PLAN
- LD-3 CENTRAL SECTION LANDSCAPE PLAN
- LD-4 WEST SECTION LANDSCAPE PLAN
- LD-5 PLANT LIST, LEGEND, LANDSCAPE DETAILS, ETC.
- LD-6 TYPE I-TYPICAL UNIT LANDSCAPE PLAN
- LD-7 TYPE II-TYPICAL UNIT LANDSCAPE PLAN
- LD-8 TYPE III-TYPICAL UNIT LANDSCAPE PLAN
- LD-9 TYPE IV-TYPICAL UNIT LANDSCAPE PLAN
- LD-10 IRRIGATION PLAN
- LD-11 IRRIGATION DETAILS, SPECIFICATIONS, ETC.

ARCHITECTURAL PLANS BY: RICHARD JONES ARCHITECTURE, INC.

- OV-1 COVER SHEET
- A-1 BLDG. TYPE 1: FIRST & SECOND FLOOR PLAN
- A-2 BLDG. TYPE 1: THIRD FLOOR & ROOF PLAN
- A-3 BLDG. TYPE 1: ELEVATIONS
- A-4 BLDG. TYPE 1: FIRST FLOOR PLAN
- A-5 BLDG. TYPE 1: SECOND FLOOR PLAN
- A-6 BLDG. TYPE 1: THIRD FLOOR PLAN
- A-7 BLDG. TYPE 2: ROOF PLAN
- A-8 BLDG. TYPE 2: ELEVATIONS
- A-9 BLDG. TYPE 2: FIRST & SECOND FLOOR PLAN
- A-10 BLDG. TYPE 2: ELEVATIONS
- A-11 BLDG. TYPE 2: FIRST & SECOND FLOOR PLAN
- A-12 BLDG. TYPE 2: THIRD FLOOR & ROOF PLAN
- A-13 BLDG. TYPE 2: ELEVATIONS
- A-14 BLDG. TYPE 2: ELEVATIONS
- A-15 CLUBHOUSE: FIRST & SECOND FLOOR PLAN
- A-16 CLUBHOUSE: WEST & EAST ELEVATION
- A-17 CLUBHOUSE: SOUTH & NORTH ELEVATION
- A-18 CLUBHOUSE: SOUTH & NORTH ELEVATION

\* NOT A PART OF THIS SUBMITTAL

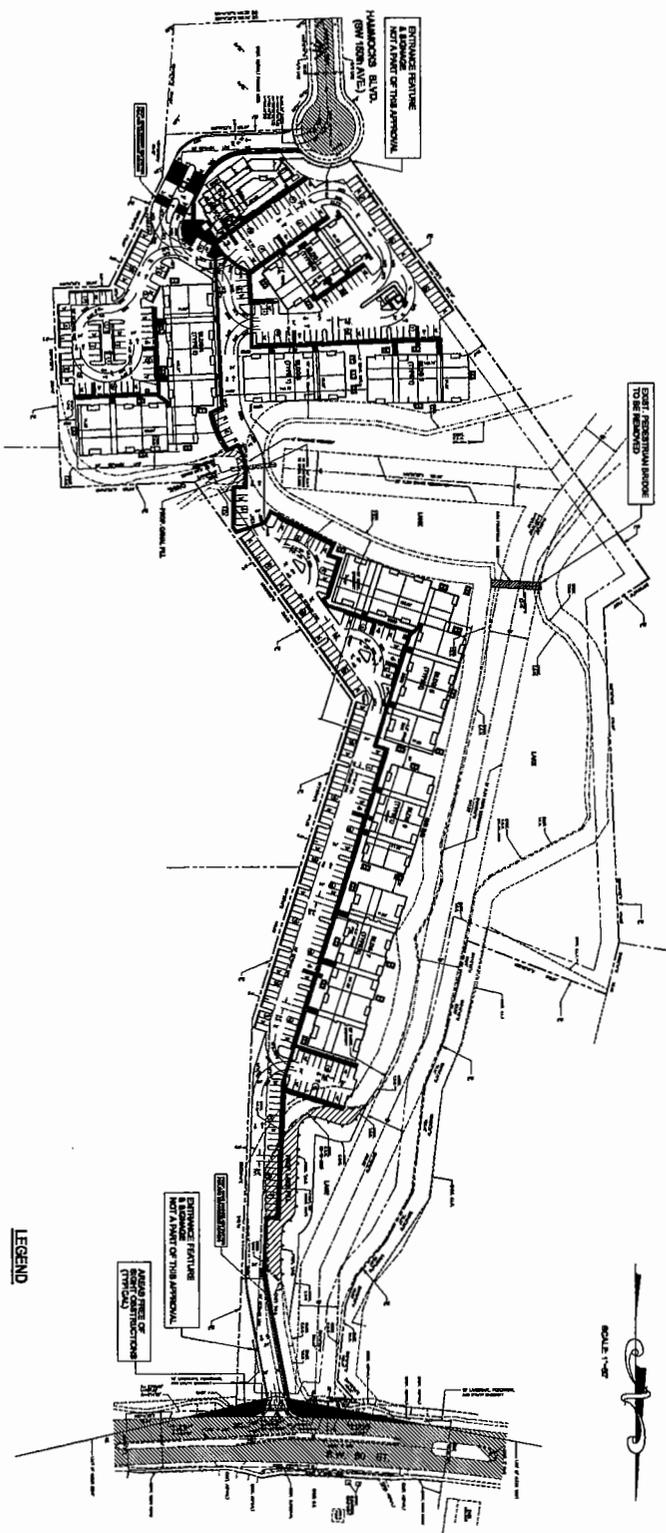
ZONE	OFFICIAL CODE	MAXIMUM HEIGHT @ 20' WIND VELOCITY
RESIDENTIAL	R-1	35 FT.
RESIDENTIAL	R-2	35 FT.
RESIDENTIAL	R-3	35 FT.
RESIDENTIAL	R-4	35 FT.
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RESIDENTIAL	R-94	35 FT.
RESIDENTIAL	R-95	35 FT.
RESIDENTIAL	R-96	35 FT.
RESIDENTIAL	R-97	35 FT.
RESIDENTIAL	R-98	35 FT.
RESIDENTIAL	R-99	35 FT.
RESIDENTIAL	R-100	35 FT.

### PROPOSED SITE DATA

ZONE	OFFICIAL CODE	MAXIMUM HEIGHT @ 20' WIND VELOCITY
RESIDENTIAL	R-1	35 FT.
RESIDENTIAL	R-2	35 FT.
RESIDENTIAL	R-3	35 FT.
RESIDENTIAL	R-4	35 FT.
RESIDENTIAL	R-5	35 FT.
RESIDENTIAL	R-6	35 FT.
RESIDENTIAL	R-7	35 FT.
RESIDENTIAL	R-8	35 FT.
RESIDENTIAL	R-9	35 FT.
RESIDENTIAL	R-10	35 FT.
RESIDENTIAL	R-11	35 FT.
RESIDENTIAL	R-12	35 FT.
RESIDENTIAL	R-13	35 FT.
RESIDENTIAL	R-14	35 FT.
RESIDENTIAL	R-15	35 FT.
RESIDENTIAL	R-16	35 FT.
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RESIDENTIAL	R-20	35 FT.
RESIDENTIAL	R-21	35 FT.
RESIDENTIAL	R-22	35 FT.
RESIDENTIAL	R-23	35 FT.
RESIDENTIAL	R-24	35 FT.
RESIDENTIAL	R-25	35 FT.
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RESIDENTIAL	R-27	35 FT.
RESIDENTIAL	R-28	35 FT.
RESIDENTIAL	R-29	35 FT.
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RESIDENTIAL	R-39	35 FT.
RESIDENTIAL	R-40	35 FT.
RESIDENTIAL	R-41	35 FT.
RESIDENTIAL	R-42	35 FT.
RESIDENTIAL	R-43	35 FT.
RESIDENTIAL	R-44	35 FT.
RESIDENTIAL	R-45	35 FT.
RESIDENTIAL	R-46	35 FT.
RESIDENTIAL	R-47	35 FT.
RESIDENTIAL	R-48	35 FT.
RESIDENTIAL	R-49	35 FT.
RESIDENTIAL	R-50	35 FT.
RESIDENTIAL	R-51	35 FT.
RESIDENTIAL	R-52	35 FT.
RESIDENTIAL	R-53	35 FT.
RESIDENTIAL	R-54	35 FT.
RESIDENTIAL	R-55	35 FT.
RESIDENTIAL	R-56	35 FT.
RESIDENTIAL	R-57	35 FT.
RESIDENTIAL	R-58	35 FT.
RESIDENTIAL	R-59	35 FT.
RESIDENTIAL	R-60	35 FT.
RESIDENTIAL	R-61	35 FT.
RESIDENTIAL	R-62	35 FT.
RESIDENTIAL	R-63	35 FT.
RESIDENTIAL	R-64	35 FT.
RESIDENTIAL	R-65	35 FT.
RESIDENTIAL	R-66	35 FT.
RESIDENTIAL	R-67	35 FT.
RESIDENTIAL	R-68	35 FT.
RESIDENTIAL	R-69	35 FT.
RESIDENTIAL	R-70	35 FT.
RESIDENTIAL	R-71	35 FT.
RESIDENTIAL	R-72	35 FT.
RESIDENTIAL	R-73	35 FT.
RESIDENTIAL	R-74	35 FT.
RESIDENTIAL	R-75	35 FT.
RESIDENTIAL	R-76	35 FT.
RESIDENTIAL	R-77	35 FT.
RESIDENTIAL	R-78	35 FT.
RESIDENTIAL	R-79	35 FT.
RESIDENTIAL	R-80	35 FT.
RESIDENTIAL	R-81	35 FT.
RESIDENTIAL	R-82	35 FT.
RESIDENTIAL	R-83	35 FT.
RESIDENTIAL	R-84	35 FT.
RESIDENTIAL	R-85	35 FT.
RESIDENTIAL	R-86	35 FT.
RESIDENTIAL	R-87	35 FT.
RESIDENTIAL	R-88	35 FT.
RESIDENTIAL	R-89	35 FT.
RESIDENTIAL	R-90	35 FT.
RESIDENTIAL	R-91	35 FT.
RESIDENTIAL	R-92	35 FT.
RESIDENTIAL	R-93	35 FT.
RESIDENTIAL	R-94	35 FT.
RESIDENTIAL	R-95	35 FT.
RESIDENTIAL	R-96	35 FT.
RESIDENTIAL	R-97	35 FT.
RESIDENTIAL	R-98	35 FT.
RESIDENTIAL	R-99	35 FT.
RESIDENTIAL	R-100	35 FT.

### PROJECT DATA (ARCHITECT)

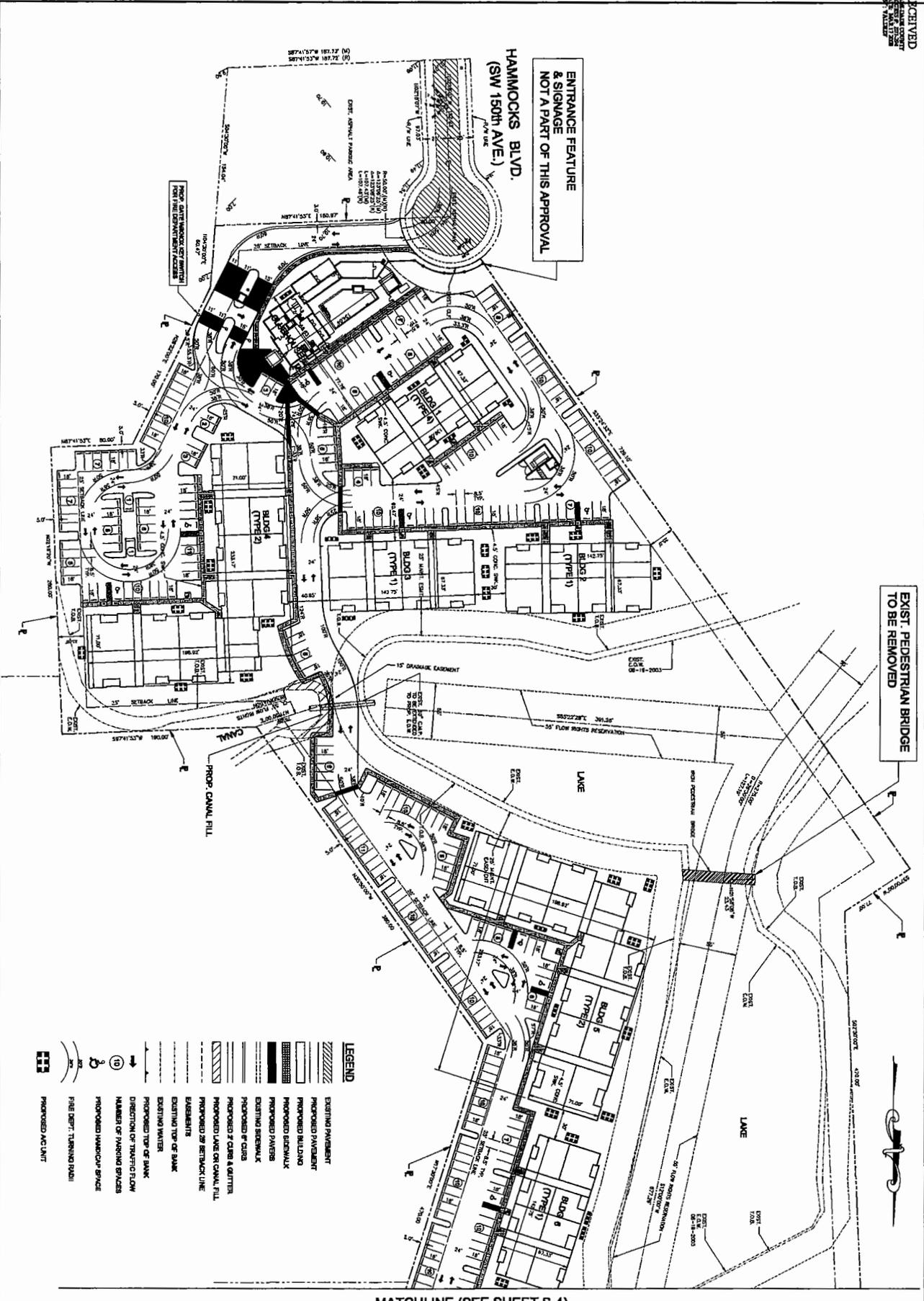
UNIT TYPE	NO.	% OF TOTAL	UNIT COUNT	AC.F.T.	AC.F.S.
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2	1	5.2%	5	1,764	1,764
3	1	5.2%	5	1,764	1,764
4	1	5.2%	5	1,764	1,764
5	1	5.2%	5	1,764	1,764
6	1	5.2%	5	1,764	1,764
7	1	5.2%	5	1,764	1,764
8	1	5.2%	5	1,764	1,764
9	1	5.2%	5	1,764	1,764
10	1	5.2%	5	1,764	1,764
11	1	5.2%	5	1,764	1,764
12	1	5.2%	5	1,764	1,764
13	1	5.2%	5	1,764	1,764
14	1	5.2%	5	1,764	1,764
15	1	5.2%	5	1,764	1,764
16	1	5.2%	5	1,764	1,764
17	1	5.2%	5	1,764	1,764
18	1	5.2%	5	1,764	1,764
19	1	5.2%	5	1,764	1,764
20	1	5.2%	5	1,764	1,764
21	1	5.2%	5	1,764	1,764
22	1	5.2%	5	1,764	1,764
23	1	5.2%	5	1,764	1,764
24	1	5.2%	5	1,764	1,764
25	1	5.2%	5	1,764	1,764
26	1	5.2%	5	1,764	1,764
27	1	5.2%	5	1,764	1,764
28	1	5.2%	5	1,764	1,764
29	1	5.2%	5	1,764	1,764
30	1	5.2%	5	1,764	1,764
31	1	5.2%	5	1,764	1,764
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33	1	5.2%	5	1,764	1,764
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35	1	5.2%	5	1,764	1,764
36	1	5.2%	5	1,764	1,764
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38	1	5.2%	5	1,764	1,764
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44	1	5.2%	5	1,764	1,764
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58	1	5.2%	5	1,764	1,764
59	1	5.2%	5	1,764	1,764
60	1	5.2%	5	1,764	1,764
61	1	5.2%	5	1,764	1,764
62	1	5.2%	5	1,764	1,764
63	1	5.2%	5	1,764	1,7



- LEGEND**
- EXISTING PAVEMENT
  - PROPOSED PAVEMENT
  - PROPOSED BUILDING
  - PROPOSED SIDEWALK
  - PROPOSED DRIVEWAY
  - EXISTING SIDEWALK
  - PROPOSED DRIVEWAY
  - PROPOSED CURB & GUTTER
  - PROPOSED LAKE OR CANAL FILL
  - PROPOSED SEWER/LINE
  - EXISTING WATER
  - EXISTING TOP OF BANK
  - EXISTING WATER
  - PROPOSED TOP OF BANK
  - DIRECTION OF TRAFFIC FLOW
  - NUMBER OF PARKING SPACES
  - PROPOSED HANDICAP SPACE
  - FIRE DEPT. TURNING PAD
  - PROPOSED AC UNIT

SHEET NO. <b>S-2</b> OF 5 SHEETS DATE: 07-24-07 DRAWING NO. 070112	DRAWING TITLE: <b>OVERALL SITE PLAN</b> PROJECT: <b>TRADITION AT KENDALL</b> PREPARED FOR: <b>BSP FLORIDA LLC</b>	<b>ROBAYNA AND ASSOCIATES INC.</b> ENGINEERS - PLANNERS - SURVEYORS 3008 NW 15TH STREET WEST PALM BEACH, FL 33411 PH: (561) 833-8318 FAX: # 3304	DESIGNED: RLR DRAWN: RLW CHECKED: RLR SCALE: 1" = 50' NOT VALID UNLESS CARRIED WITH:	CERTIFICATION: BY: _____ FOR THE FIRM MICHAEL S. ROBBINS, P.E. 16433 STATE OF FLORIDA	APPROVALS: DATE: _____ REVISIONS: NO. DATE DESCRIPTION 1-10-08 ADDED 2 PARKING SPACES 5-4-08 SMC DILLS ON ALL BACKS	DATE: 5-21-07 1-10-08 5-4-08
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RECEIVED  
 PLANNING DEPARTMENT  
 3/14/2008

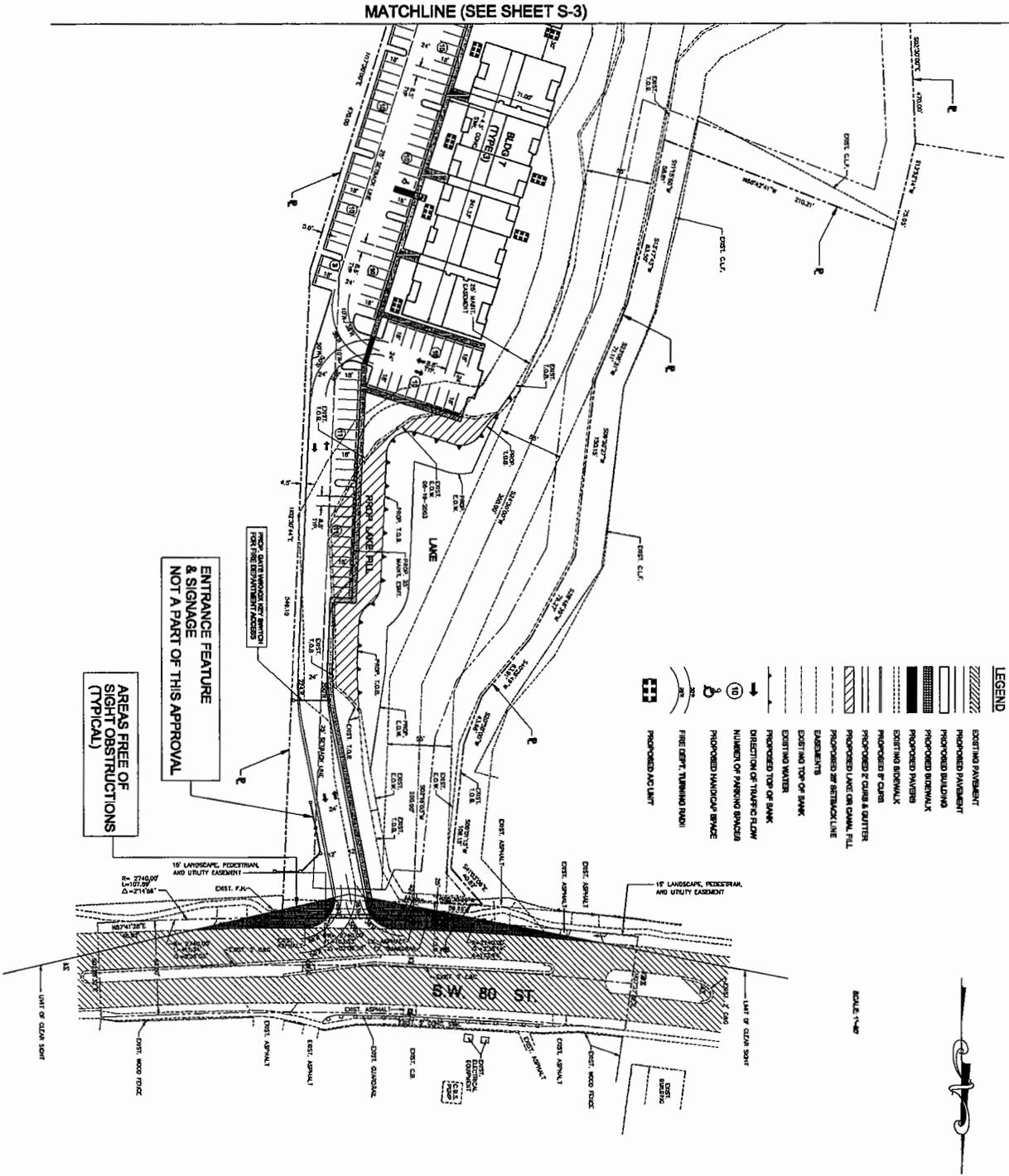


MATCHLINE (SEE SHEET S-4)

DRAWING NAME: <b>SUPPLEMENTAL SITE PLAN (ENLARGED)</b>	<b>ROBAYNA AND ASSOCIATES INC.</b> ENGINEERS - PLANNERS - SURVEYORS 5628 HWY 198th STREET MIAMI LAKES, FL 33154 PH: (305) 823-9316 C.B. # 3304	DESIGNED: RLR DRAWN: RLR CHECKED: RLR	CERTIFICATION I, _____ FOR THE FIRM RAFAEL L. ROBYNA P.E. 19633 STATE OF FLORIDA SCALE: 1" = 40' NOT VALID WITHOUT CURRENT SEAL	APPROVALS: _____ DATE: _____ RECORDS: _____ DATE: _____ REC. BEARING DIRECTIONS TO ADJACENT W/AL REC. AS PER ZONING REARMS SECTION PARCELS BELIEVED TO AVOID SETBACKS / EASEMENTS WMC WALLS ON ALL BUILDINGS	DATE: 8-31-07 10-10-07 1-8-08
PROJECT: <b>TRADITION AT KENDALL</b>		PREPARED FOR: <b>BSP FLORIDA LLC</b>	SHEET: <b>S-3</b>	DATE: 07-24-07 DRAWING NO.: 070112	

28

RECEIVED  
 PLANNING DEPARTMENT  
 11/15/08



ENTRANCE FEATURE  
 & SIGNAGE  
 NOT A PART OF THIS APPROVAL

AREAS FREE OF  
 SIGHT OBSTRUCTIONS  
 (TYPICAL)

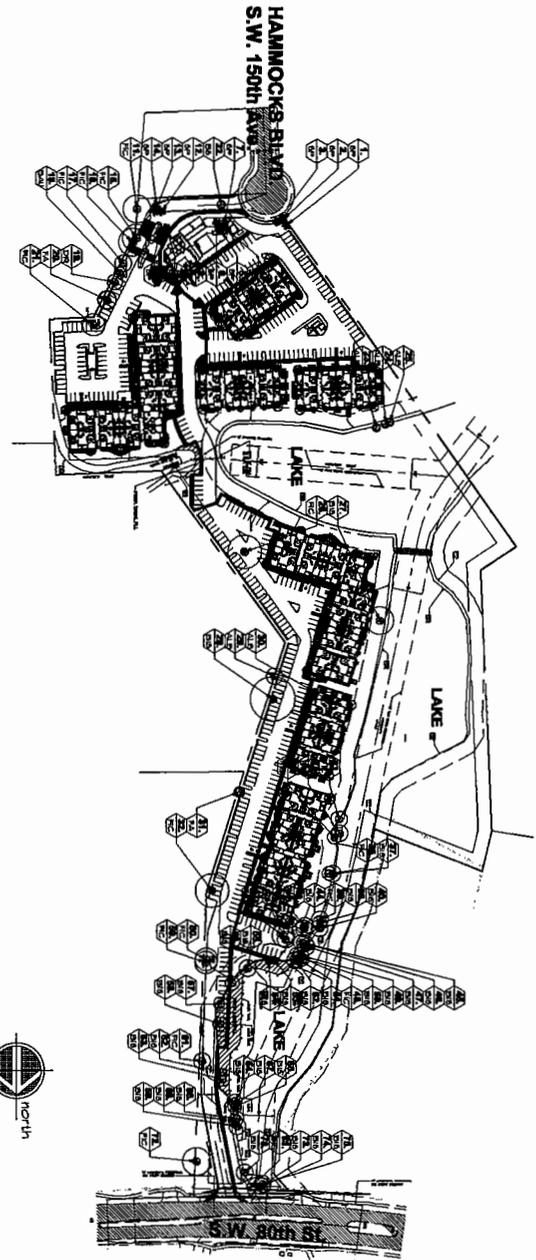
- LEGEND**
- [Symbol] EXISTING PAVEMENT
  - [Symbol] PROPOSED PAVEMENT
  - [Symbol] PROPOSED BUILDING
  - [Symbol] PROPOSED SIDEWALK
  - [Symbol] PROPOSED PARKING
  - [Symbol] EXISTING SIDEWALK
  - [Symbol] PROPOSED CURB & GUTTER
  - [Symbol] PROPOSED LAKE OR CANAL FILL
  - [Symbol] PROPOSED SETBACKLINE
  - [Symbol] EASEMENTS
  - [Symbol] EXISTING TOP OF BANK
  - [Symbol] EXISTING WATER
  - [Symbol] PROPOSED TOP OF BANK
  - [Symbol] DIRECTION OF TRAFFIC FLOW
  - [Symbol] NUMBER OF PARKING SPACES
  - [Symbol] PROPOSED HANDICAP SPACE
  - [Symbol] FIRE DEPT. TURNING RADIUS
  - [Symbol] PROPOSED A/C UNIT

DATE: 07-24-07	SHEET: 07-24-07	PROJECT: TRADITION AT KENDALL	CLIENT: BSP FLORIDA LLC
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**ROBAYNA AND ASSOCIATES INC.**  
 ENGINEERS - PLANNERS - SURVEYORS  
 5622 NW 159th STREET  
 MIAMI GARDENS, FL 33014  
 PH: (305) 823-8018 C.B. # 3354

DESIGNED BY: RLR	CHECKED BY: RLR	SCALE: 1" = 40'
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APPROVAL:	DATE:	REVISION:	DATE:
		REV. BEARING DIRECTORS TO AGREE WITH LOCAL	8-7-07
		REV. AS PER ZONING BOARD SECTION	10-10-07
		AREAS & PARKING SPACES	1-10-08
		REMOVED SIGN WALLS ON ALL BUILDINGS	3-4-08



NO.	ITEM	QUANTITY	UNIT	CONTRACTOR	START DATE	COMPLETION DATE	COMMENTS
1	1.000	1.000	1.000				
2	2.000	2.000	2.000				
3	3.000	3.000	3.000				
4	4.000	4.000	4.000				
5	5.000	5.000	5.000				
6	6.000	6.000	6.000				
7	7.000	7.000	7.000				
8	8.000	8.000	8.000				
9	9.000	9.000	9.000				
10	10.000	10.000	10.000				
11	11.000	11.000	11.000				
12	12.000	12.000	12.000				
13	13.000	13.000	13.000				
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15	15.000	15.000	15.000				
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41	41.000	41.000	41.000				
42	42.000	42.000	42.000				
43	43.000	43.000	43.000				
44	44.000	44.000	44.000				
45	45.000	45.000	45.000				
46	46.000	46.000	46.000				
47	47.000	47.000	47.000				
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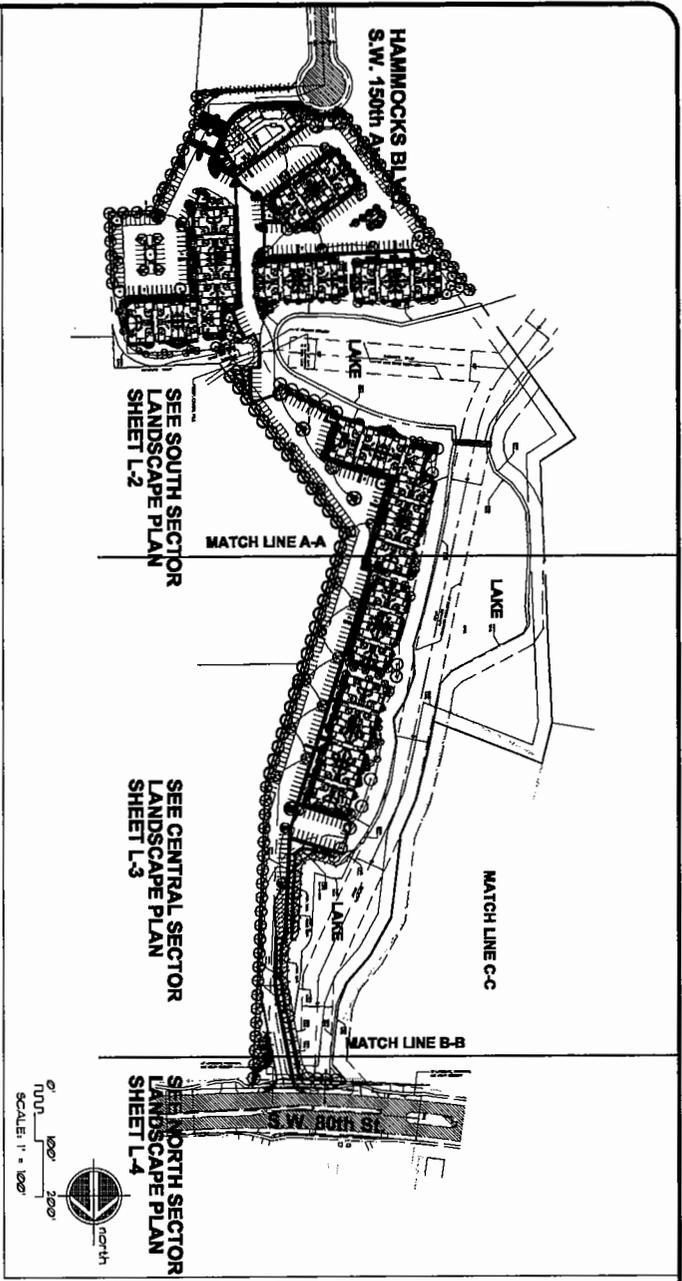
NO.	ITEM	QUANTITY	UNIT	CONTRACTOR	START DATE	COMPLETION DATE	COMMENTS
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98	98.000	98.000	98.000				
99	99.000	99.000	99.000				
100	100.000	100.000	100.000				

- NOTES:**
1. THE CONTRACTOR SHALL REMOVE ALL TREES AND SHRUBS AS SHOWN ON THIS PLAN AND AS APPROVED BY THE LOCAL AGENCY AND RELOCATE THEM TO THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA. ALL TREES, SHRUBS AND BUSHES SHALL BE REMOVED FROM THE SITE AND DISPOSED OF AT ALL TIMES IN ACCORDANCE WITH THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA. ALL TREES AND SHRUBS SHALL BE REMOVED FROM THE SITE AND DISPOSED OF AT ALL TIMES IN ACCORDANCE WITH THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA.
  2. ALL TREES AND SHRUBS TO BE RELOCATED SHALL BE ALL ACCEPTED SPECIES AS LISTED IN THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA. ALL TREES AND SHRUBS SHALL BE RELOCATED TO THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA. ALL TREES AND SHRUBS SHALL BE RELOCATED TO THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA.
  3. CONTRACTOR SHALL VERIFY WITH THE PROJECT ARCHITECT THAT THE RELOCATED TREES AND SHRUBS ARE THE SAME SPECIES AND SIZE AS SHOWN ON THIS PLAN AND AS APPROVED BY THE LOCAL AGENCY. ALL TREES AND SHRUBS SHALL BE RELOCATED TO THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA.
  4. CONTRACTOR SHALL VERIFY WITH THE PROJECT ARCHITECT THAT THE RELOCATED TREES AND SHRUBS ARE THE SAME SPECIES AND SIZE AS SHOWN ON THIS PLAN AND AS APPROVED BY THE LOCAL AGENCY. ALL TREES AND SHRUBS SHALL BE RELOCATED TO THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA.
  5. CONTRACTOR SHALL VERIFY WITH THE PROJECT ARCHITECT THAT THE RELOCATED TREES AND SHRUBS ARE THE SAME SPECIES AND SIZE AS SHOWN ON THIS PLAN AND AS APPROVED BY THE LOCAL AGENCY. ALL TREES AND SHRUBS SHALL BE RELOCATED TO THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA.

**TREE REMOVAL - REPLACEMENT SCHEDULE**

A LISTING OF TREES TO BE REMOVED FROM THE SITE AND AS APPROVED BY THE LOCAL AGENCY AND RELOCATED TO THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA. ALL TREES, SHRUBS AND BUSHES SHALL BE REMOVED FROM THE SITE AND DISPOSED OF AT ALL TIMES IN ACCORDANCE WITH THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA. ALL TREES AND SHRUBS SHALL BE RELOCATED TO THE LOCAL AGENCY'S TREE AND SHRUB RELOCATION AREA.

NO.	ITEM	QUANTITY	UNIT	CONTRACTOR	START DATE	COMPLETION DATE	COMMENTS
1	1.000	1.000	1.000				
2	2.000	2.000	2.000				
3	3.000	3.000	3.000				
4	4.000	4.000	4.000				
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83	83.000	83.000	83.000				
84	84.000	8					



### PLANTLIST

SYM. VALUE	NAME	BOTANICAL NAME	DESCRIPTION
BA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
BB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
CB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
DB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
EB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
FB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
GB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
HB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
IB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
JB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
KB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
LB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
MB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
NB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
OB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
PB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
QB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
RB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
SB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
TB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
UB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
VB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
WB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
XB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
YB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
ZB	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.

### PLANTLIST

SYM. VALUE	NAME	BOTANICAL NAME	DESCRIPTION
AA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
BA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
CA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
DA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
EA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
FA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
GA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
HA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
IA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
JA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
KA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
LA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
MA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
NA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
OA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
PA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
QA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
RA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
SA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
TA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
UA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
VA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
WA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
XA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
YA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.
ZA	13	VELUTIA VELOUTICO	8" x 8" spec. 2' HT. 2" cal.

### LANDSCAPE LEGEND - CHAPTER 18A

20000 CONTRACT NO. 4  
 NET LAND 800' x 600'

SYMBOL	DESCRIPTION	PROPOSED	REMOVED
1	As shown per site plan	20000	0
2	As shown per site plan	20000	0
3	As shown per site plan	20000	0
4	As shown per site plan	20000	0
5	As shown per site plan	20000	0
6	As shown per site plan	20000	0
7	As shown per site plan	20000	0
8	As shown per site plan	20000	0
9	As shown per site plan	20000	0
10	As shown per site plan	20000	0
11	As shown per site plan	20000	0
12	As shown per site plan	20000	0
13	As shown per site plan	20000	0
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47	As shown per site plan	20000	0
48	As shown per site plan	20000	0
49	As shown per site plan	20000	0
50	As shown per site plan	20000	0

### STREET TREE TABULATIONS

STREET	REMOVED	PROPOSED
S.W. 150th Ave.	5	5
HAMMOCKS BLVD.	5	5
S.W. 80th Street	5	5
<b>TOTAL</b>	<b>10</b>	<b>10</b>

A WRITTEN TREE REMOVAL PERMIT FROM ANY TREE REMOVAL ON THIS SITE. SEE SPECIFIC SECTION LANDSCAPE PLANS FOR TREE REMOVAL AND REPLACEMENT PLANTINGS AND QUANTITIES. SEE SHEET L-1 FOR DETAIL LANDSCAPE NOTES, SPECIFICATIONS, ETC.

## SITE LANDSCAPE PLAN

**TRADITION AT KENDALE LAKES**

S.W. 80th STREET & S.W. 150th AVENUE  
 MIAMI, FLORIDA

**JFS**

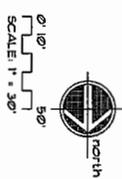
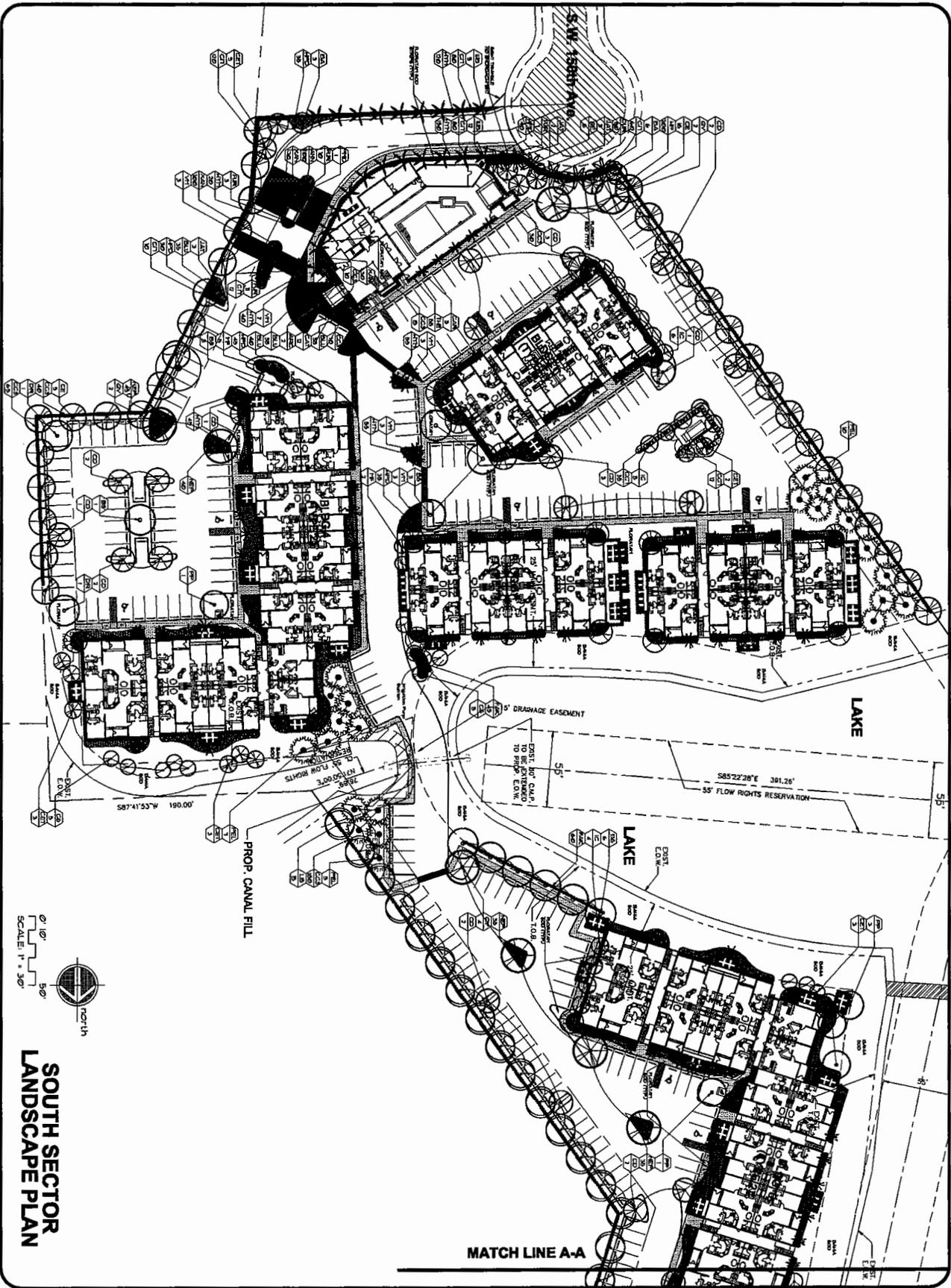
JFS Design Inc.  
 LANDSCAPE ARCHITECTURE  
 LC 000393

Landscaping Design  
 Irrigation Design

10260 Hivner Place  
 Hivner, FL 33625  
 TEL: (954) 441-1892  
 FAX: (954) 442-0275  
 jimmy@jfsdesignfl.com

DESIGNED BY: J. R. BOGUSH  
 DRAWN BY: B. O'NEAL  
 CHECKED BY: T. T. THOMAS  
 APPROVED BY: T. T. THOMAS  
 DATE: 07/15/2010  
 SCALE: AS SHOWN  
 SHEET NO.: 07/15/2010

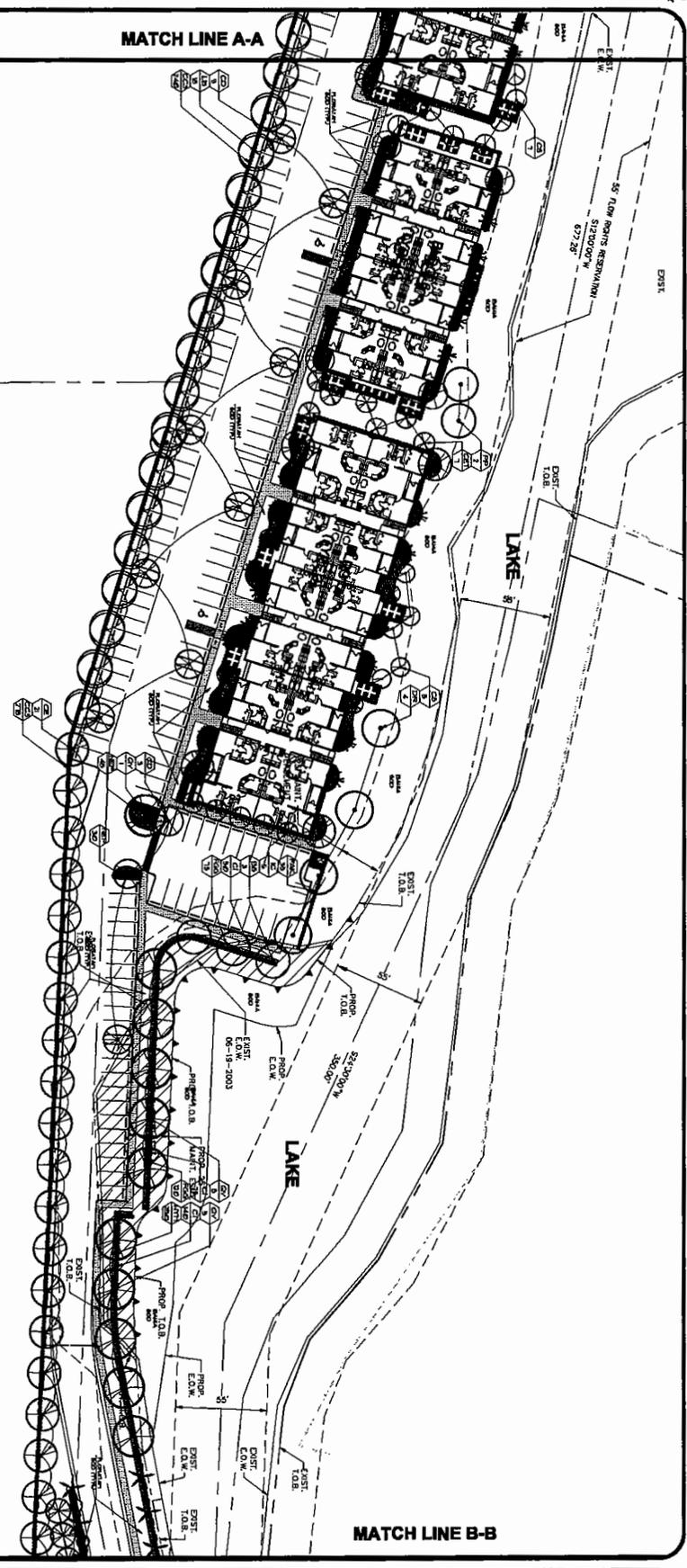
**L-1**



**SOUTH SECTOR  
 LANDSCAPE PLAN**

MATCH LINE A-A

<p><b>L-2</b></p> <p>DATE: 04/12/2007          DRAWN: JIMMY          CHECKED: JIMMY</p>	<p><b>TRADITION          AT KENDALE LAKES</b></p> <p>S.W. 80th STREET &amp; S.W. 150th AVENUE          MIAMI, FLORIDA</p>	<p><b>JFS</b></p> <p>JFS Design Inc.          LANDSCAPE ARCHITECTURE          LC 000393</p> <p>Landscaping          Irrigation Design</p> <p>TEL: (954) 447-1852          FAX: (954) 447-8278          jimmy@jfsdesign.com</p>											
	<p><b>Revisions</b></p> <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Revised</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td></td> <td>Initial Design</td> </tr> <tr> <td>2.</td> <td></td> <td>Final Design</td> </tr> <tr> <td>3.</td> <td></td> <td>Final Design</td> </tr> </tbody> </table>	No.	Date	Revised	1.		Initial Design	2.		Final Design	3.		Final Design
No.	Date	Revised											
1.		Initial Design											
2.		Final Design											
3.		Final Design											



**MINIMUM TREE CLEARANCE FROM LIGHT FIXTURES**

PLANTING MATERIAL TO BE SPECIFIED BY THE ARCHITECT. ALL PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

1. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

2. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

3. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

**TYPICAL PLANTING SCREEN FOR GROUND MOUNTED EQUIPMENT**

PLANTING MATERIAL TO BE SPECIFIED BY THE ARCHITECT. ALL PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

1. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

2. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

3. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

**TYPICAL PLANTING SCREEN FOR ABOVE-GROUND UTILITIES**

PLANTING MATERIAL TO BE SPECIFIED BY THE ARCHITECT. ALL PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

1. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

2. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

3. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

**FIRE HYDRANT CLEAN ZONE DETAIL**

PLANTING MATERIAL TO BE SPECIFIED BY THE ARCHITECT. ALL PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

1. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

2. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

3. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

**SHRUB PLANTING ADJACENT TO BUILDINGS DETAIL**

PLANTING MATERIAL TO BE SPECIFIED BY THE ARCHITECT. ALL PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

1. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

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3. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

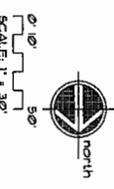
**FERTILIZATION:**

PLANTING MATERIAL TO BE SPECIFIED BY THE ARCHITECT. ALL PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

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2. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

3. PLANTING MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:



**CENTRAL SECTOR LANDSCAPE PLAN**

No.	Date	Revision
1.	06/15/04	Per Client Comments
2.	07/01/04	Per Client Comments
3.	07/01/04	Per Client Comments

**TRADITION AT KENDALE LAKES**

S.W. 80th STREET & S.W. 150th AVENUE  
 MIAMI, FLORIDA

**JFS**

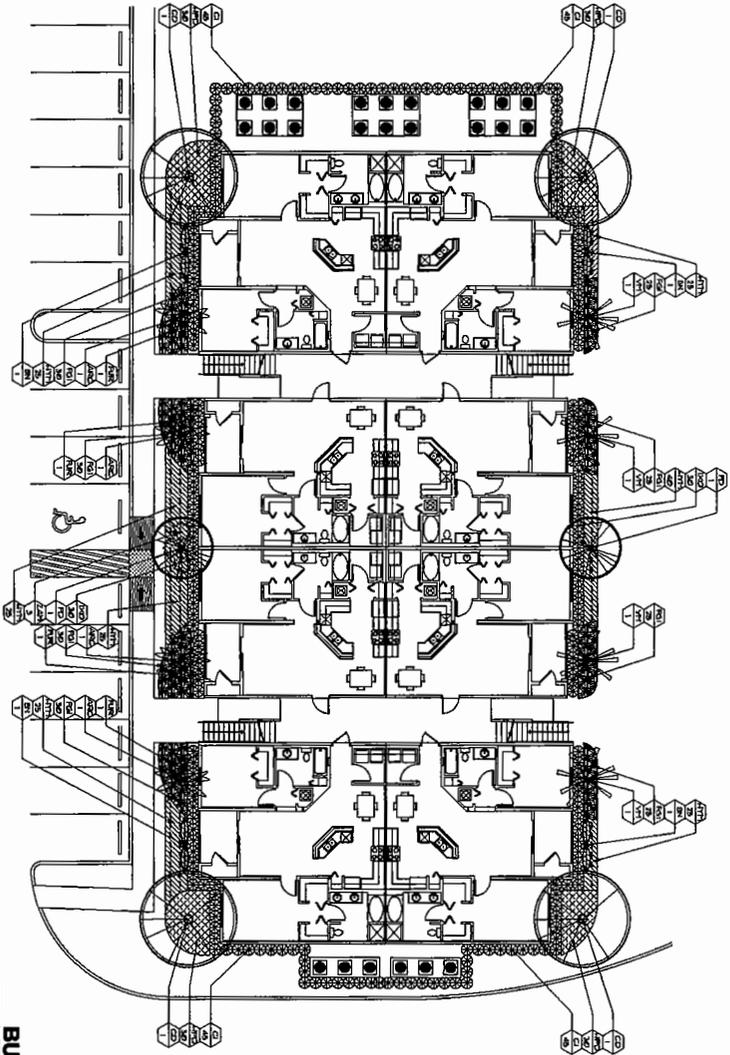
**JFS Design Inc.**  
 LANDSCAPE ARCHITECTURE  
 LC 000393

2066 Miramar Pkwy.  
 Fort Lauderdale, FL 33309  
 TEL: (954) 441-0552  
 FAX: (954) 442-6275  
 jimmy@jfsdesign.com

Landscape Design  
 Irrigation Design

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**BUILDING TYPE 1**  
 SCALE: 1" = 8'

**3 BUILDINGS**

**PLANTLIST**

SYMBOL	NAME	BOTANICAL NAME	SPECIFICATION
CD	1. FRODOX PLANT	Coccoloba americana	7' x 6" W, 1' 10" D
CD	2. JARDONIA TREX TREX	Jardonia trex	7' x 6" W, 1' 10" D
AMC	3. SCAEVA ALBERTIANA PALM	Scaevola taccada	W. 6" x 12" H, 1' 10" D
VII	4. TERNstroem PALM	Ternstroem speciosus	10' W, 6" x 12" H, 1' 10" D
CI	5. COCCONUT	Coryphium vasa	24" x 24" x 24" H, 3' 6" D
NU	6. VASEN PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	7. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	8. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	9. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
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NU	75. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	76. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	77. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	78. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	79. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	80. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
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NU	88. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	89. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
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NU	98. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	99. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D
NU	100. QUART TALKER PALM	Phoenix rostrata	W. 6" x 12" H, 1' 10" D

NOTE: SEE THE LANDSCAPE PLAN PLANTLIST FOR SYMBOLS.  
 NOTES: ADJUST ALL SYMBOLS TO ADJUST TO THE SCALE CONDITIONS TO INCLUDE  
 DATA FROM ABOVE-DRAWN WITHIN EXISTING LANDSCAPE AND PLANTING.

**TOWNHOUSE TYPICAL  
 LANDSCAPE PLANS**

**TRADITION  
 AT KENDALE LAKES**

S.W. 80th STREET & S.W. 150th AVENUE  
 MIAMI, FLORIDA



00600 Miramar, Fla.  
 Miramar, FL 33025  
 TEL: (954) 441-1092  
 FAX: (954) 442-8025

**JFS Design Inc.**  
 LANDSCAPE ARCHITECTURE  
 LC 000393

Landscape Design  
 Irrigation Design  
 jimmy@jfsdesignfl.com

TU-1

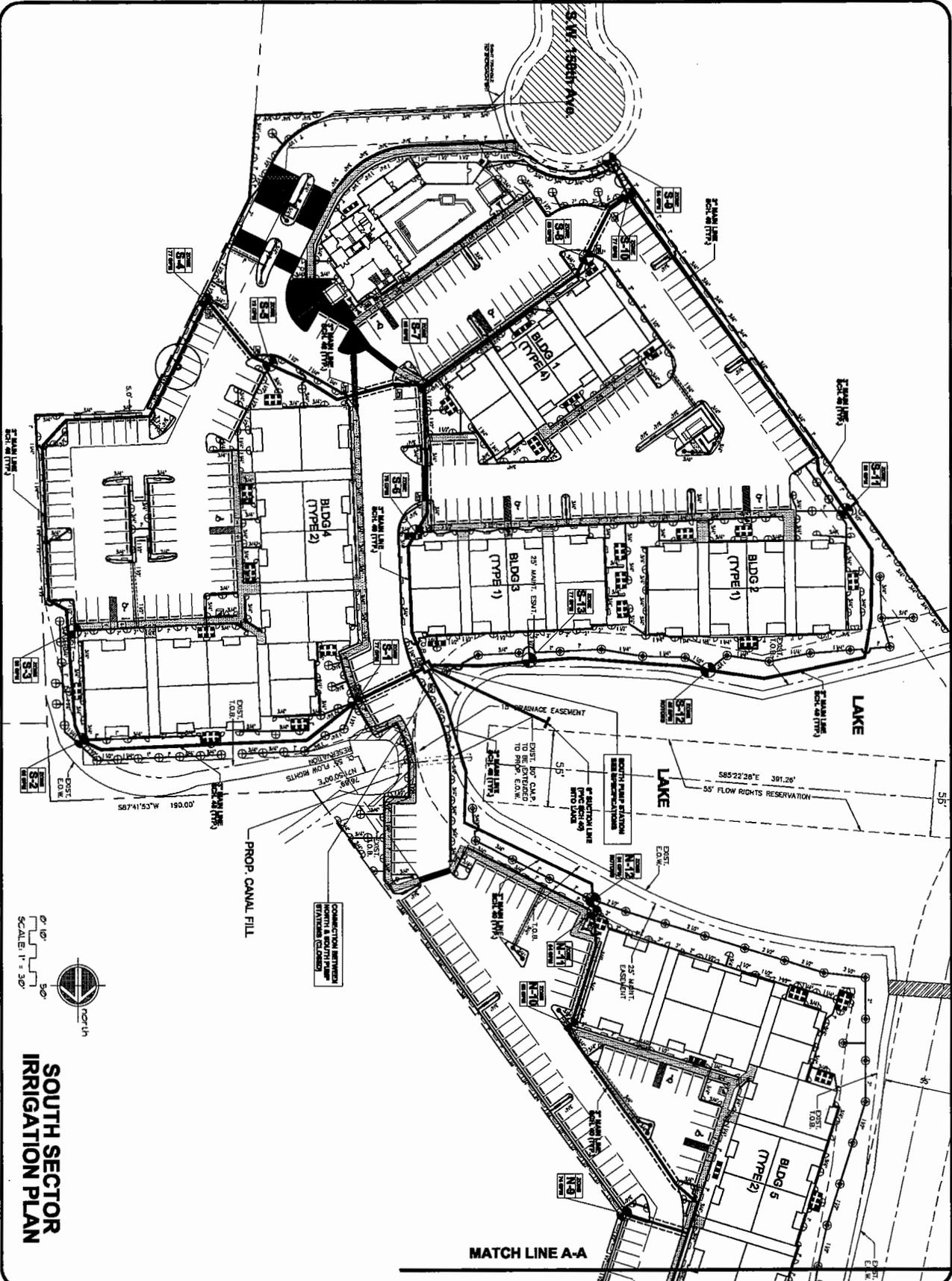
JFS Design Inc.  
 Drawing



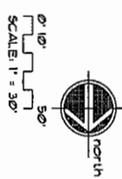






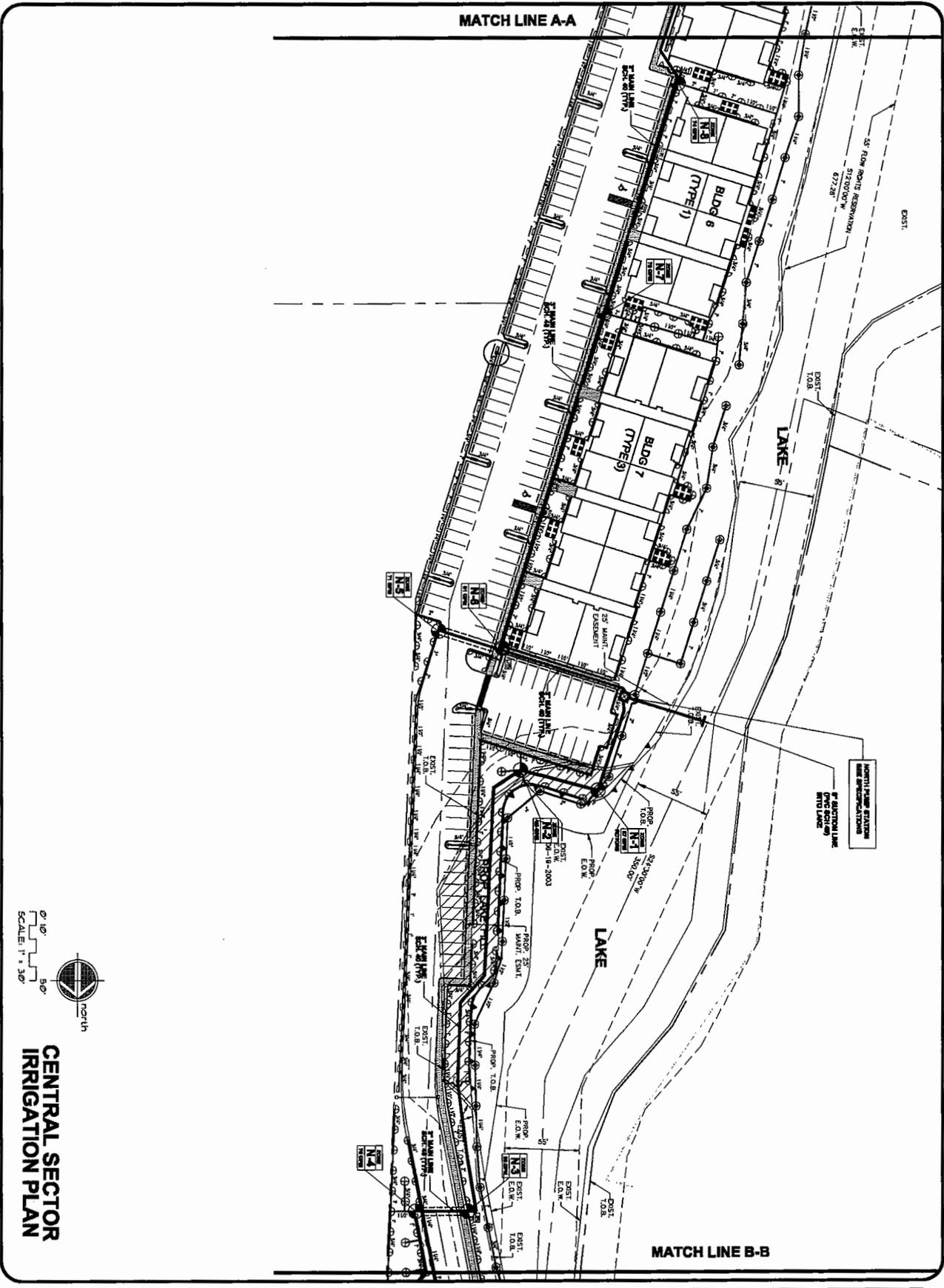


**SOUTH SECTOR  
 IRRIGATION PLAN**

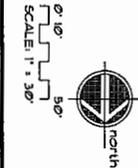


MATCH LINE A-A

JFS JFS Design Inc. LANDSCAPE ARCHITECTURE LC 000393 Landscape Design Irrigation Design jimmy@jfsdesignfl.com	10060 Miramar Pkwy. Miramar, FL 33025 TEL: (954) 441-1892 FAX: (954) 441-8278
	TRADITION AT KENDALE LAKES S.W. 80th STREET & S.W. 150th AVENUE MIAMI, FLORIDA
4529 J. BOGGS 2/27/2007 Drawing:	IRR-2



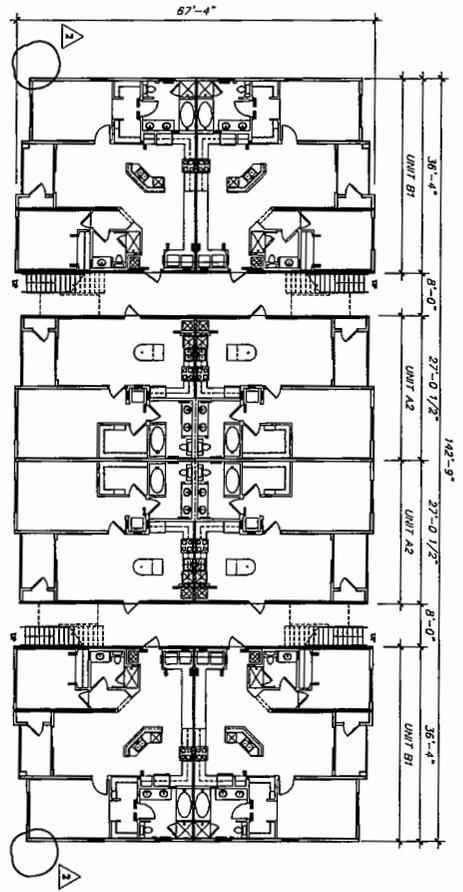
**CENTRAL SECTOR  
 IRRIGATION PLAN**



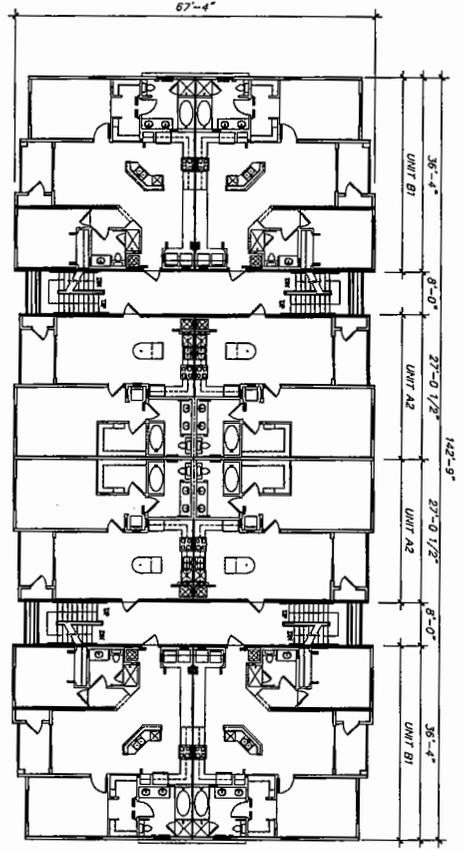
<p><b>JFS</b></p> <p>JFS Design Inc.          LANDSCAPE ARCHITECTURE          LC 000393</p> <p>20600 Pheasant Place          Tamarac, FL 33029          TEL: (954) 447-1892          FAX: (954) 442-8025</p> <p>LANDSCAPE DESIGN          IRRIGATION DESIGN  <a href="mailto:jimmy@jfsdesign.com">jimmy@jfsdesign.com</a></p>	<p><b>TRADIATION          AT KENDALE LAKES</b></p> <p>S.W. 80th STREET &amp; S.W. 150th AVENUE          MIAMI, FLORIDA</p>	<p>DATE: 08/21/2007          DRAWN BY: JFS          CHECKED BY: JFS          APPROVED BY: JFS</p>
	<p>DESIGNED BY: JFS          DRAWN BY: JFS          CHECKED BY: JFS          APPROVED BY: JFS</p>	<p>NO. DATE REVISION</p> <p>1. 08/21/07 Per Final Contract          2. 08/21/07 Per Final Contract          3. 08/21/07 Per Final Contract</p>

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1 BUILDING TYPE 1, FIRST FLOOR PLAN



2 BUILDING TYPE 1, SECOND FLOOR PLAN

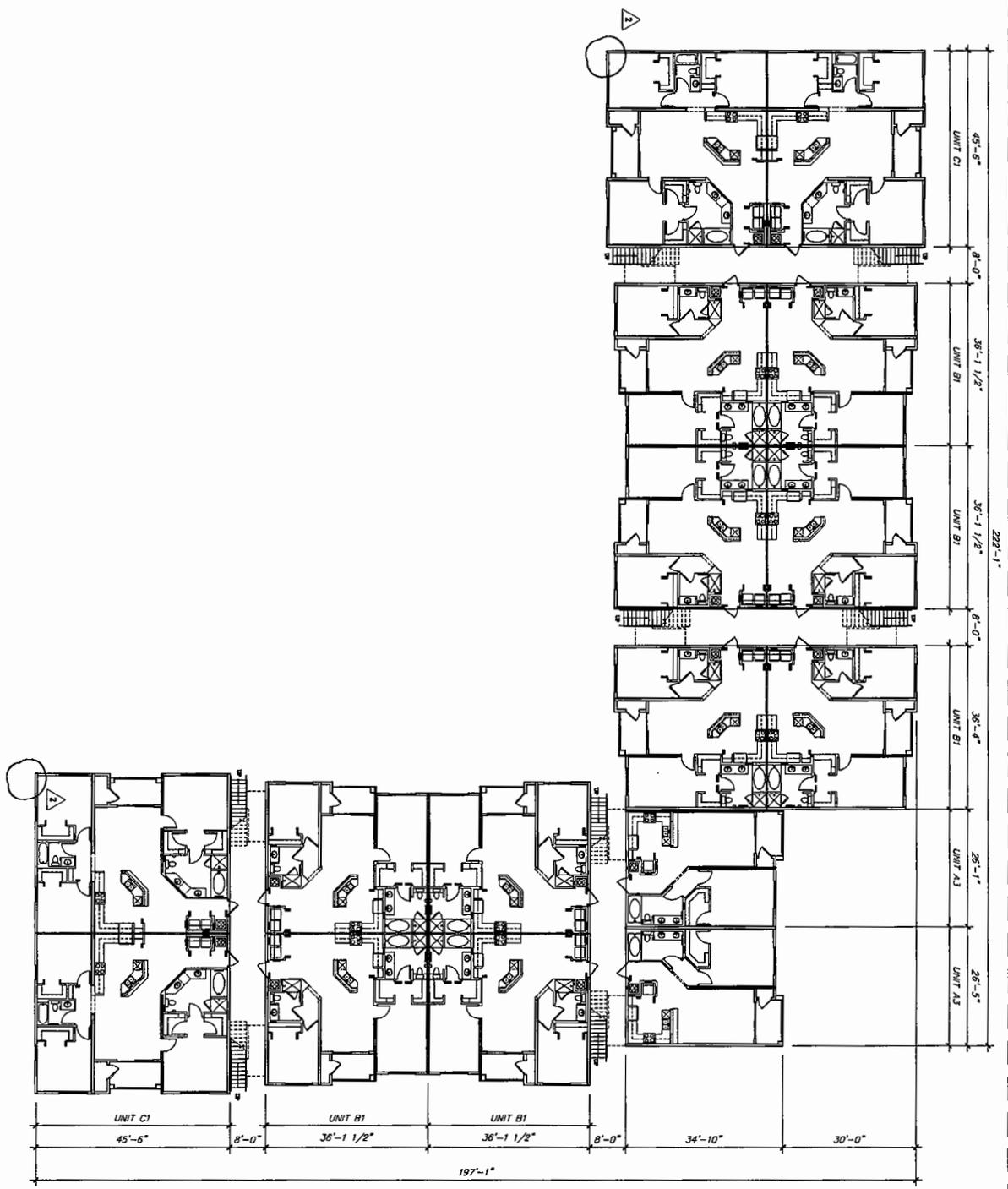
A-1	1ST AND 2ND FLOOR PLAN	BUILDING TYPE 1	APPROVED RICHARD JONES ARCHITECTURE 250 S. PARK AVENUE, SUITE 200 WINTER PARK, FLORIDA 32789 407.875.1234	ARCHITECTURE	RICHARD JONES ARCHITECTURE 250 S. PARK AVENUE, SUITE 200 WINTER PARK, FLORIDA 32789 407.875.1234	TRADITION AT KENDALL KENDALL LAKES, FLORIDA
						BSP/FLORIDA LLC. 250 S. Park Avenue, Suite 200, Winter Park, FL 32789

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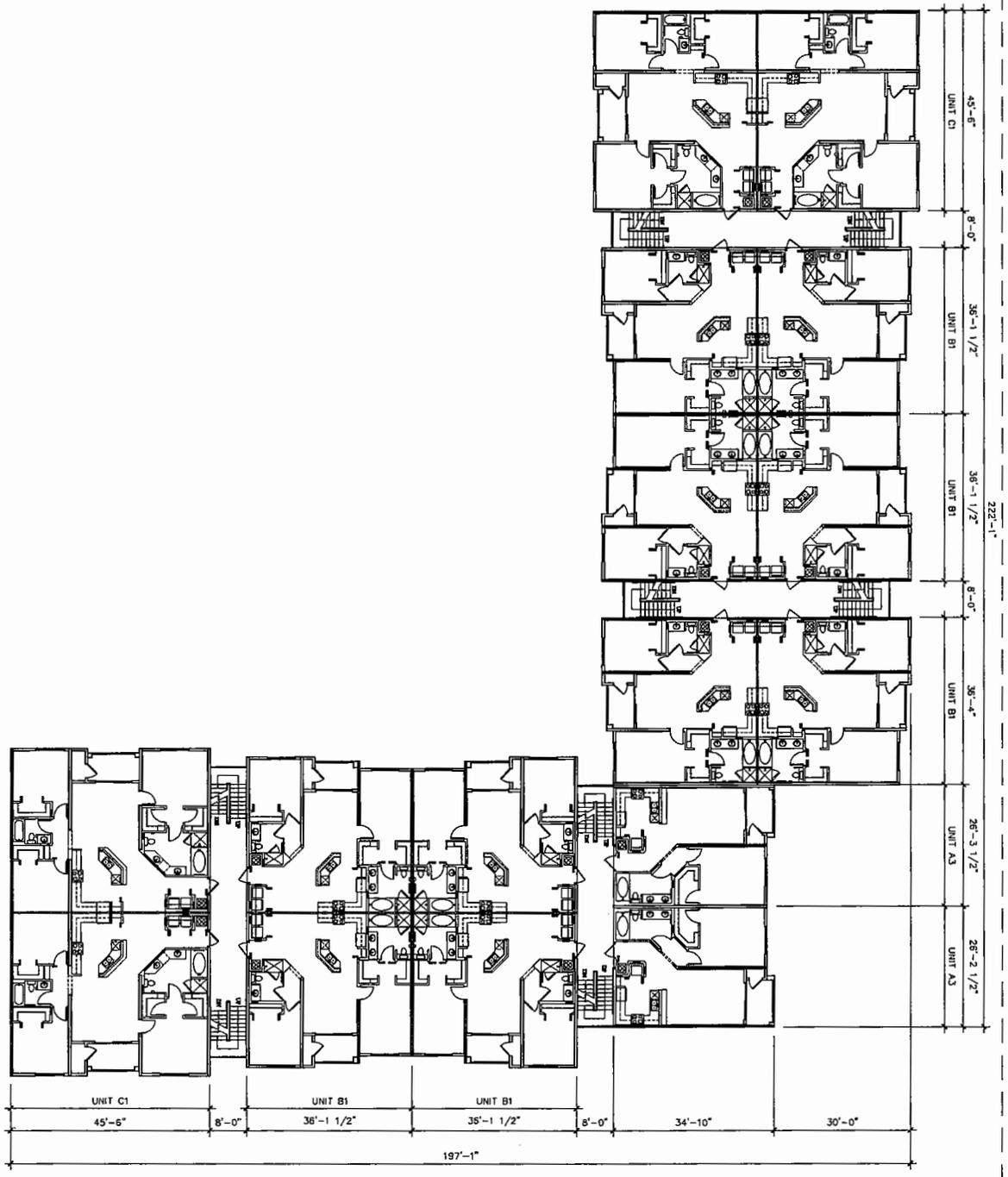
RECEIVED  
 RICHARD JONES ARCHITECTURE  
 250 S. PARK AVENUE, SUITE 200  
 WINTER PARK, FL 32789  
 TEL: 407.833.1111  
 FAX: 407.833.1112



1 BUILDING TYPE 2 - FIRST FLOOR PLAN

<b>A-4</b> 1ST FLOOR PLAN BUILDING TYPE 2	RICHARD JONES ARCHITECTURE 250 S. PARK AVENUE, SUITE 200, WINTER PARK, FL 32789 TEL: 407.833.1111 FAX: 407.833.1112 WWW.RICHARDJONESARCHITECTURE.COM	TRADITION AT KENDALL KENDALL LAKES, FLORIDA BSP/FLORIDA LLC. 250 S. Park Avenue, Suite 200, Winter Park, FL 32789
		ARCHITECTURE 250 S. PARK AVENUE, SUITE 200, WINTER PARK, FL 32789 TEL: 407.833.1111 FAX: 407.833.1112 WWW.RICHARDJONESARCHITECTURE.COM

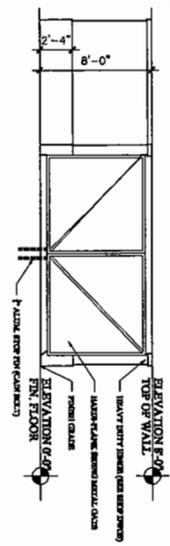
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 100 N. W. 10th St.  
 MIAMI, FL 33136



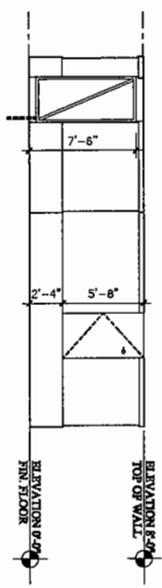
1 BLDG TYPE 2: SECOND FLOOR PLAN

RICHARD JONES ARCHITECTURE	TRADITION AT KENDALL KENDALL LAKES, FLORIDA BSP/FLORIDA LLC. 250 S. Park Avenue, Suite 200, Winter Park, FL 32789	ARCHITECTS CONSTRUCTION 9 18:00 DESIGN 11 17:30 PLAN REVIEW 11 17:30 PERMIT/DATE	RICHARD JONES ARCHITECTURE 100 N. W. 10th St. MIAMI, FL 33136
	BUILDING TYPE 2 2ND FLOOR PLAN A-5	RICHARD JONES ARCHITECTURE INCORPORATED ALL RIGHTS ALL RESERVED. NO PART OF THESE PLANS, DESIGNS, OR INFORMATION MAY BE REPRODUCED, COPIED OR UTILIZED GRAPHICALLY IN ANY FORM WHATSOEVER WITHOUT THE EXPRESS WRITTEN CONSENT OF RICHARD JONES ARCHITECTURE INCORPORATED.	46

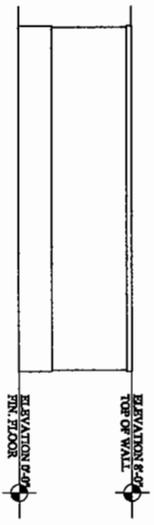
RECEIVED  
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 250 S. PARK AVENUE, SUITE 200  
 WINTER PARK, FL 32789



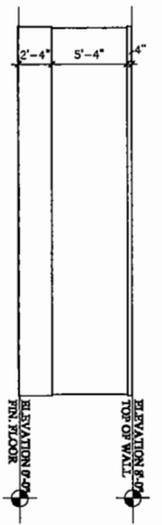
5 DUMPSTER - FRONT ELEVATION



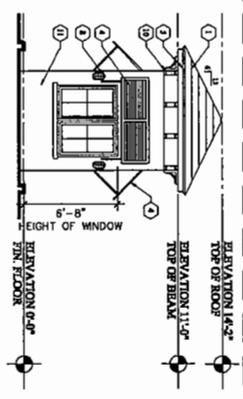
6 DUMPSTER - SIDE ELEVATION



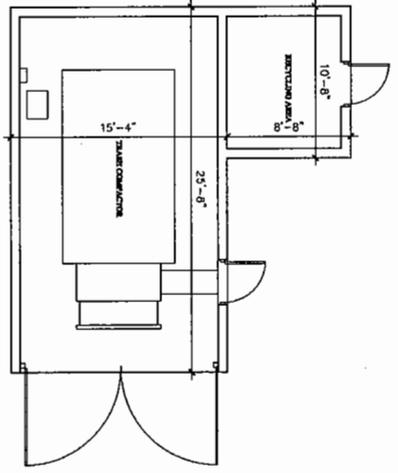
7 DUMPSTER - REAR ELEVATION



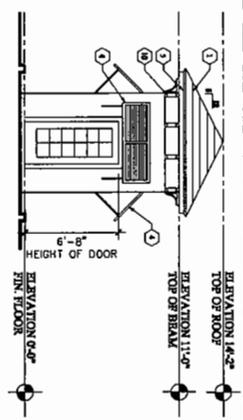
8 DUMPSTER - SIDE ELEVATION



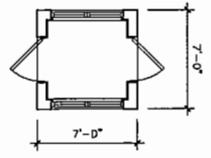
2 UNMANNED GATEHOUSE - FRONT/REAR ELEVATION



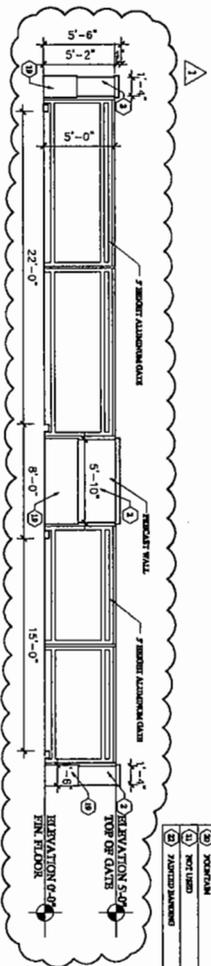
4 DUMPSTER - FLOOR PLAN



1 UNMANNED GATEHOUSE - SIDE ELEVATION



3 UNMANNED GATEHOUSE - FLOOR PLAN



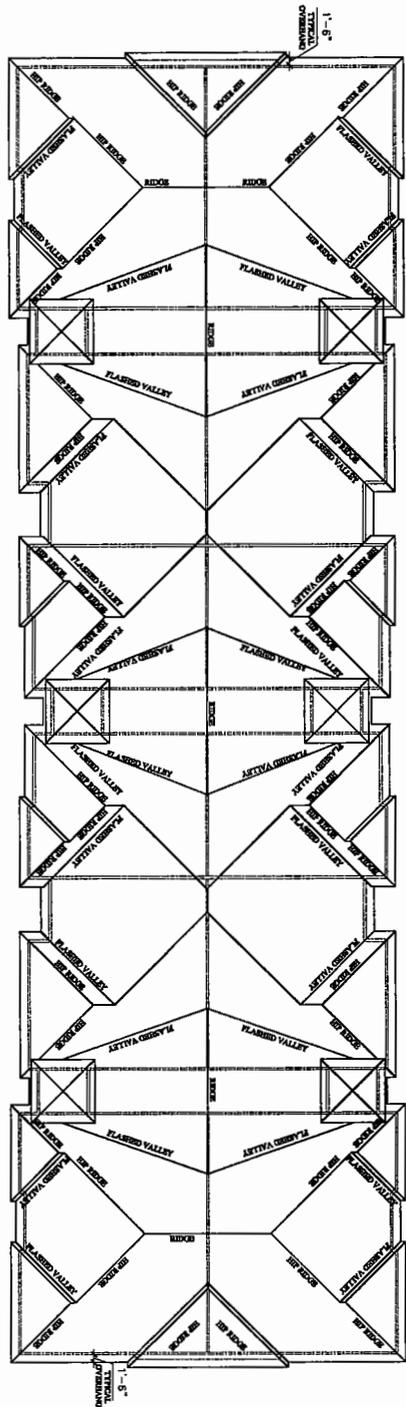
9 ENTRY GATE ELEVATION

**ELEVATION KEYNOTES**

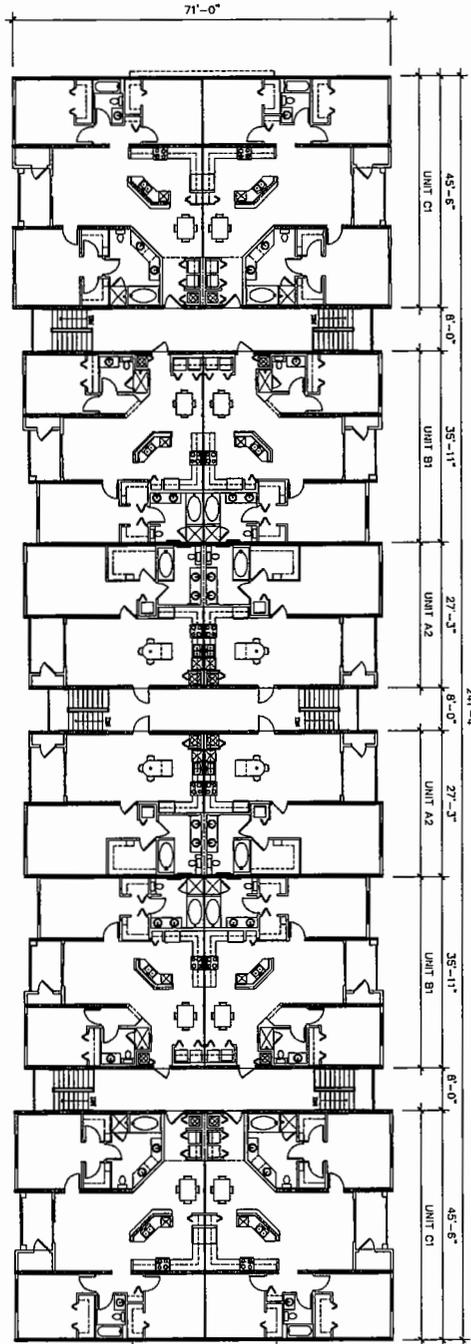
- 1) MATERIAL FINISH
- 2) LIGHT FIXTURE
- 3) LIGHT FIXTURE ELECTRICAL SYMBOL
- 4) WINDOW GLASS
- 5) WINDOW GLASS ELECTRICAL SYMBOL
- 6) WINDOW GLASS ELECTRICAL SYMBOL
- 7) 2 X 4 WOOD (HORIZONTAL BOARD)
- 8) CEILING
- 9) ALUMINUM EXTERIOR FINISH
- 10) ALUMINUM EXTERIOR FINISH
- 11) ALUMINUM EXTERIOR FINISH
- 12) ALUMINUM EXTERIOR FINISH
- 13) ALUMINUM EXTERIOR FINISH
- 14) ALUMINUM EXTERIOR FINISH
- 15) ALUMINUM EXTERIOR FINISH
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- 18) ALUMINUM EXTERIOR FINISH
- 19) ALUMINUM EXTERIOR FINISH
- 20) ALUMINUM EXTERIOR FINISH
- 21) ALUMINUM EXTERIOR FINISH
- 22) ALUMINUM EXTERIOR FINISH

<b>SD-1</b>	SITE DETAILS		<p>TRADITION AT KENDALL          KENDALL LAKES, FLORIDA</p> <p>BSP/FLORIDA LLC.          250 S. Park Avenue, Suite 200, Winter Park, FL 32789</p>
RICHARD JONES ARCHITECTURE			<p>RICHARD JONES          ARCHITECTURE</p> <p>3000 N. W. 10th Avenue, Suite 100          Fort Lauderdale, FL 33311          Phone: 954.561.1234          Fax: 954.561.1235          Email: rjones@rjonesarch.com</p>

RECEIVED  
 RICHARD JONES ARCHITECTURE  
 250 S. PARK AVENUE, SUITE 200  
 WINTER PARK, FLORIDA 32789  
 407.841.1111

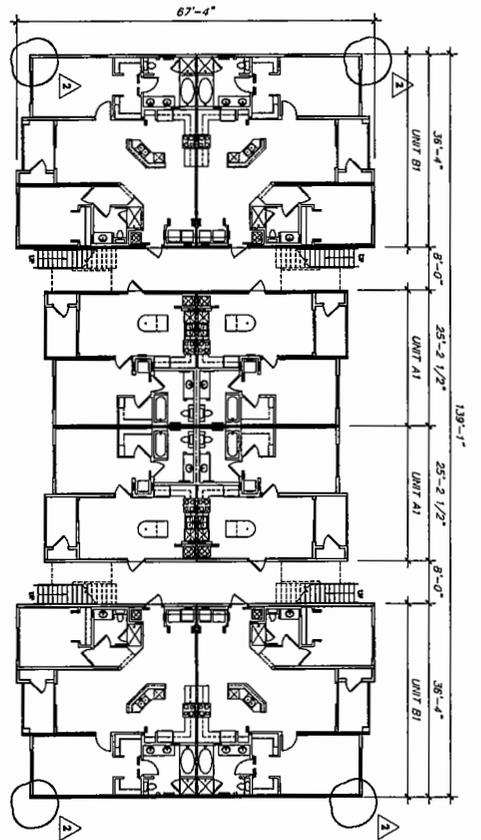


2 BLDG TYPE 3: ROOF PLAN

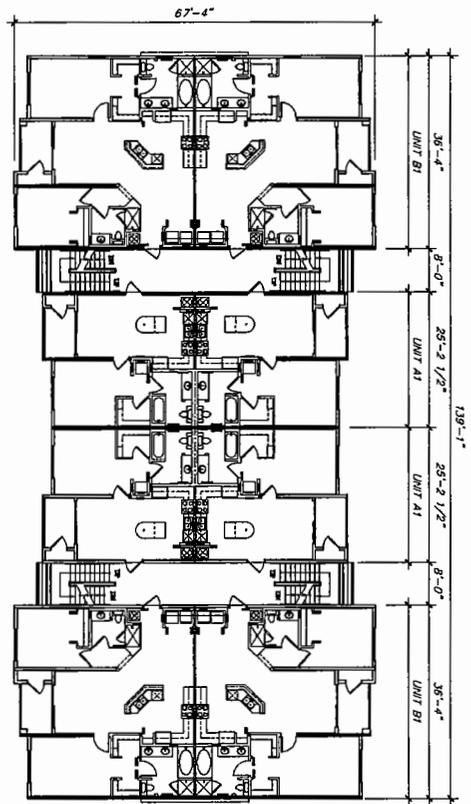


1 BLDG TYPE 3: THIRD FLOOR PLAN

A-10	3RD FLOOR AND ROOF PLAN	BUILDING TYPE 3	SYNOPSIS	CONTRACT #	DATE	DRAWN BY	CHECKED BY	DATE	PROJECT	TRADITION AT KENDALL KENDALL LAKES, FLORIDA BSP/FLORIDA LLC. 250 S. Park Avenue, Suite 200, Winter Park, FL 32789	RICHARD JONES ARCHITECTURE 250 S. PARK AVENUE, SUITE 200 WINTER PARK, FLORIDA 32789 407.841.1111



1 BLDG. TYPE 4: FIRST FLOOR PLAN

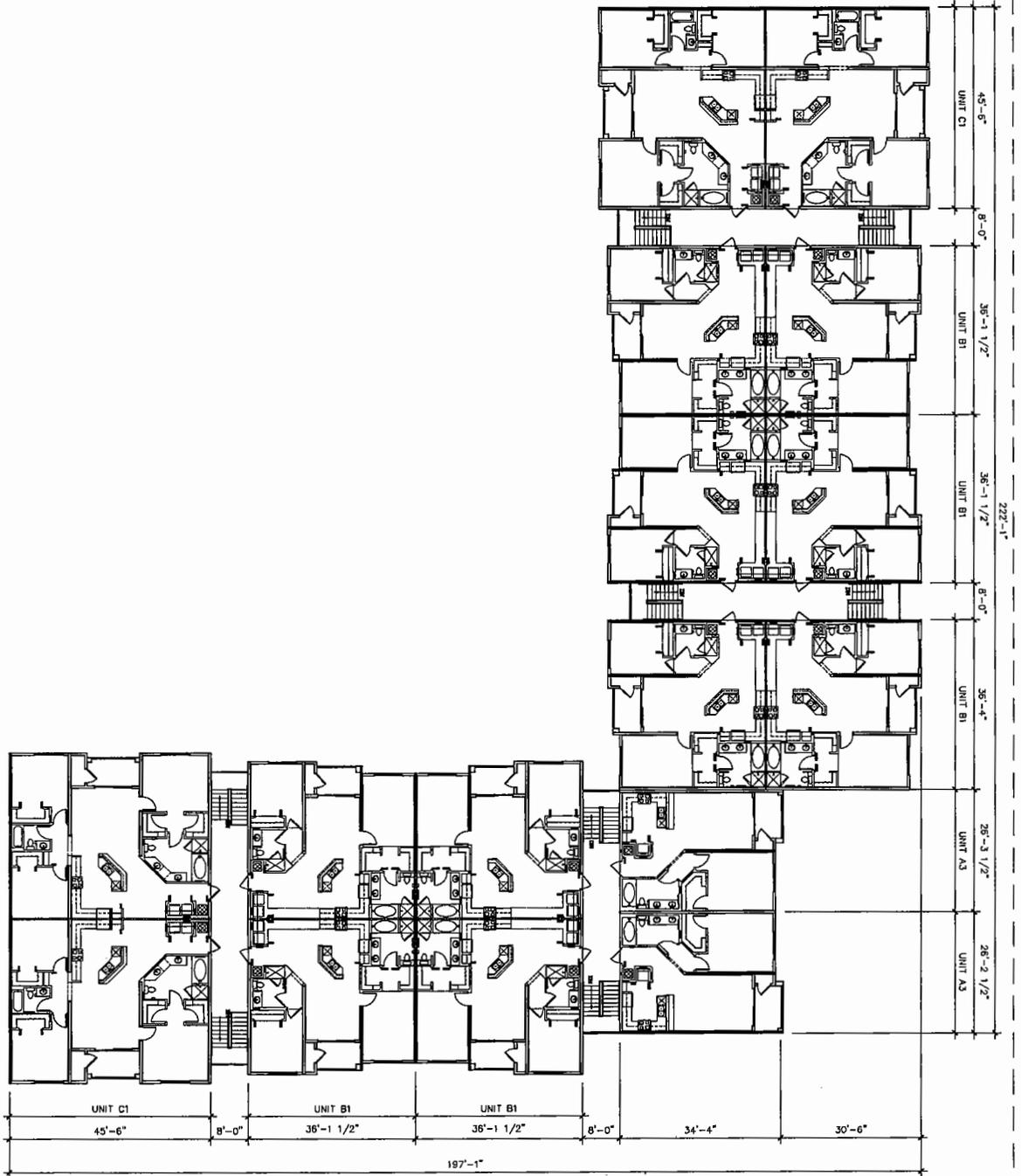


2 BLDG. TYPE 4: SECOND FLOOR PLAN

<b>A-12</b> 1ST AND 2ND FLOOR PLAN BUILDING TYPE 4	ARCHITECTURE 	TRADITION AT KENDALL KENDALL LAKES, FLORIDA BSP/FLORIDA LLC. 250 S. Park Avenue, Suite 200, Winter Park, FL 32789	RICHARD JONES ARCHITECTURE
		RICHARD JONES ARCHITECTURE 114 WEST AVENUE, SUITE 200 WINTER PARK, FLORIDA 32789 PH: 407.848.1234 WWW.RICHARDJONESARCHITECTURE.COM	RICHARD JONES ARCHITECTURE 114 WEST AVENUE, SUITE 200 WINTER PARK, FLORIDA 32789 PH: 407.848.1234 WWW.RICHARDJONESARCHITECTURE.COM

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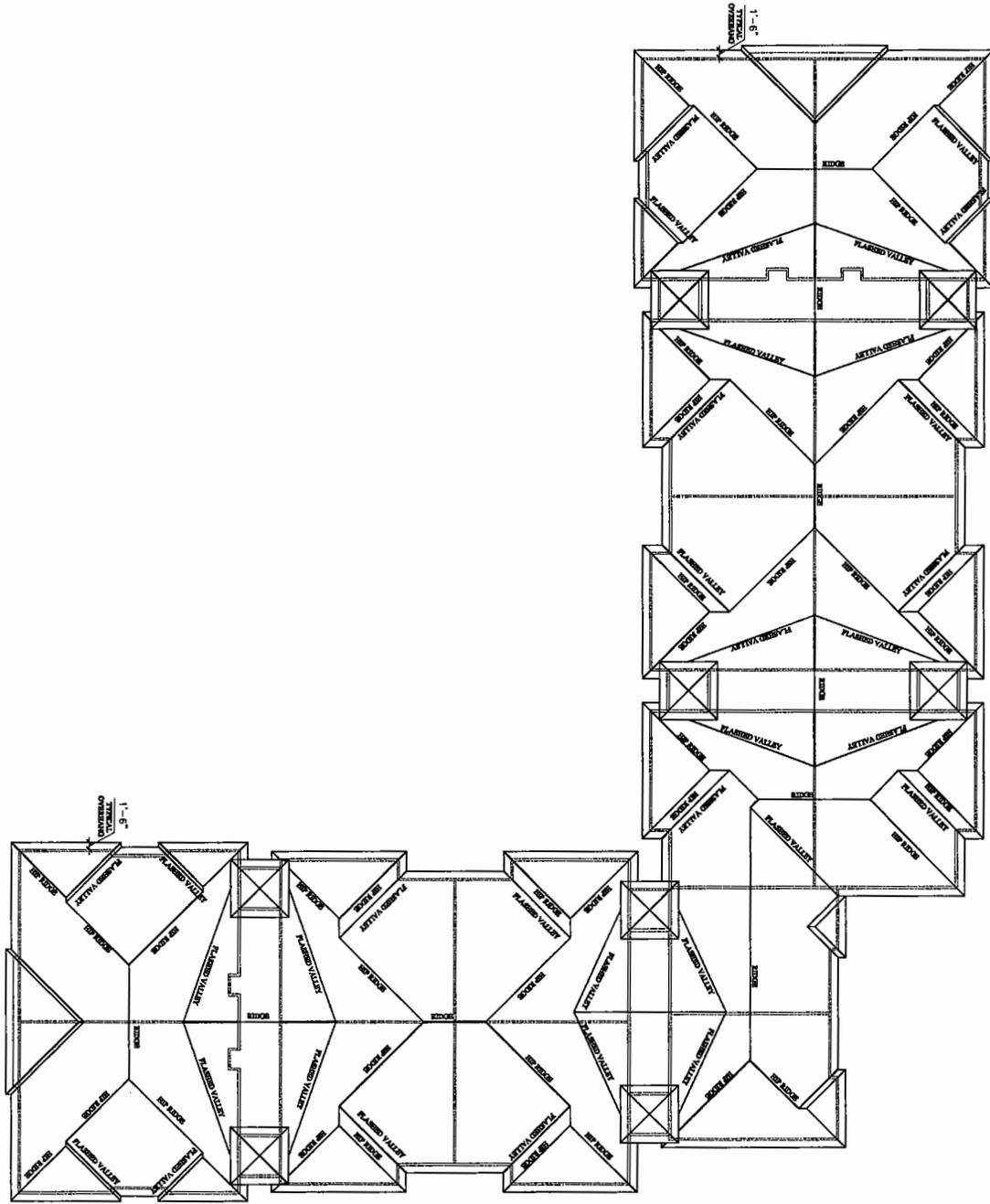
RECEIVED  
 RICHARD JONES  
 ARCHITECTURE  
 250 S. PARK AVENUE, SUITE 200  
 WINTER PARK, FL 32789



1 BUILDING TYPE 2, THIRD FLOOR PLAN

RICHARD JONES ARCHITECTURE 250 S. PARK AVENUE, SUITE 200 WINTER PARK, FL 32789	TRADITION AT KENDALL KENDALL LAKES, FLORIDA
	BSP/FLORIDA LLC. 250 S. Park Avenue, Suite 200, Winter Park, FL 32789
RICHARD JONES ARCHITECTURE 250 S. PARK AVENUE, SUITE 200 WINTER PARK, FL 32789	BUILDING TYPE 2 3RD FLOOR PLAN A-6

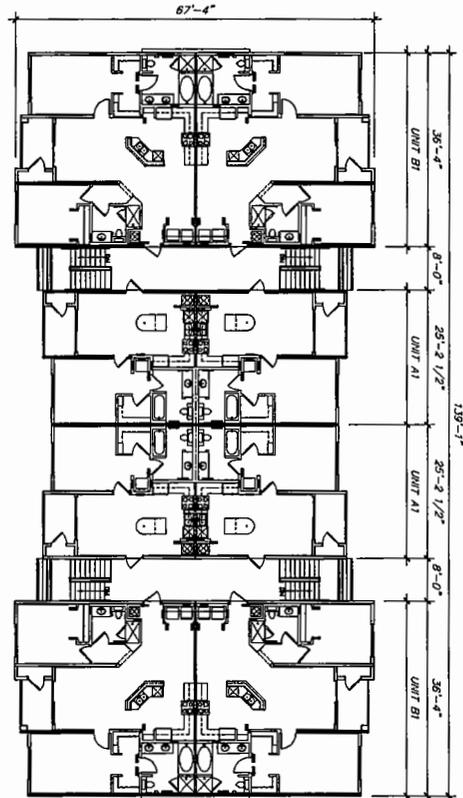
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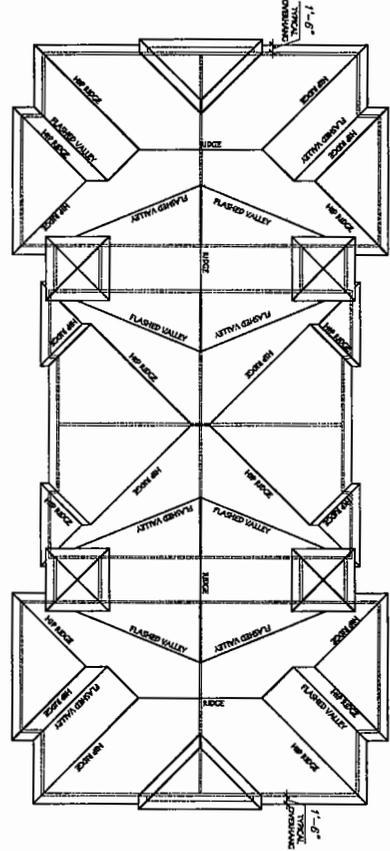
1 BUILDING TYPE 2: ROOF PLAN

RICHARD JONES ARCHITECTURE 1114 PALM JUNCTION DRIVE WINTER PARK, FL 32789 TEL: 407.839.1234 FAX: 407.839.1235 WWW.RJA-ARCHITECTURE.COM	TRADITION AT KENDALL KENDALL LAKES, FLORIDA BSP/FLORIDA LLC. 250 S. Park Avenue, Suite 200, Winter Park, FL 32789	ARCHITECT CONSULTANT # 04-004 DRAWN BY: J. JONES PLAN NUMBER: 1001-01-01 REVISIONS:	BUILDING TYPE 2 ROOF PLAN A-7
	PROJECT: 1001-01-01 DATE: 04/01/04	SCALE: AS SHOWN	SHEET: 1 OF 1





1 BLDG. TYPE 4: THIRD FLOOR PLAN



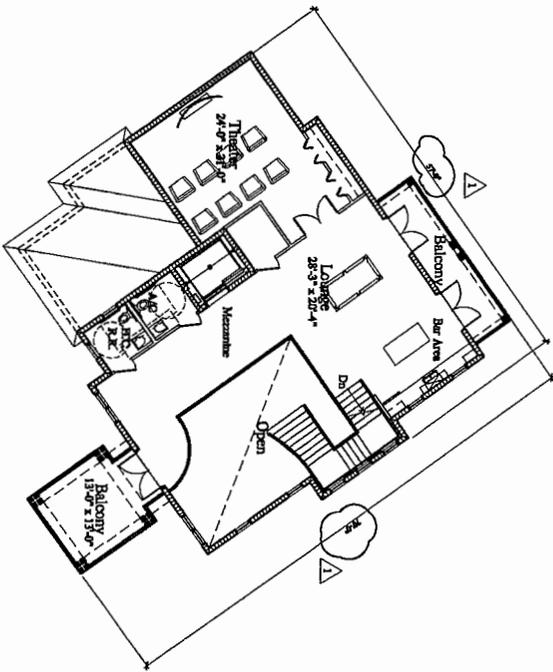
2 BLDG. TYPE 4: ROOF PLAN

A-13	3RD FLOOR AND ROOF PLAN	BUILDING TYPE 4	REVISED	DATE	DRAWN BY	CHECKED BY	PROJECT NO.	SHEET NO.	TOTAL SHEETS	RICHARD JONES ARCHITECTURE 250 S. PARK AVENUE, SUITE 200 WINTER PARK, FLORIDA 32789 407.850.1234 WWW.RICHARDJONESARCHITECT.COM	TRADITION AT KENDALL KENDALL LAKES, FLORIDA BSP/FLORIDA LLC. 250 S. Park Avenue, Suite 200, Winter Park, FL 32789
											RICHARD JONES ARCHITECTURE 250 S. PARK AVENUE, SUITE 200 WINTER PARK, FLORIDA 32789 407.850.1234 WWW.RICHARDJONESARCHITECT.COM



RECEIVED  
 RICHARD JONES ARCHITECTURE  
 271 N. W. 17th Ave  
 Ft. Lauderdale, FL 33304

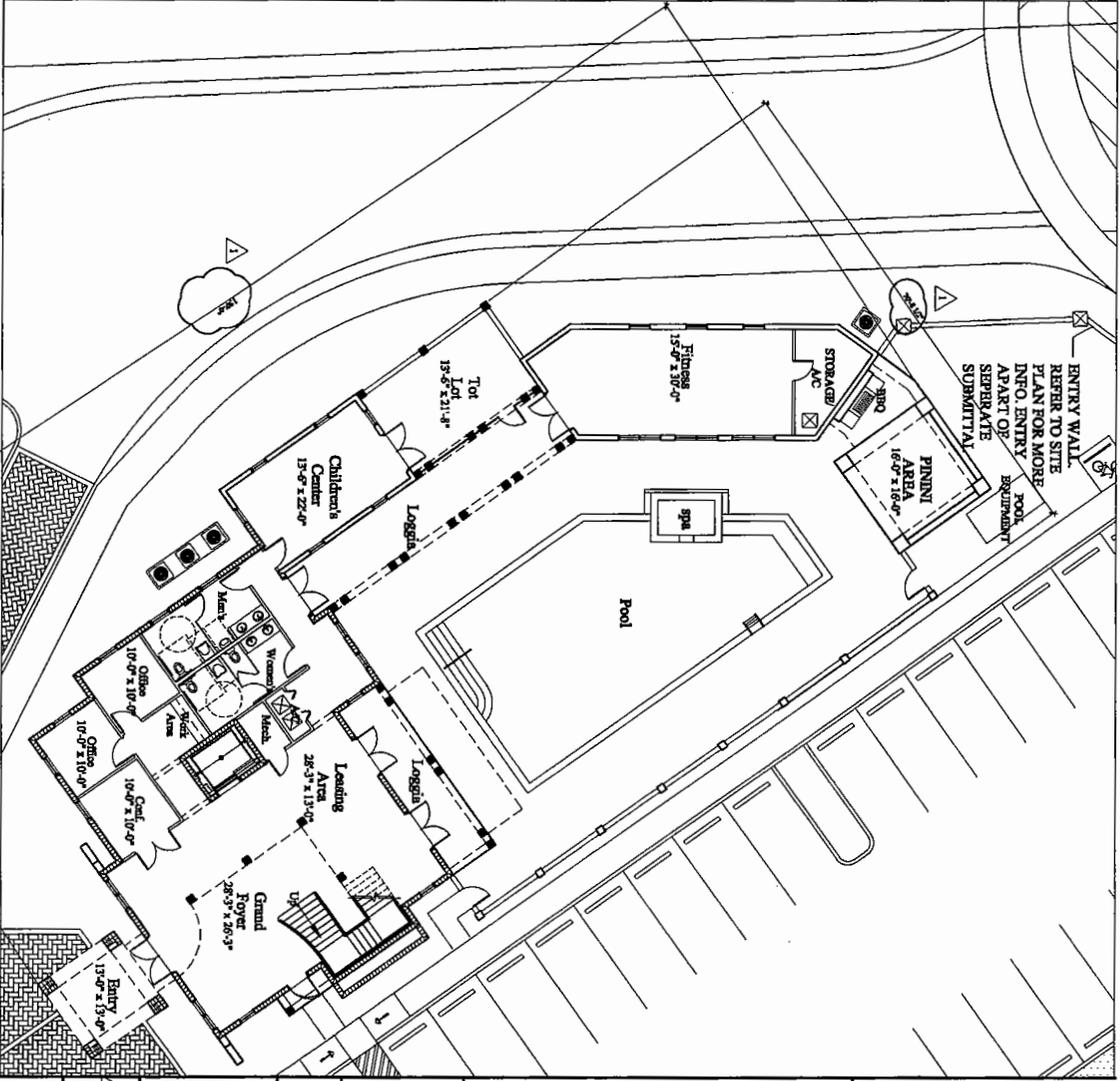
2 CLUBHOUSE: SECOND FLOOR PLAN



**AREA CALCULATIONS**

FIRST FLOOR AREA	2,022 Sq. Ft.
SECOND FLOOR AREA	1,738 Sq. Ft.
POOL DECK AREA	1,424 Sq. Ft.
TOTAL AREA	5,184 Sq. Ft.
STAIRS	248 Sq. Ft.
LOBBY	189 Sq. Ft.
MEZZANINE (OFFICE AND BATH)	217 Sq. Ft.
TOTAL AREA	6,268 Sq. Ft.

1 CLUBHOUSE: FIRST FLOOR PLAN



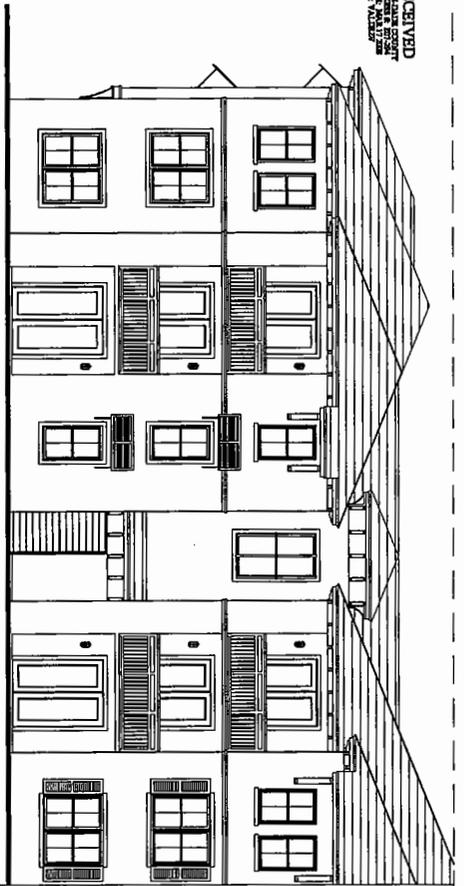
CLUBHOUSE	1ST AND 2ND FLOOR PLAN	A-16
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PROJECT NO.	10000000000000000000
DATE	08-01-10
SCALE	AS SHOWN
DESIGNER	RJA
CHECKER	RJA
DATE	08-01-10
PROJECT LOCATION	TRADITION AT KENDALL

TRADITION AT KENDALL  
 KENDALL LAKES, FLORIDA  
 BSP/FLORIDA LLC  
 250 S. Park Avenue, Suite 200, Winter Park, FL 32789

RICHARD JONES ARCHITECTURE  
 271 N. W. 17th Ave  
 Ft. Lauderdale, FL 33304  
 TEL: 954.344.1111  
 FAX: 954.344.1111  
 WWW.RJA-ARCHITECTURE.COM

RECEIVED  
 HANDBOOK DEPT.  
 PROJECT NO. 1000  
 DATE 11/15/05



# TRADITION AT KENDALL KENDALL LAKES, FLORIDA

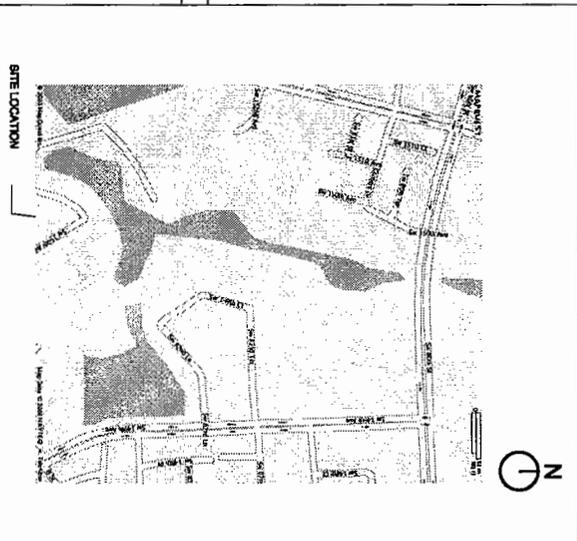
## DRAWING INDEX

ARCHITECTURAL	LANDSCAPE
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A-2 BLDG TYPE 1, THIRD FLOOR AND ROOF PLAN	L-2 SOUTH SECTOR LANDSCAPE PLAN
A-3 BLDG TYPE 1, ELEVATIONS	L-3 NORTH SECTOR LANDSCAPE PLAN
A-4 BLDG TYPE 2, FIRST FLOOR PLAN	L-4 PLANT LIST (LEGEND, LANDSCAPE DETAILS, ETC.)
A-5 BLDG TYPE 2, SECOND FLOOR PLAN	L-5 SITE TYPICAL UNIT LANDSCAPE PLAN
A-6 BLDG TYPE 2, THIRD FLOOR AND ROOF PLAN	L-6 TYPE TYPICAL UNIT LANDSCAPE PLAN
A-7 BLDG TYPE 2, ELEVATIONS	L-7 TYPE TYPICAL UNIT LANDSCAPE PLAN
A-8 BLDG TYPE 3, FIRST AND SECOND FLOOR PLAN	L-8 TYPE TYPICAL UNIT LANDSCAPE PLAN
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A-10 BLDG TYPE 3, ELEVATIONS	
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A-12 CLUBHOUSE, THIRD FLOOR AND ROOF PLAN	
A-13 CLUBHOUSE, ROOFLANDSCAPE ELEVATION	
A-14 CLUBHOUSE, ROOFLANDSCAPE ELEVATION	
A-15 UNIT PLANS	
A-16 CLUBHOUSE, FIRST AND SECOND FLOOR PLAN	
A-17 CLUBHOUSE, THIRD FLOOR AND ROOF PLAN	
A-18 CLUBHOUSE, ROOFLANDSCAPE ELEVATION	
A-19 CLUBHOUSE, ROOFLANDSCAPE ELEVATION	
002 COVER	
S-1 SITE PLAN AND DATA	
S-2 TYPICAL SECTIONS AND DETAILS	
S-3 TYPICAL SECTIONS AND DETAILS	
L-1 LAKE FILL PLAN	
L-2 LAKE CROSS SECTION	

## PROJECT INFORMATION

PROPOSED PROJECT:	THREE STORY RENTAL APARTMENTS
GOVERNING CODE:	IBC 2004 EDITION FPBC 2004 EDITION NFPA 101C FLORIDA 2005 EDITION NFPA 101 IBC FLORIDA 2005 EDITION
HEIGHT OF BUILDING (HIGHEST BUILDING):	42'-0" Top of peak 35'-0" Midpoint of the roof
TYPE OF CONSTRUCTION:	TYPE I-IB (SPRINKLED)
OCCUPANCY CLASSIFICATION:	GROUP R2 - RESIDENTIAL
HAZARD CLASSIFICATION:	ORDINARY HAZARD

## LOCATION MAP



## CLIENT

BSP/FLORIDA LLC,  
 250 S. PARK AVENUE, SUITE 200  
 WINTER PARK, FLORIDA 32789  
 CONTACT: JOE DICICRISTINA

## ARCHITECT

RICHARD JONES ARCHITECTURE  
 10 S.E. FIRST AVENUE, SUITE 102  
 DELRAY BEACH, FL. 33444  
 CONTACT: RICHARD JONES  
 TELEPHONE: 561-706-8706

## CIVIL/SURVEYING

ROBAYNA AND ASSOCIATES, INC.  
 5829 N.W. 159 STREET  
 MIAMI LAKES, FL. 33104  
 CONTACT: Rafael Robayna  
 TELEPHONE: 305-823-8316  
 FAX: 305-839-1589

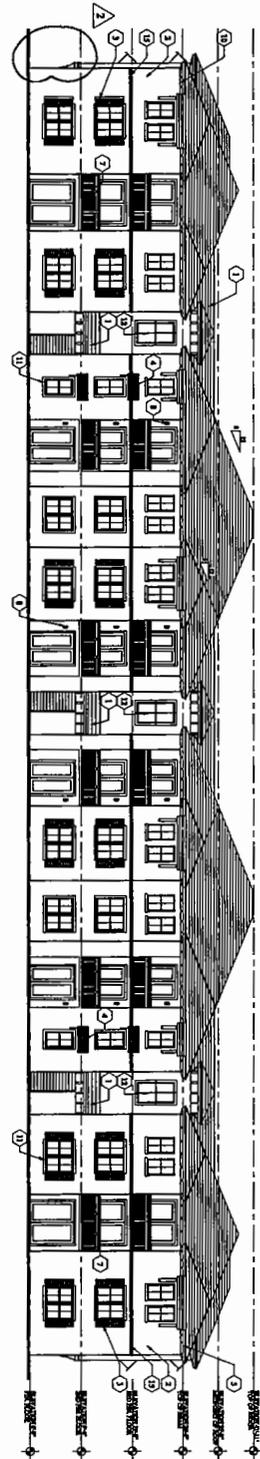
## LANDSCAPE ARCHITECT

JFS DESIGN, INC.  
 12420 S.W. 20TH STREET  
 MIAMI, FL. 33027  
 CONTACT: JIMMY SOCCASH  
 TELEPHONE: 854-447-1852  
 FAX: 854-442-8225

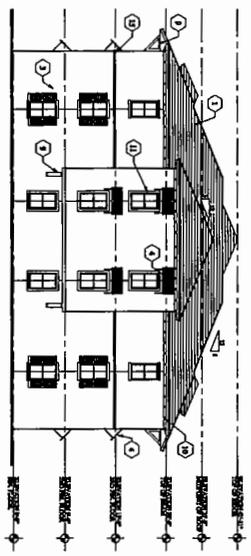
<p>TRADITION AT KENDALL          KENDALL LAKES, FLORIDA</p> <p>BSP/FLORIDA LLC.          250 S. Park Avenue, Suite 200, Winter Park, FL 32789</p>	<p>RICHARD JONES          ARCHITECTURE</p> <p>10 S.E. FIRST AVENUE, SUITE 102          DELRAY BEACH, FLORIDA 33444          TEL: 561-706-8706          FAX: 561-706-8706</p>
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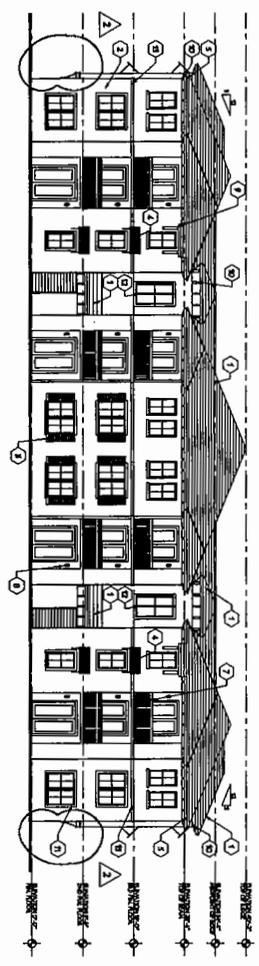
1 BLDG 3: FRONT/REAR ELEVATION



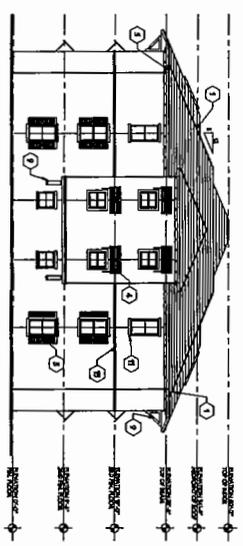
2 BLDG 3: SIDE ELEVATION

KEYNOTE	DESCRIPTION
1	FLAT ROOF
2	FLAT ROOF
3	FLAT ROOF
4	FLAT ROOF
5	FLAT ROOF
6	FLAT ROOF
7	FLAT ROOF
8	FLAT ROOF
9	FLAT ROOF
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16	FLAT ROOF
17	FLAT ROOF
18	FLAT ROOF
19	FLAT ROOF
20	FLAT ROOF
21	FLAT ROOF
22	FLAT ROOF

<p>TRADITION AT KENDALL          KENDALL LAKES, FLORIDA</p> <p>BSP/FLORIDA LLC          250 S. Park Avenue, Suite 200, Winter Park, FL 32789</p>	<p>RICHARD JONES          ARCHITECTURE</p>	<p>THIS PLAN IS THE PROPERTY OF RICHARD JONES ARCHITECTURE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN.</p>
<p>PROJECT: TRADITION AT KENDALL</p> <p>DATE: 08/11/11</p> <p>SCALE: AS SHOWN</p>	<p>ARCHITECTURE</p>	<p>DATE: 08/11/11</p>
<p>PROJECT: TRADITION AT KENDALL</p> <p>DATE: 08/11/11</p> <p>SCALE: AS SHOWN</p>	<p>ARCHITECTURE</p>	<p>DATE: 08/11/11</p>
<p>PROJECT: TRADITION AT KENDALL</p> <p>DATE: 08/11/11</p> <p>SCALE: AS SHOWN</p>	<p>ARCHITECTURE</p>	<p>DATE: 08/11/11</p>



1 BLDG 4: FRONT/REAR ELEVATION



2 BLDG 4: SIDE ELEVATION

**ELEVATION KEYNOTES**

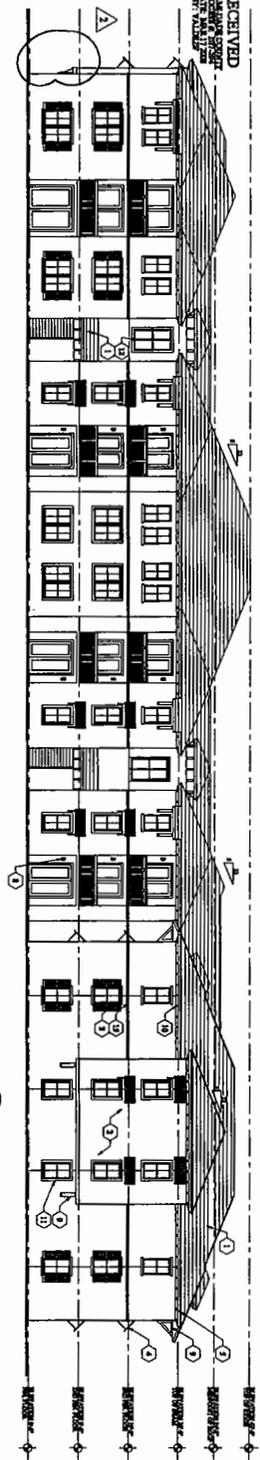
- 1 FLAT TERRACE
- 2 LIGHT TINTED COLORED THERMOPLASTIC
- 3 BROWN VINYL SMOOTH, SEE DIMENSION FROM LINE
- 4 BROWN WOOD FINISH
- 5 3.5 X 7" WOOD FINISH BOARD
- 6 COLUMNS
- 7 ALUMINUM FINISH SLATE FINISH
- 8 LIGHT TINTED - SEE ELECTRICAL DRAWINGS
- 9 BROWN WOOD FINISH
- 10 BROWN WOOD FINISH
- 11 4" WOOD FINISH
- 12 4" WOOD FINISH
- 13 4" WOOD FINISH
- 14 4" WOOD FINISH
- 15 4" WOOD FINISH
- 16 4" WOOD FINISH
- 17 4" WOOD FINISH
- 18 4" WOOD FINISH
- 19 4" WOOD FINISH
- 20 4" WOOD FINISH
- 21 4" WOOD FINISH
- 22 4" WOOD FINISH
- 23 4" WOOD FINISH
- 24 4" WOOD FINISH

<p>ARCHITECTURE</p> <p>RICHARD JONES ARCHITECTURE</p>	<p>TRADITION AT KENDALL KENDALL LAKES, FLORIDA</p> <p>BSP/FLORIDA LLC. 250 S. Park Avenue, Suite 200, Winter Park, FL 32789</p>
	<p>ARCHITECT</p> <p>CONSULTANT # 18-001</p> <p>DESIGNER # 18-001</p> <p>DATE 11/11/11</p> <p>PROJECT # 11-001</p>

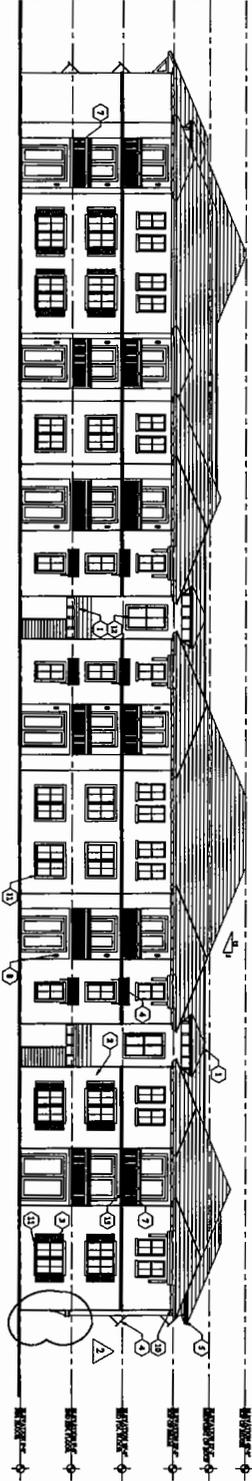
58



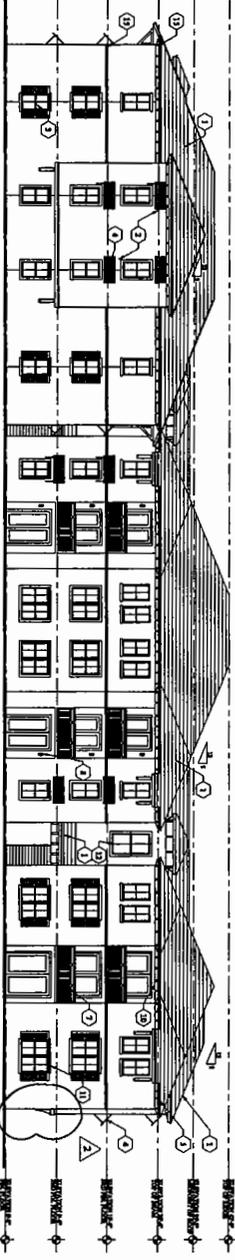
RECEIVED  
 RICHARD JONES ARCHITECTURE  
 250 S. PARK AVENUE, SUITE 200  
 WINTER PARK, FL 32789



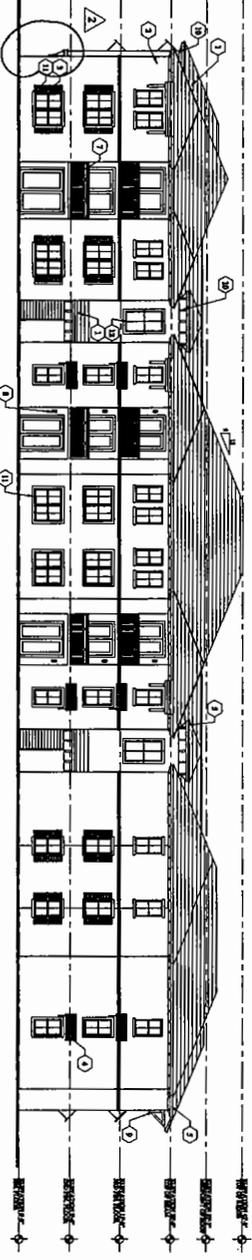
1 BLDG 2: FRONT ELEVATION



2 BLDG 2: REAR ELEVATION



3 BLDG 2: SIDE ELEVATION



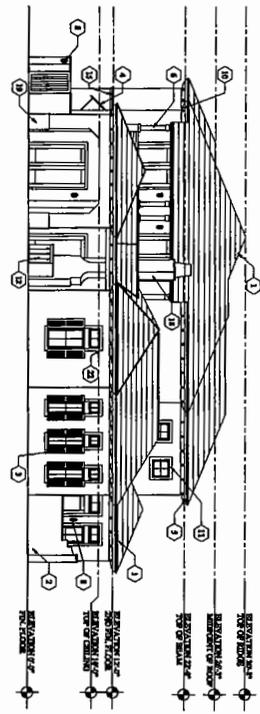
4 BLDG 2: SIDE ELEVATION

ELEVATION KEYNOTES

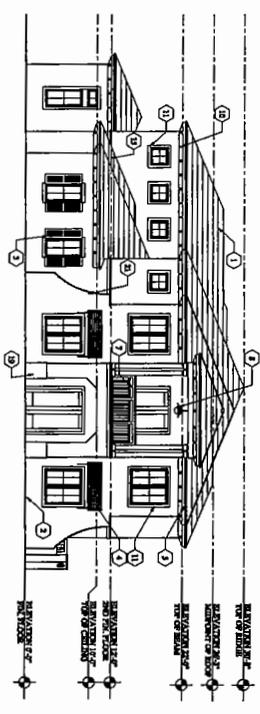
- 1 FLAT TYPAR ROOF
- 2 LARGEST STUCCO EXTERIOR FINISH
- 3 RECREATING YOUTH CENTER, 2ND FLOOR EXTERIOR FINISH
- 4 BALCONY RAILINGS
- 5 3.5 FT. WOOD PALISADE BOARD
- 6 CLADDING
- 7 ALUMINUM BALCONY RAILING
- 8 LARGEST STUCCO AND RECREATING YOUTH CENTER
- 9 RECREATING YOUTH CENTER
- 10 RECREATING YOUTH CENTER
- 11 RECREATING YOUTH CENTER
- 12 METAL GRILL
- 13 8\"/>

<p><b>A-8</b></p>	<p><b>ELEVATIONS</b></p>	<p><b>BUILDING TYPE 2</b></p>	<p><b>RICHARD JONES ARCHITECTURE</b></p>	<p>TRADITION AT KENDALL          KENDALL LAKES, FLORIDA</p> <p>BSP/FLORIDA LLC          250 S. Park Avenue, Suite 200, Winter Park, FL 32789</p>	<p>ARCHITECTURE</p>
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60



1 CLUBHOUSE: WEST ELEVATION

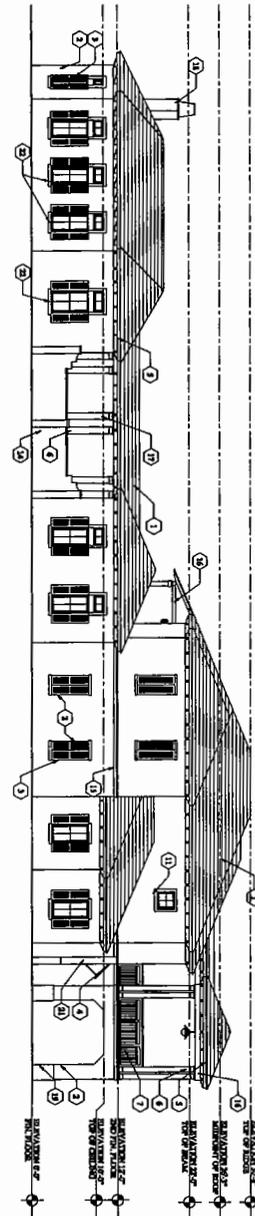


2 CLUBHOUSE: EAST ELEVATION

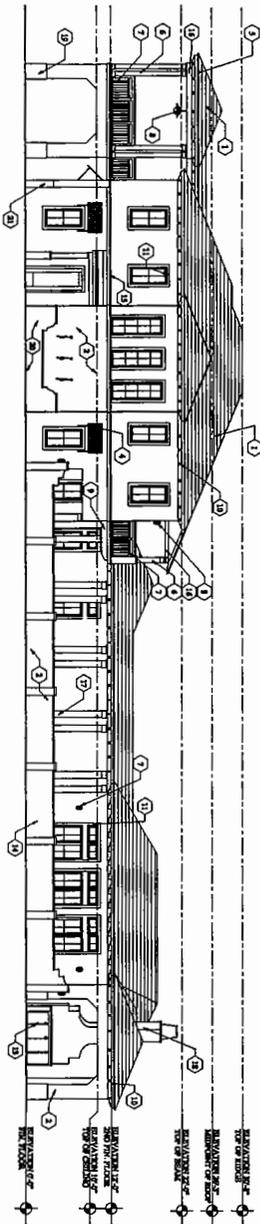
ELEVATION KEYNOTES	
1	PAINT FINISH
2	PAINT FINISH
3	PAINT FINISH
4	PAINT FINISH
5	PAINT FINISH
6	PAINT FINISH
7	PAINT FINISH
8	PAINT FINISH
9	PAINT FINISH
10	PAINT FINISH
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18	PAINT FINISH
19	PAINT FINISH
20	PAINT FINISH
21	PAINT FINISH
22	PAINT FINISH
23	PAINT FINISH
24	PAINT FINISH

RICHARD JONES ARCHITECTURE	TRADITION AT KENDALL KENDALL LAKES, FLORIDA  BSP/FLORIDA LLC. 250 S. Park Avenue, Suite 200, Winter Park, FL 32789	RICHARD JONES ARCHITECTURE 250 S. PARK AVENUE, SUITE 200 WINTER PARK, FLORIDA 32789 TEL: 407.841.1111 FAX: 407.841.1112
WEST AND EAST ELEVATIONS	CLUBHOUSE	A-17

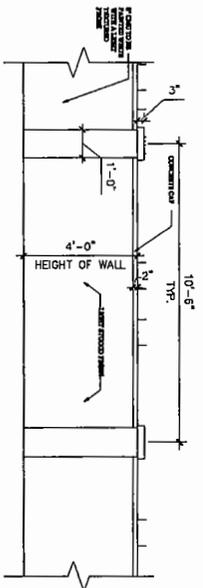
61



1 CLUBHOUSE: SOUTH ELEVATION



2 CLUBHOUSE: NORTH ELEVATION



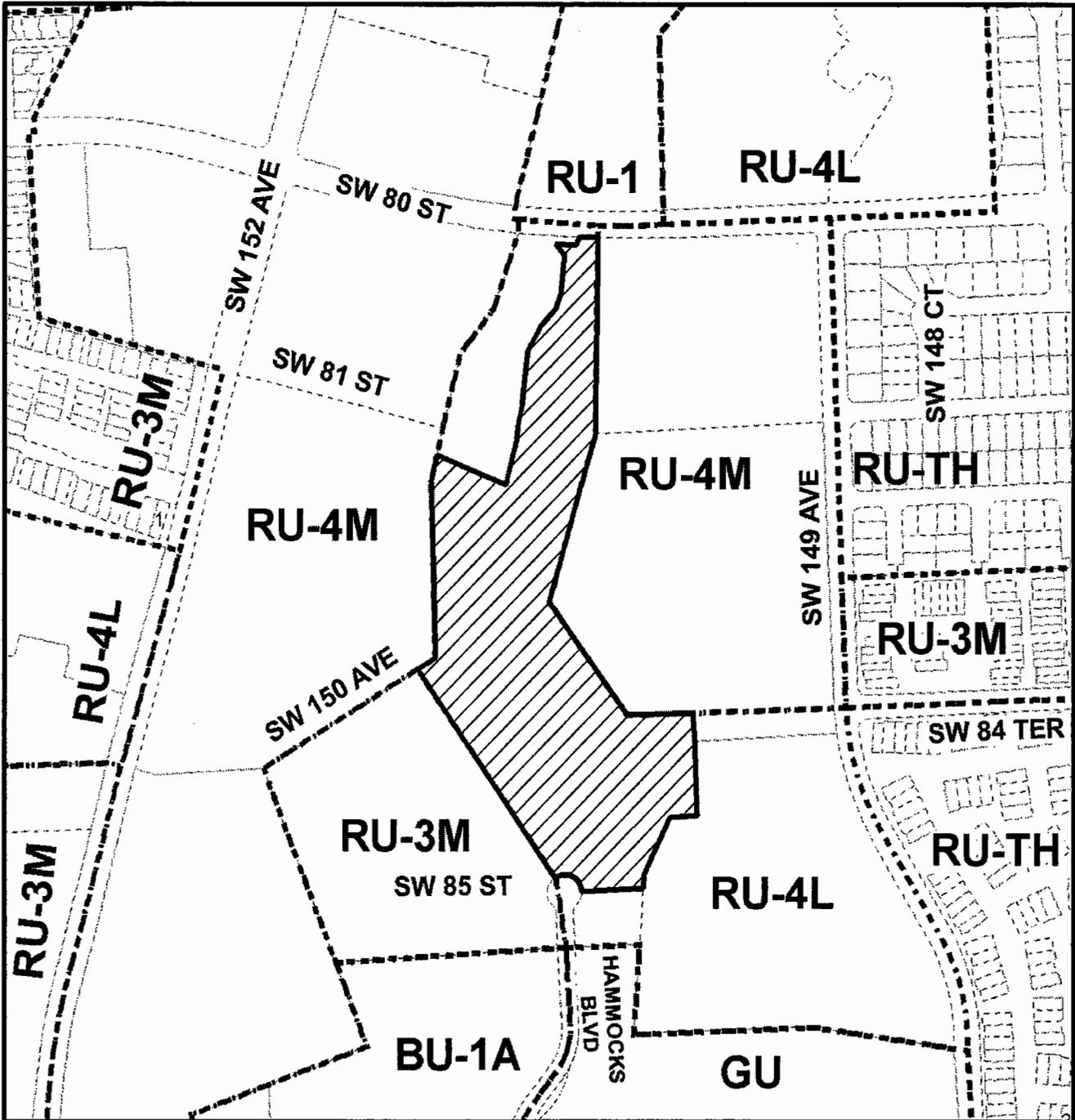
3 POOL AND TOT LOT FENCING DETAIL

ELEVATION KEYNOTES	
1	ROOFING
2	FLAT TERRACE
3	1.5\"
4	TRUCK
5	TRUCK
6	TRUCK
7	TRUCK
8	TRUCK
9	TRUCK
10	TRUCK
11	TRUCK
12	TRUCK
13	TRUCK
14	TRUCK
15	TRUCK
16	TRUCK
17	TRUCK
18	TRUCK
19	TRUCK
20	TRUCK
21	TRUCK
22	TRUCK
23	TRUCK
24	TRUCK

<p>TRADITION AT KENDALL                  KENDALL LAKES, FLORIDA</p> <p>BSP/FLORIDA LLC                  250 S. Park Avenue, Suite 200, Winter Park, FL 32789</p>	<p>ARCHITECTURE</p>	<p>PROJECT NO. 18-001</p> <p>DATE: 11/11/11</p> <p>SCALE: AS SHOWN</p>	<p>PROJECT NO. 18-001</p>
			<p>DATE: 11/11/11</p>

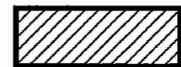
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MIAMI-DADE COUNTY  
HEARING MAP

Process Number  
**07-294**



SUBJECT PROPERTY

Section: 33 Township: 54 Range: 39  
 Applicant: UNITED AT KENDALL LAKES, INC.  
 Zoning Board: C11  
 District Number: 11  
 Drafter ID: JOAQUIN  
 Scale: NTS



63

REVISION	DATE	BY



MIAMI-DADE COUNTY  
**AERIAL**

Process Number  
**07-294**



**SUBJECT PROPERTY**

Section: 33 Township: 54 Range: 39  
Applicant: UNITED AT KENDALL LAKES, INC.  
Zoning Board: C11  
District Number: 11  
Drafter ID: JOAQUIN  
Scale: NTS



CREATED ON: 09/25/07

REVISION	DATE	BY

**7. SUMMERVILLE CHARTER SCHOOL, INC.**  
**(Applicant)**

**08-7-CC-7 (08-38)**  
**BCC/District 8**  
**Hearing Date: 7/3/08**

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:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
2005	Summerville Development, Inc.	Special exception to permit a charter school.	BCC	Approved w/conds.

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:** July 3, 2008

**To:** The Board of County Commissioners

**From:** Developmental Impact Committee  
Executive Council

**Subject:** Developmental Impact Committee Recommendation

---

**APPLICANT:** Summerville Charter School, Inc. (Z08-038)

**SUMMARY OF REQUESTS:**

The applicant is seeking to modify conditions of a previously approved Resolution (No. Z-24-05) and to modify a Declaration of Restrictions in order to increase the amount of students, grades levels, and the arrival and dismissal times of a previously approved charter school.

**LOCATION:** 11575 S.W. 243 Street, Miami-Dade County, Florida.

**COMMENTS:**

This application went before the Developmental Impact Committee because the applicant is requesting a modification of conditions of a previously approved 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 and the attached Department memoranda were reviewed and considered by said Committee.

**DIC RECOMMENDATION:**

**Approval with conditions.**

The Executive Council found that the proposed application is in keeping with the Comprehensive Development Master Plan Land Use map designation for the subject parcel

and is in compliance with Article XI -Public Charter School facilities of Chapter 33 of the Code of Miami-Dade County. In relation to the present and future development of the area, the Executive Council finds that the modifications to the charter school site, with the applied conditions, will permit a development which is **consistent** with the Comprehensive Development Master Plan (CDMP), and will not be contrary to the public interest. In addition, the Council also finds that the proposed development will be **compatible** with the surrounding area and would not detrimentally impact same.

APPLICATION NO. Z08-38  
SUMMERVILLE CHARTER SCHOOL, INC.

Respectfully Submitted,

DIC Executive Council  
May 28, 2008

Susanne M. Torriente  
Assistant County Manager Absent

Herminio Lorenzo, Fire Chief  
Miami-Dade Fire Rescue Department Absent

Irma San Roman, Deputy Director  
Metropolitan Planning Organization Secretariat AYE



Subrata Basu, Interim Director  
Department of Planning and Zoning AYE



Esther Calas, P.E., Director  
Public Works Department AYE



Carlos Espinosa, P.E., Director  
Department of Environmental Resources Mgmt Absent

Jorge S. Rodriguez, P.E., Assistant Director  
Miami-Dade Water and Sewer Department AYE



**DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO THE DEVELOPMENTAL IMPACT COMMITTEE**

**APPLICANT:** Summerville Charter School, Inc.

**PH:** Z08-038 (08-7-CC-6)

**SECTION:** 19-56-40

**DATE:** July 3, 2008

**COMMISSION DISTRICT:** 8

**ITEM NO.:** 7

**A. INTRODUCTION**

**o REQUESTS:**

- (1) MODIFICATION of Conditions #2, #11, #12 and #14 of Resolution No. Z-24-05, passed and adopted by the Board of County Commissioners, only as it applies to the subject property and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with the submitted for the hearing entitled 'Summerville Charter School,' by Juan Rodriguez Jomoica, dated stamped received July 08, 2005, except as modified herein to indicate that all parking aisles shall have a minimum of 15' radius on the driveway side."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Summerville Charter School,' by Juan A. Rodriguez-RA Jomoica, dated stamped received March 24, 2008 and consisting of 5 pages."

FROM: "11. That the charter school use shall be limited to grades kindergarten through 5<sup>th</sup> grade."

TO: "11. That the charter school use shall be limited to grades kindergarten through 8<sup>th</sup> grade."

FROM: "12. That phase I of the charter school facility be limited to a maximum of 300 students, and that phase 2 be limited to a maximum of 455 students."

TO: "12. That the charter school facility be limited to a maximum of 550 students."

FROM: "14. That there be three staggered shifts of arrival and dismissal for students at the charter school. Said shifts shall be as follows:

Grade Levels	# Students	Arrival	Dismissal
K-1	155	8:00 AM	2:00 PM
2-3	150	8:20 AM	2:20 PM
4-5	150	8:40 AM	2:40 PM

TO: " 14. That there be three staggered shirts of arrival and dismissal for students at the charter school. Said shifts shall be as follows:

Grade Levels	# Students	Arrival	Dismissal
K-3	190	7:50 AM	1:50 PM
4-5	180	8:20 AM	2:20 PM
6-8	180	8:50 AM	2:50 PM

- (2) MODIFICATION of Paragraph #1, #2 and #3 of a Declaration of Restrictions recorded in Official Record Book 24126, Pages 700-708, reading as follows:

FROM: "1. The use of the Property shall be established and maintained substantially in accordance with the plan submitted with the Application entitled 'Summerville Charter School,' prepared by Juan A. Rodriguez, dated stamped received on September 1, 2005 (the Plan), as said plan may be further modified at public hearing on the Application."

TO: "1. The use of the Property shall be established and maintained substantially in accordance with the plan submitted with the Application entitled 'Summerville Charter School Dade County, Florida,' prepared by Juan A. Rodriguez, RA Jomoica dated stamped received on March 24, 2008 and consisting of 5 pages, as said plan may be further modified at public hearing on the Application."

FROM: "2. The Charter School use shall be limited to kindergarten through fifth grades with four hundred fifty-five (455) students, and shall open in a permanent facility, depicted in Phase II in the Plan, no later than the beginning of the 2007 school year. In the event the Charter School is constructed in two phases, Phase I of the Charter School, as depicted in the Plan, shall be limited to 300 students and any modular facilities erected as part of Phase I shall be removed from the property no later than August 1, 2007."

TO: "2. The Charter School use shall be limited to kindergarten through eight grades with five hundred fifty (550) students."

FROM: "3. The proposed start/dismissal times for the Charter School are as follows:

Kindergarten and 1<sup>st</sup> Grade – Start 8 a.m./Dismissal 2 p.m.

2<sup>nd</sup> and 3<sup>rd</sup> Grades – Start 8:20 a.m./Dismissal 2:20 p.m.

4<sup>th</sup> and 5<sup>th</sup> Grades – Start 8:40 a.m./Dismissal 2:40 p.m.

However, the owner, at it its (sic) discretion, may modify the foregoing schedule so long as the Charter School has a minimum of three (3) start/dismissal times staggered at least twenty (20) minutes apart. Further, the Owner shall provide written notice of any modifications to the start/dismissal times to the directors of the Planning and Zoning Department and the Public Works Department, respectively, and said modifications shall be subject to the approval of the directors.

TO: "3. The proposed start/dismissal times for the Charter School are as follows:

Kindergarten to 3<sup>rd</sup> Grade – Start 7:50 a.m./Dismissal 1:50 p.m.

4<sup>th</sup> and 5<sup>th</sup> Grades – Start 8:20 a.m./Dismissal 2:20 p.m.

6<sup>th</sup> to 8<sup>th</sup> Grades – Start 8:50 a.m./Dismissal 2:50 p.m.

However, the owner, at its discretion, may modify the foregoing schedule so long as the Charter School has a minimum of three (3) start/dismissal times staggered at least thirty (30) minutes apart. Further, the Owner shall provide written notice of any modifications to the start/dismissal times to the directors of the Department of Planning and Zoning and the Public Works Department, respectively, and said modifications shall be subject to the approval of the directors."

The purpose of these requests is to allow the applicant to increase the amount of students, to increase the grades and to modify the schedule for the Charter School.

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under Section 33-311(A)(7) (Generalized Modification Standards) or Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

o **SUMMARY OF REQUESTS:**

The applicant is seeking to modify conditions of a previously approved Resolution (No. Z-24-05) and to modify a Declaration of Restrictions in order to increase the amount of students, grades levels, and the arrival and dismissal times of a previously approved charter school.

o **LOCATION:** 11575 S.W. 243 Street, Miami-Dade County, Florida.

o **SIZE:** 2.5 acres

o **IMPACT:**

The approval of the application would allow the charter school to serve additional students in the community. It could also negatively impact the traffic circulation and bring additional noise into the surrounding community.

**B. ZONING HEARINGS HISTORY:**

In October 2002, Community Zoning Appeals Board-15 (CZAB 15) granted a rezoning of the subject property from AU, Agricultural District, to EU-1, One Acre Estate Single-Family Residential District, and PAD, Planned Area Development District, pursuant to Resolution CZAB15-22-02. The Board accepted a Planned Area Development Agreement that was proffered by the applicant that limited the development of the site to plans that were

submitted for said hearing for a residential development consisting of 267 dwelling units. Among other things, the aforementioned agreement made assurance to the County that the owner of the property would set aside a 2.5-acre site for the development of a K-5 charter school by the beginning of the school year following the issuance of a certificate of occupancy for the 166<sup>th</sup> dwelling units. In January 2003, the above resolution was appealed. The Board of County Commissioners, however, upheld the decision of CZAB 15 and denied the appeal. In November 2005, pursuant to Resolution No. Z-24-05, the Board of County Commissioners granted a special exception to permit a charter school with among other things a total of 455 students and staggered arrival and dismissal times.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2005 and 2015 Land Use Plan designates the subject property as being approximately 2 miles east of and within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. This density category is generally characterized by single-family housing, e.g., single-family detached, cluster, zero-lot-line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.
2. **Residential Communities**  
Also permitted in Residential Communities are neighborhood and community services including **schools**, parks, houses of worship, day care centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood.
3. **Educational Element Goal**  
Develop, operate, and maintain a system of public education by Miami-Dade County Public Schools, in cooperation with the County and other appropriate governmental agencies, which will strive to improve the quality and quantity of public educational facilities available to the citizenry of Miami-Dade County, Florida.
4. **EDU-1**  
Work towards the reduction of the overcrowding which currently exists in the Miami-Dade County Public School System while striving to attain an optimum level of service. Strive to provide additional solutions to overcrowding so that countywide enrolment in Miami-Dade County's public schools does not exceed 145% of enhanced program capacity. Additionally, by 2005 the countywide enrolment should not exceed 125% enhanced program capacity, and by 2015 does not exceed 100%. This numeric objective is adopted solely as a guideline for school facility planning and shall not be used as a Level of Service Standard or as a basis for denial of development orders.

5. **EDU-1C**

Cooperate with the Miami-Dade County Public School System in their efforts to develop and implement alternative educational facilities such as primary learning centers which can be constructed on small parcels of land and relieve overcrowding at elementary schools, in so far as funding and rules permit.

6. **EDU-1D**

Cooperate with the Miami-Dade County Public School System in their efforts to provide public school facilities to the students of Miami-Dade County, which operate at optimum capacity, in so far as funding is available. Operational alternatives may be developed and implemented, where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.

7. **Institutional and Public Facility**

Neighborhood- or community-serving institutional uses, cell towers and utilities including **schools**, libraries, sanitary sewer pumps 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 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.

8. **LU-4A**

When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

**Subject Property:**

PAD; charter school

Low Density Residential, 2.5 to 6 dua

**Surrounding Properties:**

**NORTH:** AU and RU1-M(a); single family residences, and vacant parcel

Low Density Residential, 2.5 to 6 dua

**SOUTH:** PAD; vacant platted lots

Low Density Residential, 2.5 to 6 dua

- EAST:** AU and RU1-M(a); single family residences Low Density Residential, 2.5 to 6 dua
- WEST:** PAD; vacant land Low Density Residential, 2.5 to 6 dua

The subject parcel is located at 11575 SW 243 Street. The area where the subject property lies is known as Palm Glade, which is currently being developed with residential communities consisting of single-family and townhouse residences.

**E. SITE AND BUILDINGS:**

<b>Site Plan Review:</b>	(Site plan submitted)
Scale/Utilization of Site:	<b>Acceptable*</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Acceptable</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Acceptable</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable*</b>
Visibility/Visual Screening:	<b>N/A</b>
Energy Considerations:	<b>N/A</b>
Roof Installations:	<b>N/A</b>
Service Areas:	<b>N/A</b>
Signage:	<b>N/A</b>
Urban Design:	<b>Acceptable</b>

\*Subject to conditions

**F. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(A)(7) (Generalized Modification Standards).** The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; 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 fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, 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.

**Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).** The Community Zoning Appeals shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs of this section have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being

applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**Sec. 33-157. Physical standards.** All charter school facilities shall meet the minimum requirements included herein.

- (a) Outdoor areas. Outdoor recreation/play areas are not required. Where same are provided the outdoor recreation/play area shall, wherever possible, be located so that the recreation/play area is not immediately adjacent to single family residences or section line roads, nor create incompatible impacts on other immediately adjacent properties. Adequate screening in the form of a wall, fence and/or landscaping shall be provided wherever the outdoor/play area abuts a property under different ownership.
- (b) Signs. Signs shall comply with district regulations as contained in Chapter 33 of the Miami-Dade County Code; provided, however, that the total square footage of all freestanding signs in any residential district shall not exceed six (6) square feet in size.
- (c) Auto stacking. Stacking space, defined as that space in which pickup and delivery of children can take place, may be provided in the form of specified parking stalls and/or areas clear of vehicular drive aisles. Stacking space shall be provided for a minimum of two (2) automobiles for charter schools with twenty (20) to forty (40) children; schools with forty-one (41) to sixty (60) children shall provide four (4) spaces; thereafter there shall be provided a space sufficient to stack five (5) automobiles.
- (d) Parking requirements. Parking requirements shall be as provided in section 33-124(1) of the Zoning Code.
- (e) Height. The structure height shall not exceed the height permitted for that site by the existing underlying zoning district.
- (f) Trees. Landscaping and trees shall be provided in accordance with Chapter 18A of this code.
- (g) Charter school facilities as described herein shall be prohibited from operating on property abutting or containing a water body such as a pond, lake, canal, irrigation well, river, bay, or the ocean unless a safety barrier is provided which totally encloses or affords complete separation from such water hazards. Swimming pools and permanent wading pools in excess of eighteen (18) inches in depth shall be totally enclosed and separated from the balance of the property so as to prevent unrestricted admittance. All such barriers shall be a minimum of forty-eight (48) inches in height and shall comply with the following standards.

- (1) Gates shall be of the spring back type so that they shall automatically be in a closed and fastened position at all times. Gates shall also be equipped with a safe lock and shall be locked when the area is without adult supervision.
- (2) All safety barriers shall be constructed in accordance with the standards established in section 33-12, except that screen enclosures shall not constitute a safety barrier for these purposes.
- (h) Lot coverage and floor area ratio. The charter school facility shall not exceed the lot coverage and floor area ratio allowed by the underlying zoning district.
- (i) Building setbacks. The charter school facility shall comply with the setbacks established in sections 33-17 and 33-18 (a) and (b) of the Zoning Code for buildings of public assemblage.

**Sec. 33-159. Plan review standards**

- (a) Scale. The scale of proposed public charter school facilities shall be compatible with the scale of surrounding proposed or existing uses and shall be made compatible by the use of buffering elements.
- (b) Compatibility. The design of public charter school facilities shall be compatible with the design, kind and intensity of uses and scale of the surrounding area.
- (c) Buffers. Buffering elements shall be utilized for visual screening and substantial reduction of noise levels at all property lines where necessary.
- (d) Landscape. Landscape shall be preserved in its natural state insofar as is practicable by minimizing the removal of trees or the alteration of favorable characteristics of the site. Landscaping and trees shall be provided in accordance with Chapter 18A of this code.
- (e) Circulation. Pedestrian and auto circulation shall be separated insofar as is practicable, and all circulation systems shall adequately serve the needs of the facility and be compatible and functional with circulation systems outside the facility.
- (f) Noise. Effective measures shall be provided to keep noise at acceptable levels.
- (g) Service areas. Wherever service areas are provided, they shall be screened and so located as to be compatible with the adjacent properties.
- (h) Parking areas. Parking areas shall be screened and so located as to be compatible with the adjacent properties.

- (i) Operating time. The operational hours of a public charter school facility shall be compatible with the activities of other adjacent properties.
- (j) Industrial and commercial. Where schools are proposed in or adjacent to, industrial or commercial areas, it shall be clearly demonstrated in graphic form and otherwise, how the impact on the commercial or industrial area has been minimized through site design techniques and/or operational modifications.
- (k) Fences and walls. Outdoor recreation and/or play areas shall be enclosed with fences and/or walls.

**G. NEIGHBORHOOD SERVICES:**

DERM	<b>No objection*</b>
Public Works	<b>No objection*</b>
MDT	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Water and Sewer	<b>No objection</b>
Aviation	<b>No objection</b>

\*Subject to the conditions indicated in their memoranda.

**H. ANALYSIS:**

The applicant, Summerville Charter School, Inc., is requesting modifications of four conditions of a previously approved Resolution (No. Z-24-05) (request #1) and of three paragraphs of a previously recorded Declaration of Restrictions (request #2). These requests will allow the applicant to submit revised plans, increase the maximum number of students from 455 to 550 students, increase the grade levels from kindergarten through fifth grade to kindergarten through eighth grade, and to modify the arrival and dismissal times for the students at the charter school. The 2.5-acre subject parcel is located at 11575 S.W. 243 Street in an area known as Palm Glade, which is currently being developed with residential communities consisting of single-family and townhouse residences. The applicant has submitted a site plan that reflects the changes.

The Department of Environmental Resources Management (**DERM**) **has no objections** to this application and has indicated that it meets the minimum requirements as set forth in Chapter 24 of the Code of Miami-Dade County. The applicant will have to comply with all applicable conditions indicated in their memorandum. The **Aviation Department has no objections** to this application and indicates that the applicant is required to coordinate with the Homestead Air Reserve Base to ensure conformity with Article XXXV Homestead Air Reserve Base Zoning Code (Code of Miami-Dade County Section 33-292-33-301). The Miami-Dade Fire and Rescue Department (**MDFR**) **does not object** to this application and indicates in their memorandum that this development is expected to generate approximately 8 fire and rescue calls annually. Further, the average travel time to the vicinity of the proposed development is **6.94 minutes** which complies with the performance objective of national industry. The **Public Works Department does not object** to this

application. However, their memorandum indicates that the applicant must comply with various site plan, traffic impact and standard conditions as set forth in their memorandum. The conditions they have requested include, but are not limited to, that the specific beginning and ending of classes per shift including grade levels, and number of students must be provided in a covenant for the facility and public sidewalks are required to extend across all school driveways around the site and all pedestrian crosswalks around the school must have zebra pavement markings. Additionally, Miami-Dade Transit (**MDT**), Miami-Dade Water and Sewer (**WASD**) and Miami-Dade Park and Recreation (**MDPR**) **do not object** to this application.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential** use. The residential densities allowed in this category range from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre. This density category is generally characterized by single-family housing, e.g., single-family detached, cluster, zero-lot-line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded. Also permitted in Residential Communities are neighborhood and community services including **schools**, parks, houses of worship, day care centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. Further, the CDMP provides that neighborhood or community-serving institutional uses and utilities including **schools** and fire and rescue facilities in particular, and cemeteries may be approved where compatible in all urban land use categories. In staff's opinion, the location of the building provides ample open space and landscaping to buffer it from the developing residential community and mitigate any aural impact generated by the additional students. The additional student population will not detrimentally impact the surrounding residential neighborhood, as the building can properly accommodate the number of students requested. Additionally, the existing school adjoins streets that, in staff's opinion, further help to buffer said school from surrounding uses as well. Additionally, the scale and height of the building is compatible with the existing adjoining residential neighborhood and developing residential neighborhoods found nearby. As such, staff is of the opinion that the requested modifications are **compatible** with the surrounding community and is **consistent** with the Low-Density Residential LUP map designation of the CDMP.

The Educational Element Goal of the CDMP is geared to develop, operate, and maintain a system of public education by Miami-Dade County Public Schools, in cooperation with the County and other appropriate governmental agencies, which will strive to improve the quality and quantity of public educational facilities available to the citizenry of Miami-Dade County, Florida. The CDMP's Educational Element Policy **EDU-1** works toward the reduction of the overcrowding which currently exists in the Miami-Dade County Public School System while striving to attain an optimum level of service. Similarly, the CDMP's Educational Element Policy **EDU-1C** states that the County shall cooperate with the Miami-Dade County Public School System in their efforts to develop and implement alternative educational facilities such as primary learning centers which can be constructed on small parcels of land and **relieve overcrowding** at elementary schools, in so far as funding and rules permit. Educational Element Policy **EDU-1D** states that Miami-Dade County shall cooperate with the Miami-Dade County Public School System in their efforts to provide public school facilities to the students which operate at optimum capacity. Operational alternatives may be developed and implemented, where appropriate, which mitigate the

impacts of overcrowding while maintaining the instructional integrity of the educational program. Furthermore, the Miami-Dade Public Schools Charter School Facilities Information Report indicates that the school is currently operating pursuant to its current contract cap and zoning approval. Staff is of the opinion that the expansion to the previously approved charter school use on this site will serve a need for the community by helping to accommodate some of the student population generated by the approved residential development that surrounds said use. As such, the proposed expansion to the facility is deemed to be **consistent** with the aforementioned EDU policies of the CDMP.

When analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the modification of Conditions #2, #11, #12 and #14 (request #1) and modification of Paragraphs #1, #2 and #3 of a Declaration of Restrictions that restricted the development of the school site to 455 students, grades kindergarten through fifth grades, and specified certain arrival and dismissal times, are supported by staff. Staff is of the opinion that the increase in the number of students from 455 to a maximum of 550 will benefit this developing community. The subject 2.5-acre parcel is located at 11575 SW 243 Street. The site is improved with a 37,534 sq. ft., two-story charter school with adapted Mediterranean architectural elements. The existing school is located at the southeastern portion of the site. The surrounding area is made up of single-family residences and vacant parcels to the north, south and west. A metal fence with gates surrounds the entire property. Entrance onto the site for the drop-off and pick-up of students is accessed from SW 243 Street or SW 242 Street. Egress from the site is located at the southeast portion of the site onto SW 243 Street. Entrances into the building are provided at both east and south ends of the building. The modular structures that were part of Phase I of the charter facility have been removed from the site and students and facility are currently housed in the existing permanent building. Forty-three (43) parking spaces for staff, parents and guests are provided at the eastern portion of the property and a 2,600 sq. ft. primary recreation area and a 43,234 sq. ft. open field is located at the center of the site. The submitted plans indicate abundant landscaping in the forms of native and non-native trees and shrubs planted along the perimeter of the site. The landscaping on the site will help lessen the noise impact that the increase in the number of students will generate and will provide additional privacy to the surrounding properties. The overall height of the school building is 31'8". The existing school building's height of 31'8" is compatible with, and not out of character with the maximum heights allowed in the surrounding area. Staff opines that the application is consistent with **Policy LU-4A** since the modifications will not negatively impact the surrounding area and the various departments do not object to the application. Furthermore, the school is already in operation and has complied with all the conditions imposed by the previous declaration except as modified herein. As such, staff recommends approval with conditions of requests #1 and #2 under Section 33-311(A)(7).

The Standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to this application. Due to the lack of information, staff is unable to properly analyze the requests

#1 and #2 under said Standards and, as such, staff recommends denial without prejudice under Section 33-311(A)(17).

Based on all the aforementioned, staff recommends approval with conditions of requests #1 and #2 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice under Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

**I. RECOMMENDATION:**

Approval with conditions of requests #1 and #2 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of requests #1 and #2 under Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing),

**J. CONDITIONS:**

1. That all the conditions of Resolution No. Z-24-05 remain in full force and effect except as herein modified.
2. That a revised Declaration of Restrictions be submitted to the Department of Planning and Zoning within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director, for good cause shown.
3. That the applicant comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of this application and incorporated herein by reference.

DATE INSPECTED: 3/26/08  
DATE TYPED: 5/01/08  
DATE REVISED: 5/02/08, 5/05/08, 5/09/08, 5/12/08, 5/13/08  
DATE FINALIZED: 5/16/08  
SB:MTF:LVT:NN:CI

  
Subrata Basu, Interim Director  
Miami-Dade County Department of  
Planning and Zoning

**Date:** May 8, 2008

**To:** Nicholas D. Nitti  
Educational Facilities Coordinator  
Department of Planning and Zoning

**From:** Jeff Cohen, P.E., Assistant Chief  
Traffic Engineering Division  
Public Works Department

**Subject:** Recommendations for Summerville Advantage Academy Charter School  
Process No.: Z2008000038

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This project is acceptable subject to the following list of requirements, recommendations and comments on the Site Plans, undated (but received by the P&Z Dept. March 24, 2008), and the Traffic Impact Study, dated Revised April 25, 2008, (but revised since then) and received May 8, 2008, (today), for the facility located at SW 243<sup>rd</sup> St. and SW 116<sup>th</sup> Ct.:

#### Site Specific Comments:

- Site Plan Review

1. Previously required signing and striping, and curbing need to be revised and corrected due to prior improper installations. These must be completed prior to the beginning of the 2008/2009 school year. Paving and Drainage, Sign, and Striping Plans are required for this purpose to be provided for review and approval.
2. Post "No Outlet" signs for northbound and eastbound traffic at the SE corner of the intersection of SW 242<sup>nd</sup> St. and SW 116<sup>th</sup> Ct., and for northbound traffic at the NE corner of SW 243<sup>rd</sup> St. and SW 116<sup>th</sup> Ct., since SW 242<sup>nd</sup> St. is an eastbound one-way one-lane street from SW 117<sup>th</sup> Ave. that terminates at the Summerville School north entrance.
3. The site plans must properly show existing and proposed paving, sidewalks, swale areas, pavement markings, signs, etc. around the site including dimensions where applicable.
4. School Speed Zone posted time intervals must be modified as required by the new proposed staggered arrival and dismissal shifts. These times must be shown on the site plans, as well as, the P&D Plans when submitted, and completed prior to the beginning of the 2008/2009 school year. In addition, our Traffic Signals and Signs Division must be notified of the new times so that they may modify the school flashing signal operations.
5. Plans must clearly indicate which stalls are for staff and which are for visitor including quantity for each.
6. Maintain pedestrian Safe Sight Distance Triangles at all Summerville driveways.
7. No fence gate or other structures may protrude into or over the public ROW. In particular, staff noted on a field inspection that the fence gate from the parking lot on SW 243<sup>rd</sup> St. was swung into the public ROW.

- Traffic Impact Review

1. Due to site distance considerations, the on-street parking along SW 243<sup>rd</sup> St. can only accommodate 2 vehicles; however, the net overall available space is still sufficient to accommodate the projected PM vehicle accumulation for each proposed shift.

2. Staggered shifts must be separated by a minimum 30 minutes for arrival and dismissal times to clear traffic between shifts.
3. The specific times for beginning and ending of classes per shift including grade levels, and number of students (see Table 11 of the Traffic Impact Study and item 4 above) must be provided in a covenant for this facility. Included in this covenant must be an agreement that the school administration will take corrective measures if conditions change in the future where passenger vehicles are stacked or parking in the public ROW.

Standard Comments:

- 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.
- 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 ft 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 this Department. Also, any relocation or removal of trees must be approved by DERM. 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 record, must be provided prior to permitting any of these types of installations within the public right-of-way.
- Plans submitted for Permit shall conform to MUTCD, MDPWD 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.
- 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.
- The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

Should you need additional information or clarification on this matter, please contact me at (305) 375-2030.

cc: Esther Calas, P.E., Director  
Muhammed M. Hasan, P.E., Chief, Traffic Engineering Division  
Robert Williams, P.E., Head, Traffic Control Center, Traffic Signals and Signs Division  
Raul A. Pino, P.L.S., Chief, Land Development Division  
David Cardenas, Chief, Right of Way and Aesthetic Assets Management Division

Harvey L. Bernstein, Educational Facilities Administrator, Traffic Engineering Division  
Armando Hernandez, Concurrency Coordinator, Traffic Engineering Division

# Memorandum



**Date:** March 28, 2008  
**To:** Subrata Basu, Interim Director  
Department of Planning & Zoning  
**From:** Herminio Lorenzo, Director  
Miami-Dade Fire Rescue Department  
**Subject:** DIC # 08-038 Summerville Charter School  
24325 SW 117 Avenue, Miami-Dade County, FL

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## SERVICE IMPACT/DEMAND

- (A) Based on development information, this project is expected to generate approximately 8 fire and rescue calls annually.
- (B) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires three (3) suppressions or engines, telesquirts or tankers, one (1) aerial, one (1) rescue and an accompanying command vehicle. This assignment requires twenty (20) firefighters and officers.

## EXISTING SERVICES

Based on data retrieved during calendar year 2007, the average travel time to the vicinity of the proposed development was 6.94 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.

The stations responding to a fire alarm will be:

STATION	ADDRESS	EQUIPMENT	STAFF
5	13150 SW 238 Street	Rescue, BLS Engine	7
34	10850 SW 211 Street	Rescue, 50' BLS Sqrut	7
52	12105 Quail Roost Drive	Rescue, ALS Tanker	7
55	21501 SW 87 Avenue	ALS Engine	4

## SITE PLAN REVIEW:

- (A) Fire Engineering & Water Supply Bureau has reviewed and approved the plans entitled 'Summerville Charter School,' as prepared by Juan A. Rodriguez, R.A., dated stamp received March 5, 2008.
- (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.

If you need additional information, please contact the Planning Section at 786-331-4540.

# Memorandum



**Date:** April 3, 2008

**To:** Subrata Basu, AIA, AICP, Interim Director  
Department of Planning and Zoning

**From:** Jose Gonzalez, P.E., Assistant Director  
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name in the "From:" field.

**Subject:** DIC No. Z2008000038  
Summerville Charter School, Inc.  
24325 S.W. 117<sup>th</sup> Avenue  
Modification of Resolution Z-24-05 to Increase the Number of Students  
(PAD) (2.5 Acres)  
19-56-40

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

#### Potable Water Service

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (MDWASD). The closest public water is an 8-inch water main abutting the subject property. Connection of the proposed development to the public water supply system shall be required in accordance with Code requirements. The estimated demand for this project is 8,250 gallons per day (gpd). This figure does not include irrigation demands.

The source of water for this water main is MDWASD's Alexander Orr Water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State and County drinking water standards.

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

Notwithstanding that adequate system capacity is available for this project, DERM will require that water conserving plumbing fixtures be installed in accordance with the requirements of the Florida Building Code in order to more efficiently use the Southeast Florida water resources.

It is recommended that the landscaping conform to xeriscape concepts. Included in these concepts is the use of drought tolerant plants, which reduce the use of turf grass together with efficient irrigation system design. Details of xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water Management District.

#### Wastewater Disposal

The property is located within the franchised sewer service area of the MDWASD. The closest public sanitary sewer is a 10-inch gravity main abutting the subject property along S.W. 243<sup>rd</sup> Street.

Downstream flow is directed to Pump Station 30-1107 and then to the South District Treatment Plant, which has adequate capacity to meet projected demands from this project. Connection of the proposed development to the public sanitary sewer system shall be required in accordance with Code requirements.

Existing public sanitary sewer facilities and services meet the LOS standards set forth in the CDMP. Furthermore, the proposed development order, if approved, will not result in a reduction of 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 platting and/or site development, or Miami-Dade Public Works Department approval of paving and drainage plans. The applicant is advised to contact the DERM Water Control Section for further information regarding permitting procedures and requirements.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

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 by DERM for this proposed development order.

#### Pollution Remediation

The subject property is located within a designated brownfield area. The applicant is advised that there are economic incentives available for development within this area. For further information concerning these incentives, contact the Pollution Remediation Section of DERM at 305-372-6700.

#### Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that the requested use of the subject property may require operating permits from DERM. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

### Wetlands

The subject property does not contain jurisdictional 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

An After-the-Fact Specimen Tree Removal Permit 2005-759 was issued for this property to Summerville Development, Inc., on July 26, 2005, renewed on February 15, 2007, and is scheduled to expire July 11, 2008. All approved tree removal, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions.

The applicant is advised that a new Miami-Dade County Tree Removal Permit or an amendment to After-the-Fact Specimen Tree Removal Permit 2005-759 shall be required prior to the removal or relocation of any other tree on the subject property. The applicant is advised to contact the DERM Tree Program at (305) 372-6574 for further information.

### Enforcement History

DERM has found the following enforcement records for the subject property:

Summerville Development, Inc. (TREE-309):

On July 11, 2005, DERM executed a Consent Agreement for the subject site for a tree permit violation. On August 1, 2005, DERM received payment in full for settlement costs as required by the Consent Agreement and the case was closed due to compliance.

Summerville Charter School (ASB-77):

On September 27, 2006, DERM issued a Notice of Violation (NOV) for failure to submit an asbestos notification and for not providing thorough inspection. On October 15, 2007, the penalty was paid and the case was closed due to compliance.

### Concurrency Review Summary

DERM has conducted a concurrency review 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 DERM's written approval, as required by the Code.

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

# Memorandum



**Date:** April 9, 2008

**To:** Nicholas D. Nitti  
DIC Coordinator  
Department of Planning and Zoning

**From:** John Garcia  
Principal Planner  
Miami-Dade Transit Planning & Development Division

**Subject:** Review of DIC Project No. 08-038 (Summerville Charter School, Inc.)

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## Project Description

The applicant is seeking to revise the application to include a special exception to permit the expansion of the school's student population, to increase the permitted grade levels and to modify the arrival and dismissal times for the students of the charter school. The subject property is  $\pm 2.5$  acres and is located at 24325 SW 117<sup>th</sup> Avenue in Miami-Dade County, Florida.

## Current Transit Service

There is no direct transit service within the immediate vicinity of the proposed site. The closest transit service is provided by Metrobus Route 70 along SW 112<sup>th</sup> Avenue which is approximately one half mile from the application site. The service headways for the Route 70 (in minutes) are as follows:

<u>Route</u>	<u>Peak</u>	<u>Off-Peak</u>	<u>Evening</u>	<u>Overnight</u>	<u>Sat</u>	<u>Sun</u>
70	30	30	60	n/a	60	60

## Future Transportation/Transit Improvements

The 2008 Transportation Improvement Program (TIP) does not propose any improvements in the immediate vicinity of this project. The 2030 Long Range Transportation Plan (LRTP) does not propose any improvements in the immediate vicinity of this project.

The 2007 Transit Development Program (TDP) identifies in its 2012 Recommended Service Plan the following improvements on the existing routes serving the vicinity of the project:

- Route 70: Improve peak headway from 30 to 15 minutes.  
Improve weekend headway from 60 to 30 minutes.  
Realign along South Miami-Dade Busway extension.

**MDT Comments/Recommendations**

Based on the information presented, MDT has no objections to this project.

**Concurrency**

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

# Memorandum



**Date:** April 11, 2008

**To:** Subrata Basu, Interim Director  
Department of Planning & Zoning

**From:** Sunil Harman, Director, Aviation Planning, Land-Use & Grants  
Aviation Department

**Subject:** DIC Application #08-038  
Summerville Charter School, Inc.

A handwritten signature in black ink, appearing to be "Sunil Harman", written over the "From:" field.

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #08-038 for Summerville Charter School, Inc. The applicant is requesting a modification of a previous Resolution in order to modify the approved site plan and to increase the number of students on the property from 455 to 550 in grades K through 5. The subject property is approximately 2.5 acres and is located at 24325 SW 117 Avenue in Miami-Dade County, Florida.

MDAD has determined that the application is compatible with operations from Homestead General Aviation Airport. Please note that since school is located in proximity to Homestead Air Reserve Base, the applicant is required to coordinate with the Base to ensure conformity with Article XXXV Homestead Air Reserve Base Zoning (Code of Miami-Dade County §§33-292--33-301). Please be advised that MDAD does not have jurisdiction over Homestead Air Reserve Base. The contact at the Base is Major Tim Arnett, 305-224-7306, tim.arnett@homestead.af.mil.

SH/rb

C: Max Fajardo, E.I., Deputy Aviation Director  
John Cospers, P.E., Deputy Aviation Director – CIP  
José Ramos, R.A., Chief, Aviation Planning  
File DIC

# Memorandum



**Date:** March 13, 2008  
**To:** Nicholas D. Nitti, DIC Coordinator  
Department of Planning and Zoning  
**From:** *for Maria T. Capote*  
Phillip Torres, P.E. *MT/C*  
Miami-Dade Water and Sewer Department  
Manager, Plans Review Section  
**Subject:** DIC

The Miami-Dade Water and Sewer Department comments and recommendations are as follows:

1. **Project:** Summerville Charter School, Inc. (08-038)  
**Location:** 24325 SW 117 Ave.

## WATER:

Connect to any of the existing eight (8)-in W.M.(s) in S.W. 242 St., SW 243 St. and/or SW 116 Ct. Any W.M. extension within the property shall be eight (8)-in. min. in diameter. 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) P.O.C.(s)

Please refer to water conservation requirements attached.

## SEWER:

Connect to any of the existing and/or proposed eight (8)-in gravity sewers in SW 243 St. and/or SW 242 St. respectively. If Unity of title does not apply, then any gravity sewer within the property shall be public and eight (8)-in minimum in diameter.

## GENERAL NOTES:

The size of the required water mains will depend upon the subject property's approved zoning, being twelve (12)-in. min. in diameter required for high density residential, commercial, business, industrial, hospitals, public buildings, etc. and eight (8)-in. min. in diameter required for low and medium density residential zonings. Please note that the aforementioned zonings are Miami-Dade County or equivalent, based on total amount of units per acre.

Please be advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in the Settlement Agreement between the Florida Department of Environmental Protection ("DEP") and the County dated July 27<sup>th</sup>, 1993, the First Amendment to Settlement Agreement between DEP and County dated December 21<sup>st</sup>, 1995, the First Partial Consent Decree and the Second and Final Partial Consent Decree entered in the United States of America Environmental Protection Agency vs. Metropolitan Dade County (Case Number 93-1109 CIV-MORENO), as currently in effect or as modified in the future, and all other current, subsequent or future agreements, court orders, judgments, consent orders, consent decrees and the like entered into between the County and

the United States, State of Florida and/or any other governmental entity, and all other current, subsequent or future enforcement and regulatory actions and proceedings.

Should you have any questions, please do not hesitate to call me at 786-268-5214.

Cc: Jorge S. Rodriguez, Assistant Director

## WATER CONSERVATION

Miami-Dade County is currently developing recommendations for new development that would achieve higher water use savings than currently required by code.

The following is a list of water saving practices to be used as a guide to achieve additional water savings above current code requirements. These recommendations are targeted at new commercial and institutional construction projects and are based on the following principles:

- Use waterless technologies where available
- Maximize use of on-site sources of water
- Choose equipment that is water and energy efficient
- Install automatic shut offs, solenoids and controllers to turn water off when not in use
- Install flow restrictors when possible
- Eliminate once-through cooling

### Plumbing Fixtures and Practices

#### Toilets and Urinals

- Ensure all water closets use no more than 1.3 gallons per flush, high efficiency toilets (HETs) can achieve 20 to 25% water use savings.
- Use toilets included the Uniform North American Requirements (UNAR) certified list.
- Consider waterless urinals

#### Faucets

- Install hand washing faucets or aerators that use no more than 1.0 gallons per minute
- Install sensor controls on hand washing faucets in public restrooms
- Install showerheads that use no more than 1.5 gallons per minute

#### Plumbing Design

- Use tankless water heating or other devices that reduce water wasted waiting for the water to get hot where possible
- Post prominent signs in all restrooms and other water using areas listing telephone numbers to promptly report leaks and other plumbing problems.

## Metering and Sub-Metering

- Install a separate meter and keep monthly records of all major water-using function such as cooling towers and individual buildings.

## Heating Ventilation and Air Conditioning Equipment

### Cooling Towers

- Eliminate all once-through cooling
- On cooling towers, install both makeup and blowdown meters
- Equip cooling towers with overflow sensors on the overflow pipes to alert the operator to problems that can waste thousands of gallons daily
- All cooling towers should achieve at least (5.0) cycles of concentration

### Boilers

- Equip boilers with makeup meters and conductivity controllers for blowdown control
- Reuse or return steam condensate to the boiler wherever possible
- Install makeup meters on all recirculating closed water loops used for heating and cooling systems so that leaks in the recirculating systems can be easily detected.

## Food Service

### Equipment Selection

- Eliminate all water cooled equipment using once-through cooling
- All water-cooled equipment should be eliminated unless it uses chilled water or cooling tower loop. This includes ice makers, refrigeration equipment, and ice cream machines.

### Dishwashing Equipment

- Dishwashers should use less than 1.2 gallons per rack for fill-and-dump machines and less than 0.9 gallons per rack for all other types of machines. For under the counter machines, water use should not exceed 1.0 gallons per rack for high-temperature machines and 1.7 gallons per rack for low-temperature machines and 1.7 gallons per rack for low temperature machines.
- Pre-rinse spray valves that use 1.6 gallons per minute and have a shot off valve

### Food Preparation

- Use connectionless steamers. They do not need either a water supply or a wastewater drain.
- Select ice machines that use no more than 20 gallons per hundred pounds of ice made.

## Efficient Landscape Irrigation

Water can be conserved through the use of a properly designed and managed landscape irrigation systems, and choice of plant material.

### Irrigation controllers

- Moisture sensing shut-off switch equipment for automatic irrigation systems to avoid irrigation during periods of sufficient soil moisture. Said equipment shall consist of an automatic mechanical or electronic sensing devise or switch that will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.

### Irrigation equipment and design

- Use drip irrigation or microsprinklers for planting beds (once plants are established, irrigation is not usually needed)
- Irrigated areas shall not be less than 4 feet wide, except when next to contiguous property or using micro or drip irrigation.
- Create hydrozoned areas, with beds and turf watered separately (plant beds may not need irrigation after plants are established)
- Design systems to maintain manufacturer-recommended pressure to prevent misting and unnecessary pipe wear

### Soil

- Terrace any area that exceeds a 3:1 slope
- Do not add soil on top of tree roots

### Mulch

- Use organic, preferably locally derived mulch, such as pine bark, dyed landscape mulch, or enviromulch. Avoid cypress mulch which encourages deforestation of natural areas.
- Limit use of rock mulch due to increased heat and reflection
- Mulch should be 3-4 inches deep over the root zone and several inches away from the base of plants

## Plant Selection

- Use low-maintenance (drought tolerant) species. The Extension Service's Florida Yards and Neighborhoods Program list these in a publication for South Florida. <http://miami-dade.ifas.ufl.edu/programs/fyn/publications/dtpl.htm>
- Plant selection should be based on the plant's adaptability to the existing conditions present at the landscaped area and native plant communities. Select plants that are drought and freeze tolerant.
- For areas with limited soil space such as parking lots, use naturally small stature trees or use palms. Information for small stature trees for restricted spaces, such as narrow swales and limited space residential lots where canopy and roots can become problem can be found at <http://miami-dade.ufl.edu/programs/urbanhort/publications/PDF/Samll%20Trees%20for%20Miami-Dade.pdf>
- 
- Xeriscape or Florida-friendly landscape principles should be applied. These principles conserve water and protect the environment and include efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance. (Ref. 373.185 F.S.)

# Memorandum



**Date:** March 12, 2008

**To:** Nicholas D. Nitti, DIC Coordinator  
Department of Planning and Zoning

**From:** Randy Koper  
Property Management Section  
Planning and Research Division  
Park and Recreation Department

**Subject:** DIC 08-038  
Summerville Charter School, Inc  
Sec 19 Twp 56 Rge 40

*Randy Koper*

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The applicant is requesting a modification of a previous Resolution in order to modify the approved site plan and to increase the number of students on the property from 455 to 550 in grades K through 5. The subject property is approximately 2.5 acres and is located at 24325 SW 117 Avenue in Miami-Dade County, Florida. Plans may be modified prior to the DIC Executive Council meeting

Because this application does not generate any residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application.

cc: Barbara Falsey, Planning and Research Division

# CHARTER SCHOOL INFORMATION SHEET

Miami-Dade County Public Schools  
Charter School Facilities Information

School Number/Location Number	Name of School	Address	Grade Levels	SY Open	Municipality	Expiration Dates			Enrollment				Issues/Concerns	Non-Compliance Letters				
						Fire Permit	Certificate of Occupancy	Certificate of Use	Occupational License	Health Permit	Contract Cap.	CO/CU Cap.			Architect's Letter Cap.	Other Official Document Cap.	Actual Enrollment (PARIS (19/2008))	Specified Use on CO/CU
0330	Rosa Parks Charter School (6-8)	713 West Palm Drive Florida City, FL 33034	6-8	1999	Florida City	1/14/2008		Permanent (Florida City)			600 (K-8)	None	107	N/A	52 (6-8 as per PARIS)	Commercial	never been updated to remove vented hood from kitchen area	
7030	SIA Tech - Main Campus	12350 SW 285 Street Homestead, FL 33033	9-12	2004	Federal Property	9/9/2008	Exempt	Exempt			800 (both campuses)	N/A	N/A	300	405 (both campuses)	Job Corps Program: Federal Property	U. S. Dept. Of Labor letter on file defining exempt status and enrollment cap	
7030	SIA Tech - North Campus	3050 NW 193 Street Miami Gardens, FL 33055	9-12	2004	Federal Property	4/19/2008	Exempt	Exempt			800 (both campuses)	N/A	N/A	496	405 (as per school)	Job Corps Program: Federal Property	U. S. Dept. Of Labor letter on file defining exempt status and enrollment cap	
0520	Somerset Academy	16491 SW 134 Avenue Miami, FL 33177	K-5	2004	County	8/18/2008	Permanent	Permanent			700	700	N/A	N/A	539	Bus. Use: School Other than Charter	(Housed with 6004)	3/28/2007
6004	Somerset Academy Middle	16491 SW 134 Avenue Miami, FL 33177	6-8	2004	County	8/18/2008	Permanent	Permanent			300	700	N/A	N/A	161	Bus. Use: School Other than Charter	(Housed with Loc. 0520)	3/28/2007
7042	Somerset Academy High School	11400 SW 232 Street Miami, FL 33032	9-12	2004	County	10/21/2008	Permanent	Permanent			500	800 (07-09) and 1100 (08-09) between both schools	N/A	N/A	32	Charter High School	(Housed with Loc. 0332)	
0332	Somerset Silver Palms (K-6)	11400 SW 232 Street Miami, FL 33032	K-8	2007	County	10/21/2008	Permanent	Permanent			1100	800 (07-09) and 1100 (08-09) between both schools	N/A	N/A	733	Bus. Use: School Other than Charter	(Housed with Loc. 7042)	
6026	Spirit City Academy	285 NW 198 Street Miami Gardens, FL 33169	6-8	2005	City of Miami Gardens	9/11/2008		12/31/2008 (City of Miami Gardens)			350	None	100	N/A	53	Permitted Use: C004		12/1/2006; 10/24/2007
0072	Summerville Charter School	11575 SW 243 Street Miami, FL 33032	K-5	2007	County	8/27/2008	Permanent	Permanent			600	455	N/A	N/A	452	Charter School K-5		10/24/2007
1010	Waterstone	855 Waterstone Way Homestead, FL 33033	K-8	2005	City of Homestead	2/12/2008	Permanent (City of Homestead)	N/A			1150	1150	N/A	N/A	1117	School Non-Profit		

34

# TEAM METRO

## ENFORCEMENT HISTORY

SUMMERVILLE CHARTER SCHOOL,  
INC.

11575 SW 243 ST, MIAMI-DADE  
COUNTY, FLORIDA.

---

**APPLICANT**

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**ADDRESS**

---

Z2008000038

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**HEARING NUMBER**

### CURRENT ENFORCEMENT HISTORY:

Current case history;  
Case 200801003235 was opened based on enforcement history request and inspected on 5-12-08.  
No violations were observed and case was closed.

**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: Summerville Charter School, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Luis Machado, 305 Alcazar Ave Suite # 3 Coral Gables, Fl. 33134</u>	<u>Non-Profit</u>
<u>Ceferino Machado, 305 Alcazar Ave Suite # 3 Coral Gables, Fl. 33134</u>	<u>Non-Profit</u>
<u>Joaquin Avino, P.O. Box 831766 Miami, Fl. 33283</u>	<u>Non-Profit</u>

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

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

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____

**RECEIVED**  
208-038  
FEB 20 2008

ZONING BOARD  
MIAMI-DADE PLANNING AND ZONING DEPARTMENT  
BY \_\_\_\_\_

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:

\_\_\_\_\_

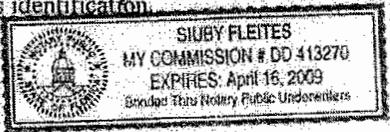
**NOTICE:**For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final p

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

Signature: *Jay D. [Signature]*  
(Applicant)

Sworn to and subscribed before me this 20<sup>th</sup> day of February, 2008. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

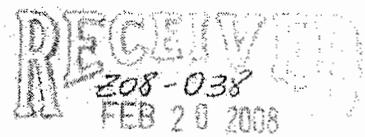
*Sioby Fleites*  
(Notary Public)



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

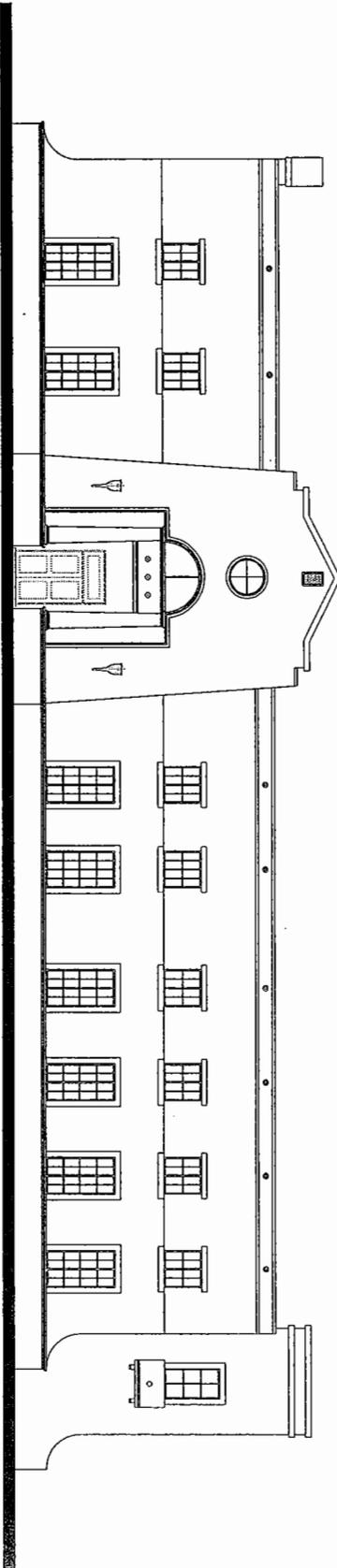
\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership 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.

# 5128235\_v1

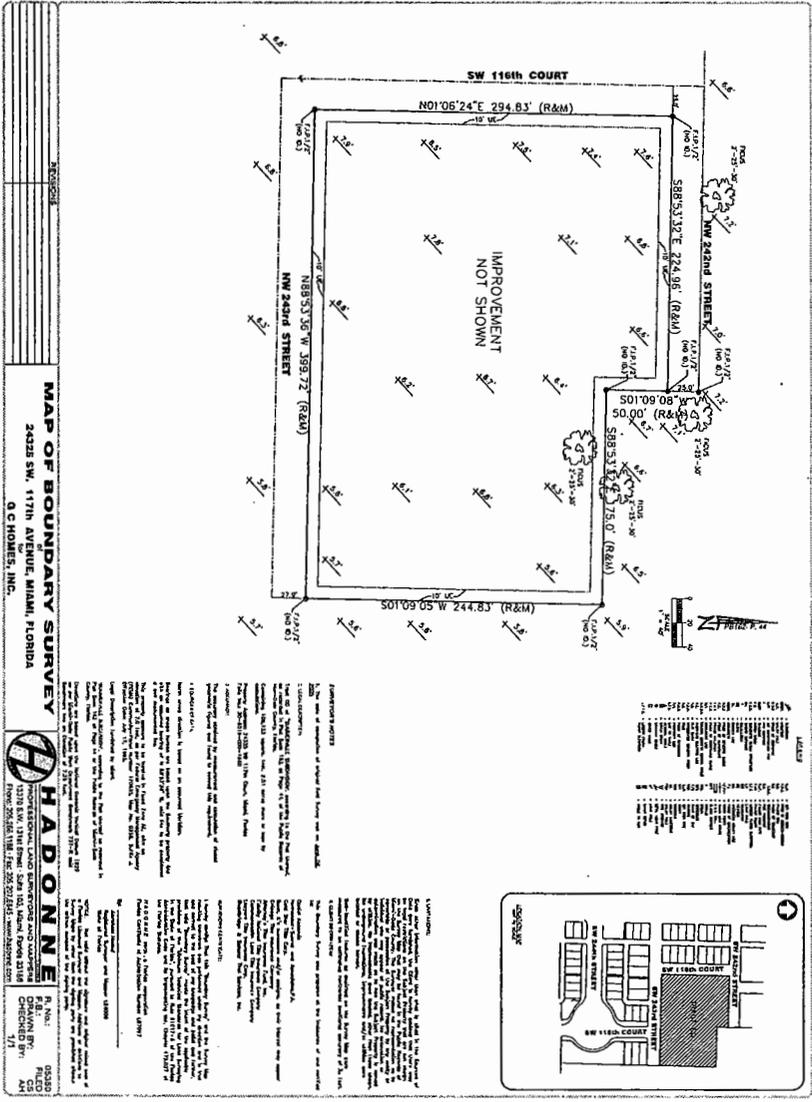


ZONING DEPARTMENT  
MIAMI-DADE PLANNING DEPARTMENT  
BY: *[Signature]*

# SUMMERSVILLE CHARTER SCHOOL



John A. Reitzel, AIA  
J. S. RICHARDS & ASSOCIATES  
ARCHITECTS  
1000 10th Street, N.E.  
Atlanta, Georgia 30309  
404.525.1234



**MAP OF BOUNDARY SURVEY**  
 24225 SW, 117th AVENUE, MIAMI, FLORIDA  
 O. C. HORNIS, INC.

**HADONNE**  
 PROFESSIONAL LAND SURVEYING AND CONSTRUCTION  
 11115 SW 13th Street, Suite 101, Miami, Florida 33186  
 PHONE: 305-251-1188 FAX: 305-251-2525 www.hadonne.com

R. No. 05520  
 DRAWN BY: MJC  
 CHECKED BY: AM  
 DATE: 11/11

**LEGEND**

1. All bearings and distances are in feet and inches, rounded to the nearest hundredth of an inch.

2. All bearings are true bearings, unless otherwise indicated.

3. All distances are in feet, unless otherwise indicated.

4. All bearings and distances are based on the datum of the National Geodetic Survey, North American Datum of 1983 (NAD 83).

5. All bearings and distances are based on the datum of the National Geodetic Survey, North American Datum of 1983 (NAD 83).

6. All bearings and distances are based on the datum of the National Geodetic Survey, North American Datum of 1983 (NAD 83).

7. All bearings and distances are based on the datum of the National Geodetic Survey, North American Datum of 1983 (NAD 83).

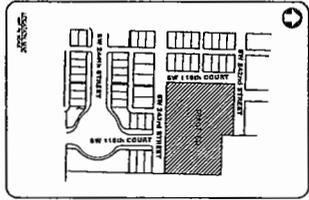
8. All bearings and distances are based on the datum of the National Geodetic Survey, North American Datum of 1983 (NAD 83).

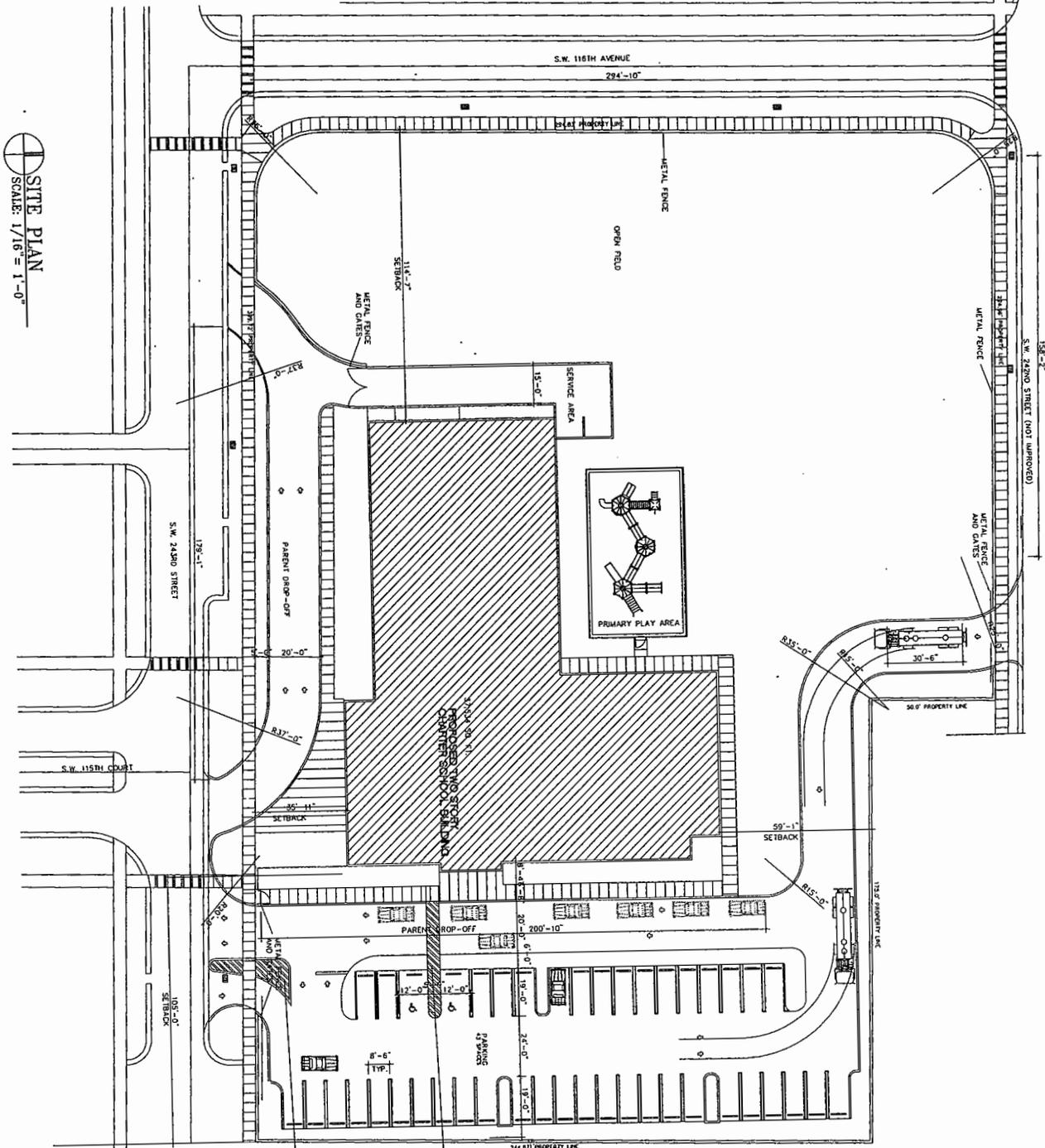
9. All bearings and distances are based on the datum of the National Geodetic Survey, North American Datum of 1983 (NAD 83).

10. All bearings and distances are based on the datum of the National Geodetic Survey, North American Datum of 1983 (NAD 83).

**NOTICE**

This map was prepared by the Surveyor General of the State of Florida, O. C. Hornis, Inc., on the basis of a field survey conducted on the premises shown hereon. The Surveyor General of the State of Florida, O. C. Hornis, Inc., is not responsible for the accuracy of the information shown hereon, nor for the consequences of any action taken thereon. The Surveyor General of the State of Florida, O. C. Hornis, Inc., is not responsible for the accuracy of the information shown hereon, nor for the consequences of any action taken thereon. The Surveyor General of the State of Florida, O. C. Hornis, Inc., is not responsible for the accuracy of the information shown hereon, nor for the consequences of any action taken thereon.





**SITE PLAN**  
 SCALE: 1/16" = 1'-0"

**ZONING ANALYSIS**

**ZONING DISTRICT:** COMMERCIAL GENERAL DISTRICT (CGD)  
**USE:** EDUCATIONAL CHARTER SCHOOL (E, THRU 5TH GRADE)  
**ZONING CLASSIFICATION:** RESOLUTION NO. CHARTS-12-202  
**TOTAL NET LAND AREA:** 109,113 SQ. FT. (2.5 ACRES)  
**EXISTING BUILDING AREAS:** PROPOSED CHARTER SCHOOL BUILDING = 21,514 SQ. FT.  
**LOT AREA:** 109,113 SQ. FT. (17.7)  
**SUBJECT LOT AREA:** 8,786 SQ. FT. (17.7)  
**TOTAL = 550 STUDENTS**

**STAFF REQUIREMENTS:**  
 TEACHERS (INDEPENDENTLY THROUGH 5TH GRADE) = 27  
 TOTAL = 28 STAFF MEMBERS

**CLASSROOM AREAS:**  
 CLASSROOM AREAS = 17,351 SQ. FT.

**OUTDOOR PLAY AREA:** (ORDINANCE NO. 04-108)  
 PROVIDED OUTDOOR PLAY AREA = 2,000 SQ. FT.  
 OPEN FIELD AREA = 5,131 SQ. FT.

**SETBACKS:**  
 FRONT (SOUTH) = 35'-11"  
 REAR (NORTH) = 38'-11"  
 SIDE (WEST) = 11'-0"  
 SIDE (EAST) = 11'-0"

**BUILDING HEIGHT:**  
 ALLOWED = 3 STORIES (11'-0") (33-34)  
 PROPOSED = 2 STORIES (17'-0")

**PARKING:**  
 PROVIDED = 27 SPACES (13-12 L, 1, 2)  
 REQUIRED = 43 SPACES (5 SPACES FOR VISITORS)

**LANDSCAPE:** REFER TO LANDSCAPE DRAWINGS

REQUIRED ACCESS TO STREETS FOR ALL UTILITIES TO BE MAINTAINED

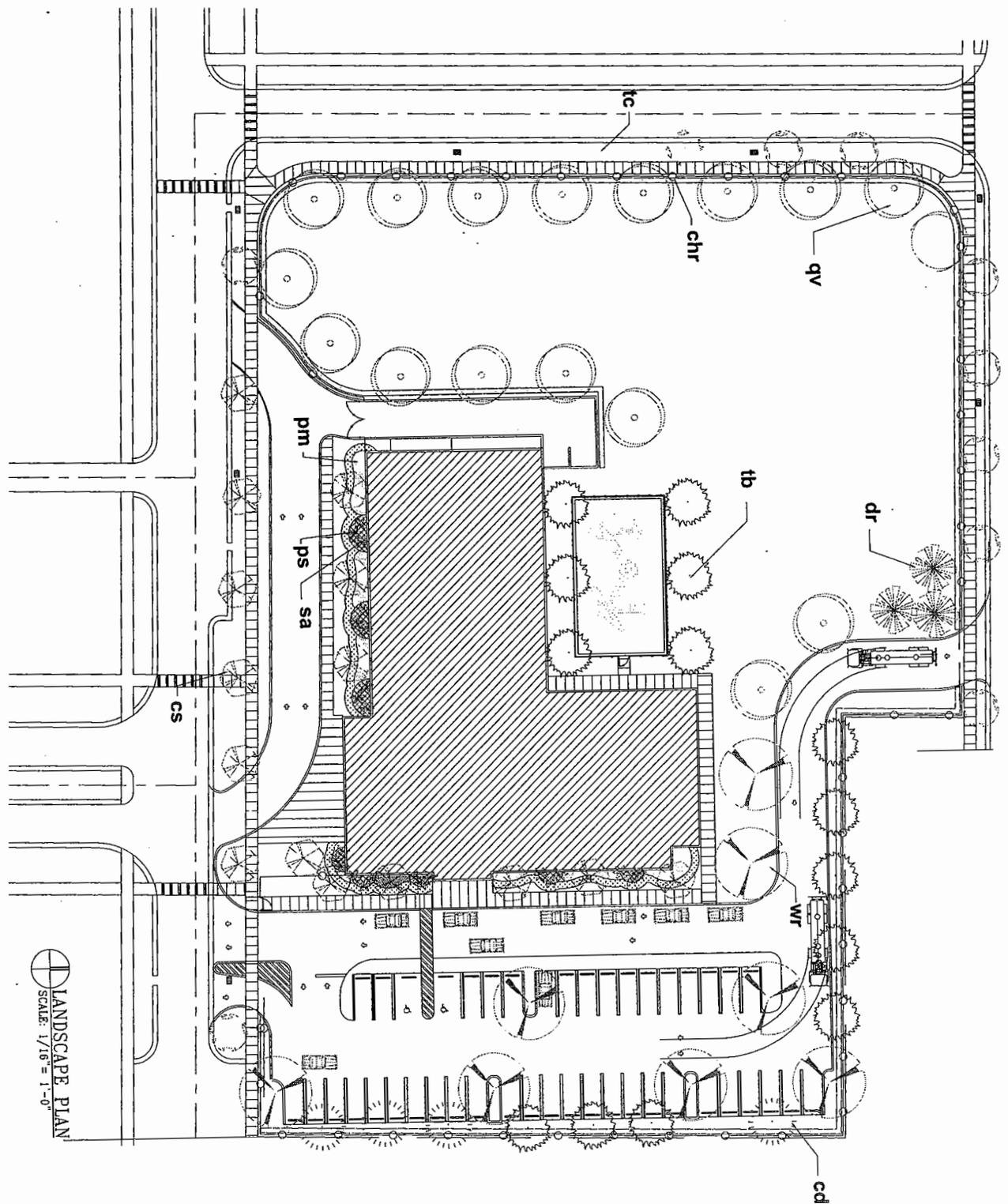
STREPPING FLASH DISTRIBUTION

40



DATE	DESCRIPTION

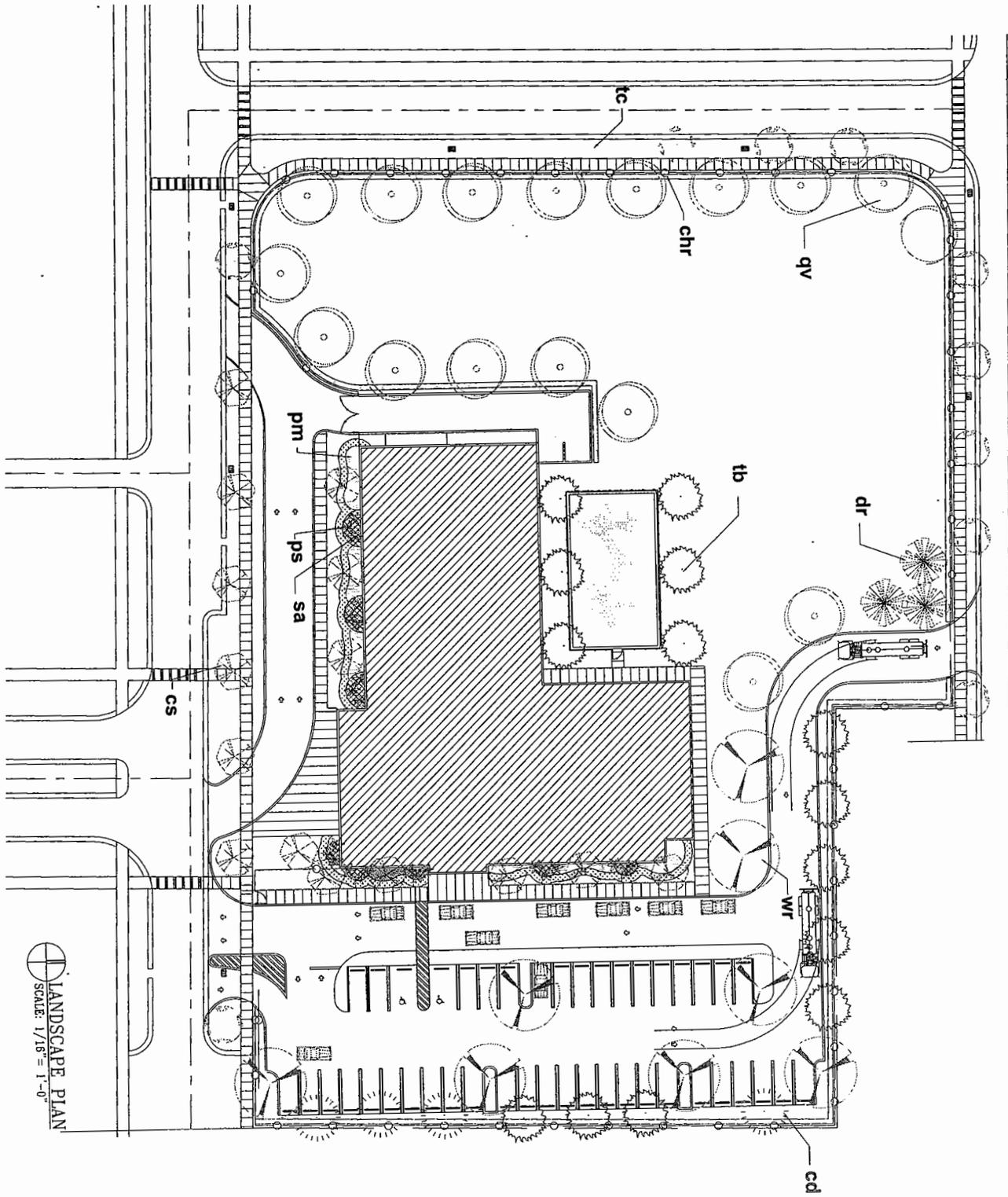




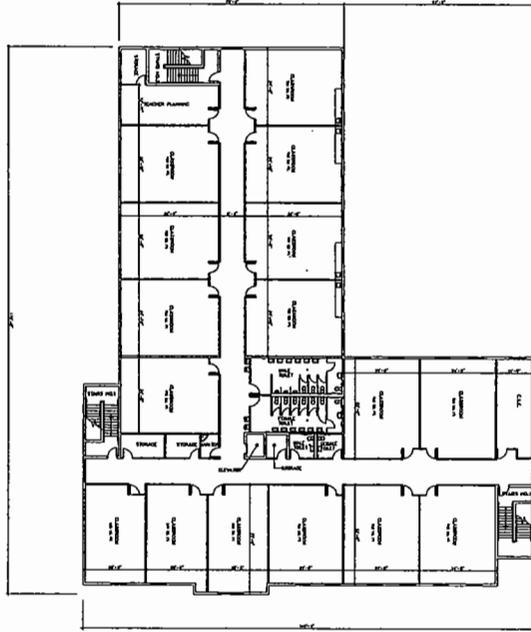
LANDSCAPE PLAN  
SCALE: 1/16" = 1'-0"

DATE: 05/11/10	BY: [Signature]
PROJECT: SUMMERVILLE CHARTER SCHOOL	SCALE: 1/16" = 1'-0"
DESIGNED BY: [Signature]	CHECKED BY: [Signature]
DATE: 05/11/10	BY: [Signature]

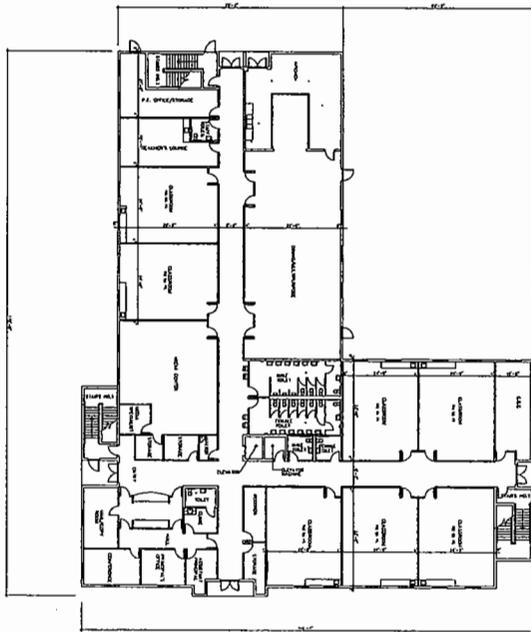




LANDSCAPE PLAN  
SCALE: 1/16" = 1'-0"

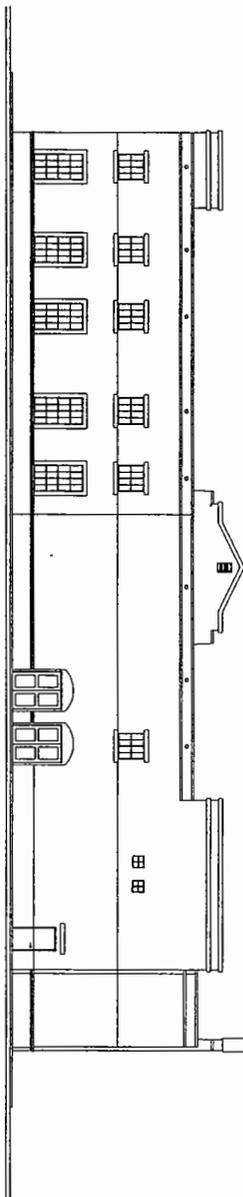


⊕ SECOND FLOOR PLAN  
 SCALE: 1/16" = 1'-0"

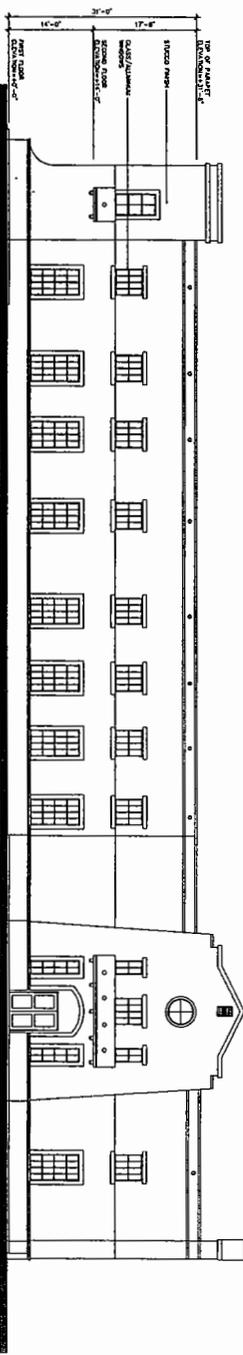


⊕ GROUND FLOOR PLAN  
 SCALE: 1/16" = 1'-0"

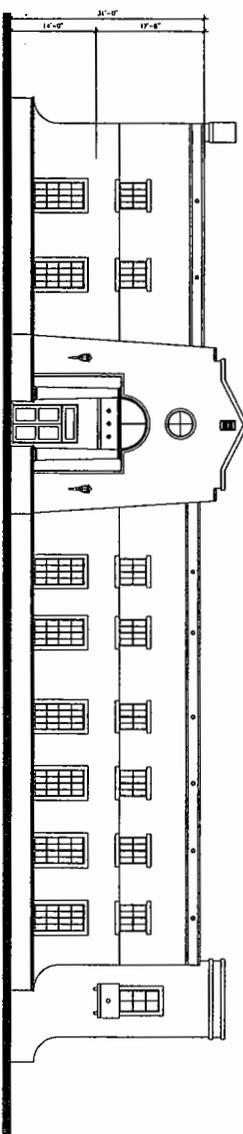
BUILDING AREA:  
 FIRST FLOOR = 18,767 SQ. FT.  
 SECOND FLOOR = 18,767 SQ. FT.  
 TOTAL = 37,534 SQ. FT.



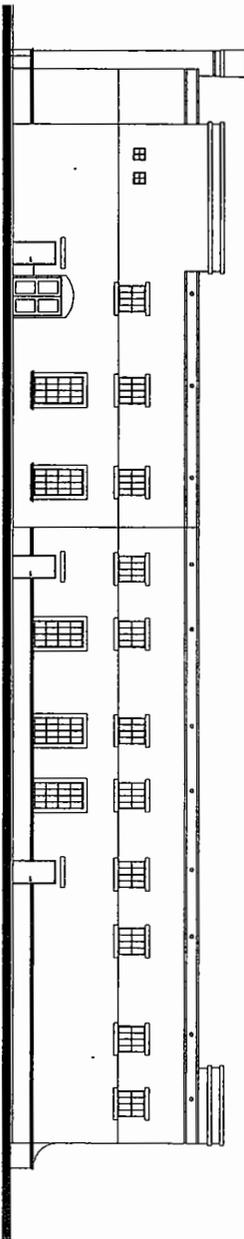
WEST ELEVATION  
 SCALE: 1/8" = 1'-0"



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

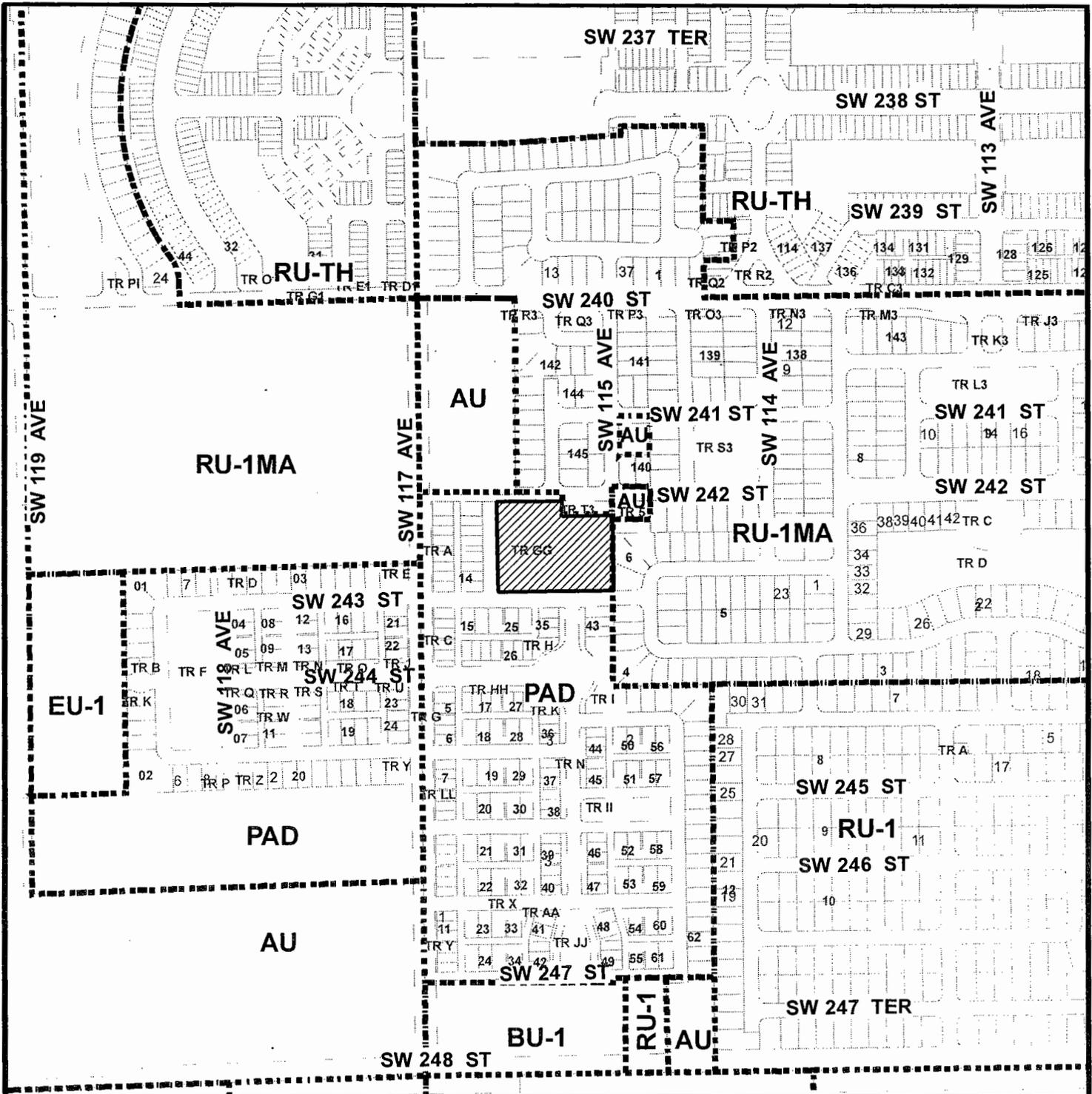


EAST ELEVATION  
 SCALE: 1/8" = 1'-0"



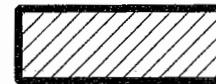
NORTH ELEVATION  
 SCALE: 1/8" = 1'-0"





**MIAMI-DADE COUNTY  
RADIUS MAP**

Process Number  
**08-038**

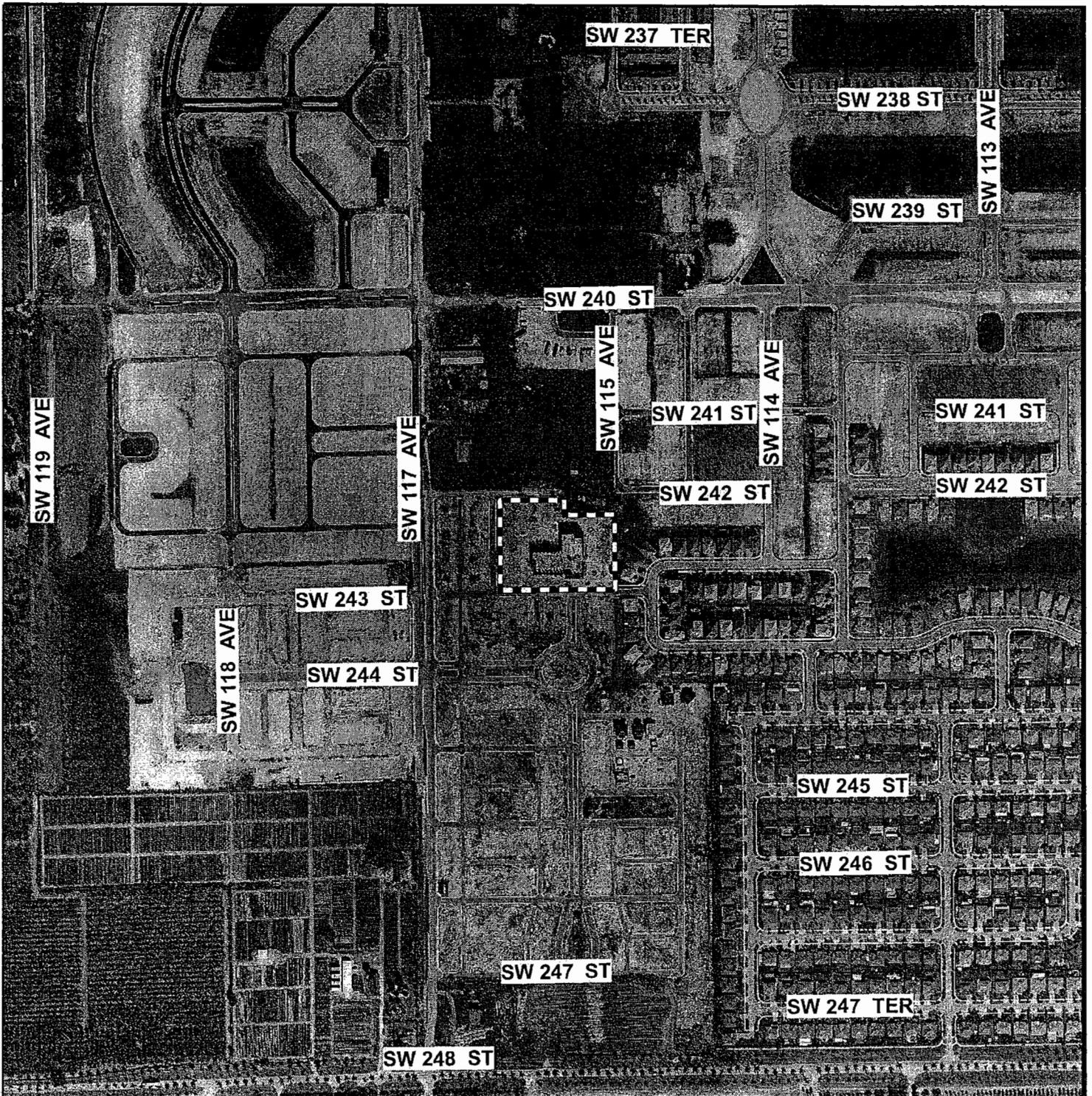


Section: 19 Township: 56 Range: 40  
 Applicant: SUMMERVILLE CHARTER SCHOOL, INC.  
 Zoning Board: C15  
 District Number: 08  
 Drafter ID: ALFREDO  
 Scale: NTS

**SUBJECT PROPERTY**



REVISION	DATE	BY



**MIAMI-DADE COUNTY  
RADIUS MAP**

Process Number  
**08-038**



**SUBJECT PROPERTY**

Section: 19 Township: 56 Range: 40  
 Applicant: SUMMERVILLE CHARTER SCHOOL, INC.  
 Zoning Board: C15  
 District Number: 08  
 Drafter ID: ALFREDO  
 Scale: NTS



REVISION	DATE	BY