# KITS

10-23-2008 Version # 4

MIAMI-DADE COUNTY

## BOARD OF COUNTY COMMISSIONERS

## ZONING HEARINGS

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

## 111 NW 1 Street, Miami

## Thursday, November 6, 2008 at 9:30 a.m.

***PREVIOUSLY DEFERRED***

| | | | | | | DISTRICT |
|---|---|---|---|---|---|---|
| A. | 08-6-CZ11-3 | KROME GOLD RANCHES II, LLLP | (APPEAL) | 07-417 | 13-55-38 | 9 |

***CURRENT***

| | | | | | | | DISTRICT |
|---|---|---|---|---|---|---|---|
| 1. | 08-11-CC-1 | DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING | (DEVELOPMENTAL IMPACT COMMITTEE) | 07-415 | 33-56-39/04 & 05-57-39 | N | 8 9 |

# Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, NOVEMBER 6, 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

A. **KROME GOLD RANCHES II L. L. L. P (08-6-CZ11-3/07-417)** **13-55-38**
**BCC/District 9**

Applicant is appealing the decision which COMMUNITY ZONING APPEALS BOARD #11 denied without prejudice on the following:

(1) GU to EU-2

(2) UNUSUAL USE to permit a lake excavation.

(3) UNUSUAL USE to permit a private recreational facility; to wit: a clubhouse, including stables and boat storage.

(4) Applicant is requesting to waive the zoning regulations requiring half-section line rights-of-way to be 70' in width; to permit no dedication for theoretical S.W. 182 Avenue and theoretical S.W. 128 Street.

(5) Applicant is requesting to permit Lots 33, 34 and 35 with frontages varying from 94.52' to 138.02' (200' required).

(6) Applicant is requesting to waive the subdivision regulations requiring lots to have frontage on a public street; to permit a lot containing the private recreation facility with no frontage on a public street and to have access to the said lot by means of a private easement.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #4 and #5 may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family and Duplex Dwelling Units or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and approval of request #6 must be considered under Chapter 28 §19(A) of the Public Works Code.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Paradise Lake Ranches, Krome Gold Ranches II, LLLP," as prepared by Perez, Pascual and Kiliddjian and Assocs., consisting of 25 sheets and dated stamped received 2/29/08. Plans may be modified at public hearing.

LOCATION: Lying north of S.W. 136 Street, between S.W. 177 Avenue and S.W. 187 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 466 Acres

Department of Planning and Zoning Recommendation: Approval of request #2; approval of request #4 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV); withdrawal without prejudice of requests #1, #3, #5, and #6, all subject to the Board's acceptance of the proffered covenant and the conditions imposed herein.

Protests: 25 Waivers: 5

DENIAL OF APPEAL (SUSTAIN C.Z.A.B.): _____

APPROVAL OF APPEAL (OVERRULE C.Z.A.B.): _____

DEFERRED: _____

Deferred from 10-23-08

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1. **DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING (08-11-CC-1/07-415)** — **33-56-39/4 & 5-57-39 BCC/Districts 8 & 9**

GU, AU, RU-1, RU-1M(a), RU-2, RU-3, RU-3M, RU-4, RU-4A, RU-4L, RU-4M, BU-1A, BU-2, BU-3, IU-1 and TND to Leisure City Community Urban Center (LCCUC).

LOCATION: East of the South Dade Transportation Corridor (Busway) between S.W. 145 Avenue and S.W. 296 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 492 Acres

Developmental Impact Committee Recommendation: Approval of the zone change to Leisure City Community Urban Center (LCCUC).

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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THE END

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of 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.

**A. KROME GOLD RANCHES II, LLLP**
**(Applicant)**

**08-6-CZ11-3 (07-417)**
**BCC/District 9**
**Hearing Date: 11/6/08**

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:**

| Year | Applicant | Request | Board | Decision |
|---|---|---|---|---|
| | | | | NONE |

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

ZONING ACTION

MEMORANDUM
Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
(305) 375-5126
(305) 375-2484 FAX
www.miami-dadeclerk.com

**DATE: 10/23/2008**

**ITEM: A.**

**APPLICANT: KROME GOLD RANCHES II L.L.L. P (08-6-CZ11-3/07-417)**

**ACTION: MOTION TO DEFER UNTIL NOVEMBER 6, 2008 ZONING HEARING.**

| ROLL CALL | M/S | YES | NO | ABSENT |
|---|---|---|---|---|
| Diaz | S | X | | |
| Edmonson | | X | | |
| Gimenez | | X | | |
| Heyman | | X | | |
| Martinez | | X | | |
| Moss | M | X | | |
| Rolle | | X | | |
| Seijas | | | | X |
| Sorenson | | | | X |
| Sosa | | X | | |
| Souto | | X | | |
| **Vice Chairwoman Jordan** | | X | | |
| **Chairman Barreiro** | | X | | |
| **TOTAL** | | 11 | 0 | 2 |

ZONING ACTION

MEMORANDUM
Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
(305) 375-5126
(305) 375-2484 FAX
www.miami-dadeclerk.com

**DATE:** September 18, 2008 **#Z-**

**ITEM:** 1.

**APPLICANT:** KROME GOLD RANCHES (08-6-CZ11-3)

**ACTION:** Deferred to October 23, 2008.

| ROLL CALL | M/S | YES | NO | ABSENT |
|---|---|---|---|---|
| Diaz | | | | X |
| Edmonson | | X | | |
| Gimenez | | X | | |
| Heyman | | | | X |
| Martinez | | | | X |
| Moss | M | X | | |
| Rolle | | X | | |
| Seijas | | | | X |
| Sorenson | S | X | | |
| Sosa | | | | X |
| Souto | | X | | |
| **Vice Chairwoman Jordan** | | X | | |
| **Chairman Barreiro** | | X | | |
| **TOTAL** | | 8 | 0 | 5 |

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

3

APPLICANT'S NAME: KROME GOLD RANCHES II, LLLP

REPRESENTATIVE: **JUAN MAYOR (attorney)**

| HEARING NUMBER | HEARING DATE | RESOLUTION NUMBER | | |
|---|---|---|---|---|
| 08-6-CZ11-3 (07-417) | JUNE 11, 2008 | CZAB11 | | 08 |

**REQ:** (1) GU to EU-2 (2) UU lake exc (3) UU priv. rec fac.; to wit: Clubhouse, w/stables & boat storage (4) Waive Z regs: ½ sec. line R-O-W 70' width; no dedication for theo S.W. 182 Ave & 128 St. (5) Lots 33-35 w/frontages 94.52' to 138.02'. (6) Waive Z & Sub regs req'g non-res lots frontage on public st; permit priv rec fac no frontage on public st & access to lot by pvt easement.

**REC: DWOP**

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): _____

■ DEFER: ☐ INDEFINITELY ■ TO: **JULY 08, 2008** ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

■ **NOTES:**
- **PREVIOUS VOTE FOR APPROVAL FAILED 4-3 AS SUPERMAJORITY VOTE IS REQUIRED**
- **CONDITIONS PROFFERED BY APPLICANTS NOTED AS EXHIBIT 3-2**

| TITLE | M/S | NAME | YES | NO | ABSENT |
|---|---|---|---|---|---|
| VICE-CHAIRMAN | | Miguel CERVERA | | X | |
| COUNCILWOMAN | M | Patricia G. DAVIS | X | | |
| COUNCILMAN | S | Jay REICHBAUM | X | | |
| COUNCILWOMAN | | Beatriz SUAREZ | | X | |
| COUNCILWOMAN | | Ileana R. VAZQUEZ | | X | |
| COUNCILMAN | | Jeffrey WANDER | X | | |
| CHAIRMAN | | Domingo CASTILLO | X | | |
| | | VOTE: | 4 | 3 | |

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **EDUARDO SANCHEZ**

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING**
**RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

**APPLICANT:** Krome Gold Ranches II L.L.L.P. **PH:** Z07-417 (08-6-CZ11-3)

**SECTION:** 13-55-38 **DATE:** November 6, 2008

**COMMISSION DISTRICT:** 9 **ITEM NO.:** A

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## A. INTRODUCTION

### o REQUESTS:

Applicant is appealing the decision of Community Zoning Appeals Board #11 which denied without prejudice the following:

(1) GU to EU-2

(2) UNUSUAL USE to permit a lake excavation.

(3) UNUSUAL USE to permit a private recreational facility; to wit: a clubhouse, including stables and boat storage.

(4) Applicant is requesting to waive the zoning regulations requiring half-section line rights-of-way to be 70' in width; to permit no dedication for theoretical S.W. 182 Avenue and theoretical S.W. 128 Street.

(5) Applicant is requesting to permit Lots 33, 34 and 35 with frontages varying from 94.52' to 138.02' (200' required).

(6) Applicant is requesting to waive the zoning and subdivision regulations requiring non-residential lots to have frontage on a public street; to permit a lot containing the private recreation facility with no frontage on a public street (200' required) and to have access to the said lot by means of a private easement.

Upon a demonstration that the applicable standards have been satisfied, approval of request #4 and #5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and approval of request #6 must be considered under Chapter 28 §19(A) of the Public Works Code.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Paradise Lake Ranches, Krome Gold Ranches II, LLLP," as prepared by Perez, Pascual and Kiliddjian and Assocs., consisting of 25 sheets and dated stamped received 2/29/08. Plans may be modified at public hearing.

### o SUMMARY OF REQUESTS:

The applicant is appealing the decision of the Community Zoning Appeals Board-11 (CZAB-11) which denied this application in its entirety. The requests would allow the rezoning of the property from GU, Interim District, to EU-2, Single-Family 5 Acre Estate District, an Unusual Use to permit a lake excavation and a private recreational facility.

Additional requests would allow the waiver of the zoning regulations requiring half-section line roads to be 70' wide, permit 3 lots with reduced frontage, and permit a non-residential lot to have 0' frontage on a public street.

- **LOCATION:**

  Lying north of S.W. 136 Street, between S.W. 177 Avenue and S.W. 187 Avenue, Miami-Dade County, Florida.

- **SIZE:** 466 acres

- **IMPACT:**

  Approval of this application will allow the applicant to provide additional housing, a lake to provide fill for the development of the site, provide the required water management, and provide an amenity for the residents and their guests. However, the additional units will increase traffic and activity in the area and would generate additional students to the local schools. Approval of the requests to waive the road dedications for half-section roads could also impact traffic circulation on the surrounding roadways.

**B. ZONING HEARINGS HISTORY:** None

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

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being **1.5 miles** west of and **outside the Urban Development Boundary (UDB)** for **Agriculture** use. The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved in 2003 by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture such as packing houses, and farm residences. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship; however, schools shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-2.A.

2. In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Residential development that occurs in this area is allowed at a density of no more than one unit per five acres. Creation of new parcels smaller than five acres for residential use may be approved in the Agriculture area only if the immediate area surrounding the subject parcel on three or more contiguous sides is predominately and lawfully parcelized in a similar manner, and if a division of the subject parcel would not precipitate additional land division in the area. No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, packing houses for produce grown in Florida are not restricted to locating on an arterial roadway. Other uses compatible with agriculture and with the rural residential

character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. Existing quarrying and ancillary uses in the Agriculture area may continue operation and be considered for approval of expansion.

3. **Water.** This category includes all natural waters such as coastal waters and navigable rivers or waters. Water-dependent uses and water-related uses along coastal shorelines as discussed under Objective CM-5 as well as ancillary structures or uses may be permitted for flood control or recreational purposes. **Man-made water bodies are permitted in any land use category subject to applicable environmental regulations.**
4. **Urban Development Boundary.** The Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur. Development orders permitting urban development will generally be approved within the UDB at some time through the year 2015 provided that level-of-service standards for necessary public facilities will be met. Adequate countywide development capacity will be maintained within the UDB by increasing development densities or intensities inside the UDB, or by expanding the UDB, when the need for such change is determined to be necessary through the Plan review and amendment process.

5. **Policy LU-1O**. Miami-Dade County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agriculture Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.

6. **Policy LU-1R**. Miami-Dade County shall take steps to reserve the amount of available land necessary to maintain an economically viable agricultural industry.

7. **Uses and Zoning Not 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."

8. **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.

9. **TC-2D.** The section line, half section-line, and quarter section-line road system should form a continuous network within developed areas, interrupted only when it would destroy the integrity of a neighborhood or development. The County shall not approve vacation of zoned rights-of-way unless it is determined that the right-of-way is not required for present or future public use, or unless the zoned right-of-way is within that portion of the Northwest Wellfield Protection Area located west of the Homestead Extension of the Florida Turnpike, and the CDMP Guidelines for Urban Form will be reflected.

10. **LU-3F. Super-Majority Vote:** Any zoning action or amendment to the CDMP that would approve any use other than direct production and permitted residential uses of property, in an area designated as Agriculture, whether as a primary use or as an accessory or subordinated use to an agricultural use, or action that would liberalize standards or allowances governing such other uses on land that is, a) outside the Urban Development Boundary (UDB), and b) within one mile of the right-of-way line of any portions of Krome Avenue designated in this Plan for improvement to 4-lanes, shall require an affirmative vote of not less than five members of the affected Community Zoning Appeals Board and two-thirds of the total membership of the Board of County Commissioners then in office, where such Community Zoning Appeals Board or Board of County Commissioners issues a decision. The term "direct agricultural production" includes crops, livestock, nurseries, groves, packing houses, and barns but not uses such as houses of worship, schools, sale of produce and other items, and outdoor storage vehicles. This policy is not intended to permit any use not otherwise permitted by the CDMP. Any modification to this section to allow additional uses within the one mile distance from Krome Avenue shall require an affirmative vote of not less than two-thirds of the Board of County Commissioners then in office.

11. CON-5A. The Stormwater Management (Drainage) Level of Service (LOS) Standards for Miami-Dade County contain both a Flood Protection (FP) and Water Quality (WQ) component. The minimum acceptable Flood Protection Level of Service (FPLOS) standards for Miami-Dade County shall be protection from the degree of flooding that would result for a duration of one day from a ten-year storm, with exceptions in previously developed canal basins, where additional development to this base standard would pose a risk to existing development. All structures shall be constructed at, or above, the minimum floor elevation specified in the federal Flood Insurance Rate Maps for Miami-Dade County, or as specified in Chapter 11-C of the Miami-Dade County Code, whichever is higher.

## D. NEIGHBORHOOD CHARACTERISTICS:

| ZONING | LAND USE PLAN DESIGNATION |
|---|---|
| **Subject Property:** | |
| GU (with an agricultural trend); row crops | Agriculture |
| **Surrounding Properties:** | |
| **NORTH:** GU (with an agricultural trend); single-family residences, row crops, vacant parcels | Agriculture |

| | | |
|---|---|---|
| **SOUTH:** | GU (with an agricultural trend); vacant parcels, row crops,single-family residences | Agriculture |
| **EAST:** | GU (with an agricultural trend)& AU; row crops | Agriculture |
| **WEST:** | GU (with an agricultural trend); vacant parcels, Single-family residences | Agriculture |

The subject property is located north of S.W. 136 Street, between S.W. 177 Avenue and S.W. 187 Avenue. The surrounding area is mainly characterized by agricultural parcels with row crops, vacant parcels and a few single-family residences located to the south, west and north of the subject property.

## E. SITE AND BUILDINGS:

| | |
|---|---|
| Site Plan Review: | (Site plan submitted) |
| Scale/Utilization of Site: | Acceptable |
| Location of Buildings: | Acceptable |
| Compatibility: | Acceptable |
| Landscape Treatment: | Acceptable |
| Open Space: | Acceptable |
| Buffering: | Acceptable |
| Access: | Acceptable |
| Parking Layout/Circulation: | Acceptable |
| Visibility/Visual Screening: | Acceptable |
| Energy Considerations: | N/A |

## F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change, Section 33-311** provides that the Board shall 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 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.

(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)(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.

**Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard.** Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

**Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.** Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

**Sec. 28-19. Variances of the Public Works Code.**

**(a)** ***Authority of Community Zoning Appeals Board.*** The County's Community Zoning Appeals Board may authorize a variance from these regulations. The Community Zoning Appeals Board may vary the regulations so that substantial justice may be done, provided

that such variance will not have the effect of nullifying the intent and purpose of the overall community plan. In granting any variance, the County's Community Zoning Appeals Board shall prescribe any conditions that are deemed necessary to or desirable for the public interest. In making its findings, the Community Zoning Appeals Board shall take into account among other things the nature of the proposed use of the land and the existing use of the land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the County's Community Zoning Appeals Board finds, among other things, that all three (3) of the following conditions exist in regard to the land concerned:

(1) That there are special circumstances or conditions affecting the property and that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the land.

(2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

(3) That the granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated.

Sec. 24-48.3.

(1) Miami-Dade County Environmental Resources Management Department shall base its recommendation for approval, denial or approval subject to conditions, limitations, or restrictions, and the Board of County Commissioners shall make its decision for approval, denial, or approval subject to conditions, limitations or restrictions, for any of the permits provided for under this article, upon the following evaluation factors, when applicable:

(a) <u>The potential adverse environmental impact</u> and cumulative adverse environmental impact of the proposed work, including but not limited to the effect upon hydrology, water quality, water supply, wellfields, aquifer recharge, aesthetics, navigation, public health, historic values, air quality, marine and wildlife habitats, archeological values, wetland soils suitable for habitat, floral and faunal values, rare, threatened and endangered species, natural flood damage protection, wetland values, land use classification, recreation, and any other environmental values, <u>affecting the public interest.</u>

(b) <u>An on-site retention system of applicable design storm shall be utilized as the first priority for the disposal of stormwater runoff at any location in Miami-Dade County</u> with the exception of projects located in the North Trail Basin, Bird Drive Basin, East Turnpike Basin, Western C-9 Basin or any other area subject to Miami-Dade County's cut and fill criteria.

## G. <u>NEIGHBORHOOD SERVICES:</u>

| | |
|---|---|
| DERM | **No objection*** |
| Public Works | **No objection*** |
| Parks | **No objection** |
| MDT | **No objection** |

| | |
|---|---|
| Fire Rescue | **No objection** |
| Police | **No objection** |
| Schools | **No objection** |

*Subject to conditions indicated in their memoranda.

## H. ANALYSIS:

This item was deferred from the September 18, and the October 23, 2008, meetings of the Board of County Commissioners (BCC). The applicant is appealing the decision of the Community Zoning Appeals Board-11 (CZAB-11), which denied this application without prejudice. The subject property is a 464-acre site that is currently zoned GU, Interim District, and has an agricultural trend. The site is located north of S.W. 136 Street, between S.W. 177 Avenue (Krome Avenue) and S.W. 187 Avenue, approximately 1.5 miles west of and outside the Urban Development Boundary (UDB). The applicant, Krome Gold Ranches II L.L.L.P., is requesting a zone change from GU to EU-2, Single-Family 5 Acre Estate District (request #1). The applicant is also seeking Unusual Uses to permit a lake excavation (request #2) and to develop a private recreational facility with a clubhouse, boathouse and horse stables (request #3). Additionally, the applicant seeks to waive the zoning regulations requiring half-section line roads to be 70' in width for theoretical SW 182 Avenue and SW 128 Street (request #4); to permit 3 lots with frontages varying from 94' to 138.02' (200' required) (request #5) and to waive the zoning and subdivision regulations requiring non-residential lots to have frontage on a public street in order to permit a lot containing the private recreation facility with no frontage on a public street (200' required) and to have access to said lot by means of a private easement (request #6). The applicant had originally submitted plans depicting the aforementioned requests and a total of 58 residences. At the public hearing on July 8, 2008, the applicant introduced a proposal to further reduce the density of the development to 48 residences on 5-gross acres. However, CZAB-11 denied without prejudice the aforementioned requests by a vote of 6 to 1, pursuant to Resolution #CZAB11-14-08. On July 11, 2008, the applicant appealed the CZAB–11's decision to the BCC citing that the Board's decision to deny the requested district boundary change and the accompanying requests was not based on substantial competent evidence, was based on incorrect statements by objectors and an erroneous interpretation of the CDMP by staff that imposed on the applicant an extra-ordinary voting requirement. Staff notes that all existing, legally established uses and zoning are consistent with the CDMP. As such, the CZAB-11's decision to deny this application, deny the zone change, the lake excavation, and the accompanying requests, and retain the existing GU zoning, is consistent with the CDMP.

Policy **LU-3F** of the interpretative text of the CDMP requires that any zoning action or amendment to the CDMP that would approve any use other than direct production and permitted residential uses of property, in an area designated as Agriculture, whether as a primary use or as an accessory or subordinated use to an agricultural use, or action that would liberalize standards or allowances governing such other uses on land that is, a) outside the Urban Development Boundary (UDB), and b) within one mile of the right-of-way line of any portions of **Krome Avenue** designated in this Plan for improvement to 4-lanes, shall require an affirmative vote of not less than two-thirds of the total membership of the Board of County Commissioners then in office, where such Board of County Commissioners (BCC) issues a decision. The subject property is located approximately 1.5 miles west of and outside the UDB in an area designated **Agriculture** and abuts Krome Avenue that is designated in the Master Plan for improvement to 4-lanes. Staff is of the opinion that approval of request #2, an Unusual Use to permit a lake excavation, will require an affirmative vote by nine (9) members of the BCC since said use does not involve the

direct production of agriculture, is not a permitted residential use in an agriculturally designated land, and its approval would liberalize the standards or allowances governing such uses.

The applicant has submitted a revised letter of intent and revised plans that show the reduction of the proposed development from the original 58 farm residences to a maximum of 47 farm residences on lots ranging in size from 5 to 17 gross acres. The revised letter of intent indicates that the applicant will be requesting the withdrawal of the zone change to EU-2 (request #1), and will develop the property with the current GU, Interim District, with an agricultural trend. The reduction in the number of lots, and the increase in lot areas will allow more land for ancillary agricultural uses and a potential for agricultural production. The submitted plans also show the reduction of the proposed lake by 41.24 acres, from a total of 173.55 acres to 132.31 acres. The lake area is equivalent to 28.5% of the total area of land required by the Department of Environmental Resources Management (DERM) for flood protection. The applicant has indicated that the lake will be stocked with fish to maximize the lake potential and to attract waterfowl and wildlife. The applicant has also indicated the intent to withdraw request #3 to permit a private recreational facility and its ancillary request #6 permitting 0 ft. frontage on a public street. The applicant also intends to request the withdrawal of request #5 since the new lot layout and configuration indicates that all the lots meet the required frontages. A 35 ft. vehicular and pedestrian roadway and a 15 ft. equestrian trail will be provided throughout the entire site. The equestrian trail is approximately 4 miles in length and is connected to the 24-mile Everglades Trail, a designated public trail for hikers, bikers, and equestrians which forms a part of the South Dade Greenway Network. The residences have been designed to preserve a rural ranch-style character with decorative dormers, brick covered chimneys, and texture has been added to the facades with different stone and wood design features. The landscape plans for the proposed development show abundant landscaping surrounding the development, the equestrian trail, and the individual residences consisting of Mahogany, Gumbo Limbo and Royal Poinciana trees among others, as well as continuous hedges consisting of Ixora, and Silver Buttonwood. The applicant has proffered a covenant restricting the development of the site to the submitted plans allowing for either a 47$^{th}$ farm residence, or horse stables on the parcel where the private recreational facility would have been sited; a strict adherence to all the design features shown on all the residential facades; specific traffic improvements; the maintenance of the site through the establishment of a homeowners' association; the implementation of a plan to ensure the lake potential for fishing and to attract waterfowl and wildlife; the type of safety equipment to be stored on the premises; the requirement that any part of the subject property within 200' of SW 136 Street and Krome Avenue may only be used for agricultural uses, activities and structures; the requirement that any future application to subdivide any of the residential lots not be made within 5 years from the date of approval of this application and be first approved by all the owners of record of the entire development; and a disclosure in every contract for purchase addressing the potential of certain inconveniences that the residents will experience as a result of future agricultural uses and production on the premises.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application and indicates that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. Their memorandum states that, due to the location of the property outside the UDB, the primary canal system has insufficient storage capacity to provide flood protection. DERM will require that water management areas be designed to be equivalent to 28.5% of the total land area for a lake, or 39% of the total land for dry retention area. The DERM memorandum further states that in the event that connection to the public water supply system is not feasible due to the location of the subject property outside of the UDB, the applicant shall be required to obtain a variance from DERM's Environmental Quality Control Board (EQCB). Their

memorandum also indicates that the proposed development order, if approved, will not result in a reduction of 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. The **Public Works Department does not object** to this application. They, however indicate in their memorandum that a wall will be required at time of platting along the north and southwest boundaries of the property as a buffer for the proposed private road designed to serve this development. Said Department further indicates that this application meets traffic concurrency criteria and will generate **66** additional PM daily peak hour **vehicle trips**. The distribution of these trips to the adjacent roadways does not exceed the acceptable levels of service (LOS) of area roadways, which are currently operating at LOS "B" and "C". Miami-Dade Fire Rescue Department **(MDFR) has no objections** to this application and indicates that their estimated response time **is 14:24 minutes**. Miami-Dade County Public Schools **(MDCPS)** also has **no objections** to this application and indicates that the previously proposed 58–unit development is below the maximum of the 93 units allowed on the site and, therefore, no additional students will be generated by this development. At the time of this writing the Department was not in receipt of a revised memorandum addressing the number of students that the most recent proposal would generate.

The Land Use Plan (LUP) Map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Agriculture** use. The applicant's intent to develop the property in accordance with the current GU, Interim Zoning District, with an agricultural trend, is **consistent** with the CDMP. The Master Plan's interpretative text provides that all existing lawful uses and zoning are deemed to be consistent with this Plan. As such, staff opines that the applicant's proposal to withdraw the request for a zone change to EU-2 and develop the property in compliance with the agricultural zoning regulations is **consistent** with the CDMP.

The applicant is seeking an unusual use to permit a lake excavation on the subject property (request #2). 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. 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 the Master Plan, and provided that the use would be compatible with and would not have an unfavorable effect on the surrounding area by any of the following: 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.

Staff is of the opinion that, based on the memoranda from Public Works, Fire Rescue and DERM, the proposed unusual use would not have an unfavorable effect on the surrounding area, create an undue burden on transportation facilities or other services, including fire, or pose a threat to the natural environment. Staff has been supportive of several unusual use requests in the Agriculturally designated area. In 1980, staff was supportive of an unusual use request to permit a landing field on a property located to the south of the subject property. Said use was solely to serve the property owners on 8 ten-acre tracts and was approved pursuant to Resolution #4-ZAB-201-80; staff has also supported several telecommunication towers; a biomedical research facility permitting the breeding and raising of monkeys in 1972 with expansions in 1988, 1992, and 2005;

and an unusual use to permit several lake excavations to serve residential lots. Although staff supported the aforementioned lake excavations and found them to be consistent with the CDMP, the CZAB-14 denied the application. In 2007, the Department was also supportive of a Governmental Facility application for a lake excavation at the Fruit and Spice Park. The Department found said use consistent with the CDMP and the application was ultimately approved by this Board.

In addition, the CDMP indicates that the **Water category** includes all natural waters such as coastal waters and navigable rivers or waters. Water-dependent uses and **water-related uses may be permitted for flood control or recreational purposes. Man-made water bodies are permitted in any land use category subject to applicable environmental regulations.** The proposed lake excavation is in keeping with the minimum lake area required by DERM in order to meet stormwater management requirements, to ensure stormwater retention on site, and to prevent on-site and off-site flooding. As previously mentioned, the CDMP indicates that unusual uses may be granted only if the requested use is consistent with the objectives and policies of the Master Plan, and provided that **the use would be compatible with and would not have an unfavorable effect or detrimentally impact the surrounding area**. The proposed lake excavation would be compatible with the area, would prevent the possible threat of flooding, and would not detrimentally impact the surrounding community. In fact, it is **consistent** with the CDMP since it provides the protection that the surrounding area would need to prevent the damage that a flooding event could cause. As mentioned above, under **the water designation the CDMP allows, in any land use category, man-made water bodies that would provide flood control or recreational purposes, subject to applicable environmental regulations.** The proposed lake is **consistent** with the CDMP since environmental regulations require the excavation of the lake to provide the necessary flood control measures. In addition, the lake will be used to irrigate the agricultural uses and landscape elements on the site; for recreational purposes, including boating and fishing; and as an attraction for waterfowl and wildlife.

The CDMP allows, under the Agricultural designation, uses ancillary to and necessary to support the rural residential community. In addition, the CDMP indicates that other uses compatible with agriculture and with the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. The applicant has indicated the intent to develop the property, as a matter of right, in accordance with the zoning regulations, and has submitted a site plan indicating the development of the site with ninety-three (93) five-acre lots. The applicant has submitted this plan for comparison with the presently proposed plan. Both, the CDMP and the Zoning Code, allow the development of this site with one unit on five acres of land. Although permitted by the zoning regulations, the 93-lot option would be incompatible with the area and contrary to the public interest since it would not only have the appearance and character of an urban development but would further encourage more urbanized development in this agriculturally designated area where the land values are not as high as inside the UDB. Even if the applicant chose to develop the 93-lot option, the environmental regulations governing water management would require that 28.5% of the site be developed with a lake or that 39% of the land be dry retention area. Chapter 24 indicates that the Department of Environmental Resources Management shall base its recommendation for approval, denial or approval subject to conditions, limitations, or restrictions, subject to the potential adverse environmental impact and cumulative adverse environmental impact of the proposed work, including but not limited to the effect upon hydrology, water quality, water supply, wellfields, aquifer recharge, aesthetics, navigation, public health, historic values, air quality, marine and wildlife habitats, archeological values, wetland soils suitable for habitat, floral and

faunal values, rare, threatened and endangered species, **natural flood damage protection**, wetland values, land use classification, recreation, and any other environmental values, **"affecting the public interest."** An **"on-site retention system"** of applicable design **shall be utilized as the first priority for the disposal of stormwater runoff** at any location in Miami-Dade County with the exception of projects located in the North Trail Basin, Bird Drive Basin, East Turnpike Basin, Western C-9 Basin or any other area subject to Miami-Dade County's cut and fill criteria. As such, the excavation of 28.5% of the subject site, as proposed by the applicant, and as required by County and State environmental regulations if a wet retention option is used, would provide the "**on-site retention system"** which, according to Chapter 24 is the first priority to be utilized for disposal of stormwater runoff and natural flood damage protection. The CDMP indicates that uses compatible with agriculture and with the rural residential character may be approved in the Agricultural designated areas only if deemed to be a public necessity, or if deemed to be **"in the public interest"** and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. Since an "on-site retention system" is required in order to develop this site, no suitable site for the use exists outside the Agriculture area. In addition, the use would be in the "public interest" since it would provide the safeguard necessary to prevent the losses that a flood event could cause. In addition, the applicant's proposal with farm residences on large lots, would encourage agricultural activities more than the 5-acre plan option would. As such, the unusual use request for a lake excavation is **consistent** with the CDMP. Therefore, staff recommends approval with conditions of request #2 to permit a lake excavation.

Request #4, to permit 0' dedication for SW 182 Avenue and SW 128 Street, may be considered for approval under Section 33-311(A)(4)(b), upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. If required to be dedicated, both of these rights-of-way would bisect the property from north to south and from east to west, and would prevent the development of the site as proposed by this application, since it would not allow the lake excavation. The subject property abuts section line roadways on 3-sides, SW 136 Street to the south, Krome Avenue (SW 177$^{th}$ Avenue) to the east, and SW 187 Avenue to the west. These three (3) roadways provide adequate east-west and north-south connection in this section of the County. The Public Works Department has indicated that they have no objections to this request, and staff is of the opinion that allowing its approval would not be detrimental to the community since the major roads used to access this site and allow connectivity and accessibility to all the surrounding areas will not be impacted. Based on the aforementioned, staff recommends approval with conditions of request #4 under Section 33-311(A)(4)(b).

When request #4 is considered under Section 33-311(A)(4)(c), which requires that the applicant demonstrate that a literal enforcement of the provisions will result in unnecessary hardship, that substantial justice be done, and that the same be the minimum non-use variance that will permit the reasonable use of the premises, staff notes that the applicant has not demonstrated how the denial of this request under this Section would result in unnecessary hardship. As such, staff recommends that this request be denied without prejudice under Section 33-311(A)(4)(c).

As such, staff is of the opinion that, subject to the Board's acceptance of the proffered covenant and imposed conditions, the approval of request #2; the approval of request #4 under Section 33-311(A)(4)(b); the denial without prejudice of request #4 under Section 33-311(A)(4)(c); and the

withdrawal without prejudice of requests #1, 3, 5 and 6, would be **consistent** with the CDMP and **compatible** with the surrounding area.

I. **RECOMMENDATION:** Approval of request #2; approval of request #4 under Section 33-311(A)(4)(b), and denial without prejudice of same under Section 33-311(A)(4)(c); withdrawal without prejudice of requests #1, 3, 5 and 6, all subject to the Board's acceptance of the proffered covenant and the conditions imposed herein.

J. **CONDITIONS**:

1. That the plans submitted for a building permit be substantially in accordance with those submitted for the hearing entitled "Paradise Lake Ranches, Krome Gold Ranches II, LLLP," as prepared by Perez, Pascual and Kiliddjian and Assocs., consisting of 18 sheets C1-C2, SP1-SP5 and L1-L5, dated stamped received September 12, 2008, and sheets A1- A6, dated stamped received February 29, 2008.

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

3. That the lake tract be platted; no building permit shall be issued for the site until the lake excavation is completed and lake as-built drawings submitted to and approved by the Department of Planning and Zoning.

4. That complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director upon the submittal of an application for a lake excavation permit; said plans shall be substantially in accordance with that submitted for the hearing entitled "Paradise Lake Ranches," as prepared by Pascual, Perez, Killiddjian and Associates, Inc., dated stamped received 09/12/08 on sheets C-1 and C-2.

5. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the excavation progresses. In accordance with this requirement, the applicant will 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 excavation or at six month intervals, whichever is of a lesser duration, or upon request of the Director of the Department of Planning and Zoning or the Director of the Department of Environmental Resources Management (DERM).

6. 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 the Department Environmental Resources Management; said stakes shall be maintained in proper position so that the limits of the excavation, slopes and grade levels may be easily determined.

7. 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 the Department of Environmental Resources Management (DERM); said posting shall denote the lake excavation operation and warn the public concerning possible hazards, prior to commencement of the excavation.

8. 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 the Department of Environmental Resources Management.

9. Excess excavated material may be removed from the premises; however, the sale of said material shall be strictly prohibited.

10. That the use of explosives shall be strictly prohibited in connection with the lake excavation operation.

11. That the hours of the lake excavation operation shall be controlled by the Director of the Department of Planning and Zoning to ensure that the same does not become a nuisance to the surrounding area.

12. That, once the lake excavation operation commences, it shall be carried on continuously and expeditiously so that the entire project will be completed in three (3) years.

13. If the lake excavation operation is discontinued, abandoned, falls behind schedule or time expires, the existing excavation shall immediately be sloped to conform with the approved plans and the entire operation shall be removed from the premises.

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

15. Upon the issuance of a lake excavation permit, the title of the property in question shall not be transferred without the approval of the Director of the Department of Planning and Zoning unless the excavation of the subject property has been completed and/or unless the bond has been released.

16. That the applicant obtain an Excavation Use Permit from and promptly renew the same annually with 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.

17. All excavations shall be completely enclosed by a safety barrier, with a minimum height of 6 feet, consisting of either orange plastic safety fence or wood slat storm fencing installed on 4" x 4" posts spaced every 10 feet. Said barrier shall be installed prior to issuance of the excavation permit and commencement of excavating and shall remain in place until work is complete and the performance bond is released.

18. All excavations shall be posted every 50 feet with warning signs a minimum of 18" x 18" in size.

19. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management.

20. That the applicant comply with all applicable conditions and requirements of the Public Works Department.

21. That the applicant comply with all applicable conditions and requirements of the Fire-Rescue Department.

**DATE INSPECTED:** 01/28/08
**DATE TYPED:** 05/16/08
**DATE REVISED:** 05/22/08, 05/23/08, 05/30/08, 06/02/08, 06/03/08, 06/04/08, 06/05/08, 06/26/08, 07/25/08, 07/29/08, 08/01/08, 08/12/08, 08/16/08, 09/08/08 09/09/08, 09/10/08, 09/29/08, 10/02/08; 10/13/08, 10/28/08
**DATE FINALIZED:** 10/28/08
MCL:MTF:LVT:CH

Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

# Memorandum

MIAMI-DADE COUNTY

**Date:** March 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:** C-11 #Z2007000417
Krome Gold Ranches II, LLLP
Northwest Corner of S.W. 177th and S.W. 136th Street
District Boundary Change from GU to EU-2, Unusual Use to Permit a Lake Excavation and Request to Waive the Right-of-Way
(GU) (446 Acres)
13-55-38

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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 Service

The closest public water main is located approximately 8,100 feet from the subject property. Based on the proposed request, the subject property is within feasible distance for connection to public water. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with Section 43.1(3) of the Code.

However, the subject property is located outside of the UDB; therefore, connection to the public water supply system may not be feasible. In the event that connection to public water is not feasible, the applicant shall be required to obtain a variance from the above noted code section from the Environmental Quality Control Board (EQCB).

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

Public sanitary sewers are not located within feasible distance for connection to the subject property. Consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield, provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded. Based on available information, the proposed single-family residence or duplex served by a septic tank would not exceed the maximum allowable sewage loading for the subject property.

Stormwater Management
The subject property is located outside of the Urban Development Boundary (UDB), where the primary canal system has been found to have insufficient storage capacity to provide flood protection for land uses other than agriculture. DERM does not object to the requested zoning change from GU to EU-2, provided that the following conditions are complied with, in any proposed development:

Cut and Fill shall be enforced to provide water management areas adequately designed to retain the rainfall generated by a 100-year/3-day storm event. Said water management areas shall be equivalent to 28.5 % of the total land for a lake: or 39% of the total land for dry retention area and shall be subject to review and approval by the DERM Water Control Section.

A Class II Permit from DERM will be required for the construction of any drainage system with an overflow outfall into the 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 by Chapter 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
There are no tree resources issues on the subject property.

Enforcement History
DERM has found no open or closed enforcement records 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 discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

REVISION 2
PH# Z2007000417
CZAB - BCC

## PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:KROME GOLD RANCHES II, LLLP

This Department has no objections to this application.

This Department has no objections to the request to permit 0 feet of dedication for SW 182 Avenue and 0 feet for SW 128 Street.

This Department has no objections to the request to waive the subdivision regulations requiring lots to have frontage on a public street.

Entrance Features are not part of this application and must be filed separately.

A wall will be required along the north and southwest boundary of the property as a buffer to the proposed road abutting the adjacent properties.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

Lake slopes are to comply with Miami-Dade County Code requirements and the Public Works Manual of Miami-Dade County.

Additional improvements may be required at time of platting.

Since this development abuts a State maintained road (SW 177 Avenue), the applicant must contact the district office at 305-470-5367, certain restrictions may apply.

This application does not meet the traffic concurrency criteria for an Initial Development Order. It will generate 53 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

| Sta.# | | LOS present | LOS w/project |
|---|---|---|---|
| F-682 | SW 177 Ave. s/o SW 88 St. | C | C |
| 9880 | SW 184 St. e/o SW 177 Ave. | B | B |

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Raul A Pino, P.L.S.
27-AUG-08

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

CHECKED BY GAL AMOUNT OF FEE $975.11

RECEIPT # I2008257I7

DATE HEARD: 07/08/2008

BY CZAB # 11

RECEIVED
JUL 11 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

DATE RECEIVED STAMP

**********

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

RE: Hearing No. **07-417**

Filed in the name of (Applicant) **Krome Gold Ranches II, LLLP**

Name of Appellant, if other than applicant **Same**

Address/Location of APPELLANT'S property: **Lying north of S.W. 136th Street, between S.W. 177th Avenue and S.W. 187th Avenue, Miami-Dade County, Florida.**

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

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

**See Attached Letter of Intent**

RECEIVED
209.417
JUL 11 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

**APPELLANT MUST SIGN THIS PAGE**

Date: 9th day of ~~June~~ July, 2008

Signed _____

Krome Gold Ranches II, LLLP
Armando Guerra, Managing Member of Krome Gold Ranches Management, LLC, its General Partner
Print Name

1390 South Dixie Highway, Coral Gables, Florida 33146-2947
Mailing Address

786-621-5226 305.789.7799
Phone Fax

**REPRESENTATIVE'S AFFIDAVIT**
If you are filing as representative of an association or other entity, so indicate:

Krome Gold Ranches II, LLLP, a Florida limited liability limited partnership
Representing

_____
Signature

Juan J. Mayol, Jr., Esq. & Jorge A. Lima, Esq.
Print Name

701 Brickell Avenue, Suite 3000
Address

Miami FL 33131
City State Zip

305-789-7787
Telephone Number

~~Subscribed and Sworn to before me on the~~ 9th day of ~~June~~ July, year 2008

_____
Notary Public

(stamp/seal)

Commission expires:

MIGUEL FREIRE
MY COMMISSION # DD 506141
EXPIRES: January 11, 2010
Bonded Thru Notary Public Underwriters

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BY _____



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**APPELLANT'S AFFIDAVIT OF STANDING**
(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared Armando Guerra, Managing Member of Krome Gold Ranches Management, LLC, the General Partner of Krome Gold Ranches II, LLLP (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

____ 1. Participation at the hearing
_X_ 2. Original Applicant
____ 3. Written objection, waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

**Witnesses:**

Signature

Christina Scicchitano
Print Name

Signature

JUAN V. MAYOL, JR.
Print Name

Appellant's signature

Armando Guerra
Managing Member of Krome Gold Ranches Management, LLC, the General Partner of Krome Gold Ranches II, LLLP

Sworn to and subscribed before me on the 9th day of June, 2008

Appellant is personally know to me or has produced _____ as identification.

Notary
(Stamp/Seal)
Commission Expires:

MIGUEL FREIRE
MY COMMISSION # DD 606141
EXPIRES: January 11, 2010
Bonded Thru Notary Public Underwriters

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Holland+Knight

Tel 305 374 8500
Fax 305 789 7799

Holland & Knight LLP
701 Brickell Avenue, Suite 3000
Miami, FL 33131-2847
www.hklaw.com

Juan J. Mayol, Jr., Esq.
305 789 7787
juan.mayol@hklaw.com

July 10, 2008

**VIA HAND DELIVERY**

Marc C. LaFerrier, A.I.C.P.
Director
Miami-Dade County Department of Planning and Zoning
111 N.W. First Street, 11th Floor
Miami, Florida 33128

**Re: Krome Gold Ranches II, LLLP / PH 07-417 / Petition for Appeal**

Dear Mr. La Ferrier:

This Petition of Appeal is submitted on behalf of Krome Gold Ranches II, LLLP (the "Applicant") and seeks to appeal the decision of the Miami-Dade Community Zoning Appeals Board 11 ("CZAB 11") which denied, without prejudice, Zoning Application No. 07-417 (the "Application"), on July 8th, pursuant to Resolution No. CZAB11-14-08 (copy attached).

In accordance with the original letter of intent, the Application affects that certain 465-acre property lying north of S.W. 136th Street, between S.W. 177th Avenue and S.W. 187th Avenue in Miami-Dade County, Florida (the "Property"). Specifically, the Application requests: (1) a district boundary change ("DBC") from GU (Interim District) to EU-2 (Five-Acre Single Family Estate District) (hereinafter, the "Rezoning Request"); (2) an unusual use to permit a lake excavation (hereinafter, the "Lake Excavation Request"); (3) an unusual use to permit a private recreational facility; (4) a variance of the zoned rights-of-way for theoretical S.W. 182 Avenue and theoretical S.W. 128th Street; (5) variance to allow three parcels with reduced lot frontage; and (6) a variance to allow access to the parcels by means of private drives.

~~While the underlying GU zoning allows the development of up to ninety-three (93) farm residences as a matter of right, the original plans submitted indicate fifty-eight (58) 5-gross acre farm residences and an ancillary fish-stocked lake. Moreover, under the terms of a proposed~~ Declaration of Restrictions introduced at the public hearing, the Applicant sought to further reduce the density to forty-eight (48) 5-gross acre farm residences, a permitted density reduction of 52%. Each homestead will be improved with a farm residence and be permitted every customary incidental use, but not necessarily limited to, a guesthouse, servant's quarters, and

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recreational amenities such as swimming pools, boat piers or slips for the docking of privately owned watercraft, and stables for livestock and the keeping of horses including horse boarding. Agricultural uses such as raising of poultry and fowl, horses and livestock, truck gardening, and beekeeping will also be permitted. Access to the homesteads will be provided by private roadways and an equestrian path. The proposed equestrian path is ideally situated in close proximity to the Everglades Trail, a designated public trail for hikers, bikers, and equestrians which forms part of the South Dade Greenway Network. The trail is approximately 24-miles (38.6 km) in length and spans from S.W. 136th Street southward to S.R. 9336

We hereby submit that the denial of the Application was not based on substantial competent evidence inasmuch as the CZAB 11 based its decision on incorrect statements by objectors and on the report prepared by the Department of Planning and Zoning (the "DP&Z Report") which contained an analysis that was flawed, based on mere speculation with regard to its finding that the Application would be incompatible with the surrounding area, an incorrect interpretation of a principal use vs. an ancillary uses in the Agricultural land use designation, and an incorrect interpretation and application of the goals, policies, and objectives of the Miami-Dade County Comprehensive Development Master Plan (CDMP) as they pertain to the Agricultural land use designation. The incorrect interpretation of the CDMP, including, but not limited to, land use policy LU-3F, resulted in an incorrect voting requirement of the CZAB 11. In effect, the incorrect voting requirement reversed a 4-3 vote by the CZAB 11 to approve the Application subject to revised standard conditions and acceptance of the proffered covenant.

Additionally, the DP&Z Report is flawed as to the Rezoning Request, Lake Excavation Request and accompanying variances. The Rezoning Request's proposed EU-2 zoning district is compatible and consistent with the Agricultural land use designation which allows 5-acre residences. The EU-2 zoning classification allows certain agricultural uses that are also permitted within the Agricultural zoning district, as per Miami-Dade County Code Sec. 33-279. Staff fails to recognize this compatibility and offers no analysis as to why it concludes otherwise.

The DP&Z Report, while acknowledging that the proposed community would be compatible and consistent with the CDMP, indicated that limited agricultural uses would be incompatible with the unlimited agricultural uses permitted in the surrounding area. Yet, the DP&Z Report provided no evidence that limited agriculture and unlimited agriculture are incompatible with one another. It is a well known that: (1) there is no spacing requirement in the Code of Miami-Dade County (the "Code) between parcels that is applicable to the Agriculture areas, and (2) the Agriculture areas contain parcels of land with varying yard dimensions and sizes, many of which are improved with farm residences on parcels that are smaller than 5 gross acres due to road rights-of-way and other reservations upon their properties, the creation of the parcels prior to the adoption of the 5-gross acre standard lot size in 1974, or the approval of non-use variances of the lot area and lot frontage regulations pursuant to zoning actions at public hearings. As such, farm residences with varying degrees of agricultural activities can and do occur on both large and small parcels of land throughout the Agriculture areas, such combinations are often contiguous and compatible with one another.

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We further submit that the DP&Z Report and decision by the CZAB 11 with regard to the Lake Excavation Request was based upon an incorrect interpretation of the goals, policies, and objectives of the Miami-Dade County Comprehensive Development Master Plan (CDMP) as they pertain to the Agricultural land use designation. The proposed lake use is ancillary to the proposed rural residential community and not a principal use. Unlike the draft report, the final DP&Z Report failed to acknowledge that the lake excavation is ancillary to and necessary to support the development of residences on the Property as evidenced by the report prepared by the staff of the Department of Environmental Resources Management (DERM) (the "DERM Report"). The DERM Report not only approved the Application, having satisfied all environmental code requirements, but also noted that the lake satisfied stormwater management regulations which require at least 28.5% of the total land for a lake, and recognized that the lake helped to alleviate the insufficient flood protection in the area. As such, the DERM Report acknowledges that the lake provides a water management area designed to retain the rainfall generated by a 100-year/3-day storm event.

CZAB 11's decision must observe the essential requirements of the law and be supported by substantial competent evidence. Florida courts have described substantial competent evidence as such evidence that will establish a substantial basis of fact from which the fact at issue can be reasonably inferred. It is such relevant evidence that a reasonable mind would accept as adequate to support a conclusion. CZAB 11's decision to deny the Application neither observed the essential requirements of the law nor was based on substantial competent evidence. The evidence used by CZAB 11 to support its decision fails to adequately support the conclusion.

Based on the foregoing, we respectfully request the Department's favorable consideration of this Petition of Appeal. Thank you for your considerate attention to this matter. As always, should you have any questions or require additional information, please do not hesitate to contact me at (305) 789-7787.

Respectfully submitted,

Holland & Knight, LLP.

Juan J. Mayol, Jr.

cc: Mr. Armando Guerra
Mr. Sergio Pino
Jorge A. Lima, Esq.

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**RESOLUTION NO. CZAB11-14-08**

*WHEREAS,* **KROME GOLD RANCHES II L. L. L. P.** applied for the following:

(1) GU to EU-2

(2) UNUSUAL USE to permit a lake excavation.

(3) UNUSUAL USE to permit a private recreational facility; to wit: a clubhouse, including stables and boat storage.

(4) To waive the zoning regulations requiring half-section line rights-of-way to be 70' in width; to permit no dedication for theoretical S.W. 182 Avenue and theoretical S.W. 128 Street.

(5) To permit Lots 33, 34 and 35 with frontages varying from 94.52' to 138.02' (200' required).

(6) To waive the zoning and subdivision regulations requiring non-residential lots to have frontage on a public street; to permit a lot containing the private recreation facility with no frontage on a public street (200' required) and to have access to the said lot by means of a private easement.

Upon demonstration that the applicable standards have been satisfied, approval of requests #4 and #5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and approval of request #6 must be considered under Chapter 28 §19(A) of the Public Works Code.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Paradise Lake Ranches, Krome Gold Ranches II, LLLP," as prepared by Perez, Pascual and Kiliddjian and Assocs., consisting of 25 sheets and dated stamped received 2/29/08.

SUBJECT PROPERTY: The south ¾ of Section 13, Township 55 South, Range 38 East, less the following parcels:

The east ½ of the SW ¼ of the SW ¼ of the SW ¼ of Section 13, Township 55 South, Range 38 East, less the south 40' thereof for right-of-way purposes; A/K/A: Lot 74 of CIARA INVESTMENTS, INC. AND: The west ½ of the SE ¼ of the SW ¼ of the SW ¼ of Section 13, Township 55 South, Range 38 East, less the south 40' thereof for right-of-way purposes; A/K/A: Lot 75 of CIARA INVESTMENTS, INC.; AND: The east ½ of the SE ¼ of the SW ¼ of the SW ¼ of Section 13, Township 55 South, Range 38 East, less the south 40' thereof for right-of-way purposes; A/K/A: Lot 76 of CIARA INVESTMENTS, INC.

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LOCATION: Lying north of S.W. 136 Street, between S.W. 177 Avenue and S.W. 187 Avenue, Miami-Dade County, Florida, and

*WHEREAS,* a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned

in the matter were given an opportunity to be heard, at which time the applicant proffered a Declaration of Restrictions, and

*WHEREAS,* upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to EU-2 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requested unusual uses to permit a lake excavation (Item #2) and a private recreational facility; to wit: a clubhouse, including stables and boat storage (Item #3), and the requests to waive the zoning regulations requiring half-section line rights-of-way to be 70' in width; to permit no dedication for theoretical S.W. 182 Avenue and theoretical S.W. 128 Street (Item #4), to permit Lots 33, 34 and 35 with frontages varying from 94.52' to 138.02' (Item #5) and to waive the zoning and subdivision regulations requiring non-residential lots to have frontage on a public street; to permit a lot containing the private recreation facility with no frontage on a public street and to have access to the said lot by means of a private easement (Item #6), would not be compatible with the area and its development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested unusual uses (Items #2 & 3) would have an adverse impact upon the public interest and should be denied, and

*WHEREAS,* a motion to deny Items #1 through 6 without prejudice, was offered by Ileana R. Vazquez, seconded by Jay Reichbaum, and upon a poll of the members present the vote was as follows:

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**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, 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 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-11-08 adopted by said Community Zoning Appeals Board at its meeting held on the 8th day of July, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16th day of July, 2008.

Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

**SEAL**

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# Memorandum

**Date:** 16-JAN-08

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

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

**Subject:** Z2007000417

## Fire Prevention Unit:

APPROVAL
Fire Engineering and Water Supply Bureau has no objection to plans date stamped December 19, 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.
This plan has been reviewed only to assure compliance with the MDFR Access Road Requirements for zoning hearing applications. 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 Z2007000417
located at LYING NORTH OF S.W. 136 STREET AND SOUTH OF S.W. 123 ST, BETWEEN SW 177 AVE & 187 AVE
in Police Grid 1975 is proposed as the following:

| | | | |
|---|---|---|---|
| 58 residential | dwelling units | N/A industrial | square feet |
| N/A Office | square feet | N/A institutional | square feet |
| N/A Retail | square feet | N/A nursing home/hospitals | square feet |

Based on this development information, estimated service impact is: 16.27 alarms-annually.
The estimated average travel time is: 14:24 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' Squrt, 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 letter of intent date stamped December 19, 2007. Substantial changes to the letter of intent will require additional service impact analysis.

DATE: 09/30/08
REVISION 1

# TEAM METRO

**ENFORCEMENT HISTORY**

| | |
|---|---|
| KROME GOLD RANCHES II, LLLP | LYING NORTH OF SW 136 STREET, BETWEEN SW 177 AVENUE AND SW 187 AVENUE, MIAMI-DADE COUNTY, FLORIDA. |
| **APPLICANT** | **ADDRESS** |

Z2007000417

**HEARING NUMBER**

## CURRENT ENFORCEMENT HISTORY:

No violations observed on 09-30-08

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: _____

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

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

TRUST/ESTATE NAME: _____

| NAME AND ADDRESS | Percentage of Interest |
|---|---|
| | |
| | |
| | |
| | |

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: KROME GOLD RANCHES II, LLLP, 1390 South Dixie Highway, Suite 2120, Coral Gables, Florida, 33146-2927

| NAME AND ADDRESS | Percentage of Ownership |
|---|---|
| Please see attached | |
| | |

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

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 13 day of December 2007. Affiant is personally known to me or has produced _____ as identification.

Leticia R. Valdes
(Notary Public)

LETICIA R VALDES
Notary Public - State of Florida
My Commission Expires May 28, 2011
Commission # DD 635763
Bonded Through National Notary Assn.

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.

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KGR II Percentage Ownership (Breakdown)

| Company Name | Members | % Ownership in KGR II LLLP |
|---|---|---|
| My Refuge LLP | John McClure | 0.174166610% |
| | Tomas F. Gamba | 0.174166610% |
| | Angel Beristartu | 0.174166610% |
| | Daniel E. Thomas | 0.174166610% |
| | Robert E. Chisholm | 0.174166610% |
| | Robert M. Chisholm | 0.03483390% |
| | Alberto A. Lafour | 0.174166610% |
| | Inter-Vivos Trust of Antonio Prado | 0.174166610% |
| | Otis Wragg | 0.174166610% |
| | Ramon F. Casas | 0.174166610% |
| | Francisco R. Angones | 0.174166610% |
| **Total** | | **1.7765000%** |
| ALA II LLC | Concepcion Perdomo | 1.1321000% |
| **Total** | | **1.1321000%** |
| DLD Investments Inc | Daniel F. Valdes | 0.3773655% |
| | Leticia R. Valdes | 0.3773690% |
| | David L. Valdes | 0.3773655% |
| **Total** | | **1.1321000%** |
| First Southeast Equities Inc | James Dorsy | 1.7208000% |
| **Total** | | **1.7208000%** |
| General Real Estate Corp | Agustin Herran | 4.5284000% |
| **Total** | | **4.5284000%** |
| Fortune Gold Ranches, LLC | Miguel Poyastro | 8.3800370% |
| | Ezra Katz | 2.7866630% |
| **Total** | | **11.1467000%** |
| Heys Investment, Inc. | Jose & Maria Herran | 0.6883167% |
| | Jose A & Lourdes Herran | 0.3441608% |
| | Ana Mary Herran & Alexander Ynastrilla | 0.3441608% |
| | Daniel Herran & Nancy San Emeterio Herran | 0.3441608% |
| **Total** | | **1.7208000%** |
| US Investments LLC | Alexander Ynastrilla | 0.7315000% |
| | Ana Mary Herran | 0.7315000% |
| **Total** | | **1.4630000%** |
| Machado Krome Investments, LLC. | Jose Luis Machado III, Revocable Trust | 1.3899820% |
| | Vivian M Isern | 0.0332788% |
| | Jose Luis Machado Jr, Grandchildrens Irrev Trust #1 | 0.0316939% |
| | Jose Luis Machado Jr, Grandchildrens Irrev Trust #2 | 0.0316939% |
| | Jose Luis Machado Jr, Grandchildrens Irrev Trust #3 | 0.0332788% |
| | Jose Luis Machado Jr, Grandchildrens IrrevTrust #4 | 0.0332788% |
| | Jose Luis Machado III, Irrevocable Trust #3 | 0.0316938% |
| **Total** | | **1.5849000%** |
| Pedrena Development, Corp | Manuel A Herran | 9.0567000% |
| **Total** | | **9.0567000%** |
| Prime Site Investments LLC | Antonio E Placeres & Yolanda J Placeres | 0.3773655% |
| | Angel Diaz Norman | 0.3773655% |
| | Daisy M Diaz & Jose F Diaz | 0.3773690% |
| **Total** | | **1.1321000%** |
| GARSH Investments LLLP | Jose & Ileana Garcia | 4.1905461% |
| | Jose A Garcia Retained Annuity Trust #1 | 0.8427249% |
| | Jose A Garcia Retained Annuity Trust #2 | 0.8427249% |
| | Ileana Garcia Retained Annuity Trust #1 | 0.8427249% |
| | Ileana Garcia Retained Annuity Trust #2 | 0.8427249% |
| | Garcia Family Trust FBO Gillian Garcia | 0.7023455% |
| | Garcia Family Trust FBO Alejandro Garcia | 0.7023455% |
| **Total** | | **9.0567000%** |
| Puente Land Holding, LLC | Jim Puente | 0.6531498% |
| | Michael E Stein | 0.6531498% |
| **Total** | | **1.3063000%** |
| J.I.R. Investments, LLC | Jirasak Prasertfurn | 0.6792577% |
| | Ileana Ramirez | 0.2264211% |
| | Ricardo Rodriguez | 0.2264212% |
| **Total** | | **1.1321000%** |

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|---|---|---|
| The Pros at Okeechobee, LLC | Seth Benes | 0.0338512% |
| | Allan Benes | 0.0338512% |
| | Michael Wittels | 0.5835951% |
| | Howard Wittels | 0.1221544% |
| | Joel Benes | 0.3586483% |
| **Total** | | **1.1321000%** |
| Tres Hermanos LLP | Adrianne J Guerra Trust | 0.5225000% |
| | Corinne M Guerra Trust | 0.5225000% |
| | Eric A Guerra Trust | 0.5225000% |
| **Total** | | **1.5675000%** |
| Seventeen Holdings LLC | Antonio R Gonzalez | 0.5660483% |
| | Joaquin A Gonzalez | 0.3396300% |
| | Orlando Delgado | 0.11321170% |
| | Maria Delgado | 0.11321170% |
| **Total** | | **1.1321000%** |
| Summit Group Properties, Inc | Armando J & Maria C Guerra | 1.7417000% |
| **Total** | | **1.7417000%** |
| C M.G Holdings, LLC | Carlos M Garcia | 2.2642000% |
| **Total** | | **2.2642000%** |
| Phi Alpha Holdings, LLC | Ana Diaz Cordero | 0.4528350% |
| | L Frank Cordero | 0.4528350% |
| **Total** | | **0.9056700%** |
| Brosis Gift Limited Liability Company | Alejandro Diaz | 0.4528350% |
| | Ana Diaz Cordero | 0.4528350% |
| **Total** | | **0.9056700%** |
| Rodney Barreto | Rodney Barreto | 4.5284000% |
| **Total** | | **4.5284000%** |
| Steven M Henriques, Katherine V Henriques & Rebecca A Henriques, Joint Tenants in Common | Steven M Henriques | 0.3018911% |
| | Katherine V Henriques | 0.3018911% |
| | Rebecca A Henriques | 0.3018878% |
| **Total** | | **0.9056700%** |
| Bernardo Goenaga | Bernardo Goenaga | 3.3962000% |
| **Total** | | **3.3962000%** |
| Ezequiel Herran as Trustee of the Ezequiel Herran Revocable Trust and Nancy Herran as Trustee of the Nancy Herran Revocable Trust | Ezequiel Herran Revocable Trust | 0.5660500% |
| | Nancy Herran Revocable Trust | 0.5660500% |
| **Total** | | **1.1321000%** |
| Sergio Pino | Sergio Pino | 4.5284000% |
| **Total** | | **4.5284000%** |
| The Sasha and Natasha Andrade Irrevocable Trust | The Sasha and Natasha Andrade Irrevocable Trust | 0.9056700% |
| **Total** | | **0.9056700%** |
| Daniel R Valdes | Daniel R Valdes | 2.3095000% |
| **Total** | | **2.3095000%** |
| Jorge Guerra Revocable Trust | Jorge Guerra Revocable Trust | 1.1321000% |
| **Total** | | **1.1321000%** |
| Antolin G Herran Revocable Trust | Antolin G Herran Revocable Trust | 1.1321000% |
| **Total** | | **1.1321000%** |
| Henry Quintana, Mercedes Quintana as tenants in common | Henry Quintana | 0.4528350% |
| | Mercedes Quintana | 0.4528350% |
| **Total** | | **0.9056700%** |
| Maria C Guerra Irrevocable Trust | Maria C Guerra Irrevocable Trust | 15.0896000% |
| **Total** | | **15.0896000%** |
| Krome Gold Ranches Management LLC | Armando J Guerra | 0.0290356% |
| | Maria C Guerra | 0.0290322% |
| | Maria C Guerra Irrevocable Trust | 0.0290322% |
| **Total** | | **0.0871000%** |
| Karl Garcia Irrevocable Trust | Karl Garcia Irrevocable Trust | 0.9056700% |
| **Total** | | **0.9056700%** |
| **Krome Gold Ranches Investors, LLC.** | **Total** | **5.5036800%** |

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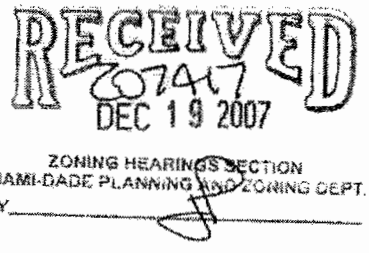
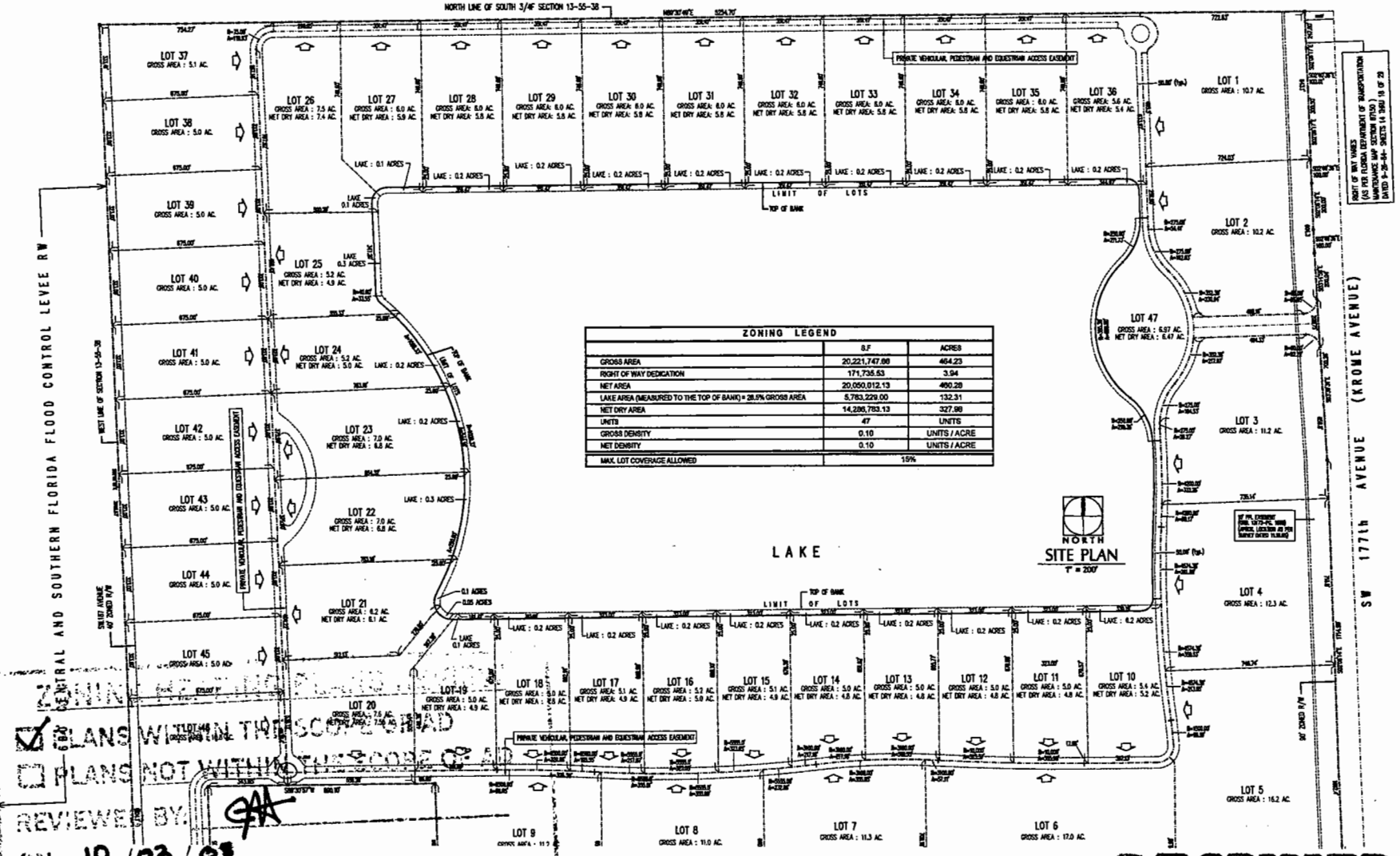
## KROME GOLD RANCHES INVESTORS

| | | |
|---|---|---|
| Carlos F Arazoza as Trustee of the Carlos F Arazoza Revocable Trust | Carlos F Arazoza as Trustee of the Carlos Farazoza Revocable Trust | 0.0694253% |
| CALE Investments LLC c/o Maria Chacon | Manuel Chacon | 0.0086782% |
| | Maria Chacon | 0.0086782% |
| | Juan C Ledesma | 0.0086782% |
| | Suzett Ledesma | 0.0086782% |
| Brialan Corp | Alberto Guerra | 0.3471266% |
| | Vivian Guerra | 0.3471266% |
| Siberio Investments LLC | Daniel & Ana Siberio | 0.0867816% |
| | Frank & Patricia Siberio | 0.0781035% |
| | Nicholas Siberio | 0.0086782% |
| Ten Talents Investments, LLC | Howard Todd Mckinnis | 0.0347127% |
| | Deborah Sue Mckinnis | 0.0347127% |
| ENS Consulting | Emiliano Herran | 0.2082760% |
| | Emiliano E Herran | 0.2082760% |
| Veneciana Investments, LLC | Claudia Puig | 0.0867816% |
| | Richard Amundsen | 0.0867816% |
| Jorge E Alvarino | Jorge E Alvarino | 0.2256323% |
| Alberto Guerra Irrevocable Child's Trust Agreement #1 | Alberto Guerra Irrevocable Child's Trust Agreement #1 | 0.5206838% |
| Alberto Guerra Irrevocable Child's Trust Agreement #2 | Alberto Guerra Irrevocable Child's Trust Agreement #2 | 0.5206838% |
| Armando J Guerra Revocable Trust & Maria C Guerra Revocable Trust, as tenants in common | Armando J Guerra Revocable Trust | 0.3471266% |
| | Maria C Guerra Revocable Trust | 0.3471266% |
| Eric Arman Guerra | Eric Arman Guerra | 0.0242989% |
| Corinne Guerra | Corinne Guerra | 0.0329770% |
| Adrianne Guerra | Adrianne Guerra | 0.0381840% |
| Leticia R Valdes | Leticia R Valdes | 0.0902529% |
| Donald Fritch & Marta Fritch | Donald Fritch | 0.1041380% |
| | Marta Fritch | 0.1041380% |
| Belinda Money | Belinda Money | 0.1041380% |
| Lawrence Money III | Lawrence Money III | 0.0694253% |
| Laurie A Money I.T.F. Brittani Alexandra Small | Laurie A Money I.T.F. Brittani Alexandra Small | 0.0173563% |
| Carlos M Garcia | Carlos M Garcia | 0.3471266% |
| Daniel F Valdes Revocable Trust | Daniel F Valdes Revocable Trust | 0.0451265% |
| David L Valdes Revocable Trust | David L Valdes Revocable Trust | 0.0451265% |
| Emma M Guerra Revocable Trust | Emma M Guerra Revocable Trust | 0.0902529% |
| Ramon E Rasco & Ana Lauda Rasco | Ramon E Rasco | 0.1579426% |
| | Ana Lauda Rasco | 0.1579426% |
| Gabriel M & Maria C Bustamante as tenants by the entirety | Gabriel M Bustamante | 0.1735633% |
| | Maria C Bustamante | 0.1735633% |
| Cristina L Rasco | Cristina L Rasco | 0.0451265% |
| Richard A Rasco | Richard A Rasco | 0.0451265% |
| Ramon A Rasco | Ramon A Rasco | 0.0451265% |
| **Total: Krome Gold Ranches II Investors** | | **5.503680%** |

| | |
|---|---|
| Total: Krome Gold Ranches II LLLP | 100.0000000% |






| ZONING LEGEND | | |
|---|---|---|
| | S.F. | ACRES |
| GROSS AREA | 20,221,747.66 | 464.23 |
| RIGHT OF WAY DEDICATION | 171,735.53 | 3.94 |
| NET AREA | 20,050,012.13 | 460.28 |
| LAKE AREA (MEASURED TO THE TOP OF BANK) = 28.5% GROSS AREA | 5,783,229.00 | 132.31 |
| NET DRY AREA | 14,286,783.13 | 327.98 |
| UNITS | 47 | UNITS |
| GROSS DENSITY | 0.10 | UNITS / ACRE |
| NET DENSITY | 0.10 | UNITS / ACRE |
| MAX. LOT COVERAGE ALLOWED | 15% | |

ZONING HEARINGS SECTION
☑ PLANS WITHIN THE SCOPE OF THE APP
☐ PLANS NOT WITHIN THE SCOPE OF THE APP
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ON: 10/03/08

ZONING EVALUATOR
☑ PLANS ACCEPTABLE
☐ NOT ACCEPTABLE
By: 10/3/08

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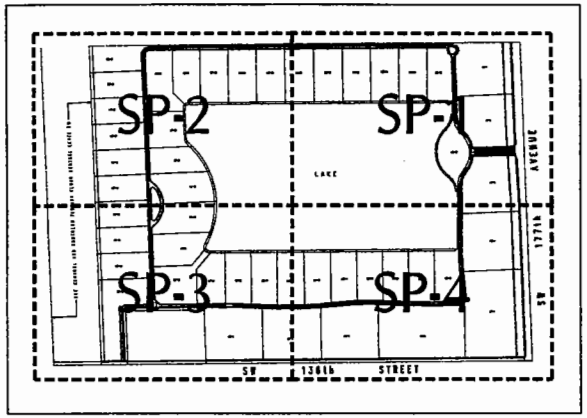
"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

SITE PLAN




NOTES:

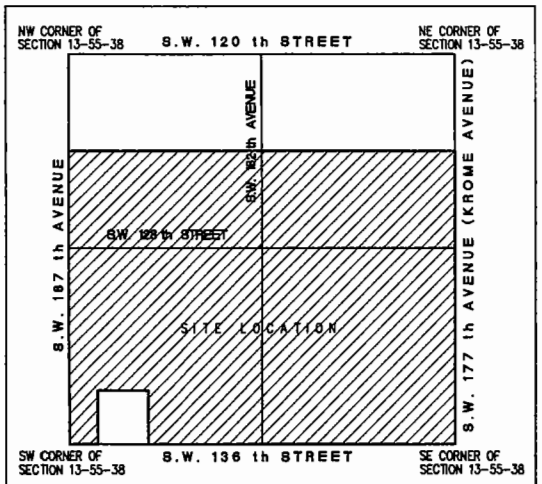
-The boat house, including the room labeled "country store," and the stables, boat storage and pavilion, and marina are all ancillary to the residential project and form an integral part of the proposed private recreational facility. These uses will only be accessible to the residents of this private community, their guests and assigns. Said uses will not be open to the general public and do not, in any way, constitute a commercial marina. For all of the aforementioned reasons, we respectfully disagree that a zone change to a BU commercial designation or a "use variance" would be necessary.

-The entrance feature detail on Sheet SA-1 is conceptual. Currently, the entrance feature consists of a combination of decorative walls, trellises, a guardhouse, and landscaping. All of the structures shown will conform to the applicable height regulations. An entrance feature application may be approved at a public hearing as an "unusual use" pursuant to Section 33-13 of the Code of Miami-Dade County, or pursuant to an entrance feature application that is administratively approved by the Miami-Dade County Plat Committee (the "Plat Committee"). Entrance features do not entail a "use variance." We are not seeking the approval of an "unusual use" to permit an entrance feature at this time. Instead, we intend to submit an entrance feature application and detailed entrance feature plans to the Plat Committee after the project is approved. We will note the plans accordingly.

-The structures will conform to the height regulations of the proposed EU-2 district. As such, structures will not exceed a height of two stories and/or 35 feet as measured

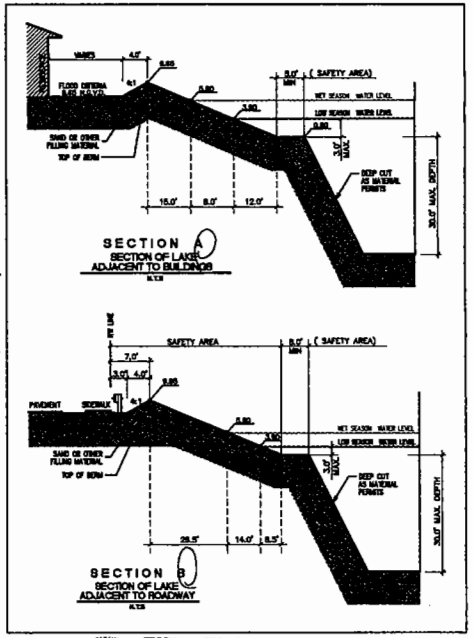
-The plans of the residential amenities are conceptual so that the adopting Board will understand and appreciate the project theme. All amenities will conform to the regulations of the proposed EU-2 zoning district. Detailed drawings of the amenities will be submitted at time of building permit since the actual design may vary between property owners. We will note the plans accordingly.

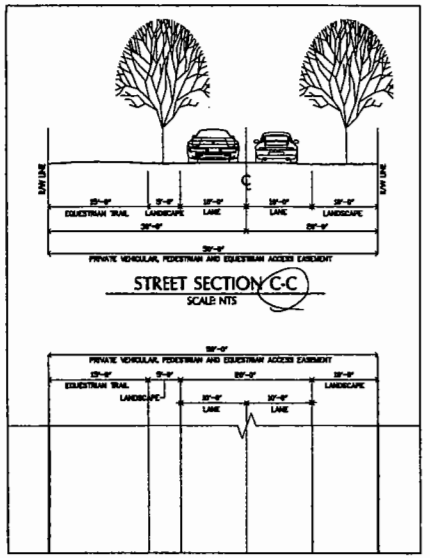
-Water service to be provided by individual wells.
-Sewer service to be provided by individual septic tanks.




SECTION 13-55-38
MIAMI-DADE COUNTY, FLORIDA

NORTH
LOCATION MAP
NTS




STREET SECTION C-C
SCALE: NTS

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ON: 10/03/08

ZONING EVALUATOR

☑ PLANS ACCEPTABLE
☐ NOT ACCEPTABLE

By: [signature] 10/13/2008

SHEETS SP-1, SP-2, SP-3, SP-4, SP-5 FOR WALL & STREET SECTIONS

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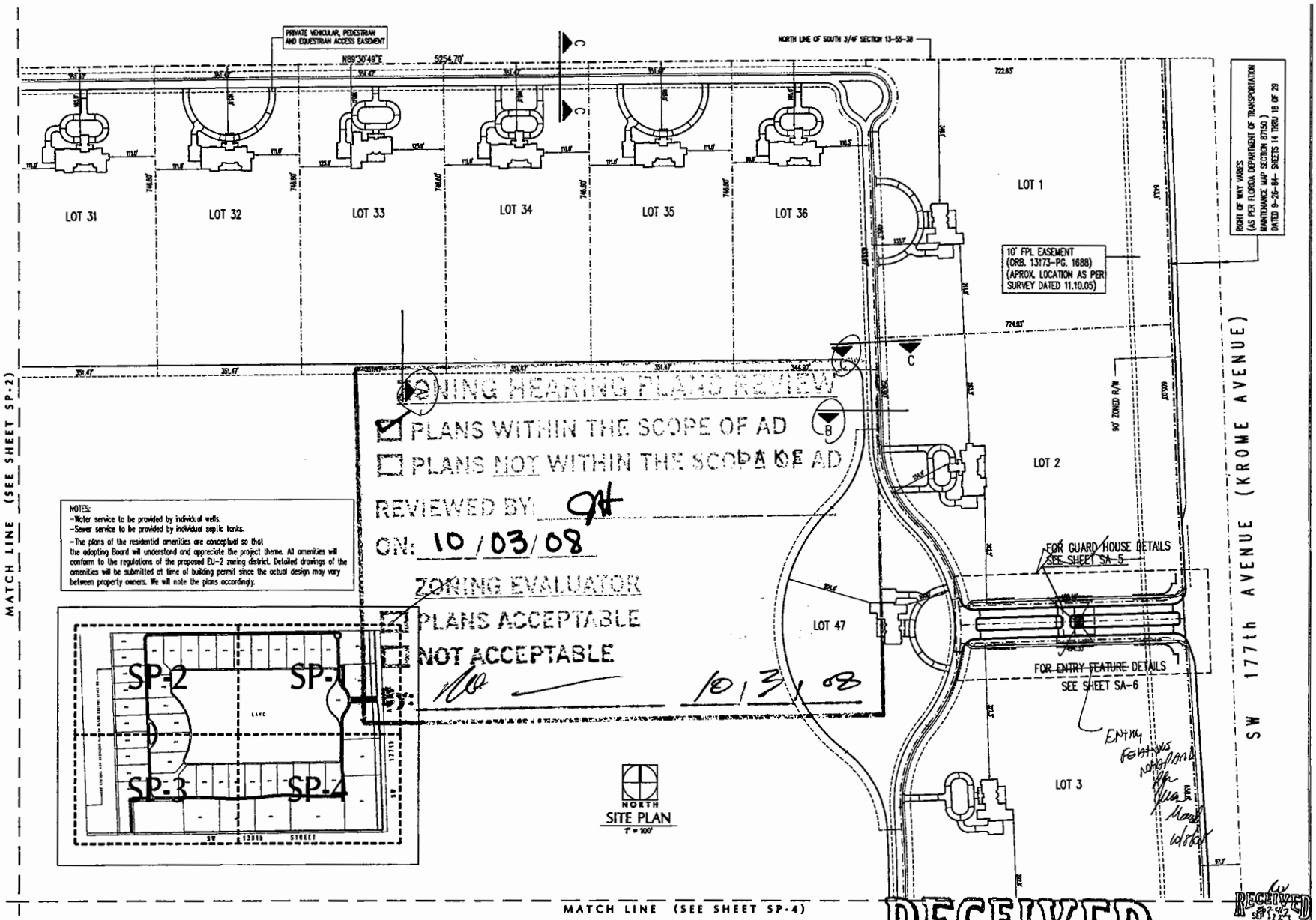
Paradise Lake Ranches
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

DETAILS
DATE: 12.03.2007
SCALE: IND.
DRAWN: ID
JOB NO.:

C-2
SHEET NO.:

42




NOTES:
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"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

SITE PLAN
DATE: 12.03.2007
SCALE: IND.
DRAWN: ID
JOB NO.:

SP-1
SHEET NO.:

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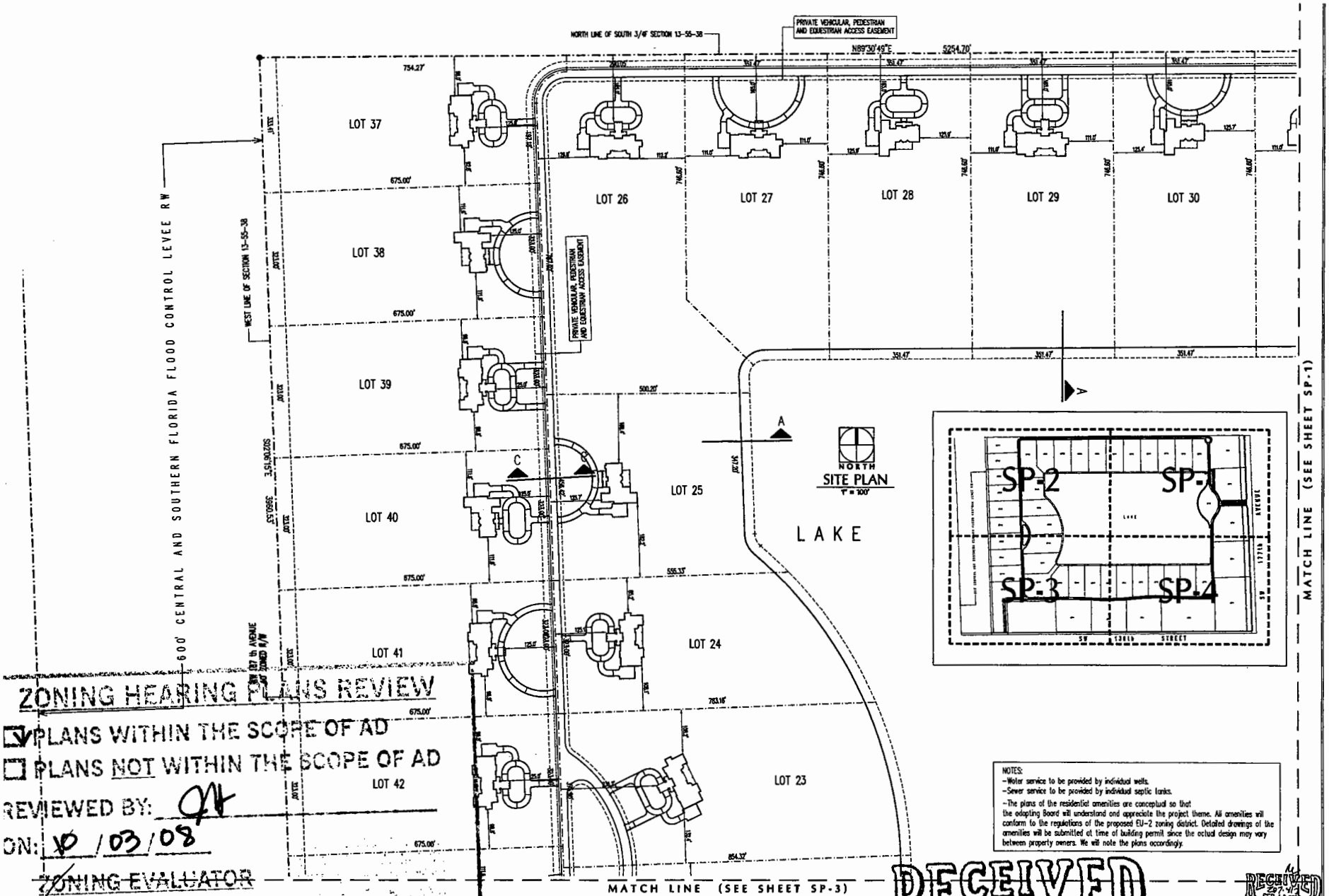
TO THE BEST OF THE ARCHITECT'S KNOWLEDGE, THE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE FIRE-SAFETY STANDARDS AS DETERMINED BY THE LOCAL AUTHORITIES IN ACCORDANCE WITH THIS SECTION (105.1.4) AND 633 FLORIDA STATUTES.

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"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

SITE PLAN
DATE: 12.03.2007
SCALE: IND.
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SHEET NO.:

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ON: 10/03/08

ZONING EVALUATOR

☑ PLANS ACCEPTABLE

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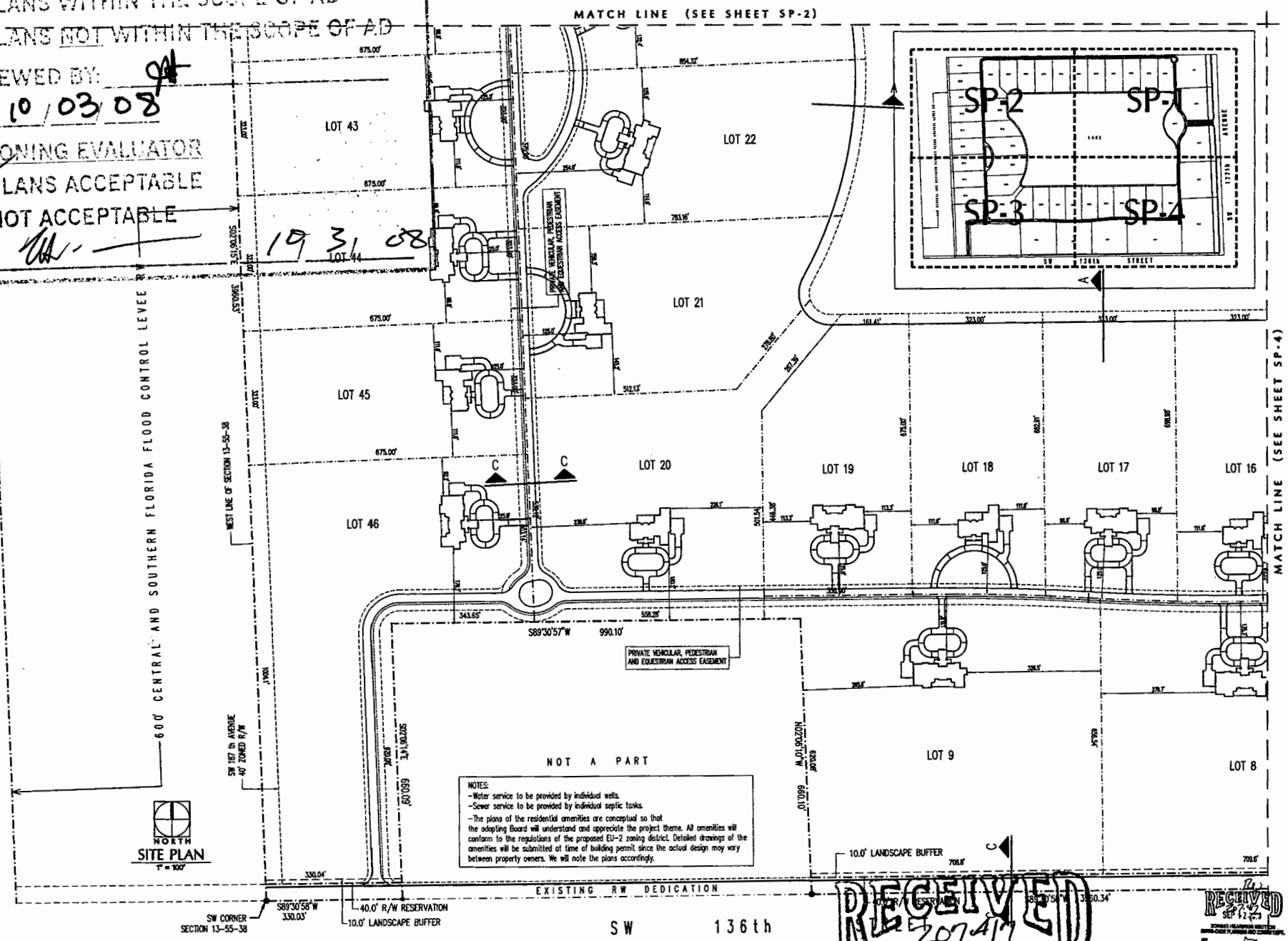


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MIAMI DADE COUNTY, FLORIDA

SITE PLAN
DATE: 12.03.2007
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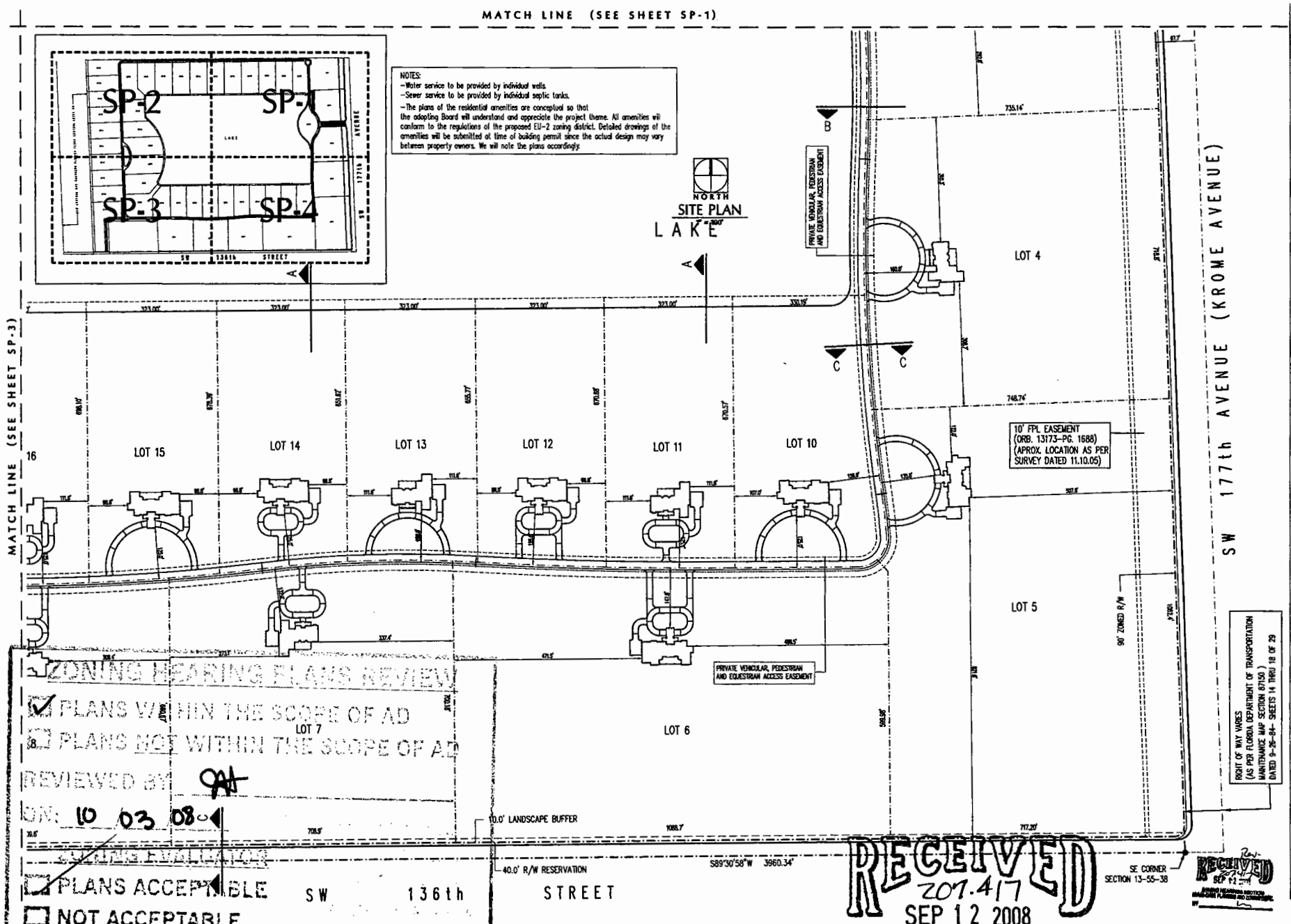
SHEET NO.:

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MIAMI DADE COUNTY, FLORIDA

SITE PLAN
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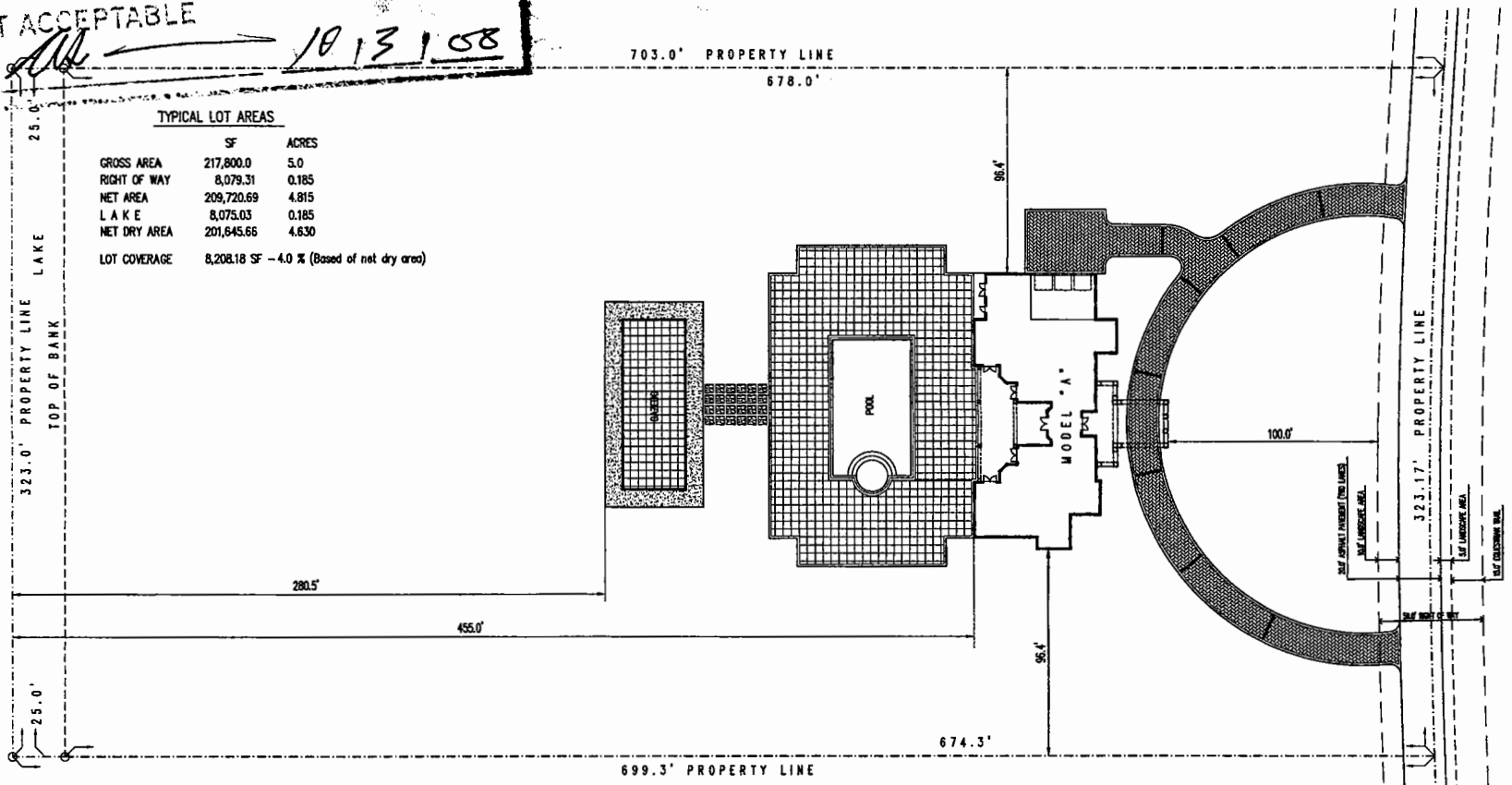
## TYPICAL LOT AREAS

| | SF | ACRES |
|---|---|---|
| GROSS AREA | 217,800.0 | 5.0 |
| RIGHT OF WAY | 8,079.31 | 0.185 |
| NET AREA | 209,720.69 | 4.815 |
| L A K E | 8,075.03 | 0.185 |
| NET DRY AREA | 201,645.66 | 4.630 |
| LOT COVERAGE | 8,208.18 SF – 4.0 % (Based of net dry area) | |




TYP. LOT
1" = 30'

NOTE: THIS PLOT PLAN REPRESENTS THE LARGEST CONCEPTUAL FLOOR PLAN IN THE SMALLEST LOT.

NOTE: FLOOR PLANS OF INDIVIDUAL UNITS ARE CONCEPTUAL.
FINAL FLOOR PLANS OF UNITS FOR CONSTRUCTION MUST COMPLY WITH A 15% MAX LOT COVERAGE.

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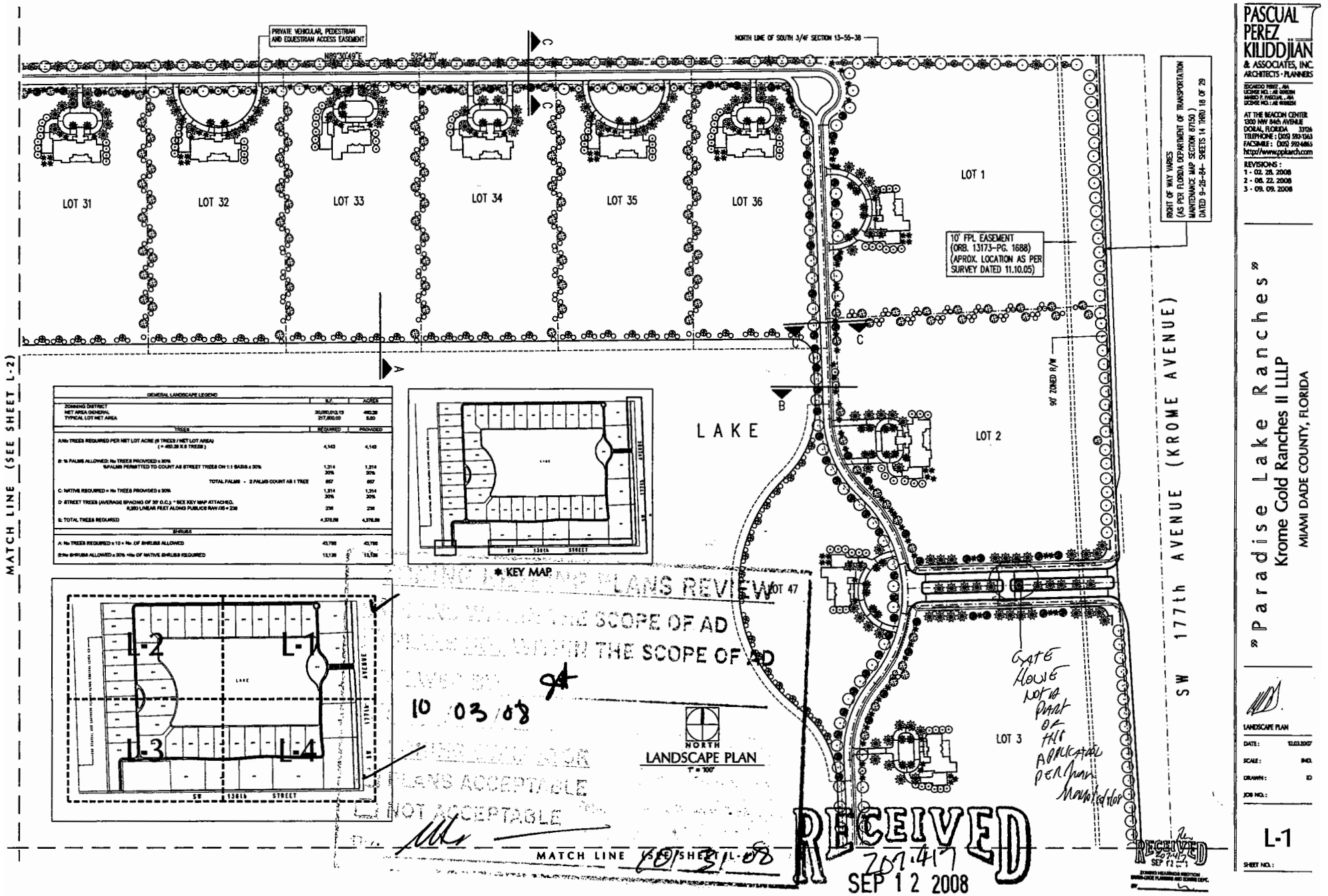
Krome Gold Ranches II LLLP

MIAMI DADE COUNTY, FLORIDA

TYP.LOT

| | |
|---|---|
| DATE: | 12.03.2007 |
| SCALE: | IND. |
| DRAWN: | ID |
| JOB NO.: | |




| GENERAL LANDSCAPE LEGEND | S.F. | ACRES |
|---|---|---|
| ZONING DISTRICT | | |
| NET AREA GENERAL | 30,000,012.13 | 460.39 |
| TYPICAL LOT NET AREA | 217,800.00 | 5.00 |
| **TREES** | **REQUIRED** | **PROVIDED** |
| A:No TREES REQUIRED PER NET LOT ACRE (8 TREES / NET LOT AREA) ( = 460.39 X 8 TREES ) | 4,143 | 4,143 |
| B: % PALMS ALLOWED: No TREES PROVIDED x 30% | | |
| %PALMS PERMITTED TO COUNT AS STREET TREES ON 1:1 BASIS x 30% | 1,314 | 1,314 |
| | 30% | 30% |
| TOTAL PALMS - 2 PALMS COUNT AS 1 TREE | 657 | 657 |
| C: NATIVE REQUIRED = No TREES PROVIDED x 30% | 1,314 | 1,314 |
| | 30% | 30% |
| D: STREET TREES (AVERAGE SPACING OF 30' O.C.): * SEE KEY MAP ATTACHED. 8,280 LINEAR FEET ALONG PUBLICS RAW /35 = 236 | 236 | 236 |
| E: TOTAL TREES REQUIRED | 4,376.08 | 4,376.08 |
| **SHRUBS** | | |
| A: No TREES REQUIRED x 10 = No. OF SHRUBS ALLOWED | 43,786 | 43,786 |
| B:No SHRUBS ALLOWED x 30% =No OF NATIVE SHRUBS REQUIRED | 13,136 | 13,136 |

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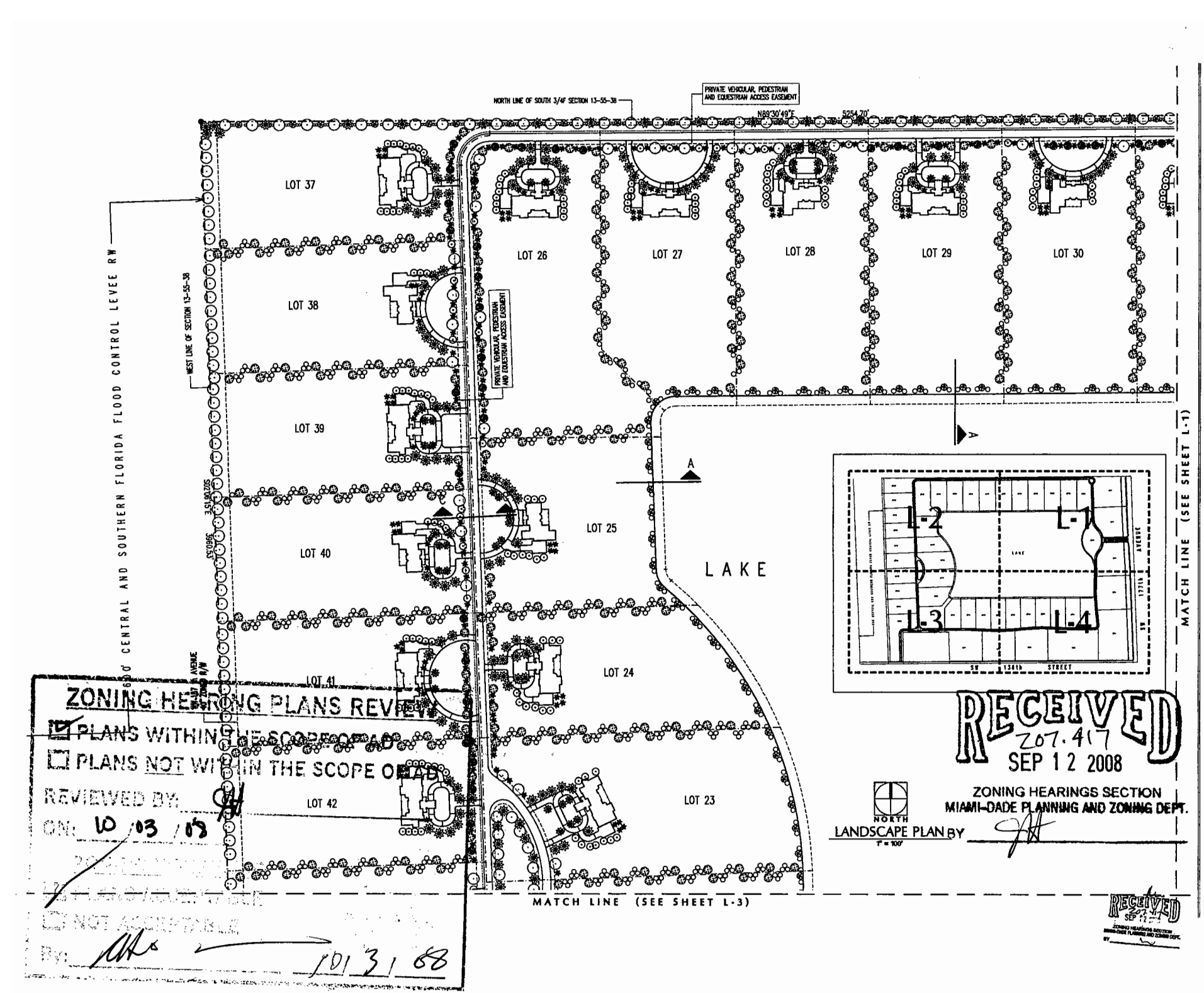
"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

LANDSCAPE PLAN
DATE: 12.03.2007
SCALE: IND.
DRAWN: ID
JOB NO.:

L-1
SHEET NO.:




LANDSCAPE PLAN BY

ZONING HEARING PLANS REVIEW
☑ PLANS WITHIN THE SCOPE OF AD
☐ PLANS NOT WITHIN THE SCOPE OF AD
REVIEWED BY:
ON: 10/03/08
PLANS ARE ACCEPTABLE
PLANS ARE NOT ACCEPTABLE
By: 10/31/08

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REVISIONS:
1 - 02. 28. 2008
2 - 08. 22. 2008
3 - 09. 09. 2008

# Paradise Lake Ranches

Krome Gold Ranches II LLLP

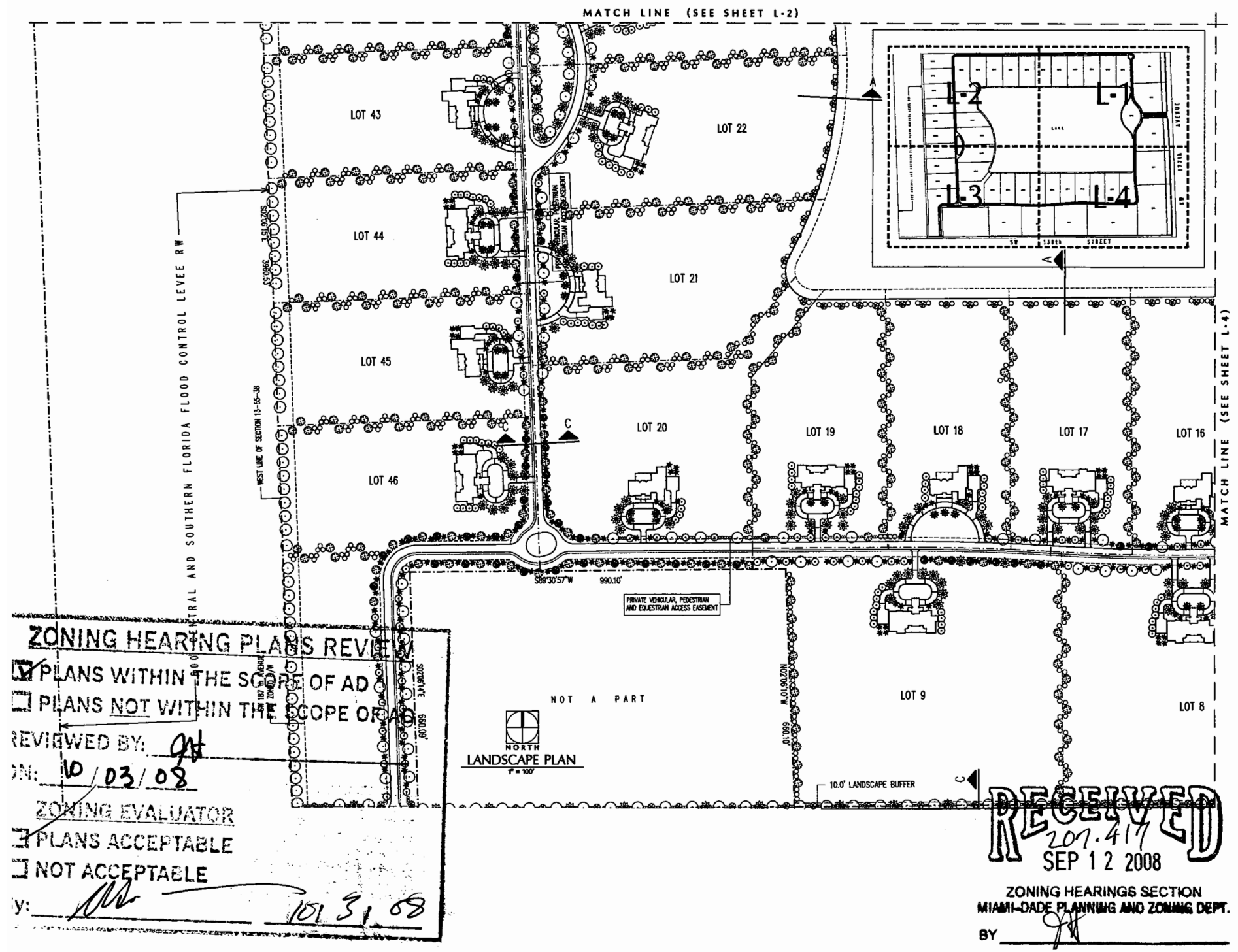
MIAMI DADE COUNTY, FLORIDA

LANDSCAPE PLAN

DATE: 12.03.2007
SCALE: IND.
DRAWN: ID
JOB NO.:

L-2

SHEET NO.:

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ON: 10/03/08
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»Paradise Lake Ranches«
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

LANDSCAPE PLAN
DATE: 12.03.2007
SCALE: IND.
DRAWN: ID
JOB NO.:

ZONING HEARING PLANS REVIEW

☑ PLANS WITHIN THE SCOPE OF AD

☐ PLANS NOT WITHIN THE SCOPE OF AD

REVIEWED BY: ON 10/03/08

ZONING EVALUATOR

☑ PLANS ACCEPTABLE

☐ NOT ACCEPTABLE

10/31/08

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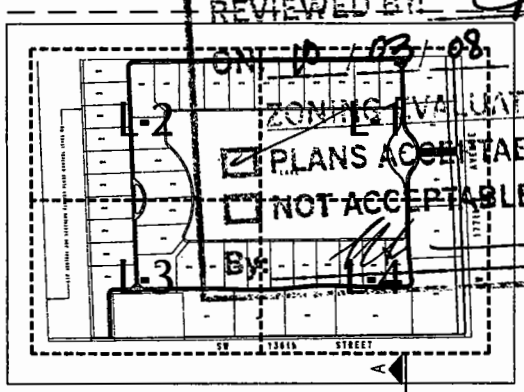


MATCH LINE (SEE SHEET L-1)

LANDSCAPE PLAN

LAKE

PRIVATE VEHICULAR, PEDESTRIAN AND EQUESTRIAN ACCESS EASEMENT

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

LOT 10

LOT 11

LOT 12

LOT 13

LOT 14

LOT 15

LOT 16

10' FPL EASEMENT (ORB. 13173-PG. 1688) (APROX. LOCATION AS PER SURVEY DATED 11.10.05)

90' ZONED R/W

SW 177th AVENUE (KROME AVENUE)

RIGHT OF WAY VARIES (AS PER FLORIDA DEPARTMENT OF TRANSPORTATION MAINTENANCE MAP SECTION 87150 ) DATED 9-26-84- SHEETS 14 THRU 18 OF 29

10.0' LANDSCAPE BUFFER

MATCH LINE (SEE SHEET L-3)

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"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

LANDSCAPE PLAN

DATE: 12.03.2007
SCALE: IND.
DRAWN: ID
JOB NO.:

ZONING HEARINGS

☑ PLANS WITHIN THE SCOPE OF AD

☐ PLANS NOT WITHIN THE SCOPE OF AD

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ON: 10/03/08

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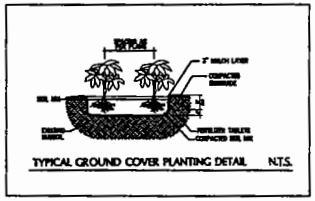
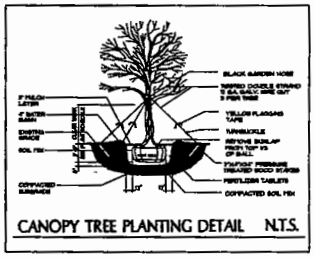
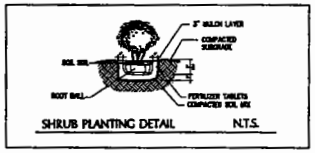
☐ NOT ACCEPTABLE

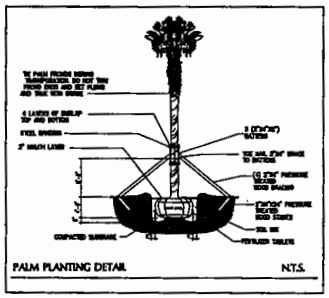
BY: 10/31/08

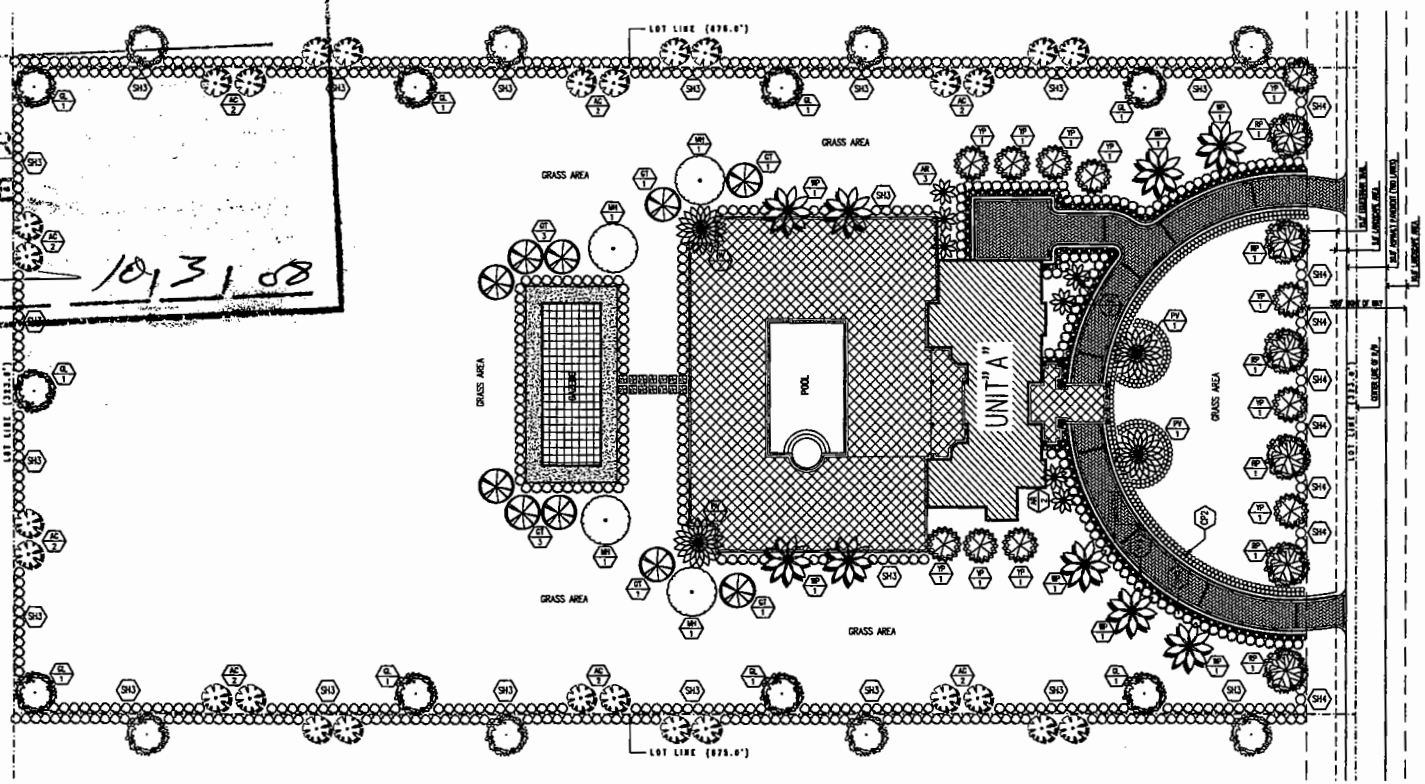
51




TYP. LOT (LANDSCAPE PLAN)

1" = 30'

## GENERAL NOTES

1. PLANT QUALITY
ALL PLANT MATERIAL SHALL BE EQUAL TO OR BETTER THAN FLORIDA NO. 1 AS CLASSIFIED BY GRADES AND STANDARDS FOR NURSERY PLANTS" BY THE DIVISION OF PLANT INDUSTRY, FLORIDA DEPARTMENT OF AGRICULTURE. THEY SHALL HAVE A GROWTH HABIT THA IS NORMAL FOR THE SPECIES; HEALTHY, VIGOROUS, FREE FORM INSECTS, DISEASE AND INJURY.

2. PLANTING SOIL
ALL PLANT MATERIAL WITH THE EXCEPTION OF PLANT TREE AND BEACH MATERIAL SHALL BE PLANTED WITH THE FOLLOWING SOIL: SOIL SAND AND SOIL MUCK THORE MUST BE SLIGHT ACID REACTION TO TO THE SOIL WITH NO EXCESS OF CALCIUM OR CARBONATE. SOIL SHALL BE DELIVERED IN A LOSE FRIABLE CONDITION, ANY OTHER SOIL MIX MUST BE SUBMITTED TO AND APPROVED BY THE LANDSCAPE ARCHITECT.

3. FERTILIZER
THE FERTILIZER SHALL BE UNIFORM IN COMPOSITION, DRY AND FREE FLOWING AND SHALL BE DELIVERED TO THE SITE IN THE ORIGINAL UNOPENED CONTAINERS, BEARING THE MANUFACTURE'S GUARANTEED ANALYSIS.

FERTILIZER FOR TREES, SHURBS, CONTAMINIZED GROUNDCOVERS AND VINES SHALL BE AS FOLLOWS: 5 LBS. FTE- 5-24-9 @1308 AS MANUFACTURED BY FLORIDA EAST COAST FERTILIZER, CO; HOMESTEAD, FLORIDA AND 2 LBS. FTE- 15-5-5- FZ500 OR EQUAL PER CUBIC YARD OF SOIL. FERTILIZER FOR GROUNDCOVER SEEDLING BEDS: BROADCAST 4# OF THE ABOVE MIX FOR EACH 500 SQUARE FEET OF BED AREA. FERTILIZER FOR TURF ESTABLISHMENT: BROADCAST 15# OF FTE-7-11-7 OR EQUAL PER SQUARE FEET (650# PER ACRE)

4. MULCH
SHALL BE SHREDDERED PINE OR EUCALYTUS MULCH, AND MUST BE APPROVED BY THE LANDSCAPE ARCHITECT.

PLANTING AREAS NOT COVERED BY GRASS SHALL BE MULCHED, TO A DEPH OF TWO INCHES TO PRESENT A FINISHED APPEARANCE. THIS INCLUDES, BUT NOT LIMITED TO, ALL SHRUBS AND GROUND COVER AREAS.

5. ALL AREAS DESIGNATED AS "SOD" SHALL BE COVERED WITH ST AUGUSTINE "FLORATAM" SOLID SOD LAID OVERA FINELY GRADED 3" SOIL BLANKET.

6. REFER TO THE PLANTING DETAILS ON PAGES GO THRU 63 IN THE DADE COUNTY LANDSCAPE MANUAL, FEBRUARY 1996.

## LANDSCAPE LEGEND

1. ALL PLANTS MATERIAL SHALL BE FL. NO 1 OR BETTER IN GRADE AND QUALITY.
2. THE SOD MATERIAL TO BE PLANTED SHALL BE ST AUGUSTINE FLORATUM
3. A MINIMUM OF 30% OF THE REQUIRED TREES AND/ OR PALMS SHALL BE NATIVE SPECIES
4. A MAXIMUM OF 30% OF THE NATIVE TREES CAN BE SABAL PALMETTO (CABBAGE PALM)
5. A MINIMUM OF 30% OF THE REQUIRED SHURBS SHALL BE NATIVE SPECIES.

## TREE SCHEDULE

| SYMBOL ON PLANS | | | PLANT NAME | | NATIVE | | CALIPER | HEIGHT | | CANOPY |
|---|---|---|---|---|---|---|---|---|---|---|
| SYMBOL | NEW | EXIST | Botanical | Common | Yes | No | Installed | Installed | Maturity | Maturity |
| | X | | Swietnia Mahogani | Mahogany | X | | 5" | 12' Min. | 35'-50' | 15'-25' |
| | X | | Bursera Simaruba | Gumbo Limbo | X | | 4" | 12' Min. | 40'-50' | 25'-35' |
| | X | | Delonix Regia | Royal poinciana | X | | 4" | 12' Min. | 25'-40' | 40'-50' |
| | X | | Acacia farnesiana | Sweet Acacia | | X | 4" | 10' Min. | 10'-12' | 25'-35' |
| | X | | Cordia sebestena | Geiger Tree | X | | 3" | 12' Min. | 40'-50' | to 30' |
| | X | | Peltophorum pterocarpum | Yellow poinciana (Caesalpinia) | | X | 3" | 12' Min. | 25'-40' | 40'-50' |

## PALM SCHEDULE

| SYMBOL ON PLANS | | | PLANT NAME | | NATIVE | | CALIPER | HEIGHT | | CANOPY |
|---|---|---|---|---|---|---|---|---|---|---|
| SYMBOL | NEW | EXIST | Botanical | Common | Yes | No | Installed | Installed | Maturity | Maturity |
| | X | | Washingtonia robusta | Washington Palm | | X | - | 12' Min. | 50'-70' | - |
| | X | | Syagrus romanzoffiana | Queen Palm | | X | - | 12' Min. | 10'-40' | - |
| | X | | Phoenix dactylifera | Date Palm | X | | - | 12' Min. | 50'-70' | - |
| | X | | Chrysaidocarpus Cebadae | Areca Palm | | X | - | 12' Min. | 15'-20' | - |
| | X | | Roystonea elata | Florida Royal Palm | | X | | 12' Min. | 50'-70' | |

## SHRUB SCHEDULE

| SYMBOL ON PLANS | | | PLANT NAME | | NATIVE | | SIZE | HEIGHT | | SPACING |
|---|---|---|---|---|---|---|---|---|---|---|
| Symb. | New | Exist. | Botanical | Common | Yes | No | Installed | Installed | Maturity | Installed |
| | X | | Gaphimia Gracilis | Thrixilla | | | 1 Gal. | 2'0" | 4'-0" | 20" O.C. |
| | X | | Ixora | Ixora SP | | X | 1 Gal. | 24" | 3'-6" | 24" O.C. |
| | X | | Conocarpus Erectus | Silver Buttonwood | X | | 1 Gal. | 18" | 3'-6" | 18" O.C. |

## GROUND COVERS

| SYMBOL ON PLANS | | | PLANT NAME | | NATIVE | | SIZE | HEIGHT | | SPACING |
|---|---|---|---|---|---|---|---|---|---|---|
| Symb. | New | Exist. | Botanical | Common | Yes | No | Installed | Installed | Maturity | Installed |
| | X | | n/a | Red Tip Cocoplum | X | | 1 Gal. | - | 24" | 10" O.C. |
| | X | | Helianthus Debilis | Beach Sunflower | X | | 1 Gal. | - | 12" | 8" O.C. |
| | X | | Tulbaghia Violacea | Society Garlic | X | | 1 Gal. | - | 12" | 18" O.C. |

| LANDSCAPE LEGEND (FOR A TYPICAL LOT) | S.F. | ACRES |
|---|---|---|
| ZONING DISTRICT | | |
| TYPICAL LOT NET AREA | 217,800.00 | 5.00 |
| OPEN SPACE | REQUIRED | PROVIDED |
| A. SQUARE FEET OF OPEN SPACE REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN: NET LOT AREA 217,800 SF x 35% = 76,230 SF | 76,230.00 | 173,702.89 |
| B.SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18A,AS INDICATED ON SITE PLAN: No PARKINGS SPACES 0 x 10 sf/...= 0 | N/A | N/A |
| C. TOTAL SF OF LANDSCAPE OPEN SPACE REQUIRED BY CHAPTER 33 = A+B | 76,230.00 | 173,702.89 |
| LAWN AREA CALCULATION | | |
| A.TOTAL SF OF LANDSCAPE OPEN SPACE REQUIRED BY CHAPTER 33 | 76,230.00 | 173,702.89 |
| B.MAXIMUM LAWN AREA (SOD PERMITTED - 50%) 76,230 x 0.50 | 45,738.00 | 45,925.22 |
| TREES | REQUIRED | PROVIDED |
| A.No TREES REQUIRED PER NET LOT ACRE (5 TREES / NET LOT ACRE) LESS EXISTING NUMBER OF TREES MEETING MINIMUM REQUIREMENTS | 45.0 | 49 |
| Bursera Simaruba (Gumbo Limbo) | | 7 |
| Peltophorum pterocarpum-Yellow poinciana (Caesalpinia) | | 15 |
| Acacia farnesiana (Sweet Acacia) | | 10 |
| Cordia sebestena (Geiger Tree) | | 6 |
| Swietnia Mahogani (Mahogany) | | 4 |
| B. 5 PALMS ALLOWED No TREES PROVIDED x 30% 5/PALMS PERMITTED TO COUNT AS STREET TREES ON 1/1 BASIS x 30% | 15.0 30% | 20 30% |
| TOTAL PALMS - 2 PALMS COUNT AS 1 TREE | 5 | 13.0 |
| Washingtonia robusta (Washington Palm) | | 4 |
| Roystonea elata (Florida Royal Palm) | | 7 |
| Chrysalidocarpus Cabadae (Areca Palm) | | 7 |
| C. NATIVES REQUIRED 30% TREES PROVIDED x 30% | 15.0 30% | 28 43% |
| D. STREET TREES (MAXIMUM AVERAGE SPACING OF 30' O.C.) 925 LINEAR FEET ALONG STREET OS = 10 | 10.0 | 10 |
| Dahoon Holly (Ilex cassine) | | 4 |
| E. TOTAL TREES REQUIRED | 63.29 | 66.00 |
| A. [illegible] No [illegible] LESS ALLOWED | 830 | 880 |
| [illegible] | | 830 |
| [illegible] | | 83 |
| B.30% OF SHRUBS ALLOWED x 30% NATIVE SHRUBS REQUIRED | 190 | 830 |

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ARCHITECTS · PLANNERS

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2 - 08. 22. 2008
3 - 09. 09. 2008

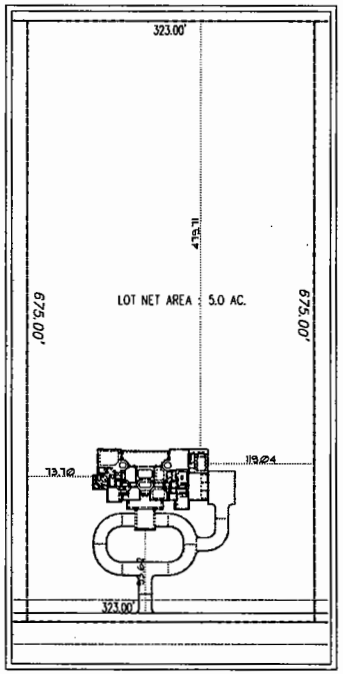
"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

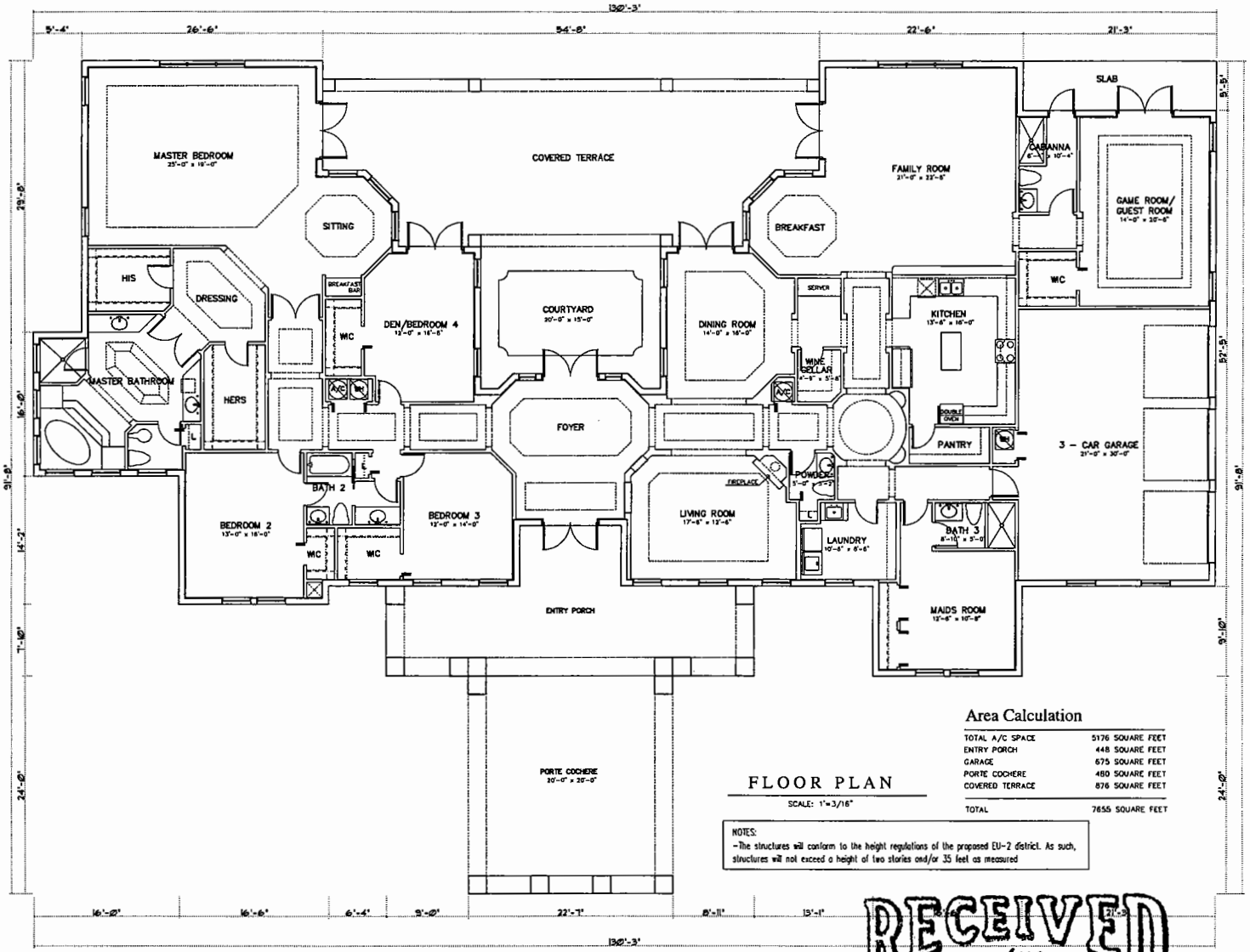
TYP. LOT LANDSCAPE PLAN

DATE : 12.03.2007
SCALE : IND.
DRAWN : ID
JOB NO. :

L-5

52




## FLOOR PLAN

SCALE: 1"=3/16"

### Area Calculation

| | |
|---|---|
| TOTAL A/C SPACE | 5176 SQUARE FEET |
| ENTRY PORCH | 448 SQUARE FEET |
| GARAGE | 675 SQUARE FEET |
| PORTE COCHERE | 480 SQUARE FEET |
| COVERED TERRACE | 876 SQUARE FEET |
| TOTAL | 7655 SQUARE FEET |

NOTES:
-The structures will conform to the height regulations of the proposed EU-2 district. As such, structures will not exceed a height of two stories and/or 35 feet as measured

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"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

UNIT "A"

FLOOR PLAN

DATE: 12.03.2007
SCALE: IND.
DRAWN: ID
JOB NO.:

A-1

SHEET NO.:


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MIAMI-DADE COUNTY
PROCESSING DIVISION
DATE: FEB 29 2008
BY: CALDERON

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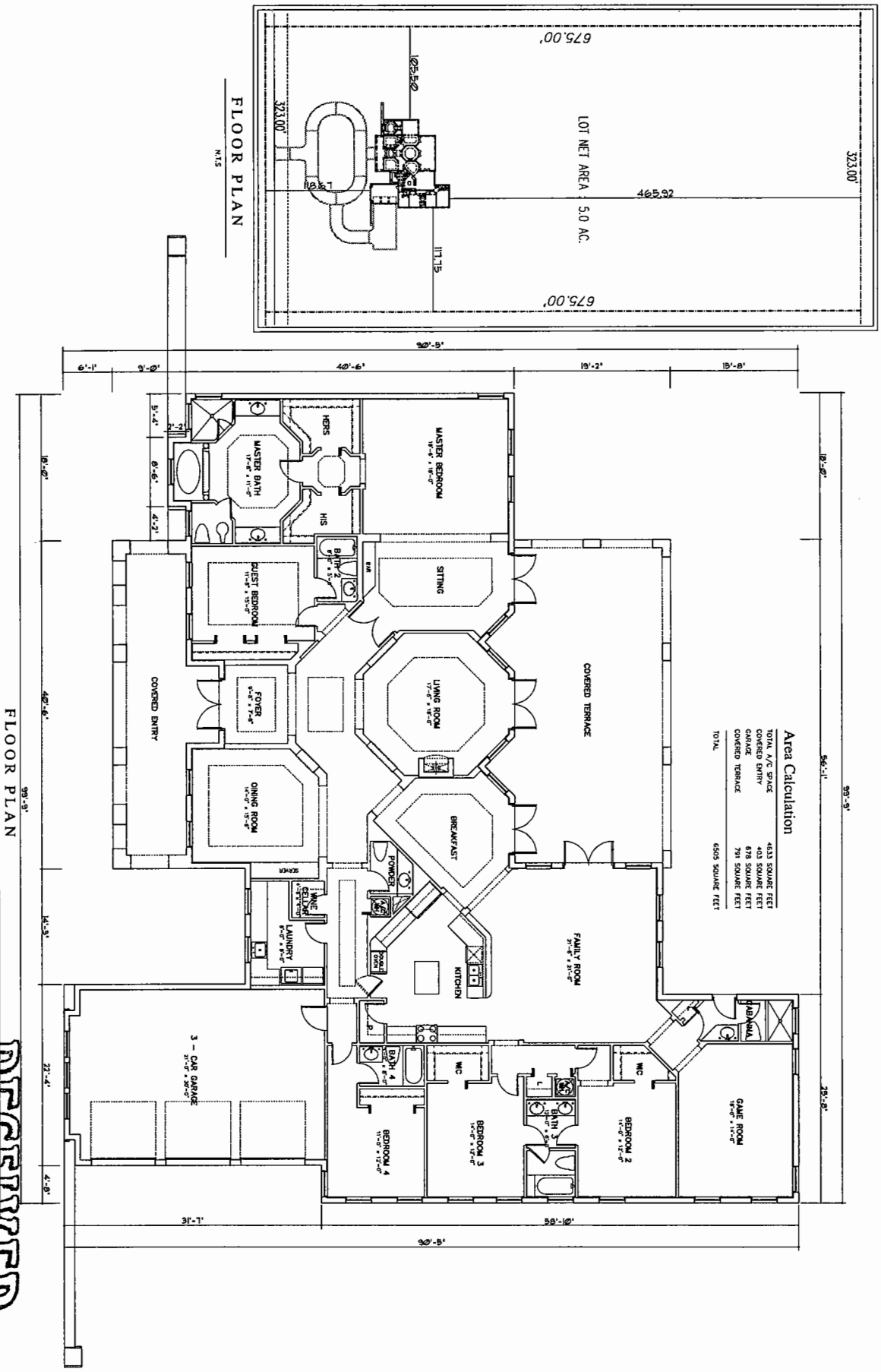
MIAMI-DADE COUNTY
PROCESS #: 207-417
DATE: FEB 29 2008
BY: CARDEON




FLOOR PLAN
SCALE: 1"=1/8"

NOTES:
- The structures will conform to the height [illegible] as measured
structures will not exceed a height of two [illegible] as measured

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http://www.pkarch.com
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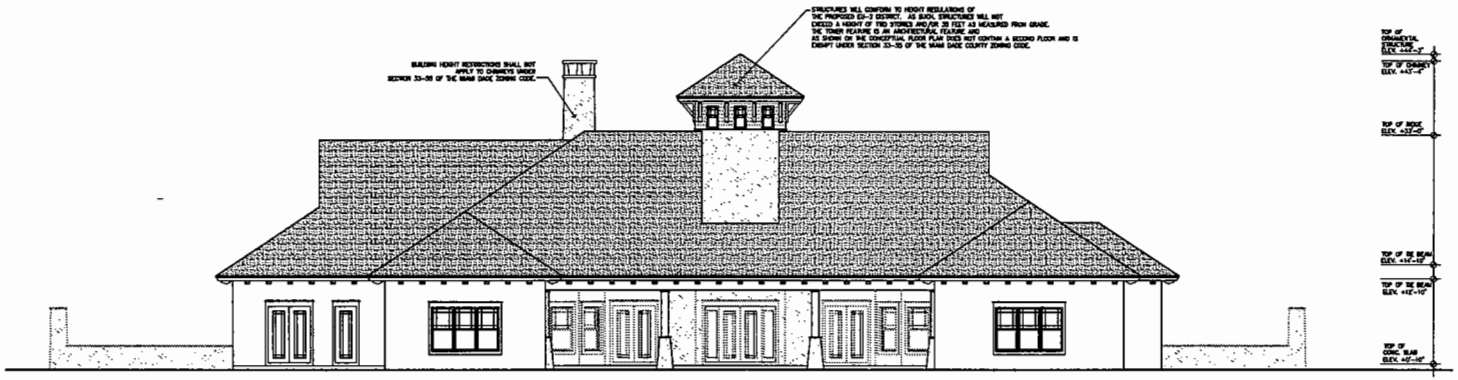
"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

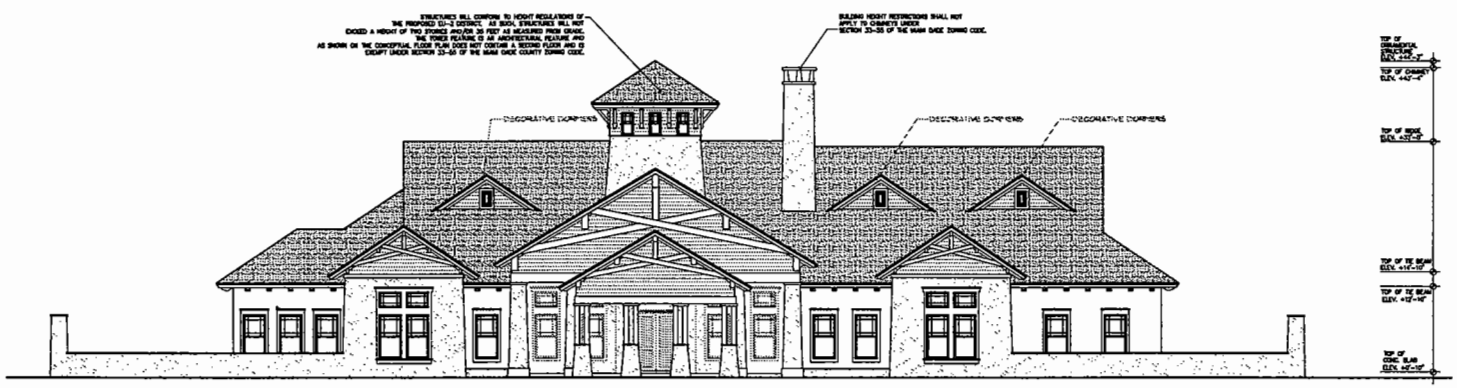
UNIT "B"
FLOOR PLAN
DATE:
SCALE:
DRAWN:
JOB NO.:
SHEET NO.: A-4

53



REAR ELEVATION

SCALE: 1"=1/8"



FRONT ELEVATION

SCALE: 1"=1/8"

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"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

UNIT "A"

FRONT & REAR ELEVATION

DATE: 12.03.2007
SCALE: INC.
DRAWN: ID
JOB NO.:

A-2

SHEET NO.:


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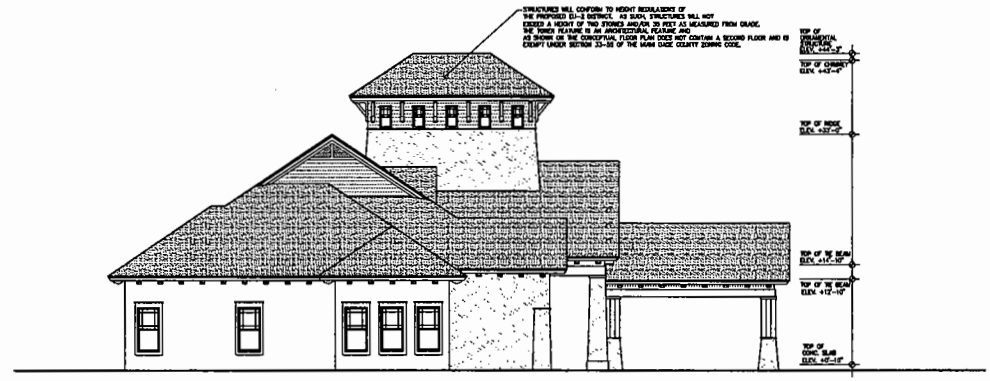
MIAMI-DADE COUNTY
PROCESSING DEPT.
DATE: FEB 29 2008
BY: CARDHOLM

LEFT SIDE ELEVATION

SCALE: 1"=1/8"




RIGHT SIDE ELEVATION

SCALE: 1"=1/8"

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207.417
FEB 29 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

55

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ARCHITECTS · PLANNERS

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REVISIONS:
1 - 02. 28. 2008

"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

UNIT "B"

RIGHT & LEFT SIDE ELEVATIONS

DATE: 12.03.2007
SCALE: IND.
DRAWN: ID
JOB NO.:

A-3

SHEET NO.:

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MIAMI-DADE COUNTY
PROCESSING DEPT.
DATE: FEB 29 2008
BY: CALDERON

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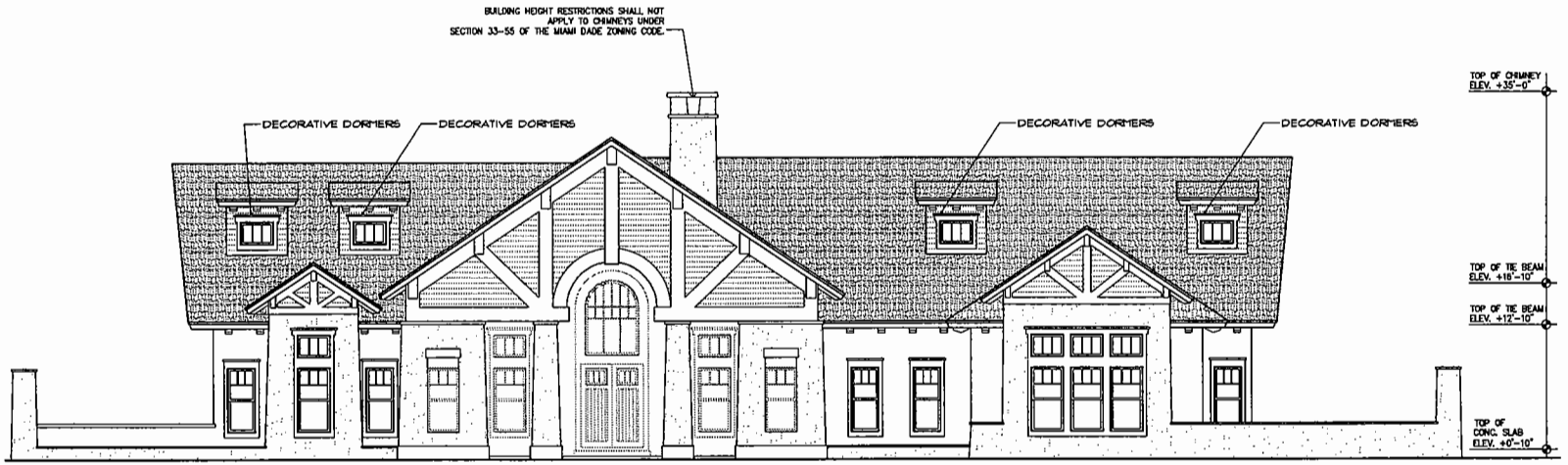
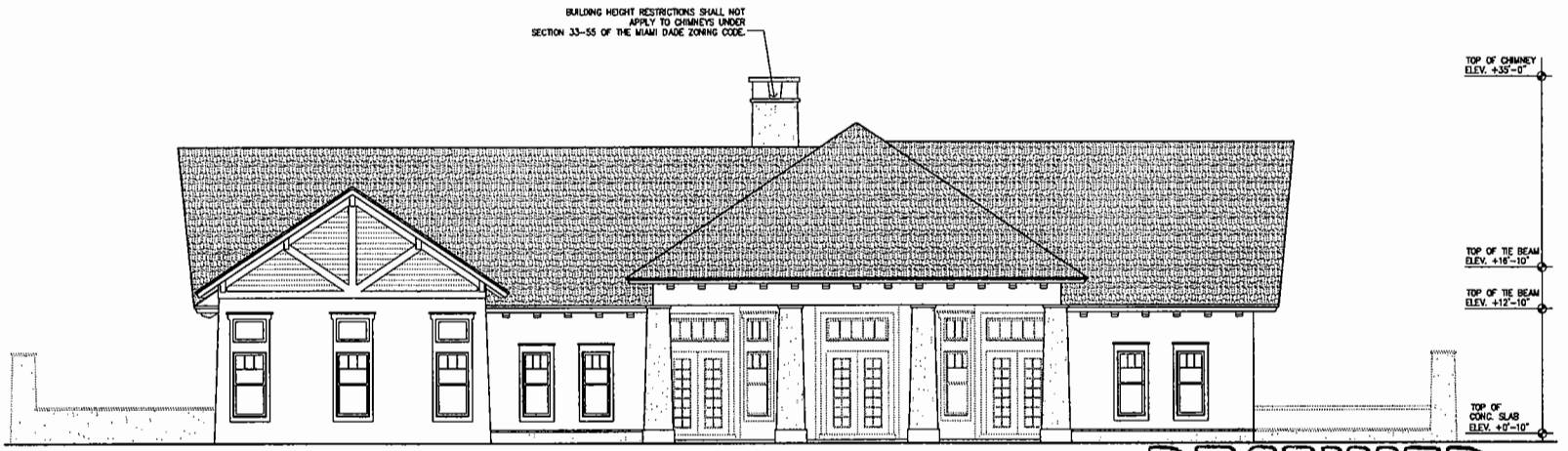
MIAMI-DADE COUNTY
PROCESSING DEPARTMENT
DATE: FEB 29 2008
BY: CARDROM




FRONT ELEVATION

SCALE: 1"=1/8"




REAR ELEVATION

SCALE: 1"=1/8"

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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REVISIONS:
1 - 02. 28. 2008

"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

UNIT "B"

FRONT & REAR ELEVATION

DATE: 12.03.2007
SCALE: IND.
DRAWN: ID
JOB NO.:

A-5

SHEET NO.:

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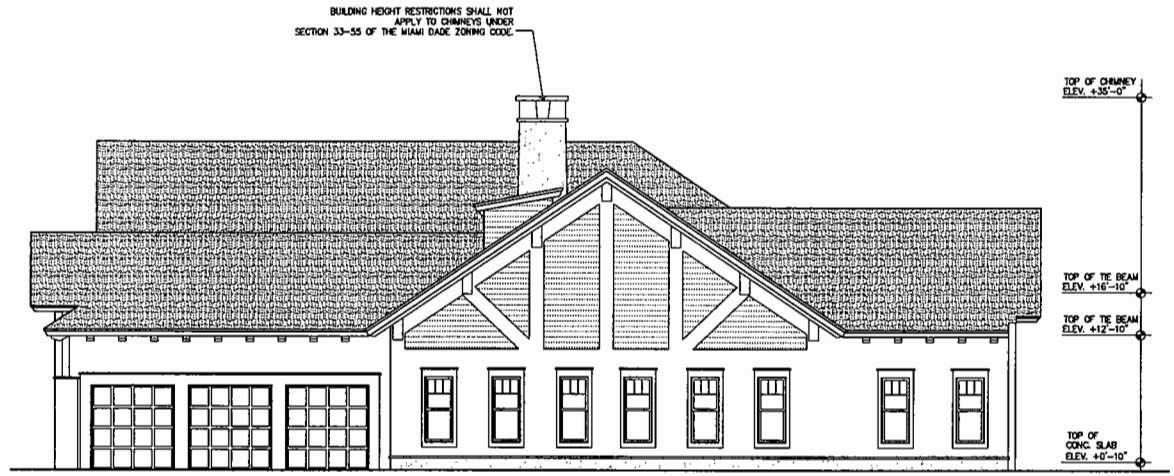
DATE: FEB 29 2008
BY: CARDENAS




RIGHT SIDE ELEVATION

SCALE: 1"=1/8"

LEFT SIDE ELEVATION

SCALE: 1"=1/8"

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REVISIONS:
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"Paradise Lake Ranches"
Krome Gold Ranches II LLLP
MIAMI DADE COUNTY, FLORIDA

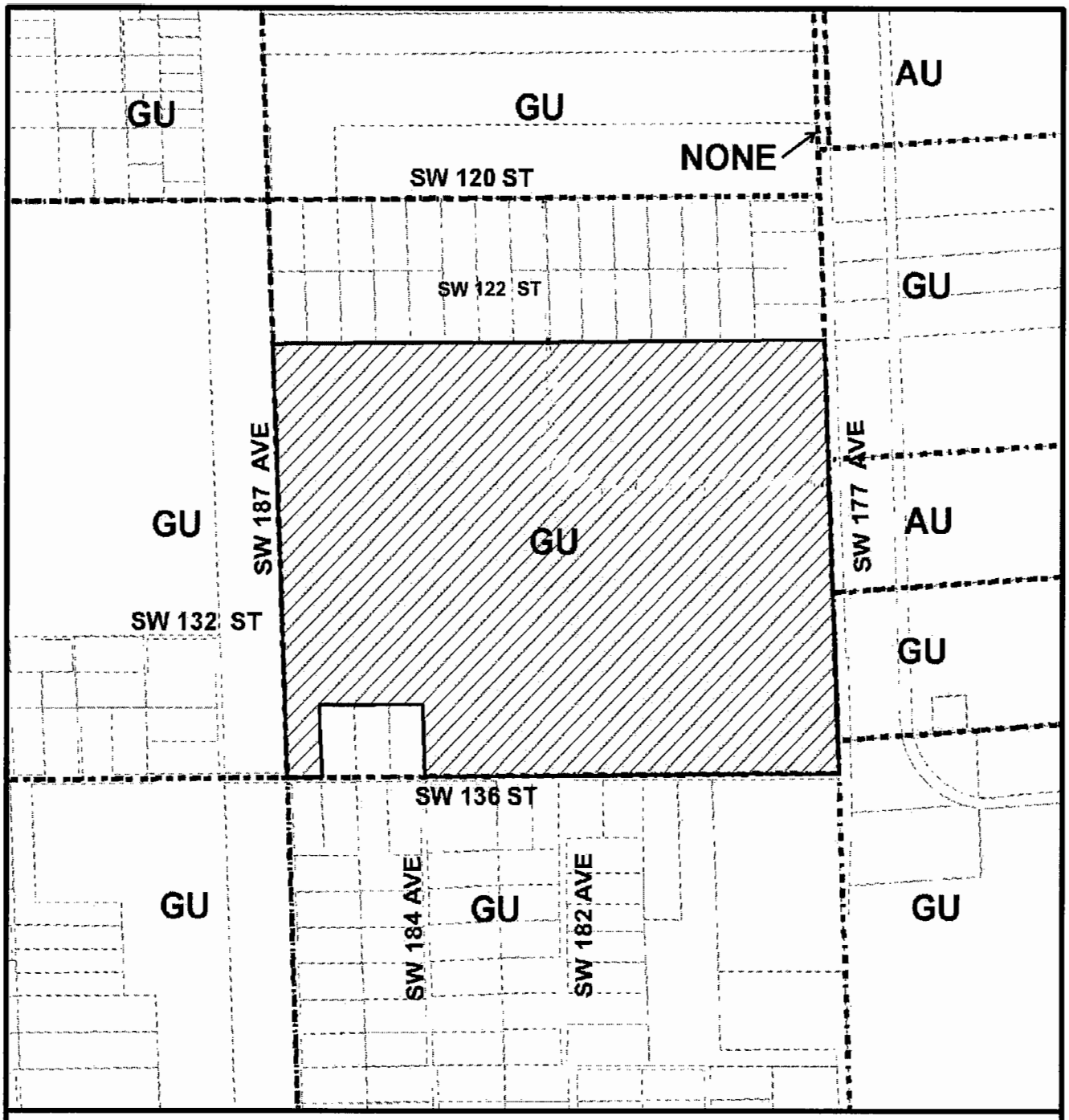
UNIT "B"

RIGHT & LEFT SIDE ELEVATIONS

DATE: 12.03.2007
SCALE: INC.
DRAWN: ID
JOB NO.:

A-6

SHEET NO.:




MIAMI-DADE COUNTY
**HEARING MAP**

**Process Number**
**07-417**

N

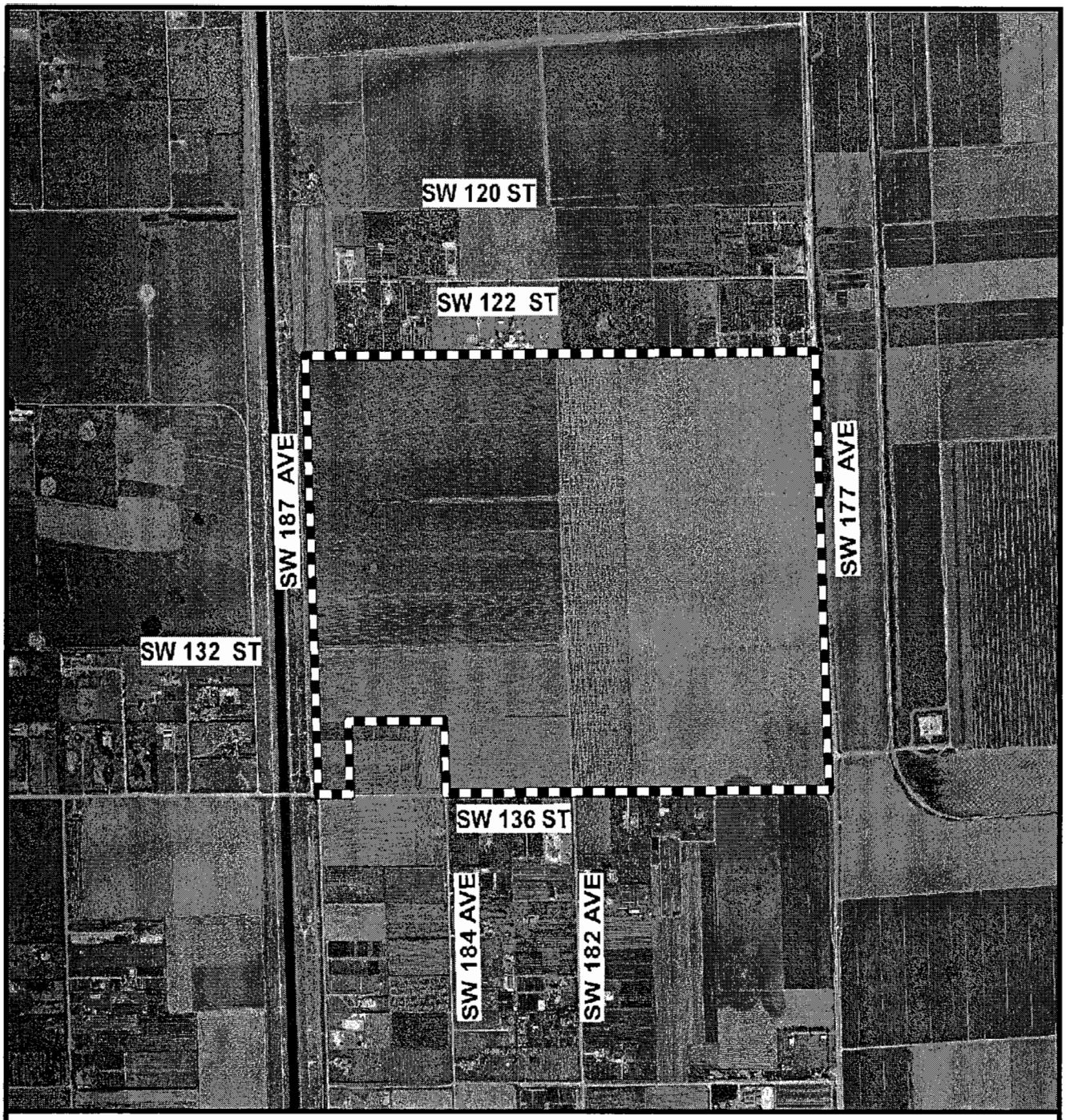
SUBJECT PROPERTY

**Section: 13 Township: 55 Range: 38**
**Applicant: KROME GOLD RANCHES II, LLLP**
**Zoning Board: BCC**
**District Number: 09**
**Drafter ID: KEELING**
**Scale: NTS**

MIAMI-DADE COUNTY

CREATED ON: 01/14/08

| REVISION | DATE | BY |
|---|---|---|
| Remove Zone & Zone Line Change Board to BCC | 01/24/08 06/25/08 | RS KWS |




MIAMI-DADE COUNTY
**AERIAL**

**Process Number**
**07-417**

N

SUBJECT PROPERTY

**Section: 13 Township: 55 Range: 38**
**Applicant: KROME GOLD RANCHES II, LLLP**
**Zoning Board: BCC**
**District Number: 09**
**Drafter ID: KEELING**
**Scale: NTS**

MIAMI-DADE COMMIT

CREATED ON: 01/14/08

| REVISION | DATE | BY |
|---|---|---|
| Remove Zone & Zone Line Change Board to BCC | 01/28/08 09/29/08 | RS KWS |

**1. DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING**
**(Applicant)**

**08-11-CC-1 (07-415)**
**BCC/Districts 8, 9**
**Hearing Date: 11/6/08**

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:**

| Year | Applicant | Request | Board | Decision |
|---|---|---|---|---|
| --- | ----- | Multiple zoning actions. | --- | ----- |

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

# Memorandum

MIAMI-DADE COUNTY

**Date:** November 6, 2008

**To:** The Board of County Commissioners

**From:** Developmental Impact Committee
Executive Council

**Subject:** Developmental Impact Committee Recommendation

---

**APPLICANT:** Director of the Department of Planning and Zoning (Z07-415)

**SUMMARY OF REQUESTS:**

The Director of the Department of Planning and Zoning is requesting a district boundary change from GU, Interim District; AU, Agricultural District; RU-1, Single-Family Residential District; RU-1M(a), Modified Single Family Residential District; RU-2, Two-Family Residential District; RU-3, Four Unit Apartment District; RU-3M, Minimum Apartment District (12.9 units per acre); RU-4, Apartment District (50 units per acre); RU-4A, Apartment House District; RU-4L, Limited Apartment House District (23 units per acre); RU-4M, Modified Apartment House District (35.9 units per acre); BU-1A, Limited Business District; BU-2, Special Business District; and IU-1, Industrial District, to LCCUC, Leisure City Community Urban Center District. On November 6, 2007, the Board of County Commissioners adopted Ordinance #07-169 establishing the LCCUC.

**LOCATION:** East of U.S. Highway #1, between S.W. 145 Avenue and S.W. 296 Street, Miami-Dade County, Florida.

**COMMENTS:**

This application went before the Developmental Impact Committee due to the size of the application and the number of units it would generate. 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.**

The DIC Executive Council found that this application is **consistent** with the CDMP and **compatible** with the surrounding area and would not be contrary to the public interest. In addition, and as part of the motion, the Executive Council accepted the withdrawal of 2 folio numbers from the Leisure City Community Urban Center subject property because they involve a trailer and mobile home park and are subject to Chapter 723 of the Florida Statutes. The folio numbers are as follows:

30-7904-000-0020
30-7904-000-0090

APPLICATION NO. Z07-415
DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING

Respectfully Submited,

DIC Executive Council
September 24, 2008

Susanne M. Torriente
Assistant County Manager — AYE

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

Jose Luis Mesa, Director
Metropolitan Planning Organization Secretariat — Absent

Maria Teresa Fojo, Acting Assistant 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

John W. Renfrow, P.E., Director
Miami-Dade Water and Sewer Department — Absent

**DEVELOPMENTAL IMPACT COMMITTEE**
**RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

**APPLICANT:** Director of the Department of Planning and Zoning **PH:** 07-415

**SECTION:** 05-57-39 **DIC DATE:** September 24, 2008

**COMMISSION DISTRICTS:** 8 and 9

==========

## A. INTRODUCTION:

- **REQUESTS:**

  GU, AU, RU-1, RU-1M(a), RU-2, RU-3, RU-3M, RU-4, RU-4A, RU-4L, RU-4M, BU-1A, BU-2, BU-3, and IU-1 to Leisure City Community Urban Center (LCCUC).

- **SUMMARY OF REQUESTS:**

  The Director of the Department of Planning and Zoning is requesting a district boundary change from GU, Interim District; AU, Agricultural District; RU-1, Single-Family Residential District; RU-1M(a), Modified Single Family Residential District; RU-2, Two-Family Residential District; RU-3, Four Unit Apartment District; RU-3M, Minimum Apartment District (12.9 units per acre); RU-4, Apartment District (50 units per acre); RU-4A, Apartment House District; RU-4L, Limited Apartment House District (23 units per acre); RU-4M, Modified Apartment House District (35.9 units per acre); BU-1A, Limited Business District; BU-2, Special Business District; and IU-1, Industrial District, to LCCUC, Leisure City Community Urban Center District. On November 6, 2007, the Board of County Commissioners adopted Ordinance #07-169 establishing the LCCUC.

- **LOCATION:** East of U.S. Highway #1, between S.W. 145 Avenue and S.W. 296 Street, Miami-Dade County, Florida.

- **SIZE:** 492 acres

- **IMPACT:**

  The proposed zone change to the Leisure City District Community Urban Center (LCCUC) will provide additional housing for the community, support the County's transit investment allowing citizens greater accessibility, and provide additional services to the community. However, it will bring an increase in traffic, density and noise into the area and will impact schools and public services, which will be mitigated by impact fees and through budgetary procedures of the various Departments. In addition, the LCCUC District will provide additional roads and connectivity throughout the area and will capture internal trips by providing mixed uses. The close proximity to the South Miami-Dade Busway will support the use of mass transit by increasing the allowed density immediately around the transit stops, which, in turn, will reduce traffic. The proposed additional density within the LCCUC District is provided in a manner that promotes various housing types which is supported by the Comprehensive Development Master Plan (CDMP) and projections for Minor Statistical Areas (MSA).

**B. ZONING HEARINGS HISTORY:** Multiple and varied zoning hearing actions.

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

1. **Land Use Element Goal**

   Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

2. **Policy LU-1A**

   High intensity, well designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multi-modal accessibility.

3. **Policy LU-2A**

   All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvement Element (CIE)

4. **Objective LU-5**

   Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Development Master Plan.

5. **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.

6. **Objective LU-7.**

   Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail,

office, open space and public uses in a pedestrian-friendly environment that promotes the use of rapid transit services.

7. **Policy LU-9D.** Miami-Dade County shall continue to investigate, maintain, and enhance methods, standards and regulatory approaches, which facilitate sound, compatible mixing of uses in projects and communities.

8. **Policy LU-9F.** Miami-Dade County shall formulate and adopt zoning or other Community Urban Centers established in the CDMP through individual ordinances for each urban center.

9. **Urban Center.** Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate to high intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to nearby expressway or major roadways to ensure a high level of countywide accessibility.

   The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.

   The core of the centers should contain business, employment, civic, and/or high or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses that serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of both jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning and evening commute or lunch hour.

   Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the

provisions of this section encourage the intensification of development of these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.

Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.

**Uses and Activities**
Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses are encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.

**Radius**
The area developed as an urban center shall extend to one mile radius around the core or central transit station of a Regional Urban Center designated on the LUP map. Designated Metropolitan Urban Centers shall extend not less than one-quarter mile walking distance from the core of the center or central transit stop(s) and may extend up to one-half mile from such core or transit stops major roads and pedestrian linkages. Community Centers shall have a radius of 700 to 1800 feet but may be extended to a radius of one-half mile where recommended in a professional area plan for the center, consistent with the guidelines herein, which plan is approved by the Board of County Commissioners after an advertised public hearing. Urban Center development shall not extend beyond the UDB.

**Streets and Public Spaces**
Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways, and squares, parks and plazas defined by the buildings around them. The

street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian access ways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edged landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixture and bus shelters. Open spaces such as public squares and greens shall be established in urban centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenade, shall be a minimum of 15 percent of gross development area. This public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject urban center to the extent that it would better serve the quality and functionality of the center.

**Parking**

Shared parking is encouraged. Reductions from standard parking requirements shall be authorized where there is a complementary mix of uses on proximate development sites, and near transit stations. Parking areas should occur predominately in mid-block, block rear and on-street locations, and not between the street and main building entrances. Parking structures should incorporate other uses at street level such as shops, galleries, offices and public uses.

**Buildings**

Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.

**Density and Intensity**

The range of average floor area ratios (FARs) and the maximum allowed residential densities of development within the Regional, Metropolitan and Community Urban Centers are shown in the table below.

| | Average Floor Area Ratios (FAR) | Max. Densities Dwellings per Gross Acre |
|---|---|---|
| Regional Activity Centers | greater than 4.0 in the core not less than 2.0 in the edge | 500 |
| Metropolitan Urban Centers | greater than 3.0 in the core | 250 |
| **Community Urban Centers** | greater than 1.5 in the core not less than 0.5 in the edge | 125 |

In addition, the densities and intensities of developments located within designated Community Urban Centers and around rail rapid transit stations should not be lower than those provided in Policy LU-7F. Height of buildings at the edge of Metropolitan Urban Centers adjoining stable residential neighborhoods should taper to a height no more than 2 stories higher than the adjacent residences, and one story higher at the edge of Community Urban Centers. However, where the adjacent area is undergoing transition, heights at the edge of the Center may be based on adopted comprehensive plans and zoning of the surrounding area. Densities of residential uses shall be authorized as necessary for residential or mixed-use developments in Urban Centers to conform to these intensity and height policies.

As noted previously in this section, urban centers are encouraged to intensify incrementally over time. Accordingly, in planned future rapid transit corridors, these intensities may be implemented in phases as necessary to conform with provisions of the Transportation Element, and the concurrency management program in the Capital Improvement Element, while ensuring achievement of the other land use and design requirements of this section and Land Use Policy LU-7F.

**Residential Communities**
The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. 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. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.

**Low Density Residential**
The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 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.

**Low-Medium Density Residential**
This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated

low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.

**Medium Density**
This category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

**Density Increase With Urban Design**
Some parcels are designated on the LUP map both with a color designating the allowable residential density basis and one of two hatch patterns. The hatch pattern labeled on the LUP map legend as DI-1 (Density Increase 1) denotes that the parcel is eligible for approval of residential density one density category higher than the density indicated by the underlying color code, and DI-2 denotes eligibility for approval of up to two density categories higher, only if the development containing the designated property utilizes sound urban design principles adopted by the County by ordinance pursuant to Land Use Policy 9N, or incorporated in an Urban Design Manual developed pursuant to Policy 8M, or addresses the urban design concerns listed in Policy 9N in another binding instrument approved by action of the Board of County Commissioners. If the referenced urban design principles are not employed, the allowable density shall be limited to that authorized only by the underlying color code.

**Business and Office**
This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, 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.

Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped,

whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs are transferred to Business-designated parcels, which are zoned or to be used for residential development the SUR allowances of the Residential section may be used within the limits provided in this paragraph.

**Industrial and Office**

Manufacturing operations, manufacturing and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunication facilities, microwave towers, radar stations and cell towers is also allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed, dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Free-standing retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Free-standing retail and personal service uses and shops that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses, and others with unusual siting requirements may also be considered at appropriate locations. Quarrying activities and ancillary uses may also be approved in areas designated Industrial and Office where compatible with the surrounding area and environment. The specific range and intensity of uses appropriate in a particular Industrial and Office area vary by location as a function of the availability of public services and access and, among other factors, compatibility with neighboring development. Through the zoning review process, use of particular sites or areas may be limited to something less than the maximum allowed in this category. Moreover, special limitations may be imposed where necessary to protect environmental resources.

If the land is the subject of an application for rezoning, zoning approval or a plan amendment and is locate din an MSA with less than a 15-year supply of industrial land, in order to receive approval for non-industrial use, the applicant must demonstrate that such use will not have a significant adverse impact on future industrial development.

In general, the typical residential development is incompatible with major industrial concentrations and shall not occur in areas designated as "Industrial and Office" on the LUP map to avoid use conflicts and for health and safety reasons. Exceptions may be granted for the following: (1) the development of live-work or work-live buildings or adaptive reuse of existing structures for these purposes in areas of light industrial uses such as office, wholesale, distribution and the assembling of pre-manufactured parts; (2) the development of a TND as provided herein; and (3) the residential development of a portion of an industrially designated area where the portion is, a) 10 acres or smaller and is bounded on two or more sides by existing residential development or zoning, or is b) the perimeter of a Plan-designated industrial area which perimeter does not exceed a

depth of 150 feet; and c) the subject portion of the industrially designated site immediately adjoins a currently developed or platted residential area and the Director of the Department of Planning and Zoning determines that the inclusion of a residential component in the Industrially designated area, designed to provide compatible transition along the boundary, is the best means of maintaining the quality of the adjoining residential area. Notwithstanding the foregoing, applications for residential zoning that were properly filed prior to August 25, 2000, can be considered where adjoining land is residentially zoned, designated or developed. Residential developments in this land use category may participate in the inclusionary zoning program. The properties utilized for residential development will be eligible within the limits provided in this paragraph for the density allowances of the inclusionary zoning program in the Residential Communities section.

TNDs may be permitted in Industrial and Office areas where: 1) compatible with nearby development and with the objectives and policies of this Plan, 2) necessary services exist or will be provided by the developer, and 3) adjacent to land designated Residential Communities on the LUP map (including across an abutting major or minor roadway) along 30 percent or more of the total perimeter of the TND, provided that land designated Residential Communities exists along at least some portion of two or more sides. (Multiple sides created by an out parcel shall count as one side only.) TNDs located within Industrial and Office areas shall allocate to Workshop Uses a minimum of 15 percent and a maximum of 30 percent of the gross built-up area planned for development within a TND, and shall have a residential density no greater than the average of the adjacent Residential Communities designations or ten units per acre, whichever is higher. Workshop Uses shall be oriented to adjacent non-residential areas, while the residential uses shall be oriented to the adjacent Residential Communities designations. All criteria for TNDs enumerated in the Residential Communities section of this Chapter, other than the provisions governing percent of built-up area which may be devoted to workshop uses addressed herein and the maximum permitted residential density, shall govern the development of TNDs in areas designated Industrial and Office.

**Transportation**

The LUP map includes a summarized portrayal of the major components of Dade County's existing and future transportation network. Included are roadways, rapid transit corridors, railways and major switching yards, and such major terminals as the County airports and the Dade Seaport. This information is included on the LUP map to provide orientation and locational references, and to relate future development patterns to the future transportation network. The Transportation and Capital Improvements Elements of the CDMP provide additional details about these facilities, including their intended sizes, functions, uses, and designs and, with the exception of local streets, schedules of improvements. As provided in the policies of the Transportation Element, transportation facilities such as terminals and transit stations shall contain the transportation uses and may contain other uses as provided in the applicable Transportation Subelement.

**Water**

This category includes all natural waters such as coastal waters and navigable rivers or waters. Water-dependent uses and water-related uses along coastal shorelines as discussed under Objective CM-5 as well as ancillary structures or uses may be permitted for flood control or recreational purposes. Man-made water bodies are permitted in any land use category subject to applicable environmental regulations.

**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 Land Use Policy 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 that 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:** | |
| BU-1A, BU-2, AU, GU, RU-1, RU-1M(a), RU-2, RU-3, RU-3M, RU-4, RU-4A, RU-4L, RU-4M, IU-1;single-family residences, multi-family residences, commercial strips, public school, parks, religious facilities | Community Urban Center; Low-Medium Residential (6 to 13 dua); Medium Density Residential (13 to 25 dua); Business and Office; Transportation; and Water |

**Surrounding Properties:**

| | | |
|---|---|---|
| **NORTH:** | NCUC, GU; commercial strips apartments, single-family residences , canal, vacant land | Naranja Community Urban Center Business and Office; Water; Transportation |
| **SOUTH:** | RU-1 and AU; commercial strips school, church, park | Business and Office; Transportation Low Density (2.5 to 6 dua) |
| **EAST:** | BU-1, RU-4L, RU-1, RU-5A, GU, TND; vacant land, lake, church, single-family residences, | Low Density (2.5 to 6 dua); Low-Medium Density (6 to 13 dua); Business and Office; Water |
| **WEST:** | GU, AU, BU-1A, BU-3, EU-S, EU-M; RU-2; single-family residences, busway | Estate Density (1-2.5 dua); Low Density (2.5 to 6 dua); Water |

The 492-acre subject property is located east of U.S. Highway #1, between S.W. 145 Avenue and S.W. 296 Street, Miami-Dade County. The subject property is located in the Leisure City area of Miami-Dade County. Single-family homes, apartments, strip shopping centers, a public school, religious facilities, parks and vacant properties characterize the area where the subject community center lies.

## E. SITE AND BUILDINGS:

**Site Plan Review:** Adopted LCCUC regulating plans

## 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.

## G. NEIGHBORHOOD SERVICES:

| | |
|---|---|
| DERM | **No objection*** |
| Public Works | **No objection*** |
| Parks | **No objection** |
| MDT | **No objection** |
| Fire Rescue | **No objection** |
| Police | **No objection** |
| Schools | **No comment** |
| Solid Waste | **No objection** |
| WASD | **No comment** |
| Aviation* | **No objection** |

*Subject to conditions indicated in their memoranda.

## H. ANALYSIS:

The Director of the Department of Planning and Zoning is requesting a district boundary change from BU-1A, Business Limited; BU-2, Special Business District; AU, Agricultural District; GU, Interim District; RU-1, Single-Family District; RU-1M(a), Modified Single-Family District; RU-2, Two-Family Residential District; RU-3, Four Unit Apartment District; RU-3M, Minimum Apartment District (12.9 units per acre); RU-4, Apartment District (50 units per acre); RU-4A, Apartment District (50 units per acre; Hotel and Motel 75 units per acre); RU-4L, Limited Apartment House District (23 units per acre); RU-4M, Modified Apartment House District (35.9 units per acre) and IU-1, Light Industrial District, to Leisure City Community Urban Center (LCCUC)District. On November 6, 2007, the Board of County Commissioners adopted Ordinance #07-169 establishing the LCCUC District. The subject property is 492 acres and is located east of U.S. Highway #1, between S.W. 145 Avenue (approximately SW 272 Street) and S.W. 296 Street and lies, at the closes point, 0.53 miles east of and inside the Urban Development Boundary (UDB).

This application would implement the general intent and purpose of the Leisure City/ Naranja Lakes Master Plan, the citizens' vision for the future growth and the re-development of the unincorporated area of Leisure City/Naranja Lakes in southern Miami-Dade County. This vision resulted from the Leisure City/Naranja Lakes Charrette, which was held from October 23, 2004 through October 29, 2004.

The Miami-Dade Police Department **(MDPD)** has **no objections** to this application. Their memorandum indicates that the subject property will be serviced by the Cutler Ridge

District (Police District 4), with a response time under eight minutes. The Department of Solid Waste (**SWD**) also does **not object** to this project. The SWD memorandum submitted for this hearing application indicates that 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. The Miami-Dade Park and Recreation Department (**MDPR**) has **no objection** to this application. Their memorandum indicates that the rezoning to Leisure City Community Urban Center District (LCCUC) will add 37,089 people to the area, which will generate a need for 77 acres of local parks, based on the Open Space Spatial Standards of 2.75 acres per 1,000 people. Their memorandum indicates that, as additional development is proposed within the LCCUC, the Department would expect to receive additional land dedication, impact fees or some combination of them, to help offset new recreational demands to meet the requirements of County Code, Chapter 33H, Park Impact Fee. Further, the LCCUC is located in Park Benefit District 3, which has a surplus of 153.05 acres of local parkland; therefore, there is an adequate level of service for this application. The Department of Environmental Resources Management **(DERM)** does not object to this is application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. According to DERM's memorandum, the LCCUC is located within the 100-day and 210-day travel time contours of the wellfield protection area. The County obtained a Class 4 variance, pursuant to Section 24-43 of the Code, from the Miami-Dade County Environmental Quality Control Board (EQCB) to allow individual owners to file required covenants prior to any subsequent development orders for any of the properties affected by the zoning action. **The Public Works Department does not object** to this application. According to the Public Works Department, trip generation is based on limited information. The development at the core area would generate **5,886** PM peak hour **trips;** the center area would generate **3267** PM peak hour **trips;** and the edge area would generate **2003** PM peak hour **trips.** The existing roadways to be impacted by this application are SW 248, 264, 280, 288, 296, and 312 Streets and SW 145, 147, 152, 157, 162 and 167 Avenues. This application meets the criteria for traffic concurrency for an initial development order. No vehicle trips have been reserved by this application and subsequent developments will be subject to the payment of road Impact Fees. The Miami-Dade Transit Department **(MDT)** has **no objections** to this application. Their memorandum indicates that there is direct transit service within the immediate vicinity of the subject site. According to their memorandum, the closest transit service is provided by Metrobus Routes 34 (Busway Flyer) and Route 38 (Busway Max) along the south Miami-Dade Busway and by the Metrobus Routes 35 and 70 along multiple avenues and streets within the application area. MDT indicates that this application is concurrent with mass transit concurrency and with the levels of service standards established for Miami-Dade County. The Miami-Dade Fire Rescue Department **(MDFR)** has **no objections** to this application and indicates that, at this time, the estimated number of fire and rescue alarms that will be generated by this application is unable to be determined. Their memorandum indicates however, that the average travel time to the vicinity of the proposed development is **5.30 minutes.** The Miami-Dade Aviation Department **(MDAD)** offers **no objections** to this application. MDAD has determined that this parcel is compatible with operations from Homestead General Aviation Airport.

The boundaries of the LCCUC generally extend from SW 147 Avenue to the east and from SW 145 Avenue to the north to SW 296 Street on the south, and extends west to South Dixie Highway. The Comprehensive Development Master Plan (CDMP) designates 368 acres of the subject site as Community Urban Center (CUC), which is located between SW 145 Avenue on the north and SW 288 Street on the south, and between the South Dade Transportation Corridor (busway) on the west and SW 147 Avenue on the east . CUC's have a radius of 700 to 1,800 feet, but may extend to a radius of one-half mile from such core or transit stops along major roads and pedestrian linkages. The remainder 124 acres of the subject site are located outside of the CUC but within the boundaries of the proposed LCCUC District. All the area within the boundaries of the approved Leisure City Community/Naranja Lakes Urban Center District Ordinance are regulated by plans and descriptive standards described in Ordinance #07-169. The Ordinance provides for the allocation of development intensities within Core, Center and Edge districts. It requires new development to be organized according to an interconnected network of tree-lined streets and sidewalks to improve pedestrian access to transit, jobs and shopping; allocates open space in the form of squares, greens and/or plazas; and includes criteria for reorienting buildings to face onto open spaces and streets as indicated in the Urban Center interpretative text of the adopted Miami-Dade County Comprehensive Development Master Plan (CDMP).

Approval of this application will permit the development of residential uses in the form of single-family homes, townhouses and apartments and will permit the development of retail uses alone or with vertically mixed residences, in accordance with the Leisure City Community Urban Center District standards. The land use designations within the LCCUC as shown on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) are: Low-Medium Density Residential (6 to 13 dua); Medium Density Residential (13 to 25 dua); Transportation and Business and Office with one density increase. Residential densities designated for parcels outside the CUC but within the LCCUC boundaries include Low-Medium Density Residential designated parcels total 70.7 acres, for a maximum density of 919 units. The Business and Office parcels on the site can be developed at a density up to one density than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. Accordingly, the Business and Office designated parcels within the boundaries of the LCCUC, located between SW 288 Street on the north and SW 296 Street on the south and between South Dade Transportation Corridor (busway) on the west and SW 157 Avenue on the east, can be developed utilizing up to one density category higher than the LUP Map designated density on the adjoining Low-Medium Residential (6 to 13 dua) parcels with one density increase (13 to 25 dua), which would permit development on these Business and Office parcels as Medium Density Residential, at a density higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. The area located south of SW 288 Street and outside the designated CUC which is designated Business and Office and abuts Low-Medium Density Residential can be developed at a maximum density of 25 dwelling units per acre. The CDMP establishes the maximum density within a Community Urban Center as 125 dwelling units per gross acre. Existing zoning on some of these parcels may result in higher density.

Community Urban Centers (CUCs) are compact, mixed-use, and pedestrian-friendly districts that will serve localized areas. Approval of the zone change to the requested LCCUC zoning district will accomplish the following: facilitate safe and orderly growth, ensure that all approved growth forms are an integral part of a community of functional neighborhood and town centers, increase collective security and community identity to promote civic awareness and responsibility, and enhance the quality of life for the unincorporated community of Leisure City/Naranja Lakes to ensure the greatest possible economic and social benefits for all residents. The Leisure City Community Urban Center (LCCUC) District will be a place where people can live, work, and shop, at a convenient walking distance, while having access to other parts of the County via the transit system.

The adopted LCCUC regulating plans establish the most intensive uses in the Core or Center and the least intensive uses, such as apartment buildings and rowhouses, in the Edge. The Core, primarily located along US Highway #1, is where mixed uses are allowed and have land use designations permitting businesses, professional offices, education and government offices, and residential uses, including the vertical and horizontal mixing of said uses. The Center, located primarily east of the Core and south of SW 288 Street, can be developed with businesses, professional offices, educational and government offices, multi-family and the vertical and horizontal mixing of said uses. The Edge, primarily located between SW 280 Street on the north and SW 296 Street on the south and lying west of SW 147 Avenue, is the portion of the LCCUC where residential development, including apartment buildings and rowhouses, are allowed to occur. Residential densities are higher in parcels inside the designated CUC portion of the district to allow for the development of highly compact urbanized areas. The tapering and placement of intensities ensure **compatibility** between land use designations and development proposed along the edges of the LCCUC with those outside of the LCCUC currently consisting of single-family homes to the east and west.

The LCCUC establishes six zoning land use sub-classifications: MM, Mixed-Use Main Street; MC, Mixed-Use Corridor; MO, Mixed-Use Optional; RM, Residential Modified; R, Residential; and ID, Industrial. In accordance with the adopted LCCUC Land Use Regulating Plan, the proposed LCCUC District's Core is 184.7 acres in size and could potentially be developed with a maximum of 4,163 units with a density of 22.5 dua. A total of 424 units could be developed within the 27.4-acre Center with a density of 15.5 dua, and a maximum of 1,810 units could potentially be developed within the 151.9-acre Edge with a density of 12 dua. A combined total of 6,397 units may be developed with the Leisure City Community Urban Center District which would allow development to occur at 13 dua. Accordingly, the proposed LCCUC will allow residential development densities consistent with the LUP map density thresholds of the CDMP. This zoning application proposes densities and intensities within these limits, and as such, is **consistent** with the CDMP.

The proposed rezoning to LCCUC is necessary to implement Ordinance #07-169, which provides that the Department of Planning and Zoning shall review plans for compliance with the site plan review criteria provided in the Standard Urban Center District Regulations, (SUCO) Section 33-284.88 of the Zoning Code as part of the Administrative Site Plan Review (ASPR) process. Additionally, as part of the ASPR review process, the following departments of Miami-Dade County and other public entities shall review plans for development for potential impacts on infrastructure and other services resulting from the applications: the Public Works Department (PWD), the Department of Environmental Resources Management (DERM), the Miami-Dade Fire Rescue Department (MDFR), the Miami-Dade County Public Schools (MDCPS), the Park and Recreation Department, and

any other applicable agency, to allow those departments and agencies to review and address the impacts of each development. In the event the ASPR application indicates impacts on services and infrastructure provided by the above mentioned departments, the developer shall meet with the affected department or entity to discuss potential mitigation of the impacts and shall submit evidence to the Department of Planning and Zoning of such discussion. Further, nothing contained in the LCCUC Ordinance (Ord.# 07-169) shall be deemed or construed to prohibit a continuation of a legal non-conforming structure, use, or occupancy in the LCCUC that either (1) was existing as of the date of the district boundary change on the property to LCCUC or (2) on or before said date, had received final site plan approval through a Public Hearing pursuant to Chapter 33 (the Zoning Code), or through the Administrative Site Plan Review process (ASPR) or had a valid building permit on or before said date. However, any structure, use or occupancy in the LCCUC that is discontinued for a period of six months, or is superseded by a lawful structure, use or occupancy permitted under Chapter 33 or that incurs damage to roof or structure to an extent of 50 percent or more of its market value, shall be subject to redevelopment under the LCCUC Ordinance. However, a lawfully existing single-family home use that is discontinued for a period of six months or more or that incurs damage to the roof or structure to an extent of 50 percent or more of its market value shall not be required to comply with the LCCUC Ordinance.

The requested district boundary change to Leisure City Community Urban Center (LCCUC) District is **consistent** with the Comprehensive Development Master Plan. The LCCUC zoning district will allow for the creation of development consistent with the community urban center standards as provided for in the CDMP. The district will create an urban environment that provides continuous street and sidewalk connections to transit facilities, and elements that facilitate pedestrian trips will be incorporated in the form of small blocks and closely intersecting streets. Buildings will be oriented to the street, parking lots will be predominately relegated to the rear or sides of buildings, primary building entrances will be placed close to the street, and shade trees and weather protection will be available for pedestrians. The LCCUC urban pattern regulations will create a pedestrian friendly neighborhood with a well-integrated mixture of uses regulated by specific design criteria that ensures compatibility between neighborhoods. Accordingly, staff recommends approval of the subject application.

## I. RECOMMENDATION:

Approval of the district boundary change to Leisure City Community Urban Center (LCCUC).

**J. CONDITIONS:** None.

**DATE INSPECTED:** 2/04/08
**DATE TYPED:** 3/28/08
**DATE REVISED:** 3/28/08, 4/7/08/, 4/08/08, 7/25/08, 7/28/08,8/05/08, 8/07/08, 8/11/08, 8/13/08, 8/17/08
**DATE FINALIZED:** 9/17/08
MCL:MTF:LVT:NN:CI

Marc C. La Ferrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

# Memorandum

MIAMI-DADE COUNTY

**Date:** July 22, 2008

**To:** Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

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

**Subject:** DIC No. Z2007000415-Revised
Director of the Department of Planning and Zoning
East of US-1 between S.W. 272nd Street & S.W. 296th Street
Multiple Zones to Leisure City CUC
(RU-1) (937 Acres)
05-57-39

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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.

Wellfield Protection

Several of the properties covered by this application are located within the basic wellfield protection area for the Leisure City Wellfield; more specifically, within the 100-day and 210-day travel time contours of the said wellfield protection area. Therefore, development on the properties within the wellfield shall be in accordance with the regulations established in Section 24-43 of the Code.

The subject request is for a zoning classification that would permit non-residential land uses. Section 24-43(5) of the Code provides, that for properties located within the basic wellfield protection area of any public utility potable water supply well, no County or municipal officer, agent, employee, or Board shall approve grant or issue any zoning action for non-residential land uses, unless the property owner has submitted to DERM a properly executed covenant running with the land in favor of Miami-Dade County, which provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on that portion of the property located within the basic wellfield protection area of any public utility potable water supply well.

Accordingly, the Director of the Department of Planning and Zoning has obtained a class variance from the above noted Code requirements from the Miami-Dade County Environmental Quality Control Board (EQCB). The granting of this variance allows the subject zoning application to proceed; however, the required covenant shall be required prior to the DERM approval of any subsequent development orders for any of the properties affected by the zoning action.

Potable Water Service

The subject site is located within the franchised water service area of the Miami-Dade County Water and Sewer Department (MDWASD). Public water exists throughout the entire area. Connection of any proposed development to the public water supply system shall be required, as required by the Code. The source of water for this water main is MDWASD's Leisure City's 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 more efficiently use the Southeast Florida water resources.

Wastewater Disposal

The subject site is located within the franchised sewer service area of the MDWASD. Public sanitary sewers exist throughout this area. Connection of any proposed development to the public sanitary sewer system shall be required, in accordance with the Code. Pump stations (P.S.) within the area, with the exception of P.S. 30-1004, are working within the mandated criteria set forth in the First Partial Consent Decree. P.S. 30-1004 is currently under conditional moratorium (CM). A P.S. is placed under CM status if the P.S. is operating above the permitted maximum time of operation and a plan of corrective action has been submitted to DERM. Downstream flow is directed to the North District Treatment Plant, which has adequate capacity to meet present and projected demands. 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 in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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

Pollution Remediation

The subject site has records of the following current contamination assessment or remediation issues:

1. HESS Station #09237,
   28995 S. Dixie Hwy., UT-157/F-6963.
   This site has records related to petroleum contamination, including off-site contamination. Currently, there is an approved Remedial Action Plan for this site, pending implementation.

2. Newton Road AMOCO #60071
   28590 S. Dixie Hwy., UT-2410/F-8529
   Currently, the site is in a state-funded program related to petroleum contamination awaiting allocation of funds for clean-up.

3. EXXON (formerly S. Dixie FINA and Phico & Son, Inc.)
   28199 S. Dixie Hwy., UT-2603/F-8676.

This site has records related to petroleum contamination, including off-site contamination. The site is currently in a state-funded program related to petroleum contamination awaiting allocation of funds for clean-up.

4. Ogden Trucking Co. (SUNCO, Inc.)
   27340 S. Federal Hwy., UT-1782/F-8116
   Currently, the site is in a state-funded program related to petroleum contamination and has an approved Remedial Action Plan, pending implementation.

5. FINA Truck Service (Former Cartunes Plus)
   27300 S. Federal Hwy., UT-3410/F-1901
   Currently, the site is in a state-funded program related to petroleum contamination and subject to a Monitoring Only Plan.

In addition, there are records of contamination assessment or remediation issues associated with solid waste, on the property that abuts Folio #30-6933-014-0001 to the south (Proposed Elementary School, S.W. 280th Street and S.W. 149th Avenue, Folio #30-6933-008-0120, SW-1503/F-21926). An approved monitoring only plan is currently in effect.

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 due to the nature of some land uses permitted under 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.

Air Quality Preservation
In the event of any kind of renovation or demolition activity, an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A Notice of Asbestos Renovation or Demolition form must be filed with the Air Quality Management Division of DERM for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

Wetlands
The subject properties do 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 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.

Enforcement History
DERM has found no open or closed enforcement records 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 discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

# Memorandum

MIAMI-DADE COUNTY

**Date:** April 1, 2008

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

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

**Subject:** DIC07-415
Name: Leisure City
Location: e/o US 1 from SW 248th Street to 312th Street
Sec. 4 & 5 Twp. 57 Rge. 39 and
Sec. 33 Twp. 56 Rge. 39

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I. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY

Trip Generation is based on the limited information provided to the Public Works Department. Warehouse space was considered in he PM Peak hour trip computation.

- Core Area (129.7 Acres) 4849 units, 1447.3 KSF warehouse = 5886 P.M. peak hour trips.
- Center Area (121.6 Acres) 3042 units, 534.7 KSF warehouse = 3267 P.M. peak hour trips.
- Edge Area (97.9 Acres) 1493 units, 342.4 FSF warehouse = 2003 P.M. peak hour trips.

II. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION

SW 248, 264, 280,288,296.and 312 Streets.
SW 145, 147, 152,157, 162 and 167 Avenues.
US 1.

III. IMPROVEMENTS REQUIRED FOR THIS DEVELOPMENT

Streets, Avenues in existing or new dedicated right of Way shall conform to the Miami-Dade County Public Works Department and the Florida Department of Transportation Standards in regards with Right of Way width; set backs, sight distance triangles, minimum radii for major street and avenues, etc.

Dedicated right or left turn lanes may be required at certain intersections. New or modified traffic signalization would also be required.

IV. SITE PLAN CRITIQUE

All or some parcels of land may require to be platted or replatted.
A Public Works permit is required for construction in the public right of way.
A State Road permit is required for construction in the State Road right of way. of way.

Site Plans submitted for approval shall have the following information in the plans or in a letter attached to the plans.

"When the Site Plan approval, T-Plat or building permit is submitted, a letter or a plan signed and sealed by a State of Florida registered engineer shall be provided denoting compliance with requirements of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Green book)".

This application **meets** the criteria for traffic concurrency for an Initial Development Order. No vehicle trips have been reserved by this application. It will be subject to the payment of road Impact Fees.

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

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

# Memorandum

MIAMI-DADE COUNTY

**Date:** January 31, 2008

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

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

**Subject:** DIC Application #07-415
Director of the Department of Planning & Zoning

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As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #07-415. Your request is for a district boundary change from multiple zoning classifications to LCUC, Leisure City Community Urban Center District for 536.6 acres located east of Old Dixie Highway (South Dade Busway) and north of SW 296 Street, west of SW 147 Avenue and south of the C103N Canal in 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 proposed district boundary change for this property is considered compatible with operations from Homestead General Aviation Airport.

Airspace Review:

This height determination is an estimate issued on a preliminary or advisory basis which does not constitute approval by Miami-Dade Aviation Department for construction until coordination and a "No-Hazard" determination from the Federal Aviation Administration (FAA) is obtained. Please be advised that any proposed construction at this location reaching or exceeding 200 feet AMSL (Above Mean Sea Level) is required to be reviewed by MDAD and filed with the FAA using Form 7460-1 'Notice of Proposed Construction Alteration for Determination of Known Hazards'. In addition, any construction cranes at this location reaching or exceeding 200 feet AMSL must be filed by the construction contractor using the same form. Thus, for any structure or crane reaching or exceeding 200 feet AMSL, FAA form 7460-1 must be filed. The form is available through this office or through the FAA website: https://oeaaa.faa.gov. 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 applicant may "e-file" online at https://oeaaa.faa.gov.

SH/rb

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

# Memorandum

MIAMI-DADE COUNTY

**Date:** March 7, 2008

**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: Director of the Department of Planning and Zoning

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**APPLICATION**

07-415 – Director of the Department of Planning and Zoning is requesting a district boundary change from multiple zoning classifications to LCUC, Leisure City Community Urban Center District. The Board of County Commissioners has requested the Director to file said rezoning application for all properties within the Leisure City Community Urban Center. The subject property is 536.6 acres and is located east of Old Dixie Highway (South Dade Busway) and north of 296 Street, west of SW 147 Avenue and south of the C103N Canal in Miami-Dade County Florida.

**CURRENT POLICE SERVICES**

The proposed development will be located in unincorporated Miami-Dade County and serviced by our Cutler Ridge District (Police District 4), located at 10800 SW 211 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 zoning change. Sergeant Walter Hopwood, the designated MDPD representative to the DIC, visited the area and reviewed the site for the proposed zoning change. At present, the police department does not object to the proposed zoning change, but encourages developers work with police during any future design and construction stages to determine the best possible solutions

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

JDP/wh

# Memorandum

MIAMI-DADE COUNTY

**Date:** February 19, 2008

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

**From:** Christopher Rose 2/22/08
Deputy Director, Administration
Department of Solid Waste Management

**Subject:** DIC # 07-415
Director of the Department of Planning and Zoning
Leisure City Community Urban Center District

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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 #07-415

***Director of the Department of Planning and Zoning***

***Application: Director of the Department of Planning and Zoning*** *is* requesting a district boundary change from multiple zoning classifications to LCUC, Leisure City Community Urban Center District. The Board of County Commissioners has requested the Director to file said rezoning application for all properties within the Leisure City Community Urban Center.

***Size:*** The subject property is 536.6 acres.

***Location:*** The subject property is located east of Old Dixie Highway (South Dade Busway) and north of SW 296 Street, west of SW 147 Avenue and south of the C103N Canal in 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.

2A. Garbage and Trash Collection Services (**Commercial Development**)

The project proposes zoning for 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."

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

2B. Garbage and Trash Collection Services (**Multi-Family Development**)
This project proposes zoning for residential uses which incorporates the possibility of multi-family residential units. Chapter 15 of the Miami-Dade Code entitled Solid Waste Management requires the following of commercial and multi-family developments located in unincorporated Miami-Dade County:

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

3B. Recycling
Section 15-2.3 - As it relates to the multi-family uses, **Section 15-2.2** requires that "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below.

Recyclable Materials: Multi-family
(1) Newspaper
(2) Glass (flint, emerald, amber)
(3) Aluminum cans
(4) Steel cans
(5) Plastics (PETE, NDPE-natural, HDPE colored)"

2C. Garbage and Trash Collection Services (**Residential Development**)
This project falls within the DSWM **solid waste collection service area.** The revised zoning proposed for inclusion in this location appears to permit housing that meets the County Code definition of **residential unit.** Per the code, any residential units located within the project shall, therefore, receive DSWM garbage and trash collection service. Twice weekly individual curbside garbage and trash collection, scheduled bulky waste collections service, and unlimited use of the Trash and Recycling Centers are the services currently provided to residential units in the DSWM solid waste collection service area.

3C. Recycling
Currently, DSWM provides curbside recycling services to **residential units** located in unincorporated Dade County. Residential units shall, therefore, utilize DSWM weekly curbside recycling services, provided for the County by Waste Services, Inc. The recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Participation in the residential program is mandatory in accordance with Chapter 15, Section 15-2.6 of the County Code. Further information may be obtained by calling the Department's Service Development Division at 594-1500 or 514-6714.

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 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

MIAMI-DADE COUNTY

**Date:** September 17, 2008

**To:** Marc C. LaFerrier, A.I.C.P., Director, Department of Planning and Zoning

**From:** 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 one (1) year 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, 2009), 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
Asok Ganguli, Assistant Director, Technical Services
Michael Moore, Assistant Director, Disposal Operations

Department of Solid Waste Management (DSWM)

Solid Waste Facility Capacity Analysis

Fiscal Year 2008-09

| | | RESOURCES RECOVERY FACILITY | | | | | | | | | | | | | | LANDFILLS | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | RESOURCES RECOVERY FACILITY - ONSITE | | | | | | | RESOURCES RECOVERY FACILITY - RTI | | | | | | | SOUTH DADE | | NORTH DADE | WMI |
| Fiscal Year | Waste Projections (tons) | On-site Contractual Tonnage (C) | Unders (D) | Shredded Tires (E) | "Dry" Ash to Ashfill (D) | Fines Landfilled at S.D. Landfill (F) | Fines for Cover at S.D. Landfill (F) | Net Tonnage (G) | RTI Contractual Tonnage (H) | RTI Rejects (I) | RTI Reject Overs (I) (J) | 10% RTI Less Okeelanta Ash (K) | Okeelanta "Dry" Ash to R.R. Ashfill (K, L) | RTI Fines for Cover at N.D. Landfill (F) | Biomass Fuel (M) | Garbage and Trash (N) | | Trash (O) | Garbage &Trash (P) | Total |
| | | | | | [1] | | [2] | [3] | | | | | [4] | [5] | [6] | [7] | | [8] | [9] | [1]-[9] |
| 2008 * (A) | 1,789,000 | 967,000 | 172,000 | 8,000 | 162,000 | 0 | 0 | 625,000 | 184,000 | 27,000 | 21,000 | 4,000 | 14,000 | 20,000 | 98,000 | 479,000 | | 205,000 | 188,000 | 1,789,000 |
| 2009 ** (B) | 1,859,000 | 936,000 | 134,000 | 11,000 | 128,000 | 32,000 | 15,000 | 616,000 | 270,000 | 24,000 | 24,000 | 0 | 27,000 | 20,000 | 175,000 | 361,000 | | 267,000 | 250,000 | 1,859,000 |
| 2010 | 1,859,000 | 936,000 | 134,000 | 11,000 | 128,000 | 32,000 | 15,000 | 616,000 | 270,000 | 24,000 | 24,000 | 0 | 27,000 | 20,000 | 175,000 | 361,000 | | 267,000 | 250,000 | 1,859,000 |
| 2011 | 1,859,000 | 936,000 | 134,000 | 11,000 | 128,000 | 32,000 | 15,000 | 616,000 | 270,000 | 24,000 | 24,000 | 0 | 27,000 | 20,000 | 175,000 | 361,000 | | 267,000 | 250,000 | 1,859,000 |
| 2012 | 1,859,000 | 936,000 | 134,000 | 11,000 | 128,000 | 32,000 | 15,000 | 616,000 | 270,000 | 24,000 | 24,000 | 0 | 27,000 | 20,000 | 175,000 | 361,000 | | 267,000 | 250,000 | 1,859,000 |
| 2013 | 1,859,000 | 936,000 | 134,000 | 11,000 | 128,000 | 32,000 | 15,000 | 616,000 | 270,000 | 24,000 | 24,000 | 0 | 27,000 | 20,000 | 175,000 | 361,000 | | 267,000 | 250,000 | 1,859,000 |
| 2014 | 1,859,000 | 936,000 | 134,000 | 11,000 | 128,000 | 32,000 | 15,000 | 616,000 | 270,000 | 24,000 | 24,000 | 0 | 27,000 | 20,000 | 175,000 | 361,000 | | 267,000 | 250,000 | 1,859,000 |
| 2015 | 1,859,000 | 936,000 | 134,000 | 11,000 | 128,000 | 32,000 | 15,000 | 616,000 | 270,000 | 24,000 | 24,000 | 0 | 27,000 | 20,000 | 175,000 | 361,000 | | 267,000 | 250,000 | 1,859,000 |
| 2016 | 1,859,000 | 936,000 | 134,000 | 11,000 | 128,000 | 32,000 | 15,000 | 616,000 | 270,000 | 24,000 | 24,000 | 0 | 27,000 | 20,000 | 175,000 | 361,000 | | 267,000 | 250,000 | 1,859,000 |
| 2017 | 1,859,000 | 936,000 | 134,000 | 11,000 | 128,000 | 32,000 | 15,000 | 616,000 | 270,000 | 24,000 | 24,000 | 0 | 27,000 | 20,000 | 175,000 | 361,000 | | 267,000 | 250,000 | 1,859,000 |

| RESOURCES RECOVERY | | GARBAGE | RTI REJECT OVERS | TRASH | TIRES | TOTAL |
|---|---|---|---|---|---|---|
| * TOTAL @ 1.789M | | 848,000 | 21,000 | 90,000 | 8,000 | 967,000 (82% Garbage; 2% RTI Reject Overs; 16% Trash, includes Tires) |
| | | | | 184,000 | | 184,000 (RTI) |
| ** TOTAL @ 1.859M | FY2009 | 771,000 | 24,000 | 130,000 | 11,000 | 936,000 (82% Garbage; 3% RTI Reject Overs; 15% Trash, includes Tires) |
| | | | | 270,000 | | 270,000 (RTI) |

TOTAL WASTE STREAM PERCENTAGES @1.859 MILLIONS TONS

| | | |
|---|---|---|
| GARBAGE | 1,179,000 | 63.4% |
| TRASH | 667,000 | 35.9% |
| SPECIAL (includes Tires) | 13,000 | 0.7% |
| TOTAL | 1,859,000 | 100.0% |

REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR

| Year | Ashfill Capacity * | South Dade Capacity ** | | North Dade Capacity *** | WMI **** Disposed | WMI **** Unused Capacity |
|---|---|---|---|---|---|---|
| Base Capacity (June 30, 2008) | 548,335 | 2,393,225 | | 1,995,450 | | |
| 2008 (July - September) | 501,239 | 2,297,705 | | 1,941,954 | 186,000 | 314,000 |
| 2009 | 346,239 | 1,938,705 | 1.00 | 1,674,954 | 250,000 | 250,000 |
| 2010 | 191,239 | 1,575,705 | 1.00 | 1,407,954 | 250,000 | 250,000 |
| 2011 | 36,239 | 1,214,705 | 1.00 | 1,140,954 | 250,000 | 250,000 |
| 2012 | 0 | 734,944 | 1.00 | 673,954 | 250,000 | 250,000 |
| 2013 | 0 | 218,944 | 1.00 | 606,954 | 250,000 | 250,000 |
| 2014 | 0 | 0 | | 339,954 | 250,000 | 250,000 |
| 2015 | 0 | 0 | | 72,954 | 500,000 | 0 |
| 2016 | 0 | 0 | | 0 | | |
| 2017 | 0 | 0 | | 0 | | |
| 2018 | 0 | 0 | | 0 | | |
| 2019 | 0 | 0 | | 0 | | |
| 2020 | 0 | 0 | | 0 | | |
| Total Remaining Years | 3 | 5 | | 7 | | |

* 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.

**Assumptions:**

A: The FY2007 tons reported in the various catagories are base on actual tonnage reported from October 1, 2006 through June 30, 2007 and projected tonnage for July, August and September, 2007.

B: The FY2008 total tons are the base tonnage budgeted for FY2008.

C: The contract put-or-pay onsite tonnage DSWM must deliver to Resources Recovery Plant.

D: Under and Ash are residue and conbined cannot exceed 28.5% of Onsite Contractual Tonnage burned. Ash is 14% of Onsite burned. Unders are landfilled at South Dade Landfill.

E: Shredded Tires are processed waste tires. Shredded Tires are landfilled at North Dade.

F: Fines represent 24.9% of the RTI Contractual Tonnage or approximately 67,000 tons. 20,000 tons are recyclable RTI fine and used as cover at North Dade Landfill. 47,000 tons are onsite fines from onsite trash processing; 15,000 tons are used as cover at South Dade Landfill; 32,000 tons are landfilled at South Dade Landfill and do not affect the onsite residue guarantee.

G: Onsite net tonnage are metal recycling and RDF incineration.

H. The RTI contractual tonnage.

I: RTI rejects and RTI reject overs, combined, equal to 17.6% of the RTI Contractual tonnage or approximately 48,000 tons. RTI rejects are landfilled at North Dade Landfill.

J: RTI reject overs become onsite waste by first going over the scale and then tipped into the garbage pit at the Resources Recovery Plant.

K: The combined 10% RTI less Okeelanta Ash and the Okeelanta Ash is 10% of the RTI Contractual Tonnage or 27,000 tons. The material used for the 10% RTI less Okeelanta Ash is Unders.

L: Okeelanta Ash is landfilled at Resources Recovery Ashfill.

M: Biomass fuel is 65% of the RTI Contractual tonnage.

N: For FY2008, South Dade accepts garbage, trash, ash, onsite fines and unders.

O: For FY2008, North Dade Landfill accepts only trash, shredded tires and RTI rejects.

P. For FY2008, Medley Landfill accepts all materials except waste tires and other special materials.

# Memorandum

MIAMI-DADE COUNTY

**Date:** March 4, 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 07-415
Director of the Department of Planning and Zoning
Leisure City Community Urban Center District

Randy Koper

The applicant is requesting a district boundary change from multiple zoning classifications to LCUCD, Leisure City Community Urban Center District. The Board of County Commissioners has requested the Director to file said rezoning application for all properties within the Leisure City Community Urban Center. The subject property is 536.6 acres and is located east of the South Dade Busway, south of the C-103N Canal, west of SW 147 Avenue and north of SW 296 Street, Miami-Dade County, Florida.

Existing zoning allows for 188 Single-Family Detached units, 32 Single-Family Attached (Townhouse) units, and 3,946 Multi-Family Attached units, generating a population of 9,092. The local park space need, based on the Open Space Spatial need of 2.75 acres per 1,000 population, would be 25 acres.

Below is a table showing the 3 different areas of the District, and the maximum number of dwelling units for each area.

| Area | Size-Acres | Max. Dwellings |
|---|---|---|
| Center | 121.6 | 5,324 |
| Core | 129.7 | 9,509 |
| Edge | 97.9 | 2,347 |
| Total | 420.4 | 17,413 |

The population generated by the 17,413 units would be 37,089, using the multiplier of 2.13 persons per dwelling unit. The local park space need, based on the Open Space Spatial need of 2.75 acres per 1,000 population, would be 102 acres. Thus, with the new District, there is a very substantial increase of parkland needed, from 25 acres to 102 acres – a 77 acre increase.

Two County parks exist within the boundaries the district: Royal Colonial Park, with 25 acres, and Modello Park, with 10 acres. The former is currently undeveloped, while Modello Park is developed and currently serves the existing population in the area. The proposed District Boundary Change includes little increase in open space. Although there are several small areas set aside as designated open space (squares, plazas and greens) that are generally less than acre, it is unclear what kind of recreational opportunity would be provided by these. The net increase falls far short of the 77 acres required.

The inclusion of greenway corridors that offer connections within the area can contribute to recreational opportunities; however it is very important that as the area develops the leisure and recreational needs of residents are taken into account – whether through dedicated parks, wide sidewalks, or civic and community centers.

The Board of County Commissioners has recently approved the Park and Recreation Department's Park and Open Space System Master Plan and endorsed the plan's principles, goals and vision. The Board also directed the Mayor or his designee to develop and present an implementation plan. Part of that implementation will be to work with other County Departments to develop guidelines to ensure that development, both public and private, takes access to recreation into account.

As development is proposed within this District, the Department would expect to receive additional land dedications, impact fees or some combination of them, to help to offset new recreational demands to meet the requirements of County Code, Chapter 33H Park Impact Fee. In addition, the Department would expect to be included in the development review process.

**Concurrency/Capacity Status**

This application is located in Park Benefit District 3, which has a surplus of 153.05 acres of local parkland. Therefore, there is an adequate level of service for this application in terms of acres per 1,000 unincorporated area residents within the entire Park Benefit District.

# Memorandum

MIAMI-DADE COUNTY

**Date:** February 14, 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. 07-415 (DP&Z - Leisure City CUC)

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**Project Description**

The applicant is requesting a district boundary change from multiple zoning classifications to LCUC, Leisure City Community Urban Center District. The Board of County Commissioners has requested the Department of Planning & Zoning Director to file said rezoning application for all properties within the Leisure City Community Urban Center. The subject property is 536.6 acres and is located east of Old Dixie Highway (South Miami-Dade Busway) and north of SW 296th Street, west of SW 147th Avenue and south of the C103N Canal in 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 34 (Busway Flyer) and 38 (Busway MAX) along the south Miami-Dade Busway and by the Metrobus Routes 35 and 70 along multiple avenues and streets within the application area. The service headways (in minutes) are as follows:

| Route | Peak | Off-Peak | Evening | Overnight | Sat | Sun |
|---|---|---|---|---|---|---|
| 34 | 12 | n/a | n/a | n/a | n/a | n/a |
| 35 | 30 | 30 | 60 | n/a | 30 | 30 |
| 38 | 15 | 15 | 15 | 60 | 20 | 24 |
| 70 | 30 | 30 | 60 | n/a | 60 | 60 |

**Future Transportation/Transit Improvements**

The 2008 Transportation Improvement Plan (TIP) shows under the Road Impact Fee a roadway widening improvement of 2 lanes to 4 lanes for SW 152nd Avenue from SW 312th Street to US-1. The 2030 Long Range Transportation Plan (LRTP) does not propose any improvements in the immediate vicinity of this project.

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

| | |
|---|---|
| Route 34: | Extend route southward to Key Largo to provide peak hour express service from the upper Keys to the Dadeland South Metrorail station |
| Route 35: | Improve peak headway from 30 to 15 minutes. |
| Route 38: | No planned improvements. |
| Route 70: | Improve peak headway from 30 to 15 minutes.<br>Improve weekend headway from 60 to 30 minutes. |

**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.

## ARTICLE XXXIII (Q)

## LEISURE CITY COMMUNITY URBAN CENTER DISTRICT (LCUC)

~~**Sec. 33-284.99.32 Purpose, intent and applicability.**~~

A. The regulations contained in this chapter and Chapter 18A, Landscape Code, Code of Miami-Dade County, Florida, shall apply to this article, except as otherwise added to or modified herein.

B. The Illustrative Master Plan (Figure 1) illustrates the citizens' vision and may be used to interpret this article. Where the Illustrative Master Plan conflicts with the text of this article, the text shall govern.

C. Figure 1 also shows the boundaries of the Leisure City Community Urban Center (CUC) District as well as the boundaries of the Designated Urban Center. As provided in the Standard Urban Center District Regulations, the Workforce Housing requirement shall apply to the area included within the Designated Urban Center boundaries. These boundaries shall be described as follows:

1. Leisure City Community Urban Center (CUC) District:

A Portion of section 4 and 5, Township 57 South Range 39 East and a portion of Section 33, Township 56 South, Range 39 East, Miami-Dade County, Florida, Being more particularly describe as follows:

BEGIN at the intersection with the Center line of SW 296 Street (the South line of the Southeast ¼ of said Section 5, Township 57 south, Range 39 East) and the Easterly Right-of-Way line of the South Dade Transportation Corridor (Busway) as shown on the Florida Department of Transportation Right-of-Way Map as recorded in Plat Book 124 Page 76 of the Public Records of said Miami-Dade-County; thence Northeasterly along said Easterly Right-of-Way line of the South Dade Transportation Corridor (Busway) to the intersection with the Northwest corner of Lot 4, Block 1, of NARANJA ASSOC. as recorded in Plat Book 111 Page 57 of the Public Records of said Miami-Dade County; thence Southeasterly along the North Line of said Lot 4 to the Northeast corner of said lot 4 lying on the Northwesterly Right Of Way Line of State Road 5 (US-

1); thence Southeasterly across State Road 5 (US-1) to the intersection with the Southeasterly Right Of Way Line of said State Road 5 (US 1), said point of intersection being the Northwest corner of Tract 1, NARANJA LAKES SECTION ONE, as recorded in Plat Book 91 Page 7 of the Public Records of said Miami-Dade County; thence Southeasterly, Northeasterly and Southeasterly along the Northerly Lines of Tracts 1 and 2, of said NARANJA LAKES SECTION ONE ,also being the Southerly Right Of Way Line Of Canal C-103N, to the intersection with the East line of said Section 33, Township 56 South, Range 39 East (also being the center line of theoretical SW 147 Avenue); thence Southerly along the East line of said Section 33 Township 56 South Range 39 East (also being the center line of theoretical SW 147 Avenue) to the Southeast corner of Tract 3, of said NARANJA LAKES SECTION ONE; thence Westerly along the South line of said Tract 3 to the intersection with the East line of Tract "E", of NARANJA LAKES SHOPPING PLAZA 1st ADDITION as recorded in Plat Book 128, Page 4 of the Public Records of said Miami-Dade County; thence Southwesterly along the East line of said Tract "E" and along the East line of Tract "D", of NARANJA LAKES SHOPPING PLAZA as recorded in Plat Book 120, Page 59 of the Public Records of said Miami-Dade County, to the Southeast corner of said Tract "D" and the North Right-of-Way line of Naranja Lake Boulevard as shown on said NARANJA LAKES SHOPPING PLAZA; thence Southwesterly across Naranja Lakes Boulevard to the Northeast corner of Tract 11 of NARANJA LAKES SECTION ONE as recorded in Plat book 91, Page 7 of the Public Records of said Miami-Dade County; thence Southerly along the East line of said Tract 11 to the Southeast corner of Tract 11; thence Northwesterly along the South line of said Tract 11 to the Southwest corner of said Tract 11; thence Northeasterly along the west line of Tract 11 to the Southeast corner of Tract 7 of said NARANJA LAKES SECTION ONE; thence Northwesterly along the South line of said Tract 7 to the Northeast corner of Tract "C" of NARANJA LAKES TRACTS as recorded in Plat Book 104 ,Page 15 of the Public Records of said Miami-Dade County; thence Southwesterly along the East line of Tracts "C" and "B" of said NARANJA LAKES TRACTS to the southeast corner of said TRACT "B"; thence continue Southwesterly Southeasterly and Southerly along the Easterly lines of Tract "A" of said NARANJA LAKES TRACTS to the Southeast corner of said Tract "A"; thence Westerly along the South line and the Westerly extension of the South line of Tract "A" to the intersection with the West line of the Southeast ¼ of Section 33 Township 56 South Range 39 East (also being the center line of SW 152 Avenue); thence Southerly along West line of said Southeast ¼ of said Section 33 (also being the center line of SW 152 Avenue) to the Southwest corner of the Southeast ¼ of said Section 33 (also being the centerline of SW 280 Street); thence Easterly along the

South line to of the Southeast ¼ of said Section 33 (also being the center line of SW 280 Street) to the Southeast corner of the Southeast ¼ of said Section 33 (also being the center line of SW 147 Avenue); thence Southerly along the East line of said Section 4 Township 57 South Range 39 East (also being the center line of SW 147 Avenue) to the intersection with the North line of the Southeast ¼ of the Northeast ¼ of said Section 4 (also being the center line of SW 284 Street); thence Westerly along the North line of Southeast ¼ of the Northeast ¼ of said Section 4 (also being the center line of SW 284 Street) to the intersection with West line of the Southeast ¼ of the Northeast ¼ of said Section 4 (also being the theoretical center line of SW 149 Avenue); thence Southerly along the West line of the Southeast ¼ of the Northeast ¼ of said Section 4 (also being the theoretical center line of SW 149 Avenue) to the intersection with the South line of the North ½ of said Section 4 (also being the center line of SW 288 Street); thence Westerly along the South line of the North ½ of said Section 4 and along the South line of the N1/2 said Section 5, Township 57 South, Range 39 East (also being the center line of SW 288 Street) to the East line of said Section 5 (also being the center line of SW 157 Avenue); thence southerly along the East line of said Section 5 (also being the center line of SW 157 Avenue) to the intersection with the South line of said Section 5 (also being the center line of SW 296 Street); thence Westerly along the South line of section 5, Township 57 South, Range 39 East (also being the center line of 296 Street) to the POINT OF BEGINNING.

2. Designated Urban Center:

A Portion of Sections 4 and 5, Township 57 South Range 39 East and a portion of Section 33, Township 56 South, Range 39 East, Miami-Dade County, Florida, being more particularly describe as follows:

BEGIN at the intersection of the Center line of SW 288 Street ( the South line of the Northeast 1/4 of said Section 5, Township 57 South, Range 39 East) and the Easterly Right-of-Way line of the South Dade Transportation Corridor (Busway) as shown on the Florida Department of Transportation Right-of-Way Map as recorded in Plat Book 124 Page 76 of the Public Records of said Miami-Dade-County; thence Northeasterly along said Easterly Right-of-Way line of the South Dade Transportation Corridor (Busway) to the Northwest corner of Lot 4, Block 1, of NARANJA ASSOC. as recorded in Plat Book 111, Page 57 of the Public Records of said Miami-Dade County; thence Southeasterly along the North line of said Lot 4 to the Northeast corner of said Lot 4 lying on the Northwesterly Right Of Way Line of State Road 5 (US-1); thence

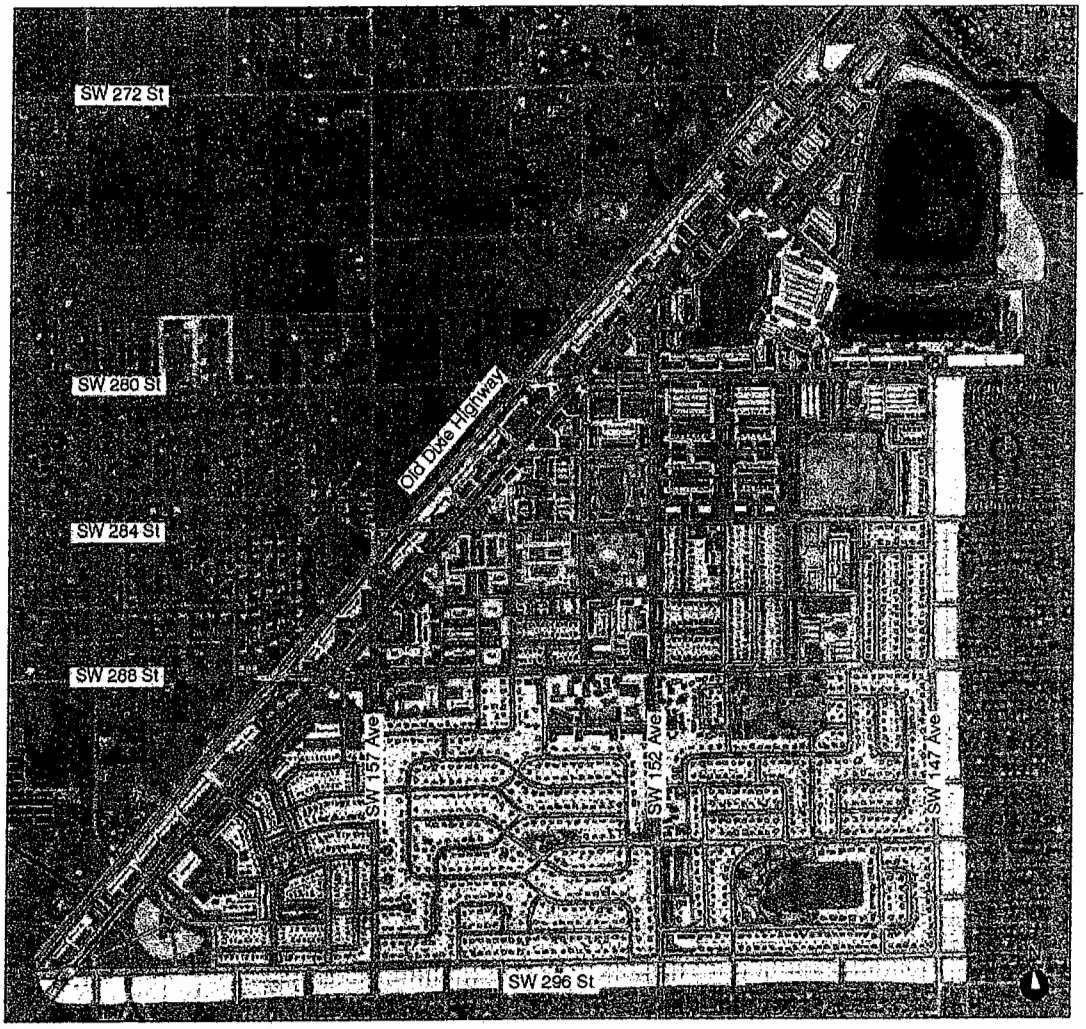
Southeasterly across State Road 5 (US-1) to the intersection with the Southeasterly Right Of Way Line of said State Road 5 (US 1), said point of intersection being the Northwest corner of Tract 1, NARANJA LAKES SECTION ONE, as recorded in Plat Book 91, Page 7 of the Public Records of said Miami-Dade County; thence Southeasterly, Northeasterly and Southeasterly along the Northerly lines of Tracts 1 and 2 of said NARANJA LAKES SECTION ONE, also being the Southerly Right Of Way Line of Canal C-103N, to the intersection with the East line of said Section 33, Township 56 South, Range 39 East, (also being the center line of theoretical SW 147 Avenue); thence Southerly along the East line of said Section 33 (also being the center line of theoretical SW 147 Avenue) to the Southeast corner of Tract 3, of said NARANJA LAKES SECTION ONE; thence Westerly along the South line of said Tract 3 to the intersection with the East line of Tract "E" of NARANJA LAKES SHOPPING PLAZA 1st ADDITION as recorded in Plat Book 128, Page 4 of the Public Records of said Miami-Dade County; thence Southwesterly along the East line of said Tract "E" and along the East line of Tract "D", of NARANJA LAKES SHOPPING PLAZA as recorded in Plat Book 120, Page 59 of the Public Records of said Miami-Dade County, to the Southeast corner of said Tract "D" and the North Right-of-Way line of Naranja Lakes Boulevard as shown on said NARANJA LAKES SHOPPING PLAZA; thence Southwesterly across Naranja Lakes Boulevard to the Northeast corner of Tract 11 of NARANJA LAKES SECTION ONE as recorded in Plat book 91, Page 7 of the Public Records of said Miami-Dade County; thence Southerly along the East line of said Tract 11 to the Southeast corner of said Tract 11; Thence Northwesterly along the South line of said Tract 11 to the Southwest corner of said Tract 11; Thence Northeasterly along the west line of said Tract 11 to the Southeast corner of Tract 7 of said NARANJA LAKES SECTION ONE: thence Northwesterly along the South line of said Tract 7 to the Northeast corner of Tract "C" of NARANJA LAKES TRACTS as recorded in Plat Book 104 ,Page 15 of the Public Records of said Miami-Dade County; thence Southwesterly along the East line of Tracts "C", and "B" of said NARANJA LAKES TRACTS to the southeast corner of said TRACT "B"; thence continue Southwesterly Southeasterly and Southerly along the Easterly lines of Tract "A" of said NARANJA LAKES TRACTS to the Southeast corner of said Tract "A"; thence Westerly along the South line and the Westerly extension of the South line of said Tract "A" to the intersection with the West line of the Southeast ¼ of said Section 33, Township 56 South, Range 39 East (also being the center line of SW 152 Avenue); thence Southerly along the West line of said Southeast ¼ of said Section 33 (also being the center line of SW 152 Avenue) to the Southwest corner of the Southeast ¼ of said Section 33; (also being the centerline of SW 280 Street); thence Easterly along the

South line of the Southeast ¼ of said Section 33 (also being the center line of SW 280 Street) to the Southeast corner of the Southeast ¼ of said Section 33 (also being the center line of SW 147 Avenue); thence Southerly along the East line of said Section 4, Township 57 South, Range 39 East (also being the center line of SW 147 Avenue) to the intersection with the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 4 (also being the centerline of SW 284 street); thence Westerly along North line of the Southeast 1/4 of the Northeast 1/4 of said Section 4 (also being the centerline of SW 284 street) to the intersection with the West line of the Southeast 1/4 of the Northeast 1/4 of said Section 4 (also being the theoretical center line of SW 149 Avenue); thence Southerly along the West line of the Southeast 1/4 of the Northeast 1/4 of said Section 4 (also being the centerline of theoretical SW 149 Avenue) to the intersection with South line of the North 1/2 of said Section 4 (also being the center line of SW 288 Street); thence West along the South line of the North 1/2 of said Section 4 and along the South line of the North 1/2 of said Section 5, Township 57 South, Range 39 East (also being the center line of SW 288 Street) to the POINT OF BEGINNING.

D. Full scale maps of the Illustrative Master Plan presented in Figure 1, as well as all the Regulating Plans and Street Development Parameters figures in this article, are on file with the Miami-Dade Department of Planning and Zoning.

E. No provision in this article shall be applicable to any property lying outside the boundaries of the LCUC as described herein. No property lying within the boundaries of the LCUC shall be entitled to the uses or subject to the regulations provided in this article until an application for a district boundary change to LCUC has been heard and approved in accordance with the provisions of this chapter.

Figure 1: Illustrative Master Plan




ILLUSTRATIVE PLAN

KEY

Proposed Buildings

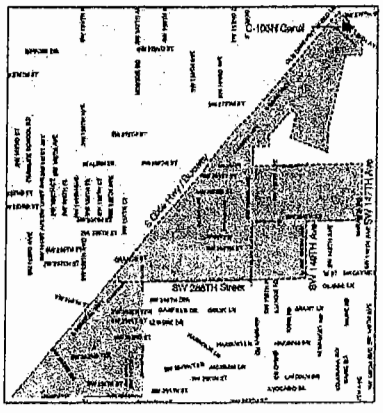
Existing Buildings

Boundaries PLAN

KEY

Designated Urban Center Boundary

Urban Center Distric




BOUNDARIES PLAN

**Sec. 33-284.99.33. Leisure City Community Urban Center (LCUC) District Requirements.**

Except as provided herein, all developments within the LCUC District shall comply with the requirements ~~provided in Article XXXIII(K), Standard Urban Center District Regulations, of this code.~~

**Sec. 33-284.99.34. Uses.**

Except as provided herein, all permitted, conditionally permitted, and temporary uses within the LCUC District shall comply with section 33-284.83 of this code. In addition to the Permitted Uses provided in section 33-284.83(A), the following shall be permitted:

1. In the Mixed-Use Corridor (MC) area:

    (a) Automobile and truck services and facilities including:

        (1) Open lot car and truck sales new or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions:
            (a) That attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers and all fluttering, spinning advertising devices (either mobile or stationary) are prohibited.
            (b) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.
            (c) That no vehicular test drives shall be conducted on residential local traffic streets (fifty-foot right-of-way or less).
            (d) That the applicant obtains a certificate of use, which shall be automatically renewable yearly upon compliance with all terms and conditions.
            (e) All outdoor paging or speaker systems are expressly prohibited.
        (2) Open lot car rental
        (3) Automobile parts, secondhand from store building only.
        (4) Automobile body and top work and painting.

(b) Engines, gas, gasoline, steam and oil; sales and service.

(c) Garage or mechanical service, including automobile repairs, body and top work and painting. All outdoor paging or speaker systems are expressly prohibited.

(d) Glass installation.

~~(e) Tire vulcanizing and retreading or sale of use tires.~~

(f) Truck storage, only within an enclosed building or an area enclosed by a CBS wall.

(g) Automobile washing.

(i) Self-service mini-warehouse storage facility in compliance with Section 33-255(23.1) of this Code.

2. In the Industrial District (ID) area:

(a) In the Core Sub-district, MC uses at a maximum density of 52 units per net acre or at a maximum density of 60 units per net acre with the purchase of the appropriate number of Severable Use Rights pursuant to sections 33B-41 to 33B-47 of this code.

(b) In the Center Sub-district, MC uses at a maximum density of 36 units per net acre.

3. In the Institutional (I) area:

(a) On properties located between SW 282 and SW 284 Streets, west of SW 152 Avenue, all uses permitted in the Residential (RM) with the density provided on the Density Plan in section 33-284.35 of this code.

**Sec. 33-284.35. LCUC Regulating Plans.**

The Regulating Plans shall consist of the following controlling plans as defined and graphically depicted in this section:

A. The Street Types Plan, which establishes a hierarchy of street types in existing and future locations. The five (5) Street Types and the hierarchy of streets (from most important to least important in accommodating pedestrian traffic) are U.S. 1, Boulevard, Main Street, Minor Street, and Service Road.

B. The Sub-districts Plan, which delineates three (3) sub-districts: the Core, Center, and Edge. These sub-districts shall regulate the allowable intensity of development in accordance with the Comprehensive Development Master Plan and this article.

C. The Land Use Plan, which delineates the areas where specified land uses and development of various types and intensities shall be permitted.

D. The Density Plan, which delineates areas where specified minimum and maximum residential densities shall be permitted.

E. The Building Heights Plan, which establishes the minimum and maximum allowable number of stories.

F. The Designated Open Space Plan, which designates open spaces. The designated open spaces shall be controlled by anchor points.

G. The New Streets Plan, which shows the location and the number of new streets needed to create the prescribed network of streets within the LCUC District. All new A streets shall be required in the same general location as shown on the New Streets Plan. All B streets shall be located as provided in section 33-284.86(F) of this code.

H. The Bike Route Plan, which depicts the designated bike routes, including the bike facility requirements, if any, which shall be shown in all development plans.

DATE: 09/17/08
REVISION 1

# TEAM METRO

## ENFORCEMENT HISTORY

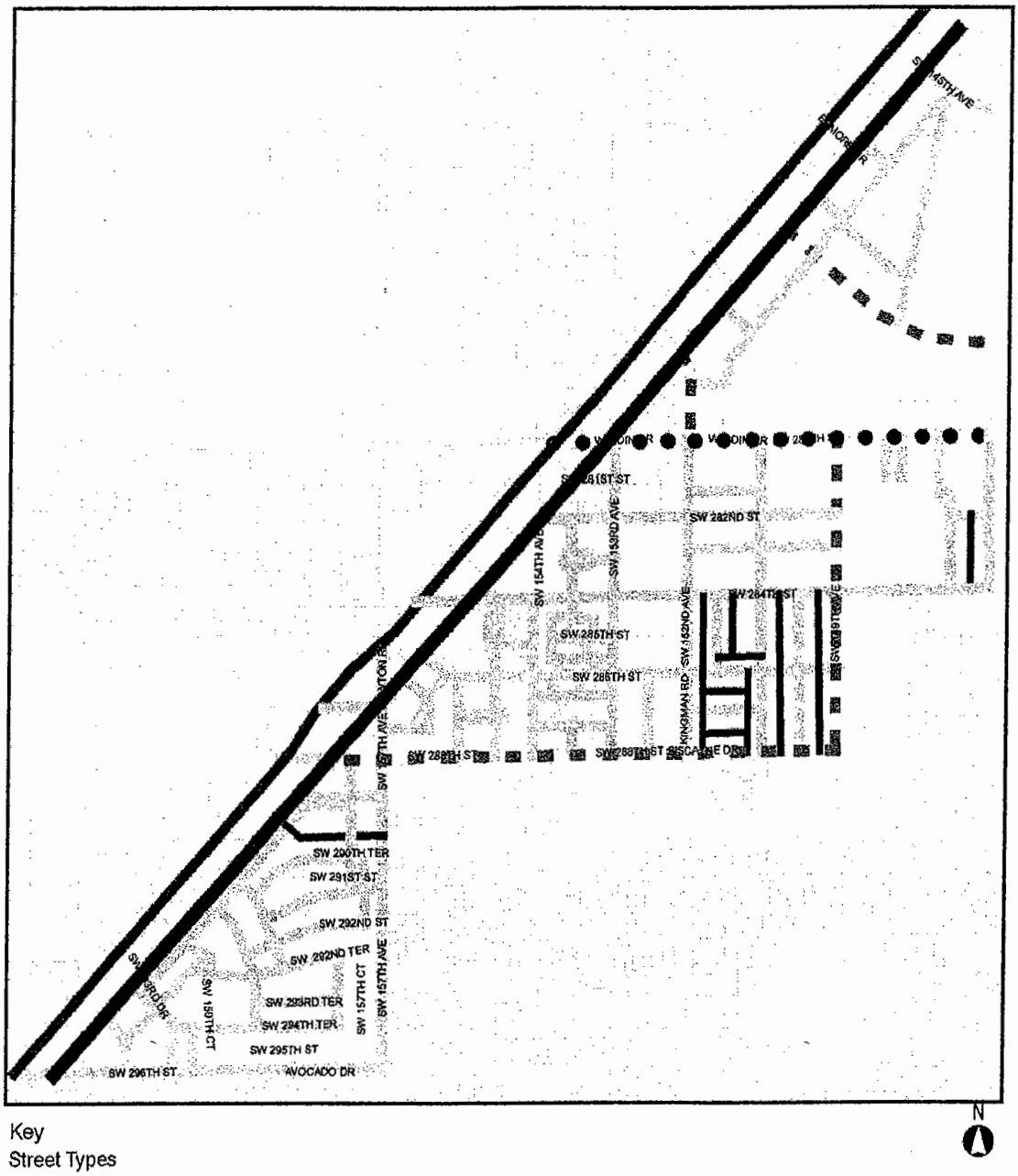
| | |
|---|---|
| DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING | EAST OF U.S. HIGHWAY #1, BETWEEN S.W. 145 AVENUE AND S.W. 296 STREET, MIAMI-DADE COUNTY, FLORIDA. |
| **APPLICANT** | **ADDRESS** |
| Z2007000415 | |
| **HEARING NUMBER** | |

## CURRENT ENFORCEMENT HISTORY:

Current case history;
Case 200801005818 was opened based on enforcement history request and inspected on 9-11-08.

A. Street Types Plan

Leisure City Community Urban Center Regulating Plans



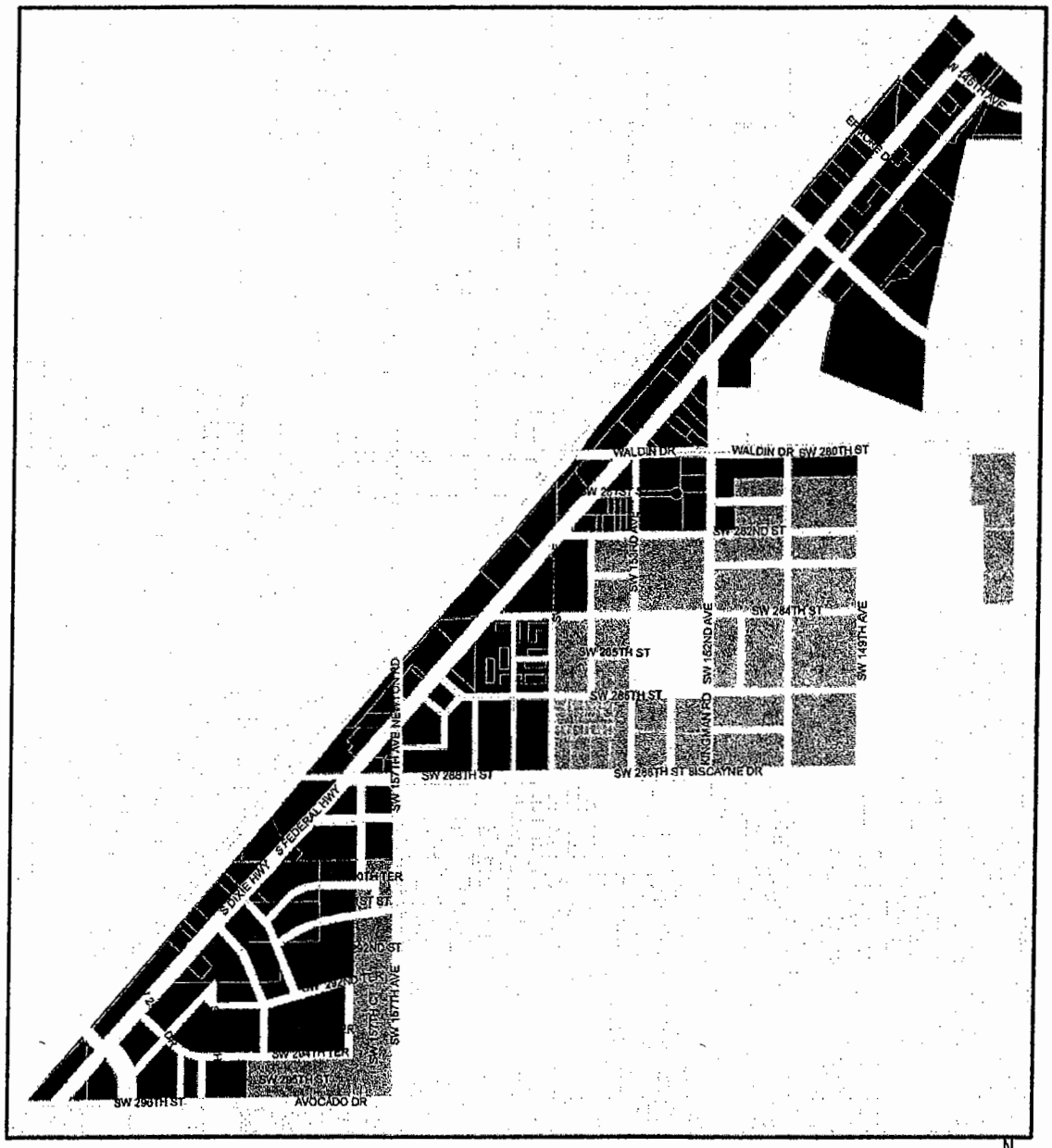

Key

Street Types

- Main Street: SW 280th St.
- U.S. Highway 1
- South Miami Dade Busway
- Boulevard
- Minor Street
- Service Road Core/Center Sub-district (required)

B. Sub-Districts Plan

Leisure City Community Urban Center Regulating Plans



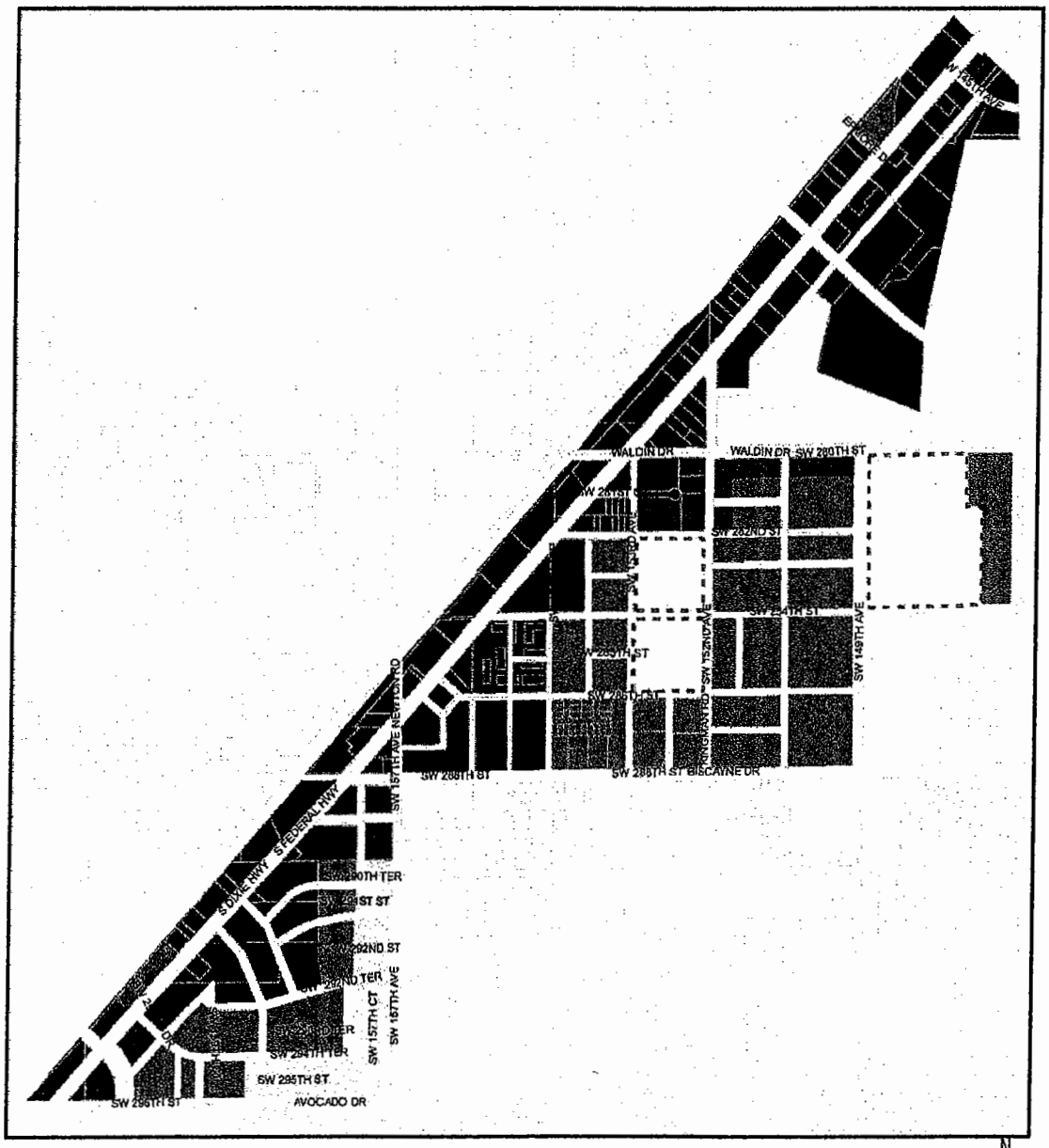

Key

Sub Districts

- Core Sub-District
- Center Sub-District
- Edge Sub-District

C. Land Use Plan

Leisure City Community Urban Center Regulating Plans



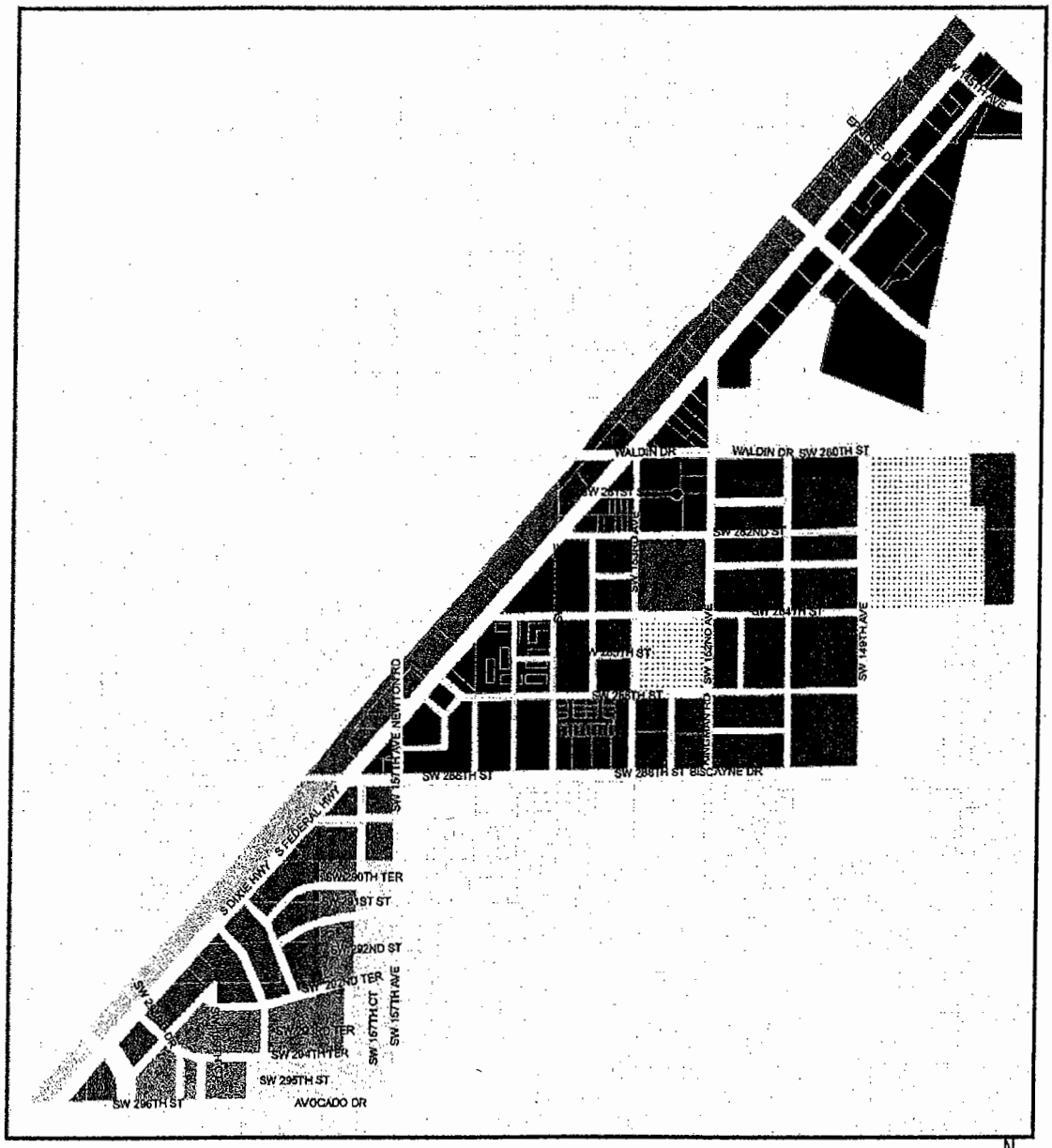

Key

Land Uses

- MM: Mixed-use Main Street: First and second floors: businesses, professional offices, civic, education, and goventment offices. Scond Dloor and above: residential.
- MC: Mixed-use Corridor: Residential, businesses, professional offices, civic, education, and government offices.
- MO: Mixed-use Optional: First floor (optional) - businesses, professional offices, civic, education, and government offices. All floors: residential.
- RM: Residential Modified: Courtyard, sideyard, duplex, rowhouse, urban villa, and aparment dwellings.
- R: Residential: Single family detached, courtyard, sideyard,and duplex dwellings.
- ID: Industrial District: In all floors and all Sub-Districts: IU-1 uses; live/work units subject to permitted density.
- I: Institutional: Civic, education, and government offices.

D. Density Plan

Leisure City Community Urban Center Regulating Plans




Key

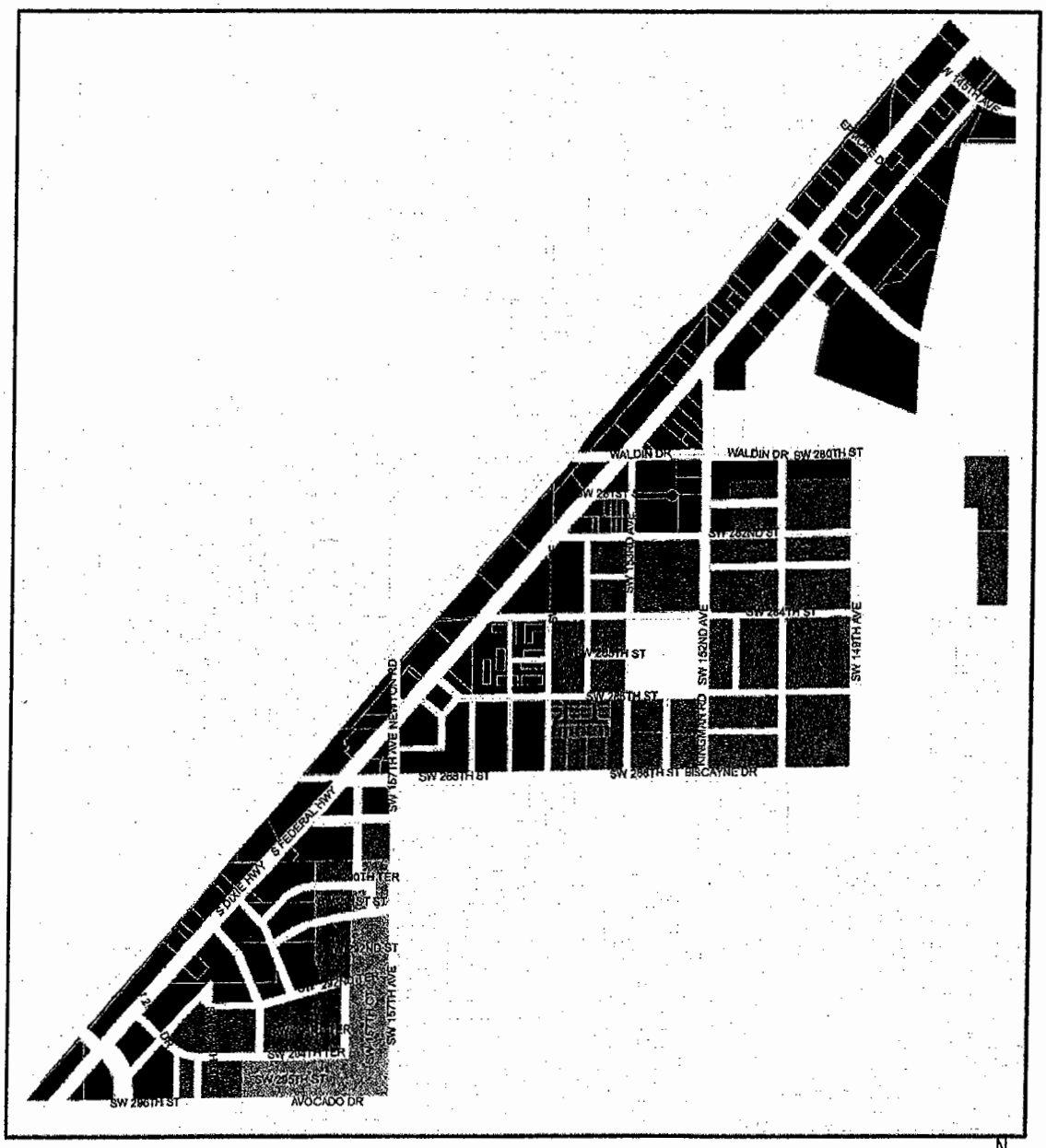
Density

- Min 12 units/acre net, Max 98 units/acre net or Max SUR (*) (**)
- Max 90 units/acre net (**)
- Max 41 units/acre net (**)
- Min 12 units/acre net, Max 41 units/acre net (**)
- Min 12 units/acre net, Max 36 units/acre net (**)
- Max 36 units/acre net
- Max 25 units/acre net
- Min 6 units/acre net, Max 18 units/acre net
- None
- Min 12 Max 52
- Max 60

* SUR: Severable Use Right when and to the extent permitted by section 33B-41 to 33B-47 of this code.
** 12.5% Workforce housing required as provided in Section 33-284.83 of this code.

E. Building Heights Plan

Leisure City Community Urban Center Regulating Plans




Key

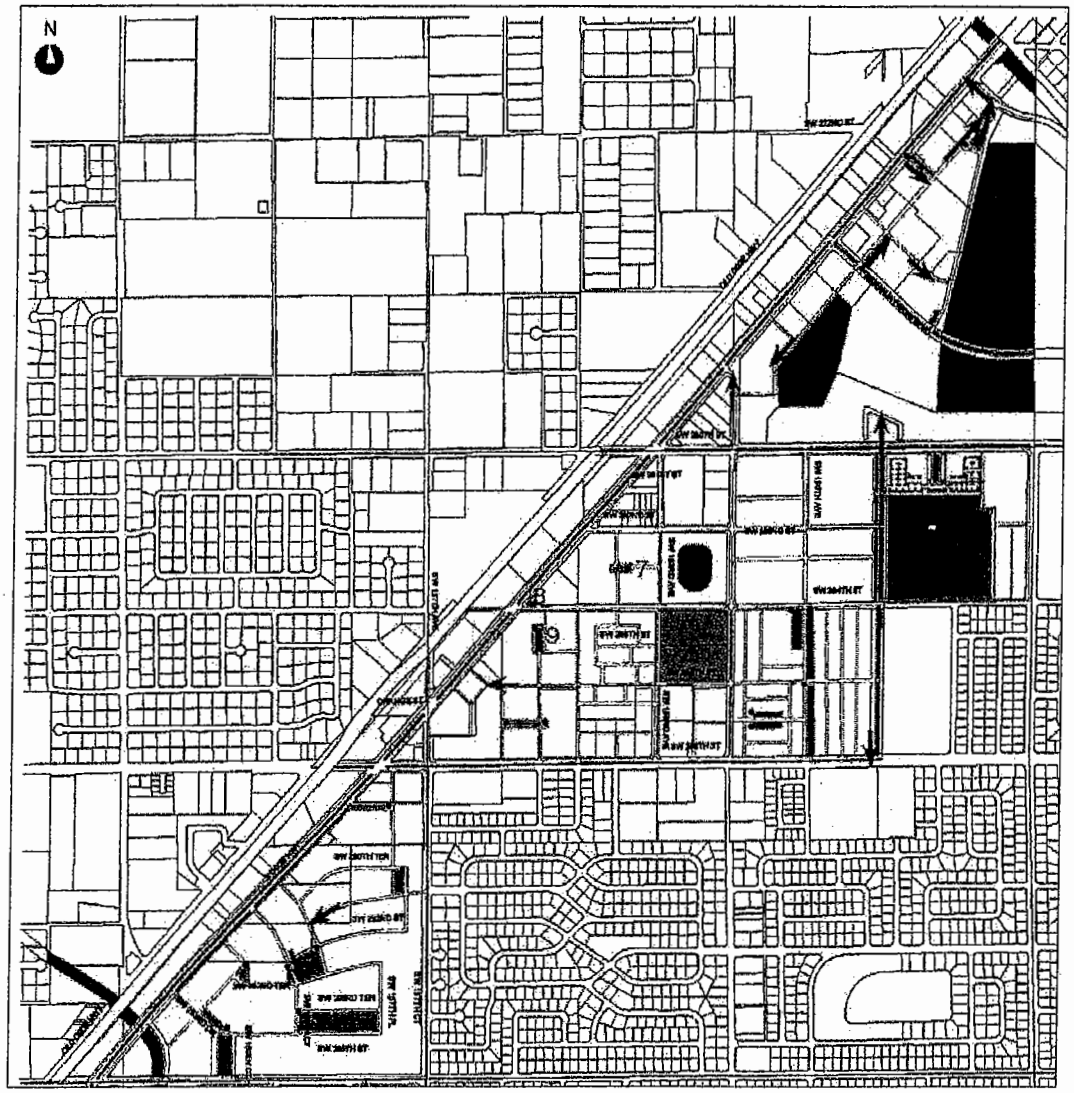
Building Heights

- Min 3 - Max 6 Floors
- Min 2 - Max 4 Floors
- Min 1 - Max 2 Floors

Note: Where a proposed development abuts a single family detached dwelling, the height of the proposed development along the abutting property line, for a minimum depth of 50 feet shall be no greater than the minimum height allowed in the area to be developed. (See Sec. 33-284.99.19 A of this Code)

## F. Designated Open Space Plan

LEISURE CITY COMMUNITY URBAN CENTER REGULATING PLANS



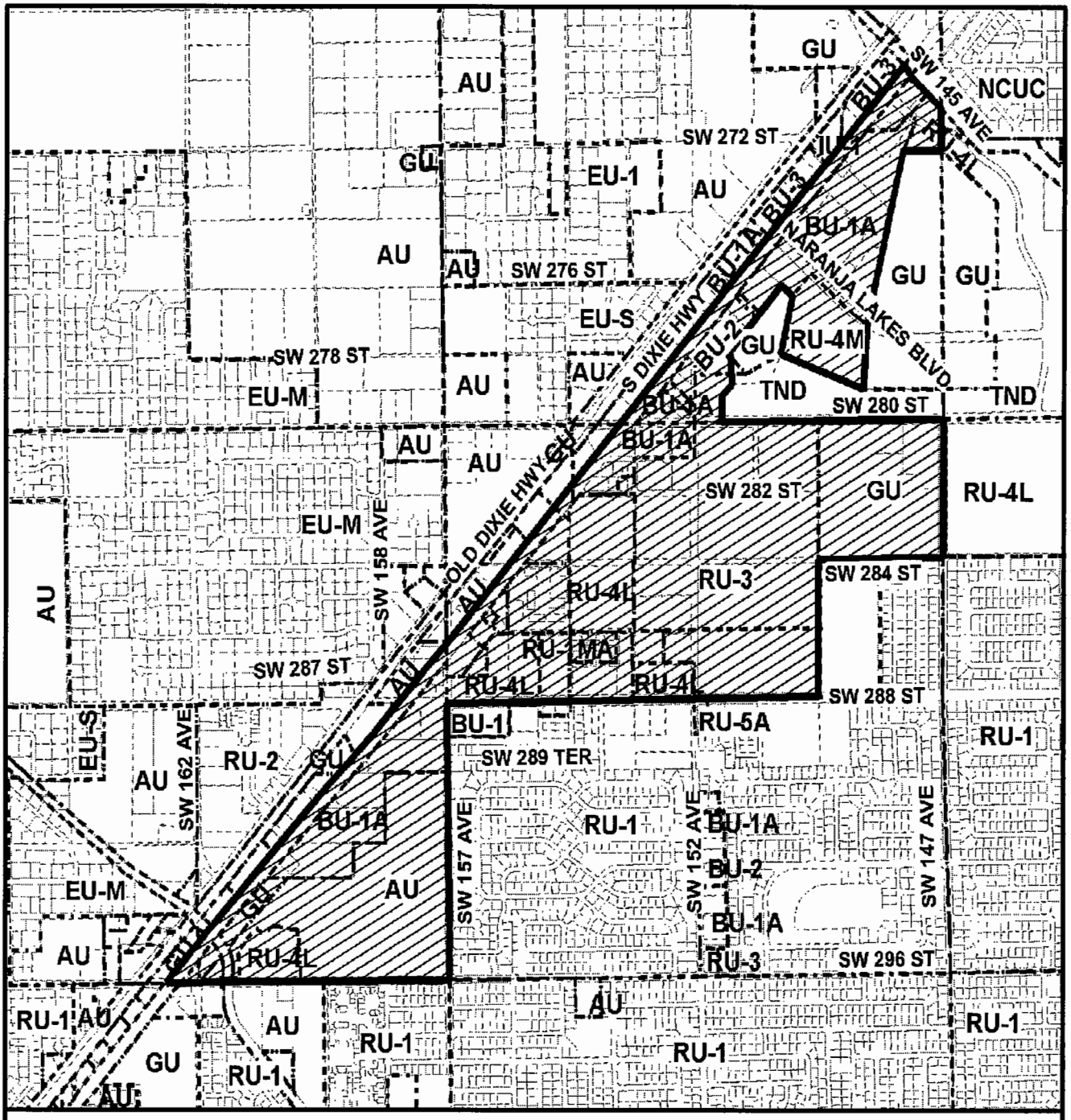

### Designated Open Space

KEY

- Existing Parks
- Designated Open Space: G: Green; S: Square; P: Plaza
- Existing Water Bodies
- Street Vista
- Anchor Point

| No | Type | Area (sf) | No | Type | Area (sf) | No | Type | Area (sf) |
|---|---|---|---|---|---|---|---|---|
| 1. | P | 11,000 | 12. | G | 35,500 | 23. | G | 12,500 |
| 2. | S | 7,000 | 13. | G | 36,000 | 24. | G | 42,500 |
| 3. | S | 9,000 | 14. | G | 12,000 | 25. | G | 108,000 |
| 4. | S | 3,000 | 15. | G | 13,500 | | | |
| 5. | G | 12,500 | 16. | G | 1,000 | | | |
| 6. | G | 772,500 | 17. | G | 7,000 | | | |
| 7. | S | 4,000 | 18. | G | 7,000 | | | |
| 8. | S | 1,500 | 19. | G | 16,000 | | | |
| 9. | G | 15,000 | 20. | G | 45,500 | | | |
| 10. | G | Existing | 21. | G | 4,000 | | | |
| 11. | G | 19,000 | 22. | G | 5,500 | | | |

The open space shall provide the general footage shown in this Designated Open Space Plan.




MIAMI-DADE COUNTY

**HEARING MAP**

**Process Number**

**07-415**

N

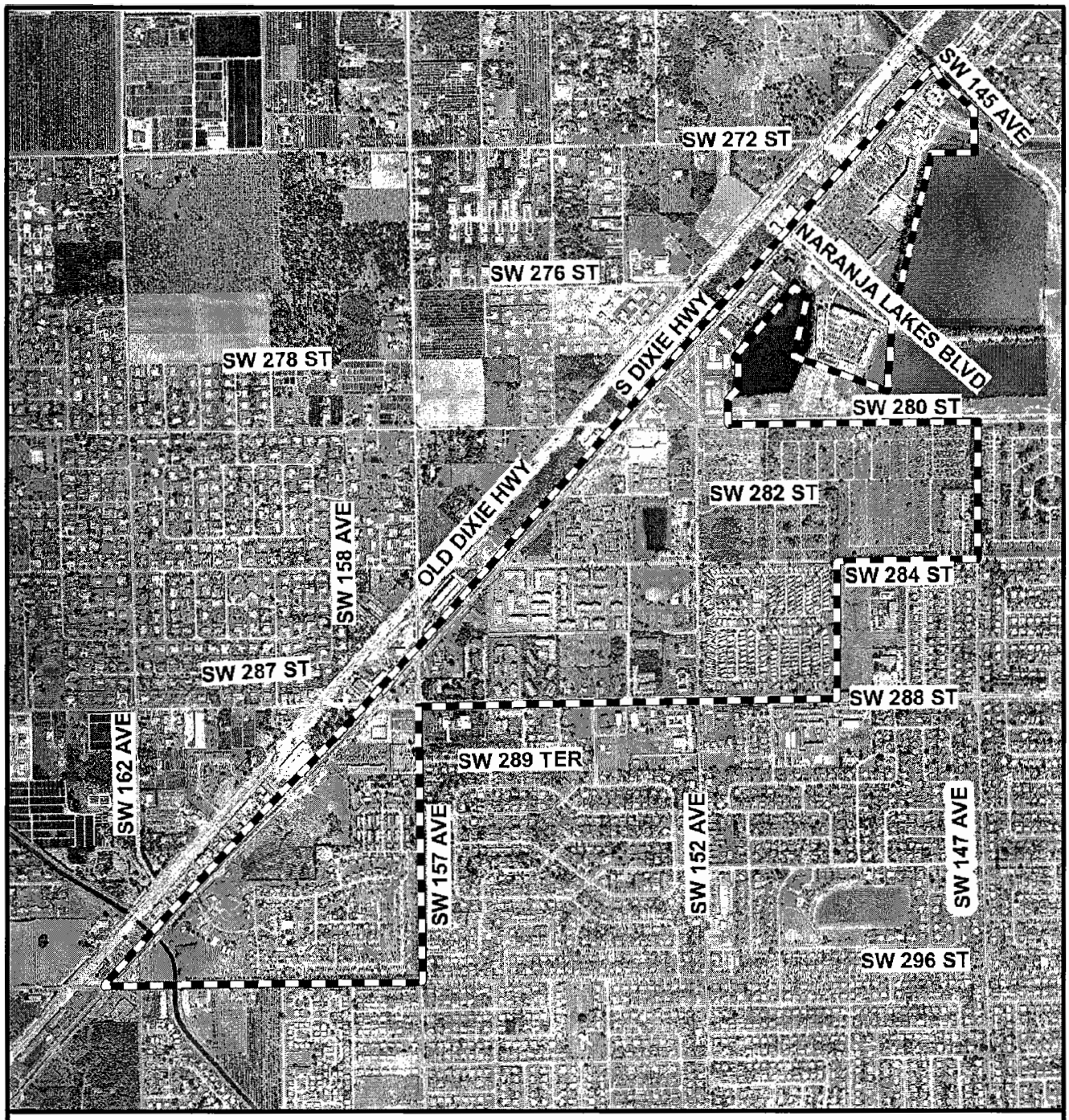
SUBJECT PROPERTY

**Section: 04,05 Township: 57 Range: 39**
**Section: 33 Township: 56 Range: 39**
**Applicant: DIRECTOR OF THE DEPARTMENT OF P&Z.**
**Zoning Board: BCC**
**District Number: 08,09**
**Drafter ID: ALFREDO**
**Scale: NTS**

MIAMI-DADE COUNTY

CREATED ON: 12/27/07

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




MIAMI-DADE COUNTY

**AERIAL**

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| | | |