MIAMI-DADE COUNTY

KITS

4-22-09 Version #1

BOARD OF COUNTY COMMISSIONERS
ZONING HEARINGS

THURSDAY, MAY 6, 2010

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

TIME OF MEETING 9:30 A.M.

PREVIOUSLY DEFERRED	HEARING #	DISTRICT

A. PRICETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS, LLC — **09-6** — **8**

Request:
- Zone change from AU and RU-1MA to RU-4
- Modification of resolution and deletion of covenants For the Charter School and Residential Variances
- Numerous residential variances

Location: Lying between SW 124 Avenue and SW 129 Avenue and between SW 248 Street and U.S. Highway #1, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).

B. THE DEPARTMENT OF PLANNING & ZONING — **07-415** — **8 & 9**

Request:
- Multiple zone changes to Leisure City Community Urban Center (LCCUC).

Location: East of U.S. Highway #1 between SW 145 avenue and SW 296 Street, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).

C. THE DEPARTMENT OF PLANNING & ZONING — **09-150** — **12**

Request:
- Modify prior resolution and covenant to extend buildout Date and other dates for the Beacon Tradeport Development of Regional Impact.

Location: Lying between NW 12 Street and NW 25 Street and between 111 Avenue and NW 117 Avenue, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).

MIAMI-DADE COUNTY

KITS

3-30-09 Version #1

BOARD OF COUNTY COMMISSIONERS
ZONING HEARINGS

THURSDAY, MAY 6, 2010

CURRENT	HEARING #	DISTRICT
1. ARMANDO GARCIA	08-212	9
Request: - Modify prior resolution and covenant restricting sales to Certain food items, to permit sales of additional food Items; setback and parking variances.		
Location: 16751 SW 177 Avenue, Miami-Dade County, Florida. Outside of the Urban Development Boundary (UDB).		
2. ACADEMIR CHARTER SCHOOLS, INC	09-121	11
Request: - Special exception for Charter School.		
Location: Lying on the southeast corner of SW 149 Avenue and SW 26 Street, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).		
3. VALENCIA SCHOOL DEVELOPMENT, LLC	09-106	8
Request: - Modify prior resolutions and covenants for Charter School		
Location: 18491 SW 134 Avenue, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).		
4. THE DEPARTMENT OF PLANNING AND ZONING	09-155	7
Request: - Extend build-out date and other dates for The Dadeland Mall Development of Regional Impact.		
Location: 7535 SW 88 Street, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).		
5. THE DEPARTMENT OF PLANNING AND ZONING	09-175	11
Request: - Extend build-out date and other dates for The Kendall Town Center Development of Regional Impact.		
Location: Between SW 88 Street & SW 96 Street and between SW 157 Path and SW 162 Avenue, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).		

Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, MAY 6, 2010

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. PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS, LLC **(10-2-CC-1/09-6)** **24-56-39 BCC/District 8**

(1) RU-1M(a) and AU to RU-4

REQUEST #1 ON PARCELS "A," "B" AND "E"

(2) MODIFICATION of Conditions #5 and #13 of Resolution Z-15-05, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "5. That in the approval of the plan, the same be substantially in accordance with that submitted for hearing entitled 'Somerset Academy at Country Palms,' by Civica, dated stamped received 2/10/05, except as modified herein to provide the 7' wide landscape strip along the rights-of-way."

TO: "5. That in the approval of the plan, the same be substantially in accordance with that submitted for hearing entitled 'Somerset Academy at Country Palms', as prepared by Civica, dated stamped received 9/24/09, consisting of 15 sheets."

FROM: "13. That the charter school use shall be limited to grades K-8 for a maximum of 1,440 students."

TO: "13.That the charter school use shall be limited to grades K-12 for a maximum of 1,440 students."

The purpose of request #2 is to permit the applicant to submit revised plans for the charter school showing an increase in grade levels.

(3) DELETION of the Declaration of Restrictive Covenants recorded at Official Record Book 23798, Pages 4449-4466.

The purpose of request #3 is to permit the applicant to delete a covenant tying the site to specific plans and charter school requirements in order to proffer two separate covenants governing the residential and charter school developments which will provide both additional flexibility in phasing the development of their tracts separately.

REQUESTS #2 AND #3 ON PARCELS "A" THROUGH "D"

(4) Applicant is requesting to permit apartments buildings with a Floor Area Ratio (FAR) of .85 (.80 permitted).

(5) Applicant is requesting to permit apartment buildings with a 24% landscape open space (40% required).

(6) Applicant is requesting to permit a minimum setback 2' (25' required) on the front, rear and side street property lines.

(7) Applicant is requesting to permit 2,208 parking spaces (2,559 required).

(8) Applicant is requesting to permit on-street parking (not permitted).

(9) Applicant is requesting to permit a two-way drive 19' wide (20' required).

(10) Applicant is requesting to permit a parking back-up aisle width of 18' (22' required).

REQUESTS #4 - #10 ON PARCELS "A," "B" AND "E"

(11) Applicant is requesting to permit rowhouses with 4% common open space (12% required) and to permit garden apartments with 18.7% common open space (40% required).

REQUESTS #4 - #11 ON PARCELS "A," "B" AND "E"

Additional plans are on file and may be examined in the Department of Planning and Zoning entitled "Princeton Commons", as prepared by Chisholm Architects-Planners-Interior Designers, date stamped received Oct. 9, 2009, consisting of 28 sheets and plans entitled 'Somerset Academy at Country Palms', as prepared by Civica, dated stamped received 9/24/09, consisting of 15 sheets. Plans may be modified at public hearing.

LOCATION: Lying between S.W. 124 Avenue and S.W. 129 Avenue and between S.W. 248 Street and U.S. Highway #1, Miami-Dade County, Florida.

SIZE OF PROPERTY: 94.43 Acres

Development Impact Committee Recommendation: Approval with conditions, subject to the Board's acceptance of the proffered covenants as set forth in the Department of Planning and Zoning's recommendation.

Protests: 222 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from 3-04-10

B. 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 and IU-1 to Leisure City Community Urban Center (LCCUC).

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

SIZE OF PROPERTY: 420.4 Acres

Developmental Impact Committee Recommendation: Approval, as set forth in the Department of Planning and Zoning's recommendation.

Protests: 0 Waivers: 1

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from 3-4-10

C. THE DEPARTMENT OF PLANNING & ZONING **31-53-40**
(10-3-CC-2/09-150) **BCC/District 12**

(1) MODIFICATION of Conditions #57 and #60 of Resolution Z-33-97, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "57. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Dade County, it is hereby found that throughout the buildout period (March 20, 2004) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to this development order, are hereby found to meet concurrency standards set forth in Comprehensive Development Master Plan Ordinance No. 89-66 and Chapter 33G of the Dade County Code and A.O. 4-85 (concurrency regulations) as amended from time to time and to be consistent with local development regulations so long as the Developer is developing in compliance with the terms and conditions of this Development Order. Furthermore, Dade County shall not issue any subsequent development orders as defined in Section 33G-3(2) Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) the actual impacts of this project and other committed development are greater than those projected in the ADA, and (b) the issuance of further local development orders (as defined in Chapter 33G, Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not be issued unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency standards as determined by the County. The issuance of development orders which have been found to be vested pursuant to Chapter 2-114, 33-315 or 33-316 of the Code of Metropolitan Dade County, as adopted pursuant to Section 163.3167(8) Florida Statutes, shall not be considered for purposes of determining concurrency as to this project, nor shall this Development Order be construed or applied to prohibit the issuance of said Development orders under any circumstances. However, modifications or changes to this Development Order regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs including but not limited to the recognition of trips previously vested which are permitted or complete."

TO: "57. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (March 17, 2014) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to this development order, are hereby found to meet concurrency standards set forth in Comprehensive Development Master Plan Ordinance No. 89-66 and Chapter 33G of the Miami-Dade County Code and A.O. 4-85 (concurrency

regulations) as amended from time to time and to be consistent with local development regulations so long as the Developer is developing in compliance with the terms and conditions of this Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in §33G-3(2) Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) the actual impacts of this project and other committed development are greater than those projected in the ADA, and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not be issued unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency standards as determined by the County. The issuance of development orders which have been found to be vested pursuant to Chapter 2-114, 33-315 or 33-316 of the Code of Miami-Dade County, as adopted pursuant to §163.3167(8) Florida Statutes, shall not be considered for purposes of determining concurrency as to this project, nor shall this Development Order be construed or applied to prohibit the issuance of said Development orders under any circumstances. However, modifications or changes to this Development Order regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs including but not limited to the recognition of trips previously vested which are permitted or complete."

FROM: "60. The deadline for commencement of physical development shall be one year from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in s. 380.04, F.S. The termination date for completing physical development shall be March 20, 2004. The termination date may only be modified in accordance with s. 380.06(19)(c), F.S."

TO: "60. The deadline for commencement of physical development shall be one year from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in §380.04, F.S. The termination date for completing physical development shall be March 17, 2014. The termination date may only be modified in accordance with §380.06(19)(c), F.S."

(2) MODIFICATION of Conditions #59 and #61 of Resolution Z-33-97, last modified by Z-1-04, both resolutions passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "59. March 18, 2009 is hereby established as the buildout date for this project and is the date until which the county agrees that the Beacon TradePort Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the county can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that

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

TO: "59. March 17, 2014 is hereby established as the buildout date for this project and is the date until which the County agrees that the Beacon TradePort Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the applicant, or that the change is clearly essential to the public health, safety or welfare."

FROM: "61. March 18, 2014, is hereby established as the expiration date for the development order."

TO: "61. March 17, 2019, is hereby established as the expiration date for the development order."

The purpose of the requests is to allow the applicant to modify the buildout date and other dates for the Beacon Tradeport Development of Regional Impact.

LOCATION: Lying between NW 12 Street and NW 25 Street and between 111 Avenue and NW 117 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 324.5 Acres

Department of Planning and Zoning Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from 3-18-10

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1. ARMANDO GARCIA (10-5-CC-1/08-212) **30-55-39**
BCC/Districts 9

(1) MODIFICATION of Condition #2 of Resolution No. Z-49-92, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Plot Plan – Fruit Stand for Mr. Armando Garcia,' dated revised 2-5-92 and 'Proposed Rezoning from AU to BU-1,' dated revised 2-4-92, both plans prepared by J. Efrain Arguelles, Architect."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Fruit & Vegetable Stand for Armando Garcia, as prepared by AJT, consisting of 3 sheets and dated stamped received 7/30/09 with Sheet 1 dated last revised 3/22/10."

(2) MODIFICATION of Paragraph 2 of the Declaration of Restrictions recorded in Official Record Book 15506, Pages 2008-2014, reading as follows:

FROM: "2. Specification of Plans. The Property will be developed substantially in accordance with the spirit and intent of the plans previously submitted, prepared by J. Efrain Arguelles, Architect, entitled 'Plot Plan – Fruit Stand for Mr. Armando Garcia,' dated revised February 5, 1992 and 'Proposed Rezoning from AU to BU-1,' dated revised February 4, 1992, and consisting of 1 page each (the 'Plans'), said plans being on file with the Dade County Building and Zoning Department, and by reference made a part of this Declaration."

TO: "2. Specification of Plans. The Property will be developed substantially in accordance with the spirit and intent of the plans previously submitted entitled 'Fruit & Vegetable Stand for Armando Garcia, as prepared by AJT, consisting of 3 sheets and dated stamped received 7/30/09 with Sheet 1 dated last revised 3/22/10, said plans being on file with the Miami-Dade County Department of planning and Zoning, and by reference made a part of this Declaration."

(3) MODIFICATION of Condition #13 of Resolution No. Z-49-92, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "13. That only the food preparation on site shall be the juicing of fresh fruits."

TO: "13. Notwithstanding the BU-1 zoning classification on the property, the use of the property shall be limited to the sale of the following: (1) fruit; (2) vegetables; (3) juices/shakes; (4) desserts; (5) jams; (6) honey; (7) sodas/beverages; (8) snacks; (9) grains/beans; (10) spices; (11) coffees; (12) deli meats; (13) sandwiches; and (14) packaged foods."

(4) MODIFICATION of Paragraph 1 of the Declaration of Restrictions recorded in Official Record Book 15506, Pages 2008 – 2014, reading as follows:

FROM: "1. Limitation of Uses. Notwithstanding the BU-1 zoning classification requested for the Property, the Owner will limit the use of the Property to a fruit stand for the sale of fresh fruits and vegetables and for the preparation and retail sale of fruit juices."

TO: "1. Limitation of Uses. Notwithstanding the BU-1 zoning classification on the property, the use of the property shall be limited to the sale of the following: (1) fruit; (2) vegetables; (3) juices/shakes; (4) desserts; (5) jams; (6) honey; (7) sodas/beverages; (8) snacks; (9) grains/beans; (10) spices; (11) coffees; (12) deli meats; (13) sandwiches; and (14) packaged foods."

The purpose of Requests #1-#4 is to allow the applicant to submit a revised plan showing outdoor seating and to allow the applicant to expand the products for sale to include prepackaged food.

(5) Applicant is requesting to permit a building setback 5.8' (15' required) from the interior side (north) property line.

(6) Applicant is requesting to permit an accessory structure (freezer) spaced 0' (10' required) from the building.

(7) Applicant is requesting to waive the zoning regulation requiring a 5' high wall along property lines where a business lot abuts a GU zoned property; to permit a 5' high chain link fence, in lieu therefore.

(8) Applicant is requesting to permit 7 parking spaces (8 parking spaces required).

(9) Applicant is requesting to waive the zoning regulation prohibiting walls, fences and hedges to extend beyond the right-of-way; to waive same, to permit a 5' high chain link fence to encroach into the right-of-way.

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

LOCATION: 16751 SW 177 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 7,560 sq. ft.

Department of Planning and Zoning Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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2. ACADEMIR CHARTER SCHOOLS, INC. (10-5-CC-2/09-121) **16-54-39**
BCC/Districts 11

SPECIAL EXCEPTION to permit a charter school.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Academir Charter School West," as prepared by Octavio A. Santurio, A.I.A., dated stamped received 3/22/10 and consisting of 6 sheets. Plans may be modified at public hearing.

LOCATION: Lying on the southeast corner of SW 149 Avenue and SW 26 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.63 Acres

Developmental Impact Committee Recommendation: Approval with conditions, subject to the Board's acceptance of the proffered covenant as set forth in the Department of Planning and Zoning's recommendation.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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3. VALENCIA SCHOOL DEVELOPMENT, LLC. (10-5-CC-3/09-106) **02-56-39**
BCC/Districts 8

(1) MODIFICATION of Conditions #10 and #12 of Resolution No. Z-30-06, and last modified by Z-26-07, both passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "10. That the charter school use shall be limited to Grades K through 8th for a maximum of 700 students:

TO: "10. That the charter school use shall be limited to Grades K through 8th for a maximum of 800 students.

FROM: "12. That the staggered shifts of arrival and dismissal for students at the charter school shall be as follows:

K – Grade 1: 7:30 AM – 1:30 PM (approx. 270 Students)
Grades 2-3: 7:30 AM – 2:30 PM (approx. 190 Students)
Grades 4-5: 8:00 AM – 3:00 PM (approx. 100 Students)
Grades 6-8: 8:30 AM – 3:30 PM (approx. 140 Students)"

TO: "12. That the staggered shifts of arrival and dismissal for students at the charter school shall be as follows:

K – Grade 1: 7:30 AM – 1:30 PM (approx. 221 Students)
Grades 2-3: 7:30 AM – 2:30 PM (approx. 206 Students)
Grades 4-5: 8:00 AM – 3:00 PM (approx. 215 Students)
Grades 6-8: 8:30 AM – 3:30 PM (approx. 158 Students)"

(2) MODIFICATION of Paragraph #15, of a Declaration of Restrictions recorded in Official Record Book 24718, Pages 4115-4144 and last modified by a Second Modification of Declaration of Restrictions, recorded on Official Record Book 25884, Pages 3438-3449, reading as follows:

FROM: "15. The charter school shall be limited to grades K through 8. The maximum number of students at the charter school shall not exceed seven hundred (700)."

TO: "15. The charter school shall be limited to grades K through 8. The maximum number of students at the charter school shall not exceed eight hundred (800)."

(3) MODIFICATION of Paragraphs #17 and #19 of an Amendment and Restatement of the Declaration of Restrictions recorded in Official Record Book 25488, Pages 231-243, last modified by a Second Modification of Declaration of Restrictions 25884, Pages 3438-3449, reading as follows:

FROM: "17. The charter school shall be limited to grades K through 8 and a maximum of seven hundred (700) students."

TO: "17. The charter school shall be limited to grades K - 8. The maximum number of students at the charter school shall not exceed eight hundred (800)."

FROM: "19. That the staggered shifts of arrival and dismissal for students at the charter school shall be as follows:

7:30 AM – 1:30PM	K -Grade 1: (approx. 270 Students)
7:30 AM – 2:30PM	Grades 2-3: (approx. 190 Students)
8:00 AM – 3:00M	Grades 4-5: (approx. 100 Students)
8:30 AM – 3:30PM	Grades 6-8: (approx. 140 Students)"

TO: "19. That the staggered shifts of arrival and dismissal for students at the charter school shall be as follows:

7:30 AM – 1:30PM	K -Grade 1: (approx. 221 Students)
7:30 AM – 2:30PM	Grades 2-3: (approx. 206 Students)
8:00 AM – 3:00PM	Grades 4-5: (approx. 215 Students)
8:30 AM – 3:30PM	Grades 6-8: (approx. 158 Students)"

The purpose of the requests is to allow the applicant to increase the total number of students permitted in the previously approved charter school.

The plans are on file and may be examined in the Department of Planning and Zoning entitled "Somerset Academy," as prepared by Civica, dated stamped received 7/8/09 and consisting of 8 sheets. Plans may be modified at public hearing.

LOCATION: 18491 SW 134 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 3 Acres

Developmental Impact Committee Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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4. THE DEPARTMENT OF PLANNING & ZONING. (10-5-CC-4/09-155) 35-54-40
BCC/Districts 7

(1) MODIFICATION of Conditions #30, #31 and #34 of Resolution No. Z-15-96, last modified by Resolution #Z-04-02, both resolutions passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "30. December 29, 2009 is hereby established as the buildout date for this project and is the date until which the County agrees that the Dadeland Mall Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the applicant, or that the change is clearly essential to the public health, safety or welfare."

TO: "30. December 28, 2014 is hereby established as the buildout date for this project and is the date until which the County agrees that the Dadeland Mall Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the applicant, or that the change is clearly essential to the public health, safety or welfare."

FROM: "31. The commencement of physical development shall be one year from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in F. S. 380.04. The termination dated for completing development shall be December 29, 2009. The termination dated may only be modified in accordance with F.S. 380.06(19)(c)."

TO: "31. The commencement of physical development shall be one year from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in F. S. 380.04. The termination dated for completing development shall be December 28, 2014. The termination dated may only be modified in accordance with F.S. 380.06(19)(c)."

FROM: "34. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (December 29, 2009) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to the development order, are hereby found to meet concurrency standards set forth in Comprehensive Development Master Plan Ordinance No. 89-66 and Chapter 33G of the Miami-Dade County Code and A.O. 4-85 (concurrency regulations) as amended from time to time and to be consistent with local development regulations so long as the application is developing in compliance with terms and conditions of this Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in Section 33G-3(2) Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) The actual impacts of this project and other committed development are greater than those projected in the ADA; and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not issue unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency standards as determined by the County. The issuance of development orders which have been found to be vested pursuant to Chapter 2-114, 33-315 or 33-316 of the Code of Miami-Dade County as adopted pursuant to Section 163.3167(8) Florida Statues, shall not be considered for

purposes of determining concurrency as to this project. However modifications or changes to this Development Order, regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs."

TO: "34. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (December 28, 2014) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to the development order, are hereby found to meet concurrency standards set forth in Comprehensive Development Master Plan Ordinance No. 89-66 and Chapter 33G of the Miami-Dade County Code and A.O. 4-85 (concurrency regulations) as amended from time to time and to be consistent with local development regulations so long as the application is developing in compliance with terms and conditions of this Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in Section 33G-3(2) Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) The actual impacts of this project and other committed development are greater than those projected in the ADA; and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not issue unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency standards as determined by the County. The issuance of development orders which have been found to be vested pursuant to chapter 2-114, 33-315 or 33-316 of the Code of Miami-Dade County as adopted pursuant to Section 163.3167(8) Florida Statues, shall not be considered for purposes of determining concurrency as to this project. However modifications or changes to this Development Order, regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs."

(2) MODIFICATION of Condition #32 of Resolution Z-15-96, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "32. December 31, 2009 is hereby established as the expiration date for the development order."

TO: "32. December 30, 2014 is hereby established as the expiration date for the development order."

The purpose of the above requests is to allow the applicant to extend the buildout date and other dates for The Dadeland Mall Development of Regional Impact.

LOCATION: 7535 SW 88 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 70 Acres

Department of Planning and Zoning Recommendation:	Approval with conditions.
Protests: 0	Waivers: 0
APPROVED:	DENIED WITH PREJUDICE:
DENIED WITHOUT PREJUDICE:	DEFERRED:

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5. THE DEPARTMENT OF PLANNING & ZONING (10-5-CC-5/09-175) **05-55-39**
BCC/Districts 11

(1) MODIFICATION OF Conditions #29, #33 & #34 of Resolution No. Z-6-01, last modified by Resolution Z-27-04, both passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "29. For the purposes of concurrency review, and based on the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (December 31, 2011) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to this development order, are hereby found to meet concurrency requirements set forth in Comprehensive Development Master Plan ordinance No. 89-66 and Chapter 33G of the Miami-Dade County Code and A.O. 4-85 (concurrency regulations) as amended from time to time and to be consistent with local development regulations so long as the Developer is developing in compliance with the terms and conditions of this Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in §33G-3(2), Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) the actual impacts of this project and other committed development are greater than those projected in the ADA, and (b) the issuance of further local development order (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not be issued unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency requirements as determined by the County. The issuance of development orders which have been found to be vested pursuant to Chapter 2-114, 33-315 or 33-316 of the Code of Miami-Dade County, as adopted pursuant to §163.3167(8) Florida Statutes, shall not be considered for purposes of determining concurrency as to this project, nor shall this Development Order be construed or applied to prohibit the issuance of said Development orders under any circumstances. However, modifications or

changes to this Development Order regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs including but not limited to the recognition of trips previously vested which are permitted or complete."

TO: "29. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (July 26, 2016) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to this development order, are hereby found to meet concurrency requirements set forth in Comprehensive Development Master Plan ordinance No. 89-66 and Chapter 33G of the Miami-Dade County Code and A.O. 4-85 (concurrency regulations) as amended from time to time and to be consistent with local development regulations so long as the Developer is developing in compliance with the terms and conditions of this Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in §33G-3(2), Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) the actual impacts of this project and other committed development are greater than those projected in the ADA, and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not be issued unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency requirements as determined by the County. The issuance of development orders which have been found to be vested pursuant to Chapter 2-114, 33-315 or 33-316 of the Code of Miami-Dade County, as adopted pursuant to §163.3167(8) Florida Statutes, shall not be considered for purposes of determining concurrency as to this project, nor shall this Development Order be construed or applied to prohibit the issuance of said Development orders under any circumstances. However, modifications or changes to this Development Order regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs including but not limited to the recognition of trips previously vested which are permitted or complete."

FROM: "33. December 31, 2011 is hereby established as the build-out date for this project and is the date until which the local government of jurisdiction agrees that the Kendall Town Center DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially

inaccurate information provided the Applicant, or that the change is clearly essential to the public health, safety, or welfare."

TO: "33. July 26, 2016 is hereby established as the build-out date for this project and is the date until which the local government or jurisdiction agrees that the Kendall Town Center DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government or jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided the Applicant, or that the change is clearly essential to the public health, safety or welfare."

FROM:"34. The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in §380.04, F. S. The termination date for completing physical development shall be December 31, 2011. This termination date may only be modified in accordance with §380.06(19)[c], F. S."

TO: "34.The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in §380.04, F. S. The termination date for completing physical development shall be July 26, 2016. This termination date may only be modified in accordance with §380.06(19)[c], F. S."

(2) MODIFICATION of Condition #35 of Resolution No. Z-6-01, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "35. December 31, 2013 is hereby established as the expiration date for the development order."

TO: "35. July 26, 2018 is hereby established as the expiration date for the development order."

The purpose of the requests is to allow the applicant to extend the buildout date and other date for The Kendall Town Center Development of Regional Impact.

LOCATION: Between SW 88 Street & SW 96 Street and between SW 157 Path and SW 162 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 158.12 Gross Acres

Department of Planning and Zoning Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

THE END

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of 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. PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS, LLC.
(Applicant)

10-2-CC-1 (09-006)
BCC/District 8
Hearing Date: 05/06/10

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
1965	Harry E. Engstrom	- Unusual use for outdoor paint testing facility.	ZAB	Approved w/conds.
1990	John Dimitriou	- Modified prior plans for paint testing facility.	ZAB	Approved
2005	Gary Trewick, ET AL	- Zone change from AU to RU-1MA & RUTH	BCC	Approved w/conds

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

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: 3/4/10 **#Z-**

ITEM: A

APPLICANT: PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS LLC (10-2-CC-1/09-006)

MOTION: Deferred to May 6, 2010 and readvertisment at the applicant's expense.

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

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: 2/4/10 **#Z-**

ITEM: 1

APPLICANT: PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS LLC (10-1-CC-1/09-006)

MOTION: Deferred to March 4, 2010

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

BERCOW RADELL & FERNANDEZ
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6229
E-Mail: gpenn@BRZoningLaw.com

VIA ELECTRONIC MAIL AND HAND DELIVERY

April 14, 2010

Mr. Marc C. LaFerrier
Director
Department of Planning and Zoning
Stephen P. Clark Center
111 NW 1st Street
11th Floor
Miami, FL 33128

RECEIVED
09-006
APR 15 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RE: Second Deferral of Princeton Land Investments, L.L.C. and Country Palm Holdings, L.L.C. - P.H. No. 09-006.

Dear Marc:

This law firm represents Princeton Land Investments, L.L.C. in the above-referenced application. Please consider this letter Princeton Land Investment's notification that it will be seeking a second deferral of the application at the upcoming May 6, 2010 hearing of the Board of County Commissioners.

As you know, the item was deferred at the last hearing in order to provide the applicant with additional time to prepare a revised site plan for the project, specifically Parcel "A." The applicant has continued to meet with County staff, including you and your staff, in order to arrive at a design that addresses the concerns raised by the Department and area residents. We believe that we have arrived at a plan that, by significantly reducing the density and intensity of the project, will successfully address the concerns that have been raised about the Parcel "A" site design.

However, the complexities associated with meeting our goal of maintaining an urban development pattern while simultaneously reducing the density and intensity of the project have delayed the completion of the plans. We will not be able to submit the plans and have them reviewed by your staff and the Developmental Impact Committee prior to the May 6, 2010 Commission hearing. Accordingly, we will be asking the Commission to again defer the matter on that date. We will be reaching out to the neighbors whom have

provided us with their contact information to inform them of our plans to request deferral to avoid inconveniencing them.

Thanks again for your help. Should you have any questions or concerns, please do not hesitate to phone my direct line at (305) 377-6229.

Sincerely,

Graham Penn

cc: Grisel Rodriguez
Nicholas Nitti
Jorge Vital
Christopher Korge, Esq.
Matthew Polak
Jeffrey Bercow, Esq.

RECEIVED
209-006
APR 15 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY JLH

MIAMI-DADE COUNTY

Carlos Alvarez, Mayor

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

miamidade.gov

April 15, 2010

Jeffrey Bercow, Esq.
200 S. Biscayne Blvd., Suite 850
Miami, FL 33131

Dear Mr. Bercow,

This letter is regarding the Princeton Land Inv. L.L.C & Country Palm Holdings L.L.C application and submitted plans.

Please be advised that the current proposal (application No. 09-006), as shown on the submitted plans, is inconsistent with the numerical density threshold of the Comprehensive Development Master Plan (CDMP), and is not transitional or compatible with the established residential development in the area. Additionally, the submitted plans do not comply with the Princeton Community Urban Center (PCUC) regulations and are inconsistent with the CDMP covenant. Said covenant indicates that all development on the subject property shall be designed to be compatible with the regulations governing the PCUC District.

Further, please be advised that any revised plans for the subject application must comply with the abovementioned regulations.

Should you have any questions regarding this matter, please call my office at (305) 375-2840.

Sincerely,

Marc C. LaFerrier, AICP
Director

c: Grisel M. Rodriguez, Chief, Zoning Division
Joni Armstrong-Coffey, Assistant County Attorney
Christopher Korge, Owner

Memorandum

MIAMI-DADE COUNTY

Date: May 6, 2010

To: The Board of County Commissioners

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: Princeton Land Investments LLC & Country Palm Holdings, LLC (Z09-006)

SUMMARY OF REQUESTS:

Approval of this application will allow the applicants to change the zoning on Parcels A, B & E of the subject property from RU-1M(a), Single-family Modified Residential District and AU, Agricultural District, to RU-4, High Density Apartment House District. Additional requests are to modify a resolution and to delete a previously proffered Declaration of Restrictions to allow the applicants to submit a new site plan showing an increase in grade levels from K-8 to K-12 and to delete a covenant in order to proffer two separate covenants governing the residential development and charter school. The applicants have also requested variances for parking, landscaping, setbacks, open space, parking back-up aisles, two-way drives and FAR.

LOCATION: Lying between S.W. 124 Avenue and S.W. 129 Avenue and between S.W. 248 Street and U.S. Highway #1, Miami-Dade County.

COMMENTS:

This application went before the Developmental Impact Committee due to the size of the property, the number of residential units and the modification of a previously approved charter school. Section 33-303.1(D)(7) of the Code of Miami-Dade County charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

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

DIC RECOMMENDATION:

Approval with conditions, subject to the Board's acceptance of the proffered covenants as set forth in the Department of Planning and Zoning's recommendation.

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

- That sidewalks and bike lanes be provided along both SW 127 Avenue and SW 240 Street, if feasible within the zone rights-of-way, as required by Objective TE-2 of the Comprehensive Development Master Plan (CDMP).

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

8

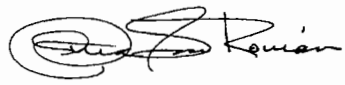
APPLICATION NO. Z09-6
PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS, LLC

Respectfully Submited,

DIC Executive Council
December 30, 2009

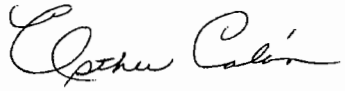
Ysela Llort
Assistant County Manager — Absent

Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department — Absent



Irma San Roman, Deputy Director
Metropolitan Planning Organization Secretariat — AYE

Subrata Basu, Assistant Director of Planning
Department of Planning and Zoning — AYE



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

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

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

DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO DEVELOPMENT IMPACT COMMITTEE

APPLICANT: Princeton Land Investments LLC & Country Palm Holdings, LLC

PH: Z09-006

SECTION: 24-56-39

DIC DATE: December 30, 2009

COMMISSION DISTRICT: 8

==========

A. INTRODUCTION:

o REQUESTS:

(1) RU-1M(a) and AU to RU-4

REQUEST #1 ON PARCELS "A", "B" AND "E"

(2) MODIFICATION of Conditions #5 and #13 of Resolution Z-15-05, passed and adopted by the Board of County Commissioners reading as follows:

FROM: "5. That in the approval of the plan, the same be substantially in accordance with that submitted for hearing entitled 'Somerset Academy at Country Palms,' by Civica, dated stamped received 2/10/05, except as modified herein to provide the 7' wide landscape strip along the rights-of way."

TO: "5. That in the approval of the plan, the same be substantially in accordance with that submitted for hearing entitled " Somerset Academy at County Palms,' as prepared by Civica, date stamped received 9/24/09 consisting of 12 sheets.

FROM:"13. That the charter school use shall be limited to grades K-8 for a maximum of 1,440 students."

TO: "13. That the charter school use shall be limited to grades K-12 for a maximum of 1440 students."

The purpose of the request #2 is to permit the applicant to submit revised plans for the charter school showing an increase in grade levels.

(3) Deletion of the Declaration of Restrictive Covenants Recorded at Official Record Book 23798, Page 4449-4466.

The purpose of request #3 is to permit the applicant to delete a covenant tying the site to specific plans and charter school requirements in order to proffer two separate covenants governing the residential and charter school developments which will provide both additional flexibility in phasing the development of their tracts separately.

REQUESTS #2 AND #3 ON PARCELS "A" THROUGH "D"

(4) Applicant is requesting to permit apartment buildings with an FAR .85 (.80 permitted).

(5) Applicant is requesting to permit apartment buildings with 24% landscape open space (40% required).

(6) Applicant is requesting to permit a minimum setback 2' (25' required) on the front, rear and side street property lines.

(7) Applicant is requesting to permit 2,208 parking spaces (2,559 required).

(8) Applicant is requesting to permit on-street parking (not permitted)

(9) Applicant is requesting to permit a two-way drive 19' wide (20'required).

(10) Applicant is requesting to permit a parking back-up aisle of 18' (22' required).

REQUESTS #4 - #10 ON PARCELS "A", "B" AND "E"

(11) Applicant is requesting to permit rowhouses with a common open space of 4% (12% required) and to permit garden apartments with 18.7% common open space (40% required).

REQUESTS #4 - #11 on PARCELS "A" , "B" and "E"

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

- **SUMMARY OF REQUESTS:**

Approval of this application will allow the applicant to change the zoning on Parcels A, B & E of the subject property from RU-1M(a), Single-family Modified Residential District and AU, Agricultural District, to RU-4, High Density Apartment House District. Additional requests are to modify a resolution and to delete a previously proffered Declaration of Restrictions to allow the applicant to submit a new site plan allowing the applicant to increase grade levels from K-8 to K-12 and to delete a covenant in order to proffer two separate covenants governing the residential development and charter school. The applicant has also requested variances for parking, landscaping setbacks, open space, parking back-up aisles, two-way drives and FAR.

- **LOCATION:** Lying between S.W. 124 Avenue and S.W. 129 Avenue and between S.W. 248 Street and U.S. Highway #1 at, Miami-Dade County.

- **SIZE:** 94.43 acres

B. ZONING HEARINGS

In 1965, pursuant to Resolution #3-ZAB-275-65, a portion of the subject property was granted an unusual use to permit outdoor paint testing and a paint testing laboratory. In 1990, pursuant to Resolution #4-ZAB-5-90, a portion of the subject property was

granted a modification to permit the applicant to submit new plans showing a storage room addition to the existing paint testing laboratory. In 2005, pursuant to Resolution #Z-15-05, the Board of County Commissioners (BCC) granted the subject property district boundary changes from AU, Agricultural District to RU-1M(a), Single-family Modified Residential District on Parcels A and B and from AU to RU-TH, Townhouse District on Parcel C. In addition, requests were granted for a special exception to permit a charter school and variances for height, one-way drives, parallel parking, lot coverage and landscape buffering.

CDMP HISTORY

The subject property was approved in the April 2005 CDMP Amendment Cycle (Application #22) to redesignate Parcels A and C of the subject property from Low-Density Residential to the Medium Density Residential category. Parcel B was redesignated from Low-Density Residential to the Low-Medium Residential category. The applicant proffered a covenant which required the applicant to develop and design the property to be compatible with the Residential, Residential Modified and Mixed Use Main Street PCUC regulations, align the roadways within the property as much as possible with corresponding roads in the Princeton Community Urban Center (PCUC), develop the property with at least two (2) acres of public open space in the form of plazas, greens, or squares as defined under the Miami Dade County Standard Urban Center District Regulations, cooperate with Miami Dade Transit to accommodate future transit facilities, work in good faith with Public Works to ensure that adequate infrastructure will be available to accommodate the traffic trips generated by the development, provide 65 units of workforce housing and provide the Planning and Zoning Director with an Educational Facilities Mitigation Plan.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates **Parcels B and E** of the subject property as being **within the Urban Development Boundary for Medium Density Residential use.** 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.

   Parcel A is designated **Low-Medium Density.** 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.

   Parcel C is designated as being within the Urban Development Boundary for **Princeton Community Urban Center**.

   Parcel D is designated **Low Density.** 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. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum

density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2,1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

2. **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 (Leisure City)	**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.

3. **Uses and Zoning Not Specifically Depicted on the LUP Map.**

   Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

4. **Policy LU-4A**. When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

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

6. **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.

7. **Policy LU-8A.** Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resources degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.

8. **Guidelines for Urban Form.** The following guidelines establish a generalized pattern for location of different uses, their intensity, and the interconnecting network of vehicular and pedestrian movement. The general pattern of land use in residential communities shall conform to the following guidelines to the maximum extent consistent with the land use patterns and densities authorized and encouraged by the Land Use Plan (LUP) map, and future amendments to the LUP map should endeavor to promote this localized form within the metropolitan pattern of urban centers and transit corridors. Exceptions may occur (a) for Developments of Regional Impact and Development of County Impact or (b) to conform the density, intensity, use, building, envelope, traffic generation and demand on services and infrastructure of a proposed new use to such contextual elements as the general pattern of use, intensity and infrastructure which exists in an established neighborhood.

    1. The section line roads should form the physical boundaries of neighborhoods

    2. The section line, half-section line, and quarter-section line road system should form a continuous network, interrupted only when it would destroy the integrity of a neighborhood or development, or when there is a significant physical impediment. Pedestrian and vehicular traffic networks should serve as physical links between neighborhoods, with multiple points of access between neighborhoods.

    3. Within a section, a variety of residential types and densities are encouraged, with higher densities being located at the periphery, and lower densities in the interior.

    4. Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. In addition, of the various residential densities, which may be approved in a section through density averaging or on an individual site

basis, the higher density residential uses should be located at or near the activity nodes.

5. Pedestrian circulation shall be provided between activity nodes, all public places, and all subdivisions through connectivity of section, half-section and local roadways constructed with sidewalks and supplemented by pedestrian paths.

6. Areas abutting and adjacent to activity nodes should serve as transition areas suitable for eligible higher residential densities, public and semi-public uses including day care and congregate living uses.

7. Areas located along section line roads between transition areas are also authorized for eligible higher residential densities, public and semi-public uses. When section line roads are served by adequate mass transit, these areas are more suitable for office uses than such properties not served by adequate transit.

8. Pedestrian circulation shall be provided between activity nodes, all public places, and all subdivisions through connectivity of section, half-section and local roadways constructed with sidewalks and supplemented by pedestrian paths.

9. **Housing Variety.**

   Residential communities having a variety of housing types, such as standard single-family detached homes, townhouse, other single-family attached homes, and multi-family units, are encouraged by this plan. Toward this end, all new residential developments should include housing types which will contribute to the diversity of housing types in the immediate area, and in all instances residential developments exceeding 40 acres in size shall contain more than one of the foregoing housing types. It is especially important to mix townhouses with single-family detached and the former with multi-family units. Multi-family buildings should offer a variety of sizes ranging from efficiency units through tow and three bedroom apartments.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property: (Parcels A, B,C,E)	
RU-1M(a) and AU; vacant Princeton Community Urban Center District	Low Density Residential, 2.5 to 6 dua Low- Medium Density Residential 13 to 25 dua Princeton CUC
Surrounding Properties:	
NORTH: AU, vacant and residences	Low Density Residential, 2.5 to 6 dua

SOUTH:	EU-1, AU, PCUC; vacant and residences	Low Density Residential 2.5 to 6 dua
EAST:	AU; vacant and residences	Low Density Residential 2.5 to 6 dua
WEST:	AU, BU-1A, BU-3, PCUC;	Low Density Residential 2.5 to 6 dua vacant and residential

Charter School (Parcel D)

ZONING	LAND USE DESIGNATION
Subject Property	
AU; plant nurseries	Low Density Residential 2.5 to 6 dua
NORTH	
AU; vacant	Low Density Residential, 2.5 to 6 dua
SOUTH	
AU and EU-1, plant nurseries, single-family residences	Low Density Residential, 2.5 to 6 dua
EAST	
AU; vacant land, single-family residences	Estate Density, 1 to 2.5 dua
WEST	
AU; single-family residences	Low Density Residential, 2.5 to 6 dua

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**
Service Areas:	**Acceptable**
Signage:	**Acceptable**
Urban Design:	**Acceptable**

F. PERTINENT REQUIREMENTS/STANDARDS:

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

(1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;

(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;

(3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;

(4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;

(5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

Section 33-311(A)(7) (Generalized Modification Standards). The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3);provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

Section 33-311(A)(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.

Section 33-193.12 Design and unit placement.

(A) Workforce housing units shall be comparable in design and materials to market-rate units within the development in terms of exterior appearance. Workforce housing units may be grouped or dispersed throughout the development.

(B) Notwithstanding underlying zoning regulations that limit the number of residential units that may be constructed on a single platted lot, residential developments incorporating workforce housing units may utilize the following flexible design provisions, provided that the total development density shall not exceed that allowed by this article. Units to be developed in accordance with this section shall be approved only upon demonstration that a declaration of condominium has been filed in accordance with state law (if any unit is to be sold).

(1) No more than 3 total residential units may be placed on a single platted lot, of which no more than one unit may be, but shall not be required to be, a market rate unit, and

(2) The entrance to each of the units on a single platted lot shall be

(a) through a common hall/foyer area in the front of the building, which shall be concealed by a building wall with 1 entrance door, giving the appearance of a single family residential unit, or
(b) the entrance to the workforce housing unit(s) shall be clearly designed to be subordinate to the principal entrance of the building for the market rate unit. When the entrance is configured in this manner the design shall incorporate architectural features and elements that clearly distinguish and develop the market rate entrance as the predominant entrance from the other entrances.

(3) Buildings designed under these parameters shall not be located on the periphery of a development, adjacent to or across the street from previously established single family residential neighborhoods.

(4) The locations of the parking spaces for the units within the building shall be dispersed around the building so as not to create a parking field for all of the spaces in the front of the building.

Section 33-193.13 Required declaration of restrictive covenants

Prior to final approval of any application seeking to utilize the density or intensity bonus available pursuant to this article, the applicant shall submit a separate declaration of restrictive covenants, encumbering the entire project, approved in form by the Director and sufficient for recording in the public records of Miami-Dade County, Florida, including provisions requiring development of a specified number, type, and location of all dwelling units, a general plan for staging construction of all units, and such other provisions as the Department may require to demonstrate the applicant's compliance with this article. The development and the WHU staging plan must be consistent with the CDMP and any applicable land use, subdivision regulations, zoning and site plan approval for the property. The declaration of restrictive covenants shall require the property to be developed in accordance with the following specifications:

(A) a general description of the covered development, including whether the covered development will contain rental dwelling units or owner-occupied dwelling units, or both.

(B) the total number of market rate dwelling units and WHUs in the development and the timetable for construction; and

(C) the location of the WHUs in the development and phasing, if any, and construction schedule for the development sequence demonstrating that:

(1) WHUs will be built and made available for occupancy simultaneously with or before market-rate dwelling units, except that building permits for the last 10% of the market-rate units shall be withheld until building permits have been issued for all of the WHUs; and

(2) the last building shall not contain only WHUs.

(D) The declaration of restrictive covenants may be modified by mutual consent of the applicant and the Department of Planning and Zoning and the Miami-Dade Housing Agency, as long as the modified agreement remains in conformity with this article and substantially conforms to the recorded declaration's provisions relating to number, location, distribution and timing or construction of WHUs.

Section 33-193.14 Workforce housing agreement.

Prior to the earlier of final plat approval or application for building permit for the first residential unit on the property subject to the requirements of this article applicant shall submit a declaration of restrictive covenants, approved in form by the Director and sufficient for recording in the public records of Miami-Dade County, Florida, encumbering the individual WHUs in the entire development, specifying the restrictions of the WHU and such further arrangements, restrictive covenants, and resale restrictions as are necessary to carry out the purposes of Chapter 17, Article IX of the code, sections 17-142 through 17-144 inclusive, and shall include the following:

(a) a binding commitment that the restrictions of this article shall run with the land for the entire control period, and
(b) a binding commitment that the covenants will bind the applicant, any assignee, mortagee, or buyer, and all other parties that receive title to or an interest in the property, and
(c) these covenants shall be senior to all other liens or encumbrances on the property including all instruments securing permanent financing, except that tax and assessment liens shall be superior to these covenants, and
(d) a binding commitment that incorporates all terms and conditions regarding WHUs, including without limitation, the required shared equity agreement, eligibility standards, appropriate sales and rental price standards and affordability controls required of purchasers of WHUs pursuant to Chapter 17, Article VIII of this code.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No objection**
MDT	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Solid Waste	**No objection**
Schools	**Takes no position**
WASD	**No objection***
Aviation	**No objection**

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

The subject property is a portion of the larger assemblage that was the subject of zoning application #04-404 (Gary Trewick, et al). The development included single-family residences and townhouses which are now located within the Princeton Community Urban Center (PCUC) delineated as Parcel C of the subject property. At the time of approval, the applicant proffered a covenant, which among other things, required the applicant to develop portions of the property under the site plan submitted under application #04-404. In 2006, the subject property was granted a CDMP amendment that redesignated Parcels A and C to Medium Density Residential and Parcel B to Low-Medium Residential Density. A Declaration of Restrictions was proffered which required that all design and development on the property be compatible with the regulations governing the PCUC Residential, Residential Modified and Mixed Use Main Street Districts, as set forth in Article XXXIII(M) of the zoning code; that the roadway network align as much as possible with corresponding roads in the PCUC; the provision of a K-8 charter school for 1440 students and 65 workforce housing units, public open space, and transit improvements. Parcel C was subsequently rezoned to Princeton Community Urban City District. The applicant is currently requesting a district boundary change from RU-1M(a), Single-family Modified Residential District and AU, Agricultural District to RU-4, High Density Apartment House District on Parcels A, B and E, a modification of Resolution # Z-15-05 to permit the applicant to submit revised plans for the charter school showing an increase in grade levels, and a deletion of a Declaration of Restrictions in order to allow the applicant to delete the covenant tying the site to specific site plans and charter school requirements in order to proffer two separate covenants governing the residential and charter school developments. According to the applicant, approval of the requested deletion will permit the residential development and the charter school to be independently developed. That will provide both owners additional flexibility in phasing the development of their tracts. Additionally, the applicant has requested several variances which are primarily a result of the applicant's attempt to be compatible with the PCUC regulations as required by the CDMP covenant. The subject property is designated Low-Medium Density Residential (Parcel A), Medium Density Residential (Parcels B and E), PCUC (Parcel C) and Low Density Residential (Parcel D). The proposed development consists of 1320 units (944 apartments, 376 townhouses) of which 65 units will be workforce housing units in accordance with the CDMP covenant. It should be noted that Parcel C is located within the PCUC and the applicant has requested an Administrative Site Plan Review

(ASPR) which is a separate process. The site plans submitted for this application depict a development that is compatible and consistent with the more intense urban development of the PCUC. Additionally, the requested zone change is compatible with the current land use designations. Based on the aforementioned, staff opines the proposed development is **compatible** with the surrounding community and is **consistent** with the CDMP.

As previously mentioned the applicant proffered a covenant during the April 2005 CDMP Amendment Cycle which stated that the owner shall voluntarily comply with all applicable Miami-Dade County, or successor municipality, workforce housing requirements, notwithstanding the applicability of any codified exemption. Furthermore, the covenant states that in the event that Miami-Dade County fails to enact an ordinance governing the development of workforce housing units on the property, the owner shall develop at least 65 units of the residential units on the property as workforce. Though Miami-Dade County has enacted a workforce housing ordinance as of May 2008, the applicant has proffered a covenant which provides 65 units of workforce housing. The site plan submitted by the applicant depicts 65 of the 102 units as designated for workforce housing which will be located in the two garden style apartments at the northern portion of the development. A workforce housing unit has been defined as a dwelling unit intended for sale or rental to a household within the income range of 65% to 140% of the County's median income. The workforce housing units will be for persons meeting the income eligibility requirements (65% to 140% of the median income of Miami-Dade County which is $49,200). The Workforce Housing Development Program allows applicants to obtain a twenty-five percent density increase provided that a minimum 12.5% of the proposed units in the development are workforce housing units. However, the applicant is not seeking any additional density increases for the proposed development. Staff opines that the workforce housing units would be **compatible** with the surrounding community and **consistent** with the CDMP.

The Department of Environmental Resources Management (**DERM**) **does not object** and indicates that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the subject property is located near County-designated Natural Forest Community (NFC) properties. Their memorandum states that parcels containing or adjacent to NFC properties must avoid adverse impacts to the NFC properties associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage and erosion. The **Public Works Department** has **no objections** to this application. The Miami-Dade Fire Rescue Department **(MDFR)** does not object to this application and indicates that the response time for this application is **5:05 minutes**. The Department of Solid Waste Management **(DSWM**), Miami Dade Transit **(MDT**) and **Miami-Dade Park and Recreation** have **no objections** to this application. The Miami-Dade Water and Sewer Department **(WASD),** Solid Waste Department **(SWD)** and the **Aviation Department** have **no objections** to this application. The Miami-Dade County Public Schools **(MDCPS) does not take a position** regarding this application, however their memorandum indicates there is not sufficient capacity at the elementary school serving the area to accommodate the density increase proposed under this application.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development will: conform to the Comprehensive Development Master Plan (CDMP) for Miami-Dade County, Florida; have a favorable or unfavorable impact on the environmental and natural resources of

Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

The rezoning of Parcels A, B and E of the subject property from RU-1M(a) and AU to RU-4 would allow the applicant to develop 1320 apartments and townhouses on those parcels. The rezoning to the more intense RU-4 zoning would allow the applicant to develop the subject property in a manner that is compatible with the more intense PCUC standards and is consistent with as many PCUC standards as possible which is consistent with the CDMP covenant. Therefore, staff supports the district boundary change to RU-4 (request #1) and is of the opinion that the proposed residential development is **consistent** with the LUP map designation of the CDMP and the CDMP covenant. The proposed development would not have an unfavorable effect on the economy of Miami-Dade County, would not cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, as evidenced by the memoranda provided by WASD, DERM and DSWM. The applicant has submitted a covenant which indicates that the owner acknowledges that the development of the property will be subjected to Miami-Dade County's uniform school concurrency system. In addition to any educational facilities mitigation required under the school concurrency system due to the impact of the students generated by the development of the property, the owner shall donate $10,000 to Miami-Dade County Public Schools. The monetary donation shall be made prior to the approval of a final plat for any portion of the property and shall be over and above any educational facilities impact fees paid for the development. Staff opines that the aforementioned meets the educational facilities mitigation plan as required by the CDMP covenant. As such, staff recommends approval of the district boundary change.

When requests #2 and #3 are analyzed under the Modification Standards Section 33-311(A)(7) staff is of the opinion that the proposed modification and deletion will not generate excessive noise or traffic, tend to create a fire or other dangerous hazard, provoke excessive overcrowding of people, or tend to provoke a nuisance, as the proposed residential development will be **compatible** with the area and will not be contrary to public interest. The applicant has submitted a new site plan for the proposed charter school which depicts a two phase development located at SW 124 Avenue and SW 248 Street. Phase I is proposed as a two-story, 60,975 sq. ft. building with 50,000 sq. ft. of recreation area. Phase II is a two-story 52,625 sq. ft. building with 33,500 sq. ft. of recreation space. The submitted Letter of Intent indicates that the applicant will open Phase I as a K-12 charter school. As previously mentioned, the CDMP covenant proffered by the applicant during the 2005 CDMP amendment cycle required the applicant to submit an Educational Facilities Mitigation Plan. This plan was intended to mitigate the impacts on Miami-Dade County Public School educational facilities. The applicant had various options to mitigate the proposed development and chose the provision of a charter school serving up to 1,440 students in grades K- 8. The purpose of request #2 is to allow the applicant to submit revised plans for the

charter school showing an increase in grade levels from K-8 to K-12 with the number of students remaining at 1440. Request #2 will not, in staff's opinion, unduly burden or affect public transportation facilities as evidenced by the memoranda from Public Works. The memorandum from the Miami-Dade County Public Schools indicates that the development will generate an additional 592 students: 278 elementary; 136 middle; and 178 high school students. Request #3 is to allow the applicant to delete a covenant tying the site to specific site plans and charter school requirements in order to proffer two separate covenants governing the residential and charter school requirements. Said covenant called for, among other things, the construction of phase 1 of the charter school prior to the issuance of building permits for 278 residential units. Staff notes that approval of request #3 will eliminate said restriction and will no longer tie the charter school development to the residential development. The proposed covenant proffered by the applicant indicates, among other things, that the charter school will be developed according to the new plans submitted, will have 1,440 students in grades K-12, operate between the hours of 7:00 A.M. and 6:00 P.M. and have three staggered arrival and dismissal times. Additionally, the covenant states that Phase I will operate with two shifts with the maximum number of students not to exceed 535 K-12 students in each shift and that Phase II of the proposed school will operate with one shift with a maximum of 640 K-12 students. Furthermore, said covenant indicates that the owner acknowledges that the development of the property will be subjected to Miami-Dade County's uniform school concurrency system. In addition to any educational facilities mitigation required under the school concurrency system due to the impact of the students generated by the development of the property, the owner shall donate $10,000 to Miami-Dade County Public Schools. The monetary donation shall be made prior to the approval of a final plat for any portion of the property and shall be over and above any educational facilities impact fees paid for the development. The memorandum from Miami-Dade County Public School indicates that the impact is primarily at the elementary school level and staff opines that the charter school would mitigate the impact of the approximately 592 students generated by this application. However, as previously mentioned, the charter school development will no longer be tied to the residential development. Based on the aforementioned, staff is recommending approval with conditions of requests #2 and #3 under Section 33-311(A)(7) (Generalized Modification Standards).

When requests #4 through #11 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that these requests maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the surrounding area. Staff supports request #4, to permit apartment buildings with an Floor Area Ratio (FAR) of .85 (.80 permitted) since it is compatible with the CDMP Urban Center requirements which allows an FAR greater than 1.5 in the core and not less than 0.5 in the edge. Request #5, to permit apartment buildings with 24% landscape open space (40% required) in staff opinion would be compatible with the PCUC regulations. While staff acknowledges that the development is less than the RU-4 zoning requirement, staff also notes the applicant has proffered 2 parks totaling 2 acres of open space for the development. Furthermore, the CDMP Urban Center regulations state that public area provided outdoors7, at grade will be counted toward satisfaction of requirements for other common open space. Approval of request #6 to permit a minimum setback of 2' (25' required) on the front, rear and side street property is consistent with the Community Urban Center Standards which allows setbacks ranging from 0' to 6' for apartments and rowhouses. Requests #7 and #8 which are to permit 2,208 parking spaces where 2,559 are required and to permit on-

street parking which is not permitted. However, the parking requests are compatible with the parking regulations within the PCUC which permits and credits on street parking as part of the parking count. Shared parking is encouraged in Community Urban Centers. Furthermore, reductions from standard parking requirements shall be authorized in Community Urban Centers where there is a complementary mix of uses on proximate development site, and near transit stations. Staff opines that the parking deficit would be adequately addressed with the on-street parking and the site proximity to US 1 Busway and is consistent with the intent of the PCUC regulations. The Public Works Department memorandum indicates that they have no objections to the request. In staff's opinion requests #9 and #10 to permit a two-way drive 19' where 20' is required and to permit a two-way drive 18' wide where 22' is required are minor and would not have an adverse effect on the surrounding community. These requests would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, and will be compatible with the surrounding land uses and would not be detrimental to the community, would not adversely affect the stability and appearance of the surrounding community nor would it create a negative visual impact to the neighborhood. Staff opines that request #11, to permit rowhouses with a common open space of 4% (12% required) and garden apartments with 18.7% common open space (40% required) will not be detrimental to the community and maintains the basic intent of the zoning regulation. CDMP CUC regulations do not address open space requirements for rowhouses and apartments but requires landscaping in the front setback. The plans submitted depict landscaping in the front setbacks. In staff's opinion, the applicant has provided adequate open space and has designed the rowhouses and apartments to be compatible with the PCUC requirements. Based on the aforementioned, staff opines that requests #4 through #11 should be approved, with conditions, under the NUV Standards.

Based on the foregoing, staff recommends approval of the district boundary change (request #1) on Parcels, A, B and E from RU-1M(a) and AU to RU-4, subject to the Board's acceptance of the proffered covenant; approval with conditions of requests #2 and #3 under Section 33-311(A)(7)General Modification Standards, and approval with conditions of requests #4-#11 under Section 33-311(A)(17) (Non Use Variance).

I. **RECOMMENDATION:** Approval of the district boundary change (request #1) from RU-1(M)(a) and AU to RU-4, subject to the Board's acceptance of the proffered covenant, and approval with conditions of requests #2 and #3 under Section 33-311(A)(7) (Generalized Modification Standards), and approval of requests #4 - 11 Section 33-311(A)(4)(b) (NUV).

J. **CONDITIONS:** For Requests #2-#11

1. That a site plan be submitted to and meet with the approval of the Director of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not be limited to, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled: 'Princeton Commons, as prepared by RE Chisolm

Architects, Inc., dated stamped received October 9, 2009, and 1 sheet dated stamped received 12/21/09 consisting of 27 sheets.

3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled: Somerset Academy at Country Palms, as prepared by Civica, dated stamped received September 24, 2009.

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

5. That the applicant submit to the Department of Planning and Zoning for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Occupancy.

6. That the applicant provide 65 units of workforce housing in accordance with the CDMP covenant.

7. That the applicant submit to the Department of Planning and Zoning for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

8. That all development on the subject property meet all requirements of the CDMP covenant.

9. That the subject property be developed with at least two (2) acres of public open space, in the form of plazas, greens, or squares as defined under the Miami-Dade County Standard Urban Center District Regulations.

10. That all roadways with the subject property align as much as possible with the corresponding roads in the PCUC in order to form a unified grid network.

11. That the applicant, prior to the approval of a final plat for the subject property, work with the Miami-Dade Transit to accommodate future transit facilities within the Property (including bus shelters, pull-out bays, and other facilities).

12. That the applicant work with the Miami-Dade County Public Works Department and Department of Planning and Zoning to ensure adequate infrastructure will be available to accommodate the traffic trips generated by the development of the subject property.

13. That during the permitting process the applicant make a good faith effort to preserve specimen trees on the subject property in accordance with the requirements of Chapter 24 of the Miami-Dade County Code.

14. That the applicant complies with Section 33-193.14, Workforce housing agreement, which indicates that prior to the earlier of final plat approval or application for building permit for the first residential unit on the property subject to the requirements of this article applicant shall submit a declaration of restrictive covenants, approved in form by the Director and sufficient for recording in the public records of Miami-Dade County, Florida, encumbering the individual WHUs in the entire development,

specifying the restrictions of the WHU and such further arrangements, restrictive covenants, and resale restrictions as are necessary to carry out the purposes of Chapter 17, Article IX of the Code, Sections 17-142 through 17-144 inclusive.

15. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of the December 30, 2009 DIC of this application and incorporated herein by reference.

16. That the applicant obtain a Certificate of Use 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. That no outside loud speakers shall be permitted on the property.

18. That the waste pick-up for the charter school shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except during arrival and dismissal times.

19. That the school gates be opened at least 30 minutes prior to the arrival and dismissal times.

20. That the charter school use be limited to grades Kindergarten through 12th and be limited to a maximum of 1,440 students.

21. That there will be staggered shifts at arrival and dismissal times for students at the charter school, separated by a minimum of 20 minutes.

22. That at time of yearly renewal of Certificate of Use, the applicant shall submit to the Department of Planning and Zoning a letter from the principal of the school detailing the number of students and the grade levels that are currently enrolled in said facility.

23. That at the time of plat the property meets all related concurrency, mitigates all assessed impacts of the project and that the applicant makes contribution of $10,000 over and above the impact mitigation.

24. That the site set aside for a school remains as a school site.

DATE TYPED: 11/24/09
DATE REVISED: 11/25/09, 11/27/09, 11/30/09, 12/18/09, 12/21/09, 12/23/09, 12/24/09; 12/28/09
DATE FINALIZED: 12/28/09
MCL:GR:NN:JV:CI

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

Memorandum

MIAMI-DADE COUNTY

Date: December 4, 2009

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

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

Subject: Recommendations for Princeton Land Investments LLC & County Palm Holdings, (Somerset Academy at Country Palms) Proccess number: Z2009000006

Miami Dade County Public Works Department Traffic Engineering Division has no objection to this application only if the applicant complies with all of the following recommendations and comments below.

The Traffic Engineering Division has reviewed the Site Plans, revised 09/17/09, submitted to Department of Planning & Zoning on 09/24/09, and the Traffic Impact Analysis, dated 09/02/09, submitted to Dept. P&Z on 09/23/09 for the proposed facility located at SW 124 Avenue & SW 248 Street and has the following recommendations and comments:

- Traffic Study Comments:

  1. The applicant's traffic study recommends a traffic signal be installed at SW 124 Avenue & SW 248 Street, and Public Works Department concurs that the applicant shall install this signal. Alternatively, the applicant may provide a Signal Warrant Analysis for the 2011 project year at the recommended signal location. If a signal is not warranted, alternate LOS improvements (e.g. additional lanes, roundabout) shall be studied and provided.
  2. A Level of Service study at the SW 124 Avenue entrance driveway is required. If a left turn lane is required, the proposed roadway section will be coordinated with the SW 124 Avenue & SW 248 Street intersection operations and geometry.

- Project Requirements

  1. School Speed Zone signs (fluorescent yellow-green material must be used where applicable on sign panel segments), pavement markings, and flashing signals are required along the major roadways adjacent to the site.
  2. A proposed schedule of arrival and dismissal times including grade level and number of students, is required to be provided in a covenant (and/or "Letter of Intent") for this facility.
  3. Trained personnel shall be provided to manage traffic operations during arrival and dismissal periods.
  4. Provide a maintenance of traffic (MOT) operation plan, including provision of any traffic control devices (e.g. – cones, delineators) for arrival and dismissal periods in a covenant ("Letter of Intent") for this facility.

- Standard Comments:

1. Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.

2. Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 ft within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546. Any proposed planting, relocation or removal of trees and other foliage including any installation of irrigation systems in the public right-of-way must be approved by the R.A.A.M. Division of this Department. Also, any relocation or removal of trees must be approved by DERM. These approvals should be applied for, and received, prior to DIC Executive Council approval of this project. A "Covenant for Maintenance" agreement, recorded in the public record, must be provided prior to permitting any of these types of installations within the public right-of-way.

3. Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Prior to formal submittal of plans for approval and permitting, a Dry Run Paving and Drainage submittal is required to review compliance with DIC conditions for approval and appropriate standards, and to rectify any discrepancies between existing facilities, plans, conditions for approval, or standards. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.

4. All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required at locations remote from this site along safe routes to school to provide for pedestrian student safety. These requirements may be determined at the time of Dry Run submittal of Paving and Drainage Plans.

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

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

cc: Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division
Robert Williams, P.E., Acting Chief, Traffic Signals and Signs Division
Raul A. Pino, P.L.S., Chief, Land Development Division
David Cardenas, Chief, Right of Way and Aesthetic Assets Management Division
Harvey L. Bernstein, Educational Facilities Administrator, Traffic Engineering Division
Armando Hernandez, Concurrency Coordinator, Traffic Engineering Division
Vishnu Rajkumar, Signal Design Administrator, Traffic Engineering Division

Memorandum

MIAMI-DADE COUNTY

Date: November 12, 2009

To: Marc C. LaFerrier
Director
Planning & Zoning Department

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

Subject: DIC09-006
Name: Princeton Commons Multifamily
Location: SW 127 Avenue & SW 240 Street
Sec. 23 & 24 Twp. 56 Rge. 39

I. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY

A. Trip Generation
773 PM Peak Hour trip ends

B. Cardinal Distribution

North	51.0 %	East	8.0 %
South	28.0 %	West	13.0 %

II. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION

A.1 SW 127 Avenue, South of South Dixie Highway.
B.1 From SW 248 Street to SW 236 Street is a Section Line 2-lane roadway.

A.2 SW 232 Street, West of South Dixie Highway.
B.2 From South Dixie Highway to SW 132 Avenue is a Section Line 2-lane roadway.

A.3 South Federal Highway (US-1), North of SW 248 Street to SW 216 Street.
B.3 From SW 248 Street to SW 216 Street is an Arterial 4-lane roadway.

III. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

Station 9790 located on SW 127 Avenue, S/O SW 216 Street to SW 232 Street has a maximum Level of Service (LOS) "D" of 900 vehicles during the PM Peak Hour Period (PHP). It has a current PHP of 213 vehicles and 29 vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9790** with its 242 PHP and assigned vehicles is at LOS **"D"**. The 78 vehicle increment generated by this development when combined with the previous 242 count equals to **320** total vehicles and LOS **"D"** where the range is from 180 to 1040 vehicles.

Station 9910 located on SW 232 Street, W/O SW 137 Avenue to SW 147 Avenue has a maximum LOS "C" of 1470 vehicles during the PHP. It has a current PHP of 415 vehicles and 56 vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9910** with its 471 PHP and assigned vehicles is at LOS **"A"**. The 99 vehicle increment generated by this development when combined with the previous 471 count equals to **570** total vehicles and LOS **"A"** where the range is from 1 to 1090 vehicles.

Station 9971 located on South Dixie Highway, S/O SW 248 Street between SW 112 Avenue-SW 304 Street has a maximum LOS "EE" of 4068 vehicles during the. It has a current PHP of 2893 vehicles and 958 vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9971** with its 3851 PHP and assigned vehicles is at LOS **"D"**. The 216 vehicle increment generated by this development when combined with the previous 3851 count equals to **4067** total vehicles and LOS **"E"** where the range is from 3470 to 4068 vehicles.

Station F-8 located on South Dixie Highway, S/O SW 232 Street, SW 304 Street to SW 112 Avenue has a maximum LOS "EE" of 4068 vehicles during the PHP. It has a current PHP of 2801 vehicles and 410 vehicles have been assigned to this section of road from previously approved Development Orders. **Station F-8** with its 3211 PHP and assigned vehicles is at LOS **"B"**. The 380 vehicle increment generated by this development when combined with the previous 3211 count equals to **3591** total vehicles and LOS **"E"** where the range is from 3390 to 4068 vehicles.

IV. SITE PLAN REQUIRED CONDITIONS:

A. It is required that the land be platted.
B. The applicant shall submit prior to platting a transition geometric design alignment for the intersection of SW 127 Avenue and SW 240 Street, acceptable to the Public Works Department's Traffic and Highway Divisions. Site Plan as presented may be required to be modified in accordance with Chapter 33 of the Miami-Dade Code.
C. The applicant shall provide right-of-way dedication and improvements along SW 127 Avenue, SW 240 Street and all streets and avenues surrounding the project.
D. A traffic study shall be provided during the Plat procedure in order to determine the need for new and/or improvement of existing traffic signals.

V. STANDARD CONDITIONS

A. Street lights, as well as other right-of-way improvements are required per Miami-Dade County Public Works Department Standards.
B. Appropriate radii must be provided to allow large vehicles such as Fire, Rescue and Solid Waste Departments.
C. Driveways shall be no less than twenty-two feet (22') in width and shall be designed for large and heavy vehicles.
D. All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code; G5.3 of the Public Works Manual; and Index 546, Florida Department of Transportation Design Standards for

Design Construction, Maintenance and Utility Operations on the State Highway System (FDOT Design Standards).

E. All traffic signing, markings and signal plans, on site and offsite, shall be submitted to the Public Works Department for Paving & Drainage review and approval.

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

cc: Jorge Vital, Development Impact Coordinator, Planning and Zoning Department
Joan Shen, P.E., PhD, Manager, Traffic Engineering Division
Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division
Armando E. Hernandez, Special Administrator for Concurrency, Traffic Engineering Division

Miami-Dade County Public Schools
giving our students the world

Superintendent of Schools
Alberto M. Carvalho

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Dr. Wilbert "Tee" Holloway
Dr. Martin Karp
Ana Rivas Logan

October 30, 2009

Mr. Marc C. LaFerrier, Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, 11th Floor, Suite 1110
Miami, FL 33128

RE: **09-006 – Princeton Land Investments LLC & County Palm Holdings LLC - DIC**
Generally Southeast of U.S.1 and SW 127 Avenue

Dear Mr. LaFerrier:

Miami-Dade County (County) has requested that the School District prepare an analysis of the impact that the proposed zoning application No. 09-006 would have on the public schools serving the area. Please note that the County and the School Board recently entered into a new Interlocal Agreement by which the County adopted school concurrency within its jurisdiction and is currently in the process of preparing the necessary enabling Administrative Orders. In the meantime, as a courtesy to the County, please find attached a school impact analysis (provided for informational purposes only) of the potential impacts generated by the application.

The proposed zoning application would permit 944 Garden Apartments (multifamily) and 376 Townhouses (single family attached). Based on this information, the permitted residential units would generate approximately 592 students: 278 Elementary; 136 Middle School; and 178 High School. At this time, there is not sufficient capacity at the elementary school serving the area to accommodate the density increase proposed under this application.

Please note that this is not to be construed as a public school concurrency review, and is solely meant to provide an overall picture of potential impacts on area schools, and the availability of student stations at this point in time. Individual determinations of public school concurrency and capacity reservations will be made at the time of approval of plat, site plan or functional equivalent. As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:ir
L147

Attachment
cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Ms. Vivian Villaamil

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

2009 1123 1

35

09-006 – Princeton Land Investments LLC & County Palm Holdings LLC

FOR INFORMATIONAL PURPOSES ONLY

This Review Analysis does not constitute School Concurrency Review

October 30, 2009

Student Generation Multiplier

MSA	Multiplier (Single Family Attached)	Multiplier (Multifamily)
7.1	.72	.34

Estimated Student Population Increase

Number of Units	Student Generation Multiplier	Number of Students
944 Multifamily	.34	321
376 Townhomes	.72	271

592 Total Students Generated

School Level	Generation Multiplier		Students		Students Generated
Elementary	.47	x	592	=	**278**
Middle	.23	x	592	=	**136**
Senior	.30	x	592	=	**178**

Potential Available Capacity at the Elementary School

Facility Name	2009 (Interim) FTE Membership	Perm Capacity	% Utilization Perm	Relocable Capacity	Total Capacity	% Utilization Total	Potential Available Capacity
Coconut Palm K-8 Academy	947	1,004	94%	0	1004	94%	57
TOTAL	**947**	**1,004**	**94%**	**0**	**1,004**	**94%**	**57**

Potential Available Capacity at Middle Schools

Facility Name	2009 (Interim)FTE Membership	Perm Capacity	% Utilization Perm	Reloc Capacity	Total Capacity	% Utilization Total	Potential Available Capacity
Coconut Palm K-8 Educational (Middle)	270	495	55%	0	495	55%	225
Redland Middle	772	1,218	63%	79	1,297	60%	525
TOTAL	**1,042**	**1,713**	**60%**	**79**	**1,792**	**58%**	**750**

Potential Available Capacity at the Senior High School

Facility Name	2009 (Interim) FTE Membership	Perm Capacity	% Utilization Perm	Reloc Capacity	Total Capacity	% Utilization Total	Potential Available Capacity
Homestead Senior High	1,834	2,893	63%	0	2,893	63%	1,059
TOTAL	**1,834**	**2,893**	**63%**	**0**	**2,893**	**63%**	**1,059**

Memorandum

MIAMI-DADE COUNTY

Date: December 15, 2009

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

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

Subject: DIC #Z2009000006-3rd Revision
Princeton Land Investments, L.L.C. and County Palm Holdings
S.E. of U.S. 1 at S.W. 127 Avenue
District Boundary Changes to RU-4 on Parcels A,B, and E, Request to Permit Setback that Exceeds Requirements, and Request to Permit a Charter School
(RU-1(M)(a)) (94.43 Acres)
24-56-39

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

Potable Water Service

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (MDWASD). The subject property is abutted by a 12-inch public water main along S.W. 129th Ave and 48-inch public water main along S.W.127th Avenue. Connection of the proposed development to the public water supply system shall be required in accordance with Code requirements. The estimated demand for this project is 306,410 gallons per day (gpd). This figure does not include irrigation demands.

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

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

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

It is recommended that the landscaping conform to xeriscape concepts. Included in these concepts is the use of drought tolerant plants, which reduce the use of turf grass together with efficient irrigation

system design. Details of xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water Management District.

Wastewater Disposal

The property is located within the franchised sanitary sewer service area of the MDWASD. The closest public sanitary sewer is an 8-inch public gravity sewer main along S.W. 127th Avenue abutting the subject property at its northernmost point. In addition, there is an 8-inch public gravity sewer main located approximately 100 feet northwest from the property, along S.W. 129th Avenue. The flow collected for these two gravity systems is directed to pump station 30-1083, then to pump station 30-0522 and finally to the South District Wastewater Treatment Plant. Connection of the proposed development to the public sanitary sewer system shall be required in accordance with the Code requirements.

All the pump stations as well as the Wastewater Treatment Plant are owned and operated by MDWASD and are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree. However, at the present time, pump station 30-1083 does not have sufficient capacity to handle the additional flows to be generated by the proposed development. The applicant is advised to contact MDWASD for further information concerning points of connection.

Existing public sanitary sewer facilities and services meet the LOS standards set forth in the CDMP. Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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

Stormwater Management

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

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

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

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood

protection set forth in the CDMP subject to compliance with the conditions required by DERM for this proposed development order.

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.

Natural Forest Communities
The above referenced sites are near County-designated Natural Forest Community (NFC) properties. The County has a vested interest in maintaining these NFC areas as a natural preserve. Development on parcels containing or adjacent to NFC properties must avoid adverse impacts to the NFC properties associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage and erosion. Also, in order to avoid damage to protected plants and substrate, the parking of heavy machinery, staging of construction materials and/or any other development related activities shall not be allowed inside or adjacent to the NFC.

The NFC will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject properties lie within the potential smoke dispersion corridor. Consequently, the subject properties may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires. According to the landscape code for Miami-Dade County, controlled species may not be planted within 500 feet of the native plant community. Please refer to the Landscape Manual of the Department of Planning and Zoning for a list of these controlled landscaping plants.

Tree Preservation
Tree Removal Permit 2009-TREE-PER-00374 was issued for the properties with folios 30-6923-000-0930 and 0931, 30-6924-000-0450, 0810, 0820, 1200 and 1210 on December 1, 2009 and is scheduled to expire on December 1, 2010. TP 2009-TREE-PER-00374 requires the preservation of all regular size trees as indicated in the revised tree survey dated October 27, 2009 that was submitted with the tree removal permit application.

All approved tree removal or re-location; replanting and final inspection must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions. A two weeks notice is required prior to the final inspection. Please be advised that a new Miami-Dade County Tree Removal Permit or an amendment to Tree Removal Permit 2009-TREE-PER-00374 is required prior to the removal or relocation of any other tree on the subject properties. Please contact this Program at 305-372-6574 for information regarding tree permits.

Pollution Control
A review of the DERM files indicates that there are no records of current contamination assessment or remediation issues on these properties or abutting these properties. Additionally, there are no historical records of contamination assessment or remediation issues regarding non-permitted sites associated with the properties. The applicant is advised that there are historical records of contamination assessment or remediation issues regarding non-permitted sites abutting to the east of Folio # 30-

6924-000-1190, Folio # 30-6924-000-1180 (DCPS-Palm Glade K-8 Center (Former Borek Farms), SW 124 AVE/SW 244 ST, HWR -597/F-22101 has historical records regarding arsenic contamination. Except as indicated above, there are no other abutting properties with historical records of assessment or remediation issues regarding non-permitted sites.

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 Christine Velazquez, Interim Manager at (305) 372-6764.

Memorandum

MIAMI-DADE COUNTY

Date: October 14, 2009

To: Marc C. LaFerrier, Director
Department of Planning & Zoning

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

Subject: DIC # 2009000006 – Princeton Land Investments et al
Lying on the southeast corner of US Highway No. 1 and SW 127th Avenue
Miami-Dade County, Florida (Revision No. 3)

SERVICE IMPACT/DEMAND

(A) Based on development information, this project is expected to generate approximately **370** fire and rescue calls annually. Although the number of calls will result in a severe impact to existing fire and rescue service, the construction of the Coconut Palm Fire Rescue Station No. 70 will absorb the impact to existing stations. Station No. 70 will be constructed along SW 248th Street and SW 114th Place. It is anticipated that the Station will be completed in 2012.

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

EXISTING SERVICES

Based on data retrieved during calendar year 2008, the average travel time to the vicinity of the proposed development was **5:05 minutes**. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.

The stations responding to a fire alarm will be:

STATION	ADDRESS	EQUIPMENT	STAFF
5	13150 Hobson Drive	Rescue, Engine	7
6	15890 SW 288 Street	Rescue, Tanker, Battalion	8
34	10850 SW 211 Street	Rescue, Rescue*, Aerial, Platform	10
52	12105 Quail Roost Drive	Rescue, ALS Tanker	7

ALS= Advanced Life Support
* Rescue 70 (this unit is temporarily being housed at Station No. 34 pending completion of the Coconut Palm station at SW 248 St.)

SITE PLAN REVIEW:

(A) Fire Engineering & Water Supply Bureau has reviewed and approved the revised plans entitled 'Princeton Commons' as prepared by Chisholm Architects, dated stamp received 10/9/09.

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

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

HL:ch

Memorandum

MIAMI-DADE COUNTY

Date: April 6, 2009

To: Marc C. LaFerrier, Director
Department of Planning & Zoning

From: José Ramos, R.A., Chief, Aviation Planning
Aviation Department

Subject: DIC Application #09-006
PRINCETON LAND INVESTMENTS LLC & COUNTY PALM HOLDINGS, LLC
Determination Number DN-09-04-121

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #09-006, Princeton Land Investments LLC & County Palm Holdings, LLC. The applicant is requesting a District Boundary Change from RU-1MA, RUTH & AU TO RU-4M. The subject property is 94.43 ACRE acres and is located southeast of US Hwy 1 & S.W. 127 Avenue, Miami-Dade County, Florida.

Based on the available information, it was determined that this parcel is located outside of any land use restrictive zones as defined in the proposed Zoning Ordinance for Homestead General Aviation Airport.

Please note that MDAD does not have jurisdiction over Homestead Air Reserve Base, since the proposed project may be impacted by land use restrictions at Homestead Air Reserve Base, you are may advised to contact them. The contact at the Base is Major Tim Arnett, 305-224-7306, tim.arnett@homestead.af.mil.

Should you have any questions, please contact me at 305-876-8080.

JR/AH/cf

C: M. Fajardo
S. Harman
Nick Nitti, DIC Coordinator, Department of Planning & Zoning
A.Herrera
File

4/4

Vital, Jorge (DPZ)

From: Graham Penn [gpenn@brzoninglaw.com]
Sent: Monday, December 21, 2009 2:08 PM
To: Vital, Jorge (DP&Z)
Subject: FW: Miami-Dade County Zoning Application 09-006

Jorge,

Here is the HAFB memo.

Graham

Bercow Radell & Fernandez, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, Florida 33131
Direct Line: (305) 377-6229
Facsimile: (305) 377-6222
gpenn@brzoninglaw.com

The information contained in this electronic message is privileged and confidential and is intended only for the use of the individual named above and others who have been specifically authorized to receive such. If the recipient is not the intended recipient, you are hereby notified that any dissemination, distribution or duplication of the communication is strictly prohibited. If you have received this communication in error, or if any problems occur with transmission, please immediately notify us by telephone (305) 374-5300.

----- Forwarded Message
From: <Lawrence.Ventura@homestead.af.mil>
Date: Fri, 14 Aug 2009 09:42:29 -0400
To: Graham Penn <gpenn@brzoninglaw.com>
Cc: Renee Bergeron <rbergeron@miami-airport.com>
Subject: RE: Miami-Dade County Zoning Application 09-006

Sir,
Thank you for taking the time to contact Homestead Air Reserve Base regarding this matter. I have reviewed the attached proposal and find that it falls outside our area of interest. As such, we have no objections to your project.

Vr
Lawrence Ventura
Chief, Environmental Flight

482 MSG/CEV
29350 Westover Street, Bldg 232
Homestead ARB, Fl. 33039-1299

Comm Phone: (305) 224-7163
Comm Fax: (305) 224-7347
DSN Prefix: 791

45

-----Original Message-----
From: Graham Penn [mailto:gpenn@brzoninglaw.com]
Sent: Tuesday, August 11, 2009 11:38 AM
To: Ventura, Lawrence Civ USAF AFRC 482 BCE/CEV
Cc: Renee Bergeron
Subject: Miami-Dade County Zoning Application 09-006

Mr. Ventura,

It was a pleasure chatting with you yesterday regarding the above application. As you and I discussed, the application involves the development of a residential community and charter school located at approximately S.W. 240 Street and S.W. 127 Avenue. I am attaching a copy of the survey of the land for your review. Parcel D is proposed for the charter school use, while the remaining properties will be residentially developed.

Please confirm by return email whether there would be any issues raised by our proposed development. Thanks again.

Graham

Bercow Radell & Fernandez, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, Florida 33131
Direct Line: (305) 377-6229
Facsimile: (305) 377-6222
gpenn@brzoninglaw.com

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------ End of Forwarded Message

46

DATE: 07-APR-10

REVISION 2

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS, LLC	LYING BETWEEN SW 124 AVENUE AND 129 AVENUE AND BETWEEN SW 248 STREET AND U.S. HIGHWAY #1, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2009000006

HEARING NUMBER

HISTORY:

CURRENT ENFORCEMENT HISTORY:

No current open cases, liens or citations with Neighborhood Compliance or Building Department

OPEN CASES Neighborhood Compliance:
No open cases.

OPEN CASES Building Department:
No open cases.

CLOSED CASES: Neighborhood Compliance:
Folio #: 3069240001620
10/06/2006 - Case #:200601004844 ¿ Warning R635551 issued under code section 19-14(B) ¿ Overgrown Right of Way.
11/09/2006 ¿ Corrected by violator.
Case Status: Closed
Case #200709000658
06/15/2007 Notice of Violation issued for under code section 17A ¿ Unsecured property.
04/22/2008 ¿ Property secured.
Case Status: Closed

Folio #: 3069240001621
Case #: 200601004842
10/06/2006 Warning R63552 issued under code section 19-14(B) ¿ Overgrown Right of Way.
11/07/2006 ¿ Corrected by Violator
Case Status: Closed

Case #: 200801001691
02/29/2008 Warning issued under code section 19-13(A) ¿ Overgrown property.
04/25/2008 Case closed

Case #: 200801001692
02/29/2008 Warning issued under code section 33-4.2(A) ¿ Failure to Maintain Wood Fence in Good Repair.
05/28/2008 Case Closed

Folio #3069240001410
Case #: 200601004848
10/06/2006 Warning R63553 issued under code section 19-14(B) ¿ Overgrown Right of Way.
11/07/2006 ¿ Complied by Violator.
Case Status: Closed

Folio #:3069230000930
Case #200901000395
02/06/2009 Warning issued under code section 19-14A ¿ Maintaining Junk and Trash.
03/13/2009 Corrected by Violator
Case Status: Closed

Folio #3069230000851
Case #200601000582
02/07/2006 Warning R31358 issued under code section 33-11 ¿ Overgrown Hedges.
03/15/2006 ¿ Corrected by violator
Case Status: Closed

CLOSED CASES: Building Department
No past cases.

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

REPORTER NAME:

Memorandum

MIAMI-DADE COUNTY

Date: May 13, 2009

To: Jorge Vital
Acting DIC Coordinator
Department of Planning and Zoning

From: John Garcia
Principal Planner
Miami-Dade Transit - Transit Planning Section

Subject: Review of DIC Project No. 09-006 (Princeton Land Investments, Inc.)

Project Description

The applicant is requesting a district boundary change to Modified Apartment House District in order to develop the subject property with different residential types, show additional property, increase the grade levels for the charter school and delete references to the timing of the construction and phase development for the charter school. The applicant is also requesting changes to setbacks to permit a greater floor area ratio than is permitted and to permit a modification to previously approved plans. The subject property is 94.43 acres and is located generally southeast of US-1 and SW 127th Avenue in Miami-Dade County, Florida.

Current Transit Service

There is non-direct transit service within the immediate vicinity of the application site. The closest transit service is provided along US-1 by Metrobus Route 35 and along the South Miami-Dade Busway by Routes 34/Busway Flyer and 38/Busway MAX. The northeastern corner of the subject property lies just to the east of another development which fronts US-1/the Busway. Local bus stops for the Route 35 exist on US-1, but stops on the Busway close to the subject property are only located at SW 244th Street and SW 232nd Street. The service headways for the above mentioned routes (in minutes) are as follows:

Metrobus Route Service Summary
Princeton Land Investments, Inc. Application Site

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
34/Busway Flyer	7½	N/A	N/A	N/A	N/A	N/A	0.4	E / F
35	30	30	60	N/A	30	30	0.2	L
38/Busway MAX	15	15	15	60	15	20	0.4	E / F

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

Future Transportation/Transit Improvements

The 2009 Transportation Improvement Program (TIP) does not propose any improvements in the immediate vicinity of this project. The 2030 Long Range Transportation Plan (LRTP) also does not propose any improvements in the immediate vicinity of this project.

The 2008 ten-year Transit Development Plan (TDP) identifies in its 2018 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route 34:	No planned improvements
Route 35:	Improve peak headway from 30 to 20 minutes Adjust weekend headways from 30 to 60 minutes
Route 38:	Improve peak headway from 15 to 10 minutes

No new service is proposed in the immediate vicinity of this project within the 2018 Recommended Service Plan.

MDT Comments/Recommendations

Miami-Dade Transit (MDT) currently provides local bus service in close proximity to the application sites. No impact is expected to be generated by the request to change the district boundary designation. Based on the information presented, MDT has no objections to this project.

Concurrency

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

Memorandum

MIAMI-DADE COUNTY

Date: May 4, 2009

To: Jorge Vital
Acting DIC Coordinator
Department of Planning and Zoning

From: Christopher Rose
Deputy Director, Administration
Department of Solid Waste Management

Subject: DIC#09-006
Princeton Land Investments, Inc.

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 Stacey McDuffie, Division Director, Planning and Intergovernmental Affairs at 305-514-6661.

Attachment

DEPARTMENT OF SOLID WASTE MANAGEMENT

DIC REVIEW #09-006
Princeton Land Investments, Inc.

Application: ***Princeton Land Investments, Inc*** is requesting a district boundary change from RU-1M (a), Modified Single Family Residential District, and RU-TH, Townhouse District, to RU-4L, Limited Apartment House District, in order to develop the subject property with different residential development types, show additional property and increase the grade levels for the charter school and delete references to the timing of construction phase development for the charter school. The applicant is also requesting to permit certain buildings setback less than is required from the front and side street property lines, to permit a greater floor area ratio than is permitted and to permit a modification of the previously approved plans.

Size: The subject property is 94.43 acres.

Location: The subject property is located generally southeast of US Highway #1 and SW 127 Avenue, Miami-Dade County, Fl.

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, 2008, which is valid for one (1) year, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Department of Planning and Zoning is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

This project falls within the DSWM **solid waste collection service area.** A number of the residences proposed for inclusion in this project meet the County Code definition of **residential unit.** Per the code, 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.

In addition the project proposes multifamily uses. Chapter 15-2 of the Miami-Dade County Code requires the following of multi-family and commercial uses 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."

3. Recycling

Currently, DSWM provides curbside recycling services to **residential units** located in the 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.

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)"

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

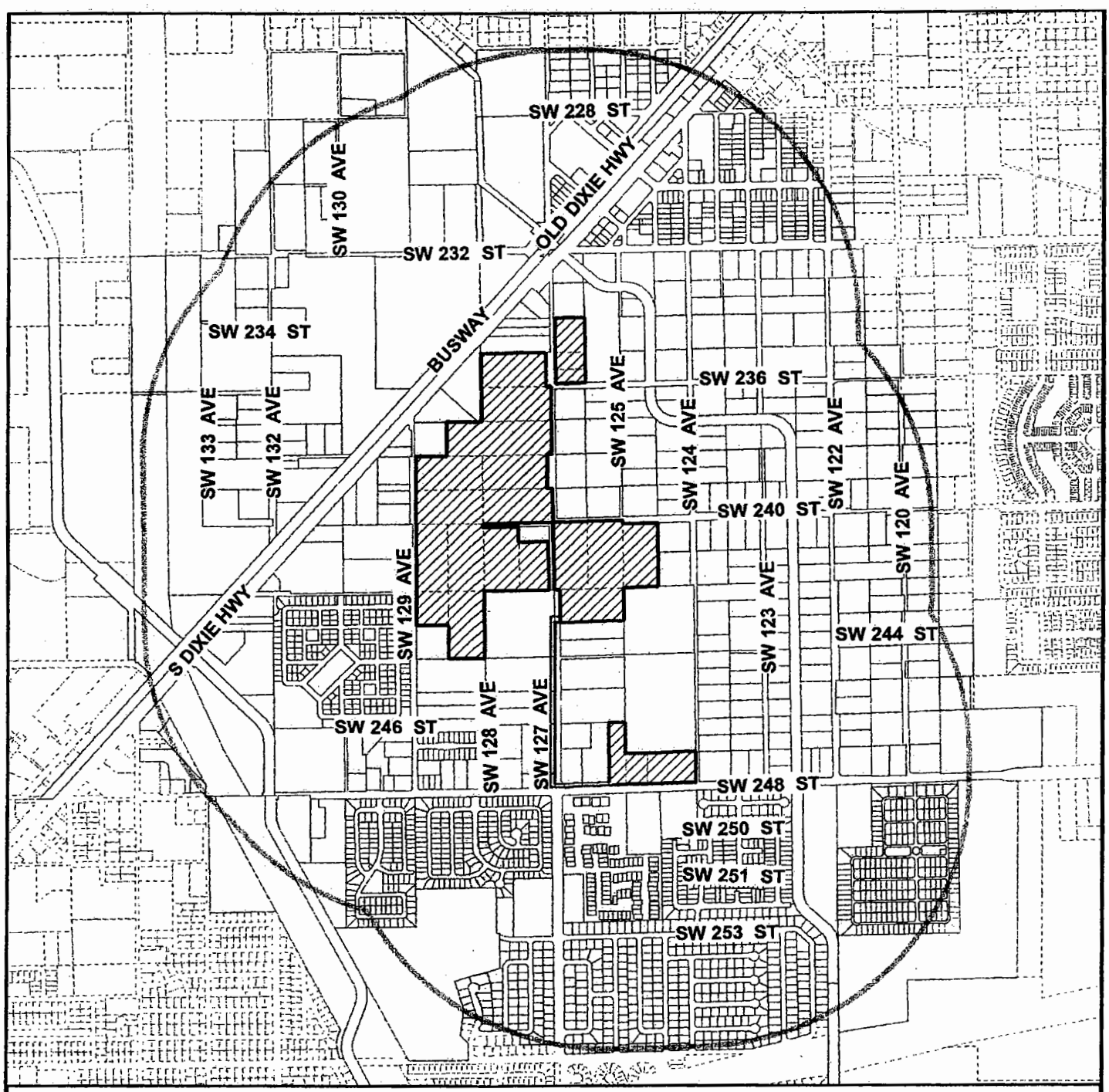
Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following 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.



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
09-006

Section: 23,24 Township: 56 Range: 39
Applicant: PRINCETON LANDINVESTMENTS LLC & COUNTY PALM HOLDINGS, LLC.
Zoning Board: C15
Commission District: 08
Drafter ID: ALFREDO
Scale: NTS
——— Zoning

N
W E
S

SUBJECT PROPERTY AND CONTIGUOUS IF APPLICABLE

RADIUS: 2640'

MIAMI-DADE COUNTY

FOLIO FILE DATE: 01/26/09

REVISION	DATE	BY

Memorandum

MIAMI-DADE COUNTY

Date: May 11, 2009

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

From: Bertha M. Goldenberg, P.E., Assistant Director
Regulatory Compliance and Planning

Subject: Princeton Land Investments, L.L.C., and County Palm Holdings, L.L.C.
DIC Application # - Z2009000006

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project.

Application Name: Princeton Land Investments Inc.

Proposed Development: The applicant is requesting a District Boundary Change from RU-1M(a), RU-TH & AU to RU-4M.

Project Location: The subject property is 94.43 acres and is located southeast of US Highway 1 and S.W. 127 Avenue, Miami-Dade County, Florida.

Water: The subject project is located within MDWASD's service area. The nearest points of connection for water are the following existing water mains; a sixteen (16)-inch water main along S.W. 248 Street, a forty eight (48)-inch water main along S.W. 127 Avenue, a twelve (12)-inch water main that runs along S.W. 129 Avenue up to S.W. 242nd Street, a twenty four (24)-inch water main that runs along S. Dixie Highway, and a twelve (12)-inch water main running along S.W. 129th Avenue between S.W. 238 Street and S. Dixie Highway. The source of water for this project is the Alexander Orr Water Treatment Plant. The plant is operating under a 20-year Water Use Permit issued by South Florida Water Management District on November 15, 2007. MDWASD will be the utility providing water services subject to the following conditions:

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

Sewer: The subject project is located within MDWASD's service area. On the south side of this project there is an eight (8)-inch Force Main that runs from S.W. 129th Avenue to S.W. 127 Avenue along S.W. 248th Street, and a twenty four (24)-inch Force Main that also runs along S.W. 248th Street, from S.W. 127th Avenue running eastward. On the northwest side of the project, there is an existing eight (8)-inch Gravity Sewer and Force Main, both running along S. Dixie Highway. On the west side there is an eight (8)-inch Gravity Sewer running along S.W. 129th Court stretching from S.W. 242nd Terrace to S.W. 245th Terrace. The South District

Wastewater Treatment Plant (WWTP) is the facility for treatment and disposal of the wastewater. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. MDWASD will be the utility providing sewer services subject to the following conditions:

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

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

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

Should you have any questions, please call me at (786) 552-8120 or contact Maria A. Valdes at (786) 552-8198.

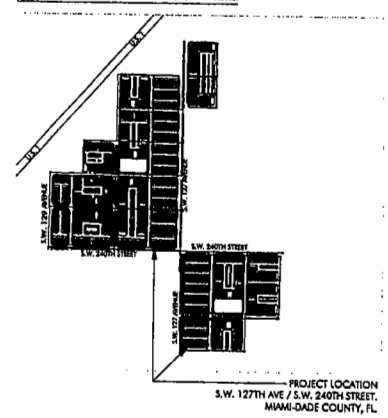
RECEIVED
MIAMI-DADE COUNTY
PROCESS & [illegible]
DATE: OCT [illegible]
BY: JVIZAL

57

PRINCETON COMMONS

MULTIFAMILY
APARTMENT COMPLEX
S.W. 127TH AVENUE / S.W. 240TH STREET
MIAMI-DADE COUNTY, FLORIDA

LOCATION PLAN N.T.S.



LIST OF DRAWINGS :

COVER SHEET
ARCHITECTURAL

A0.0	GENERAL SYMBOLS AND GENERAL NOTES
AS0.1	ZONING INFORMATION
AS1.1	SITE PLAN / ZONING INFORMATION
AS1.2	ZONING ENLARGED SITE PLAN B1,E
AS1.3	ZONING ENLARGED SITE PLAN B2
AS1.4	ZONING ENLARGED SITE PLAN A
AS1.5	STREET SECTIONS
AS1.6	TYPICAL BUILDING SETBACKS
L0.1	LANDSCAPE INFORMATION
L1.1	ENLARGED LANDSCAPE PLAN B1,E
L1.2	ENLARGED LANDSCAPE PLAN B2
L1.3	ENLARGED LANDSCAPE PLAN A
L1.4	OPEN SPACE PLAN
L1.5	LANDSCAPE AND OPEN SPACE CALCULATION PLAN
A1.1	TYPICAL TOWNHOUSE UNITS A-F FLOOR PLAN
A1.2	TYPICAL TOWNHOUSE UNITS D-F FLOOR PLAN
A1.3	TYPICAL TOWNHOUSE UNITS G-H FLOOR PLAN
A1.4	TYPICAL GARDEN STYLE APT. GROUND FLOOR PLAN
A1.5	TYPICAL GARDEN STYLE APT. SECOND FLOOR PLAN
A1.6	TYPICAL GARDEN STYLE APT. THIRD FLOOR PLAN
A1.7	THREE STORY UNIT FLOOR PLANS (UNITS A - G)
A1.8	THREE STORY UNIT FLOOR PLANS (UNITS H - J)
A1.9	AMENITY CENTER GROUND FLOOR PLAN AND ELEVATION
A2.1	GARDEN STYLE APT. AND TOWNHOUSE ELEVATIONS
A2.2	TOWNHOUSE ELEVATIONS

LEGAL DESCRIPTION :

THAT PT OF NW¼ OF SW¼ OF SW¼ W OF FEC R/W LESS N345 FT & LESS SELY50FT & LESS W40FT FOR R/W SECTION 7, TOWNSHIP 56 SOUTH, RANGE 40 EAST

AND

ALL THAT PORTION OF S145FT OF N345FT OF NW¼ OF SW¼ OF SW¼ LYG W OF R/W OF FEC RY & LESS W40FT FOR R/W & LESS SELY50FT ADJ TO FEC R/W FOR R/W SECTION 7, TOWNSHIP 56 SOUTH, RANGE 40 EAST

AND

W62.5FT OF S100FT OF SW¼ OF NW¼ OF SW¼ LESS W40FT & W289FT OF N100FT OF NW¼ OF SW¼ OF SW¼ LESS W82.5FT & S100FT OF N200FT OF NW¼ OF SW¼ OF SW¼ LESS W62.5FT SECTION 7, TOWNSHIP 56 SOUTH, RANGE 40 EAST.

AND

THE EAST 82.5 FEET OF THE WEST 145 FEET OF THE SOUTH 100 FEET OF THE SW¼ OF THE NW¼ OF THE SW¼ SECTION 7, TOWNSHIP 56 SOUTH, RANGE 40 EAST, LYING IN MIAMI-DADE COUNTY, FLORIDA.

SUBMITTAL: ZONING

DATE: 08-21-07

RESUBMITTED: 05-23-08
06-22-09
08-04-09
10-02-09

CHISHOLM

Architects . Planners . Interior Designers 7254 SW 48th St . Miami . FL 33155 P-305.661.2070 F-305.661.6090 RE Chisholm Architects,Inc. aac001962 www.chisholmarchitects.com

RECEIVED
MIAMI-DADE COUNTY

SITE DATA: PARCEL E SHEET AS1.2

KEY PLAN:

ZONING:

DESCRIPTION	OVERALL RU-4 PROVIDED	RU-4 (Apartment) ALLOWED / REQ'D	RU-4 (Apartment) PROVIDED
1. SUBJECT PROPERTY SIZE (GROSS) =	174,343 SF (4.0 ACRES)		174,343 SF (4.0 ACRES)
2. NET LAND SQUARE FOOTAGE = (GROSS MINUS RIGHT OF WAYS = NET)	160,143 SF (3.67 ACRES)		160,143 SF (3.67 ACRES)
3. BUILDING COVERAGE @ GROUND LEVEL 1) GARDEN STYLE APARTMENTS :	49,692 SF (1.14 ACRES) 31%	64,057 SF (1.47 ACRES) 40%	49,692 SF (1.14 ACRES) 31%
4. COMMON OPEN SPACE REQUIREMENTS: 1) TOTAL REQ'D = 40% OF NET ACREAGE	39,363 SF (0.9 ACRES) 24%	64,057 SF (1.47 ACRES) 40%	39,363 SF (0.9 ACRES) 24%
5. SETBACKS- GARDEN STYLE APARTMENTS 1) FRONT PROPERTY LINE 2) SPACING BETWEEN BUILDINGS 3) SIDE STREET PROPERTY LINE 4) REAR PROPERTY LINE		25' 20' 25' 25'	2' 20' 7' 9'
6. MINIMUM LOT WIDTH: GARDEN SYLE APARTMENTS		100 FEET, 10,000 SF MINIMUM	165 FEET 57,175 S.F.
7. TABLE OF BUILDINGS BY HEIGHT, STORY, GARDEN STYLE APARTMENTS :		8 STORIES OR 100'	3 STORIES
8. FAR A) FAR (APARTMENT)= 49,692 x 3 = 149,076 S.F. = 3.42 ACRES 3.42 ACRE / 4.0 GROSS		3 STORY = 0.80	3 STORY = 0.85
9. PUBLIC ROADS: 1) CURRENT + FUTURE DEDICATED R/W =	14,200 SF (0.33 ACRES)		
10. DENSITY: 1) TOTAL OVERALL DENSITY = 102 UNITS / 4.0 GROSS A) GARDEN STYLE APARTMENTS = 102 UNITS / 4.0 ACRES	25.5 UNITS/ACRE 25.5 UNITS/ACRE	N/A	N/A
1) TOTAL OVERALL DENSITY = 102 UNITS / 3.67 NET A) GARDEN STYLE APARTMENTS = 102 UNITS / 3.67 ACRES	27.8 UNITS/ACRE 27.8 UNITS/ACRE	50 UNITS/NET ACRE	27.8 UNITS/NET ACRE
11. TOTAL DWELLING UNITS PROPOSED: 1) TOTAL - 831 UNITS A) GARDEN STYLE APARTMENTS TOTAL :	 102 UNITS 102 UNITS		
12. TABLE OF PARKING REQUIREMENTS AND PROVIDED: A) GARDEN STYLE APARTMENTS : (17) 1BR X 1.50 PARKING SPACES = 18 (54) 2BR X 1.75 PARKING SPACES = 95 (38) 3BR X 2.00 PARKING SPACES = 76 TOTAL PARKING SPACES = 189	220 SPACES	189 SPACES	220 SPACES
TOTAL PARKING REQUIRED = 189	220 SPACES PROVIDED	189 SPACES	220 SPACES
13. TABLE OF BICYCLE PARKING SPACES: 1 RACK SUPPLIES 8 BICYCLE SPACES	14 SPACES	12 SPACES	2 RACKS 16 SPACES

SITE DATA: PARCEL B SHEET AS1.2 AND AS1.3

KEY PLAN:

ZONING:

DESCRIPTION	OVERALL RU-4 PROVIDED	RU-4 (Apartment) ALLOWED / REQ'D	RU-4 (Apartment) PROVIDED	RU-RH (Rowhouse permitted in RU-4) ALLOWED / REQ'D	RU-RH (Rowhouse permitted in RU-4) PROVIDED
1. SUBJECT PROPERTY SIZE (GROSS) =	1,669,284 SF (38.32 ACRES)		844,486 SF (19.39 ACRES)		824,798 SF (18.93 ACRES)
2. NET LAND SQUARE FOOTAGE = (GROSS MINUS RIGHT OF WAYS = NET)	1,139,686 SF (26.16 ACRES)		638,828 SF (14.66 ACRES)		500,858 SF (11.5 ACRES)
3. BUILDING COVERAGE @ GROUND LEVEL 1) GARDEN STYLE APARTMENTS : 2) ROWHOUSES : TOTAL:	421,221 SQ.FT. (9.66 ACRES) 37%	255,531 SF (5.8 ACRES) 40%	241,974 SF (5.5 ACRES) 38%		
4. COMMON OPEN SPACE REQUIREMENTS: 1) TOTAL REQ'D = % OF NET ACREAGE		255,531 SF (5.8 ACRES) 40%	194,889 SF (4.47 ACRES) 30%	60,103 SF (1.37 ACRES) 12%	27,391 SF (0.63 ACRES) 5%
5. SETBACKS- GARDEN STYLE APARTMENTS 1) FRONT PROPERTY LINE 2) SPACING BETWEEN BUILDINGS 3) SIDE STREET PROPERTY LINE 4) REAR PROPERTY LINE		25' 20' 25' 25'	2' 20' 7' 7'		
SETBACKS- ROWHOUSES 1) FRONT PROPERTY LINE 2) SPACING BETWEEN BUILDINGS 3) SIDE STREET PROPERTY LINE 4) REAR PROPERTY LINE				10' 15' BETWEEN BLDGS 10 5'	10' 15' BETWEEN BLDGS 10' 5'
6. MINIMUM LOT WIDTH: GARDEN SYLE APARTMENTS		100 FEET, 10,000 SF MINIMUM	165 FEET 57,175 S.F.		
MINIMUM LOT WIDTH: MULTI-FAMILY ROWHOUSE				1,250 SF MINIMUM	1,360 S.F. MINIMUM
7. TABLE OF BUILDINGS BY HEIGHT, STORY, GARDEN STYLE APARTMENTS : ROWHOUSES :		8 STORIES OR 100'	3 STORIES	3 STORIES OR 40'	2 STORIES
8. FAR A) FAR (APARTMENT)= 241,974 x 3 = 725,922 S.F. = 16.6 ACRES 16.6 ACRE / 19.39 GROSS B) FAR (ROWHOUSES)= 179,247 x 2 = 358,494 S.F. = 8.2 ACRES 8.2 ACRE / 18.93 GROSS		3 STORY = 0.80	3 STORY = 0.85	2 STORY = 0.60	2 STORY = 0.43
9. PUBLIC ROADS: 1) CURRENT + FUTURE DEDICATED R/W =	529,598 SF (12.15 ACRES)				
10. DENSITY: 1) TOTAL OVERALL DENSITY = 831 UNITS / 38.32 GROSS A) GARDEN STYLE APARTMENTS = 578 UNITS / 19.39 ACRES B) ROWHOUSES = 253 UNITS / 18.92 ACRES	21.6 UNITS/ACRE 29.8 UNITS/ACRE 13.36 UNITS/ACRE	N/A		N/A	
1) TOTAL OVERALL DENSITY = 831 UNITS / 26.16 NET A) GARDEN STYLE APARTMENTS = 578 UNITS / 14.66 ACRES B) ROWHOUSES = 253 UNITS / 11.5 ACRES	31.7 UNITS/ACRE 39.4 UNITS/ACRE 22.0 UNITS/ACRE	50 UNITS/NET ACRE	39.4 UNITS/NET ACRE	12 UNITS/NET ACRE	22.0 UNITS/NET ACRE
11. TOTAL DWELLING UNITS PROPOSED: 1) TOTAL - 831 UNITS A) GARDEN STYLE APARTMENTS B) ROWHOUSES TOTAL :	 578 UNITS 253 UNITS 831 UNITS				
12. TABLE OF PARKING REQUIREMENTS AND PROVIDED: A) GARDEN STYLE APARTMENTS : (42) 1BR X 1.50 PARKING SPACES = 93 (272) 2BR X 1.75 PARKING SPACES = 476 (194) 3BR X 2.00 PARKING SPACES = 388 TOTAL PARKING SPACES = 957	818 SPACES	957 SPACES	654 SPACES + 164 STREET SPACES		
B) ROWHOUSES : (253) UNITS X 2.00 PARKING SPACES = 506 VISITOR PARKING: (253) UNITS X 0.25 PARKING SPACES = 64	506 SPACES 0 SPACES			506 SPACES 64 SPACES	506 SPACES 0 SPACES
TOTAL PARKING REQUIRED = 1,527	1,324 SPACES PROVIDED (INCLUDING STREET SPACES)	957 SPACES	818 (INCLUDING STREET SPACES)	570 SPACES	506 SPACES
13. TABLE OF BICYCLE PARKING SPACES: 1 RACK SUPPLIES 8 BICYCLE SPACES	64 SPACES	56 SPACES	8 RACKS 64 SPACES		

SITE DATA: PARCEL A SHEET AS1.4

KEY PLAN:

ZONING:

DESCRIPTION	OVERALL RU-4 PROVIDED	RU-4 (Apartment) ALLOWED / REQ'D	RU-4 (Apartment) PROVIDED	RU-RH (Rowhouse permitted in RU-4) ALLOWED / REQ'D	RU-RH (Rowhouse permitted in RU-4) PROVIDED
1. SUBJECT PROPERTY SIZE (GROSS) =	879,308 SF (20.19 ACRES)		501,011 SF (11.51 ACRES)		378,297 SF (8.68 ACRES)
2. NET LAND SQUARE FOOTAGE = (GROSS MINUS RIGHT OF WAYS = NET)	612,997 SF (14.07 ACRES)		380,463 SF (8.73 ACRES)		232,534 SF (5.34 ACRES)
3. BUILDING COVERAGE @ GROUND LEVEL 1) GARDEN STYLE APARTMENTS : 2) ROWHOUSES : TOTAL:	245,198 SF (5.62 ACRES) 40%	152,185 SF (3.49 ACRES) 40%	135,401 SF (3.1 ACRES) 35%		
4. COMMON OPEN SPACE REQUIREMENTS: 1) TOTAL REQ'D = % OF NET ACREAGE		152,185 SF (3.49 ACRES) 40%	124,303 SF (2.85 ACRES) 32%	27,904 SF (0.64 ACRES) 12%	11,476 SF (0.26 ACRES) 4%
5. SETBACKS- GARDEN STYLE APARTMENTS 1) FRONT PROPERTY LINE 2) SPACING BETWEEN BUILDINGS 3) SIDE STREET PROPERTY LINE 4) REAR PROPERTY LINE		25' 20' 25' 25'	 20' 7' 7' 7'		
SETBACKS- ROWHOUSES 1) FRONT PROPERTY LINE 2) SPACING BETWEEN BUILDINGS 3) SIDE STREET PROPERTY LINE 4) REAR PROPERTY LINE				10' 15' BETWEEN BLDGS 10' 5'	10' 15' BETWEEN BLDGS 10' 5'
6. MINIMUM LOT WIDTH: GARDEN SYLE APARTMENTS		100 FEET, 10,000 SF MINIMUM	165 FEET 67,176 S.F.		
MINIMUM LOT WIDTH: MULTI-FAMILY ROWHOUSE				1,250 SF MINIMUM	1,360 SF MINIMUM
7. TABLE OF BUILDINGS BY HEIGHT, STORY, GARDEN STYLE APARTMENTS : ROWHOUSES :		8 STORIES OR 100'	3 STORIES	3 STORIES OR 40'	2 STORIES
8. FAR A) FAR (APARTMENT)= 135,401 x 3 = 406,203 S.F. = 9.32 ACRES 9.32 ACRE / 11.61 GROSS B) FAR (ROWHOUSES)= 87,191 x 2 = 174,382 S.F. = 4.0 ACRES 4.0 ACRE / 8.68 GROSS		3 STORY = 0.80	3 STORY = 0.80	2 STORY = 0.60	2 STORY = 0.46
9. PUBLIC ROADS: 1) CURRENT + FUTURE DEDICATED R/W =	266,311 SF (6.12 ACRES)				
10. DENSITY: 1) TOTAL OVERALL DENSITY = 387 UNITS / 20.19 GROSS A) GARDEN STYLE APARTMENTS = 264 UNITS / 11.51 ACRES B) ROWHOUSES = 123 UNITS / 8.68 ACRES	19.16 UNITS/ACRE 22.9 UNITS/ACRE 14.17 UNITS/ACRE	N/A		N/A	
1) TOTAL OVERALL DENSITY = 387 UNITS / 14.07 NET A) GARDEN STYLE APARTMENTS = 264 UNITS / 8.73 ACRES B) ROWHOUSES = 123 UNITS / 5.34 ACRES	27.5 UNITS/ACRE 30.24 UNITS/ACRE 23.0 UNITS/ACRE	50 UNITS/NET ACRE	30.24 UNITS/ACRE	12 UNITS/NET ACRE	23.0 UNITS/ACRE
11. TOTAL DWELLING UNITS PROPOSED: 1) TOTAL - 387 UNITS A) GARDEN STYLE APARTMENTS B) ROWHOUSES TOTAL :	 264 UNITS 123 UNITS 387 UNITS				
12. TABLE OF PARKING REQUIREMENTS AND PROVIDED: A) GARDEN STYLE APARTMENTS : (37) 1BR X 1.50 PARKING SPACES = 56 (160) 2BR X 1.75 PARKING SPACES = 280 (115) 3BR X 2.00 PARKING SPACES = 230 TOTAL PARKING REQUIRED = 566	416 SPACES	566 SPACES	342 SPACES + 74 STREET SPACES		
B) ROWHOUSES : (123) UNITS X 2.00 PARKING SPACES = 246 VISITOR PARKING: (123) UNITS X 0.25 PARKING SPACES = 31	246 SPACES 0 SPACES			246 SPACES 31 SPACES	246 SPACES 0 SPACES
TOTAL PARKING REQUIRED = 843	662 SPACES PROVIDED (INCLUDING STREET SPACES)	566 SPACES	416 (INCLUDING STREET SPACES)	277 SPACES	246 SPACES
13. TABLE OF BICYCLE PARKING SPACES: 1 RACK SUPPLIES 8 BICYCLE SPACES	40 SPACES	34 SPACES	5 RACKS 40 SPACES		

CHISHOLM
Architects-Planners-Interior Designers

Project Name:
ZONING SUBMITTAL
for
PRINCETON COMMONS
SW 127th AVENUE/SW 240th STREET
MIAMI-DADE COUNTY, FLORIDA

Revisions

No.	Revision	Date
3	P/Z DEPT. COMMENTS	8/04/09
4	DEPT. COMMENTS	10/2/09

ARCHITECT

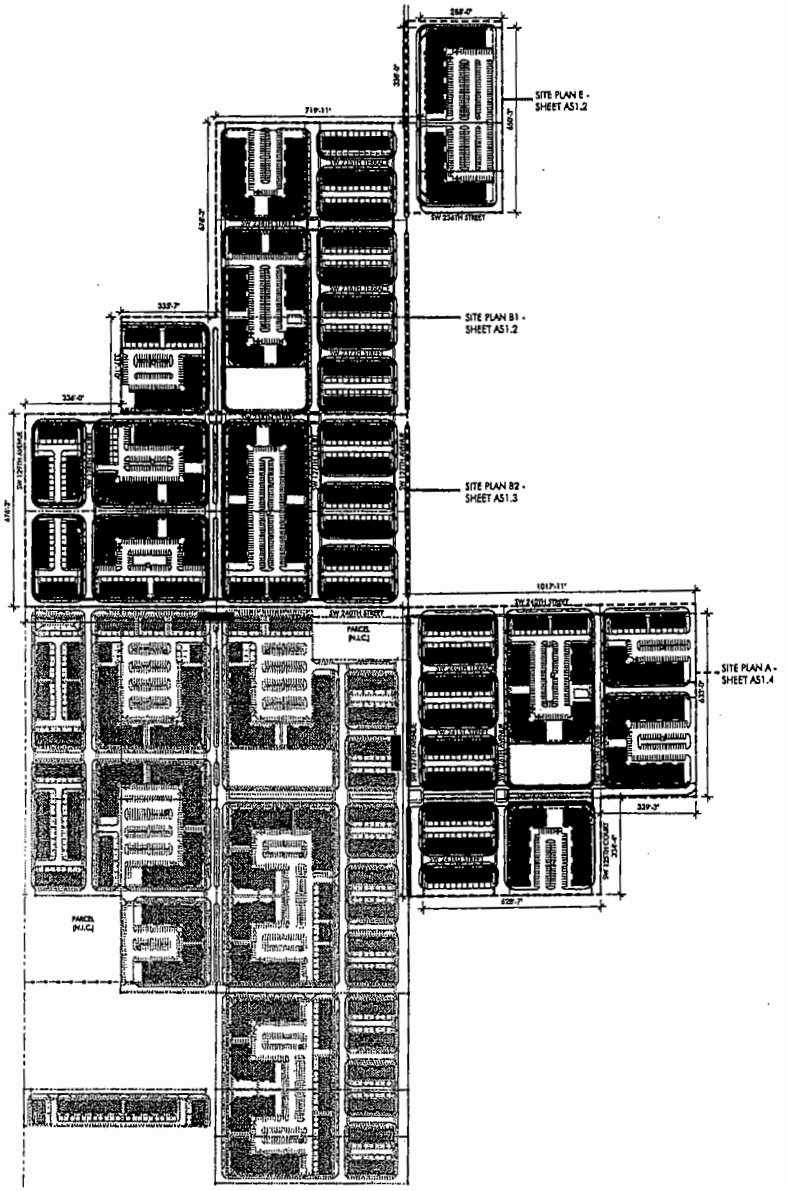
ROBERT S. CHISHOLM, FAIA

CONSULTANTS

Project No. 2307
Scale: AS SHOWN
Date: 5-30-07
Drawn: CS
Checked: MP
Submittal: ZONING
Cad File: AS0.1
Drawing Title:
ZONING INFORMATION
Sheet No. AS0.1

58

RECEIVED
MIAMI-DADE COUNTY
RECORDS & [illegible]
DATE: [illegible]
BY: [illegible]



MASTER SITE PLAN

SCALE: 1" = 200'

SITE DATA

DESCRIPTION		EXISTING	PROPOSED REQUIRED	PROPOSED
1. PROPERTY ZONING DESIGNATION:		AU		
2. PROPOSED PROPERTY DESIGNATION:			RU-4	RU-4
3. SUBJECT PROPERTY SIZE (GROSS) =	2,722,935 SQ. FT = 62.51 ACRES			
4. NET LAND SQUARE FOOTAGE = (GROSS MINUS RIGHT OF WAYS= NET)	1, 912, 826 SQ. FT = 43.9 ACRES			
5. BUILDING COVERAGE @ GROUND LEVEL 1) GARDEN STYLE APARTMENTS : 2) TOWNHOUSES/ ROWHOUSES : TOTAL :	427, 061 SQ.FT. 9.8 ACRES 266, 439 SQ.FT. 6.11 ACRES 693, 505 SQ.FT. 15.9 ACRES		40%	22% 14% 36% TOTAL
6. COMMON OPEN SPACE REQUIREMENTS: 1) TOTAL REQ'D = 40% OF NET ACREAGE (SEE LANDSCAPE LEGEND FOR BREAKDOWN)		RU-4	571, 860 SF 13.13 ACRES 40%	397, 323 SF 9.15 ACRES 21%
7. SETBACKS- GARDEN STYLE APARTMENTS 1) FRONT PROPERTY LINE 2) INTERIOR SIDE PROPERTY LINE 3) SIDE STREET PROPERTY LINE 4) REAR PROPERTY LINE			25' 20' 25' 25'	7' N/A 7' N/A
SETBACKS- TOWNHOUSE/ ROWHOUSES 1) FRONT PROPERTY LINE 2) INTERIOR SIDE PROPERTY LINE 3) SIDE STREET PROPERTY LINE 4) REAR PROPERTY LINE			10' 15' BETWEEN BLDGS 10' 5'	10' 15' BETWEEN BLDGS 10' 5'
8. MINIMUM LOT WIDTH: GARDEN STYLE APARTMENTS MINIMUM LOT WIDTH: MULTI-FAMILY ROWHOUSE			100 FEET, 10,000 S.F. MINIMUM	185 FEET 57,175 S.F.
9. TABLE OF BUILDINGS BY HEIGHT, STORY, GARDEN STYLE APARTMENTS : TOWNHOUSES :			8 STORIES OR 100 FEET	3 STORY 2 STORY
10. FAR A) FAR (APARTMENT)= 29.41 ACRE / 62.51 GROSS 1, 281, 207 S.F. = 29.41 ACRES B) FAR (TOWNHOUSES)= 12.23 ACRE / 62.51 GROSS 532, 674 S.F. = 12.23 ACRES TOTAL= 41.64 ACRE / 62.51 GROSS			3 STORY = 0.8 2 STORY =0.6	0.47 0.20
11. PUBLIC ROADS: 1) DEDICATED R/W : TOTAL R/W DEDICATION = 810, 109 SF - 18.6 ACRES				18.6 ACRES
12. DENSITY: 1) TOTAL OVERALL DENSITY = 1320 UNITS / 62.51 GROSS A) GARDEN STYLE APARTMENTS = 944 UNITS / 62.51 ACRES B) TOWNHOUSES = 376 UNITS / 62.51 ACRES				21.1 UNITS/ACRE 16.1 UNITS/ACRE 6.0 UNITS/ACRE
1) TOTAL OVERALL DENSITY = 1320 UNITS / 43.9 NET A) GARDEN STYLE APARTMENTS = 944 UNITS / 43.9 ACRES B) TOWNHOUSES = 376 UNITS / 43.9 ACRES			35.9 UNITS/ACRE 8.5 UNITS/ACRE	30.0 UNITS/ACRE 21.5 UNITS/ACRE 8.5 UNITS/ACRE
13. TOTAL DWELLING UNITS PROPOSED: 1) TOTAL - 1320 UNITS A) GARDEN STYLE APARTMENTS B) TOWNHOUSES/ ROWHOUSES TOTAL :				944 UNITS 376 UNITS 1320 UNITS
13. NAME OF WATER UTILITY COMPANY: MIAMI-DADE WATER AND SEWER AUTHORITY				
14. NAME OF SEWER UTILITY COMPANY: MIAMI-DADE WATER AND SEWER AUTHORITY				
15. TABLE OF PARKING REQUIREMENTS AND PROVIDED: A) GARDEN STYLE APARTMENTS : [113] 188 X 1.60 PARKING SPACES = 167 [466] 258 X 1.78 PARKING SPACES = 851 [347] 384 X 2.00 PARKING SPACES = 694 TOTAL PARKING REQUIRED = 1, 712			1, 712 SPACES	1, 456 SPACES
B) TOWNHOUSES : 376 UNITS X 2.00 PARKING SPACES = 752 VISITOR: 376 UNITS X 0.25 PARKING SPACES = 94			752 SPACES 95 SPACES	752 SPACES 0 SPACES
NOTE: TOTAL PARKING PROVIDED INCLUDES STREET PARKING			2, 559 SPACES TOTAL	2, 208 SPACES TOTAL
16. TABLE OF BICYCLE PARKING SPACES: 1 RACK SUPPLIES 8 PARKING SPACES			104 SPACES	15 RACKS 120 SPACES
17. TOTAL TREES REQUIRED AND PROVIDED: SEE LANDSCAPE DRAWINGS				

BUILDING TYPES

APARTMENT BUILDING

TOWNHOUSE BUILDING

CHRISTOPHER M
Architects-Planners-Interior Designers
7360 SW 48th St., Miami, FL 33155
305.661.2696
www.christopherm.com
CHRISTOPHER M, Architects, Inc. AA0001682

Project Name:
ZONING SUBMITTAL for
PRINCETON COMMONS
SW 107th AVENUE/SW 240th STREET
MIAMI-DADE COUNTY, FLORIDA

Revisions

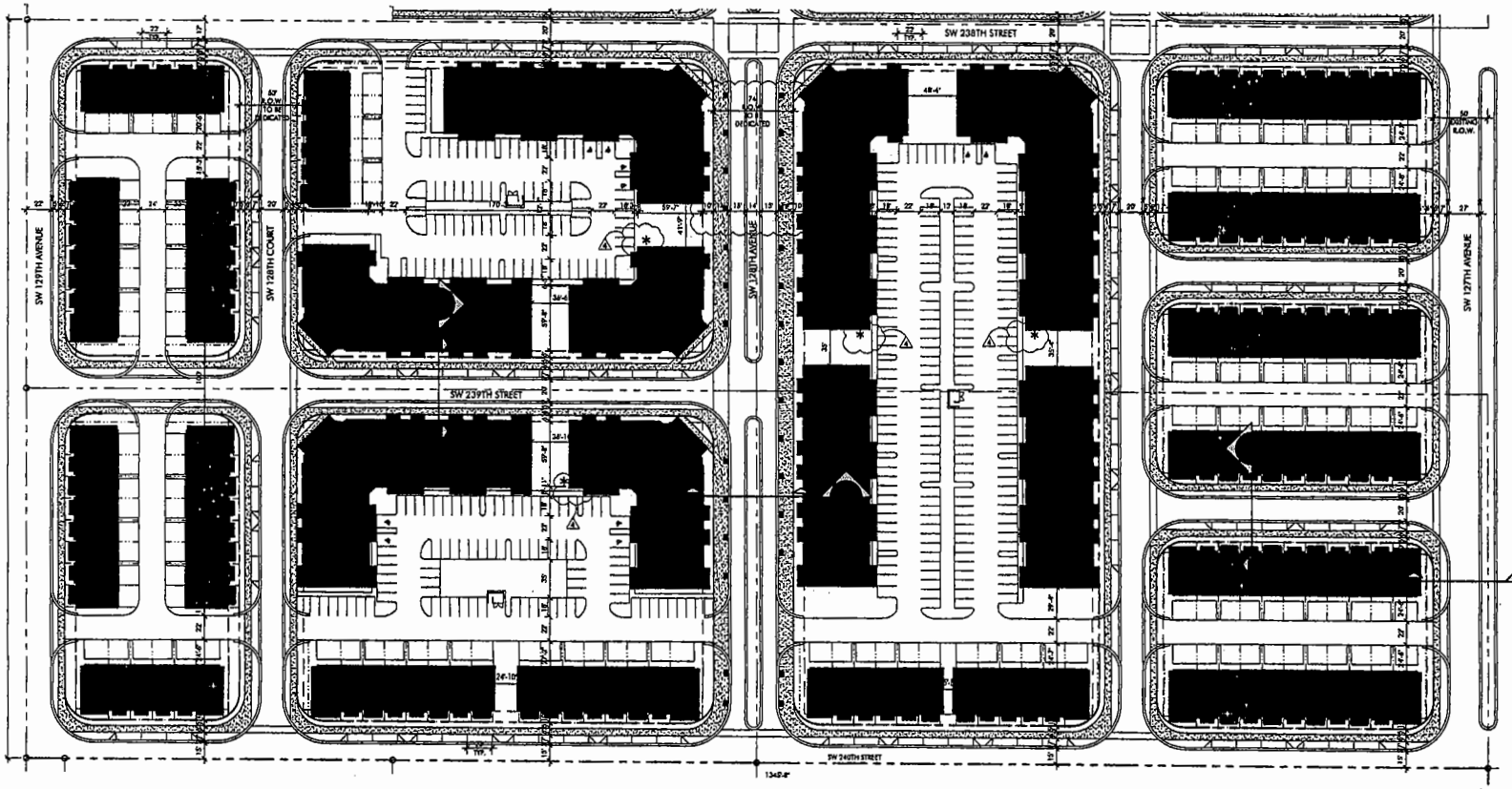
No.		Date
1	2/2 DEPT. COMMENTS	8/23/07
2	DEPT. COMMENTS	4/22/09
3	2/2 DEPT. COMMENTS	5/04/09
4	DEPT. COMMENTS	8/2/09

ARCHITECT

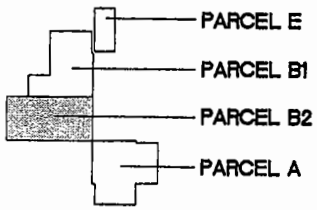
ROBERT A. CHRISTOPHER, FAIA
AR0007462

CONSULTANTS

Project No. 2307
Scale: AS SHOWN
Date: 5-30-07
Drawn: CS
Checked: MP
Submittal: ZONING
Cad File: AS1.1
Drawing Title:
ZONING INFORMATION
Sheet No. AS1.1



ENLARGED SITE PLAN B2



* BIKE RACK LOCATION. EACH RACK HOLDS 8 BIKES. SEE SHEET AS0.1 FOR NUMBER OF REQUIRED AND PROVIDED BICYCLE PARKING SPACES

KEY PLAN

CHISHOLM

Project Name:

ZONING SUBMITTAL for PRINCETON COMMONS

MIAMI-DADE COUNTY, FLORIDA

Revisions

No.	Description	Date
1	P/Z DEPT. COMMENTS	5/23/08
2	DEPT. COMMENTS	6/22/09
3	P/Z DEPT. COMMENTS	8/04/09
4	DEPT. COMMENTS	10/2/09

ARCHITECT

ROBERT E. CHISHOLM, FAIA

CONSULTANTS

Project No. 2307

Scale: AS SHOWN

Date: 08-21-07

Drawn: CS

Checked: MP, JW

Submittal: ZONING

Cad File: AS1.3

Drawing Title:

ZONING ENLARGED PLAN "B2"

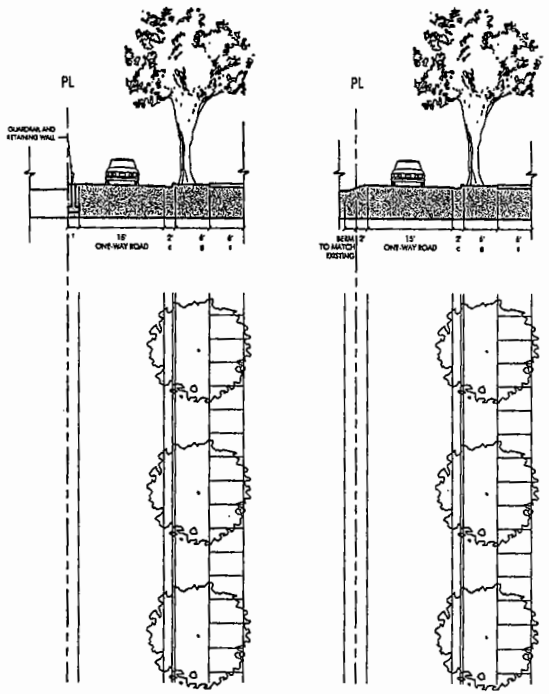
Sheet No. AS1.3

RECEIVED

RECEIVED
MIAMI-DADE COUNTY
PLANNING & ZONING
DATE: OCT 09 2007
BY: PWEAL

OPTION 1
RETAINING WALL WITH GUARD RAIL

OPTION 2
2' BERM SLOPING ONTO NEIGHBORS SIDE

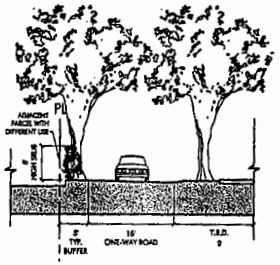


NOTE: MINIMUM SHOWN. ONE-WAY STEET MAY ALSO INCLUDE PARKING ON ONE SIDE.

STREET TYPE A
SCALE: 1" = 10'

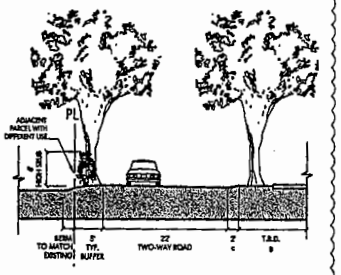
NOTE:
SHRUBS USED AS A BUFFER SHALL BE MINIMUM OF THIRTY-SIX (36) INCHES IN HEIGHT AT TIME OF PLANTING AND PLANTED AT A MAXIMUM AVERAGE SPACING OF FORTY-EIGHT (48) INCHES ON CENTER.
TREES SHALL BE PLANTED AT A MAXIMUM AVERAGE SPACING OF THIRTY-FIVE (35) FEET ON CENTER WITHIN A MINIMUM FIVE FOOT LANDSCAPE STRIP.

OPTION 1
RETAINING WALL WITH GUARD RAIL
PRIVATE ONE -WAY ENTRY / EXIT DRIVE

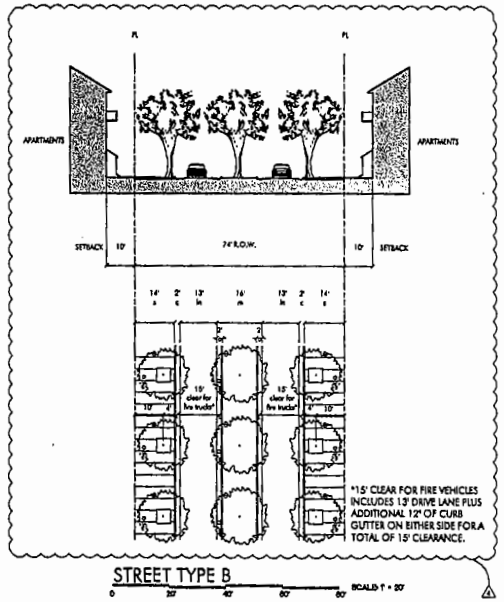


STREET TYPE F
SCALE: 1" = 10'

PRIVATE TWO-WAY ENTRY/EXIT DRIVE

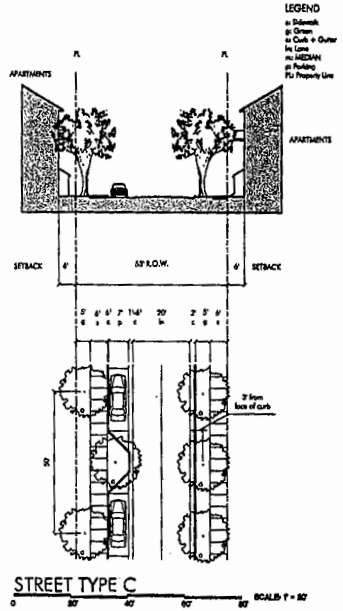


STREET TYPE G
SCALE: 1" = 10'

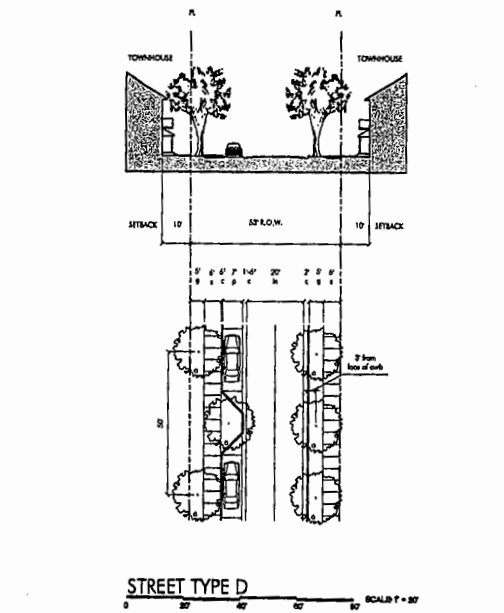


*15' CLEAR FOR FIRE VEHICLES INCLUDES 13' DRIVE LANE PLUS ADDITIONAL 12' OF CURB GUTTER ON EITHER SIDE FOR A TOTAL OF 15' CLEARANCE.

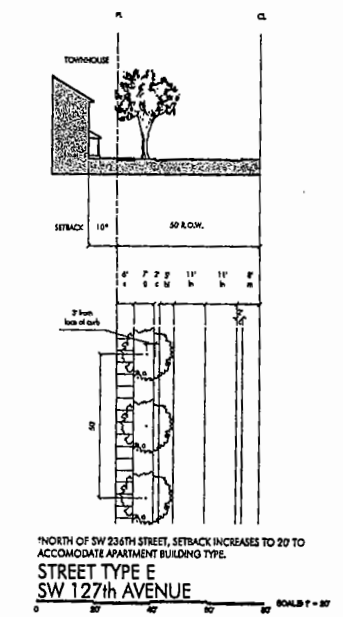
STREET TYPE B
SCALE: 1" = 20'



STREET TYPE C
SCALE: 1" = 20'



STREET TYPE D
SCALE: 1" = 20'



*NORTH OF SW 236TH STREET, SETBACK INCREASES TO 20' TO ACCOMODATE APARTMENT BUILDING TYPE.

STREET TYPE E
SW 127th AVENUE
SCALE: 1" = 20'

ANTONIO ESTEVEZ, AIA
Architects-Planners-Interior Designers
7361 SW 63th St., Miami, FL 33143
305.661.1529 FAX 661.4769
www.antonioestevezarchitects.com
AE Christina Architects, Inc. AA0001982

Project Name:
ZONING SUBMITTAL
for
PRINCETON COMMONS
SW 127th AVENUE/SW 84th STREET
MIAMI-DADE COUNTY, FLORIDA

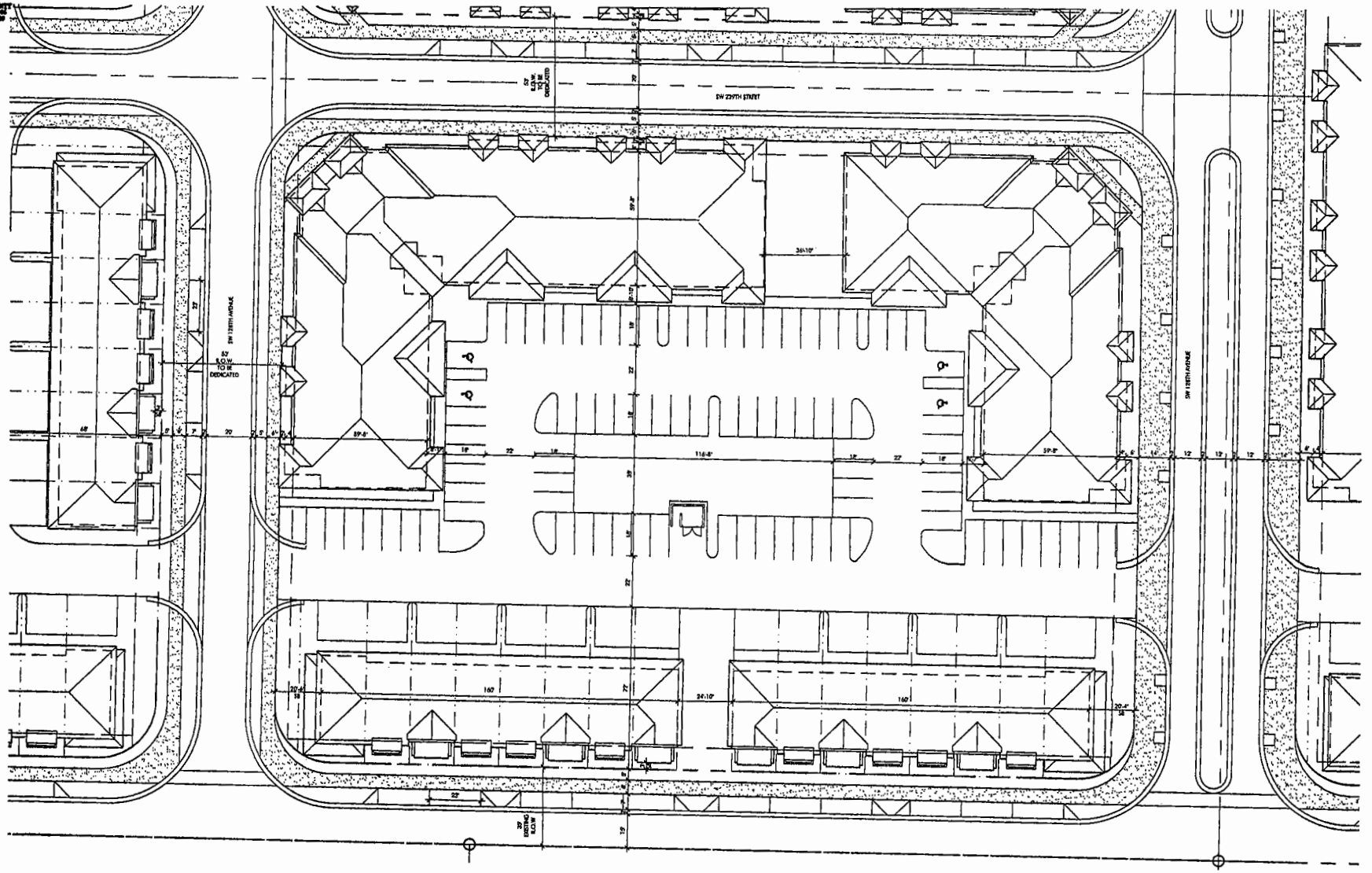
ROBERT E. CHEBRIKOV, PARA
AR0007462

Revisions

No.	Description	Date
1	PZ DEPT. COMMENTS	5/24/07
2	DEPT. COMMENTS	6/22/07
3	DEPT. COMMENTS	10/1/07

Project No. 2307
Scale: AS SHOWN
Date: 08-21-07
Drawn: CS
Checked: MP, JW
Submittal: ZONING
Cad File: AS1.5
Drawing Title:
STREET SECTIONS
Sheet No. AS1.5

RECEIVED
MIAMI-DADE COUNTY
PLANNING & ZONING
DATE: OCT 05 2007
BY: JYEAL



TYPICAL BUILDING SETBACKS
SCALE 1" = 80'

CHRISTOPHER
Architects-Planners-Interior Designers
7205 SW 40th St., Miami, FL 33155
305.661.2029 FAX 661.2030
www.chriscolonnaarchitects.com
HB Christo Architects, Inc. AA0001902

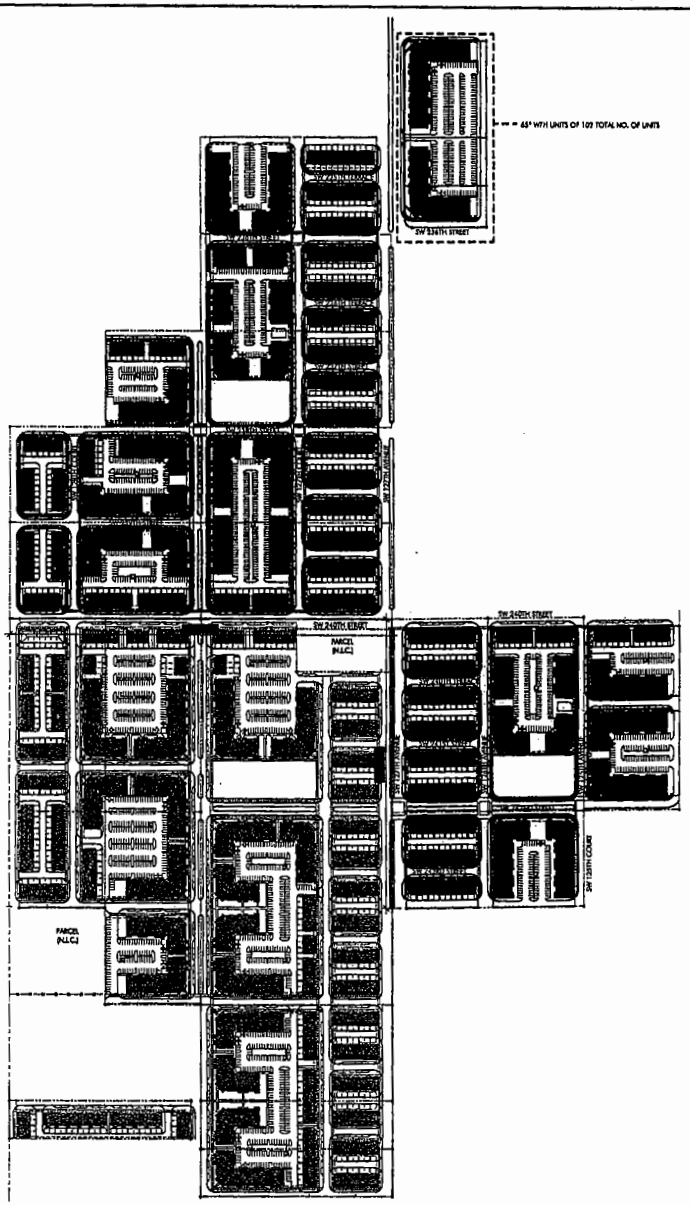
Project Name:
ZONING SUBMITTAL
for
PRINCETON COMMONS
SW 117th AVENUE/SW 248th STREET
MIAMI-DADE COUNTY, FLORIDA

Revisions

No.	Description	Date
1	DEPT. COMMENTS	3/22/07
2	DEPT. COMMENTS	10/5/07

ARCHITECT
ROBERT D. CHRISTOPHER, FAIA
AR0007448
CONSULTANTS

Project No. 2307
Scale: AS SHOWN
Date: 08-21-07
Drawn: CS
Checked: MP, JW
Submittal: ZONING
Cad File: AS1.6
Drawing Title:
TYPICAL BUILDING SETBACKS
Sheet No. AS1.6



WORKFORCE HOUSING ASSIGNMENT
SCALE: 1" = 200'
0 200' 400' 600' 800'

BUILDING TYPES

APARTMENT BUILDING

TOWNHOUSE BUILDING

WORKFORCE HOUSING ASSIGNMENT		
DESCRIPTION	REQUIRED	PROPOSED
1. NUMBER OF WORKFORCE HOUSING UNITS:	65	65

* 65 WFH UNITS MAY BE DISPERSED THROUGHOUT SITE IN LIEU OF CONCENTRATED LOCATION.

Project Name:
ZONING SUBMITTAL
for
PRINCETON COMMONS
SW 127th AVENUE/SW. 140th STREET
MIAMI-DADE COUNTY, FLORIDA

Revisions

No.	Description	Date
1	P/Z DEPT. COMMENTS	5/23/09
2	DEPT. COMMENTS	6/22/09
3	P/Z DEPT. COMMENTS	8/04/09
4	DEPT. COMMENTS	10/2/09
5	DEPT. COMMENTS	12/18/09

ARCHITECT

ROBERT E. CHEMBULIK, PAIA
AR0007468

CONSULTANTS

Project No. 2307
Scale: AS SHOWN
Date: 5-30-07
Drawn: CS
Checked: MP
Submittal: ZONING
Cad File: AS1.7
Drawing Title:

WORKFORCE HOUSING ASSIGNMENT

Sheet No. AS1.7

RECEIVED

LANDSCAPE LEGEND: PARCEL E

Zoning District: RU-4 — Net Lot Area: 3.67 acres 160,143 s.f.

OPEN SPACE	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area= 160,143 s.f. x 40 % = 64,057 s.f.	64,057	37,163
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces 220 x 10 s.f. per parking space=	2,200	2,200
C. Total s.f. of landscaped open space required by Chapter 33: A + B=	66,257	39,363
LAWN AREA CALCULATION A. 66,257 total s.f. of landscaped open space required by Chapter 33 B. Maximum lawn area (sod) permitted= 40 % x 66,257 s.f.=	26,502	26,502 max.
TREES		
A. No. trees required per net lot acre. Less existing number of trees meeting minimum requirements = 28 trees x net lot acres=	103	103
B. % Palms Allowed: No. trees provided x 30% x 2 =	N/A	N/A
% Palms permitted to count as street trees on 1:1 basis x 30%	0	0
C. % Natives Required: No. trees provided x 30% =	31	103
D. Street trees (maximum average spacing of 35' o.c.): 1,118 linear feet along street / 35 =	32	32
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): ____ linear feet along street / 25 =	N/A	N/A
SHRUBS		
A. No. trees required x 10 = No. of shrubs allowed	1,350	1,350
B. No. shrubs allowed x 30% = no. of native shrubs required	405	1,350
IRRIGATION PLAN: If required by Chapter 33	(Yes)	X (No)

TABLE containing information as indicated in sample below:

Symbol	New	Existing	Scientific	Common	Native Yes	Native No	Height (Estimated at maturity*)	Quantity
(oak symbol)	X		QUERCUS VIRGINIANA	LIVE OAK [1]	X		50'	32
(mahogany symbol)	X		SWIETENIA MAHAGONI	MAHOGANY TREE	X		35'-60'	105
(cassia symbol)	X		CASSIA BAHAMENSIS	BAHAMA CASSIA [2]	X		2'-4'	1,350

[1] Street trees shall have a clear trunk of four (4) feet, an overall height of twelve (12) feet and a minimum caliper of two (2) inches at time of planting. All trees, except street trees, shall be a minimum of ten (10) feet high and have a minimum caliper of two (2) inches at time of planting.

[2] All shrubs shall be a minimum of thirty-six (36) inches at time of planting.

LANDSCAPE LEGEND: PARCEL B

Zoning District: RU-4 — Net Lot Area: 14.66 acres 638,828 s.f.

OPEN SPACE	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area= 638,828 s.f. x 40 % = 255,531 s.f.	255,531	188,349
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces 654 x 10 s.f. per parking space=	6,540	6,540
C. Total s.f. of landscaped open space required by Chapter 33: A + B=	262,071	194,889
LAWN AREA CALCULATION A. 262,071 total s.f. of landscaped open space required by Chapter 33 B. Maximum lawn area (sod) permitted= 40 % x 262,071 s.f.=	104,828	104,828 max.
TREES		
A. No. trees required per net lot acre. Less existing number of trees meeting minimum requirements = 28 trees x net lot acres=	411	411
B. % Palms Allowed: No. trees provided x 30% x 2 =	N/A	N/A
% Palms permitted to count as street trees on 1:1 basis x 30%	0	0
C. % Natives Required: No. trees provided x 30% =	124	411
D. Street trees (maximum average spacing of 35' o.c.): 16,157 linear feet along street / 35 = (NOTE: RU-4 AND RU-RH)	462	462
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): ____ linear feet along street / 25 =	N/A	N/A
SHRUBS		
A. No. trees required x 10 = No. of shrubs allowed	8,730	8,730
B. No. shrubs allowed x 30% = no. of native shrubs required	2,619	8,730
IRRIGATION PLAN: If required by Chapter 33	(Yes)	X (No)

TABLE containing information as indicated in sample below:

Symbol	New	Existing	Scientific	Common	Native Yes	Native No	Height (Estimated at maturity*)	Quantity
(oak symbol)	X		QUERCUS VIRGINIANA	LIVE OAK [1]	X		50'	462
(mahogany symbol)	X		SWIETENIA MAHAGONI	MAHOGANY TREE	X		35'-60'	411
(cassia symbol)	X		CASSIA BAHAMENSIS	BAHAMA CASSIA [2]	X		2'-4'	8,730

Zoning District: RU-RH — Net Lot Area: 11.5 acres 500,858 s.f.

OPEN SPACE	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area= 500,858 s.f. x 12 % = 60,103 s.f.	60,103	27,291
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces N/A x 10 s.f. per parking space=	N/A	N/A
C. Total s.f. of landscaped open space required by Chapter 33: A + B=	60,103	27,291
LAWN AREA CALCULATION A. 60,103 total s.f. of landscaped open space required by Chapter 33 B. Maximum lawn area (sod) permitted= 40 % x 24,041 s.f.=	24,041	24,041 max.
TREES		
A. No. trees required per net lot acre. Less existing number of trees meeting minimum requirements = 28 trees x net lot acres=	322	271
B. % Palms Allowed: No. trees provided x 30% x 2 =	N/A	N/A
% Palms permitted to count as street trees on 1:1 basis x 30%	0	0
C. % Natives Required: No. trees provided x 30% =	97	271
D. Street trees (maximum average spacing of 35' o.c.): 16,157 linear feet along street / 35 =	(SEE RU-4)	(SEE RU-4)
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): ____ linear feet along street / 25 =	N/A	N/A
SHRUBS		
A. No. trees required x 10 = No. of shrubs allowed	3,220	3,220
B. No. shrubs allowed x 30% = no. of native shrubs required	966	966
IRRIGATION PLAN: If required by Chapter 33	(Yes)	X (No)

TABLE containing information as indicated in sample below:

Symbol	New	Existing	Scientific	Common	Native Yes	Native No	Height (Estimated at maturity*)	Quantity
(oak symbol)	X		QUERCUS VIRGINIANA	LIVE OAK [1]	X		50'	see RU-4
(mahogany symbol)	X		SWIETENIA MAHAGONI	MAHOGANY TREE	X		35'-60'	271
(cassia symbol)	X		CASSIA BAHAMENSIS	BAHAMA CASSIA [2]	X		2'-4'	3,220

[1] Street trees shall have a clear trunk of four (4) feet, an overall height of twelve (12) feet and a minimum caliper of two (2) inches at time of planting. All trees, except street trees, shall be a minimum of ten (10) feet high and have a minimum caliper of two (2) inches at time of planting.

[2] All shrubs shall be a minimum of thirty-six (36) inches at time of planting.

LANDSCAPE LEGEND: PARCEL A

Zoning District: RU-4 — Net Lot Area: 8.73 acres 380,463 s.f.

OPEN SPACE	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area= 380,463 s.f. x 40 % = 152,185 s.f.	152,185	120,833
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces 342 x 10 s.f. per parking space=	3,420	3,420
C. Total s.f. of landscaped open space required by Chapter 33: A + B=	155,605	124,303
LAWN AREA CALCULATION A. 155,605 total s.f. of landscaped open space required by Chapter 33 B. Maximum lawn area (sod) permitted= 40 % x 62,262 s.f.=	62,242	62,242 max.
TREES		
A. No. trees required per net lot acre. Less existing number of trees meeting minimum requirements = 28 trees x net lot acres=	245	245
B. % Palms Allowed: No. trees provided x 30% x 2 =	N/A	N/A
% Palms permitted to count as street trees on 1:1 basis x 30%	0	0
C. % Natives Required: No. trees provided x 30% =	74	245
D. Street trees (maximum average spacing of 35' o.c.): 7,974 linear feet along street / 35 = (NOTE: RU-4 AND RU-RH)	228	228
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): ____ linear feet along street / 25 =	N/A	N/A
SHRUBS		
A. No. trees required x 10 = No. of shrubs allowed	4,730	4,730
B. No. shrubs allowed x 30% = no. of native shrubs required	1,419	4,730
IRRIGATION PLAN: If required by Chapter 33	(Yes)	X (No)

TABLE containing information as indicated in sample below:

Symbol	New	Existing	Scientific	Common	Native Yes	Native No	Height (Estimated at maturity*)	Quantity
(oak symbol)	X		QUERCUS VIRGINIANA	LIVE OAK [1]	X		50'	228
(mahogany symbol)	X		SWIETENIA MAHAGONI	MAHOGANY TREE	X		35'-60'	245
(cassia symbol)	X		CASSIA BAHAMENSIS	BAHAMA CASSIA [1]	X		2'-6'	4,730

Zoning District: RU-RH — Net Lot Area: 5.34 acres 232,534 s.f.

OPEN SPACE	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area= 232,534 s.f. x 12 % = 27,904 s.f.	27,904	11,476
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces N/A x 10 s.f. per parking space=	N/A	N/A
C. Total s.f. of landscaped open space required by Chapter 33: A + B=	27,904	11,476
LAWN AREA CALCULATION A. 27,904 total s.f. of landscaped open space required by Chapter 33 B. Maximum lawn area (sod) permitted= 40 % x 93,189 s.f.=	11,161	11,161 max.
TREES		
A. No. trees required per net lot acre. Less existing number of trees meeting minimum requirements = 28 trees x net lot acres=	150	150
B. % Palms Allowed: No. trees provided x 30% x 2 =	N/A	N/A
% Palms permitted to count as street trees on 1:1 basis x 30%	0	0
C. % Natives Required: No. trees provided x 30% =	45	150
D. Street trees (maximum average spacing of 35' o.c.): 7,974 linear feet along street / 35 =	(SEE RU-4)	(SEE RU-4)
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): ____ linear feet along street / 25 =	N/A	N/A
SHRUBS		
A. No. trees required x 10 = No. of shrubs allowed	1,600	1,500
B. No. shrubs allowed x 30% = no. of native shrubs required	450	450
IRRIGATION PLAN: If required by Chapter 33	(Yes)	X (No)

TABLE containing information as indicated in sample below:

Symbol	New	Existing	Scientific	Common	Native Yes	Native No	Height (Estimated at maturity*)	Quantity
(oak symbol)	X		QUERCUS VIRGINIANA	LIVE OAK [1]	X		50'	see RU-4
(mahogany symbol)	X		SWIETENIA MAHAGONI	MAHOGANY TREE	X		35'-60'	160
(cassia symbol)	X		CASSIA BAHAMENSIS	BAHAMA CASSIA [1]	X		2'-6'	1,500

[1] Street trees shall have a clear trunk of four (4) feet, an overall height of twelve (12) feet and a minimum caliper of two (2) inches at time of planting. All trees, except street trees, shall be a minimum of ten (10) feet high and have a minimum caliper of two (2) inches at time of planting.

[1] All shrubs shall be a minimum of thirty-six (36) inches at time of planting.

CHISHOLM
Architects-Planners-Interior Designers
www.chisholmarchitects.com

Project Name:
ZONING SUBMITTAL for PRINCETON COMMONS
MIAMI-DADE COUNTY, FLORIDA

Revisions

No.	Description	Date
5	P/Z DEPT. COMMENTS	9/04/09
4	DEPT. COMMENTS	10/2/09

ARCHITECT

CONSULTANTS

Project No. 2307
Scale: AS SHOWN
Date: 8-21-07
Drawn: CS
Checked: MP, JW
Submittal: ASPR
Cad File: L0.1
Drawing Title: LANDSCAPE INFORMATION
Sheet No. L0.1

RECEIVED
MIAMI-DADE COUNTY
DATE: OCT 19 2007
BY: PYZAL

LANDSCAPE LEGEND - Information Required to be Permanently Affixed to Plan

Zoning District	BU-1	Net Lot Area:	27.07 acres	1,179,434 s.f.
Zoning District	BU-2/1	Net Lot Area:	16.83 acres	733,392 s.f.
		Total Net Lot Area:	43.9 acres	1,912,826 s.f.

OPEN SPACE

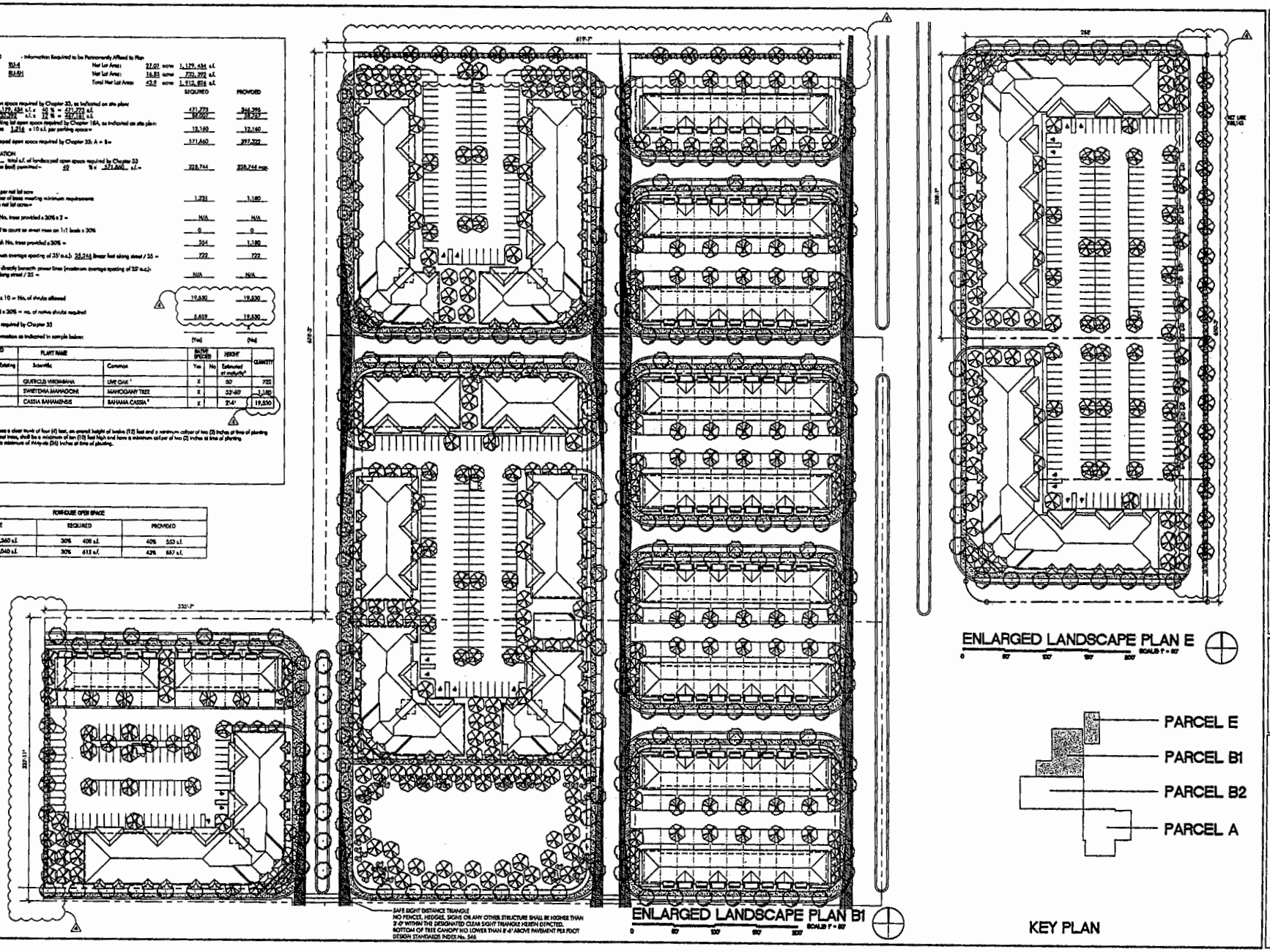
	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan:		
Net lot area = 1,179,434 s.f. x 40 % = 471,773 s.f.	471,773	346,395
Net lot area = 733,392 s.f. x 12 % = 87,167 s.f.	87,167	87,167
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan:		
No. parking spaces 1,216 x 10 s.f. per parking space =	12,160	12,160
C. Total s.f. of landscaped open space required by Chapter 33: A + B =	571,660	397,722
LAWN AREA CALCULATION		
A: 571,660 total s.f. of landscaped open space required by Chapter 33		
B. Maximum lawn area (sod) permitted = 40 % = 571,660 s.f. =	228,744	228,744 max.
TREES		
A. No. trees required per net lot acre:		
Use existing number of trees meeting minimum requirements = 28 trees x net lot acres =	1,231	1,180
B. % Palms Allowed: No. trees provided x 30% =	N/A	N/A
% Palms permitted to count as street trees on 1:1 basis = 30%	0	0
C. % Natives Required: No. trees provided x 30% =	354	1,180
D. Street trees (maximum average spacing of 35' o.c.): 25,246 linear feet along street / 35 =	722	722
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): ——— linear feet along street / 25 =	N/A	N/A
SHRUBS		
A. No. trees required x 10 = No. of shrubs allowed	19,830	19,830
B. No. shrubs allowed x 30% = no. of native shrubs required	5,949	19,830
IRRIGATION PLAN: If required by Chapter 33		
TABLE containing information as indicated in sample below:	(Yes)	(Yes)

SYMBOL USED ON PLAN			PLANT NAME		NATIVE SPECIES		HEIGHT	QUANTITY
Symbol	New	Existing	Scientific	Common	Yes	No	Estimated at maturity*	
	X		QUERCUS VIRGINIANA	LIVE OAK *	X		50'	722
	X		SWIETENIA MAHAGONI	MAHOGANY TREE	X		35'-60'	1,180
	X		CASSIA BAHAMENSIS	BAHAMA CASSIA*	X		21-6'	19,830

* Street trees shall have a clear trunk of four (4) feet, an overall height of twelve (12) feet and a minimum caliper of two (2) inches at time of planting. All trees, except street trees, shall be a minimum of ten (10) feet high and have a minimum caliper of two (2) inches at time of planting.
* All shrubs shall be a minimum of Fifteen (15) inches at time of planting.

FORECLOSURE OPEN SPACE

LOT SIZE	REQUIRED	PROVIDED
60' x 20' = 1,260 s.f.	30% 408 s.f.	40% 553 s.f.
60' x 30' = 2,040 s.f.	30% 613 s.f.	43% 887 s.f.



KEY PLAN

Architecture Planning Interior Designers
7294 SW 40th St. Miami, FL 33155
(305)667-0010
www.chistianamenhotep.com
AR Christian Architects, Inc. AA0001982

Project Name:
ZONING SUBMITTAL for PRINCETON COMMONS
SW 107th AVENUE/SW 248th STREET
MIAMI-DADE COUNTY, FLORIDA

Revisions

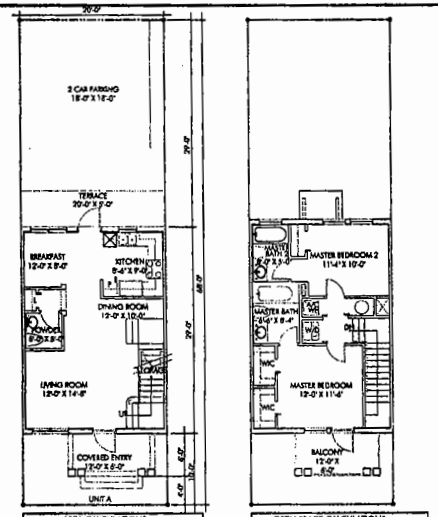
No.	Description	Date
1	1st DEPT. COMMENTS	8/23/07
2	DEPT. COMMENTS	9/25/07
3	2nd DEPT. COMMENTS	9/04/07
4	DEPT. COMMENTS	10/19/07

ARCHITECT
ROBERT E. CHRISTIAN, FAIA
AR0007468

CONSULTANTS

Project No. 2307
Scale: AS SHOWN
Date: 8-21-07
Drawn: CS
Checked: MP, JW
Submittal: ASPR
Cad File: L1.1
Drawing Title:
ENLARGED LANDSCAPE PLAN 'A', 'B'
Sheet No. L1.1

RECEIVED
MIAMI-DADE COUNTY
PROCESSED BY ZAB/ZAD
DATE OF SUBMITTAL

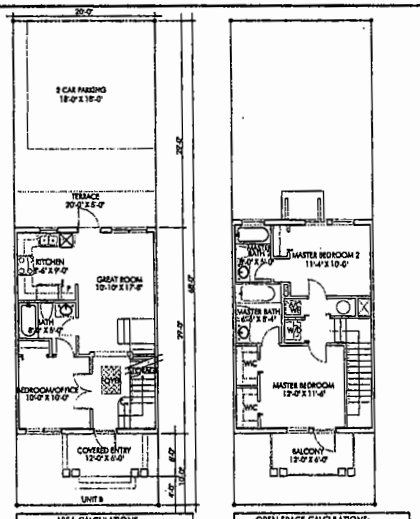


AREA CALCULATIONS:	
A/C 1st FLOOR	580 SQUARE FEET
A/C 2nd FLOOR	531 SQUARE FEET
TOTAL A/C SPACE	1,111 SQUARE FEET
COVERED ENTRY	72 SQUARE FEET
TERRACE	100 SQUARE FEET
BALCONY	72 SQUARE FEET
TOTAL	1,355 SQUARE FEET

OPEN SPACE CALCULATIONS:	
FRONT	200 SQUARE FEET
REAR	336 SQUARE FEET
BALCONY	72 SQUARE FEET
TOTAL	538 SQUARE FEET

UNIT A OPEN SPACE-68' DEEP LOT

SCALE: 1/8" = 1'-0"

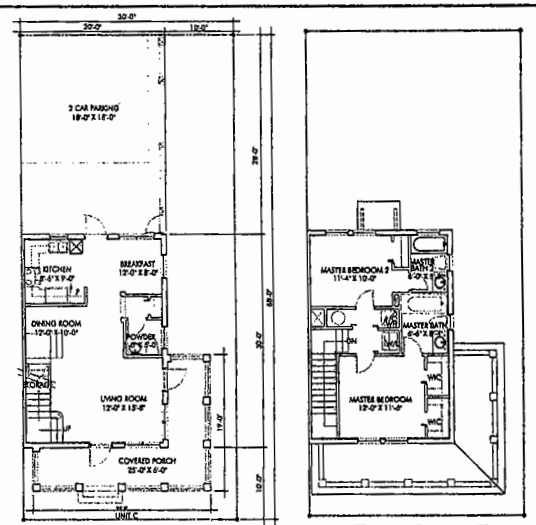


AREA CALCULATIONS:	
A/C 1st FLOOR	580 SQUARE FEET
A/C 2nd FLOOR	531 SQUARE FEET
TOTAL A/C SPACE	1,111 SQUARE FEET
COVERED ENTRY	72 SQUARE FEET
TERRACE	100 SQUARE FEET
BALCONY	72 SQUARE FEET
TOTAL	1,355 SQUARE FEET

OPEN SPACE CALCULATIONS:	
FRONT	200 SQUARE FEET
REAR	336 SQUARE FEET
BALCONY	72 SQUARE FEET
TOTAL	538 SQUARE FEET

UNIT B OPEN SPACE-68' DEEP LOT

SCALE: 1/8" = 1'-0"

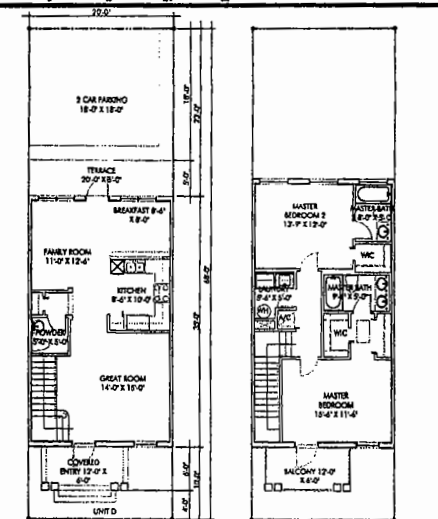


AREA CALCULATIONS:	
A/C 1st FLOOR	800 SQUARE FEET
A/C 2nd FLOOR	531 SQUARE FEET
TOTAL A/C SPACE	1,331 SQUARE FEET
COVERED PORCH	228 SQUARE FEET
TOTAL	1,559 SQUARE FEET

OPEN SPACE CALCULATIONS:	
FRONT	350 SQUARE FEET
SIDE	580 SQUARE FEET
REAR	236 SQUARE FEET
TOTAL	1,066 SQUARE FEET

UNIT C OPEN SPACE-68' DEEP LOT

SCALE: 1/8" = 1'-0"

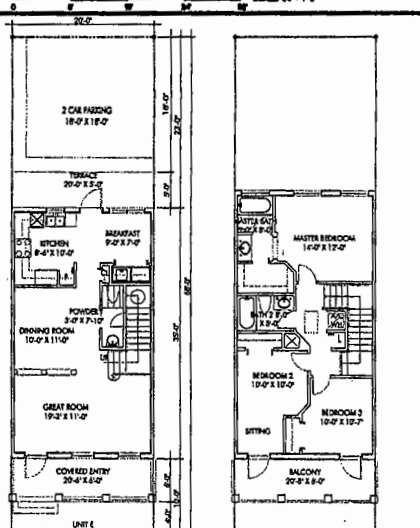


AREA CALCULATIONS:	
A/C 1st FLOOR	700 SQUARE FEET
A/C 2nd FLOOR	685 SQUARE FEET
TOTAL A/C SPACE	1,385 SQUARE FEET
COVERED ENTRY	72 SQUARE FEET
TERRACE	100 SQUARE FEET
BALCONY	72 SQUARE FEET
TOTAL	1,629 SQUARE FEET

OPEN SPACE CALCULATIONS:	
FRONT	300 SQUARE FEET
REAR	173 SQUARE FEET
BALCONY	72 SQUARE FEET
TOTAL	444 SQUARE FEET

UNIT D OPEN SPACE-68' DEEP LOT

SCALE: 1/8" = 1'-0"

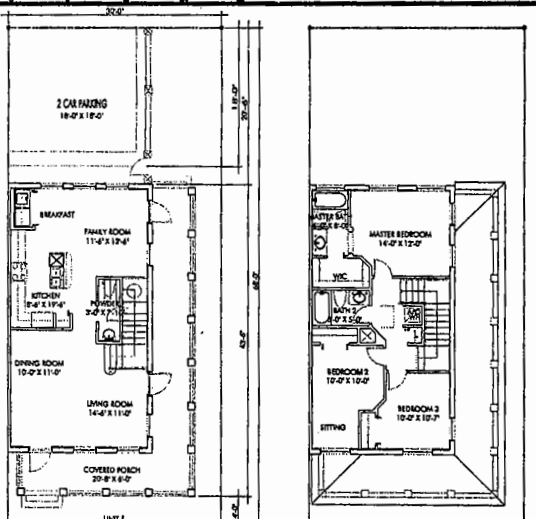


AREA CALCULATIONS:	
A/C 1st FLOOR	700 SQUARE FEET
A/C 2nd FLOOR	686 SQUARE FEET
TOTAL A/C SPACE	1,386 SQUARE FEET
COVERED ENTRY	120 SQUARE FEET
TERRACE	100 SQUARE FEET
BALCONY	120 SQUARE FEET
TOTAL	1,726 SQUARE FEET

OPEN SPACE CALCULATIONS:	
FRONT	200 SQUARE FEET
REAR	173 SQUARE FEET
BALCONY	120 SQUARE FEET
TOTAL	493 SQUARE FEET

UNIT E OPEN SPACE-68' DEEP LOT

SCALE: 1/8" = 1'-0"



AREA CALCULATIONS:	
A/C 1st FLOOR	750 SQUARE FEET
A/C 2nd FLOOR	686 SQUARE FEET
TOTAL A/C SPACE	1,436 SQUARE FEET
COVERED PORCH	372 SQUARE FEET
TOTAL	1807 SQUARE FEET

OPEN SPACE CALCULATIONS:	
FRONT	300 SQUARE FEET
SIDE	343 SQUARE FEET
REAR	207 SQUARE FEET
TOTAL	989 SQUARE FEET

UNIT F OPEN SPACE-68' DEEP LOT

SCALE: 1/8" = 1'-0"

NOTE: FLOOR PLANS REPRODUCED COURTESY OF PASCUAL, PEREZ, KILDDJIAN & ASSOCIATES. ALL RIGHT RESERVED.

Architecture Planning Interior Design
7284 SW 48th St., Miami, FL 33155
305.661.2870 (FAX)305.661.2872
www.ehlshimarchitects.com
Ehlsh Marchitects, Inc. AA26001852

Project Name:
ZONING SUBMITTAL
for
PRINCETON COMMONS
SW 152ND AVENUE/SW 264TH STREET
MIAMI-DADE COUNTY, FLORIDA

Revisions

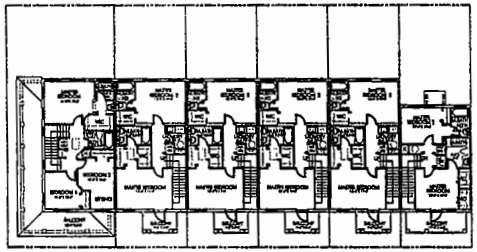
No.	Description	Date
1	1/E DEPT. COMMENTS	5/04/07
2	1/E DEPT. COMMENTS	5/04/07

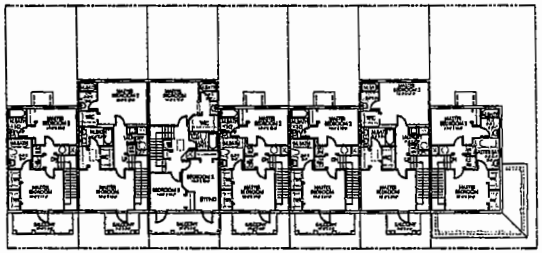
ROBERT A. CHERVONIS, PA
AR0007642

Project No. 2307
Scale: AS SHOWN
Date: 6-21-07
Drawn: CS
Checked: MP
Cad File: L1.5
Drawing Title:
LANDSCAPE + OPEN SPACE CALC PLAN

Sheet No. L1.5

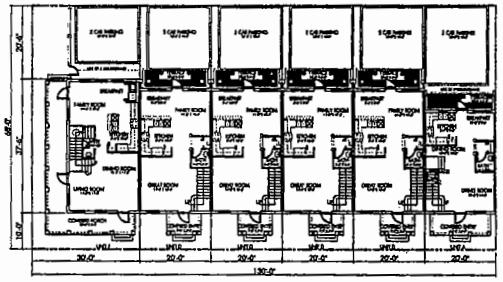
RECEIVED
MIAMI-DADE COUNTY
PROCESS & [illegible]
DATE: OCT [illegible]
BY: [illegible]

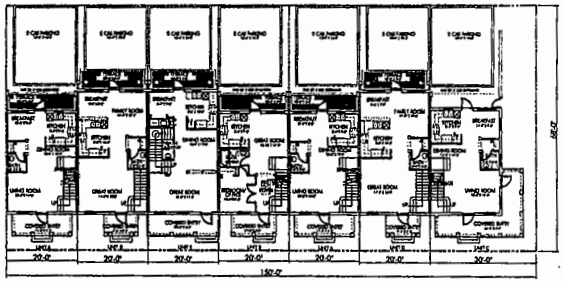




2ND FLOOR PLAN- TYPICAL TOWNHOUSE- UNITS A-F

SCALE 1/8" = 1'-0"





NOTE: ALL UNITS ON 68' DEEP LOTS ARE INTERCHANGEABLE

1ST FLOOR PLAN- TYPICAL TOWNHOUSE- UNITS A-F

SCALE 1/8" = 1'-0"

NOTE: FLOOR PLANS REPRODUCED COURTESY OF PASCUAL, PEREZ, KILIDDJIAN & ASSOCIATES. ALL RIGHT RESERVED.

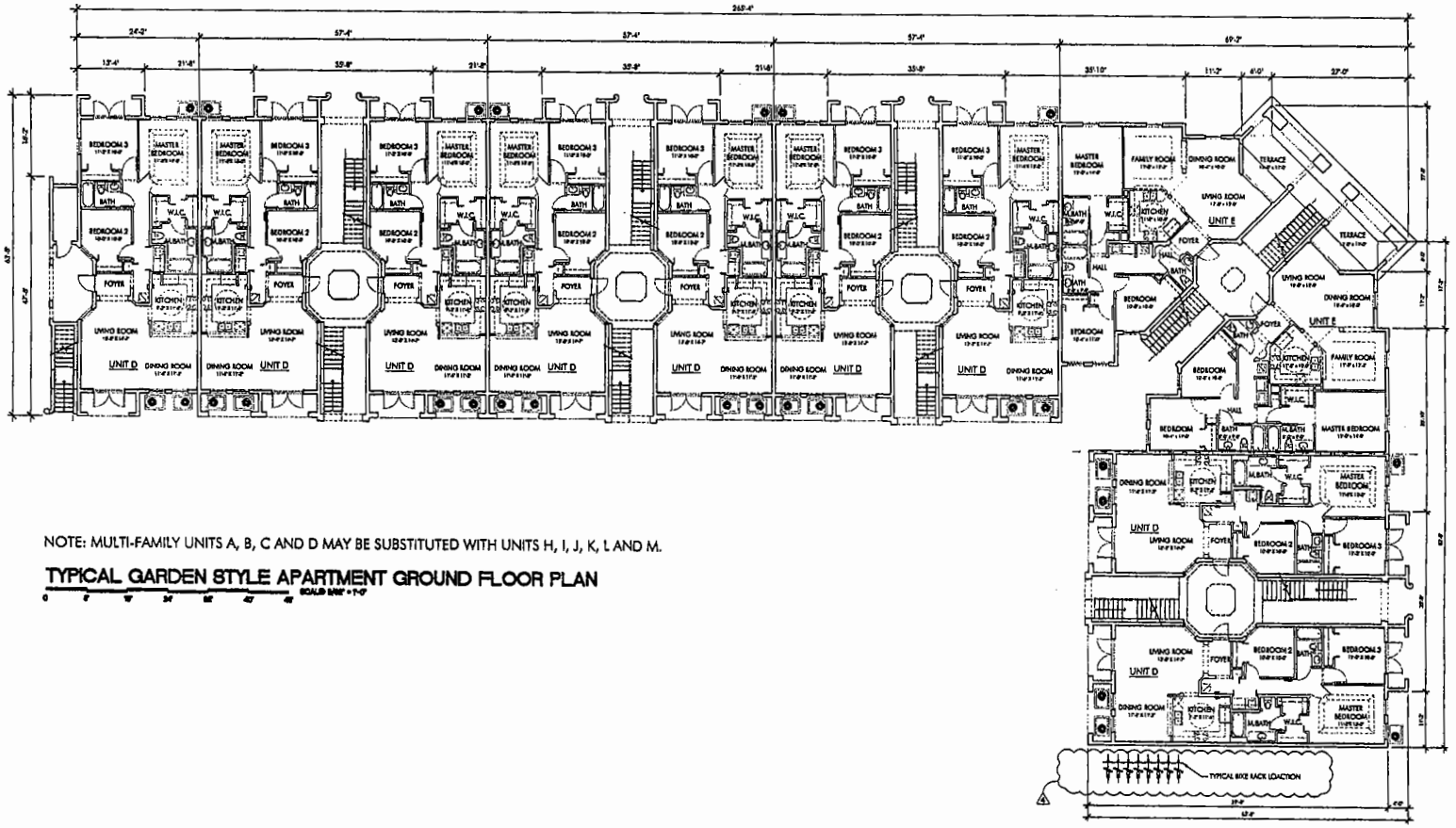
Project Name:
ZONING SUBMITTAL for PRINCETON COMMONS
[illegible] MIAMI-DADE COUNTY, FLORIDA

Revisions

No.	Description	Date
1	1/2 DEPT. COMMENTS	5/23/08

Project No. 2307
Scale: AS NOTED
Date: 08-21-07
Drawn: MCM,AS
Checked: MP
Cad File: A1.1
Drawing Title:
TYPICAL TOWNHOUSE UNITS A,B,C,D,E,F FLOOR PLANS
Sheet No. A1.1

RECEIVED
MIAMI-DADE COUNTY
PROCESS #
DATE OCT 30 2009
BY: JYPCAL



NOTE: MULTI-FAMILY UNITS A, B, C AND D MAY BE SUBSTITUTED WITH UNITS H, I, J, K, L AND M.

TYPICAL GARDEN STYLE APARTMENT GROUND FLOOR PLAN

SCALE 3/32" = 1'-0"

NOTE: FLOOR PLANS REPRODUCED COURTESY OF PASCUAL, PEREZ, KIUDDJIAN & ASSOCIATES. ALL RIGHT RESERVED.

NOTE: FOR SITE LOCATION SEE SHEET A51.4

Project Name:
ZONING SUBMITTAL for PRINCETON COMMONS
SW. 20TH AVENUE/SW. 94th STREET
MIAMI-DADE COUNTY, FLORIDA

Revisions

No.	Description	Date
1	1/2 DEPT. COMMENTS	5/22/09
4	DEPT. COMMENTS	10/2/09

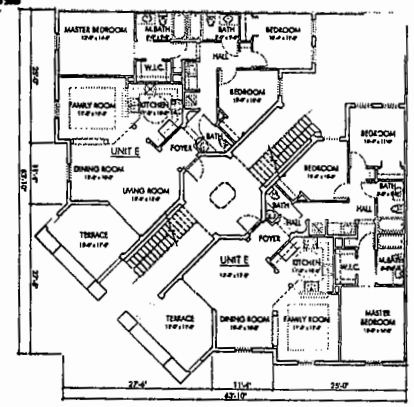
ARCHITECT

ROBERT E. CHISHOLM, Pres.
AR0009448

CONSULTANTS

Project No. 2207
Scale: 3/32"=1'-0"
Date: 08-21-07
Drawn: MCM, EI
Checked: MP, CS
Cad File: A1.4
Drawing Title:
TYPICAL GARDEN STYLE APT. GROUND FLOOR PLAN
Sheet No. A14

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 2[illegible]
DATE: OCT [illegible]
BY: [illegible]

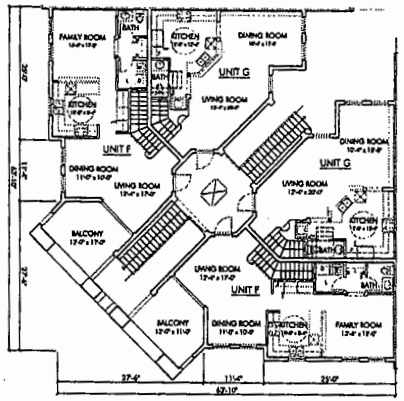


UNIT E - AREA CALCULATIONS

A/C SPACE	1322.68 SQUARE FEET
COVERED TERRACE	42.58 SQUARE FEET
TOTAL	1365.26 SQUARE FEET

1ST FLOOR PLAN - UNIT E - CORNER

SCALE: 3/32" = 1'-0"



UNIT F- AREA CALCULATIONS

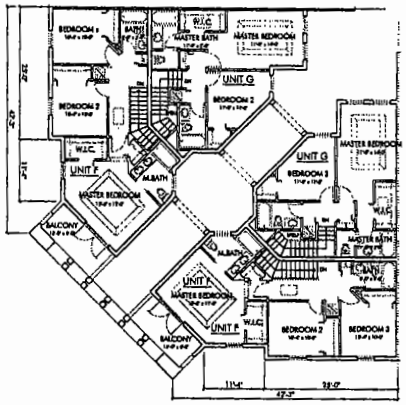
A/C SPACE	1368.8 SQUARE FEET
COVERED TERRACE	42.58 SQUARE FEET
TOTAL	1411.38 SQUARE FEET

UNIT G - AREA CALCULATIONS

A/C SPACE	1070.44 SQUARE FEET

2ND FLOOR PLAN - UNIT F+G (1ST FLR.)- CORNER

SCALE: 3/32" = 1'-0"



UNIT F- AREA CALCULATIONS

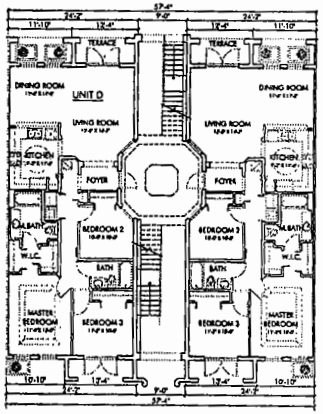
A/C SPACE	1368.8 SQUARE FEET
COVERED TERRACE	42.58 SQUARE FEET
TOTAL	1411.38 SQUARE FEET

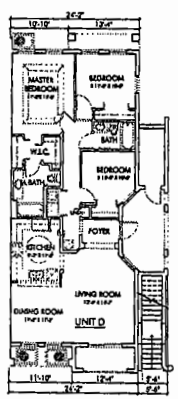
UNIT G - AREA CALCULATIONS

A/C SPACE	1070.44 SQUARE FEET

3RD FLOOR PLAN - UNIT F + G(2ND FLR.) - CORNER

SCALE: 3/32" = 1'-0"



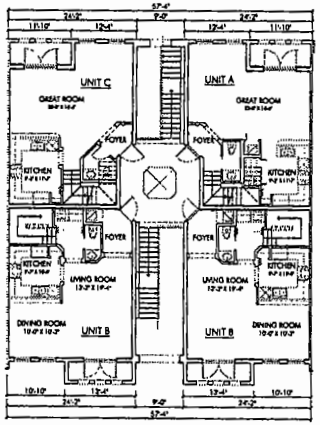


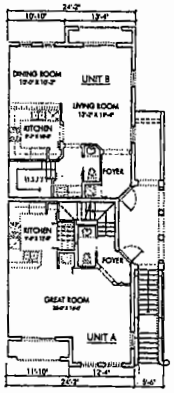
UNIT D - AREA CALCULATIONS:

A/C SPACE	1206.61 SQUARE FEET
COVERED TERRACE	44 SQUARE FEET
TOTAL	1250.61 SQUARE FEET

1ST FLOOR PLAN - UNIT D + END

SCALE: 3/32" = 1'-0"





UNIT A- AREA CALCULATIONS

A/C SPACE	1056.31 SQUARE FEET
COVERED TERRACE	34.50 SQUARE FEET
TOTAL	1090.81 SQUARE FEET

UNIT B- AREA CALCULATIONS

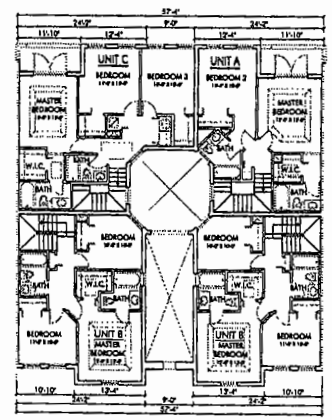
A/C SPACE	1189.53 SQUARE FEET
COVERED TERRACE	28 SQUARE FEET
TOTAL	1217.83 SQUARE FEET

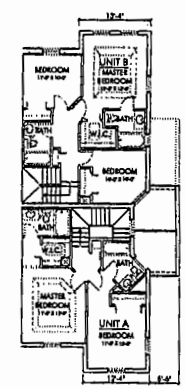
UNIT C- AREA CALCULATIONS

A/C SPACE	1218.54 SQUARE FEET
COVERED TERRACE	34.50 SQUARE FEET
TOTAL	1253.04 SQUARE FEET

2ND FLOOR PLAN - UNITS A,B,C + END (1ST. FLR.)

SCALE: 3/32" = 1'-0"





3RD FLOOR PLAN - UNITS A,B,C + END (2ND. FLR.)

SCALE: 3/32" = 1'-0"

NOTE: FLOOR PLANS REPRODUCED COURTESY OF PASCUAL, PEREZ, KIUDDJIAN & ASSOCIATES. ALL RIGHT RESERVED.

CHISHOLM
Architects-Planners-Interior Designers
[illegible]

Project Name:
ZONING SUBMITTAL for PRINCETON COMMONS
[illegible] AVENUE/[illegible] STREET
MIAMI-DADE COUNTY, FLORIDA

Revisions

No.	Description	Date
1	P/E DEPT. COMMENTS	5/23/08

ARCHITECT

[illegible]

CONSULTANTS

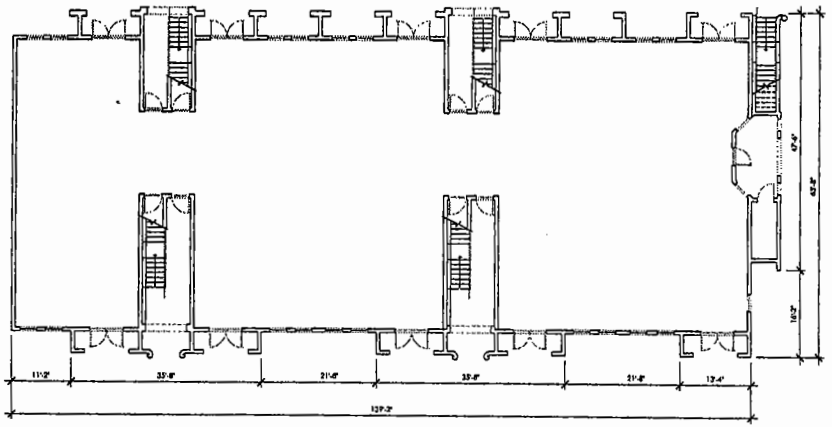
Project No. 2307
Scale: AS NOTED
Date: 08-21-07
Drawn: MCM,CS
Checked: MP, CRL
Cad File: A1.7
Drawing Title:
3-STORY UNIT FLOOR PLANS UNITS A - G
Sheet No. A1.7

RECEIVED
MIAMI-DADE COUNTY
PROCESS # [illegible]
DATE: OCT [illegible]
BY: [illegible]

NOTE: UNITS ARE ABOVE AMENITY CENTER ON SECOND AND THIRD FLOORS

AMENITY CENTER STREET ELEVATION

SCALE: 3/32" = 1'-0"



NOTE: UNITS ARE ABOVE AMENITY CENTER ON SECOND AND THIRD FLOORS

AMENITY CENTER GROUND FLOOR PLAN

SCALE: 3/32" = 1'-0"

NOTE: UNIT ELEVATIONS REPRODUCED COURTESY OF PASCUAL, PEREZ, KILIDDJIAN & ASSOCIATES, ALL RIGHT RESERVED.

NOTE:
FOR SITE LOCATION SEE SHEET A51.3 AND A51.4

CHISHOLM
Architects-Planners-Interior Designers
[illegible]
www.chisholmarchitects.com
[illegible]

Project Name:
ZONING SUBMITTAL for
PRINCETON COMMONS
[illegible] AVENUE/NW. [illegible] STREET
MIAMI-DADE COUNTY, FLORIDA

[illegible]

Revisions

No.	Description	Date
2	DEPT. COMMENTS	6/22/09

ARCHITECT

[illegible]

CONSULTANTS

Project No. 2307
Scale: 3/32"=1'-0"
Date: 08-21-07
Drawn: MCM, EI
Checked: MP, CS
Cad File: A1.9
Drawing Title:
AMENITY CENTER GROUND FLOOR PLAN AND ELEVATION
Sheet No. A1.9

RECEIVED

TYPICAL GARDEN STYLE APARTMENTS : FULL BAY END UNIT
MULTI-FAMILY UNITS A, B, C AND D MAY BE SUBSTITUTED WITH UNITS H, I, J, K, L AND M.
BUILDING ELEVATION WILL VARY DEPENDING ON FINAL UNIT DETERMINATION.

1 / A814 SIDE ELEVATION

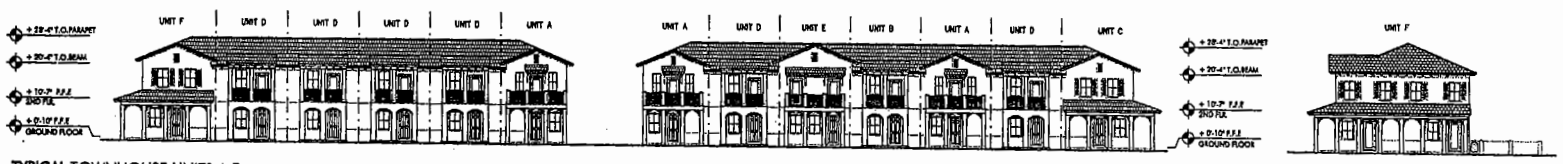
SCALE: 1/8" = 1'-0"

TYPICAL GARDEN STYLE APARTMENTS : HALF BAY END UNIT
MULTI-FAMILY UNITS A, B, C AND D MAY BE SUBSTITUTED WITH UNITS H, I, J, K, L AND M.
BUILDING ELEVATION WILL VARY DEPENDING ON FINAL UNIT DETERMINATION.

1 / A814 STREET ELEVATION (REAR ELEVATION SIMILAR)

SCALE: 1/8" = 1'-0"

REAR ELEVATION



TYPICAL TOWNHOUSE UNITS A-F

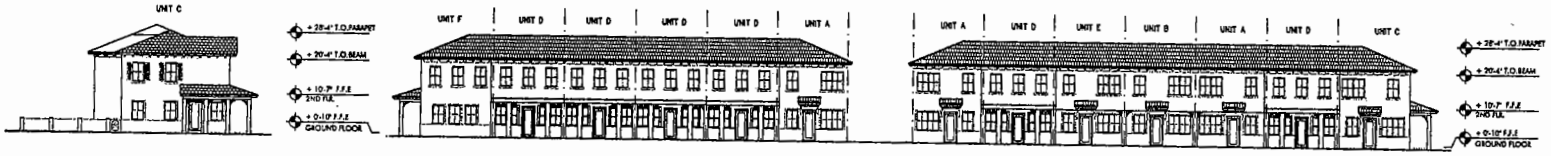
2 / A812 FRONT ELEVATION

SCALE: 1/8" = 1'-0"

TYPICAL TOWNHOUSE UNITS A-F

2 / A812 SIDE ELEVATION

SCALE: 1/8" = 1'-0"



TYPICAL TOWNHOUSE UNITS A-F

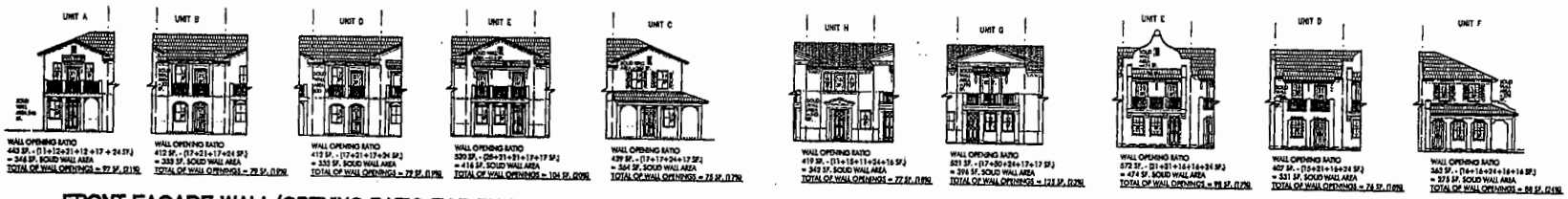
1 / A812 SIDE ELEVATION

SCALE: 1/8" = 1'-0"

TYPICAL TOWNHOUSE UNITS A-F

2 / A812 REAR ELEVATION

SCALE: 1/8" = 1'-0"



FRONT FACADE WALL/OPENING RATIO FOR RU-RH UNITS A-H

SCALE: 1/8" = 1'-0"

NOTE: ELEVATIONS REPRODUCED COURTESY OF PASCUAL, PEREZ, KOUDDJIAN & ASSOCIATES. ALL RIGHT RESERVED.

CHRISTOPHER
Architecture · Planning · Interior Design
7284 SW 48th St., Miami, FL 33155
(305) 669-0495 FAX (305) 669-0492
www.christophersarchitects.com
FL Christopher Architects, Inc. AA0002492

Project Name:
ZONING SUBMITTAL
for
PRINCETON COMMONS
SW 107th AVENUE/SW 240th STREET
MIAMI-DADE COUNTY, FLORIDA

Revisions

No.	Description	Date
1	P/Z DEPT. COMMENTS	4/23/08
2	DEPT. COMMENTS	6/23/08

ARCHITECT
ROBERT B. CHRISTOPHER, PA.
AR 0007440

CONSULTANTS

Project No. 2207
Scale: 1/16"=1'-0"
Date: 08-21-07
Drawn: MCN
Checked: MP
Cad File: A2.1
Drawing Title:
APARTMENT AND TOWNHOUSE ELEVATIONS
Sheet No. A2.1

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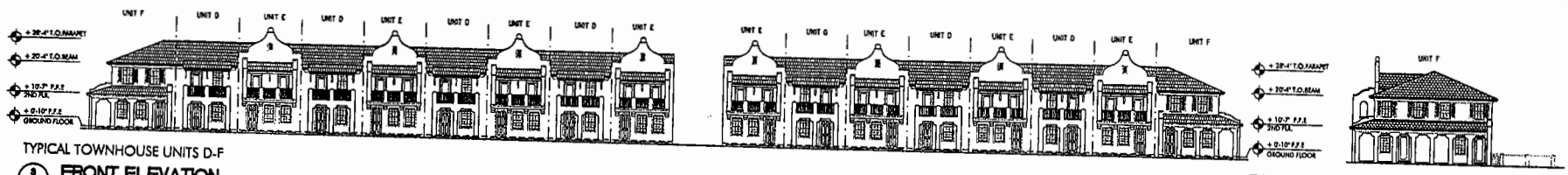
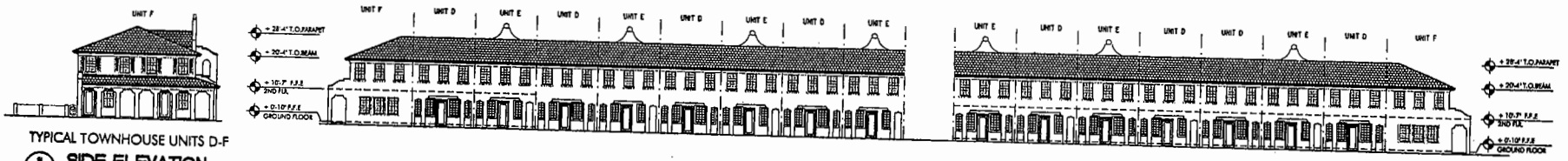
MIAMI-DADE COUNTY
DEPT. OF PLANNING
DATE: OCT 09 2007
DIST. PLANNER



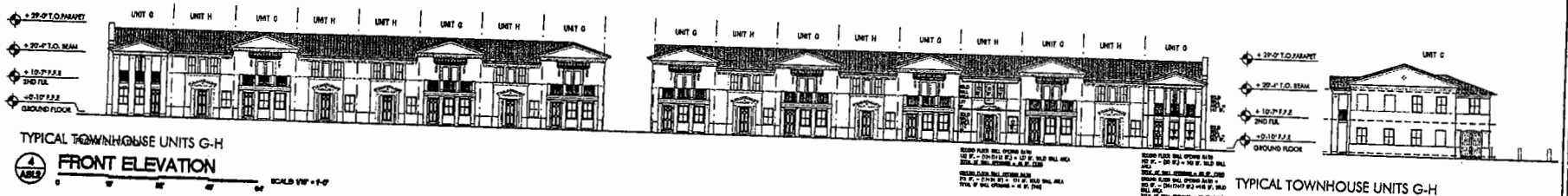
TYPICAL TOWNHOUSE UNITS D-F
3 A9L2 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

TYPICAL TOWNHOUSE UNITS D-F
3 A9L2 SIDE ELEVATION
SCALE: 1/8" = 1'-0"



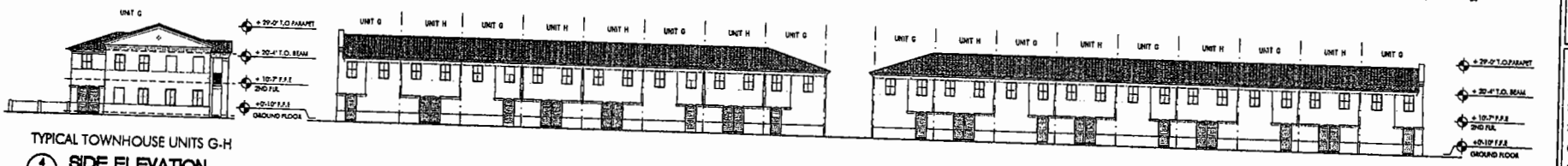
TYPICAL TOWNHOUSE UNITS D-F
3 A9L2 SIDE ELEVATION
SCALE: 1/8" = 1'-0"

TYPICAL TOWNHOUSE UNITS D-F
3 A9L2 REAR ELEVATION
SCALE: 1/8" = 1'-0"



TYPICAL TOWNHOUSE UNITS G-H
4 A9L2 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

TYPICAL TOWNHOUSE UNITS G-H
4 A9L2 SIDE ELEVATION
SCALE: 1/8" = 1'-0"



TYPICAL TOWNHOUSE UNITS G-H
4 A9L2 SIDE ELEVATION
SCALE: 1/8" = 1'-0"

TYPICAL TOWNHOUSE UNITS G-H
4 A9L2 REAR ELEVATION
SCALE: 1/8" = 1'-0"

NOTE: ELEVATIONS REPRODUCED COURTESY OF PASCUAL, PEREZ, KILDDJIAN & ASSOCIATES. ALL RIGHT RESERVED.

CHRISTOPHER
Architects-Planners-Interior Designers
7326 SW 48th St., Miami, FL 33155
(305) 667-2076
www.christophersarchitects.com
AR Christos Anthonis, Fla. #AA0017102

Project Name:
ZONING SUBMITTAL
for
PRINCETON
COMMONS
SW 152th AVENUE/SW 264th STREET
MIAMI-DADE COUNTY, FLORIDA

Revisions

No.	Description	Date
1	1/2 DEPT. COMMENTS	9/23/08
2	DEPT. COMMENTS	9/22/08

ARCHITECT

ROBERT S. CHRISTOPHER, PARA #0007466

CONSULTANTS

Project No. 2207
Scale: 1/16"=1'-0"
Date: 08-21-07
Drawn: MCH, CS
Checked: MP
Cad File: A9.2
Drawing Title:
TOWNHOUSE ELEVATIONS
Sheet No. A22

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MIAMI-DADE COUNTY
PROCESS #: Z09-006
DATE: SEP 24 2009
BY: IZAKG

SOMERSET ACADEMY AT COUNTRY PALMS

(K-12th GRADE SCHOOL)

S.W. 124 AVENUE & S.W. 248th STREET
MIAMI, FLORIDA

DIC No. 04-404

APPLICANT:
SCHOOL DEVELOPMENT HC, LLC

6255 BIRD ROAD Miami, FL 33155
tel: (305) 669-2906

DATE: JAN, 2005 / FEB, 2009 / AUG. 2009 / SEPT. 2009

ISSUED FOR: DIC SUBMITTAL

ARCHITECT
CIVICA
tel: 305.593.9959 8323 NW 12th St. Suite No.208. Doral, Fl. 33126 fax: 305.593.9855

INDEX OF DRAWINGS

ARCHITECTURAL
A-1 LOCATION MAP & ZONING DATA
A-1A PARKING DETAILS & GENERAL ROAD TAPERING DIAGRAM
A-2 PROPOSED SITE PLAN
A-3 PHASE-I BLDG: 1st & 2nd FLOOR PLANS
A-4 PHASE-II BLDG: 1st & 2nd FLOOR PLANS
A-5 PROPOSED ELEVATIONS
A-6 PROPOSED ELEVATIONS
A-7 GENERAL SITE DETAILS

LANDSCAPE
LA-1 PROPOSED LANDSCAPE PLAN & PLANT LIST
LA-2 LANDSCAPE LEGEND & SPECIFICATION

REVISION 1 09.17.09 PUBLIC WORKS MEETING

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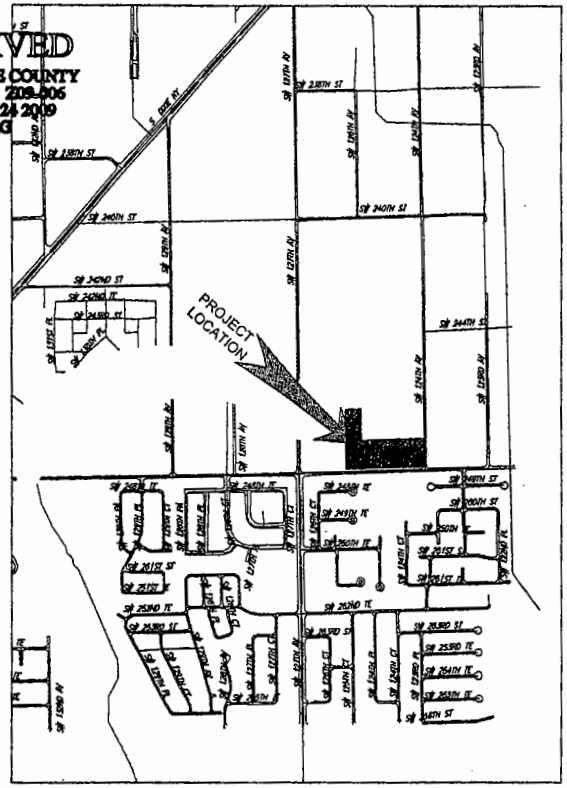
MIAMI-DADE COUNTY
PROCESS #: 209-006
DATE: SEP 24 2009
BY: IZAKG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75

PARKING DATA: (K-12th GRADE SCHOOL, 1440 STUDENTS)

Uses Proposed	Total Classrms	Classroom Area	No. of Students	No. of Teachers	No. of Assist	No. of Admin	Transportation Vehicles	Total Personnel	Admin Areas
K-5th GRADES	28	18,000 SQ.FT.	510 Students	28	1	1	2-Vans/Buses	32	1,330 SQ.FT.
6th-8th GRADES	18	10,800 SQ.FT.	390 Students	18	0	0	2-Vans/Buses	20	
9th-12th GRADES	24	13,200 SQ.FT.	540 Students	24	4	2	2-Vans/Buses	32	500 SQ.FT.
Grand Total	70	42,000 SQ.FT.	1,440 Students	70	5	3	6-Vans/Buses	84	1,830 SQ.FT.

NOTE:
PARKING REQUIREMENTS BASED ON MIAMI-DADE COUNTY CODE OF ORDINANCES SECTION 33-124(L) FOR SCHOOL USE.

Code Requirement	Parking Required	Parking Provided
1 Pkg per e.a. Staff plus e.a. transportation vehicle	(30 Staff + 2 Van-bus) = 32 spaces	134
1 Pkg per e.a. Staff plus 1/4 of staff & transportation vehicles	(18 Staff + 2 Van-bus) x (0.25 space) = 5 20 + 5 = 25 spaces	
1 Pkg per e.a. 200 SQ.FT. + 1 Space per (4) Classroom & Admin Area E.A. Staff	(13,200 sq.ft. Classrooms + 500 sq.ft. Admin + 300 sq.ft. Media) / 200 = (70 Spaces) + (8) Staff / 4 = (2 Space) = 72 Spaces	
Total Parking Required for K-12th Grade School: 32 + 25 +72 = 129 Spaces Required		Total Parking Provided: 134 Spaces *

* Total Handicapped Spaces Provided : (5)
* Total Spaces Reserved for Staff.....(84 Spaces)
*Total Spaces Available for Visitors.....(50 Spaces)
*Unblocked Visitor Spaces.....(50 Spaces) 100%

VEHICULAR SPEED:
16 MPH SCHOOL SPEED ZONE AND SPEED ZONE FLASHING SIGNALS SHALL BE PROVIDED BY CHARTER SCHOOL IN COORDINATION WITH MIAMI-DADE PUBLIC WORKS DEPARTMENT.

PHASE-I TO OPEN AS A K-12th GRADES FACILITY.

UPON PHASE-II COMPLETION, GRADES LEVEL FLEXIBILITY SHALL BE MAINTAINED AS LONG AS THREE (3) ARRIVAL AND DISMISSAL PERIODS ARE MAINTAINED IN COMPLIANCE WITH THE APPROVED TRAFFIC STUDY.

PROPOSED WORK FRAGMENTATION:

*THIS DIC APPLICATION SHALL INCLUDE ENTIRE LAYOUT

RIGHT-OF-WAY NOTE:

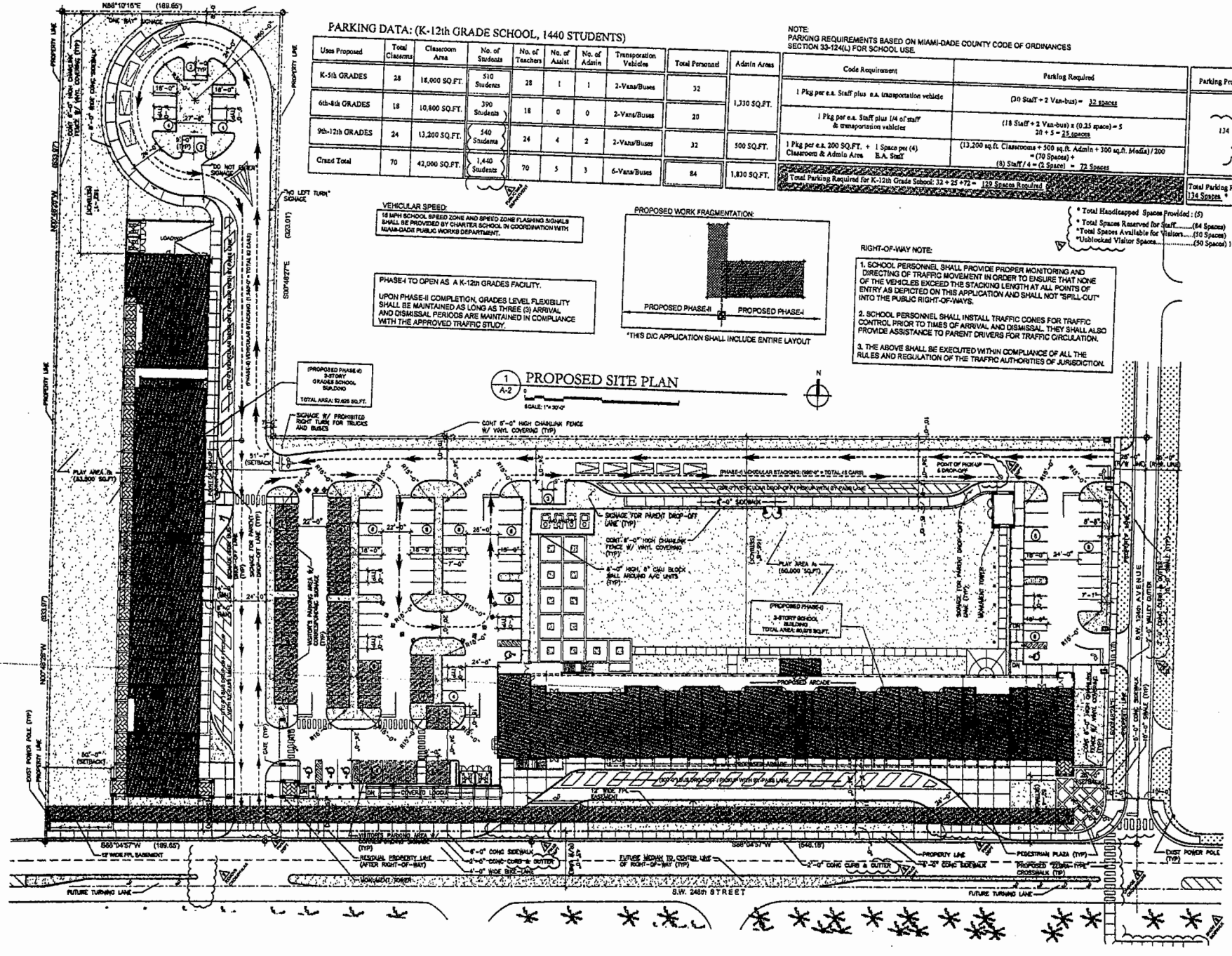
1. SCHOOL PERSONNEL SHALL PROVIDE PROPER MONITORING AND DIRECTING OF TRAFFIC MOVEMENT IN ORDER TO ENSURE THAT NONE OF THE VEHICLES EXCEED THE STACKING LENGTH AT ALL POINTS OF ENTRY AS DEPICTED ON THIS APPLICATION AND SHALL NOT "SPILL-OUT" INTO THE PUBLIC RIGHT-OF-WAYS.

2. SCHOOL PERSONNEL SHALL INSTALL TRAFFIC CONES FOR TRAFFIC CONTROL PRIOR TO TIMES OF ARRIVAL AND DISMISSAL. THEY SHALL ALSO PROVIDE ASSISTANCE TO PARENT DRIVERS FOR TRAFFIC CIRCULATION.

3. THE ABOVE SHALL BE EXECUTED WITHIN COMPLIANCE OF ALL THE RULES AND REGULATION OF THE TRAFFIC AUTHORITIES OF JURISDICTION.

1 A-2 PROPOSED SITE PLAN

SCALE: 1"= 30'-0"



ARCHITECT:
CIVICA
5910 SW 35th St.
Miami, FL 33155
tel: 305.790.1358

PROJECT NAME:
SOMERSET ACADEMY AT COUNTRY PALMS
S.W. 124 & S.W. 248th STREET
MIAMI, FLORIDA

OWNER:
SCHOOL DEVELOPMENT HC, LLC
6255 BIRD ROAD Miami, FL 33155
tel: (305) 669-2508

CIVICA PROJECT No:
2004-19

ISSUED FOR:
DIC APPROVAL No. 04-404

No.	DATE	REVISION	BY
1	03.28.08	[illegible]	IAP
2	06.27.08	[illegible]	IAP
3	09.11.08	[illegible]	IAP
4	09.17.08	[illegible]	IAP

DRAWN BY: IAP
APPROVED BY: RLL
DATE: FEB-2008
SCALE: As Shown

SEAL/SIGNATURE

09/17/2009

ROLANDO LLANES, AIA
No 13160

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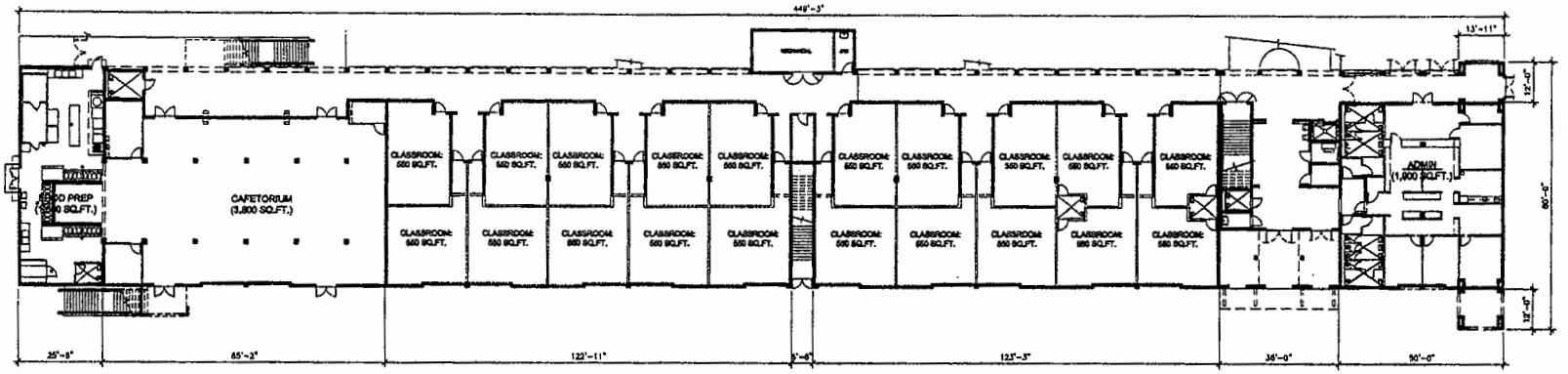
SHEET TITLE
PROPOSED SITE PLAN

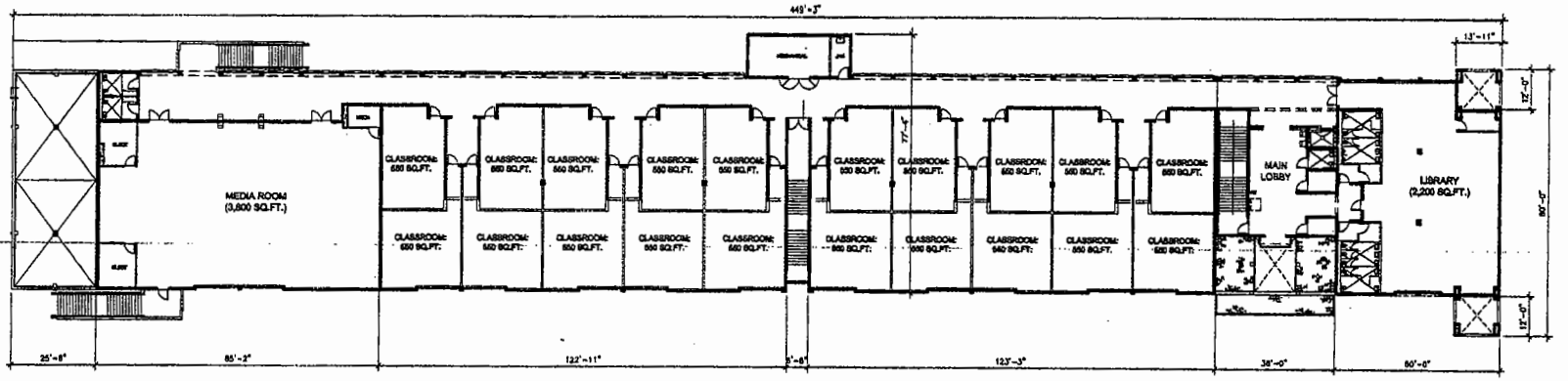
SHEET NUMBER
A-2

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z09-006
DATE: SEP 24 2009
BY: IZAKG



2 A-3 PHASE-I BLDG: PROPOSED 2ND FLOOR PLAN

SCALE: 1/16"= 1'-0"



1 A-3 PHASE-I BLDG: PROPOSED 1ST FLOOR PLAN

SCALE: 1/16"= 1'-0"

ARCHITECT:
CIVICA
5910 SW 58th St.
Miami, FL 33155
tel: 305.760.1355

PROJECT NAME:
SOMERSET ACADEMY AT COUNTRY PALMS
S.W. 134 & S.W. 144th STREET
MIAMI, FLORIDA

OWNER:
SCHOOL DEVELOPMENT HC, LLC
6355 BIRD ROAD Miami, FL 33155
tel: (305) 661-2004

CIVICA PROJECT No:
2004-19

ISSUED FOR:
DIC APPROVAL
No. 04-404

No.	DATE	REVISION	BY

DRAWN BY: IAF
APPROVED BY: RLL
DATE: FEB-2009
SCALE: As Shown

SEAL/SIGNATURE

09/17/2009

ROLANDO LLAMES, AIA
No 13160

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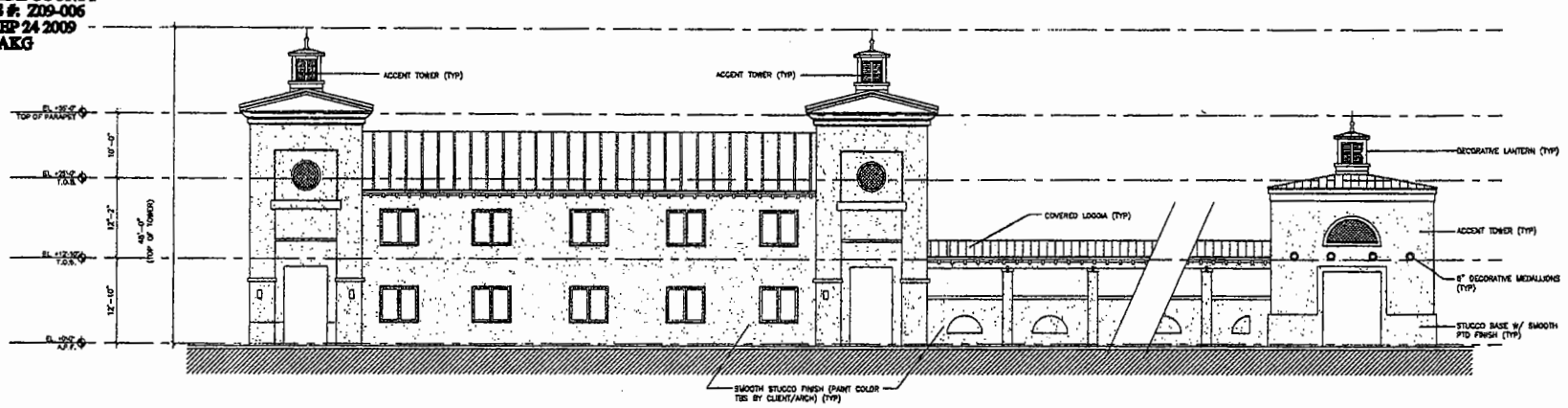
SHEET TITLE
PHASE-I PROPOSED 1ST & 2ND FLOOR PLANS

SHEET NUMBER
A-3

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z09-006
DATE: SEP 24 2009
BY: IZAKG

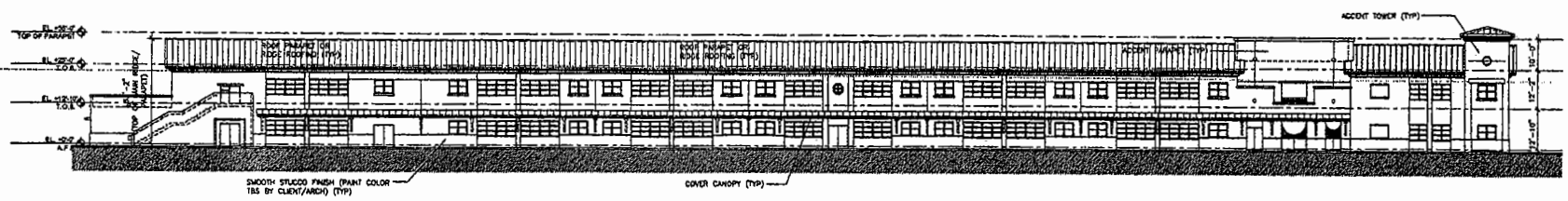


1 / A-5 PROPOSED EAST BLDG ELEVATION AND COVERED LOGGIA (PHASE I)

SCALE: 1/8 = 1'-0"

ELEVATION NOTE:

ALL ROOF DECORATIVE LANTERNS AND ACCENT TOWERS SHALL BE EXEMPT FROM THE 35'-0" HEIGHT RESTRICTIONS AS PER SEC 33-55(a) OF THE MIAMI-DADE COUNTY ZONING ORDINANCE (TYP)



2 / A-5 PROPOSED SOUTH ELEVATION (PHASE I)

SCALE: 1/8 = 1'-0"

ARCHITECT:
CIVICA
5910 SW 35th St.
Miami, FL 33155
tel: 305.790.1358

PROJECT NAME:
SOMERSET ACADEMY AT COUNTRY PALMS
S.W. 134 & S.W. 34th STREET
MIAMI, FLORIDA

OWNER:
SCHOOL DEVELOPMENT HC, LLC
4255 BIRD ROAD Miami, FL 33155
tel: (305) 669-2900

CIVICA PROJECT No:
2004-19

ISSUED FOR:
DIC APPROVAL No. 04-404

No.	DATE	REVISION	BY

DRAWN BY: IAF
APPROVED BY: RLL
DATE: FEB-2009
SCALE: As Shown

SEAL/SIGNATURE

09/17/2009

ROLANDO LLANES, AIA
No 13180

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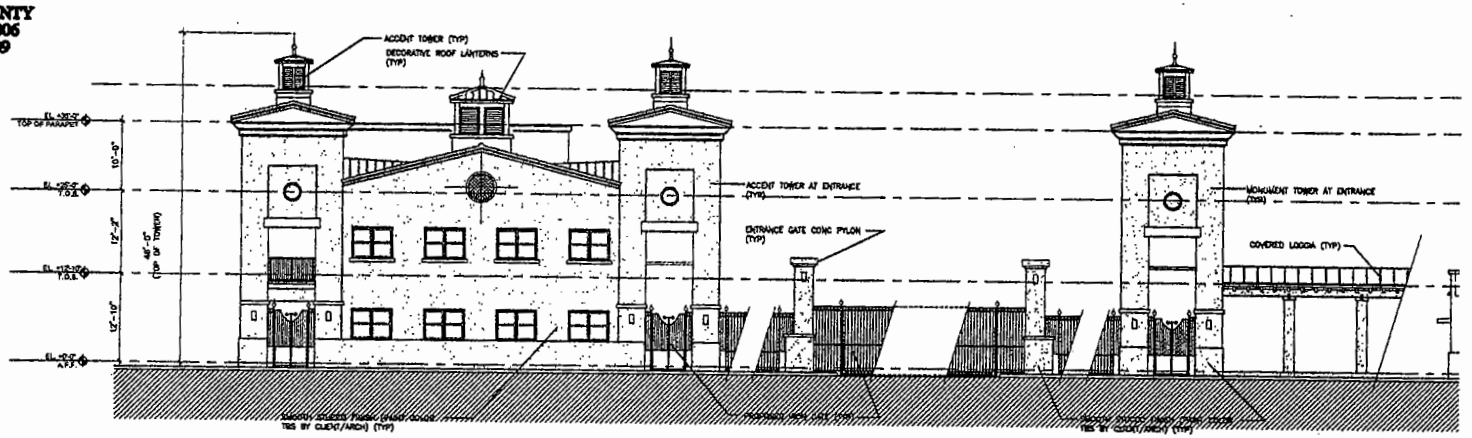
SHEET TITLE
PROPOSED BUILDING ELEVATIONS

SHEET NUMBER
A-5

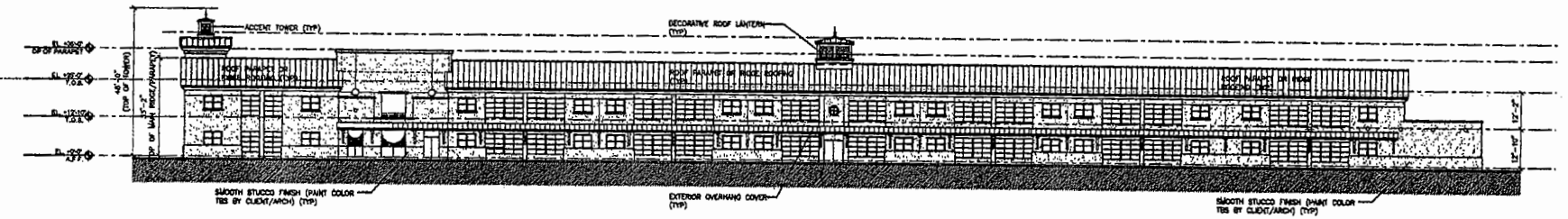
RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z09-006
DATE: SEP 24 2009
BY: IZAEG



1 / A-6 PROPOSED SOUTH ELEVATION W/ ENTRANCE TOWERS (PHASE II)

SCALE: 1/8" = 1'-0"

ELEVATION NOTE:
ALL ROOF DECORATIVE LANTERNS AND ACCENT TOWERS SHALL BE EXEMPT FROM THE 35'-0" HEIGHT RESTRICTIONS AS PER SEC. 33-58(a) OF THE MIAMI-DADE COUNTY ZONING ORDINANCE (TYP)



2 / A-6 PROPOSED EAST ELEVATION (PHASE II)

SCALE: 1/16" = 1'-0"

ARCHITECT:
CIVICA
5910 SW 39th St.
Miami, Fl. 33155
tel: 305.790.1358

PROJECT NAME:
SOMERSET ACADEMY AT COUNTRY PALMS
S.W. 134 & S.W. 248th STREET
MIAMI, FLORIDA

OWNER:
SCHOOL DEVELOPMENT HC, LLC
4284 BIRD ROAD Miami, FL 33155
tel: (305) 648-3266

CIVICA PROJECT No:
2004-19

ISSUED FOR:
DIC APPROVAL
No. 04-404

No.	DATE	REVISION	BY

DRAWN BY: VAF
APPROVED BY: RLL
DATE: FEB-2009
SCALE: As Shown

SEAL/SIGNATURE

09/17/2009

ROLANDO LLANES, AIA
No 13160

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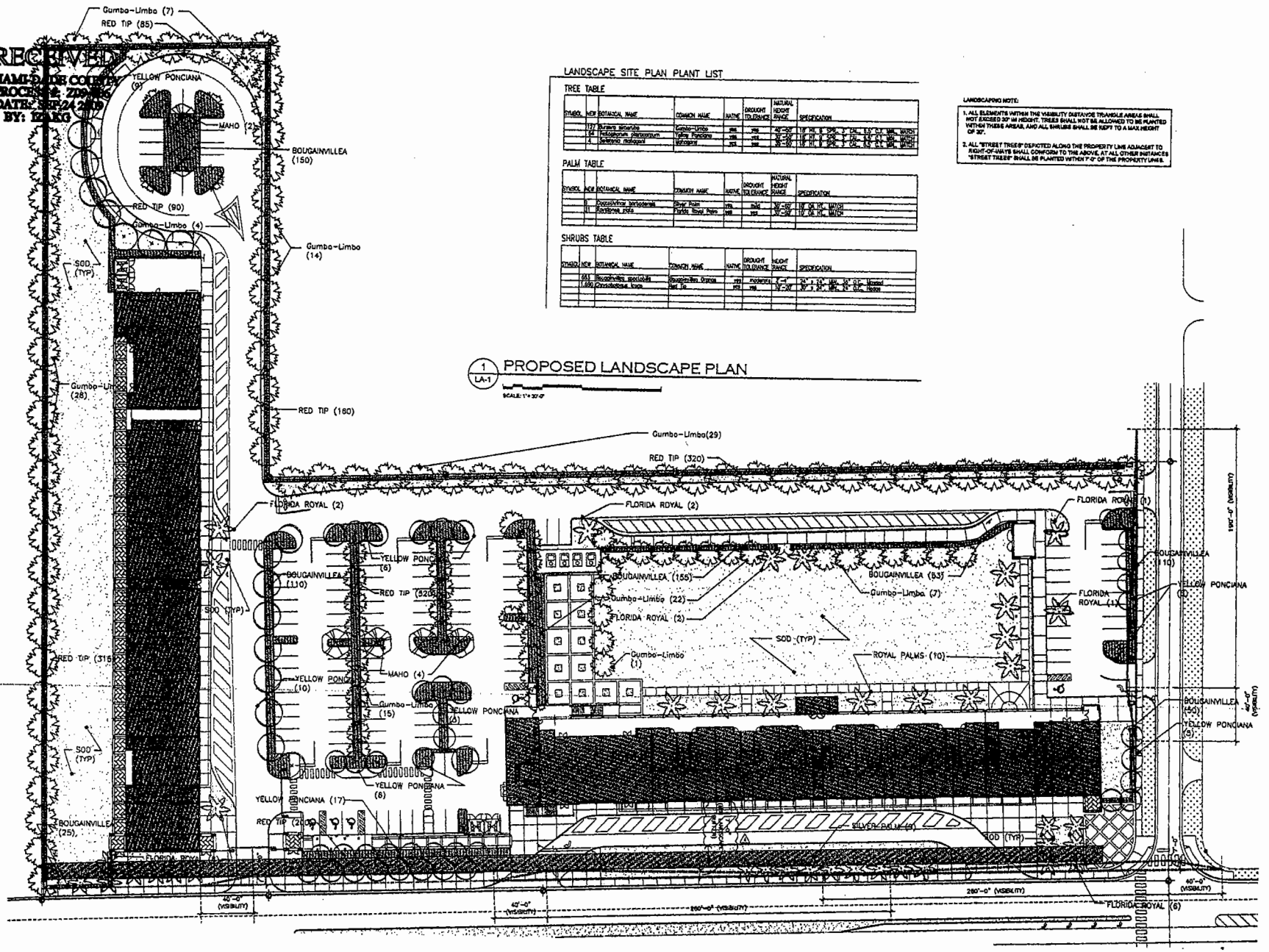
SHEET TITLE
PROPOSED BUILDING ELEVATIONS

SHEET NUMBER
A-6

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z09-[illegible]
DATE: SEP 24 2009
BY: [illegible]



LANDSCAPE SITE PLAN PLANT LIST

TREE TABLE

SYMBOL	NEW	BOTANICAL NAME	COMMON NAME	NATIVE	DROUGHT TOLERANCE	NATURAL HEIGHT RANGE	SPECIFICATION
	127	Bursera simaruba	Gumbo-Limbo	yes	yes	40'-50'	18' HT. & SPRL. 3' CAL., 6.5' C.T. MIN. MATCH
	64	Heliophorum pterocarpum	Yellow Ponciana	yes	yes	30'-50'	18' HT. & SPRL. 3' CAL., 6.5' C.T. MIN. MATCH
	4	Selenicia macrogonii	Mahogany	yes	yes	35'-50'	18' HT. & SPRL. 3' CAL., 6.5' C.T. MIN. MATCH

PALM TABLE

SYMBOL	NEW	BOTANICAL NAME	COMMON NAME	NATIVE	DROUGHT TOLERANCE	NATURAL HEIGHT RANGE	SPECIFICATION
	9	Coccothrinax barbadensis	Silver Palm	yes	mild	30'-50'	18' OA HT. MATCH
	31	Roystonea elata	Florida Royal Palm	yes	yes	30'-50'	10' OA HT. MATCH

SHRUBS TABLE

SYMBOL	NEW	BOTANICAL NAME	COMMON NAME	NATIVE	DROUGHT TOLERANCE	HEIGHT RANGE	SPECIFICATION
	663	Bougainvillea spectabilis	Bougainvillea Orange	yes	moderate	2'-4'	24" x 24" MIN. 36" O.C. Mounted
	1,690	Chrysobalanus icaco	Red Tip	yes	yes	10'-20'	30" x 24" MIN. 24" O.C. Hedge

LANDSCAPING NOTE:

1. ALL ELEMENTS WITHIN THE VISIBILITY DISTANCE TRIANGLE AREAS SHALL NOT EXCEED 30" IN HEIGHT. TREES SHALL NOT BE ALLOWED TO BE PLANTED WITHIN THESE AREAS, AND ALL SHRUBS SHALL BE KEPT TO A MAX HEIGHT OF 30".
2. ALL "STREET TREES" DEPICTED ALONG THE PROPERTY LINE ADJACENT TO RIGHT-OF-WAYS SHALL CONFORM TO THE ABOVE. AT ALL OTHER INSTANCES "STREET TREES" SHALL BE PLANTED WITHIN 7'-0" OF THE PROPERTY LINES.

1 / LA-1 PROPOSED LANDSCAPE PLAN

SCALE: 1" = 30'-0"

ARCHITECT:
CIVICA
5910 SW 36th St.
Miami, FL 33155
tel: 305.790.1368

PROJECT NAME:
SOMERSET ACADEMY AT COUNTRY PALMS
S.W. 134 & S.W. 34th STREET
MIAMI, FLORIDA

OWNER:
SCHOOL DEVELOPMENT HC, LLC
6255 BIRD ROAD Miami, FL 33155
tel: (305) 669-3500

CIVICA PROJECT No:
2004-19

ISSUED FOR:
DIC APPROVAL No. 04-404

No.	DATE	REVISION	BY
1	03.26.09	ZONING LANDSCAPE	IAF

DRAWN BY: IAF
APPROVED BY: RLL
DATE: FEB-2009
SCALE: As Shown

SEAL/SIGNATURE

09/17/2009

ROLANDO LLANES, AIA
No 13160

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SHEET TITLE
PROPOSED LANDSCAPE PLAN

SHEET NUMBER
LA-1

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: Princeton Land Investments, L.L.C.

NAME AND ADDRESS	Percentage of Stock
KG Group, L.L.C.	100%
230 Palermo Avenue, Coral Gables, Florida 33134	

CORPORATION NAME: Country Palm Holdings, L.L.C.

NAME AND ADDRESS	Percentage of Stock
Ignacio G. Zulueta	50%
6361 Sunset Drive, Miami Florida 33143	
Fernando J. Zulueta	50%
6361 Sunset Drive, Miami Florida 33143	

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: N/A

NAME AND ADDRESS	Percentage of Interest

RECEIVED
JAN 20 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY:

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

NAME OF PURCHASER: N/A

NAME ADDRESS AND OFFICE (if applicable)	Percentage of Interest

Date of contract: _____

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

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

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

Signature: _____ (Ignacio G. Zulueta)
(Applicant)

Sworn to and subscribed before me this 5 day of JAN 2009. Affiant is personally known to me or has produced N/A as identification.

(Notary Public)

Notary Public State of Florida
Annette M Iraola
My Commission DD648700
Expires 03/08/2011

My commission expires _____

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

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JAN 20 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY _____

81

Interests in KG Group, LLC

	Percentage of Interest
Princeton Associates, LLC 250 Catalonia Avenue, Suite 606 Coral Gables, FL 33134	25%
Princeton Group Investments, LLC 230 Palermo Avenue, Coral Gables, Florida 33134	75%

Interests in Princeton Associates, LLC

	Percentage of Interest
Goldmeier (NJ) Ltd. Mack Centre IV 61 South Paramus Road Paramus, New Jersey 07652	100%

Interests in Goldmeier (NJ) Ltd.

	Percentage of Interest
Barry Goldmeier Trust 250 Catalonia Avenue, Suite 606 Coral Gables, FL 33134	40%
Lee Goldmeier Trust 250 Catalonia Avenue, Suite 606 Coral Gables, FL 33134	40%
Goldmeier (NJ) Corp. Mack Centre IV 61 South Paramus Road Paramus, New Jersey 07652	20%

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2090006
DEC 21 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

Interests in Barry Goldmeier Trust

	Percentage of Interest
Barry Goldmeier 250 Catalonia Avenue, Suite 606 Coral Gables, FL 33134	100%

Interests in Lee Goldmeier Trust

	Percentage of Interest
Lee Goldmeier 250 Catalonia Avenue, Suite 606 Coral Gables, FL 33134	100%

Interests in Goldmeier (NJ) Corp.

	Percentage of Interest
Barry Goldmeier 250 Catalonia Avenue, Suite 606 Coral Gables, FL 33134	50%
Lee Goldmeier 250 Catalonia Avenue, Suite 606 Coral Gables, FL 33134	50%

Interests in Princeton Group Investments, LLC

	Percentage of Interest
Christopher Korge 230 Palermo Avenue, Coral Gables, Florida 33134	86%
Tom Korge 230 Palermo Avenue, Coral Gables, Florida 33134	8%
Christopher G. Korge Family Trust 230 Palermo Avenue, Coral Gables, Florida 33134	6%

Interests in Christopher G. Korge Family Trust

	Percentage of Interest
Christopher Korge 230 Palermo Avenue, Coral Gables, Florida 33134	100%

RECEIVED
29008
DEC 21 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

Department of Planning and Zoning
111 NW 1 Street 11th Floor
Miami, Florida 33128

CHILD CARE CHECK LIST FOR CHARTER SCHOOLS

A signed charter contract from the Miami-Dade County School Board must accompany this application which matches the location, # of students and grade levels of the proposed application.

School Name: Somerset Academy at Country Palms School Address: SW 124 Ave and SW 248 Street

Tax Folio # 30 6924 000-1621, 1620, 1610 Total size of site: 6.97 net acres

Is this an expansion to an existing school? X Yes ____ No Additional grades requested to approved but unbuilt school

If yes, indicate the # of students and grade levels previously approved:

1,440 K-8 and the Resolution # Z-15-05

Number of children/students requested: 1,440 Grade Levels: K-12 Ages: 5-18

Number of classrooms: 70 Total square footage of classroom area: 13,200

Total square footage of non-classroom area (offices, bathrooms, kitchens, etc.) Approx 100x400

Total square footage of outdoor recreation/play area: 50,000

Number of parking spaces provided for staff, visitors, and transportation vehicles: 84

Days and hours of operation: M-F 7:00 – 6:00

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 21 day of December at Miami-Dade County, Florida.

WITNESSES:

Attorney for Applicant

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 21 day of December, 2009, before me personally appeared Graham Penn, to me known to be the person described in an who executed the foregoing instrument and he/she acknowledge to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

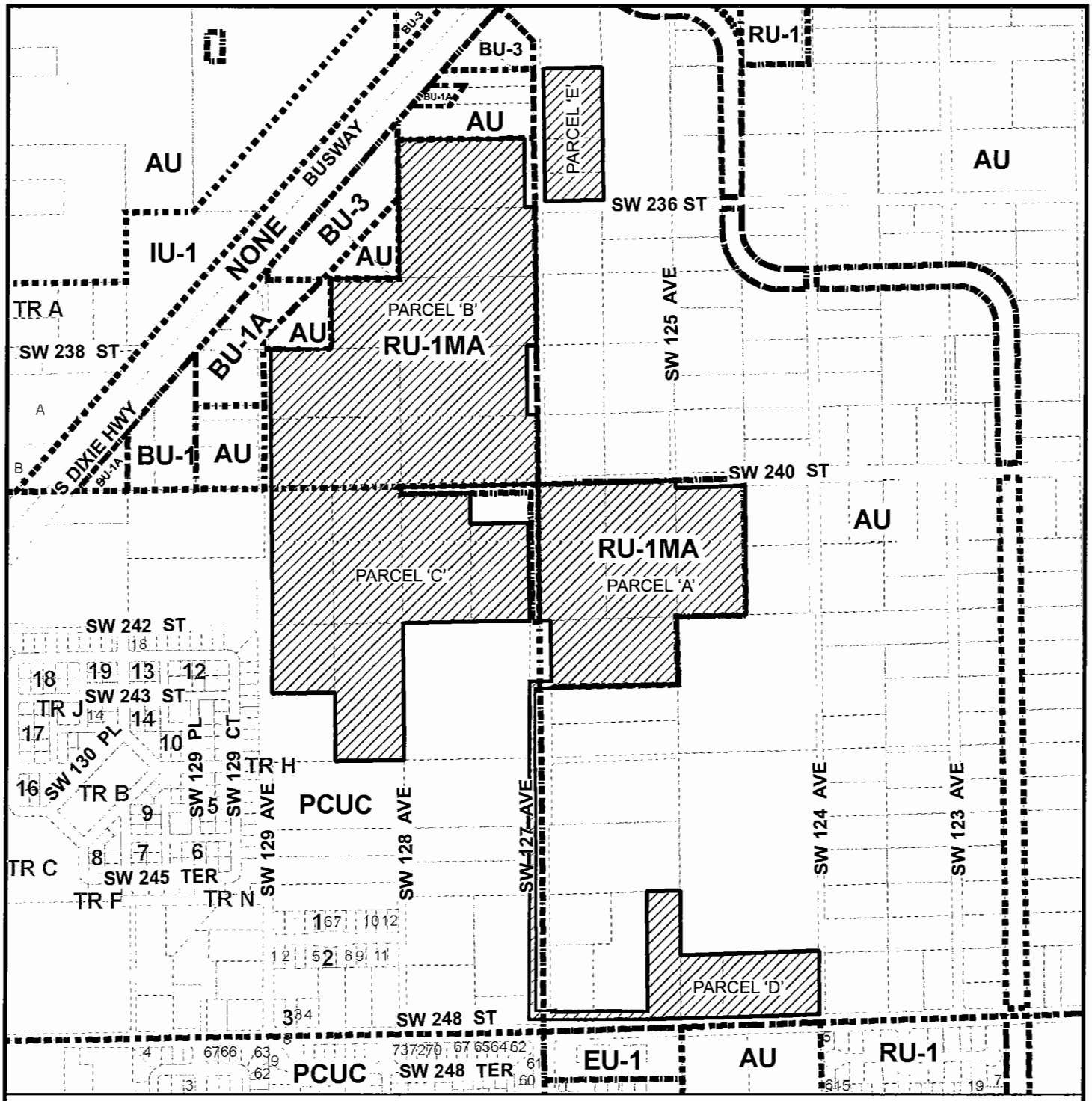
My Commission Expires

4/1/08

RECEIVED
2090000
DEC 21 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

Cristina D. Gonzalez
NOTARY PUBLIC-STATE OF FLORIDA
Cristina D. Gonzalez
Commission # DD514108
Expires: MAR. 23, 2010
Bonded Thru Atlantic Bonding Co., Inc.

84



MIAMI-DADE COUNTY

HEARING MAP

Process Number

09-006

Section: 23,24 Township: 56 Range: 39

Applicant: PRINCETON LAND INVESTMENTS, LLC. & COUNTRY PALM HOLDINGS, LLC.

Zoning Board: BCC

Commission District: 08

Drafter ID: ALFREDO

Scale: NTS

---------- Zoning

N W E S

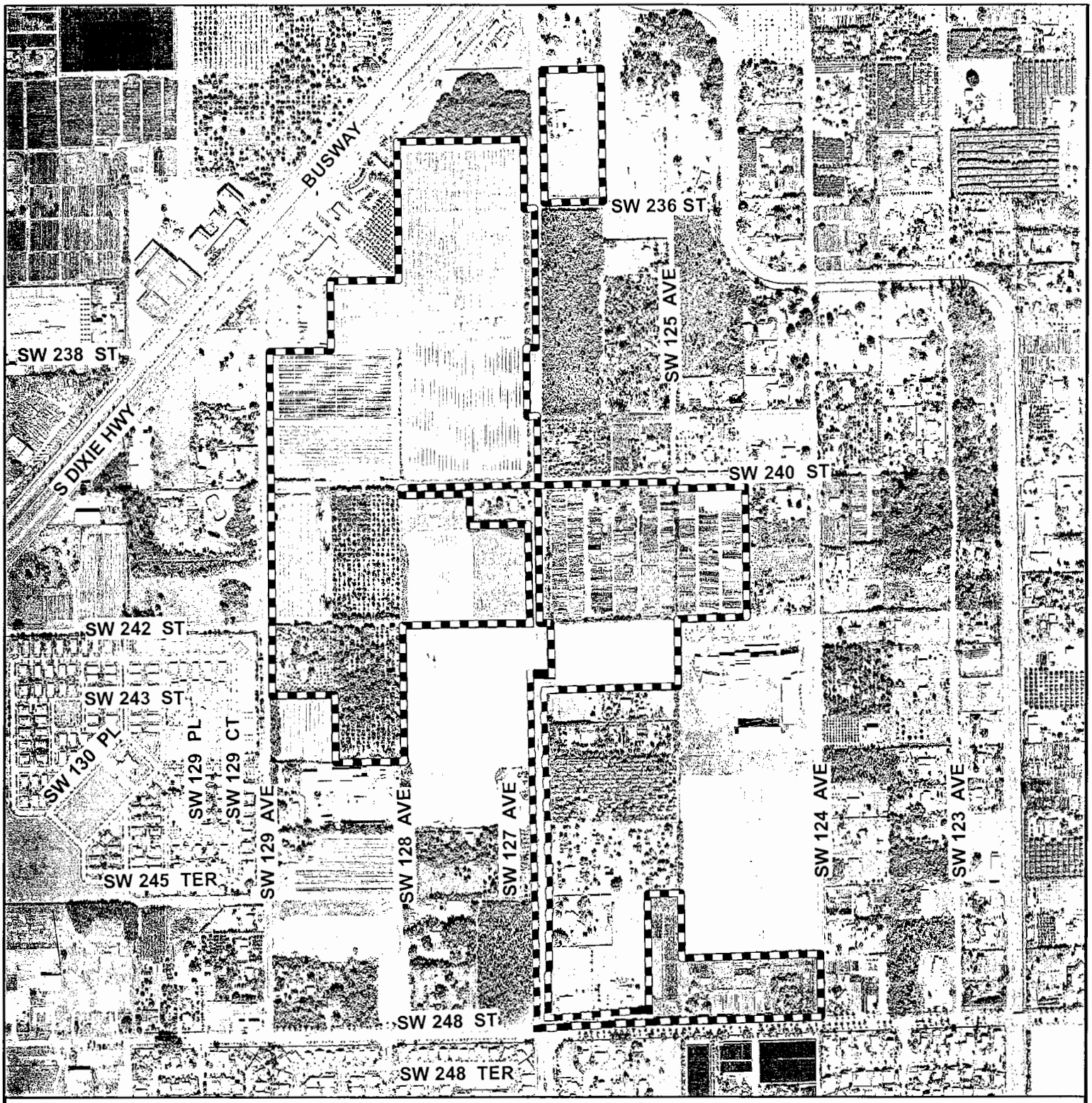
SUBJECT PROPERTY

MIAMI-DADE COUNTY

SKETCH CREATED ON: 01/27/09

REVISION	DATE	BY
PARCEL'S LABELS	09/24/09	AFT
NEW LABELS 'C' & 'D'	11/24/09	AFT
APPLICANT' NAME & BOARD	04/26/10	AFT

35



MIAMI-DADE COUNTY

AERIAL YEAR 2008

Process Number

09-006

N
W E
S

SUBJECT PROPERTY

Section: 23,24 Township: 56 Range: 39
Applicant: PRINCETON LAND INVESTMENTS, LLC. & COUNTRY PALM HOLDINGS, LLC.
Zoning Board: BCC
Commission District: 08
Drafter ID: ALFREDO
Scale: NTS
---------- Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: 01/27/09

REVISION	DATE	BY
APPLICANT NAME & BOARD	04/26/10	AFT

BCC — March 4, 2010
Item # A — 09-006
Princeton Land Investments, LLC.
& County Palm Holdings, LLC.
Part 1 of 2

This instrument was prepared by:
Name: Graham Penn, Esq.
Address: Bercow Radell & Fernandez, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A" attached hereto, and hereinafter called the "Property," which is supported by the submitted attorney's opinion, and

IN ORDER TO ASSURE the **County** that the representations made by the Owner during consideration of Public Hearing No. 09-006 will be abided by the Owner freely, voluntarily and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. Development Plans. That said Property shall be developed substantially in accordance with the development plans previously submitted, entitled "Somerset Academy at Country Palms" prepared by Civica, consisting of twelve (12) sheets, and dated September 17, 2009 (the "Development Plans") said plans being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement.

2. School Site. The Property shall be developed as a school site.

2. Operation of Charter School. The operation of the charter school on the Property shall be subject to the following requirements:

a) The charter school shall be limited to a maximum of 1,440 K-12 students.
b) The operating hours of the school shall be limited to 7:00 A.M. to 6:00 P.M., except for normal and customary before and after school activities common to public schools.

(Space reserved for Clerk)

c) There will be three staggered arrival times and three staggered dismissal times for students as follows:

1) The Phase I building, as depicted on the Development Plans, will operate with two shifts with the maximum number of students in each shift not to exceed 535 K-12 students.

2) The Phase II building, as depicted on the Development Plans, will operate with one shift with a maximum number of 640 K-12 students.

d) Properly trained personnel shall be posted adjacent to and within the site during the school dismissal periods to facilitate traffic operations.

e) No outside speakers shall be permitted on the school property.

f) The waste pick-up for the charter school shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 A.M. and 4:00 P.M., Monday through Friday, except that pick up shall not occur during arrival and dismissal times.

g) The school gates shall be opened at least thirty (30) to forty-five (45) minutes prior to the arrival and dismissal times.

h) The Owner shall comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various departments as contained in the Departmental memoranda, which are part of the December 30, 2009 Developmental Impact Committee ("DIC") record of the Application, except as amended by the DIC Executive Council at its meeting on December 30, 2009, and incorporated herein by reference.

i) At time of Certificate of Use renewal, the Owner shall submit to the Department a letter from the principal of the school detailing the number of students and the grade levels that are then currently enrolled in said facility.

4. Closure of School. If the Charter School is constructed but fails to begin operation and/or the Charter School fails after establishment, the Owner, within thirty-six (36) months of the Charter School's failure to begin operation or closure, shall:

(Space reserved for Clerk)

(a) cause the Charter School to be in full compliance with all zoning regulations applicable to the Property allowing a use other than the charter school use, or

b) transfer the operation of the Charter School to another charter school operator or to the Miami-Dade County School Board, after securing the necessary approvals from the Miami-Dade County School Board, or

(c) convert the Charter School to a permitted use within the zoning district applicable to the Property, provided said use has first been authorized through the issuance of the appropriate permits from the Department, or

(d) secure necessary public hearing approvals to convert the Charter School to a use not otherwise permitted within the zoning district applicable to the Property.

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

6. Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and its heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and its heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

(Space reserved for Clerk)

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

8. Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by her assistant in charge of the office in her absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

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

(Space reserved for Clerk)

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10. Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

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

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

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

14. Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and

(Space reserved for Clerk)

Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

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

16. Owner. The term Owner shall include all heirs, assigns, and successors in interest.

[Execution Pages Follow]

ACKNOWLEDGMENT
LIMITED LIABILITY COMPANY

Signed, witnessed, executed and acknowledged on this 16 day of December, 2009.

IN WITNESS WHEREOF, Country Palm Holdings, L.L.C. has caused these presents to be signed in its name by its proper officials.

Witnesses:

Signature
Annette M. Iraola
Print Name

Signature
Twinky Rodriguez
Print Name

Country Palm Holdings, LLC
Name of Limited Liability Company
Address:
6361 Sunset Drive
Miami, Florida 33143

By
Ignacio Zulueta
Managing Member

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Ignacio Zulueta, the Managing Member of Country Palm Holdings, L.L.C., on behalf of the Limited Liability Company. He is personally known to me.

Witness my signature and official seal this 16 day of December, 2009, in the County and State aforesaid.

Notary Public-State of Florida
Annette M. Iraola
Print Name

My Commission Expires:

Notary Public State of Florida
Annette M Iraola
My Commission DD648700
Expires 03/08/2011

JOINDER BY MORTGAGEE
TO THE DECLARATION OF RESTRICTIONS

The undersigned, 1st **National Bank of South Florida**, and mortgagee ("Mortgagee") under that certain Mortgage and Security Instrument dated October 3, 2005 and recorded October 4, 2005 in Official Records Book 23839, Page 272, Public Records of Miami-Dade County; covering all/or a portion of the property described in the foregoing Declaration of Restrictions (the "Declaration") does hereby acknowledge that the terms of the Declaration are and shall be binding upon the undersigned and its successors in title.

NOW THEREFORE, Mortgagee consents to the recordation of the Declaration.

Mortgagee makes no warranty or representation of any kind or nature concerning the Declaration, any of its terms or provisions, or the legal sufficiency thereof, and disavows any such warranty or representation as well as any participation in the development of the Charter School, and does not assume and shall not be responsible for any of the obligations or liabilities of the Owner or Charter School Operator contained in the Declaration. None of the representations contained in the Declaration or other documents shall be deemed to have been made by the Mortgagee, nor shall they be construed to create any obligations on the Mortgagee to any person relying thereon. Nothing contained herein shall affect or impair the rights and remedies of the Mortgagee as set forth in the Mortgage or in the Declaration.

IN WITNESS WHEREOF, these presents have been executed this 18th day of December 2009.

WITNESSES:

Patricia L Dunbar
Signature

Patricia L. Dunbar
Printed Name

Idania Kestel
Signature

Idania Kestel
Printed Name

1st National Bank of South Florida

By: Karen Hirschkowitz
Signature

KAREN Hirschkowitz
Printed Name

Vice President
Title

Address

1ST NATIONAL Bank of South FLORIDA
1550 NORTH KROME Avenue
Homestead, FLORIDA 33030

[NOTARY SIGNATURE NEXT PAGE]

STATE OF Florida)
)
COUNTY OF Miami-Dade)

The foregoing instrument was acknowledged before me this 18 day of December 2009, by Raven Hirschkowitz as Vice President of 1st National Bank of South Florida, on behalf of same. She/He is personally known to me or has produced _____ as identification.

My Commission Expires:

Notary Public – State of _____
Printed Name: Mariela Huanuco

MARIELA HUANUCO
Commission DD 672199
Expires May 9, 2011
Bonded Thru Troy Fain Insurance 800-385-7019

Exhibit A -- LEGAL DESCRIPTION

PARCEL "D"

SUBPARCEL1

The E1/2 of E1/2 of S.W.1/4 of S.W.1/4 of S.W.1/4 less street R/W.

AND

SUBPARCEL2

The W 132.4 feet of S1/2 of S.E.1/4 of S.W.1/4 of S.W.1/4 & S 11.32 feet of W 132.4 feet of N1/2 of S.E.1/4 of S.W.1/4 of S.W.1/4 less street R/W AND

SUBPARCEL3

The S11.34 feet of the N1/2 of The S.E.1/4, of The S.W.1/4, of the S.W.1/4, less the West 132.4 feet and the S1/2 of the S.E.1/4, of the S.W.1/4 of the S.W.1/4, less W 132.4 feet and less street R/W, lying and being in Section 24, Township 56 South, Range 39 East, in Dade County, Florida, and being ±3.72 acres

OPINION OF TITLE

To: Miami-Dade County

With the understanding that this Opinion of Title is furnished to Miami-Dade County, as inducement for acceptance of a Declaration of Use/Unity of Title/Declaration of Restrictions/Development Agreement or in compliance with Chapter 28, and as an inducement for acceptance of a proposed final subdivision plat covering the real property, hereinafter described, it is hereby certified that I have examined a complete "Abstract of Title" covering the period from the beginning to the 28th day of December 2009 at the hour 11:00 p.m., inclusive, of the following described property:

Parcel One:
The E1/2 of the E1/2 of the SW1/4 of the SW1/4 of the SW1/4, less street R/W. Section 24, Township 56 South, Range 39 East, lying and being in Miami-Dade County, Florida.

Parcel Two:
The West 132.4 feet of S1/2 of SE1/4 of SW1/4 of SW1/4 & South 11.32 feet of West 132.4 feet of N1/2 of SE1/4 of SW1/4 of SW1/4 less street R/W. Section 24, Township 56 South, Range 39 East, lying and being in Miami-Dade County, Florida.

Parcel Three:
The South 11.34 feet of the N1/2 of the SE1/4 of the SW1/4 of the SW1/4, less the West 132.4 feet and the S1/2 of the SE1/4 of the SW1/4 of the SW1/4; less the West 132.4 feet and less street R/W, Section 24, Township 56 South, Range 39 East, lying and being in Miami-Dade County, Florida.

I am of the opinion that on the last mentioned date, the fee simple title to the above described real property was vested in:

Country Palm Holdings LLC, a Florida limited liability company

Subject to the following encumbrances, liens and other exceptions:

1. **RECORDED MORTGAGES:**

   Mortgage in favor of 1st National Bank of South Florida dated October 3, 2005 and recorded October 4, 2005 in Official Records Book 23839, Page 272, Public Records of Miami-Dade County, Florida.

2. **RECORDED CONSTRUCTION LIENS, CONTRACTORS LIENS AND JUDGEMENTS:**

   N/A

3. **GENERAL EXCEPTIONS:**

   1. Real Estate taxes.

2. Rights of persons other than the above owners who are in possession.

3. Facts that would be disclosed upon accurate survey.

4. Any unrecorded labor, mechanic's or materialsmens' liens.

5. Zoning and other restrictions imposed by governmental authority.

6. Easement in favor of Florida Power and Light Company, contained in instrument recorded March 5, 1971, in O.R. Book 7140, Page 998; O.R. Book 7140, Page 1000; O.R. Book 7141, Page 5, Public Records of Miami-Dade County, Florida.

7. Covenants recorded in O.R. Book 14411, Page 4948 and O.R. Book 16456, Page 581, Public Records of Miami-Dade County, Florida.

8. Subject to rights of tenants under unrecorded leases, if any.

9. Taxes and assessments for the year 2007 under Folio Number 30-6924-000-1410; 30-6924-000-1620; 30-6924-000-1621 (are paid).

10. Declaration of Restrictions recorded in O.R. Book 23798, Page 4449, Public Records of Miami-Dade County, Florida.

11. Assignment of Rents recorded in O.R. Book 23829, Page 0280, Public Records of Miami-Dade County, Florida.

12. UCC Financing Statement in favor of 1st National Bank of South Florida recorded in O.R. Book 23839, Page 286, Public Records of Miami-Dade County, Florida.

13. Agreement recorded in O.R. Book 23839, Page 289, Public Records of Miami-Dade County, Florida.

14. Taxes for the year 2009, which are not yet due and payable.

4. <u>SPECIAL EXCEPTIONS:</u>

N/A

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrance and exceptions.

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the agreement a valid and binding covenant on the lands described herein.

Name	Interest	Special Exception Number
Country Palm Holdings LLC	100%	N/A

Number	Company Certifying No. of Entries Period Covered
N/A	N/A

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am in attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 28th day of December 2009.

Maria V. Rives, Esq.
Florida Bar No.: 273960

NOTE: Ignacio G. Zulueta is authorized to sign on behalf of COUNTRY PALM HOLDINGS LLC, a Florida limited liability company, as Manager.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 28 day of December 2009, by Maria V. Rives, Esq., who is personally known to me.

Notary Public

My Commission Expires:

Notary Public State of Florida
Annette M Iraola
My Commission DD648700
Expires 03/08/2011

BCC —— March 4, 2010
Item #A —— 09-006
Princeton Land Investments, LLC.
& County Palm Holdings, LLC.
Part 2 of 2

This instrument was prepared by:
Name: Graham Penn, Esq.
Address: Bercow Radell & Fernandez, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A" attached hereto, and hereinafter called the "Property," which is supported by the submitted attorney's opinion, and

IN ORDER TO ASSURE the **County** that the representations made by the Owner during consideration of Public Hearing No. 09-006 will be abided by the Owner freely, voluntarily and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Development Plans.** That said Property shall be developed substantially in accordance with the development plans previously submitted, entitled "Princeton Commons" prepared by Chisholm Architects, Inc., consisting of twenty-seven (27) sheets, dated October 7, 2009, except Sheet AS1.7, dated stamped received December 21, 2009 (the "Development Plans") said plans being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement.

2. **Total Residential Density.** In no event shall the Property be developed with more than 1,320 residential units.

3. **Public Park(s).** The Owner voluntarily agrees to offer to convey two public parks on the Property to Miami-Dade County. The total size of the park areas shall be two (2)

(Space reserved for Clerk)

acres. The location of the park areas shall be substantially in accordance with the park areas depicted on Parcels A and B of the Development Plans.

Subject to the foregoing, each park area shall be subject to the review of the Park and Recreation Department for appropriateness for use as County parks at the time of final plat approval for Parcel A or B. The park areas shall be offered to be conveyed to the County by general warranty deed, in fee simple, free from all liens and encumbrances. The conveyance of an individual park area shall occur immediately after the recordation of the plat covering the portion of the Property in which the park area is located.

Conveyance shall occur only upon a determination by Miami-Dade County that the value of the donation, including both the value of the land and any proposed improvements, will be accepted by the County as a contribution in lieu of the payment of all or a portion of the required Park Impact Fee under Section 33H-7 of the Miami-Dade County Code.

Prior to any conveyance, the Owner shall fund and provide to the County an Assessment Report(s) prepared by a licensed geotechnical firm, and shall further provide a Phase I Environmental Assessment and a Phase II Environmental Assessment if indicated by such Phase I Environmental Assessment Report.

The County shall retain the sole right to accept or reject the conveyance of each of the park areas in accordance with Section 33H-10 of the Code of Miami-Dade County governing the suitability of public park donations, as amended from time to time.

If the County accepts a proffered park area donation, the Owner shall construct on the park areas passive recreational improvements pursuant to a site plan and specification approved by the Miami-Dade County Parks and Recreation Department. The cost of the improvements shall be at least equal to the Owner's obligation to pay the improvement portion of the Park Impact Fee under Section 33H-7 of the Code of Miami-Dade County, as

amended from time to time. The improvements specified in this paragraph for any individual park area shall be completed no later than the issuance of the 250th building permit for a residential unit on the Parcel (A or B) in which the park area is located.

If the County accepts the proffered park area donations, the funding for the improvement and perpetual maintenance of the park areas shall be though a special taxing district, if approved by Miami-Dade County, or similar entity, as approved by Miami-Dade County.

In the event one or more of the proffered park areas are not accepted by the County, the Owner shall improve and maintain these park areas as private open space for the benefit of the Owner and residents of Parcels A and B. In this event, funding for the improvement and perpetual maintenance of the park areas shall be though a homeowner's association, special taxing district, if approved by Miami-Dade County, or similar entity, as approved by Miami-Dade County.

4. Workforce Housing. In accordance with the Workforce Housing Development Program, Chapter 33, Article XIIA of the Code of Miami-Dade County (the "Code"), the development of the Property shall include 65 workforce housing units. Additionally, the Property shall be developed in accordance with the following specifications:

(a) A workforce housing unit ("WHU" or "restricted WHU") shall mean a dwelling unit, the sale, rental or pricing of which, is restricted to households whose income range is established at between 65% and 140% of the most recent median family income for the County as reported by the U.S. Department of Housing and Urban Development (HUD) and as maintained by the Department of Planning and Zoning at the time of sale or rental of each WHU;

(b) The development of the Property shall include 65 WHUs, which will be restricted by a Declaration of Restrictions in accordance with Chapter 33, Article XIIA of the Code and 1,255 unrestricted dwelling units, which may include market-rate dwelling units;

(c) WHUs may be offered for sale or lease;

(Space reserved for Clerk)

(d) Each owner or lessee of the restricted WHUs will use the WHU as the owner or lessee's primary residence and subleasing shall be prohibited;

(e) The Property will be developed generally in accordance with the following estimated construction schedule which indicates the approximate dates when construction of the new residential dwelling units (including the restricted WHUs and unrestricted units) is currently anticipated to be initiated and completed:

Units	**Anticipated Construction**
1 - 330	2011
331 - 660	2013
661 - 990	2015
991 - 1320	2017

Market conditions may accelerate or slow the above construction schedule;

(f) The restricted WHUs on the Property will consist of apartment type units and will be developed in "garden apartment" style buildings in the project as depicted on the Development Plans;

(g) The final new residential building on the Property to be issued a building permit shall not contain only restricted WHUs;

(h) The restricted WHUs and unrestricted units will be built and made available for occupancy simultaneously except that building permits for the last 10% of the market-rate units shall be withheld until building permits have been issued for all of the WHUs; and

(i) Prior to the earlier of final plat approval or application for building permit for the first new residential unit on the Property, the Owner shall submit a Workforce Housing Agreement (the "Agreement") for the restricted WHUs on the Property to the Director of the Department of Planning and Zoning. The Agreement will encumber each restricted WHU in the entire development, and specify the restrictions of each of the restricted WHUs and such further arrangements, restrictive covenants, resale restrictions, and rental

(Space reserved for Clerk)

restrictions as are necessary to carry out the purposes of Chapter 17, Article IX, Sections 17-142 through 17-144 inclusive, of the Code, and shall include the following:

i. A binding commitment that the restrictions of Chapter 33, Article XIIA and Chapter 17, Article IX of the Code shall run with the land for the entire 20-year control period of each of the WHUs;
ii. A binding commitment that the covenants will bind the Owner, any assignee, mortgagee, or buyer, and all other parties that receive title to or an interest in each of the WHUs;
iii. A statement that the covenants shall be senior to all other liens or encumbrances on the Property, including all instruments securing permanent financing, except that tax and assessment liens shall be superior to the covenants; and
iv. A binding commitment that incorporates all terms and conditions regarding WHUs, including without limitation, the required shared equity agreement, eligibility standards, appropriate sale and rental price standards and affordability controls required of purchasers of WHUs pursuant to Chapter 17, Article IX of the Code.

5. Educational Facilities Mitigation Plan. The Owner acknowledges that the development of the Property will be subjected to Miami-Dade County's uniform school concurrency system. In addition to any educational facilities mitigation required under the school concurrency system due to the impact of the students generated by the development of the Property, the Owner shall donate $10,000 to Miami-Dade County Public Schools. The monetary donation shall be made prior to the approval of a final plat for any portion of the Property and shall be over and above any educational facilities impact fees paid for the development. The educational facilities mitigation shall not include the 1,440 student station charter school approved under Zoning Application No. 04-404.

(Space reserved for Clerk)

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

7. Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and its heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and its heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

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

10. Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

(Space reserved for Clerk)

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by her assistant in charge of the office in her absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

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

12. Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

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

14. Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and

approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

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

16. Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

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

18. Owner. The term Owner shall include all heirs, assigns, and successors in interest.

[Execution Pages Follow]

ACKNOWLEDGMENT
LIMITED LIABILITY COMPANY

Signed, witnessed, executed and acknowledged on this 18th day of December, 2009.

IN WITNESS WHEREOF, Princeton Land Investments, LLC has caused these presents to be signed in its name by its proper officials.

Witnesses:

Signature
Print Name
Signature
Print Name

Princeton Land Investments, LLC
Name of Limited Liability Company
Address:
230 Palermo Avenue
Coral Gables, Florida 33134

By Christopher G. Korge
(Managing Member of Princeton Group Investments, LLC, which is the Managing Member of KG Group, LLC, which owns 100% of Princeton Land Investments, LLC)

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Christopher G. Korge, the Managing Member of Princeton Group Investments, LLC, which is the Managing Member of KG Group, LLC, which owns 100% of Princeton Land Investments, LLC, on behalf of the Limited Liability Company. He is personally known to me.

Witness my signature and official seal this 18 day of December, 2009, in the County and State aforesaid.

Notary Public-State of Florida
Print Name

My Commission Expires:

NOTARY PUBLIC - STATE OF FLORIDA
Randall Daily
Commission # DD651431
Expires: APR. 27, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

(Space reserved for Clerk)

JOINDER BY MORTGAGEE CORPORATION

The undersigned Israel Discount Bank of New York, a Florida Banking Corporation, Mortgagee under that certain mortgage from Princeton Land Investments, L.L.C. dated the 10th day of February 2006, and recorded in Official Records Book 24227, Page 509 of the Public Records of Miami-Dade County, Florida, covering all of the property described in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 22 day of December, 2009.

Witnesses:

Signature

William Piana
Print Name

Signature

Rajesh Helwani
Print Name

Israel Discount Bank of New York
Name of Corporation
Address:
18851 N.E. 29 Avenue, Suite #600
Aventura, Florida 33180

By: _____
(Senior Vice-President)

Print Name: **John W. White**

[*Note: All others require attachment of original corporate resolution of authorization]

(Space reserved for Clerk)

STATE OF FLORIDA

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me John W. White, a Senior Vice President of Israel Discount Bank of New York, on behalf of the banking corporation. He is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 22 day of December, 2009, in the County and State aforesaid.

Notary Public-State of FLORIDA

TANIA GOMEZ
Print Name

My Commission Expires:

TANIA GOMEZ
MY COMMISSION # DD 816025
EXPIRES: December 18, 2012
Bonded Thru Budget Notary Services

Exhibit A -- LEGAL DESCRIPTION

PARCEL "A"

A PORTION OF THE SW ¼ OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WEST ¼ CORNER OF SAID SECTION 24-56-39; THENCE N88°25'55"E ALONG THE NORTH LINE OF THE SW ¼ OF SAID SECTION 24, AS A BASIS OF BEARING, FOR 678.60 FEET; THENCE S00°48'39"E FOR 35.00 FEET; THENCE N88°25'55"E FOR 339.29 FEET; THENCE S00°48'38"E FOR 663.20 FEET; THENCE S 88°20'37"W FOR 339.29 FEET; THENCE S00°48'39"E FOR 334.36 FEET; THENCE S88°17'59"W FOR 628.59 FEET; THENCE N00°48'44"W FOR 334.85 FEET; THENCE S88°20'37"W FOR 50.01 FEET TO A POINT ON THE WEST LINE OF THE SW ¼ OF SAID SECTION 24; THENCE N00°48'44"W ALONG SAID WEST LINE OF THE SW ¼ OF SAID SECTION 24 FOR 669.77 FEET TO THE POINT OF BEGINNING.

AND

PARCEL "B"

A PORTION OF THE NE ¼ OF SECTION 23, TOWNSHIP 56 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE EAST ¼ CORNER OF SAID SECTION 23-56-39; THENCE S89°11'46"W ALONG THE SOUTH LINE OF THE NE ¼ OF SAID SECTION 23, AS A BASIS OF BEARING, FOR 1345.72 FEET TO A POINT ON THE WEST LINE OF THE NE ¼ OF SAID SECTION 23; THENCE N00°42'55"W ALONG THE WEST LINE OF THE NE ¼ OF SAID SECTION 23 FOR 676.02 FEET; THENCE N89°11'01"E FOR 335.85 FEET; THENCE N00°45'52"W FOR 338.05 FEET; THENCE N89°10'38"E FOR 335.55 FEET; THENCE N00°48'49"W FOR 676.17 FEET; THENCE N89°09'51"E FOR 619.94 FEET; THENCE S00°54'44"E FOR 338.16 FEET; THENCE N89°10'14"E FOR 50.00 FEET TO A POINT ON THE EAST LINE OF THE NE ¼ OF SAID SECTION 23; THENCE S00°54'44"E ALONG THE EAST LINE OF THE NE ¼ OF SAID SECTION 23 FOR 676.32 FEET; THENCE S89°11'00"W FOR 50.00 FEET; THENCE S00°54'44"E FOR 338.16 FEET; THENCE N89°11'23"E FOR 50.00 FEET TO A POINT ON THE EAST LINE OF THE NE ¼ OF SAID SECTION 23; THENCE S00°54'44"E FOR 338.16 FEET TO THE POINT OF BEGINNING.

AND

PARCEL "C"

A PORTION OF THE SE ¼ OF SECTION 23, TOWNSHIP 56 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST ¼ CORNER OF SAID SECTION 23-56-39; THENCE S89°11'46"W ALONG THE NORTH LINE OF THE SE ¼ OF SAID SECTION 23, AS A BASIS OF BEARING FOR 336.42 TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE S00°46'22"E FOR 185.00 FEET; THENCE N89°11'46"E FOR 286.55 FEET; THENCE S00°48'44"E FOR 484.80 FEET; THENCE S89°09'36"W FOR 623.78 FEET; THENCE S00°43'58"E FOR 670.19 FEET; THENCE S89°07'28"W FOR 337.35 FEET; THENCE N00°41'36"W FOR 335.06 FEET; THENCE S89°08'03"W FOR 302.12 FEET; THENCE N00°39'14"W TO A POINT ON THE NORTH LINE OF THE SE ¼ OF SAID SECTION 23 FOR 1006.07 FEET; THENCE N89°11'46"E ALONG TO THE NORTH LINE OF THE OF THE SE ¼ OF SAID SECTION 23 FOR 974.28 FEET TO THE POINT OF BEGINNING.

AND

PARCEL "E"

SUB PARCEL 1:
THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST, LESS THE WEST 50 FEET FOR ROAD PURPOSES.

SUB PARCEL 2:

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 56 SOUTH,
RANGE 39 EAST, LESS THE WEST 50 FEET AND LESS THE SOUTH 25 FEET AND LESS THE AREA BOUNDED BY THE EAST LINE OF THE WEST 50 FEET OF THE WEST 1/2 OF THE SW 1/4 OF THE NW 1/4
OF THE NW 1/4 OF SAID SECTION 24 BOUNDED BY THE NORTH LINE OF THE SOUTH 25 FEET OF THE WEST 1/2 OF THE SW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 24 AND BOUNDED BY A 25
FOOT RADIUS ARC CONCAVE TO THE NORTHEAST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES.

SUB PARCEL 3:

THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST, LESS THE WEST 50 FEET FOR ROADWAY PURPOSES. ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA

AND

The East One (1) foot of the SE ¼ of Section 23, Township 56 South, Range 39 East in Miami-Dade County, Florida

AND

The South One (1) foot of the West 512.00 feet of the SW 1/4 of Section 24, Township 56 South, Range 39 East in Miami-Dade County, Florida

AND

The East One (1) foot of the West 512.00 feet of the South 35.00 feet of the SW 1/4 of Section 24, Township 56 South, Range 39 East in Miami-Dade County, Florida.

MIAMI-DADE COUNTY
OPINION OF TITLE

To: **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida.

With the understanding that this Opinion of Title is furnished to Miami-Dade County Department of Planning and Zoning, as an inducement for acceptance of a Declaration of Restrictive Covenants covering the real property hereinafter described, it is hereby certified that I (we) have examined an Owner's Title Insurance Policy issued by **ATTORNEYS' TITLE INSURANCE COMPANY, INC., OPM-2661976**, with an effective date of June 6, 2005, a Title Search Report and Update issued by **ATTORNEYS' TITLE INSURANCE COMPANY, INC., File No. 01-2008-001692-A,** with a search through date of November 17, 2009, and an Owner's Title Insurance Policy issued by **LAWYER'S TITLE INSURANCE CORPORATION, Policy No. A81-0211492**, with an effective date of February 10, 2006, and a Time Period Search Report issued by **LAWYER'S TITLE INSURANCE CORPORATION, File No. 2981183**, with a search through date of November 25, 2009, of the following described real property (collectively, the "Title Search Report"):

SEE EXHIBIT "A" ATTACHED HERETO

Basing our opinion on a examination of said Title Search Report, I (we) are of the opinion that on the above mentioned date, fee simple title to the above-described real property is vested in:

PRINCETON LAND INVESTMENTS, LLC, a Florida limited liability company

Subject to the following encumbrances, liens and other exceptions:

1. RECORDED MORTGAGES:

a. Mortgage and Security Agreement by and between Princeton Land Investments, LLC, a Florida limited liability company and Colonial Bank, N.A., a national banking association, dated June 1, 2005 and recorded June 6, 2005, in O.R. Book 23442, Page 3860, of the Public Records of Miami Dade County, Florida.

b. Note, Extension, and Modification of Mortgage and Security Agreement by and between Princeton Land Investments, LLC, a Florida limited liability company and of Colonial Bank, N.A., a national banking association, dated January 1, 2008 and recorded February 21, 2008, in O.R. Book 26225, Page 4840, of the Public Records of Miami Dade County, Florida.

c. Mortgage and Security Agreement by and between Princeton Land Investments, LLC, a Florida limited liability company, and Israel Discount Bank of New York, a New York banking corporation, dated February 9, 2006 and recorded February 10, 2006, in Official Records Book 24227, Page 509, of the Public Records of Miami-Dade County, FL.

2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS & JUDGMENTS:

a. None.

3. GENERAL EXCEPTIONS:

a. All taxes and assessments for the year in which this Opinion is rendered, and subsequent years.

b. Rights or claims of persons other than the above owner who is in possession.

c. Subject to the rights of tenants under unrecorded leases, if any.

d. Easements or claims of easements not shown by the public records, boundary line disputes, overlaps, encroachments and any facts or matters not of record which would be disclosed by an accurate survey and inspection of the premises.

e. Any unrecorded labor, mechanic or materialmen liens.

f. Zoning and other restrictions imposed by governmental authority.

4. SPECIAL EXCEPTIONS

a. Easement in favor of Metropolitan Dade County, contained in instrument recorded 6-23-92, in O.R. Book 15563, Page 139, of the Public Records of Miami Dade County, Florida.

b. Easement in favor of Metropolitan Dade County, contained in instrument recorded 2-11-92, in O.R. Book 15382, Page 3326, of the Public Records of Miami Dade County, Florida.

c. Easement in favor of Metropolitan Dade County, contained in instrument recorded 8-8-91, in O.R. Book 15141, Page 1503 and O.R. Book 15141, Page 1516, of the Public Records of Miami Dade County, Florida.

d. Easement in favor of Florida Power & Light Co., contained in instrument recorded 4-12-00, in O.R. Book 19066, Page 60, of the Public Records of Miami Dade County, Florida.

e. Easement in favor of Metropolitan Dade County, contained in instrument recorded 6-6-91, in O.R. Book 15055, Page 3653, of the Public Records of Miami Dade County, Florida.

f. Easement in favor of Florida Power & Light Company, contained in instrument recorded 4-1-97, in O.R. Book 17585, Page 453, of the Public Records of Miami Dade County, Florida.

g. Easement in favor of Metropolitan Dade County, contained in instrument recorded 9-16-91, in O.R. Book 15190, Page 1230, of the Public Records of Miami Dade County, Florida.

h. Agreement for Water and Sanitary Sewage Facilities recorded in O.R. Book 19254, Page 346, of the Public Records of Miami Dade County, Florida.

i. Right of Way Agreement recorded in Deed Book 1139, Page 467, of the Public Records of Miami Dade County, Florida.

j. Dedication and Improvement Agreement recorded in O.R. Book 14858, Page 2048, of the Public Records of Miami Dade County, Florida.

k. Right of Way Agreement recorded in Deed Book 1139, Page 469, of the Public Records of Miami Dade County, Florida.

l. Easement in favor of Florida Power & Light Company, contained in instrument recorded 11-14-1955, in Deed Book 4181, Page 143, of the Public Records of Miami Dade County, Florida.

m. Dedication and Improvement Agreement recorded in O.R. Book 17746, Page 3038, of the Public Records of Miami Dade County, Florida.

n. Taxes and assessments for the year 2009 and subsequent years.

o. Subject to rights of tenants under unrecorded leases, if any.

p. Easement in favor of Florida Power & Light Company, contained in instrument recorded 8-31-55, in Deed Book 4146, Page 60, of the Public Records of Miami Dade County, Florida.

q. Right of Way Agreements in Deed Book 1139, Page 463 and Deed Book 1139, Page 471, of the Public Records of Miami Dade County, Florida.

r. Matters disclosed or appearing in surveys prepared by Ludovici & Orange, dated 5/10/2005 under Job No. 2004-18.

s. Mortgage from Princeton Land Investments, LLC, a Florida limited liability company in favor of Colonial Bank, N.A., a national banking association, dated June 1, 2005 and recorded June 6, 2005, in O.R. Book 23442, Page 3860, of the Public Records of Miami Dade County, Florida.

t. Collateral Assignment of Leases, Rents, and Profits from Princeton Land Investments, LLC, a Florida limited liability company in favor of Colonial Bank, N.A., a national banking association, dated June 1, 2005 and recorded June 6, 2005, in O.R. Book 23442, Page 3889, of the Public Records of Miami Dade County, Florida.

u. UCC-1 Financing Statement from Princeton Land Investments, LLC, a Florida limited

liability company in favor of Colonial Bank, N.A., a national banking association, dated June 1, 2005 and recorded June 6, 2005, in O.R. Book 23442, Page 3897, of the Public Records of Miami Dade County, Florida.

v. Declaration of Restrictions dated, June 15, 2005 and recorded September 22, 2005, in O.R. Book 23798, Page 4449, of the Public Records of Miami Dade County, Florida.

w. Marital Settlement Agreement by and between Gary Trewick, petitioner, and Lillith Trewick, respondent, dated January 18, 2006 and recorded February 23, 2006, in O. R. Book 24261, Page 4487, of the Public Records of Miami Dade County, Florida.

x. Final Judgment of Dissolution of Marriage by and between Gary Trewick, petitioner, and Lillith Trewick, respondent, dated February 15, 2006 and recorded February 23, 2006, in O.R. Book 24263, Page 1335, of the Public Records of Miami Dade County, Florida.

y. Any rights, title and interest, held by Gary Trewick and Lillith Trewick, his wife, and/or their successors and assigns, to any portion of the property contained within the legal description set forth in Exhibit A herein, by virtue of that certain Quit Claim Deed by and between Gary Trewick, and Lillith Trewick, his wife (collectively, the "Grantor") and Lillith Trewick, married woman ("Grantee"), dated January 25, 2006 and recorded March 14, 2006, in O.R. Book 24323, Page 312, Lillith Trewick, a married woman ("Grantor") and Princeton Land Investments, LLC ("Grantee"), recorded July 18, 2006 in O.R. Book 24732, Page 3772, and Gary Trewick and Lillith Trewick, his wife ("Grantor") and Princeton Land Investments, LLC ("Grantee"), recorded July 18, 2006 in O.R. Book 24732, Page 3773, all of the Public Records of Miami Dade County, Florida.

z. Note, Extension, and Modification of Mortgage and Security Agreement by and between Princeton Land Investments, LLC, a Florida limited liability company and of Colonial Bank, N.A., a national banking association, dated January 1, 2008 and recorded February 21, 2008, in O.R. Book 26225, Page 4840, of the Public Records of Miami Dade County, Florida.

aa. Mortgage and Security Agreement by and between Princeton Land Investments, LLC, a Florida limited liability company, and Israel Discount Bank of New York, a New York banking corporation, dated February 9, 2006 and recorded February 10, 2006, in Official Records Book 24227, Page 509, of the Public Records of Miami-Dade County, FL.

bb. Assignment of Rents and Leases by and between Princeton Land Investments, LLC, a Florida limited liability company, and Israel Discount Bank of New York, a New York banking corporation, dated February 9, 2006 and recorded February 10, 2006, in Official Records Book 24227, Page 534, of the Public Records of Miami-Dade County, FL.

cc. UCC-1 Financing Statement by and between Princeton Land Investments, LLC, a Florida limited liability company, and Israel Discount Bank of New York, a New York banking

corporation, dated February 9, 2006 and recorded February 10, 2006, in Official Records Book 24227, Page 541, of the Public Records of Miami-Dade County, FL.

dd. Terms, conditions, and provisions of Covenant Running with the Land in favor of Metropolitan Dade County, recorded in Official Records Book 14360, Page 605, of the Public Records of Miami-Dade County, FL.

ee. The following matters disclosed on surveys prepared by Joseph L. Martin, Professional Land Surveyor #4368, under Drawing Number 2005-, dated 10-6-05:
a) Asphalt driveway and chain link fence extend beyond South boundary line into adjacent property. (As to Parcel 1)
b) Asphalt driveway extends into S.W. 127 Ave. (As to Parcel 1)
c) Chain link fence extends beyond North boundary line into adjacent property. (As to Parcel 2)
d) Asphalt and chain link fence extend beyond North boundary line into adjacent property. (As to Parcel 3)
e) Chain link fence extends beyond South boundary line into adjacent property.

ff. Declaration of Restrictions recorded in Official Records Book 24467, Page 3255, of the Public Records of Miami-Dade County, Florida.

I hereby certify that I have reviewed all the aforementioned encumbrances and exceptions.

Therefore, it is (my) our opinion that the following party(ies) must join in the agreement in order to make the agreement a valid and binding covenant on the land described herein.

NAME	INTEREST	SPECIAL EXCEPTION #
Princeton Land Investments, LLC, a Florida limited liability company	Fee Simple	N/A
Colonial Bank, N.A., a national banking Association	Mortgagee	S, T, U and Z
Israel Discount Bank of New York, a New York banking corporation	Mortgagee	AA, BB and CC

The following is a description of the aforementioned abstract and its continuations:

NUMBER	COMPANY CERTIFYING	# OF ENTRIES	PERIOD COVERED
Policy No. OPM-2661976	ATTORNEYS' TITLE INSURANCE FUND, INC.	N/A	Through 06-06-05

Title Search Report 01-2008-001692-A	ATTORNEYS' TITLE INSURANCE FUND, INC.	N/A	Through 11-17-09
Policy No. A81-0211492	LAWYER'S TITLE INSURANCE CORP.	N/A	Through 02-10-06
Time Period Search 2981183	LAWYER'S TITLE INSURANCE CORP.	N/A	Through 11-25-09

It is also my opinion that per that certain Surveyor's Affidavit, signed by Joseph L. Martin (State of Florida License No. 4368), the legal descriptions contained in Exhibit A of this Opinion of Title coincides with, and is the same as, the legal descriptions in Exhibit B, with the exception of the Right-of-Way Deeds to Dade County recorded in Deed Book 1973, Page 397 and Official Records Book 14906, Page 2059, of the Public Records of Miami-Dade County, Florida.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida, and am a member in good standing of the Florida Bar.
Respectfully submitted this 18th day of December, 2009.

By: _____
Raymond J. Kayal, Jr., Esquire
Florida Bar #0961175
RAYMOND J. KAYAL, JR., P.A.
6910 NW 12th Street
Miami, FL 33126

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 18th day of December, 2009, by **RAYMOND J. KAYAL, JR.**, who [X] is personally known to me; or, [ ] has produced the following type of identification: N/A.

My Commission Expires:

_____
NOTARY PUBLIC

MISSEL AROCHA
MY COMMISSION # DD927907
EXPIRES: October 27, 2013
1-800-3-NOTARY Fl. Notary Discount Assoc. Co.

Missel Arocha
PRINT NAME

EXHIBIT "A"

PARCEL 1:

The West ½ of the South ½ of the South ½ of the SE ¼ of the NE ¼, less the West 35 feet for right of way purposes, in Section 23, Township 56 South, Range 39 East, lying and being in Miami Dade County, Florida.

PARCEL 2:

The East ½ of the North ½ of the South ½ of the SE ¼ of the NE ¼ less the East 50 feet for R/W in Section 23, Township 56 South, Range 39 East, lying and being in Miami Dade County, Florida.

PARCEL 3:

The East ½ of the South ½ of the South ½ of the SE ¼ of the NE ¼, in Section 23, Township 56 South, Range 39 East, lying and being in Miami Dade County, Florida.

PARCEL 4:

The North ½ of the NE ¼ of the SE ¼ of the NE ¼ of Section 23, Township 56 South, Range 39 East, lying and being in Miami Dade County, Florida.

PARCEL 5:

The South ½ of the SE ¼ of the NE ¼ of the NE ¼ less the East 50 feet for R/W in Section 23, Township 56 South, Range 39 East, lying and being in Miami Dade County, Florida.

PARCEL 6:

The North ½ of the SW ¼ of the NW ¼ of the SW ¼ less the West 50 feet for R/W in Section 24, Township 56 South, Range 39 East, lying and being in Miami Dade County, Florida.

PARCEL 7:

The East ¾ of the South ½ of the North ½ of the SE ¼ of the NE ¼, in Section 23, Township 56 South, Range 39 East, lying and being in Miami Dade County, Florida.

PARCEL 8:

The West ½ of the North ½ of the South ½ of the SE ¼ of the NE ¼, less the West 35 feet for right-of-way purposes in Section 23, Township 56 South, Range 39 East, lying and being in Miami Dade County, Florida.

PARCEL 9:

The West ½ of the NW ¼ of the NW ¼ of the SW ¼ of Section 24, Township 56 South, Range 39 East, lying and being in Miami Dade County, Florida.

PARCEL 10:

The East ½ of the NW ¼ of the NW ¼ of the SW ¼ of Section 24, Township 56 South, Range 39 East, lying and being in Miami Dade County, Florida.

PARCEL 11:

The West ½ of the NE ¼ of NW ¼ of the SW ¼, of Section 24, Township 56 South, Range 39 East, less the North 35 for Right of Way.

PARCEL 12:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST, LESS THE WEST 50 FEET FOR ROAD PURPOSES, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

PARCEL 13:

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST, LESS THE WEST 50 FEET AND LESS THE SOUTH 25 FEET AND LESS THE AREA BOUNDED BY THE EAST LINE OF THE WEST 50 FEET OF THE WEST 1/2 OF THE SW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 24 BOUNDED BY THE NORTH LINE OF THE SOUTH 25 FEET OF THE WEST 1/2 OF THE SW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 24 AND BOUNDED BY A 25 FOOT RADIUS ARC CONCAVE TO THE NORTHEAST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

PARCEL 14:

THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST, LESS THE WEST 50 FEET FOR ROADWAY PURPOSES, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

EXHIBIT "B"

PARCEL "A"

A PORTION OF THE SW ¼ OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WEST ¼ CORNER OF SAID SECTION 24-56-39; THENCE N88'25'55"E ALONG THE NORTH LINE OF THE SW ¼ OF SAID SECTION 24, AS A BASIS OF BEARING, FOR 678.60 FEET; THENCE S00'48'39"E FOR 35.00 FEET; THENCE N88'25'55"E FOR 339.29 FEET; THENCE S00'48'38"E FOR 663.20 FEET; THENCE S 88'20'37"W FOR 339.29 FEET; THENCE S00'48'39"E FOR 334.36 FEET; THENCE S88'17'59"W FOR 628.59 FEET; THENCE N00'48'44"W FOR 334.85 FEET; THENCE S88'20'37"W FOR 50.01 FEET TO A POINT ON THE WEST LINE OF THE SW ¼ OF SAID SECTION 24; THENCE N00'48'44"W ALONG SAID WEST LINE OF THE SW ¼ OF SAID SECTION 24 FOR 669.77 FEET TO THE POINT OF BEGINNING.

PARCEL "B"

A PORTION OF THE NE ¼ OF SECTION 23, TOWNSHIP 56 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE EAST ¼ CORNER OF SAID SECTION 23-56-39; THENCE S89'11'46"W ALONG THE SOUTH LINE OF THE NE ¼ OF SAID SECTION 23, AS A BASIS OF BEARING, FOR 1345.72 FEET TO A POINT ON THE WEST LINE OF THE NE ¼ OF SAID SECTION 23; THENCE N00'42'55"W ALONG THE WEST LINE OF THE NE ¼ OF SAID SECTION 23 FOR 676.02 FEET; THENCE N89'11'01"E FOR 335.85 FEET; THENCE N00'45'52"W FOR 338.05 FEET; THENCE N89'10'38"E FOR 335.55 FEET; THENCE N00'48'49"W FOR 676.17 FEET; THENCE N89'09'51"E FOR 619.94 FEET; THENCE S00'54'44"E FOR 338.16 FEET; THENCE N89'10'14"E FOR 50.00 FEET TO A POINT ON THE EAST LINE OF THE NE ¼ OF SAID SECTION 23; THENCE S00'54'44"E ALONG THE EAST LINE OF THE NE ¼ OF SAID SECTION 23 FOR 676.32 FEET; THENCE S89'11'00"W FOR 50.00 FEET; THENCE S00'54'44"E FOR 338.16 FEET; THENCE N89'11'23"E FOR 50.00 FEET TO A POINT ON THE EAST LINE OF THE NE ¼ OF SAID SECTION 23; THENCE S00'54'44"E FOR 338.16 FEET TO THE POINT OF BEGINNING.

PARCEL "C"

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST, LESS THE WEST 50 FEET FOR ROAD PURPOSES, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

AND

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST, LESS THE WEST 50 FEET AND LESS THE SOUTH 25 FEET AND LESS THE AREA BOUNDED BY THE EAST LINE OF THE WEST 50 FEET OF THE WEST ½ OF THE SW ¼ OF THE NW ¼ OF THE NW ¼ OF SAID SECTION 24 BOUNDED BY THE NORTH LINE OF THE SOUTH 25 FEET AND THE

WEST ½ OF THE SW ¼ OF THE NW ¼ OF THE NW ¼ OF SAID SECTION 24 AND BOUNDED BY A 25 FOOT RADIUS ARC CONCAVE TO THE NORTHEAST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

AND

THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST, LESS THE WEST 50 FEET FOR ROADWAY PURPOSES, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

MIAMI-DADE COUNTY

Carlos Alvarez, Mayor

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

miamidade.gov

April 26, 2010

Honorable Chairman Dennis C. Moss and Members,
Board of County Commissioners
111 N.W. 1 Street
Miami, Fl 33128

RE: May 6th Zoning Hearing- Application No. 07-415 Director of the Planning and Zoning – Leisure City Community Urban Center.

Dear Chairman Moss and Members of the Board:

I am respectfully requesting that on the May 6th Zoning Hearing Agenda Application No.07-415 referenced above, be deferred indefinitely until we complete the School Concurrency analysis.

Presently, staff is diligently working with Miami-Dade County Public School staff to coordinate the review.

If you have any questions regarding this matter, please do not hesitate to contact me at (305) 375-2840.

Sincerely,

Marc C. LaFerrier, AICP
Director

C: Honorable Carlos Alvarez, Mayor
George M. Burgess, County Manager
Alex Muñoz, Assistant County Manager
R.A. Cuevas, Jr., County Attorney
Joni Armstrong-Coffey, Assistant County Attorney
Diane Collins- Acting Division Chief, Clerk of the Board

B. THE DEPARTMENT OF PLANNING & ZONING **08-11-CC-1 (07-415)**
(Applicant) **BCC/District 8, 9**
Hearing Date: 05/06/10

Property Owner (if different from applicant) **DIRECTOR OF THE DEPT PLANNING & ZONING.**

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

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: 3/4/10 **#Z-**

ITEM: B

APPLICANT: DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING (08-11-CC-1/07-415)

MOTION: Deferred to May 6, 2010

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

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: November 6, 2008 **#Z - 07 - 415**

ITEM: 1.

APPLICANT: DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING (08-11-CC-1)

ACTION: Deferred to no date certain with leave to re-advertise if necessary.

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		11	0	2

Memorandum

MIAMI-DADE COUNTY

Date: May 6, 2010

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 – Leisure City Community Urban Center (Z07-415)

SUMMARY OF REQUEST:

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.

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 property and the number of residential units. 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, as set forth in the Department of Planning and Zoning's recommendation.

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

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

Respectfully Submited,

DIC Executive Council
January 20, 2010

Ysela Llort
Assistant County Manager — Absent

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

Jose Luis Mesa, Director
Metropolitan Planning Organization Secretariat — Absent

Subrata Basu, Assistant Director of Planning
Department of Planning and Zoning — AYE

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

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

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

DEVELOPMENTAL IMPACT COMMITTEE
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS

APPLICANT: Director of the Department of Planning and Zoning – Leisure City Community Urban Center

PH: 07-415

SECTION: 33-56-39/04 & 05-57-39

DIC DATE: January 20, 2010

COMMISSION DISTRICTS: 8 and 9

==========

A. INTRODUCTION:

o REQUEST:

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).

o SUMMARY OF REQUEST:

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.**

o LOCATION:

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

o SIZE:

420.4 acres

o IMPACT:

The proposed district boundary change to the Leisure City District Community Urban Center (LCCUC) will support the County's transit investment, provide additional housing/mixed-use development opportunities for the community, facilitate development within the Naranja Lakes Community Redevelopment Area, Neighborhood Revitalization Strategy Area (NRSA), Community Development Block Grant (CDBG) Eligible Area, Enterprise Zone and Target Urban Area, and implement the Comprehensive Development Master Plan's (CDMP) urban center development concepts. The LCCUC also contains three major roadways, which are corridors identified for higher densities and mixed use development on the CDMP Land Use Plan.

Community Urban Centers (CUCs) are compact, mixed-use, and pedestrian-friendly districts that will serve localized areas. Approval of the district boundary change to

the requested LCCUC 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 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.

In addition, the LCCUC District will provide additional roads and connectivity throughout the area and will capture internal trips by providing mixed use development. The direct connection to the South Miami-Dade Busway will support the use of mass transit by increasing the allowed density immediately around the transit stops. The proposed additional density within the LCCUC District is provided in a manner that promotes various housing types which is supported by the CDMP and population projections for Minor Statistical Areas (MSA).

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

C. **COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):** Adoption of the proposed rezoning will further the implementation of the following goal, objectives, policies and urban center concepts:

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. **Objective LU-1**

   The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

3. **Policy LU-1A**

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

4. **Policy LU-1C**

   Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary

urban services and facilities are projected to have capacity to accommodate additional demand.

5. **Policy LU-1D**

   In conducting its planning, regulatory, capital improvements and intergovernmental coordination activities, Miami-Dade County shall seek to facilitate the planning of residential areas as neighborhoods which include recreational, educational and other public facilities, houses of worship, and safe and convenient circulation of automotive, pedestrian and bicycle traffic.

6. **Policy LU-1F**

   To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.

7. **Policy LU-1G**

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

8. **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)

9. **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.

10. **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.

11. **Policy LU-7D**

Redevelopment of property within one-half mile of existing or planned mass transit stations and bus routes shall not cause an increase in walking distances from nearby areas to the transit services and shall, wherever practical, be done in a manner that reduces walking distances and is comfortable and attractive to pedestrians.

12. **Policy LU-7E**

Land uses that are not conducive to public transit ridership such as car dealerships, car oriented food franchises, and uses that require transporting large objects should not be permitted to locate or expand within 1/4 mile of rail rapid transit stations.

13. **Policy LU-7I**

Miami-Dade County will review development incentives to encourage higher density, mixed use and transit-oriented development at or near existing and future transit stations and corridors.

14. **Policy LU-8A**

Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities Density patterns should reflect the Guidelines for Urban Form contained in this Element.

15. **Policy LU-8B**

Distribution of neighborhood or community-serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic and physical considerations.

16. **Objective LU-9**

Miami-Dade County shall continue to maintain, update and enhance the Code of Miami-Dade County, administrative regulations and procedures, and special area planning program to ensure that future land use and development in Miami-Dade County is

consistent with the CDMP, and to promote better planned neighborhoods and communities and well designed buildings.

17. **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.

18. **Policy LU-9F**

Miami-Dade County shall formulate and adopt zoning or other regulations to implement the policies for development and design of Metropolitan and Community Urban Centers established in the CDMP through individual ordinances for each urban center.

19. **Policy LU-9G**

Miami-Dade County shall review and revise its development regulations to promote building designs in multi-family residential zoning districts which are more compatible with, and sensitive to, surrounding neighborhoods, and to establish minimum densities for development in multifamily residential zoning districts.

20. **Policy LU-9I**

Miami-Dade County shall continue to update and enhance its land development regulations and area planning program to facilitate development of better planned neighborhoods and communities, and well designed buildings, and shall encourage and assist municipalities to do the same.

21. **Policy LU-9P**

Miami-Dade County shall revise land development regulations to allow live-work units and structures in urban centers and all land use categories that permit the mixture of residential and non-residential uses. Live–work refers to one or more individuals living in the same building where they earn their livelihood usually in professional, artisanal or light industrial activities. The quiet enjoyment expectations of the residential neighbors take precedence over the work needs in a live-work unit or building. Toward this end, the occupational use of the unit shall not include nonresident employees or walk-in trade. No outdoor activity; noise, vibration, odor, electric interference or other effect of the occupation shall be detectable outside the work-live unit. The regulations should provide for disclosure of neighboring industrial and commercial activities to prospective residential tenants and purchasers.

22. **Policy LU-9Q**

Miami-Dade County shall revise land development regulations to allow work-live units in the Business and Office and Industrial and Office land use categories. The term work-live means that the needs of the work component takes precedence over the quite expectations of residents, in that there may be noise, odors, or other impacts of the

business, as well as employees, walk-in trade or sales. The predominant use of a work-live unit is industrial or commercial work activity and residential activity is secondary.

23. **Objective LU-10**

Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multimodal transportation systems.

24. **Policy LU-10A**

Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation.

25. **Objective LU-12**

Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in PolicyTC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.

26. **Policy LU-12D**

The County shall consider developing strategies that promote infill development in specific areas.

27. **Interpretation of the Land Use Plan Map Urban Centers**

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.

Urban Centers - 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.

Urban Centers - 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.

Urban Centers - 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.

Urban Centers - 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.

Urban Centers - 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.

Urban Centers - 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 (Leisure City)	**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.

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 420-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 objection**
Solid Waste	**No objection**
WASD	**No objection**
Aviation	**No objection**

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

Description of the District Boundary Change

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 420 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).

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 west to South Dixie Highway. The Comprehensive Development Master Plan (CDMP) designates most 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.

All the area within the boundaries of the approved Leisure City Community 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).

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 maximum heights range from six stories in the core to two stories in the edge district.

The LCCUC establishes six zoning land use sub-classifications and a maximum number of units for each classification: MM, Mixed-Use Main Street (789 units); MC, Mixed-Use Corridor (10,621 units); MO, Mixed-Use Optional (862 units); RM, Residential Modified

(4,194 units); R, Residential (342 units); I, Institutional (432 units) and ID, Industrial (174 units).

The proposed rezoning to LCCUC is necessary to implement the accepted Leisure City/Naranja Lakes Charrette Area Plan Report and Ordinance #07-169. This ordinance requires that the Department of Planning and Zoning review plans for compliance with the site plan review criteria provided in the Standard Urban Center District Regulations, 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.

Implementation of the Leisure City/Naranja Lakes Charrette Area Plan

This application would implement the intent and purpose of the Leisure City/ Naranja Lakes Charrette Area Plan, the citizens' vision for the future growth and the development of the unincorporated area of Leisure City/Naranja Lakes in southern Miami-Dade County. **The Area Plan and its recommendations, including authorization to prepare Code amendments for implementation were accepted by the BCC on July 18, 2006.** The proposed rezoning would further the implementation of the following main concepts of the Citizens' Charrette Area Plan Vision:

- To develop a pedestrian-friendly town center and main street around the South Miami-Dade Busway station located at SW 280th Street and U.S. 1.
- To establish a transit-oriented development in proximity to the South Miami-Dade Busway with mixed-use amenities such as restaurants and shops.
- To redevelop and restore obsolete buildings with new structures that respond to the community's vision.
- To enhance open spaces, create pocket neighborhood parks and revitalize the existing Leisure and Leisure Lakes Parks.
- To transform the US1 corridor area as a signature district and develop entrance features announcing the arrival to an important community center.
- To develop the Royal Colonial Park area as a unified campus like setting, with affordable housing, a library, a school and a multipurpose recreational facility all within walking distance of each other.
- To redevelop the Naranja Lakes Shopping Center area into a regional waterfront entertainment district that provides mixed-use and a retail center destination
- To create clearly identifiable neighborhoods that are physically and visually linked to each other.
- To improve streets by providing sidewalks, lighting and shade trees.
- To enhance Economic Development.

- To provide a variety of housing.

Consistency with the Comprehensive Development Master Plan

As shown in the table below, the proposed LCCUC uses are well within the limits of the CDMP. The CDMP residential densities are based on a maximum density of 125 dwelling units per acre within the urban center and the appropriate low-medium or medium densities outside the urban center. In urban centers, the CDMP requires a tiered approach for non-residential intensities with minimum FARs of 1.5 in the core and .5 on the edge. Although urban centers do not have a maximum floor area ratio for business and office uses, a FAR of 1.25 was used to illustrate the magnitude of what is typically allowed in urbanizing areas.

Comprehensive Development Master Plan (CDMP) and Proposed Leisure City Zoning

Use	CDMP	Proposed Leisure City Zoning
Residential	22,902 units	17,414 units
Business/Office	6,520,000 sq. ft.	2,376,808 sq. ft.

Service Provider Comments

The proposed rezoning has been reviewed by all of the service providers. Review comments at this stage in the process are primarily informational regarding the long term buildout of the urban center. Development approval and impacts will be assessed as individual plats and site plans are submitted. A description of the development intensities analyzed and a summary of each department's comments are provided below.

Comparison of Existing Zoning and Proposed Leisure City Zoning

Use	Existing Zoning	Proposed Leisure City Zoning	Difference (Leisure City minus Existing)
Residential	4,186 units	17,414 units	13,226 units
Business	2,187,656 sq. ft.	2,324,536 sq. ft.	136,880 sq. ft.
Industrial	146,415 sq. ft.	52,272 sq. ft.	-94,143 sq. ft.

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 22, 2009, 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) could potentially add 37,089 people to the area, which will generate a demand for an additional 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 251.95 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 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 **(PWD) does not object** to this application. Their memorandum indicates that this development would generate an additional 7,441 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, 167 Avenues and US 1. No vehicle trips have been reserved by this application and subsequent developments will be subject to the payment of road Impact fees.

The LCCUC district boundary change and any subsequent site plan applications are exempt from concurrency review for transportation facilities because the urban center district is located within a Community Development Block Grant (CDBG) Eligible Area. This exemption is established in the Concurrency Management Program of the CDMP.

The Miami-Dade Transit Department **(MDT)** has **no objections** to this application. Their memorandum indicates that there is direct transit service to 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. Travel times to Dadeland range from 35 minutes during the peak hour to one hour off peak. 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. However, their memorandum indicates that MDFR will request the dedication of a 2-acre parcel of land for the construction of a fire rescue station to serve LCUCD. Their memorandum indicate that the average travel time to the vicinity of the proposed development is **6:06 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 Miami-Dade Water and Sewer Department

(MDWASD) has **no objections** to this application and indicates that as individual parcels are developed they will be addressed on a case by case basis. The proposed rezoning will not impact the County's consumptive use permit because it does not change the countywide population projections. Public water mains and sanitary sewer exist throughout the area.

Summary of Analysis

The requested district boundary change to the Leisure City Community Urban Center (LCCUC) District is **consistent** with the Comprehensive Development Master Plan. **Approval of the proposed district boundary change will implement the CDMP goals, objectives and policies listed in Section C of this report.** More specifically, as highlighted in the following policies, the CDMP requires transit oriented development and zoning in urban centers.

- Objective LU-1 - requires that the County intensifies development around centers of well designed communities
- Objective LU-7 - requires transit oriented development in urban centers
- Policy LU-9F - requires that the County adopt zoning to implement the development and design policies of 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.

In addition to implementing the community urban center standards of the CDMP, it will support the County's transit investment, provide additional housing/mixed-use development opportunities for the community and facilitate development within the Naranja Lakes Community Redevelopment Area, Neighborhood Revitalization Strategy Area (NRSA), Community Development Block Grant (CDBG) Eligible Area, Enterprise Zone and Target Urban Area.

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, 10/22/09, 1/6/10, 1/7/10, 1/8/10

DATE FINALIZED:

MCL:ES:NN:JV:CI

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

Memorandum

MIAMI-DADE COUNTY

Date: September 30, 2009

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

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

Subject: DIC No. Z2007000415-2nd Revision
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 (420 Acres)
05-57-39

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

Wellfield Protection
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: October 21, 2009

To: Jorge Vital, Acting DIC Coordinator
Department of Planning and Zoning

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

Randy Koper

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

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 420 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 208 Single-Family Detached units, 32 Single-Family Attached (Townhouse) units, and 3,946 Multi-Family Attached units, generating a population of 9,155. The local park space need, based on the Open Space Spatial need of 2.75 acres per 1,000 population, would be 25.18 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	192	5,324
Core	204	9,509
Edge	24	2,347
Total	420	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 25.18 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, wider sidewalks, or civic and community centers.

Jorge Vital, Acting DIC Coordinator
Department of Planning and Zoning

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 251.95 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: January 8, 2010

To: Marc C. LaFerrier
Director
Planning & Zoning Department

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

Subject: DIC07-415 Rev 3-2
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

I. EXISTING AND ANTICIPATED TRAFFIC GENERATION

LAND USE	EXISTING ZONING	TRIPS GENERATED	PROPOSED ZONING	TRIPS GENERATED	TOTAL TRIPS DIFERENCE
RESIDENTIAL	4,186 Units	2,419	17,412 Units	9,730	7311
BUSINESS	2,187,656 SF	4037	2,324,536 SF	4216	179
INDUSTRIAL	146,415 SF	88	52,272 SF	39	- 49
TOTAL	N/A	6544	N/A	13985	7441

II. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION

SW 248, 264, 280, 288, 296 and 312 Street
SW 145, 147, 152, 157, 162 and 167 Avenue
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 to right-of-way width, setbacks, sight distance triangles, minimum radii for major streets 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 be required to be platted or replatted.
A Public Works Department 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.
A Traffic Study is required for projects within the development to determine traffic impacts such as driveway locations and signalization requirements.

Site Plans submitted for approval shall have the following information contained within 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)".

No vehicle trips have been reserved by this application. In addition, projects within this area will be subject to payment of road impact fees.

cc: Jorge Vital, Development Impact Coordinator, Planning and Zoning Department
Joan Shen, Ph.D., P.E., Manager, Traffic Engineering Division
Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division
Armando E. Hernandez, Special Administrator for Concurrency, Traffic Engineering Division

DATE: 07-APR-10

REVISION 3

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

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

HISTORY:

CURRENT ENFORCEMENT HISTORY:

Unable to provide Enforcement History inspection. The area is to broad (420 acres) to research or inspect individual homes for enforcement violations. Possible violations might exist with Neighborhood Compliance and/or Building Department

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

REPORTER NAME:

Miami-Dade County Public Schools
giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Dr. Solomon C. Stinson, Chair
Dr. Marta Pérez, Vice Chair
Agustin J. Barrera
Renier Diaz de la Portilla
Dr. Lawrence S. Feldman
Perla Tabares Hantman
Dr. Wilbert "Tee" Holloway
Dr. Martin Karp
Ana Rivas Logan

REVISED
October 20, 2009

Mr. Marc C. LaFerrier, Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, 11th Floor, Suite 1110
Miami, FL 33128

RE: **07-415, Leisure City Community Urban Center District (LCCUCD) - DIC**
Approximately East of U.S.1 between SW 296 Street and SW 145 Avenue

Dear Mr. LaFerrier:

Miami-Dade County (County) has requested that the School District prepare an analysis of the impact that the proposed Leisure City Community Urban Center District (LCCUCD) would have on the public schools serving the area. Please note that the County and the School Board recently entered into a new Interlocal Agreement by which the County adopted school concurrency within its jurisdiction and is currently in the process of preparing the necessary enabling Administrative Orders. In the meantime, as a courtesy to the County, please find attached a school impact analysis (provided for informational purposes only) of the potential impacts generated by the LCCUCD.

The proposed LCCUC zoning would permit 17,413 residential units. Based on this information, the permitted residential units would generate approximately 10,796 students: 5,074 Elementary; 2,483 Middle School; and 3,239 High School. At this time, there is not sufficient capacity in the schools serving the area to accommodate the density increase proposed under the LCCUCD.

Please note that this is not to be construed as a public school concurrency review, and is solely meant to provide an overall picture of potential impacts on area schools, and the availability of student stations at this point in time. Individual determinations of public school concurrency and capacity reservations will be made at the time of approval of plat, site plan or functional equivalent. As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:ir
L134

Attachment
cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Ms. Vivian Villaamil

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

Leisure City Community Urban Center District
REVIEW ANALYSIS
October 19, 2009

Student Generation Multiplier Average (Multifamily)

MSA	Multiplier (Multifamily)
7.4	.62

Estimated Student Population Increase

17,413 additional residential units x **.62** = **10,796 students**

School Level	Generation Multiplier		Students		Students Generated
Elementary	.47	x	10,796	=	**5,074**
Middle	.23	x	10,796	=	**2,483**
Senior	.30	x	10,796	=	**3,239**

Potential Available Capacity at Elementary Schools

Facility Name	October 2008 FTE Membership	Perm Capacity	% Utilization Perm	Relocable Capacity	Total Capacity	% Utilization Total	Potential Available Capacity
Leisure City K-8 Educational Center (Elem.)	802	762	105%	184	946	85%	144
William A. Chapman Elementary	357	630	57%	108	738	48%	381
TOTAL	**1,159**	**1,392**	**83%**	**292**	**1,684**	**69%**	**525**

Potential Available Capacity at Middle Schools

Facility Name	October 2008 FTE Membership	Perm Capacity	% Utilization Perm	Reloc Capacity	Total Capacity	% Utilization Total	Potential Available Capacity
Coconut Palm K-8 Educational (Middle)	153	495	31%	0	495	31%	342
Homestead Middle	898	834	108%	139	973	92%	75
Redland Middle	972	1,218	80%	79	1,297	75%	325
TOTAL	**2,023**	**2,547**	**80%**	**218**	**2,765**	**73%**	**742**

Potential Available Capacity at Senior High Schools

Facility Name	October 2008 FTE Membership	Perm Capacity	% Utilization Perm	Reloc Capacity	Total Capacity	% Utilization Total	Potential Available Capacity
Homestead Senior High	2,135	2,893	74%	0	2,893	74%	758
South Dade Senior High	2,956	3,302	90%	0	3,302	90%	346
TOTAL	**5,091**	**6,195**	**82%**	**0**	**6,195**	**82%**	**1,104**

34

February 9, 2010

07-415 – Leisure City Community Urban Center District

Proposed 17,413 Multi-Family Units
10,796 Students Generated: 5,074 Elementary; 2,483 Middle; and 3,239 Senior High
Approximately East of U.S. 1 between SW 296 Street and SW 145 Avenue

The proposed level of service (LOS) standard for public school facilities is 100% utilization of Florida Inventory of School Houses (FISH) with relocatable classrooms. This review is an initial review and no concurrency reservation is required at this stage. As of today, the proposed application does not meet school concurrency LOS standards.

CONCURRENCY SERVICE AREA SCHOOLS

CSA id	Facility Name	Available Capacity	Seats Required	LOS Met	Source Type
2901	Leisure City K-8 Educational Center	247	5,074	No	Current CSA
0771	William A. Chapman Elementary	366	5,074	No	Current CSA
0041	Air Base Elementary	174	5,074	No	Adjacent CSA
4581	Redland Elementary	-23	5,074	No	Adjacent CSA
0161	Avocado Elementary	268	5,074	No	Adjacent CSA
4391	Irving & Beatrice Peskoe Elementary	331	5,074	No	Adjacent CSA
0651	Campbell Drive Elementary	388	5,074	No	Adjacent CSA
	Total	**1,774**	**5,074**	**No**	
	Coconut Palm K-8 Educational	282	2,483	No	Current CSA
6761	Redland Middle	525	2,483	No	Current CSA
6251	Homestead Middle	274	2,483	No	Current CSA
6061	Campbell Drive	603	2,483	No	Adjacent CSA
5003	South Dade Middle	-20	2,483	No	Adjacent CSA
	Total	**1,704**	**2,483**	**No**	
7151	Homestead Senior	1,059	3,239	No	Current CSA
7701	South Dade Senior	-137	3,239	No	Adjacent CSA
	Total	**1,059**	**3,239**	**No**	

Source: Miami-Dade County Department of Planning and Zoning, 2010
Miami-Dade County Public Schools, 2009

Memorandum

MIAMI-DADE COUNTY

Date: January 4, 2010

To: Marc C. LaFerrier, Director
Department of Planning & Zoning

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

Subject: Leisure City Community Urban Center District
Z2007000415 (Revision No. 2)

On October 15, 2009, the Miami-Dade Fire Rescue Department (MDFR) received an amended request for an evaluation of the Leisure City Community Urban Center District (LCUCD) re-zoning application filed by the Director of the Department of Planning and Zoning as instructed by the Board of County Commissioners.

The subject area consists of 420 acres and comprises 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, in unincorporated Miami-Dade County; and is generally bounded on the north by SW 272nd Street, Old Dixie Highway on the west, SW 147th Avenue on the east, and SW 296th Street on the south.

The application is seeking a district boundary change from multiple zoning classifications to LCUCD. The LCUCD will allow a variety of mixed uses consisting of residential (single family detached, duplex and apartments), business, professional offices, civic, educational and governmental uses, along with industrial and institutional facilities.

As part of the application, an excerpt showing the basics of the development program was provided reflecting the following; 17,413 dwelling units, 2,324,536 sq. ft. of business and retail, and 52,272 sq. ft. of industrial space. Presently, a total of 4,186 residential units, 2,187,656 sq. ft. of business and retail, and 146,415 sq. ft. of industrial space would be permitted under the existing zoning classification.

SERVICE IMPACT/DEMAND

(A) Based on the development program, it is anticipated that the project will generate a substantially greater number of fire and rescue calls annually (5,000). However, the Miami-Dade Fire Rescue Department (MDFR) recognizes that the proposed rezoning will have a long term build out that will minimize immediate impact to existing fire and rescue service facilities.

(B) A suspected fire within this project would be designated as a building and/or house dispatch assignment. A building assignment requires three (3) suppressions or engines, telesqurt or tankers, one (1) aerial, one (1) rescue and an accompanying command vehicle. This assignment requires 20 firefighters and officers. A house assignment requires two (2) suppressions or engines, telesqurts or tankers, one (1) rescue and an accompanying command vehicle. This assignment requires 12 firefighters and officers.

(C) Based on data retrieved during calendar year 2008, the average travel time to the vicinity of the proposed development was **6:06 minutes**. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.

EXISTING SERVICES

The stations responding to a fire alarm to the subject area are as follows:

STATION	ADDRESS	EQUIPMENT	STAFF
6	15890 SW 288 Streer	Rescue, Tanker, Battalion	8
16	325 NW 2 Street	Rescue, ALS Engine, Ladder	11
65	1350 SE 24 Street	Rescue	3
66	3100 SW 328 Street	Squad, ALS Engine	6

ALS= Advanced Life Support

PLANNED SERVICES

Planned stations within the vicinity of the subject area are as follows:

STATION	VICINITY	ESTIMATED COMPLETION DATE
70	SW 248 St & SW 114 PL	2012
72	SW 344 St & SW 187 AVE	2013
77	SW 296 St & SW 120 AVE	2014

SITE PLAN REVIEW

During the Site Plan Review process for each individual development, the MDFR Planning Section will provide comments regarding service impact and level of service. The Fire Water and Engineering Bureau, located at 11805 SW 26th Street, will review and provide comments on the corresponding site plan.

CONCLUSION

The Miami-Dade Fire Rescue Department supports the development policies and implementation strategies for areas throughout the County in order to ensure proper urban growth patterns and to provide for well-planned supportive communities containing a variety of uses, housing types and public services.

In an effort to monitor development and determine the need for additional service, MDFR is requesting that each phase of development be transmitted accordingly for assessment and to determine compliance with the standards of the National Fire Protection Association (NFPA).

According to the development information, the number of alarms forecasted for this project upon its completion, along with the anticipated congested roadways within the area, will generate a substantial impact on existing services. Under provisions of Chapter 33J of the Code of Miami-Dade County, all developments are deemed to create an impact and therefore create a demand for increased fire and rescue service capacity. As such, the cost of new facilities should be borne by new users to the extent new uses require new facilities.

To offset the cost, any application for development activity within Miami-Dade County fire rescue service area will be subjected to the imposition of a fire impact fee. As part of the future development projects impact fees, MDFR will require the dedication of a 2-acre parcel of land for the construction of a fire rescue station to serve the LCUCD prior to the maximum build-out. The dedicating party will have the right to claim impact fee credits for the dedication of the land by executing a contributions in-lieu of fee form which must be submitted to and approved by the Fire Chief prior to the issuance of any building permit intending to utilize the contribution in-lieu of impact fees.

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

HL:ch

Memorandum

MIAMI-DADE COUNTY

Date: September 29, 2009

To: Marc C. LaFerrier, Director
Department of Planning & Zoning

From: José A. Ramos, R.A., Chief, Aviation Planning Division
Aviation Department

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

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 420 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.

JR/rb

C: S. Harman
Jorge Vital, Acting DIC Coordinator, Department of Planning & Zoning

Memorandum

MIAMI-DADE COUNTY

Date: September 28, 2009

To: Jorge Vital
Acting DIC Coordinator
Department of Planning and Zoning

From: John Garcia
Principal Planner
Miami-Dade Transit - Transit Planning Section

Subject: Review of DIC Project No. 07-415 (DP&Z - Leisure City CUC)

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 420 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. There are three (3) Busway stations (at SW 296th Street, at SW 280th Street and at SW 272nd Street) along the western boundary of this CUC district. Two of these stations are served by both the 24-hour service MAX route and the weekday peak-period premium Flyer route. The Busway station at SW 272nd Street is only served by the Busway MAX route. The Route 35 provides service at or within the CUC district area at SW 296th Street and SW 157th Avenue and along SW 147th Avenue between SW 280th and 284th Streets. The Route 70 alignment runs throughout the CUC district along SW 288th Street, along SW 152nd Avenue, along SW 280th Street, along Naranja Lakes Boulevard and finally along US-1 north of Naranja Lakes Boulevard. At the furthest eastern point, the CUC district boundary edge is less than three quarters of a mile from the Busway stop or US-1. Within the boundary, residents would have no more than a half-mile walk to existing Metrobus service. Along US-1, the furthest distance to a Busway station would be between SW 280th and SW 296th Streets, however, the distance to existing Metrobus service would generally be about a quarter-mile to half a mile. Travel times from the Busway stations to the Dadeland Metrorail station range from approximately 35 minutes during the weekday rush hour peak period to approximately an hour at most all other times. The service headways (in minutes) for the above mentioned routes are as follows:

Metrobus Route Service Summary
Liberty City Community Urban Center (CUC)

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
34/Busway Flyer	7½	N/A	N/A	N/A	N/A	N/A	0.1	E / F
35	30	30	60	N/A	60	60	0.0	L
38/Busway MAX	15	15	15	60	15	20	0.1	E / F
70	30	60	60	N/A	60	60	0.0	L

Notes: *L means Metrobus local service*
F means Metrobus feeder service to Metrorail
E means Metrobus limited-stop or express service

Future Transportation/Transit Improvements

The 2010 Transportation Improvement Plan (TIP) shows under the Primary State Highways and Intermodal section two continuous projects for flexible pavement reconstruction from SW 266th to SW 284th Street and from SW 284th to SW 304th Street. Under the MDX section, the US-1 Managed Lanes PD&E Study is listed. The 2030 Long Range Transportation Plan (LRTP) does not propose any improvements in the immediate vicinity of this project.

The 2008 ten-year Transit Development Plan (TDP) identifies in its 2018 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route 34: No planned improvements.

Route 35: Improve peak headway from 30 to 20 minutes.

Route 38: Improve peak headway from 15 to 10 minutes.

Route 70: No planned improvements.

MDT Comments/Recommendations

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

Concurrency

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

Memorandum

MIAMI-DADE COUNTY

Date: October 21, 2009

To: Jorge Vital, Acting DIC Coordinator
Department of Planning and Zoning

From: Robert Parker, Director
Miami-Dade Police Department

Subject: DIC Application: Director of the Department of Planning and Zoning

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APPLICATION

07-415 – Director of Planning and Zoning is requesting a district boundary change from multiple zoning classifications to Leisure City Urban Center (LCUC) District. The Board of County Commissioners has requested the Director to file said rezoning application for all properties within the LCUC. The subject property consists of 420 acres and is located east of Old Dixie Highway (South Dade Busway) and north of 296 Street, west of 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 South District, Station 4 (formerly known as the Cutler Ridge District), located at 10800 SW 211 Street, Miami, Florida. Our current staffing allows for an average emergency response time of eight minutes or under. 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 the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning change. The previous Developmental Impact Committee (DIC) liaison for MDPD, Sergeant Walter Hopwood, visited said area back in March 2008, and reviewed the site for the proposed zoning change. There are no additional comments to add to Sergeant Hopwood's original recommendations; therefore, MDPD does not object to the proposed zoning change, but encourages developers to work with police during any future design and construction changes to determine the best possible solutions or security options.

Should you have any questions or need additional information, please contact Lieutenant Suzanne Lauton of the Strategic Planning and Policing Bureau at (305) 471-1775.

RP/jls
Attachments (4)

Memorandum

MIAMI-DADE COUNTY

Date: October 1, 2009

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

From: Christopher Rose
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

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 Stacey McDuffie, Division Director, Planning and Intergovernmental affairs at 305-514-6661.

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 420 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 22, 2009, 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 biweekly curbside recycling services, provided for the County by Waste Services, Inc. The current single-stream recycling program allows residents to place all recyclable materials in one wheeled cart (with a lid) and roll the cart to the curb every other week. 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: October 1, 2009

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

From: Bertha M. Goldenberg, P.E., Assistant Director
Regulatory Compliance and Planning

Subject: DP&Z Director, Multiple Zones to Leisure City Community Urban Center (CUC) - DIC Application #-Z2007000415

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project. This application is for the re-zoning of the Leisure City Community Urban Center District. The comments provided below are general for the subject area and as individual parcels are developed, they will be addressed on a case by case basis.

Application Name: DP&Z Director

Proposed Development: Leisure City Community Urban Center District with land uses consisting of mixed use (residential, businesses, professional offices, civic, education, government offices), residential (single family detached, duplex, apartments), industrial, and institutional. (see attached land use plan)

Project Location: U.S. 1 corridor between S.W. 296 St. and S.W. 272nd St., and east of U.S.1, north of S.W. 296 St. and south of S.W. 272nd St. (See attached land use plan)

Water: The subject project is located within MDWASD's service area. Public water mains exist throughout the area. The source of water for this area is the Leisure City and Naranja Water Treatment Plants (WTP). The plants are currently operating under a 20-year water use permit issued by the South Florida Water Management District on November 15, 2007. After 2012, the water for this area will be provided by the future South Miami Heights WTP, and Leisure City and Naranja WTPs will be taken out of service. MDWASD will be the utility providing water services subject to the following conditions:

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

Sewer: The subject project is located within MDWASD's service area. Public sanitary sewer exist throughout the area. The South District Wastewater Treatment Plant (WWTP) is the facility for treatment and disposal of the wastewater. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. MDWASD will be the utility providing sewer services subject to the following conditions:

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

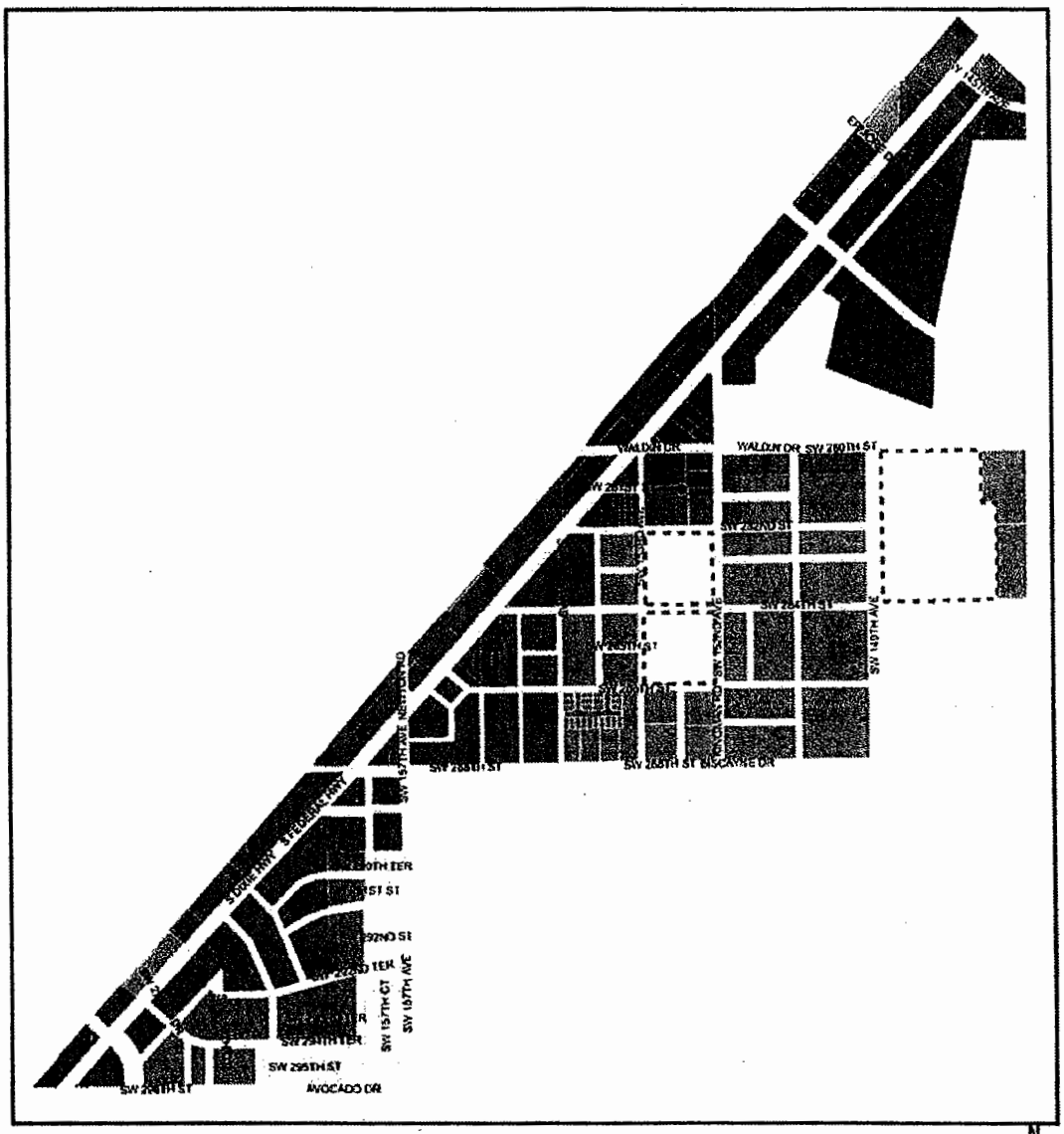
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

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

Should you have any questions, please call me at (786) 552-8120 or contact Maria A. Valdes at (786) 552-8198.

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 apartment 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.

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

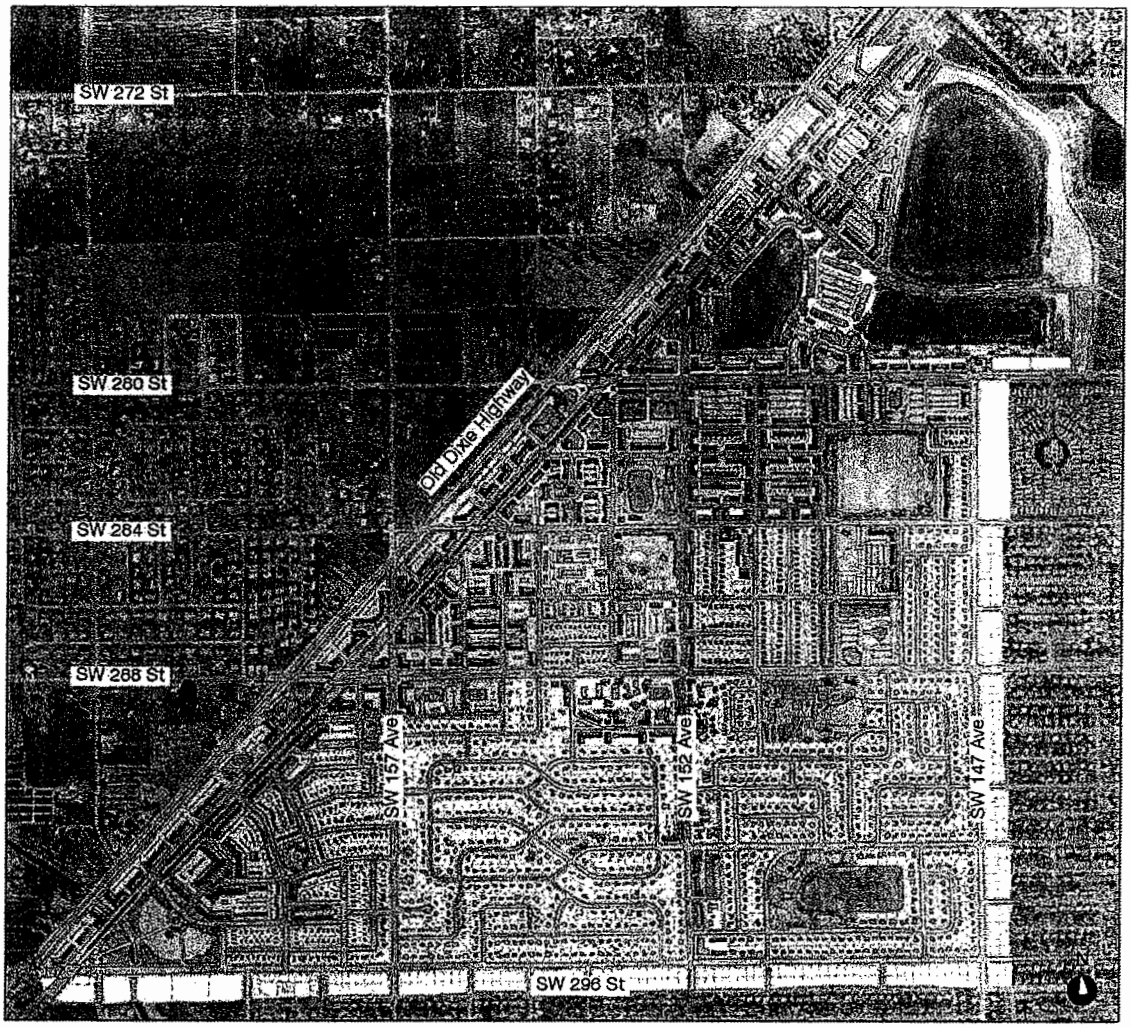
Southeasterly across State Road 5 (US-1) to the intersection with the Southeasterly Right Of Way Line of said State Road 5 (US 1), said point of intersection being the Northwest corner of Tract 1, NARANJA LAKES SECTION ONE, as recorded in Plat Book 91, Page 7 of the Public Records of said Miami-Dade 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

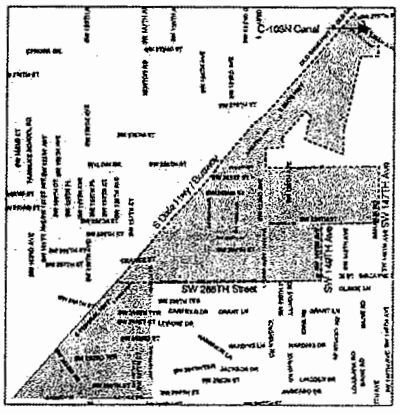
Existing Buildings

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.

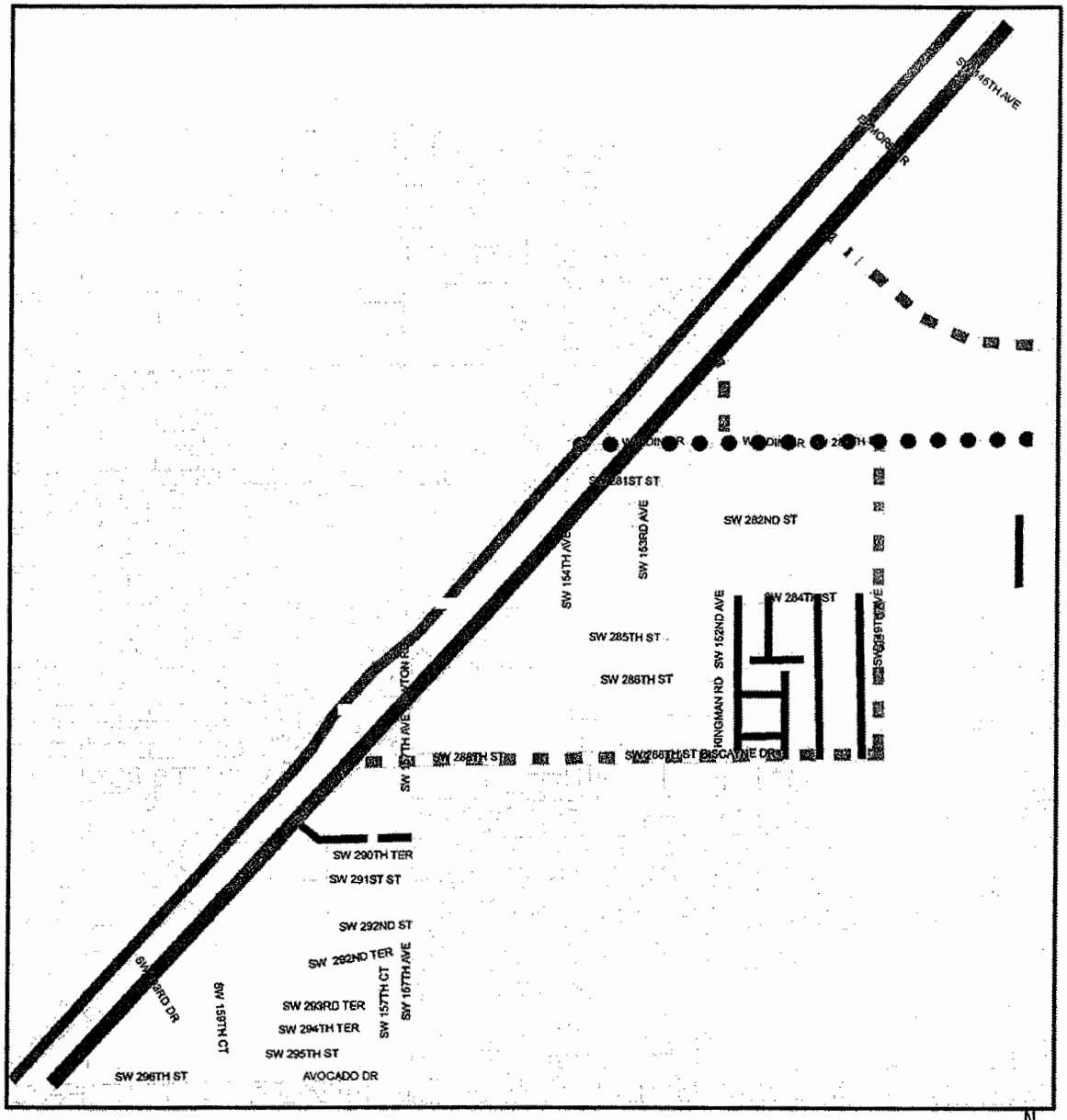
Sec. 33-284.35. LCUC Regulating Plans.

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.

A. Street Types Plan

Leisure City Community Urban Center Regulating Plans



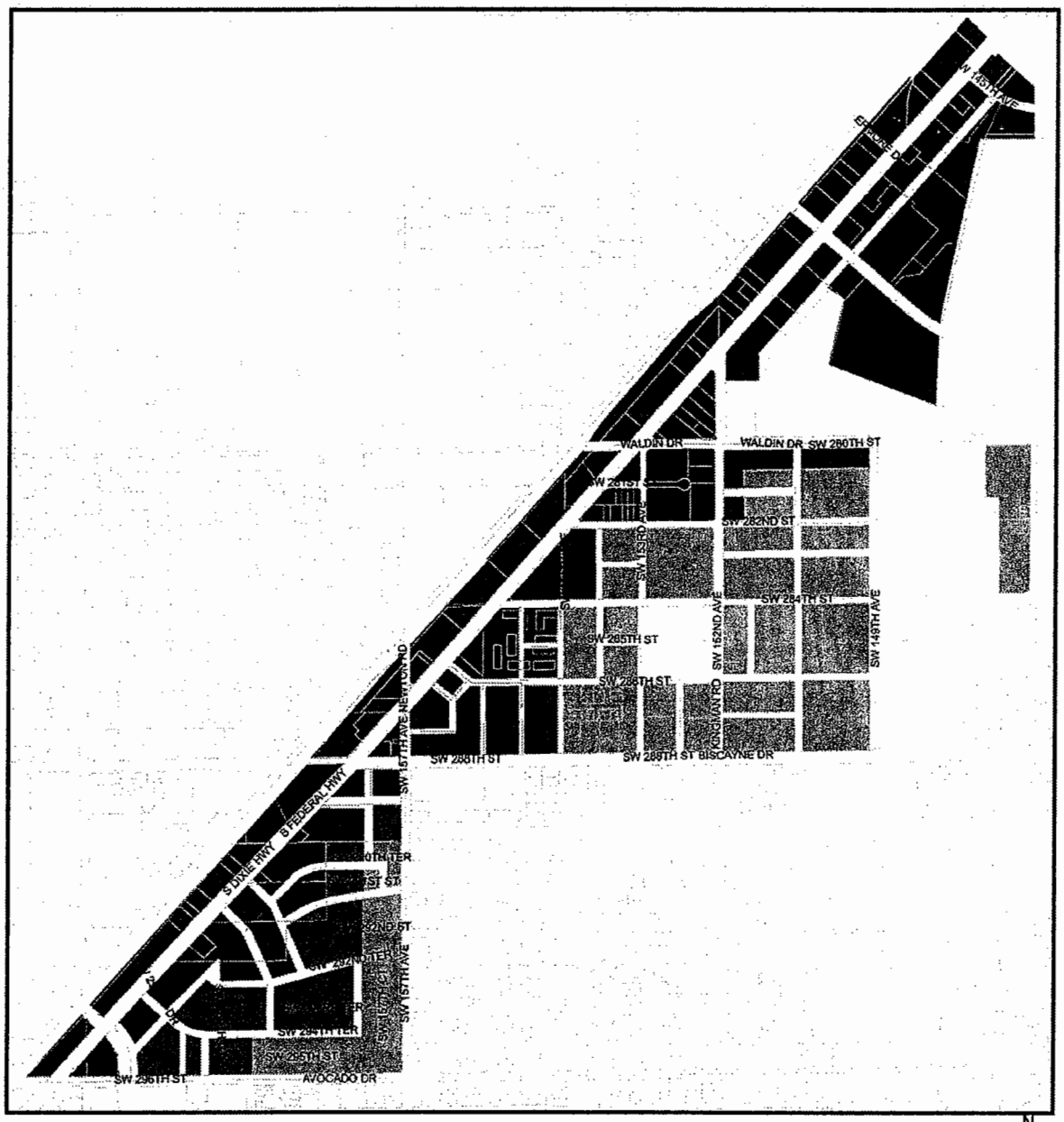
Key

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



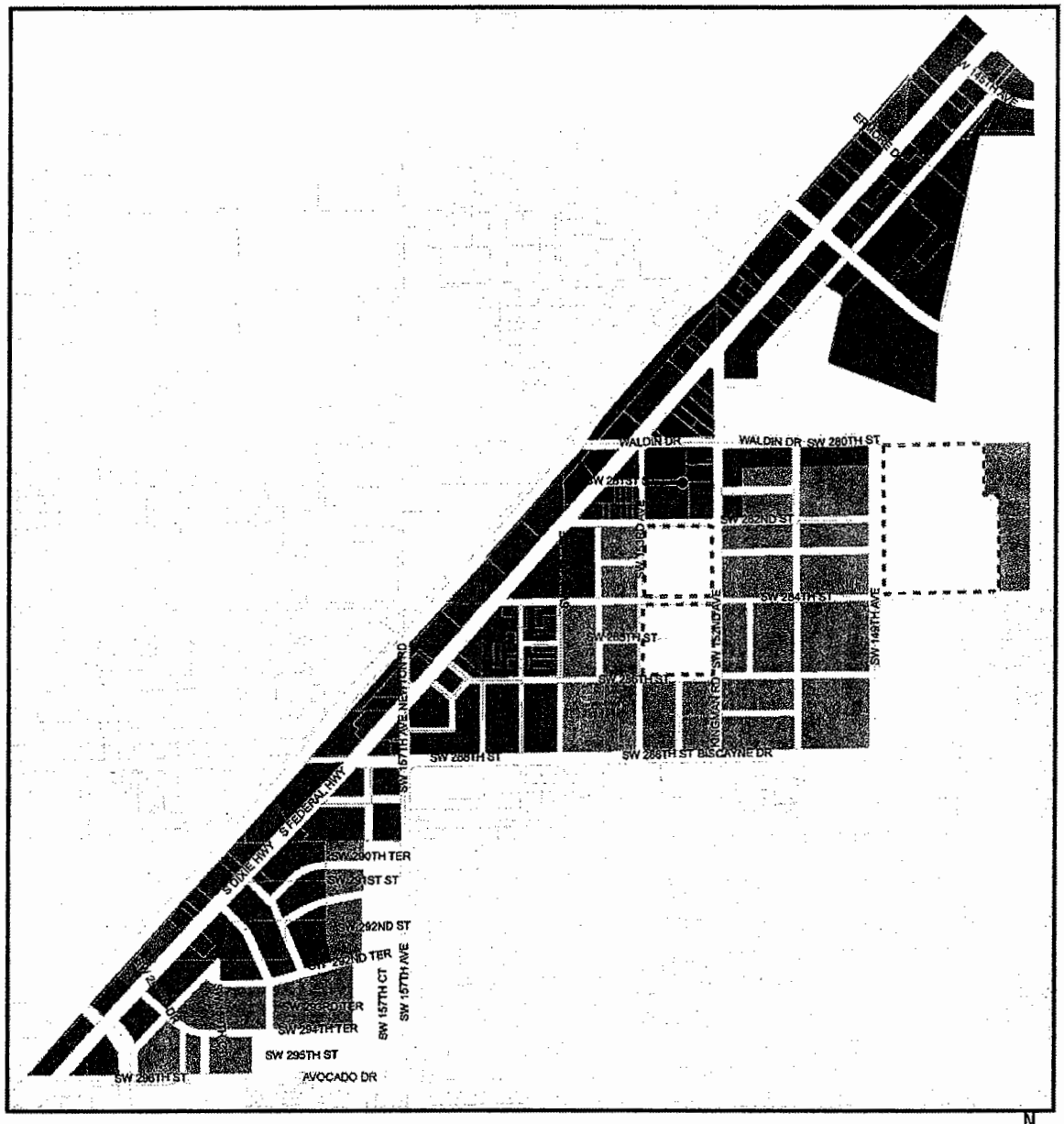
Key

Sub Districts

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

C. Land Use Plan

Leisure City Community Urban Center Regulating Plans



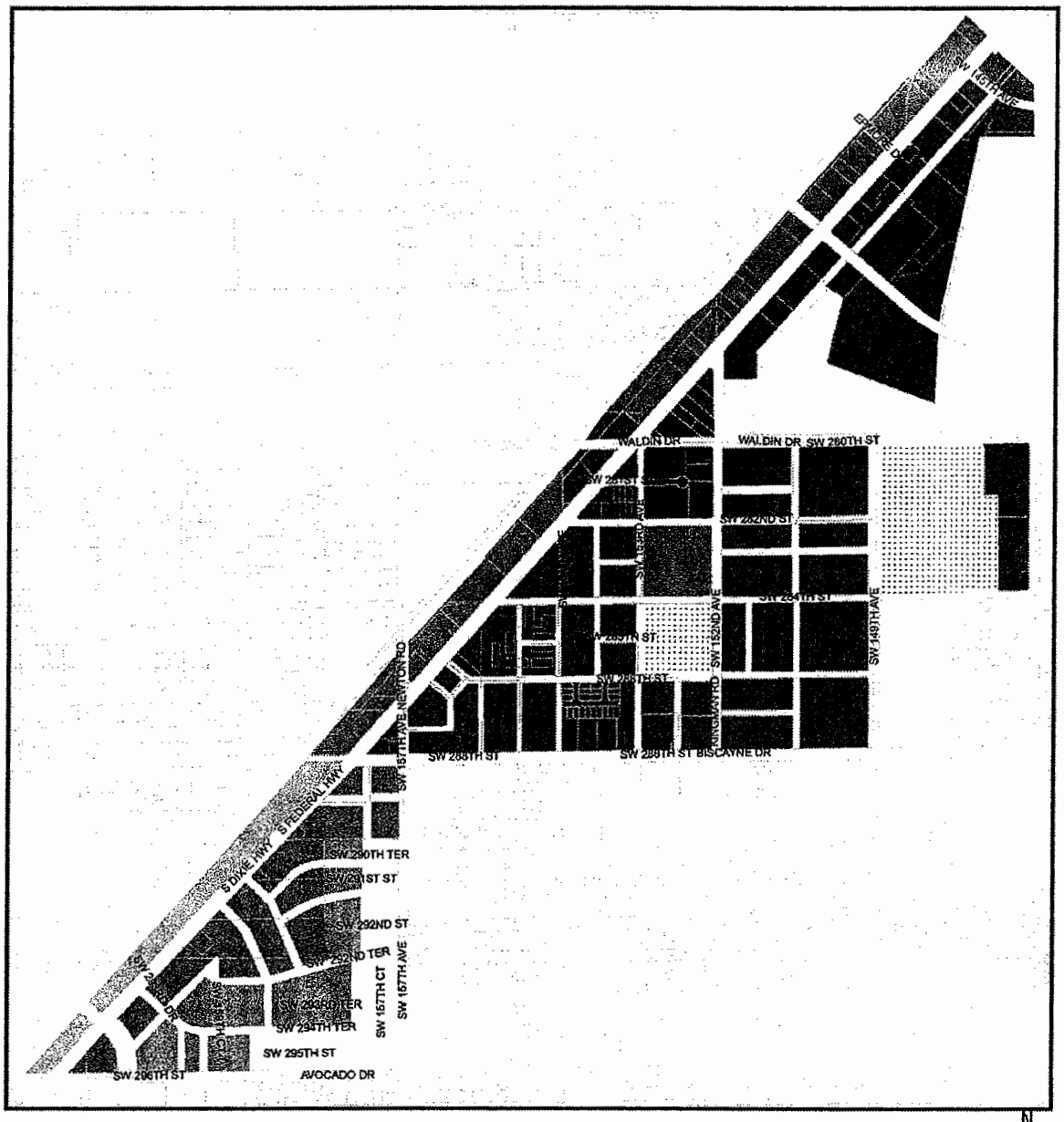
Key

Land Uses

- MM: Mixed-use Main Street: First and second floors: businesses, professional offices, civic, education, and goverment 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

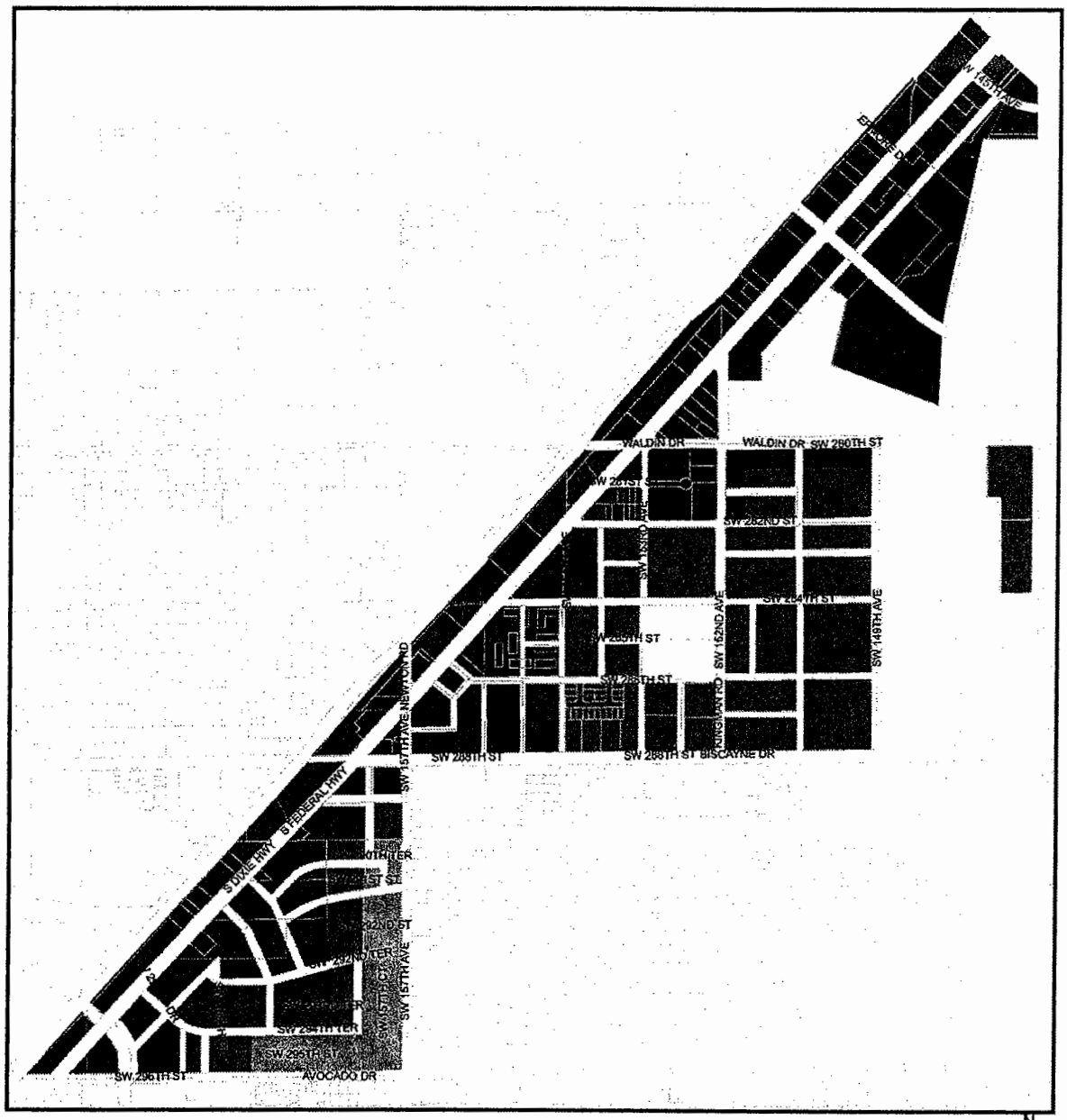
Density

- 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

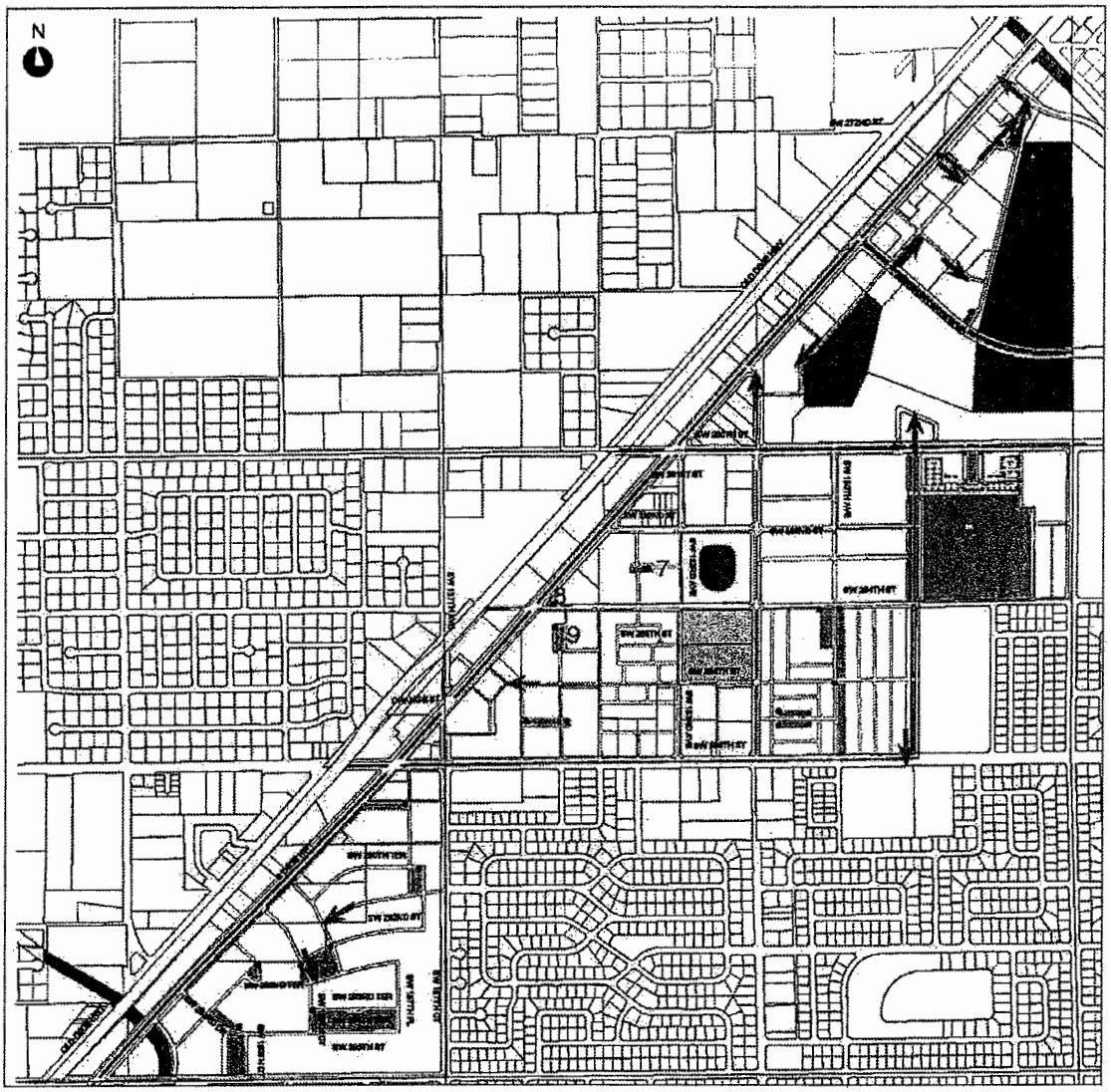
Building Heights

- 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

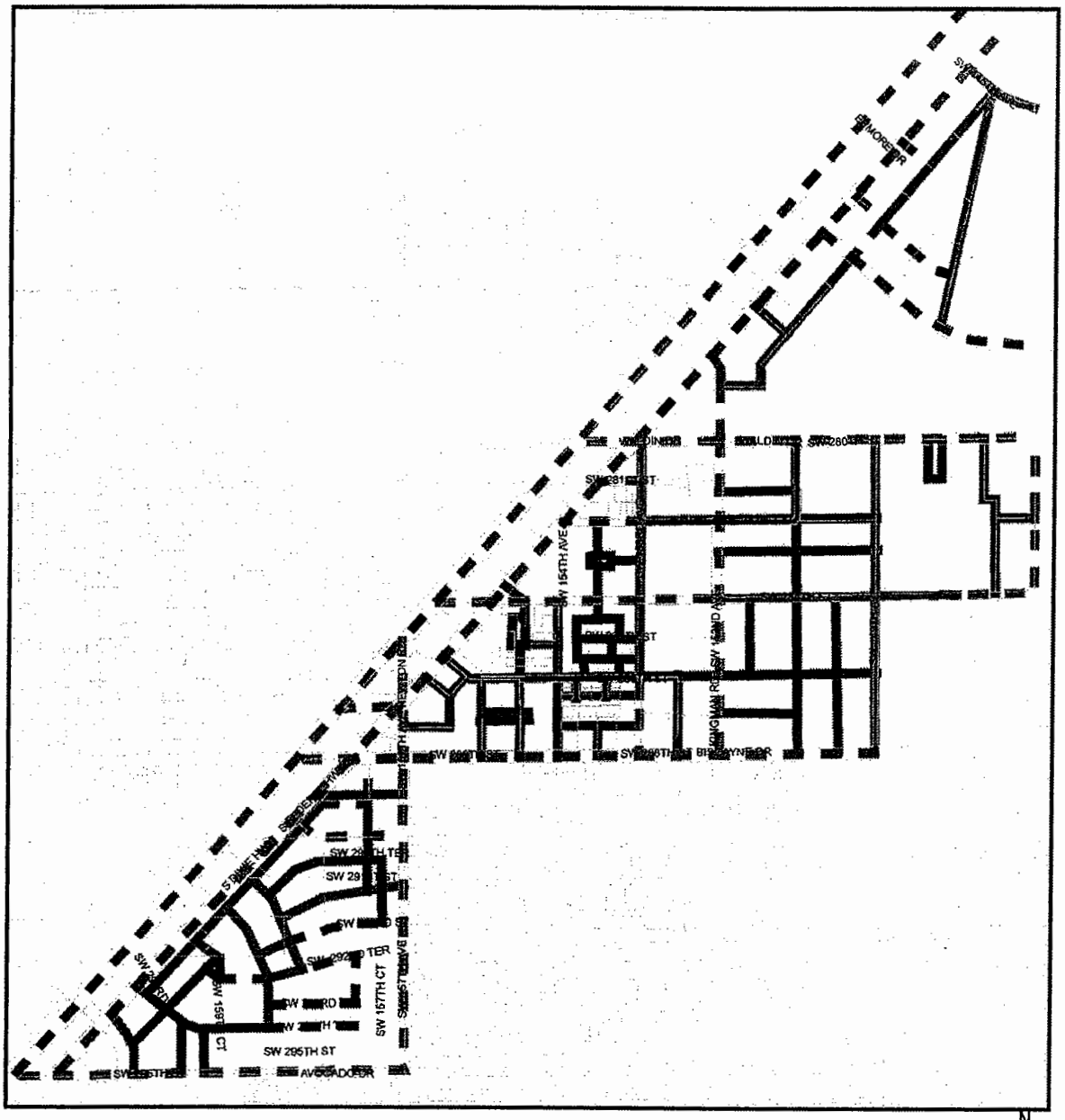
- Existing Parks
- Designated Open Space: G: Green; S: Square; P: Plaza
- Existing Water Bodies
- Street Vista
- Anchor Point

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	98,000	24.	G	42,500
3.	S	9,000	14.	G	12,000	25.	G	103,000
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.

G. New Street Dedications Plan

Leisure City Community Urban Center Regulating Plans



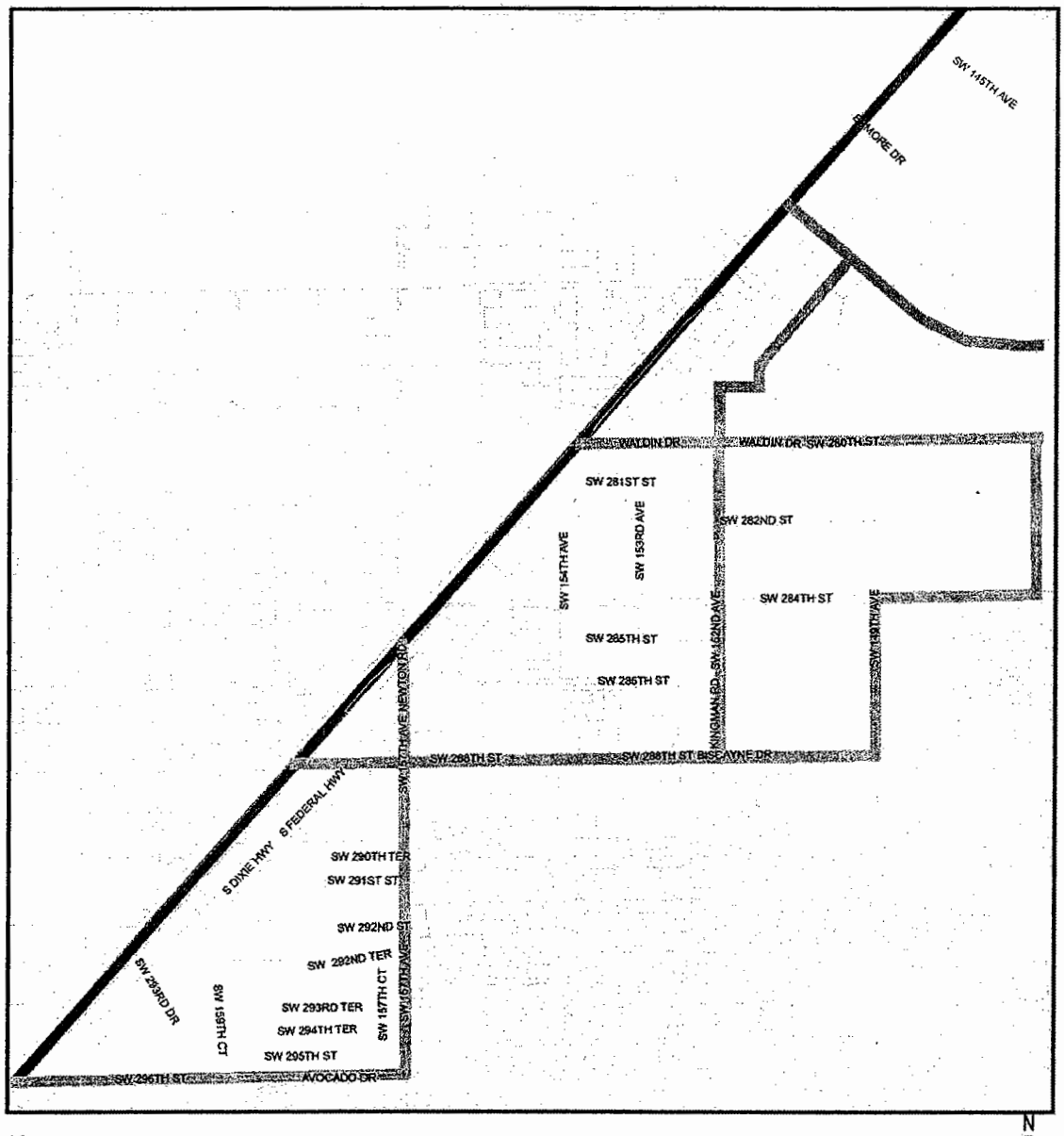
Key

New Streets

- New "A" Streets
- Existing "A" Streets
- New "B" Streets
- Existing "B" Streets

H. Bike Route Plan

Leisure City Community Urban Center Regulating Plans



Key

Bicycle Routes

South Dade Trail (Park and Recreation Greenway Plan)

Signage designating the above shown streets/corridors as bike routes shall be provided where appropriate

Sec. 33-284.99.36. Building Placement and Street Type Development Parameters.

A. All new development and redevelopment within the LCUC District shall comply with the Building Placement and Design Parameters as provided in section 33-284.85 of this code.

B. All new development and redevelopment within the LCUC District shall comply with the Street Type Parameters as provided herein:

Street type	**Minimum Required Configuration**
U. S. 1	As provided herein
Main Street/SW 280 Street	As provided in section 33-284.85 (Boulevard)
Boulevard	As provided in section 33-284.85
Minor Street	As provided in section 33-284.85
Service Road	As provided in section 33-284.85

C. Unless otherwise provided by the Building Placement and Design Parameters in section 33-284.85 of this code, the following front and side street setbacks shall be required for mixed-use development within the LCUC District:

Street Type	**Required Setback**		
	Core	Center	Edge
U.S. 1	0' * or 10'	10' or 15'	N/A
Main Street	0' *	10' ***	N/A
Boulevard	0' or 10'	0' or 10'	**
Minor Street	0' or 10'	10' or 15'	**
Service Road	**	**	**
Pedestrian Passage	**	**	**
Note: N/A = not applicable * colonnades required ** as provided in section 33-284.85 of this code *** if a colonnade is provided, the front setback shall be 0'			

FRONTAGE ROAD ALONG EAST SIDE OF U.S.1

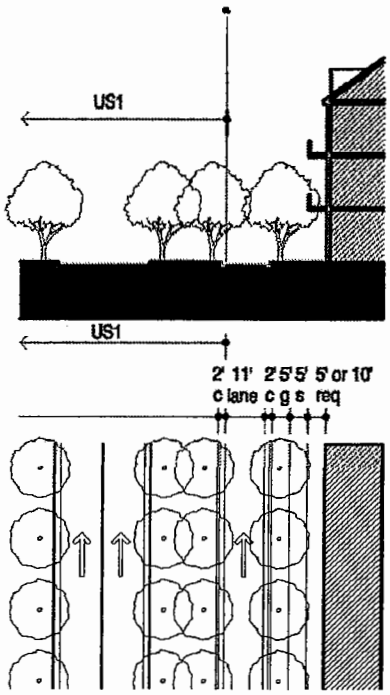
NORTH OF SW 293 ST.

STREET SECTION

As provided in the street types plan in section 33-284.35 of this code

Key:
s: sidewalk
g: green
c: curb and gutter
ln: lane
med: median
p: parking
bl: bike lane
col: colonnade
setb.: Setback
PL: property line
Min: Minimum
Max: Maximum
Req: Required
Ded: Dedication

------ Property Line



LANDSCAPE/ OPEN SPACE

Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article, except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in an 8' continuous landscape strip. Permanent irrigation shall be required.

PARKING

N/A

OTHER ELEMENTS

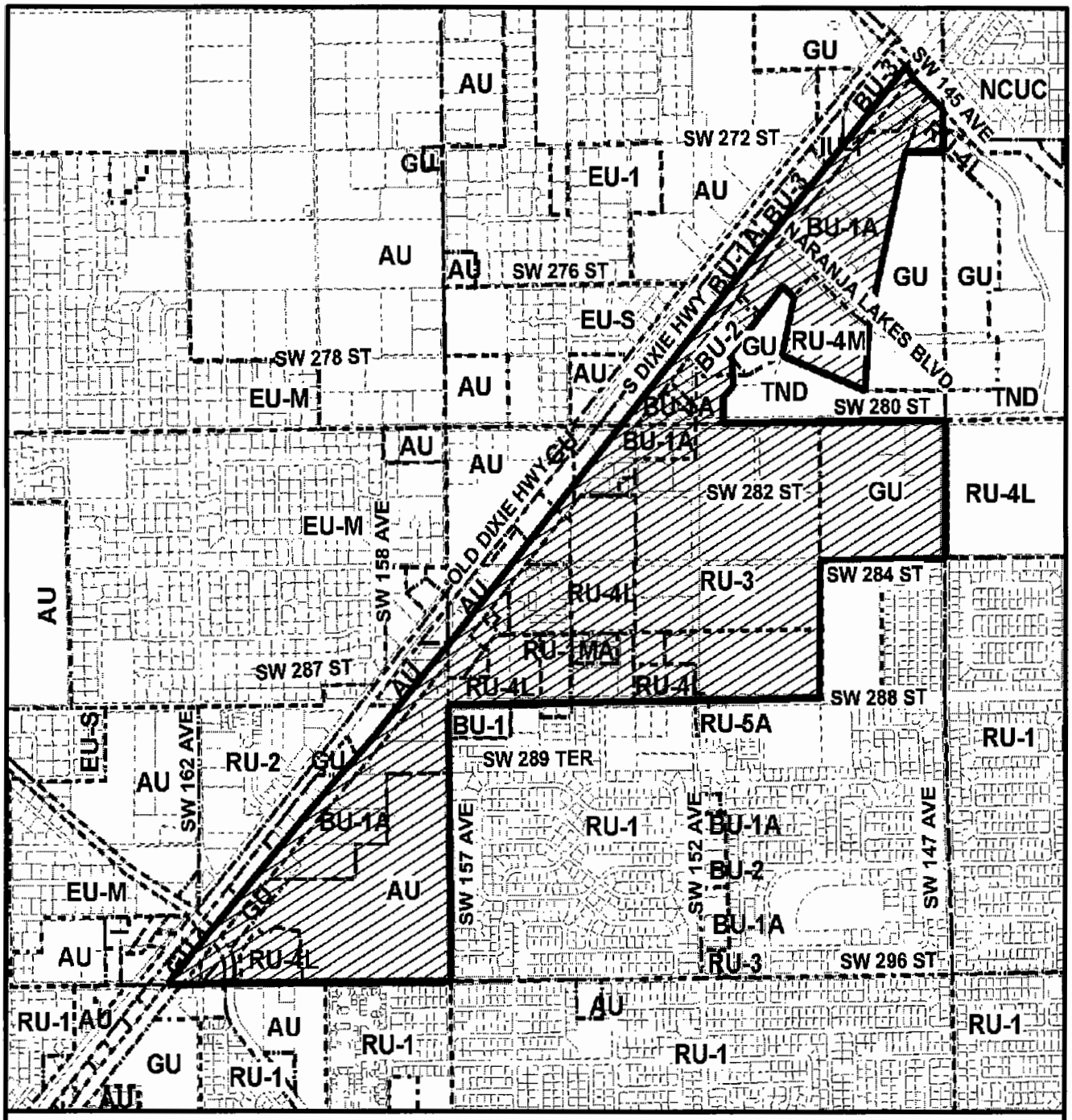
The front setback along US1 shall be hard surfaced, and weather protection elements shall be provided in the building facade when the build-to line is 10' from the property line. When the build-to line is 15' from the property line, the remaining 5' shall be landscaped.
Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.

Sec. 33-284.99.37. Conflicts with other Chapters and Regulations.

This article shall govern in the event of conflicts with other zoning, subdivision, or landscape regulations of this code, or with the Miami-Dade Department of Public Works Manual of Public Works.

Section 33-284.99.38. Non-conforming Structures, Uses, and Occupancies.

Nothing contained in this article shall be deemed or construed to prohibit a continuation of a legal nonconforming structure, use, or occupancy in the LCUC District that either: (1) was existing as of the date of the district boundary change on the property to LCUC District; or (2) on or before said date, had received final site plan approval through a public hearing pursuant to this chapter or through administrative site plan review or had a valid building permit. However, any structure, use, or occupancy in the LCUC District that is discontinued for a period of at least six months, or is superseded by a lawful structure, use, or occupancy permitted under this chapter, or that incurs damage to the roof or structure to an extent of 50 percent or more of its market value, shall be subject to section 33-35(c) of this code. However, a lawfully existing single-family home use that is discontinued for a period of at least six months or that incurs damage to the roof or structure to an extent of 50 percent or more of its market value, shall not be subject to section 33-35(c) of this code.



MIAMI-DADE COUNTY
HEARING MAP

Process Number
07-415

N

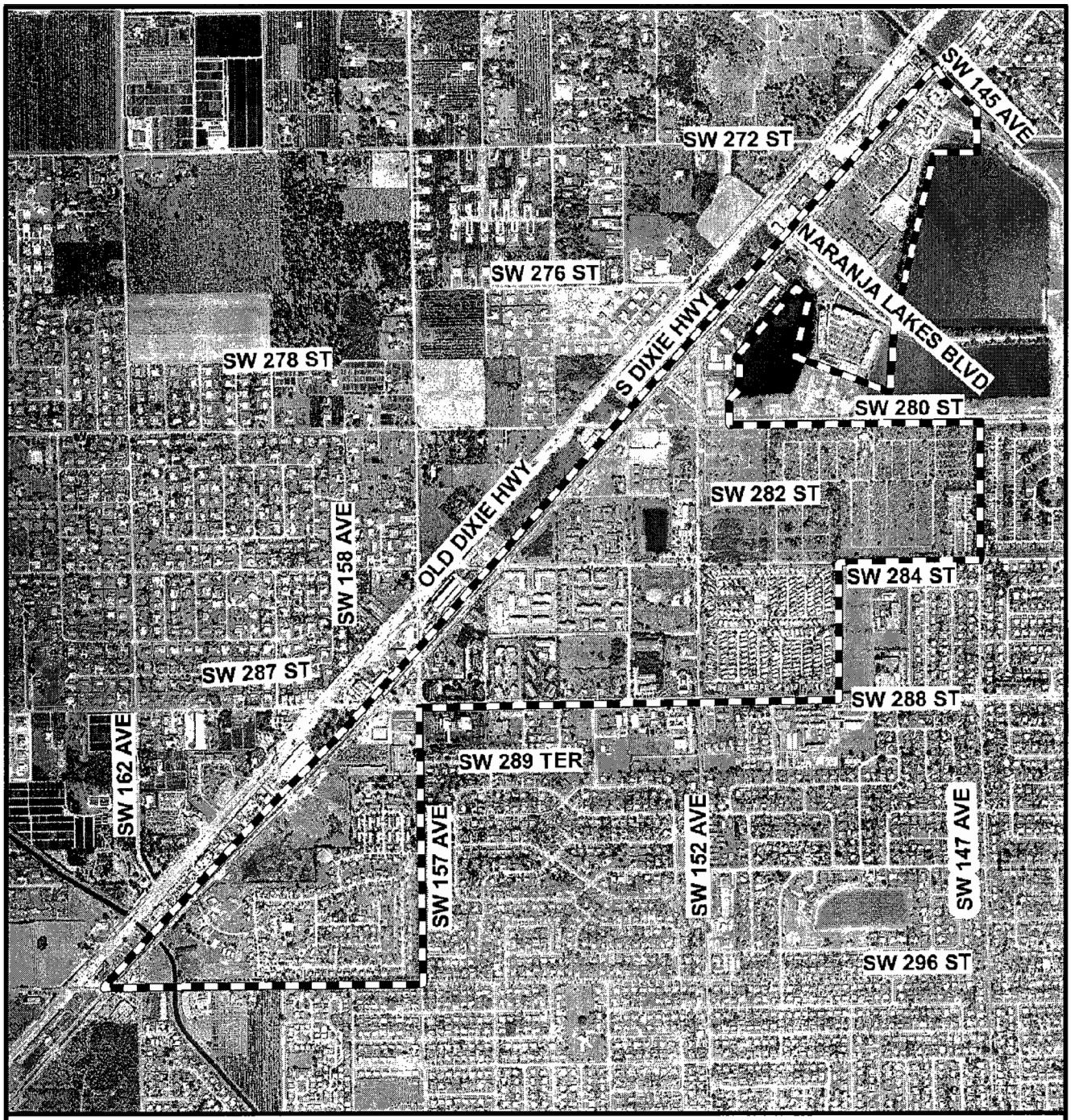
SUBJECT PROPERTY

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

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

C. THE DEPARTMENT OF PLANNING & ZONING **10-3-CC-2 (09-150)**
(Applicant) **BCC/District 12**
Hearing Date: 05/06/10

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
1977	Juliann Anderson	- Unusual Use for watchmans quarters.	ZAB	Approved w/conds.
1997	Felix Reality Co.	- DRI.	BCC	Approved w/conds.
1997	Felix Reality Co.	- Zone change from AU to BU2 & IU-1. - Special Exception to permit shopping center. - Unusual Use for amusement rides, lake excavation, generator bldg. - Non-Use Variance of zoning regulations.	BCC	Approved on a modified basis
1998	Beacon Tradeport Assoc.	- To make sub development. - Modification of condition #26 of resolution. - Delete portion of a legal description.	BCC	Approved w/conds
1998	Beacon Tradeport Assoc.	- Deletion of conditions of resolution. - Deletion portion of a legal description.	BCC	Approved w/conds.
1998	Beacon Tradeport Assoc.	- To make sub development. - Modification of condition #26 of resolution. - Delete portion of a legal description.	C09	Recommended for Approval
1998	Beacon Tradeport Assoc.	- Deletion of conditions of resolution and legal description.	C09	Recommended for Approval
1998	Beacon Tradeport Assoc.	- To make sub development. - Modification of conditions of resolution.	C09	Recommended for Approval
1999	Beacon Tradeport Assoc.	- To make sub development. - Modification of conditions of resolution & declaration of restrictions. - Unusual Use for entrance feature. - Non-Use Variance of sign.	BCC	Approved w/conds.
1999	Director of Miami Dade Dept. of P&Z	- To make sub development. - Modification of conditions of resolution.	C09	Recommended Approval on a modified basis
1999	Director of Miami Dade Dept. of P&Z	- To make sub development. - Modification of conditions of resolution.	BCC	Approved on a modified basis

1999	Beacon Tradeport Assoc.	- To make sub development. - Modification of conditions of resolution.	BCC	Approved w/conds.
2000	Beacon Tradeport Assoc.	- Modification of conditions of resolution & declaration of restrictions. - Unusual Use for entrance feature. - Non-Use Variance of sign, zoning regulations.	BCC	Approved on a modified basis
2001	Beacon Tradeport Assoc.	- To make sub development. - Modification of conditions of resolution. - Unusual Use to permit a power substation. - Non-Use Variance of zoning regulations.	BCC	Approved w/conds.
2001	Beacon Tradeport Assoc.	- To make sub development. - Modification of conditions of resolution & declaration of restrictions. - Unusual Use to permit a power substation. - Non-Use Variance of zoning regulations.	C09	Recommended for Approval
2004	Lightspeed at Beacon Tradeport LLC, ET AL	- To make sub development. - Modification of conditions of resolution & declaration of restrictions.	BCC	Approved w/conds.
2005	Lightspeed @ Beacon Tradeport LLC	- Modification of conditions of resolution.	C10	Approved w/conds.
2005	Lightspeed @ Beacon Tradeport (DEV)LLC, ET AL	- To make sub development. - Modification of conditions of resolution & declaration or restrictions. - Deletion of legal description.	C10	Approved w/conds.
2005	Lightspeed @ Beacon Tradeport LLC	- To make sub development. - Modification of conditions of resolution. - Deletion of legal description.	BCC	Approved w/conds.
2005	Lightspeed at Beacon Tradeport (DEV)LLC, ET AL	- Modification of conditions of resolution & declaration or restrictions. - Deletion of legal description.	BCC	Approved w/conds.
2006	Dolphin Mall Associates Limited Partnership, ET AL	- Modification of conditions of resolution & declaration or restrictions. - Special exception to permit residential. - Unusual Use to permit outdoor display. - Non-Use Variance of setback. - Non-Use Variance of zoning regulations, signage. - Zone change from BU2 to BU3. - Non-Use Variance of lot coverage, FAR, number of signs.	C10	Approved w/conds.

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

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: March 18, 2010 **#Z-**

ITEM: 1.

APPLICANT: THE DEPARTMENT OF PLANNING AND ZONING (10-3-CC-2/09-150)

ACTION: Deferred to May 6, 2010

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				X
Edmonson		X		
Gimenez		X		
Heyman	M	X		
Jordan		X		
Martinez				X
Rolle	S	X		
Seijas				X
Sorenson		X		
Sosa				X
Souto				X
Vice Chairman Diaz				X
Chairman Moss		X		
TOTAL		7	0	6

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

APPLICANT: Department of Planning and Zoning **PH:** 09-150 (10-3-CC-2)

SECTION: 31-53-40 **DATE:** May 6, 2010

COMMISSION DISTRICT: 12 **ITEM NO.:** C

==========

A. INTRODUCTION

o REQUEST SUMMARY

The purpose of the requests is to allow the applicant to modify the buildout date and other dates for the Beacon Tradeport Development of Regional Impact.

o REQUESTS:

(1) MODIFICATION of Condition #57 and #60 of Resolution Z-33-97, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "57. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (March 20, 2004) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to this development order, are hereby found to meet concurrency standards set forth in Comprehensive Development Master Plan Ordinance No. 89-66 and Chapter 33G of the Dade County Code and A.O. 4-85 (concurrency regulations) as amended from time to time and to be consistent with local development regulations so long as the Developer is developing in compliance with the terms and conditions of this Development Order. Furthermore, Dade County shall not issue any subsequent development orders as defined in §33G-3(2) Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) the actual impacts of any portion of the Project previously constructed are greater than those projected in the ADA; and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this amended DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not issue unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency standards as determined by the County. The issuance of development orders which have been found to be pursuant to Chapter 2-114, 33-315 or 33-316 of the Code of Metropolitan Dade County, as adopted pursuant to Section 163.3167(8) Florida Statutes, shall not be considered for purposes of determining concurrency as to this project, nor shall this Development

Order be construed or applied to prohibit the issuance of said Development orders under any circumstances. However, modifications or changes to this Development Order regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs including but not limited to the recognition of trips previously vested which are permitted or complete."

TO: "57. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (March 17, 2014) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to this development order, are hereby found to meet concurrency standards set forth in Comprehensive Development Master Plan Ordinance No. 89-66 and Chapter 33G of the Miami-Dade County Code and A.O 4-85 (concurrency regulations) as amended from time to time and to be consistent with local development regulations so long as the Developer is developing in compliance with the terms and conditions of this Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in §33G-3(2) Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) the actual impacts of this project and other committed development are greater than those projected in the ADA, and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not be issued unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency standards as determined by the County. The issuance of development orders which have been found to be vested pursuant to Chapter 2-114, 33-315 or 33-316 of the Code of Miami-Dade County, as adopted pursuant to §163.3167(8) Florida Statutes, shall not be considered for purposes of determining concurrency as to this project, nor shall this Development Order be construed or applied to prohibit the issuance of said Development Orders under any circumstances. However, modifications or changes to this Development Order regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs including but not limited to the recognition of trips previously vested which are permitted or complete."

FROM: "60. The deadline for commencement of physical development shall be one year from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in s. 380.04, F.S. The termination date for completing physical development shall be March 20, 2004. The termination date may only be modified in accordance with §380.06(19)(c), F.S."

TO: "60. The deadline for commencement of physical development shall be one year from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in s. 380.04, F.S. The termination date for completing physical development shall be March 17, 2014. The termination date may only be modified in accordance with §380.06(19)(c), F.S."

(2) MODIFICATION of Condition #59 and #61 of Resolution Z-33-97, last modified by Z-1-04, both resolutions passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "59. March 18, 2009 is hereby established as the buildout date for this project and is the date until which the County agrees that the Beacon TradePort Development of Regional Impact shall not be subject to down-sizing, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the applicant, or that the change is clearly essential to the public health, safety or welfare."

TO: "59. March 17, 2014 is hereby established as the buildout date for this project and is the date until which the County agrees that the Beacon TradePort Development of Regional Impact shall not be subject to down-sizing, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the applicant, or that the change is clearly essential to the public health, safety or welfare."

FROM:"61. March 18, 2014, is hereby established as the expiration date for the development order."

TO:"61. March 17, 2019, is hereby established as the expiration date for the development order."

- **SUMMARY OF REQUESTS:**

  The applicant is requesting modifications to previously approved Development Orders for Beacon Tradeport Development of Regional Impact in order to extend the buildout, termination and expiration dates.

- **LOCATION:** Lying between NW 12 Street and NW 25 Street and between 111 Avenue and NW 117 Avenue, Miami Dade County, Florida.

- **SIZE:** 324.5 Acres

B. ZONING HEARING HISTORY:

On March 24, 1997, the Board of County Commissioners (BCC) adopted Resolution #Z-33-97, the Development of Regional Impact Development Order (the D.O.), approving an industrial/retail service development. On the same day, the BCC passed and adopted Resolution #Z-33A-97 (the zoning resolution) approving a zone change from AU, Agricultural District to BU-2, Special Business District; AU to IU-1 Light Industrial District; a special exception for site plan approval for a proposed shopping center and industrial/warehouse development; an unusual use request to permit an outdoor amusement enterprise and an amusement center; an unusual use for a lake excavation; a special exception of height requirements; and companion variances of zoning regulations.

On July 21, 1998, the BCC passed and adopted Resolution #Z-19-98 which modified conditions of Resolution #Z-33-97 which allowed the developer to obtain building permits prior to certain previously agreed on road improvements and also permitted the deletion of a portion of the subject property from the legal description because it had been acquired by the Florida Department of Transportation (FDOT). Resolution Z-20-98 allowed the deletion of the acquired FDOT parcel from the legal description.

On January 21, 1999, a substantial deviation determination was made which granted the applicant's requests to increase the commercial square footage and decrease the warehouse use and modify the language for the construction of a roadway, pursuant to Resolution #Z-2-99. In addition, pursuant to Resolution #Z-3-99 the applicant was permitted to submit revised plans. In July 1999, pursuant to Resolutions #Z-22-99 and #CZAB9-28-99 substantial deviation determinations were made that permitted the County and the applicant to exchange responsibility for construction of portions of NW 12th Street. In June 2000, pursuant to Resolution #Z-20-00, the BCC approved a modification of the approved site plans, an unusual use to permit 3 entrance features, various non-use variance of sign regulations, a non-use variance to permit commercial uses to be located outside of an enclosed building and consumption of alcohol beverages on the site.

In August and November 2001, pursuant to Resolutions #Z-19-01 and #CZAB9-17-01 substantial deviation determinations were made which allowed the applicant to modify a previous approved DRI DO to include a telecommunications hub and submit revised plans for the signage of the Dolphin Mall. In 2004, pursuant to Resolution #Z-01-04, the BCC made a

substantial deviation determination which approved the requested modification of previously imposed conditions of a DRI and a covenant to include a new industrial master plan reflecting the inclusion of manufacturing and furniture merchandise mart uses; and provided a time extension for the County's construction segment of NW 12th Street; and extended the build out date and DO expiration date.

In July 2005, pursuant to Resolution #CZAB10-51-05, modifications were approved which allowed the applicant to submit a revised master plan showing revised building configurations for the industrial site. In 2005, pursuant to Resolutions #CZAB10-87-05, #Z-33-05 and #Z-33A-05 substantial deviation determinations were made and modifications approved that revised and updated equivalency matrix tables reflecting the simultaneous increase and decrease of office, warehouse and manufacturing uses within the Development Program and permitted the applicant to update and revise the site plan.

Resolution #CZAB10-16-06 approved various modifications which allowed an expansion to the Dolphin Mall retail area, outdoor boat display, outdoor carwash areas, boat storage area in the industrial zoned portion of the mall, a new hotel, areas for special events and to permit additional signage. In addition, the resolution required that any future amendments, modifications or releases covering the mall property be signed by the mall property owners only and amendments, modifications or releases covering the industrial property be signed by the industrial property owners only. The resolution also granted a district boundary change from BU-2, Special Business District to BU-3, Liberal Business District, various non-use variances, an unusual use to permit outdoor displays for special events and a special exception to permit a hotel in the BU-2 zone.

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the southern portion of the subject property as being within the Urban Development Boundary for **Business and Office** use. 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. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways.

   In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous

material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.

The Adopted 2015 and 2025 Land Use Plan designates the northern portion of the subject property as being within the Urban Development Boundary for **Industrial and Office use.** Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility, plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations and cell towers is also allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Freestanding retail and personal services 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.

Freestanding 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.

The Adopted 2015 and 2025 Land Use Plan designates the northwest corner of the subject property as being within the Urban Development Boundary for **Restricted Industrial and Office use.** Industrial and Office areas designated as "Restricted" are areas where the range of uses and design of facilities are governed by special groundwater protection regulations. This category primarily affects "wellfield protection areas" designated in the Miami-Dade County Code (Chapter 24, Code of Miami-Dade County). The boundaries of the "Restricted" areas shall be periodically reviewed and amended as necessary to maintain consistency with wellfield protection area boundaries provided by Chapter 24, Code of Miami-Dade County.

Development in Restricted Industrial and Office areas should generally be limited to office uses, but certain business, warehousing and manufacturing uses may be permitted, provided

that the use employs best management practices, and the use does not involve the onsite use, handling, storage, manufacture or disposal of hazardous materials or waste as defined in Chapter 24 of the County Code. Provisions of the "Industrial and Office" category which allow and limit residential and business uses, TNDs and hotels also apply to the Restricted category. Quarrying and environmentally compatible ancillary uses may also be approved in these areas. The inclusion of this Restricted category on the LUP map does not preclude the application of these or similar use limitations to other land contained in the Industrial and Office or any other land use category where necessary to protect groundwater resources.

2. **Objective LU-1.** The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

3. **Policy LU-1B.** Major centers of activity, industrial complexes, regional shopping centers, large-scale office centers and other concentrations of significant employment shall be the structuring elements of the metropolitan area and shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.

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

5. **Policy LU-4A.** When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
IU-1, BU-2 and BU-3; warehouse/offices and Dolphin Mall	Business and Office, Industrial and Office, Restricted Industrial and Office

Surrounding Properties:

NORTH:	GU and IU-1; private schools, office warehouses	Restricted Industrial and Office (westerly side of GU property) and Industrial and Office on the balance
SOUTH:	BU-2 and GU; lake and Florida Highway Patrol offices	Transportation
EAST:	IU-2 and GU; warehouses and lake	Industrial and Office
WEST:	GU; Homestead Extension of Florida Turnpike and interchange	Transportation

E. SITE AND BUILDINGS:

Site Plan Review: (No plans submitted)

F. PERTINENT REQUIREMENTS/STANDARDS:

Florida Statutes §380.06(19) Developments of Regional Impact-Substantial Deviation
The term "development of regional impact," as used in this section, means any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

(a) Any proposed change to a previously approved development which creates a reasonable likelihood of additional regional impact, or any type of regional impact created by the change not previously reviewed by the regional planning agency, shall constitute a substantial deviation and shall cause the proposed change to be subject to further development-of-regional-impact review. There are a variety of reasons why a developer may wish to propose changes to an approved development of regional impact, including changed market conditions. The procedures set forth in this subsection are for that purpose.

(b) Any proposed change to a previously approved development of regional impact or development order condition which, either individually or cumulatively with other changes, exceeds any of the following criteria shall constitute a substantial deviation and shall cause the development to be subject to further development-of-regional-impact review without the necessity for a finding of same by the local government:

(c) An extension of the date of buildout of a development, or any phase thereof, by more than 7 years shall be presumed to create a substantial deviation subject to further development-of-regional-impact review. An extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years shall be presumed not to create a substantial deviation. The extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a

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

Senate Bill 360, 2009 Florida Legislative Session, Section 14 Community Renewal Act (1) Except as provided in subsection (4), and in recognition of 2009 real estate market conditions, any permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373, Florida Statutes, that has an expiration date of September 1, 2008, through January 1, 2012, is extended and renewed for a period of 2 years following its date of expiration. <u>This extension includes any local government-issued development order or building permit. The 2-year extension also applies to build out dates including any build out date extension previously granted under s. 380.06 (19) (c), Florida Statutes. This section shall not be construed to prohibit conversion from the construction phase to the operation phase upon completion of construction.</u>

(2) The commencement and completion dates for any required mitigation associated with a phased construction project shall be extended such that mitigation takes place in the same timeframe relative to the phase as originally permitted.

(3) The holder of a valid permit or other authorization that is eligible for the 2-year extension shall notify the authorizing agency in writing no later than December 31, 2009, identifying the specific authorization for which the holder intends to use the extension and the anticipated timeframe for acting on the authorization.

(4) The extension provided for in subsection (1) does not apply to:

(a) A permit or other authorization under any programmatic or regional general permit issued by the Army Corps of Engineers.

(b) A permit or other authorization held by an owner or operator determined to be in significant noncompliance with the conditions of the permit or authorization as established through the issuance of a warning letter or notice of violation, the initiation of formal enforcement, or other equivalent action by the authorizing agency.

(c) A permit or other authorization, if granted an extension, that would delay or prevent compliance with a court order.

(5) Permits extended under this section shall continue to be governed by rules in effect at the time the permit was issued, except when it can be demonstrated that the rules in effect at the time the permit was issued would create an immediate threat to public safety or health. This provision shall apply to any modification of the plans, terms, and conditions of the permit that

lessens the environmental impact, except that any such modification shall not extend the time limit beyond 2 additional years.

(6) Nothing in this section shall impair the authority of a county or municipality to require the owner of a property, that has notified the county or municipality of the owner's intention to receive the extension of time granted by this section, to maintain and secure the property in a safe and sanitary condition in compliance with applicable laws and ordinances.

Section 33-309 For property that is the subject of a DRI development order that was under active construction as of July 1, 2007, the Director shall file an application to extend the buildout date, and phasing deadlines contained in such development order for the maximum period of time declared by state law not to constitute a substantial deviation from the existing development order, provided that the owner of the property consents to the application and that funds sufficient to pay the costs of advertising and notice as required under Section 33-310 of this code, or sufficient security for such sums, have been provided by or on behalf of the property owner.

Section 33-311(A)(7) (Generalized Modification Standards). The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No comment**
MDT	**No comment**
Fire Rescue	**No objection**
Water and Sewer	**No comment**
Solid Waste	**No comment**
Aviation	**No comment**

H. ANALYSIS

This application was deferred from the March 18, 2010 Board of County Commissioners (BCC) meeting at the Department of Planning and Zoning request. The applicant is seeking an extension of the buildout, expiration and termination dates for a previously approved DRI. The application is modifying Condition #57 which references concurrency and Condition #60 of Resolution #Z-33-97 which references the termination date for completing physical development. In addition, Condition #59 and #61 are being modified to extend the buildout date from March 18, 2009 to March 17, 2014 and Condition #61 is extending the expiration date from

March 18, 2014 to March 17, 2019. To better understand this application it should be noted that Conditions #57 and #60 which have 2004 dates were inadvertently not modified when the Board of County Commissioners adopted Resolution #Z-1-04 which changed the buildout date and expiration dates of the DRI to March 2014. Conditions #57 and #60 also reference the buildout date established in the development order but do not actually establish the buildout date. However, in order to make Paragraphs #57 and #60 internally consistent, the dates in those paragraphs should match the date in Paragraph #59. It is now being modified to correct the previous oversight, though Section 380.06(19)(c) states that any extension of the buildout date a project of a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for Business and Office (south), Industrial and Office (north) and Restricted Industrial and Office (northwest) use. Uses allowed in both of these categories include the full range of sales and service activities including retail, wholesale, personal and professional services, commercial and professional offices, manufacturing operations, warehouses, hospitals, public facilities, medical buildings, the full range of telecommunication facilities, hotels and motels. **Staff notes that this application is not changing the current use or density and is only seeking a new build-out date, termination and expiration dates.** Therefore, staff opines that the application is **consistent** with the LUP map of the CDMP.

The applicant has submitted documentation including building permit receipts and other evidence that is contained in the record, indicating that the DRI was under active construction on July 1, 2007. Under the 2008 amendment to Section 380.06 (19) projects under active construction on July 1, 2007 are eligible for a three year extension without further DRI review. Staff opines that the application is not requesting increased densities, does not necessitate further infrastructure improvements and since the subject property abuts the turnpike and is nearby underdeveloped land there will have minimal impacts to the surrounding community. Noting the aforementioned, staff is supportive of the time extension request.

In addition to the three year extension requested pursuant to Section 380.06(19), the applicant has requested an additional two years pursuant to the recently passed Senate Bill 360 and Miami-Dade County Ordinance 09-76. Senate Bill 360, from 2009, provides an additional 2-year extension for such projects that are eligible without further DRI review. The bill states that in recognition of 2009 real estate market conditions, any permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373, Florida Statutes, that has an expiration date of September 1, 2008, through January 1, 2012, is extended and renewed for a period of 2 years following its date of expiration. This extension includes any local government-issued development order or building permit. The 2-year extension also applies to build out dates including any buildout date extension previously granted under s.380.06 (19) (c), Florida Statutes. In September 2009, the Miami-Dade Board of County Commissioner passed Ordinance 09-76 which provides for the extension of the buildout and expiration dates, and phasing deadlines for the maximum period of time declared by state law not to constitute a substantial deviation from the existing development order for those project under construction as of July 1, 2007. The applicant has paid the costs of advertising

and notice as required by the ordinance and Section 33-310 of the Code. The buildout date for the DRI is March18, 2009 which meets the criteria stated in Senate Bill 360. Additionally, as previously noted, the extension of the buildout date does not change the land use or intensity of the DRI and will have minimal additional impacts to the surrounding community. Based on the aforementioned, **staff recommends approval of requests #1 and #2, which would allow the buildout extension for three years under Section 380.06(19) and an additional two years under Senate Bill 360 for a total of five years until March 17, 2014 and March 17, 2019.**

The Department of Environmental Resources Management **(DERM) does not object** to this application. The Miami-Dade Fire and Rescue Department **(MDFR) does not object** to this application and their memorandum indicates that the average travel time is **7:05 minutes**. The Public Works Department **(PWD) does not object** to this application, and indicates that the application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned.

When requests #1 and #2, to modify Condition #57 and #60 of Resolution Z-33-97 (request #1) and to modify Condition #59 of Resolution #Z-33-97 and last modified by Z-1-04 (request #2) are analyzed under the General Modification Standards, Section 33-311(A)(7), in staff's opinion, the proposed modification will not adversely impact the surrounding area and will be **compatible** with same. The purpose of this request is to allow the applicants to modify the previously approved condition of the development order to extend the buildout, termination and expiration dates. Staff notes that modifying Conditions #57, #59, 60 and #61 of Resolutions #Z-33-97 and #Z-1-04 does not increase the already approved entitlements and, as such, would have a minimal impact the surrounding area, generate excessive traffic, tend to create or to provoke a nuisance, be incompatible with the area, nor be contrary to the public interest. When considering the necessity for and the reasonableness of the proposal in relation to the surrounding area and the compatibility of said use with the area and its development, staff is of the opinion that the modification will not have an unfavorable effect on same and will not be contrary to the public interest. Staff notes that there have been no significant changes in the area and the impacts have not changed. The subject property abuts the turnpike and is nearby underdeveloped land. Therefore, staff recommends approval with conditions of the modification of Conditions #57, #59 and #60 and #61 of Resolutions #Z-33-97 and #Z-1-04 under Section 33-311(A)(7) (Generalized Modification Standards).

I. RECOMMENDATION:

Approval with conditions.

J. CONDITIONS:

1. That all remaining conditions of Resolutions No. Z-33-97 and Z-1-04 as previously amended remain in full force and effect except as herein modified.

2. That the Applicant comply with all applicable requirements, recommendations, requests and other provisions of the various Departments as contained in the departmental memoranda which are part of the record of this recommendation incorporated herein by reference.

DATE TYPED: 1/14/10
DATE REVISED: 1/15/10, 3/09/10, 3/22/10
DATE FINALIZED: 4/16/10
MCL:GR:NN:JV:CI

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

NDN

Memorandum

MIAMI-DADE COUNTY

Date: October 27, 2009

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

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

Subject: C-10 #Z2009000150
Dept. of Planning and Zoning
N.W. 112th Avenue and N.W. 12th Street
Request to Extend the DRI Build Out Date Dolphin Mall/Beacon Trade Port/Dolphin Commerce Center Industrial Park
(BU-2) (324.5 Acres)
31-53-40

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

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable Level of Service (LOS) standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

PH# Z2009000150
CZAB - BCC

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: THE DEPARTMENT OF PLANNING & ZONING

This Department has no objections to this application.

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

Raul A Pino, P.L.S.
02-DEC-09

Memorandum

Date: 09-NOV-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2009000150

Fire Prevention Unit:

Not applicable to Fire Engineering & Water Supply Bureau site requirements.

Service Impact/Demand

Development for the above Z2009000150
located at N.W. 112 AVENUE & N.W. 12 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1203 is proposed as the following:

N/A 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: N/A alarms-annually.
The estimated average travel time is: 7:05 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 29 - Sweetwater - 351 SW 107 Avenue
Rescue, ALS 75' Ladder, Squad, Battalion

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 05-MAR-10

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

THE DEPARTMENT OF PLANNING & ZONING	LYING BETWEEN N.W. 12 STREET & N.W. 25 STREET & AND BETWEEN NW 111 AVENUE & NW 117 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**
Z2009000150	
HEARING NUMBER	

HISTORY:

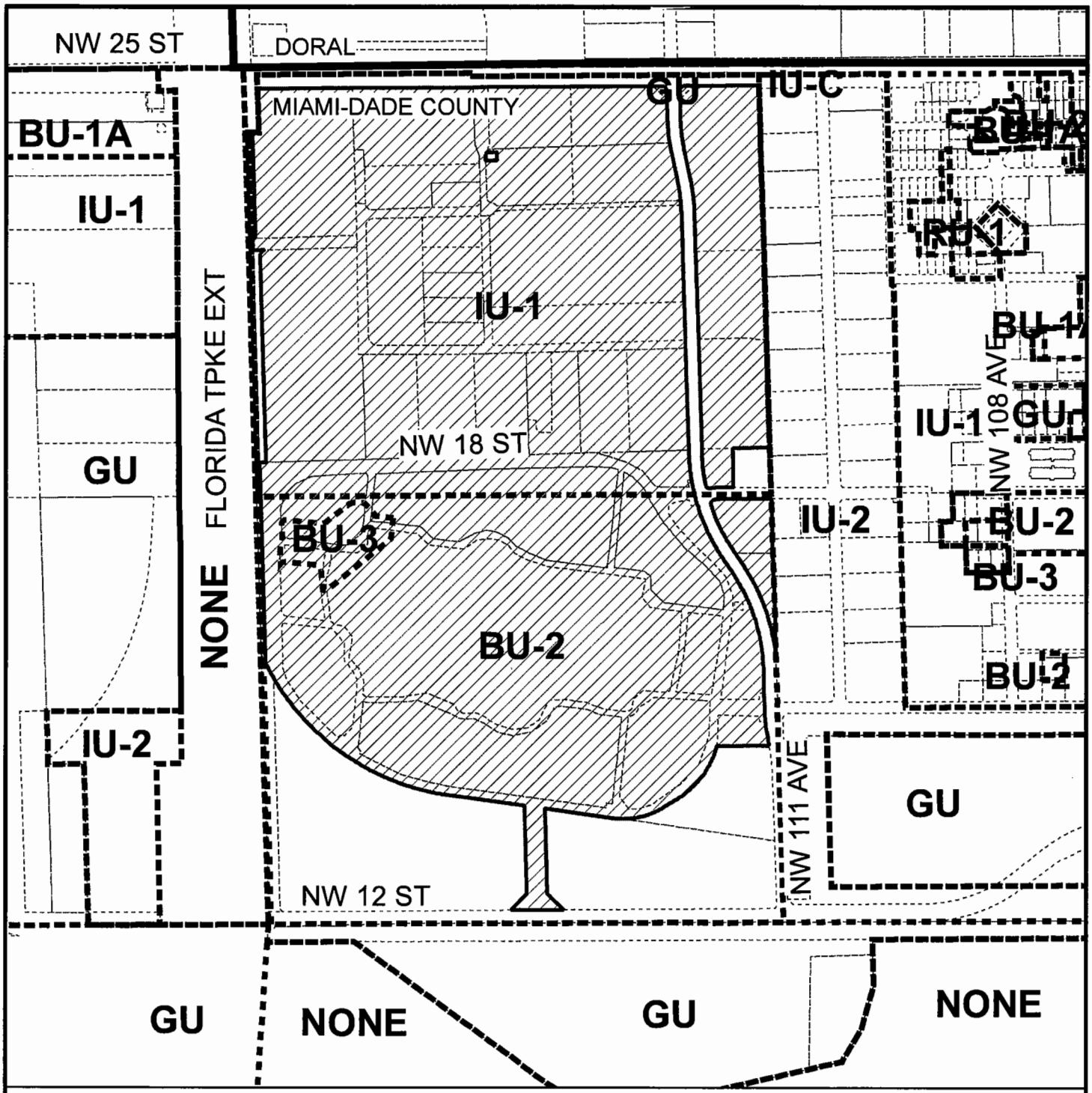
NC: NO ZONING VIOLATIONS FOUND
BLDG: NO BUILDING VIOLATIONS FOUND

THE DEPARTMENT OF PLANNING AND ZONING

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

REPORTER NAME:

UNKNOWN



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2009000150

Legend
Zoning
Subject Property Case

N
W E
S

Section: 31 Township: 53 Range: 40
Applicant: THE DEPARTMENT OF PLANNING & ZONING
Zoning Board: BCC
Commission District: 12
Drafter ID: ALFREDO FERNANDEZ-CUETO
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, March 10, 2010

REVISION	DATE	BY
		21

MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2009000150

Legend

Subject Property

N
W E
S

Section: 31 Township: 53 Range: 40
Applicant: THE DEPARTMENT OF PLANNING & ZONING
Zoning Board: BCC
Commission District: 12
Drafter ID: ALFREDO FERNANDEZ-CUETO
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, March 10, 2010

REVISION	DATE	BY

1. ARMANDO GARCIA
(Applicant)

10-5-CC-1 (08-212)
BCC/District 9
Hearing Date: 05/06/10

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
1970	Dade County Development Co.	- Use Variance temporary building. - Special Exception waive property frontage on public road. - Non-Use Variance wall requirement.	ZAB	Approved on a temporary basis.
1972	Context Development Co.	- Use Variance temporary use of building. - Variance permit building frame construction permit use without walls.	BCC	Appeal Denied, Application Approved.
1972	Context Development Co.	- Use Variance temporary use of building. - Variance permit building frame construction permit use without walls.	ZAB	Approved on a temporary basis.
1977	Nona K. McAllister and Tal T. Leonard	- Unusual Use watchman's quarters. - Unusual Use & Use Variance permit fruit & vegetable stand. - Variance zoning regulation permit standing & parking in Right-Of-Way. - Variance of setback. - Variance parking on gravel.	ZAB	Approved on a temporary basis.
1985	Nona McAllister and Tal Leonard	- Unusual Use watchman's quarters. - Unusual Use & Use Variance permit fruit & vegetable stand. - Variance zoning regulation permit standing & parking in Right-Of-Way. - Variance of setback. - Variance parking on gravel.	ZAB	Approved on a temporary basis.
1987	Armando Garcia	- Unusual Use watchman's quarters. - Non-Use Variance continue use of greenhouse & setback requirements.	ZAB	Approved w/conds.

1992	Armando Garcia	-Zone change from GU to BU-1. - Non-Use Variance of zoning regulations requiring all uses inside buildings. - Non-Use Variance of sign regulation. - Non-Use Variance prohibiting structures in Right-Of-Way. - Non-Use Variance of setbacks. - Non-Use Variance parking on gravel without parking stumps.	BCC	Approved w/conds.
2004	Primeco Personal Wireless & Armando Garcia	- Unusual Use cell tower. - Special Exception barb wire fence.	C11	Withdrawn without Prejudice.

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

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

APPLICANTS: Armando Garcia **PH:** Z08-212(10-5-BCC-1)

SECTION: 30-55-39 **DATE:** May 6, 2010

COMMISSION DISTRICT: 9 **ITEM NO.:** 1

==========

A. INTRODUCTION

o REQUESTS:

(1) MODIFICATION of Condition #2 of Resolution #Z-49-92, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Plot Plan – Fruit Stand for Mr. Armando Garcia,' dated revised 2-5-92 and 'Proposed Rezoning from AU to BU-1,' dated revised 2-4-92, both plans prepared by J. Efrain Arguelles, Architect."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Fruit & Vegetable Stand, as prepared by AJT, consisting of 3 sheets and dated stamped received 7/30/09 with Sheet 1 dated last revised 03/22/10."

(2) MODIFICATION of Paragraph #2 of the Declaration of Restrictions recorded in Official Record Book 15506, Pages 2008-2014, reading as follows:

FROM: "2. Specification of Plans. The Property will be developed substantially in accordance with the spirit and intent of the plans previously submitted, prepared by J. Efrain Arguelles, Architect, entitled 'Plot Plan – Fruit Stand for Mr. Armando Garcia,' dated revised 2-5-92 and 'Proposed Rezoning from AU to BU-1,' dated revised 2-4-92, and consisting of 1 page each (the 'Plans'), said plans being on file with the Dade County Building and Zoning Department, and by reference made a part of this Declaration."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Fruit & Vegetable Stand, as prepared by AJT, consisting of 3 sheets and dated stamped received 7/30/09 with Sheet 1 dated last revised 03/22/10."

(3) MODIFICATION of Condition #13 of Resolution No. Z-49-92, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: 13. That only the food preparation on site shall be the juicing of fresh fruits."

TO: "13 Notwithstanding the BU-1 zoning classification on the property, the use of the property shall be limited to the sale of the following: (1) fruit; (2) vegetables; (3) juices/shakes; (4) desserts; (5) jams; (6) honey; (7) sodas/beverages; (8) snacks; (9) grains/beans; (10) spices; (11) coffees; (12) deli meats; (13) sandwiches; and (14) packaged foods."

(4) MODIFICATION of Paragraph 1 of the Declaration of Restrictions recorded in Official Record Book 15506, Pages 2008 – 2014, reading as follows:

FROM: "1.Limitation of Uses. Notwithstanding the BU-1 zoning classification requested for the Property, the Owner will limit the use of the Property to a fruit stand for the sale of fresh fruits and vegetables and for the preparation and retail sale of fruit juices."

TO: "1. Limitation of Uses. Notwithstanding the BU-1 zoning classification on the property, the use of the property shall be limited to the sale of the following: (1) fruit; (2) vegetables; (3) juices/shakes; (4) desserts; (5) jams; (6) honey; (7) sodas/beverages; (8) snacks; (9) grains/beans; (10) spices; (11) coffees; (12) deli meats; (13) sandwiches; and (14) packaged foods."

The purpose of Requests #1-#4 is to allow the applicant to submit a revised plan showing outdoor seating and to allow the applicant to expand the products for sale to include prepackaged food.

(5) Applicant is requesting to permit a building setback 5.8' (15' required) from the interior side (north) property line.

(6) Applicant is requesting to permit a freezer spaced 0' (10' required) from the building.

(7) Applicant is requesting to waive the zoning regulation requiring a five (5) foot high wall along property lines where a business lot abuts a GU zoned property; to permit a five (5) foot high chain link fence, in lieu therefore.

(8) Applicant is requesting to permit 7 parking spaces (8 parking spaces required).

(9) Applicant is requesting to waive the zoning regulation prohibiting walls, fences and hedges to extend beyond the right-of-way; to waive same, to permit a 5' high chain link fence to encroach into the right-of-way.

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

- **SUMMARY OF REQUESTS:**

  The applicant is seeking approval of a modification and deletion of two conditions of a previous resolution which restrict the development of the subject property to a previously approved site plan and restrict the use of the subject property to the sale of fruit and vegetables and that food preparation be limited to juicing of fresh fruits only. Additionally, the applicant is seeking to modify certain paragraphs of a recorded declaration of restrictions which contains similar restrictions on the subject property.

- **LOCATION:** 16751 SW 177 Avenue, Miami-Dade County, Florida.

- **SIZE:** 72' x 105'

B. ZONING HEARINGS HISTORY:

In 1992, pursuant to resolution #Z-49-92, the Board of County Commissioners granted the approval for a district boundary change from GU to BU-1, along with non-use variances of zoning regulations to allow the sale of fruits and vegetables from an open stand, setback variances, sign regulations to allow a 24 sq. ft. point of sale sign on a lot with 72' of frontage and to allow parking on gravel.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being **2 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. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
BU-1, Fruit and Vegetable stand	Agriculture
Surrounding Properties:	
NORTH: GU; Agricultural	Agriculture
SOUTH: GU; Agricultural	Agriculture
EAST: AU; Agricultural	Agriculture
WEST: GU; Agricultural	Agriculture

The subject property is located at 16751 SW 177 Avenue, in an area characterized by agricultural uses.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plans 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:	**N/A**
Energy Considerations:	**N/A**
Roof Installations:	**N/A**
Service Areas:	**N/A**
Signage:	**Acceptable**
Urban Design:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution

that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.

Section 33-311(A)(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.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No objection**
MDT	**No comment**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**No comment**

H. ANALYSIS:

This application has been scheduled to be heard by the Board of County Commissioners as stipulated on the modification portion of a Declaration of Restrictions, recorded in Official Record Book 15506 Pages 2008 – 2014, which was submitted pursuant to Resolution #Z-49-92.

The applicant is seeking to modify conditions #2 and #13 of Resolution #Z-49-92, to modify Paragraphs #1 and #2 of a recorded Declaration of Restrictions restricting development of the subject property to a previously approved site plan and which restricts the permitted uses on the subject site. Such modifications will allow the applicant to submit a new site plan depicting an outdoor seating area in conjunction with the previously approved fruit and vegetable stand and will allow additional retail sales of items and more variety of food items to be sold on the premises. In addition, the applicant is seeking non-use variances to allow the main building to setback less than the required distance from the interior side (north) property line, to allow the continued use of an existing accessory structure (freezer) spaced less than the required distance from the main building and to waive the required five (5) foot high masonry wall between the BU-1 district and the GU district in order to allow a five (5) foot chain link fence in lieu thereof. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this property for **agriculture** use. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture such as packing houses, and farm residences. However, the CDMP states that all existing uses are consistent with the CDMP, and as such, the new plan depicting the existing fruit and vegetable stand is allowed in the existing BU-1 district and **consistent** with the CDMP.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM requirements as indicated in their memorandum for this application. The **Public Works Department** has **no objections** to this application and indicates in their memorandum that the property requires platting. The **Miami-Dade Fire Rescue Department (MDFR)** also has no **objections** to this application. They indicate in their memorandum that the estimated average travel response time is **9:31** minutes.

When requests #1 and #4 are analyzed under the Generalized Modification Standards, Section 33-311(A)(7). The approval of these requests will allow the applicant to submit a new site plan which depicts 175 sq. ft. of outdoor seating area, a 128 sq. ft. storage room addition, a 319 sq. ft. covered area addition and a 77 sq. ft. accessory structure (freezer). Staff is of the opinion that the 175 sq. ft. outdoor seating area which is covered by a solid roof provides shelter from the elements to customers while they consume the food and juices prepared at the fruit and vegetable stand. In addition, staff is of the opinion that the 77 sq. ft. accessory structure (freezer) and 128 sq. ft. storage room addition provide additional storage space for food items and allows the applicant a means of providing fresh food products for his customers. However, staff notes that the 319 sq. ft. covered area attached to the rear of the main building could be utilized for additional retail sales and/or additional seating area. As such, staff recommends approval of requests #1 and #2 subject to the following conditions: that the 319 sq. ft. covered area be restricted only to retail sales; that the outdoor seating area be restricted to a maximum of 175 sq. ft. with a total of two (2) tables and eight (8) seats and that the applicant obtain building permits for said additions.

When requests #3 and #4 are analyzed under the Generalized Modification Standards, Section 33-311(A)(7). After a detailed review of the additional food and grocery items being requested by the applicant, staff has determined that said food and grocery items are coherent with items which are normally either consumed or sold at any typical neighborhood convenience store located in a BU-1 district. As such, staff recommends approval of requests #3 and #4 subject to an amended declaration of restrictions being submitted to the Department of Planning and Zoning within 60 days from time of final approval. Based on the aforementioned, staff recommends that the applicant submits an amended Declaration of Restrictions within 60 days from time of final approval.

When requests #5 through #9 are analyzed under the Non-Use Variance Section 33-311(A)(4)(b), staff is of the opinion that these requests would be **compatible** with the surrounding area, would not negatively affect the appearance of the community, and would not be detrimental to the neighborhood. Staff notes that the applicant is also the owner of the parcel to the north, east and south of the subject site and that the subject property and the contiguous property are encumbered by a Unity of Title resulting in a substantial buffer for the subject site from properties under different ownership. The buffer from neighboring properties under different ownership consists of a 220' buffer to the north, a 168' buffer to the south and a 425' buffer to the east. The property to the east across SW 177 Avenue (Krome Avenue) is located 180' from the subject property. In request #5 the applicant is seeking to permit the continued use of the aforementioned covered outdoor seating area addition encroaching 9.2' into the interior side setback area. As previously mentioned the applicant is the owner of the property to the north which is encumbered by a Unity of Title with the subject property therefore making the 9.2' encroachment into the interior side setback area internal to the overall site covered by the

Unity of Title. As such, staff recommends approval of request #5, subject to a condition that the applicant obtain a building permit for said covered outdoor seating area. In request #6, the applicant is seeking to permit the continued use of an accessory structure (freezer) spaced 0' from the main building. Staff is of the opinion that the spacing between the main building and the accessory structure is internal to the site and does not cause a negative visual impact to the neighboring properties. As such, staff recommends approval of request #6, subject to a condition that the applicant obtain a building permit for said accessory structure (freezer). In request #7, the applicant is seeking to waive the required five (5) foot high masonry wall between the BU-1 district, and the GU district, and to allow a five (5) foot high chain link fence in lieu of the required wall. As previously mentioned the applicant is also the owner of the property to the north, east and south where said five (5) foot high masonry wall is required and as previously mentioned such adjacent property is encumbered by a Unity of Title resulting in the afore described buffers from the adjacent properties to the north, east and south, which in staff's opinion is adequate and diminish the impact of the fruit and vegetable stand from the neighboring properties. As such, staff recommends approval of request #7, subject to a condition that the applicant obtain a building permit for the five (5) foot high chain link fence. In request #8, the applicant is seeking approval to permit the continued use of the fruit and vegetable stand with a total of seven (7) parking spaces where a total of eight (8) parking spaces are required. Staff notes that the additional parking space is required due to the additional 319 sq. ft. covered area attached to the rear of the previously approved structure. Staff is of the opinion that the provided seven (7) parking spaces are sufficient for the fruit and vegetable stand since in staff's opinion, due to the remote location of the site most of the patrons and customers visit the store for short periods of time and in most cases will consume the food items, fruit and juices off the premises. As such, staff recommends approval of request #8. In request #9, the applicant is seeking to permit the continued use of an existing 5' high chain link fence which encroaches into the right-of-way of SW 177 Avenue (Krome Avenue). Staff notes that condition #7 of Resolution Z-49-92 requires that any structures within the right-of-way shall be removed within 90 days of written notice of the Public Works Department or the Florida Department of Transportation. Based on this restriction, staff recommends approval of request #9 subject to said condition by the Public Works Department in 1992. As such, staff recommends approval of request #9 subject to condition #7 of Resolution #Z-49-92.

I. RECOMMENDATION: Approval with conditions.

J. CONDITIONS:

1. That all the conditions of Resolution #Z-49-92, remain in full force and effect except as herein modified.

2. That the applicant submit an amended Declaration of Restrictions agreement in recordable form which is acceptable to the Director of the Planning and Zoning Department within 60 days from final public hearing approval.

3. That the applicant apply for a building permit for the 175 sq. ft. outdoor seating area, 128 sq. ft. storage room addition, 319 sq. ft. covered area attached to the rear of the main building, 77 sq. ft. accessory structure containing a freezer, five (5) foot high chain link fence and any other unpermitted structure from the Building Department within 90 days after final public hearing approval of this application and that the work be completed within 90 days after the issuance of the building permit.

4. That the outdoor seating area be restricted to a maximum of 175 sq. ft. with a total of two (2) tables and eight (8) seats.

5. That no pre-packaged and/or pre-processed foods be sold on the premises.

6. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of this recommendation incorporated herein by reference.

DATE INSPECTED: 09/15/09
DATE TYPED: 03/18/10
DATE REVISED: 03/19/10; 03/29/10; 04/19/10; 04/26/10
DATE FINALIZED:
MCL:GR:NN:NC:TA

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

Memorandum

MIAMI-DADE COUNTY

Date: March 30, 2010

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

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

Subject: C-11 #Z2008000212-3rd Revision
Armando Garcia
16751 S.W. 177th Avenue
Deletion of Condition of Resolution Z-49-92 and Deletion of Declaration of Restriction; Request to Permit Interior Side and Freezer Exceeding Setback Requirement; and Companion Variances
(GU) (5.32 Acres)
30-55-39

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

Potable Water Service and Wastewater Disposal
Public water and public sanitary sewers are not available to the subject property. Consequently, the subject property is served by an on-site drinking water supply well and a septic tank.

Section 24-43.1(4) of the Code prohibits the approval of any building permit, certificate of use and occupancy, municipal occupational license, platting action or zoning action for any nonresidential land use served or to be served by an on-site drinking water supply well in conjunction with a septic tank as a means for the disposal of domestic liquid waste, if the proposed land use is, among other restricted lands uses, a land use engaged in the handling of food or drinks.

Section 24-43.1 (6) of the Code prohibits the approval of any building permit, certificate of use and occupancy, municipal occupational license, platting action or zoning action for any nonresidential land use served or to be served by any liquid waste storage, disposal or treatment method other than public sanitary sewers or any source of potable water supply other than a public water main. The same Code Section also provides that nonresidential land uses served by a septic tank and an on-site drinking water supply well, may only be approved, if among other requirements the proposed land use is not engaged in the preparation or handling of food or drinks, and complies with all the requirements of Section 24-13(4) of the Code.

Pursuant to a previous request, the Environmental Quality Control (EQCB) granted the property owner's request for variances from the requirements of Section 24-43.1(4) and 24-43.1(6) of the Code to allow the use of an on-site drinking water supply well and a septic tank to serve the existing fruit and vegetable stand including the preparation and selling of fruit juices, subject to the conditions stated in Board Order No. 89-09.

The subject application requests to expand the products for sale in the fruit market to include food which is prepackaged and prepared off-site. The proposed request meets the minimum requirements of Code and is in accordance with Board Order 89-09; DERM may approve the subject application and the same may be scheduled for public hearing.

Furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-13(4)(a) of the Code.

Notwithstanding the foregoing, the DERM approval of the on-site drinking water supply well will be subject to compliance with the minimum drinking water standards for a potable water supply well, including DERM review and approval of the on-site well and water treatment system. The applicant shall also obtain an annual operating permit from the DERM Water and Wastewater Engineering Section of DERM for the potable water supply system. In addition, a minimum separation distance of 100 feet is required from septic tank drainfields, from all surface waters and from any other source of contamination.

Stormwater Management

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

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

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

Any proposed development order shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in the reduction of the Level of Service (LOS) standards for flood protection set forth in the Comprehensive D evelopment Master Plan (CDMP) subject to compliance with the conditions required by DERM for this proposed development order.

Pollution Remediation

There are no current contamination assessment/remediation issues on the property or abutting the property. Additionally, there are no historical records of contamination assessment/remediation issues regarding non-permitted sites associated with this property or abutting the property.

Wetlands

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

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

Tree Preservation
The subject property contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. 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 Code. Said 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 permitting procedures and requirements prior to site development.

Enforcement History
DERM has found the following closed enforcement record for the subject property:

Tana Fruteria (PWO-272):
DERM issued a Warning Notice on April 17, 2004 to responsible parties for failure to renew their DERM Potable Water Operating (PWO) permit. Uniform Civil Violation Notice (UCVN) #878375 was subsequently issued for the violation on May 25, 2004. On June 15, 2004, a permit was obtained by the new owner of the business.

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

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

This memorandum shall constitute DERM's written approval, as required by the Code.

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

REVISION 2

PH# Z2008000212
CZAB - BCC

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: ARMANDO GARCIA

This Department has no objections to this application subject to the condition below and that said condition is made part of the resolution:

This Department has no objections to the request to permit an existing chain link fence to encroach into the right-of-way subject to the condition that in the event that said fence is to be replaced that it be relocated to the zoned right-of-way line.

This Department has no objections to the request to permit 7 parking spaces where 8 spaces are required. This site in currently operating with the existing parking lot where this Department does not foresee any problems.

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 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.

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

Raul A Pino, P.L.S.

24-MAR-10

REVISION 4

Memorandum

Date: 06-APR-10

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2008000212

Fire Prevention Unit:

No objection to Letter of Intent date stamped March 18, 2010.

Service Impact/Demand

Development for the above Z2008000212
located at 16751 S.W. 177 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2106 is proposed as the following:

N/A (residential)	dwelling units	N/A (industrial)	square feet
N/A (Office)	square feet	N/A (institutional)	square feet
1,360 (Retail)	square feet	N/A (nursing home/hospitals)	square feet

Based on this development information, estimated service impact is: 0.40 alarms-annually.
The estimated average travel time is: 9:31 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 60 - Redland - 17605 SW 248 Street.
ALS Tanker.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

Fire Planning Additional Comments

Current service impact calculated based on plans date stamped July 30, 2009. Substantial changes to the plans will require additional service impact analysis.

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

DATE: 07-APR-10

REVISION 2

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

ARMANDO GARCIA	16751 S.W. 177 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2008000212

HEARING NUMBER

HISTORY:

BUILDING & NEIGHBORHOOD COMPLIANCE DEPARTMENT
NEIGHBORHOOD COMPLIANCE
DIVISION

ENFORCEMENT HISTORY

NAME: ADDRESS:
ARMANDO GARCIA 16751 S.W. 177 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
DATE:
3/23/2010

CURRENT ENFORCEMENT HISTORY:
Folio 30-5930-000-1500

Open Cases:
Case 200802007371 opened for failure to comply with conditions of resolutions and issued citation number B054277.

Closed Cases:
Building:
Case 20080123654 Working without Permit shed and wood fence NOV mailed. Permit 2009004308 for fence and permit 2009004277 for shed obtained.

Case A2002002769 Expired Permit not renewed or revoked. NOV issued to property owner.

Compliance:
Case 200802007368 opened for unauthorized use of illegally conducting a precast concrete business in an AU district. Case was closed in compliance.

Case 200802007347 opened for an office trailer and a wooden fence without a permit. The case was closed referred to the building department.

Case 200518000382 Environmental Investigation Unit opened and a warning issued for unusual use of property prior to obtaining permission through a public hearing cooking and serving food on the property.

Case 200518000162 Environmental Investigation Unit opened and citation 957582 was issued for Business Premise maintenance.

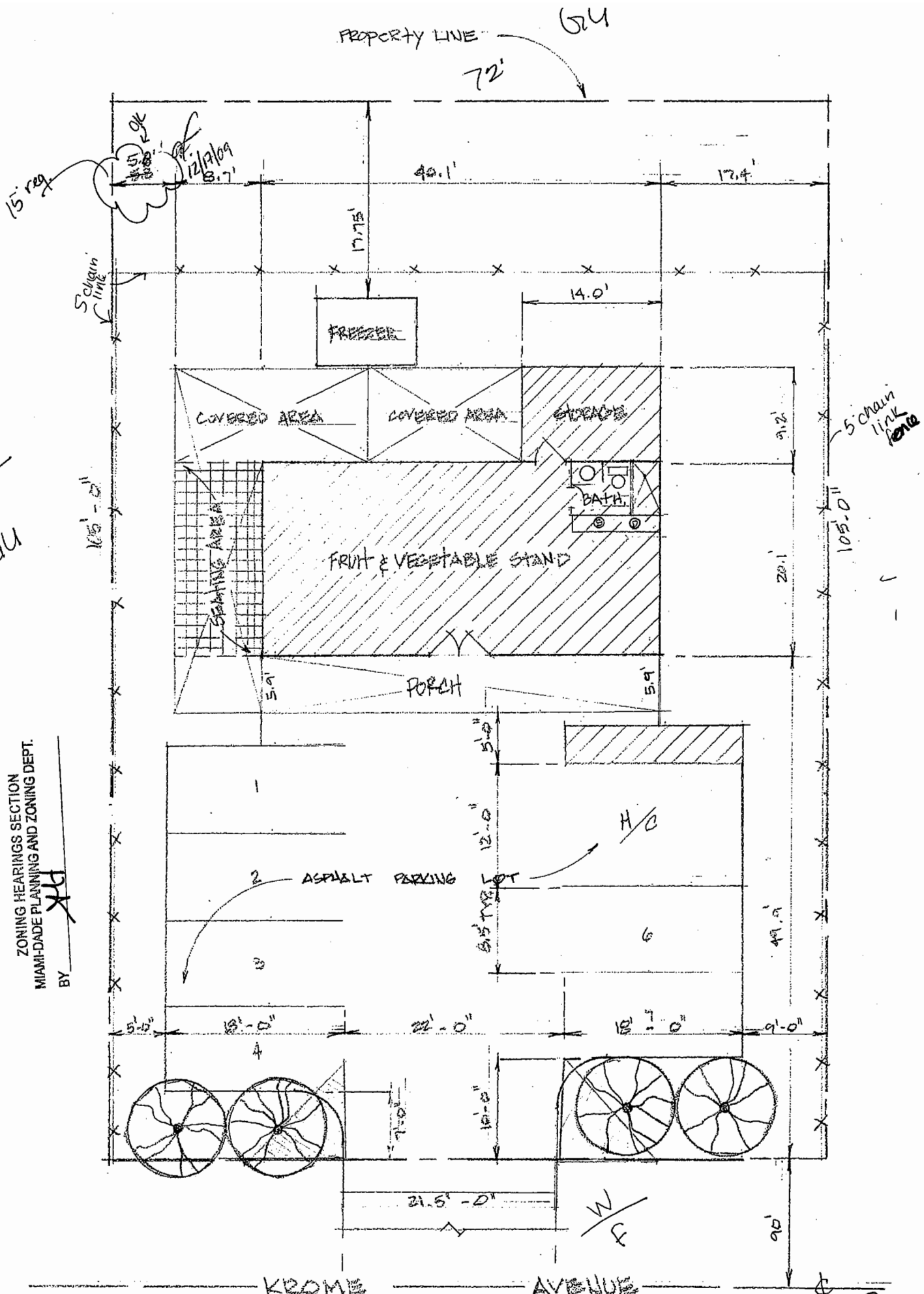
Case 200518000159 Environmental Investigation Unit opened and citation 957579 was issued for illegally maintaining amusement machines.

Case 200002002443 opened and issued warning for failure to obtain Permit for food and juice sales.

_____
Sam Walthour, MSM, Assistant Director

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

REPORTER NAME:

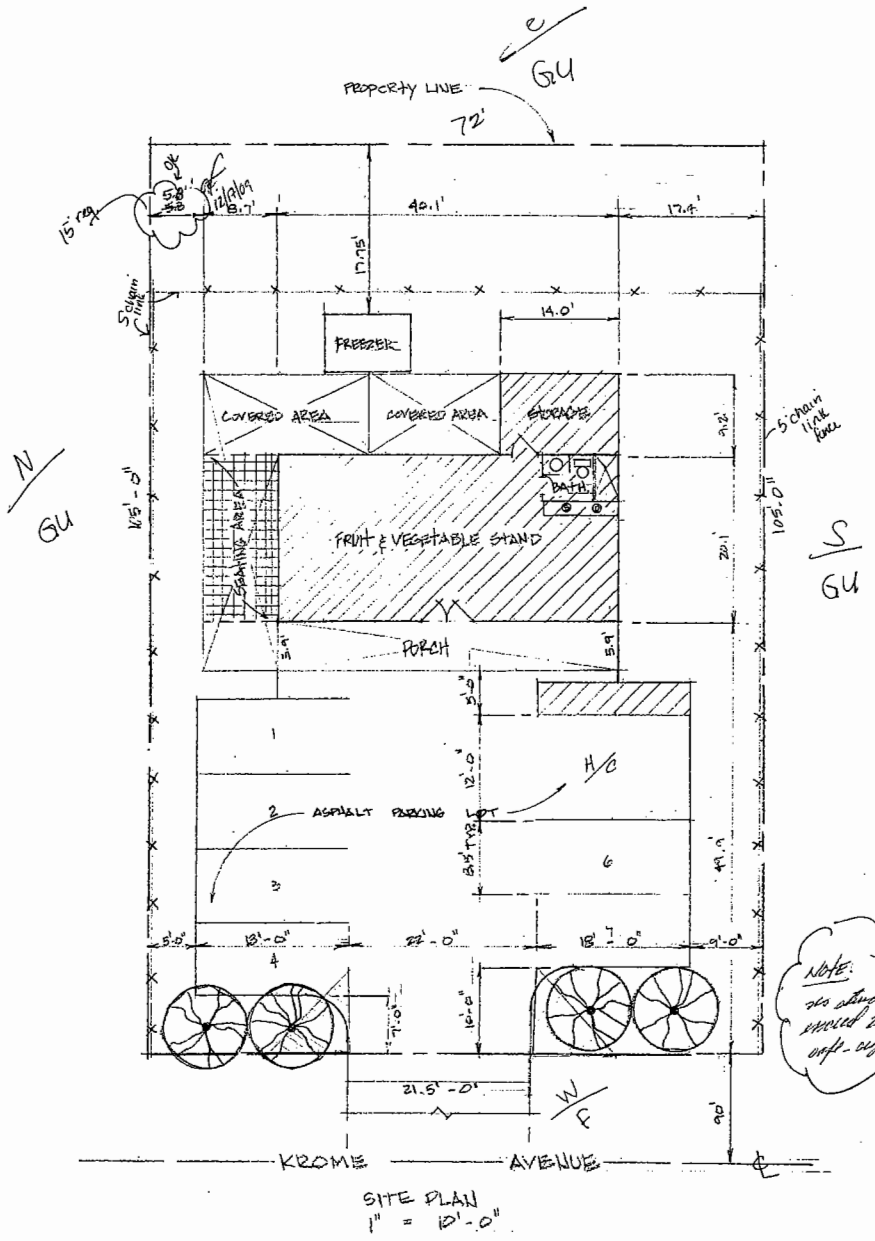


RECEIVED
ZOA-2012-000212
JUL 30 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-212
DATE: JUL 30 2009
BY: SDE

LEGAL DESCRIPTION:

The North 72.00 feet of the South 240.0 feet of the West 195.00 feet of Section 30, Township 55 South, Range 39 East, of Miami-Dade County, Florida; less the west 90.00 feet for the Public Right of Way.



SITE PLAN
1" = 10'-0"

16751 S.W. 177th Avenue, Miami-Dade County, Florida
BU-1 Zoning Legend

	Required (Min. / Max.)	Provided
Gross Lot Area	N/A	14,040 sq. ft.
Net Lot Area	5,000 sq. ft. Min.	72' x 105' = 7,560 sq. ft.
Lot Coverage	40% / 3,024 sq. ft. Max.	24% / 1,796 sq. ft.
Floor Area Ratio	40% / 3,024 sq. ft. Max.	12% / 935 sq. ft.
Open Space	18% / 1,360 sq. ft. Min.	30% / 2,246 sq. ft.
Building Height	2 stories / 35' Max.	1 story / 14'
Parking		
Retail Area	935 / 300 = 3.12	
Outdoor Seating	175 / 50 = 3.5	7

note
prev. appr. Z-49-92
- nuv of lot frontage
nuv of business in enclosed bldg

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Z08-212
JUL 30 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

Proposed Use – Fruit and Vegetable Stand
Water Supply – Individual Well
Sanitary Sewer – Septic Tank

LANDSCAPE LEGEND
Zoning District: BU-1 Net Lot Area: 0.17 acres 7,560 square feet

OPEN SPACE REQUIRED PROVIDED
A. Square feet of open space required by Chapter 33, as indicated on site plan:
Net lot area = 7,560 square feet x 18 % = 1,360 square feet
B. Square feet of parking lot open space required by Chapter 18A, as indicated on site plan:
The number of parking spaces N/A x 10 square feet per parking space = N/A

C. Total square feet of landscaped open space required by Chapter 33 = A + B = 1,360

LAWN AREA CALCULATION
A. Total square feet of landscaped open space required by Chapter 33 = 1,360
B. Maximum lawn area (St. Augustine sod) permitted = N/A % x N/A square feet = N/A
TREES
A. The number of trees required per net lot acre = N/A
less the existing number of trees that meet minimum requirements (minus) N/A
= N/A trees x net lot acreage = N/A
B. 30% palm trees allowed (two palms = one tree) Palms provided = N/A
C. Percentage of native trees required = the number of trees provided x 30% = _____
D. Street trees (max. average spacing of 35' o.c.): 72 linear feet along street ÷ 35 = 2
Palms as street trees (max. average spacing 25' o.c.): N/A linear feet along street ÷ 25 = N/A
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.):
N/A linear feet along street ÷ 25 = N/A
F. Total number of trees provided = 4

SHRUBS
A. The total number of trees required x 10 = the number of shrubs required = 40
B. The number of shrubs required x 30% = the number of native shrubs required 12

IRRIGATION PLAN: Required by Chapter 33. Auto irrigation _____ or hose bib X provided.

Plant Name	Native Species	Caliper	Height	Canopy Diameter	Quantity
Live Oak	Yes	3"	12' to 14'	6'	4

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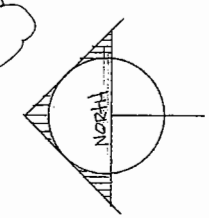
Z08-212
JUL 30 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

LANDSCAPE NOTE:

Per Section 18A-1(B)(3) of the Code of Miami-Dade County, "existing development as defined in Section 18A-3(O) shall only be required to comply with the street tree requirements of Section 18A-6(C)(2) and parking lot buffers of Section 18A-6(I)."

Note:
no structures or trees shall exceed 2.5' in height within safe-sight distance triangle.
A.F. 12/17/09



16751 S.W. 177th AVENUE, MIAMI-DADE, FL.		
SCALE: SHOWN	APPROVED BY:	DRAWN BY: AJT
DATE: 12-16-08		REVISED
FRUIT & VEGETABLE STAND		
PER: ARMANDO GARCIA		DRAWING NUMBER 1

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-212
DATE: JUL 30 2009
BY: SDE

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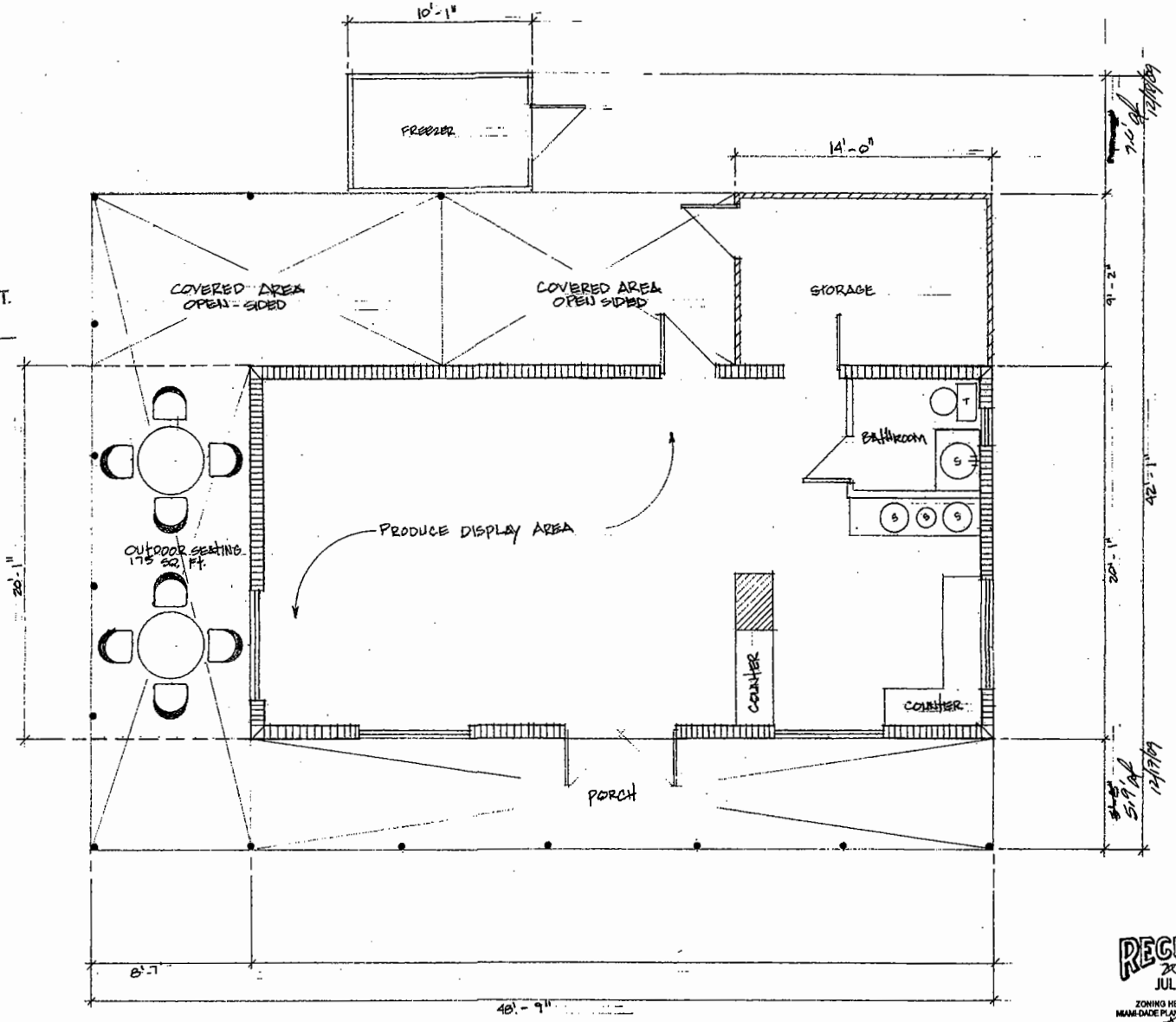
Z08-212
JUL 30 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH



FLOOR PLAN
1/4" = 1'-0"

RECEIVED
Z08-212
JUL 30 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

16751 S.W. 177th AVENUE, MIAMI-DADE

SCALE:	APPROVED BY:	DRAWN BY: AH
DATE: 12-16-08		REVISED

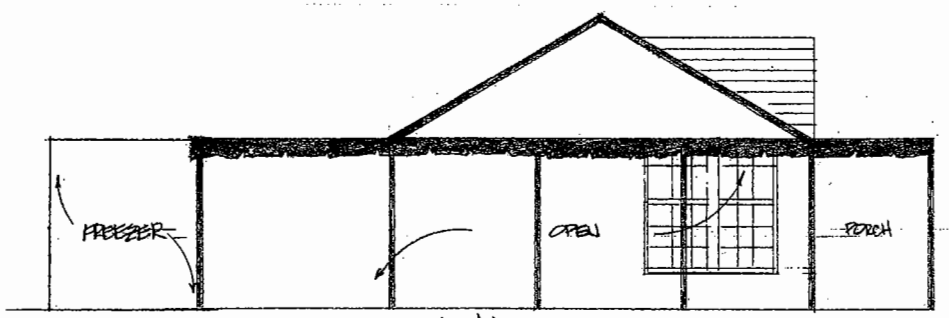
FRUIT & VEGETABLE STAND

FOR: ARMANDO GARCIA

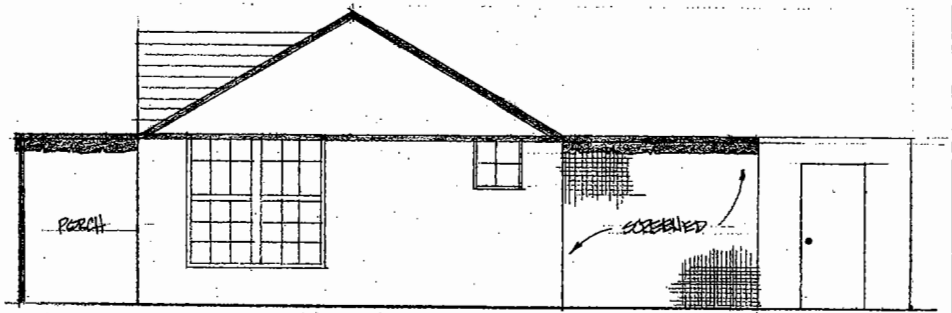
DRAWING NUMBER 2

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-212
DATE: JUL 30 2009
BY: SDS

2

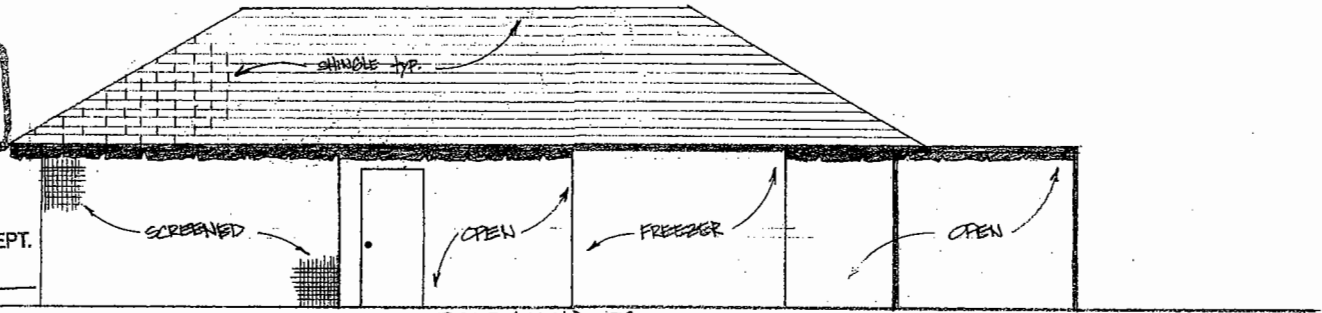


NORTH SIDE

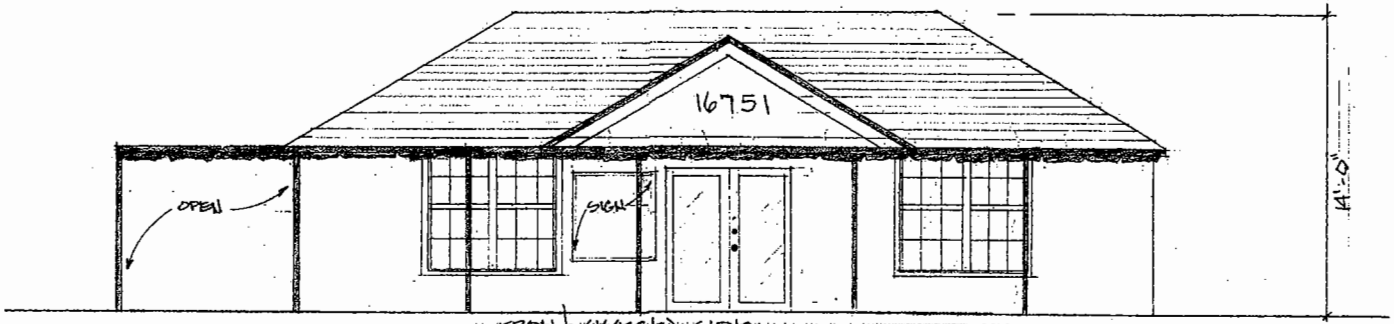


SOUTH SIDE

RECEIVED
Z08-212
JUL 30 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH



REAR (EAST) SIDE



FRONT (WEST) SIDE

RECEIVED
Z08-212
JUL 30 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

ELEVATIONS
1/4" = 1'-0"

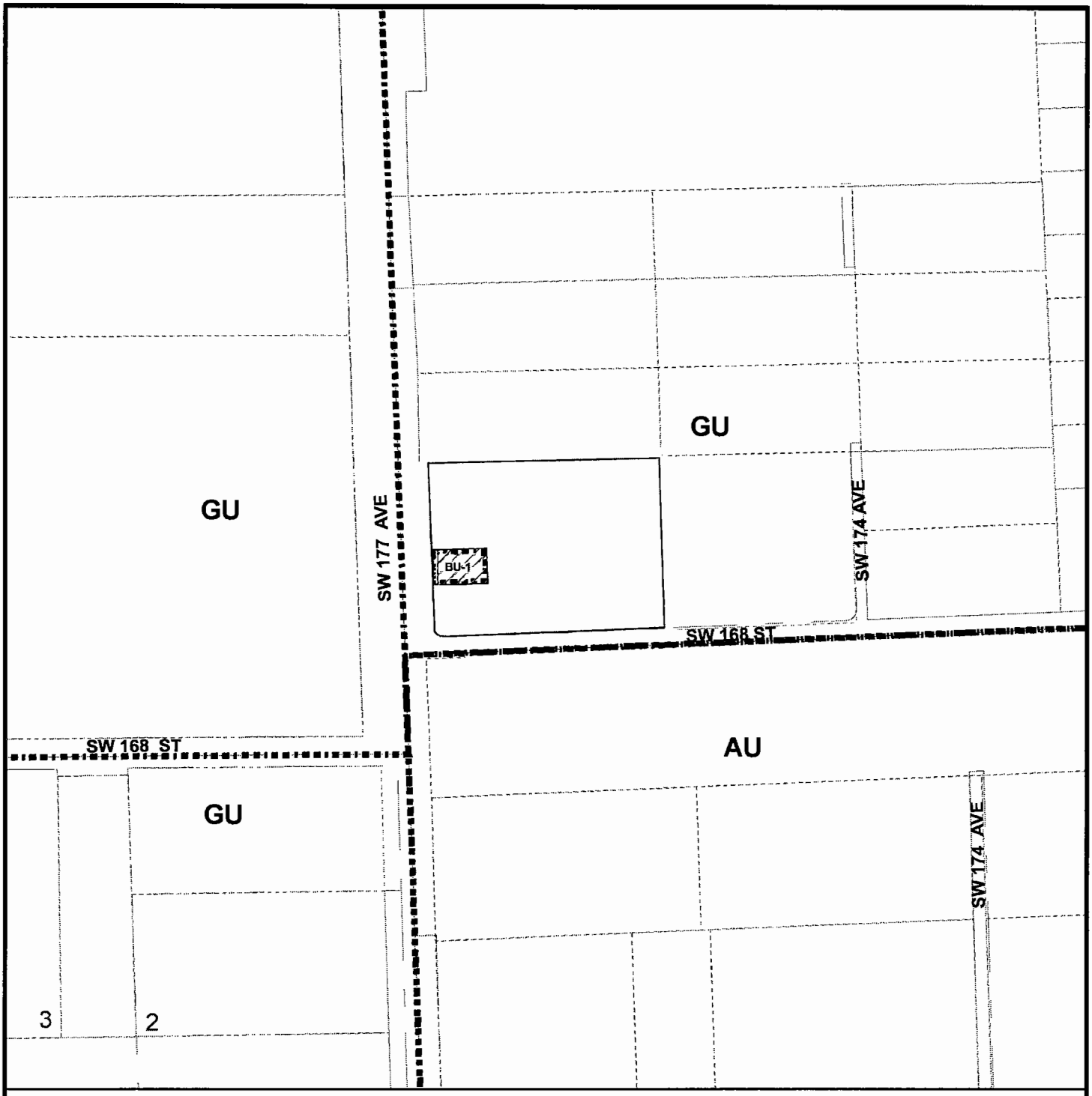
16751 SW 177th AVENUE, MIAMI-DADE

SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY AH
DATE: 12-16-08		REVISED

FRUIT & VEGETABLE STAND

FOR: ARMANDO GARCIA

DRAWING NUMBER 3



MIAMI-DADE COUNTY

HEARING MAP

Section: 30 Township: 55 Range: 39
Applicant: ARMANDO GARCIA
Zoning Board: C11
Commission District: 09
Drafter ID: KEELING
Scale: NTS
---------- Zoning

Process Number
08-212

SUBJECT PROPERTY

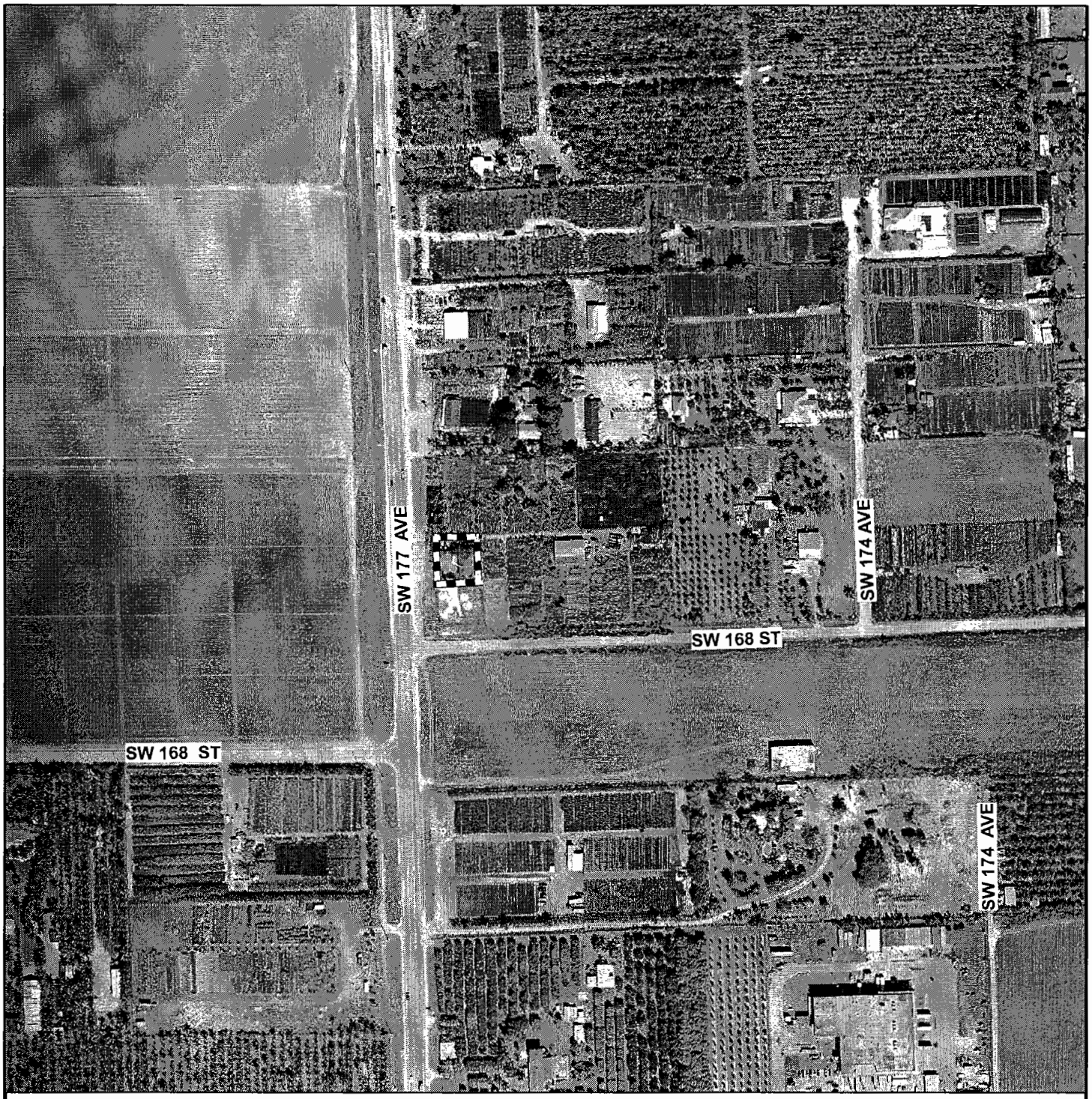
N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 10/24/08

REVISION	DATE	BY
BU-1 portion now subj. prop.	01/06/09	KWS
Subject prop. less the (W.) 90'	03/12/10	KWS

22



MIAMI-DADE COUNTY
AERIAL YEAR 2008

Section: 30 Township: 55 Range: 39
Applicant: ARMANDO GARCIA
Zoning Board: C11
Commission District: 09
Drafter ID: KEELING
Scale: NTS
---------- Zoning

Process Number
08-212

N
W E
S

SUBJECT PROPERTY

MIAMI-DADE COUNTY

SKETCH CREATED ON: 10/24/08

REVISION	DATE	BY
BU-1 portion to subject property Subject prop. less the (W.)90'	01/06/08 03/12/10	KWS KWS

2. ACADEMIR CHARTER SCHOOLS, INC.
(Applicant)

10-5-CC-2 (09-121)
BCC/District 11
Hearing Date: 05/06/10

Property Owner (if different from applicant) **CASTELLNOS AT CORAL WAY INC.**

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

If so, who are the interested parties? **ACADEMIR CHARTER SCHOOLS INC.**

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
2005	Manuel Martorell	- Zone change from GU to RU-5A.	BCC	Approved

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

Memorandum

MIAMI-DADE COUNTY

Date: May 6, 2010

To: The Board of County Commissioners

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: Academir Charter Schools, Inc. (Z09-121)

SUMMARY OF REQUEST:

The applicant is seeking to permit a charter school for 618 students in grades K-5.

LOCATION: Lying on the southeast corner of S.W. 149 Avenue and S.W. 26 Street, Miami-Dade County, Florida.

COMMENTS:

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

Charter schools are educational institutions which are authorized and maintained in accord with the provisions of Chapter 1002 and Chapter 1013.35, Florida Statutes, as same may be amended from time to time. All such public charter schools shall be additionally authorized locally by the Miami-Dade County School Board through a process established by that entity for the approval of the charter. Miami-Dade Land Use regulations relating to public charter school facilities are set forth in Sections 33-152 through 162 of the Code of Miami-Dade County which was established in 2004 pursuant to Ordinance 04-108. The purpose of this Section and relevant provisions of the CDMP are to provide standards for land use approval of public charter school facilities pursuant to said Ordinance. In addition, an Interlocal Agreement with the School Board of Miami-Dade County was also established pertaining to the siting of such facilities and is applicable in the unincorporated area.

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

DIC RECOMMENDATION:

Approval with conditions, subject to the Board's acceptance of the proffered covenant as set forth in the Department of Planning and Zoning's recommendation.

The Executive Council found that the proposed application, with the applied conditions, is in keeping with the Comprehensive Development Master Plan Land Use map designation for the subject parcel and is in compliance with Article XI - Public Charter School facilities of

Chapter 33 of the Code of Miami-Dade County. In relation to the present and future development of the area, the Executive Council finds that the approval of the charter school site, with the acceptance of the proffered covenant and the applied conditions, will permit a development which is **consistent** with the Comprehensive Development Master Plan (CDMP), and will not be contrary to the public interest. In addition, the Council also finds that the development will be **compatible** with the surrounding area and would not detrimentally impact same.

APPLICATION NO. Z09-121
ACADEMIR CHARTER SCHOOLS, INC

Respectfully Submited,

DIC Executive Council
March 24, 2010

Ysela Llort
Assistant County Manager — Absent

Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department — Absent

Irma San Roman, Deputy Director
Metropolitan Planning Organization Secretariat — AYE

Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning — Absent

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

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

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

DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE DEVELOPMENT IMPACT COMMITTEE

APPLICANT: Academir Charter Schools, Inc. **PH:** Z09-121 (09-02-BCC)

SECTION: 16-54-39 **DIC DATE:** March 24, 2010

COMMISSION DISTRICT: 11

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A. INTRODUCTION

o REQUEST:

Special Exception to permit a charter school.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Academir Charter School West," as prepared by Octavio A. Santurio, A.I.A, dated stamped received March 22, 2010 and consisting of 6 sheets. Plans may be modified at public hearing.

o SUMMARY OF REQUEST:

The applicant is requesting a special exception to permit a charter school for 618 students in grades K-5.

o LOCATION: Lying on the southeast corner of S.W. 149 Avenue and S.W. 26 Street, Miami-Dade County, Florida.

o SIZE: 1.63 acres

B. ZONING HEARINGS HISTORY:

In October 2005, pursuant to Resolution #CZAB10-68-05, Community Zoning Appeals Board 10 (CZAB 10) granted a district boundary change from GU, Interim District, to RU-5A, Semi-Professional Office District.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The adopted 2015 and 2025 Land Use Plan designates the subject property as being **within the Urban Development Boundary for Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential density of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2, 1938. This density category is generally characterized by single family, e.g. single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

2. **Educational Element Goal.** Develop, operate, and maintain a system of public education by Miami-Dade County Public Schools, in cooperation with the County and other appropriate governmental agencies, which will strive to improve the quality and quantity of public educational facilities available to the citizenry of Miami-Dade County, Florida.

3. **Policy EDU-1D.** Cooperate with the Miami-Dade County Public School System in their efforts to provide public school facilities to the students of Miami-Dade County, which operate on optimum capacity, in so far as funding available. Operational activities may be developed and implemented, where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.

4. **Policy LU-4A.** When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

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

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

7. **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.

8. **Policy LU-9B.** Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate:

    i) Land use consistent with the CDMP Land Use Element and CDMP Level of Service Standards;
    ii) Subdivision of land;
    iii) Protection of potable water wellfields;
    iv) Areas subject to seasonal or periodic flooding;
    v) Stormwater management
    vi) Signage; and
    vii) On-site traffic flow and parking to ensure safety and convenience and that no avoidable off-site traffic flow impediments are caused by development.

9. **Guidelines for Urban Form.** The general pattern of land use in residential communities should conform to the following guidelines to the maximum extent consistent with the land use patterns and densities authorized and encouraged by the Land Use Plan (LUP) map, and future amendments to the LUP map should endeavor to promote this localized form within the metropolitan pattern of urban centers and transit corridors. Exceptions may occur (a) for the Developments of Regional Impact and Development of County Impact or (b) to conform the density, intensity, use building envelope, traffic generation and demand on services and infrastructure of a proposed new use to such contextual elements as the general pattern of use, intensity and infrastructure which exists in an established neighborhood.

10. **Residential Communities.** Also permitted in Residential Communities are neighborhood and community services including **schools**, parks, houses of worship, day care centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of the CDMP and compatible with the neighborhood.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-5A; vacant parcel	Low Density Residential, 2.5 to 6 dua
Surrounding Properties:	
NORTH: RU-1M(b); single-family residences	Low Density Residential, 2.5 to 6 dua
SOUTH: RU-1M(b); vacant	Low Density Residential 2.5 to 6 dua
EAST: RU-5A; office condominium	Low Density Residential 2.5 to 6 dua
WEST: RU-1M(a); single-family residences	Low Density Residential, 2.5 to 6 dua

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**
Urban Design:	**Acceptable**

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-314 of the Code of Miami-Dade County:

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

(12) Hear application for and, upon recommendation of the Developmental Impact Committee, grant or deny those special exceptions for public charter school facilities permitted by the regulations only upon approval after public hearing, provided the applied for special exception, in the opinion of the Board of County Commissioners, is found to be in compliance with the standards contained in Article XI and Section 33-311(A)(3) of this Code.

Section 33-153. Public hearing required in all districts.
The establishment, expansion or modification of a charter school facility is permitted in any zoning district after public hearing upon demonstration that the standards established in this article have been met. Any existing covenant or declaration or restrictions relating to an existing charter school facility shall be modified or deleted only in accordance with the provisions of Article XXXVI of this code.

Section 33-159. Plan review standards

(a) Scale. The scale of proposed public charter school facilities shall be compatible with the scale of surrounding proposed or existing uses and shall be made compatible by the use of buffering elements.

(b) Compatibility. The design of public charter school facilities shall be compatible with the design, kind and intensity of uses and scale of the surrounding area.

(c) Buffers. Buffering elements shall be utilized for visual screening and substantial reduction of noise levels at all property lines where necessary.

(d) Landscape. Landscape shall be preserved in its natural state insofar as is practicable by minimizing the removal of trees or the alteration of favorable characteristics of the site. Landscaping and trees shall be provided in accordance with Chapter 18A of this code.

(e) Circulation. Pedestrian and auto circulation shall be separated insofar as is practicable, and all circulation systems shall adequately serve the needs of the facility and be compatible and functional with circulation systems outside the facility.

(f) Noise. Effective measures shall be provided to keep noise at acceptable levels.

(g) Service areas. Wherever service areas are provided, they shall be screened and so located as to be compatible with the adjacent properties.

(h) Parking areas. Parking areas shall be screened and so located as to be compatible with the adjacent properties.

(i) Operating time. The operational hours of a public charter school facility shall be compatible with the activities of other adjacent properties.

(j) Industrial and commercial. Where schools are proposed in or adjacent to, industrial or commercial areas, it shall be clearly demonstrated in graphic form and otherwise, how the impact on the commercial or industrial area has been minimized through site design techniques and/or operational modifications.

(k) Fences and walls. Outdoor recreation and/or play areas shall be enclosed with fences and/or walls.

Section 33-311(A)(3). Special exceptions, unusual and new uses. The Board shall hear an application for and grant or deny **special exceptions**; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by regulation are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**No objection***
Parks	**No objection**
MDT	**No objection**
WASD	**No objection***
Fire Rescue	**No objection**
Police	**No objection**
Schools	**No objection**
Aviation	**No objection**

*Subject to conditions indicated in their memoranda.

G. ANALYSIS

This application is being heard by the Board of County Commissioners pursuant to Section 33-314 of the Code of Miami-Dade County which states the County Commission shall have jurisdiction to directly hear applications for and, upon recommendation of the Developmental Impact Committee, grant or deny those special exceptions for public charter school facilities permitted by the regulations only upon approval after public hearing, provided the applied for special exception, in the opinion of the Board of County Commissioners, is found to be in compliance with the standards contained in Article XI and Section 33-311(A)(3) of this Code.

The subject property is a 1.63-acre vacant parcel of land lying on the southeast corner of S.W. 149 Avenue and S.W. 26 Street. The applicant is seeking a special exception for a charter school to be developed to serve 618 students in grades kindergarten through 5th. The applicant has proffered a covenant which, among other things, restricts the development of the site to the submitted plans, limits the number of students to 618, requires personnel to facilitate traffic operations during arrival and dismissal periods and, pursuant to Section 33-158 (Cessation of Charter School Operations) ensures, among other things, the compliance with zoning regulations, allowing a use other than the charter school if operations are discontinued.

The site plan for the charter school depicts a 38,872 sq. ft., two-story, 29' high building with thirty-six (36) classrooms on the first and second floors. The applicant has provided 64 parking spaces located at the northern, eastern and western perimeters of the site and a 3,016 sq. ft. recreational area located at the southeast portion of the site. The site plan submitted depicts landscaping along the entire perimeter of the site. The Land Use Plan (LUP) Map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential** use. The residential densities allowed in this category 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, e.g. single family detached, cluster, and townhouses. 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 interpretative text of the CDMP indicates that areas abutting and adjacent to activity nodes should serve as transition areas suitable for eligible higher residential densities, public and semi-public uses including daycare and congregate living areas. The subject property is bounded by SW 26 Street (a section line road) to the north and SW 149 Avenue (a local road) to the west. The CDMP Urban Form Guidelines provides guidelines for general pattern of land use in residential communities, A proposed new use should adhere to contextual elements as the general pattern of use, intensity and infrastructure which exists in an established neighborhood. Staff opines that the proposed charter school, with 618 students, is **consistent** with the CDMP Urban Form Guidelines since the subject site abuts a section line roadway (SW 26 Street) and lies within a block that abuts an activity node. The proposed charter school is bounded by single-family residences to the north and west, an office condominium to the east and vacant RU-1M(b) zoned land to the south. There are also additional single-family residences located within .35 miles east of the subject property. **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable. Additionally, **Policy LU-4C** indicates that residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic. **Policy LU-4D** states that uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements. Staff opines that the proposed charter school's design is consistent with the above referenced policies since the applicant has addressed any negative impacts of the proposed charter school particularly through abundant landscaping, complementary architectural elements and efficient on-site pedestrian and vehicular traffic circulation design. Specifically, Policy LU-4C states that residential

neighborhoods should be protected from intrusion of traffic into residential neighborhoods. The applicant has located entrances into the site at SW 26 Street and SW 149 Avenue and has agreed to block-off the SW 26 Street entrance during arrival and dismissal times which will minimize the intrusion of traffic into the residential community located to the west of the proposed charter school. Based on the plans submitted by the applicant, staff opines that the proposed charter school matches the same architectural style and scale as the existing single-family residences located to the north and east of the site. Therefore, staff opines that the proposed charter school's is **compatible** with the residential neighborhood and therefore **consistent** with Policies LU-4A, LU-4C and LU-4D of the CDMP.

The Department of Environmental Resources Management **(DERM)** has **no objection** to this application. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum. The Miami-Dade Transit **(MDT),** the **Miami-Dade Aviation Department,** and Miami-Dade Water and Sewer **(WASD)** have **no objections** to this application. The Public Works Department **(PWD)** has **no objection** to this application if their recommendations and comments, are incorporated into the related documentation and the amended traffic study, is found to be acceptable. The **Miami-Dade Fire Rescue Department (MDFR)** also has **no objection** to this application. Their memorandum indicates that the estimated travel response time would be **6.16** minutes which complies with the performance objective of national industry. Additionally, the Miami-Dade County Public School **(MDCPS)** indicates that there are five traditional K-5 public schools in the general area served by the application. Their memorandum indicates that there are 48 surplus student stations at the elementary school level.

When analyzing the request for a special exception to permit a charter school under Section 33-311(A)(3), Standards for **Special Exceptions,** Unusual Uses and New Uses, staff is of the opinion that the proposed charter school will not generate or result in excessive noise or traffic and will not provoke excessive overcrowding or concentration of people or population. Staff acknowledges that the proposed charter school will generate additional traffic. However, staff acknowledges that the applicant has worked closely with the Public Works Department to design a traffic circulation pattern which would mitigate traffic congestion. Staff opines that the applicant has sufficiently mitigated the impact by providing ample parking (64 spaces, 46 required) to mitigate traffic overflow and by providing a deceleration lane along SW 26 Street. The deceleration lane will facilitate traffic flow on SW 26 Street. The surrounding area is essentially a residential community and the applicant has submitted plans that provide buffering, ingress oriented towards SW 26 Street, which is a section line roadway, and ingress and egress towards SW 149 Avenue to minimize intrusion into the residential community. The traffic for the proposed charter school will be directed to enter and exit the subject property through SW 149 Avenue driveways. The SW 26 Street entrance will be blocked-off during arrival and dismissal times. By locating the entrances and exits to the charter school at SW 26 Street and SW 149 Avenue, the applicant is in compliance with Policies LU-4C and LU-4D of the CDMP. The applicant is also providing 6' wide sidewalks along SW 149 Avenue and landscaping which includes trees and grass areas for additional buffering. In addition, the applicant has provided 70' of buffering on the southern portion of the site which abuts RU-IM(b) zoned property. The Guidelines for Urban Form indicate that areas located along section line roads between transition areas are also authorized for eligible higher residential densities, **public and semi-public uses.** As previously mentioned, the subject property abuts a section-line roadway (SW 26 Street), lies within a block that abuts an activity node, and is transitional to the existing office and commercial uses located to the east of the site. While the surrounding community is mainly residential, by placing the building in the center of the subject property and providing ample setbacks from the property lines, the applicant has designed the

charter school to be sensitive to the single-family residences and suburban development. Additionally, architectural elements, such as the barrel tile roof, have been incorporated into the design of the facility and are compatible with the architectural style of the surrounding single-family residences. The proposed charter school is 29' high which is also compatible with the surrounding single-family residences which are permitted by Code to attain a maximum height of 35'. The applicant has provided more trees than required and has provided trees that are twice the height required by Code. As previously stated, the proposed charter school site plan depicts a 3,016 sq. ft. recreation space for the 618 students. In staff's opinion, the recreational space is adequate for 618 elementary school age children. The abundant landscaping, which includes palm trees and shrubbery, provided along the eastern perimeter and around the 3,016 sq. ft. recreation area will mitigate any negative aural impacts to the surrounding residential community. Based on the aforementioned, staff opines that applicant has provided adequate design features which will mitigate the impacts of the proposed charter school. Therefore, staff recommends approval with conditions, subject to the Board's acceptance of the proffered covenant, under Section 33-311(A)(3) (Special Exceptions, Unusual and New Uses).

I. RECOMMENDATION:

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

J. CONDITIONS

1. That a site plan be submitted to and meet with the approval of the Director of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not be limited to, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls fences, landscaping, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled: "Academir Charter School West," as prepared by Octavio A. Santurio, A.I.A, dated stamped received March 22, 2010 and consisting of 6 sheets.

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

4. That the applicant submit to the Department of Planning and Zoning for its review and approval of a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

5. That the applicant obtain a Certificate of Use 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.

6. That no outside loud speakers shall be permitted on the property.

7. That the waste pick-up for the charter school shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday, except during arrival and dismissal times.

8. That the school gates be opened at least 30 minutes prior to the arrival and dismissal times.

9. That the charter school use be limited to grades Kindergarten through 5th and be limited to a maximum of 618 students.

10. That there will be staggered shifts at arrival and dismissal times for students at the charter school, separated by a minimum of 20 minutes. The arrival and dismissal times shall be as follows:

    8:00 a.m. – 3:00 p.m. (Kindergarten thru 2nd grade) 309 students
    8:20 a.m. – 3:20 p.m. (3rd grade thru 5th grade) 309 students

    No more than 309 students may be scheduled to arrive or be dismissed in a single shift.

11. That the applicant comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of the March 24, 2010 DIC of this application and incorporated herein by reference.

12. That at time of yearly renewal of Certificate of Use, the applicant shall submit to the Department of Planning and Zoning a letter from the principal of the school detailing the number of students and the grade levels that are currently enrolled in said facility.

13. That the charter school shall have personnel facilitating traffic operations during the arrival and dismissal periods in order to ensure passenger vehicles are not stacked in through lanes or parked in non-designated parking areas in the public rights of way. Furthermore, the charter school shall provide before-and after-school care in order to minimize the vehicular trips or extended stacking times for families with students in two or more start/dismissal periods. The charter school shall also have personnel perform as school crossing guards to assist students crossing SW 26 Street.

14. That the applicant shall construct or cause the construction of the following off-site improvements: two directional pedestrian ramps at the southeast corner of SW 26 Street and SW 149 Avenue; the plans for the improvements shall be submitted to the Public Works Department within sixty (60) days of the approval of the application by the Board of County Commissioners; and the improvements shall be completed within ninety (90) days of the approval of the plans for the improvements by the Public Works Department.

15. Within sixty (60) days of the approval of the application, the Owner shall submit to the Public Works Department a maintenance of traffic operation plan, which shall include the provision of any traffic control devices for arrival and dismissal periods.

16. That if the charter school is constructed but fails to begin operation and/or the charter school fails after establishment, the Owner, within thirty-six (36) months of the charter school's failure to begin operation or closure, shall:

    (a) cause the charter school to be in full compliance with all zoning regulations applicable to the property allowing a use other than the charter school use, or

(b) transfer the operation of the charter school to another charter school operator or to the Miami-Dade County School Board, after securing the necessary approvals from the Miami-Dade County School Board, or

(c) convert the charter school to a permitted use within the zoning district applicable to the property, provided said use has first been authorized through the issuance of the appropriate permits from the Department of Planning and Zoning, or

(d) secure necessary public hearing approvals to convert the charter school to a use not otherwise permitted within the zoning district applicable to the property.

DATE TYPED: 11/6/09
DATE REVISED: 11/2/09, 1/28/10, 2/18/10, 3/11/10, 3/15/10, 3/19/10
DATE FINALIZED:
MCL:GR:NN:JV:NC:CI

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

Memorandum

MIAMI-DADE COUNTY

Date: March 10, 2010

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

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

Subject: DIC No. Z2009000121-2nd Revision
Academir Charter Schools, Inc.
Lying on the Southeast Corner of S.W. 149th Avenue and S.W. 26th Street
Special Exception for a Charter School
(RU-5A) (1.63 Acres)
16-54-39

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

Wellfield Protection

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

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

Potable Water Service

The subject property is located within the franchised water and service area of the Miami-Dade County Water & Sewer Department (MDWASD). The closest public water is a 16-inch water main abutting the subject property. Connection of the proposed development to the public water supply system shall be required in accordance with Code requirements. The estimated demand for this project is 9960 gallons per day (gpd). This figure does not include irrigation demands.

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

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if

approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Sanitary Sewer Service

There are two public 8-inch gravity mains abutting the subject property along S.W. 26th Street and S.W. 149th Avenue. These sewer mains convey the sewage to pump station (PS) 30-0234; flow then transports to PS 30-0536 and subsequently to PS 30-TANDEM. From this point, downstream flow is directed to the South District Treatment Plant, which has adequate capacity to meet projected demands from this project. Connection of the proposed development to the public sanitary sewer system shall be required in accordance with the Code requirements.

Existing public sanitary sewer facilities and services meet the LOS standards set forth in the CDMP. Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, 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 be require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Stormwater Management

The proposed project has received Cut and Fill approval # 459. Full compliance with all conditions set forth in said approval is required prior to platting or seeking building permits.

A Surface Water Management individual Permit from the South Florida Water Management District shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures. 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 properties are located within the Bird Drive Wetland Basin, and are a jurisdictional wetland area as defined by Section 24-5 of the Code. However, this application is part of a Class IV Wetland Permit FW06-049 or 2007-CLIV-PER-00077 issued to Castellanos at Coral Way, Inc., for the filling of 1.80 acres of jurisdictional wetlands at this location. The permit expired on September 21, 2009, however a final inspection performed by DERM staff on August 12, 2009 revealed that the properties had been filled prior to the permit expiration date.

Therefore, DERM has no objection to the scheduling of this zoning application provided that no impacts occur beyond what was permitted on these sites. Any additional work in jurisdictional wetlands will require a new Class IV Wetland Permit.

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.

Enforcement History
DERM has found no open or closed enforcement records for the subject property.

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

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

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

This memorandum shall constitute DERM's written approval, as required by the Code.

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

Memorandum

MIAMI DADE COUNTY

Date: March 23, 2010

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

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

Subject: Recommendations for Academir Charter School Process Number Z09-121

Miami Dade County Public Works Department Traffic Engineering Division has no objection if the following recommendations and comments, as indicated below, are incorporated into the related documentation and is found to be acceptable to Public Works.

The Traffic Engineering Division has reviewed the Site Plans, dated 01/2009, received by Planning and Zoning on 03/22/2010, the Traffic Impact Study, dated 01/18/2010, received by Planning and Zoning on 01/19/2010, and the Technical Memorandum (aka Academir Charter School West Traffic Impact Study Revision), dated 01/27/2010 for the proposed facility located at 14880 SW 26 Street and has the following recommendations and comments:

- Site Plan Review

  1. Two directional pedestrian ramps shall be provided at the SE corner of SW 26 Street and SW 149 Avenue.
  2. Visitor parking stalls blocked by the stacking queue may not be credited towards the site's accumulation capacity. It is recommended that several of the angled parking stalls be designated as visitor parking to make parking space unencumbered by the staking queue available during arrival and dismissal periods.
  3. The SW 149th Avenue exit driveway shall be maintained as a fully directional driveway allowing vehicle to exit either left or right.

- Traffic Study Comments:

  The Traffic Impact Study and subsequent Technical Memorandum (aka Academir Charter School West Traffic Impact Study Revision) are acceptable for the site plan received by Planning and Zoning on 03/22/2010.

- Project Requirements

  1. All off-site improvements shall be constructed prior to the opening of the school.
  2. School Speed Zone signs (florescent yellow-green material must be used where applicable), pavement markings, and flashing signals are required along SW 26 Street and SW 149 Avenue.
  3. Proposed schedule of arrival and dismissal times including grade level and number of students are required to be provided in a covenant and/or "Letter of Intent" for this facility.
  4. Provide a maintenance of traffic (MOT) operation plan, including provision of any traffic control devices (e.g. – cones, delineators) for arrival and dismissal periods in a covenant for this facility. The MOT must contain the following:
     - The statement: "The applicant shall supply staff to direct any vehicles which may stack in through lanes or non-designated parking areas in the public rights of way onto the school site."

- The stacking queue length and its vehicle capacity shall be illustrated and provided on plans.
- The Coral Way driveway connection shall be closed with traffic control devices (e.g. – cones, delineators) during the arrival and dismissal periods, as described in the "Academir Charter School West Traffic Impact Study Revision."

- Standard Comments:

1. Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.

2. Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 ft within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546. Any proposed planting, relocation or removal of trees and other foliage including any installation of irrigation systems in the public right-of-way must be approved by the R.A.A.M. Division of this Department. Also, any relocation or removal of trees must be approved by DERM. These approvals should be applied for, and received, prior to DIC Executive Council approval of this project. A "Covenant for Maintenance" agreement, recorded in the public record, must be provided prior to permitting any of these types of installations within the public right-of-way.

3. Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Prior to formal submittal of plans for approval and permitting, a Dry Run Paving and Drainage submittal is required to review compliance with DIC conditions for approval and appropriate standards, and to rectify any discrepancies between existing facilities, plans, conditions for approval, or standards. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.

4. All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required at locations remote from this site along safe routes to school to provide for pedestrian student safety. These requirements may be determined at the time of Dry Run submittal of Paving and Drainage Plans.

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

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

cc: Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division
Robert Williams, P.E., Acting Chief, Traffic Signals and Signs Division
Raul A. Pino, P.L.S., Chief, Land Development Division
David Cardenas, Chief, Right of Way and Aesthetic Assets Management Division
Harvey L. Bernstein, Educational Facilities Administrator, Traffic Engineering Division
Armando Hernandez, Concurrency Coordinator, Traffic Engineering Division
Vishnu Rajkumar, Signal Design Administrator, Traffic Engineering Division

Memorandum

MIAMI-DADE COUNTY

Date: March 22, 2010

To: Marc C. LaFerrier
Director
Planning & Zoning Department

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

Subject: DIC-09-121
Name: Academir Charter School
Location: SW 26 St. & SW 149 Ave.
Sec.16 Twp.54 Rge.39

I. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY

A. Trip Generation
543 A.M. Peak Hour trip ends
0 P.M. Peak Hour trip ends

B. Cardinal Distribution
North 11% East 61 %
South 27 % West 1 %

II. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION

A.1 Coral Way (SW 26 Street), West of SW 137 Ave.
B.1 From SW 152 Ave. to SW 137 Ave. It is a Section Line 4 lane roadway.

A.2 Bird Road (SW 42 St.), West of SW 137 Ave.
B.2 From SW 152 Ave. to SW 137 Ave. It is a Section Line 4 lane roadway.

A.3 SW 149 Ave. East of SW 152 Ave.
B.3 From SW Coral Way (SW 26 St) to SW 42 St. (Bird Road). It is a 2 lane roadway.

A.4 SW 147 Ave. East of SW 149 Ave.
B.4 From SW Coral Way (SW 26 St) to SW 42 St. (Bird Road). It is a Section Line 4 lane roadway.

III. IMPACT ON EXISTING ROADWAYS

The traffic stations affected by this proposed distribution are as follows:

AM PEAK ANALYSIS:
Station 9110 located on SW 42 St. W/o SW 137 Ave. has a maximum capacity of LOS of EE with a present LOS of C according to the AM peak period.

Station 9112 located on SW 42 St. W/o SW 147 Ave. has a maximum capacity of LOS of D with a present LOS of B according to the AM peak period.

Station 9134 located on SW 26 St. W/o SW 137 Ave. has a maximum capacity of LOS of EE with a present LOS of D according to the AM peak period.

Station 9800 located on SW 137 Ave. S/o SW 8 St. has a maximum capacity of LOS of EE with a present LOS of C according to the AM peak period.

Station 9802 located on SW 137 Ave. S/o SW 26 St. has a maximum capacity of LOS of D with a present LOS of C according to the AM peak period.

Station 9826 located on SW 147 Ave. S/o SW 42 St. has a maximum capacity of LOS of EE with a present LOS of C according to the AM peak period.

PM PEAK ANALYSIS. (CONCURRENCY ANALYSIS)
Station 9110 located on SW 42 St. W/o SW 137 Ave. has a maximum capacity of LOS of EE with a present LOS of C according to the PM peak period.

Station 9112 located on SW 42 St. W/o SW 147 Ave. has a maximum capacity of LOS of D with a present LOS of C according to the PM peak period.

Station 9134 located on SW 26 St. W/o SW 137 Ave. has a maximum capacity of LOS of EE with a present LOS of E+3% according to the PM peak period.

Station 9800 located on SW 137 Ave. S/o SW 8 St. has a maximum capacity of LOS of EE with a present LOS of E+19% according to the PM peak period.

Station 9802 located on SW 137 Ave. S/o SW 26 St. has a maximum capacity of LOS of D with a present LOS of C according to the PM peak period.

Station 9826 located on SW 147 Ave. S/o SW 42 St. has a maximum capacity of LOS of EE with a present LOS of D according to the PM peak period.

This application meets the Traffic Concurrency criteria for an initial development order. No vehicle trips have been reserved under this application. In addition, it will be subject to the payment of Road Impact Fees.

cc: Jorge Vital, Development Impact Coordinator. Planning and Zoning Department
Joan Shen PhD, P.E., PTOE, Manager, Traffic Engineering Division
Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division
Armando E. Hernandez, Special Administrator for Concurrency, Traffic Engineering Division

Ron Franklin Grisel II

Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Dr. Solomon C. Stinson, Chair
Dr. Marta Pérez, Vice Chair
Agustin J. Barrera
Renier Diaz de la Portilla
Dr. Lawrence S. Feldman
Perla Tabares Hantman
Dr. Wilbert "Tee" Holloway
Dr. Martin Karp
Ana Rivas Logan

Received by
Zoning Agenda Coordinator
DEC 3 0 2009

November 23, 2009

RECEIVED
DEC 16 2009
ZONING SERVICES DIVISION, DADE COUNTY
DEPT. OF PLANNING & ZONING
BY_____

Mr. Marc C. LaFerrier, Director
Department of Planning and Zoning
Miami-Dade County
111 NW 1 Street, 11th Floor, Suite 1110
Miami, FL 33128

BCC
09-121

RE: **09-121, Academir Charter Schools, Inc. (Grades K-5)**
S.E. Corner of S.W. 149 Avenue and S.W. 26 Street

Dear Mr. LaFerrier:

In response to your Department's request seeking information regarding traditional public and charter schools in the general area of the above-referenced charter school application, please see the attached Public School Projected Capacity Analysis (Attachment A).

As you will note under Attachment A, the following elementary schools are currently designated as the schools to serve the area of this application at the K through 5 grade levels: Greenglade Elementary, Joe Hall Elementary, Zora Neale Hurston Elementary, Ethel Koger Beckham Elementary, and Bent Tree Elementary. The analysis provides capacity information for traditional public schools in the surrounding area, depicting an overall surplus of student stations at the elementary school level of 48.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:ir
L153
Attachment

Received by
Zoning Agenda Coordinator
DEC 3 0 2009

RECEIVED
DEC 10 2009
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

20091224

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Ms. Vivian G. Villaamil
Mr. Nick Nitti
Mr. Alberto J. Torres

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

23

ATTACHMENT "A"

PUBLIC SCHOOL PROJECTED ANALYSIS

November 23, 2009

Received by
Zoning Agenda Coordinator
DEC 3 0 2009

APPLICATION: 09-121 – Academir Charter Schools, Inc.
S.E. Corner of S.W. 149 Avenue and S.W. 26 Street

SCHOOLS SERVING AREA OF APPLICATION

ELEMENTARY SCHOOL LEVEL: Greenglade Elementary – 3060 S.W. 127 Ave.
Joe Hall Elementary – 1901 S.W. 134 Ave.
Zora Neale Hurston Elementary – 13137 S.W. 26 St.
Ethel Koger Beckham Elementary – 4702 S.W. 143 Ct.
Bent Tree Elementary – 4861 S.W. 140 Ave.

Schools are located in Regional Center IV.

The following student population and available facility capacity data is based on student enrollment as of October 2009:

Elementary Schools

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	DEFICIT OR SURPLUS CAPACITY
Greenglade Elementary	639	528	121%	18	117%	-93
Joe Hall Elementary	682	627	109%	18	106%	-37
Zora Neale Hurston Elementary	926	1039	89%	0	89%	113
Ethel Koger Beckham Elementary	734	749	98%	0	98%	15
Bent Tree Elementary	573	623	92%	0	92%	50
					AVAILABLE STUDENT STATIONS	48

Received by
Zoning Agenda Coordinator
DEC 3 0 2009

Memorandum

MIAMI-DADE COUNTY

Date: March 12, 2010

To: Marc C. LaFerrier, Director
Department of Planning & Zoning

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

Subject: DIC # 2009000121 – Academir Charter Schools, Inc.
Lying on the southeast corner of SW 149th Avenue and SW 26th Street
Miami-Dade County, Florida_Revision No. 3

SERVICE IMPACT/DEMAND

(A) Based on development information, this project is expected to generate approximately **26** fire and rescue calls annually. The estimated number of alarms results in a minimal impact to existing fire and rescue service. However, the existing stations serving this area will be able to handle the expected number of alarms.

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

EXISTING SERVICES

Based on data retrieved during calendar year 2009, the average travel time to the vicinity of the proposed development was **6:16 minutes**. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.

The stations responding to a fire alarm will be:

STATION	ADDRESS	EQUIPMENT	STAFF
61	15155 SW 10 Street	ALS Engine	4
37	4200 SW 142 Avenue	Rescue, ALS Engine	7
58	12700 SW 6 Street	Rescue, ALS Engine	7
29	351 SW 107 Avenue	Rescue, ALS Aerial	7

ALS= Advanced Life Support

SITE PLAN REVIEW:

(A) Fire Engineering & Water Supply Bureau has reviewed and approved the revised site plan entitled 'Academir Charter School West' as prepared by Octavio A. Santurio, A.I.A. Architects, dated stamp received 2/26/10.

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

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

HL:ch

DATE: 01-APR-10

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

ACADEMIR CHARTER SCHOOLS, INC	LYING ON THE SOUTHEAST CORNER OF S.W. 149 AVENUE & S.W. 26 STREET, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2009000121

HEARING NUMBER

HISTORY:

NC:
(1) Case for a sign violation on private property/2007
(3) Cases for overgrowth/between the years 2008 through 2010. All Neighborhood Compliance cases have been closed.

BLDG:
No current Building cases found.

ACADEMIR CHARTER SCHOOLS, INC

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

REPORTER NAME:

UNKNOWN

Memorandum

MIAMI-DADE COUNTY

Date: March 11, 2010

To: Marc C. LaFerrier, Director
Department of Planning & Zoning

From: José A. Ramos, R.A., Chief, Aviation Planning Division
Aviation Department

Subject: DIC Application #09-121
Academir Charter Schools, Inc.
Revised DN-09-09-274

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #09-121, Academir Charter Schools, Inc. The applicant is requesting a special exception to permit a charter school for 618 students. The subject property is 1.63 acres and is located at the southeast corner of SW 149 Avenue and SW 26 Street in Miami-Dade County, Florida.

Based on the available information, MDAD has determined that the proposed land use is compatible with operations from Miami International Airport.

JR/rb

C: S. Harman
Jorge Vital, Acting DIC Coordinator, Department of Planning & Zoning

Memorandum

MIAMI-DADE COUNTY

Date: March 11, 2010

To: Jorge Vital, DIC Coordinator
Department of Planning and Zoning

From: Maria A. Valdes
Planning & Water Use Unit Supervisor

Subject: Academir Charter Schools, Inc. DIC Application # Z2009000121 (**Third Revision**)

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project.

Application Name: Academir Charter Schools, Inc.

Proposed Development: The applicant is requesting a special exception to permit a public Charter School, grades kindergarten through the 5th grade. The proposed school will serve up to 618 students, along with a total of 46 teachers/staff. The project total water demand is 6,870 gallons per day (gpd).

Project Location: The subject property is located at the southeast corner of S.W. 149th Avenue and S.W. 26th Street, Miami-Dade County, Florida.

MDWASD has reviewed the revised letter of intent submitted by the applicant and finds that said revisions do not alter the comments that were previously submitted by MDWASD.

Should you have any questions, please call me at (786) 552-8198.

Memorandum

Date: September 22, 2009

To: Jorge Vital, DIC Coordinator
Department of Planning and Zoning

From: Bertha M. Goldenberg, P.E., Assistant Director
Regulatory Compliance and Planning

Subject: Academir Charter Schools, Inc. DIC Application # - Z2009000121

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project.

Application Name: Academir Charter Schools, Inc.

Proposed Development: The applicant is requesting a special exception to permit a public Charter School facility including a day care center, pre-school, after-school care and grades kindergarten through the 5th grade. The proposed school will serve up to 708 students, along with a total of 49 teachers/staff (School: 618 students, 41 staff – Daycare: 90 students, 8 staff). The project total water demand is 7,365 gallons per day (gpd).

Project Location: The subject property is located at the southeast corner of S.W. 149th Avenue and S.W. 26th Street, Miami-Dade County, Florida.

Water: The subject project is located within MDWASD's service area. The nearest point of connection for water is a sixteen (16)-inch water main along S.W. 26th Street. The source of water for this project is the Alexander Orr. Water Treatment Plant. The plant is operating under a 20-year Water Use Permit issued by South Florida Water Management District on November 15, 2007. MDWASD will be the utility providing water services subject to the following conditions:

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

Sewer: The subject project is located within the MDWASD's service area. The nearest point of connection for sewer is an existing eight (8)-inch sanitary sewer gravity line along S.W. 149th Avenue. The South District Wastewater Treatment Plant (WWTP) is the facility for treatment and disposal of the wastewater. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. MDWASD will be the utility providing sewer services subject to the following conditions:

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.
- Adequate transmission and plant capacity exist at the time of the owner's request. Capacity evaluations of the plant for average flow and peak flows will be required, depending on the compliance status of the United States Environmental Protection Agency (USEPA) Second and Final Partial Consent Decree

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

Should you have any questions, please call me at (786) 552-8120 or contact Maria A. Valdes at (786) 552-8198.

Memorandum

Date: March 11, 2010

To: Jorge Vital
DIC Coordinator
Department of Planning and Zoning

From: John Garcia
Principal Planner
Miami-Dade Transit - Transit Planning Section

Subject: Review of DIC Project No. 09-121 (Academir Charter School, Inc.)

Project Description

The applicant is requesting a special exception to permit a charter school that includes a 618 student Kindergarten through 5th Grade school, pre-school and after-school care and a day care center. The subject property is 1.63 acres and is located at the southeast corner of SW 26th Street (Coral Way) and SW 149th Avenue, Miami-Dade County, Florida.

Current Transit Service

There is direct transit service within the immediate vicinity of the application site. The closest transit service is provided by Metrobus Route 24 along SW 26th Street (Coral Way) which abuts the subject property. The service headways for the above mentioned route (in minutes) is as follows:

Metrobus Route Service Summary
Academir Charter School, Inc. Application Site

Route(s)	Service Headways (In minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
24	40	N/A	N/A	N/A	N/A	N/A	0.0	F

Notes: *L means Metrobus local route service*
F means Metrobus feeder service to Metrorail
E means Metrobus limited-stop service

Future Transportation/Transit Improvements

The 2010 Transportation Improvement Program (TIP) does not propose any improvements in the immediate vicinity of this project. The 2030 Long Range Transportation Plan (LRTP) also does not propose any improvements in the immediate vicinity of this project.

The 2009 ten-year Transit Development Plan (TDP) shows a planned modification to Route 24 where service east of Ponce De Leon Boulevard would be converted to limited-stop service. No other improvements are planned or programmed for the above mentioned route.

MDT Comments/Recommendations

Miami-Dade Transit (MDT) currently provides local bus service during the weekday peak periods only in close proximity to the application site. 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.

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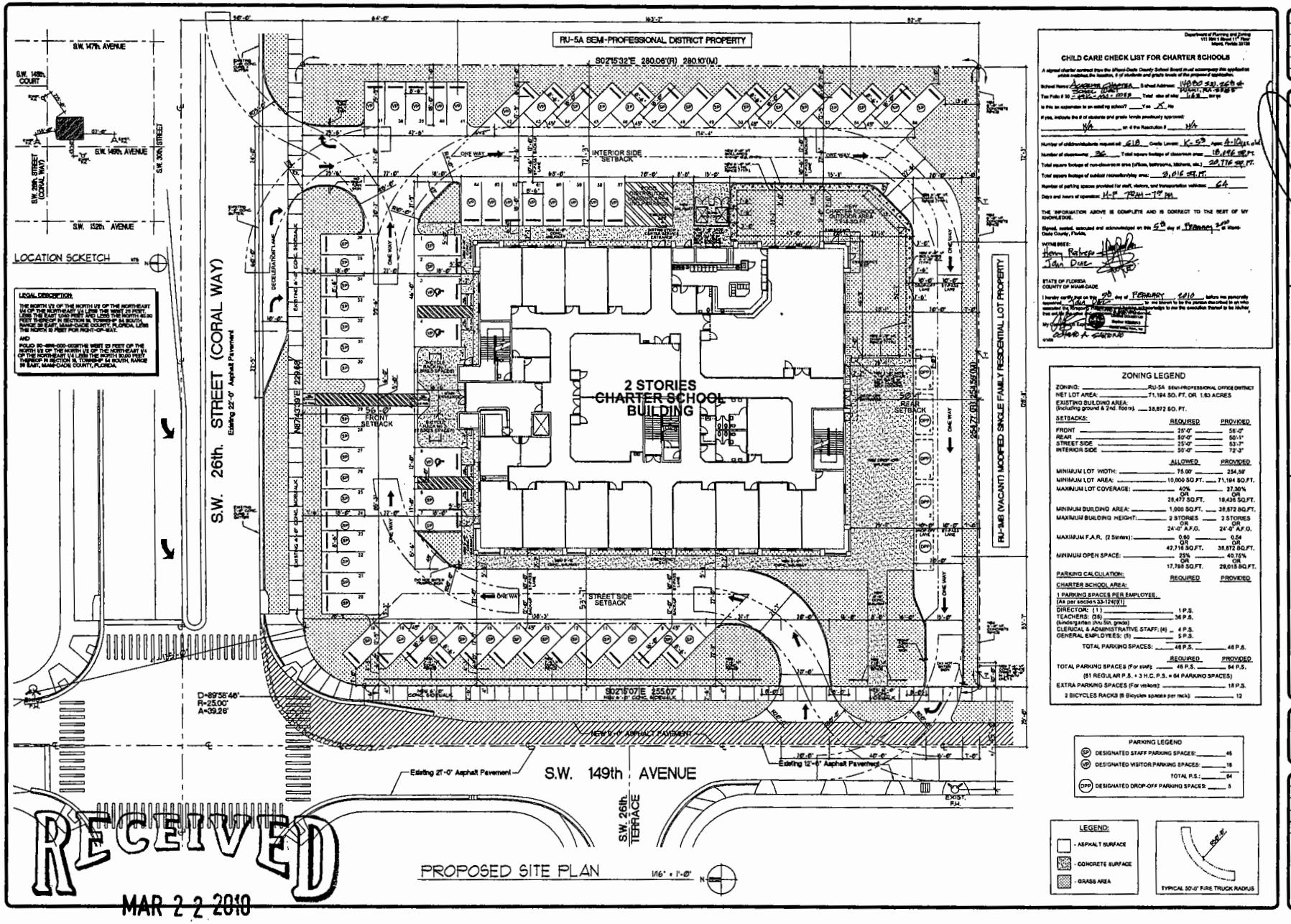

CHILD CARE CHECK LIST FOR CHARTER SCHOOLS

A signed charter approval from the Miami-Dade County School Board must accompany this application unless exempted by Section 1 of resolution and grade levels of the proposed application.

School Name: ACADEMIR CHARTER School Address: 14980 SW 26th ST MIAMI FL 33185

Tax Folio # 30-4934-000-0020 Total size of site 1.83 acres

Is this an application to an existing school? ___ Yes X No

If yes, indicate the # of students and grade levels previously approved:

N/A on # the Resolution # N/A

Number of children/students requested 618 Grade Levels K-5th Ages 4-10yrs old

Number of classrooms 36 Total square footage of classroom area: 18,696 SQ.FT.

Total square footage of non-classroom area (offices, bathrooms, kitchens, etc.) 20,716 SQ.FT.

Total square footage of outdoor recreation/play area: 8,016 SQ.FT.

Number of parking spaces provided for staff, visitors, and transportation vehicles: 64

Days and hours of operation: M-F 7AM-7PM

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 5th day of FEBRUARY 2010 at Miami-Dade County, Florida.

WITNESSED:
Henry Rolvers
Jan Duel

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 5th day of FEBRUARY 2010 before me personally appeared JAN DUEL to me known to be the person described in and who executed the foregoing instrument and acknowledged to me the execution thereof to be his/her free act and deed.

My Commission Expires:

ZONING LEGEND

ZONING: RU-5A SEMI-PROFESSIONAL OFFICE DISTRICT
NET LOT AREA: 71,194 SQ. FT. OR 1.63 ACRES
EXISTING BUILDING AREA: (including ground & 2nd. floors) 38,872 SQ. FT.

SETBACKS:	REQUIRED	PROVIDED
FRONT	25'-0"	58'-0"
REAR	50'-0"	50'-1"
STREET SIDE	25'-0"	53'-7"
INTERIOR SIDE	50'-0"	72'-0"

	ALLOWED	PROVIDED
MINIMUM LOT WIDTH:	75.00'	254.55'
MINIMUM LOT AREA:	10,000 SQ.FT.	71,194 SQ.FT.
MAXIMUM LOT COVERAGE:	40% OR 28,477 SQ.FT.	27.30% OR 18,436 SQ.FT.
MINIMUM BUILDING AREA:	1,000 SQ.FT.	38,872 SQ.FT.
MAXIMUM BUILDING HEIGHT:	2 STORIES OR 24'-0" A.F.G.	2 STORIES OR 24'-0" A.F.G.
MAXIMUM F.A.R. (2 Stories):	0.60 OR 42,716 SQ.FT.	0.54 OR 38,872 SQ.FT.
MINIMUM OPEN SPACE:	25% OR 17,798 SQ.FT.	40.75% OR 29,015 SQ.FT.

PARKING CALCULATION:	REQUIRED	PROVIDED
CHARTER SCHOOL AREA:		
1 PARKING SPACES PER EMPLOYEE. (As per section 33-124(i)(1))		
DIRECTOR: (1)	1 P.S.	
TEACHERS: (36) (kindergarten thru 5th. grade)	36 P.S.	
CLERICAL & ADMINISTRATIVE STAFF: (4)	4 P.S.	
GENERAL EMPLOYEES: (5)	5 P.S.	
TOTAL PARKING SPACES:	46 P.S.	46 P.S.

	REQUIRED	PROVIDED
TOTAL PARKING SPACES (For staff):	46 P.S.	64 P.S.
(61 REGULAR P.S. + 3 H.C. P.S. = 64 PARKING SPACES)		
EXTRA PARKING SPACES (For visitors):		18 P.S.
2 BICYCLES RACKS (8 Bicycles spaces per rack):		12

PARKING LEGEND

(SP) DESIGNATED STAFF PARKING SPACES:	46
(VP) DESIGNATED VISITOR PARKING SPACES:	18
TOTAL P.S.:	64
(DPP) DESIGNATED DROP-OFF PARKING SPACES:	5

LEGEND:
- ASPHALT SURFACE
- CONCRETE SURFACE
- GRASS AREA

TYPICAL 50'-0" FIRE TRUCK RADIUS

REVISIONS | BY

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ARCHITECT
9760 Bird Road, Suite 16 - Southwest Ranches, Florida 33355
Tel.: (305) 220-8614 / 665-8614 - Fax: (954) 680-1413
FL. Reg. No. AR 0013555

OWNER: ACADEMIR CHARTER SCHOOLS INC.
13701 SW 42nd. STREET
MIAMI, FLORIDA 33175
PHONE: (305) 220-2205

PROJECT NAME: "ACADEMIR CHARTER SCHOOL WEST"
14980 S.W. 26th. STREET
MIAMI, FLORIDA 33185

DRAWN: JOHN D.
CHK'D: O.A.S.
DATE: JANUARY 2009
SCALE: AS SHOWN
JOB NO.: 0613
SHEET: S1
2 OF 7 SHEETS

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

1/19/10

RECEIVED
MAR 2 2 2010

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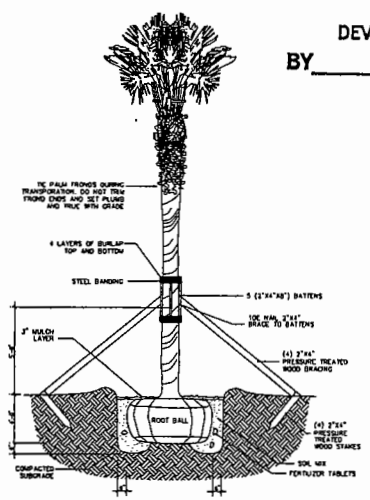
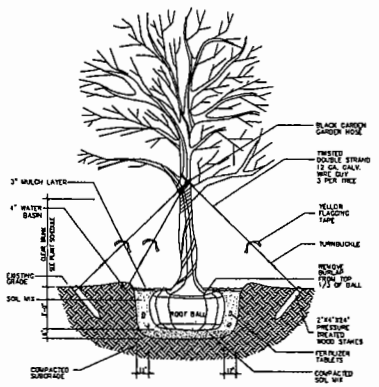
BY_____



PALM PLANTING DETAIL N.T.S.

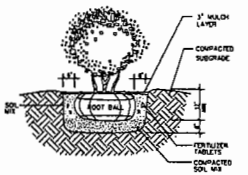


CANOPY TREE PLANTING DETAIL N.T.S.

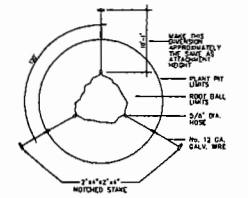
LANDSCAPE LEGEND

ZONING DISTRICT: RU-5A NET LOT AREA: 11,184 SQFT. OR 1.63 ACRES.

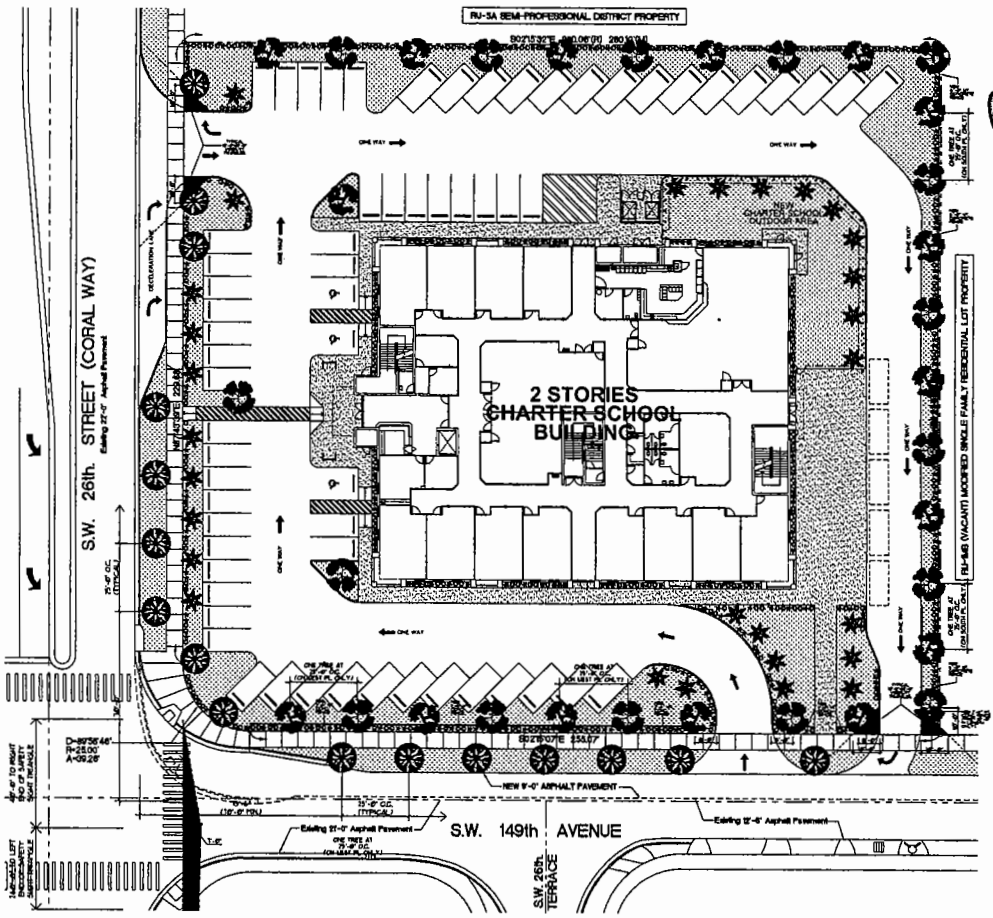
	REQUIRED	PROVIDED
OPEN SPACE:		
A. SQUARE FEET OF OPEN SPACE REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN:	11,799	28,335
NET LOT AREA: 11,184 SQFT. x 25 % = 11,799 SQFT.		
B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18A, AS INDICATED ON SITE PLAN:	660	690
No. PARKING SPACES= 69 x 10 SQFT. PER PARKING SPACE= 690		
C. TOTAL SQFT. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33: A-B=	10,479	27,619
LAWN AREA CALCULATION		
A. 10,479 TOTAL SQUFT. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33		
B. MAXIMUM LAWN AREA (60%) PERMITTED= 35 % X 10,479 SF.=	4,620	4,620
TREES / PALMS:		
A. No. OF INTERIOR TREES REQUIRED PER NET LOT ACRE:		
= 20 TREES X NET LOT ACRES (1.63) =	46	46
(46 INT. TREES - 14 TREES TO BE REPLACED BY PALMS = 32 INT. TREES)=		
TOTAL NUMBER OF INTERIOR TREES=	32	#
B. No. OF PALMS ALLOWED:		
INTERIOR PALMS: (TWO PALMS = ONE TREE)		
INTERIOR TREES REQUIRED X 50% = No. OF TREES TO BE REPLACED BY PALMS.		
No. 46 TREES REQUIRED X 50% = 14 MAX. No. OF INT. TREES TO BE REPLACED BY PALMS.		
(2 INTERIOR PALMS = 14 INTERIOR TREES = 28 No. OF INTERIOR PALMS) =	28	
STREET PALMS: (ONE PALM = ONE TREE)		
% PALMS PERMITTED TO COUNT AS STREET TREES ON 41 BASIS X 50%		
STREET 1: N/A TREES REQ. x 50% = N/A PALMS ALLOWED	N/A	
STREET 2: N/A TREES REQ. x 50% = N/A PALMS ALLOWED	N/A	
EXTRA NUMBER OF PALMS=	N/A	
TOTAL NUMBER OF PALMS=	28	#
C. STREET TREES: (MAX. AVERAGE SPACING OF 35' O.C.)		
-STREET 1: 258.55' LINEAR FEET ALONG STREET / 35= 8		
(N/A STREET TREES REQ. x 50% = N/A PALMS TO COUNT AS STREET TREES) = N/A	8	
-STREET 2: 280.00' LINEAR FEET ALONG STREET / 35= 8		
(N/A STREET TREES REQ. x 50% = N/A PALMS TO COUNT AS STREET TREES) = N/A	8	
D. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES		
(MAXIMUM AVERAGE SPACING OF 25' O.C.) N/A LINEAR FEET ALONG STREET/25= N/A		
(N/A STREET TREES PROV. = N/A PALMS TO COUNT AS STREET TREES x N/A ST. TREES)	N/A	
TOTAL NUMBER OF STREET TREES=	16	#
E. TOTAL NUMBER OF PALMS + TREES=	62	76
F. % OF NATIVES (TREES + PALMS REQUIRED:		
TOTAL No. OF TREES + PALMS PROVIDED= 76 x 30% = 23	23	76
SHRUBS:		
A. 76 TREES REQUIRED X 10= No. OF SHRUBS ALLOWED	760	760
B. 760 SHRUBS ALLOWED X 30%=No. OF NATIVE SHRUBS REQUIRED	228	760
IRRIGATION SYSTEM REQUIRED AS PER F.B.C. (SEE SHEET IRR-1)		



SHRUB PLANTING DETAIL N.T.S.



TYPICAL TOP VIEW STAKING DETAIL N.T.S.



LANDSCAPING PLAN 1" = 20'

NOTE:
NOTHING CAN BE HEIGHER THAN 2'-6" WITHIN OF VISIBILITY TRIANGLES.

LEGEND:
- ASPHALT SURFACE
- CONCRETE SURFACE
- GRASS AREA

SYMBOL USED ON PLAN			LOCATION		PLANT NAME		NATIVE SPECIES		HEIGHT AT PLANTING	HEIGHT AT MATURITY	HEIGHT OF CLEAR TRUNK	CANOPY DIAMETER	CALIPER AT PLANTING	MAXIMUM AVERAGE SPACING	QUANTITY
SYMBOL	NEW	EXISTING	INTERIOR	STREET	SCIENTIFIC	COMMON	YES	NO				ESTIMATED AT TIME OF PLANTING			
	N			N	QUERCUS VIRGINIANA	LIVE OAK	X		14'-0"-16'-0"	MIN. 25'-0"	6'-0"	6'-0"	3"	35'-0" MAX.	16
	N		N		SWIETENIA MAHAGONI	MAHOGANY	X		14'-0"-16'-0"	MIN. 25'-0"	6'-0"	6'-0"	3"	SEE PLAN	16
	N		N		BURSERA SIMARUBA	GUMBO LIMBO	X		14'-0"-16'-0"	MIN. 25'-0"	6'-0"	6'-0"	3"	SEE PLAN	16
	N		N		VETIVERIA MONTGOMERYANA	MONTGOMERY PALM	X		10'-0"-12'-0"	MAX. 20'-0"	———	———	3"	———	28
			300		TECOMA HOPE GARDEN	PINK TRUMPET	X		36" / in Key LOCATION 30" / in SAFETY TRIANGLE LOCA. 30" / in INTERIOR LOCATION	PLANT GROW / BE PLANT LIMITED • 72" MAX. HT. ALONG SOUTH R. • 36" MAX. HT. ALONG PINE / LIGHT R. • 30" MAX. HT. IN SAFETY TRIANGLE	———	———	———	± 36" O.C.	300
			300		CROTON PUFF	CROTON PUFF	X		36" / in Key LOCATION 30" / in SAFETY TRIANGLE LOCA. 30" / in INTERIOR LOCATION	PLANT GROW / BE MAINTAINED • 72" MAX. HT. ALONG SOUTH R. • 36" MAX. HT. ALONG PINE / LIGHT R. • 30" MAX. HT. IN SAFETY TRIANGLE	———	———	———	± 36" O.C.	300
			N		STENOTAPHRUM SECUNDATUM	ST. AUGUSTINE SOD	X		———	———	———	———	———	PANELS	

REVISIONS | BY

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OWNER:
ACADEMIR CHARTER SCHOOLS INC.
13951 SW 42nd. STREET
MIAMI, FLORIDA 33175
PHONE: (305) 554-2370

PROJECT NAME:
"ACADEMIR CHARTER SCHOOL WEST"
14580 S.W. 26th. STREET
MIAMI, FLORIDA 33185

DRAWN: JOHN D.
CHECKED: O.A.S.
DATE: JANUARY 2009
SCALE: AS SHOWN
JOB NO: 0913
SHEET
3 OF 7 SHEETS

25-33

36

CHARTER SCHOOL CALCULATION:

EXISTING BUILDING AREA = 38,872 SQ. FT.

CLASSROOM AREA AT GROUND FLOOR = 6,693 SQ. FT.
CLASSROOM AREA AT 2nd. FLOOR = 12,913 SQ. FT.
TOTAL CLASSROOM AREA = 19,606 SQ. FT.

OTHER AREAS = 20,116 SQ. FT.
(including administrative area, stairs, corridors & daycare space)

TOTAL BUILDING AREA = 38,872 SQ. FT.

STUDENTS CALCULATION (GROUND FLOOR) =

KINDERGARTEN:

	PROVIDED
CLASSROOM 1 - KINDERGARTEN: (515 SQ.FT. / 25 = 21 STUDENTS)	18 STUDENTS
CLASSROOM 2 - KINDERGARTEN: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 3 - KINDERGARTEN: (465 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 4 - KINDERGARTEN: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 5 - KINDERGARTEN: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 6 - KINDERGARTEN: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
KINDERGARTEN STUDENTS:	108 STUDENTS

1st. GRADE:

CLASSROOM 11 - 1st. GRADE: (465 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 12 - 1st. GRADE: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 13 - 1st. GRADE: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 14 - 1st. GRADE: (465 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 15 - 1st. GRADE: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 16 - 1st. GRADE: (933 SQ.FT. / 25 = 31 STUDENTS)	18 STUDENTS
1st. GRADE STUDENTS:	108 STUDENTS
ART CLASSROOM: (456 SQ.FT.)	N/A
TOTAL GROUND FLOOR STUDENTS:	216 STUDENTS

STUDENTS CALCULATION (2nd. FLOOR) =

2nd. GRADE:

CLASSROOM 17 - 2nd. GRADE: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 18 - 2nd. GRADE: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 19 - 2nd. GRADE: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 20 - 2nd. GRADE: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 21 - 2nd. GRADE: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
CLASSROOM 22 - 2nd. GRADE: (450 SQ.FT. / 25 = 18 STUDENTS)	18 STUDENTS
2nd. GRADE STUDENTS:	108 STUDENTS

3rd. GRADE:

CLASSROOM 23 - 3rd. GRADE: (550 SQ.FT. / 25 = 22 STUDENTS)	18 STUDENTS
CLASSROOM 23 - 3rd. GRADE: (569 SQ.FT. / 25 = 22 STUDENTS)	18 STUDENTS
CLASSROOM 24 - 3rd. GRADE: (550 SQ.FT. / 25 = 22 STUDENTS)	18 STUDENTS
CLASSROOM 25 - 3rd. GRADE: (550 SQ.FT. / 25 = 22 STUDENTS)	18 STUDENTS
CLASSROOM 26 - 3rd. GRADE: (550 SQ.FT. / 25 = 22 STUDENTS)	18 STUDENTS
CLASSROOM 27 - 3rd. GRADE: (811 SQ.FT. / 25 = 33 STUDENTS)	18 STUDENTS
3rd. GRADE STUDENTS:	108 STUDENTS

4th. GRADE:

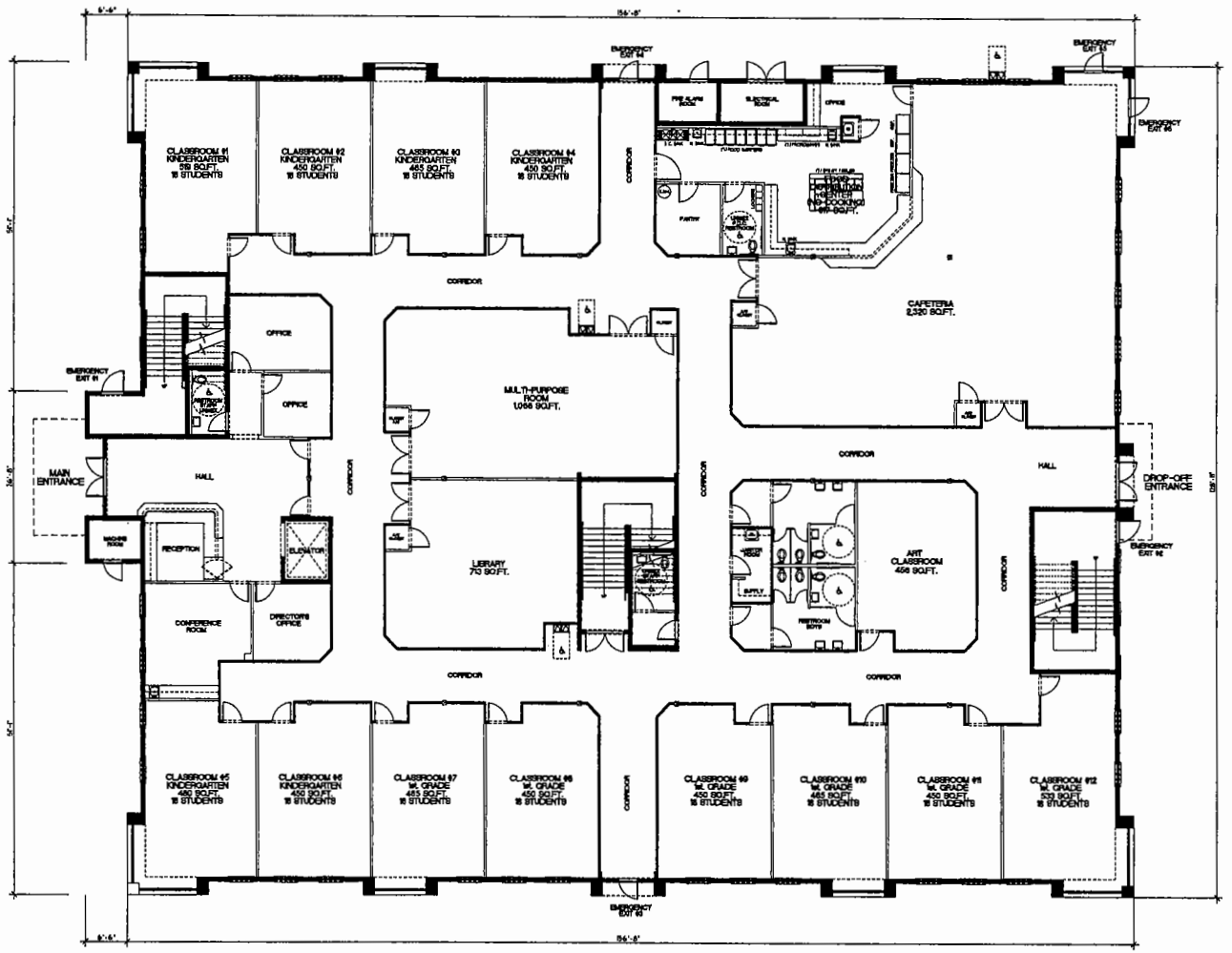
CLASSROOM 28 - 4th. GRADE: (550 SQ.FT. / 25 = 22 STUDENTS)	18 STUDENTS
CLASSROOM 29 - 4th. GRADE: (569 SQ.FT. / 25 = 22 STUDENTS)	22 STUDENTS
CLASSROOM 30 - 4th. GRADE: (514 SQ.FT. / 25 = 22 STUDENTS)	22 STUDENTS
CLASSROOM 31 - 4th. GRADE: (569 SQ.FT. / 25 = 22 STUDENTS)	22 STUDENTS
CLASSROOM 32 - 4th. GRADE: (569 SQ.FT. / 25 = 22 STUDENTS)	22 STUDENTS
4th. GRADE STUDENTS:	104 STUDENTS

5th. GRADE:

CLASSROOM 33 - 5th. GRADE: (550 SQ.FT. / 25 = 22 STUDENTS)	22 STUDENTS
CLASSROOM 34 - 5th. GRADE: (569 SQ.FT. / 25 = 22 STUDENTS)	22 STUDENTS
CLASSROOM 35 - 5th. GRADE: (550 SQ.FT. / 25 = 22 STUDENTS)	22 STUDENTS
CLASSROOM 36 - 5th. GRADE: (569 SQ.FT. / 25 = 22 STUDENTS)	18 STUDENTS
5th. GRADE STUDENTS:	87 STUDENTS
MEDIA ROOM 1: (476 SQ.FT.)	N/A
MEDIA ROOM 2: (476 SQ.FT.)	N/A
TOTAL SECOND FLOOR STUDENTS:	401 STUDENTS

GROUND FLOOR STUDENTS: 216 STUDENTS
SECOND FLOOR STUDENTS: 401 STUDENTS

TOTAL No. OF STUDENTS: 618 STUDENTS



PROPOSED GROUND FLOOR PLAN 1/8" = 1'-0"

CHARTER SCHOOL PERSONNEL COUNT

DIRECTOR:	1 PERSON
TEACHERS:	36 PERSONS
CLERICAL / ADMINISTRATIVE STAFF:	4 PERSONS
GENERAL EMPLOYEES:	5 PERSONS
TOTAL EMPLOYEES:	46 PERSONS
NUMBER OF STUDENTS:	618 STUDENTS
TOTAL No. OF PERSONS:	664 PERSONS

EXISTING BUILDING BREAKDOWN

EXISTING GROUND FLOOR AREA:	19,436 SQ.FT.
EXISTING SECOND FLOOR AREA:	19,436 SQ.FT.
TOTAL EXISTING BUILDING AREA: (including stairs & corridors)	38,872 SQ.FT.

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

REVISIONS | BY

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OWNER:
ACADEMIR CHARTER SCHOOLS INC.
3775 SW 42nd STREET
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PHONE: (305) 220-2200

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

BY_____

37

STUDENTS CALCULATION (2nd FLOOR) :

2nd GRADE:

CLASSROOM #26 - 2nd GRADE: (550 SQFT. / 25 = 18 STUDENTS)	18	STUDENTS
CLASSROOM #25 - 2nd GRADE: (550 SQFT. / 25 = 18 STUDENTS)	18	STUDENTS
CLASSROOM #24 - 2nd GRADE: (550 SQFT. / 25 = 18 STUDENTS)	18	STUDENTS
CLASSROOM #23 - 2nd GRADE: (565 SQFT. / 25 = 18 STUDENTS)	18	STUDENTS
CLASSROOM #22 - 2nd GRADE: (550 SQFT. / 25 = 18 STUDENTS)	18	STUDENTS
CLASSROOM #21 - 2nd GRADE: (565 SQFT. / 25 = 18 STUDENTS)	18	STUDENTS
2nd GRADE STUDENTS:	108	STUDENTS

3rd GRADE:

CLASSROOM #27 - 3rd GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #28 - 3rd GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #29 - 3rd GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #30 - 3rd GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #31 - 3rd GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
3rd GRADE STUDENTS:	110	STUDENTS

4th GRADE:

CLASSROOM #1 - 4th GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #2 - 4th GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #3 - 4th GRADE: (574 SQFT. / 25 = 23 STUDENTS)	23	STUDENTS
CLASSROOM #20 - 4th GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #21 - 4th GRADE: (565 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
4th GRADE STUDENTS:	111	STUDENTS

5th GRADE:

CLASSROOM #13 - 5th GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #14 - 5th GRADE: (563 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #15 - 5th GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #16 - 5th GRADE: (565 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #17 - 5th GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #18 - 5th GRADE: (550 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
CLASSROOM #19 - 5th GRADE: (574 SQFT. / 25 = 22 STUDENTS)	22	STUDENTS
5th GRADE STUDENTS:	154	STUDENTS
MEDIA ROOM #1 (476 SQFT.)	N/A	
MEDIA ROOM #2 (476 SQFT.)	N/A	
TOTAL SECOND FLOOR STUDENTS:	405	STUDENTS

CHARTER SCHOOL PERSONNEL COUNT		
DIRECTOR:	1	PERSON
TEACHERS:	36	PERSONS
CLERICAL & ADMINISTRATIVE STAFF:	4	PERSONS
GENERAL EMPLOYEES:	5	PERSONS
TOTAL EMPLOYEES:	46	PERSONS
NUMBER OF STUDENTS:	618	STUDENTS
TOTAL No. OF PERSONS:	664	PERSONS

EXISTING BUILDING BREAKDOWN		
EXISTING GROUND FLOOR AREA:	19,436	SQ.FT.
EXISTING SECOND FLOOR AREA:	19,436	SQ.FT.
TOTAL EXISTING BUILDING AREA: (including stairs & corridors)	38,872	SQ.FT.

PROPOSED SECOND FLOOR PLAN 1/8" = 1'-0"

REVISIONS | BY

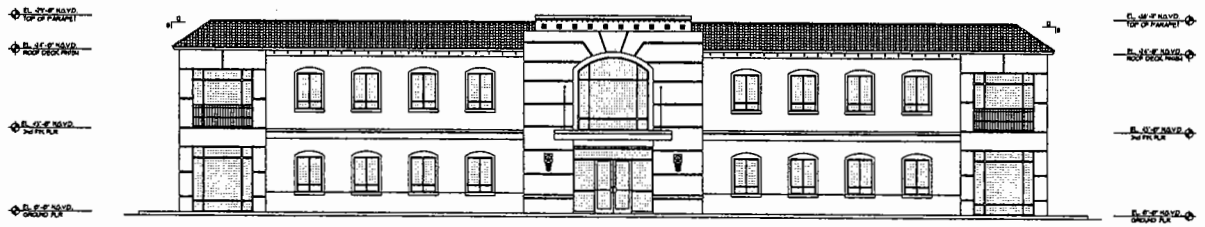
OCTAVIO A. SANTURIO A.I.A.
ARCHITECT
6263 SW 72nd Street, Miami, Florida 33143
Tel: (305) 665-9644 / 665-9645 Fax: (305) 665-7143
FL. Reg. No. 15175

OWNER:
ACADEMIR CHARTER SCHOOLS INC.
2121 SW 42nd STREET
MIAMI, FLORIDA 33145
PHONE: (305) 320-2205

PROJECT NAME:
"ACADEMIR CHARTER SCHOOL WEST"
14580 S.W. 26th STREET
MIAMI, FLORIDA 33185

DRAWN: JOHN D.
CHECKED: O.A.S.
DATE: JANUARY 2009
SCALE: AS SHOWN
JOB NO.: 0913
SHEET: T1
5 OF 7 SHEETS

38



NORTH SIDE ELEVATION 1/8"=1'-0"

SOUTH SIDE ELEVATION 1/8"=1'-0"

WEST SIDE ELEVATION 1/8"=1'-0"

EAST SIDE ELEVATION 1/8"=1'-0"

RECEIVED

MAR 2 2 2010

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

BY_____

REVISIONS	BY

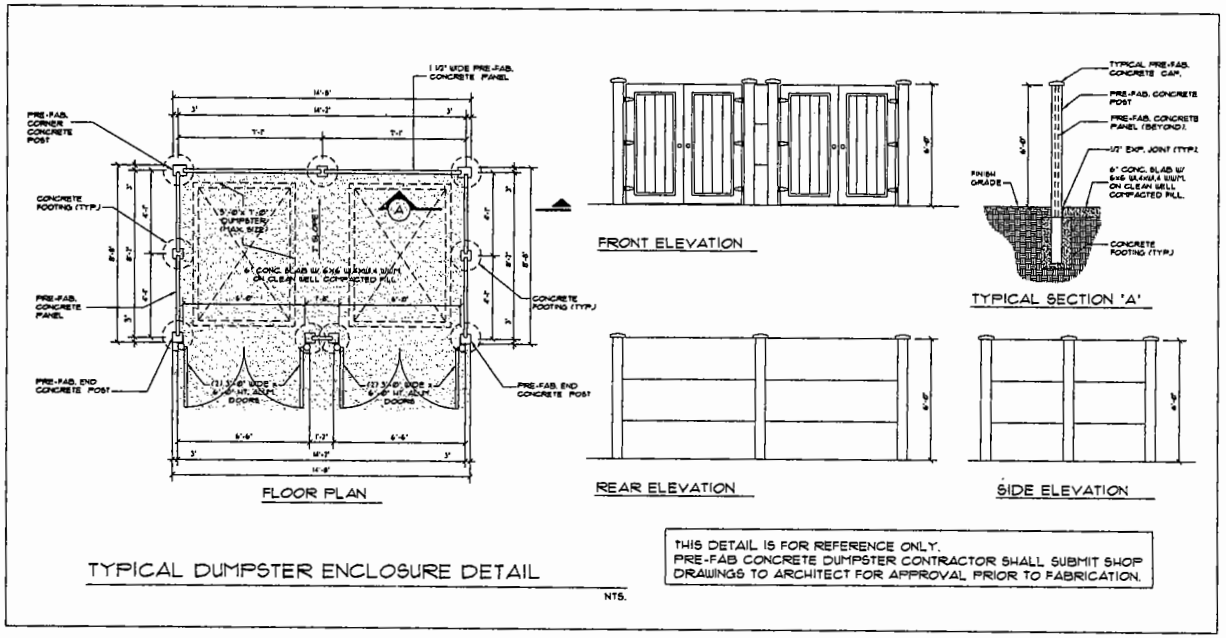
OCTAVIO A. SANTURIO A.I.A.
ARCHITECT
6262 Bird Road, Suite 3E - South Miami, Florida 33155
Tel. (305) 665-8844 / 665-8866 Fax (305) 661-7143
FL. AR. 0000167

OWNER:
ACADERMIR CHARTER SCHOOLS INC.
13911 SW 42nd STREET
MIAMI, FLORIDA 33173
PHONE: (305) 220-2205

PROJECT NAME:
"ACADERMIR CHARTER SCHOOL WEST"
14580 S.W. 26th STREET
MIAMI, FLORIDA 33185

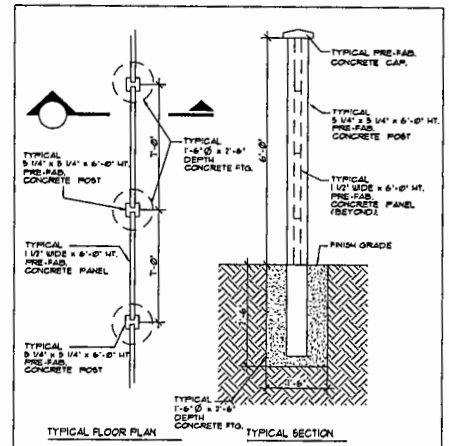
JOHN D.
O.A.S.
JANUARY 2009
AS SHOWN
0813
SHEET
E1
6 OF 7 SHEETS

09/09/10



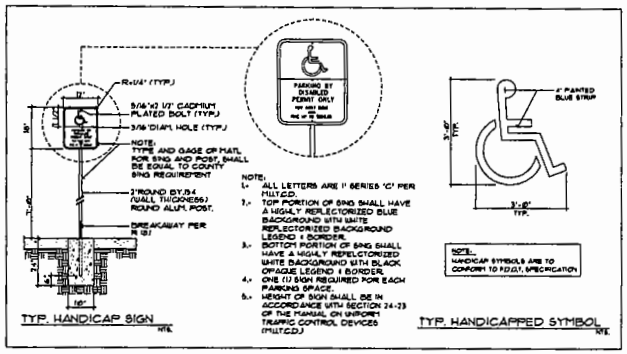
TYPICAL DUMPSTER ENCLOSURE DETAIL
NTS.

THIS DETAIL IS FOR REFERENCE ONLY.
PRE-FAB CONCRETE DUMPSTER CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO ARCHITECT FOR APPROVAL PRIOR TO FABRICATION.



TYPICAL PRE-FAB FENCE DETAIL N.T.S.

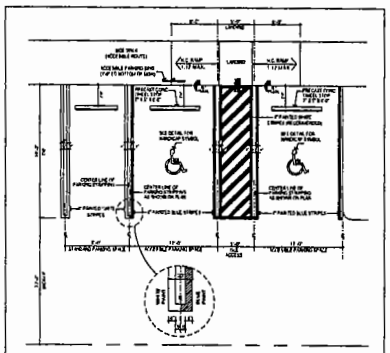
THIS DETAIL IS FOR REFERENCE ONLY. PRE-FAB CONCRETE DUMPSTER CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO ARCHITECT FOR APPROVAL PRIOR TO FABRICATION.



NOTE:
1. ALL LETTERS ARE 1" SERIES 'C' PER M.U.T.C.D.
2. TOP PORTION OF SING SHALL HAVE A HIGHLY REFLECTORIZED BLUE BACKGROUND WITH WHITE REFLECTORIZED BACKGROUND LEGEND & BORDER.
3. BOTTOM PORTION OF SING SHALL HAVE A HIGHLY REFLECTORIZED WHITE BACKGROUND WITH BLACK OPAQUE LEGEND & BORDER.
4. ONE (1) SIGN REQUIRED FOR EACH PARKING SPACE.
5. HEIGHT OF SIGN SHALL BE IN ACCORDANCE WITH SECTION 24-23 OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.)

TYP. HANDICAP SIGN NTS.

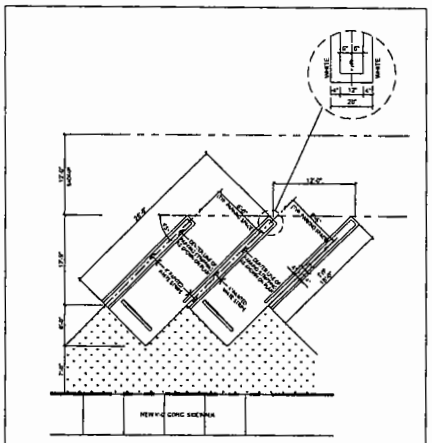
TYP. HANDICAPPED SYMBOL NTS.



H.C. PARKING & TYPICAL PARKING SPACES NTS.
90° DESIGN

ALL AREAS WHERE A WALK CROSSES A VEHICULAR WAY MUST COMPLY W/ F.D.C. 1-4.2.5.

ALL CHANGES IN LEVELS ALONG AN ACCESSIBLE ROUTE SHALL NOT VARY BY MORE THAN 1/2"



45° TYPICAL PARKING SPACES NTS.

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DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY_____

REVISIONS | BY

OCTAVIO A. SANTURIO A.I.A.
ARCHITECT
5262 Blvd Road, Suite 3E - South Miami, Florida 33155
Tel. (305) 665-8844 / 665-8846 fax: (305) 661-7405
FL. AR 0007675

OWNER:
ACADERMIR CHARTER SCHOOLS INC.
13921 SW 42nd STREET
MIAMI, FLORIDA 33175
PHONE: (305) 220-2205

PROJECT NAME:
"ACADERMIR CHARTER SCHOOL WEST"
14840 S.W. 26th STREET
MIAMI, FLORIDA 33185

DRAWN JOHN D.
CHECKED O.A.S.
DATE JANUARY 2009
SCALE AS SHOWN
JOB NO. 0913
SHEET G1
7 OF 7 SHEETS

39
03/19/10

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: Academir Charter Schools, Inc., a Florida Non Profit Corporation

NAME AND ADDRESS	Percentage of Stock
Armando Mayoli, CHRM, 1937 SW 123rd Avenue, Miami, FL 33175	
Oscar Aguilar, TCHR, 12666 76th Road North, West Palm Beach, FL 33412	
Lissette Gell, Secretary, 12101 SW 133rd Terrace, Miami, FL 33186	

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: _____

NAME AND ADDRESS	Percentage of Ownership

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20121
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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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

NAME OF PURCHASER: _____

NAME AND ADDRESS (if applicable)	Percentage of Interest

Date of contract: _____

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

_____

_____

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

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

Signature: X _____
(Applicant)

Sworn to and subscribed before me this 3 day of March, 09. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

JANET PRIETO
MY COMMISSION # DD 470605
EXPIRES: December 13, 2009

My commission expires December 13, 2009

*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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2009-12
AUG - 5 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

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: Castellanos at Coral Way, Inc.

NAME AND ADDRESS	Percentage of Stock
Mario Castellanos, President/Director	40%
Silvia Castellanos, Secretary/Director	60%
3761 SW 139th Place, Miami, FL 33175	

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: _____

NAME AND ADDRESS	Percentage of Ownership

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

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

NAME OF PURCHASER: _____

NAME AND ADDRESS (if applicable)	Percentage of Interest

Date of contract: _____

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

_____

_____

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

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 2nd day of March 2009. Affiant is personally known to me or has produced FL D's License C234-540-63-445-0 as identification.

_____
(Notary Public)

SIUBY FLEITES
MY COMMISSION # DD 413270
EXPIRES: April 16, 2009
Bonded Thru Notary Public Underwriters

My commission expires _____

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

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

Department of Planning and Zoning
111 NW 1 Street 11th Floor
Miami, Florida 33128

CHILD CARE CHECK LIST FOR CHARTER SCHOOLS

A signed charter contract from the Miami-Dade County School Board must accompany this application which matches the location, # of students and grade levels of the proposed application.

School Name: ACADEMIR CHARTER SCHOOL WEST School Address: 14880 S.W. 26th St MIAMI, FLA. 33185

Tax Folio # 30 - 4916 - 000 - 0023 Total size of site: 1.63 acres

Is this an expansion to an existing school? ____ Yes X No

If yes, indicate the # of students and grade levels previously approved:

N/A an d the Resolution # N/A

Number of children/students requested: 618 Grade Levels: K - 5th Ages: 4-10yrs. old.

Number of classrooms: 36 Total square footage of classroom area: 18,096 SQ. FT.

Total square footage of non-classroom area (offices, bathrooms, kitchens, etc.) 20,776 SQ. FT.

Total square footage of outdoor recreation/play area: 3,016 SQ. FT.

Number of parking spaces provided for staff, visitors, and transportation vehicles: 68

Days and hours of operation: M-F 7:00 AM - 7:00 PM

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 5th day of FEBRUARY 2010 at Miami-Dade County, Florida.

WITNESSES:

Henry Restrepo

John Diaz

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

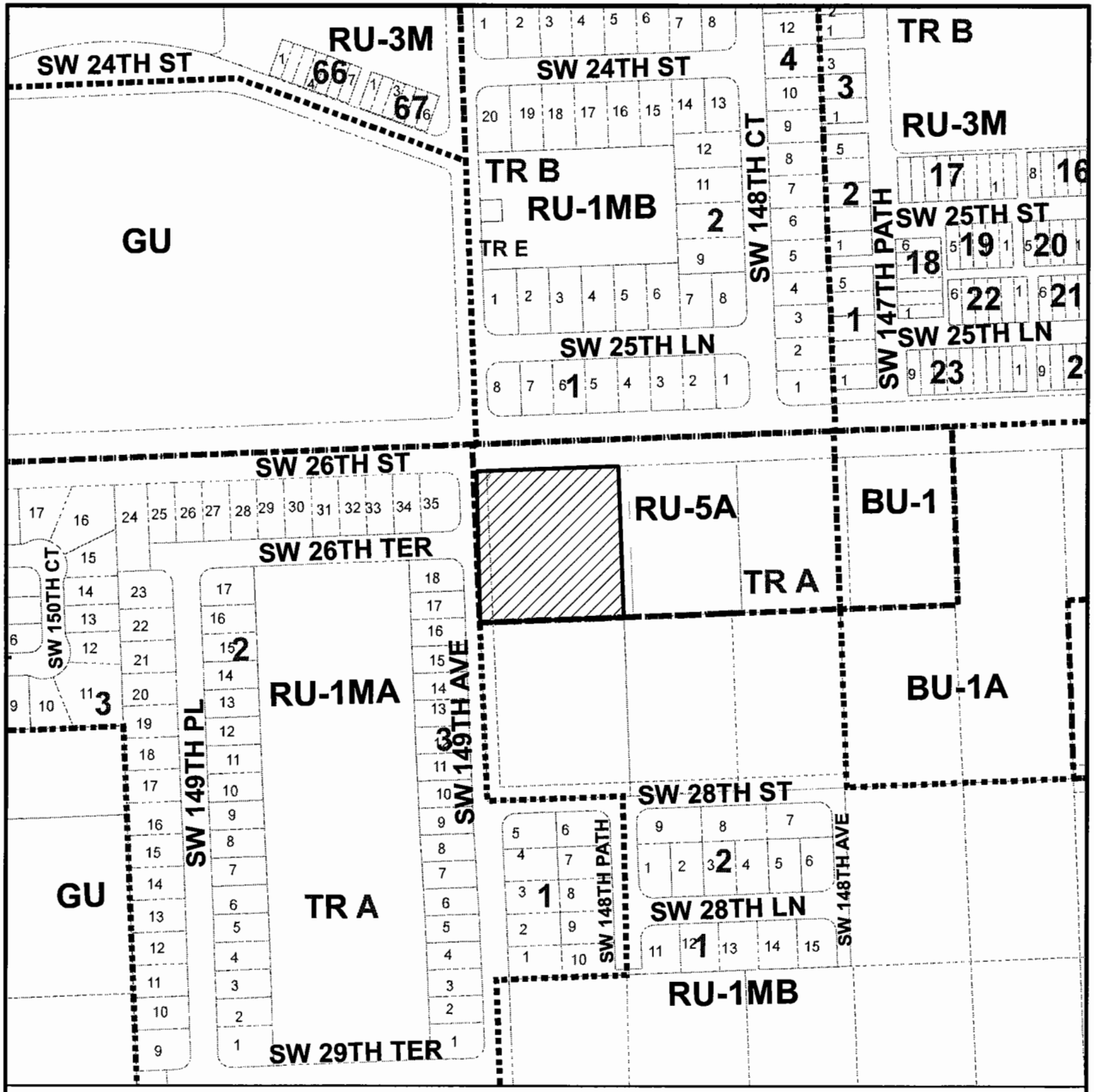
I hereby certify that on this 5th day of FEBRUARY, 2010, before me personally appeared John Diaz, to me known to be the person described in an who executed the foregoing instrument and he/she acknowledge to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

OCTAVIO A. SANTURIO
Comm# DD0883120
Expires 4/22/2013
Florida Notary Assn., Inc

My Commission Expires:

OCTAVIO A. SANTURIO

4/1/08



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-121

Section: 16 Township: 54 Range: 39
Applicant: ACADEMIR CHARTER SCHOOLS, INC.
Zoning Board: C10
Commission District: 11
Drafter ID: KEELING
Scale: NTS
---------- Zoning

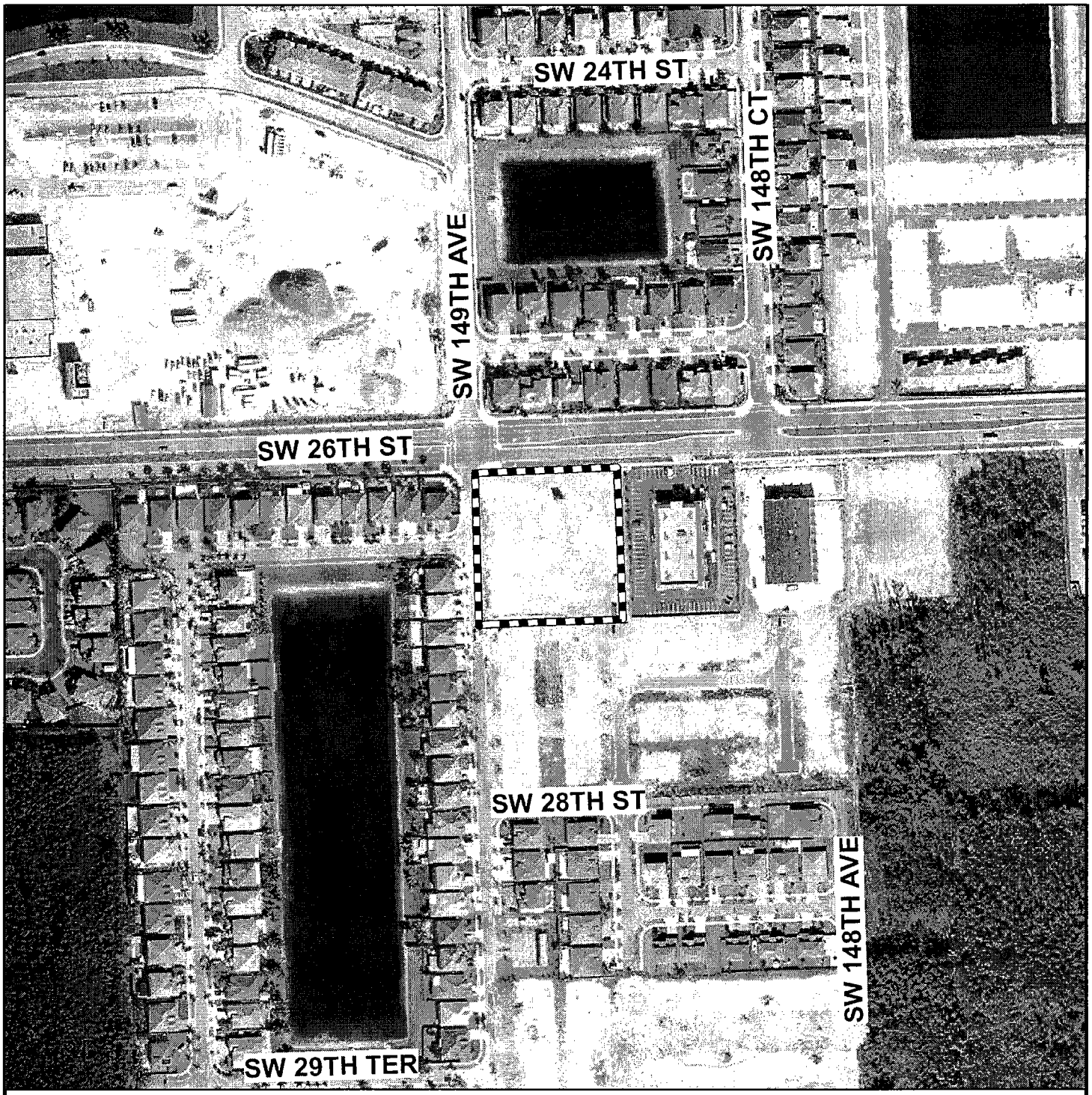
SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 08/25/09

REVISION	DATE	BY
		49



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

09-121

Section: 16 Township: 54 Range: 39
Applicant: ACADEMIR CHARTER SCHOOLS, INC.
Zoning Board: C10
Commission District: 11
Drafter ID: KEELING
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 08/25/09

REVISION	DATE	BY

Received by
Zoning Agenda Coordinator
APR 26 2010 09-121

This instrument was prepared by:

Name: Juan J. Mayol, Jr.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

(Space reserved for Clerk of Court)

DECLARATION OF RESTRICTIONS FOR CHARTER SCHOOL

THIS DECLARATION OF RESTRICTIONS is made this 20 day of APRIL, 2009, by **ACADEMIR CHARTER SCHOOLS, INC.**, a Florida corporation, ("Academir"), and **CASTELLANOS AT CORAL WAY, INC.**, a Florida corporation, (the "Owner"), in favor of Miami-Dade County, a political subdivision of the State of Florida (the "County").

WITNESSETH:

WHEREAS, Academir is the tenant under the terms of the lease agreement with the Owner which holds fee simple title to that certain 1.63-acre parcel located at the southeast intersection of S.W. 26th Street (Coral Way) and S.W. 149 Avenue, in unincorporated Miami-Dade County, and which is more particularly described as follows:

The North 1/2 of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 Less the West 25 Feet, Less the East 1,040 Feet, and Less the North 40 Feet Thereof in Section 16, Township 54 South, Range 39 East, Miami-Dade County, Florida, Less the North 10 Feet for Right-Of-Way.

And

The West 25 Feet of the North 1/2 of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 Less the North 50 Feet Thereof in Section 16, Township 54 South, Range 39 East, Miami-Dade County, Florida.

hereinafter referred to as the "Property;"

WHEREAS, Academir, with the consent of the Owner, submitted to Miami-Dade County Public Hearing No. 2009-121 (the "Application") seeking a special exception to permit the use of the Property for a charter school, to be known as ACADEMIR CHARTER SCHOOL WEST, serving 618 students in grades K – 5 (the "Charter School");

Section-Township-Range: 16-54-39
Folio No. 30-4916-000-0028 and 30-4916-000-0023

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Zoning Agenda Coordinator
APR 26 2010

NOW THEREFORE, IN ORDER TO ASSURE the County that the representations made during consideration of the Application will be abided by, Academir and the Owner freely and voluntarily and without duress make the following Declaration of Restrictions (which shall control the development of the Property for as long as the Property is utilized as a Charter School or until such time as the requirements of Paragraph 17 are satisfied) covering and running with the Property:

1. A full set of plans shall be submitted to and meet with the approval of the Director of the Department of Planning and Zoning (the "Department") upon the submittal of an application for a building permit and/or Certificate of Use; said plan shall include among other things, but not be limited to, the location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.

2. In the approval of the plan, the same shall be substantially in accordance with that submitted for the hearing entitled "Academir Charter School West," prepared by Octavio A. Santurio, AIA, dated stamped received March 22, 2010, and consisting of six (6) sheets (the "Plan"), except as may be modified at the public hearing on the Application.

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

4. The Owner shall submit to the Department for its review and approval a landscaping plan that indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

5. The Owner shall obtain a Certificate of Use from and promptly renew the same annually with the Department, upon compliance with all terms and conditions; the same subject to cancellation upon violation of any of the conditions.

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6. No outside speakers shall be permitted on the Property.

7. The waste pick-up for the Charter School shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday, except during arrival and dismissal times.

8. The Charter School gates shall be opened at least 30 minutes prior to the arrival and dismissal times.

9. The Charter School shall have two staggered shifts at start and dismissal times, separated by a minimum of 20 minutes, as follows:

Start 8:00 am, Dismissal 3:00 pm, Grades K – 2, proposed 309 students

Start 8:20 am, Dismissal 3:20 pm, Grades 3 – 5, proposed 309 students

Notwithstanding the foregoing, no more than 309 students may be scheduled to arrive or be dismissed in a single shift.

10. The Owner shall comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various departments as contained in the Departmental memoranda, which are part of the March 24, 2010 DIC record of the Application, except as amended by the DIC Executive Council at its meeting on March 24, 2010, and incorporated herein by reference.

11. At time of Certificate of Use renewal, the Owner shall submit to the Department a letter from the principal of the school detailing the number of students and the grade levels that are then currently enrolled in said facility.

12. The Charter School traffic shall be directed to enter and exit the Property through the S.W. 149th Avenue driveways. The Coral Way entrance shall be blocked-off during arrival and dismissal times.

13. The Charter School shall be limited to a maximum of 618 students.

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14. The Charter School shall have personnel facilitating traffic operations during the arrival and dismissal periods in order to ensure passenger vehicles are not stacked in through lanes or parked in non-designated parking areas in the public rights of way. Furthermore, the Charter School shall provide before and after school care in order to minimize the vehicular trips or extended stacking time for families with students in two or more start/dismissal periods. The Charter School shall also have personnel perform as school crossing guards to assist students crossing S.W. 26th Street (Coral Way).

15. Within sixty (60) days of the approval of the Application, the Owner shall submit to the Public Works Department a maintenance of traffic operation plan, which shall include the provision of any traffic control devices for arrival and dismissal periods.

16. The Applicant shall construct or cause the construction of the following off-site improvements: two directional pedestrian ramps at the southeast corner of S.W. 26th Street and S.W. 149th Avenue (the "Improvements"). The plans for the Improvements shall be submitted to the Public Works Department within sixty (60) days of the approval of the Application by the Board of County Commissioners; and the Improvements shall be completed within ninety (90) days of the approval of the plans for the Improvements by the Public Works Department.

17. If the Charter School is constructed but fails to begin operation and/or the Charter School fails after establishment, the Owner, within thirty-six (36) months of the Charter School's failure to begin operation or closure, shall:

(a) cause the Charter School to be in full compliance with all zoning regulations applicable to the Property allowing a use other than the charter school use, or

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(b) transfer the operation of the Charter School to another charter school operator or to the Miami-Dade County School Board, after securing the necessary approvals from the Miami-Dade County School Board, or

(c) convert the Charter School to a permitted use within the zoning district applicable to the Property, provided said use has first been authorized through the issuance of the appropriate permits, or

(d) secure necessary public hearing approvals to convert the Charter School to a use not otherwise permitted within the zoning district applicable to the Property.

18. Miscellaneous

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time of entering and inspecting the use of the Property to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of the County and shall remain in full force and effect and be binding upon the undersigned Owner, and its heirs, successors and assigns until such time as the same is modified or released. The restrictions contained within this Declaration, while in effect, shall be for the benefit of, and constitute limitations upon, all present and future owners of the Property, and for the benefit of Miami-Dade County and the public welfare.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the,

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then, owner(s) of the Property has been recorded agreeing to change this Declaration in whole, or in part, provided that such change has been approved by the County.

Modification, Amendment, Release. This Declaration may be modified, amended or released by a written instrument executed by the then owner(s) of that portion of the Property covered under said modification, amendment, or release, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners.

Should this Declaration be so modified, amended or released, the Director of the Department, or the executive officer of the successor agency to the Department, or in the absence of such director or executive officer, by her/his assistant in charge of the Department or such successor agency in her/his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

This Declaration shall be of no further force and effect if the Charter School use of the Property is discontinued and a new use is established pursuant to Paragraph 19 of the Declaration.

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

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to

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Zoning Agenda Coordinator
APR 2 6 2010

any other remedies available, the County is hereby authorized to withhold, in connection with the Property, any further permits, and to refuse to make any inspections or grant any approvals with respect to the Property, until such time as this Declaration is complied with.

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

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

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect.

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

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Zoning Agenda Coordinator
APR 2 6 2010

absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the County retains its full power and authority to, with respect to the Property, deny each such application in whole or in part and to decline to accept any conveyance with respect to the Property.

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

[Signature Pages Follow]

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Zoning Agenda Coordinator
APR 2 6 2010

JOINDER BY MORTGAGEE
CORPORATION

The undersigned, US Century Bank, under that certain Mortgage from Caste Corporation, a Florida corporation and Castellanos at Coral Way, Inc., a Florida corporation, recorded in Official Records Book 24254, Page 4182, in the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Declaration of Restrictions, does hereby consent to the execution of this Declaration of Restrictions by Castellanos at Coral Way, Inc., a Florida corporation, and agree that in the event Mortgagee or any other party shall obtain title to the property through foreclosure or deed-in-lieu of foreclosure, this Declaration of Restrictions shall be binding upon the entity obtaining title as the then owner of such property.

IN WITNESS WHEREOF, these presents have been executed this 19 day of April, 2010.

WITNESSES:

M. Uong
Print or Type Name

Maria L. Gomez
Print or Type Name

US Century Bank

By: Eugene Correa
Title: SVP
Print name: Eugene CORREA
Address: 2361 NW 87TH AVE
DORAL, FL. 33172

(Corporate Seal)

STATE OF FLORIDA)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this 19th day of April, 2010 by Eugene Correa, of US Century Bank, on behalf of the corporation. He/She is personally known to me or has produced DL, as identification and did/did not take an oath.

SHERLY DARSEY
MY COMMISSION # DD 719772
EXPIRES: September 30, 2011
Bonded Thru Notary Public Underwriters

Notary Public/State of _____
Print Name _____
My Commission Expires:

9329588_v1

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Zoning Agenda Coordinator
APR 26 2010

IN WITNESS WHEREOF, **ACADEMIR CHARTER SCHOOLS, INC.,** has caused these present to be signed in its name on this 20 day of APRIL, 2010.

WITNESSES:

Witness

Miguel A. Freire
Printed Name

Witness

Ines Marrero-Priegues
Printed Name

ACADEMIR CHARTER SCHOOLS, INC.,
a Florida corporation.

By:
Dr. Tirso Alonso, Chairman
13911 S.W. 42 Street, Suite 108
Miami, Florida 33175

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 20 day of APRIL, 2010, by DR. TIRSO ALONSO, as chairman of ACADEMIR CHARTER SCHOOLS, INC., on behalf of said corporation, who is personally known to me or has produced _____ as identification.

My Commission Expires:

Notary Public – State of Florida

Janet Prieto
Printed Name

JANET PRIETO
MY COMMISSION # DD 955333
EXPIRES: January 25, 2014
Bonded Thru Notary Public Underwriters

Received by
Zoning Agenda Coordinator
APR 26 2010

Section-Township-Range: 16-54-39
Folio No. 30-4916-000-0028 and 30-4916-000-0023

IN WITNESS WHEREOF, **CASTELLANOS AT CORAL WAY, INC.,** has caused these present to be signed in its name on this 20 day of APRIL, 2010.

WITNESSES:

Witness

Miguel A. Freire
Printed Name

Witness

Ines Marrero-Priegues
Printed Name

CASTELLANOS AT CORAL WAY, INC.,
a Florida corporation.

By:
Mario Castellanos, President
3761 S.W. 139th Place
Miami, Florida 33175

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 20th day of April, 2010, by Mario Castellanos, as President of **CASTELLANOS AT CORAL WAY, INC.**, on behalf of said corporation, who is personally known to me or has produced _____ as identification.

My Commission Expires:

MIGUEL A. FREIRE
MY COMMISSION #DD-927-200
EXPIRES: January 11, 2014
Bonded Thru Notary Public Underwriters

Notary Public - State of Florida

Printed Name

9141979_v7

Received by
Zoning Agenda Coordinator

APR 26 2010

Section-Township-Range: 16-54-39
Folio No. 30-4916-000-0028 and 30-4916-000-0023

3. VALENCIA SCHOOL DEVELOPMENT, LLC. **10-5-CC-3 (09-106)**
(Applicant) **BCC/District 08**
Hearing Date: 05/06/10

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
1955	Catherine Reed	- Special permit for a dog kennel.	ZC	Approved w/conds.
1955	Catherine Reed	- Special Exception for lake excavation.	BCC	Approved w/conds.
2003	H.D. Cross Trust, ET AL	- Zone change from AU to EUM.	C14	Approved
2003	RL Homes L.L.C.	- Modify declaration of restrictions & Non-Use Variance.	C14	Approved w/conds.
2005	RL Homes LLC & Valencia School Development LLC	- Modify declaration of restrictions.	C14	Approved
2006	Valencia School Development, LLC	- Special Exception on a modified basis to permit a temporary expansion to a school.	BCC	Approved w/conds.
2007	Valencia School Development, LLC	- Modification of conditions #10 & #12 of Resolution Z-30-06.	BCC	Approved on a modified basis.

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: May 6, 2010

To: The Board of County Commissioners

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: Valencia School Development LLC. (Z09-106)

SUMMARY OF REQUESTS:

The applicant, Valencia School Development, is seeking several modifications of Resolutions and Declarations of Restrictions to permit 800 students on a permanent basis.

LOCATION: 18491 SW 134 Avenue, Miami-Dade County, Florida.

COMMENTS:

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

Charter schools are educational institutions which are authorized and maintained in accord with the provisions of Chapter 1002 and Chapter 1013.35, Florida Statutes, as same may be amended from time to time. All such public charter schools shall be additionally authorized locally by the Miami-Dade County School Board through a process established by that entity for the approval of the charter. Miami-Dade Land Use regulations relating to public charter school facilities are set forth in Sections 33-152 through 162 of the Code of Miami-Dade County which was established in 2004 pursuant to Ordinance 04-108. The purpose of this Section and relevant provisions of the CDMP are to provide standards for land use approval of public charter school facilities pursuant to said Ordinance. In addition, an Interlocal Agreement with the School Board of Miami-Dade County was also established pertaining to the siting of such facilities and is applicable in the unincorporated area.

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

DIC RECOMMENDATION:

Denial without prejudice.

The Executive Council found that the proposed application is not in keeping with the Comprehensive Development Master Plan Land Use map designation for the subject parcel and is not in compliance with Article XI - Public Charter School facilities of Chapter 33 of the Code of Miami-Dade County. In relation to the present and future development of the area,

the Executive Council finds that the approval of the charter school site will be **inconsistent** with the Comprehensive Development Master Plan (CDMP), and will be contrary to the public interest. In addition, the Council also finds that the development will be **incompatible** with the surrounding area and would detrimentally impact same.

APPLICATION NO. Z09-106
VALENCIA SCHOOL DEVELOPMENT, LLC

Respectfully Submited,

DIC Executive Council
March 03, 2010

Ysela Llort
Assistant County Manager — Absent

Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department — Absent

Jose Luis Mesa, Director
Metropolitan Planning Organization Secretariat — Absent

Subrata Basu, Assistant Director of Planning
Department of Planning and Zoning — AYE

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

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

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

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE DEVELOPMENT IMPACT COMMITTEE

APPLICANT: Valencia School Development LLC **PH:** Z09-106 (09-02-BCC)

SECTION: 2-56-39 **DATE:** February 10, 2010

COMMISSION DISTRICT: 8

==========

A. INTRODUCTION:

o REQUESTS:

(1) MODIFICATION of Conditions #10 and #12 of Resolution Z-30-06, and last modified by Z-26-07, both passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "10.That the charter school use shall be limited to Grades K through 8th for a maximum of 700 students:

TO: "10.That the charter school use shall be limited to Grades K through 8th for a maximum of 800 students, and shall be further limited as follows:

FROM: "12. That the staggered shifts of arrival and dismissal for students at the charter school shall be as follows:

K-Grade 1:	7:30 AM- 1:30 PM (approx. 270 Students)
Grades 2-3:	7:30 AM – 2:30 PM (approx. 191 Students)
Grades 4-5:	8:00 AM – 3:00 PM (approx. 104 Students)
Grades 6-8:	8:30 AM – 3:30 PM (approx. 140 Students)"

TO: "12. That the staggered shifts of arrival and dismissal for students at the charter school shall be as follows:

K-Grade 1:	7:30 AM- 1:30 PM (approx. 221 Students)
Grades 2-3:	7:30 AM – 2:30 PM (approx. 206 Students)
Grades 4-5:	8:00 AM – 3:00 PM (approx. 215 Students)
Grades 6-8:	8:30 AM – 3:30 PM (approx. 158 Students)"

(2) MODIFICATION of paragraph #15 of a Declaration of Restrictions recorded in Official Record Book 24718, Pages 4115-4144 and last modified by a Second Modification of Declaration of Restrictions, recorded in Official Record Book 25884, Pages 3438-3449, reading as follows:

FROM: "15. The charter school shall be limited to grades K through 8. The maximum number of students at the charter school shall not exceed seven hundred (700)."

TO: "15. The charter school shall be limited to grades K through 8. The maximum number of students at the charter school shall not exceed eight hundred (800)."

(3) MODIFICATION of Paragraphs #17 and #19 of an Amendment and Restatement of the Declaration of Restrictions recorded in Official Record Book 25488, Pages 231-

243, last modified by a Second Modification of Declaration of Restrictions 25884, Pages 4115-4144, reading as follows:

FROM: "17. The charter school shall be limited to elementary grades K through 8. The maximum number of students at the charter school shall not exceed seven hundred (700)."

TO: "17. The charter school shall be limited to elementary grades K-8. The maximum number of students at the charter school shall not exceed eight hundred (800)."

FROM: "19. That the staggered shifts of arrival and dismissal for students at the charter school shall be as follows:

7:30 AM - 1:30 PM	K-Grade 1:	(approx. 270 Students)
7:30 AM - 2:30 PM	Grades 2-3:	(approx. 190 Students)
8:00 AM - 3:00 PM	Grades 4-5:	(approx. 100 Students)
8:30 AM - 3:30 PM	Grades 6-8:	(approx. 140 Students)"

TO: "19. That the staggered shifts of arrival and dismissal for students at the charter school shall be as follows:

7:30 AM - 1:30 PM	K-Grade 1:	(approx. 221 Students)
7:30 AM - 2:30 PM	Grades 2-3:	(approx. 206 Students)
8:00 AM - 3:00 PM	Grades 4-5:	(approx. 215 Students)
8:30 AM - 3:30 PM	Grades 6-8:	(approx. 158 Students)"

The purpose of the requests is to allow the applicant to increase the total number of students permitted in the previously approved charter school.

- **SUMMARY OF REQUESTS:**

  The applicant, Valencia School Development, is seeking several modifications of Resolutions and Declarations of Restrictions to permit 800 students on a permanent basis.

- **LOCATION:** 18491 SW 134 Avenue, Miami-Dade County, Florida.

- **SIZE:** 3 Acres

B. ZONING HEARINGS HISTORY:

In January 2003, the Community Zoning Appeals Board-14 granted a rezoning of the subject property from AU, Agricultural District, to EU-M, Estate Modified District. The Board accepted a Declaration of Restrictions which was proffered by the applicant that limited the development of the site to the plans that were submitted for said hearing for a residential development consisting of 144 single family residences. The aforementioned Declaration required the owner of the property to set aside a 3-acre site for the development of a charter school by August 2004. Pursuant to Resolution No. CZAB14-32-03, a Modification of Paragraph #4 of said Declaration of Restrictions was approved in order to give the applicant different timeframe options in which to develop said charter school. In 2006, pursuant to

Resolution No. Z-30-06, the Board of County Commissioners (BCC) approved 706 students in grades K-8 for the 2006-2007 school year with a permanent reduction to 600 students in grades K-8 for the 2007-2008 school year and thereafter. In addition, the BCC approved the middle school to be within a ½ mile of the Urban Development Boundary and to be located closer to the interior side property line than is permitted. Pursuant to Resolution No. Z-26-07, in August 2007 the Board of County Commissioners approved 700 students in lieu of the requested 706 and approved staggered shifts of arrival and dismissal for the students.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The adopted 2015 and 2025 Land Use Plan designates the subject property as being approximately **.25 miles east of and within the Urban Development Boundary for Estate Density.** This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.

2. **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.

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 Improvements Element (CIE).

4. **Policy LU-4A.** When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

5. **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 Plan.

6 **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.

7. **Educational Element Goal**. Develop, operate, and maintain a system of public education by Miami-Dade County Public Schools, in cooperation with the County and other appropriate governmental agencies, which will strive to improve the quality and quantity of public educational facilities available to the citizenry of Miami-Dade County, Florida.

8. **Objective EDU-1.** Work towards the reduction of the overcrowding which currently exists in the Miami-Dade County Public School System while striving to attain an optimum level of service. Strive to provide additional solutions to overcrowding so that countywide enrollment in Miami-Dade County's public schools does not exceed 115% of current Florida Inventory of School Houses (FISH) capacity (both permanent and relocatables). Additionally, by 2010 Miami-Dade County Public Schools shall meet state requirements for class size. This numeric objective is adopted solely as a guideline for school facility planning and shall not be used as a Level of Service Standard or as a basis for denial of development orders.

9. **Policy EDU-1A.** Cooperate with the Miami-Dade County Public School System in their efforts to continue to provide new student stations through the Capital Outlay program, in so far as funding is available.

10. **Policy EDU-1C.** Cooperate with the Miami-Dade County Public School System in their efforts to develop and implement alternative educational facilities such as primary learning centers which can be constructed on small parcels of land and relieve overcrowding at elementary schools, in so far as funding and rules permit.

11. **Policy EDU-2D.** When considering a site for possible use as an educational facility, the district should review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, fire flow and potable water, sanitary sewers, and police and fire services.

12. **Residential Communities.** Also permitted in Residential Communities are neighborhood and community services including **schools**, parks, houses of worship, day care centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood.

13. **Policy LU-9B.** Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate:

    i) Land use consistent with the CDMP Land Use Element and CDMP Level of Service Standards;
    ii) Subdivision of land;
    iii) Protection of potable water wellfields
    iv) Areas subject to seasonal or periodic flooding;
    v) Stormwater management
    vi) Signage; and
    vii) On-site traffic flow and parking to ensure safety and convenience and that no avoidable off-site traffic flow impediments are caused by development.

14. **Uses and Zoning Not Specifically Depicted on the LUP Map.** Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; charter school	Estate Density Residential, 1 to 2.5 dua
Surrounding Properties:	
NORTH: AU; vacant property	Estate Density Residential, 1 to 2.5 dua
SOUTH: AU; grove/orchard vacant property	Estate Density Residential, 1 to 2.5 dua
EAST: EU-M; single-family and vacant	Estate Density Residential, 1 to 2.5 dua
WEST: AU; single-family and vacant	Estate Density Residential, 1 to 2.5 dua

E. SITE AND BUILDINGS:

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

F. PERTINENT REQUIREMENTS/STANDARDS:

33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final

decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.

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

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

(12) Hear application for and, upon recommendation of the Developmental Impact Committee, grant or deny those special exceptions for public charter school facilities permitted by the regulations only upon approval after public hearing, provided the applied for special exception, in the opinion of the Board of County Commissioners, is found to be in compliance with the standards contained in Article XI and Section 33-311 (A)(3) of this code.

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

Section 33-153 Public hearing required in all districts.

The establishment, expansion or modification of a charter school facility is permitted in any zoning district after public hearing upon demonstration that the standards established in this article have been met. Any existing covenant or declaration of restrictions relating to an existing charter school facility shall be modified or deleted only in accordance with the provisions of Article XXXVI of this code.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No comment**
MDT	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**No objection**
WASD	**No objection**
Aviation	**No objection**

H. ANALYSIS:

The existing school was initially approved as a charter school through the Development Impact Committee (DIC) review process under application #Z03008009. Subsequently, the applicant has been approved for several modifications for the purpose of changing the numbers of students. Most recently in 2007, the applicant was approved by the Board of County Commissioners (BCC) as a K through 8 charter school for 700 students. At the time of the last hearing, the BCC expressed some concerns about traffic congestion and the applicant's request for 706 students was modified and approved for a total of 700 students in K-8. The two-story, 34' high charter school contains 34 classrooms and a 33,000 sq. ft. recreation area located at the northeastern portion of the site.

The subject property is designated **Estate Density** Use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre. The CDMP also indicates that other uses permitted in residential communities are neighborhood and community services including **schools** only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. Additionally, existing uses and zoning classifications are not specifically depicted on the LUP map; however; all existing lawful uses and zoning deemed to be consistent with the CDMP. The proposed charter school expansion provides an additional solution to school overcrowding (Objective EDU-1) and implements an operational alternative which mitigates the impacts of overcrowding while maintaining the instructional integrity of the educational program (Policy EDU-1D). Notwithstanding, Policy LU-4A of the CDMP's interpretative text states that when evaluating compatibility among proximate uses, the County shall consider, among other things, such factors as traffic, noise, access, and hours of operation. Staff is of the opinion that due to the size of the site, the proposed permanent expansion to 800 students will have a negative visual and aural effect on the surrounding properties. In addition, staff opines that because the existing charter school is not located on a major roadway, the ingress/egress to the site is not as desirable because it creates more congestion in the surrounding area. As such, staff is of the opinion that the expansion of students from 700 to 800 for grades K-8 on a permanent basis will be **incompatible** with the area and **inconsistent** with the provisions of the CDMP.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM requirements as indicated in their memorandum for this application. The Water and Sewer Department **(WASD),** Miami-Dade Transit **(MDT)** and the **Miami-Dade Aviation Department** have **no objections** to this application. The **Public Works Department** has **no objection** to this application and indicates in their memorandum that this application does not generate any new additional daily peak hour trips and meets the criteria set forth for an Initial Development Order. Miami-Dade Fire Rescue **(MDFR)** also has **no objections** to this application and indicates that the estimated average response time to the subject property is **7:17** minutes. The Miami-Dade County Public School **(MDCPS) does not object to this application.** Their memorandum provides capacity information for the schools in the surrounding area which indicates an overall surplus of student stations at the elementary and middle school levels of 629 and 463 respectively.

When requests #1- #3 are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), in staff's opinion, the proposed modifications will generate excessive noise,

traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, and be **incompatible** with the area. The modifications of conditions #10 and #12 of Resolution #Z-30-06 and last modified by Resolution #Z-26-07 which restricted the number of students to 700 and the modification of paragraphs #15, #17, and #19 of Declaration of Restrictions which also limited the number of students to 700 and delineated the arrival and dismissal times is not supported by staff. The Miami-Dade County Public Schools has indicated in their memorandum that there is an overall surplus of 1092 student stations at the elementary and middle school levels. Staff also notes that in the approval of Resolution #Z-26-07, the Board of County Commissioners (BCC) voted to modify the applicant's request for 706 students to 700 students. At that time, the BCC expressed concerns and staff had similar concerns that the size of the site created certain restrictions in accommodating an expansion of this type and that the permanent increase of students to 800 would generate excessive noise, traffic, and excessive overcrowding of the people. However, during the 2006-2007 school year staff noted that the applicant had made improvements to the site which alleviated some of the congestion to the surrounding areas. The improvements included newly constructed parking and stacking areas on the east side of the school. Additionally, staff notes that the applicant has provided a letter to the Department of Planning and Zoning which indicates that at the time of Certificate of Use renewal there were 700 students at the charter school. Notwithstanding the improvements and the letter verifying the number of students, staff opines that the size of the site creates certain restrictions in accommodating an additional 100 students in an area bounded on two sides with residences. It would be intrusive, create congestion and have a negative aural effect on the surrounding community and, as such, staff recommends denial without prejudice of this application.

Staff is of the opinion that the subject property is too small to accommodate the proposed expansion to 800 students on a permanent basis. This expansion would be intrusive on the adjoining properties and, in staff's opinion, will have a negative visual and aural impact on surrounding properties. It should also be noted that in 2007, staff recommended denial of the previous application to increase the number of students to 706 students on a permanent basis. Based on all of the aforementioned, staff is of the opinion that approval of this application is **incompatible** with the surrounding area and is **inconsistent** with the objectives and specifically Policy LU-4A of the CDMP. Accordingly, staff recommends denial without prejudice of requests #1- #3 under Section 33-311(A)(7) and staff is of the opinion that this recommendation would be in keeping with the spirit and intent of the BCC's decision in 2007.

I. RECOMMENDATION:

Denial without prejudice.

J. CONDITIONS: None.

DATE TYPED: 09/23/09
DATE REVISED: 10/26/09, 11/18/09, 11/20/09, 12/7/09, 1/19/10, 1/20/10, 2/3/10
DATE FINALIZED: 2/23/10
MCL:GR:NN:JV:CI

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

IV.
6R

Memorandum

MIAMI-DADE COUNTY

Date: December 4, 2009

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

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

Subject: Recommendations for Somerset Academy/ Valencia School, Inc Process Number Z09-106

Miami Dade County Public Works Department has no objections to this application, subject to the following project requirements and standard comments.

The Public Works Traffic Engineering Division has reviewed the Letter of Intent, dated 6/19/09, Site Plan, revised 04/2006, and the "Traffic Impact Analysis," revised 07/2006, for the proposed facility located at 18491 SW 134 Avenue and has the following recommendations and comments:

- Project Requirements

1. The applicant must submit a signing and pavement marking plan for our review and approval prior to the schools expansion. The applicant will be required to implement the approved signing and pavement marking plan.

2. Proposed schedule of arrival and dismissal times including grade level and number of students are required to be provided in a covenant and/or "Letter of Intent" for this facility.

3. Provide a maintenance of traffic (MOT) operation plan, including provision of any traffic control devices (e.g. – cones, delineators) for arrival and dismissal periods in a covenant/"Letter of Intent" for this facility. The MOT must contain the following statement: "The applicant shall supply staff to direct any vehicles which may stack in through lanes or non-designated parking areas in the public rights of way onto the school site."

- Standard Comments:

1. Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.

2. Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 ft within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546. Any proposed planting, relocation or removal of trees and other foliage including any installation of irrigation systems in the public right-of-way must be approved by the R.A.A.M. Division of this Department. Also, any relocation or removal of trees must be approved by DERM. These approvals should be applied for, and received, prior to DIC Executive Council approval of this

project. A "Covenant for Maintenance" agreement, recorded in the public record, must be provided prior to permitting any of these types of installations within the public right-of-way.

3. Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Prior to formal submittal of plans for approval and permitting, a Dry Run Paving and Drainage submittal is required to review compliance with DIC conditions for approval and appropriate standards, and to rectify any discrepancies between existing facilities, plans, conditions for approval, or standards. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.

4. All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required at locations remote from this site along safe routes to school to provide for pedestrian student safety. These requirements may be determined at the time of Dry Run submittal of Paving and Drainage Plans.

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

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

cc: Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division
Robert Williams, P.E., Acting Chief, Traffic Signals and Signs Division
Raul A. Pino, P.L.S., Chief, Land Development Division
David Cardenas, Chief, Right of Way and Aesthetic Assets Management Division
Harvey L. Bernstein, Educational Facilities Administrator, Traffic Engineering Division
Armando Hernandez, Concurrency Coordinator, Traffic Engineering Division
Vishnu Rajkumar, Signal Design Administrator, Traffic Engineering Division

Ron Franklin Gosel R.

Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Dr. Solomon C. Stinson, Chair
Dr. Marta Pérez, Vice Chair
Agustin J. Barrera
Renier Diaz de la Portilla
Dr. Lawrence S. Feldman
Perla Tabares Hantman
Dr. Wilbert "Tee" Holloway
Dr. Martin Karp
Ana Rivas Logan

Received by
Zoning Agenda Coordinator
DEC 3 0 2009

November 23, 2009

RECEIVED
DEC 16 2009
ZONING SERVICES DIVISION, DADE COUNTY
DEPT. OF PLANNING & ZONING
BY_____

Mr. Marc C. LaFerrier, Director
Department of Planning and Zoning
Miami-Dade County
111 NW 1 Street, 11th Floor, Suite 1110
Miami, FL 33128

RE: **09-106. Valencia School Development, Inc. (Grades K-8)**
18491 S.W. 134 Avenue

Dear Mr. LaFerrier:

In response to your Department's request seeking information regarding traditional public and charter schools in the general area of the above-referenced charter school application, please see the attached Public School Projected Capacity Analysis (Attachment A).

As you will note under Attachment A, the following elementary and middle schools are currently designated as the schools to serve the area of this application at the K through 8 grade levels: South Miami Heights Elementary, Miami Heights Elementary, Caribbean Elementary, Herbert A. Ammons Middle, Mays Middle and Jorge Mas Canosa Middle. The analysis provides capacity information for traditional public schools in the surrounding area, depicting an overall surplus of student stations at the elementary and middle school levels of 629 and 463 respectively.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:ir
L167
Attachment

Received by
Zoning Agenda Coordinator
DEC 3 0 2009

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DEC 10 2009
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

2009 D240

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Ms. Vivian G. Villaamil
Mr. Nick Nitti

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

15

ATTACHMENT "A"

PUBLIC SCHOOL PROJECTED ANALYSIS

November 23, 2009

Received by
Zoning Agenda Coordinator
DEC 3 0 2009

APPLICATION: 09-106 – Valencia School Development, LLC.
18491 S.W. 134 Avenue

SCHOOLS SERVING AREA OF APPLICATION

ELEMENTARY SCHOOL LEVEL: South Miami Heights Elementary – 12231 S.W. 190 Terrace
Miami Heights Elementary – 17661 S.W. 117 Avenue
Caribbean Elementary – 11990 S.W. 200 Street

MIDDLE SCHOOL LEVEL: Herbert A. Ammons Middle – 17990 S.W. 142 Avenue
Mays Middle – 11700 S.W. 216 Street
Jorge Mas Canosa Middle – 15735 S.W. 144 Street

Schools are located in Regional Centers IV and V.

The following student population and available facility capacity data is based on student enrollment as of October 2009:

Elementary Schools

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	DEFICIT OR SURPLUS CAPACITY
South Miami Heights Elementary	653	714	91%	62	84%	123
Miami Heights Elementary	1,159	1,273	91%	152	81%	266
Caribbean Elementary	756	965	78%	22	77%	231
					AVAILABLE STUDENT STATIONS	620

Middle Schools

Herbert A. Ammons Middle	1,175	0	0%	990	119%	-185
Mays Middle	523	943	55%	99	50%	519
Jorge Mas Canosa Middle	1,910	2,029	94%	0	94%	119
					AVAILABLE STUDENT STATIONS	453

Memorandum

MIAMI-DADE COUNTY

Date: September 2, 2009

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

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

Subject: DIC No. Z2009000106
Valencia School Development, LLC
18491 S.W. 134 Avenue
Modification of a Previous Agreement to Permit 800 Children for a Previously Approved Charter School
(EU-M) (3 Acres)
02-56-39

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

Potable Water Service

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (MDWASD). The closest public water is an 8-inch water main located abutting the subject property. Connection of the proposed development to the public water supply system shall be required in accordance with Code requirements. The estimated demand for this project is 12,705 gallons per day (gpd). This figure does not include irrigation demands.

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

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

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

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

Sanitary Sewer Service
The property is located within the franchised sewer service area of the MDWASD. The closest public sanitary sewer is an 8-inch gravity sewer located abutting the subject property. Downstream flow is directed to the pump station # 30-1124 and then finally to the South District Treatment Plant, which has adequate capacity to meet projected demands from this project. Connection of the proposed development to the public sanitary sewer system shall be required in accordance with the Code requirements.

Existing public sanitary sewer facilities and services meet the LOS standards set forth in the CDMP. Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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

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

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

Tree Preservation
The subject property contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. 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 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 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 permitting procedures and requirements prior to site development.

Hazardous Materials Management
Due to the nature of uses allowed in the existing zoning classification, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some land uses permitted in the requested zoning district. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning required management practices.

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

Fuel Storage Facilities
Section 24-45 of the Code outlines regulations for any proposed or existing underground storage facilities. The regulations provide design, permitting, installation, modification, repair, replacement and continuing operation requirements and criteria. In addition, monitoring devices, inventory control practices and pressure testing of fuel storage tanks is required. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning permitting requirements for fuel storage facilities.

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: August 19, 2009

To: Marc C. LaFerrier, Director
Department of Planning & Zoning

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

Subject: DIC # 2009000106 – Valencia School Development, LLC.
18491 SW 134 Avenue
Miami-Dade County, Florida

SERVICE IMPACT/DEMAND

(A) Based on development information, this project is expected to generate approximately **16** fire and rescue calls annually. The estimated number of alarms results in a minimal impact to existing fire and rescue service. However, the existing stations serving this area will be able to handle the expected number of alarms.

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

EXISTING SERVICES

Based on data retrieved during calendar year 2008, the average travel time to the vicinity of the proposed development was **7:17 minutes**. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.

The stations responding to a fire alarm will be:

STATION	ADDRESS	EQUIPMENT	STAFF
52	12105 Quail Roost Drive	Rescue, Tanker, Battalion	6
43	13390 SW 152 Street	Rescue, ALS Aerial	7
5	13150 SW 238 Street	Rescue. ALS Engine	7
34	10850 SW 211 Street	Rescue, ALS Aerial, Squad	9

ALS= Advanced Life Support

SITE PLAN REVIEW:

(A) Fire Engineering & Water Supply Bureau has reviewed and approved the plans entitled 'Valencia School Development, LLC' as prepared by Civica Architects, dated stamp received 7/8/09.

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

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

HL:ch

DATE: 08/19/09
REVISION 1

TEAM METRO

ENFORCEMENT HISTORY

VALENCIA SCHOOL DEVELOPMENT, LLC	18491 SW 134 AVE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2009000106

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

Current case history:
Case 200901007387 was opened based on enforcement history request and inspected on 8-19-09. Inspected and received from the Registrar of the school the total number of students enrolled. The number permitted is 700. They have 700 students enrolled and are in compliance of their resolution. No other violations were observed and case was closed.
Previous Case history:
Case 20090106322 was opened based on enforcement history request and inspected on 7-15-09. Student roster is not yet available because school has not begun. No other code violations were observed and case was closed.
Case 200801006424 was opened based on an anonymous complaint for violation of the resolution. An inspection was conducted on 02-25-09. No violations were observed and case was closed.
Case 200701004476 was opened based on enforcement history request #07-156 and inspected on 7-27-07. No violations were observed and case was closed.
Case 200601006331 was opened based on anonymous complaint for violation of resolution. A citation was issued on 12-11-06. Compliance inspection was conducted on 6-6-07 and violation was corrected, citation paid in full and case was closed.

Memorandum

MIAMI-DADE COUNTY

Date: August 18, 2009

To: Marc C. LaFerrier, Director
Department of Planning & Zoning

From: José A. Ramos, R.A., Chief, Aviation Planning Division
Aviation Department

Subject: DIC Application #09-106
Valencia School Development, LLC
DN-09-08-266

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #09-106, Valencia School Development, LLC. The applicant is requesting a modification of a previous agreement to permit 800 children for a previously approved charter school. The subject property is 3 acres and is located at 18951 SW 134 Avenue, Miami-Dade County, Florida.

Based on the available information, MDAD has determined that the proposed land use is compatible with operations from Kendall-Tamiami Executive Airport.

JR/RB/cf

C: M. Fajardo
S. Harman
Jorge Vital, Acting DIC Coordinator, Department of Planning & Zoning

Memorandum

MIAMI-DADE COUNTY

Date: September 3, 2009

To: Jorge Vital
Acting DIC Coordinator
Department of Planning and Zoning

From: John Garcia
Principal Planner
Miami-Dade Transit / Transit Planning Section

Subject: Review of DIC Project No. 09-106 (Valencia School Development, LLC)

Project Description

The applicant is seeking to modify conditions of a previously approved 2007 Resolution in order for the applicant to submit revised plans and to permit an increase to the total number of students from 700 to 800. The subject property is 3 acres and is located at 18951 SW 134th Avenue, Miami-Dade County, Florida.

Current Transit Service

There is direct transit service within the immediate vicinity of the application site. The closest transit service is provided by Metrobus Route 137/West Dade Connection along SW 184th Street (Eureka Drive) which is approximately one block north of the subject property. The service headways for the above mentioned route (in minutes) is as follows:

Metrobus Route Service Summary
Valencia School Development, LLC Application Site

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
137/West Dade Connection	30	45	60	N/A	40	40	0.1	L

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

Future Transportation/Transit Improvements

Currently, the 2009 Transportation Improvement Program (TIP) shows under the Road Impact Fee section, a roadway widening project of 2 to 4 lanes on SW 184th Street from SW 127th to 137th Avenues. The 2030 Long Range Transportation Plan (LRTP) identifies the same roadway widening project as a Highway and Transit Priority 1 improvement.

The 2008 ten-year Transit Development Plan (TDP) does not identify in its 2018 Recommended Service Plan any new improvements/adjustments on the existing route serving the vicinity of the project. No new service is proposed in the immediate vicinity of this project within the 2018 Recommended Service Plan.

MDT Comments/Recommendations

Miami-Dade Transit (MDT) currently provides local bus service in close proximity to the application sites. Based on the information presented, MDT has no objections to this project.

Concurrency

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

Memorandum

MIAMI-DADE COUNTY

Date: September 1, 2009

To: Jorge Vital, DIC Coordinator
Department of Planning and Zoning

From: Bertha M. Goldenberg, P.E., Assistant Director
Regulatory Compliance and Planning

Subject: Valencia School Development LLC, DIC Application # - Z2009000106

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project.

Application Name: Valencia School Development LLC

Proposed Development: The applicant is requesting a special exception to permit the expansion of enrollment by one hundred (100) students, and as a result, the addition of five (5) teachers/staff. The school will have a total of eight hundred (800) students and forty seven (47) teachers/staff. The current water demand of the school is 7,630 gallons per day (gpd) and after said increase, it will be 8,705 gpd.

Project Location: The subject property is located at 18491 SW 134 Avenue, Miami-Dade County, Florida.

Water: The subject project is located within MDWASD's service area. The existing facility is currently being serviced by MDWASD. It will be required that the applicant extend an eight (8) inch water main from the North West corner of the property along SW 134th Avenue to connect to existing eight (8) inch water main just south of S.W. 184 street. The source of water for this project is the Alexander Orr. Water Treatment Plant. The plant is operating under a 20-year Water Use Permit issued by South Florida Water Management District on November 15, 2007. MDWASD will be the utility providing water services subject to the following conditions:

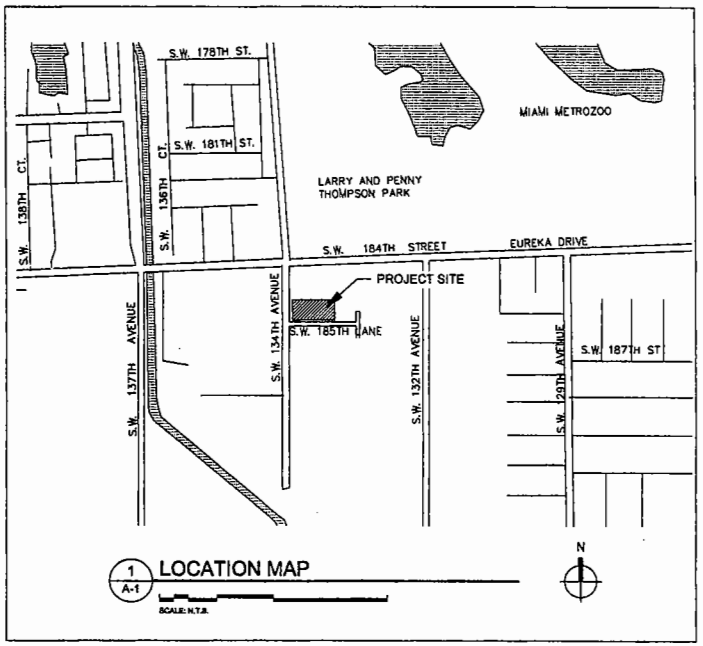
- Adequate transmission and Plant capacity exist at the time of the applicant's request.
- Adequate water supply is available prior to issuance of a building permit or its functional equivalent.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Sewer: The subject project is located within MDWASD's service area. The existing facility is currently being serviced by MDWASD. The South District Wastewater Treatment Plant (WWTP) is the facility for treatment and disposal of the wastewater. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. MDWASD will be the utility providing sewer services subject to the following conditions:

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.
- Adequate transmission and plant capacity exist at the time of the owner's request. Capacity evaluations of the plant for average flow and peak flows will be required, depending on the compliance status of the United States Environmental Protection Agency (USEPA) Second and Final Partial Consent Decree.

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

Should you have any questions, please call me at (786) 552-8120 or contact Maria A. Valdes at (786) 552-8198.



EXISTING TO REMAIN

ZONING INFORMATION (MIAMI-DADE COUNTY ZONING ORDINANCE)		
ZONING CLASSIFICATION:	AU	
NET LOT AREA:	130,580 S.F.	
GROSS LOT AREA:	152,740 S.F.	
BASE FLOOD ELEVATION:	-	
	ALLOWABLE	EXISTING TO REMAIN
- SETBACKS		
* FRONT (SW 134th ST.)	50'-0"	87'-7"
* INTERIOR SIDE (NORTH)	15'-0"	22'-4"
* SIDE (SW 185th LANE)	25'-0"	87'-1"
* REAR (EAST)	25'-0"	122'-6"
- HEIGHT	35'-0"	34'-0" TO PARAPET 44'-6" TO CUPOLA
- BUILDING FOOTPRINT	.15	.17 (26,714 S.F.)
- GREEN SPACE	40%	49% (64,248 S.F.)
PARKING REQUIREMENTS	REQUIRED	PROPOSED
EDUCATIONAL K-8TH	51 (INCLUDE 2 HC ACCESSIBLE)	69 (INCLUDE 3 HC ACCESSIBLE)

VALENCIA ACRES CHARTER SCHOOL:

EXISTING BUILDING DATA - FBC & NFPA 101	
CLASSIFICATION:	
OCCUPANCY GROUP:	"E" PUBLIC EDUCATION,
CONSTRUCTION TYPE: All PER FBC 2004 (TABLE-601)	TYPE II-A, 1-HR PROTECTED, UNSPRINKLERED
ITEM	EXISTING
BLDNG GROSS AREA	
1ST FLOOR	26,714 S.F.
2ND FLOOR	20,385 S.F.
TOTAL	47,099 S.F.
BLDG HEIGHT	34'-0" (MAIN PARAPET)

EXISTING CONDITION NOTES:

1. - FIRE RATINGS OF EXTERIOR BEARING WALLS, INT BEARING WALLS & COLUMNS: 1 HR MIN.
   - FIRE RATINGS OF BEAMS, TRUSSES, FLOOR/CEILING ASSEMBLIES: 1 HR MIN.
   - FIRE RATINGS OF ROOF/CEILING ASSEMBLIES: 1 HR MIN.
   - INTERIOR FINISHES: CLASS-B AT EXITWAYS.

CHILD CHECKLIST

School Site Development Information
Day Nursery, Day Care, Kindergarten, Private School

School Name: VALENCIA ACRES
School Address: S.W. 184TH STREET & S.W. 134TH AVE
Tax Folio # 30-5007-026-1450

1. Is this an expansion to an existing school? Yes If yes, indicate the number of students: 800 and age and grade (4-14 yrs old) / (K-8th Grades)

2. Total size of site: irregular +130,580.0 / 43,560 SQ. FT. = 3 ACRES

3. Number of children or students requested: 100 Additional (800 to Total) Ages: 4-14 (K to 8th)

4. Number of teachers: 36 Number of administrative & clerical personnel: 11

5. Number of classrooms: 34 Total square footage of classroom area: 22,950 SF

6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets, circulation, lobbies): 23,029 SF

7. Amount of exterior recreation/play area in square footage: 41,100 SF

8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 8 Buses

9. Number of parking spaces provided for staff, visitors, and transportation vehicles: 73 On-site parking spaces provided. 51 parking spaces required by Section 33-124 (L)

10. Indicate the number of auto stacking spaces: 48 provided (Plus 24 Un-obstructed Parking Spaces), 0 required

11. Proposed height for the structure(s): 34'-0" (Existing Parapet), See Section 33-151.16(f)

12. Size identification sign: ____ x ____ = N/A sq. ft. See Section 33-157(b). Signage will require a separate permit. Contact the permit Section at 786-315-3100.

13. Days and hours of operation: Monday - Friday 7:00 AM - 4:00 PM

14. Does the subject facility share the site with other facilities? No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to Section 33-151.16.)

15. If the school will include residential uses, do such uses meet the standards provided in Section 33-161.17? N/A (If yes, describe the residential uses and indicate same on the plans.) N/A

SIGNAGE NOTE:

1. THE TOTAL FREE-STANDING SIGNAGE IN ANY RESIDENTIAL DISTRICT SHALL NOT EXCEED SIX (6) SQ.FT. IN SIZE, IN COMPLIANCE W/ MIAMI-DADE COUNTY ORDINANCE (CHAPTER 33)

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

Uses Proposed	No. of Classrooms	Classroom Area	No. of Students	No. of Teachers	No. of Assist	No. of Admin	Total Personnel
(Elementary) K-5th GRADES	24	(14,160 SQ.FT.)	536	26	2	4	32
(Middle) 6th-8th GRADES	10	(9,820 SQ.FT.)	264	10	3	2	15
Grand Total	34	(23,980 SQ.FT.)	800 Students	36	5	6	47

NOTE:
PARKING REQUIREMENTS BASED ON MIAMI-DADE COUNTY COOE OF ORDINANCES SECTION 33-124 FOR SCHOOL USE.

Code Requirement	Parking Required		Parking Provided
1 Pkg per e.a. Staff	(32 Staff x 1 space) = 32 spaces	Total Parking Required for K-8: 32 + 19 = 51 Spaces	Spaces (3 Are Accessible)
1 Pkg per e.a. Staff + 1/4 of Staff	(15 Staff + 3.75) = 19 spaces		
Total Parking Required for K-8th Grade School:	51 Spaces Required		Total Parking Provided: 73 Spaces *

* 3 Total Accessible Spaces Provided
* 7 Additional Parallel Spaces Provided Off-Site

RECEIVED
JUL - 8 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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CIVICA
89323 NW 82nd Street
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SOMERSET ACADEMY
18491 S.W. 134th Ave.
Miami, Fl. 33177.

OWNER:
VALENCIA SCHOOL DEVELOPMENT LLC
6255 BIRD ROAD Miami, FL 33155
tel: (305) 669-2606

CIVICA PROJECT No:
2006-04

ISSUED FOR:
COUNTY APPROVAL

No.	DATE	REVISION	BY

DRAWN BY: APPROVED BY:

DATE: Apr. 2006 SCALE:

SEAL/SIGNATURE

06-18-2009

ROLANDO LLANES, AIA
AR - 0013160

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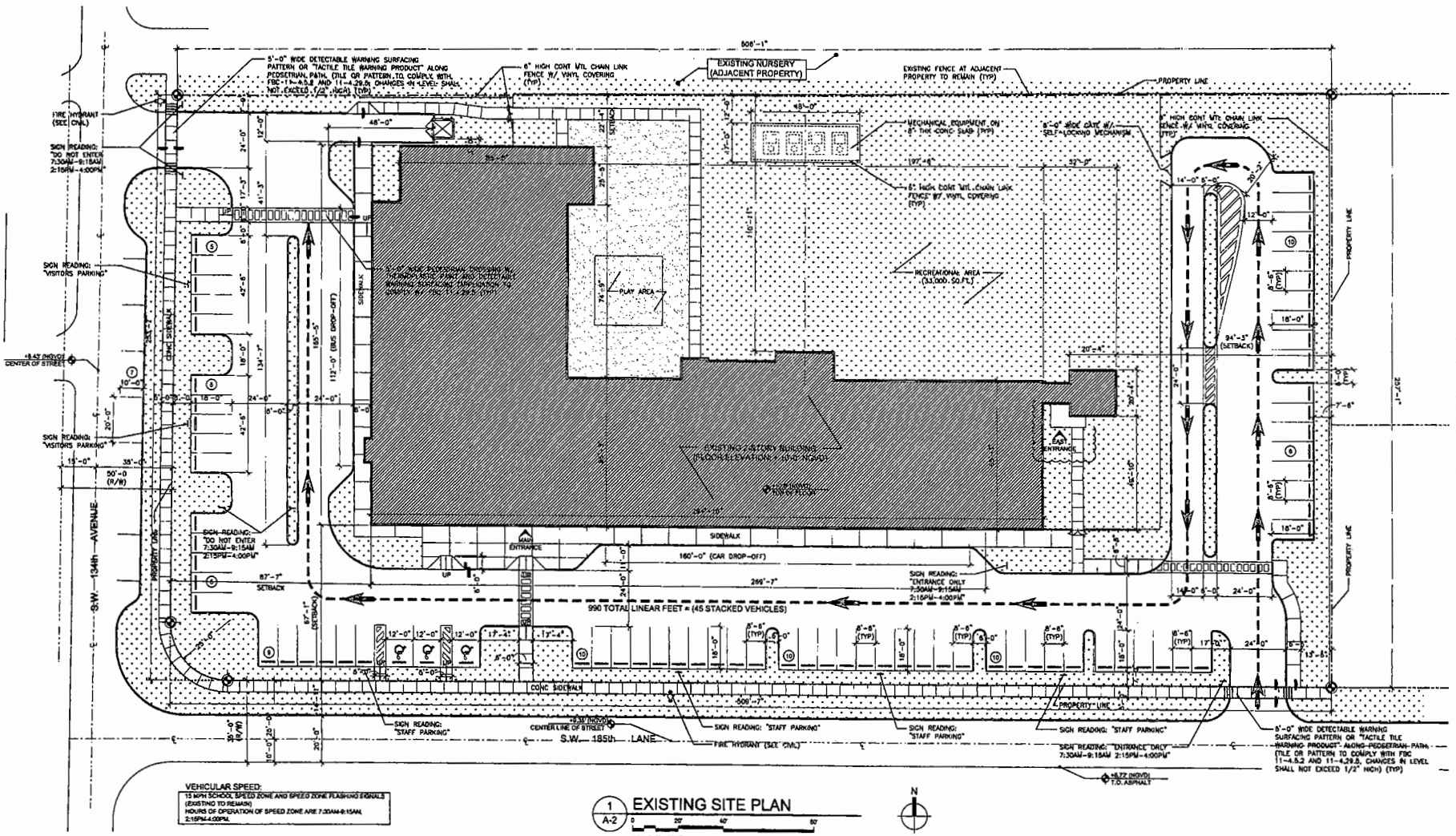
SHEET TITLE
LOCATION MAP & SITE INFORMATION

SHEET NUMBER
A-1



VEHICULAR SPEED:
15 MPH SCHOOL SPEED ZONE AND SPEED ZONE FLASHING SIGNALS (EXISTING TO REMAIN)
HOURS OF OPERATION OF SPEED ZONE ARE 7:30AM-9:15AM, 2:15PM-4:00PM.

1 / A-2 EXISTING SITE PLAN
SCALE: 1" = 20'-0"

N

LEGAL DESCRIPTION:

The west 1/2 of Lots 2, 3, 6, 7, 10, and 11, less the north 20' of Lot 2 and Lots 18 & 20, less the south 20' thereof, TROPICO, Plat book 2, page 57, lying and being in the NE 1/4 of Section 2, Township 56 South, Range 39 East. And: Lots 1, 4 and the east 1/2 of Lot 5, less the west 720.19' and the north 20' of said Lot 1 and less the north 21.09' of the west 720.19' of said Lot 4, Tropico, Plat book 2, page 57, lying and being in the NW 1/4 of Section 2, Township 56 South, Range 39 East. Lying between S.W. 184 Street and S.W. 192 Street (Vinton drive) & both sides of S.W. 132 Avenues, Miami-Dade County, Florida. (Tax Folio No. 30-6007-028-1450)

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

CIVICA
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CIVICA PROJECT No:
2006-04

ISSUED FOR:
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No.	DATE	REVISION	BY

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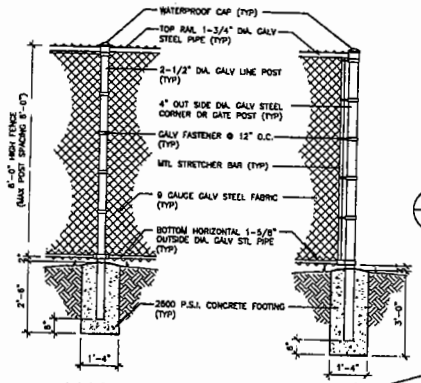
SHEET TITLE
EXISTING SITE PLAN

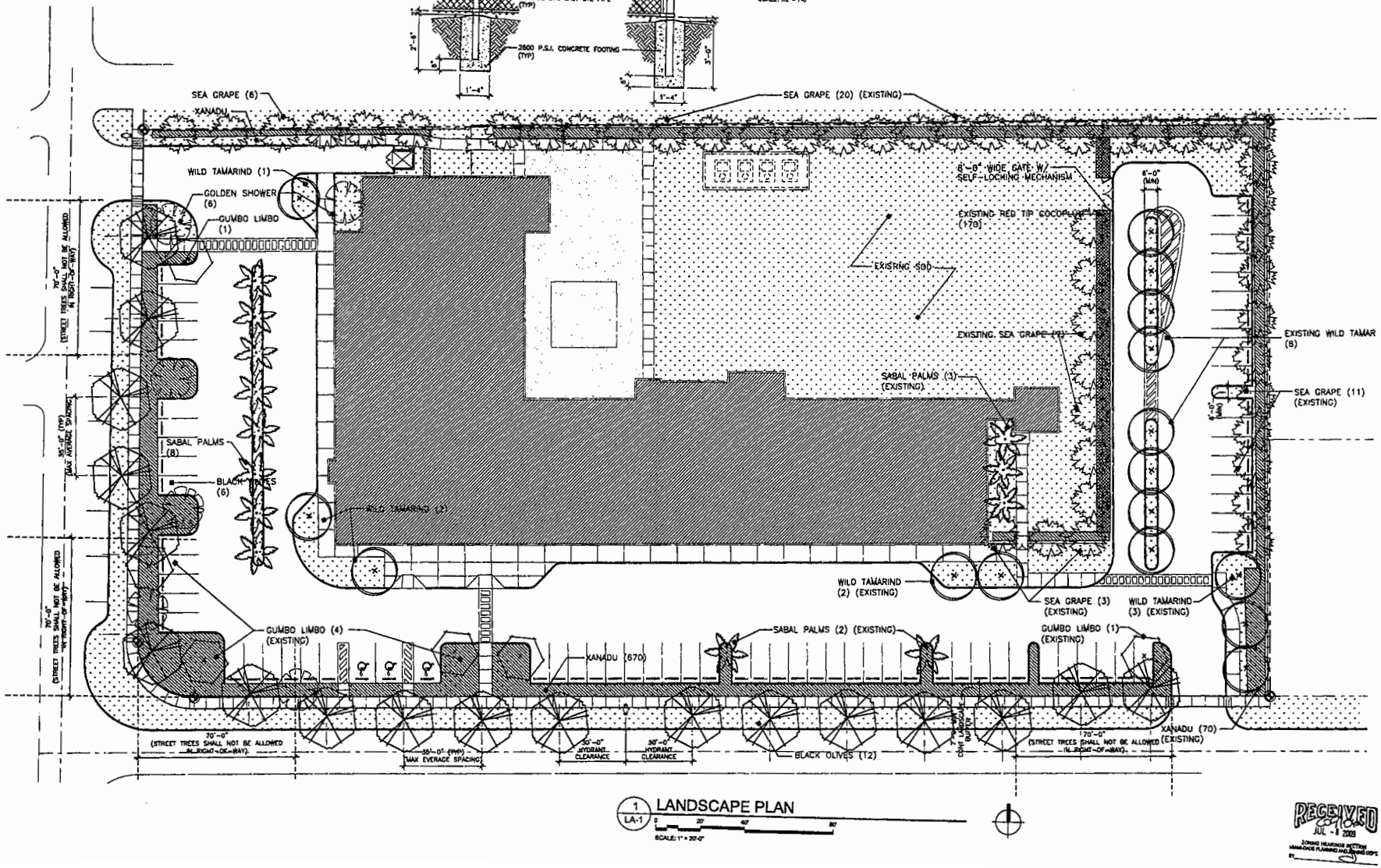
SHEET NUMBER
A-2

3D



2 LA-1 EXISTING TYPICAL FENCE DETAIL

SCALE: 1/2" = 1'-0"



1 LA-1 LANDSCAPE PLAN

SCALE: 1" = 20'-0"

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CIVICA PROJECT No:
2006-04

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DATE: Apr. 2006 SCALE:

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SHEET TITLE
LANDSCAPE PLAN

SHEET NUMBER
LA-1

LANDSCAPING SPECIFICATIONS

PART 1 - GENERAL

1.1 SCOPE
A. Provide all labor, materials, equipment, watering, supervision, and work necessary to complete work in accordance with the intent of the landscape plans, schedules and these specifications. The extent of work is shown on the drawings which is part of this document.

1.2 SUBSTITUTIONS
A. Only materials specified will be accepted, unless approved in writing by the Landscape Architect in advance.

1.3 PLANT SIZES
A. All plant sizes shall equal or exceed the minimum sizes as specified in the plant list. When plant sizes are specified as a range of size, installed materials shall average the mean of the range specified. Plants shall be measured before pruning, with the branches in normal position. All necessary pruning shall be done at the time of planting.

1.4 PLANT QUALITY
A. All plant material shall be equal to or better than Florida No. 1 as classified by "Grades and Standards for Florida Nursery Plants" by the Division of Plant Industry, Florida Department of Agriculture. They shall have a growth habit that is normal for the species; healthy, vigorous, free from insects, disease and injury.

1.5 PLANT QUANTITY
A. The plant quantities shown on the plant list are to be used only as an aid to bidders. In the case of discrepancy between the plant list and the plan, the plan shall be held valid.

1.6 UNIT PRICES
A. The successful bidder shall furnish to the Owner and the Landscape Architect a unit price breakdown for all materials. The Owner may at his discretion add to or delete from the materials utilizing the unit price breakdown submitted to and accepted by the Owner.

1.7 INSPECTION CERTIFICATES
A. Fertilizer. The Contractor shall submit to the Owner and Landscape Architect documentation that all the fertilizer used for the project is of the analysis specified and placed at the rates specified.

1.8 GRADING
Rough Grading: All areas to be rough graded to within three (3) inches of finished grade by others. All construction debris to be removed by others.

B. Fine Grading: All areas to be planted, mulched, or sodded shall be raked by the Contractor to remove all debris 1" in diameter or larger.

CLEAN-UP
A. Upon completion of the work or any major portion of the work or as directed by the Landscape Architect, all debris and surplus material shall be removed from the job site.

1.10 MAINTENANCE
A. The Contractor is responsible to maintain the plantings until they are accepted under the provisions of 1.11-C "ACCEPTANCE".

1. Plants: Begin maintenance immediately following the final plant installation operation for each plant and continue until all plant installation is complete and accepted. [illegible]

2. Turf Areas: Begin maintenance of turf immediately following the placement of sod and continue until sod installation is complete and accepted. [illegible]

3. Watering of Plant-Grown Plants: The following water schedule and amount of water per application shall be followed during maintenance period. [illegible]

The following amount of water shall be applied at the base of each plant at each watering:

- up to 4 inch trunk caliper for trees and large shrubs — 10 gallons
- from 4 to 8 inch caliper — 25 gallons
- 8 inch and up caliper — 50 gallons

1.11 OPERATIONS FOR ACCEPTANCE
A. General: A project may be accepted in segments if the work is extensive enough to justify segmented inspection and acceptance. [illegible]

B. Inspection: Inspection of the work, in this Section, to determine completion of contract work exclusive of the possible replacement of plants and turf, will be made by the Landscape Architect at the conclusion of the maintenance period. [illegible]

C. After inspection, the Landscape Contractor will be notified in writing by the Landscape Architect of acceptance of all work. [illegible]

1.12 GUARANTEE
A. Guarantee all plants for sixty (60) consecutive calendar days (CCD) from the date of acceptance. [illegible]

1.13 REPLACEMENT
A. Replacements shall be made during the guarantee period as directed by the Landscape Architect. [illegible]

1. Materials and Operations: All replacement plants shall be of the same kind and size as indicated on the plant list. [illegible]

2. Cost of Replacements: A sum sufficient to cover the estimated cost of possible replacements, including material and labor [illegible]

PART 2 - MATERIALS

2.1 PLANTING SOIL
A. General Purpose Planting Soil: General Purpose Planting Soil shall be of the composition noted in the plant measured by volume.

B. Special Planting Soil: Shall be of a composition noted in the plans, measured by volume and installed where noted in the plans.

2.2 FERTILIZER
A. Fertilizer for trees, shrubs, & groundcovers, and vines shall be as follows: LESCO 8-10-10. [illegible]

2.3 WATER
A. The Owner shall provide potable water on site, available from the start of planting, as required by the Contractor. [illegible]

2.4 MULCH
A. Mulch shall be as specified in the plant list, uniformly shredded and free from large pieces of bark and foreign matter.

2.5 PART 3 - INSTALLATION PROCEDURES

3.1 LAYOUT
A. Verify location of all underground utilities and obstructions prior to excavation. [illegible]

3.2 HERBICIDE TREATMENT
A. In all areas infested with weed and/or grass growth, a systemic herbicide such as roundup, shall be applied per manufacturer's rates. [illegible]

B. When specified in the plans, a pre-emergent herbicide such as Treflan shall be applied after planting.

3.3 PLANT PIT EXCAVATION AND BACKFILLING
A. Trees: The diameter of the planting pits shall be at least two feet wider and one foot deeper than the size of the root ball. [illegible]

B. Shrubs and Groundcover: Shrubs and groundcover shall be planted in a soil bed of general purpose planting soil to the depth noted in the plans. [illegible]

3.4 WATERING-IN
A. Water in plants by thorough soaking at the entire root ball immediately after planting. [illegible]

B. Water shrubs, sod, and groundcover a minimum of once daily until an irrigation system is fully operational. [illegible]

3.5 FERTILIZING
A. Add fertilizer on top of the surface one (1) week after planting of each segment of the job after soil has been well stabilized, at the following rates of application:

1. Trees & Large Shrubs: One (1) pound per inch of trunk diameter, spread evenly over the root ball area.
2. Shrubs: One handful per shrub, spread evenly over the root ball area.
3. Groundcover: Twelve (12) pounds per 1000 sq. ft. of bed area.
4. Sod: Twelve (12) pounds per 1000 sq. ft. Wash off blades immediately after spreading.

3.6 MULCHING
A. Spread mulch two (2) inches thick uniformly over the entire surface of shrub and groundcover beds. [illegible]

3.7 GUYING & BRACING
A. See the details bound herewith or made part of the plans.

3.8 SODDING
A. Provide a blanket of topsoil, free from weeds, debris and stones over 1" diameter. [illegible]

B. [illegible]

C. Keep edges of sod and a minimum of twelve (12) inches away from groundcover beds and twenty four (24) inches away from shrub and bed trees.

D. Completed sod shall immediately be watered sufficiently to wet the soil to at least two inches below the bottom of the sod strips.

E. Apply fertilizer to the sod after initial watering, as specified in Section 3.5.

MULTI-TRUNK TREE PLANTING/STAKING DETAIL
N.T.S.

TREE PLANTING/STAKING DETAIL
N.T.S.

PALM PLANTING/STAKING DETAIL
N.T.S.

SHRUB/ GROUNDCOVER PLANTING DETAIL
N.T.S.

LANDSCAPE LEGEND

Zoning District: AU — Net Lot Area: 3.0 acres (130,680.5 s.f.)

OPEN SPACE	REQUIRED	PROVIDED
Square feet of open space as required by Chapter 33, as indicated on site plan: Net Lot Area 130,680.5 s.f. X 40% = 52,272 s.f.	52,272 S.F.	84,018 S.F.
Square feet of parking open space required by Chapter 18A, as indicated on site plan: No. of Parking Spaces 73 spaces X 10 s.f. per parking space = 730 s.f.	730 S.F.	730 S.F.
Total s.f. of landscaped open space required by Chapter 33: A + B = s.f.	52,272 S.F.	84,748 S.F.
LAWN AREA CALCULATION		
A. Total s.f. of landscaped open space required by Chapter 33	52,272 S.F.	84,748 S.F.
B. Maximum lawn area (sod) permitted = 40% X 52,272 s.f. = 21,108 s.f.	15,840 S.F. max	13,990 S.F.
TREES		
A) No. of trees required per net lot acre. Less existing number of trees meeting minimum requirements = 28 trees X (3.0) net lot acres = 84	84	84
B) % Palms allowed: No. trees provided (84 trees)/2 x 30% = 13	13 Required	13 Provided
% Palms permitted to count as street trees on 1:1 basis x 30% = 0	N/A	N/A
C) % Natives required: No. trees provided (84 trees) x 30% = 26	26	84
D) Street trees (maximum average spacing of 35' o.c.): 750 linear feet along street / 35 = 22	22	22
E) Street trees located directly beneath power lines (max. average spacing of 25' o.c.): 0 linear feet along street / 25 = 0	N/A	N/A
TOTAL TREES REQUIRED (A + D + E)	108	108
SHRUBS		
No. of trees required (108 trees) x 10 = 1,080 shrubs required	1,080	1,390
No. of shrubs required (1,080shrubs) x 30% = 318 native shrubs required	318	948

PLANT LIST

TREE TABLE

SYMBOL	NO.	BOTANICAL NAME	COMMON NAME	NATIVE	DROUGHT TOLERANCE	NATURAL HEIGHT RANGE	SPECIFICATION
NEW	6	Lysiloma latisiliqua	Wild Tamarind	yes	yes	40'-60'	16' HT, 8' SPR, 3" CAL, 6.5' C.T., MIN, MATCH
NEW	7	Coccoloba uvifera	Sea Grape	yes	yes	20'-30'	16' HT, 8' SPR, 3" CAL, 6.5' C.T., MIN, MATCH
Existing	16	Bucida buceras	Black Olive	yes	yes	40'-60'	16' HT, 8' SPR, 3" CAL, 6.5' C.T., MIN, MATCH
	6	Lysiloma latisiliqua	Wild Tamarind	yes	yes	40'-60'	16' HT, 8' SPR, 3" CAL, 6.5' C.T., MIN, MATCH
	8	Bursera simaruba	Gumbo Limbo	yes	yes	40'-60'	16' HT, 8' SPR, 3" CAL, 6.5' C.T., MIN, MATCH
	9	Cassia fistula	Golden Shower	yes	yes	20'-30'	16' HT, 8' SPR, 3" CAL, 6.5' C.T., MIN, MATCH
	40	Coccoloba uvifera	Sea Grape	yes	yes	20'-30'	16' HT, 8' SPR, 3" CAL, 6.5' C.T., MIN, MATCH

PALM TABLE

SYMBOL	NO.	BOTANICAL NAME	COMMON NAME	NATIVE	DROUGHT TOLERANCE	NATURAL HEIGHT RANGE	SPECIFICATION
Existing	13	Sabal palmetto	Sabal Palm	yes	yes	30'-60'	15' OA HT, MATCH

SHRUBS TABLE

SYMBOL	NO.	BOTANICAL NAME	COMMON NAME	NATIVE	DROUGHT TOLERANCE	HEIGHT RANGE	SPECIFICATION
NEW	170	Chrysobalanus icaco	Red Tip Cocoplum	yes	yes	10'-20'	30" x 24", MIN, 24" O.C., Hedge (MAX 36" O.C.)
Existing	370	Chrysobalanus icaco	Red Tip Cocoplum	yes	yes	10'-20'	30" x 24", MIN, 24" O.C., Hedge (MAX 36" O.C.)
Existing	7(?)	[illegible]	[illegible]	no	yes	2'-5'	24" x 24", MIN, 24" O.C., [illegible]

SOD
St. Augustine "Floratam" for parking areas. Bahia Sod for playfields

IRRIGATION
All landscape areas to receive 100% coverage by means of an automatic sprinkler system with rain sensor.

PLANTING NOTES:
Plant materials shall conform to grades and standards for Florida No. 1 or better as given in grades and standards for nursery plants, part 1 (current edition) and part II (current edition) by the Florida Department of Agriculture and Consumer Services Divisions of Plant Industry.

Planting mix/backfill mix shall be clean and free of construction debris, weeds, rock and noxious pests and disease. The planting areas shall be amended with a minimum of forty (40) percent of muck or horticultural acceptable organic material. The minimum topsoil depth shall be four (4) inches for ground cover areas and sodded grass areas.

Washington Palms shall be planted in a good grade of salt free sand. Trees and shrubs shall be fertilized at the time of planting with agriform planting tablets, 20-10-5 formula 21 grams, at manufacturers recommended rate. Trees and shrubs shall be planted with a minimum of 6" of topsoil beneath rootball.

Fertilizer shall comply with state fertilizer laws. It shall have a chemical designation as indicted for each type of plant:
Turf: 4-1-2 N-P-K with micronutrients. Apply at a rate of 1 lb. of nitrogen per 1000 s.f.
Palms: 2-1-1 N-P-K with micronutrients.

Shrubs and Trees:
7-6-6 N-P-K with micronutrients. Mulch shall be clean, bright and free of seeds, moss sticks and other debris.

All landscape installation to be 100% irrigated to meet local and state regulations with a minimum of 50% overlap. (See Plans and Specs)

All work shall be done in accordance with authorities having jurisdiction. Contractor shall submit shop drawings for approval.

No changes/ substitutions shall be made without prior consent of the designer.

Contractor shall field verify locations of all utilities prior to installation.

All landscape areas shall be sodded unless otherwise noted. Landscape contractor shall coordinate his work with that of the irrigation contractor.

Mulch: All plants and plant beds shall have a 3" layer of clean seed free, organic mulch (eucalyptus where possible). Mulch shall contain less than 10% good chips.

Utilities: The location and existence of utilities (overhead and underground) shall be thoroughly investigated and verified by the Landscape Contractor before the work begins in exercise care in digging and work so as not to damage existing utilities in sod areas, such as underground pipes, cables, wires, etc. The Landscape Contractor shall be responsible for the immediate repair of any damage to utilities caused by the work.

Watering: Initially water the plant material to develop uniform coverage and deep water penetration of at least 6". Avoid erosion, pudding, and washing soil away from plant roots.

Plant quantities in plant legend are for reference only. If discrepancies exist between quantities in legend and quantity shown on plan, plan shall govern.

Plant Quantities: Plant quantities are provided as a courtesy and should be verified by the contractor prior to bidding.

Sod: Sod shall be clean and visibly free of weeds, noxious pests, and diseases.

Planting: All planting holes shall be excavated to a minimum of 1 1/2 times the diameter of the root ball of plant to be planted and back filled with planting soil. Plant beds shall be excavated to a minimum of 12" and back filled with planting soil.

Sizes: All sizes shown for plant material on the plan are to be considered as minimums. All plants must meet or exceed these minimum requirements for height, spread, trunk caliper.

All shrubs, trees and palms shall be minimum of 6' away from all other utilities.

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2006-04

ISSUED FOR:
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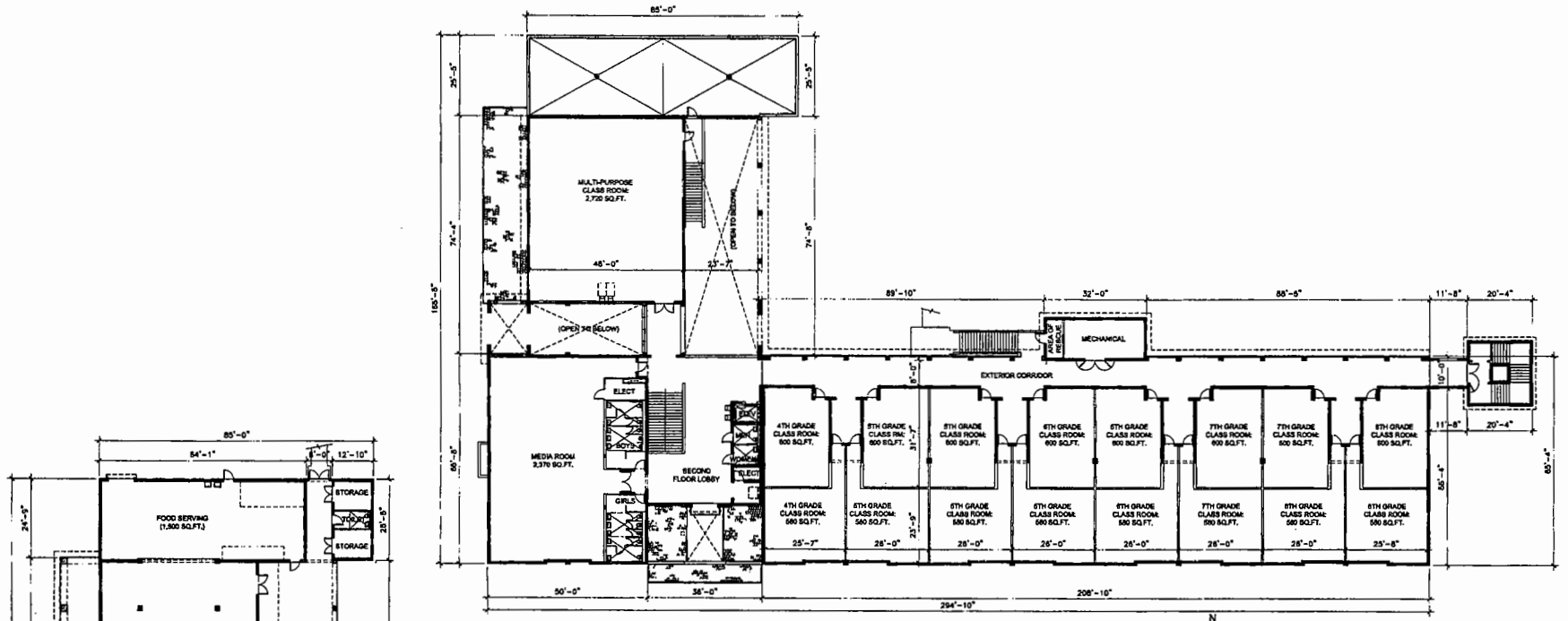
SHEET TITLE
LANDSCAPE SPECIFICATIONS PLANT LIST

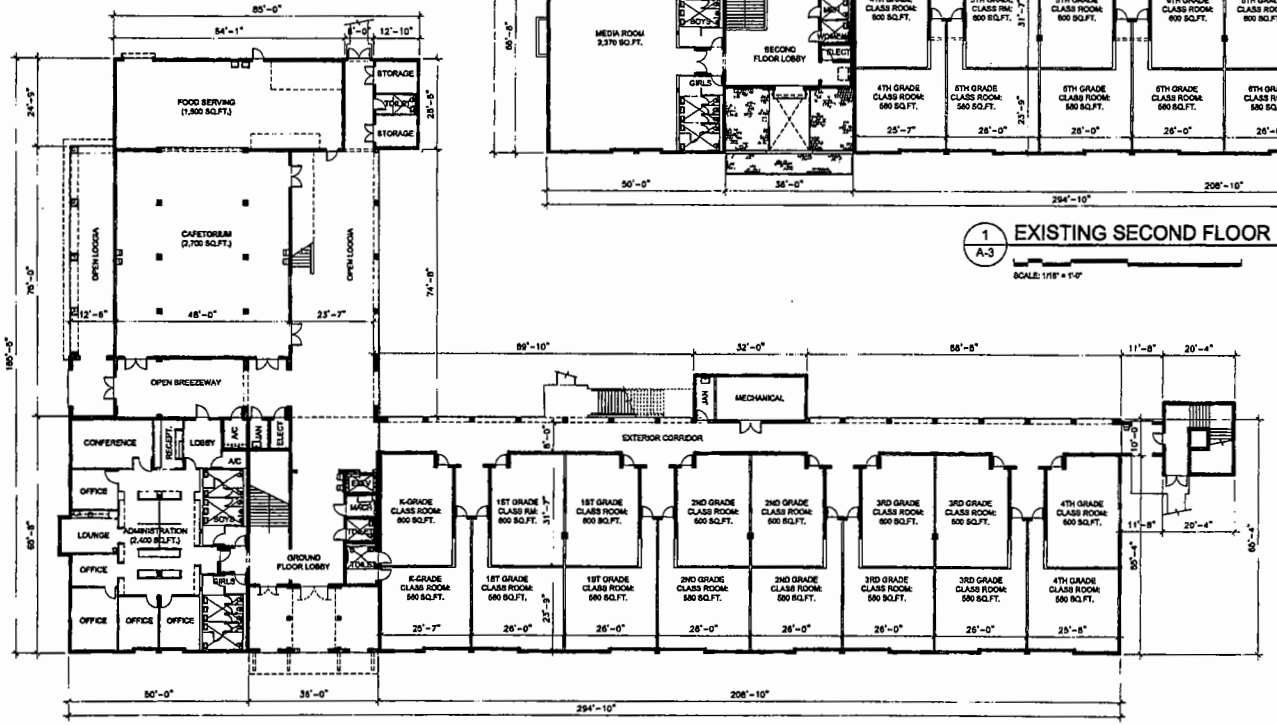
SHEET NUMBER
LA-2

32



1 A-3 EXISTING SECOND FLOOR PLAN

SCALE: 1/16" = 1'-0"



2 A-3 EXISTING FIRST FLOOR PLAN

SCALE: 1/16" = 1'-0"

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2006-04

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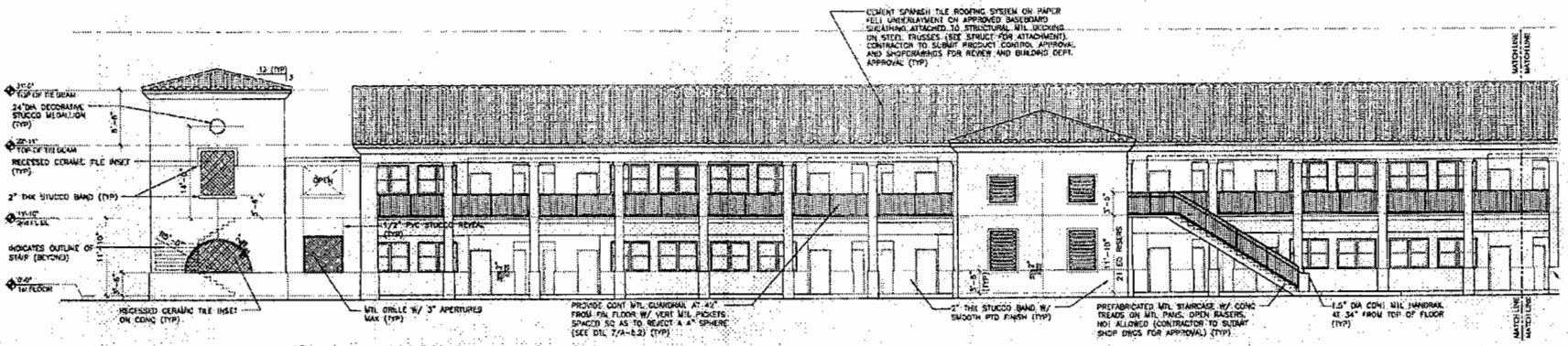
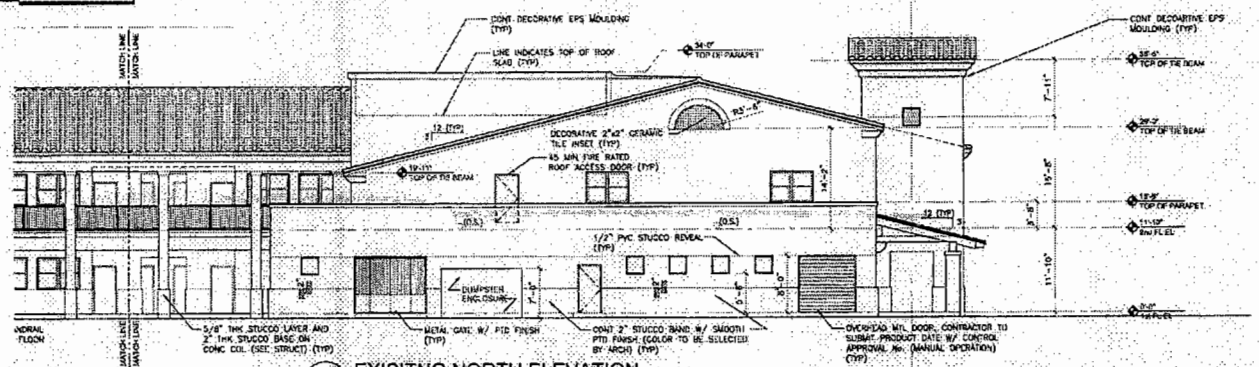
SHEET TITLE
EXISTING 1st & 2nd FLOOR PLANS

SHEET NUMBER
A-3



1 A-4 EXISTING NORTH ELEVATION

SCALE: 1/8" = 1'-0"

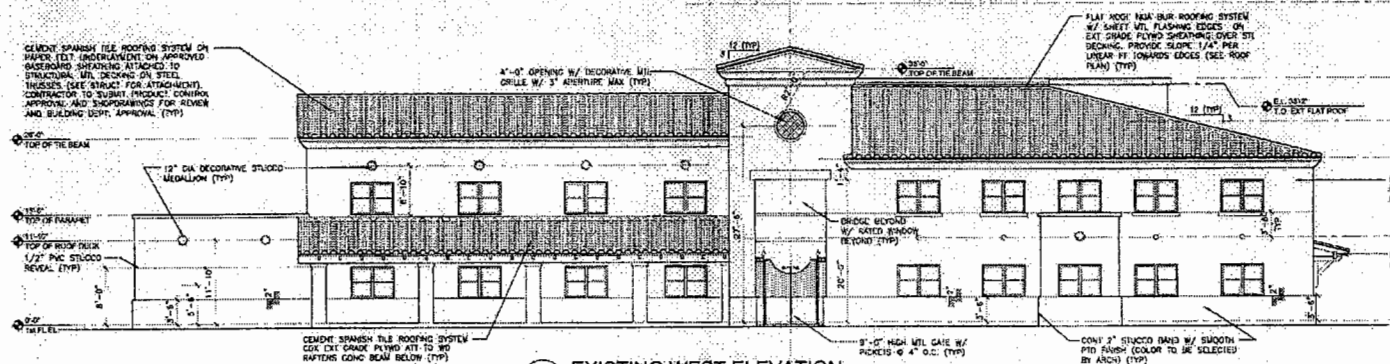


2 A-4 EXISITNG NORTH ELEVATION

SCALE: 1/8" = 1'-0"

ELEVATION NOTE:

ALL ROOF DECORATIVE LANTERNS AND ACCENT TOWERS SHALL BE EXEMPT FROM THE 25'-0" HEIGHT RESTRICTIONS AS PER SEC 33-95(a) OF THE MIAMI-DADE COUNTY ZONING ORDINANCE (TYP)



3 A-4 EXISTING WEST ELEVATION

SCALE: 1/8" = 1'-0"

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OWNER:
VALENCIA SCHOOL DEVELOPMENT LLC
[illegible]

CIVICA PROJECT No:
2006-04

ISSUED FOR:
COUNTY APPROVAL

No.	DATE	REVISION	BY

DRAWN BY: APPROVED BY:

DATE: Apr. 2006 SCALE:

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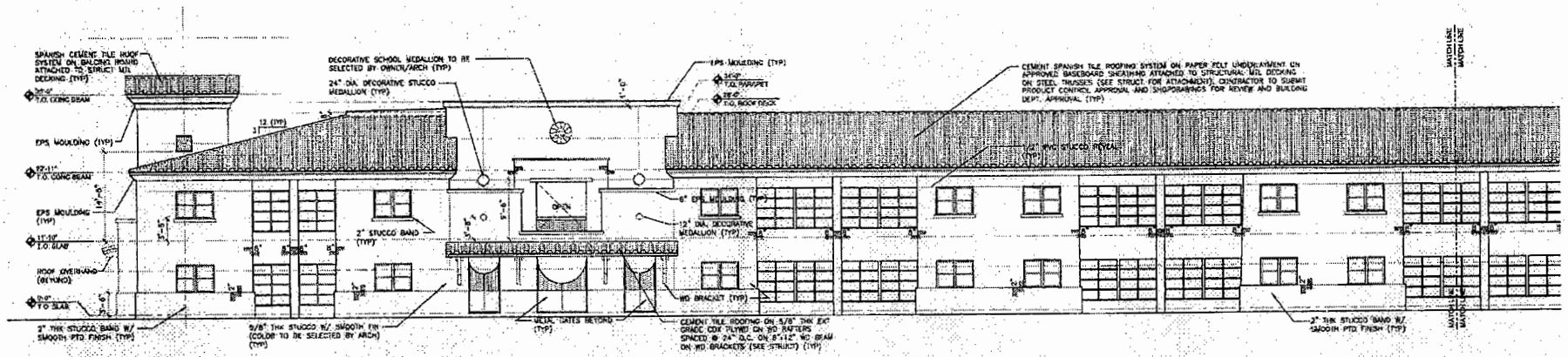
SHEET TITLE
EXISTING WEST & NORTH ELEVATIONS

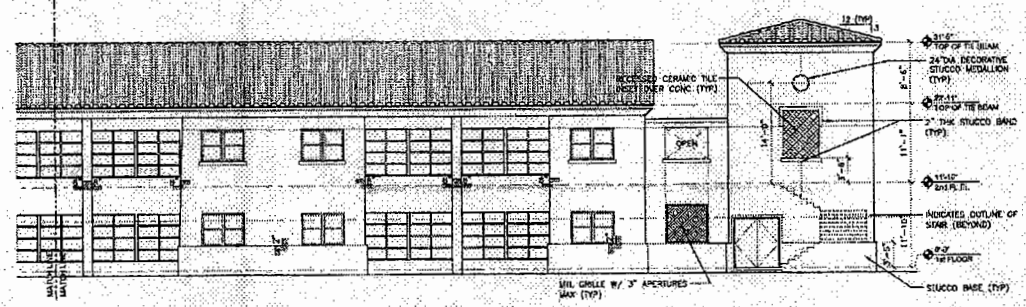
SHEET NUMBER
A-4

34



1 A-5 EXISITNG SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

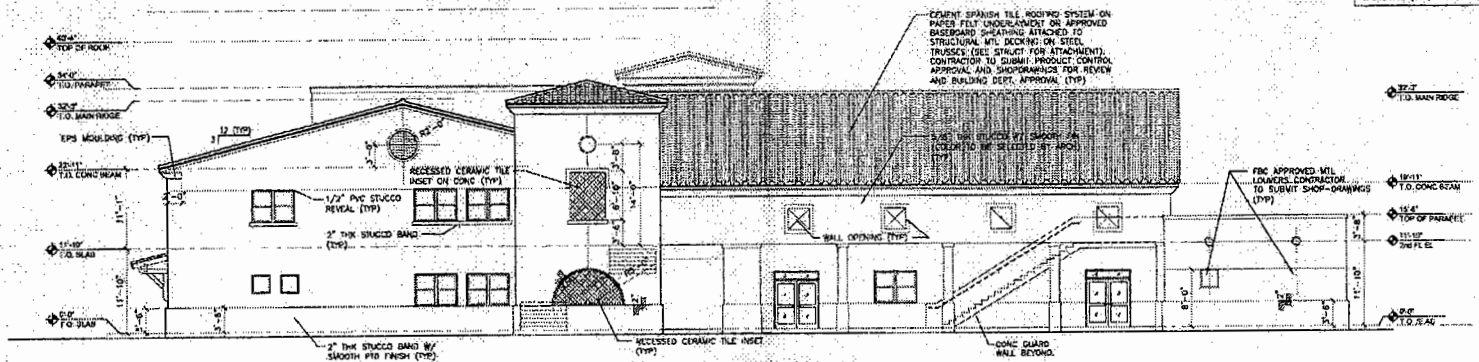


2 A-5 EXISTING SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

ELEVATION NOTE:

ALL ROOF DECORATIVE LANTERNS AND ACCENT TOWERS SHALL BE EXEMPT FROM THE 35'-0" HEIGHT RESTRICTIONS AS PER SEC 35-55(a) OF THE MIAMI-DADE COUNTY ZONING ORDINANCE (TYP)



3 A-5 EXISTING EAST ELEVATION

SCALE: 1/8" = 1'-0"

CIVICA
89323 NW 82nd Street
Suite No.206
Doral, FL 33126
tel: 305.393.9858
fax: 305.393.9856

SOMERSET ACADEMY
18401 B.W. 134th Ave.
Miami, FL 33177.

OWNER:
VALENCIA SCHOOL DEVELOPMENT LLC
4200 WEST BLEND MIAMI, FL 33165
tel: 305.461.3500

CIVICA PROJECT No:
2006-04

ISSUED FOR:
COUNTY APPROVAL

No.	DATE	REVISION	BY

DRAWN BY: APPROVED BY:

DATE: Apr. 2006 SCALE:

SEAL/SIGNATURE

06-18-2006

ROLANDO LLANES, AIA
AR - 0015160

This drawing is the property of CIVICA and is not to be reproduced or copied in whole or part. It is not to be used on any other project but is to be returned on request.

SHEET TITLE
EXISTING SOUTH & EAST ELEVATIONS

SHEET NUMBER
A-5

RECEIVED
JUL - 3 2006

Department of Planning and Zoning
111 NW 1 Street 11th Floor
Miami, Florida 33128

CHILD CARE CHECK LIST FOR CHARTER SCHOOLS

A signed charter contract from the Miami-Dade County School Board must accompany this application which matches the location, # of students and grade levels of the proposed application.

School Name: VALENCIA ACRESS School Address: S.W. 184 STREET & S.W. 134 AVE

Tax Folio # 30 -6902-026-1450 Total size of site: 3. acres

Is this an expansion to an existing school? X Yes ____ No

If yes, indicate the # of students and grade levels previously approved:

700 STUDENTS and the Resolution # Z-30-06

Number of children/students requested: 800 (total) Grade Levels: K-8th Ages: 4-14 YRS OLD.

Number of classrooms: 34 Total square footage of classroom area: 23,980 S.F.

Total square footage of non-classroom area (offices, bathrooms, kitchens, etc.) 23,020 S.F.

Total square footage of outdoor recreation/play area: 41,100 S.F.

Number of parking spaces provided for staff and transportation vehicles: 51 SPACES

Total parking ~~spaces provided~~ REQUIRED: 73 SPACES. Auto-stacking spaces provided: 45

Days and hours of operation: MON-FRI (7:00 AM - 4:00 PM)

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this ____ day of _____ at Miami-Dade County, Florida.

WITNESSES:

RECEIVED
209.106
JUL 08 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this ____ day of _____, _____, before me personally appeared _____, to me known to be the person described in an who executed the foregoing instrument and he/she acknowledge to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

My Commission Expires _____

11/1/08

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Valencia School Development, LLC, a Florida LLC

NAME AND ADDRESS	Percentage of Stock
Wolfson Hutton Company, Inc., a Florida Corp. - Ignacio Zulueta, President and 100 % shareholder	100 %

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

TRUST/ESTATE NAME _____

NAME AND ADDRESS	Percentage of Interest

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

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JUL 0 8 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (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 any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: _____

(Applicant) Ignacio Zulueta

Sworn to and subscribed before me this 26 day of June, 20 09. Affiant is personally know to me or has produced n/a as identification.

Annette M Iraola

(Notary Public)

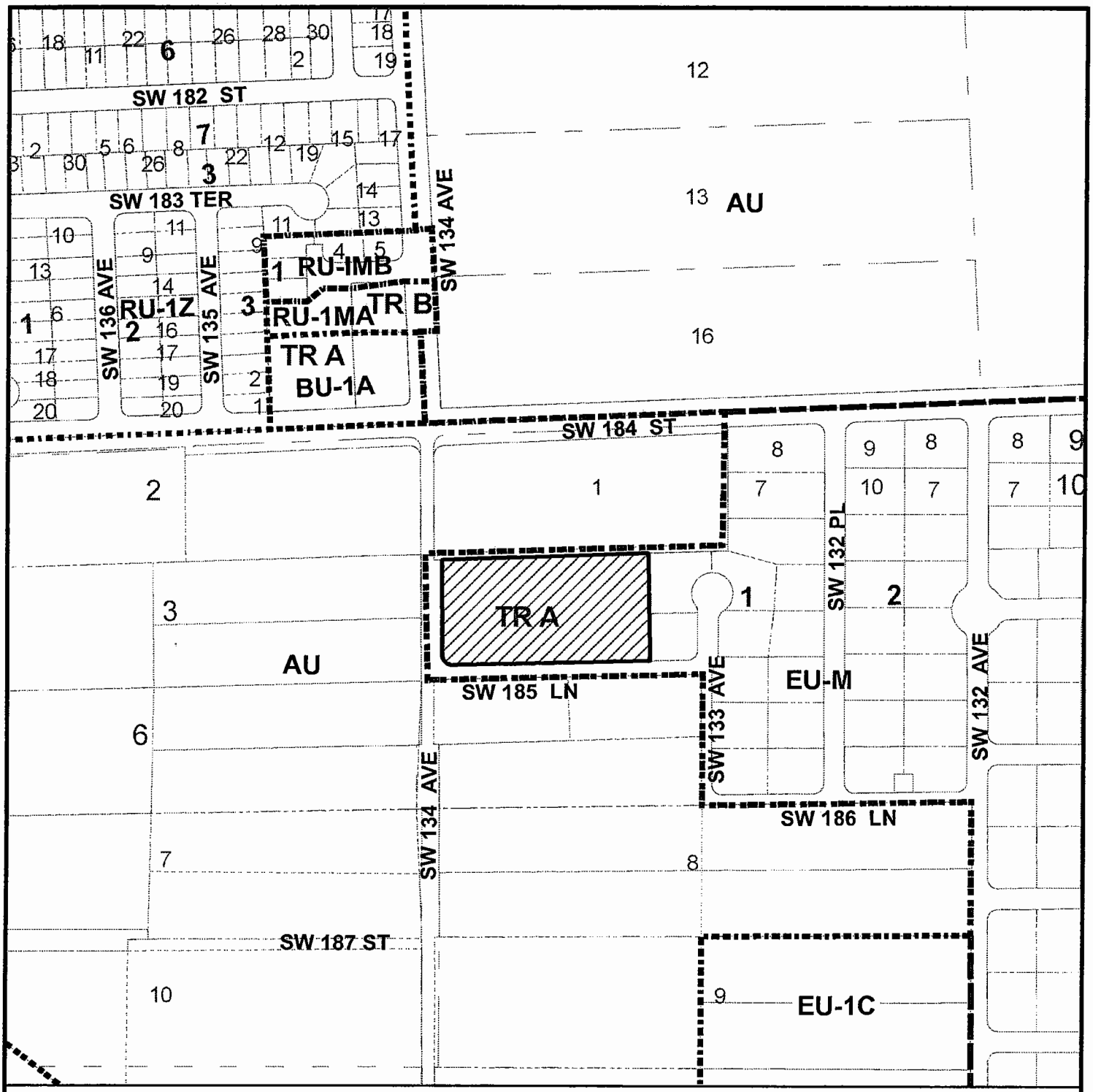
Notary Public State of Florida
Annette M Iraola
My Commission DD648700
Expires 03/08/2011

My commission expires: 3/26/11

Seal

RECEIVED
209106
JUL 08 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

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



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-106

Section:02 Township: 56 Range: 39
Applicant: VALENCIA SCHOOL DEVELOPMENT, LLC
Zoning Board: BCC
Commission District: 08
Drafter ID: KEELING
Scale: NTS
---------- Zoning

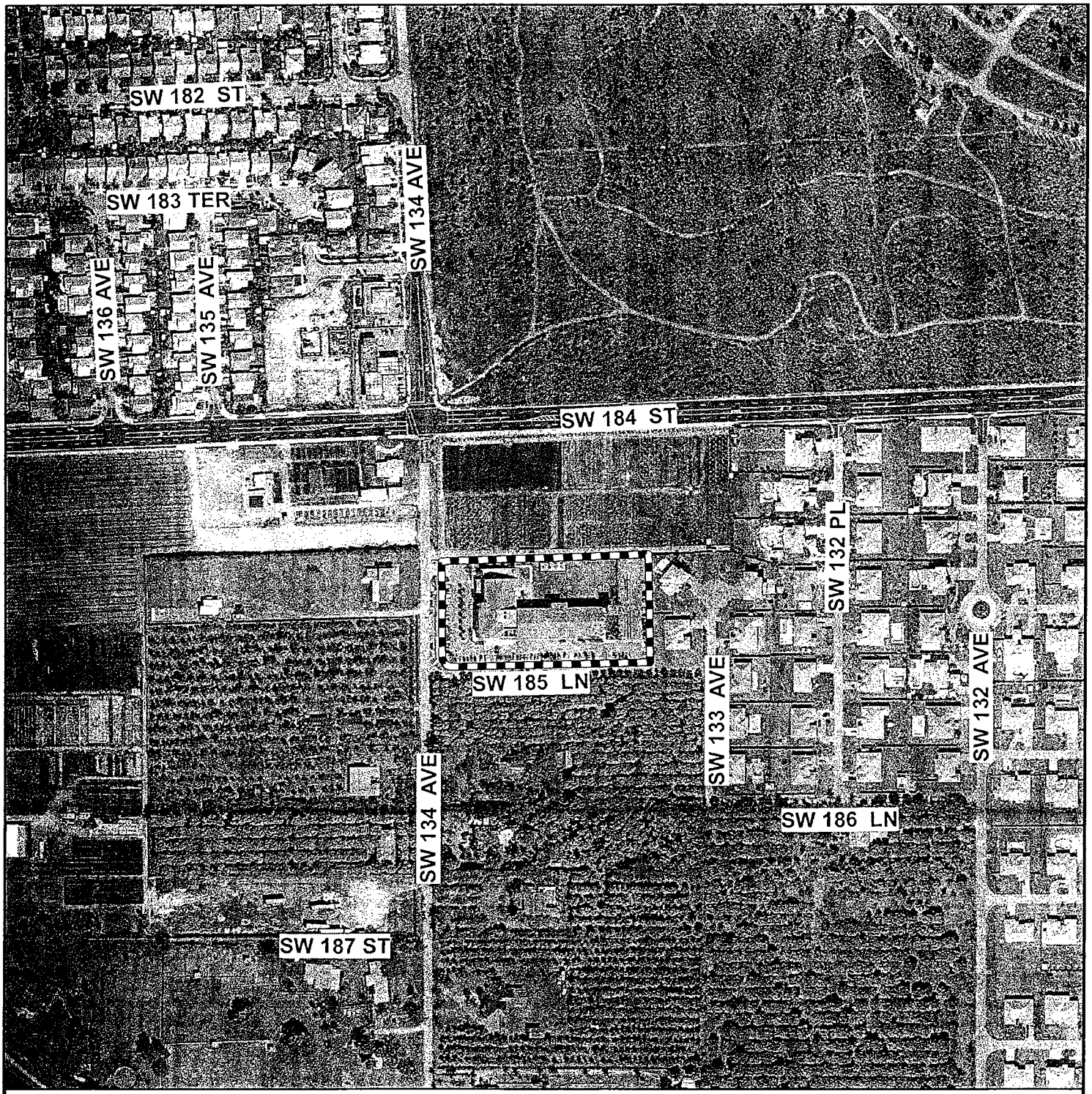
SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 07/14/09

REVISION	DATE	BY
		38



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

09-106

Section:02 Township: 56 Range: 39
Applicant: VALENCIA SCHOOL DEVELOPMENT, LLC
Zoning Board: BCC
Commission District: 08
Drafter ID: KEELING
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 07/14/09

REVISION	DATE	BY

4. THE DEPARTMENT OF PLANNING & ZONING **10-5-CC-4 (09-155)**
(Applicant) **BCC/District 07**
Hearing Date: 05/06/10

Property Owner (if different from applicant) **SDG DADELAND ASSOC INC TRS.**

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
1953	Victor Ramsdell	- Zone change from AU to EU-1, increased the cubic content.	BCC	Approved
1955	Dade Shopping Center Inc.	- Zone change from GU, AU, RU-1, EU-1 to BU-2A.	BCC	Approved w/conds.
1955	Dade Shopping Center Inc.	- Reformation of legal description.	BCC	Approved
1955	Board of County Commissioners	- Time extension for resolution 10258.	BCC	Approved
1955	Board of County Commissioners	- Delete of condition of resolution.	BCC	Approved
1957	Board of County Commissioners	- Time extension for resolution 10258.	BCC	Approved w/conds
1961	Federated & Kenara Center, Inc.	- Zone change from AU to BU-2.	BCC	Approved
1961	Dadeland Shopping Center, Inc.	- Variance spacing requirements to permit package store in shopping center.	BCC	Approved
1961	Federated & Kenara Center, Inc.	- Zone change from AU, GU, RU-1, RU-2 to BU-2 & BU-3.	BCC	Approved
1962	Dadeland Shopping Center, Inc.	- Variance of signage.	ZAB	Approved on a modified basis.
1962	Food Fair Stores, South Dade, Inc.	- Variance of signage.	ZAB	Approved
1962	Burdines Tire Center	- Variance of signage.	ZAB	Approved
1962	Dadeland Shopping Center	- Variance spacing for a night club.	ZAB	Approved
1962	Dadeland Shopping Center	- Unusual Use to permit a night club.	ZAB	Approved w/conds.

1963	Dadeland Shopping Center	- Variance of signage.	ZAB	Approved w/conds.
1963	First Federal Savings & Loan Assn.	Variance of signage.	ZAB	Approved
1963	Dadeland Shopping Center	- Unusual Use to permit shopping center promotions.	ZAB	Approved in part w/conds.
1963	Dadeland Shopping Center	- Variance of signage.	ZAB	Approved
1966	Jordan Marsh Co.	- Variance of sign requirement.	ZAB	Approved
1966	Burdines	- Variance sign requirement.	ZAB	Approved
1970	J.C. Penney Company, Inc.	- Variance of setback.	ZAB	Approved
1975	Coffee Ect., Inc.	- Variance of spacing for sale of alcohol.	BCC	Appeal denied, application approved
1975	Coffee Itec., Inc.	- Variance of spacing for sale of alcohol.	ZAB	Approved
1976	First Fed. S & L Assoc. of Miami	- Variance of setback & # of sign.	BCC	Appeal approved, application approved
1976	First Fed. S & L Assoc. of Miami	- Variance of setback & # of sign.	ZAB	Denied
1977	Dadeland National Bank	- Special Exception expand existing bank above drive-in tellers.	ZAB	Approved
1979	Victoria Station Inc.	- Special Exception to modify resolution, spacing of alcohol & permit a night club. - Unusual Use to permit outdoor dining. - Non-Use Variance of zoning regulations.	ZAB	Approved w/conds.
1979	Burdines	- Variance of zoning regulations to permit sale of wine.	ZAB	Approved w/conds.
1979	Victoria Station Inc.	- Special Exception of spacing to permit a lounge.	ZAB	Approved w/conds.
1979	Creative Restaurants Inc.	- Special Exception to spacing requirements for lounge. - Non-Use Variance of zoning regulations.	ZAB	Approved w/conds.
1983	Equitable Life Assurance Society	- Special Exception to expand a shopping center. - Unusual Use to permit parking. - Non-Use Variance of landscaping.	ZAB	Approved w/conds.

1985	Equitable Life Assurance	- Non-Use Variance of signage.	ZAB	Approved w/conds.
1988	Dadeland Bank	- Non-Use Variance of signage.	ZAB	Approved w/conds.
1989	The Equitable Life Assur. Society of U.S.A.	- Modification of conditions of resolution. - Special Exception to expand a shopping center.	ZAB	Approved
1991	The Equitable Life Assur. Society of The U.S.A.	- Modification of resolution.	ZAB	Approved w/conds.
1994	Equitable Life Assurance Society	- Modification of resolution. - Non-Use Variance of zoning regulation requiring setback & landscaping requirements.	ZAB	Approved w/conds.
1996	Equitable Life Assurance Soc	- DRI.	BCC	Approved
1996	Equitable Life Assurance Soc	- Modification of resolution & declaration or restrictions. - Special Exception for an expansion of an existing shopping center. - Non-Use Variance of lot coverage, setbacks, FAR and landscaping requirements.	BCC	Approved w/conds.
1997	Cheese Cake Corp.	- Special Exception of spacing to permit a lounge. - Non-Use Variance of zoning regulations.	C12	Approved w/conds.
2000	SDG Dadeland Assoc Inc.	- To make a substantial deviation. - Modification of condition of resolution.	C12	Approved w/conds.
2002	SDG Dadeland Associates Inc.	- To make a substantial deviation. - Modification of condition of resolution.	BCC	Approved w/conds.
2002	SDG Dadeland Assoc Inc.	- To make a substantial deviation. - Modification of condition of resolution.	C12	Recommended for approval

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

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

APPLICANT: Department of Planning and Zoning **PH:** 09-155 (10-5-CC-4)

SECTION: 35-54-40 **DATE:** May 6, 2010

COMMISSION DISTRICT: 7 **ITEM NO.:** 4

==========

A. INTRODUCTION

o REQUESTS SUMMARY

The purpose of the requests is to allow the applicant to modify the buildout date and other dates within the development order of the Dadeland Mall Development of Regional Impact.

o REQUESTS:

(1) MODIFICATION of Conditions #30, #31 and #34 of Resolution #Z-15-96, last modified by Resolution #Z-04-02, both resolutions passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "30. December 29, 2009 is hereby established as the buildout date for this project and is the date until which the County agrees that the Dadeland Mall Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the applicant, or that the change is clearly essential to the public health, safety or welfare."

TO: "30. December 28, 2014 is hereby established as the buildout date for this project and is the date until which the County agrees that the Dadeland Mall Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the applicant, or that the change is clearly essential to the public health, safety or welfare."

FROM: "31. The commencement of physical development shall be one year from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in F. S. 380.04. The termination dated for completing development shall be December 29, 2009. The termination dated may only be modified in accordance with F.S. 380.06(19)(c)."

TO: "31. The commencement of physical development shall be one year from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in F. S. 380.04. The

termination dated for completing development shall be December 28, 2014. The termination dated may only modified in accordance with F.S. 380.06(19)(c)."

FROM: "34. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (December 29, 2009) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to the development order, are hereby found to meet concurrency standards set forth in Comprehensive Development Master Plan Ordinance No. 89-66 and Chapter 33G of the Miami-Dade County Code and A.O. 4-85 (concurrency regulations) as amended from time to time and to be consistent with local development regulations so long as the application is developing in compliance with terms and conditions of this Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in Section 33G-3(2) Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) The actual impacts of this project and other committed development are greater than those projected in the ADA; and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not issue unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency standards as determined by the County. The issuance of development orders which have been found to be vested pursuant to chapter 2-114, 33-315 or 33-316 of the Code of Miami-Dade County as adopted pursuant to Section 163.3167(8) Florida Statues, shall not be considered for purposes of determining concurrency as to this project. However modifications or changes to this Development Order, regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs."

TO: "34. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (December 28, 2014) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to the development order, are hereby found to meet concurrency standards set forth in Comprehensive Development Master Plan Ordinance No. 89-66 and Chapter 33G of the Miami-Dade County Code and A.O. 4-85 (concurrency

regulations) as amended from time to time and to be consistent with local development regulations so long as the application is developing in compliance with terms and conditions of this Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in Section 33G-3(2) Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) The actual impacts of this project and other committed development are greater than those projected in the ADA; and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not issue unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency standards as determined by the County. The issuance of development orders which have been found to be vested pursuant to chapter 2-114, 33-315 or 33-316 of the Code of Miami-Dade County as adopted pursuant to Section 163.3167(8) Florida Statues, shall not be considered for purposes of determining concurrency as to this project. However modifications or changes to this Development Order, regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs."

(2) MODIFICATION of Condition #32 of Resolution #Z-15-96, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "32. December 31, 2009 is hereby established as the expiration date for the development order."

TO: "32. December 30, 2014 is hereby established as the expiration date for the development order."

- **LOCATION:** 7535 S.W. 88 Street, Miami-Dade County, Florida.
- **SIZE:** 70 Acres

B. ZONING HEARING HISTORY:

The subject property has been the subject of several public hearings since 1961 when the site was rezoned from GU, Interim District, and RU-1, Single Family Residential, to BU-2, Special Business District, which permitted the construction of Dadeland Mall. Said public hearings granted sign variances, permitted a package store and a nightclub, permitted expansions of the shopping center, granted a setback variance for one of the buildings, granted spacing variances for alcoholic beverage uses, allowed the modification of previously approved plans,

granted more lot coverage than that permitted, and permitted less landscaping than that required by the Zoning Code.

In February, 2002, pursuant to Resolution No. Z-4-02, the Board of County Commissioners determined that the requested amendments to the existing Development Order (i.e. Resolution No. Z-15-96) do not constitute a substantial deviation when considered individually, or in combination or cumulatively and thus approved modifications to Conditions #15, #25, #30, #31, and #34 of Resolution No. Z-15-96 in order to allow the applicant to extend the buildout and termination date for the Dadeland Mall Development of Regional Impact (DRI), to extend the date after which building permits may not be requested or issued unless certain improvements have been made, and after which the project may be subject to down-zoning, and to extend the time in which sufficient infrastructure capacities will be available to serve this project.

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Business and Office** use. 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. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways.

2. **Chapter 380 Regional Activity Centers.** Chapter 380.06(2)(e), Florida Statutes (F.S.) and Chapter 28-24.014, Florida Administrative Code (FAC), authorize local governments to designate areas as regional activity centers, hereinafter "Chapter 380 regional activity centers", where the local government seeks to encourage higher intensities of development by increasing the threshold of the development size required to undergo State review as a Development of Regional Impact (DRI). In addition, Policy 11.14 of the Adopted 2004 Strategic Regional Policy Plan for South Florida authorizes the designation of "Regional Development Districts" to implement provisions of Chapters 380.0651(3)(d)(3) and (3)(g)(2), F.S., which provide for the designation of geographic areas highly suitable for increased (DRI review) threshold intensity. The designation of a specific area and boundaries as a Chapter 380 regional activity center for the purpose of increasing DRI review thresholds does not change the CDMP Land Use Plan map designation of any land, nor does it change the uses or intensities of development authorized by the CDMP. It only changes the circumstances under which proposed developments in the designated area would have to be reviewed through the Chapter 380, F.S., DRI process. The following areas are hereby designated to be Chapter 380 regional activity centers and, subject to approval by the South Florida Regional Planning Council, regional development districts (a geographic area specifically designated as highly suitable for increased threshold intensity), for the purpose of increasing DRI review thresholds: **Dadeland**.

3. **Objective LU-1.** The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

4. **Policy LU-1B.** Major centers of activity, industrial complexes, regional shopping centers, large-scale office centers and other concentrations of significant employment shall be the structuring elements of the metropolitan area and shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.

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

6. **Policy LU-4A.** When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
DKUC; Dadeland Mall	Business and Office
Surrounding Properties:	
NORTH: Snapper Creek Canal	Water
SOUTH: DKUC; Offices, retail, and multi-family apartment buildings	Business and Office
EAST: DKUC; MetroRail Dadeland North Station	Transportation
WEST: State Road 826 Palmetto Expressway	Transportation

E. SITE AND BUILDINGS:

Site Plan Review: (No plans submitted)

F. PERTINENT REQUIREMENTS/STANDARDS:

Florida Statutes §380.06(19) Developments of Regional Impact-Substantial Deviation
The term "development of regional impact," as used in this section, means any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

(a) Any proposed change to a previously approved development which creates a reasonable likelihood of additional regional impact, or any type of regional impact created by the change not previously reviewed by the regional planning agency, shall constitute a substantial deviation and shall cause the proposed change to be subject to further development-of-regional-impact review. There are a variety of reasons why a developer may wish to propose changes to an approved development of regional impact, including changed market conditions. The procedures set forth in this subsection are for that purpose.

(b) Any proposed change to a previously approved development of regional impact or development order condition which, either individually or cumulatively with other changes, exceeds any of the following criteria shall constitute a substantial deviation and shall cause the development to be subject to further development-of-regional-impact review without the necessity for a finding of same by the local government:

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

Senate Bill 360, 2009 Florida Legislative Session, Section 14 Community Renewal Act (1) Except as provided in subsection (4), and in recognition of 2009 real estate market conditions, any permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373, Florida Statutes, that has an expiration date of September 1, 2008, through January 1, 2012, is extended and renewed for a period of 2 years

following its date of expiration. This extension includes any local government-issued development order or building permit. The 2-year extension also applies to build out dates including any build out date extension previously granted under s. 380.06 (19) (c), Florida Statutes. This section shall not be construed to prohibit conversion from the construction phase to the operation phase upon completion of construction.

(2) The commencement and completion dates for any required mitigation associated with a phased construction project shall be extended such that mitigation takes place in the same timeframe relative to the phase as originally permitted.

(3) The holder of a valid permit or other authorization that is eligible for the 2-year extension shall notify the authorizing agency in writing no later than December 31, 2009, identifying the specific authorization for which the holder intends to use the extension and the anticipated timeframe for acting on the authorization.

(4) The extension provided for in subsection (1) does not apply to:

(a) A permit or other authorization under any programmatic or regional general permit issued by the Army Corps of Engineers.

(b) A permit or other authorization held by an owner or operator determined to be in significant noncompliance with the conditions of the permit or authorization as established through the issuance of a warning letter or notice of violation, the initiation of formal enforcement, or other equivalent action by the authorizing agency.

(c) A permit or other authorization, if granted an extension, that would delay or prevent compliance with a court order.

(5) Permits extended under this section shall continue to be governed by rules in effect at the time the permit was issued, except when it can be demonstrated that the rules in effect at the time the permit was issued would create an immediate threat to public safety or health. This provision shall apply to any modification of the plans, terms, and conditions of the permit that lessens the environmental impact, except that any such modification shall not extend the time limit beyond 2 additional years.

(6) Nothing in this section shall impair the authority of a county or municipality to require the owner of a property, that has notified the county or municipality of the owner's intention to receive the extension of time granted by this section, to maintain and secure the property in a safe and sanitary condition in compliance with applicable laws and ordinances.

Section 33-309. For property that is the subject of a DRI development order that was under active construction as of July 1, 2007, the Director shall file an application to extend the buildout date, and phasing deadlines contained in such development order for the maximum period of time declared by state law not to constitute a substantial deviation from the existing development order, provided that the owner of the property consents to the application and that funds sufficient to pay the costs of advertising and notice as required under Section 33-310 of this code, or sufficient security for such sums, have been provided by or on behalf of the property owner.

Section 33-311(A)(7) (Generalized Modification Standards). The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create fire or other equally or

greater dangerous hazard, or provoke excessive overcrowding of people, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No comment**
MDT	**No comment**
Fire Rescue	**No objection**
Water and Sewer	**No comment**
Solid Waste	**No comment**
Aviation	**No comment**

H. ANALYSIS

The applicant is seeking an extension of the buildout, expiration and termination dates for a previously approved DRI. The application is modifying Condition #34 which references concurrency and Condition #31 as last modified by Resolution #Z-04-02 which references the termination date for completing physical development. In addition, Condition #30 of Resolution #Z-04-02 is being modified to extend the buildout date from December 29, 2009 to December 28, 2014 and Condition #32 of Resolution #Z-15-96 is extending the expiration date from December 31, 2009 to December 30, 2014.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Business and Office** use. Uses allowed in this category include 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. In addition, the subject site is designated in the CDMP as a **Chapter 380 Regional Activity Center** for the purpose of increasing DRI review thresholds, however said designation does not change the CDMP Land Use Plan map designation of the site, nor does it change the uses or intensities of development authorized by the CDMP. **Staff notes that this application is not changing the current use or density and is only seeking a new build-out date, termination and expiration dates.** Therefore, staff opines that the application is **consistent** with the LUP map of the CDMP.

The applicant has submitted documentation including building permit receipts and other evidence that is contained in the record, indicating that the DRI was under active construction on July 1, 2007. Under the 2008 amendment to Section 380.06 (19), projects under active construction on July 1, 2007 are eligible for a three year extension without further DRI review. Staff opines that the application is not requesting increased densities and does not necessitate further infrastructure improvements. Moreover, staff notes that the subject property is bounded by the Palmetto Expressway (S.R. 826) to the west, SW 88 Street (North Kendall Drive) to the

south, and the MetroRail Dadeland North Station to the east, all of which are major transportation corridors that provide optimal accessibility to the site thereby alleviating any adverse impacts to the surrounding community. Noting the aforementioned, staff is supportive of the time extension request.

In addition to the three year extension requested pursuant to Section 380.06(19), the applicant has requested an additional two years pursuant to the recently passed Senate Bill 360 and Miami-Dade County Ordinance 09-76. Senate Bill 360, from 2009, provides an additional 2-year extension for such projects that are eligible without further DRI review. The bill states that in recognition of 2009 real estate market conditions, any permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373, Florida Statutes, that has an expiration date of September 1, 2008, through January 1, 2012, is extended and renewed for a period of 2 years following its date of expiration. This extension includes any local government-issued development order or building permit. The 2-year extension also applies to build out dates including any build out date extension previously granted under s.380.06 (19) (c), Florida Statutes. In September 2009, the Miami-Dade Board of County Commissioner passed Ordinance 09-76 which provides for the extension of the buildout and expiration dates, and phasing deadlines for the maximum period of time declared by state law not to constitute a substantial deviation from the existing development order for those project under construction as of July 1, 2007. The applicant has paid the costs of advertising and notice as required by the ordinance and Section 33-310 of the Code. The build-out date for the DRI is December 28, 2014 which meets the criteria stated in Senate Bill 360. Additionally, as previously noted, the extension of the build-out date does not change the land use or intensity of the DRI and will have minimal additional impacts to the surrounding community. Based on the aforementioned, **staff recommends approval of requests #1 and #2, which would allow the buildout extension for three years under Section 380.06(19) and an additional two years under Senate Bill 360 for a total of five years until December 30, 2014.**

The Department of Environmental Resources Management **(DERM) does not object** to this application. The Miami-Dade Fire and Rescue Department **(MDFR) does not object** to this application and their memorandum indicates that the average travel time is **5:32 minutes**. The Public Works Department **(PWD) does not object** to this application, and indicates that the application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned.

When requests #1 and #2, to modify Conditions #30, #31 and #34 of Resolution #Z-15-96 and last modified by Z-04-02 (request #1) and to modify Condition #32 of Resolution Z-15-96 (request #2) are analyzed under the General Modification Standards, Section 33-311(A)(7), in staff's opinion, the proposed modifications will not adversely impact the surrounding area and will be **compatible** with same. The purpose of these requests is to allow the applicant to modify the previously approved conditions of the development order to extend the buildout, termination and expiration dates. Staff notes that modifying Conditions #30, #31, #32 and #34 of Resolutions #Z-15-96 and #Z-04-02 does not increase the already approved entitlements and, as such, would have a minimal impact the surrounding area, will not generate excessive traffic, tend to create or to provoke a nuisance, be incompatible with the area, nor be contrary to the public interest. When considering the necessity for and the reasonableness of the proposal in

relation to the surrounding area and the compatibility of said use with the area and its development, staff is of the opinion that the modifications will not have an unfavorable effect on same and will not be contrary to the public interest. Staff notes that there have been no significant changes in the area and the impacts have not changed. The subject property is bounded by the Palmetto Expressway (S.R. 826) to the west, SW 88 Street (North Kendall Drive) to the south, and the MetroRail Dadeland North Station to the east, all of which are major transportation corridors that provide optimal accessibility to the site thereby alleviating any adverse impacts to the surrounding community. Therefore, staff recommends approval with conditions of the modification of Conditions #30, #31, #32 and #34 of Resolutions #Z-15-96 and #Z-04-02 under Section 33-311(A)(7) (Generalized Modification Standards).

I. RECOMMENDATION:

Approval with conditions.

J. CONDITIONS:

1. That all conditions of Resolutions No. Z-15-96 and Z-04-02 remain in full force and effect except as herein modified.

2. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of this recommendation incorporated herein by reference

DATE TYPED: 03/12/10
DATE REVISED: 03/18/10
DATE FINALIZED: 04/19/10
MCL:GR:NN:JV:NC

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

NDN

Memorandum

MIAMI-DADE COUNTY

Date: November 23, 2009

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

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

Subject: C-12 #Z2009000155
The Department of Planning and Zoning
7535 S.W. 88th Street
Request to Extend the DRI Build Out Date
(DKUC) (70 Acres)
35-54-40

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

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

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.

PH# Z2009000155
CZAB - BCC

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: THE DEPARTMENT OF PLANNING & ZONING

This Department has no objections to this application.

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

Raul A Pino, P.L.S.
11-FEB-10

Memorandum

Date: 13-NOV-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2009000155

Fire Prevention Unit:

Not applicable to Fire Engineering & Water Supply Bureau site requirements.

Service Impact/Demand

Development for the above Z2009000155
located at 7535 S.W. 88 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 3797 is proposed as the following:

N/A 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: N/A alarms-annually.
The estimated average travel time is: 5:32 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 23 - Suniland - 7825 SW 104 Street
Rescue, BLS 75¿ Ladder

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 07-APR-10

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

THE DEPARTMENT OF PLANNING & ZONING	7535 S.W. 88 STREET, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**
Z2009000155	
HEARING NUMBER	

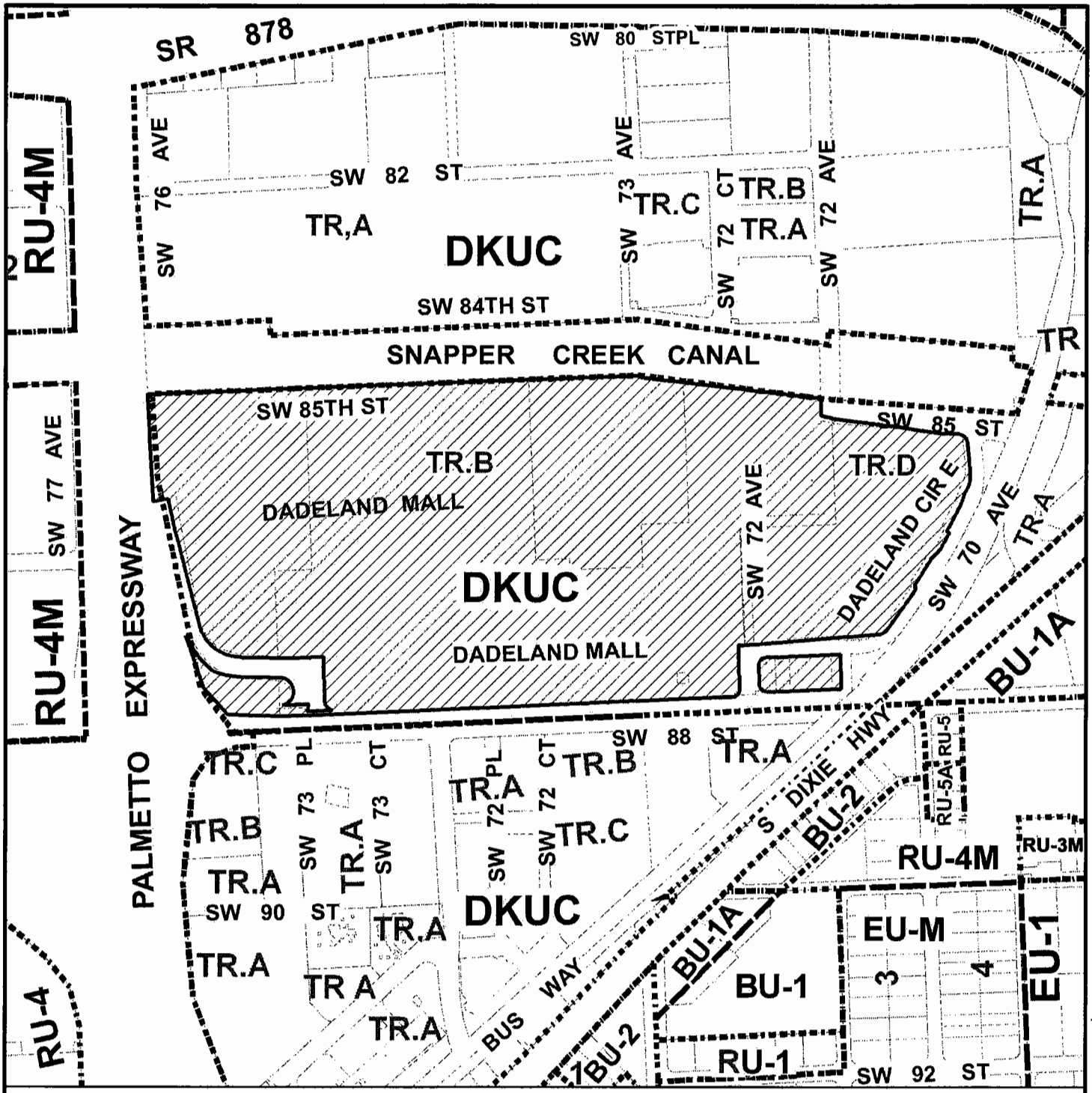
HISTORY:

NO VIOLATIONS OBERVED AT PROPERTY LOCATION

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

REPORTER NAME:

JOE MESLER



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-155

Section: 35 Township: 54 Range: 40
Applicant: THE DEPARTMENT OF PLANNING & ZONING
Zoning Board: C12
Commission District: 7
Drafter ID: JEFFER
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 11/18/09

REVISION	DATE	BY
		18

MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

09-155

Section: 35 Township: 54 Range: 40
Applicant: THE DEPARTMENT OF PLANNING & ZONING
Zoning Board: C12
Commission District: 7
Drafter ID: JEFFER
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 11/18/09

REVISION	DATE	BY

5. THE DEPARTMENT OF PLANNING & ZONING **10-5-CC-5 (09-175)**
(Applicant) **BCC/District 11**
Hearing Date: 05/06/10

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
2001	Gunhild Milner	- DRI.	C11	Recommended for Approval
2001	Gunhild Milner	- Zone change from GU to BU2 & BU-3. - Special Exception to permit a mixed used development, hotel and spacing. - Unusual Use to permit ALF, private recreation, lake excavation and lift stat. - Non-Use Variance of zoning regulation, setbacks and parking.	C11	Recommended for Approval
2001	Gunhild Milner, ET AL	- DRI.	BCC	Approved w/conds.
2001	Gunhild Milner, ET AL	- Zone change from GU to BU2 & BU-3. - Special Exception to permit a mixed used development, hotel and spacing. - Unusual Use to permit ALF, private recreation, lake excavation and lift stat. - Non-Use Variance of zoning regulation, setbacks and parking.	BCC	Approved w/conds.
2004	West Kendall Holdings	- Sub Deviation. - Modification of conditions of resolution.	BCC	Approved w/conds.
2004	West Kendall Holdings	- Sub Deviation. - Modification of conditions of resolution.	C11	Recommended for Approval
2008	Carlin Rafie	- Appeal of Administrative Decision.	C11	Denied

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

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

APPLICANT: Department of Planning and Zoning **PH:** 09-175 (10-5-CC-5)

SECTION: 5-55-39 **DATE:** May 6, 2010

COMMISSION DISTRICT: 11 **ITEM NO.:** 5

==========

A. INTRODUCTION

o REQUESTS SUMMARY

The purpose of the requests is to allow the applicant to extend the buildout date and other dates for the Kendall Town Center Development of Regional Impact.

o REQUESTS:

(1) MODIFICATION of Conditions #29, #33 and #34 of Resolution #Z-6-01, last modified by Resolution #Z-27-04, both passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "29. For the purposes of concurrency review, and based on the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (December 31, 2011) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to this development order, are hereby found to meet concurrency requirements set forth in Comprehensive Development Master Plan ordinance No. 89-66 and Chapter 33G of the Miami-Dade County Code and A.O. 4-85 (concurrency regulations) as amended from time to time and to be consistent with local development regulations so long as the Developer is developing in compliance with the terms and conditions of this Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in §33G-3(2), Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) the actual impacts of this project and other committed development are greater than those projected in the ADA, and (b) the issuance of further local development order (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not be issued unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency requirements as determined by the County. The issuance of development orders which have been found to be vested pursuant to Chapter 2-114, 33-315 or 33-316 of the Code of Miami-Dade County, as adopted pursuant to §163.3167(8) Florida Statutes, shall not be considered for purposes of determining concurrency as to this project, nor shall this Development Order be construed or applied to

prohibit the issuance of said Development orders under any circumstances. However, modifications or changes to this Development Order regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modifications or change occurs including but not limited to the recognition of trips previously vested which are permitted or complete."

TO: "29. For the purposes of Concurrency Review, and based on the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the buildout period (July 26, 2016) sufficient infrastructure capacities will be available to service this project. All subsequent development orders or permits pursuant to this development order, are hereby found to meet concurrency requirements set forth in Comprehensive Development Master Plan ordinance No. 89-66 and Chapter 33G of the Miami-Dade County Code and A.0. 4-85 (concurrency regulations) as amended from time to time and to be consistent with local development regulations so long as the Developer is developing in compliance with the terms and conditions of this Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in §33G-3(2), Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable in the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) the actual impacts of this project and other committed development are greater than those projected in the ADA, and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not be issued unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency requirements as determined by the County. The issuance of development orders which have been found to be vested pursuant to Chapter 2-114, 33-315 or 33-316 of the Code of Miami-Dade County, as adopted pursuant to §163.3167(8) Florida Statutes, shall not be considered for purposes of determining concurrency as to this project, nor shall this Development Order be construed or applied to prohibit the issuance of said Development orders under any circumstances. However, modifications or changes to this Development Order regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time such modification or change occurs including but not limited to the recognition of trips previously vested which are permitted or complete."

FROM: "33. December 31, 2011 is hereby established as the build-out date for this project and is the date until which the local government of jurisdiction agrees that the

Kendall Town Center DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided the Applicant, or that the change is clearly essential to the public health, safety, or welfare."

TO: "33. July 26, 2016 is hereby established as the build-out date for this project and is the date until which the local government or jurisdiction agrees that the Kendall Town Center DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government or jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided the Applicant, or that the change is clearly essential to the public health, safety or welfare."

FROM:"34. The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in §380.04, F. S. The termination date for completing physical development shall be December 31, 2011. This termination date may only be modified in accordance with §380.06(19)[c], F. S."

TO: "34.The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in §380.04, F. S. The termination date for completing physical development shall be July 26, 2016. This termination date may only be modified in accordance with §380.06(19)[c], F. S."

(2) MODIFICATION of Condition #35 of Resolution Z-6-01, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "35. December 31, 2013 is hereby established as the expiration date for the development order."

TO: "35. July 26, 2018 is hereby established as the expiration date for the development order."

- **LOCATION:** Between SW 88 Street & SW 96 Street and between SW 157 Path and SW 162 Avenue, Miami-Dade County, Florida.

- **SIZE:** 158.12 gross acres

B. ZONING HEARING HISTORY:

In March 2001, pursuant to Resolutions #Z-6-01 and #Z-7-01, the Board of County Commissioners (BCC) approved a multi-use Development of Regional Impact (DRI) consisting of office, retail, community medical facility/wellness center, community/youth center, home for the aged (senior assisted living facility), hotel, movie theatre, and a public transportation terminal (Metro bus terminals for multiple routes). In addition, zone changes from GU, Interim District, to BU-2, Special Business District and BU-3, Liberal Business District and a special exception for site plan approval were approved by the BCC. The BCC also approved various unusual uses and special exceptions for proposed services for this development and various accompanying non-use variances.

In 2004, pursuant to Resolutions #Z-27-04 and Z-26-04 the subject property was granted approval by the BCC of a substantial deviation determination in order to include, among other things, a hospital with accompanying daycare; a senior apartment housing facility; a police substation; a modification of the previously approved site plan and lake configurations and to extend the build-out and termination dates for 3 additional years, in addition to other unusual use and special exception requests.

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Business and Office** use. 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. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways.

2. **Objective LU-1.** The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
3. **Policy LU-1B.** Major centers of activity, industrial complexes, regional shopping centers, large-scale office centers and other concentrations of significant employment shall be the structuring elements of the metropolitan area and shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.
4. **Policy LU-1G.** Business developments shall preferably be placed in cluster or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to

relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.

5. **Policy LU-4A.** When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
Kendall Town Center; BU-2 and BU-3	Business and Office
Surrounding Properties:	
NORTH: BU-1A and RU-4L; commercial retail, offices	Low Density, 2.5 – 6 dua
SOUTH: RU-1M(b) and RU-1; single-family residences	Low Density, 2.5 – 6 dua
EAST: RU-1Z, RU-3M and BU-1A; commercial retail single-family residences	Low Density, 2.5 – 6 dua
WEST: RU-1M(a) and BU-1A; warehouse retail single-family residences	Low Density, 2.5 – 6 dua

E. SITE AND BUILDINGS:

Site Plan Review: (No plans submitted)

F. PERTINENT REQUIREMENTS/STANDARDS:

Florida Statutes §380.06(19) Developments of Regional Impact-Substantial Deviation
The term "development of regional impact," as used in this section, means any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

(a) Any proposed change to a previously approved development which creates a reasonable likelihood of additional regional impact, or any type of regional impact created by the

change not previously reviewed by the regional planning agency, shall constitute a substantial deviation and shall cause the proposed change to be subject to further development-of-regional-impact review. There are a variety of reasons why a developer may wish to propose changes to an approved development of regional impact, including changed market conditions. The procedures set forth in this subsection are for that purpose.

(b) Any proposed change to a previously approved development of regional impact or development order condition which, either individually or cumulatively with other changes, exceeds any of the following criteria shall constitute a substantial deviation and shall cause the development to be subject to further development-of-regional-impact review without the necessity for a finding of same by the local government:

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

Section 33-309. For property that is the subject of a DRI development order that was under active construction as of July 1, 2007, the Director shall file an application to extend the buildout date, and phasing deadlines contained in such development order for the maximum period of time declared by state law not to constitute a substantial deviation from the existing development order, provided that the owner of the property consents to the application and that funds sufficient to pay the costs of advertising and notice as required under Section 33-310 of this code, or sufficient security for such sums, have been provided by or on behalf of the property owner.

Section 33-311(A)(7) (Generalized Modification Standards). The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create fire or other equally or

greater dangerous hazard, or provoke excessive overcrowding of people, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No objection**
MDT	**No comment**
Fire Rescue	**No objection**
Water and Sewer	**No comment**
Solid Waste	**No comment**
Aviation	**No comment**

H. ANALYSIS

The applicant is seeking an extension of the buildout, expiration and termination dates for a previously approved DRI. The application is modifying Condition #29, modifying the concurrency review dates from December 31, 2011 to July 26, 2016 and Condition #33 which changes the build-out dates from December 31, 2011 to July 26, 2016. In addition, Condition #34 which references the termination date for completing physical development is being modified from December 31, 2011 to July 26, 2016 and Condition #35 (request #2) is being modified to extend the expiration date for the development order from December 31, 2013 to July 26, 2018.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Business and Office** use. Uses allowed in this category include 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. **Staff notes that this application is not changing the current use or density and is only seeking a new build-out date, termination and expiration dates.** Therefore, staff opines that the application is **consistent** with the LUP map of the CDMP.

The applicant has submitted documentation including building permit receipts and other evidence that is contained in the record, indicating that the DRI was under active construction on July 1, 2007. Under the 2008 amendment to Section 380.06 (19), projects under active construction on July 1, 2007 are eligible for a three year extension without further DRI review. Staff notes that the requested extensions from December 31, 2011 to July 26, 2016 and from December 31, 2013 to July 26, 2018 represent more than three years. However, litigation subsequently interrupted the course of development of this project. Pursuant to Section 380.06(19)(c), buildout and expiration dates are tolled during the pendency of administrative or judicial proceedings relating to development permits. The 2004 approval of Resolution Z-26-04 was appealed, litigated, and ultimately voluntarily dismissed on January 18, 2006, a total of 573

days. Therefore, the buildout and expiration dates were recalculated to July 26, 2013 and July 26, 2015, respectively.

Staff opines that the application is not requesting increased densities, does not necessitate further infrastructure improvements. Moreover, staff notes that the subject property is bounded by SW 88 Street to the north (a major transportation corridor), SW 96 Street (a half section line road) to the south, and 162 Street (a half-section line road) to the west provides ample accessibility to the site thereby alleviating any adverse impacts to the surrounding community. Noting the aforementioned, staff is supportive of the time extension request.

In September 2009, the Miami-Dade Board of County Commissioner passed Ordinance 09-76 which provides for the extension of the buildout and expiration dates, and phasing deadlines for the maximum period of time declared by state law not to constitute a substantial deviation from the existing development order for those projects under construction as of July 1, 2007. The applicant has paid the costs of advertising and notice as required by the ordinance and Section 33-310 of the Code. As previously noted, the extension of the build-out date does not change the land use or intensity of the DRI and will have minimal additional impacts to the surrounding community. Based on the aforementioned, **staff recommends approval of requests #1 and #2, which would allow the buildout extension for three years under Section 380.06(19) for a total of three years until July 26, 2016.**

The Department of Environmental Resources Management **(DERM**) **does not object** to this application. The Miami-Dade Fire and Rescue Department **(MDFR) does not object** to this application and their memorandum indicates that the estimated average travel response time is **6:11 minutes**. The Public Works Department **(PWD) does not object** to this application, and indicates that the application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned.

When requests #1 and #2, to modify Conditions #29, #33 and #34 of Resolutions #Z-6-01 as last modified by Z-27-04 (request #1) and to modify Condition #35 of Resolution Z-6-01 (request #2) are analyzed under the General Modification Standards, Section 33-311(A)(7), staff opines that the proposed modifications will not adversely impact the surrounding area and will be **compatible** with same. The purpose of these requests is to allow the applicant to modify the previously approved conditions of the development order to extend the build-out and, termination dates and to extend the time in which sufficient infrastructure capacities will be available to serve the project. Staff notes that modifying Conditions #29, #33, and #34 of Resolutions #Z-6-01 and Z-27-04 and Condition #35 of Resolution #Z-6-01 does not increase the already approved entitlements and, as such, would have a minimal impact on the surrounding area, will not generate excessive traffic, tend to create or to provoke a nuisance, be incompatible with the area, nor be contrary to the public interest. When considering the necessity for and the reasonableness of the proposal in relation to the surrounding area and the compatibility of said use with the area and its development, staff is of the opinion that the modifications will not have an unfavorable effect on same and will not be contrary to the public interest. Staff notes that there have been no significant changes in the area and that the impacts of the previously approved development have not changed. The subject property is bounded by the SW 88 Street (a major roadway) to the north, SW 96 Street (a half-section line road) to the south, and SW 162 Avenue (a half-section line roadway) to the west which provides optimal

accessibility to the site thereby alleviating any adverse impacts to the surrounding community. Therefore, staff recommends approval with conditions of the modification of Conditions #29, #33, and #34 of Resolutions #Z-06-01 and #Z-27-04 and Condition #35 of Resolution #35 of Resolution #Z-6-01 under Section 33-311(A)(7) (Generalized Modification Standards).

I. RECOMMENDATION:

Approval with conditions.

J. CONDITIONS:

1. That all conditions of Resolutions No. Z-6-01 and Z-27-04 remain in full force and effect except as herein modified.

2. That the Applicant comply with all applicable requirements, recommendations, requests and other provisions of the various Departments as contained in the departmental memoranda which are part of the record of this recommendation incorporated herein by reference.

DATE TYPED: 03/18/10
DATE REVISED: 03/19/10, 3/26/10
DATE FINALIZED: 04/06/10
MCL:GR:NN:NC:CI

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

NDN

Memorandum

MIAMI-DADE COUNTY

Date: December 31, 2009

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

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

Subject: C-11 #Z2009000175
The Department of Planning and Zoning
Southeast Corner of S.W. 88 Street and S.W. 162 Avenue
Request to Extend the Build Out Date
(BU-2) (158 Acres)
05-55-39

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

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

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 Christine Velazquez, Interim Manager at (305) 372-6764.

PH# Z2009000175
CZAB - BCC

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: THE DEPARTMENT OF PLANNING & ZONING

This Department has no objections to this application.

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

Raul A Pino, P.L.S.
11-FEB-10

Memorandum

Date: 25-JAN-10

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2009000175

Fire Prevention Unit:

No objection to the request for Extension of Buildout and Expiration Dates.

Service Impact/Demand

Development for the above Z2009000175
located at BETWEEN SW 88 STREET & SW 96 STREET AND BETWEEN SW 157 AVENUE PATH & SW 162 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1817 is proposed as the following:

N/A 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: N/A alarms-annually.
The estimated average travel time is: 6:11 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

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 07-APR-10

REVISION 2

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

THE DEPARTMENT OF PLANNING & ZONING	BETWEEN SW 88 STREET & SW 96 STREET AND BETWEEN SW 157 AVENUE PATH & SW 162 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**
Z2009000175	
HEARING NUMBER	

HISTORY:

BUILDING & NEIGHBORHOOD COMPLIANCE DEPARTMENT
NEIGHBORHOOD COMPLIANCE
DIVISION

ENFORCEMENT HISTORY

NAME: ADDRESS:
DEPARTMENT OF PLANNING & ZONING BETWEEN SW 88 STREET & SW 96 STREET AND BETWEEN SW 157 AVENUE PATH & SW 162 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
DATE:
4/7/2010

CURRENT ENFORCEMENT HISTORY:
Folio 3059050290130 3059050290120 3059050290110 3059050290100 3059050290090 3059050290080 3059050290070 3059050290060 3059050290050 3059050290040 3059050290031 3059050290030 3059050290020 3059050290011 3059050290010

Open Cases:
No open cases.

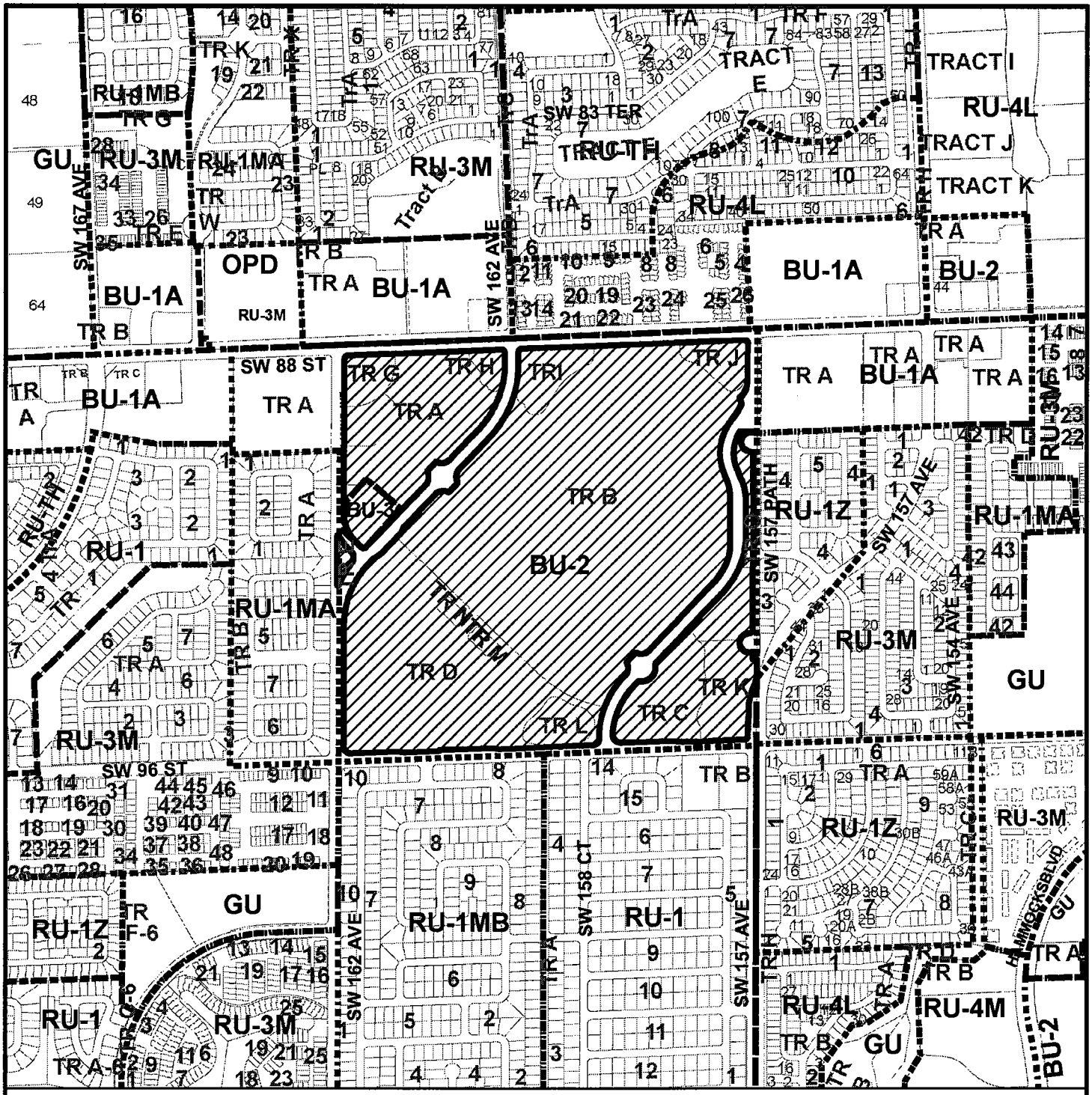
Closed Cases:
Case 200902005208 for folio 3059050290090 was opened based on a complaint of lake

excavation without approval and a warning was issued. CVN T002608 was issued and citation was paid and closed and the property is in compliance.
Case 200902005210 for folio 3059050290098 was opened based on a complaint of lake excavation without approval and a warning was issued. CVN T002605 was issued and citation was paid and closed and the property is in compliance.

_____
Sam Walthour, MSM, Assistant Director

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

REPORTER NAME:



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-175

Section: 05 Township: 55 Range: 39
Applicant: THE DEPT. OF PLANNING & ZONING
Zoning Board: BCC
Commission District: 11
Drafter ID: KEELING
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

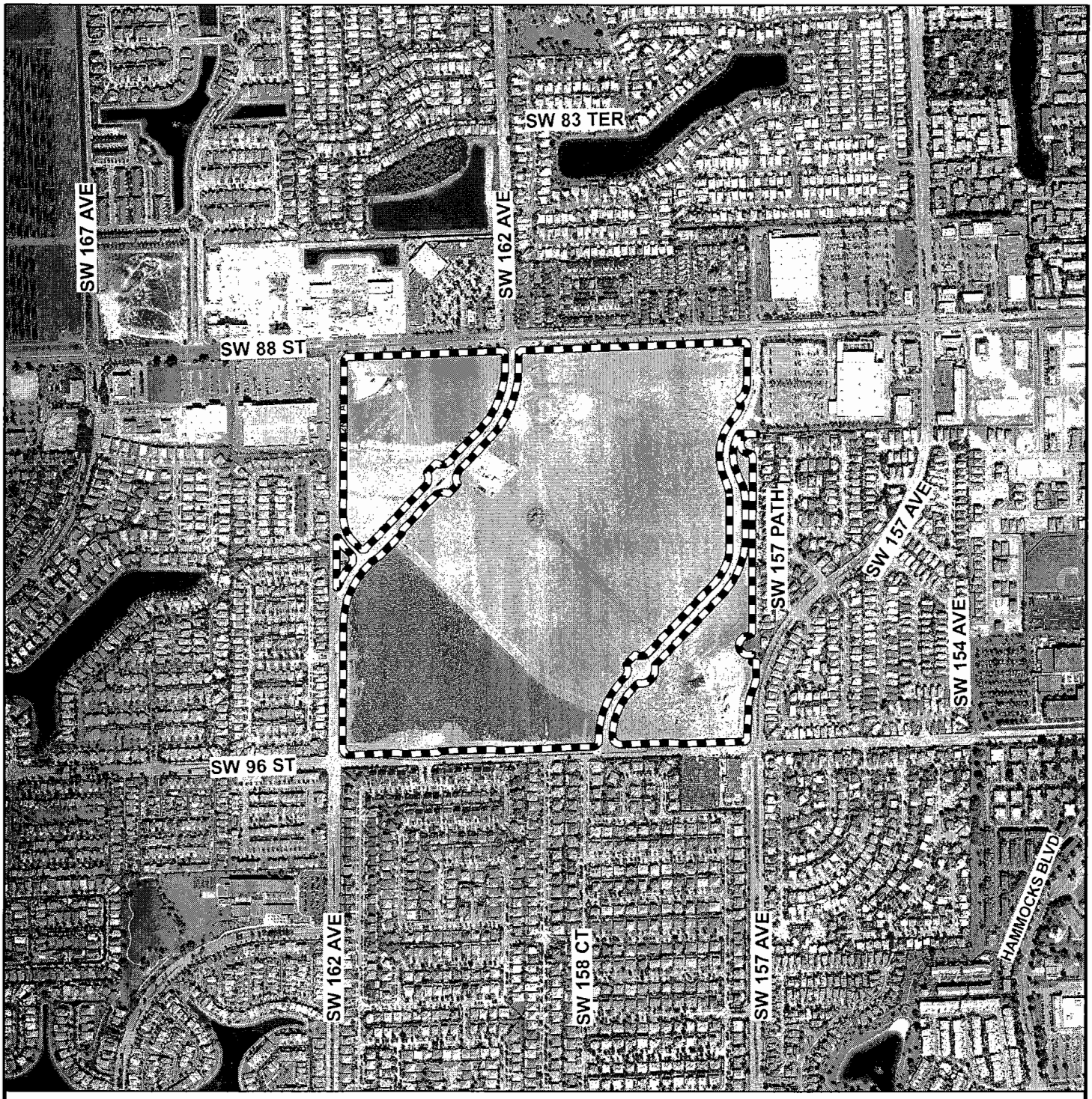
N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 01/04/10

REVISION	DATE	BY
Change Rad. to 1500'	01/07/09	KWS

16



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number
09-175

Section: 05 Township: 55 Range: 39
Applicant: THE DEPT. OF PLANNING & ZONING
Zoning Board: BCC
Commission District: 11
Drafter ID: KEELING
Scale: NTS
---------- Zoning

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SUBJECT PROPERTY

MIAMI-DADE COUNTY

SKETCH CREATED ON: 01/04/10

REVISION	DATE	BY
Change Rad. to 1500'	01/07/09	KWS