



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARINGS
THURSDAY, JANUARY 26, 2012**

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.

<u>PREVIOUSLY DEFERRED</u>	<u>HEARING #</u>	<u>DISTRICT</u>
A. <u>PRINCETON LAND INVESTEMENTS LLC & COUNTRY PALM HOLDINGS, LLC.</u> Request(s): -DBC from RU-1M(a) & AU to RU-4 -Modification of Resolution -Deletion of Covenant -Multiple NUVs Location: Lying between SW 124 AVENUE and 129 Avenue and between SW 248 STREET and U.S. HIGHWAY #1, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB)	09-006	8
B. <u>THE DEPARTMENT OF PLANING & ZONING.</u> Request(s): -DBC from Multiple zones to Leisure City Community Urban Center(LCCUC) Location: East of the South Dade Transportation Corridor (BUSWAY) between S.W. 145 AVENUE and S.W. 296 Street, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB)	07-415	8 & 9
<u>APPEAL</u>		
1. <u>KROME AGRONOMICS, LLC.</u> Request(s): -DBC from AU to GU -Special Exception to permit a proposed cemetery and associated mausoleums -Unusual Use to permit a lake Excavation and Lake filling -NUV of signage Location: The southwest corner of SW 136 Street and SW 177 Avenue, Miami-Dade County, Florida. Outside the Urban Development Boundary (UDB)	10-051	9



Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, JANUARY 26, 2012

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 & (10-2-CC-1/09-6)
COUNTRY PALM HOLDINGS, LLC**

**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 County 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.

REQUEST #2 ON PARCEL "D"

- (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 together the site to specific plans and charter school requirements in order to allow the applicant to proffer two separate covenants - one governing the residential development and the second one covering the charter school development in order to provide both projects with additional flexibility in phasing their developments.

REQUEST #3 ON PARCELS "A" , "B" , "C" and "D"

- (4) NON-USE VARIANCE to permit apartments buildings with a Floor Area Ratio (FAR) of .85 (.80 permitted).
- (5) NON-USE VARIANCE to permit apartment buildings with landscape open space varying from 25% to 33% (40% required).
- (6) NON-USE VARIANCE to permit a minimum building setback of 2' (25' required) on the front, rear and side street property lines.
- (7) NON-USE VARIANCE to permit 1,750 parking spaces (2,155 required).
- (8) NON-USE VARIANCE to permit 171 on-street parking spaces (not permitted).

(9) NON-USE VARIANCE to permit rowhouses with a common open space varying from 5% to 11% (12% required).

REQUESTS #4 THROUGH #9 ON PARCELS "A", "B" and "E"

The afore-mentioned plans and additional plans are on file and may be examined in the Department of Sustainability, Planning and Economic Enhancement entitled "Princeton Commons", as prepared by Chisholm Architects-Planners-Interior Designers, date stamped received 9/30/11, consisting of 29 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 covenant as set forth in the Department of Sustainability, Planning and Economic Enhancement's recommendation.

Protests: _____ 224 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from 5-06-10

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

SIZE OF PROPERTY: 420 Acres +/-

Development Impact Committee
Recommendation:

Approval.

Protests: 0

Waivers: 1

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____
Deferred from 5-6-10

DEFERRED: _____

1. **KROME AGRONOMICS, LLC (11-4-CZ11-1/10-051)**

24-55-38
Area 11/District 09

APPLICANT IS APPEALING THE DECISION OF COMMUNITY ZONING APEALS BOARD 11 WHICH DENIED WITHOUT PREJUDICE THE FOLLOWING:

- (1) GU to AU.
- (2) SPECIAL EXCEPTION to permit a proposed cemetery and associated mausoleums.
- (3) UNUSUAL USE to permit a Lake Excavation and Lake Filling.
- (4) Applicant is requesting to permit two (2) detached signs, one with an area of 81 sq. ft. and the other with an area of 164 sq. ft. (two 32 sq. ft. sign permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "West Kendall Memorial Park," as prepared by DCG Development Consulting Group, consisting of twenty one (21) sheets dated stamped received 5/27/11. Plans may be modified at public hearing.

LOCATION: The southwest corner of S.W. 136 Street & S.W. 177 Avenue,
Miami-Dade County, Florida.

SIZE OF PROPERTY: 48.6 Acres

Department of Sustainability, Planning
and Economic Enhancement

Recommendation:

Approval.

Protests: 755

Waivers: 14

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 Sustainability, Planning and Economic Enhancement (DSPEE) within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Zoning Hearings Section for the Department of Sustainability, Planning and Economic Enhancement (DSPEE) 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: 01/26/12

Property Owner (if different from applicant)

Princeton Land Investments LLC &
County Palm Holdings, LLC.

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
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: 5/6/10

#Z-

ITEM: A

APPLICANT: PRINCETON LAND INVESTMENTS LLC & COUNTRY
PALM HOLDINGS, LLC (10-2-CC-1/09-6)

MOTION: Indefinite deferral of the application with leave to amend.

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: 3/4/10

#Z-

ITEM: A

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

MOTION: Deferred to May 6, 2010 and readvertisement 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 & COUNTY 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

Memorandum



Date: January 26, 2012

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 allowing the increase of 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 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.

Charter schools are educational institutions which are authorized and maintained in accord with the provisions of Chapter 1002 and Chapter 1013.35, Florida Statutes, as same may be amended from time to time. All such public charter schools shall be additionally authorized locally by the Miami-Dade County School Board through a process established by that entity for the approval of the charter. Miami-Dade Land Use regulations relating to public charter school facilities are set forth in Sections 33-152 through 162 of the Code of Miami-Dade County which was established in 2004 pursuant to Ordinance 04-108. The purpose of this Section and relevant provisions of the CDMP are to provide standards for land use approval of public charter school facilities pursuant to said Ordinance. In addition, an Interlocal Agreement with the School Board of Miami-Dade County was also established pertaining to the siting of such facilities and is applicable in the unincorporated area.

The meeting of the DIC Executive Council was held on December 14, 2011 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 Sustainability, Planning and Economic Enhancement'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 with conditions and the acceptance of the proffered covenant, will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. As such, the Executive Council finds that approval of this application will be **consistent** with the CDMP and **compatible** with the surrounding area.

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

Respectfully Submitted,

DIC Executive Council
December 14, 2011

Giovannie Ulloa, Fire Chief
Miami-Dade Fire Rescue Department

 Absent

Irma San Roman, Interim Director
Metropolitan Planning Organization Secretariat

 AYE

Eric Silva, AICP
Permitting, Environment and Regulatory Affairs

 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 SUSTAINABILITY, PLANNING AND ECONOMIC ENHANCEMENT
RECOMMENDATION TO DEVELOPMENT IMPACT COMMITTEE**

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

PH: Z09-006

SECTION: 24-56-39

DIC DATE: December 14, 2011

COMMISSION DISTRICT: 8

=====
**This application was deferred indefinitely by the Board of County Commissioners on
May 6, 2010 with leave to amend.**

A. INTRODUCTION:

o **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 allowing the increase of 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 and FAR which will complement the Princeton Community Urban Center (PCUC) design regulations that apply to the adjacent parcels.

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 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 1440 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.

REQUEST #2 ON PARCEL "D"

- (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 together the site to specific plans and charter school requirements in order to allow the applicant to proffer two separate covenants -- one governing the residential development and the second one covering the charter school development in order to provide both projects with additional flexibility in phasing their developments.

REQUEST #3 ON PARCELS "A", "B", "C" and "D"

- (4) NON-USE VARIANCE to permit apartment buildings with an FAR .85 (.80 permitted).
- (5) NON-USE VARIANCE to permit apartment buildings with landscape open space varying from 25% to 33% (40% required).
- (6) NON-USE VARIANCE to permit a minimum setback 2' (25' required) on the front, rear and side street property lines.
- (7) NON-USE VARIANCE to permit 1,750 parking spaces (2,155 required).
- (8) NON-USE VARIANCE to permit 171 on-street parking spaces (not permitted)
- (9) NON-USE VARIANCE to permit rowhouses with common open space varying from 5% to 11% (12% required).

REQUESTS #4 - #9 ON PARCELS "A," "B" AND "E"

The aforementioned plans and additional plans are on file and may be examined in the Department of Sustainability, Planning and Economic Enhancement entitled "Princeton Commons", as prepared by Chisholm Architects-Planners-Interior Designers, date stamped received 9/30/11, consisting of 29 sheets. Plans may be modified at public hearing.

- o **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.
- o **SIZE:** 94.43 acres

B. ZONING HISTORY

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.

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 addition, application #04-404 included a charter school for up to 1,440 students for grades K-8 which was approved.

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 B and E of the subject property of this application from Low-Density Residential to the Medium Density Residential category. Parcel A 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 complement and be compatible with the Residential, Residential Modified and Mixed Use Main Street Princeton Community Urban Center (PCUC) regulations, align the roadways within the property as much as possible with corresponding roads in the PCUC area, 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 Director of Sustainability, Planning and Economic Enhancement with an Educational Facilities Mitigation Plan to help meet the future educational needs generated by the application.

The CDMP covenant provided that the educational facilities mitigation plan be submitted at the time the owner files an application for a district boundary change on the property to a district more intense than Modified Single Family Residential (RU-1MA). According to the covenant, the mitigation plan may include, without limitation, the provision of charter school facilities (including the charter school proposed to serve up to 1,440 K-8 students

approved in zoning application No. 04-404), allocation of land for the future construction of educational facilities, construction of a District owned school, and/or contribution of funds over and above impact fees.

C. 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 (PCUC)

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

D. NEIGHBORHOOD SERVICES SUMMARY:

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	No objection
WASD	No objection*
Aviation	No objection

*Subject to conditions indicated in their memoranda.

E. ANALYSIS:

The subject application was deferred indefinitely at the Board of County Commissioners' meeting on May 6, 2010 with leave to amend.

The applicant is 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 applicants 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. Staff notes that approval of the requested deletion will permit the residential development and the charter school to be independently developed.

Additionally, the applicant has requested several variances which are primarily a result of the applicant's attempt to complement and be compatible with the PCUC regulations as required by the CDMP covenant. The prior request that was presented to the Board of County Commissioners on May 6, 2010 was to develop 1,320 units (944 apartments and 376 rowhouses). Since 2010 the applicant has worked with staff and the community to revise the development plan. The currently proposed development consists of 1,123 units (685 apartments, 393 rowhouses and 45 single-family residences) 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 applicants have submitted an Administrative Site Plan Review (ASPR) application (A-08-022), which is a separate site plan review process. Parcel C is part of this application only for the purpose of requesting modification of Conditions #5 and #13 of Resolution Z-15-05, and Deletion of the Declaration of Restrictive Covenants Recorded at Official Record Book 23798, Page 4449-4466.

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 voluntary 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 the 65 units as designated for workforce housing within the two garden style apartments at the northern portion of the development on Parcel E. 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 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 (request #1). Staff supports the approval of the district boundary change on Parcels A, B and E. Staff is of the opinion that approval of the rezoning would be **complementary and compatible** with the PCUC regulations and the adjacent residential uses to the east.

The proposed rezoning implements the density ranges and site design standards contained in the CDMP covenant. In order to ensure compatibility with the PCUC the covenant requires a roadway network that aligns with PCUC streets, site development consistent with the PCUC land use categories and public open space. The covenant includes language to address conflicts between the subject site's zoning designation and the PCUC. The applicant is seeking a zoning change and several variances to address these conflicts and satisfy the CDMP covenant.

Parcel A is designated as Low-Medium Density Residential which permits 6 to 13 units per gross acre and the applicant is proposing 9.16 units per gross acre. Staff opines that the proposed 2-story rowhouses along SW 240 Street and the proposed three rows of single family homes on the east and one row of single family homes on the south side of the parcel are **compatible** with the homes along the north, east and south of Parcel A. Furthermore, staff opines that the location of the proposed 1-acre park in Parcel A provides a transitional buffer area between the rowhouses in the center of the parcel and the surrounding homes along the southeast boundary of the parcel.

Staff notes that the two-story rowhouses being proposed on Parcel B along SW 127 Avenue are similar in height to the single-family residences located across the street to the east. Additionally, the proposed development for Parcels B and E complies with the CDMP Guidelines for Urban Form and are within proximity to a high traveled right-of-way, South Dixie Hwy. (US-1).

Further, said development is **consistent** with the density threshold of the CDMP. Staff notes that the applicants are proposing 22 units per gross acre, where 13 to 25 units per gross acre are allowed in Parcel B. Additionally, on Parcel E, the applicants are proposing 24.8 units per gross acre where 13 to 25 units per gross acre are allowed.

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 site plan for the proposed charter school which depicts a two phase development located at SW 124 Avenue and SW 248 Street. Phase 1 is proposed as a two-story, 60,975 sq. ft. building with 50,000 sq. ft. of recreation area. Phase 2 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 1 as a K-12 charter school. The applicant proposes to build 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 1,440. Request #2 will not, in staff's opinion, unduly burden or affect public transportation facilities as evidenced by the memoranda from Public Works.

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. Among other things, the existing covenant calls for the construction of phase 1 of the charter school prior to the issuance of building permits for 278 residential units. Accordingly, staff notes that if Request #3 is approved there will be no assurances that the school will be developed with 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 1 will operate with two shifts with the maximum number of students not to exceed 535 K-12 students in each shift and that Phase 2 of the proposed school will operate with one shift with a maximum of 640 K-12 students.

Furthermore, to comply with the covenant made in connection with CDMP Amendment, the applicant submitted a plan to the Director of Sustainability, Planning and Economic Enhancement to mitigate the impacts of the development on Miami-Dade County Public Schools facilities. Said covenant indicates that the educational facilities mitigation plan may include any of the following options:

- The provision of charter school facilities, including the proposed charter school,
- Allocation of land for the future construction of educational facilities,
- Construction of a district owned school
- And/or contribution of funds above and beyond impact fees.

From among the alternatives in the CDMP Covenant, the applicant has chosen to comply by providing mitigation required under the Public School Concurrency standards and payment of \$10,000 over and above the required school impact fees. The public School Concurrency process calls for a planning level review at time of zoning hearing application. In their memorandum analyzing this application, staff of the Miami-Dade County Schools indicates that at this time, the schools serving the area have sufficient capacity available to serve the application. School system staff shall make a final determination of public school concurrency and capacity reservation at time of approval of the final plat. It is important to note that the residential development will be subject to school impact fees at time of permitting.

Accordingly, staff opines that the applicant's agreement be subject to schools concurrency and the proffered payment of \$10,000 at time of platting satisfies the CDMP covenant. 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 #9 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that these requests on Parcels A, B and E do 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 these requests for floor area ratio, landscape open space, setbacks, fewer parking spaces, on-street parking, and reduced common open space because they are germane to request #1, which staff supports.

Request #4 to permit apartment buildings with an FAR 0.05 greater than allowed by the RU-4 district is supported as the buildings shown in this application are below the maximum residential density permitted by the LUP map category; further this request is consistent with the 2005 CDMP covenant. When compared to the PCUC regulations referenced in the covenant, it should be noted that the PCUC regulations do not limit FAR.

Request #5 to permit apartment buildings with landscape open space less than required by the RU-4 district is supported as the application provides two large open recreation areas and well-designed public streets and boulevards providing extensive landscaped areas; further this request is consistent with the 2005 CDMP covenant. When compared to the PCUC regulations referenced in the covenant, it should be noted that the provided open space is greater than the PCUC regulations that require a minimum of 10% landscape open space.

Request #6 to permit building setbacks less than required by the RU-4 district is supported as the placement of the buildings closer to the right-of-way results in a more attractive and pedestrian friendly streetscape; in most cases, the principal building is set back 10 feet from the right-of-way and balconies, porches and stairways encroach into the setback area up to two feet from the right-of-way for the apartment buildings and up to four feet for the rowhouses proposed on Parcel A. It should be noted that the PCUC regulations permit stairs, stoops, balconies, and porches to encroach into the required setback area and the covenant states that all development shall be designed to be compatible with the PCUC.

Requests #7 and #8 are supported as they are consistent with the 2005 CDMP covenant. It should be noted that the PCUC regulations require less parking per apartment unit and permit the use of on-street parking to be counted toward required on-site parking. Under the PCUC regulations, this application would be required to provide 1,828 parking spaces. The applicant is providing 1,921 parking spaces.

Request #9 to permit rowhouses with less common open space than required as supported as it is similar to request #5 and is consistent with the 2005 CDMP covenant as the PCUC regulations do not require rowhouses to provide common open space.

Approval of these requests would permit a residential development that provides transition and compatibility with the adjacent existing residences in the area. As previously mentioned, the proposed residential development would be complementary and **compatible** with the PCUC regulations and the adjacent residential uses. Additionally, said development is **consistent** with the density thresholds of the CDMP. As such, staff recommends approval with conditions of requests #4 through #11 under the NUV Standards.

Service Provider Comments

The proposed application has been reviewed by all of the service providers. Development approval and impacts will be assessed as individual plats and site plans are submitted. A description of each department's comments is provided below.

Aviation

The Miami-Dade Aviation Department reports that the proposed zone change is compatible with operations from Homestead General Aviation Airport provided there are no conflicts with applicable local, state and federal aviation regulations including the Code of Miami-Dade County, Article XXXIX, Homestead General Aviation Airport Zoning. Further the department states that the applicant should coordinate with Homestead Air Reserve Base.

Fire Rescue

The Miami-Dade Fire and Rescue Department reports the proposed project is expected to generate 370 fire and rescue calls annually. The department states that 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, located at SW 248 Street and SW 114 Place, is planned to be completed in 2014. The average travel time to the vicinity of the proposed project is 5:38 minutes

Parks, Recreation and Open Spaces

The Department of Parks, Recreation and Open Spaces does not object to the application subject to the approval of the condition for the current Declaration of Restriction Covenants language (as modified to reflect the current site plan) to be incorporated into the proposed Declaration of Restrictive Covenants for the residential development as generally described in the department's memorandum. The department states that funding for the perpetual maintenance of the parks shall be by establishing a special taxing district or similar entity (subject to County approval). In the event that one or both of the proffered parks are not accepted by the County, the owners shall improve and maintain the parks as private open space for the benefit of the owners through a homeowner's association, special taxing district or similar entity as approved by Miami-Dade County. The Department notes that the two proposed parks will meet about one quarter of the demand generated by the proposed development. The parks within a 2-mile radius of the site include, Princetonian Park, Kevin Broils Park, Goulds Park, and Sharman Park. The location of the parks on the site plan provides for "eyes on the park" security as envisioned by the County's Parks and Open Space Master Plan. In addition to park space within the immediate area, there is a surplus of 230.42 acres of local parkland in Parks Benefit District 3 and therefore the proposed application meets concurrency.

Permitting, Regulatory and Environmental Affairs

The Department of Permitting, Environment and Regulatory Affairs (PERA) does not object to this application and finds that it meets the minimum requirements of Chapter 24 of the Miami-Dade County Code. The department notes that although there is sufficient potable water capacity, wastewater Pump Station 30-1083 does not have the capacity to handle additional flows. The proposed development is near an existing Natural Forest Community which is maintained by periodic burning once every three years. The subject properties lie within the potential smoke dispersion corridor and consequently may be affected by periodic smoke events or unexpected wildfires. PERA has conducted a concurrency review and determined that it meets all applicable level of service standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal and flood protection. The department advises that there are tree resources within the application site and accordingly the department's approval is conditioned on the inclusion of said tree permitting requirements in the resolution approving this application. The subject properties do not contain any jurisdictional wetlands. The department reports that there are no open code enforcement cases or Building Code cases.

Miami-Dade Water and Sewer Department

The Miami-Dade Water and Sewer Department (MDWASD) does not object to this application subject to compliance with the requirements in its memorandum. A new 16-inch water distribution main will be required to be installed along SW 127 Avenue from the NW corner of Parcel E to the SW corner of Parcel A. Also, a Water Supply Certification will be required for this project to assure that adequate water supply is available to all water users of the MDWASD as required by CDMP policy CIE-5D and WS-2C and in accordance with the permitted withdrawal capacity of MDWASD's 20-year Water Use Permit. Sewer services will be provided by MDWASD which will require a new 12-inch force main to be extended from SW 248 Street northerly along SW 127th Avenue, and a private pump station. The development will be required to comply with water use efficiency techniques in chapters 8, 32 and 8A of the Miami-Dade County Code and landscape standards in Chapters 18-A and 18-B of the County Code.

Police Department

The Miami-Dade Police Department (MDPD) does not object to the application and encourages developers to work with police during any future design and construction changes to determine the best possible solutions or security options. The average response time for this area is 8 minutes or less. The MDPD memorandum states that in order to maintain the current level of service, four (4) additional sworn officers and police service equipment would have to be added to the staffing of the South District which serves the area.

Public Works and Waste Management Department

The Department does not object to this application provided that the applicant meets the site plan required conditions and the standard conditions in the department's memorandum. At build-out, the proposed project is anticipated to generate 631 peak hour trips according to the analysis of the Public Works and Waste Management Department. The project meets the criteria for traffic concurrency for an Initial Development Order based on its memorandum. No vehicle trips have been reserved by this application and in addition, this application will be subject to impact fees. The department requires that a traffic study be provided at the platting process to determine any need for new or improved traffic signals. Further, the Department's Waste

Management staff does not object to this application. The PWWMD memorandum submitted for this hearing application indicates that the latest concurrency determination issued on September 12, 2011, 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 Sustainability, Planning and Economic Enhancement, is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits as needed from the Florida Department of Environmental Protection.

School Board

Staff of the Miami-Dade County Schools indicate that at this time, the schools serving the area have sufficient capacity available to serve the application. A planning level review, which is considered a preliminary school concurrency analysis, was conducted on this application. This analysis is in accordance with Miami-Dade County's adopted Educational Element of the Comprehensive Development Master Plan (CDMP), and the Interlocal Agreement (ILA) for Public Facility Planning between Miami-Dade County and Miami-Dade County Public Schools. Section 7.5 of the ILA provides for the review of comprehensive plan amendments containing residential units; the review is a "Public Schools Planning Level Review", and that the Schools Planning Level Review does not constitute a public school concurrency review or reservation of capacity.

Transit

Miami-Dade Transit Department does not object to the project. Its memorandum indicates that there is direct transit service within the immediate vicinity of the application site. The closest transit service is provided along US-1 by Metrobus Route 35 (.2 miles) and along the South Miami-Dade Busway by routes 34/Busway Flyer and 38/Busway MAX (.4 miles). Bus headways on these routes range from 7.5 to 30 minutes during the peak hour to 60 minutes at off-peak times.

F. RECOMMENDATION: Approval of request #1, subject to the Board's acceptance of the proffered covenant, and approval with conditions of requests #2 through #9.

G. CONDITIONS: For requests #2 through #9

1. That the two site plans be submitted to and meet with the approval of the Director of the Sustainability, Planning and Economic Enhancement Department 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 hearing entitled "Princeton Commons" as prepared by Chisholm Architects, Planners, Interior Designers, dated stamped received September 30, 2011, consisting of 29 sheets and plans entitled "Somerset Academy at Country Palms", as prepared by Civica, dated stamped received 9/24/09, consisting of 15 sheets.

3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department of Permitting Environment and Regulatory Affairs 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.
5. That all development on the subject property meets all requirements of the CDMP covenant.
6. That the applicant obtain all of the required Tree permits prior to construction and that during the permitting process the applicant shall 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
7. 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 14, 2011 DIC of this application and incorporated herein by reference.
8. That the applicant establish and make improvements for passive recreation facilities to the two parks as provided in the approved site plan for Parcels A and B.

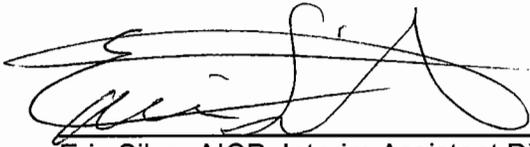
CONDITIONS #9 THROUGH #16 SHALL APPLY ONLY TO THE CHARTER SCHOOL PROPERTY AND OPERATION

9. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department of Permitting Environment and Regulatory Affairs, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
10. That no outside loud speakers shall be permitted on the property.
11. 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.
12. That the school gates be opened at least 45 minutes prior to the arrival and dismissal times.
13. That the charter school use be limited to grades Kindergarten through 12th and be limited to a maximum of 1,440 students.
14. That there will be staggered shifts at arrival and dismissal times for students at the charter school, separated by a minimum of 30 minutes.
15. That at time of yearly renewal of Certificate of Use, the applicant shall submit to the Department of Permitting Environment and Regulatory Affairs a letter from the principal of the school detailing the number of students and the grade levels that are currently enrolled in said facility.

16. 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; 04/02/10; 04/05/10; 07/05/11; 07/11/11;
07/13/11; 07/14/11; 11/10/11; 11/16/11
DATE FINALIZED: 12/9/11

ES|GR:NN:JV



Eric Silva, AICP, Interim Assistant Director
Zoning and Community Design
Miami-Dade County Department of
Sustainability, Planning and Economic Enhancement

ZONING RECOMMENDATION ADDENDUM
HISTORY
MOTION SLIPS*
DEPARTMENT MEMORANDA
DISCLOSURE OF INTEREST*
HEARING PLANS*
MAPS

*If applicable

ZONING RECOMMENDATION ADDENDUM

*Princeton Land Investments LLC and Country Palm Holdings, LLC
Z09-006*

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

Low Density	The Adopted 2015 and 2025 Land Use Plan designates parcel D of the subject property for Low-Medium 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 2nd, 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.
Low-Medium Density	<i>The Adopted 2015 and 2025 Land Use Plan designates parcel A of the subject property for 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.</i>
Medium Density	<i>The Adopted 2015 and 2025 Land Use Plan designates parcels B and E of the subject property for Medium Density. This category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category includes townhouses and low-rise and medium-rise apartments.</i>
Princeton Community Urban Center	<i>The Adopted 2015 and 2025 Land Use Plan designates parcel C of the subject property for Princeton Community 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. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Height of buildings adjoining stable residential neighborhoods should taper to a height no more than one story 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.</i>
Policy LU-4A	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>
Guidelines for Urban Form	<p><i>The following guidelines establish a generalized pattern for location of different uses, their intensity and density, and the interconnecting network of vehicular and pedestrian movement. 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 Developments of Regional Impact and Development of County Impact or (b) to conform to 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. The general pattern promoted by these guidelines is schematically illustrated in Figure 2.</i></p> <ol style="list-style-type: none"> <i>1. The section line roads should form the physical boundaries of neighborhoods.</i> <i>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.</i> <i>3. Within a section, a variety of residential types and densities are encouraged, with higher densities being</i>

ZONING RECOMMENDATION ADDENDUM

*Princeton Land Investments LLC and Country Palm Holdings, LLC
Z09-006*

	<p><i>located at the periphery, and lower densities in the interior.</i></p> <p><i>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.</i></p> <p><i>5. 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.</i></p> <p><i>6. 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.</i></p> <p><i>7. Sites located near the center of the section at or near the intersection of half-section roads may be utilized for neighborhood-serving community facilities such as elementary schools, day care, recreational uses, and open spaces.</i></p> <p><i>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.</i></p> <p><i>9. Along arterials, Major and high-speed roadways, pedestrian circulation should be accommodated by sheltering sidewalks from passing traffic by providing landscaping and trees at the street edge. In commercial areas, pedestrian access should be further accommodated by pedestrian pathways from the neighborhood to the business entrances as convenient as those from parking lots, and by providing awnings, overhangs or porticos for protection from the sun and weather.</i></p> <p><i>10. The walling off of neighborhoods from arterial roadways should be avoided by alternatives such as placement of other compatible uses being along the periphery of suburban neighborhoods. These uses include public and semi-public uses, higher density residential building types, and office uses, where any of such uses are otherwise permitted by this category and justified. If lower density residential uses are to be located on an arterial, the building lots should be provided with ample setbacks, side yards and block ends should face the arterial, frontage roads may be utilized, or landscaping should be used in lieu of continuous walls.</i></p>
<p>Uses and Zoning Not Specifically Depicted.</p>	<p><i>Some existing uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map". The limitations referenced in this paragraph pertain to existing zoning districts and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, the objectives and policies of this Plan.</i></p>

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>District Boundary Change, Section 33-311</p>	<p><i>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:</i></p> <p><i>(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;</i></p> <p><i>(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</i></p>
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ZONING RECOMMENDATION ADDENDUM

*Princeton Land Investments LLC and Country Palm Holdings, LLC
Z09-006*

	<p><i>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 irremediable commitment of natural resources will occur as a result of the proposed development;</i></p> <p>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></p> <p>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></p> <p>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></p>
33-311(A)(7)	<p>Generalized Modification Standards. <i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.</i></p>
33-311(A)(4)(b)	<p>Non-Use Variances From Other Than Airport Regulations. <i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>

Memorandum



Date: June 27, 2011

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

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

Subject: DIC Application No. 09-006
Princeton Land Investments, LLC & County Palm Holdings, LLC
MDAD DN-11-06-560

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

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed the applicant's request for a District Boundary Change from RU-1MA, RUTH & AU to RU-4M. The subject property is 94.43 acres and is located southeast of US Hwy 1 & SW 127 Avenue, Miami-Dade County, Florida.

Based upon our review of the project information provided to us, it appears that the proposed zone change at this location is compatible with operations from Homestead General Aviation Airport, provided there are no conflicts with applicable local, state and federal aviation regulations including the Code of Miami-Dade County, Article XXXIX, Homestead General Aviation Airport Zoning. The applicant should also coordinate with Mr. Larry Ventura, the contact at Homestead Air Reserve Base. He may be reached at 305-224-7163 or at Lawrence.ventura@homestead.af.mil

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

JR/rb

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:

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 case history;

Cases 201001000080, 81 and 85 were opened for folios 3069230000850, 0870 and 0081 based on enforcement history request and inspected on 1-7-10. No violations were observed and the cases were closed.

Previous case history;

Case 20090100366 was opened based on enforcement request and inspected on 1-28-09. No violations were observed and case was closed. Please note that one case was opened and all the folios involved were inspected. Active agricultural activity.

Folio 30-6924-000-1621:

Case 200801001692 was opened based on an anonymous complaint and inspected on 2-29-08. A Warning notice was issued for a field fence in disrepair. The property was re-inspected on 5-28-08 and case was closed.

Case 200601004843 was opened based on an anonymous complaint and inspected on 9-23-06. A Warning notice was issued for an overgrown swale. The property was re-inspected on 11-7-06 and case was closed in compliance.

Folio 30-6924-000-1620:

Case 200601004844 was opened based on an anonymous complaint and inspected on 9-23-06. A Warning notice was issued for an overgrown swale. The property was re-inspected on 11-7-06 and case was closed in compliance.

Folio 30-6924-000-1410:

Case 200601004845 was opened based on an anonymous complaint and inspected on 9-23-06. A Warning notice was issued for an overgrown swale. The property was re-inspected on 11-7-06 and case was closed in compliance.

Folio 30-6923-000-0930:

Case 200901000395 was opened based on a complaint of illegal dumping and inspected on 2-6-

ZONING INSPECTION REPORT

Inspector: HASSUN, PETE

Inspection Date

Evaluator: JORGE VITAL

01/03/12

Process #: Z2009000006
Applicant's Name: PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS, LLC
Locations: LYING BETWEEN SW 124 AVENUE AND 129 AVENUE AND BETWEEN SW 248 STREET AND U.S. HIGHWAY #1, MIAMI-DADE COUNTY, FLORIDA.
Size: 94.43 ACRE
Folio #: 3069240001621

Request:

1 DBC RU-1MA AND AU TO RU-4 (33-207.3)

Request #1 on parcels A, B, & E

10 Applicant is requesting to permit a parking back-up aisle of 18' (22' required). (§33-122)

(Requests #4 - #10 Parcels A, B & E)

11 Applicant is requesting to permit rowhouses with a common open space of 4% (12% required). (§33-202.7(3))

(request #11 on Parcels A & B)

2 Deletion of the Declaration of Restrictive Covenants Recorded at Official Recrod Book 23798, Page 4449-4466. (§33-311(17)(a))

The purpose of request #9 is to allow the applicant to delete a covenant tying the site to specific site plans and charter school restrictions in order to proffer two separate covenants governing the residential & charter school developments.

3 Modification of Conditions #5 & 13 of Resolution Z-15-05, passed and adopted by the Board of County Commissioners Reading as follows: (§33-311(17)(a))

From:

"#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", by Civica dated/stamped/received February 10, 2005. Except as modified herein to provide the 7 ft. wide landscape strip along the rights-of-way."

From:

#13. That the charter school use shall be limited to grades K - 8 for a maximum of 1440 students."

4 Applicant is requesting to permit apartment buildings with an FAR .85 (.80 permitted). (33-207.3(B)(5))

5 Applicant is requesting to permit apartment buildings with 24% landscape open space (40% required). (§33-216)

6 Applicant is requesting to permit apartment buildings setback 2' (25' required) from the front, rear and side street property lines. (33-211)

7 Applicant is requesting to permit 2,208 parking spaces (2,559 required). (§33-124)

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). (§33-122)

EXISTING ZONING

Subject Property AU, PCUC, RU-1Ma,

EXISTING USE

SITE CHARACTERISTICS

STRUCTURES ON SITE:

VARIOUS, MAINLY SHEDS, MOSTLY VACANT LANDS.

ZONING INSPECTION REPORT

USE(S) OF PROPERTY:

MOSTLY AGRICULTURAL USE: CROPS

FENCES/WALLS:

SOME PROPERTIES WITH 4 & 6 FT CHAINLINK FENCES.

LANDSCAPING:

SOME TREES AND SHRUBS WITH OVERGROWN GRASS.

BUFFERING:

NATURAL TREES AND SHRUBS.

VIOLATIONS OBSERVED:

SOME PROPERTIES WITH OVERGROWN GRASSES.

OTHER:

NONE

Process # Applicant's Name

Z2009000006 PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS, LLC

SURROUNDING PROPERTY

NORTH:

COMMERCIAL

SOUTH:

AGRICULTURAL

EAST:

RESIDENCIAL

WEST:

COMMERCIAL

SURROUNDING AREA

POORLY KEPT AREA WITH NO STREET TREES.

NEIGHBORHOOD CHARACTERISTICS:

AGRICULTURAL & LOW DENSITY RESIDENTIAL WITH SOME COMMERCIAL.

Memorandum



Date: October 17, 2011

To: Charles Danger, P.E., Interim Director
Permitting, Environment and Regulatory Affairs

From: Jose Gonzalez, P.E., Assistant Director
Permitting, Environment and Regulatory Affairs

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

Subject: DIC #Z2009000006-7th Revision
Princeton Land Investments, L.L.C. and County Palm Holdings
S.E. of U.S. 1 at S.W. 127th 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 subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Public Water Supply and Wastewater Disposal

Potable Water Supply:

The subject property is abutted by a 12-inch water distribution main along S.W. 129th Avenue, and a 16-inch water distribution main along S.W. 248th Street. These water distribution mains are owned and operated by Miami-Dade Water and Sewer Department (MDWASD).

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

Public Sanitary Sewers:

There is a 24-inch force main abutting this property along S.W. 248th Street. This force main directs the flow to the South District Wastewater Treatment Plant. In addition to the force main, there is also an 8-inch public gravity sanitary sewer main located approximately 100 feet northwest from the subject property, along S.W. 129th Avenue. The flow collected for this gravity system is directed to pumping station P.S. 30-1083, then to P.S. 30-0522 and finally to the South District Wastewater Treatment Plant.

All the pump stations as well as the Wastewater Treatment Plant are owned and operated by MDWASD. Pump station 30-0522 is operating under conditional moratorium and no new flows can be directed to the same until the required improvements are finalized. The estimated completion date of these improvements is December 31, 2014. Moreover, P.S. 30-1083 does not have capacity to handle the additional flows that would be generated by the proposed development. The applicant is advised to contact MDWASD for further information concerning sanitary sewer connection.

Stormwater Management

The subject parcels qualify for a Surface Water Management General Permit which must be obtained from the Department prior to platting and/or site development, or public works approval of paving and drainage plans. The applicant is advised to contact the Water Control Section 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.

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

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

Pollution Remediation

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/remediation issues regarding non-permitted sites associated with these properties.

There are historical records of contamination assessment/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.

Wetlands

The subject properties do not contain wetlands as defined by 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. 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

The landscape and site plans submitted for this project do not include all the folios depicted in the zoning application. Please be advised that folios 30-6923-000-0930, 0880, 0851, 0850, 0870, 0931, 30-6924-000-1410, 1621 and 1620 are not included in the site and landscape plans.

There are no tree resources issues on the subject properties with folios 30-6924-000-1160, 30-6923-000-0851 and 0850.

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 to Princeton Land Investments, LLC on December 1, 2009 and expired on December 1, 2010.

Please be advised that this permit has expired, therefore the required replanting and final inspection as per Tree Removal Permit 2009-TREE-PER-00374 must take place. The applicant should renew Tree Removal Permit 2009-TREE-PER-00374 or request a final inspection to avoid violation of permit conditions.

The properties with folios 30-6923-000-0190, 0100, 0111, 0081, 0080, 0090, 0091 and 30-6924-000-1190 contain agriculture however tree resources exist along the right of way of SW 127th Avenue and the properties with folios 30-6923-000-0880, 0870, 30-6924-000-1410, 1621 and 1620 may contain specimen-sized trees (trunk diameter 18 inches or greater). Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible.

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.

The applicant is required to comply with the above tree permitting requirements. Approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. Please contact the Tree Program at 305-372-6574 for information regarding tree permits.

Enforcement History

The Department has found no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

The Department 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 written approval as required by Chapter 24 of the Code.

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

Cc: Grisel Rodriguez, Permitting, Environment and Regulatory Affairs

Memorandum



Date: October 20, 2011

To: Jorge Vital
DIC Coordinator
Permitting, Environment and Regulatory Affairs

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

Subject: Review of DIC Project No. 09-006
(Princeton Land Investments, LLC. & Country Palm Holdings, LLC.)

Project Description

The applicants are requesting a district boundary change from RU-1M(a), Modified Single-Family Residential District, and AU, Agricultural District, to RU-4M, Modified Apartment House District in order to develop the subject property with a variety of residential unit 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 applicants are also requesting relief of setback requirements and floor area ratio maximums as well as a modification of the previously approved plans. The size of the property is 94.43 acres and is generally located southeast of US-1 along the east and west side of SW 127th Avenue in 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 along US-1 by Metrobus Route 35 and along the South Miami-Dade Busway by Routes 34/Busway Flyer and 38/Busway MAX. The service headways for the above mentioned routes (in minutes) are as follows:

**Metrobus Route Service Summary
Princeton Land Investments, LLC. & Country Palm Holdings, LLC. Application Site**

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (at 8pm)	Overnight	Saturday	Sunday		
34/Busway Flyer	7.5	n/a	n/a	n/a	n/a	n/a	0.4	E/F
35	30	30	30	n/a	60	60	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*

June 2011-Line Up

Future Transportation/Transit Improvements

Currently, the 2012 Transportation Improvement Plan (TIP) does not propose any improvements in the immediate vicinity of this project. The 2035 Long Range Transportation Plan (LRTP) does not propose any improvements in the immediate vicinity of this project.

The adopted 2011 ten-year Transit Development Plan (TDP) identifies in its 2021 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route 34/Busway Flyer: No planned improvements

Route 35: Improve peak headway from 30 to 20 minutes

Route 38/Busway MAX: Improve peak headway from 12 to 10 minutes

MDT Comments/Recommendations

Miami-Dade Transit (MDT) currently provides local bus service within 0.2 mile of the subject property. 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.

Route 35

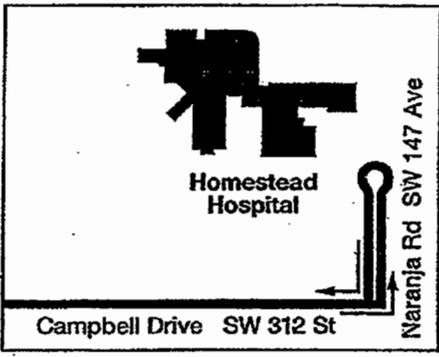
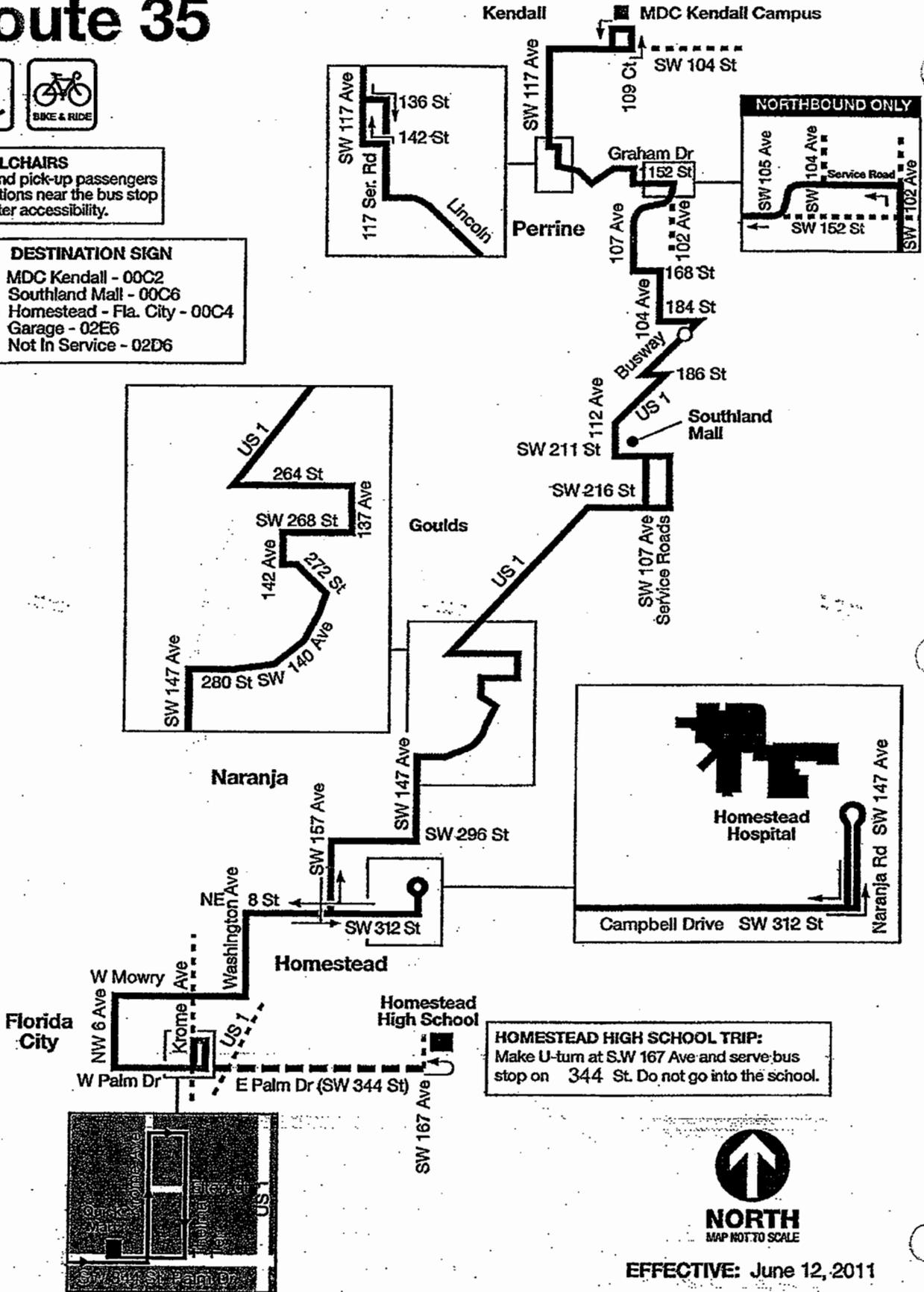


WHEELCHAIRS

Stop and pick-up passengers at locations near the bus stop for better accessibility.

DESTINATION SIGN

North MDC Kendall - 00C2
 North Southland Mall - 00C6
 South Homestead - Fla. City - 00C4
 Garage - 02E6
 Not In Service - 02D6



HOMESTEAD HIGH SCHOOL TRIP:
 Make U-turn at S.W 167 Ave and serve bus stop on 344 St. Do not go into the school.



EFFECTIVE: June 12, 2011

BUSWAY MAX

Route 38



WHEELCHAIRS
Stop the bus at any location near the stop to allow wheelchairs on or off the bus.

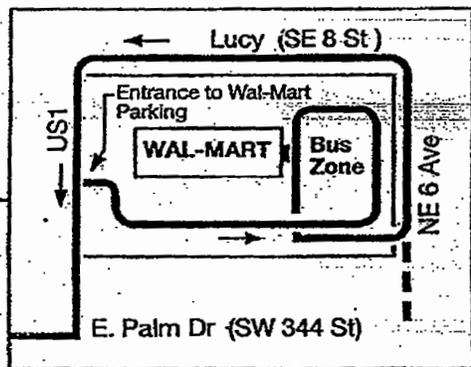
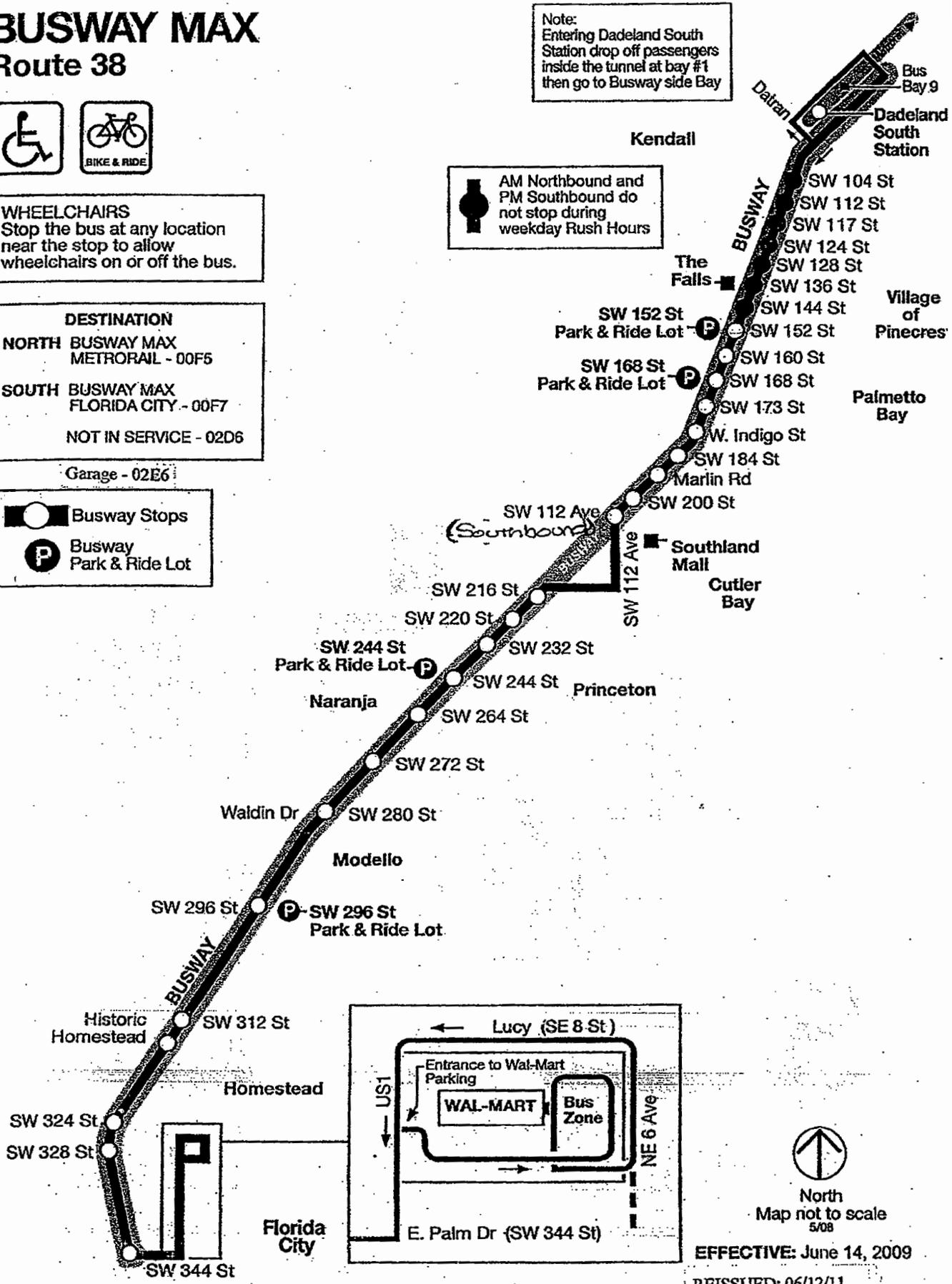
DESTINATION	
NORTH	BUSWAY MAX METRO RAIL - 00F5
SOUTH	BUSWAY MAX FLORIDA CITY - 00F7
NOT IN SERVICE - 02D6	

Garage - 02E6

Busway Stops
 Busway Park & Ride Lot

Note:
Entering Dadeland South Station drop off passengers inside the tunnel at bay #1 then go to Busway side Bay

AM Northbound and PM Southbound do not stop during weekday Rush Hours



North
Map not to scale
5/08

EFFECTIVE: June 14, 2009

REISSUED: 06/12/11

Busway Flyer Route 34



WHEELCHAIRS
Stop the bus at any location near the stop to allow wheelchairs on or off the bus.

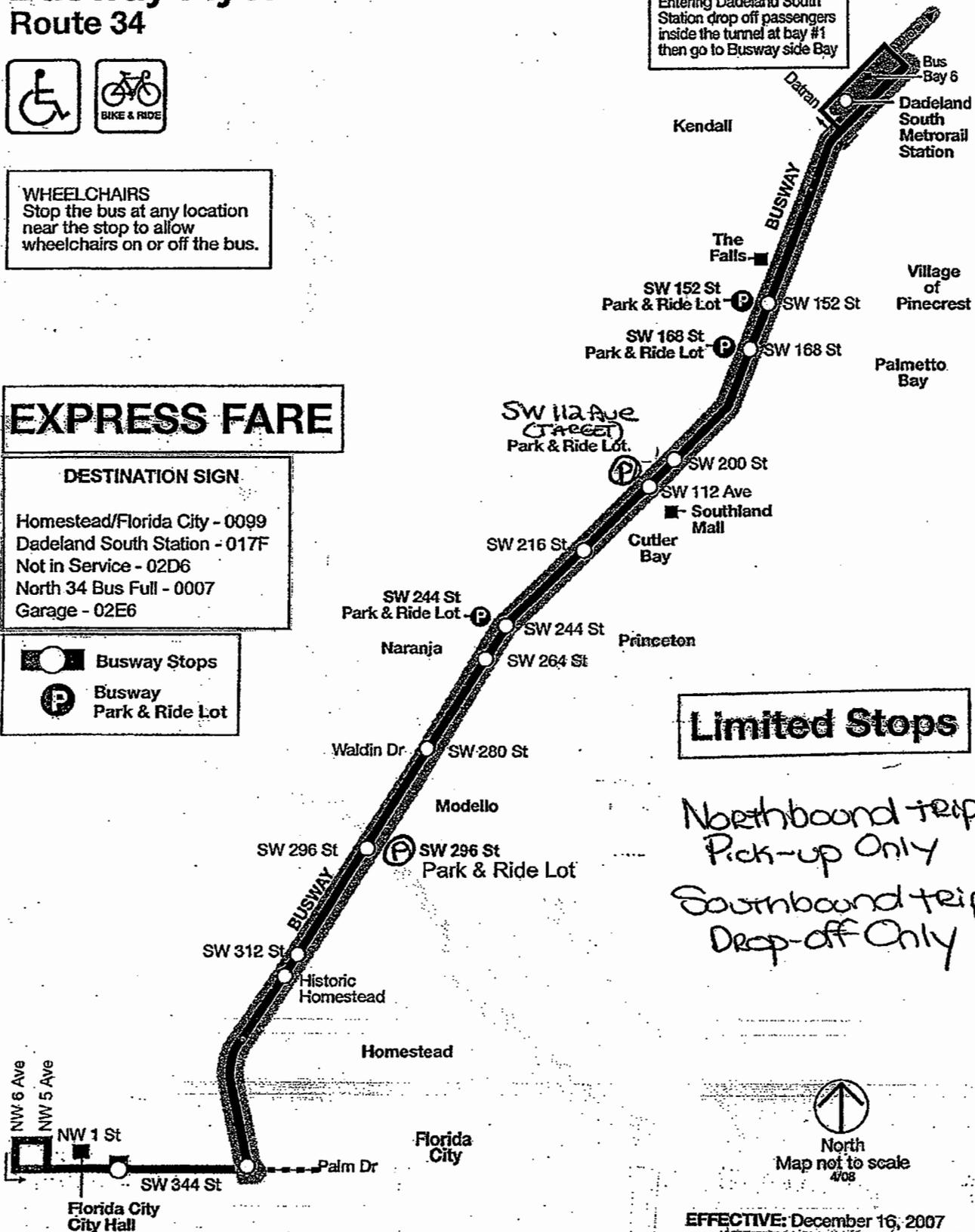
EXPRESS FARE

DESTINATION SIGN

Homestead/Florida City - 0099
 Dadeland South Station - 017F
 Not in Service - 02D6
 North 34 Bus Full - 0007
 Garage - 02E6

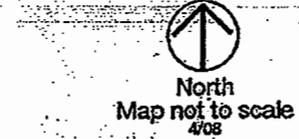
Busway Stops
 Busway Park & Ride Lot

Note:
 Entering Dadeland South Station drop off passengers inside the tunnel at bay #1 then go to Busway side Bay



Limited Stops

Northbound trips
 Pick-up Only
 Southbound trips
 Drop-off Only



EFFECTIVE: December 16, 2007

REISSUED: 06/12/11

Memorandum



Date: June 16, 2011

To: Jorge Vital
DIC Coordinator
Department of Planning and Zoning

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

Subject: Review of DIC Project No. 09-006
(Princeton Land Investments, LLC. & Country Palm Holdings, LLC.)

Project Description

The applicants are requesting a district boundary change from RU-1M(a), Modified Single-Family Residential District, and AU, Agricultural District, to RU-4M, Modified Apartment House District in order to develop the subject property with a variety of residential unit 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 applicants are also requesting relief of setback requirements and floor area ratio maximums as well as a modification of the previously approved plans. The size of the property is 94.43 acres and is generally located southeast of US-1 along the east and west side of SW 127th Avenue in 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 along US-1 by Metrobus Route 35 and along the South Miami-Dade Busway by Routes 34/Busway Flyer and 38/Busway MAX. The service headways for the above mentioned routes (in minutes) are as follows:

Metrobus Route Service Summary
Princeton Land Investments, LLC. & Country Palm Holdings, LLC. Application Site

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (at 8pm)	Overnight	Saturday	Sunday		
34/Busway Flyer	7.5	n/a	n/a	n/a	n/a	n/a	0.4	E/F
35	30	30	60	n/a	60	60	0.2	L
38/Busway MAX	12	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

Currently, the 2011 Transportation Improvement Plan (TIP) does not propose any improvements in the immediate vicinity of this project. The 2035 Long Range Transportation Plan (LRTP) does not propose any improvements in the immediate vicinity of this project.

The draft 2011 ten-year Transit Development Plan (TDP), that currently is in the review/approval phase before adoption by the Board of County Commissioners identifies in its 2021 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route 35: Improve peak headway from 30 to 20 minutes.

Route 38/Busway MAX: Improve peak headway from 12 to 10 minutes.

MDT Comments/Recommendations

Miami-Dade Transit (MDT) currently provides local bus service within 0.2 mile of the subject property. Based on the information presented, MDT has no objections to this project.

Concurrency

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

Memorandum



Date: October 27, 2011

To: Charles Danger, Interim Director
Permitting, Environment and Regulatory Affairs

From: William W. Bryson, Fire Chief
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. 7)

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 2014.
- (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 2010, the average travel time to the vicinity of the proposed development was **5:38 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. & SW 114 Place)

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 9/30/11.
- (B) This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for DIC applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must be reviewed by the Fire Water & Engineering Bureau to assure compliance with the Florida Fire Prevention Code (FFPC) and National Fire Protection Association (NFPA) standards.

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

/ch

Memorandum



Date: October 26, 2011

To: Jack Osterholt, Interim Director
Sustainability, Planning and Economic Enhancement Department

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

Subject: DIC 09-006 – PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS, LLC.
Including Revised Plans dated stamped received 9-30-2011

The subject property is located lying between SW 124 Avenue and SW 129 Avenue and between SW 248 Street and U.S. Highway #1, Miami-Dade County, Florida. The applicant is requesting a district boundary change from RU-1M(a), Modified Single Family Residential District and AU, Agriculture District, to RU-4, High Density Apartment House District on parcels A, B, and E. The applicant is also submitting a revised plans showing additional property, revised residential development types, an increase in grade levels for the charter school and to delete references to the timing and construction and phase development for the charter school.

I. Identify Impact and Demand

The site plan for the residential area dated 3/8/2011 includes a total of 1,123 dwelling units consisting of 685 apartments, 393 townhomes and 45 single family units. The proposed development is estimated to house a population of 2,756 people, according to current population estimates from the Planning and Zoning Department. This population generates a need for 7.58 acres of local parkland, based on the CDMP Open Space Standards of 2.75 acres per 1,000 population (Policy ROS-2A (i)).

Impact and demand:

Existing Service

The nearest park to the application is Princetonian Park, a neighborhood park providing a tot lot, tennis and basketball. Goulds Park, located 1.9 miles from the site includes: a 400-meter track, a three-hole miniature golf course, baseball and softball fields, three full-size basketball courts with retractable bleachers, four tennis courts and a 50-meter swimming pool. The parks within a 2-mile radius of the site include:

Park Name	Classification	Acreage
Princetonian Park	Neighborhood Park	6.5
Kevin Broils Park	Neighborhood Park	5.24
Goulds Park	Community Park	30.0
Sharman Park	Neighborhood Park	2.06

Concurrency/Capacity Status

The site plan includes two parks of about one acre each in parcels A and B. The park acreage provided will meet the need for about one quarter of the demand generated by the proposed development. The Department is working to acquire additional land in this area, in cooperation with area developers, to serve future residents. The parks proposed as part of this application and in the portion of the development within the PCUC are important in helping to meet the needs of the

development as residential units are completed and occupied, but will not meet all of the need for parkland generated by the development.

It is recommended that the two park areas be dedicated as public parks consistent with the provisions of the current Declaration of Restrictive Covenants recorded at OR Book 23798, Page 4449. Because the existing Declaration of Restrictive Covenants are proposed to be deleted by this application and replaced by two separate covenants governing the residential and charter school developments, it is recommended that the proposed covenant governing residential development include the provisions in Section 3. Public Parks of the current Declaration of Restrictive Covenants, as modified to reflect the new site plan. The existing covenant requires dedication, improvements for passive recreation facilities at least equal to the owner's obligation to pay the improvement portion of the Park Impact Fee Section 33H-7 not later than the issuance of the 96th building permit for a residential unit on the parcel (A or B) in which the park is located. Funding for perpetual maintenance of the parks areas shall be through a special taxing district, if approved by Miami-Dade County, or similar entity, as approved by Miami-Dade County. In the event one or both of the proffered parks are not accepted by the county, the owners shall improve and maintain the park areas as private open space for the benefit of the owners and residents of parcels A, B, C and E. In this event, funding for the improvement and perpetual maintenance of the parks areas shall be through a homeowner's association, special taxing district, if approved by Miami-Dade County, or similar entity, as approved by Miami-Dade County.

This application is located in Park Benefit District 3, which has a surplus of 230.42 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District.

Site Plan Critique & Quality of Life Issues

The parks are generally oriented such that the surrounding residential development faces the parks providing for "eyes on the park" security as envisioned by the County's Parks and Open Space Master Plan. The parks are interconnected to the common open space system within the project including several smaller open areas. The townhomes and apartment buildings front on the streets with parking internalized creating a strong relationship to the pedestrian using the sidewalks. Bicycle racks are proposed at several locations.

The Department does not object to the application subject to the approval of the condition for the current Declaration of Restrictive Covenants language (as modified to reflect the current site plan) to be incorporated into the proposed Declaration of Restrictive Covenants for the residential development areas as generally described above.

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

MN:jb

Cc: John M. Bowers, AICP/RLA, Landscape Architect

Memorandum



Date: June 15, 2011

To: Jorge Vital, Developmental Impact Committee Coordinator
Department of Planning and Zoning

From: James K. Loftus, Director
Miami-Dade Police Department

Subject: Review (Revision 1) - Developmental Impact Committee Zoning Application
Case: No. Z2009000006- Princeton Land Investments, LLC and Country Palm Holdings, LLC

APPLICATION

The Applicant, the Princeton Land Investments, LLC and Country Palm Holdings, LLC is requesting a zoning change to allow the development of a residential community and charter school. The subject property consists of approximately 94 acres at the southeast corner of U.S. 1 and SW 127 Avenue in Miami-Dade County, Florida.

The proposed development calls for a total number of 1078 multi-family units (townhomes and apartments/condominiums), 45 single family homes, and a charter school.

CURRENT POLICE SERVICES

The proposed development will be located in unincorporated Miami-Dade County and serviced by our South District, located at 10800 SW 211 Street, Miami, Florida. Our current staffing allows for an average emergency response time of eight minutes or less. The public charter school will be serviced by the Miami-Dade Public Schools Police Department. The Department of Planning and Zoning requested a radius check of crimes/calls for service of the location which has been provided in the attached documents.

REVIEW

A review of the application, and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. Current data of police staffing, population, and calls for service was examined and compared to expected population growth and projected increases in calls for service. Based on this data, at least four additional sworn officers would need to be added to the South District staffing in order to maintain current staffing levels to population and projected volume of calls for service. Furthermore, related equipment to include but not limited to vehicles, computers, and police radios, would be needed for the additional staffing to sustain current levels of police services. Should demand for police services increase beyond these calculations, additional sworn personnel, support staff, and equipment may be required to maintain current levels of service.

The MDPD does not object to the proposed zoning modifications, but encourages developers to work with police during any future design and construction changes to determine the best possible solutions or security options.

Memorandum



Date: July 1, 2011

To: Jorge Vital
Developmental Impact Committee Coordinator
Department of Planning and Zoning

From: Jeff Cohen, P.E., Assistant Chief
Traffic Engineering Division

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

Enclosed are the memoranda that together form this Department's recommendation on the above-referenced application.

The Traffic Concurrency Analysis has been updated to utilize current roadway capacities. The Department has again reviewed the proposed changes to the Somerset Academy at Country Palms Charter School and has determined that the memorandum dated 12/04/2009 remains accurate.

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

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



Date: November 9, 2011

To: Charles Danger, P.E.
Interim Director
Permitting, Environment and Regulatory Affairs

From: 
Esther L. Calas, P.E.
Chief County Engineer
Public Works and Waste Management Department

Subject: DIC09-006 R2 – Revised
Name: Princeton Commons Multifamily
Location: SW 127th Avenue & SW 240th Street
Sec. 23 & 24 Twp. 56 Rge. 39

I. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY

- A. Trip Generation
631 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 a 4-lane arterial roadway.

III. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

Station 9790 located on 127 Avenue, S/O SW 216 Street to SW 232 Street has a maximum LOS "D" of 750 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 173 vehicles and 29 vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9790** with its 202 PHP and assigned vehicles is at LOS "C". The 68 vehicles generated by this development when combined with the 202 equals 270 and LOS "C" where the range of LOS "C" is from 1 to 470 vehicles.

Station 9910 located on 232 Street, W/O SW 137 Avenue to SW 147 Avenue has a maximum LOS "C" of **830** vehicles during the PHP. It has a current PHP of **338** vehicles and **56** vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9910** with its 394 PHP and assigned vehicles is at LOS "A". The **13** vehicles generated by this development when combined with the **394** equals **407** and LOS "A" where the range of LOS "A" is from 1 to 560 vehicles.

Station 9971 located on South Dixie Highway, S/O SW 248 Street between SW 112 Avenue to SW 304 Street has a maximum LOS "EE" of **4,188** vehicles during the PHP. It has a current PHP of **2,446** vehicles and **959** vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9971** with its 3405 PHP and assigned vehicles is at LOS "E". The 233 vehicles generated by this development when combined with the 3,405 equals 3,638 and LOS "EE" where the range of LOS "EE" is from 3,491 to 4,188 vehicles.

Station F-8 located on South Dixie Highway, S/O SW 232 Street between SW 304 Street to SW 112 Avenue has a maximum LOS "EE" of 4,272 vehicles during the PHP. It has a current PHP of 2,894 vehicles and 857 vehicles have been assigned to this section of road from previously approved Development Orders. **Station F-8** with its 3,751 PHP and assigned vehicles is at LOS "EE". The 278 vehicles generated by this development when combined with the 3,751 equals 4,029 and LOS "EE" where the range of LOS "EE" is from 3,561 to 4,272 vehicles.

Station 9914 located on SW 248th Street E/O SW 127th Avenue to SW 112th Avenue has maximum LOS of "D" of 1,020 vehicles during the PHP. It has a current PHP of 776 vehicles and 1 vehicle has been assigned to this section of road from previously approved Development Orders. **Station 9914** with its 777 PHP and assigned vehicles is at LOS "C". The 30 vehicles generated by this development when combined with the 777 equals 807 and LOS "C" where the range of LOS "C" is from 1 to 850 vehicles.

IV. SITE PLAN REQUIRED CONDITIONS:

- A. It is required that the land be platted.
- B. In addition to the bicycle lanes along SW 127th Avenue, the developer shall provide bicycle lanes on SW 240th Street as per request of the Assistant Director of the Metropolitan Planning Organization Secretariat.
- C. Prior to platting, the applicant shall submit a transition geometric design alignment for the intersection of SW 127th Avenue and SW 240th Street, acceptable to the Public Works Department's Traffic and Highway Divisions. Site Plan as presented may be required to have some modifications in accordance with Chapter 33 of the Miami-Dade Code.

- D. The applicant shall provide right-of-way dedication and improvements along SW 127th Avenue, SW 240th Street and all streets and avenues surrounding the project.
- E. 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 passage to large vehicles such as Fire, Rescue and Solid Waste Departments.
- C. Driveways shall be no less than twenty 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, this application will be subject to the payment of Road Impact Fees.

Please be advised that revised plans were resubmitted to the county indicating where the two one acre parks within the property will be dedicated. Please note the Site Data Legends that the parcel acreages reflect this dedication. Sheet AS1.4 shows the two-way street east of the park, which was previously a one-way street.

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

Memorandum



Date: October 25, 2011

To: Charles Danger, Interim Director
Department of Permitting, Environment, and Regulatory Affairs

From: ~~Christopher Rose, Deputy Director~~
Public Works and Waste Management Department

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

Attached please find a copy of this Department's review of the above-referenced item. The review was created as requested to update a previous response dated June 23, 2011. 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

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

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

Application: The following review is an update to a previously deferred application. *Princeton Land Investments, Inc* previously requested a decrease in the number of residences in Parcel A to 185 dwelling units, to include 140 rowhouses (townhomes) and 45 single-family homes. Currently the applicant is requesting a revision to the landscape and site 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 Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The 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 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Department of Planning and Zoning is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The Public Works and Waste Management Department (PWWMD) maintains the response provided via memo dated June 23, 2011, as the current revisions to the application does not affect the intension of the applicant to develop 1,123 dwelling units to include 685 apartments, 393 rowhouses, and 45 single-family units.

Single-family residences proposed for inclusion in this project appear to meet the County Code definition of "residential unit." Per the code, residential units located within the project shall, therefore, receive PWWMD waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWMD solid waste collection service area.

Multi-family residences, based on their configuration ie rowhouses and apartments, will likely be considered "commercial units." Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial and multi-family developments located in unincorporated Miami-Dade County:

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

3. Recycling

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

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

4. Recycling: Multifamily Units

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

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

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

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

5. Recycling: Commercial Establishments

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

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

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

6. Waste Storage/Setout Considerations

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

7. Site Circulation Considerations

It is required that development 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 accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWMD has no objections to the proposed application.**



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

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

June 27, 2011

VIA ELECTRONIC MAIL

Mr. Graham Penn, Esquire
Bercow Radell & Fernandez, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, FL 33131

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLDINGS (Z2009000006)
LOCATED AT 12465 SW 248 STREET
PH3011062200117 – Folio No. 3069240001621**

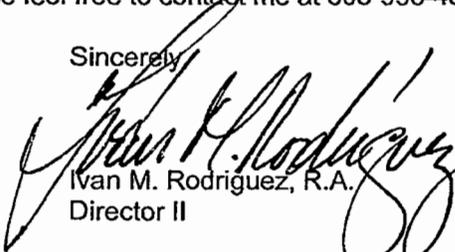
Dear Applicant:

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

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed project would yield a maximum residential density of 45 single-family detached units, 393 single-family attached units and 685 multifamily units, which generates a total of 460 students: 216 elementary, 106 middle and 138 senior high students. At this time, the schools serving the area have sufficient capacity available to serve the application. However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. **As such, this analysis does not constitute a Public School Concurrency approval.**

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

Sincerely,


Ivan M. Rodriguez, R.A.
Director II

IMR:mo
L515
Attachment

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



Concurrency Management System (CMS)

Miami Dade County Public Schools

Miami-Dade County Public Schools

**Concurrency Management System
Preliminary Concurrency Analysis**

MDCPS Application Number: PH3011062200117 Local Government (LG): Miami-Dade
 Date Application Received: 6/22/2011 2:15:42 PM LG Application Number: Z2009000006
 Type of Application: Public Hearing Sub Type: Zoning
 Applicant's Name: PRINCETON LAND INVESTMENTS LLC & COUNTRY PALM HOLD
 Address/Location: 200 S BISCAYNE BLVD
 Master Folio Number: 3069240001621
 Additional Folio Number(s): 3069230000080,

PROPOSED # OF UNITS 1123
 SINGLE-FAMILY DETACHED UNITS: 45
 SINGLE-FAMILY ATTACHED UNITS: 393
 MULTIFAMILY UNITS: 685



CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
3621	COCONUT PALM K-8 ACADEMY	-42	216	0	NO	Current CSA
3621	COCONUT PALM K-8 ACADEMY	0	216	0	NO	Current CSA Five Year Plan
6761	REDLAND MIDDLE	544	106	106	YES	Current CSA
7151	HOMESTEAD SENIOR HIGH	729	138	138	YES	Current CSA
ADJACENT SERVICE AREA SCHOOLS						
4461	PINE VILLA ELEMENTARY	466	216	216	YES	Adjacent CSA
*An Impact reduction of 15.3% included for charter and magnet schools (Schools of Choice).						

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

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

55

Memorandum

MIAMI-DADE
COUNTY

Date: October 6, 2011

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

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

Subject: Princeton Land Investments, L.L.C. - DIC Application # - Z2009000006
(REVISION # 1)

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. The applicant is proposing to develop a total of 1,123 dwelling units consisting of 45 single family homes and 140 townhomes on parcel A, 578 garden style apartments and 253 townhomes on parcel B and 107 garden style apartments on parcel E. The total water demand for this project will be 183,390 (gpd). Please note that as indicated by the applicant, Parcel C is no longer part of this application.

Project Location: The subject application is bounded on the east by SW 124 Avenue, on the west by SW 129th Avenue, on the north by US Highway # 1, and on the south, approximately 1,000 feet south of SW 240th Street in unincorporated Miami-Dade County (see attached location map).

Water: The subject project is located within MDWASD's service area. A new 16-inch water distribution main will be required to be installed along SW 127th Avenue from the NW corner of parcel E to the SW corner of parcel A. Please note that final points of connection will be issued at the time the applicant request connection to the potable water system infrastructure. The source of water for this project is the Alexander Orr Water Treatment Plant. Furthermore, the water comments provided herein are consistent with CDMP policies WS-1A, WS-1B and WS-2A.

Additionally, effective January 11, 2011, MDWASD implemented a Water Supply Certification (WSC) Program to assure adequate water supply is available to all water users of the MDWASD as required by policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the MDWASD's 20-year Water Use Permit. Please note that a WSC will be required for this project. The certification letter will be issued at the time an Agreement, Verification Form or Ordinance Letter is offered or during the Plat process prior to the final Development Order. 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. A new 12-inch force main will be required to be extended from SW 248th Street northerly along SW 127th Avenue to the developer's property. A private pump station will be required. Please note that final points of connection will be issued at the time the applicant request connection to the sanitary sewer infrastructure.

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

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required, depending on the compliance status of the United States Environmental Protection Agency (USEPA) Second and Final Partial Consent Decree.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

P.S. # 1016
Projected NAPOT – 5.35 Hrs.

P.S. # 1102
Projected NAPOT – 1.09 Hrs.

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

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

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

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

CHILD CARE CHECKLIST FOR CHARTER SCHOOLS:

A signed 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: S.W. 124th Avenue & S.W. 248th Street

Tax Folio # 30-69240001621, 30-6924000-1620, & 30-6924000-1410

Total size of site: (6.97 Acres Net)

Is this an expansion to an existing school? YES NO

If yes, indicate the # of students and grade levels previously approved: (1,440 Students) / (K-8th Grades)

and the Resolution # : Z-15-05

Number of children / students requested: 1,440 Grade Levels: (K-12th Grades) Ages: 4-17 Yrs Old

Number of classrooms: 70 Total square footage of classroom area: 42,000 SF

Total square footage of non-classroom area (offices, bathrooms, kitchens, etc.) 71,600 SF

Amount of exterior recreation/play area in square footage: 83,500 SF

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

Total parking spaces provided: 134

Auto-Stacking Spaces Provided: (Phase-I Stacking: 45 Cars) (Phase-II Stacking: 62 Cars)

Days and hours of operation: Monday - Friday 7:00 AM - 4:00 PM

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

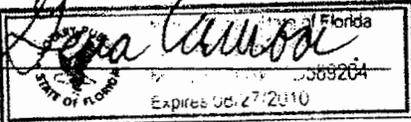
Signed, sealed, executed and acknowledge on this 21st day of DECEMBER, 2009 at Miami-Dade County, Florida.

WITNESSES: [Signature]
[Signature]

[Signature]
APPLICANT'S PROJECT MANAGER

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 21st day of DEC., 2009, before me personally appeared IVAN FAJARDO, 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: [Signature]


RECEIVED
2009
DEC 21 2009

PLANNING SECTION
PLANNING AND ZONING DEPT.

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: *Christopher G. Korge* (Christopher G. Korge)
(Applicant)

Sworn to and subscribed before me this 17 day of March, 2010. Affiant is personally known to me or has produced _____ as identification.

Randall Daily
(Notary Public)

NOTARY PUBLIC - STATE OF FLORIDA
Randall Daily
Commission # DD651431
Expires: APR. 27, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

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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209006
MAR 23 2010

ZIP CODE HEARING SECTION
NOTARIAL PUBLIC HEARING AND BONDING UNIT

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 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:

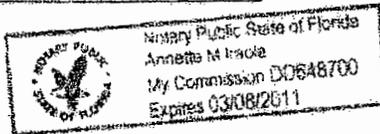
NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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)

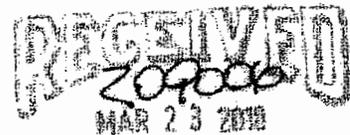
Sworn to and subscribed before me this day of 19 March 2010 Affiant is personally known to me or has produced _____ as identification.

[Signature]
(Notary Public)



My commission expires 3/8/11

*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.



LOCAL PLANNING SECTION
PLANNING AND ZONING DEPT.

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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209000
MAR 23 2010

FINANCIAL HEART OF BELTOWN
MOVEMENT PLANNING AND ZODING DEPT

BY

[Handwritten signature]

Interests in Barry Goldmeier Trust

Percentage of Interest

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

Interests in Lee Goldmeier Trust

Percentage of Interest

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

Interests in Goldmeier (NJ) Corp.

Percentage of Interest

Barry Goldmeier 50%
250 Catalonia Avenue, Suite 606
Coral Gables, FL 33134

Lee Goldmeier 50%
250 Catalonia Avenue, Suite 606
Coral Gables, FL 33134

Interests in Princeton Group Investments, LLC

Percentage of Interest

Christopher Korge 86%
230 Palermo Avenue, Coral Gables, Florida 33134

Tom Korge 8%
230 Palermo Avenue, Coral Gables, Florida 33134

Christopher G. Korge Family Trust 6%
230 Palermo Avenue, Coral Gables, Florida 33134

Interests in Christopher G. Korge Family Trust

Percentage of Interest

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

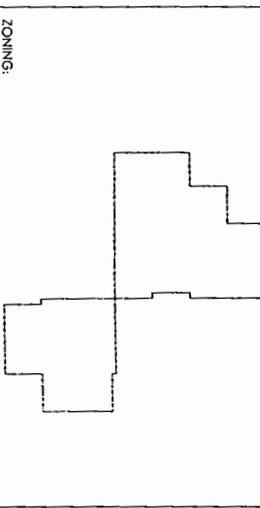
RECEIVED
MAR 23 2010

ZONING HEARING SECTION
WASH. CASE PLANNING & ZONING DEPT
NY

RECEIVED

KEY PLAN: **WINDY HILLS TOWN DEVELOPMENT**
 DEVELOPER: **WINDY HILLS TOWN DEVELOPMENT**
 BY: **WINDY HILLS TOWN DEVELOPMENT**

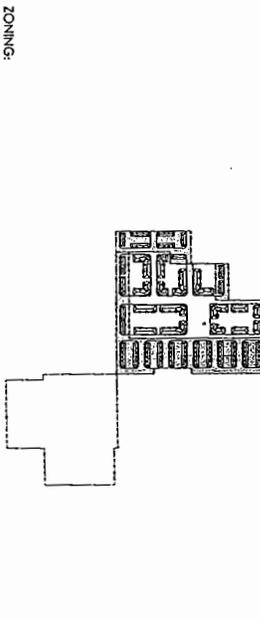
SITE DATA: PARCEL E SHEET 1.2



DESCRIPTION	OVERALL RULING	ALLOWED / REGR.	REGR.
1. SUBJECT PROPERTY SET BACKS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
2. SETBACKS FROM ADJACENT PROPERTIES =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
3. BUILDING HEIGHTS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
4. COMMON OPEN SPACE REQUIREMENTS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
5. STREETS, DRIVEWAYS, AND UTILITIES =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
6. MINIMUM LOT WIDTH, GARDEN STRIP MAINTENANCE =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
7. TABLE OF BUILDINGS BY HEIGHT, STORY, GARDEN STRIP MAINTENANCE =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
8. FILL	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
9. TOTAL OF PARKING REQUIREMENTS AND PROVISIONS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
10. TABLE OF SPECIAL PARKING SPACES =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.

KEY PLAN: **WINDY HILLS TOWN DEVELOPMENT**
 DEVELOPER: **WINDY HILLS TOWN DEVELOPMENT**
 BY: **WINDY HILLS TOWN DEVELOPMENT**

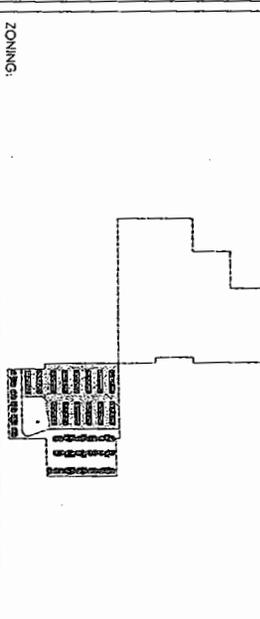
SITE DATA: PARCEL B SHEET 2.1 AND 2.2



DESCRIPTION	OVERALL RULING	ALLOWED / REGR.	REGR.
1. SUBJECT PROPERTY SET BACKS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
2. SETBACKS FROM ADJACENT PROPERTIES =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
3. BUILDING HEIGHTS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
4. COMMON OPEN SPACE REQUIREMENTS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
5. STREETS, DRIVEWAYS, AND UTILITIES =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
6. MINIMUM LOT WIDTH, GARDEN STRIP MAINTENANCE =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
7. TABLE OF BUILDINGS BY HEIGHT, STORY, GARDEN STRIP MAINTENANCE =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
8. FILL	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
9. TOTAL OF PARKING REQUIREMENTS AND PROVISIONS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
10. TABLE OF SPECIAL PARKING SPACES =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.

KEY PLAN: **WINDY HILLS TOWN DEVELOPMENT**
 DEVELOPER: **WINDY HILLS TOWN DEVELOPMENT**
 BY: **WINDY HILLS TOWN DEVELOPMENT**

SITE DATA: PARCEL A SHEET 3.1



DESCRIPTION	OVERALL RULING	ALLOWED / REGR.	REGR.
1. SUBJECT PROPERTY SET BACKS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
2. SETBACKS FROM ADJACENT PROPERTIES =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
3. BUILDING HEIGHTS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
4. COMMON OPEN SPACE REQUIREMENTS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
5. STREETS, DRIVEWAYS, AND UTILITIES =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
6. MINIMUM LOT WIDTH, GARDEN STRIP MAINTENANCE =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
7. TABLE OF BUILDINGS BY HEIGHT, STORY, GARDEN STRIP MAINTENANCE =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
8. FILL	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
9. TOTAL OF PARKING REQUIREMENTS AND PROVISIONS =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.
10. TABLE OF SPECIAL PARKING SPACES =	18' 0" R.F.	18' 0" R.F.	18' 0" R.F.

CHISHOLM
 1000 W. 10th Street, Suite 100
 Portland, Oregon 97204
 Phone: 503.255.1111
 Fax: 503.255.1112

Project Name: **WINDY HILLS TOWN DEVELOPMENT**
 Zoning: **AS01**
 PRINCETON COMMONS

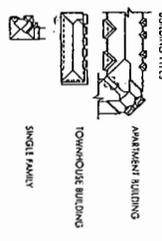
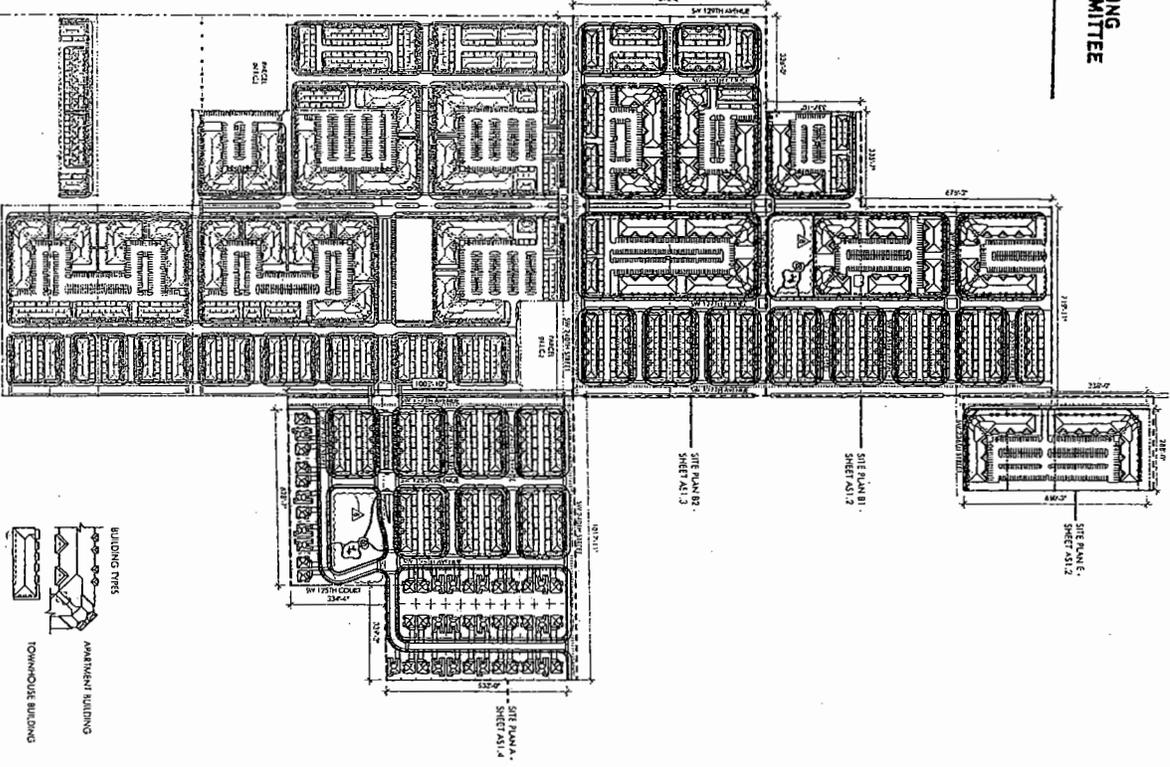
Prepared by: **WINDY HILLS TOWN DEVELOPMENT**
 Date: **5-31-07**
 Checked by: **WINDY HILLS TOWN DEVELOPMENT**
 Drawn by: **WINDY HILLS TOWN DEVELOPMENT**
 Title: **WINDY HILLS TOWN DEVELOPMENT**

Project No: **AS01**
 Date: **5-31-07**
 Checked by: **WINDY HILLS TOWN DEVELOPMENT**
 Drawn by: **WINDY HILLS TOWN DEVELOPMENT**
 Title: **WINDY HILLS TOWN DEVELOPMENT**

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SEP 30 1991

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



MASTER SITE PLAN
SCALE: 1" = 200'

DIRECTION	DESCRIPTION	EXISTING	PROPOSED REQUIRED	PROPOSED
1.	1. FRONT YARD SETBACK	40'	40'	40'
2.	2. SIDE YARD SETBACK	5'	5'	5'
3.	3. REAR YARD SETBACK	5'	5'	5'
4.	4. SIDE YARD SETBACK (OPPOSITE SIDE OF STREET)	5'	5'	5'
5.	5. BUILDING FOOTPRINT	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
6.	6. GARAGE FLOOR AREA	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
7.	7. GARAGE FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
8.	8. TOTAL FLOOR AREA	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
9.	9. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
10.	10. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
11.	11. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
12.	12. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
13.	13. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
14.	14. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
15.	15. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
16.	16. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
17.	17. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
18.	18. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
19.	19. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.
20.	20. TOTAL FLOOR AREA (TOTAL)	74,320 SQ. FT.	40,000 SQ. FT.	14,320 SQ. FT.

Project Name: ZONING DEPARTMENT PRINCETON COMMONS

Project No.: 2307

Date: 5-30-92

Drawn by: CS

Checked by: JP

Submitted: ZONING

City: Miami

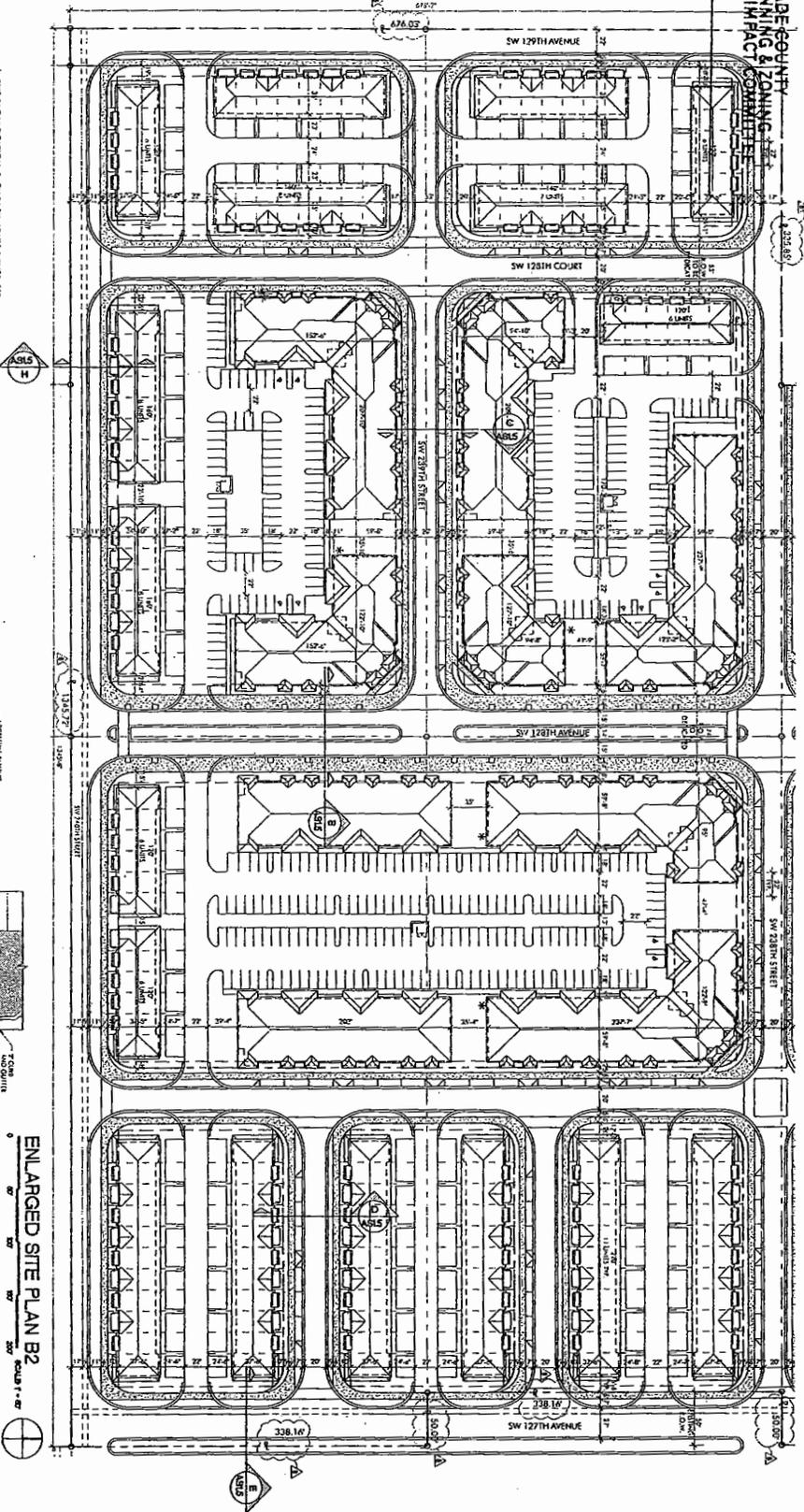
Sheet No.: AS11

99

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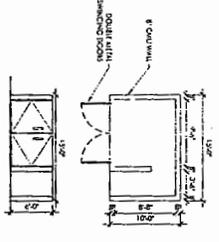
SEP 30 2011

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

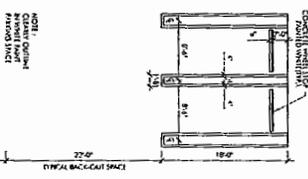


ENLARGED SITE PLAN B2
SCALE: 1/8" = 1'-0"

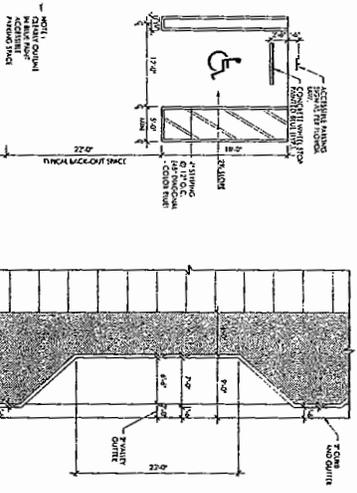
TYPICAL DUMPSTER ENCLOSURE
SCALE: 1/4" = 1'-0"



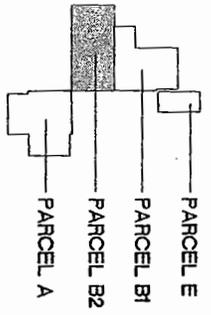
TYPICAL PARKING DETAILS
SCALE: 1/4" = 1'-0"



STREET PARKING DETAIL
SCALE: 1/4" = 1'-0"



KEY PLAN



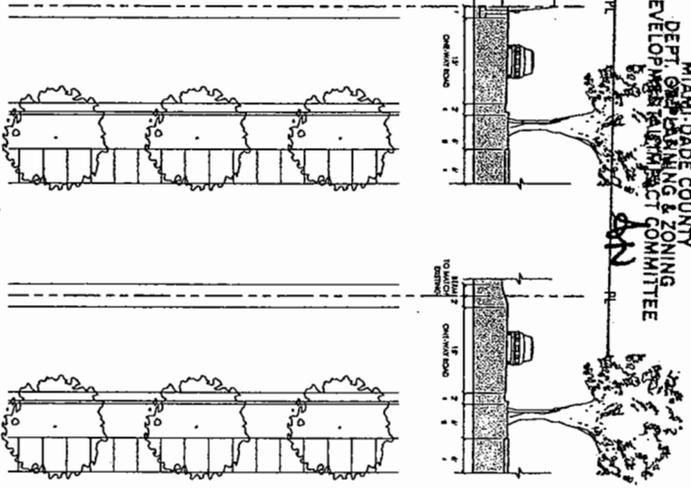
<p>PROJECT: PRINCETON COMMONS</p> <p>DATE: 08-21-10</p> <p>DRAWN: JLD</p> <p>CHECKED: JLD</p> <p>DESIGNED: JLD</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO.: 2007</p>	<p>REVISIONS:</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>08-21-10</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>2</td> <td>08-21-10</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>3</td> <td>08-21-10</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>4</td> <td>08-21-10</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>5</td> <td>08-21-10</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>6</td> <td>08-21-10</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>7</td> <td>08-21-10</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>8</td> <td>08-21-10</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>9</td> <td>08-21-10</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>10</td> <td>08-21-10</td> <td>ISSUED FOR PERMITS</td> </tr> </table>	NO.	DATE	DESCRIPTION	1	08-21-10	ISSUED FOR PERMITS	2	08-21-10	ISSUED FOR PERMITS	3	08-21-10	ISSUED FOR PERMITS	4	08-21-10	ISSUED FOR PERMITS	5	08-21-10	ISSUED FOR PERMITS	6	08-21-10	ISSUED FOR PERMITS	7	08-21-10	ISSUED FOR PERMITS	8	08-21-10	ISSUED FOR PERMITS	9	08-21-10	ISSUED FOR PERMITS	10	08-21-10	ISSUED FOR PERMITS	<p>PROJECT: PRINCETON COMMONS</p> <p>DATE: 08-21-10</p> <p>DRAWN: JLD</p> <p>CHECKED: JLD</p> <p>DESIGNED: JLD</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO.: 2007</p>	<p>PROJECT: PRINCETON COMMONS</p> <p>DATE: 08-21-10</p> <p>DRAWN: JLD</p> <p>CHECKED: JLD</p> <p>DESIGNED: JLD</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO.: 2007</p>	<p>PROJECT: PRINCETON COMMONS</p> <p>DATE: 08-21-10</p> <p>DRAWN: JLD</p> <p>CHECKED: JLD</p> <p>DESIGNED: JLD</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO.: 2007</p>	<p>PROJECT: PRINCETON COMMONS</p> <p>DATE: 08-21-10</p> <p>DRAWN: JLD</p> <p>CHECKED: JLD</p> <p>DESIGNED: JLD</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO.: 2007</p>
NO.	DATE	DESCRIPTION																																				
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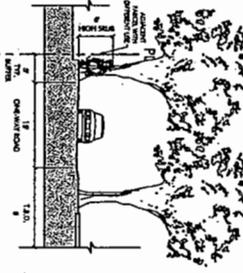
OPTION 1
 RETAINING WALL, SEP 10, 2011
 OPTION 2
 BERM SLOPING ON TO NEIGHBORS SIDE

MIAMI DADE COUNTY
 DEPT. OF PLANNING & ZONING
 DEVELOPMENT REVIEW BOARD
 BY [Signature]



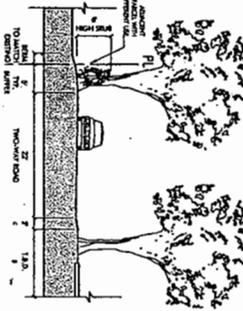
STREET TYPE A

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

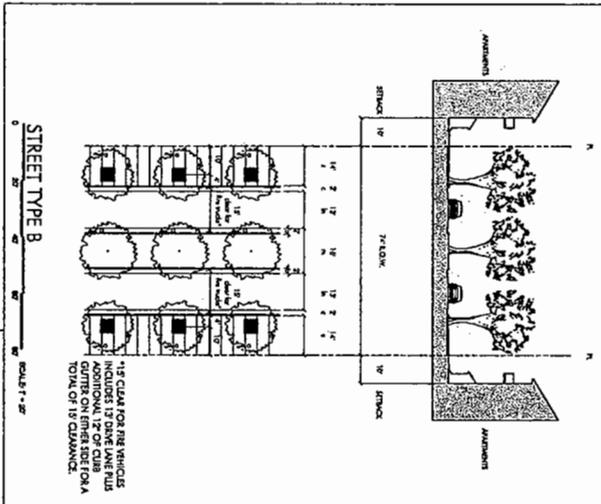


STREET TYPE F

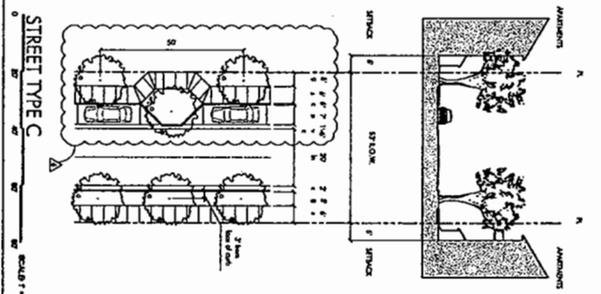
PRIVATE TWO-WAY ENTRY/EXIT DRIVE



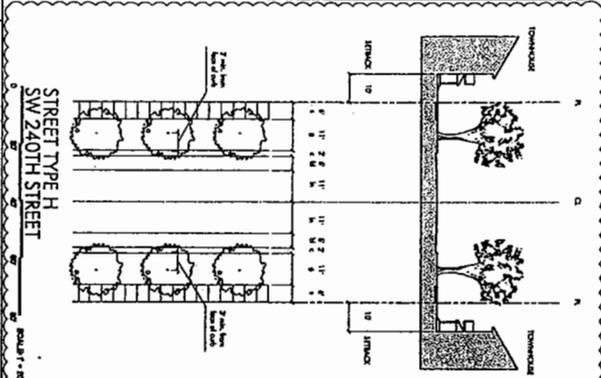
STREET TYPE G



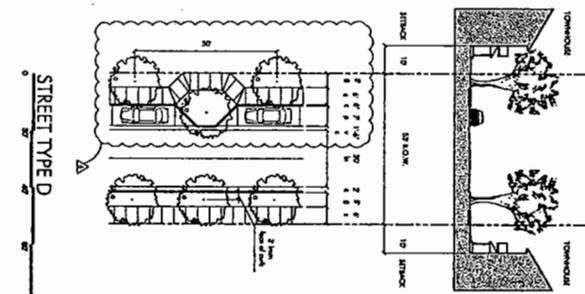
STREET TYPE B



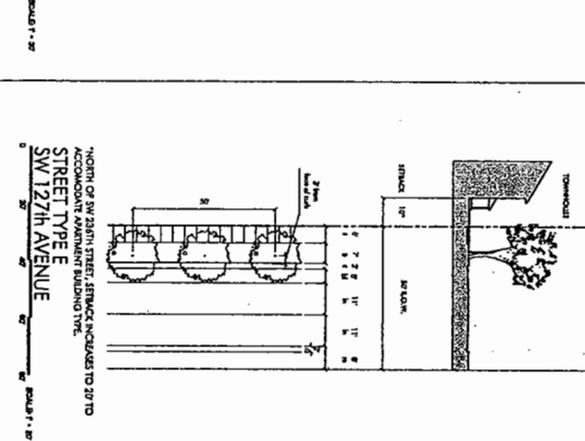
STREET TYPE C



STREET TYPE H
 SW 240TH STREET



STREET TYPE D



STREET TYPE E
 NORTH OF SW 24TH STREET, SETBACK INCLUDES TO 20' TO
 SW 127th AVENUE

NOTE:
 SHALL BE USED AS A BARRIER SHALL
 BE MAMMILLARIA SPONGIA (8) IN
 PLANTING AND PAINTED A
 MAMMILLARIA SPONGIA ON
 PORT SCOUT (8) INCHES ON
 THIS SHALL BE PAINTED AT A
 MAMMILLARIA SPONGIA OF
 THIRTY FIVE (35) FEET ON
 FOOT WALKWAY SHALL

- LEGEND
- 1. Street
 - 2. Drive
 - 3. Sidewalk
 - 4. Tree
 - 5. Berm
 - 6. Retaining Wall
 - 7. Guard Rail
 - 8. Mammillaria Spongia

PROJECT NUMBER: ZONING SUBMITTAL FOR PRINCETO COMMON

DATE: 08-21-11

DESIGNED BY: J.M. M.

CHECKED BY: J.M. M.

SCALE: AS SHOWN

DATE: 08-21-11

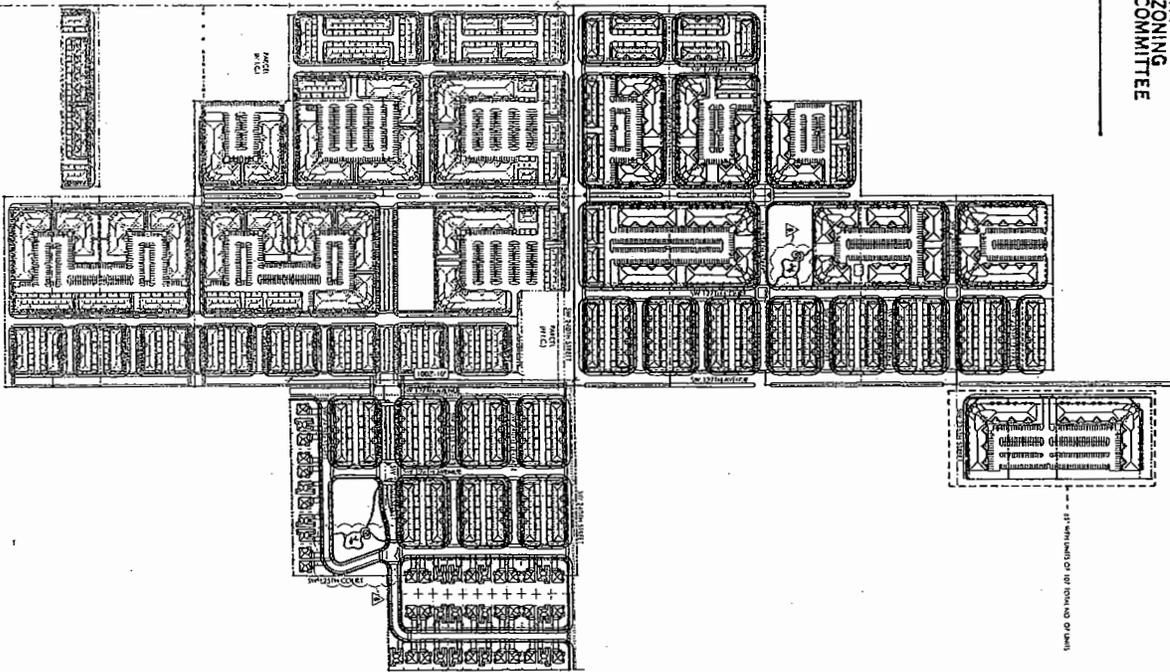
PROJECT NO. AS15

89

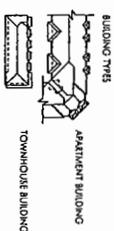
SEP 30 2011

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

BY AN



WORKFORCE HOUSING ASSIGNMENT



DESCRIPTION	REQUIRED	PROPOSED
1. QUANTITY OF WORKFORCE HOUSING UNITS	45	41

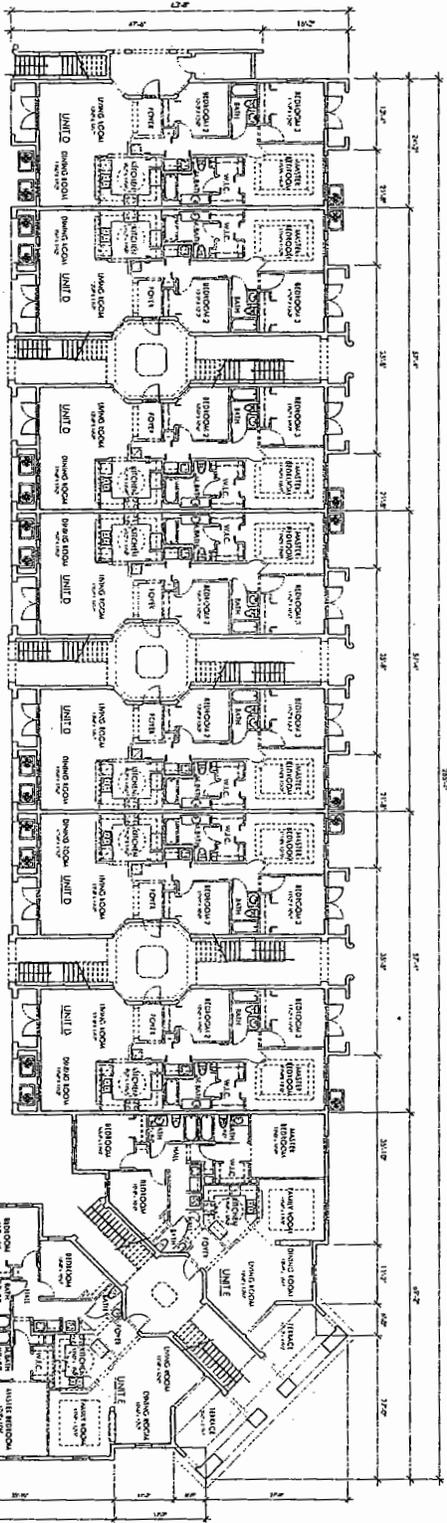
* 45 WHH UNITS MAY BE DISPENSIO THROUGHOUT SITE IN LIEU OF CONCENTRATED LOCATION.

<p>CHISHOLM 2221 NW 30th St., Suite 200 Miami, FL 33142 Tel: 305.444.1111 Fax: 305.444.1112</p>	<p>Project Name: ZONING SUBMITTAL for PRINCETON COMMONS</p> <p>341 SW 17th Avenue, 1-2nd Street MIAMI-DADE COUNTY, FL 33134</p>	<p>DATE: 09/27/11 SCALE: AS SHOWN DRAWN: CS CHECKED: MP SUBMITTAL: ZONING CAD FILE: 4517 DRAWING TITLE: WORKFORCE HOUSING ASSIGNMENT</p>	<p>Project No.: 2002</p> <p>Scale: AS SHOWN</p> <p>Date: 5-29-07</p> <p>Drawn: CS</p> <p>Checked: MP</p> <p>Submittal: ZONING</p> <p>Cad File: 4517</p> <p>Drawing Title:</p>	<p>DATE: 09/27/11 SCALE: AS SHOWN DRAWN: CS CHECKED: MP SUBMITTAL: ZONING CAD FILE: 4517 DRAWING TITLE: WORKFORCE HOUSING ASSIGNMENT</p>	<p>DATE: 09/27/11 SCALE: AS SHOWN DRAWN: CS CHECKED: MP SUBMITTAL: ZONING CAD FILE: 4517 DRAWING TITLE: WORKFORCE HOUSING ASSIGNMENT</p>
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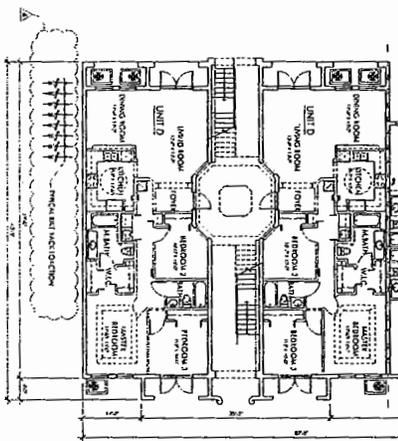
RECEIVED

SEP 30 2011

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



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



NOTE: FLOOR PLANS REPRODUCTION COURTESY OF PASQUA REZZI, ARCHITECT & ASSOCIATES. ALL RIGHTS RESERVED.

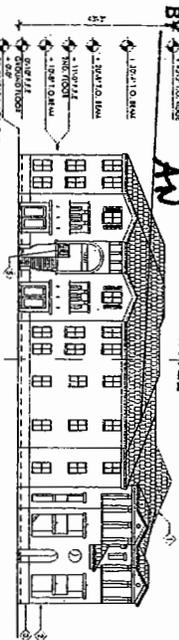
NOTE: NORTH ORIENTATION SET 04/11/11

<p>REVISIONS</p> <p>DATE: 08/21/11</p> <p>BY: [Signature]</p> <p>DESCRIPTION: [Text]</p>		<p>PROJECT INFORMATION</p> <p>Project No.: 2011-02</p> <p>Scale: 1/8" = 1'-0"</p> <p>Date: 08/21/11</p> <p>Drawn: [Signature]</p> <p>Checked: [Signature]</p> <p>Cad File: A14</p> <p>Drawing Title: TYPICAL GARDEN STYLE APARTMENT GROUND FLOOR PLAN</p> <p>Sheet No. A14</p>	
<p>CLIENT INFORMATION</p> <p>Project Name: ZONNO RESIDENTIAL or PRINCETON COMMONS</p> <p>Site Location: 16750 N.W. 27th Avenue, Doral, FL 33126</p>		<p>DESIGNER INFORMATION</p> <p>Company: [Signature]</p> <p>Address: [Address]</p> <p>Phone: [Phone]</p> <p>Fax: [Fax]</p> <p>Website: [Website]</p>	

75

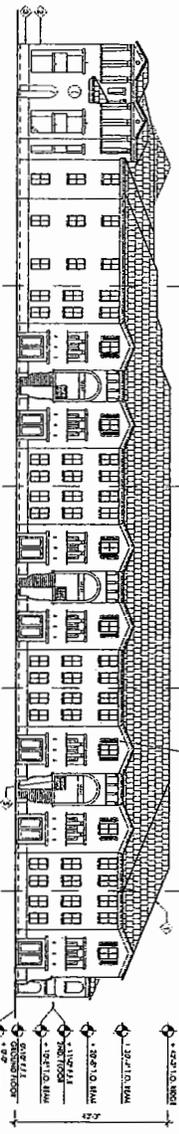
SEP 30 2011

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



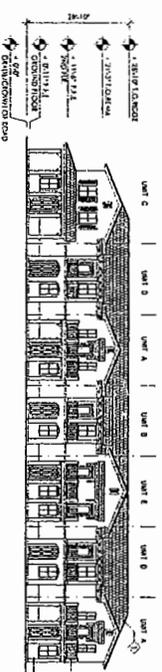
TYPICAL GARDEN STYLE APARTMENTS: FULL BAY END UNIT
MULTI-FAMILY UNITS A, B, C AND D MAY BE SUBSTITUTED WITH UNITS H, I, J, K, L AND M.
BUILDING ELEVATION WILL VARY DEPENDING ON FINAL UNIT DETERMINATION.

1 SIDE ELEVATION
SCALE 1/8" = 1'-0"

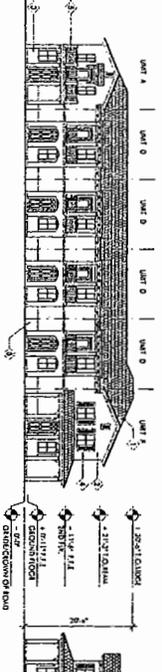


TYPICAL GARDEN STYLE APARTMENTS: HALF BAY END UNIT
MULTI-FAMILY UNITS A, B, C AND D MAY BE SUBSTITUTED WITH UNITS H, I, J, K, L AND M.
BUILDING ELEVATION WILL VARY DEPENDING ON FINAL UNIT DETERMINATION.

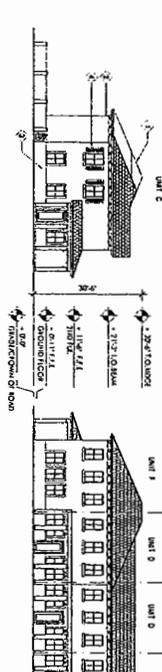
2 STREET ELEVATION (REAR ELEVATION SIMILAR)
SCALE 1/8" = 1'-0"



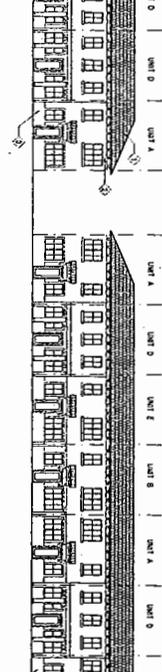
3 TYPICAL TOWNHOUSE UNITS A-F
FRONT ELEVATION
SCALE 1/8" = 1'-0"



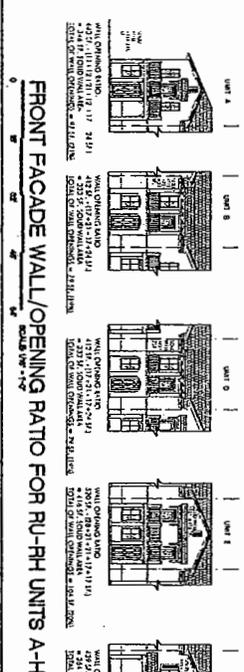
4 TYPICAL TOWNHOUSE UNITS A-F
SIDE ELEVATION
SCALE 1/8" = 1'-0"



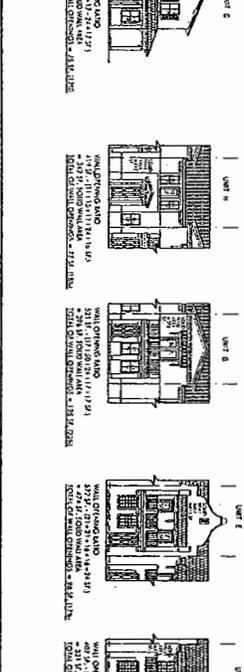
5 TYPICAL TOWNHOUSE UNITS A-F
SIDE ELEVATION
SCALE 1/8" = 1'-0"



6 TYPICAL TOWNHOUSE UNITS A-F
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 MASQUIL, INC. ALL RIGHTS RESERVED.

NO.	SYMBOL	DESCRIPTION
1	(Symbol)	TILT TOP
2	(Symbol)	SMOOTH SHAPED
3	(Symbol)	TERRAZZO FINISH
4	(Symbol)	ALUMINUM

PROJECT NAME: ZONING SUBMITTAL FOR PRINCETON COMMONS

PROJECT NO: 2009

DATE: 08/11/10

DRAWN BY: MCL

CHECKED BY: [Signature]

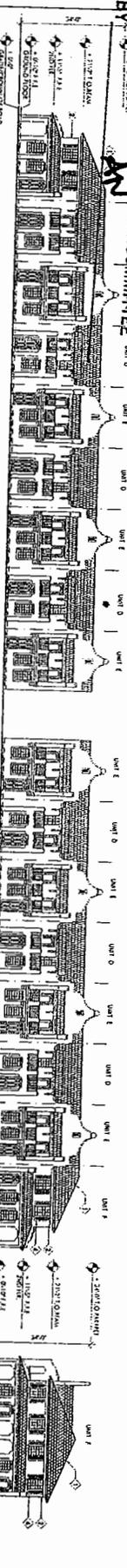
DATE PLOTTED: 8/11

DRAWING TITLE: ELEVATIONS

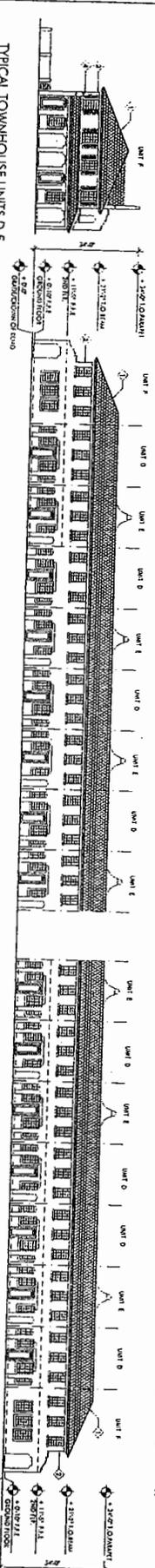
SHEET NO: A21

SEP 3 0 2011

MISSISSIPPI COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

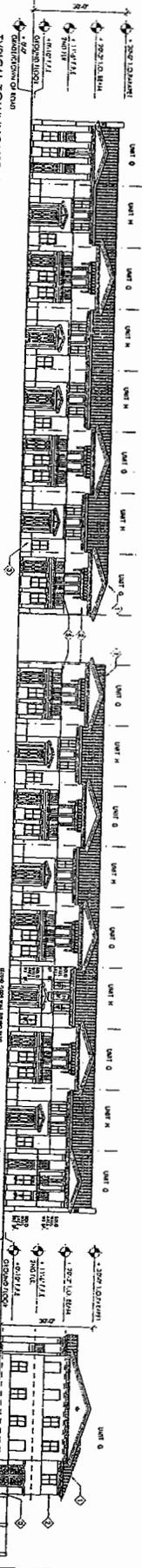


1
TYPICAL TOWNHOUSE UNITS D-F
FRONT ELEVATION
SCALE 1/8" = 1'-0"

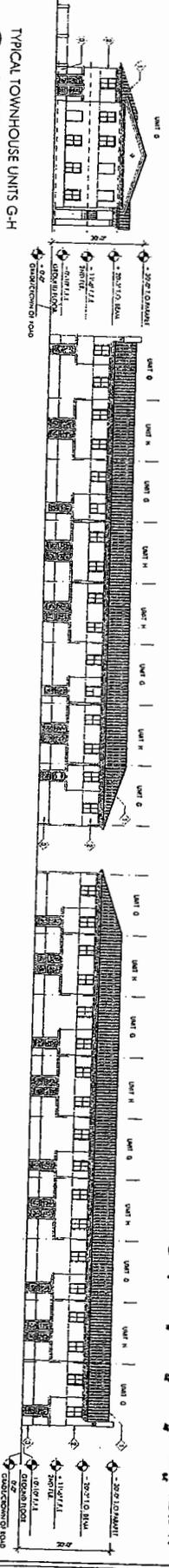


2
TYPICAL TOWNHOUSE UNITS D-F
SIDE ELEVATION
SCALE 1/8" = 1'-0"

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



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



5
TYPICAL TOWNHOUSE UNITS G-H
SIDE ELEVATION
SCALE 1/8" = 1'-0"

6
TYPICAL TOWNHOUSE UNITS G-H
REAR ELEVATION
SCALE 1/8" = 1'-0"

ELEVATION KEY NOTES

SYMBOL	DESCRIPTION
(Symbol)	WOOD SHAKES
(Symbol)	TRIMMINGS
(Symbol)	RECESSED JOINTS
(Symbol)	UNIT MARKING

NOTE: ELEVATIONS REPRODUCED COURTESY OF FACILITY REZ. REDEVELOPMENT ASSOCIATES. ALL RIGHTS RESERVED.

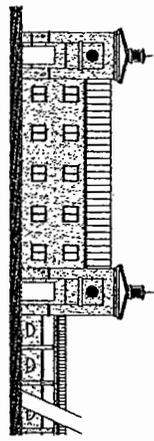
<p>CLIENT/OWNER 1200 N. Main St., Suite 100 St. Louis, MO 63103 Tel: 314.433.1234</p>	<p>Project Name: ZONING SUBMITTAL FOR PRINCETON COMMONS 1200 N. Main St., Suite 100 St. Louis, MO 63103</p>	<p>Project No.: 200 Scale: 1/8" = 1'-0" Date: 08/21/11 Drawn by: MJC/CS Checked by: MJC/CS Prod. File: 027 Drawing Title:</p>	<p>DATE: 8/21/11 BY: MJC/CS APPROVED:</p>	<p>DATE: 8/21/11 BY: MJC/CS APPROVED:</p>
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RECEIVED
 MIAMI-DADE COUNTY
 PROCESS # 220-008
 DATE FEB 26 2009
 BY ZALG

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

INDEX OF DRAWINGS

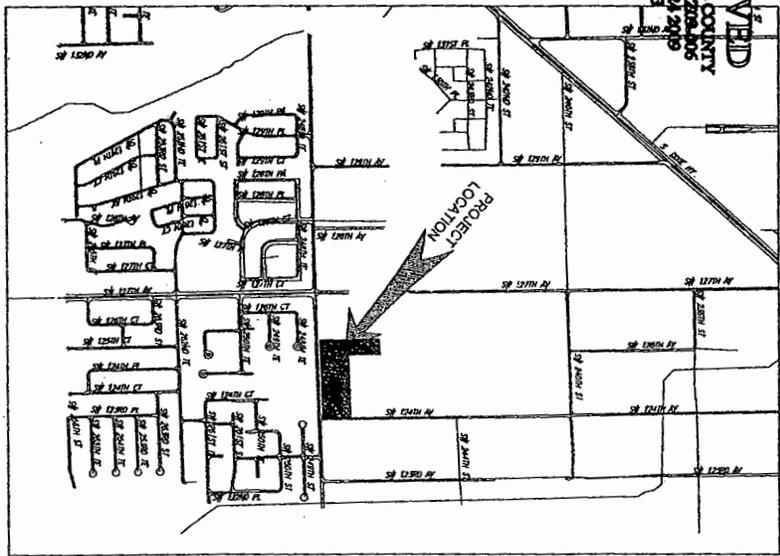
- ARCHITECTURAL
- A-1 LOCATION MAP & ZONING DATA
 - A-1A PARKING DETAILS & GENERAL ROAD TAPERING DIAGRAM
 - A-2 PROPOSED SITE PLAN
 - A-3 PHASE-I BLDG. 1st & 2nd FLOOR PLANS
 - A-4 PHASE-II BLDG. 1st & 2nd FLOOR PLANS
 - A-5 PROPOSED ELEVATIONS
 - A-6 PROPOSED ELEVATIONS
 - A-7 GENERAL SITE DETAILS
-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

ARCHITECT
CIVICA
 INC. 305.593.9869 3333 NW 12th St. Suite No. 200, Doral, FL 33126 INC. 305.593.9865

REVISION
 08/17/09 PUBLIC WORKS MEETING

RECEIVED
 MEAD-DODD COUNTY
 PROCESS # 2004-19
 DATE SEP 21 2004
 BY 12463

1 LOCATION MAP
 A-1



PROPOSED USE: EDUCATIONAL	K-13 (MIDDLE/JUNIOR SCHOOL)
ZONING DISTRICT: M/100	(1,146 STUDENTS)
NET AREA: 41,238 SQ. FT.	NET AREA: 114,139 SQ. FT.
NET AREA: 41,238 SQ. FT.	NET AREA: 114,139 SQ. FT.
LOT COVERAGE: (40% MAX ALLOWED) 16,500 SQ. FT.	LOT COVERAGE: (40% MAX ALLOWED) 16,500 SQ. FT.
Building Foot Print Provided: 16,500 SQ. FT.	Building Foot Print Provided: 16,500 SQ. FT.
Building Foot Print Allowed: 16,500 SQ. FT.	Building Foot Print Allowed: 16,500 SQ. FT.
TOTAL COVER: 16,500 SQ. FT. (100% Lot Cover)	TOTAL COVER: 16,500 SQ. FT. (100% Lot Cover)
FLOOR AREA RATIO:	FLOOR AREA RATIO:
Allowable: 0.15 F.A.R. (of Net Area) = 6,186 SQ. FT.	Allowable: 0.15 F.A.R. (of Net Area) = 6,186 SQ. FT.
Provided: 16,500 SQ. FT. (267% of Allowable)	Provided: 16,500 SQ. FT. (267% of Allowable)
FULL BLDG: 16,500 SQ. FT. (100% of Allowable)	FULL BLDG: 16,500 SQ. FT. (100% of Allowable)
Total Provided: 112,000 SQ. FT. = 607 F.A.R. (vs. 0.15 F.A.R. Max. of zoning)	Total Provided: 112,000 SQ. FT. = 607 F.A.R. (vs. 0.15 F.A.R. Max. of zoning)
OPEN SPACE	OPEN SPACE
Required: 11,170 SQ. FT. (27%)	Required: 11,170 SQ. FT. (27%)
Provided: 11,170 SQ. FT. (27%)	Provided: 11,170 SQ. FT. (27%)
NUMBER OF TREES	NUMBER OF TREES
REQUIRED: 24 TREES PER ACRES = (STREET TREES) 247 TREES	REQUIRED: 24 TREES PER ACRES = (STREET TREES) 247 TREES
PROVIDED: 247 TREES	PROVIDED: 247 TREES
BUDGET:	BUDGET:
Allowable: 1,100,000	Allowable: 1,100,000
Provided: 1,100,000	Provided: 1,100,000
STREETS:	STREETS:
Required: 12th Street	Required: 12th Street
Provided: 12th Street	Provided: 12th Street
Water Slide	Water Slide
Required: 12th Street	Required: 12th Street
Provided: 12th Street	Provided: 12th Street
Signage	Signage
Required: 12th Street	Required: 12th Street
Provided: 12th Street	Provided: 12th Street

BASED ON ALL definitions with Building codes and zoning as applicable as to be required by the provisions of Chapter 31-17 of the Mead-Dodd Zoning Ordinance.

ELEVATION NOTE:

ALL ROOF DECOMPARATIVE LANTERNS AND ADJACENT TOWERS SHALL BE EXEMPT FROM THE 3'-0" HEIGHT RESTRICTIONS AS PER SECTION 31-17 OF THE MEAD-DODD COUNTY ZONING ORDINANCE (11/17).

SOURCE NOTE:

1. The floor area shown is based on a 100% assumption. The actual floor area may vary depending on the actual construction of the building.

TRACES:

Site Section: 33-16.18 (0), and Planning Department for additional requirements (12th Street).

A. 28 trees are required per net acre. Trees required: 227

B. 10 shrubs are required for each tree required. Shrubs required: 2,270

C. Lawn area is square feet provided (exclusive of organized sports / play area): 16,500 SF

18

PROJECT NAME: CIVICA
 8015 HWY 200 N
 SUITE 100
 MEAD, IDAHO 83401

OWNER: COUNTRY PALMS AT SOMERSET ACADEMY

SCHOOL: DEVELOPMENT HC, LLC

CIVIC PROJECT NO: 2004-19

ISSUED FOR: D/C APPROVAL No. 04-404

DATE: 09/21/04

BY: [Signature]

PROJECT NO: 2004-19

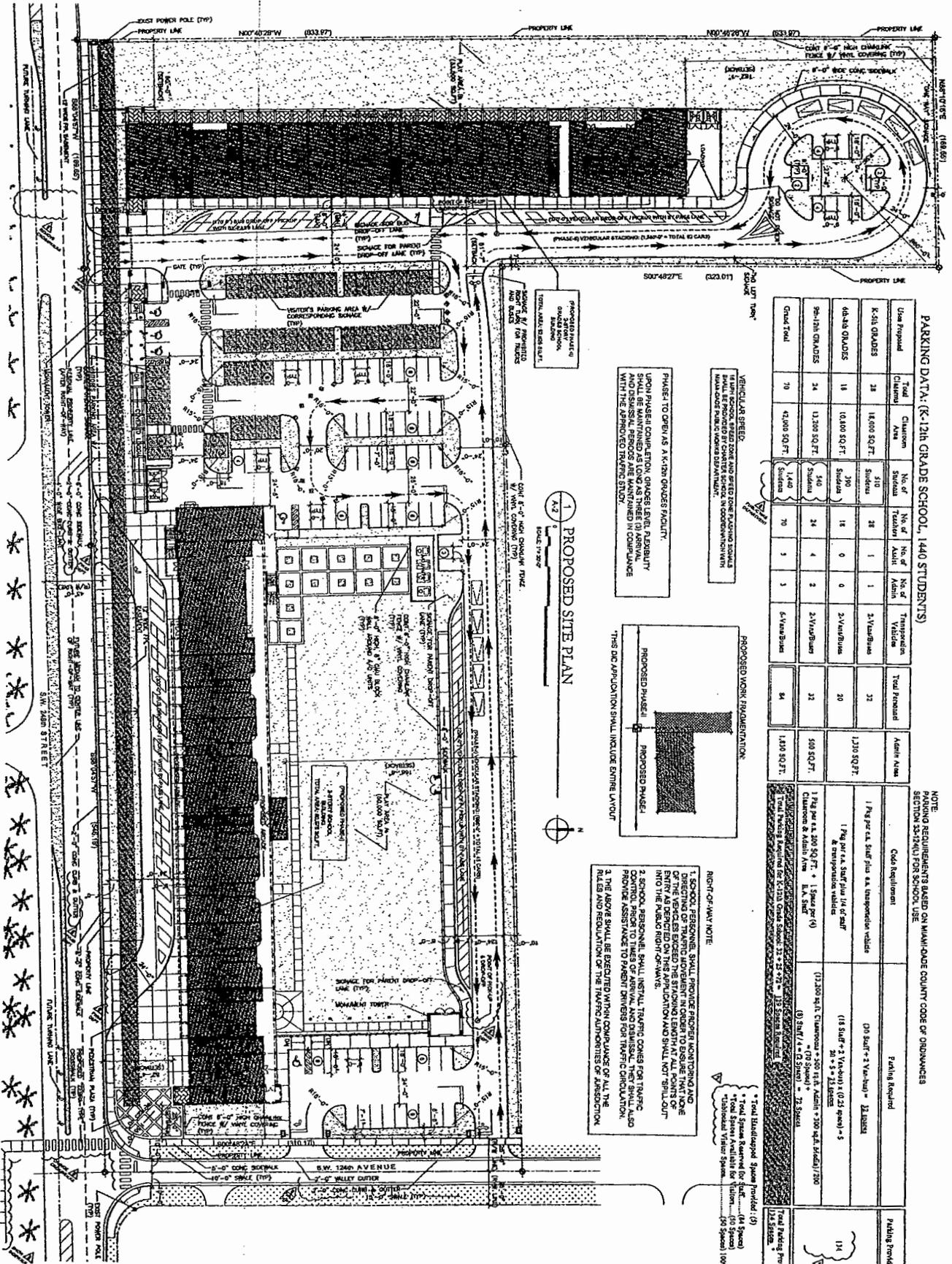
DATE: 09/21/04

BY: [Signature]

PROJECT NO: 2004-19

DATE: 09/21/04

BY: [Signature]

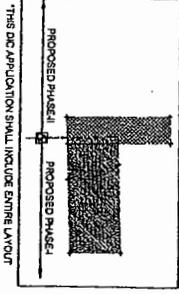


PARKING DATA: (K-12th GRADE SCHOOL, 1440 STUDENTS)

Use Proposed	Total	Classroom Area	No. of Students	No. of Teachers	No. of Adults	No. of Admin.	No. of Visitation	Total Proposed	Admin Area
K-5th GRADES	28	16,000 SQ. FT.	416	28	1	1	3 Visitation	23	1,210 SQ. FT.
6th-8th GRADES	16	10,400 SQ. FT.	390	16	0	0	3 Visitation	20	1,210 SQ. FT.
9th-12th GRADES	24	13,200 SQ. FT.	540	24	4	2	3 Visitation	32	500 SQ. FT.
Grand Total	70	42,000 SQ. FT.	1,440	70	5	3	6 Visitation	84	1,400 SQ. FT.

VEHICULAR STREETS:
IF LANE SCHOOL, STREETS AND STREETS ZONE PLANNING SHOULD BE PROVIDED TO COMPLETE SCHOOL IN CONFORMANCE WITH THE DEFINED TRAFFIC STUDY.

PHASE I TO BE USED AS A KITCHEN GRADES FACILITY.
UPON PHYSICAL COMPLETION, GRADES LEVEL, DURABILITY SHALL BE MAINTAINED AS LONG AS THREE (3) ANNUAL AND DISMISSAL PERIODS ARE MAINTAINED IN COMPLIANCE WITH THE DEFINED TRAFFIC STUDY.



PROPOSED SITE PLAN

RIGHT-OF-WAY NOTE
1. SCHOOL PERSONNEL SHALL PROVIDE PROPER LIGHTING AND DIRECTING OF TRAFFIC MOVEMENT IN ORDER TO ENSURE THE SAFETY OF THE VEHICLES STOPPED IN THE STATIONING LENGTH AT ALL POINTS OF ENTRY OR EXIT TO THE SITE.
2. SCHOOL PERSONNEL SHALL INSTALL TRAFFIC CONES FOR TRAFFIC CONTROL AND DISMISSAL. THESE SHALL ALSO PROVIDE ASSISTANCE TO PARENTS DURING VISITATION PERIODS.
3. THE ABOVE SHALL BE EXECUTED WITHIN COMPLIANCE OF ALL THE RULES AND REGULATIONS OF THE TRAFFIC ADMINISTRATION OF ASSOCIATION.

NOTE:
PARKING REQUIREMENTS BASED ON MIAMI-DADE COUNTY CODE OF ORDINANCES SECTION 22-12(4)(U) FOR SCHOOL USE.

Code Requirement	Parking Required	Parking Provided
1 Pkg per 400 sq. ft. for bus & transportation vehicle	00 Buses + 3 Vans = 33 Buses	
1 Pkg per 400 sq. ft. for car & transportation vehicle	(18 Buses + 3 Vans) (0.25 space) = 5 Buses + 3 Vans = 22 Buses	
1 Pkg per 400 sq. ft. for car & transportation vehicle	(1200 sq. ft. Classroom + 300 sq. ft. Admin + 300 sq. ft. Bus) / 200 sq. ft. = 3 Buses + 3 Vans = 23 Buses	
Total Parking Required for K-12th Grade School: 22 + 22 + 23 = 67 Buses Required		
Total Parking Provided:		67 Buses

ISSUED FOR:
DIG
APPROVAL
No. 04-404

CIVIC PROJECT No. 2004-19

SCHOOL DEVELOPMENT H.C. ILC

OWNER: COUNTRY PALMS AT COUNTRY PALMS

PROJECT NAME: COUNTRY PALMS SOWERSBET ACADEMY

ADDRESS: 5810 SW 28th St, Miami, FL 33155

DATE: 09/17/2008

SCALE: AS SHOWN

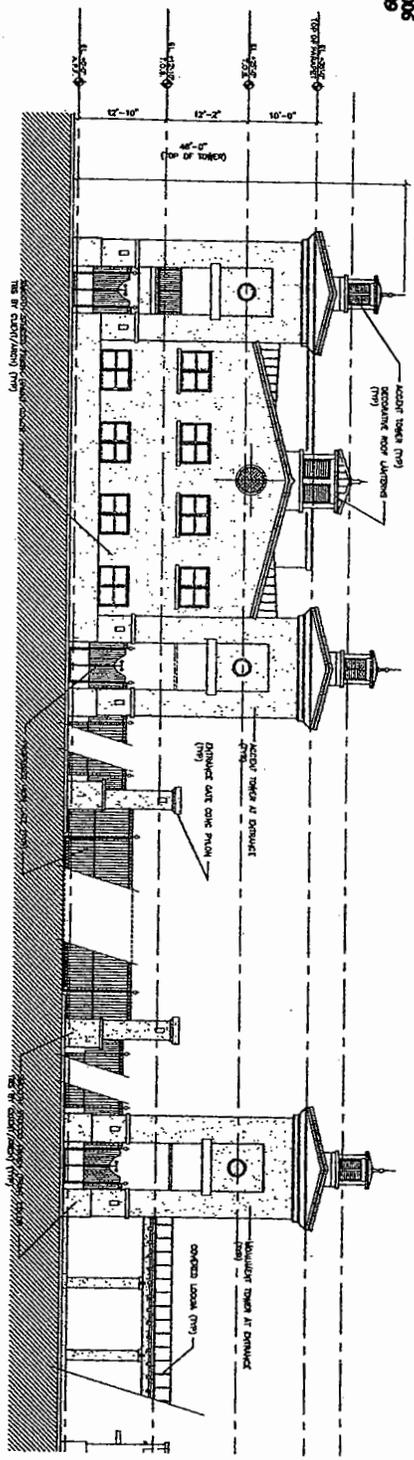
PROJECT NUMBER: A-2

PROPOSED SITE PLAN

DATE: 09/17/2008

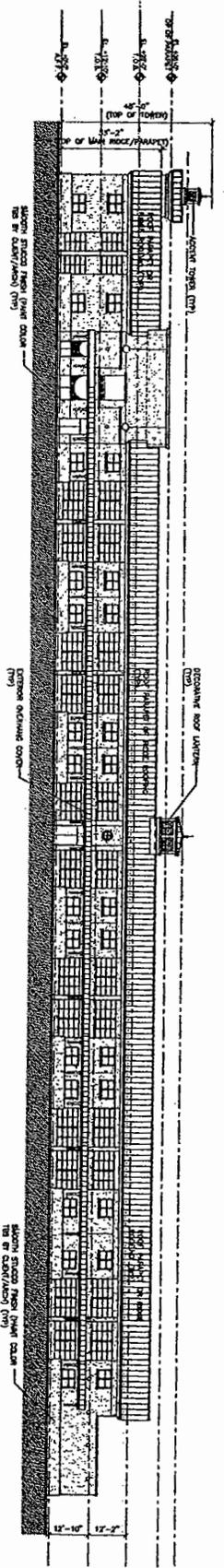
PROJECT NUMBER: A-2

RECEIVED
 MIAMI-DADE COUNTY
 PROCESS # 209-006
 DATE SEP 24 2009
 BY: ZAKG



1
 PROPOSED SOUTH ELEVATION W/ ENTRANCE TOWERS (PHASE I)

EXPLANATION
 ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED SHALL BE IN FEET AND INCHES TO THE NEAREST 1/8".
 DIMENSIONS OF THE BUILDING SHALL BE AS SHOWN ON THE ARCHITECTURAL DRAWINGS.



2
 PROPOSED EAST ELEVATION (PHASE II)

ADDITION

CIVICA
 5010 SW 104th St
 Miami, FL 33156
 Tel: 305.706.1500

PROJECT NAME
 SOMERSET
 ACADEMY

OWNER
 COUNTRY PALMS
 AT
 4501 SW 104th Street
 Miami, Florida

SCHOOL
 DEVELOPMENT HC,
 LLC

DATE OF PRELIMINARY APPROVAL
 2004-19

ISSUED FOR
 D.C.
 APPROVAL
 No. 04-04

No.	DATE	REVISION	BY

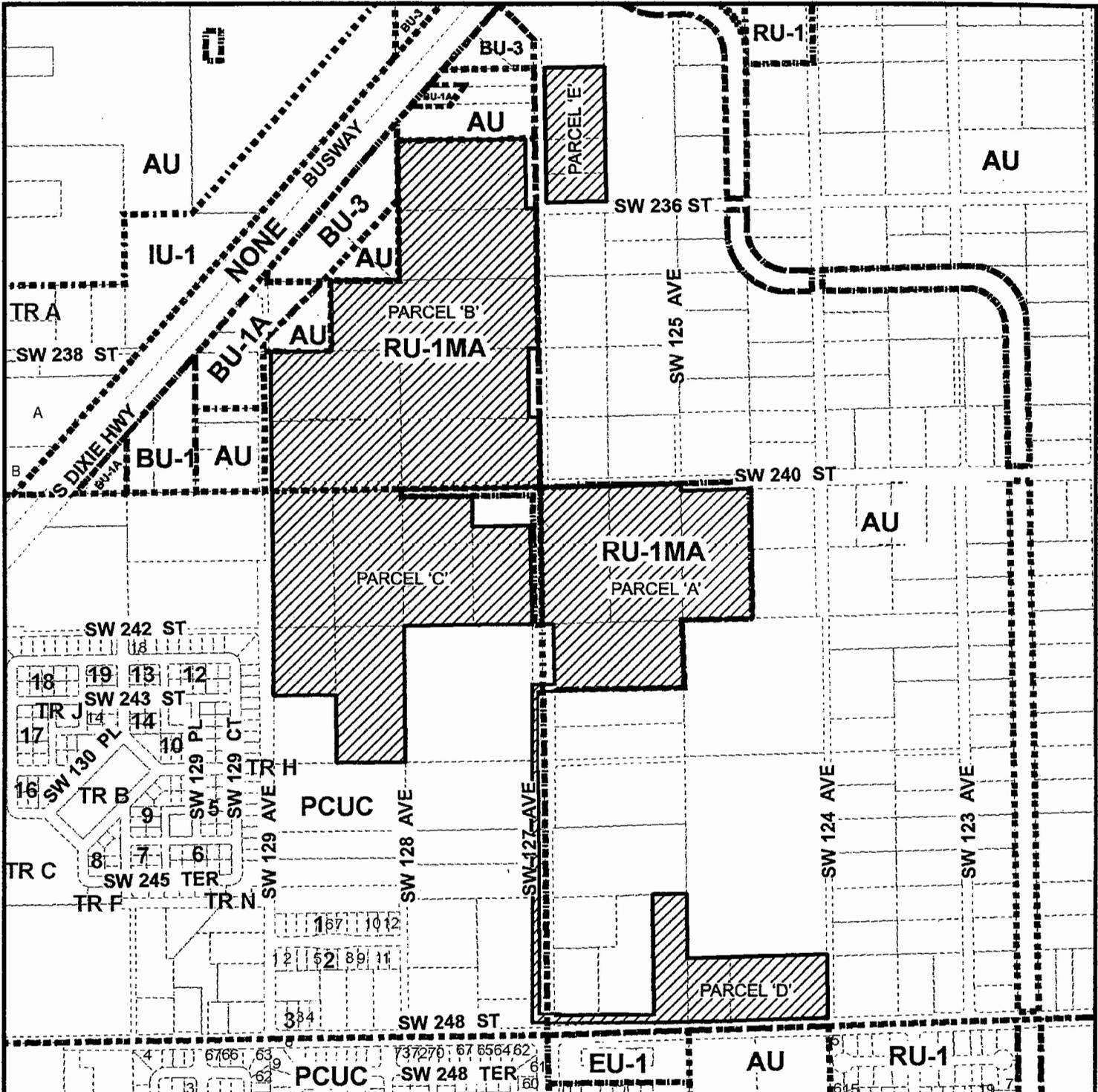
DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]
 SCALE: [Scale]

DATE: 08/17/2009
 DRAWING: 04-04-04

PROJECT NAME
 SOMERSET
 ACADEMY

SHEET TITLE
 PROPOSED
 BUILDING
 ELEVATIONS

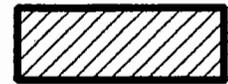
85



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
09-006

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



SUBJECT PROPERTY

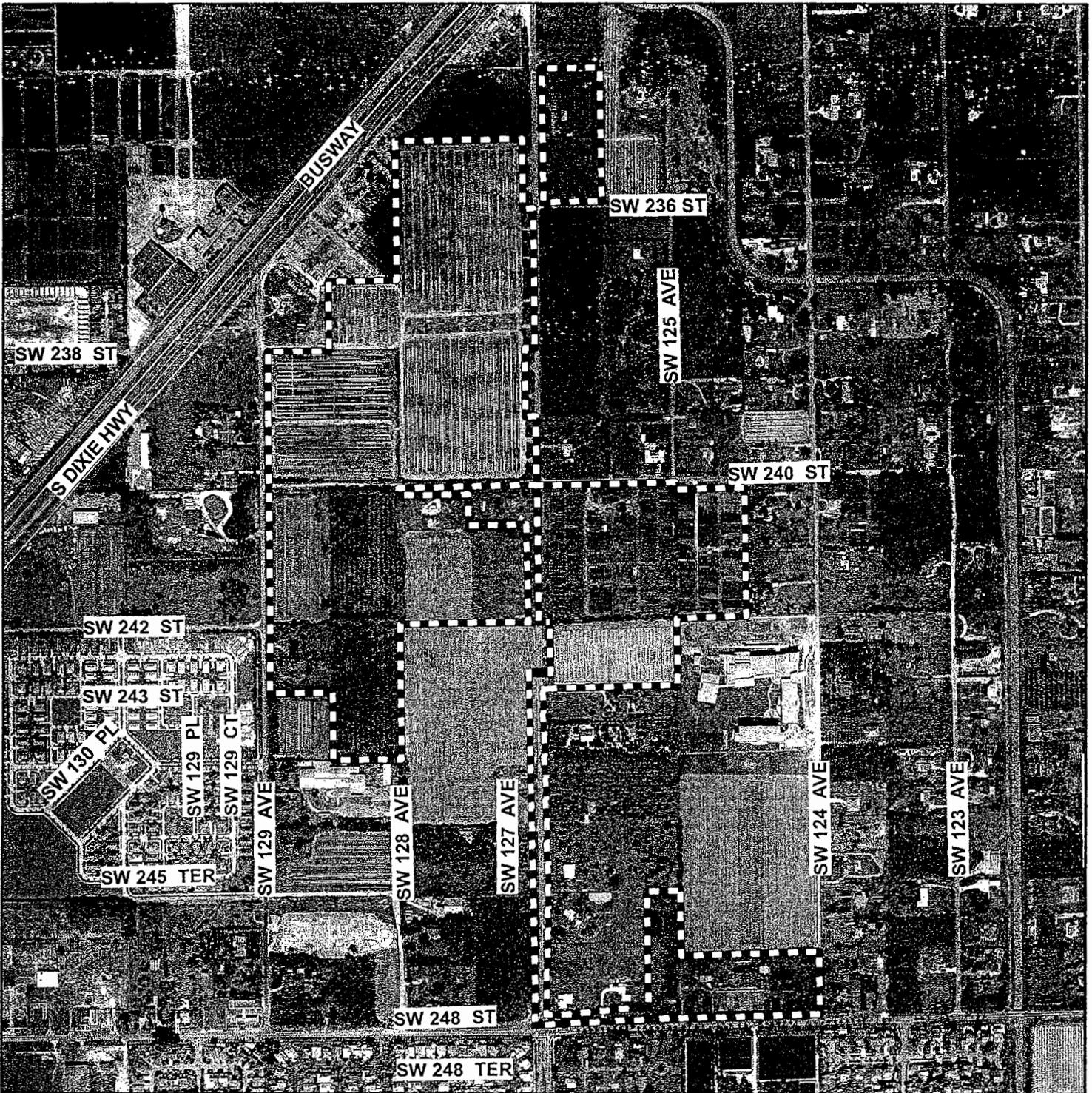


87



SKETCH CREATED ON: 01/27/09

REVISION	DATE	BY
PARCEL'S LABELS NEW LABELS 'C' & 'D' CDMP MAP ADDED	09/24/09 11/24/09 7/11/2011	AFT AFT JGURD



MIAMI-DADE COUNTY
AERIAL YEAR 2008

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



SUBJECT PROPERTY



SKETCH CREATED ON: 01/27/09

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

PLANNING AND ZONING
AGENDA OFFICE

2011 DEC 13 A 11:07

BCC — January 26, 2011

Item #A — 209-006

Princeton Land Investments LLC &
Country 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 "Princeton Commons" prepared by Chisholm Architects, Inc., consisting of twenty-nine (29) sheets, dated stamped received September 30, 2011 (the "Development Plans") said plans being on file with the Miami-Dade County Department of Sustainability, Planning & Economic Enhancement, and by reference made a part of this agreement.

2. Total Residential Density/Compliance with CDMP Covenant. In no event shall the Property be developed with more than 1,123 residential units. All development on the Property shall be consistent with the Declaration of Restrictions recorded at Official Record Book 24467, Page 3255 - 3267 of the Public Records of Miami-Dade County, which was proffered as part of Application No. 22 of the April 2005 Comprehensive Development Master Plan ("CDMP") Amendment Cycle.

(Public Hearing)

(Space reserved for Clerk)

3. Public Park(s). The Owner voluntarily agrees to offer to convey two public parks on the Property to Miami-Dade County. The combined total size of the park areas shall be two (2) 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 Parks, Recreation and Open Spaces 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.

(Space reserved for Clerk)

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, Recreation and Open Spaces 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 following: (a) the park on Parcel A shall be completed prior to the issuance of the 150th building permit for a residential unit on the Parcel; and (b) the park on Parcel B shall be completed prior to the issuance of the 200th building permit for a residential unit on the Parcel.

If the County accepts the proffered park area donations, the funding for the improvement and perpetual maintenance of the park areas shall be through 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 through 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

(Space reserved for Clerk)

County as reported by the U.S. Department of Housing and Urban Development (HUD) and as maintained by the Department of Sustainability, Planning & Economic Enhancement 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 1,058 unrestricted dwelling units, which may include market-rate dwelling units;

(c) WHUs may be offered for sale or lease;

(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	2014
331 - 660	2016
661 - 990	2018
991 - 1,123	2020

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;

(Space reserved for Clerk)

(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 Sustainability, Planning & Economic Enhancement. 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 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.

(Space reserved for Clerk)

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.

6. Tree Resources. That during the permitting process for development on the Property, the Owner shall 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.

7. 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.

8. 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)

9. 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.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Permitting Environment and Regulatory Affairs, 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.

(Space reserved for Clerk)

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 Department of

(Space reserved for Clerk)

Permitting Environment and Regulatory Affairs 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]

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

PLANNING AND ZONING
AGENDA OFFICE

2011 DEC 13 A 11:07

BCC — January 26, 2011
Item #A — Z 09-006
Princeton Land Investments LLC &
Country Palm Holdings, LLC

This instrument was prepared by:

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

Part 2 of 2

(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 stamped September 24, 2009 (the "Development Plans") said plans being on file with the Miami-Dade County Department of Sustainability, Planning & Economic Enhancement, and by reference made a part of this agreement.

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

3. **Operation of Charter School.** The operation of the charter school on the Property shall be subject to the following requirements, as also shown on the Traffic Operation Plan attached as Exhibit "B":

a) The charter school shall be limited to a maximum of 1,440 K-12 students.

(Public Hearing)

(Space reserved for Clerk)

- 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.
- c) There will be three staggered arrival times and three staggered dismissal times for students as follows:
 - 1) The Phase 1 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. The shifts shall be at least thirty (30) minutes apart.
 - 2) The Phase 2 building, as depicted on the Development Plans, will operate with one shift with a maximum number of 640 K-12 students. The shift shall be at least thirty (30) minutes apart from either of the Phase 1 shifts.
- d) Properly trained personnel shall be posted adjacent to and within the site during the school arrival and 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 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 14, 2011, 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.
- j) The arrival and dismissal circulation shall be consistent with Sheet A.2.A of the

(Space reserved for Clerk)

Development Plans.

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:

(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

(Space reserved for Clerk)

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.

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 Permitting Environment, and Regulatory Affairs, 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.

(Space reserved for Clerk)

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.

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

(Space reserved for Clerk)

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 Department of Sustainability, Planning & Economic Enhancement 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]

Exhibit A -- LEGAL DESCRIPTION

PARCEL "D"

PARCEL ONE:

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, Section 24, Township 56 South, Range 39 East, lying and being in Miami-Dade County, Florida.

AND

PARCEL TWO:

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 Section 24, Township 56 South, Range 39 East, lying and being in Miami-Dade County, Florida.

AND

PARCEL THREE:

The S 11.34 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, Section 24, Township 56 South, Range 39 East, lying and being in Miami-Dade County, Florida.

TRAFFIC OPERATIONS PLAN

SOMERSET ACADEMY AT COUNTRY PALMS

MIAMI-DADE COUNTY, FL



Prepared for
Civica, LLC

Prepared by:
Kimley-Horn and Associates, Inc.
Suite 200
1920 Wekiva Way
West Palm Beach, FL 33411

561.845.0665 TEL
561.863.8175 FAX



Kimley-Horn
and Associates, Inc.

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INTRODUCTION

Kimley-Horn and Associates, Inc. has prepared a Traffic Operations Plan (TOP) for the proposed Somerset Academy at Country Palms charter school, which is to be located at the northwest corner of SW 124th Avenue & SW 248th Street in Miami-Dade County, Florida. The proposed facility will have an enrollment of 1,440 students in grades K through 12. This TOP has been prepared to address the school arrival and dismissal schedule, the vehicular pick-up/drop-off queuing route and operations, allocation of parking on site, and provision of accommodations for buses, bicyclists and pedestrians. The information provided in this summary is based upon the requirements listed by the Miami-Dade County Public Works Department (MDCPWD).

SCHOOL OPERATIONS

SCHOOL SCHEDULE

The school is proposed to operate with three shifts: two shifts for the Phase 1 building, neither of which may exceed 535 students, and one for the Phase 2 building, which will not exceed 640 students. Each shift will be staggered at a minimum interval of 30 minutes. The schedule in Table 1 below lists potential starting and ending times of the shifts and the anticipated number of students arriving or being dismissed during each shift.

TABLE 1 SOMERSET ACADEMY (COUNTRY PALMS) PROPOSED SHIFT SCHEDULE		
School Shifts	Arrival/Dismissal Times	Maximum Number of Students
Shift 1, 9 – 12 (Phase 2 bldg)	7:30 AM to 2:30 PM	540 *
Shift 2 K – 5 (Phase 1 bldg)	8:00 AM to 3:00 PM	510 **
Shift 3 6 – 8 (Phase 1 bldg)	8:30 AM to 3:30 PM	390 **
	Total	1,440 ***

* Represents anticipated number of students for planning purposes; maximum allowed is 640 students

** Represents anticipated number of students for planning purposes; maximum allowed is 535 students

*** Maximum enrollment will not occur in all three shifts because overall school enrollment is capped at 1,440 students

VEHICULAR PICK-UP AND DROP-OFF

As illustrated on the site plan prepared by Civica, LLC, the vehicle queuing route for the Phase 1 building has a queuing length of approximately 995 feet. This length can accommodate 45 vehicles based upon a length of 22 feet required per vehicle for planning purposes. The vehicular queue begins at the southwestern site driveway, proceeds northward and then eastward along the north side of the site to the passenger loading area. Approximately 290 feet is provided for student pick-up and drop-off, which can accommodate 13 vehicles. These vehicles then exit the site via the southwestern site driveway. This route is shown in blue on the

attached Figure 1A. Additionally, 50 parking spaces are provided for parent/visitor vehicles. These parking spaces are accessed via the southwestern site driveway.

As illustrated on the site plan prepared by Civica, LLC, the vehicle queuing route for the Phase 2 building has a queuing length of approximately 1,380 feet. This length can accommodate 62 vehicles based upon a length of 22 feet required per vehicle for planning purposes. The vehicular queue begins at the eastern site driveway, proceeds westward along the north side of the site, then proceeds northward to a cul-de-sac within the site and then proceeds southward to the passenger loading area. Approximately 370 feet is provided for student pick-up and drop-off, which can accommodate 16 vehicles. These vehicles then exit the site via the southwestern site driveway. This route is shown in red on the attached Figure 1B. Additionally, 50 parking spaces are provided for parent/visitor vehicles. These parking spaces are accessed via the southwestern site driveway.

Pavement width of 24 feet is provided in the direction of the vehicular queue for both buildings except for a small portion in the northbound direction of travel for the Phase 2 building adjacent to the southbound pick-up/drop-off area.

To reinforce the travel patterns on site, it is proposed to place cones and station school personnel at locations generally shown in Figures 1A and 1B. The Applicant shall supply the 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. Access to the onsite loading facilities shall be open a minimum of 45 minutes prior to all arrival and dismissal time(s).

BUS OPERATIONS

The Phase 1 building has a one-way westbound bus pick-up/drop off area accessed from SW 248th Street that has 300 feet of vehicle storage. For planning purposes, this can accommodate up to 6 full-sized buses.

The Phase 2 building has a bus pull-off area internal to the site that is accessed by the southbound drive aisle adjacent to the building. This bus bay has 170 feet of storage, which can accommodate up to 3 full-sized buses.

PEDESTRIAN OPERATIONS

Because of the residential characteristic of the surrounding area, a portion of the student population will be walking to the school site. A continuous pedestrian sidewalk route is provided along the perimeter of the site that is adjacent to public rights-of-way. The sidewalk ties into the internal pedestrian network within the site to create a continuous route for students walking to and from the school building. The site plan also illustrates that these connect to crosswalks at the intersection of SW 248th Street & SW 124th Avenue.

ADDITIONAL INFORMATION

The school operations described herein, including placement of cones, proposed flow of various components of site traffic, proposed location of school personnel, may need to be adjusted in the future to respond to specific on-site conditions. The school reserves the right to make modifications to this plan in coordination with Miami-Dade County Public Works as needs arise.

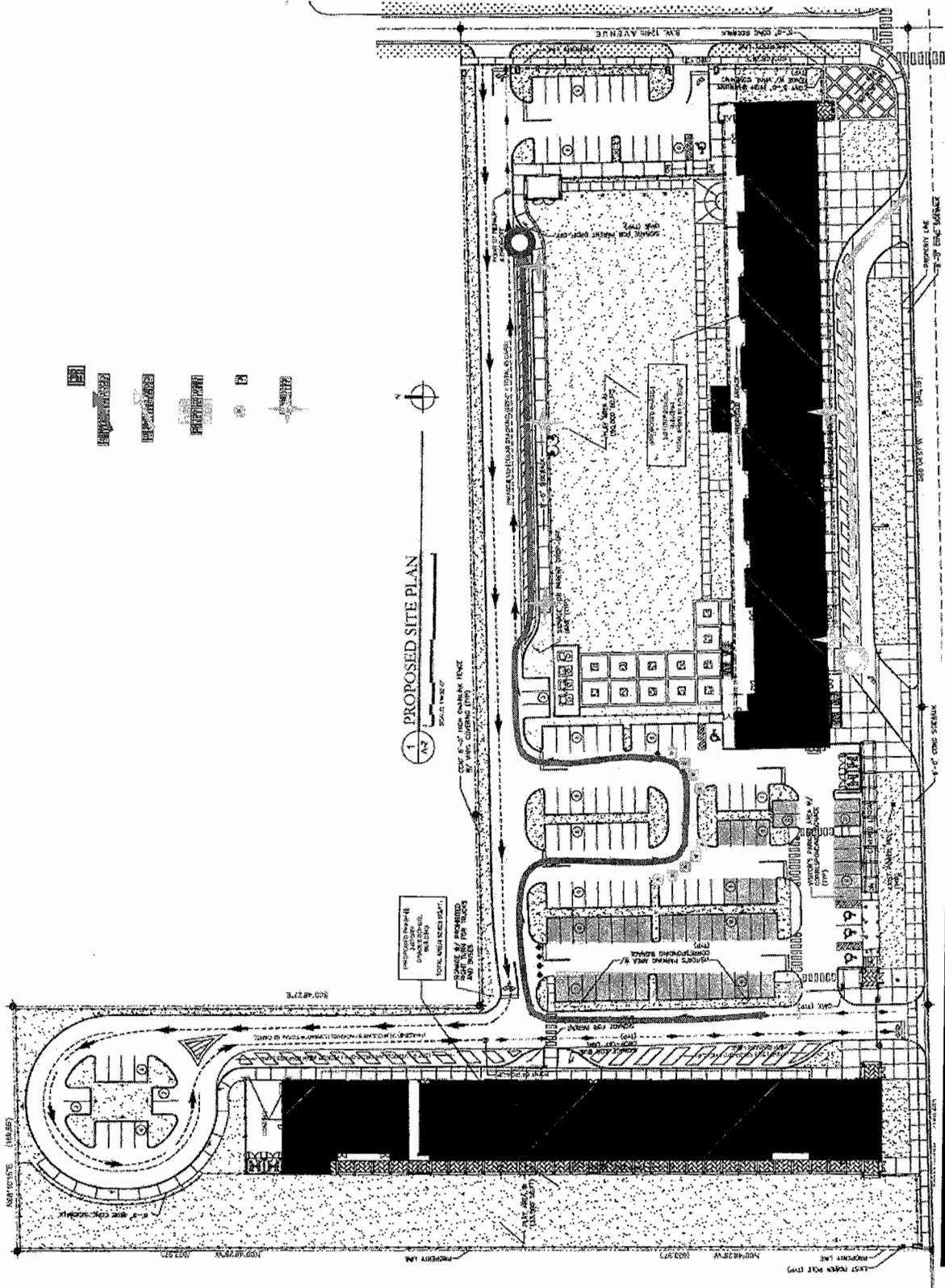
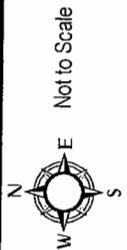


FIGURE 1A
PHASE 1 BUILDING
PARKING AND QUEUING

SOMERSET ACADEMY - COUNTRY PALMS
CHARTER SCHOOL

Kimley-Horn
 and Associates, Inc.



B. THE DEPARTMENT OF PLANNING & ZONING
(Applicant)

08-11-CC-1 (07-415)
BCC/District 8, 9
Hearing Date: 01/26/12

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:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
No History				

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: 5/6/10

#Z-

ITEM: B

APPLICANT: THE DEPARTMENT OF PLANNING AND
ZONING (08-11-CC-1/07-415)

MOTION: Indefinite deferral of the application.

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				X
Souto		X		
Vice Chairman Diaz				X
Chairman Moss	S	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: 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-**

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



Date: September 7, 2011
To: The Board of County Commissioners
From: Developmental Impact Committee
Executive Council
Subject: Developmental Impact Committee Recommendation

APPLICANT: Department of Planning and Zoning (Leisure City CUC Rezoning) (Z07-415)

SUMMARY OF REQUEST:

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 on September 7, 2011 and the attached Department memoranda were reviewed and considered by said Committee.

DIC RECOMMENDATION:

Approval.

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 Submitted,

DIC Executive Council
September 07, 2011

Giovannie Ulloa, Fire Chief
Miami-Dade Fire Rescue Department

Absent

Irma San Roman, Interim Director
Metropolitan Planning Organization Secretariat



AYE

Grisel M. Rodriguez, Assistant Director for Zoning
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

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



AYE

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

APPLICANT: The Department of Planning
and Zoning – Leisure City Community
Urban Center

PH: 07-415

SECTION: 33-56-39/04 & 05-57-39

DIC DATE: September 7, 2011

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 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 (50 units per acre); 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 the South Miami-Dade Busway, between S.W. 145 Avenue and S.W. 296 Street, Miami-Dade County, Florida.

o **SIZE:** Approximately 455 acres

o **IMPACT:**

The proposed district boundary change to the Leisure City Community Urban Center (LCCUC) will support the County's transit investment, provide additional housing and 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 (US1, SW 288th Street and SW 280th Street), which are corridors identified for higher densities and mixed-use development on the CDMP Land Use Plan.

Community Urban Centers (CUC) are compact, mixed-use, and pedestrian-friendly districts that 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 LCCUC area will become a place where people can live, work, and shop within a convenient walking distance while having easy 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 vehicle trips by providing mixed-use development. Increasing zoning densities immediately around transit stops will support the direct connection to the South Miami-Dade Busway. The proposed additional density within the LCCUC District is provided in a manner that promotes various housing types which is supported by the CDMP.

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 CDMP goals, objectives, policies and interpretative text:

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 quiet 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. Mass Transit Sub element Goal

Maintain, operate and develop a mass transit system in Miami-Dade County that provides efficient, convenient, accessible, and affordable service to all residents and tourists.

28. Objective MT-2

Coordinate the provision of efficient transit service and facilities with the location and intensity of designated future land use patterns as identified on the Land Use Plan Map, and the goal, objectives and policies of the Land Use Element.

29. Policy MT-2A

Transit system improvements shall be coordinated with, and support the staging and shaping of development as planned in the Land Use Element, through Miami-Dade County's transportation planning process.

30. Policy MT-2B

The area surrounding future rapid transit stations not yet sited and depicted on the Land Use Plan map shall be designed and developed, at a minimum, as community urban centers, containing land use and development designs that promote transit use as defined in the Land Use Element.

31. Objective MT-4

Provide convenient, accessible and affordable mass transit services and facilities.

32. Policy MT-4A

Miami-Dade County, with private sector assistance, shall provide mass transit service appropriate for the mix and intensity of development of urban centers identified in the Land Use Element.

33. Policy MT-4B

Miami-Dade County, with appropriate private sector contributions shall provide a network of regular and/or special services to facilitate access to major centers of employment, commercial, medical, educational, governmental, and recreational activity.

27. CDMP Interpretative Text - 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
<i>Regional Activity Centers</i>	<i>greater than 4.0 in the core not less than 2.0 in the edge</i>	500
<i>Metropolitan Urban Centers</i>	<i>greater than 3.0 in the core</i>	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.

28. CDMP Interpretative Text – Mixed-Use Development

Mixed-use development allows a mix of compatible uses in a high quality pedestrian-oriented street environment. This form of development includes permitted uses mixed within the same building (vertical) or in separate buildings on the same site or in the same block (horizontal). As stated in Policy LU-9U, the County will consider at a later time provisions for allowing horizontal mixed-use development in various land use categories. The section of this element, entitled "Urban Centers," addresses mixed-use development occurring within designated urban centers. The purpose of this section is to address the mixed-use projects that are to be located outside of the designated urban centers.

Vertical mixed-use development is hereby defined as the vertical integration of primary uses, with business and office uses located on the ground floor and residential and/or office uses on the upper floors. These mixed-use projects shall contain both residential and non-residential components, such as live-work spaces, neighborhood and specialty retail, convenience services, entertainment, other businesses providing for day-to-day

living needs, institutional and civic uses, and professional offices. The residential component must be at least 20 percent of the total floor area but no more than 75 percent of the total floor area. Hotels and apartment hotels, governmental offices, civic uses, and schools may be exempt from these mix requirements.

Vertical mixed-use development may be allowed within the Urban Development Boundary (UDB) in areas designated Residential Communities, with the exception of Estate Density and Low Density; Business and Office; and Office/Residential, provided that these areas are located in:

- 1. "Neighborhood activity nodes" of 40 gross acres which, as shown in Figure 2 of the Land Use Element, Generalized Neighborhood Development Pattern, are located at the intersections of section line roads; or*
- 2. Corridors with a maximum depth of 660 feet that are located along „Major Roadways“ as identified on the adopted Land Use Plan map; or*
- 3. Corridors designated as mixed-use corridors in an area plan that has been accepted by the Board of County Commissioners.*

Appropriate design standards are essential to ensure that the uses permitted in mixed-use developments are compatible with each other and adjacent properties and contribute to the character of the street and the surrounding community. A specific objective in designing mixed-use developments is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent uses. The exact residential density that can be achieved on a particular property will depend upon the intensity permitted, the average size of the residential units, the residential percentage of the project and land development regulations concerning building envelopes, parking and open space. Intensities are generally measured as floor area ratios (FARs), which for a particular property is the square footage of the buildings (not counting parking structures or covered pedestrian walkways that are open to the street), divided by the net land area of the parcel. The maximum intensities and densities shall be the greater of those provided in the table below or the maximum intensities and densities of the I-46 underlying land use designation. However, the entire development must fit within the building envelope established by the floor area ratio.

Mixed-Use Developments Located within:	Floor Area Ratio Range	Maximum Residential Density (dwelling units)
Major Corridors (Leisure City)	from 1.0 to 1.5	36
<i>Neighborhood Activity Nodes</i>	<i>from 0.75 to 1.0</i>	<i>18</i>

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:

ZONING

LAND USE PLAN DESIGNATION

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 subject property is located east of the South Miami-Dade Busway, 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, apartment buildings, 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(F) 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:

Aviation	No objection
DERM	No objection
Fire Rescue	No objection
Parks	No objection
Police	No objection
Public Works	No objection
Schools	No objection
Solid Waste	No objection
Transit	No objection
WASD	No objection

H. ANALYSIS:

Description of the District Boundary Change

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 Miami-Dade Busway. The CDMP designates most of the subject site for commercial and residential uses and is overlaid with a Community Urban Center (CUC) symbol.

All the area within the boundaries LCCUC will be regulated by plans and descriptive standards described in Ordinance #07-169. The LCCUC establishes six zoning land use sub-classifications and a maximum number of units for each classification: MM, Mixed-Use Main Street; MC, Mixed-Use Corridor; MO, Mixed-Use Optional; RM, Residential Modified; R, Residential; I, Institutional and ID, Industrial. This Ordinance also provides for

the allocation of development intensities within Core, Center and Edge districts. 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 has 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 Core portion of the district to allow for the development of highly compact urbanized areas along US1 and the Busway. 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. Depending on the size and design of a parcel height may limit buildable density.

New development in the LCCUC will also be interconnected through a network of tree-lined streets and sidewalks to improve pedestrian access to transit, jobs, shopping and entertainment. Open spaces in the form of squares, greens and/or plazas and criteria to reorient buildings to face onto open spaces and streets will be required as indicated in the Urban Center interpretative text of the adopted CDMP.

Implementation of the Leisure City/Naranja Lakes Charrette Area Plan

Approval of 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 Board of County Commissioners 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 close 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 anticipated LCCUC uses are well within the development limits of the CDMP. The CDMP residential densities are based on a maximum density of 125 dwelling units per acre within the urban center, mixed-use corridor development densities and appropriate low-medium or medium densities outside of 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. The LCCUC mix of uses is based on development approvals in other urban centers. In addition, the proposed rezoning will further the implementation of one CDMP goal, eight CDMP objectives, 23 CDMP policies and guidelines associated with urban centers and mixed-use corridors.

CDMP and Proposed Leisure City Zoning

Use	CDMP	Proposed Leisure City Zoning
Residential	22,902 units	12,218 units
Commercial/Office/Industrial	6,520,000 sq. ft.	323,152 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 build-out 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.

It should be noted, that all of the departmental reviews were conducted at projected build-out, which includes a significant amount of redevelopment. It is anticipated that new development over the next 15 years will occur on vacant land. Currently there are 71 gross acres of privately owned vacant land in the area. Approximately 26 acres of this land is owned by one developer, while the remaining 45 acres are small parcels located

along US 1. The residential development capacity of vacant land under the current zoning is 1,834 units and under the LCCUC it would be 2,916 units.

Comparison of Existing Zoning and Proposed Leisure City Zoning

Use	Existing Zoning	Proposed Leisure City Zoning	Difference (Leisure City minus Existing)
Residential	3,703 units	12,218 units	8,515 units
Business	2,187,656 sq. ft.	270,880 sq. ft.	-1,916,776 sq. ft.
Industrial	146,415 sq. ft.	52,272 sq. ft.	-94,143 sq. ft.

Aviation

The Miami-Dade County Aviation Department (MDAD) has no objections to this application. MDAD has determined that development in this area is compatible with operations from Homestead General Aviation Airport.

Department of Environmental Resources Management

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, several properties in the LCCUC are 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. DERM has conducted a concurrency review for this application and has determined it meets all applicable level of service standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal and flood protection. The subject properties do not contain any jurisdictional wetlands.

Fire Rescue

The Miami-Dade Fire Rescue Department (MDFR) has no objections and supports development policies and implementation strategies to ensure proper urban growth patterns and to provide for well planned supportive communities containing a variety of uses, housing types and public services.

It is anticipated that upon final build-out, 1,816 additional fire and rescue calls would be generated. In an effort to monitor development and determine the need for additional service, MDFR is requesting that each development application be transmitted for assessment and compliance with the standards of the National Fire Protection Association. Impact fees will be assessed and as part of future development impact fees, MDFR will request the dedication of a 2-acre parcel of land for the construction of a fire rescue station prior to maximum build-out. The average travel time to the vicinity of the proposed development is 6:09 minutes. This travel time complies with the national performance objective.

Park and Recreation

The Miami-Dade Park and Recreation Department (MDPR) has no objection to this application. Their memorandum indicates that at build-out, the rezoning to LCCUC would generate a demand for 50.37 acres more of local parks than the current zoning. Two County park properties exist within the boundaries of the district. Royal Colonial Park is the site of an undeveloped 25 acre community park with an adjacent library. Modello Park, with 10 acres is developed and currently serves existing population in the area. In addition to park space within the immediate area, there is a surplus of 229.38 acres of local park space within Park Benefit District 3. Further, the LCCUC rezoning will implement several principles of the Miami-Dade County Parks and Open Space System Master Plan by promoting walkable, interconnected street hierarchy which links existing and planned parks and open spaces with residential units and transit.

Police Department

The Miami-Dade Police Department (MDPD) has no objections to this application. The subject property will be serviced by the South District, with a response time under eight minutes. Their memorandum indicates that at project build-out 58 additional officers would be needed to maintain current staffing to population ratios. An additional police sub-station, non-sworn support and related equipment would also be needed to maintain current service levels. Individual development projects will be subject to police impact fees. Developers should work with MDPD during any future design and construction changes to determine the best possible solutions or security options.

Public Schools

Miami-Dade County Public Schools (MDCPS) does not object to this application. The schools in this area have sufficient capacity to service this application. A final determination of public school concurrency and capacity reservation will be made as individual sites are submitted for final plat, site plan or functional equivalent.

Public Works Department

The Public Works Department (PWD) does not object to this application. At build-out the proposed LCCUC would generate 1,352 more vehicle trips than the existing zoning. The subject site is located within a designated transportation concurrency exception area. No vehicle trips have been reserved by this application and subsequent developments will be subject to the payment of road Impact fees.

Solid Waste Department

The Miami-Dade County Department of Solid Waste Management (MDSWM) does not object to this application. The MDSWM memorandum submitted for this hearing application indicates that the latest concurrency status determination issued on September 30, 2010, 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 as needed from the Florida Department of Environmental Protection.

Transit

The Miami-Dade County Transit Department (MDT) supports this application. The proposed zone change would promote new compact urban development with a variety of uses. The establishment of transit oriented development in and around the area's busway

stations would likely result in increased transit ridership. MDT supports and concurs with the findings of the charrette study for the LCCUC and has no objections to this project.

MDT's memorandum indicates that there is direct transit service to the subject 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 Metrobus Routes 35 and 70 along multiple avenues and streets within the application area. There are three Busway stations (SW 296th Street, SW 280th Street and SW 272nd Street) along the western boundary of the proposed CUC district. Two of these stations are served by both the 24-hour service MAX route and the weekday peak-hour premium Flyer route. The Busway station located at SW 272nd Street is only served by the Busway MAX route. Bus headways on these routes range from 7.5 minutes during the peak hour to 60 minutes at off-peak times.

Water and Sewer Department

The Miami-Dade County Water and Sewer Department (MDWASD) has no objections to this application. Public water mains and sanitary sewer exist throughout the area. As individual parcels are developed they will be reviewed on a case-by-case basis to determine water and sewer main improvements, fire hydrant needs and sewer pump upgrades. The proposed rezoning will not impact the County's water consumptive use permit because it does not change countywide population projections.

Department of Planning and Zoning

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 development plans for potential impacts on infrastructure and other services: 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 negative 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.

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 goal, 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 facilitative zoning regulations 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 LCCUC 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, the LCCUC District will support the County's transit investment, provide additional housing and 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) excluding the Leisure East – Palm Garden RV Park (Folio No. 30-7904-000-0020) and Leisure Mobile Home Park – Palm Garden (Folio No. 30-7904-000-0090).

J. CONDITIONS: None.

DATE INSPECTED: 8/23/11
DATE TYPED: 8/18/11
DATE REVISED: 8/26/11
DATE FINALIZED: 8/26/11

MCL:GR:NN:JV:ES



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

Jorge V.

Conzel

Memorandum



Date: March 28, 2011

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

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

Subject: DIC Application No. 07-415
DP & Z - Leisure City
MDAD #DN-11-03-526

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 455 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

RECEIVED

MAR 31 2011

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

201103353

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 too 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:

ZONING INSPECTION REPORT

Inspector: BOBONIS, EIMIR

Inspection Date

Evaluator: N/A

02/04/08

Process # **Applicant's Name**
Z2007000415 DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING

Locations: EAST OF U.S. HIGHWAY #1, BETWEEN S.W. 145 AVENUE AND S.W. 296
STREET, MIAMI-DADE COUNTY, FLORIDA.

Size: 937 ACRES **Folio #** 3079050000000
Request:

1 THE APPLICANT IS REQUESTING MULTIPLE ZONES TO LESUIRE CITY COMMUNITY URBAN CENTER.

EXISTING ZONING

Subject Property RU-1,

EXISTING USE

SITE CHARACTERISTICS

STRUCTURES ON SITE:

THERE IS OVER 1000 CBS STRUCTURE SOME OF THE 2 & 3 STORY IN HIGH. THE EAST SIDE OF THE PROPERTY ABUDING SOUTH DIXIE HIGHWAY APROX. 99% COMERCIAL. WITH A COUPLE OF APT. BUILDINGS.

USE(S) OF PROPERTY:

THE USES ARE FROM RESIDENDIAL TO BU-2, THERE IS ALL KIND OF BUSINESS IN THE AREA ESSPECIALY ON SOUTH DIXIE HWY.

FENCES/WALLS:

THERE IS OVER A THOUDSAND OF PROPERTIES IN THE SELECTED AREA WITH ALL TYPE OF FENCES AND CBS WALLS

LANDSCAPING:

THE MAJORITY OF THE PROPERTIES HAD MAINTAIN THE LANDSCAPING

BUFFERING:

N/A

VIOLATIONS OBSERVED:

THERE IS A LARGE RESIDENTIAL AREA. I AM SURE THAT IF WE COULD FOUND A LOT OF VIOLATIONS IF WE SURVEY THE AREA.

OTHER:

Process # **Applicant's Name**
Z2007000415 DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING

SURROUNDING PROPERTY

NORTH:

COMMERCIAL & RESIDENTIAL

SOUTH:

COMMERCIAL & RESIDENTIAL

EAST:

COMMERCIAL & RESIDENTIAL

WEST:

COMMERCIAL

SURROUNDING AREA

NEIGHBORHOOD CHARACTERISTICS

MIX OF BUSSINES AND RESIDENTIALTHIS A VERY LARGE (293 ACRES) AREA. I WILL LIKE TO SUSGEST TO THE PROCESSOR, TO DO A PERSONAL SURVEY OF THE AREA. THIS WILL PROVIDE THE HIM/HER WITH A BETTER UNDERSTANDING OF THE AREA, AND WILL HELP HIM/HER TO WRITE A MORE ACCURATE REPORT.

COMMENTS:

AS MENTIONED, THIS IS A VERY LARGE AREA. IF IT IS NOT POSSIBLE FOR THE PROCESSOR TO PERSONALLY SURVEY THE AREA AND THERE IS ANY PROPETY IN PARTICULAR THAT YOU WILL LIKE PICTURES OF, PLEASE DO NOT HESITATE TO ASK ME.

Memorandum

Date: December 16, 2010

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

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



Subject: DIC #Z2007000415-3rd 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
(RU-1) (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.

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. Currently, the corresponding downstream sanitary pump stations 30-1004, 30-1005, 30-1006, 30-1007 and 30-1014 are operating in compliance within the requirements set forth in the First Partial Consent Decree, Case No.93-1109 CIV-Moreno, between the Environmental Protection Agency and Miami Dade County.. 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 discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

Memorandum



Date: March 1, 2011

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

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

Subject: DIC # 07-415 Leisure City Community Urban Center District
Lying east of US Highway No. 1 between SW 145th Avenue and SW 296th Street
Miami-Dade County, FL (Revision No. 1)

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. On December 9, 2010, the Department of Planning and Zoning transmitted a revised excerpt illustrating the number of residential units, business area, and industrial area allowed under the existing zoning and allowed under the proposed Leisure City zoning. Additionally, there was a reduction in the gross acreage resulting from the omission of the trailer parks.

The subject area consists of 455 gross 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.

The revised excerpt illustrates a proposed development program consisting of the following; 12,218 dwelling units, 270,880 sq. ft. of business and retail, and 52,272 sq. ft. of industrial space. Presently, the existing zoning allows a total of 3,703 residential units, 2,187,656 sq. ft. of business and retail, and 146,415 sq. ft. of industrial space. MDFR recognizes that the residential component will increase by 8,515 dwelling units resulting in 2,390 additional annual alarms. However, MDFR further recognizes that the business and retail component, along with the industrial component, will be reduced resulting in a decrease of 574 fire and rescue calls annually. Overall, the proposed development will generate an additional 1,816 fire and rescue calls annually.

SERVICE IMPACT/DEMAND

- (A) Based on development information, it is anticipated that upon final build-out the project will generate an additional **1,816** fire and rescue calls annually. However, MDFR recognizes that the proposed rezoning will have a long term build-out that will minimize immediate impact to existing fire and rescue service.
- (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.

DIC # 07-415 Leisure City Community Urban Center District
 Lying east of US Highway No.1 between SW 145th Avenue and SW 296th Street
 Miami-Dade County, FL (Revision No. 1)
 March 1, 2011
 Page 2 of 3

(C) Based on data retrieved during calendar year 2010, the average travel time to the vicinity of the proposed development was **6:09 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 Street	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	Undetermined
77	SW 296 St & SW 120 AVE	Undetermined

SITE PLAN REVIEW

During the Site Plan Review process for each individual development, the MDR 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 the corresponding site plan to determine compliance with the standards of the National Fire Protection Association (NFPA).

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, MDR 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).

DIC # 07-415 Leisure City Community Urban Center District
Lying east of US Highway No.1 between SW 145th Avenue and SW 296th Street
Miami-Dade County, FL (Revision No. 1)
March 1, 2011
Page 3 of 3

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, MDR 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 786-331-4544.

HL:ch

LEISURE CITY REZONING					
EXISTING DEVELOPMENT					
Residential	0.28	Unit	3703	1039	
Industrial	0.000044	Sq.Ft.	146415	6	
Retail	0.000297	Sq.Ft.	2187656	650	
TOTAL ANNUAL ALARMS				1695	
PROPOSED DEVELOPMENT					
Residential	0.28	Unit	12218	3429	Increase alarms by 2,390
Industrial	0.000044	Sq.Ft.	52272	2	Decrease alarms by 4
Retail	0.000297	Sq.Ft.	270880	80	Decrease alarms by 570
TOTAL ANNUAL ALARMS				3512	
TOTAL ADDITIONAL ALARMS				1817	

Memorandum



Date: August 9, 2011

To: Jorge Vital
DIC Coordinator
Department of Planning and Zoning

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

Subject: Review of DIC Project No. 07-415 (3rd Revision)
(Leisure City Community Urban Center)

Project Description

The applicant is requesting a district boundary change from multiple zoning districts to Leisure City Community Urban Center District (LCCUC). The Board of County Commissioners (BCC) has requested the Department of Planning and Zoning to file said rezoning application for all properties located within the Leisure City Community Urban Center. The subject property consists of 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 throughout the application 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 Metrobus Routes 35 and 70 along multiple avenues and streets within the application area. There are three (3) Busway stations (SW 296th Street, SW 280th Street and SW 272nd Street) along the western boundary of this proposed CUC district. Two of these stations are served by both the 24-hour service MAX route and the weekday peak-hour premium Flyer route. The Busway station located 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 Street and SW 284th Street. 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 CUC 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 Street and SW 296th Street; 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 South Metrorail Station range from approximately 35 minutes during the weekday peak hour period to approximately one hour during the off-peak hour period. The service headways for the above mentioned routes (in minutes) are as follows:

MDT Project #: OSP006
FSC #: 41.04

**Metrobus Route Service Summary
 Leisure City Community Urban Center (LCCUC)**

Route(s)	Service Headways (In minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (at 8pm)	Overnight	Saturday	Sunday		
34/Busway Flyer	7.5	n/a	n/a	n/a	n/a	n/a	0.1	E/F
35	30	30	30	n/a	60	60	0	L
38/Busway MAX	15	15	15	60	15	20	0.1	E/F
70	30	60	60	n/a	60	60	0	L

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

June 2011 Line Up

Future Transportation/Transit Improvements

Currently, the 2012 Transportation Improvement Plan (TIP) does not propose any improvements in the immediate vicinity of this project. The 2035 Long Range Transportation Plan (LRTP) proposes four projects along the south Miami-Dade Busway. A bus signal priority project is listed in the 2035 LRTP along US-1 within the south Miami-Dade Busway from SW 88 Street to Florida City as a Priority IV project. In addition, a managed lanes project along the south Miami-Dade Busway from Florida City to the Dadeland South Metrorail Station is listed in the 2035 LRTP as a partially funded project. Grade separations at select intersections along the south Miami-Dade Busway from SW 88th Street to Florida City as well as a proposed Metrorail extension along the south Miami-Dade Busway from SW 104 Street to Florida City are listed as unfunded projects in the 2035 LRTP.

The 2011 ten-year Transit Development Plan (TDP) identifies in its 2021 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route 35 - improve peak headways from 30 to 20 minutes.

Route 38 - improve peak headways from 12 to 10 minutes.

Route 70 - Truncate Route at Southland Mall when the Cutler Bay Circulator begins service.

MDT Comments/Recommendations

Based on the information presented for transit purposes, MDT supports this application. The zone changes requested would promote new compact urban development with a variety of uses. The establishment of Transit Oriented Development (TOD) in and around the area's Busway stations would likely result in increased transit ridership. MDT supports and concurs with the findings of the Charrette Study for the Leisure City Community Urban Center District and has no objections to this project.

Concurrency

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

Memorandum



Date: February 28, 2011

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

Thru: *W.M.* Maria I. Nardi
Chief, Planning and Research Division

From: *J.B.* John M. Bowers, AICP/RLA
Landscape Architect 2
Planning and Research Division

Subject: Leisure City Community Urban Center District
DIC Application# 07-415

The applicant is requesting a district boundary change from multiple zoning classifications to Leisure City Community Urban Center District (LCCUCD). The Board of County Commissioners has requested the Director to file said rezoning application for all properties within the LCCUCD. The subject property is 455 acres and is located east of US Highway 1, between SW 145th Avenue and SW 269th Street, Miami-Dade County, Florida.

Existing Conditions:

Existing zoning allows for 145 single-family detached units, 32 single-family attached units, and 3,526 multi-family units, generating a population of 8,063. The local park space needs, based on 2.75 acres per 1,000 population, would be 22.17 acres.

Two County park properties exist within the boundaries of the district. Royal Colonial Park is the site of an undeveloped 25 acre Community Park with an adjacent County library. Modello Park, with 10 acres is developed and currently serves the existing population in the area.

Proposed:

The population generated by the 12,218 units in this proposed zoning would be 23,377. The local park space need, based on 2.75 acres per 1,000 population, would be 72.54 acres, a 50.37 acre increase over existing conditions.

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 and would not meet the need for the additional 50.37 acres required by the change by the proposed population.

The proposed LCCUCD district is consistent with the principles of the Miami-Dade County Parks and Open Space System Master Plan by promoting a walkable, interconnected street hierarchy which links existing and planned parks and open spaces with residential uses and transit. The focus on the major roadway corridors recognizes the significant role of the public realm and its relationship to the adjacent land uses. 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.

As development is proposed within this District, MDPR 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 229.38 acres of local parkland providing 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



Date: May 20, 2011

To: Jorge Vital, Developmental Impact Committee Coordinator
Department of Planning and Zoning

From: James K. Loftus, Director
Miami-Dade Police Department

Subject: Review (Revision 3) - Developmental Impact Committee Zoning Application
Case: No. Z20070000415 – Leisure City (Department of Planning and Zoning)

APPLICATION

The Applicant, the Miami-Dade Department of Planning and Zoning has amended their original application requesting a district boundary change from multiple zoning classifications to Leisure City Urban Center District (LCUCD). The subject property consists of over 400 acres and 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 C103 Canal in Miami-Dade County, Florida.

The revised proposed development program increases the total number of residential units to 12,218 single and multi-family units while decreasing the square footage of business/retail, and industrial space to 270,880 and 52,272 respectively.

CURRENT POLICE SERVICES

The proposed development will be located in unincorporated Miami-Dade County and serviced by our South District, located at 10800 SW 211 Street, Miami, Florida. Our current staffing allows for an average emergency response time of eight minutes or less.

REVIEW

A review of the application, and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. Current data of police staffing, population, and calls for service was examined and compared to expected population growth and projected increases in calls for service. Based on this data, 58 additional sworn officers would need to be added to the South District staffing in order to maintain current staffing levels to population and projected volume of calls for service. Furthermore, an additional police sub-station, non-sworn support staff, and related equipment to include but not limited to vehicles, computers, and police radios, would be needed to sustain current levels of police services. Should demand for police services increase beyond these calculations, additional sworn personnel, support staff, and equipment may be required to maintain current levels of service.

The MDPD does not object to the proposed zoning modifications, 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 require additional information, Lieutenant William Gonzalez of the Departmental Coordination Section may be contacted at (305) 471-1775.

JKL/kh
Attachment

LEISURE CITY REZONING

Use	Existing Zoning	Proposed Leisure City Zoning	Difference (Leisure City minus Existing)
<i>Residential</i>			
Single Family Residential – Detached	145	342	197
Single Family Residential – Attached	32	0	-32
Multi-Family	3,526	11,876	8,350
<i>Non-Residential</i>			
Business	2,187,656	270,880	-1,916,776
Industrial	146,415	52,272	-94,143

TOTAL RESIDENTIAL UNITS PERMITTED BY EXISTING ZONING – 3,703 (above is a description of the change by unit type)

TOTAL RESIDENTIAL UNITS PERMITTED BY PROPOSED ZONING – 12,218 (above is a description of the change by unit type)

Gross Acreage – 455

Memorandum



Date: March 22, 2011

To: Marc C. LaFerrier
Director
Planning & Zoning Department

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

Subject: DIC07-415 Rev 5
Name: Leisure City Rezoning
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

	EXISTING ZONING	TRIP GENERATION FOR EXISTING ZONING	PROPOSED ZONING	TRIP GENERATION FOR PROPOSED ZONING	TOTAL TRIPS DIFFERENCE
RESIDENTIAL	3,703 Units	2,131	1,2218 Units	6,873	4,742
BUSINESS	2,187,656 SF	4,037	270,880 SF	907	-3,130
INDUSTRIAL	146,415 SF	88	52,272 SF	39	-49
TOTAL	N/A	6,256	N/A	7,819	1,563
MODAL SPLIT (2.3%)	N/A	-125	N/A	-180	N/A
INTERNAL CAPTURE (9%)	N/A	N/A	N/A	-156	N/A
PM PEAK HOURS TRIPS	N/A	6,131		7,483	1,352

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, set backs, 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 require 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.
- 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 in the plans or in a letter attached to the plans:

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

Application area is located within a designated Transportation Concurrency Exception Area . 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



Miami-Dade County Public Schools

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Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Dr. Solomon C. Stinson, Chair
Perla Tabares Hantman, Vice Chair
Agustin J. Barrera
Renier Diaz de la Portilla
Dr. Lawrence S. Feldman
Dr. Wilbert "Tee" Holloway
Dr. Martin Stewart Karp
Ana Rivas Logan
Dr. Marta Pérez

May 5, 2010

VIA ELECTRONIC MAIL

Ms. Helen A. Brown
Concurrency Coordinator
Miami-Dade County
111 NW 1 Street, 12 Fl
Miami FL 33128

**RE: PRELIMINARY SCHOOL CONCURRENCY ANALYSIS
(SCHOOLS PLANNING LEVEL REVIEW)
LEISURE CITY 1 - WAIVER OF FEE
PH3010043000128 – Folio No. 3069330080030**

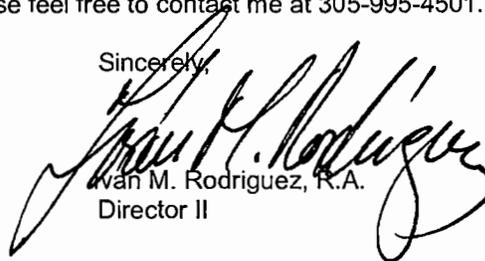
Dear-Applicant:

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

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the requested land use amendment would yield a maximum residential density of 1,815 multifamily dwelling units, which generates 967 students; 464 elementary, 213 middle, and 290 senior high students. **At this time, the schools serving the area have sufficient capacity available to service the application.** However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. **As such, this analysis does not constitute a Public School Concurrency approval.**

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

Sincerely,



Ivan M. Rodriguez, R.A.
Director II

IMR:mo
L357

Attachment

cc: Ms. Ana Rijo-Conde, AICP
Mr. Fernando Albuerne
Ms. Vivian G. Villaamil
Miami-Dade County

Ms. Paula Church
School Concurrency Master File



Miami-Dade County Public Schools

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Alberto M. Carvalho

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Dr. Lawrence S. Feldman
Dr. Wilbert "Tee" Holloway
Dr. Martin Stewart Karp
Ana Rivas Logan
Dr. Marta Pérez

May 5, 2010

VIA ELECTRONIC MAIL

Ms. Helen A. Brown
Concurrency Coordinator
Miami-Dade County
111 NW 1 Street, 12 Fl
Miami FL 33128

**RE: PRELIMINARY SCHOOL CONCURRENCY ANALYSIS
(SCHOOLS PLANNING LEVEL REVIEW)
LEISURE CITY 2 – WAIVER OF FEE
PH3010041400103 – Folio No. 3079040000130**

Dear Applicant:

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

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the requested land use amendment would yield a maximum residential density of 3,628 multifamily dwelling units, which generates 1,934 students; 928 elementary, 426 middle, and 580 senior high students. **At this time, the schools serving the area have sufficient capacity available to service the application.** However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. **As such, this analysis does not constitute a Public School Concurrency approval.**

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

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:mo
L356

Attachment

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



Concurrency Management System (CMS)

Miami Dade County Public Schools

Miami-Dade County Public Schools

**Concurrency Management System
Preliminary Concurrency Analysis**

MDCPS Application Number: PH3010041400103 Local Government (LG): Miami-Dade
 Date Application Received: 4/14/2010 4:35:51 PM LG Application Number: 2009-006
 Type of Application: Public Hearing Sub Type: Zoning

Applicant's Name: Leisure City 2
 Address/Location: 111 NW First Street, 12 Floor, Miami, FL 33128
 Master Folio Number: 3079040000130
 Additional Folio Number(s): 3079040000190,

PROPOSED # OF UNITS 3628
 SINGLE-FAMILY DETACHED UNITS: 0
 SINGLE-FAMILY ATTACHED UNITS: 0
 MULTIFAMILY UNITS: 3628



CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
2901	LEISURE CITY K-8 CENTER	142	928	142	NO	Current CSA
2901	LEISURE CITY K-8 CENTER	0	786	0	NO	Current CSA Five Year Plan
6251	HOMESTEAD MIDDLE	126	426	126	NO	Current CSA
6251	HOMESTEAD MIDDLE	0	300	0	NO	Current CSA Five Year Plan
7701	SOUTH DADE SENIOR HIGH	-124	580	0	NO	Current CSA
7701	SOUTH DADE SENIOR HIGH	6	580	6	NO	Current CSA Five Year Plan
ADJACENT SERVICE AREA SCHOOLS						
771	WILLIAM A CHAPMAN ELEMENTARY	254	786	254	NO	Adjacent CSA
4391	IRVING & BEATRICE PESKOE ELEMENTARY	251	532	251	NO	Adjacent CSA
161	AVOCADO EL - SOUTH DADE MIDDLE	205	281	205	NO	Adjacent CSA
651	CAMPBELL DRIVE ELEMENTARY	149	76	76	YES	Adjacent CSA
6061	CAMPBELL DRIVE MIDDLE	1013	300	300	YES	Adjacent CSA
7151	HOMESTEAD SENIOR HIGH	911	574	574	YES	Adjacent CSA
*An Impact reduction of 14.01% included for charter and magnet schools (Schools of Choice).						

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

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



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
Perla Tabares Hantman, Vice Chair
Agustin J. Barrera
Renier Diaz de la Portilla
Dr. Lawrence S. Feldman
Dr. Wilbert "Tee" Holloway
Dr. Martin Stewart Karp
Ana Rivas Logan
Dr. Marta Pérez

May 5, 2010

VIA ELECTRONIC MAIL

Ms. Helen A. Brown
Concurrency Coordinator
Miami-Dade County
111 NW 1 Street, 12 Fl
Miami FL 33128

**RE: PRELIMINARY SCHOOL CONCURRENCY ANALYSIS
(SCHOOLS PLANNING LEVEL REVIEW)
LEISURE CITY 3 – WAIVER OF FEE
PH3010041400104 –Folio No. 3079050000300**

Dear Applicant:

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

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the requested land use amendment would yield a maximum residential density of 3,628 multifamily dwelling units, which generates 1,934 students; 928 elementary, 426 middle, and 580 senior high students. **At this time, the schools serving the area have sufficient capacity available to service the application.** However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. **As such, this analysis does not constitute a Public School Concurrency approval.**

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

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:mo
L360

Attachment

cc: Ms. Ana Rijo-Conde, AICP
Mr. Fernando Albuerne
Ms. Vivian G. Villaamil
Miami-Dade County

Ms. Paula Church
School Concurrency Master File



Concurrency Management System (CMS)

Miami Dade County Public Schools

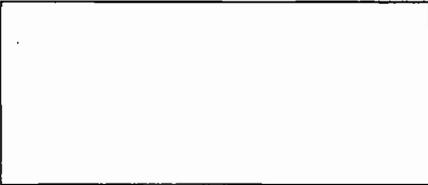
Miami-Dade County Public Schools

**Concurrency Management System
Preliminary Concurrency Analysis**

MDCPS Application Number: PH3010041400104 Local Government (LG): Miami-Dade
 Date Application Received: 4/14/2010 4:39:50 PM LG Application Number: 2009-006
 Type of Application: Public Hearing Sub Type: Zoning

Applicant's Name: Leisure City 3
 Address/Location: 111 NW 1 Street, 12th Fl, Miami, FL 33128
 Master Folio Number: 3079050000300
 Additional Folio Number(s): 3079050000371,

PROPOSED # OF UNITS 3628
 SINGLE-FAMILY DETACHED UNITS: 0
 SINGLE-FAMILY ATTACHED UNITS: 0
 MULTIFAMILY UNITS: 3628



CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
2901	LEISURE CITY K-8 CENTER	142	928	142	NO	Current CSA
2901	LEISURE CITY K-8 CENTER	0	786	0	NO	Current CSA Five Year Plan
6251	HOMESTEAD MIDDLE	126	426	126	NO	Current CSA
6251	HOMESTEAD MIDDLE	0	300	0	NO	Current CSA Five Year Plan
7701	SOUTH DADE SENIOR HIGH	-124	580	0	NO	Current CSA
7701	SOUTH DADE SENIOR HIGH	6	580	6	NO	Current CSA Five Year Plan

ADJACENT SERVICE AREA SCHOOLS						
771	WILLIAM A CHAPMAN ELEMENTARY	254	786	254	NO	Adjacent CSA
4391	IRVING & BEATRICE PESKOE ELEMENTARY	251	532	251	NO	Adjacent CSA
161	AVOCADO EL - SOUTH DADE MIDDLE	205	281	205	NO	Adjacent CSA
651	CAMPBELL DRIVE ELEMENTARY	149	76	76	YES	Adjacent CSA
6061	CAMPBELL DRIVE MIDDLE	1013	300	300	YES	Adjacent CSA
7151	HOMESTEAD SENIOR HIGH	911	574	574	YES	Adjacent CSA

*An Impact reduction of 14.01% included for charter and magnet schools (Schools of Choice).

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

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Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Dr. Solomon C. Stinson, Chair
Perla Tabares Hantman, Vice Chair
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Renier Diaz de la Portilla
Dr. Lawrence S. Feldman
Dr. Wilbert "Tee" Holloway
Dr. Martin Stewart Karp
Ana Rivas Logan
Dr. Marta Pérez

May 5, 2010

VIA ELECTRONIC MAIL

Ms. Helen A. Brown
Concurrency Coordinator
Miami-Dade County
111 NW 1 Street, 12 Fl
Miami FL 33128

**RE: PRELIMINARY SCHOOL CONCURRENCY ANALYSIS
(SCHOOLS PLANNING LEVEL REVIEW)
LEISURE CITY 4 – WAIVER OF FEE
PH3010050300130 – Folio No. 3069330000442**

Dear Applicant:

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

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the requested land use amendment would yield a maximum residential density of 1,814 multifamily dwelling units, which generates 967 students; 464 elementary, 213 middle, and 290 senior high students. **At this time, the schools serving the area have sufficient capacity available to service the application.** However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. **As such, this analysis does not constitute a Public School Concurrency approval.**

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

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:mo
L354

Attachment

cc: Ms. Ana Rijo-Conde, AICP
Mr. Fernando Albuerne
Ms. Vivian G. Villaamil
Miami-Dade County

Ms. Paula Church
School Concurrency Master File



Concurrency Management System (CMS)

Miami Dade County Public Schools

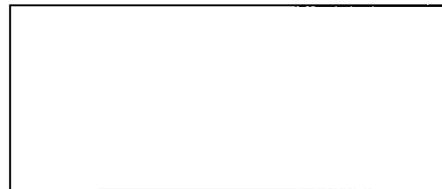
Miami-Dade County Public Schools

**Concurrency Management System
Preliminary Concurrency Analysis**

MDCPS Application Number: PH3010050300130 Local Government (LG): Miami-Dade
 Date Application Received: 5/3/2010 4:47:54 PM LG Application Number: 2009-006
 Type of Application: Public Hearing Sub Type: Zoning

Applicant's Name: Leisure City 4
 Address/Location: 111 NW first Street, 12 Fl, Miami, FL 33128
 Master Folio Number: 3069330000442
 Additional Folio Number(s):

PROPOSED # OF UNITS 1814
 SINGLE-FAMILY DETACHED UNITS: 0
 SINGLE-FAMILY ATTACHED UNITS: 0
 MULTIFAMILY UNITS: 1814



CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
4581	REDLAND ELEMENTARY	-23	464	0	NO	Current CSA
4581	REDLAND ELEMENTARY	0	464	0	NO	Current CSA Five Year Plan
6761	REDLAND MIDDLE	671	213	213	YES	Current CSA
7701	SOUTH DADE SENIOR HIGH	-124	290	0	NO	Current CSA
7701	SOUTH DADE SENIOR HIGH	6	290	6	NO	Current CSA Five Year Plan
ADJACENT SERVICE AREA SCHOOLS						
771	WILLIAM A CHAPMAN ELEMENTARY	254	464	254	NO	Adjacent CSA
661	CARIBBEAN ELEMENTARY	209	210	209	NO	Adjacent CSA
161	AVOCADO EL - SOUTH DADE MIDDLE	205	1	1	YES	Adjacent CSA
7151	HOMESTEAD SENIOR HIGH	911	284	284	YES	Adjacent CSA
*An Impact reduction of 14.01% included for charter and magnet schools (Schools of Choice).						

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

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

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Memorandum



Date: March 1, 2011

To: Jorge Vital
DIC Coordinator
Department of Planning and Zoning

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

Subject: DIC # 07-415
Update: Leisure City Community Urban Center District

Attached please find a copy of this Department's review of the above-referenced item. Based on additional information sent via email on February 28, 2011, the review was created as requested to update a previous response sent on January 10, 2011. 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: The following review is an update to a previously approved application. In 2007, the Director of the Department of Planning and Zoning requested a district boundary change from multiple zoning classifications to LCUC, Leisure City Community Urban Center District. The Board of County Commissioners requested the Director to file said rezoning application for all properties within the Leisure City Community Urban Center, and the LCUC re designation was granted.

Size: The subject property is 455 gross 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 private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The 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 30, 2010, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the 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. The current application proposes to allow the number of residential units permitted in the area to remain the same 12,218, but changes the configuration of housing types to develop 342 single-family detached, 11,876 multi-family, and zero single-family attached; an increase of 197, 8,350 and a decrease of 32 units respectively from the previous application. The application also proposes to develop 270,880 business and 52,272 industrial units; a decrease of 1,916,776 and 94,143 units respectively from the previous application.

As stated in the January 10, 2011 response, single-family residences proposed for inclusion in this project appear to meet the County Code definition of "residential unit." Per the code, residential units located within the project shall, therefore, receive DSWM waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the DSWM solid waste collection service area.

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

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed

solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at DSWM facilities.

3. Recycling

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

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

4. Recycling: Multifamily Units

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

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

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

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

5. Recycling: Commercial Establishments

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

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

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

6. Waste Storage/Setout Considerations

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

7. Site Circulation Considerations

It is required that development 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 accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The DSWM has no objections to the proposed application.**

Memorandum



Date: April 15, 2011

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

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

Subject: DP&Z Director, Multiple Zones to Leisure City Community Urban Center (CUC) - DIC
Application #-Z2007000415 (REVISION # 1)

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, Leisure City Community Urban Center

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. Based on the proposed future water demands generated by the proposed development, there is adequate pressure in the system to maintain the required Level Of Service (L.O.S.). Please note that at the time the proposed development is initiated, existing infrastructure may need to be upgraded and additional water main extensions may be required. At the time of development, all projects will be evaluated on a case by case basis to determine the water main and fire hydrant needs for each individual project. 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 1, 2010. In 2015, 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.

Additionally, on January 11, 2011, MDWASD implemented a Water Supply Certification Program to assure adequate water supply is available to all water users of the MDWASD as required by policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the MDWASD's 20-year Water Use Permit. Please note that all future development in the proposed project area will be reviewed and issued a Water Supply Certification accordingly. The certification letter will be issued at the time an Agreement, Verification Form or Ordinance Letter is offered or during the Plat process prior to the final Development Order. 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, nonetheless, system improvements would be required for the new development requested by the applicant. Based on the computer model analysis performed for the future development associated with this application, new pump stations and force mains will be required. In addition upgrades to existing pump stations and force mains will also be needed. Please note that at the time of development, all projects will be evaluated on a case by case basis to determine the sewer infrastructure needed for each individual project. 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.

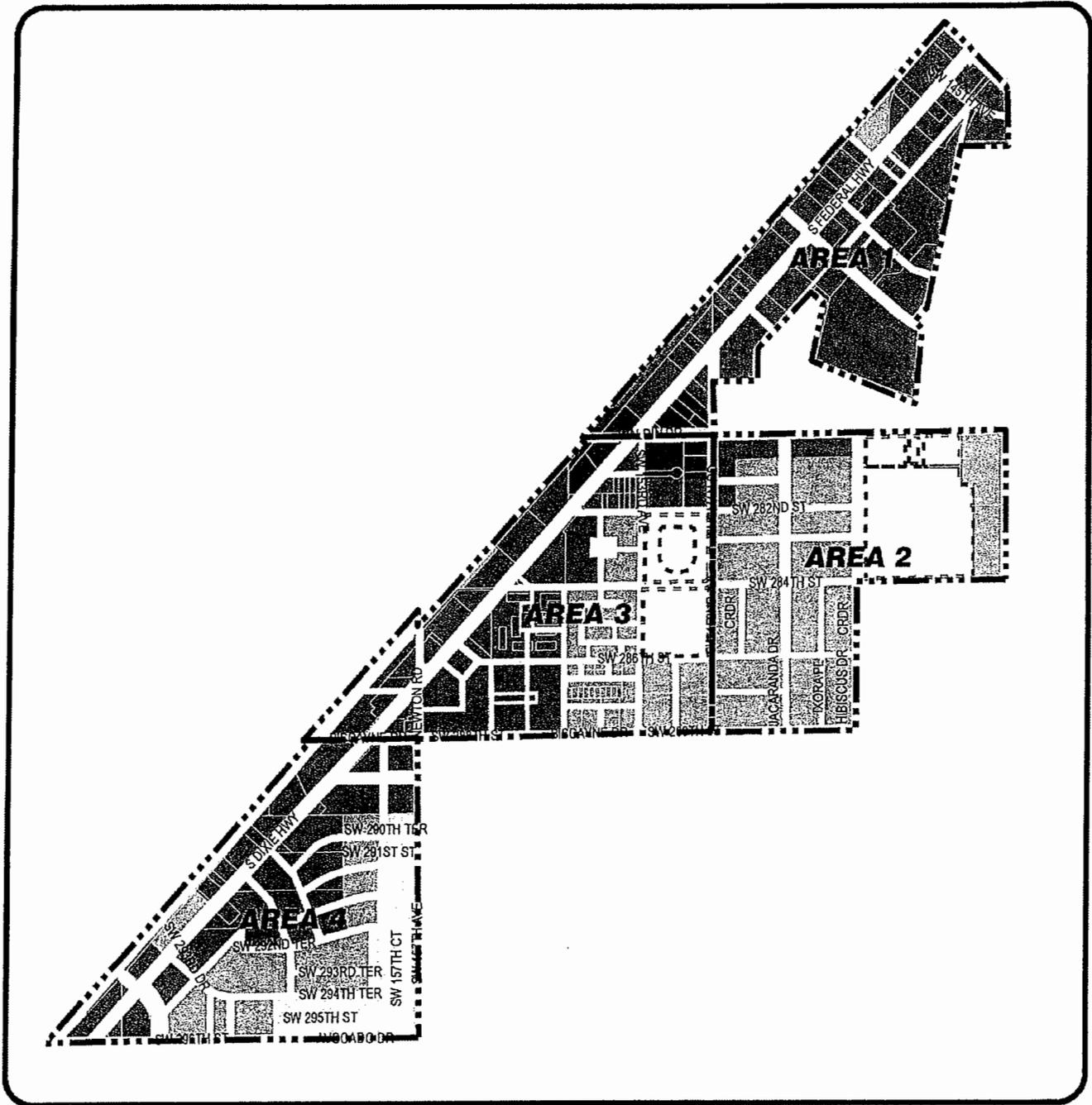
Water Conservation: All future development for the subject area will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-84 and 8A-381 of the Code of Miami-Dade County. In addition, the future development will be required to comply with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

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

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

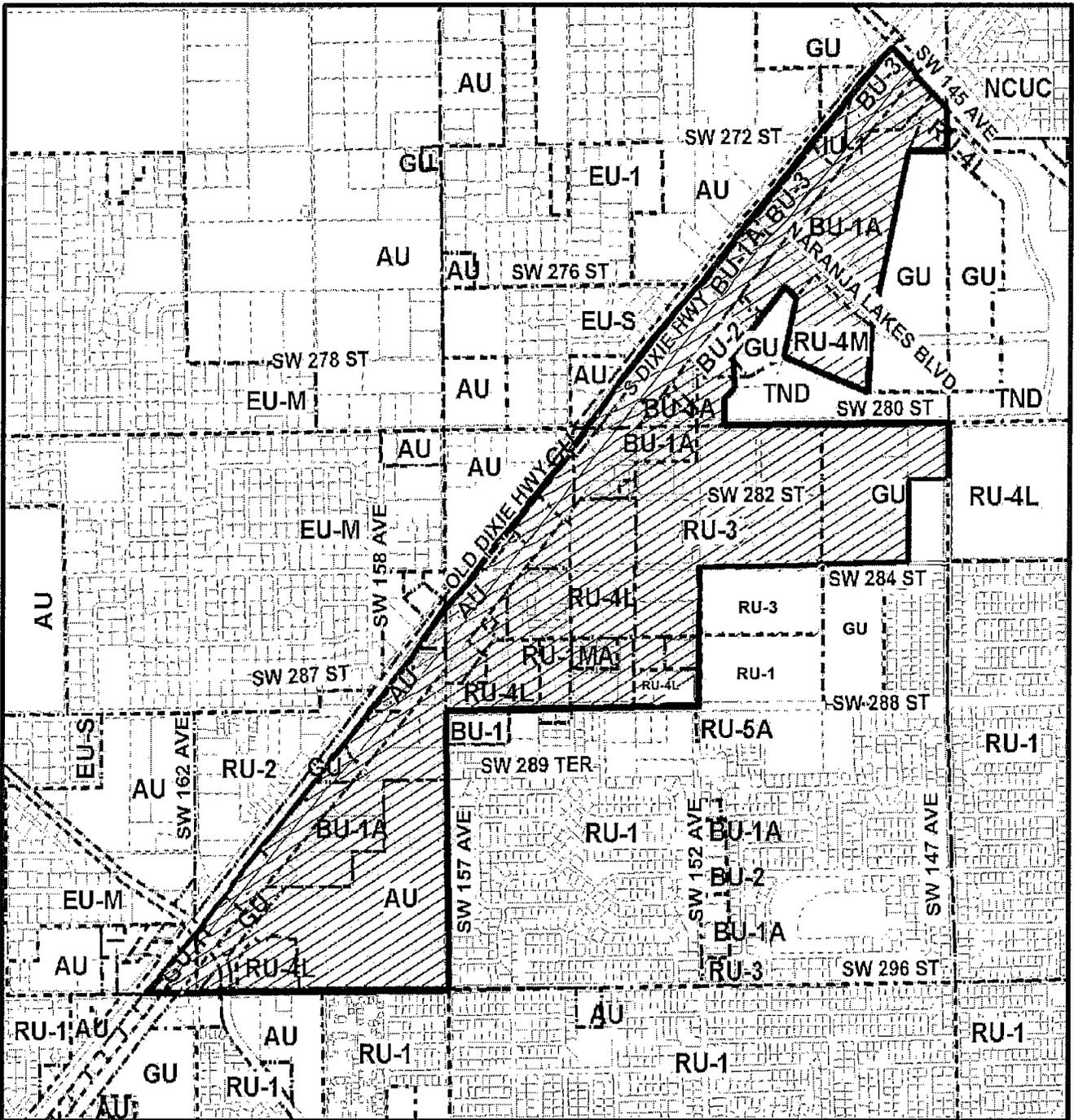
Should you have any questions, please call me at (786) 552-8198.

Leisure City Community Urban Center (LCUC)



- Land Uses**
- MM: Mixed-use Main Street
 - MC: Mixed-use Corridor
 - MO: Mixed-use Optional
 - RM: Residential Modified
 - R: Residential
 - ID: Industrial District
 - I: Institutional





MIAMI-DADE COUNTY
HEARING MAP

Process Number
07-415

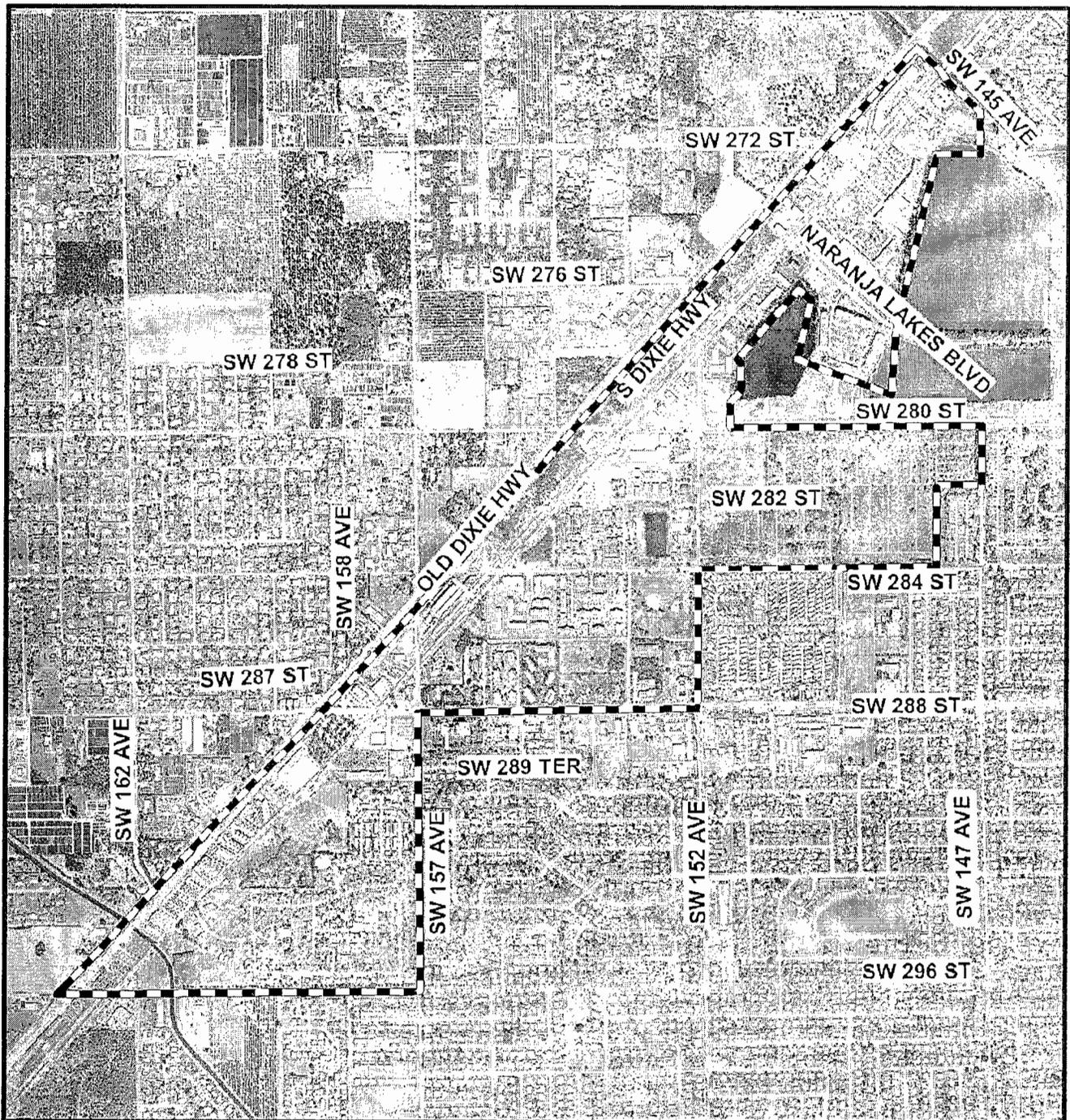


SUBJECT PROPERTY

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



REVISION	DATE	BY
Boundary Changes per 2007	10/07/07	AFJ
Revised Two Manual Out	12/09/11	JGJ



MIAMI-DADE COUNTY
AERIAL

Process Number

07-415



SUBJECT PROPERTY

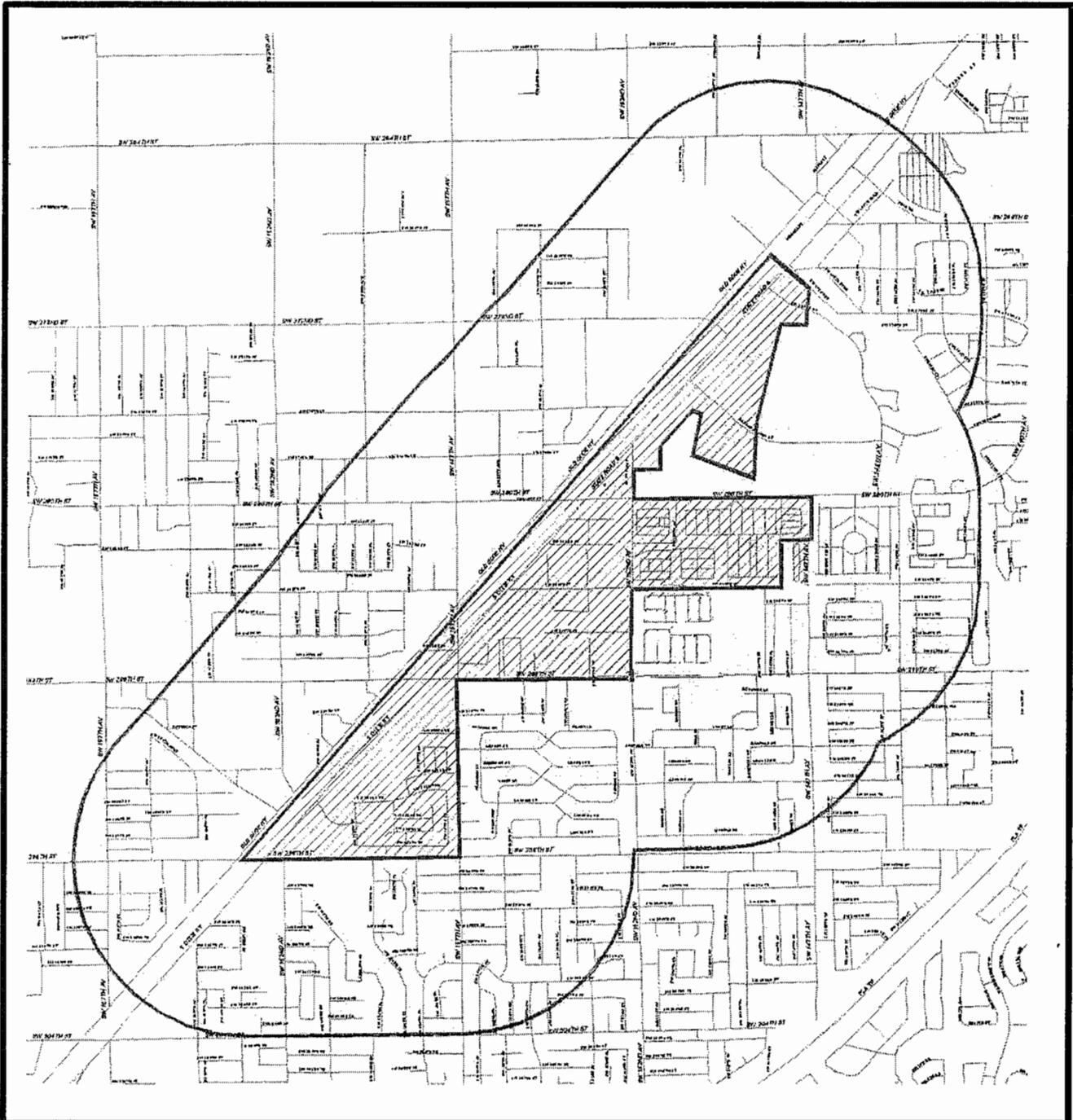
Section: 04,05 Township: 57 Range: 39
 Section: 33 Township: 56 Range: 39
 Applicant: DIRECTOR OF THE DEPARTMENT OF P&Z.
 Zoning Board: BCC
 District Number: 08,09
 Drafter ID: ALFREDO
 Scale: NTS



CREATED ON: 12/27/07

PROCESS	DATE	BY
Revised Two Parcel	10/20/11	Jgard

63



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
07-415



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



SUBJECT PROPERTY &
CONTIGUOUS IF APPLICABLE

Radius: 2640'



REVISION	DATE	BY
Revised Two Parcel	11/26/11	lgard

ITEM # 1
KROME AGRONOMICS

Per the attached email from Lori Spilde of Service Corporation International (SCI), this item is going to be withdrawn by the applicant.

Jones, Earl (PERA)

From: Spilde, Lori [Lori.Spilde@Sci-us.com]
Sent: Friday, January 06, 2012 2:13 PM
To: Jones, Earl (PERA)
Subject: RE: Krome Agronomics

Dear Mr. Jones -

We have decided to look for an alternate site and will be withdrawing our appeal.

Thank you,
Lori

From: Jones, Earl (PERA) [jonese@miamidade.gov]
Sent: Friday, January 06, 2012 7:00 AM
To: Spilde, Lori
Subject: Krome Agronomics

Good Morning:

I am sending you this email as a reminder that I will need an updated opinion of title for Krome Agronomics in order for me to forward the updated opinion to the County Attorney's Office for review. I had left with your secretary and send you an earlier email, but I have not heard from you.

Earl L. Jones, Zoning Services Plans Processor Jr Analyst Zoning Evaluation Section
Department of Sustainability, Planning and Economic Enhancement.
(305) 375-2129
miamidade.gov
"Delivering Excellence Every Day"

1. KROME AGRONOMICS, LLC
(Applicant)

11-4-CZ11-1 (10-051)
Area 11/District 09
Hearing Date: 01/26/12

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

If so, who are the interested parties? Stormy Sky, LLC

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
-------------	------------------	----------------	--------------	-----------------

No History

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

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

A

APPLICANT'S NAME: **KROME AGRONOMICS, LLC**

REPRESENTATIVE: Jeffery Bass and Tony Recio

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
11-4-CZ11-1 (10-051)	October 4, 2011	CZAB11	11	11

REC: Approval with conditions of request #1 and approval of requests #2 and #3 with conditions, subject to the Board acceptance of the proffered covenant; Denial without prejudice of request #4.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: _____ W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

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

WITH CONDITIONS

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN		Patricia G. DAVIS	X		
COUNCILMAN		Joseph E. DELANEY	X		
COUNCILMAN		Miguel A. DIAZ	X		
COUNCILWOMAN	S	Beatrice SUAREZ	X		
VICE CHAIR	M	Ileana R. VAZQUEZ	X		
CHAIRMAN		Jeffrey WANDER	X		
VOTE:			6	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: **THOMAS ROBERTSON**

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

C

APPLICANT'S NAME: **KROME AGRONOMICS, LLC**

REPRESENTATIVE: Jeffery Bass and Tony Recio

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
11-4-CZ11-1 (10-051)	September 6, 2011	CZAB11 11

REC: Approval with conditions of request #1 and approval of requests #2 and #3 with conditions, subject to the Board acceptance of the proffered covenant; Denial without prejudice of request #4.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: October 4, 2011 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

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

OTHER: Application was automatically deferred due to a lack of time remaining for the hearing.

No vote was taken.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN		Patricia G. DAVIS			
COUNCILMAN		Joseph E. DELANEY			
COUNCILMAN		Miguel A. DIAZ			
COUNCILWOMAN		Beatrice SUAREZ			
VICE CHAIR		Ileana R. VAZQUEZ			
CHAIRMAN		Jeffrey WANDER			

VOTE:

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EXHIBITS: YES NO

COUNTY ATTORNEY: **THOMAS ROBERTSON**

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

A

APPLICANT'S NAME: **KROME AGRONOMICS, LLC**

REPRESENTATIVE: Tony Recio

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
11-4-CZ11-1 (10-51)	July 19, 2011	CZAB11	11

REC: Approval with conditions of Requests #1 through #3, subject to the Boards acceptance of the proffered covenant; Denial without prejudice of Requests #4 through #12.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: Sept 6, 2011 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

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

OTHER: The application was deferred due to a lack of a quorum. Also the County Attorney had Stated on the record that regardless of the deferral, the application could not be heard because the applicant had modified the application (new plans) and staff needed time to review the changes.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN		Patricia G. DAVIS			
COUNCILMAN		Joseph E. DELANEY			
COUNCILMAN		Miguel A. DIAZ			X
COUNCILWOMAN		Beatrice SUAREZ			X
VICE CHAIR		Ileana R. VAZQUEZ			X
CHAIRMAN		Jeffrey WANDER			

VOTE:

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EXHIBITS: YES NO

COUNTY ATTORNEY: DENNIS KERBEL

4

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

A

APPLICANT'S NAME: **KROME AGRONOMICS, LLC**

REPRESENTATIVE: **Tony Recio**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
11-4-CZ11-1 (10-051)	May 17, 2011	CZAB11	11

REC: Approval with conditions of Requests #1 through 3, subject to the Boards acceptance of the proffered covenant; Denial without prejudice of Requests #4 through #12.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: July 19, 2011 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

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

OTHER: Deferred due to applicant's request to amend the application.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN		Patricia G. DAVIS	X		
COUNCILMAN		Joseph E. DELANEY	X		
COUNCILMAN		Miguel A. DIAZ			X
COUNCILWOMAN		Beatrice SUAREZ			X
VICE CHAIR		Ileana R. VAZQUEZ	X		
CHAIRMAN		Jeffrey WANDER	X		
VOTE:			4	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: THOMAS ROBERTSON

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

#1

APPLICANT'S NAME: **KROME AGRONOMICS, LLC**

REPRESENTATIVE: Tony Recio

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
11-4-CZ11-1 (10-51)	April 14, 2011	CZAB11 11

REC: Approval with conditions of Requests #1 through 3, subject to the Board's acceptance of the proffered covenant; Denial without prejudice of Requests #4 through 12.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>May 17, 2011</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER:	Deferral due to a tied vote.	

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN	M	Patricia G. DAVIS	X		
COUNCILMAN		Joseph E. DELANEY	X		
COUNCILMAN		Miguel A. DIAZ		X	
COUNCILWOMAN		Beatrice SUAREZ		X	
VICE CHAIR		Ileana R. VAZQUEZ		X	
CHAIRMAN	S	Jeffrey WANDER	X		
VOTE:			3	3	

EXHIBITS: YES NO

COUNTY ATTORNEY: THOMAS ROBERTSON

**MIAMI-DADE COUNTY DEPARTMENT OF SUSTAINABILITY, PLANNING AND ECONOMIC ENHANCEMENT
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANT: Krome Agronomics, LLC

PH: Z10-51 (11-4-CZ11-1)

SECTION: 24-55-38

DATE: January 26, 2012

COMMISSION DISTRICT: 9

ITEM NO.: 1

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A. INTRODUCTION

o **SUMMARY OF REQUESTS:**

The applicant is requesting a zone change to AU along with a special exception to permit a proposed cemetery and associated mausoleums, an Unusual Use to permit a lake excavation and lake fill. Additional requests are being sought to permit 2 signs, larger than permitted by the Zoning Code.

On October 4, 2011, the Community Zoning Appeals Board (CZAB) #11, denied without prejudice the entire application by a vote of 6 to 0, pursuant to Resolution #CZAB11-11-11. Subsequently, on October 21, 2011, the applicant appealed the CZAB-11's decision to the Board of County Commissioners (BCC) citing that the Board's decision to deny the application was, void of substantial competent evidence.

o **REQUESTS:**

The applicant is appealing the decision of Community Zoning Appeals Board (CZAB) #11 which denied without prejudice the following:

- (1) DISTRICT BOUNDARY CHANGE from GU to AU.
- (2) SPECIAL EXCEPTION to permit a proposed cemetery and associated mausoleums.
- (3) UNUSUAL USE to permit a Lake Excavation and Lake Filling.
- (4) Applicant is requesting to permit two additional detached signs, one with an area of 81 sq. ft. and one with an area of 164 sq. ft. (two 32 sq. ft. sign permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "West Kendall Memorial Park", as prepared by DCG Development Consulting Group, consisting of twenty-one (21) sheets, dated stamped received May 27, 2011. Plans may be modified at public hearing.

o **LOCATION:** The southwest corner of S.W. 136 Street & S.W. 177 Avenue, Miami-Dade County, Florida.

o **SIZE:** 48.6 Acres

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT:

1. *The Adopted 2015 and 2025 Land Use Plan designates the subject property as being **1.4 miles** west of and **outside the Urban Development Boundary (UDB)** for **Agriculture** use. The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved in 2003 by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture such as packing houses, and farm residences. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship; however, schools shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-2.A.*
2. *In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Residential development that occurs in this area is allowed at a density of no more than one unit per five acres. Creation of new parcels smaller than five acres for residential use may be approved in the Agriculture area only if the immediate area surrounding the subject parcel on three or more contiguous sides is predominately and lawfully parcelized in a similar manner, and if a division of the subject parcel would not precipitate additional land division in the area. No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, packing houses for produce grown in Florida are not restricted to locating on an arterial roadway. **Other uses compatible with agriculture and with the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area.** Existing quarrying and ancillary uses in the Agriculture area may continue operation and be considered for approval of expansion.*
3. **Water.** *This category includes all natural waters such as coastal waters and navigable rivers or waters. Water-dependent uses and water-related uses along coastal shorelines as discussed under Objective CM-5 as well as ancillary structures or uses may be permitted for flood control or recreational purposes. **Man-made water bodies are permitted in any land use category subject to applicable environmental regulations.***
4. **Urban Development Boundary.** *The Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur. Development orders permitting urban development will generally be approved within the UDB at some time through the year 2015 provided that level-of-service standards for necessary public facilities will be met. Adequate countywide development capacity will be maintained within the UDB by increasing development densities or intensities inside the UDB, or by expanding the UDB, when the need for such change is determined to be necessary through the Plan review and amendment process.*

5. **Other Land Uses not Addressed.** *Certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the Zoning Code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.*
6. **Policy LU-10.** *Miami-Dade County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agriculture Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.*
7. **LU-3F. Super Majority Vote:** *Any zoning action or amendment to the CDMP that would approve any use other than direct production and permitted residential uses of property, in an area designated as Agriculture, whether as a primary use or as an accessory or subordinated use to an agricultural use, or action that would liberalize standards or allowances governing such other uses on land that is, a) outside the Urban Development Boundary (UDB), and b) within one mile of the right-of-way line of any portions of Krome Avenue designated in this Plan for improvement to 4-lanes, shall require an affirmative vote of not less than five members of the affected Community Zoning Appeals Board and two-thirds of the total membership of the Board of County Commissioners then in office, where such Community Zoning Appeals Board or Board of County Commissioners issues a decision. The term "direct agricultural production" includes crops, livestock, nurseries, groves, packing houses, and barns but not uses such as houses of worship, schools, sale of produce and other items, and outdoor storage vehicles. This policy is not intended to permit any use not otherwise permitted by the CDMP. Any modification to this section to allow additional uses within the one mile distance from Krome Avenue shall require an affirmative vote of not less than two-thirds of the Board of County Commissioners then in office.*
8. **Policy LU-9B vii** *of the Land Use Element states that 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 signage.*

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

GU (with an agricultural trend); row crops

Agriculture

Surrounding Properties:

NORTH: GU (with an agricultural trend); row crops	Agriculture
SOUTH: GU (with an agricultural trend); row crops and Single-family residence	Agriculture
EAST: GU (with an agricultural trend); row crops	Agriculture
WEST: GU (with an agricultural trend); row crops and Single-family residence	Agriculture

F. PERTINENT ZONING REQUIREMENTS/STANDARDS:

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

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;*
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;*
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;*
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.*
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.*

Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses. *The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal,*

recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Section 33-311(A)(4)(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 PROVIDER COMMENTS:

Permitting, Environment and Regulatory Affairs (PERA)	No objection*
Public Works and Waste Management	No objection*
Parks	No objection
MDT	No comment
Fire Rescue	Objects
Police	No objection
Schools	No objection

*Subject to conditions indicated in their memoranda.

H. SUSTAINABILITY, PLANNING AND ECONOMIC ENHANCEMENT ANALYSIS:

On October 4, 2011, the Community Zoning Appeals Board (CZAB) #11, denied without prejudice the entire application by a vote of 6 to 0, pursuant to Resolution #CZAB11-11-11. Subsequently, on October 21, 2011, the applicant appealed the CZAB-11's decision to the Board of County Commissioners (BCC) citing that the Board's decision to deny the application was, void of substantial competent evidence.

On August 10, 2011, the applicant submitted revised plans which indicate a relocation of the monument structures on the site and which resulted in the removal of a majority of the variances that were previously requested. Subsequently, the applicant has revised the plans further based on discussions with staff. Due to the revisions, the setback along the south side has been increased to 40', where 25' is required, and the structure along the rear (south) property line has been dramatically reduced. Additionally, other parts of the mausoleum complex have been broken up and shifted to the center of the site, within the southwest quadrant of the property, more than 100 feet from the west property line. The aforementioned changes have been reviewed by staff and are within the scope of the advertisement.

The Land Use Plan (LUP) Map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Agriculture** use. The CDMP indicates *that uses compatible*

*with agriculture and with the rural residential character may be approved in the Agriculture designated areas only if deemed to be a **public necessity**, or if deemed to be “**in the public interest**” and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area.*

Furthermore, **Policy LU-10** of the CDMP states that the *County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agriculture Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.* In addition staff notes that **Policy LU-1R** of the CDMP states that the *County shall take steps to reserve the amount of available land necessary to maintain an economically viable agricultural industry.* Staff notes that if approved, this application would eliminate approximately 48.6 acres of viable agricultural land.

The applicant has identified 194,512 burial and cremation uncommitted spaces available in Miami-Dade County and states in their need study that the supply of cemetery spaces will be depleted by 2021 and the supply of cremation spaces will be depleted by 2017. As such, staff opines that although there currently is a significant capacity of cemetery and cremation spaces available, according to state licensing regulations for cemeteries, it typically takes approximately 5-7 years to establish and develop a cemetery use from the time of zoning approval, which shows that there would be a public necessity for this particular use in the near future.

In addition, the CDMP states that other uses compatible with agriculture may be approved if the use is deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. Staff agrees that while the creation of burial sites is in the public interest, there are 7 vacant parcels of 30 acres or more in the unincorporated area and inside the UDB which are zoned GU and AU where this use is permitted after approval at a public hearing. Staff acknowledges however that due to the location and configuration of these parcels they may not be suitable for this particular use and may pose an incompatibility issue with the surrounding land uses.

Based on the aforementioned staff opines that the proposed cemetery use is a public necessity due to the finite number of years left of burial and cremation spaces and because there are not enough suitable alternative parcels of land inside the UDB where this use is allowed as a special exception. In addition, outside the UDB within the unincorporated area there are no suitable sites in land that is designated Open Land on the Land Use Plan map and there are no sites in land designated Environmental Protection, where such a use is prohibited. As such the proposed use is **consistent** with the agriculture designation on the property and would be compatible with the surrounding agricultural uses in the area.

However, Policy 9B vii of the Land Use Element of the CDMP indicates that *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 signage.* Staff has consistently recommended denial of applications seeking deviations from the Zoning Code signage regulations and is of the opinion that the Zoning Code provides adequate signage allowances. Staff is of the opinion that the proposed signage is excessive and therefore should be denied.

Additionally, **Policy LU-3F** of the interpretative text of the CDMP *requires that any zoning action or amendment to the CDMP that would approve any use other than direct production and*

*permitted residential uses of property, in an area designated as Agriculture, whether as a primary use or as an accessory or subordinated use to an agricultural use, or action that would liberalize standards or allowances governing such other uses on land that is, a) outside the Urban Development Boundary (UDB), and b) within one mile of the right-of-way line of any portions of **Krome Avenue** designated in this Plan for improvement to 4-lanes, shall require an affirmative vote of not less than five members of the affected Community Zoning Appeals Board then in office, where such Community Zoning Appeals Board (CZAB) issues a decision.* The subject property is located approximately 1.4 miles west of and outside the UDB in an area designated **Agriculture** and abuts a portion of Krome Avenue that is designated in the Master Plan for improvement to 4-lanes. Staff is of the opinion that approval of requests #1 and #2, a Special Exception to permit a proposed cemetery with associated mausoleums and an Unusual Use to permit a lake excavation and lake filling, will require an affirmative vote by five (5) members of the CZAB 11 since said uses do not involve the direct production of agriculture, are not permitted residential uses in an agriculturally designated land, and approval of said requests would liberalize the standards or allowances governing such uses.

The applicant is seeking to rezone the subject property from GU, Interim District, to AU, Agricultural District (request #1). Staff notes that the GU zoned parcel is 1.4 miles west of and outside the UDB and as such is trended for agricultural uses and is designated for Agriculture use on the LUP map of the CDMP. As such, staff opines that the rezoning of the property from GU to AU would bring the property into conformity with and would be **consistent** with the LUP map designation and would be **compatible** with the majority of the surrounding properties that are also zoned AU. Staff is supportive of this requested zone change which based on memoranda from DERM, and the Public Works among others, would not unduly burden the natural resources in this area or the planned or constructed transportation facilities. **Therefore, staff recommends approval of request #1, under Section 33-311.**

The applicant is also seeking a special exception to permit a proposed cemetery and associated mausoleums and an unusual use to permit a lake excavation and subsequent lake fill on the subject (requests #2 and #3). The Master Plan specifies that *certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the Zoning Code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of the Master Plan, and provided that the use would be compatible with and would not have an unfavorable effect on the surrounding area by any of the following: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area.*

Staff acknowledges that the interpretative text of the CDMP states that *Man-made water bodies are permitted in any land use category subject to applicable environmental regulations* and that the applicant has proffered a covenant restricting the development of the site to the submitted plans; requiring that the fill excavated from the temporary lake will only be used to raise the elevation of the Property for interment and site improvements; providing that no such fill will be sold or distributed to any other property; and providing that in the event the property is not developed in accordance with the approved site plan, the property owner will not remove any fill

from the property. Staff notes that the requested lake excavation and fill requests are an integral part of the applicant's request for the proposed cemetery which, as previously mentioned, is consistent with the CDMP. **Therefore, staff opines that, along with the proffered covenant, approval of the proposed cemetery use, lake excavation and lake fill are consistent with the interpretative text of the CDMP.**

When requests #2 and #3 are analyzed under Section 33-311(A)(3), Standards For **Special Exceptions, Unusual Uses and New Uses**, staff is of the opinion that the proposed cemetery with associated mausoleums, lake excavation and fill, and proposed entrance feature would not have an unfavorable effect on the agricultural economy of Miami-Dade County. In addition, staff notes that the proposed facility is surrounded by predominately vacant parcels used for agriculture and therefore, in staff's opinion, the proposed cemetery will not have a negative aural or visual impact on the surrounding agriculture properties and is compatible with same. Further, staff notes that the Permitting, Environment and Regulatory Affairs (PERA) Department and the Public Works and Waste Management Department do not object to this application.

In addition, based on the applicant's Letter of Intent, the proposed lake excavation and subsequent lake fill is necessary to raise the elevation of the site for the proposed cemetery use and provides a cost effective means of raising said elevation. *When considering the necessity for and reasonableness of such applied for exception and use in relation to the present and future development of the area concerned and the compatibility of the applied for exception and use with the area and its development*, staff opines that the requested cemetery, lake excavation and fill are compatible with same and would not have an unfavorable effect on the surrounding area in relation to the present and future development of the area. **Therefore, staff recommends approval with conditions of requests #2 and #3 under Section 33-311(A)(3).**

When analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that the approval of request #4 would be **incompatible** with the surrounding area, would negatively affect the stability and appearance of the rural agricultural community, and would be detrimental to the neighborhood. Staff opines that approval of the applicant's request to permit two (2) proposed signs which are approximately 2.5 and 5.1 times larger in size than permitted by the Zoning Code is excessive and will be visually intrusive. It should also be noted that staff's research reveals that no similar approvals of sign variances have been sought in the surrounding area. **Therefore, staff recommends denial without prejudice of request #4 under Section 33-311(A)(4)(b).**

Based on the aforementioned, staff opines that approval of the proposed cemetery use, lake excavation and lake fill are **consistent** with the CDMP and would be **compatible** with the surrounding agriculture uses in the area. However, staff is of the opinion that the approval of request #4 would be **incompatible** with the surrounding rural agricultural and rural residential community. **As such, staff recommends approval of request #1, and approval with conditions of requests #2 and #3 subject to the Boards acceptance of the proffered covenant, under Section 33-311(A)(3); and denial without prejudice of request #4 under Section 33-311(A)(4)(b).**

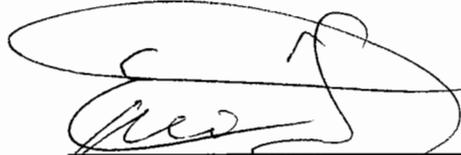
- I. **RECOMMENDATION:** Staff recommends approval of the appeal; approval with conditions of request # 1, approval of requests #2 and #3 with conditions, subject to the Boards acceptance of the proffered covenant; Denial without prejudice of Request #4.
- J. **CONDITIONS:** (For requests #2 and #3 only).

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment and Regulatory Affairs (PERA) upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include, but not limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "West Kendall Memorial Park", as prepared by DCG Development Consulting Group, sheets SP1, SP4, SP5, SP10 and SP11, dated stamped received May 27, 2011, sheet LP9, dated stamped received August 22, 2011 and the remaining 15 sheets dated stamped received August 10, 2011, for a total of twenty-one (21) sheets, except as herein modified to show the removal of the proposed signage and to show a modification of the landscape plans as indicated in Appendix A.
3. That burial vaults be used on the site at all times as indicated on the plans.
4. That the burial sites be located above the water table as shown on the plans.
5. That the use be established and maintained in accordance with the approved plan.
6. That the landscaping plans be modified in accordance with the conditions outlined in Appendix A to this recommendation.
7. That the applicant submit to the Department 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 final zoning inspection.
8. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the PERA, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
9. That all fill excavated from the temporary lake on the southern portion of the property will only be used to raise the elevation of the property for interment and site improvements, and no portion of such fill will be sold or otherwise distributed to any other property.
10. That the applicant shall submit for review and approval by the PERA, a ground water monitoring plan (GWMP), signed and sealed by a Florida licensed Professional Engineer or Professional Geologist within sixty (60) days of the expiration of the appeal period for this Zoning Hearing.
11. That at a minimum, the GWMP shall include a proposal to install a representative number of sentinel monitoring well(s) at the down-gradient property boundary of the proposed cemetery and that groundwater be monitored for the applicable chemicals of concern.
12. Within ninety (90) days of the receipt of the GWMP approval from PERA and prior to the start of interment activities at the proposed cemetery, the applicant shall install monitoring

well(s) and submit a baseline monitoring report, and that subsequent reports shall be submitted in accordance with PERA's approval requirements.

13. That the applicant complies with all other applicable conditions and requirements of PERA.

DATE INSPECTED: 04/22/11
DATE TYPED: 03/08/11
DATE REVISED: 03/09/11, 03/10/11, 6/16/11, 06/23/11, 07/01/11
DATE FINALIZED: 12/12/11
ES:MW:GR:NN:CH



Eric Silva, AICP, Interim Assistant Director
Zoning and Community Design
Miami-Dade County Department of
Sustainability, Planning and Economic
Enhancement

Memorandum

Date: November 15, 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 #Z2010000051-3rd Revision
Krome Agronomics, LLC
Southwest corner of S.W. 136th Street and S.W. 177th Avenue
Special Exception to Permit a Cemetery
(AU) (48.6 Acres)
24-55-38

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 and Wastewater Disposal

Public water and public sanitary sewer systems are not available in the general area; furthermore, since the site is located outside the Urban Development Boundary, neither public water nor public sanitary sewers can be extended to serve the site. Consequently, any proposed development would have to be served by an on-site drinking water supply well as a source of potable water and by a septic tank and drainfield system as a means for the disposal of domestic liquid waste.

In accordance with Section 24-43.2 of the Miami-Dade County Environmental Code, you are required to demonstrate that the groundwater at the site does not require treatment in order to meet the primary drinking water quality standards specified in Chapter 62-55, Florida Administrative Code, as same may be amended from time to time, and that the groundwater at the site does not contain more than two hundred fifty (250) milligrams per liter (mg/l) of chlorides at a depth of thirty (30) feet from ground elevation.

Additionally, DERM has received a properly executed covenants running with the land in favor of Miami-Dade County as required by Sections 24-43.1(4) (a) of the Code, which provides that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank. Consequently, DERM may approve the subject application and the same may be scheduled for public hearing.

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 on-site potable water supply may only be approved, if among other requirements, the proposed land use does not generate liquid waste other than domestic sewage and complies with all the requirements of Section 24-43.1 (4) of the Code.

The available information indicates that the proposed facility entails the operation of a maintenance facility as part of the proposed cemetery. Therefore the facility will be in violation of the above-mentioned Code Section.

Additionally, the proposed development shall not exceed the maximum sewage loading allowed by Section 24-43.1(4) (b) of the Code. The available information indicates that the subject property contains a gross area of approximately 2,085,208 square feet. The maximum sewage loading rate allowed by the Code is 750 gallons per day per acre (GPD/Ac). Based upon said gross area, the maximum wastewater flow that can be permitted is 35902 gallons per day; and the proposed wastewater flow would result in 827.5 gallons per day, which translates into 17.28 GPD/Ac, which would not exceed the above-mentioned Code Section.

Inasmuch as the above-noted request does not comply with any of the noted Code Sections, DERM was not able to administratively approve this application. Accordingly, the applicant applied for variances from the aforesaid Code Sections before the Environmental Quality Control Board (EQCB). Based upon the evidence and available information the Board approved the applicant's petition.

Stormwater Management

The subject property is located outside of the Urban Development Boundary where the primary canal system has been found to have insufficient storage capacity to provide flood protection for land use other than agriculture.

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.

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 100-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development plans shall comply with the requirements of Section 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

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

Wetlands

An on site inspection performed by DERM staff on May 19, 2010 revealed that 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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

There are no tree resources issues on the subject property.

Enforcement History

DERM has found no open or closed enforcement records for the subject property.

Concurrency Review Summary

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

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

This memorandum shall constitute DERM's written approval, as required by the Code.

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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: KROME AGRONOMICS, LLC

This Department has no objections to this application.

Driveway to SW 177 Avenue must meet current F.D.O.T. access management requirements; contact the district office at 305-470-5367 for driveway and drainage permits.

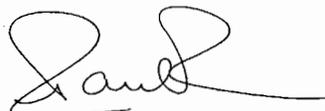
Additional improvements may be required at time of permitting/platting.

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

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 20 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-682	SW 177 Ave. s/o SW 88 St.	C	C
9208	SW 177 Ave. s/o SW 184 St.	C	C
9880	SW 184 St. e/o SW 177 Ave.	B	B

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



Raul A Pino, P.L.S.

10-NOV-10

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

CHECKED BY R AMOUNT OF FEE _____

RECEIPT # _____

DATE HEARD: 10, 9, 11

BY CZAB # 11

RECEIVED
Z10.057
OCT 21 2011

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

DATE RECEIVED STAMP

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

RE: Hearing No. Z10-051 (Resolution No. CZAB 11-11-11)

Filed in the name of (Applicant) Krome Agronomics, LLC

Name of Appellant, if other than applicant Krome Agronomics, LLC

Address/Location of APPELLANT'S property:
Southwest Corner of SW 136 Street and SW 177 Avenue (Krome Avenue)

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

Entire application which was denied in total by CZAB No. 11

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

(State in brief and concise language)

The denial by the CZAB was not based on substantial competent evidence and the applicant's due process rights, including the right to a fair hearing were violated by the CZAB in allowing the angry mob of protesting neighbors to intimidate and harass the CZAB members and the applicant's team.

See attached letter for further grounds and reasons.

Page 1

APPELLANT MUST SIGN THIS PAGE

Date: 20th day of October, year: 2011

Signed

Hugo Pereira, as Member/Manager
of Krome Agronomics, LLC

c/o Tony Recio, Esq. Print Name
2525 Ponce de Leon Blvd., #700
Coral Gables, FL 33134 Mailing Address

c/o Tony Recio, Esq.
(305)854-0800 (305)854-2323
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Representing
Krome Agronomics, LLC

Signature

Tony Recio, Esq.

Print Name

2525 Ponce de Leon Blvd., #700

Address

Coral Gables FL 33134
City State Zip

(305)854-0800

Telephone Number

Email: trecio@wsh-law.com

Subscribed and Sworn to before me on the 20th day of October, year 2011

[Signature]

Notary Public

(stamp/seal)

Commission expires:



ALEIDA C. DUARTE
MY COMMISSION # DD 769292
EXPIRES: March 28, 2012
Bonded Thru Budget Notary Services

APPELLANT MUST SIGN THIS PAGE

Date: 21 day of OCTOBER, year: 2011

Signed

Hugo Pereira, as Member/Manager
of Krome Agronomics, LLC

c/o Tony Recio, Esq. Print Name
2525 Ponce de Leon Blvd., #700
Coral Gables, FL 33134

Mailing Address

(305)854-0800 (305)854-2323
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Representing
Krome Agronomics, LLC

[Signature]
Signature

Tony Recio, Esq.

Print Name

2525 Ponce de Leon Blvd., #700

Address

Coral Gables FL 33134
City State Zip

(305)854-0800

Telephone Number

Email: trecio@wsh-law.com

Subscribed and Sworn to before me on the 21st day of October, year 2011

[Signature]
Notary Public



(stamp/seal)

Commission expires:

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

STATE OF Florida

COUNTY OF Miami-Dade

Before me the undersigned authority, personally appeared Hugo Pereira, as Member/Manager of applicant, Krome Agronomics, LLC (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

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

(Check all that apply)

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

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

Further Appellant says not.

Witnesses:

[Signature]
Signature

Signature

Maura Velez
Print Name

Print Name

[Signature]
Signature

Signature

Nivia Perez
Print Name

Print Name

[Signature]
Appellant's signature

Appellant's signature

Hugo Pereira
Print Name
Krome Agronomics, LLC
(Member/Manager)

Print Name
Krome Agronomics, LLC
(Member/Manager)

Sworn to and subscribed before me on the 30th day of October, year 2011.

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

[Signature]
Notary

(Stamp/Seal)

Commission Expires:

[b:forms/affidapl.sam(9/08)]



ALEIDA C. DUARTE
MY COMMISSION # DD 769292
EXPIRES: March 28, 2012
Bonded Thru Budget Notary Services

RESOLUTION NO. CZAB11-11-11

WHEREAS, **KROME AGRONOMICS, LLC.** applied for the following:

- (1) GU to AU.
- (2) SPECIAL EXCEPTION to permit a proposed cemetery and associated mausoleums.
- (3) UNUSUAL USE to permit a Lake Excavation and lake filling.
- (4) Applicant is requesting to permit two (2) detached signs, one with an area of 81 square feet and the other with an area of 164 square feet (two 32 square feet sign permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "West Kendall Memorial Park," as prepared by DCG Development Consulting Group, consisting of twenty one (21) sheets dated stamped received 5/27/11. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of east 1,210.00 feet of the north 1,800.00 feet of the northeast ¼ of section 24, township 55 south, range 38 east, Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northeast corner of said northeast ¼; thence S02°03'27" east on the east line of said northeast ¼ for 40.02 feet to the point of beginning; thence continue S02°03'27" east on said east line 519.06 feet; thence S87°56'33" west 15.00 feet to the intersection with the west line of the east 15.00 feet of said northeast ¼; thence S02°03'27" east on said west line 760.69 feet to the intersection with the north line of the southeast ¼ of said northeast ¼; thence S89°31'02" west on said north line 85.03 feet to the intersection with the west line of the east 100.00 feet of said northeast ¼; thence S02°03'27" east on said west line 330.04 feet to the intersection with the south line of the north ½ of the northeast ¼ of the southeast ¼ of said northeast ¼; thence N89°31'03" east on said south line 96.00 feet to the intersection with the west right-of-way line of southwest 177th Avenue; thence S01°11'34" east on said right-of-way line 150.41 feet to the intersection with the south line of the north 1,800.00 feet of said northeast ¼; thence S89°30'58" west on said south line 1,204.15 feet to the intersection with the west line of the east 1,210.00 feet of said northeast ¼; thence N02°03'27" west on said west line 1,760.66 feet to the intersection with the south line of the north 40.00 feet of said northeast ¼; thence N89°30'58" east on said south line 1,210.46 feet to the Point of beginning.

LOCATION: The Southwest Corner of SW 136 Street & SW 177 Avenue, Miami-Dade County, Florida, and

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

1. That said Property shall be developed substantially in accordance with the plans previously submitted for hearing entitled "West Kendall Memorial Park", as prepared by DCG Development Consulting Group, sheets SP1, SP4, SP5, SP10 and SP11, dated stamped received May 27, 2011, sheet LP9, dated stamped received August 22, 2011 and the remaining 15 sheets dated stamped received August 10, 2011, for a total of twenty-one (21) sheets, 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. That in the event that the Property is developed in accordance with (1) above, all fill excavated from the temporary lake on the southern portion of the property will only be used to raise the elevation of the Property for interment and site improvements, and no portion of such fill will be sold or otherwise distributed to any other property.

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that a district boundary change from GU to AU as the district boundary change relates to cemetery uses (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied without prejudice, and that the requested special exception to permit a proposed cemetery and associated mausoleums (Item #2), the requested unusual use to permit a Lake Excavation and lake filling (Item #3), and the request to permit two (2) detached signs, one with an area of 81 square feet and the other with an area of 164 square feet (Item #4) would not be compatible with the area and its development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested special exception (Item #2) and the requested unusual use (Item #3) would have an adverse impact upon the public interest and should be denied without prejudice, and that Item #4 should be denied without prejudice, and

WHEREAS, a motion to deny Items #1 through #4 without prejudice was offered by Lleana R. Vazquez, seconded by Beatrice Suarez, and upon a poll of the members present the vote was as follows:

Patricia G. Davis	aye	Miguel A. Diaz	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	aye
		Jeffery Wander	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11, that the requested district boundary change to AU (Item #1) be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that Items #2, 3, and 4 be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs.

PASSED AND ADOPTED this 4th day of October, 2011.

Hearing No. 11-4-CZ11-1
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-11-11 adopted by said Community Zoning Appeals Board at its meeting held on the 4th day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 13th day of October, 2011.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Permitting,
Environment and Regulatory Affairs

SEAL



Memorandum



Date: 10-MAR-11
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2010000051

Fire Prevention Unit:

This memo supersedes MDRFR memorandum date June 1, 2010.

OBJECTIONS:

- Instead of a lock box applicant must provide a Knox pad lock or Knox key switch for gates within Fire Department access roads.

Service Impact/Demand:

Development for the above Z2010000051
 located at THE SOUTHWEST CORNER OF S.W. 136 STREET & S.W. 177 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 2010 is proposed as the following:

N/A	dwelling units	N/A	square feet
<u>residential</u>		<u>industrial</u>	
N/A	square feet	8,475	square feet
<u>Office</u>		<u>institutional</u>	
N/A	square feet	N/A	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: 12.5 alarms-annually.
 The estimated average travel time is: 6:40 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 43 - Richmond - 13390 152 Street
 Rescue, ALS 50' Sqrt (TRT)

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 site plan.

DATE: 27-APR-11
REVISION 1

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

KROME AGRONOMICS, LLC

THE SOUTHWEST CORNER OF
S.W. 136 STREET & S.W. 177
AVENUE, MIAMI-DADE COUNTY,
FLORIDA.

APPLICANT

ADDRESS

Z2010000051

HEARING NUMBER

HISTORY:

BUILDING & NEIGHBORHOOD COMPLIANCE DEPARTMENT

NEIGHBORHOOD REGULATIONS AND LEGAL SERVICES DIVISION

ENFORCEMENT HISTORY

10-051

ADDRESS: THE SOUTHWEST CORNER OF S.W. 136 STREET & S.W. 177 AVENUE

FOLIO: 3058240000012

DATE: 4/27/11

NAME: KROME AGRONOMICS, LLC

OPEN CASES:

Neighborhood Regulations:

No open cases.

Building Code:
No open cases.

CLOSED CASES:
Neighborhood Regulations:
No closed cases.

Building Code:
No closed cases.

Ronald Szep, Neighborhood Regulations and Legal Services Division Director
Miami-Dade County Building and Neighborhood Compliance Department

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

REPORTER NAME:

ZONING INSPECTION REPORT

SURROUNDING PROPERTY

NORTH:

GU - CORPS

SOUTH:

GU - FARM WITH SINGLE FAMILY RESIDENCE

EAST:

GU- CORPS

WEST:

GU - FARMS WITH SINGLE FAMILY RESIDENCE

SURROUNDING AREA

AREA IS ZONED GU WITH MAINLY AGRICULTURAL USES.

NEIGHBORHOOD CHARACTERISTICS:

MAINLY FARMS AND CORPS.

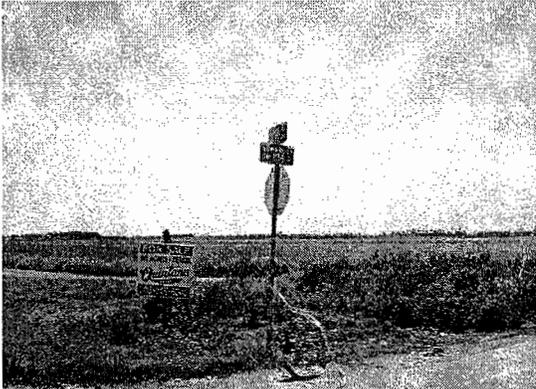
COMMENTS:

THIS PROPERTY IS ZONE GU AND TRENDED AU.

Inspector **HASSUN, PEDRO**

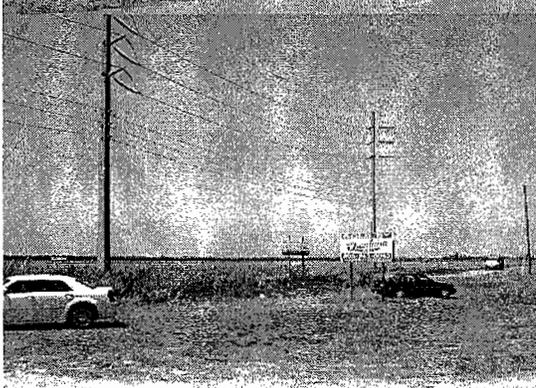
Evaluator **N/A**

Process Number: **Z2010000051** Applicant Name **KROME AGRONOMICS, LLC**



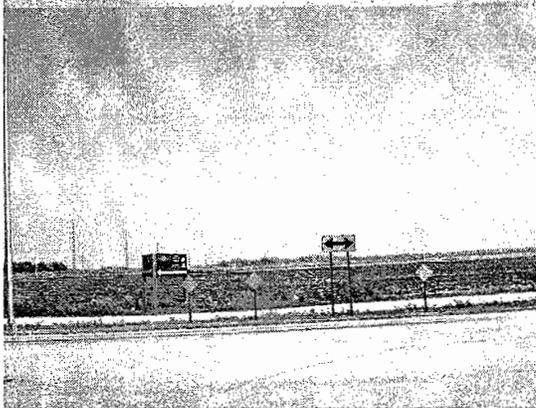
Date: 31-MAR-11

Comments: NORTHEAST CORNER OF SUBJECT PROPERTY ON SW 177 AVE & 136 ST.



Date: 31-MAR-11

Comments: PROPERTY NORTH OF SUBJECT PROPERTY, VACANT LOT FARMED WITH CROPS AND FOLIO NO. 3058130000020.



Date: 31-MAR-11

Comments: PROPERTY EAST OF SUBJECT PROPERTY WITH FOLIO NO. 3059190000012 & 3059190000011.

Inspector **HASSUN, PEDRO**

Evaluator **N/A**

Process Number: **Z2010000051** Applicant Name **KROME AGRONOMICS, LLC**



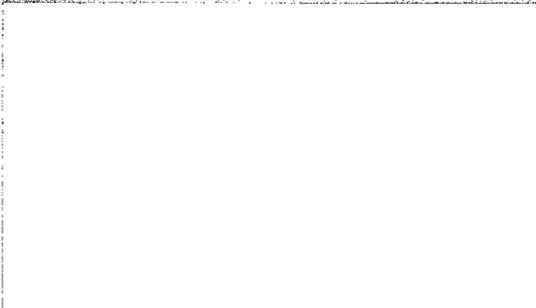
Date: 31-MAR-11

Comments: PROPERTY EAST OF SUBJECT PROPERTY WITH FOLIO NO. 3059190000012 & 3059190000011 PHOTO TAKE FROM THE SOUTHWEST CORNER OF SW 177 AVE & 136 ST.



Date: 31-MAR-11

Comments: PROPERTY TO THE WEST OF SUBJECT PROPERTY AKA 18000 SW 136 ST.



Date: 31-MAR-11

Comments: NORTHEAST VIEW OF PROPERTY NORTH OF SUBJECT PROPERTY, VACANT LOT FARMED WITH CROPS AND FOLIO NO. 3058130000020.

Inspector **HASSUN, PEDRO**

Evaluator **N/A**

Process Number: **Z2010000051** Applicant Name **KROME AGRONOMICS, LLC**



Date: 31-MAR-11

Comments: SUBJECT PROPERTY SOUTH VIEW OF WEST PROPERTY LINE.



Date: 31-MAR-11

Comments: EAST VIEW OF SW 136 ST TOWARDS SW 17 AVE.



Date: 31-MAR-11

Comments: PROPERTY TO THE SOUTH OF SUBJECT PROPERTY AKA 14300 SW 177 AVE.

RECEIVED

DISCLOSURE OF INTEREST*

MIAMI-DADE COUNTY
PROCESS #: Z10-051
DATE: MAY 17 2011
BY: DAH

PERSON owns or leases the subject property, list principal stockholders and percent of stock
[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].

COMPANY NAME: Krome Agronomics, LLC, a Florida limited liability company

<u>NAME AND ADDRESS</u>	<u>TITLE</u>
<u>Hugo Pereira</u>	<u>Mgr</u>
<u>c/o Gilbert A. Contreras Esq.</u>	
<u>141 Almeria Avenue</u>	
<u>Coral Gables FL 33134</u>	

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

TRUST/ESTATE NAME: _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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

Stamp: Z10-051

entities, further disclosure shall be made to identify natural persons having the ultimate ownership

RECEIVED

BUYER: Stormy Sky, LLC, a Delaware limited liability company

MIAMI-DADE COUNTY

PROCESS #: Z10-051

DATE: MAY 27 2010

BY: DAH

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.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

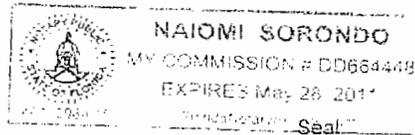
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 30th day of MAY, 2010. Affiant is personally know to me or has produced FL. DRIVERS LICENSE as identification.

(Notary Public)



My commission expires: MAY 28 2011

*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.

20-051
JHA

RECEIVED

DISCLOSURE OF INTEREST*

MIAMI-DADE COUNTY
PROCESS #: Z10-051
DATE: MAY 22 2011
BY: DAH

ON owns or leases the subject property, list principal stockholders and percent of stock [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].

COMPANY NAME: Krome Agronomics, LLC, a Florida limited liability company

<u>NAME AND ADDRESS</u>	<u>TITLE</u>

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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

entities, further disclosure shall be made to identify natural persons having the ultimate ownership

RECEIVED

NAME OF PURCHASER: Stormy Sky, LLC, a Delaware limited liability company

MIAMI-DADE COUNTY

PROCESS #: Z10-051

DATE: 05/17/2010 **DEPARTMENT AND OFFICE (if applicable)**

Percentage of Interest

BY: DAH

EDWARD A. FOWLER

SOLE MANAGER 100%

SCI CAPITAL CORPORATION

SOLE MEMBER 100%

40 WEISS SEROTA HELFMAN PASTORIZA

ATTN: TONY RACIO

2525 PONCE DE LEON BLVD., SUITE 700

CORAL GABLES, FL 33134

Date of contract: MARCH 11, 2010

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

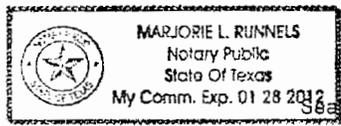
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: [Signature]
EDWARD A. FOWLER (Applicant), SOLE MANAGER

Sworn to and subscribed before me this 3rd day of MAY, 2009. Affiant is personally know to me or has produced _____ as identification.

[Signature]
(Notary Public)



My commission expires: 01-28-2012

210-051
[Handwritten notes and stamps]

*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.

210-051

RECEIVED

DISCLOSURE OF INTEREST*

DAH

MIAMI-DADE COUNTY PROCESS # Z10-051 DATE: MAY 17 2011 BY: DAH

COMPANY NAME: Krome Agronomics, LLC, a Florida limited liability company

Table with 2 columns: NAME AND ADDRESS, TITLE. Includes horizontal lines for data entry.

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each.

TRUST/ESTATE NAME

Table with 2 columns: NAME AND ADDRESS, Percentage of Interest. Includes horizontal lines for data entry.

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners.

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:

Table with 2 columns: NAME AND ADDRESS, Percentage of Ownership. Includes horizontal lines for data entry.

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

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

RECEIVED

APPLICANT: Stormy Sky, LLC, a Delaware limited liability company

MIAMI-DADE COUNTY

PROCESS #: Z10-051

DATE: MAY 27 2010

BY: DAH

ADDRESS AND OFFICE (if applicable)

Percentage of Interest

LEGAL CORPORATION (See Exhibit B Attached)

Sole Member

c/o Weiss Serota Helfman Pastoriza etal Attn: Tony Recio

2525 Ponce de Leon Blvd., Suite 700

Coral Gables, Fl 33134

STORMY SKY, LLC

Edward A. Fowler

Date of contract: March 11, 2010

Sole Manager

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.

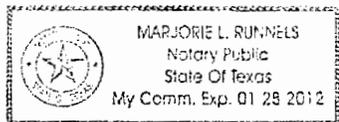
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: *E. Fowler*
(Applicant)

Edward A. Fowler, Sole Manager

Sworn to and subscribed before me this 19th day of May, 2010. Affiant is personally known to me or has produced _____ as identification.

Marjorie L. Runnels
(Notary Public)

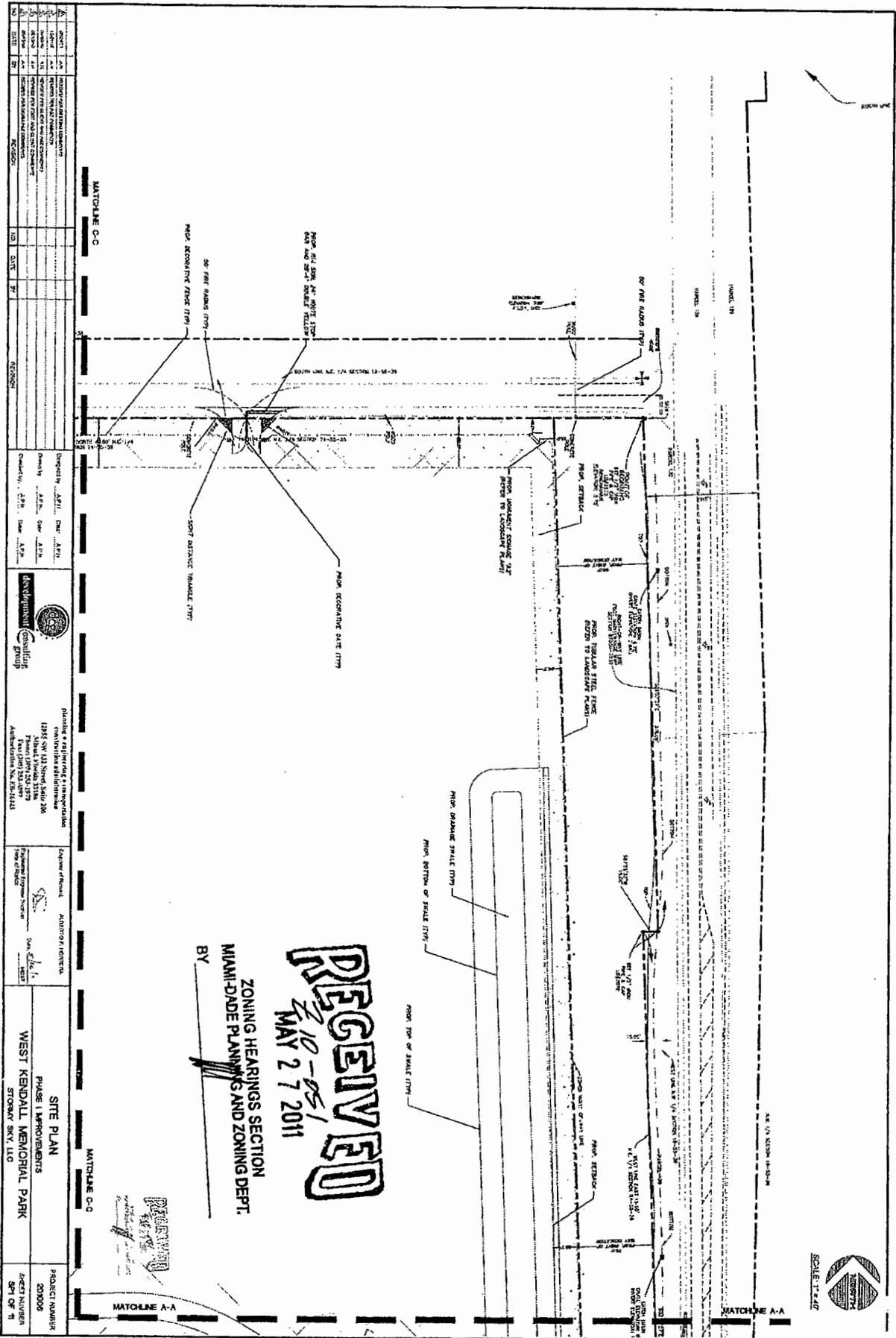


My commission expires: 01-28-2012

RECEIVED
Z10-051
MAY 27 2010

PLANNING & ZONING SECTION
MAY 27 2010

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



NO.	DATE	BY	REVISIONS
1	05/10/11	AS/ML	INITIAL DESIGN
2	05/10/11	AS/ML	REVISED DESIGN
3	05/10/11	AS/ML	FINAL DESIGN

MATCHLINE C-C

MATCHLINE C-C

MATCHLINE A-A

RECEIVED
 2-10-05
 MAY 27 2011
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

PLANNING
 10/10/11



Development Consulting Group
 12845 SW 15th St
 Suite 100
 Miami, FL 33185
 Phone: (305) 254-3379
 Fax: (305) 254-3378
 Website: www.devcog.com

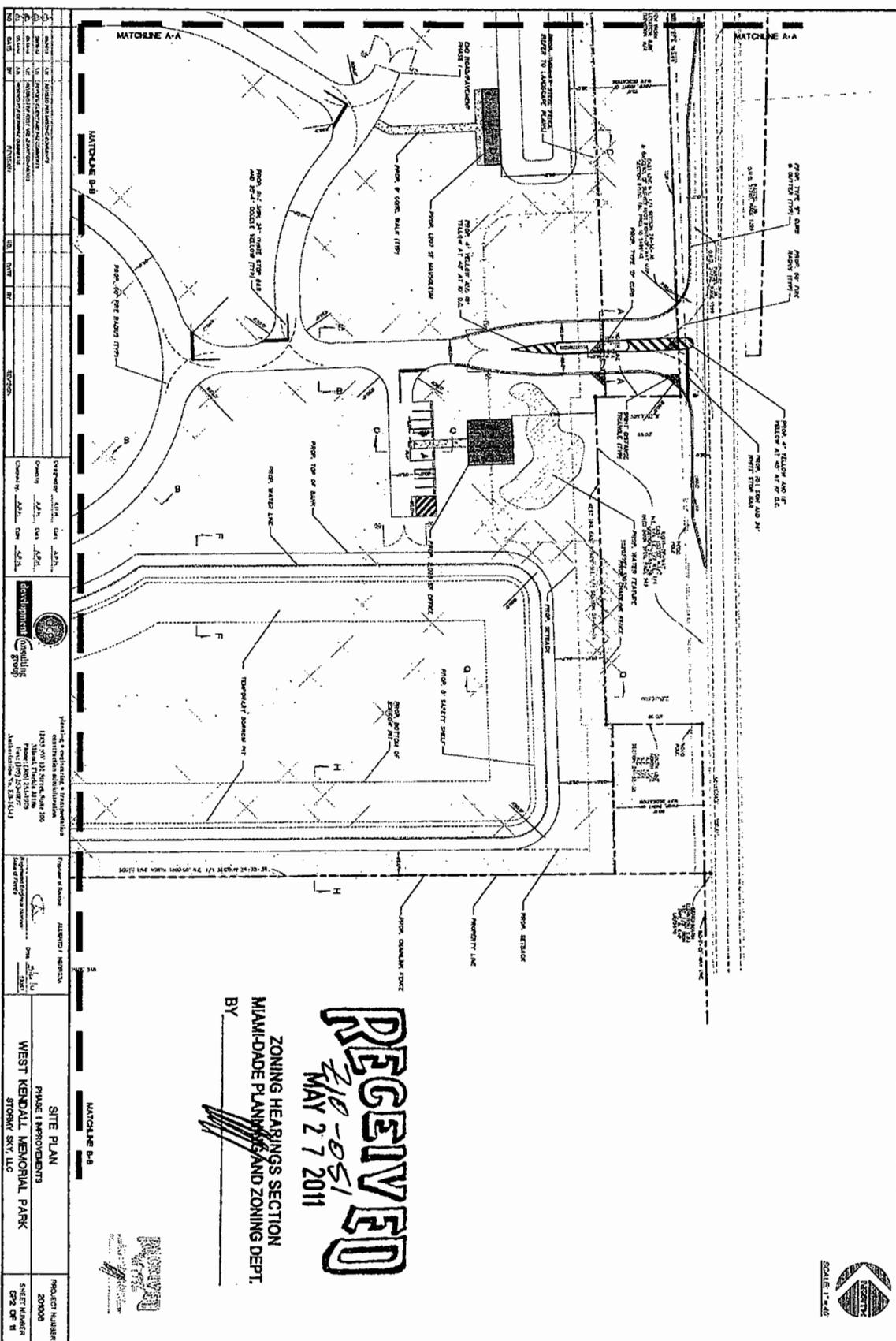
Author of Record
 AS/ML
 Date: 05/10/11

SITE PLAN
 PHASE I IMPROVEMENTS
 WEST KENDALL MEMORIAL PARK
 STORBY, INC. LLC

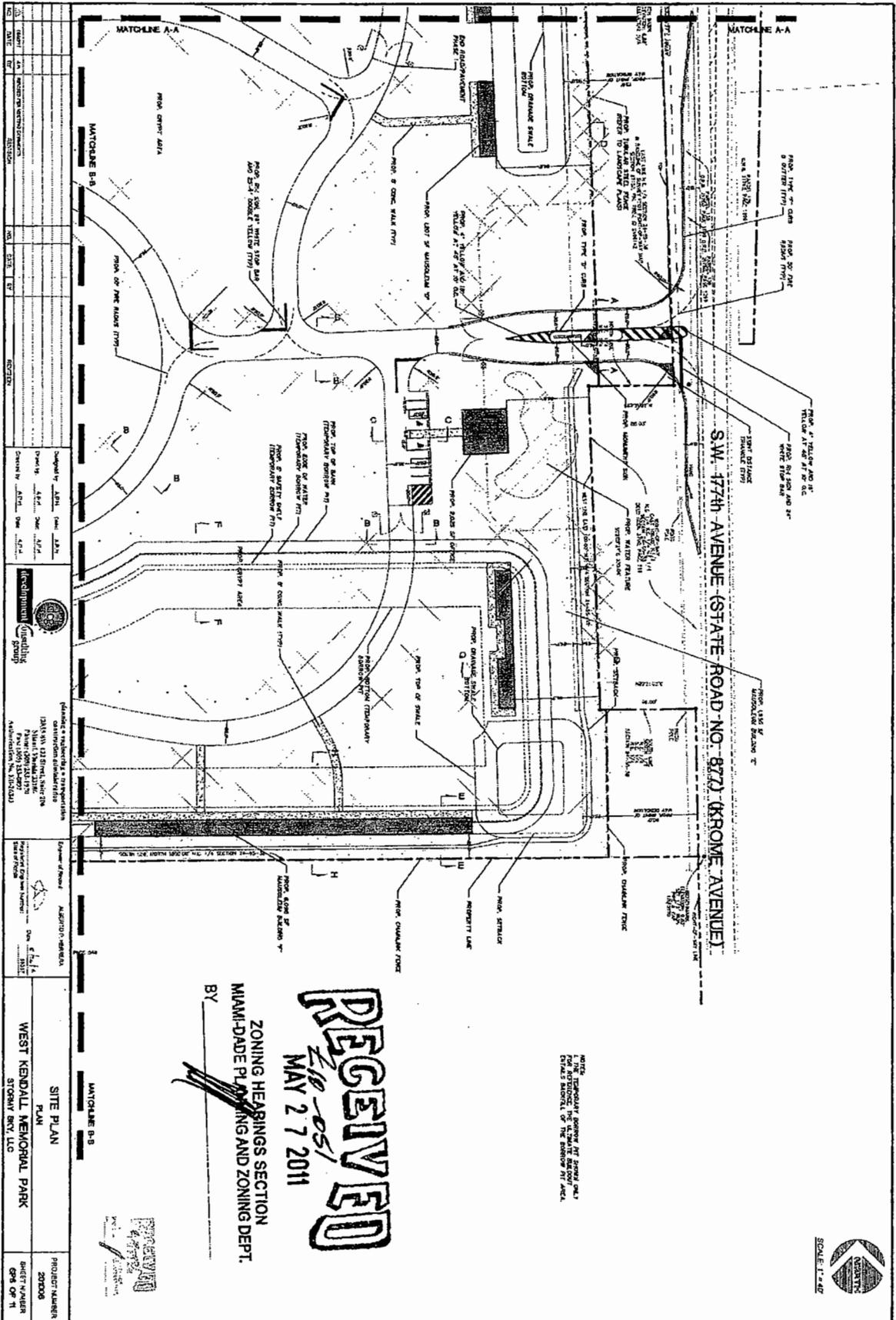
PROJECT NUMBER
 200006
 SHEET NUMBER
 SPT OF 11



SCALE: 1"=40'



NO.	DATE	DESCRIPTION
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NO.	DATE	BY	REVISION
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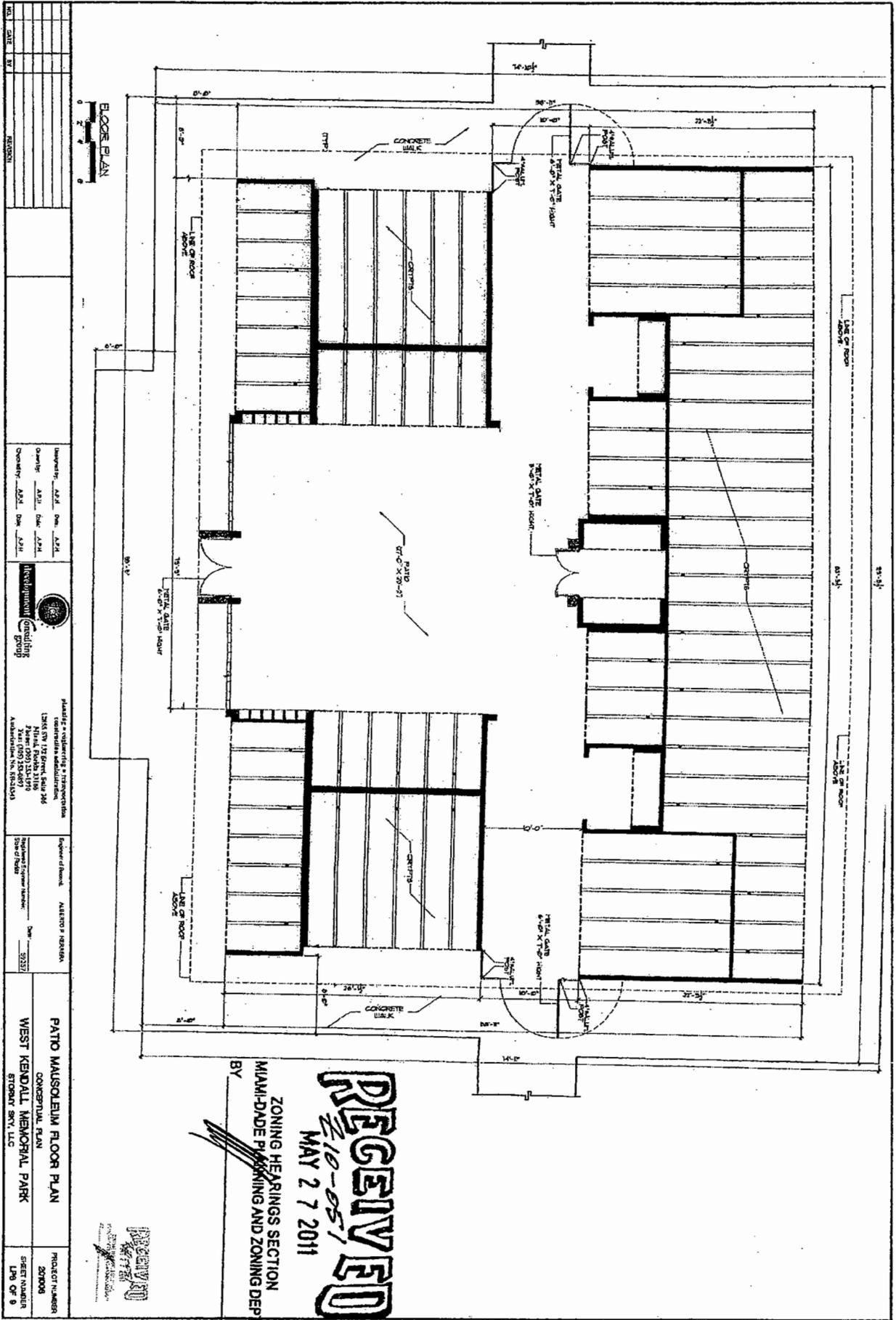
Prepared by: **ARCHITECTURAL GROUP**
 1341 SW 11th Street, Suite 200
 Miami, FL 33135
 Phone: (305) 358-1111
 Fax: (305) 358-1112
 www.architecturalgroup.com

Prepared for: **WEST KENDALL MEMORIAL PARK**
 STORMY, INC., LLC

PROJECT NUMBER: 207008
 SHEET NUMBER: 02A OF 11

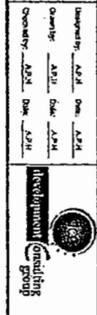
RECEIVED
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 MAY 27 2011





NO.	DATE	BY	REVISION

Prepared by: AKM Date: AKM
 Checked by: AKM Date: AKM
 Drawn by: AKM Date: AKM



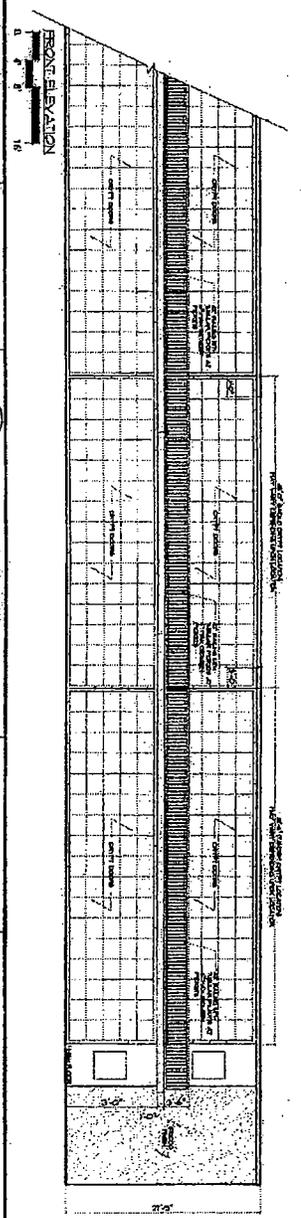
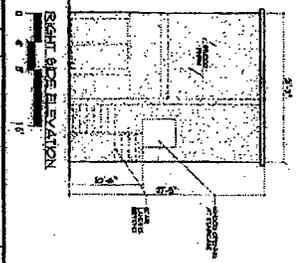
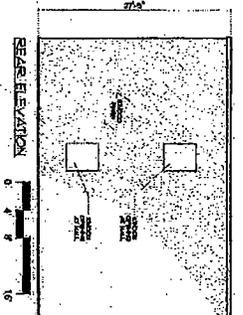
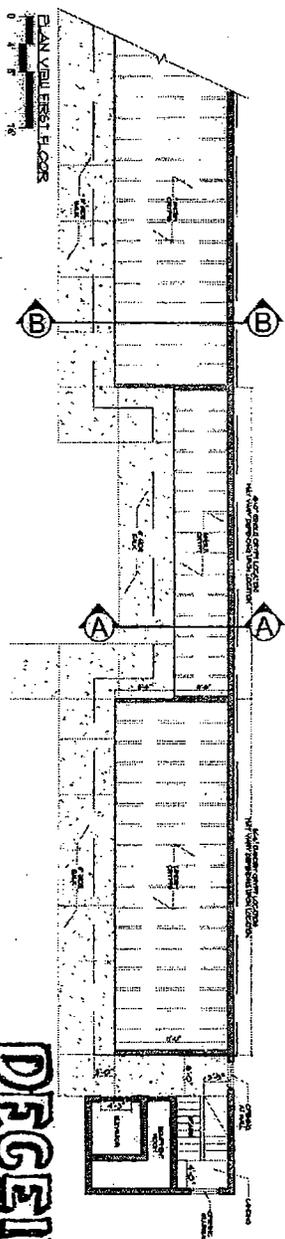
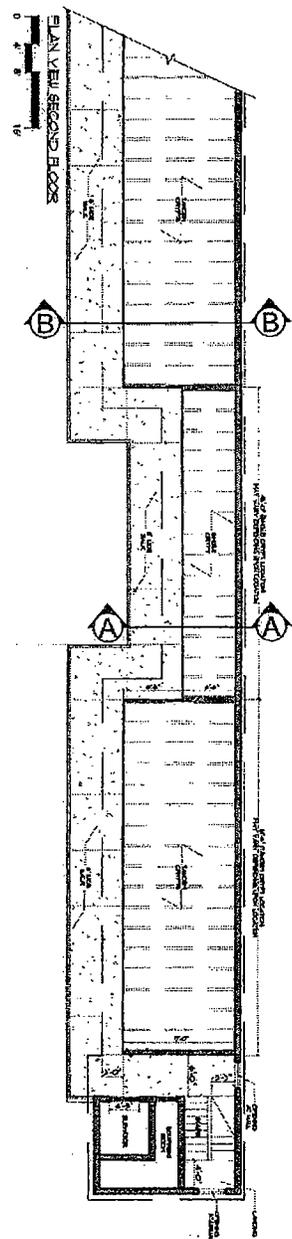
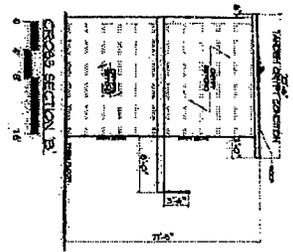
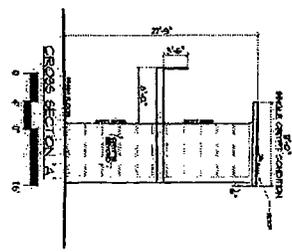
Planning & Engineering & Transportation
 CONSULTING ARCHITECTS
 12845 SW 152 Street, Suite 206
 Miami, Florida 33187
 Phone: (305) 251-1100
 Fax: (305) 251-0497
 www.developmentgroup.com

Region of Record: MAY 27 2011
 Project Name: WEST KENDALL MEMORIAL PARK
 Date: 05/27/11

PATIO MAUSOLEUM FLOOR PLAN
 CONCEPTUAL PLAN
WEST KENDALL MEMORIAL PARK
 STORBY SRV, LLC

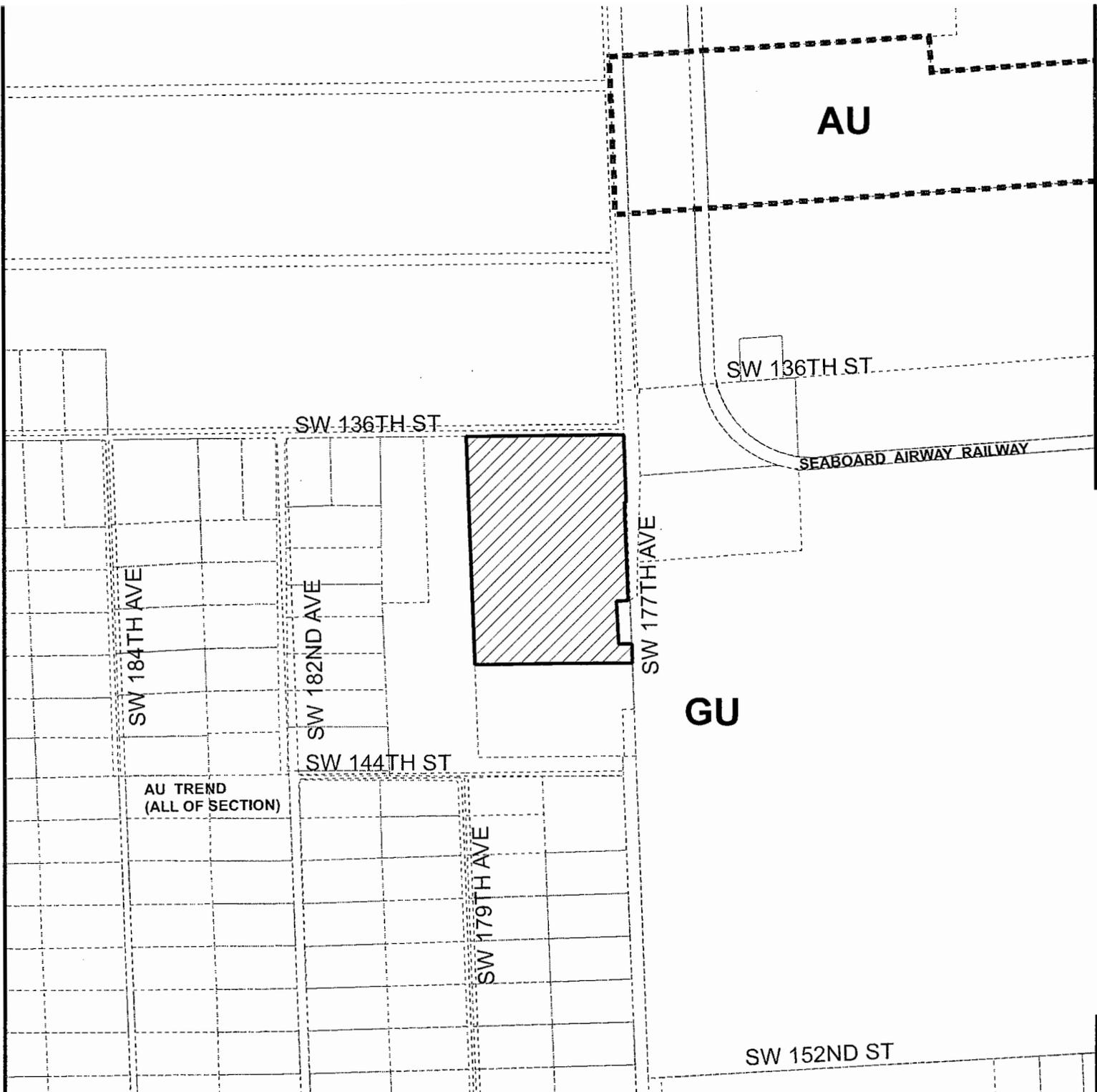


RECEIVED
 5-10-11
 MAY 27 2011
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY *[Signature]*



RECEIVED
File 05
 MAY 27 2011
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

Prepared by: <u>APM</u> Date: <u>APM</u> Drawn by: <u>APM</u> Date: <u>APM</u> Checked by: <u>APM</u> Date: <u>APM</u>		Jeffrey A. Brennan Registered Professional Engineer No. 31352	GARDEN MAUSOLEUM PLAN & ELEVATIONS CONCEPTUAL PLAN WEST KENDALL MEMORIAL PARK STORBY SV. LLC	PROJECT NUMBER 201006 SHEET NUMBER LP# OF 9
Planning & engineering firm construction administration 1305 SW 173 Street, Suite 202 Miami, Florida 33138 Phone: (305) 225-9770 A/E/C/DA/CM/DM/PM/CM-AT/CA		Development Group	PROJECT NUMBER 201006 SHEET NUMBER LP# OF 9	



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z201000051



Section: 19 Township: 55 Range: 39
 Section: 24 Township: 55 Range: 38
 Applicant: KROME AGRONOMICS, LLC
 Zoning Board: C11
 Commission District: 9
 Drafter ID: KEELING
 Scale: NTS

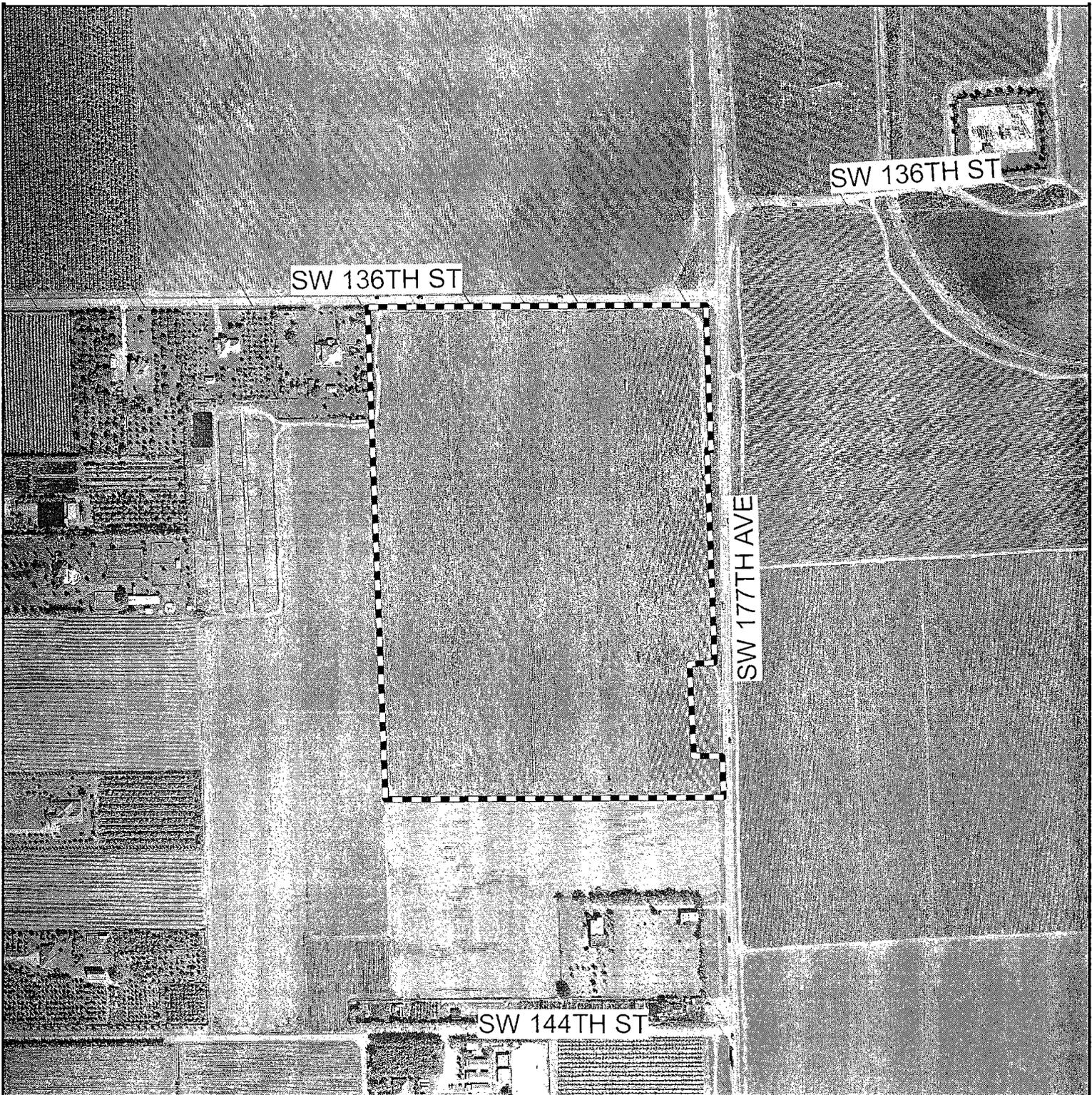
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-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, May 11, 2010

REVISION	DATE	BY
		64



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Section: 19 Township: 55 Range: 39
 Section: 24 Township: 55 Range: 38
 Applicant: KROME AGRONOMICS, LLC
 Zoning Board: C11
 Commission District: 9
 Drafter ID: KEELING
 Scale: NTS

Process Number

Z2010000051



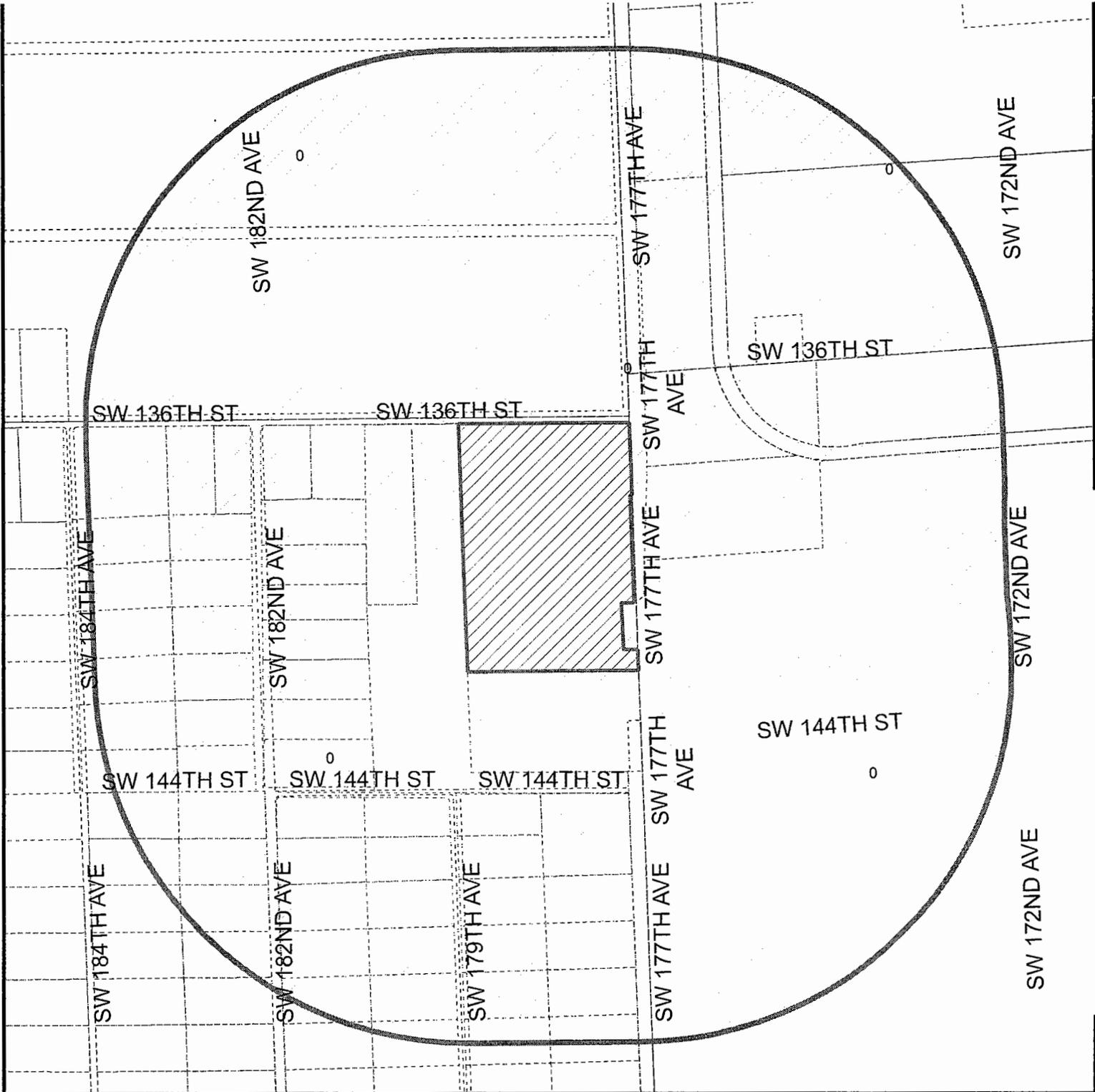
Legend

 Subject Property



SKETCH CREATED ON: Tuesday, May 11, 2010

REVISION	DATE	BY
		65



**MIAMI-DADE COUNTY
RADIUS MAP**

Process Number

Z201000051

RADIUS: 2640



Section: 19 Township: 55 Range: 39
 Section: 24 Township: 55 Range: 38
 Applicant: KROME AGRONOMICS, LLC
 Zoning Board: C11
 Commission District: 9
 Drafter ID: KEELING
 Scale: NTS

Legend

-  Subject Property
-  Contiguous Properties
-  Buffer



REVISION	DATE	BY

This instrument was prepared by:
Tony Recio, Esq.
Weiss Serota Helfman
Pastoriza Cole & Boniske
2525 Ponce de Leon Blvd
Suite 700
Coral Gables, FL 33134

PLANNING AND ZONING
AGENDA OFFICE

2012 JAN - 9 A 8:45

BCC — January 26, 2012
Item #1 — Z10-051
Krome Agronomics, LLC

(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 attorney's opinion, and

IN ORDER TO ASSURE the **County** that the representations made by the owner during consideration of Public Hearing No. 10-051 will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) That said Property shall be developed substantially in accordance with the plans previously submitted for hearing entitled "West Kendall Memorial Park", as prepared by DCG Development Consulting Group, sheets SP1, SP4, SP5, SP10 and SP11, dated stamped received May 27, 2011, sheet LP9, dated stamped received August 22, 2011 and the remaining 15 sheets dated stamped received August 10, 2011, for a total of twenty-one (21) sheets, 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) In the event that the Property is developed in accordance with (1) above, all fill excavated from the temporary lake on the southern portion of the property will only be used to raise the elevation of the Property for interment and site improvements, and no portion of such fill will be sold or otherwise distributed to any other property.

(Space reserved for Clerk)

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

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

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

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including jointers 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.

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

(Space reserved for Clerk)

reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

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

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

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

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

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

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

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

[Execution Pages Follow]

(Space reserved for Clerk)

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 31 day of Aug., 2011

KROME AGRONOMICS, LLC,
a Florida limited liability
company

WITNESSES:

Sign [Signature]

Print Naomi Sorondo

Sign _____

Print Gilbert Contreras

Sign [Signature]

Hugo Pereira
as President/Member/Manager
c/o Gilbert Contreras, Esq.
141 Almeria
Coral Gables, Florida

STATE OF FLORIDA, COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 31 day of Aug., 2011, by Hugo Pereira as President/Member/Manager and on behalf of KROME AGRONOMICS, LLC, a Florida limited liability company, who is personally known to me or who has produced _____ as identification and who did take an oath.

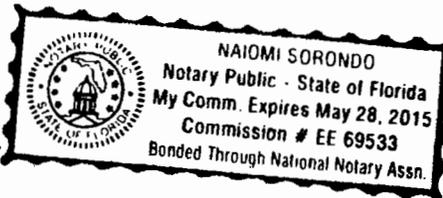
NOTARY PUBLIC:

Sign [Signature]

Print Naomi Sorondo

State of Florida at Large (Seal)

My Commission Expires: 5/28/2015



JOINDER BY MORTGAGEE CORPORATION

The undersigned GENERAL LENDING CORPORATION, a Florida corporation and Mortgagee under that certain mortgage from KROME AGRONOMICS, LLC, a Florida limited liability company, dated the 18th day of December, 2008, and recorded in Official Records Book 26694, Page 83, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Declaration of Restrictions, as modified by that certain Mortgage Modification Agreement dated the 16th day of December, 2010, and recorded in Official Records Book 27526, Page 3485, of the Public Records of Miami-Dade County, Florida, and as further modified by that certain Notice of Future Advance and of Mortgage Term, dated the 18th day of December, 2010, and recorded in Official Records Book 27526, Page 3505, of the Public Records of Miami-Dade County, Florida, does hereby acknowledge that the terms of the Declaration of Restrictions are and shall be binding upon the undersigned and its successors in title.

Krome Agronomics, LLC acknowledges and agrees that General Lending Corporation's Joinder does not in any way alter, modify, or change Krome Agronomics, LLC's obligations under the Mortgage and any of the other loan documents, which are hereby reaffirmed in all respects. Krome Agronomics, LLC also agrees that, without Lender's express written consent, there shall be no alteration, development or improvement of the subject land until the loan indebtedness is paid in full. Moreover, Krome Agronomics, LLC agrees to pay all attorney's fees and costs incurred by General Lending Corporation in connection with this Joinder.

IN WITNESS WHEREOF, these presents have been executed this 14 day of APRIL, 2011.

Witnesses:

Signature [Signature]

Print Name Jose Quintero

Signature [Signature]

Print Name Efrain Dominguez

Signature [Signature]

Print Name Efrain Dominguez

Rolando Barrero, Pres.
GENERAL LENDING CORPORATION

Address: P.O. Box 440584
Miami, FL 33144

By Rolando Barrero
(President, Vice-President or CEO*)

Print Name: _____

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF Florida

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by Rolando Barrero (name) the President (title) of GENERAL LENDING CORPORATION, on behalf of the corporation. He/She is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 14 day of April, 2011, in the County and State aforesaid.

Maria E. Garcia
Notary Public-State of Florida

Maria E. Garcia
Print Name
My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA
Maria E. Garcia
Commission # DD778394
Expires: JULY 25, 2012
BONDED THRU ALLIANTIC BONDING CO., INC.

AS TO KROME AGRONOMICS:

A. Duarte
Signature

Aleida Duarte
Print Name

Maggie Jenkins
Signature
Print Name

[Signature]

KROME AGRONOMICS, LLC

Address: 141 Alameda Ave
Coconut Grove, FL 33134

By HUGO PERERA
(MANAGER)

Print Name: Hugo Perera

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF FLORIDA
COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me by Hugo Perera (name) the Manager (title) of KROME AGRONOMICS, LLC, on behalf of the corporation. He/She is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 14th day of April, 2011, in the County and State aforesaid.

Fara C. Barrero Dominguez
Notary Public-State of _____
Fara C. Barrero Dominguez
Print Name

My Commission Expires:

FARA C. BARRERO-DOMINGUEZ
MY COMMISSION # DD 762518
EXPIRES: May 22, 2012
Bonded Thru Notary Public Underwriters

Exhibit A

A PORTION OF EAST 1,210.00 FEET OF THE NORTH 1,800.00 FEET OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 55 SOUTH, RANGE 38 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 02°03'27" EAST ON THE EAST LINE OF SAID NORTHEAST 1/4 FOR 40.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 02°03'27" EAST ON SAID EAST LINE 519.06 FEET; THENCE SOUTH 87°56'33" WEST 15.00 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE EAST 15.00 FEET OF SAID NORTHEAST 1/4; THENCE SOUTH 02°03'27" EAST ON SAID WEST LINE 760.69 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID NORTHEAST 1/4; THENCE SOUTH 89°31'02" WEST ON SAID NORTH LINE 85.03 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE EAST 100.00 FEET OF SAID NORTHEAST 1/4; THENCE SOUTH 02°03'27" EAST ON SAID WEST LINE 330.04 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID NORTHEAST 1/4; THENCE NORTH 89°31'03" EAST ON SAID SOUTH LINE 96.00 FEET TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST 177TH AVENUE; THENCE SOUTH 01°11'34" EAST ON SAID RIGHT-OF-WAY LINE 150.41 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1,800.00 FEET OF SAID NORTHEAST 1/4; THENCE SOUTH 89°30'58" WEST ON SAID SOUTH LINE 1,204.15 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE EAST 1,210.00 FEET OF SAID NORTHEAST 1/4; THENCE NORTH 02°03'27" WEST ON SAID WEST LINE 1,760.66 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 40.00 FEET OF SAID NORTHEAST 1/4; THENCE NORTH 89°30'58" EAST ON SAID SOUTH LINE 1,210.46 FEET TO THE POINT OF BEGINNING.
CONTAINING 2,085,208 SQUARE FEET, 47.8698 ACRES