

FINAL AGENDA

7-31-2013 Version # 1



COMMUNITY ZONING APPEALS BOARD 10
RUBEN DARIO MIDDLE SCHOOL
350 NW 97 Avenue, Miami
Wednesday, September 11, 2013 at 6:30 p.m.

PREVIOUSLY DEFERRED

A. 13-7-CZ10-4 MAURI INVESTMENTS PROPERTY, INC 13-2 20-54-40

CURRENT

1. 13-9-CZ10-1 SUNTRUST BANK 13-9 22-54-40 N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF WEDNESDAY SEPTEMBER 11, 2013

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMUNITY ZONING APPEALS BOARD SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMUNITY ZONING APPEALS BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD BE GRANTED BY THE MAJORITY VOTE OF THE BOARD 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 MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM 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

SIZE OF PROPERTY: 4.07 Acres

Department of Regulatory and
Economic Resources
Recommendations:

Approval, subject to acceptance of the
proffered covenant.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

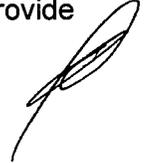
NOTICE

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court.

Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Regulatory and Economic Resources (RER), or its successor Department, within 14 days after RER has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (RER's posting will be made on a bulletin board located in the office of RER.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenges or appeal.

A handwritten signature in black ink, consisting of a stylized, cursive letter 'P' with a long, sweeping tail that curves upwards and to the right.

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 10**

PH: Z13-002(13-7-CZ10-4)

September 11, 2013

Item No. A

Recommendation Summary	
Commission District	10
Applicant	Mauri Investments Property, Inc.
Summary of Requests	The applicant is seeking a Use Variance and ancillary non-use variances to allow a semi-professional office use in a more restrictive zoning district.
Location	10000 SW 40 Street, Miami-Dade County, Florida.
Property Size	75' x 130'
Existing Zoning	RU-1
Existing Land Use	Single-family residence
2015-2025 CDMP Land Use Designation	Office Residential (<i>see attached Zoning Recommendation Addendum</i>)
Comprehensive Plan Consistency	Consistent with objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(a), Use Variance standards, Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (<i>see attached Zoning Recommendation Addendum</i>)
Recommendation	Approval with conditions of requests #1 and #2 and denial without prejudice of request #3.

This item was deferred from the July 30, 2013 meeting of Community Zoning Appeals Board (CZAB) #10, to allow the applicant to proffer a covenant requested by the Board, restricting medical office uses on the site. At the time of writing, staff has not received the covenant.

REQUESTS:

1. USE VARIANCE to permit semi-professional offices in the RU-1 zoning district as would be permitted in the RU-5A zoning district.
2. NON-USE VARIANCE to permit a lot area of 9,677 sq. ft. (10,000 sq. ft. required).
3. NON-USE VARIANCE of landscape requirements to permit 4 lot trees (7 required), 5 street trees (6 required), 90 shrubs (130 required), and to permit a lawn area of 4,835 sq. ft. (725.75 sq. ft. maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Office Building for Mauri Investments," as prepared by Orested Lopez-Recio, Architect, sheet SP-1 dated stamped received 3/11/13 and the remaining 2 sheets dated stamped received 1/7/13, for a total of 3 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The site plan submitted by the applicant depicts the proposed 1,720 sq. ft. office building on the 9,677 sq. ft. corner lot, with seven (7) parking spaces and an ingress/egress drive along SW 100 Avenue.

NEIGHBORHOOD CHARATERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; single-family residence	Office/Residential
North	RU-1; office	Office/Residential
South	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
East	RU-1; office	Office/Residential
West	RU-1; office	Office/Residential

NEIGHBORHOOD COMPATIBILITY:

The subject property is a corner lot located at 10000 SW 40 Street. The area surrounding the subject property is primarily characterized by office uses to the north, east and west fronting onto SW 40 Street (Bird Road) and residential uses to the south.

SUMMARY OF THE IMPACTS:

The approval of this application will provide an additional office space along Bird Road which is a section line road and a main east/west roadway. However, approval of the request to allow the office use on this corner lot could increase the traffic impacts on the residences to the south.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Adopted 2015 and 2025 Land Use Plan (LUP) of the Comprehensive Development Master Plan (CDMP) designates the subject property as being within the Urban Development Boundary for **Office/Residential** use. The applicant seeks approval for a use variance to permit semi-professional office uses in the RU-1, Single-Family Residential District as would be permitted in the RU-5A, Semi-Professional Office District as well as ancillary requests for non-use variances. Uses allowed in the Office/Residential category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional offices to large-scale office parks. The RU-5A zoning district allows uses such as attorneys and real estate offices, doctor's offices, accountants, adult daycare uses and other professional office uses. As such, the range of permitted uses in the proposed RU-5A zone is compatible with the uses allowed in this category.

The CDMP Land Use Element interpretative text for the Office Residential category *recognizes existing strip office development along roadways. Ribbons or strips of office use along roadway frontages are identified along one or both block faces fronting certain roadways.* Staff notes that the subject parcel is the only remaining single-family residence along this frontage between SW 100 Avenue and SW 102 Avenue on both sides of Bird Road. Further, staff's research of properties in the surrounding area indicated that all the other residences along this block face were approved for use variances to permit office uses in the RU-1 zoning district as would be allowed in the RU-5A district between 1981 and 1995.

However, staff notes that the subject property abuts single-family residential uses to the south. The CDMP Land Use Element interpretative text for the Office Residential category states that a

specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The criteria to determine compatibility is outlined in CDMP **Policy LU-4A**, among which are factors such as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable. The applicant's design of the proposed office facility is apparently restricted due to the existing conditions, among which are the size of the parcel, which is the subject of request #2 and the existing single-family building that is being converted. The submitted plans indicate that the parking and drives are located to the rear (south) of the property where it abuts the existing single family development. Said plans also indicate a proposed 6' high CBS wall along the rear (south) property line which will mitigate the visual and aural impacts of the parking and drives on the abutting residence to the south. However, staff opines that the site has adequate room to provide the additional landscaping that will buffer the more intensive office uses from the residences located to the south. Therefore, with the condition that the applicant provides the required landscaping that is the subject of request #3, staff opines that approval of the application would be **compatible** with the surrounding office and residential uses based on the criteria outlined in **Policy LU-4A**. As such, based on the foregoing analysis, staff opines that approval with conditions of the proposed professional office use is **compatible** with the area and **consistent** with the CDMP Land Use Element interpretative text for the Office/Residential category and the CDMP LUP map Office/Residential designation.

ZONING ANALYSIS:

When the applicant's request to permit a semi-professional office use in the RU-1 zoning district as would be permitted in the RU-5A zoning district (request #1) is analyzed under Section 33-311(A)(4)(a), staff opines that approval with conditions of this request would be **compatible** with the surrounding office and residential uses. Based on the foregoing analysis, staff notes that the request is consistent with the Land Use Element interpretative text under the Office/Residential category. Staff notes that the subject property is located along SW 40 Street (Bird Road), which is a well-travelled east/west roadway and is the only remaining residential use along this portion of the roadway on both sides of the street. The abutting property to the west at 10020 SW 40 Street was approved pursuant to Resolution #Z-207-81 to allow semi-professional office uses in the RU-1 zoning district in 1981. Similarly, in 2003, pursuant to Resolution #CZAB10-64-04, the property to the east, located at 9980 SW 40 Street was also approved for a similar request amongst others. As previously noted, all the other properties on the block-face on which the subject parcel is located were approved for similar requests between 1981 and 2003. Further, on the opposite block-face along Bird Road, all the residences were approved pursuant to Resolution #Z-271-77, to permit uses listed in the RU-5A zoning district in the RU-1 zone.

Staff notes that a **use variance** as provided in Section 33-311(A)(4)(a) permits a use of land other than that which is prescribed by the zoning regulations. The standard stipulates that *the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions thereof will result in **unnecessary hardship**, and so the spirit of the regulations shall be observed and substantial justice done; and further provided that the use variance will be in harmony with the general purpose and intent of the regulations.* Staff opines that approval of the request to allow the use of the residence for semi-professional office uses would not be contrary to the public interest based on the foregoing analysis. Staff notes that the character of the neighborhood along the block-face on which the subject parcel is

located is substantially changed from the residential character that is prescribed by the RU-1 zoning regulations. As such, staff opines that requiring the applicant to maintain the residential use within a block that is primarily made up of more intensive office uses and fronting onto a six-lane section line roadway, would cause the applicant to continue to endure the negative aural and visual impacts that potentially could arise from the more intensive uses, which in staff's opinion would constitute an unnecessary hardship. Staff notes that this block face where the subject property lies consists of 8 lots. All of the other 7 lots on this block face have sought and were approved for semi-professional office uses except for the subject property. In addition, the lot directly east of the subject property on the other side of SW 100 Avenue was also approved for semi-professional office uses. Further, staff notes that the County's vision for the development is indicated in the CDMP LUP map Office/Residential designation of the subject property. As such, since the proposed use is consistent with the CDMP LUP map designation and the Land Use Element interpretative text for properties that are designated Office/Residential on the CDMP LUP map, staff opines that approval of this use variance request for an office use within the RU-1 district would not be contrary to the public interest. Therefore, based on the aforementioned analysis, staff opines that requiring the applicant to maintain the residential use within the RU-1 zoning district along this block face that is primarily made up of office uses would constitute an unnecessary hardship. **As such, recommends approval with conditions of request #1, under the Use Variance Section 33-311(A)(4)(a) and under the Special Exception Section 33-311(A)(3).**

When the ancillary request to permit the semi-professional office use on a 9,677 sq. ft. parcel, where 10,000 sq. ft. is required (request #2) is analyzed under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations, staff opines that approval of this request would not be out of character with the surrounding area and would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that the other properties along the block-face that were approved to allow office uses in the RU-1 district were also approved for variances of lot area as is being requested herein. For example, pursuant to Resolution #Z207-81, the previously mentioned abutting property to the west was also approved to allow the office use on a 9,375 sq. ft. parcel, where 10,000 sq. ft. is required. **Therefore, staff recommends approval with conditions of request #2, under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

However, when request #3 is similarly analyzed under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations, staff opines that approval of this request would not maintain the basic intent and purpose of zoning regulations as it pertains to the stability and appearance of the community. Approval of request #3 would allow the applicant to develop the parcel with an office use with less lot and street trees, less shrubbery and approximately six (6) times the lawn area allowed by the zoning regulations, which in staff's opinion would be **incompatible** with the abutting residential uses to the south. The RU-5A zoning district regulations requires the applicant to among other things provide *buffering elements in the form of architectural design and landscape design that provide a logical transition to adjoining existing or permitted uses*. Staff opines that the excessive lawn area being provided in the submitted plans is evidence that the applicant has sufficient room to provide the additional trees and shrubbery that is required. Staff opines that apart from acting as a visual buffer for the less intensive residential uses to the south, the additional landscaping would provide the logical transition referred to in the zoning district regulations. **Therefore, staff recommends that the request #3 should be denied without prejudice under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: Access to the site is provided on SW 100 Avenue.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

ENVIRONMENTAL REVIEW: Not applicable.

OTHER: Not applicable.

RECOMMENDATION: Approval with conditions of requests #1 and #2, and denial without prejudice of request #3.

CONDITIONS FOR APPROVAL: (For requests #1 and #2 only).

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Office Building for Mauri Investments," as prepared by Orested Lopez-Recio, Architect, sheet SP-1 dated stamped received 3/11/13 and the remaining 2 sheets dated stamped received 1/7/13 for a total of 3 sheets, except as herein amended to provide the required amount of street and lot trees, shrubbery and the lawn area.
3. That the applicants submit to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
4. That the applicants obtain a Certificate of Use for the semi-professional office use from the Department of Regulatory and Economic Resources upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the use be established and maintained in accordance with the approved plan.
6. That no off-site parking for the office use be allowed along SW 40 Street or along SW 100 Avenue.
7. That no medical office uses be allowed.

ES:MW:NN:JC:CH

Mauri Investments Property, Inc.

Z13-002

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A handwritten signature in black ink, appearing to read "Eric Silva", is written over a horizontal line. To the right of the signature, the letters "NDN" are written vertically.

Eric Silva, AICP, Assistant Director

Development Services Division

Miami-Dade County

Regulatory and Economic Resources Department

ZONING RECOMMENDATION ADDENDUM

Applicant: *Mauri Investments Property, Inc.*
PH: Z13-002

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental Resources Management (RER)	No objection*
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

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

<p>Office/Residential (Page I-43)</p>	<p><i>Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.</i></p> <p><i>The plan recognizes existing strip office development along roadways. Ribbons or strips of office use along roadway frontages are identified along one or both block faces fronting certain roadways. Where only one block face is indicated, this specifically provides that only one block face is intended for office use and is not to suggest that the opposite face is also included. The lateral boundary of the ribbon indicates the extent to which office uses may be allowed to expand along the roadway frontage. The depth of the ribbon for office development and other uses permitted by the Office/Residential land use category is more generalized. In general, the depth should be limited to the norm for the strip, but may be approved at such other depth that will provide a logical transition to adjacent uses, or accommodate vehicular parking to serve an adjacent use, provided that site planning or design features are used, to furnish compatibility with any adjoining and adjacent residential uses that exist or are designated on the Land Use Plan map, in keeping with the Plan's policies. Extension of the strip depth beyond the mid-block to the frontage of an interior street, does not necessarily authorize vehicular access on that interior street, and such access may be prohibited if it would be incompatible with neighboring development. Intervening areas between ribbons along a highway face may be used only for the uses permitted in the designated land use category. Further lateral extension of the ribbon beyond that shown on the Plan map will require a Plan amendment.</i></p>
<p>Objective LU-4 (Pg. I-11)</p>	<p><i>Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i></p>
<p>Policy LU-4A (Pg. I-11)</p>	<p><i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i></p>

ZONING RECOMMENDATION ADDENDUM

Applicant: *Mauri Investments Property, Inc.*

PH: Z13-002

PERTINENT ZONING REQUIREMENTS/STANDARDS

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

A. MAURI INVESTMENTS PROPERTY, INC.
(Applicant)

13-7-CZ10-4(13-002)
Area 10/District 10
Hearing Date: 09/11/13

Property Owner (if different from applicant) **SAME**

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

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

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP

#4

APPLICANT'S NAME: **MAURI INVESTMENTS PROPERTY, INC.**

REPRESENTATIVE: Wagner Cabrera

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
13-7-CZ10-2 (13-002)	July 30, 2013	CZAB10	13

REC: Approval with conditions of requests #1 and #2 and denial without prejudice of request #3.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: September 11, 2013 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

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

WITH CONDITIONS

OTHER: Deferred at the Board's request to allow the application to provide a declaration of restrictions prohibiting medical offices on the site. On the floor, the applicant withdrew the NUV for lot trees and shrubs.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	M	Julio R. CACERES	X		
COUNCILWOMAN	S	Miriam PLANAS	X		
COUNCILMAN		Gerardo RODRIGUEZ			X
COUNCILMAN		Robert SUAREZ	X		
COUNCILMAN		Manuel VALDES	X		
VICE CHAIRMAN		Toufic ZAKHARIA	X		
CHAIRMAN		Richard M. GOMEZ	X		
			6	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: **DAVID HOPE**

Memorandum



Date: March 20, 2013

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

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

Subject: C-10 #Z2013000002-1st Revision
Mauri Investments Property, Inc.
10000 SW 40th Street, Miami, Florida 33165
Non-Use Variance to Permit a Lot Area Less Than Required; Use
Variance to Permit Office Use in a Residential District.
(RU-1) (22 Acres)
20-54-40

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is fluid and cursive, written over the printed name in the "From:" field.

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.

Wellfield Protection

The subject property is located within the Average Day Pumpage Wellfield Protection Area for the Alexander Orr Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24.43 of the Code. Since the subject request is for a non-residential land use, the owner of the property has submitted a properly executed covenant in accordance with Section 24-43(5) of the Code which provides that hazardous materials or wastes shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Potable Water Service

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

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

Wastewater Disposal

Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

DERM would not object to the interim use of a septic tank and drainfield system provided that the site is connected to the public water supply system and the proposed development meets the sewage loading requirements of Section 24-43.1(4) of the Code. Based upon the available information the proposal meets said requirements. Furthermore, since the request is for a non-residential land use, the property

owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(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.

Notwithstanding the foregoing, the applicant is advised that certain land uses such as medical offices utilizing x-ray equipment and others that generate liquid waste other than domestic sewage, cannot be permitted by DERM since it would violate the aforesaid Code Section and would also violate the covenant. Approval of land uses that are not compatible with the usage of a septic tank and drainfield system as a means for the disposal of the domestic liquid waste would require a variance from the Environmental Quality Control Board (EQCB) from the aforesaid Code Section.

Stormwater Management

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

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

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

Wetlands

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

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.

Tree Preservation

Tree Removal Permit TREE-004128-2012 was issued for this property on November 14, 2012. All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit on November 14, 2013, in order to avoid violation of permit conditions.

Be advised that an amendment to this permit is required prior to the removal and/or relocation of additional trees on the subject property. Please contact the Tree Permitting Program at (305)-372-6600, voice option #2, for information regarding tree permits.

Enforcement History

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

Concurrency Review Summary

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

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

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

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

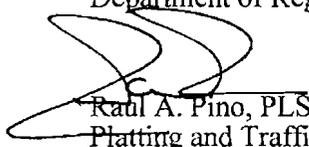
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: March 22, 2013

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

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

Subject: Z2013000002
Name: Mauri Investments Property, Inc.
Location: 10000 SW 40 Street
Section 20 Township 54 South Range 40 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lots 1, Block 2 of Plat Book 50, Page 98.

Additional improvements may be required at time of permitting.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **3 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals 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-74	SW 40 St. e/o SW 107 Ave.	C	C
F-76	SW 40 St. w/o SW 87 Ave.	D	D
9699	SW 97 Ave. s/o SW 24 St.	D	D
9700	SW 97 Ave. s/o SW 40 St.	C	C

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.

Memorandum



Date: January 29, 2013

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

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

Subject: Z2013000002: MAURI INVESTMENTS PROPERTY, INC

Application Name: MAURI INVESTMENTS PROPERTY, INC

Project Location: The site is located at 10000 SW 40 ST, Miami-Dade County.

Proposed Development: The applicant is requesting a use variance to permit a professional office building.

Impact and demand: This application does not generate any residential population applicable to CDMP Open Space Spatial Standards. We have no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. The Department has no objection to this application.

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: 22-JAN-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2013000002

Fire Prevention Unit:

APPROVAL:
No objection to site plan date stamped received December 7, 2012.

Service Impact/Demand

Development for the above Z2013000002
located at 10000 SW 40 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1589 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>1,717</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 0.38 alarms-annually.
The estimated average travel time is: 6:21 minutes

Existing services

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

Planned Service Expansions:

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

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped December 7, 2012.

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

DATE: 18-JAN-13

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

MAURI INVESTMENTS PROPERTY,
INC

10000 SW 40 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000002

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. Prior case opened December 20, 2011 for abandoned vehicle. No violation observed and case closed on March 15, 2012. BNC: No open/close bss cases

Mauri Investments Property

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

REPORTER NAME:

DISCLOSURE OF INTEREST*



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

CORPORATION NAME: Miami Investment Properties

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Mela Martinez</u>	<u>100% -</u>
<u>20056 SW 129 Ave.</u>	
<u>Miami, FL 33177</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>
<div style="text-align: center;"> <p>213-002</p> <p>RECEIVED</p> <p>DEC 9 7 2013</p> <p>ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT BY <u>FE</u></p> </div>	

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable) Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

_____	_____
_____	_____
_____	_____
_____	_____

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

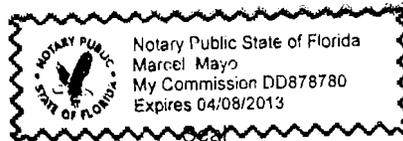
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: *M. M. Acuña*
(Applicant)

Sworn to and subscribed before me this 18 day of DEC, 20 12. Affiant is personally know to me or has produced DL H625 55448 8250 as identification.

M. Mayo
(Notary Public)

My commission expires: 04/08/13



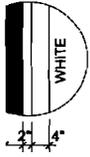
*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership 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.

ENLARGE SITE PLAN

213-002
RECEIVED
MAR 11 2013



IP SIGN



FOLIAGE
DISCARE
JT TERMINAL LEADER
RUBBER OR
1/4" DIA.
LATERAL BRANCH

3 ON ALL BRACES OR
5 COLOR

MULCH OR APPROVED
A APPROVAL

LITER

30 STAKES EQUALLY
PER SPECIFICATIONS

AIL

2 APPROVED

LEVEL

7VAL

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SOIL

ANTING SOIL MIX

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2CKRILL

EREOF

IDA.

BE FL. No. 1 OR
TY.

ANTED SHALL BE

QUIRED TREES AND
SPECIES.

VTIVE TREES
ABBAGE PALM

QUIRED SHRUBS

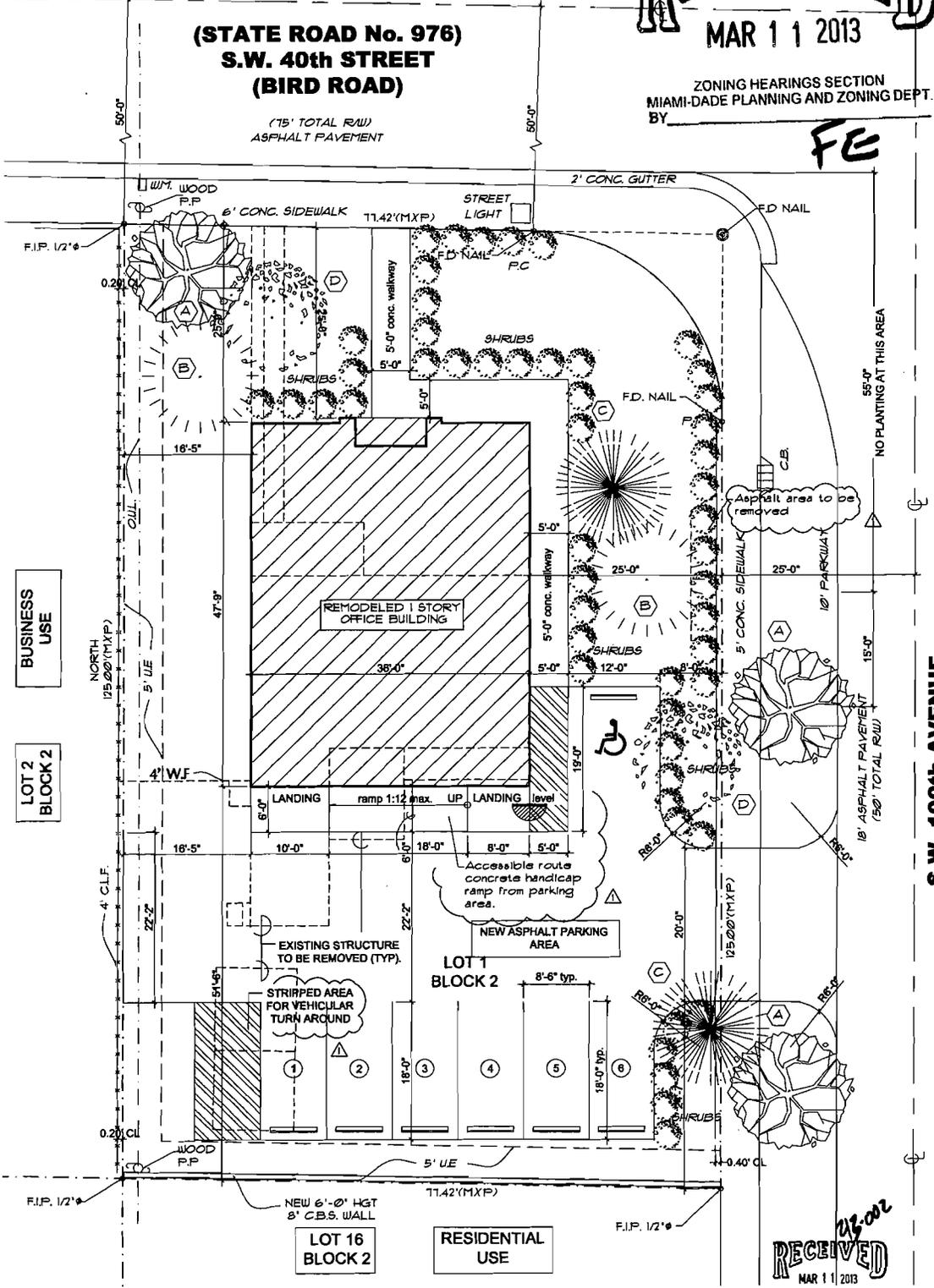
EM SHALL BE

(STATE ROAD No. 976)
**S.W. 40th STREET
(BIRD ROAD)**

(15' TOTAL RAW)
ASPHALT PAVEMENT

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

FE



**BUSINESS
USE**

**LOT 2
BLOCK 2**

**LOT 16
BLOCK 2**

**RESIDENTIAL
USE**

S.W. 100th AVENUE

**NEW ONE STORY OFFICE BUILDING FOR
MAURI INVESTMENTS**

10000 S.W. 40TH STREET
MIAMI, FLORIDA 33165



SITE PLAN / LANDSCAPING PLAN

1/8" = 1'-0"

213-002
RECEIVED
MAR 11 2013

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

FE

ARCHITECT
QUINTER LOPEZ-ESCO
ARCHITECT

300 S.W. 32 STREET
MIAMI, FLORIDA 33135
TELEPHONE: (305) 624-8477

OWNER:
MAURI INVESTMENTS
20056 S.W. 129TH AVENUE
MIAMI, FLORIDA 33177

REVISIONS

△ BUILDING DEPT. COMMENTS
03-03-13 W.A.C.

DATE: DECEMBER 17, 2012
SCALE: AS SHOWN
DRAWN: W.A.C.
JOB NO.: 02-002

SP-1

PROJECT NO.: 02

213-002

RECEIVED
MAR 11 2013



MAURI INVESTMENTS
20056 S.W. 128TH AVENUE
MIAMI, FLORIDA 33177

NEW ONE STORY OFFICE BUILDING FOR
MAURI INVESTMENTS
10000 S.W. 40TH STREET
MIAMI, FLORIDA 33185

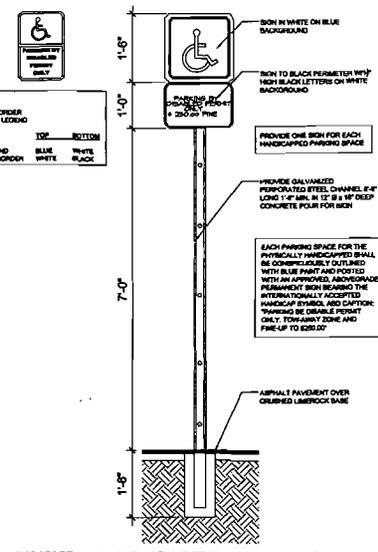
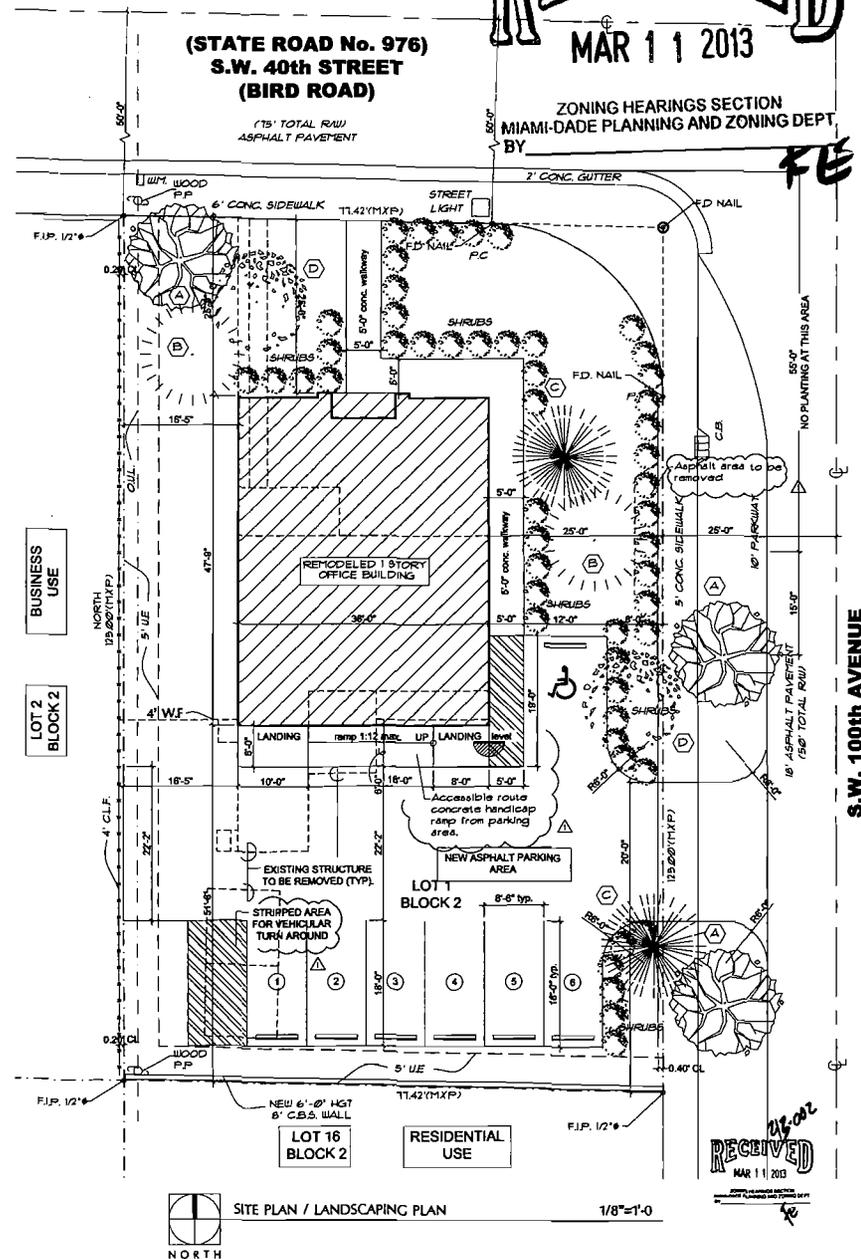
DATE: 02/08/13
SCALE: AS SHOWN
DRAWN: W.A.C.
JOB NO.: 213-002



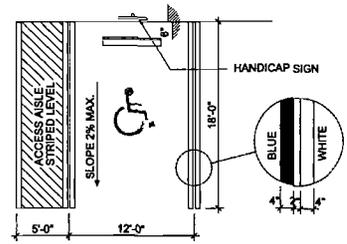
SP-1

(STATE ROAD No. 976)
S.W. 40th STREET
(BIRD ROAD)

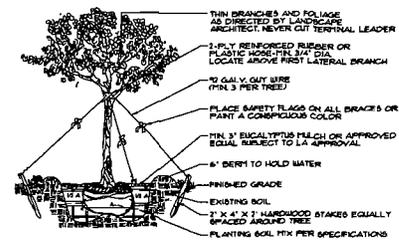
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY FE



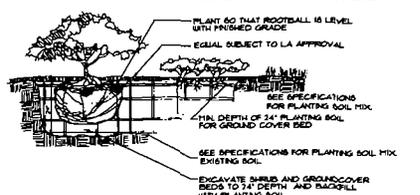
DISABLED PARKING SIGN DETAIL N.T.S.



TYPICAL PARKING SPACE FOR HANDICAP



LARGE TREE (OVER 8' HT.) PLANTING DETAIL



SHRUB AND GROUND COVER DETAIL

ZONING LEGEND:

HEIGHT TO RIDGE OF ROOF	10'	10'
NET LAND AREA	10,000 SQ. FT.	10,000 SQ. FT.
LOT COVERAGE	10%	10%
EVERYTHING UNDER ROOF	10%	10%
FRONT	25'-0"	25'-0"
SIDE	25'-0"	25'-0"
REAR	25'-0"	25'-0"

LANDSCAPE LEGEND:

ZONING DISTRICT	RESIDENTIAL	RESIDENTIAL
LANDSCAPE OPEN SPACE (IF APPLICABLE)	10%	10%
GREENBELT WIDTH (IF APPLICABLE)	10'	10'
MINIMUM TREE PER LOT	3	3
TOTAL TREES	3	3
SHRUBS (10 SHRUBS PER TREE REQUIRED)	30	30

LEGAL DESCRIPTION:
Lot 1, Block 52,
TROPICAL ESTATES, ACCORDING TO THE PLAT THEREOF
AS RECORDED IN PLAT BOOK 50, PAGE 98, OF THE
PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

EXISTING USE:
RESIDENTIAL: SINGLE FAMILY RESIDENCE
PROPOSED USE:
BUSINESS: OFFICE BUILDING

PLANT SCHEDULE

SYMBOL	QTY.	NEW	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS	CAL.
(A)	3	YES	PARADISE TREE	SPARGANGLA GLAUCA	YES	10'-0" HGT. X 5' SPRED.	2'
(B)	2	YES	BURDERIA SPURBUSA	GUPHO LINDRO	YES	10'-0" HGT. X 5' SPRED.	2'
(C)	2	YES	CONCARPUS ERECTUS	BULTONWOOD	YES	10'-0" HGT. X 5' SPRED.	2'
(D)	2	YES	JACARANDA ACUTIFOLIA	JACARANDA	YES	10'-0" HGT. X 5' SPRED.	2'
SHRUBS							
	30	YES	BOEPIFL. ARBORICOLA	DELIARY SCHEFFLERA	NO	10' MIN - 24" MAX. HGT.	10' MIN
	30	YES	CALLICARPA AMERICANA	BEAUTY BUSH	YES	10' MIN - 24" MAX. HGT.	10' MIN
	30	YES	ELLEATTARIA CARDAMOMUM	CARDAMOM GINGER	YES	10' MIN - 24" MAX. HGT.	10' MIN

LANDSCAPE NOTES:

- ALL PLANTS MATERIAL SHALL BE PL. NO. 1 OR BETTER IN GRADE AND QUALITY.
- THE SOIL MATERIAL TO BE PLANTED SHALL BE ST. AUGUSTINE FLORISTAL.
- A MINIMUM OF 30% OF THE REQUIRED TREES AND OR PALMS SHALL BE NATIVE SPECIES.
- A MAJORITY OF 50% OF THE NATIVE TREES CAN BE BAHIA PALMETTO (CANNABEA PALM).
- A MINIMUM OF 30% OF THE REQUIRED SHRUBS SHALL BE NATIVE SPECIES.
- APPROVED IRRIGATION SYSTEM SHALL BE PROVIDED BY OWNER.



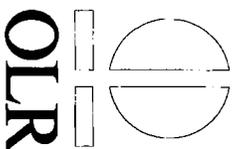
SITE PLAN / LANDSCAPING PLAN

1/8"=1'-0"

18

NEW ONE STORY OFFICE BUILDING FOR
MAURI INVESTMENTS
MIAMI, FLORIDA

INDEX OF DRAWINGS	
C-0	COVER SHEET
SP-1	SITE PLAN, LANDSCAPING PLAN AND DETAILS
A-1	EXISTING CONDITIONS FLOOR PLAN
A-2	GROUND FLOOR PLAN
	EXTERIOR ELEVATIONS
D-1	GENERAL DETAILS



ARCHITECT
ORISTES LOPEZ-REBO
AR000750
395 S.W. 32 STREET
MIAMI, FLORIDA 3315
TELEPHONE: (305) 698-8877

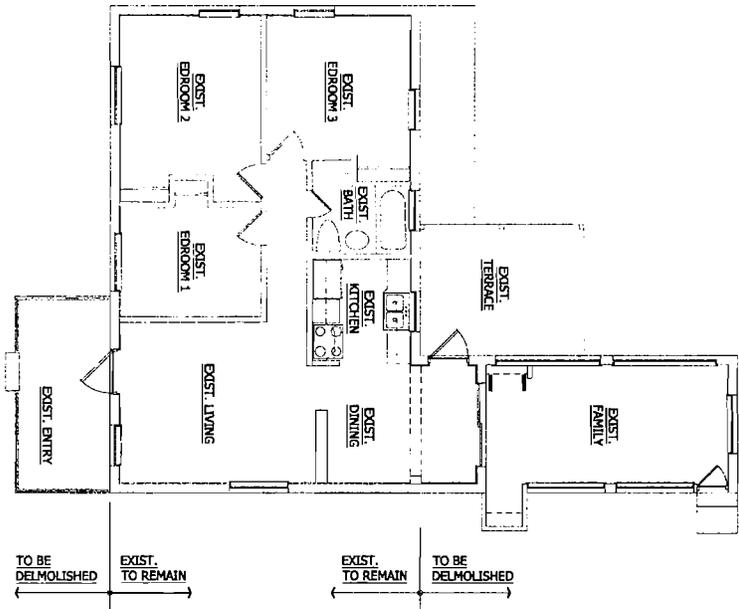
NEW ONE STORY OFFICE BUILDING FOR
MAURI INVESTMENTS
10000 S.W. 40TH STREET
MIAMI, FLORIDA 33165



RECEIVED
2/13/2012
JAN 07 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

PL

23



EXISTING CONDITIONS FLOOR PLAN
1/4" = 1'-0"

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

RECEIVED
213.0000
JAN 07 2013

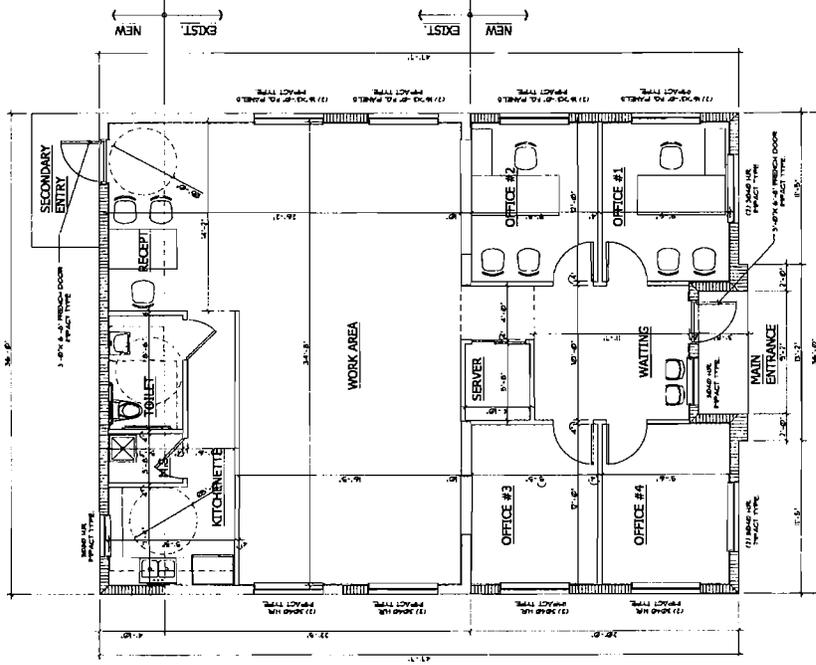
	<p>MAURI INVESTMENTS 20056 S.W. 128TH AVENUE MIAMI, FLORIDA 33177</p>	<p>NEW ONE STORY OFFICE BUILDING FOR MAURI INVESTMENTS 10000 S.W. 40TH STREET MIAMI, FLORIDA 33165</p>	<p>A-1</p>
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MAURI INVESTMENTS
2024 S.W. 128TH AVENUE
MIAMI, FLORIDA 33177

NEW ONE STORY OFFICE BUILDING FOR
MAURI INVESTMENTS
1000 S.W. 40TH STREET
MIAMI, FLORIDA 33168

A-2



PROPOSED CONSTRUCTION FLOOR PLAN
1/4" = 1'-0"

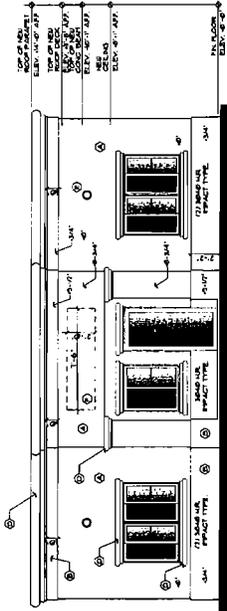
AREA TABULATIONS	
EXIST. FLOOR FINISH	456 SQ. FT.
EXIST. FLOOR FINISH (REMOVED)	846 SQ. FT.
NEW FLOOR AND WALLS (EXCEPT FOR NEW COVERED ENTRY)	34 SQ. FT.
GRAND TOTAL	1336 SQ. FT.

SCOPE OF WORK
TO PROVIDE ALL MATERIALS, LABOR AND EQUIPMENT NECESSARY TO CONSTRUCT THE WORK SHOWN ON THESE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.

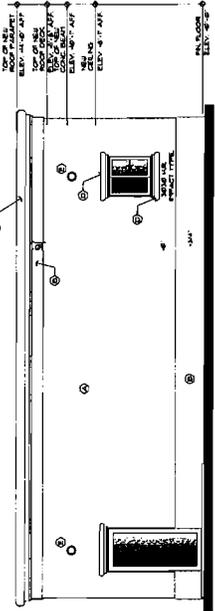
- ELEVATION LEGEND
- 1. FINISH FLOOR
 - 2. FINISH FLOOR FINISH
 - 3. FINISH FLOOR FINISH (REMOVED)
 - 4. FINISH FLOOR FINISH (NEW)
 - 5. FINISH FLOOR FINISH (NEW) - EXCEPT FOR NEW COVERED ENTRY
 - 6. FINISH FLOOR FINISH (NEW) - EXCEPT FOR NEW COVERED ENTRY
 - 7. FINISH FLOOR FINISH (NEW) - EXCEPT FOR NEW COVERED ENTRY
 - 8. FINISH FLOOR FINISH (NEW) - EXCEPT FOR NEW COVERED ENTRY

RECEIVED
213.000
JAN 07 2013

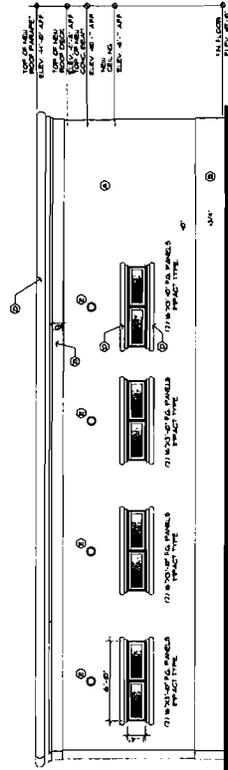
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY *RS*



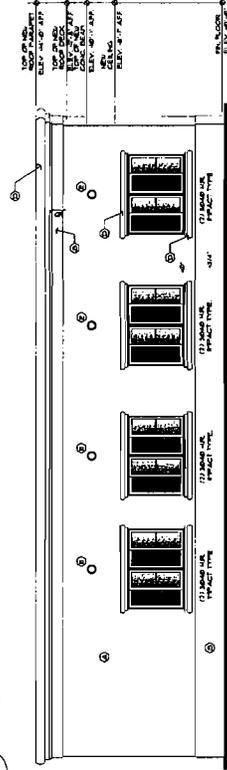
PROPOSED FRONT ELEVATION (40 ST)
1/4" = 1'-0"



PROPOSED REAR ELEVATION
1/4" = 1'-0"

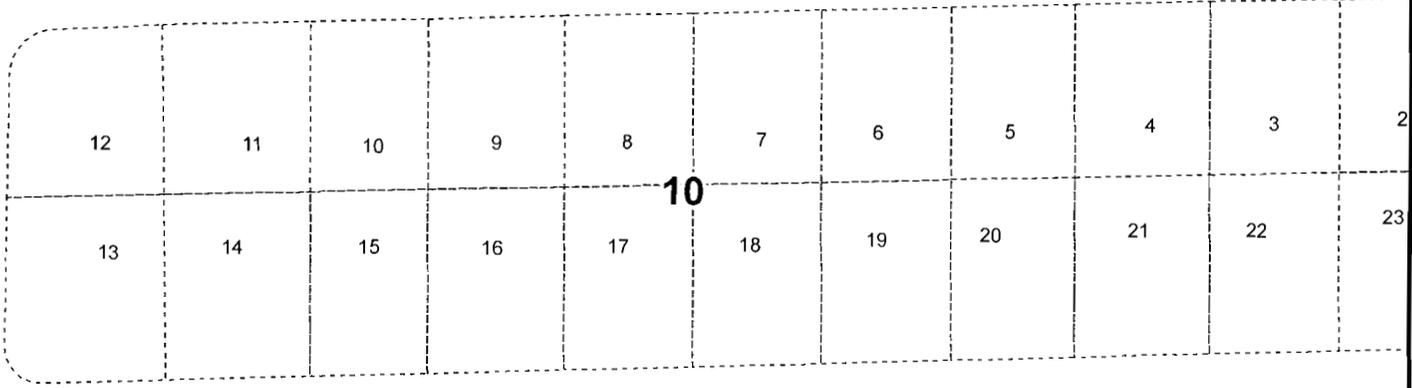


PROPOSED RIGHT ELEVATION
1/4" = 1'-0"



PROPOSED LEFT ELEVATION
1/4" = 1'-0"

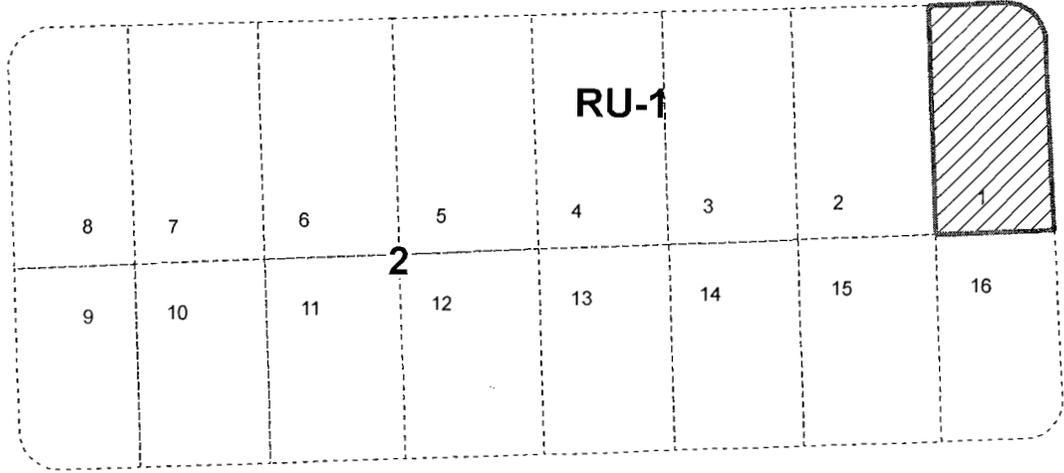
SW 39TH TER



SW 40TH ST

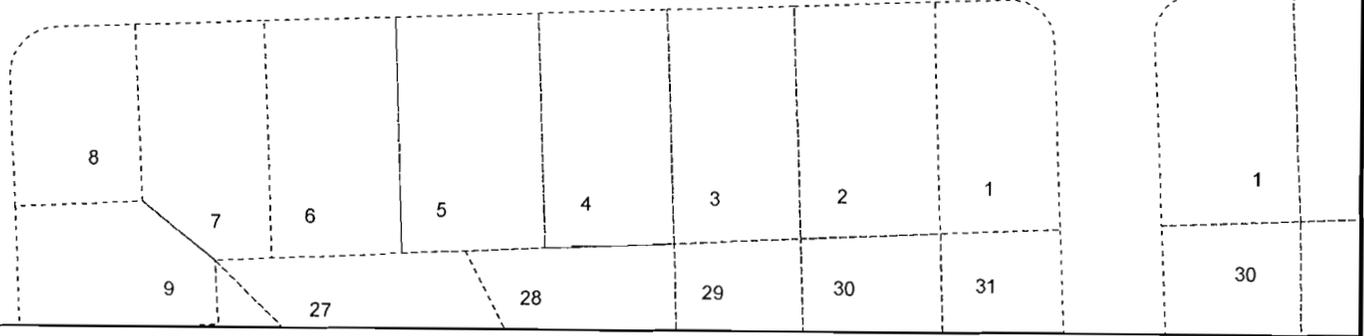
SW 102ND AVE

RU-1



SW 100TH AVE

SW 40TH TER



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000002



Section: 20 Township: 54 Range: 40
 Applicant: MAURI INVESTMENTS PROPERTY, INC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend
 Subject Property Case



SKETCH CREATED ON: Wednesday, January 23, 2013

REVISION	DATE	BY
	26	

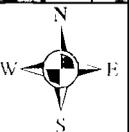


MIAMI-DADE COUNTY

Process Number

AERIAL YEAR 2009

Z2013000002



Section: 20 Township: 54 Range: 40
 Applicant: MAURI INVESTMENTS PROPERTY, INC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property



SKETCH CREATED ON: Wednesday, January 23, 2013

REVISION	DATE	BY
	27	

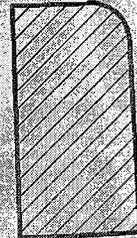
SW 39TH TER

(LDR) 2.5-6 DU/AC

SW 40TH ST

OFFICE/RESIDENTIAL

SW 102ND AVE



SW 100TH AVE

(LDR) 2.5-6 DU/AC

SW 40TH TER

MIAMI-DADE COUNTY

Process Number

CDMP MAP

Z2013000002



Section: 20 Township: 54 Range: 40
Applicant: MAURI INVESTMENTS PROPERTY, INC
Zoning Board: C10
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, January 23, 2013

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 10**

PH: Z13-009 (13-09-CZ10-1)

September 11, 2013

Item No. 1

Recommendation Summary	
Commission District	10
Applicant	Suntrust Bank
Summary of Requests	The applicant is seeking a zone change from RU-1 and BU-1A to BU-1A, to permit the redevelopment of the site to include two buildings, a bank and a fitness center.
Location	Southwest corner of SW 40 Street and SW 83 Avenue, Miami-Dade County, Florida.
Property Size	4.07 Acres
Existing Zoning	BU-1A and RU-1
Existing Land Use	Bank
2015-2025 CDMP Land Use Designation	Business and Office (<i>see attached Zoning Recommendation Addendum</i>)
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change (<i>see attached Zoning Recommendation Addendum</i>)
Recommendation	Approval, subject to the acceptance of the proffered covenant.

REQUEST:

DISTRICT BOUNDARY CHANGE from BU-1A & RU-1 to BU-1A.

PROJECT DESCRIPTION AND PROJECT HISTORY:

In 1959, pursuant to Resolution #4340, the subject property was rezoned to a mix of BU-2 and RU-1. In 1969, pursuant to Resolution #Z-27-69, the RU-1 portion was approved for use as a parking lot. In 1972, pursuant to Resolution #4-ZAB-80-72, a modification to the site plan approved in 1969 was approved to permit an addition on the south side of the existing building. In 1977, pursuant to Resolution #Z-83-77, the BU-2 portion of the site was rezoned to BU-1A.

During the Comprehensive Development Master Plan (CDMP) October 2010 Amendment Cycle, the subject property was approved for a CDMP Land Use Plan map designation change from "Business and Office" and "Low Density Residential" to "Business and Office". At that time, the applicant proffered a covenant restricting the development on site to a maximum residential density of ten (10) units per gross acre, in the event that the property is developed for residential purposes.

The 4.07-acre site is currently developed with a bank and accessory remote drive thru. The current application proposes to replace the existing bank building with a modern, smaller 6,398 sq. ft. bank and proposes a new 45,000 sq. ft. fitness center with a total of 308 parking spaces.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-1A & RU-1; bank	Business and Office
North	BU-2; retail use and office building	Business and Office
South	RU-1: single-family residences	Low Density Residential (2.5 to 6 dua)
East	BU-1A; retail use and office building RU-1; single-family residences	Business and Office Low Density Residential (2.5 to 6 dua)
West	BU-1A & RU-1; retail uses	Business and Office Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The 4.07 acre site is currently developed with a bank and is surrounded by retail and office uses to the north, west and partially to the east. Additionally, the subject property is surrounded by residential uses to the south and partially to the east.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to demolish the existing bank building and redevelop the parcel with a new smaller bank building and new fitness center in accordance with the proposed BU-1A, Limited Business District regulations, and provide the community with additional commercial and recreational uses in this area. Approval of the same may also create visual and traffic impacts on the surrounding residential and commercial developments in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

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

Staff notes that the properties immediately surrounding the subject property are zoned BU-2 (Special Business District), BU-1A (Limited Business District) and RU-1 (Single-Family Residential District). Staff further notes that the northern portion of the subject property is already zoned BU-1A; therefore, approval of this application would unify the subject property under one zoning district and allow the applicant to develop the entire site under the BU-1A regulations. Staff opines that the proposed redevelopment, which consists of a new smaller bank building and a new fitness center are uses allowed in the BU-1A zoning district and compatible with the surrounding commercial uses.

The purpose of the BU-1A, zoning district is to provide for retail and service convenience facilities which satisfy the essential and frequent needs of the adjacent residential neighborhood as well as the more specialized commercial facilities which may serve several neighborhoods. The BU-1A district allows uses such as, but is not limited to, banks, beauty parlors, antique shops, bakeries and drug stores as well as service stations, auto parts stores, drycleaners, retail stores and health and exercise clubs, including bath and massage parlors, and includes all uses permitted in the BU-1, Neighborhood Business District.

As such, staff opines that approval of the proposed rezoning from RU-1 and BU-1A to BU-1A would be compatible with the surrounding area and **consistent** with the CDMP LUP map Business and Office designation.

ZONING ANALYSIS:

When the applicant's request to rezone the 4.07-acre parcel to BU-1A, is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of this request, subject to the Board's acceptance of the proffered covenant, would be **compatible** with the surrounding area. The applicant seeks approval of a district boundary zone change from BU-1A, Limited Business District and RU-1, Single-Family Residential District to BU-1A, in order to unify the site under one zoning district and develop the site under the BU-1A zoning regulations. The subject property is currently developed with a bank on the northeast corner of the site. The applicant proposes to redevelop the site with two new buildings, a bank and fitness center. Staff notes that the applicant has proffered a covenant restricting the development to the site plan submitted. The plans submitted show the northern portion of the site developed with a new 6,398 sq. ft. bank building and the southern portion of the parcel developed with a 45,000 sq. ft. fitness center. The plans also indicate 308 parking spaces for the entire site.

Staff notes that the subject property is located south of SW 40 Street, a section line road, and west of SW 83 Avenue and within a half mile of the Palmetto expressway. The site is abutted by office and retail uses to the north; retail uses, an office building and single-family residences to the east; single-family residences to the south; and retail uses to the west. Staff opines that the proposed uses are compatible with the surrounding retail and office uses and the uses allowed in the proposed zoning district. Staff also opines that the proposed uses are neighborhood uses and would benefit the surrounding neighborhood. Furthermore, staff opines that the proposed bank and fitness center are designed with sensitivity to the residential uses to the east by placing the fitness center building on the western side of the parcel and to the south by providing a 20' landscape buffer from the south property line. Staff opines that this design minimizes any adverse visual impacts on the abutting residences.

Staff also opines that the proposed fitness center will increase traffic in the area. However, staff notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) memorandum states that the application meets the traffic concurrency criteria for an initial development order. Also, the Division of Environmental Resources Management of RER memorandum indicates that approval of this application meets all applicable LOS standards for an initial development order, as specified in the CDMP for potable water service, wastewater disposal, and flood protection. Additionally, the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the proposed facility will have a negative impact on fire rescue services in the area. Based on the aforementioned, staff opines that approval of the subject request, subject to the Board's acceptance of the proffered covenant, will 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, based on memoranda from the Departments concerned with reviewing this application.

Consequently, staff is of the opinion that approval of the district boundary change from BU-1A and RU-1 to BU-1A, subject to the Board's acceptance of the proffered covenant, would be **compatible** with the surrounding area. **Staff therefore, recommends approval of the subject request under Section 33-311, District Boundary Change, subject to the Board's acceptance of the proffered covenant.**

ACCESS, CIRCULATION AND PARKING:

The subject property is located south of SW 40 Street, a section line road, and west of SW 83 Avenue. The 4.07-acre parcel consists of a 6,398 sq. ft. bank building and 45,000 sq. ft. fitness center with 308 parking spaces. The site has one (1) ingress and egress point along the east property line abutting SW 83 Avenue.

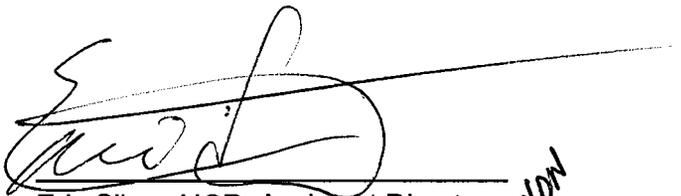
NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

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

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:CH:JC



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

NDN

ZONING RECOMMENDATION ADDENDUM

Suntrust Bank
Z13-009

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Miami-Dade Transit	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

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

<p>Business and Office (Pg. I-41)</p>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Business and Office. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311 District Boundary Change</p>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> (1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i> (2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i>
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ZONING RECOMMENDATION ADDENDUM

Suntrust Bank
Z13-009

	<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>
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1. SUNTRUST BANK
(Applicant)

13-9-CZ10-1(13-009)
Area 10/District 10
Hearing Date: 09/11/13

Property Owner (if different from applicant) SAME

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1959	Malcolm MacNeli	- Zone change from BU-2 & GU to BU-2.	BCC	Approved with Condition(s)
1962	83 Bird Road Corp.	- Variance of Signage.	ZAB	Approved with Condition(s)
1967	Dade County Building & Zoning	- Zone change from BU-2 to RU-1.	ZAB	Denied without Prejudice
1968	Guaranty Bank of Miami	- Unusual Use to permit non-commercial parking.	ZAB	Approved with Condition(s)
1969	Klebba	- Unusual Use sewage treatment plant. - Zone change from RU-4L, GU, AU, EU-M to RU-4.	ZAB	Approved
1969	Guaranty Bank of Miami	- Unusual Use to permit a commercial parking lot.	BCC	Appeal Denied, Application Approved
1972	Guaranty Bank of Miami	- Variance for setback. - Modification of condition of resolution.	ZAB	Approved with Condition(s)
1977	Directors	- Zone change from BU-2 to BU-1A.	BCC	Approved with Condition(s)

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

Memorandum

Date: June 18, 2013

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

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

Subject: C-10 #Z2013000009-2nd Revision
Suntrust Bank
8300 SW 40th Street
District Boundary Changes from BU-1A, RU-1 to BU-1A;
Modification of a Condition of a Resolution to Submit Revised Plans
Showing a Fitness Center for the Previously Approved Bank
(BU-1A) (4.07 Acres)
22-54-40

The subject application has been reviewed by the Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Wellfield Protection

The subject property is located within the Average Day Pumpage Wellfield Protection Area for the Alexander Orr Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-43 of the Code. Since the subject request is for a non-residential land use, the owner of the property has submitted a properly executed covenant in accordance with Section 24-43(5) of the Code which provides that hazardous materials or wastes shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Potable Water Service

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

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

Wastewater Disposal

An 8-inch force main abuts the subject property along S.W. 83rd Avenue. Therefore, connection of the proposed development to the public sanitary sewer system shall be required in accordance with Code requirements.

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

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

Stormwater Management

A Surface Water Management General Permit from the Water Control Section of DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. The applicant is advised to contact the Water Control Section at (305)-372-6681 for further information regarding permitting procedures and requirements.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

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

Wetlands

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

The referenced site contains specimen-sized tree resources (trunk diameter 18 inches or greater). The plans further show that these tree resources will be impacted by the proposed construction. Section 24-49 of the Code requires the preservation of tree resources. Prior to the removal and/or relocation of any tree on the site, a Miami-Dade County Tree Removal/Relocation Permit is required. Section 24.49.3 of the Code states, "If it is determined that the proposed development site involves removal of a specimen

tree, the standards set forth in Section 24.49.2 of the Code shall apply." As such, DERM recommends approval of this application with the condition that the Tree Removal/Relocation Permit #00004381 is duly obtained prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. This Department's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact the Tree Permitting Program at (305)-372-6600, voice option #2, for additional information regarding tree permitting procedures and requirements prior to site development.

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.

Enforcement History

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

Concurrency Review Summary

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

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

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

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

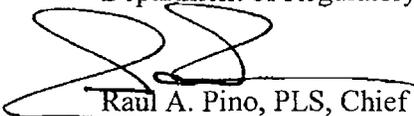
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: May 31, 2013

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

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

Subject: Z2013000009
Name: Suntrust Bank
Location: Southwest Corner of SW 40 Street & SW 83 Avenue
Section 22 Township 54 South Range 40 East

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

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

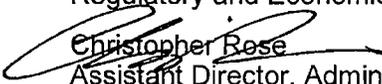
This application meets the traffic concurrency criteria for an Initial Development Order, because it was evaluated and approved previously under Tentative Plat T-23325.

Memorandum



Date: February 21, 2013

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: #13-009
Suntrust Bank

Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

#13-009
Suntrust Bank

Application: *Suntrust Bank* is requesting a district boundary change from Limited Business District (BU-1A)/ Single Family Residential (RU-1) to Limited Business District (BU-1A) and a modification of Resolution Z-27-69, as modified by Resolution 4-ZAB-80-72 to revise the development plan for the Property. The applicant proposes to replace the large existing bank with a modern, smaller bank and develop a fitness club building.

Size: The subject property is approximately 1.82 acres.

Location: The subject property is generally located at 8300 Bird Road in Miami-Dade County, Florida.

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 Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 28, 2012, 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 Sustainability, Planning and Economic Enhancement Department (formerly 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 property as mentioned in the application falls within the PWWM solid waste collection service area. The district boundary change of the property to develop a bank and a fitness building will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial 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 PWWM facilities.

3. 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.

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria 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 PWWM has no objections to the proposed application.**

Memorandum



Date: May 2, 2013

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

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

Subject: Z2013000009: SUNTRUST BANK
Review includes plans submitted 4/8/2013.

Application Name: SUNTRUST BANK

Project Location: The site is located at the SOUTHWEST CORNER OF SW 40 STREET & SW 83 AVENUE, Miami-Dade County.

Proposed Development: The applicant is seeking approval for a district boundary change from BU-1A, RU-1 TO BU-1A to accommodate redevelopment with a new bank and fitness club. Review includes plans submitted 4/8/2013.

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

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: 04-MAR-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2013000009

Fire Prevention Unit:

No objection.

Service Impact/Demand

Development for the above Z2013000009 located at SOUTHWEST CORNER OF SW 40 STREET & SW 83 AVENUE, MIAMI-DADE COUNTY, FLORIDA. in Police Grid 1592 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>144,000</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 31.69 alarms-annually.
The estimated average travel time is: 3:25 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 3 - Tropical Park - 3911 SW 82 Avenue
Rescue, ALS Engine

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 stamped received January 23, 2013. Substantial changes to the plan will require additional service impact analysis.

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

DATE: 05-JUN-13
REVISION 2

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

SUNTRUST BANK

SOUTHWEST CORNER OF SW 40
STREET & SW 83 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000009

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC; No open cases. BNC: No open/closed bss cases.

Suntrust Bank

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

REPORTER NAME:

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Suntrust Bank

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Publicly Traded	

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 N/A

<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: N/A

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

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

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
Fitness International, LLC 3161 2600 Michelson Drive, 8th Floor Suite 600 Irvine CA 92612	100%

Date of contract: March 13, 2012, as amended by amendments dated April 26, 2012, August 8, 2012, September 20, 2012, October 2, 2012, October 10, 2012, November 9, 2012 and November 16, 2012

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

N/A

_____ 213,009

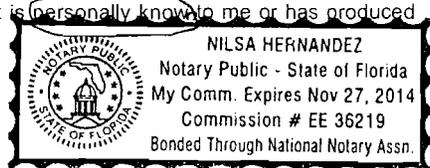
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: By: [Signature]
 SunTrust Bank
 (Applicant)

Sworn to and subscribed before me this 15th day of Jan., 2013. Affiant is personally known to me or has produced _____ as identification.

[Signature]
 (Notary Public)



My commission expires: 11/27/2014 Seal

*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.

STATE ROAD No. 976
SW 40th STREET (BIRD ROAD)

PROP. KNEE
WALL 24" MAX.
HEIGHT PER FDOT
INDEX 546

SIGHT DISTANCE TRIANGLE (FDOT INDEX 546) BUFFER LANDSCAPE (5' REQUIRED)

SIGHT DISTANCE TRIANGLE (FDOT INDEX 5)

10'x10' PEDESTRIAN
SITE TRIANGLE*

SUNTRUST
BANK BUILDING
70±

BIKE RACK TO HOLD
4EA.
BICYCLES

PARCEL A
33,058SF
0.76AC

DESIGNATED
EMPLOYEE
PARKING

APPROX. MONUMENT
SIGN LOCATION.
SIGNAGE DETAILS NOT
A PART OF SITE PLAN
APPLICATION.

PROPOSED 2'
CURB AND
GUTTER (TYP.)

EXISTING SUNTRUST BLDG (TO
BE DEMOLISHED AFTER
CONSTRUCTION OF NEW BANK).

EXISTING 8'
WIDE
PAVEMENT TO
BE REMOVED &
REPLACED WITH
SOD.

RIGHT-TURN SIGHT
TRIANGLE PROJECTION.
AVAILABLE SIGHT
DISTANCE = 90'.
MAXIMUM DESIGN
SPEED 18MPH
(EXTRAPOLATED FROM
FDOT INDEX 546 (3 OF
6): 2 LANE
UNDIVIDED).

DRIVE-THROUGH
TELLER LANES

RESTRICTED FIRE TRUCK
TURN (1 OF 3).SEE DETAIL

FIRE TRUCK TURN
(TYP.). SEE DETAIL

10'x10' PEDESTRIAN
SITE TRIANGLE*

BUFFER LANDSCAPE
(5' REQUIRED)

THICKENED EDGE
SIDEWALK (TYP.)

BIKE RACK TO HOLD
8EA. BICYCLES

LA FITNESS
BUILDING

PARCEL B
144,581SF
3.324G

RESTRICTED FIRE TRUCK
TURN (3 OF 3).SEE DETAIL.

5' SIDEWALK TO BE
WIDENED WHERE REQUIRED
AT POLES TO MEET ADA
REQUIREMENTS.

SW 41st STREET

EXISTING DRIVEWAY
TO BE CLOSED

ISLAND TO BE FREE
OF OBSTRUCTIONS
FOR BACK-FLOW
PREVENTERS & FH
ACCESS

BUFFER LANDSCAPE
(7' REQUIRED)

RESTRICTED FIRE TRUCK
TURN (2 OF 3).SEE DETAIL

ISLAND TO BE FREE
OF OBSTRUCTIONS
FOR PUMP STATION

DUMPSTER W/
ENCLOSURE

TYPE 'D' CURB (TYP.)

PROPOSED 6' HIGH
MASONRY WALL

* PEDESTRIAN SITE
TRIANGLE PER MIAMI-DADE
COUNTY CODE CHAPTER
33-11, ITEM C.

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213-609
MAY 20 2013

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

GRAPHIC SCALE



ENLARGED SITE PLAN

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213-609

20

2 013 052 1000
2 013 052 1000

BENAVIDES
ARCHITECTURE
L.F. Westchester (Bird Road)
SV 40th Street & 83rd Avenue
Miami-Dade County, FL 33155
3052 Project Street, No. 140 W. Palm Beach, FL 33413
jbenavides@benavides.com

AMERICAN REGISTERED ARCHITECT
REGISTRATION NO. 12008

5/20/13

**FLOOR PLAN
LEVEL 2, AREAS FOR
RECD, PARKING / SF**
Scale: As Shown
Created By: PC
Checked By: JS

Issue Date: Site Plan Submitted
01-22-13 Site Plan Approved
05-13-13 Site Plan Re-Submitted

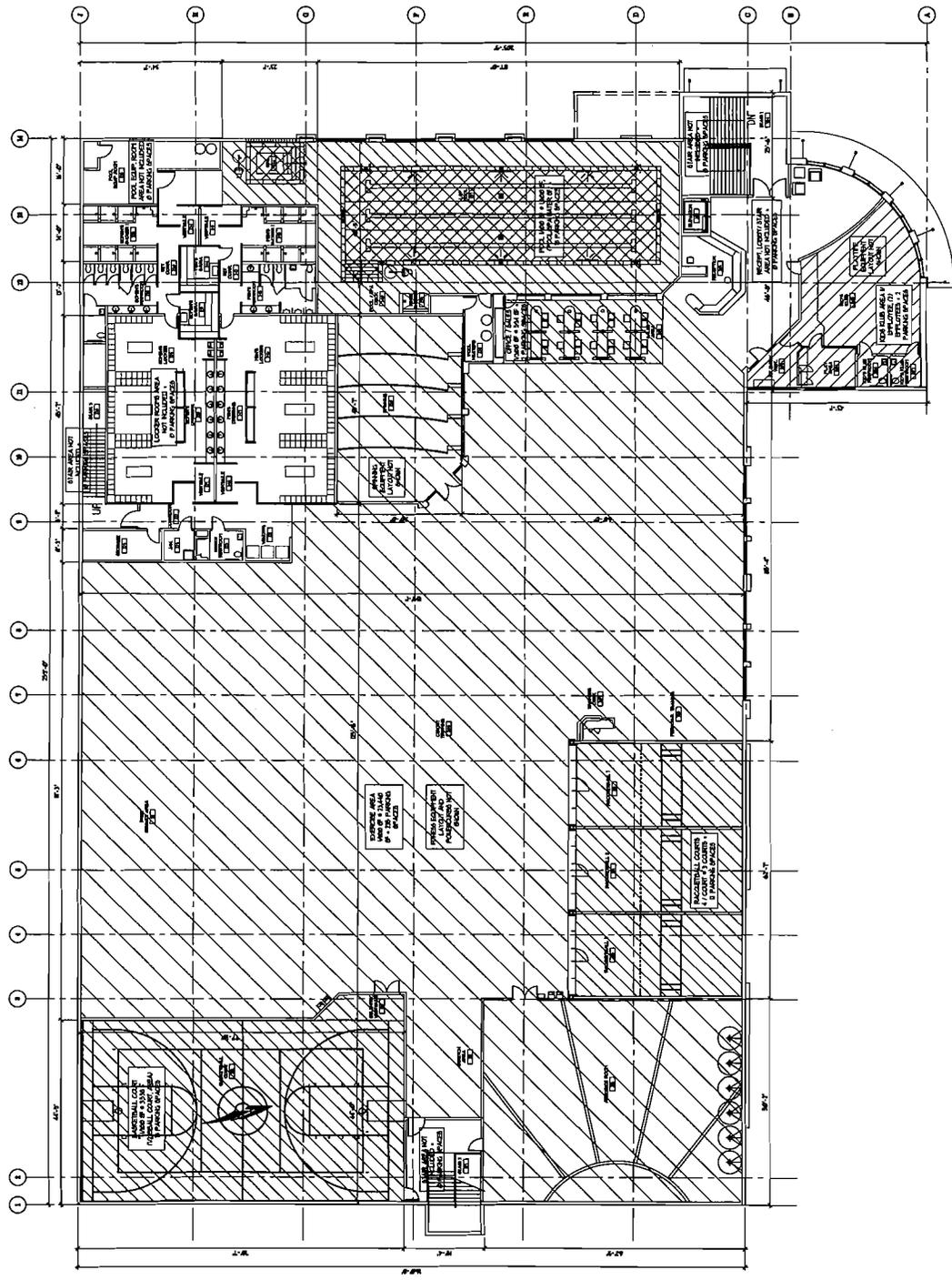
PROJECT NO.	005
DATE	2012
DESCRIPTION	AREAS FOR PARKING / SF FLOOR PLAN - LEVEL 2
OWNER	LA FITNESS
DESIGNER	BENAVIDES ARCHITECTURE
DATE	05/20/13
PROJECT	3037 - 11th St
SCALE	AS SHOWN
PROJECT NO.	005
DATE	2012
DESCRIPTION	AREAS FOR PARKING / SF FLOOR PLAN - LEVEL 2
OWNER	LA FITNESS
DESIGNER	BENAVIDES ARCHITECTURE
DATE	05/20/13
PROJECT	3037 - 11th St
SCALE	AS SHOWN

3.1a
5

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MAY 20 2013
LA FITNESS
3037 11th St
MIAMI BEACH, FL 33139

LA FITNESS
3037 11th St
MIAMI BEACH, FL 33139

1
AREAS FOR PARKING / SF
FLOOR PLAN - LEVEL 2
3037 - 11th St



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213-004
MAY 20 2013

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

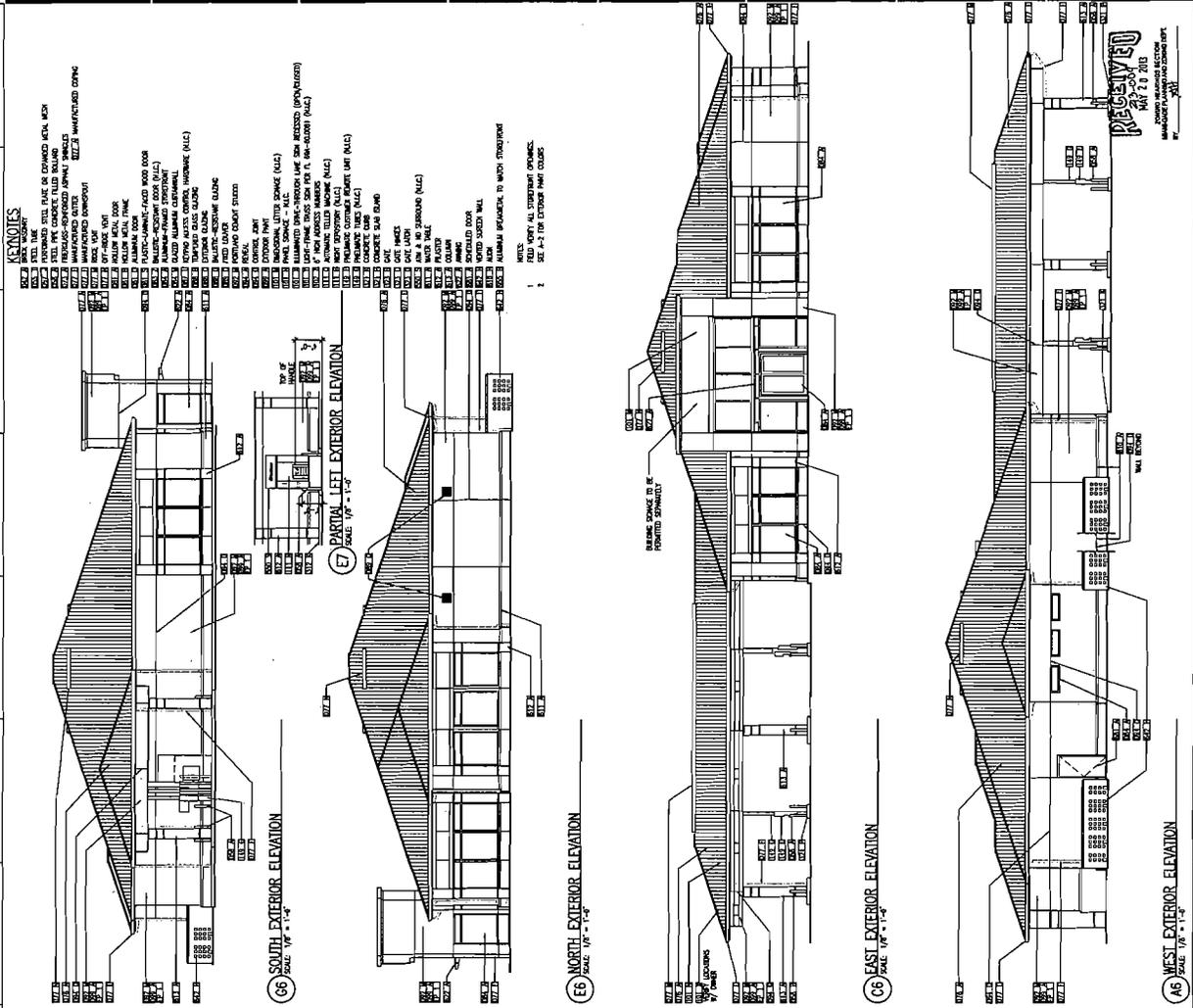
25



Robert Reid Wedding Architects & Planners, AIA, Inc.
 615 South Bay Street - Suite 1000 - Coral Gables, FL 33134
 305-441-1212 - Fax: 305-441-1213 - Email: rrw@rrw.com

12-065
 Suntrust Bank - South Florida
 Miami West Office
 8000 Biscayne Blvd.
 Miami, Florida 33154

NO.	DESCRIPTION	DATE
001	ISSUED FOR PERMIT	05/13/13
002	REVISED PER PERMIT	05/13/13
003	REVISED PER PERMIT	05/13/13
004	REVISED PER PERMIT	05/13/13
005	REVISED PER PERMIT	05/13/13
006	REVISED PER PERMIT	05/13/13
007	REVISED PER PERMIT	05/13/13
008	REVISED PER PERMIT	05/13/13
009	REVISED PER PERMIT	05/13/13
010	REVISED PER PERMIT	05/13/13



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 2013-009
 MAY 20 2013

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

EXTERIOR ELEVATIONS, WINDOW & DOOR ELEVATIONS & SCHEDULES
 SCALE: AS SHOWN

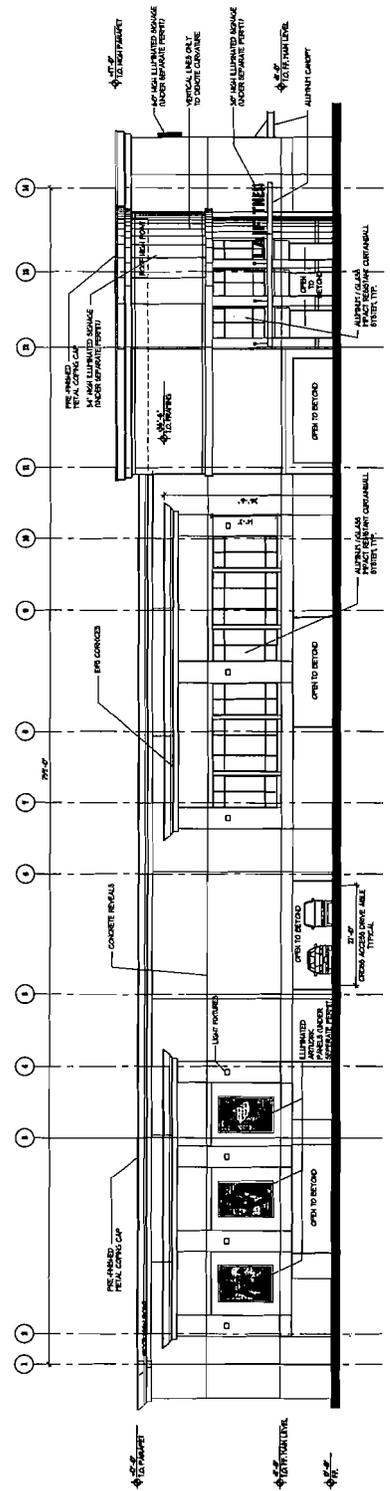
THE DESIGN AND CONSTRUCTION OF THIS PROJECT IS THE SOLE RESPONSIBILITY OF THE ARCHITECT. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

RENAVIDES
 LAF - Westchester (Bird Road)
 SW 40th Street & Bird Road
 Miami-Dade County, FL 33155
 8743 Bird Road, No. 140 W. Palm Beach, FL 33413 jperkins@renavid.com

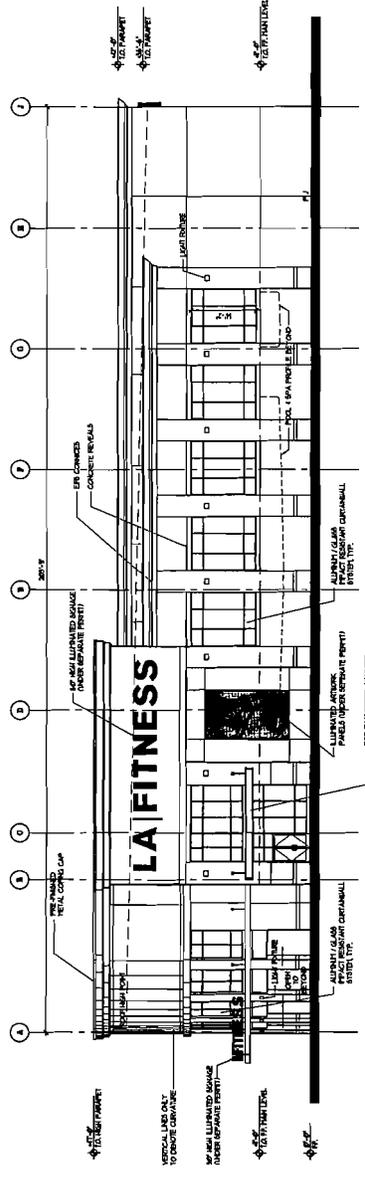
EXTERIOR ELEVATIONS (1 OF 2)
 Scale: AS SHOWN
 Created By: PC
 Checked By: JB

Issue Date: 01-23-13
 05-13-13
 05-13-13
 SHEET NO. 005
 SHEET TITLE: EXTERIOR ELEVATIONS

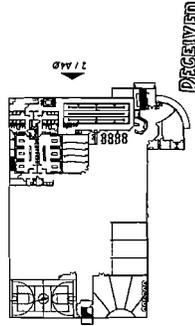
2012	005
4.0	
5	



1 EAST ELEVATION
 330' x 140'



2 NORTH ELEVATION
 330' x 140'



KEY PLAN
 N.T.S.

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 2-13-09
 MAY 20 2013

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

P 051 432 4434
F 051 432 4434

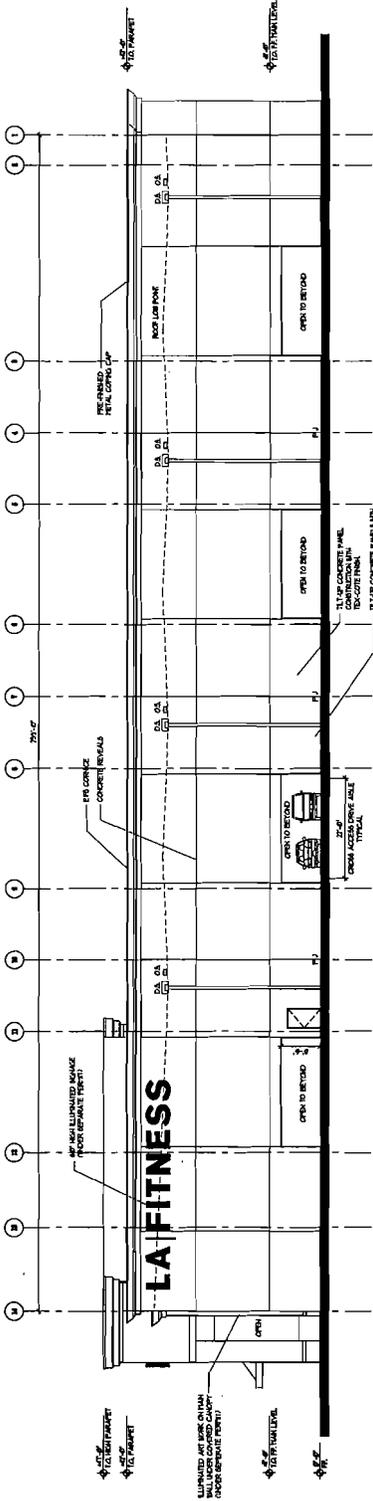
BENAVIDES
LAF - Westchaster (Bird Road)
SW 40th Street & Bird Avenue
Miami-Dade County, FL 33155

10000 BIRDCOURT, A.S.C.
MILWAUKEE, WI 53219

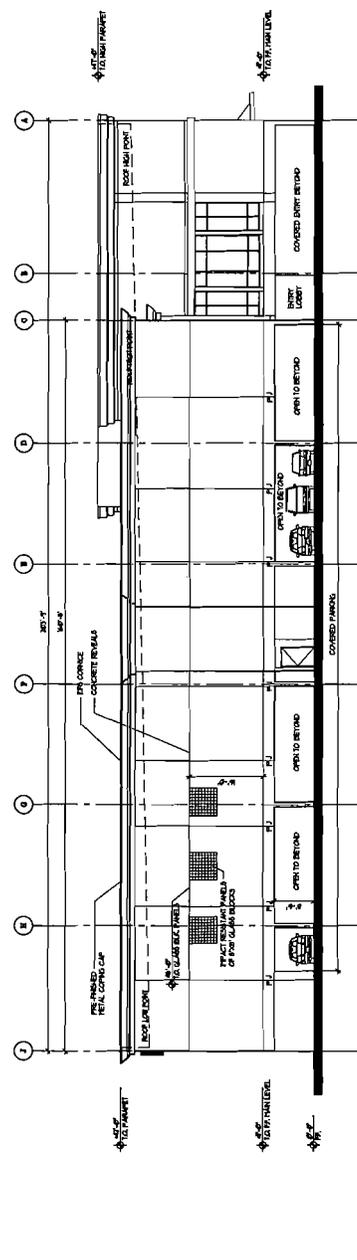
EXTERIOR ELEVATIONS (2 OF 2)
Scale: AS SHOWN
Drawn By: PS
Checked By: JB

DATE: 01-23-13
DATE PLOTTED: 05-10-13
SITE PLAN FILE: SUBMITTAL

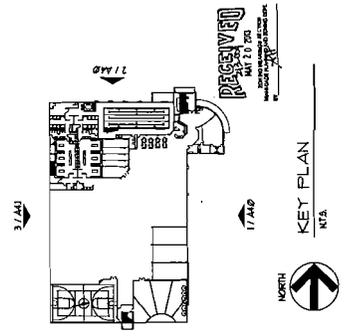
2012	005	4.1	5
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3 WEST ELEVATION
3/8" = 1'-0"



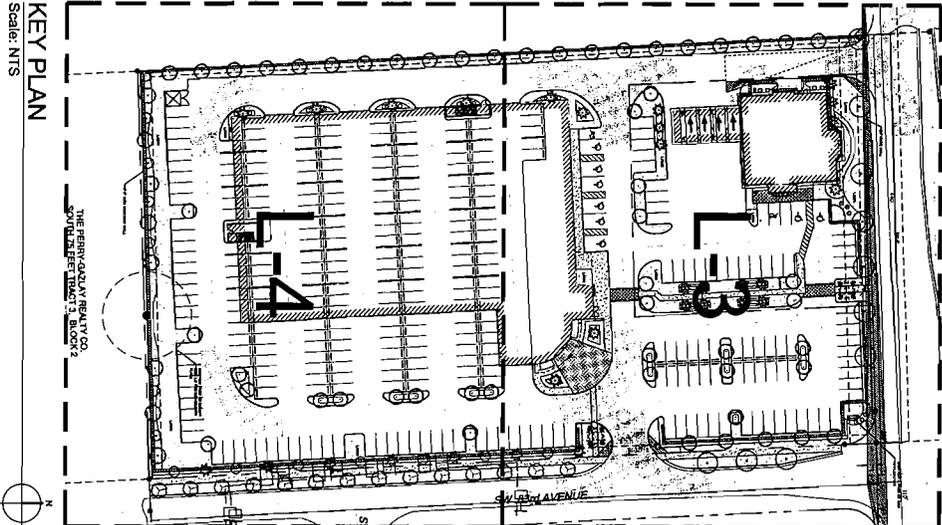
4 SOUTH ELEVATION
3/8" = 1'-0"



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

62

- SHEET INDEX:**
- L-1 COVER
 - L-2 TREE DISPOSITION
 - L-3 LANDSCAPE PLAN
 - L-4 LANDSCAPE PLAN
 - L-5 LANDSCAPE DETAILS



LANDSCAPE LEGEND
Information Required to be Permanently Affixed to Plan

Zoning District: BL-1A Net Lot Area: 4.86 acres 177,824 s.f.

OPEN SPACE	REQUIRED	PROVIDED
A. Open Space (per Chapter 22, § 22.42(2))	28,422 s.f.	30,528 s.f. Δ
B. Open Space (per Chapter 22, § 22.42(3))	11,111 s.f.	11,111 s.f. Δ
C. Total s.f. of landscaped open space (per Chapter 22, § 22.42(4))	39,533 s.f.	41,639 s.f. Δ

LAWN AREA CALCULATION

A. 11,111 s.f. of landscaped open space required by Chapter 22
 B. Maximum lawn area (per Chapter 22, § 22.42(5)) = 11,111 s.f. Δ

TREES

A. No. trees required per lot for area = 80
 B. No. trees provided = 80

C. 5% Minimum Requirement (No. trees provided) = 24
 D. Special Tree (per Chapter 22, § 22.42(6)) = 10
 E. Special Tree (per Chapter 22, § 22.42(7)) = 10
 F. Total Trees Required = 44 Δ

SHRUBS

A. No. shrubs required = 10
 B. No. shrubs provided = 10 Δ

LANDSCAPE LIST

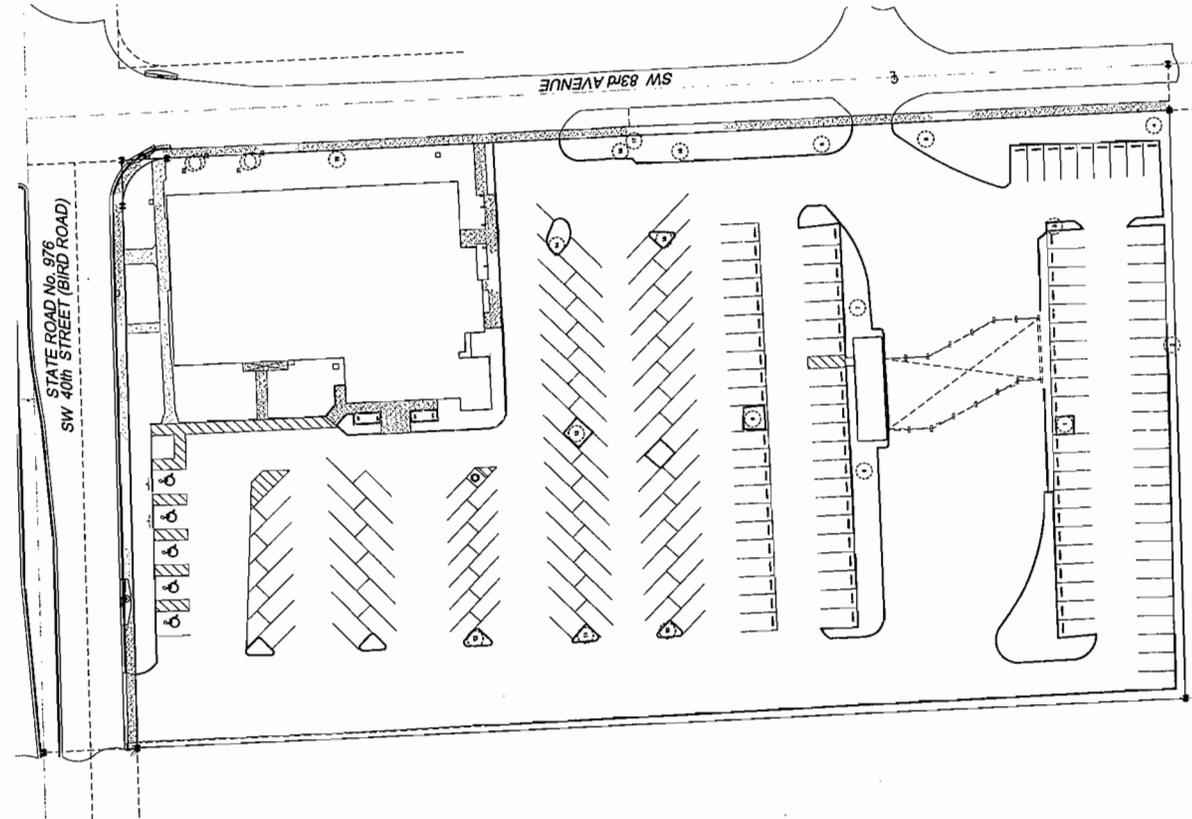
SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1	1" DBH. PALM TREE	10	10 x 1" DBH. PALM TREES
2	2" DBH. PALM TREE	10	10 x 2" DBH. PALM TREES
3	3" DBH. PALM TREE	10	10 x 3" DBH. PALM TREES
4	4" DBH. PALM TREE	10	10 x 4" DBH. PALM TREES
5	5" DBH. PALM TREE	10	10 x 5" DBH. PALM TREES
6	6" DBH. PALM TREE	10	10 x 6" DBH. PALM TREES
7	7" DBH. PALM TREE	10	10 x 7" DBH. PALM TREES
8	8" DBH. PALM TREE	10	10 x 8" DBH. PALM TREES
9	9" DBH. PALM TREE	10	10 x 9" DBH. PALM TREES
10	10" DBH. PALM TREE	10	10 x 10" DBH. PALM TREES
11	11" DBH. PALM TREE	10	10 x 11" DBH. PALM TREES
12	12" DBH. PALM TREE	10	10 x 12" DBH. PALM TREES
13	13" DBH. PALM TREE	10	10 x 13" DBH. PALM TREES
14	14" DBH. PALM TREE	10	10 x 14" DBH. PALM TREES
15	15" DBH. PALM TREE	10	10 x 15" DBH. PALM TREES
16	16" DBH. PALM TREE	10	10 x 16" DBH. PALM TREES
17	17" DBH. PALM TREE	10	10 x 17" DBH. PALM TREES
18	18" DBH. PALM TREE	10	10 x 18" DBH. PALM TREES
19	19" DBH. PALM TREE	10	10 x 19" DBH. PALM TREES
20	20" DBH. PALM TREE	10	10 x 20" DBH. PALM TREES

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2013-009

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY AD

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MAY 21 2013
2013-009

<p>WITKIN HULTS DESIGN GROUP 307 South 21st Street, Hollywood, Florida Phone: 305-974-2424 Fax: 305-974-2424 www.witkinhulst.com</p>	<p>FITNESS & FINANCIAL PLAZA 8300 BIRD ROAD MIAMI, FL</p> <p>INDEX</p>	<p>DATE: 11/20/13 DRAWN BY: JLN CHECKED BY: JLN</p>	<p>DATE: 11/20/13 DRAWN BY: JLN CHECKED BY: JLN</p>
---	---	---	---



TREE DISPOSITION PLAN
Scale: 1" = 30'-0"

STATE ROAD No. 976
SW 40th STREET (BIRD ROAD)

SW 89th AVENUE

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23-009
MAY 20 2013

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY **XP**

FITNESS & FINANCIAL PLAZA TREE DISPOSITION

No.	Tree Name	Tree Species	DBH (in)	Height (ft)	Condition	Disposition	Notes
1	BLACK OLIVE	Black Olive	44	45	24	GOOD	REMOVE
2	BLACK OLIVE	Black Olive	31	35	20	GOOD	REMOVE
3	BLACK OLIVE	Black Olive	31	35	20	GOOD	REMOVE
4	SOUL TREE PALM	Soul Tree Palm	11	7	10	VERY GOOD	REMOVE
5	FRUIT	Fraxinus	27	43	30	POOR	REMOVE
6	WESTING BOTTLEBRUSH	Caribbean Anthill	22	28	22	POOR	REMOVE
7	BLACK OLIVE	Black Olive	50	43	27	GOOD	REMOVE
8	BLACK OLIVE	Black Olive	38	35	22	GOOD	REMOVE
9	BLACK OLIVE	Black Olive	38	35	22	GOOD	REMOVE
10	BLACK OLIVE	Black Olive	34	35	22	GOOD	REMOVE
11	BLACK OLIVE	Black Olive	42	35	21	GOOD	REMOVE
12	BLACK OLIVE	Black Olive	41	44	23	GOOD	REMOVE
13	BLACK OLIVE	Black Olive	44	43	30	GOOD	REMOVE
14	BLACK OLIVE	Black Olive	42	41	26	GOOD	REMOVE
15	BLACK OLIVE	Black Olive	42	41	26	GOOD	REMOVE
16	WESTING BOTTLEBRUSH	Caribbean Anthill	27	24	17	POOR	REMOVE
17	PIVOTAL PALM	Phoenix Anthill	14	6	4	FAIR	REMOVE
18	CHANDLER ORCHER	Caribbean Anthill	40	52	30	GOOD	REMOVE
19	SOUL TREE PALM	Phoenix Anthill	31	5	5	GOOD	REMOVE
20	SOUL TREE PALM	Phoenix Anthill	27	5	5	GOOD	REMOVE
21	SOUL TREE PALM	Phoenix Anthill	26	5	5	GOOD	REMOVE
22	SOUL TREE PALM	Phoenix Anthill	26	5	5	GOOD	REMOVE
23	SOUL TREE PALM	Phoenix Anthill	26	5	5	GOOD	REMOVE
24	SOUL TREE PALM	Phoenix Anthill	26	5	5	GOOD	REMOVE
25	SOUL TREE PALM	Phoenix Anthill	26	5	5	GOOD	REMOVE

TOTAL: 24/27/4

FITNESS & FINANCIAL PLAZA
8300 BIRD ROAD MIAMI, FL
TREE DISPOSITION PLAN



Drawing: Tree Disposition
Date: 1/10/2013
Scale: 1" = 30'-0"
Drawn by: JL
Checked by:
Date: 1/10/2013
Code: 12: 2013-000

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MAY 21 2013
MIAMI-DADE COUNTY
PLANNING AND ZONING DEPARTMENT



LANDSCAPE PLAN
 8300 BIRD ROAD MIAMI, FL
FITNESS & FINANCIAL PLAZA

Prepared by:
 11/20/13 BY CITY COORDINATOR
 2/24/14 SITE COORDINATION
 3/13/14 NEW SITE PLAN



License: Landscape Plan
 Date: 11/20/13
 Scale: 1" = 20'-0"
 Drawn by: AR
 Sheet No.:
 Call: 41.2013.000

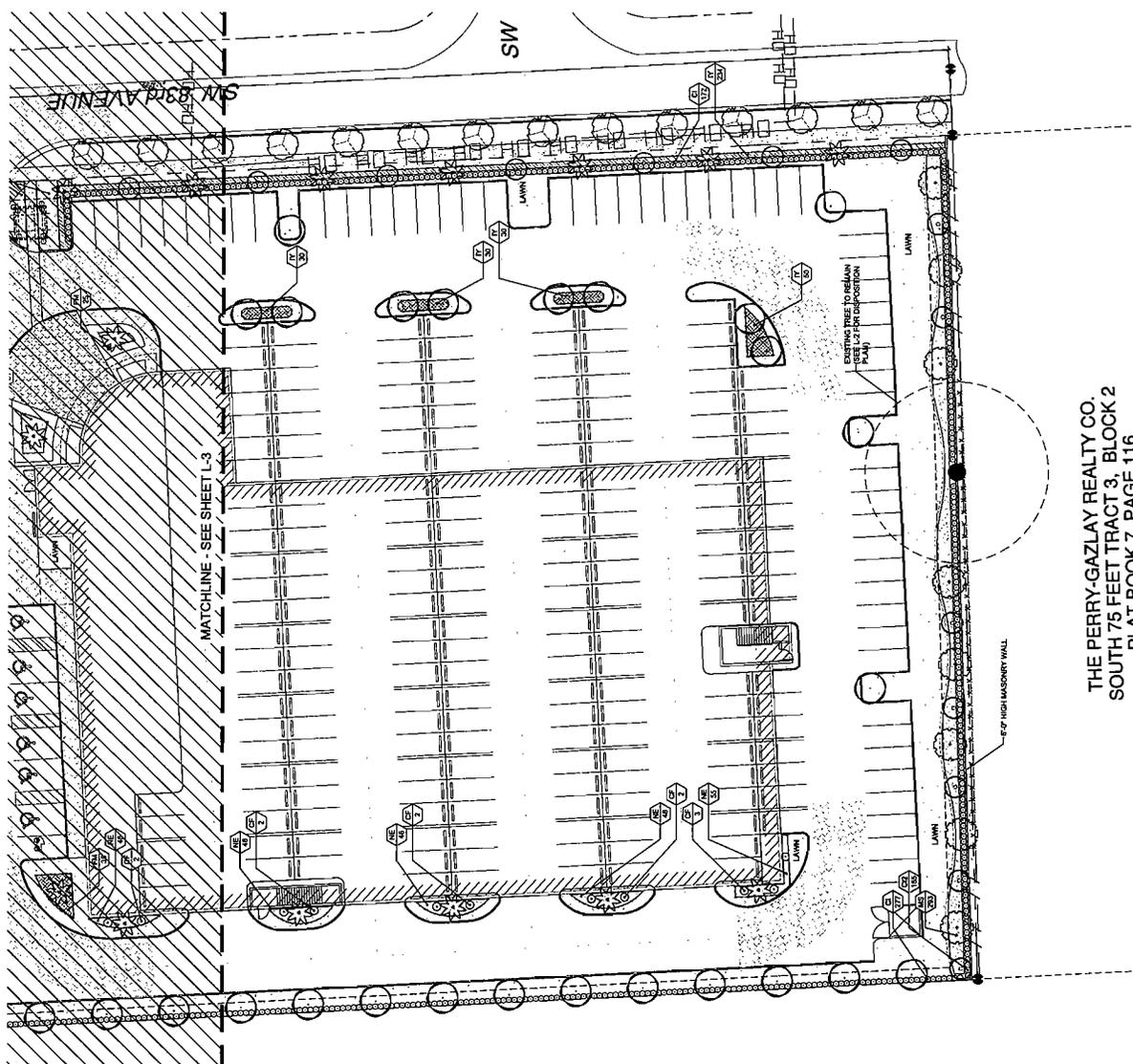


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 213-009
 MAY 20 2013

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY **AR**

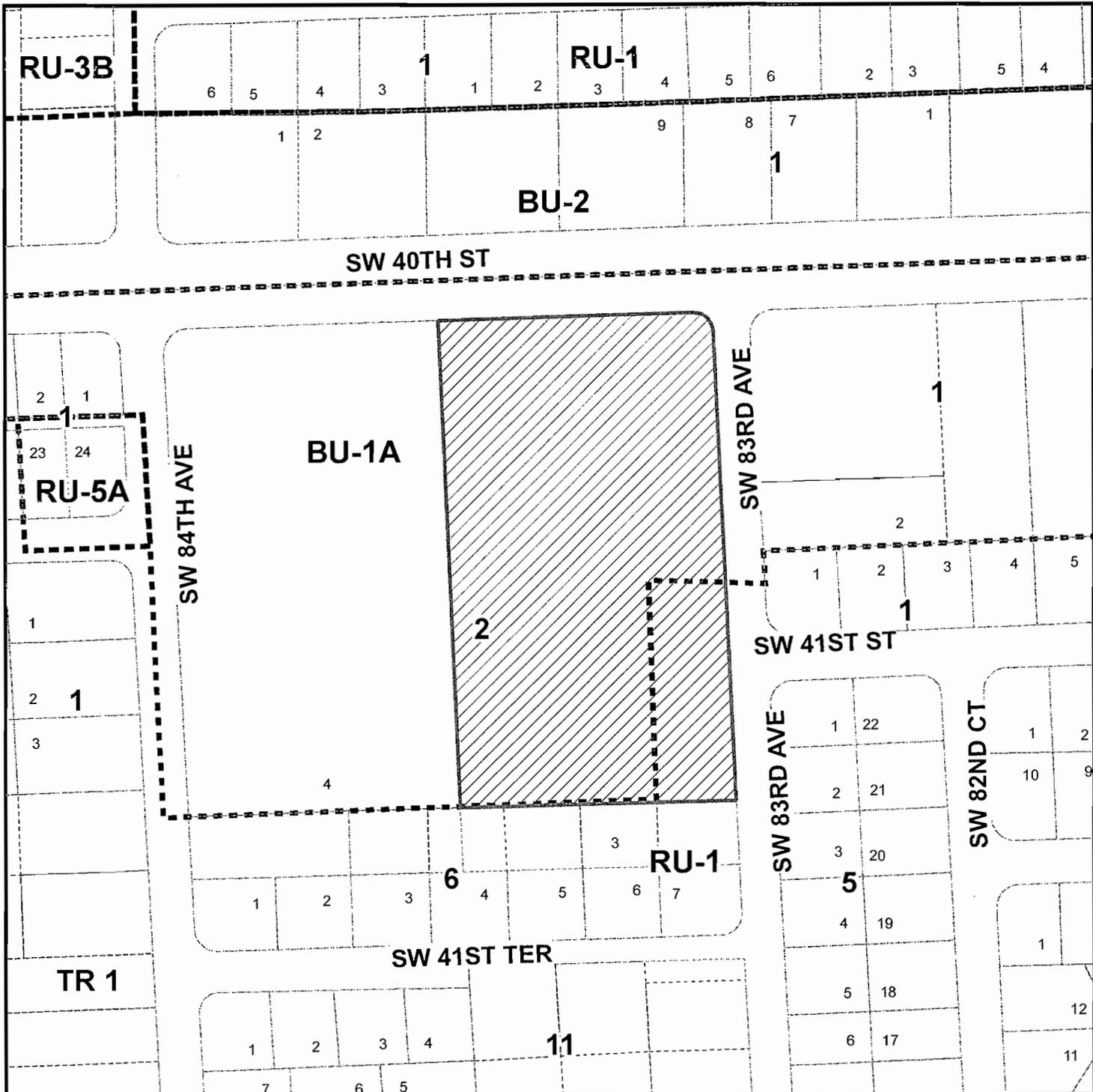
LANDSCAPE LIST

SYMBOL	DESCRIPTION	QUANTITY
1	1" PALM TREE	10
2	2" PALM TREE	10
3	3" PALM TREE	10
4	4" PALM TREE	10
5	5" PALM TREE	10
6	6" PALM TREE	10
7	7" PALM TREE	10
8	8" PALM TREE	10
9	9" PALM TREE	10
10	10" PALM TREE	10
11	11" PALM TREE	10
12	12" PALM TREE	10
13	13" PALM TREE	10
14	14" PALM TREE	10
15	15" PALM TREE	10
16	16" PALM TREE	10
17	17" PALM TREE	10
18	18" PALM TREE	10
19	19" PALM TREE	10
20	20" PALM TREE	10
21	21" PALM TREE	10
22	22" PALM TREE	10
23	23" PALM TREE	10
24	24" PALM TREE	10
25	25" PALM TREE	10
26	26" PALM TREE	10
27	27" PALM TREE	10
28	28" PALM TREE	10
29	29" PALM TREE	10
30	30" PALM TREE	10
31	31" PALM TREE	10
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34	34" PALM TREE	10
35	35" PALM TREE	10
36	36" PALM TREE	10
37	37" PALM TREE	10
38	38" PALM TREE	10
39	39" PALM TREE	10
40	40" PALM TREE	10
41	41" PALM TREE	10
42	42" PALM TREE	10
43	43" PALM TREE	10
44	44" PALM TREE	10
45	45" PALM TREE	10
46	46" PALM TREE	10
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92	92" PALM TREE	10
93	93" PALM TREE	10
94	94" PALM TREE	10
95	95" PALM TREE	10
96	96" PALM TREE	10
97	97" PALM TREE	10
98	98" PALM TREE	10
99	99" PALM TREE	10
100	100" PALM TREE	10



THE PERRY-GAZLAY REALTY CO.
 SOUTH 75 FEET TRACT 3, BLOCK 2
 DI AT ROOK 7 PAGE 116

LANDSCAPE PLAN
 Scale: 1" = 20'-0"



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000009



Section: 22 Township: 54 Range: 40
 Applicant: SUNTRUST BANK
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, February 7, 2013

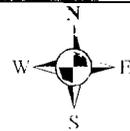
REVISION	DATE	BY
	3/3	



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z2013000009



Section: 22 Township: 54 Range: 40
 Applicant: SUNTRUST BANK
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

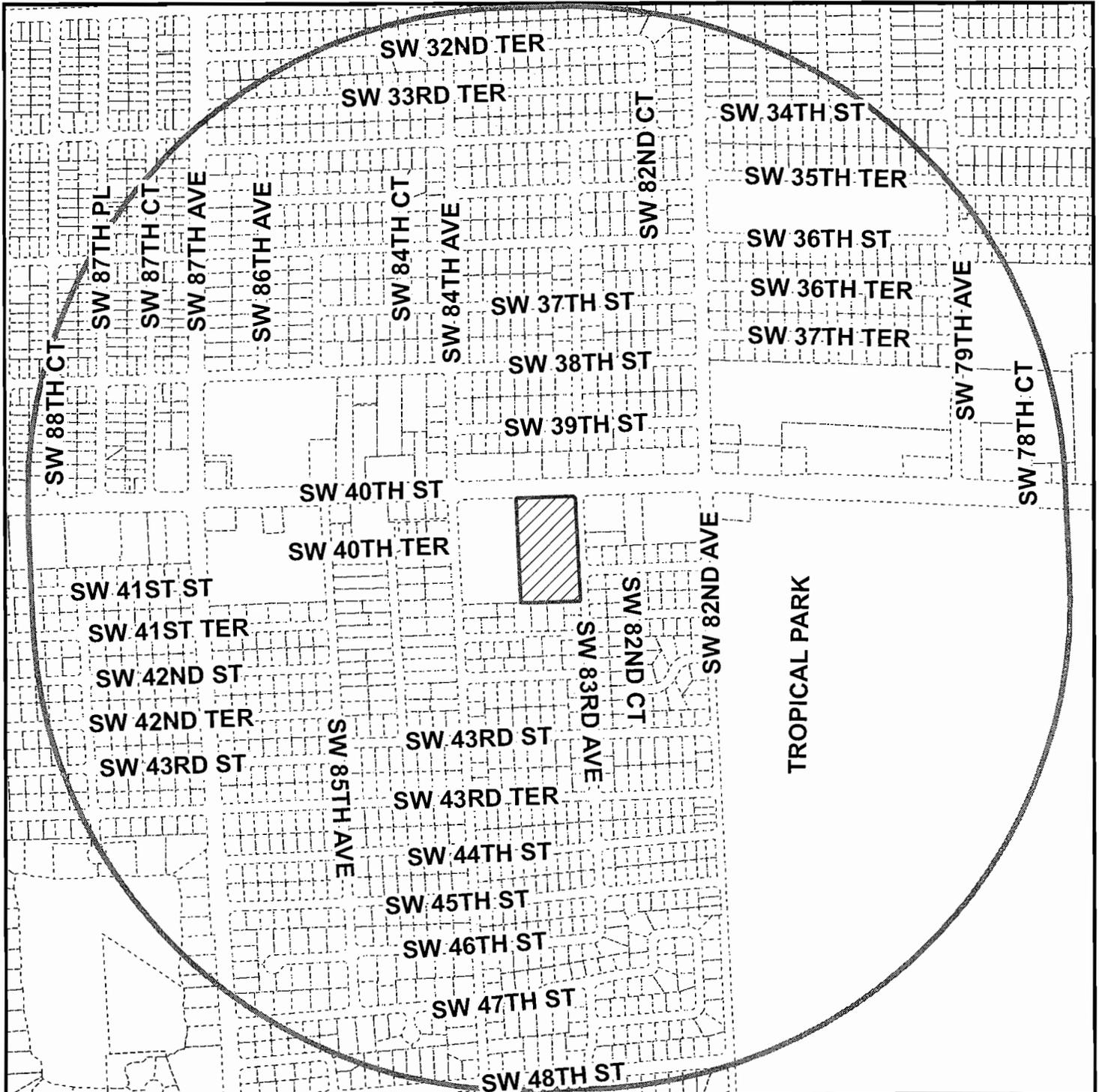
Legend

 Subject Property



SKETCH CREATED ON: Thursday, February 7, 2013

REVISION	DATE	BY
	34	



MIAMI-DADE COUNTY
RADIUS MAP

Section: 22 Township: 54 Range: 40
 Applicant: SUNTRUST BANK
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number
Z2013000009
 RADIUS: 2640



Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, February 7, 2013

REVISION	DATE	BY
	35	

(LDR) 2.5-6 DU/AC

BUSINESS AND OFFICE

SW 40TH ST

SW 84TH AVE

SW 41ST ST

SW 83RD AVE

SW 82ND CT

PA

(LDR) 2.5-6 DU/AC

SW 41ST TER

MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000009



Section: 22 Township: 54 Range: 40
Applicant: SUNTRUST BANK
Zoning Board: C10
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, February 7, 2013

REVISION	DATE	BY

Draft
Suntrust Bank (13-009)
9/11/13 C10

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. 13-009 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 Plan.** The Property shall be developed in substantial accordance with the plans entitled "Fitness and Financial Plaza" prepared by Ludovici and Orange Consulting Engineers, consisting of twelve (12) sheets and dated stamped received May 20, 2013.
- 2. 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.
- 3. 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

(Public Hearing)

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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.

4. 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.

5. 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.

6. 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.

7. 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

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refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

8. 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.

9. 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.

10. Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions that 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

11. 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 Regulatory and Environment Resources 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

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recordable form, acknowledging that this Declaration is null and void and of no further effect.

12. 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.

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

[Execution Pages Follow]