

KITS



COMMUNITY ZONING APPEALS BOARD 11
KENDALL VILLAGE CENTER - CIVIC PAVILION
8625 SW 124 Avenue, Miami
Thursday, April 15, 2010 at 7:00 p.m.

PREVIOUSLY DEFERRED

A. 10-3-CZ11-2 COSTCO WHOLESALE CORP & WMD
LONDON SQUARE LLC 09-124 14-55-39

CURRENT

1. 10-4-CZ11-1 T-MOBILE SOUTH, LLC & KINGS
MEADOW LLC 08-163 03-55-39 N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 11

MEETING OF THURSDAY, APRIL 15, 2009

KENDALL VILLAGE CENTER – CIVIC PAVILION

8625 SW 124 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 7:00 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

**A. COSTCO WHOLESALE CORP. & WMD LONDON SQUARE L.L.C.
(10-3-CZ11-2/09-124)**

**14-55-39
Area 11/District 9**

- (1) MODIFICATION of Condition #2 of Resolution #CZAB11-25-06 and last modified by Resolution #CZAB11-17-08, both passed and adopted by Community Zoning Appeals Board #11, and reading as follows:

FROM: "2. That said property shall be developed substantially in accordance with the site plans entitled 'Public Hearing Site Plan London Square,' as prepared by Architectural Alliance, consisting of SP-1 and SP-2 dated stamped received 7/21/08 and remaining 18 sheets dated 3/23/06 and elevation and floor plans entitled 'London Square,' as prepared by Lawrence S. Levinson, consisting of five (5) sheets, and dated March 24, 2006 for a total of 25 sheets."

TO: "2. That said property shall be developed substantially in accordance with the site plans entitled 'Costco Wholesale Kendall #357,' Sheet "C2" as prepared by Bohler Engineering, Sheet 'DD4.01.01' as prepared by Mulvanny Architecture and Sheet 'LP-1' as prepared by Intuitive Design Group, all dated stamped received 8/18/09, and Sheets 'SP-1' and 'SP-2' as prepared by Architectural Alliance, entitled 'London Square,' dated stamped received 10/7/09, for a total of 5 sheets, and that all other portions of the site plan shall remain substantially in accordance with the site plans entitled 'Public Hearing Site Plan London Square,' as prepared by Architectural Alliance, consisting of 18 sheets and dated stamped received 3/23/06 and elevation and floor plans entitled 'London Square,' as prepared by Lawrence S. Levinson, consisting of 5 sheets, and dated 3/24/06 for a total of 28 sheets."

- (2) MODIFICATION of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 24689, Pages 2921-2930, and last modified by Paragraph #2 of a Corrected Modification to the Declaration of Restrictions, as recorded in Official Record Book 27172, Pages 711-719, reading as follows:

FROM: "1. Paragraph One of the Existing Covenant is hereby amended to read as follows:

"1. That said property shall be developed substantially in accordance with the site plans entitled 'Public Hearing Site Plan London Square,' as prepared by Architectural Alliance, consisting of 'SP-1' and 'SP-2' dated July 18, 2008, and stamped received July 21, 2008, and remaining eighteen (18) sheets dated March 23, 2006 and elevation and floor plans entitled 'London Square,' prepared by Lawrence S. Levinson, consisting of five (5) sheets, and dated March 24, 2006, for a total of twenty-five (25) sheets."

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

"2. That said property shall be developed substantially in accordance with the site plans entitled 'Costco Wholesale Kendall #357,' Sheet 'C-2' as prepared by Bohler Engineering, Sheet 'DD4.01.01' as prepared by Mulvanny Architecture and Sheet 'LP-1,' as prepared by Intuitive Design Group, all dated stamped received 8/18/09, and Sheets 'SP-1' and 'SP-2' as prepared by Architectural Alliance entitled 'London Square,' dated stamped received 10/7/09, for a total of 5 sheets, and that all other portions of the site plan shall remain substantially in accordance with the site plans entitled 'Public Hearing Site

**1. T-MOBILE SOUTH, LLC & KINGS MEADOW LLC (10-4-CZ11-1/08-163) 01-55-39
Area 11/District 11**

- (1) UNUSUAL USE to permit a 100' high camouflaged wireless supported service facility (cellular tower) designed as a flagpole and ancillary equipment.
- (2) MODIFICATION of Condition #2 of Resolution No. Z-202-85, passed and adopted by the Board of County Commissioners, last modified by Resolution No. 5-ZAB-281-96, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'King's Meadow Convenience Center,' as prepared by Baldwin, Sackman & Associates, P. A., dated stamped received June 7, 1996, 'Sketch of Survey,' as prepared by Schwebke-Shiskin & Assoc., Inc., dated stamped received June 7, 1996."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'T-Mobile,' as prepared by Mactec Engineering & Consulting, Inc., consisting of 9 sheets, dated stamped received 12/7/09."

The purpose of request #2 is to allow the applicants to submit revised plans showing a proposed 100' high camouflaged wireless supported service facility (cellular tower) designed as a flag pole to be located on an existing commercial development.

- (3) Applicants are requesting to permit the wireless supported service facility (cellular tower) setback 59.01' (111.11' required) from the interior side (west) property line.
- (4) Applicants are requesting to permit back-out dimensions varying from 18' to 21' (22' required).
- (5) Applicants are requesting to permit 2-way drives with widths varying from 17' to 19.49' (20' required).

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

LOCATION: 9901 S.W. 142 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 5.33 Acres

Department of Planning and
Zoning Recommendation:

Denial without prejudice of requests #1, #2
and #3 and approval of requests #4 and #5.

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 Planning and Zoning (DPZ) within 14 days after the DPZ 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. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) 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 challenge or appeal.

**A. COSTCO WHOLESALE CORP &
WMD LONDON SQUARE LLC**
(Applicant)

10-3-CZ11-2 (09-124)
Area 11/District 09
Hearing Date: 04/15/10

Property Owner (if different from applicant) **Same.**

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

| <u>Year</u> | <u>Applicant</u> | <u>Request</u> | <u>Board</u> | <u>Decision</u> |
|--------------------|---------------------------|--|---------------------|------------------------------|
| 2006 | Forty Acre Farm LTD | - Zone change from GU to BU-1A GU to IU-1 parking. - Unusual Use outdoor dining, bars in conjunction with restaurant. - Special Exception 3 lounge bars in Conjunction with restaurant and spacing. | C11 | Approved w/conds. |
| 2007 | WMD London Square, LLC | - Modification of parcel 1 & 2 Official Record Book 24689 pgs. 2921 thru 2930. Deletion of condition #5 of resolution CZAB11-7-07. | C11 | Approved in part w/conds. |
| 2007 | Forty Acre Farm LTD | - Special exception of Spacing for a liquor package store. | C11 | Approved w/conds. |
| 2008 | WMD London Square, LLC | - Modification of paragraph 1 of Declaration of Restrictions recorded in Official Record Book 24689 pgs. 2921 thru 2930. | C11 | Approved w/conds. |

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

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

#2

APPLICANT'S NAME: **COSTCO WHOLESALE CORP & WMD LONDON SQUARE LLC**

REPRESENTATIVE: Graham Penn representing WMD London Square and Kerri Barsch representing Costco Wholesale Corp

| HEARING NUMBER | HEARING DATE | RESOLUTION NUMBER |
|----------------------|----------------|-------------------|
| 10-3-CZ11-2 (09-124) | March 23, 2010 | CZAB11 10 |

REC: Approval with conditions.

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: April 15, 2010 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: One Board member recused herself from the hearing, which left three Board members present. The application could not proceed due to a lack of a quorum and was automatically deferred to the next available hearing date.

| TITLE | M/S | NAME | YES | NO | ABSENT |
|--------------|-----|-------------------|-----|----|--------|
| COUNCILMAN | | Joseph E. DELANEY | | | |
| COUNCILWOMAN | | Beatrice SUAREZ | | | X |
| COUNCILWOMAN | | Ileana R. VAZQUEZ | | | |
| VICE CHAIR | | Jeffrey WANDER | | | X |
| CHAIRWOMAN | | Patricia G. DAVIS | | | |

VOTE:

| | |
|--|--|
| | |
|--|--|

EXHIBITS: YES NO

COUNTY ATTORNEY: ANDREW BOESE

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 11**

APPLICANT: Costco Wholesale Corp. &
WMD London Square L.L.C

PH: Z09-124 (10-3-CZ11-A)

SECTION: 14-55-39

DATE: April 15, 2010

COMMISSION DISTRICT: 9

ITEM NO.: A

A. INTRODUCTION

o **REQUESTS:**

- (1) MODIFICATION of Condition #2 of Resolution #CZAB11-25-06 and last modified by CZAB11-17-08, both passed and adopted by Community Zoning Appeals Board #11, and reading as follows:

FROM: "2. That said property shall be developed substantially in accordance with the site plans entitled 'Public Hearing Plan London Square,' as prepared by Architectural Alliance, consisting of SP-1 and SP-2 dated stamped received 7/21/08 and remaining 18 sheets dated 3/23/06 and elevation and floor plans entitled 'London Square,' as prepared by Lawrence S. Levinson, consisting of five (5) sheets, and dated March 24, 2006 for a total of 25 sheets."

TO: "2. That said property shall be developed substantially in accordance with the site plans entitled 'Costco Wholesale Kendall #357,' Sheet "C-2" as prepared by Bohler Engineering, Sheet 'DD4.01.01' as prepared by Mulvanny Architecture and Sheet 'LP-1 as prepared by Intuitive Design Group, all dated stamped received 8/18/09, and Sheets 'SP-1' and 'SP-2' as prepared by Architectural Alliance, entitled 'London Square,' dated stamped received 10/7/09, for a total of 5 sheets, and that all other portions of the site plan shall remain substantially in accordance with the site plans entitled 'Public Hearing Site Plan London Square,' as prepared by Architectural Alliance, consisting of 18 sheets and dated stamped received 3/23/06 and elevation and floor plans entitled 'London Square,' as prepared by Lawrence S. Levinson, consisting of 5 sheets, and dated 3/24/06 for a total of 28 sheets."

- (2) MODIFICATION of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 24689, Pages 2921-2930, and last modified by Paragraph #2 of Modification to the Declaration of Restrictions, as recorded in Official Record Book 26740, Pages 432-448, recorded in Official Record Book, reading as follows:

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

“2. That said property shall be developed substantially in accordance with the site plans entitled ‘Public London Square,’ as prepared by Architectural Alliance, consisting of ‘SP-1’ and ‘SP-2’ dated July 18, 2008, and stamped received July 21, 2008, and remaining eighteen (18) sheets dated March 23, 2006 and elevation and floor plans entitled ‘Public Hearing London Square,’ prepared by Lawrence S. Levinson, consisting of five (5) sheets, and dated March 24, 2006, for a total of twenty-five (25) sheets.”

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(3) MODIFICATION of Paragraph #1 of “Covenant Running with the Land in Lieu of Title,” recorded in Official Record Book 25612, Pages 4587 – 4594, reading as follows:

FROM: “1. That property will be developed in substantial conformity with the site plan entitled ‘London Square,’ prepared by Architectural Alliance, consisting of twenty (20) sheets, and dated March 23, 2006, and the elevation and floor plans previously submitted entitled ‘London Square,’ prepared by Lawrence S. Levinson, consisting of five (5) sheets and dated March 24, 2006.”

TO: “1. That property will be developed substantially in accordance with the site plan entitled “Costco Wholesale Kendall #357,’ Sheet “C-2”, as prepared by Bohler Engineering, Sheet ‘DD4,01.01,’ as prepared by Mulvanny Architecture and Sheet ‘LP-1 as prepared by Intuitive Design Group, all dated stamped received 8/18/09, and Sheets ‘SP-1’ and ‘SP-2 as prepared by Architectural Alliance, entitled ‘London Square,’ dated stamped received 10/7/09, for a total of 5 sheets, and that all other portions of the site plan remain substantially in accordance with the site plans entitled ‘Public Hearing Site Plan London Square,’ as prepared by Architectural Alliance, consisting of 18 sheets, dated stamped

received 3/23/06 and elevation and floor plan entitled 'London Square', as prepared by Lawrence S. Levinson, consisting of 5 sheets, and dated 3/24/06 for a total of 28 sheets."

The purpose of the requests is to permit the applicants to submit a new site plan to show additional canopy area and pumps for the existing gas station for a membership warehouse.

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

o **SUMMARY OF REQUESTS:**

The approval of this application will allow the applicants to modify a previously approved resolution, a Declaration of Restrictions and a Covenant Running with the Land in Lieu of Title in order to submit a new plan showing an additional canopy area and pumps for an existing gas station.

o **LOCATION:**

12305 SW 137 Avenue, Miami-Dade County, Florida.

o **SIZE:** 40 Acres

B. ZONING HEARINGS HISTORY:

In 2006, the subject property was granted zone changes from GU, Interim District, to BU-1A, Limited Business District, and to IU-1, Light Industrial Manufacturing District, pursuant to Resolution No. CZAB11-25-06. Additional requests for an unusual use to permit outdoor seating in conjunction with restaurants and lounge/bars in conjunction with restaurants, a special exception of the spacing requirements to permit 3 lounge/bars in conjunction with restaurants in the BU-1A zone, and a reduction in the required number of parking spaces were also approved with conditions. In 2007, a portion of the subject property was granted an approval for a special exception of spacing requirements to permit a liquor package store spaced less than the required 1,500' from other alcoholic beverage uses, pursuant to Resolution #CZAB11-7-07. In 2008, pursuant to Resolution #CZAB11-17-08, a modification to a Declaration of Restrictions, a modification and deletion of resolutions, and a parking variance was granted by Community Zoning Appeals Board 11 (CZAB-11). The approval allowed the applicant to submit new site plans showing a change in use of certain buildings, a building reconfiguration and the addition of a MRI unit. Additionally, the restriction requiring the applicant to adjust the mix of uses in the BU portion was removed, resulting in a parking deficit of 9 spaces. The subject property was also approved for other variances and modifications that are not pertinent.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The 2015 and 2025 Adopted Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the westerly 20± acres of the subject property 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. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.

2. The 2015 and 2025 Adopted Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the easterly 20± acres of the subject property for **Industrial and Office**. Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations and cell towers is also allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Freestanding retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Freestanding retail and personal service uses and shops that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses, and others with unusual siting requirements may also be considered at appropriate locations. Quarrying activities and ancillary uses may also be approved in areas designated Industrial and Office where compatible with the surrounding area and environment. The specific range and intensity of uses appropriate in a particular Industrial and Office area vary by location as a function of the availability of public services and access and, among other factors, compatibility with neighboring development. Through the zoning review process, use of particular sites or areas may be limited to something less than the maximum allowed in this category. Moreover, special limitations may be imposed where necessary to protect environmental resources.

- 3. **Land Use Element Policy LU-4C.** Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.
- 4. **Land Use Element Policy LU-9B.** Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate:
 - i) Land use consistent with the CDMP Land Use Element and CDMP Level of Service Standards;
 - ii) Subdivision of land;
 - iii) Protection of potable water wellfields;
 - iv) Areas subject to seasonal or periodic flooding;
 - v) Stormwater management;
 - vi) Protection of environmentally sensitive lands;
 - vii) Signage; and
 - viii) On-site traffic flow and parking to ensure safety and convenience and that no avoidable off-site traffic flow impediments are caused by development.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU1-A and IU-1; shopping center

Business and Office and Industrial and Office

Surrounding Properties:

NORTH: RU-1; Single-family residences

Low-Medium Density, 6 to 13 dua

SOUTH: IU-C; Warehouses

Industrial and Office

EAST: GU; School
IU-C; Warehouses

Industrial and Office

WEST: GU; Kendall-Tamiami Airport

Transportation Terminals

E. SITE AND BUILDINGS:

Site Plan Review:

(Plans submitted.)

Scale/Utilization of Site:

Acceptable

Location of Buildings:

Acceptable

Compatibility:

Acceptable

Landscape Treatment:

Acceptable

Open Space:

Acceptable

Buffering:

Acceptable

| | |
|-----------------------------|-------------------|
| Access: | Acceptable |
| Parking Layout/Circulation: | Acceptable |
| Urban Design: | N/A |

F. PERTINENT REQUIREMENTS/STANDARDS:

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

G. NEIGHBORHOOD SERVICES:

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

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

This application was deferred from the March 23, 2010 meeting due to a lack of a quorum. The subject property is located at 12305 SW 137 Avenue. The western portion of the site is zoned BU-1A, Limited Business District and the eastern portion of the site is zoned IU-1, Light Industrial Manufacturing District. The BU-1A zoned portion of site is a multi-use commercial retail development and the IU-1 portion is the location of the Costco Warehouse. The application has two covenants because a zoning covenant was proffered by the applicant during the 2005 hearing which was subsequently modified in 2007 and 2010. An additional covenant (Covenant Running with the Land in Lieu of Title) was proffered, for permit issuance, in 2007 which legally unifies the site which is under separate ownership. The approval of the application will allow the applicants to submit a new site plan showing an additional canopy and two additional gas pumps for the existing Costco gas station on the subject property. The site plan submitted depicts the existing gas station with approximately 2,898 square feet of canopy area, located at the northwestern corner of the subject property. The applicants propose to increase the canopy area by 983 square feet to

accommodate the two additional pumps. In addition, the request to modify Resolution CZAB11-17-08 will relocate eleven (11) parking spaces that were located at the northwestern portion of the IU-1 zoned portion of the site. The eleven parking spaces have been dispersed throughout the site, and will not impact the count for the current parking on the site. The 2015 and 2025 Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the western portion (20 acres±) of the subject property for **Business and Office** use, and the eastern portion (20 acres±) for **Industrial and Office** use. The interpretative text of the CDMP titled "Concepts and Limitations of the land Use Plan Map" states that all existing lawful residential and non-residential uses and zoning are consistent with the CDMP. As such, since the approval will not change the zoning uses, the current zoning IU-1 and BU-1A zoning and the commercial and industrial uses are **consistent** with the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Miami-Dade County Code. The **Public Works Department (PWD)** has **no objections** to this application. Their memorandum indicates that this project does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned and the application meets traffic concurrency criteria for an Initial Development Order. The **Miami-Dade Fire Rescue Department (MDFR)** Department has **no objections** to this application and their memorandum indicates that the estimated average travel response time is **7:04 minutes**.

The standards under Section 33-311(A)(7) Generalized Modification Standards, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of a previously approved resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, would not generate excessive overcrowding of people, would not tend to provoke a nuisance, would not be incompatible with the area when considering the necessity for and reasonableness of the modification or elimination in relation to the present and future development of the area. When requests #1 through #3 are analyzed, staff opines that the approval of the modifications would not generate excessive traffic and would not be contrary to the public interest. Requests #1 through #3 will allow the applicants to submit a new site plan to show additional canopy area and pumps for the Costco gas station on the IU-1 zoned portion of the site. In staff's opinion, the revised plans, as proposed, will not affect the area or the existing commercial retail uses on the site. As previously mentioned, the parking count is not affected by the change and the site plan depicts 20 more parking spaces than required. The reconfiguration of the parking spaces was achieved by restriping existing parking spaces from 10' to 9'. As previously mentioned, the revised plans also indicate that the applicant proposes to relocate 11 parking spaces within the subject property which will increase the pervious area surrounding the gas station from 3,126 sq. ft. to 3,154 sq. ft. , but will not affect the parking counts for the development. Furthermore, while the new site plan depicts the relocation of trees and shrubs within the site, the applicant has provided adequate landscaping to mitigate any potential negative visual impacts. Based on all of the aforementioned, staff is of the opinion that approval of requests #1 through #3 would be **compatible** with the surrounding commercial, industrial and residential uses. Therefore, staff recommends approval with conditions of requests #1 through #3 under Section 33-311(A)(7) (Generalized Modification Standards).

Accordingly, staff recommends approval with conditions of requests #1 through #3 under Section 33-311(A)(7) (Generalized Modification Standards).

I. RECOMMENDATION:

Approval with conditions.

J. CONDITIONS:

1. That all the conditions of Resolution #CZAB11-25-06 and #CZAB11-17-08 remain in full force and effect except as herein modified.
2. That the applicant submit a revised Declaration of Restrictions to the Department of Planning and Zoning within 90 days of the approval of this application, unless a time extension is granted by the Director of Planning and Zoning for good cause shown.

DATE TYPED: 12/21/09

DATE REVISED: 12/25/09, 1/29/10, 2/1/10, 2/4/10, 2/10/10, 2/25/10, 3/24/10

DATE FINALIZED:

MCL:GR:JV:CH:CI



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

*NDN
GR*

Memorandum



Date: September 8, 2009

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

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

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

Subject: C-11 #Z2009000124
Costco Wholesale Corp. and W.M.D. London Square LLC
12305 S.W. 137 Avenue
Modification of a Previous Resolution to Submit a New Site Plan for a
Gas Canopy Addition and Reconfiguration of Parking
(IU-1) (40 Acres)
14-55-39

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

Potable Water Service and Wastewater Disposal

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

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

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

Wetlands

The subject properties do 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.

Natural Forest Communities

The subject properties are located adjacent to a county designated Natural Forest Community (NFC). NFC's are upland natural areas (Pine Rockland and Hardwood Hammocks) that, meet one or more of the following criteria: the presence of endangered, threatened, rare or endemic species; low percentage of site covered by exotic plant species; high overall plant diversity; wildlife habitat values; and geological features. This NFC will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject properties lie within the potential smoke dispersion corridor. Consequently, the subject properties may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires. According to the landscape code for Miami-Dade County, controlled species may not be planted within 500 feet of the native plant community. Please refer to the Landscape Manual of the Department of Planning and Zoning for a list of these controlled landscaping plants.

Tree Preservation

The subject properties contain tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

Enforcement History

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

Hazardous Materials Management

Due to the nature of uses allowed in the existing zoning classification, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some land uses permitted in the underlying zoning district. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning management practices as relate to the handling of hazardous materials.

Operating Permits

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

Fuel Storage Facilities

Section 24-45 of the Code outlines regulations for any proposed or existing underground storage facilities. The regulations provide design, permitting, installation, modification, repair, replacement and continuing operation requirements and criteria. In addition, monitoring devices, inventory control practices and pressure testing of fuel storage tanks is required. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning permitting requirements for fuel storage facilities.

Concurrency Review Summary

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

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

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

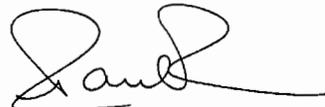
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: COSTCO WHOLESALE CORP & WMD LONDON SQUARE LLC

This Department has no objections to this application.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

09-OCT-09



Memorandum

Date: 29-JAN-10
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2009000124

Fire Prevention Unit:

APPROVAL
 No objection to Letter of Intent date stamped 8/17/09

Service Impact/Demand

Development for the above Z2009000124
 located at 12305 SW 137 AVE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1952 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>N/A</u> Retail | square feet | <u>N/A</u> nursing home/hospitals | square feet |

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 7:04 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 53 - Turnpike - 11600 SW Turnpike Hwy.

Planned Service Expansions:

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

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 06-JAN-10

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

COSTCO WHOLESALE CORP &
WMD LONDON SQUARE LLC

12305 SW 137 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000124

HEARING NUMBER

HISTORY:

Current case history;

Case 201002000176 was opened based on enforcement history request for all folios involved and inspected on 1-6-10. No violations were observed and case was closed.

Previous case history;

Case 200902006199 was opened based on enforcement history request and inspected on 2-18-09. No violations were observed and the case was closed.

Case 200902001692 was opened based on enforcement history request and inspected on 5-14-09. No violations were observed and the case was closed.

There was various sign violation cases opened and issued warning notices under folio 30-5914-127-0010 for various tenants under the main folio for the property. All of these cases are closed in compliance. Cases 200902000601 (CVN T001337) and 1682 (T001315) were cited and these cases are also closed in compliance with the citations paid and closed in the Clerk of Court.

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

REPORTER NAME:

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 |
|--|------------------------|
| N/A | |
| | |
| | |
| | |
| | |

Date of contract: _____

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

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

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

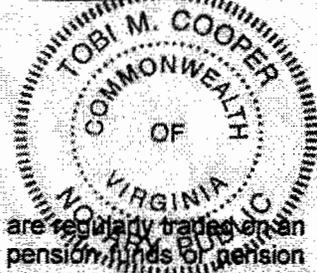
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____
(Applicant)

County of Loudoun State of Virginia
Sworn to and subscribed before me this 17 day of April, 2009. Affiant is personally known to me or has produced _____ as identification.

Tobi M. Cooper
(Notary Public) COMMISSION #297834

My commission expires: April 30, 2012 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.

RECEIVED
209124
8/18/09

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

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: WMD London Square, L.L.C.

| <u>NAME AND ADDRESS</u> | <u>Percentage of Stock</u> |
|-------------------------|----------------------------|
| <u>See attached</u> | |
| | |
| | |
| | |
| | |

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

CORPORATION NAME: N/A

| <u>NAME AND ADDRESS</u> | <u>Percentage of Stock</u> |
|-------------------------|----------------------------|
| | |
| | |
| | |
| | |
| | |

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

| <u>NAME AND ADDRESS</u> | <u>Percent of Ownership</u> |
|-------------------------|-----------------------------|
| | |
| | |
| | |
| | |

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

NAME OF PURCHASER: N/A

| NAME ADDRESS AND OFFICE (if applicable) | Percentage of Interest |
|---|------------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Date of contract: _____

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

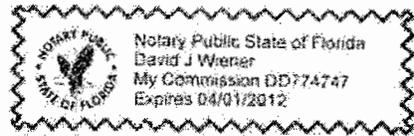
NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: [Signature] (Lawrence Bernick, Vice President)
(Applicant)

Sworn to and subscribed before me this 29th day of DECEMBER, 2009. Affiant is personally known to me as identification.

[Signature]
(Notary Public)



My commission expires 4/1/12

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

Interests in Woolbright Holdings, LLC

| | Percentage of Interest |
|--|------------------------|
| Duane Stiller 3200 North Military Trail Fourth Floor Boca Raton Florida 33431 | 100% |

Interests in London Square Retail, LLC

| | Percentage of Interest |
|--|------------------------|
| Principal Life Insurance Company for its Principal U.S. Property Separate Account. 711 High Street Des Moines, IA 50392 | 100% |

Interests in Principal Life Insurance Company

| | Percentage of Interest |
|--|------------------------|
| Principal Financial Services, Inc., 711 High Street Des Moines, IA 50392 | 100% |

Interests in Principal Financial Services, Inc.

| | Percentage of Interest |
|---|------------------------|
| Principal Financial Group, Inc., A publicly traded corporation 711 High Street Des Moines, IA 50392 | 100% |

Interests in WMD London Square. LLC

| | Percentage of Interest |
|--|------------------------|
| WMD London Square Member, LLC 3200 North Military Trail Fourth Floor Boca Raton Florida 33431 | 90% |
| London Square Retail, LLC 3200 North Military Trail Fourth Floor Boca Raton Florida 33431 | 10% |

Interests in WMD London Square Member. LLC

| | Percentage of Interest |
|---|------------------------|
| Woolbright London Square Member, LLC 3200 North Military Trail Fourth Floor Boca Raton Florida 33431 | 100% |

Interests in Woolbright London Square Member. LLC

| | Percentage of Interest |
|--|------------------------|
| Woolbright London Delaware, LLC 3200 North Military Trail Fourth Floor Boca Raton Florida 33431 | 100% |

Interests in Woolbright London Delaware. LLC

| | Percentage of Interest |
|---|------------------------|
| Woolbright Holdings, LLC 3200 North Military Trail Fourth Floor Boca Raton Florida 33431 | 100% |

LIMITS OF COSTCO PARCEL

S03°34'08"E 936.41'

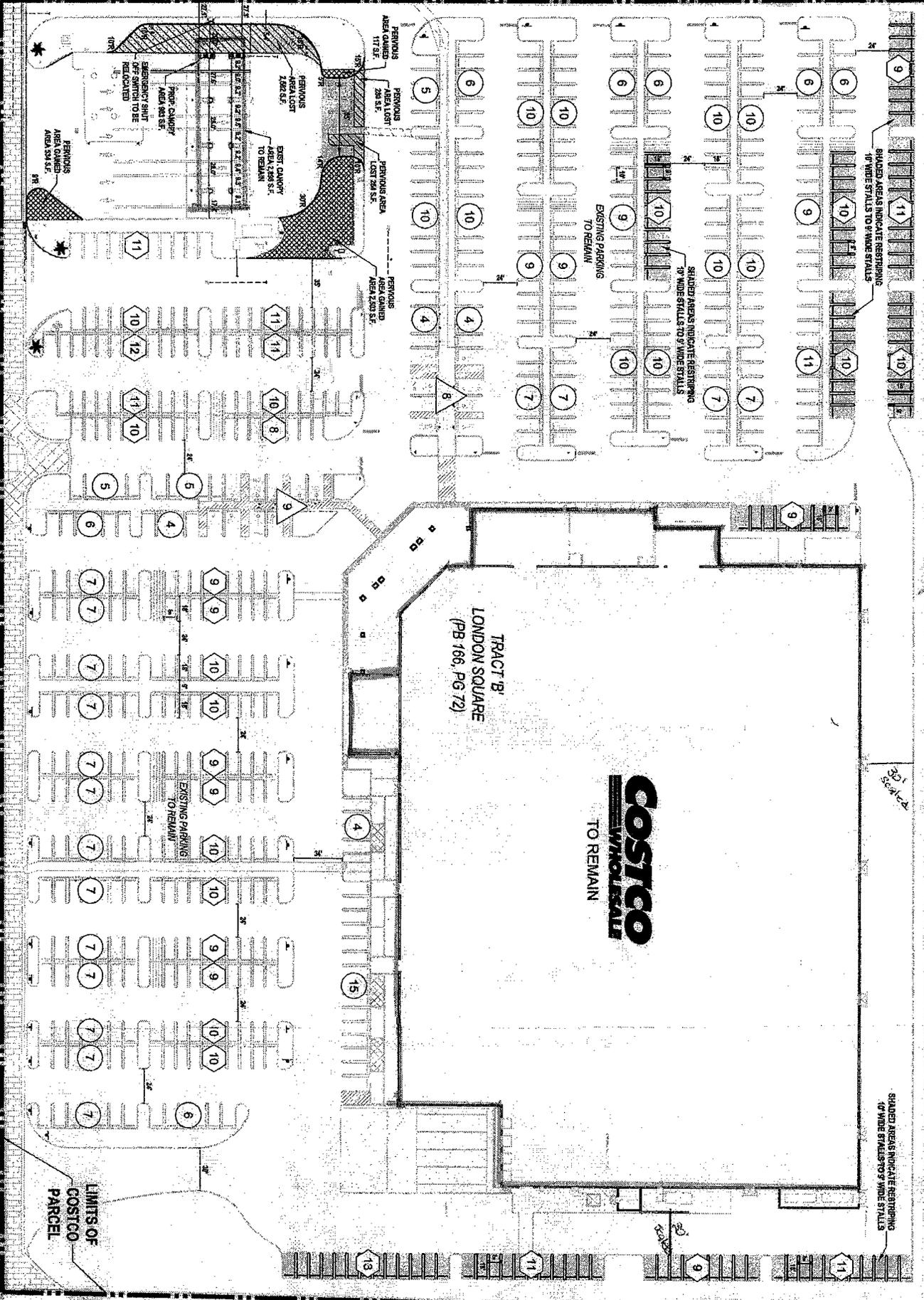
EXISTING BUILDING

EXISTING BUILDING

S86°25'52"W 661.22'

LONDON SQUARE (PB 166, PG 72)

WING PAINT



ENLARGE SITE PLAN

TRACT A LONDON SQUARE (PB 166, PG 72)

N03°43'44"E 922.44'

EXISTING ANCHOR RETAIL CONCRETE

LIMITS OF COSTCO PARCEL

SW 124th STREET

N87°33'34"E 658.77'

23

NOT SUBDIVIDED
PORTION OF NW 1/4 OF SEC. 14-65-39

LIMITS OF
COSTCO PARCEL

S03°34'08"E 935.41'

PARK NORTH COMMERCIAL CENTER
(PB 128, PG 34)

EXISTING
EASTING
EASTING
EASTING

PROJECT DATA

CLIENT: COSTCO WHOLESALE
999 LAKE DRIVE
ISSAQUAH WA 98027

PROJECT ADDRESS: SW 137th AVE
KENDALL, FL

ZONING: 1U-1
SITE AREA: 14.08 ACRES (612,635 S.F.)
(COSTCO PARCEL ONLY)

JURISDICTION: MIAMI-DADE COUNTY
AS SHOWN

BOUNDARIES: THIS PLAN HAS BEEN PREPARED BY USING A PRELIMINARY SITE PLAN FROM ARCHITECTURE ALLIANCE DATED MARCH 23, 2006

EXISTING BUILDING DATA:
BUILDING AREA: 142,858 S.F.
TIRE CENTER: 5,217 S.F.
LIQUOR SALES: 2,580 S.F.
TOTAL BUILDING: 150,655 S.F.

EXISTING PARKING DATA:
10' WIDE STALLS: 467 STALLS
9' WIDE STALLS: 208 STALLS
ACCESSIBLE STALLS: 17 STALLS
TOTAL PARKING: 692 STALLS

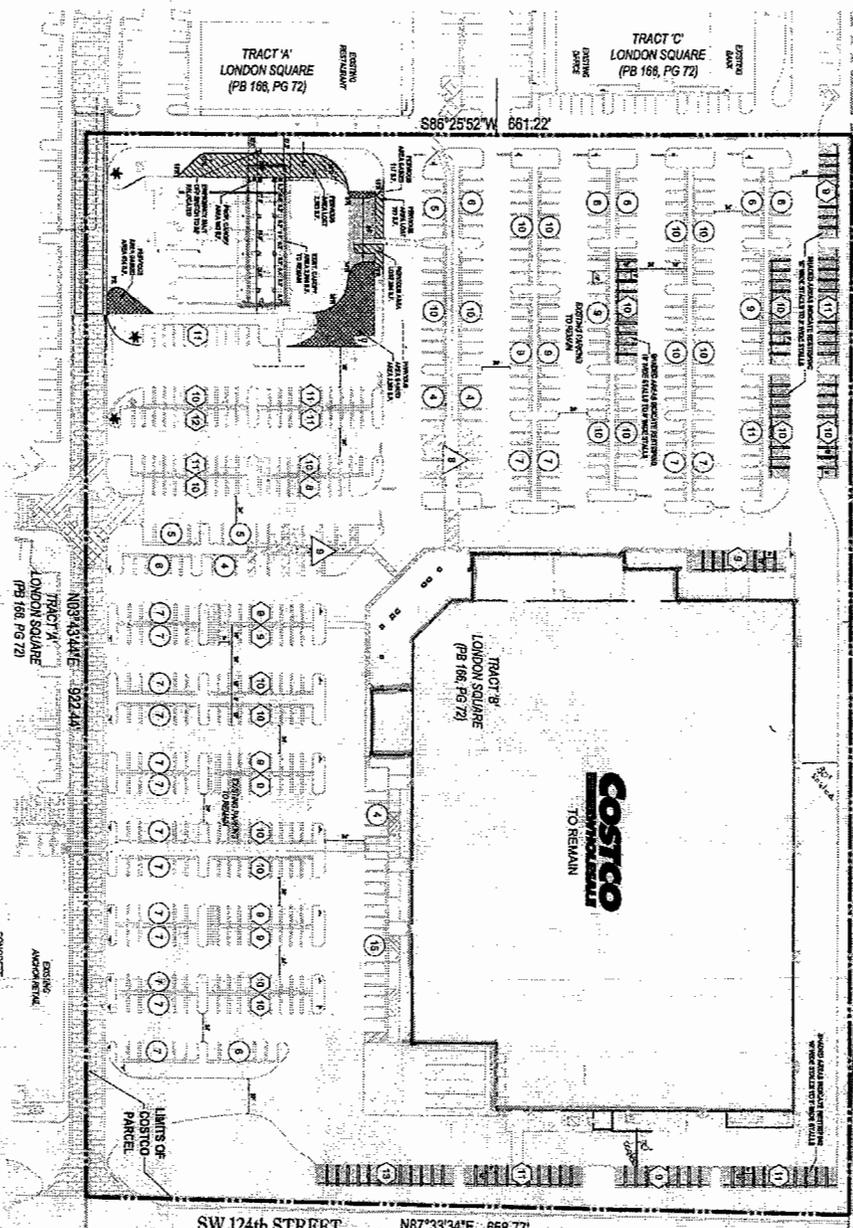
NO. OF STALLS PER 1000 S.F.: 4.59 STALLS
JURISDICTIONAL PARKING REQUIRED: 1,250 SF OR 605 STALLS

PROPOSED PARKING DATA:
10' WIDE STALLS: 354 STALLS
9' WIDE STALLS: 321 STALLS
ACCESSIBLE STALLS: 17 STALLS
TOTAL PARKING: 692 STALLS

NO. OF STALLS PER 1000 S.F.: 4.59 STALLS
JURISDICTIONAL PARKING REQUIRED: 1,250 SF OR 605 STALLS

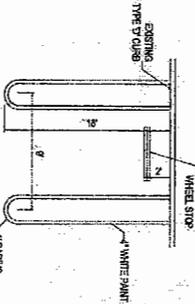
NOTES:
1. OVERALL GREEN SPACE INCREASED BY PROPOSED MODIFICATIONS
2. NO NET CHANGE IN PARKING COUNT TO COSTCO DEVELOPMENT RESULTING BY THESE PROPOSED MODIFICATIONS.

LEGAL DESCRIPTION:
TRACT 'C' OF LONDON SQUARE ACCORDING TO THE CITY THEREOF AS DESCRIBED IN PLAT BOOK 168 PAGE 72 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA



LEGEND

- PREVIOUS AREA GAINED = 3,154 S.F.
- PREVIOUS AREA LOST = 3,126 S.F.



COSTCO - KENDALL

OVERALL SITE PLAN

KENDALL, FLORIDA

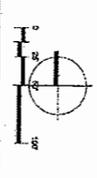


KENDALL
#57
SW 137th AVE
KENDALL, FL

COSTCO WHOLESALE CORPORATION
999 LAKE DRIVE
ISSAQUAH, WA 98027
T: 425.812.8100
WWW.COSTCO.COM



BOHLER ENGINEERING
1000 CORPORATE CENTER, SUITE 200
1111 N. MILITARY TRAIL
MIAMI, FL 33130
WWW.BOHLERENGINEERING.COM

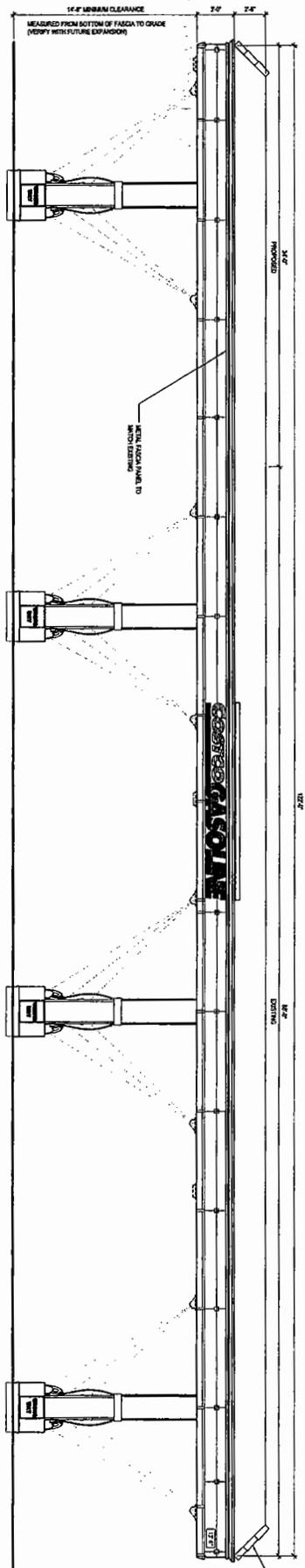


JASON M. GUNTER
REGISTERED PROFESSIONAL ENGINEER
NO. 12457
MIAMI-DADE COUNTY, FLORIDA

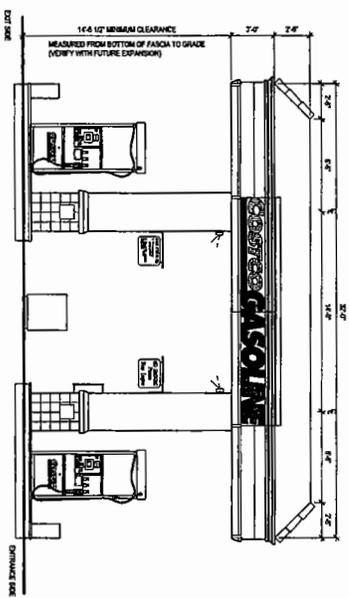
OVERALL SITE PLAN
F080040
C-2

2/18/09

24



NORTH & SOUTH ELEVATIONS
SCALE: 1/8" = 1'-0"



EAST & WEST ELEVATIONS
SCALE: 1/8" = 1'-0"

COSTCO WHOLESALE
KENDALL, FLORIDA

CONCEPT ELEVATIONS

FEBRUARY 02, 2009

8/18/09

DD4.01-01

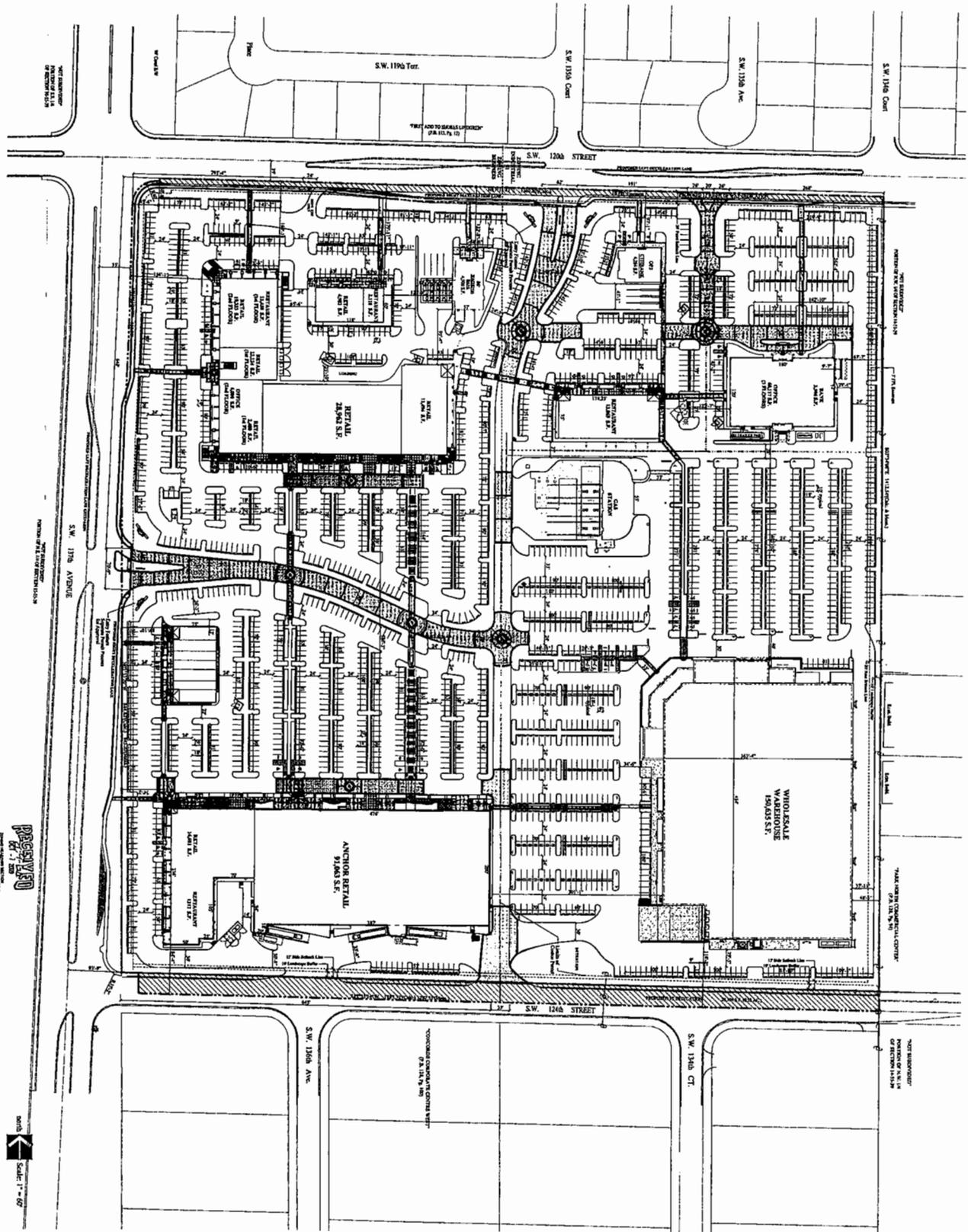
RECEIVED
CONCEPT
ELEVATIONS

05-0239-04
FEBRUARY 2, 2009

MULTIVANNY G2
1110 17TH AVE NE | SUITE 300
BELLEVILLE, MN 55005
TEL: (612) 745-4300
FAX: (612) 745-4300

COSTCO WHOLESALE
KENDALL, FL
#1023
13460 SW 120TH STREET
KENDALL, FL

Handwritten signature

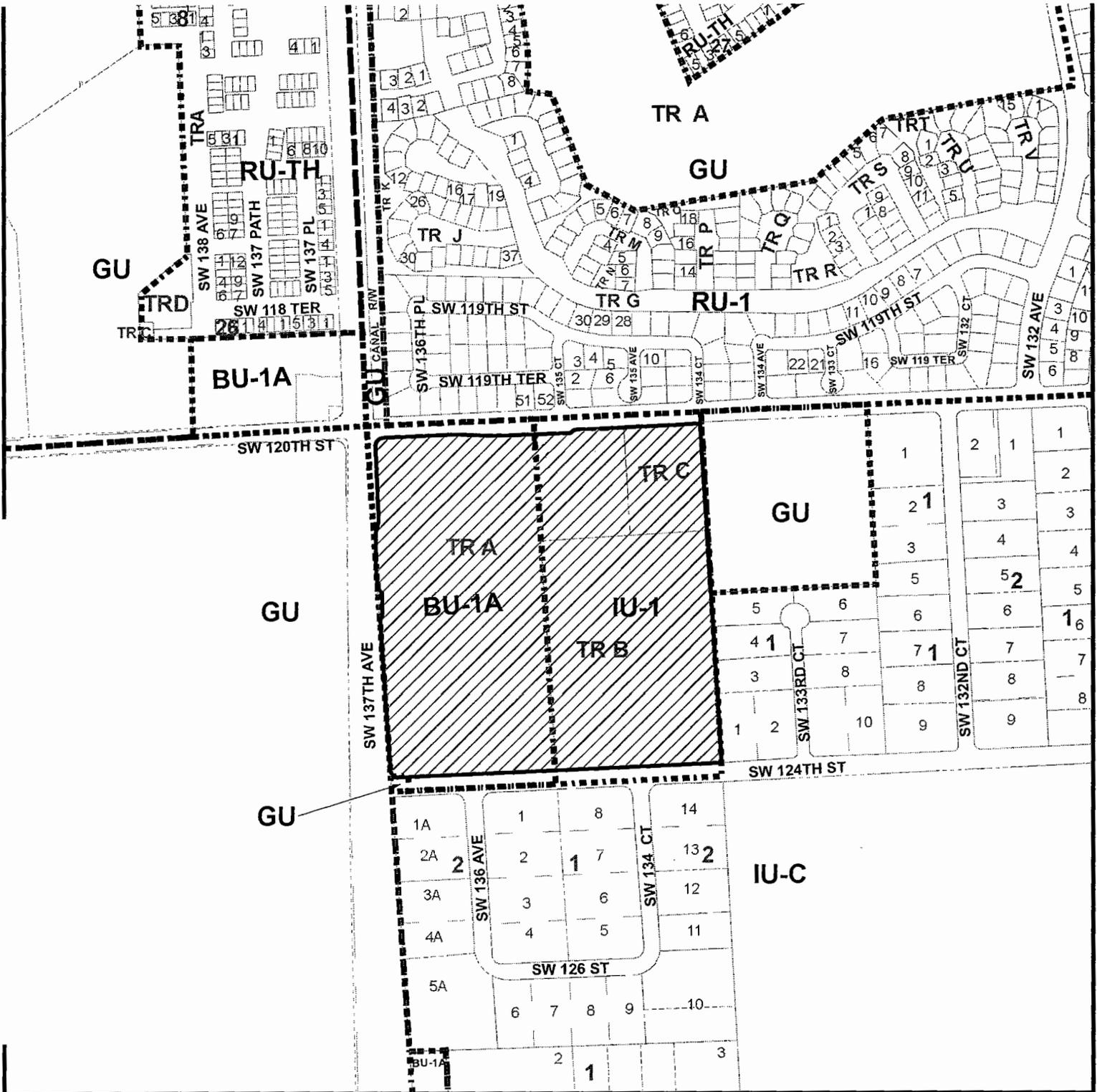


10/7/09

PROSPECTOR

Scale: 1" = 60'

| | | | | | |
|---------------------------------|--|------------------------|--|--|---|
| <p>SP-1</p> <p>Sheet 1 of 2</p> | <p>DATE: 3-23-05</p> <p>PROJECT: OGB</p> | <p>Scale: 1" = 60'</p> | <p>Public Hearing Site Plan</p> <p>London Square</p> <p>SW 137th Avenue</p> <p>Miami-Dade County, Florida</p> | <p>DATE: 10-14-09</p> <p>TIME: 10:00 AM</p> <p>BY: [Signature]</p> <p>FOR: [Signature]</p> | <p>ARCHITECTURE</p> <p>LANDSCAPE ARCHITECTURE</p> <p>LAND PLANNING</p> <p>INTERIOR DESIGN</p> <p>MECHANICAL/ELECTRICAL</p> <p>ARCHITECTURAL ALLIANCE</p> <p>125 W. SOUTH MIAMI AVE., SUITE 200, MIAMI, FL 33135</p> <p>TEL: 305.375.1111 FAX: 305.375.1112</p> |
| | <p>DATE: 3-23-05</p> <p>PROJECT: OGB</p> | <p>Scale: 1" = 60'</p> | <p>Public Hearing Site Plan</p> <p>London Square</p> <p>SW 137th Avenue</p> <p>Miami-Dade County, Florida</p> | <p>DATE: 10-14-09</p> <p>TIME: 10:00 AM</p> <p>BY: [Signature]</p> <p>FOR: [Signature]</p> | <p>ARCHITECTURE</p> <p>LANDSCAPE ARCHITECTURE</p> <p>LAND PLANNING</p> <p>INTERIOR DESIGN</p> <p>MECHANICAL/ELECTRICAL</p> <p>ARCHITECTURAL ALLIANCE</p> <p>125 W. SOUTH MIAMI AVE., SUITE 200, MIAMI, FL 33135</p> <p>TEL: 305.375.1111 FAX: 305.375.1112</p> |



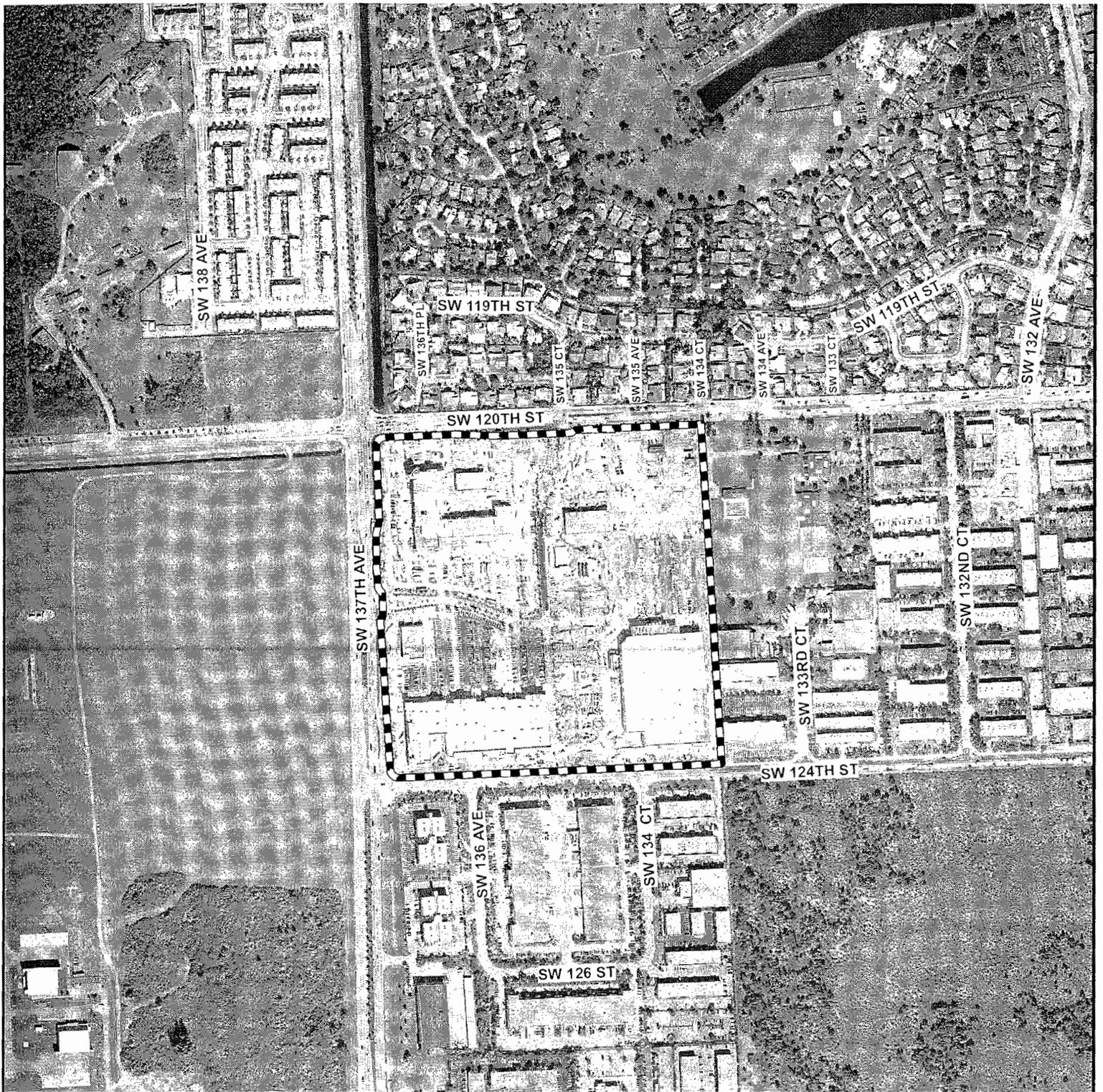
**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
09-124

Section: 14 Township: 55 Range: 39
 Applicant: COSTCO WHSLE. CORP. & WMD LONDON SQ. LLC
 Zoning Board: C11
 Commission District: 09
 Drafter ID: KEELING
 Scale: NTS
 ----- Zoning



| REVISION | DATE | BY |
|----------------|----------|-----|
| Revised sketch | 03/22/10 | KWS |
| | 29 | |



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Section: 14 Township: 55 Range: 39

Applicant: COSTCO WHSLE. CORP. & WMD LONDON SQ. LLC

Zoning Board: C11

Commission District: 09

Drafter ID: KEELING

Scale: NTS

----- Zoning

Process Number

09-124



SUBJECT PROPERTY



SKETCH CREATED ON: 08/26/09

| REVISION | DATE | BY |
|----------------|----------|-----|
| Revised sketch | 03/22/10 | KWS |

**1. T-MOBILE SOUTH, LLC &
KINGS MEADOW LLC**
(Applicant)

10-4-CZ11-1 (08-163)
Area 11/District 11
Hearing Date: 04/15/10

Property Owner (if different from applicant) **KINGS MEADOW, LLC.**

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

| <u>Year</u> | <u>Applicant</u> | <u>Request</u> | <u>Board</u> | <u>Decision</u> |
|--------------------|-------------------------|---|---------------------|-------------------------------|
| 1981 | The Badcock Company. | - Zone change to multiple zone. - Unusual Use. - Variance access through GU. - Non-Use Variance of frontage. | BC | Approved w/conds. |
| 1985 | The Badcock Company. | - Zone change from GU to BU-1A. -Variance setback. - Variance of required wall. - Variance of spacing. | BCC | Approved on a modified basis. |
| 1987 | Laura K. Wright | - Modification of condition of resolution to increase number of kids. | ZAB | Approved |
| 1988 | The Badcock Company. | - Unusual Use parking. - Variance waive required wall. | BCC | Approved |
| 1996 | Jona Ferrante | - Modification of condition of resolution to increase number of kids. | ZAB | Approved |

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

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 11**

APPLICANTS: T-Mobile South, LLC & Kings Meadow LLC **PH:** Z08-163 (10-4-CZ11-1)

SECTION: 03-55-39 **DATE:** April 15, 2010

COMMISSION DISTRICT: 11 **ITEM NO.:** 1

=====

A. INTRODUCTION

o **REQUESTS:**

- (1) UNUSUAL USE to permit a 100' high camouflaged wireless supported service facility (cellular tower) designed as a flagpole and ancillary equipment.
- (2) MODIFICATION of Condition #2 of Resolution #Z-202-85, passed and adopted by the Board of County Commissioners, last modified by Resolution #5-ZAB-281-96, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'King's Meadow Convenience Center,' as prepared by Baldwin, Sackman & Associates, P. A., dated stamped received June 7, 1996, 'Sketch of Survey,' as prepared by Schwebke-Shiskin & Assoc., Inc., dated stamped received June 7, 1996."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'T-Mobile,' as prepared by Mactec Engineering & Consulting, Inc., consisting of 9 sheets, dated stamped received 12/7/09."

The purpose of request #2 is to allow the applicants to submit revised plans showing a proposed 100' high camouflaged wireless supported service facility (cellular tower) designed as a flag pole to be located on an existing commercial development.

- (3) Applicants are requesting to permit the wireless supported service facility (cellular tower) setback 59.01' (111.11' required) from the interior side (west) property line.
- (4) Applicants are requesting to permit back-out dimensions varying from 18' to 21' (22' required).
- (5) Applicants are requesting to permit 2-way drives with widths varying from 17' to 19.49' (20' required).

o **SUMMARY OF REQUESTS:**

The requests will allow the applicants to erect a 100' high monopole tower, to permit the proposed monopole tower setback less than required from the west property line, to permit the parking area with less than the required back-out space and to permit a two (2) way drive with a narrower width than that required by the Zoning Code.

o **LOCATION:** 9901 SW 142 Avenue, Miami-Dade County, Florida.

o **SIZE:** 5.33 Acres

B. ZONING HEARINGS HISTORY:

In 1981, pursuant to Resolution #Z-282-81, among other requests, the Board of County Commissioners (BCC) granted a zone change from GU (Interim District) to BU-2 (Special Business District) and from GU and BU-2 to GU. In 1985, pursuant to Resolution #Z-202-85, the BCC granted the approval for a district boundary change from GU to BU-2 along with non-use variances of setbacks, wall requirements and school requirements in order to allow a day care center within the shopping center. In 1987, pursuant to Resolution #4-ZAB-251-87, the Zoning Appeals Board (ZAB) granted the approval to increase the number of children and expand the age group for the day care center. In 1988, pursuant to Resolution #Z-121-88, the BCC granted the approval to allow parking for the shopping center in the GU district and waived the required wall between the GU and BU districts. In 1996, pursuant to Resolution #5-ZAB-281-96, the ZAB granted the approval to expand the number of children and to modify the previously approved plans.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property for **Business & 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. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.

2. **Public Facilities.** Large-scale public facilities, institutional and communications uses, and utilities are specifically identified in the Institutions, Utilities, and Communications category on the Plan map. Small-scale uses and the facilities intended to serve the immediate needs of the residential community may be permitted on compatible sites in Residential Communities subject to adequate design and buffering. These facilities include fire stations, electrical sub-stations and distribution facilities, **cell antenna**, natural gas, telephone, fiber optic, cable, water and sewer facilities. They are preferably located in activity nodes, transition areas, and along major thoroughfares, and also at section centers if designed to serve the immediate neighborhood. Larger uses and facilities which are designed to serve more than a local area are preferably located in or adjacent to Industrial and Office, or **Business and Office** areas.

D. NEIGHBORHOOD CHARACTERISTICS:

| <u>ZONING</u> | <u>LAND USE PLAN DESIGNATION</u> |
|--|--|
| <u>Subject Property:</u> | |
| GU, BU-1A & BU-2, shopping center | Business and office |
| <u>Surrounding Properties:</u> | |
| <u>NORTHEAST:</u> RU-4M; apartments | Low Medium Density Residential, 6 to 13 du |
| <u>SOUTHEAST:</u> RU-TH; townhouses | Low Medium Density Residential, 6 to 13 du |
| <u>SOUTHWEST:</u> RU-TH; single family residences | Low Medium Density Residential, 6 to 13 du |
| <u>NORTHWEST:</u> GU; Park | Low Medium Density Residential, 6 To 13 du |

The subject site is located at 9901 SW 142 Avenue. Townhouses, apartments and single family residences surround the subject property to the northeast, southeast and southwest and a park lies to the northwest across SW 142 Avenue.

E. PERTINENT REQUIREMENTS/STANDARDS:

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

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

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

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

F. NEIGHBORHOOD SERVICES:

| | |
|--------------|----------------------|
| DERM | No objection* |
| Public Works | No objection |
| Parks | No objection |
| MDTA | No objection |
| Fire Rescue | No objection |
| Police | No objection |
| Schools | No comment |
| Aviation | No objection |

*Subject to the conditions indicated in their memorandum.

G. ANALYSIS:

The subject 5.33-acre parcel of land is located at 9901 SW 142 Avenue and is developed with an existing shopping center surrounded by townhouses, apartments, single family residences and a park. Although, the approval of request #1 will be **consistent** with the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which designates this area for **Business and Office** use, staff is of the opinion that the proposed 100' high monopole tower is excessive and will be **incompatible** with the existing residential development which surrounds this small scale neighborhood shopping

5

center. Staff notes that the proposed 100' monopole tower will be out of character with the surrounding residential community which has been developed with one and two story structures not exceeding 35' in height. Staff also notes that due to the excessive height of the tower, adequate buffering cannot be provided, resulting in a negative visual impact on the surrounding residential area. As such, staff is of the opinion that although the proposed monopole tower is consistent with the Business and Office designation as stated in the Public Facilities section of the interpretative text of the CDMP, the proposed monopole tower will be out of character with the height of the existing structures located within the surrounding residential community and therefore **incompatible** with the area.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicants will have to comply with all DERM requirements as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application and indicates that this application does not generate any additional daily peak hour vehicle trips. Additionally, the **Aviation Department** has **no objection** to this application and the **Miami-Dade Fire and Rescue Department** has indicated that the estimated average travel time to this location is **7:15** minutes.

When request #1 is analyzed under Section 33-311(A)(3)(a). Staff acknowledges that the approval of the proposed monopole tower will provide additional coverage to cellular customers in the vicinity of the service radius area and that the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this area for **Business and Office** use which accommodates, among other uses, facilities intended to serve the immediate needs of the residential community provided that they may be permitted on compatible sites in Residential Communities subject to adequate design and buffering. These facilities include fire stations, electrical sub-stations and distribution facilities, **cell antenna**, natural gas, telephone, fiber optic, cable, water and sewer facilities and provided that they are preferably located in activity nodes, transition areas, and along major thoroughfares, and also at section centers if designed to serve the immediate neighborhood. Larger uses and facilities which are designed to serve more than a local area are preferably located in or adjacent to Industrial and Office, or Business and Office areas. However, staff notes that the proposed monopole tower is not adequately buffered from the neighboring residential neighborhood due to the excessive height of the monopole tower. Additionally, the proposed monopole tower is not located in an activity node. Furthermore, the proposed monopole tower is out of character and **incompatible** with the existing residential area which surrounds the neighborhood shopping center where the proposed monopole tower is being requested to be erected. Moreover, staff notes that the proposed height of the monopole tower is **incompatible** with the existing structures within the shopping center. As such, staff recommends denial without prejudice of request #1.

When request #2 is analyzed under Section 33-311(A)(7). Staff notes that the approval of this request will allow a modification of a previously approved plan in order to incorporate the proposed monopole tower to the previously approved site plan, which is germane to and an integral part of request #1. Therefore, staff recommends denial without prejudice of request #2. Based on all the aforementioned reasons, staff opines that although the proposal is consistent with the **Business and Office** designation of the Land Use Map of the CDMP, it is **incompatible** and will be out of character with the surrounding residential and commercial structures in the area. Therefore, staff

recommends denial without prejudice of request #2 under Section 33-311(A)(7) (Generalized Modification Standards).

When request #3, is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), to permit the 100' high monopole tower setback 59.01' from the interior side (west) property line where 111.12 is required, staff is of the opinion that the approval of this request would be **incompatible** with the surrounding area for all the aforementioned reasons, would be detrimental to the neighborhood, and would affect the appearance of the community. As previously mentioned, the proposed 100' high monopole tower generates a negative visual impact on the surrounding area. As such, staff recommends denial without prejudice of request #3 under the NUV standards.

When requests #4 and #5, are analyzed under Section 33-311(A)(4)(b) to permit the continued use of an existing parking lot with a back-out space varying from 18' to 21' where 22' is required and to permit two way drives with widths varying from 17' to 19.49' where 20' is required respectively, staff recommends approval of these requests. Staff is of the opinion that since the back-out space shortages range from 1' to 4' and the driveway widths shortages range from 0.51' to 3', the continued use of the parking lot would not cause a negative visual impact, nor would affect the appearance of the community or would not be detrimental to the surrounding area and would be compatible with the neighborhood, staff recommends approval of requests #4 and #5 under the NUV standards.

H. RECOMMENDATION:

Denial without prejudice of requests #1, #2 and #3 and approval of requests #4 and #5.

I. CONDITIONS: None

DATE INSPECTED: 08/31/09
DATE TYPED: 02/23/10
DATE REVISED: 02/25/10; 03/09/10; 03/22/10
DATE FINALIZED: 03/14/10

MCL:GR:NN:JV:NC:AA



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

NAN
GMR

Memorandum



Date: November 23, 2009
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is written in a cursive, flowing style.

Subject: C-11 #Z2008000163-3rd Revision
T-Mobile South, LLC
9901 S.W. 142 Avenue
Unusual Use to Permit a Flagpole Telecommunications Facility and
Request to Permit Less Setback than Required
(BU-1A) (5.33 Acres)
03-55-39

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

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

Concurrency Review Summary

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

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

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

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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: T-MOBILE SOUTH, LLC & KINGS MEADOW LLC

This Department has no objections to this application.

The parking lot and drives currently exist where this Department does not foresee any problems.

Due to a plat restriction on the subject property, this land will require re-platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

05-FEB-10

Memorandum



Date: January 11, 2010

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

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

Subject: T-Mobile South, LLC (PH: 08-163)
MDAD DN-10-01-302

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

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed the applicant's request for an Unusual Use to permit a 100' Above Ground Level (AGL) flagpole telecommunications facility to be located at 9901 SW 142 Avenue, Miami-Dade County, Florida.

Based on our cursory review of the project information provided to us, a proposed 100' AGL flagpole telecommunications facility at this location conforms to Miami-Dade County Airport Zoning Ordinance. **However, an FAA Airspace Determination is required to coordinate frequency activation and verify that no interference is caused to FAA facilities prior to beginning any transmission from the site. See the next paragraph for filing information.**

It is necessary to file with the FAA by using form 7460-1 'Notice of Proposed Construction Alteration for Determination of Known Hazards'. Furthermore, any construction cranes for this project reaching or exceeding 200 ft AMSL (Above Mean Sea Level) must be filed by the construction contractor using the same form. This form should be filed with a 45 day advance notice prior to raising the crane. The form is available through this office or through the FAA website: <https://oeaaa.faa.gov>. The developer may "e-file" online at <https://oeaaa.faa.gov>. Alternatively, this form may be mailed to: Federal Aviation Administration, Air Traffic Airspace Branch - ASW-520, 2601 Meacham Blvd, Ft. Worth, TX 76137-0520.

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

Should you have any questions in obtaining and/or filling out FAA form 7460-1 or if I can be of any further assistance, please feel free to contact me at 305-876-8080.

JR/rb

- C: L. Stover
- C. Jose
- S. Harman
- J. Bunting
- M. Handrahan
- R. Bergeron
- File



Memorandum

Date: 16-DEC-09
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2008000163

Fire Prevention Unit:

No objection to site plan date stamped December 7, 2009.

Service Impact/Demand

Development for the above Z2008000163
 located at 9901 S.W. 142 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1854 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>N/A</u> Retail | square feet | <u>N/A</u> nursing home/hospitals | square feet |

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 7:15 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 36 - Hammocks - 10001 Hammock Blvd.
 Rescue, ALS 50' Sqrt, Battalion.

Planned Service Expansions:

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

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

TEAM METRO

ENFORCEMENT HISTORY

T-MOBILE SOUTH, LLC & KINGS
MEADOW LLC

9901 S.W. 142 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2008000163

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

200902010764 CLOSED NO VIOLATION FOUND (3059030270020).

200902010765 CLOSED NO VIOLATION FOUND (3059030270011).

200902010767 CLOSED NO VIOLATION FOUND (3059030270010).

SUZEL CUELLAR

RECEIVED

DISCLOSURE OF INTEREST*

MIAMI-DADE COUNTY
PROCESS # 208-163
DATE: AUG 20 2008
BY: SDB

IF A CORPORATION owns or leases the subject property, list principal stockholders and percent of stock held 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: TELEVISION

| <u>NAME AND ADDRESS</u> | <u>Percentage of Stock</u> |
|--|----------------------------|
| <u>TELEVISION is a publicly traded</u> | <u>_____</u> |
| <u>company or a subsidiary</u> | <u>_____</u> |
| <u>of American Telephone (AT)</u> | <u>_____</u> |
| <u>_____</u> | <u>_____</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> |
|-------------------------|-------------------------------|
| <u>_____</u> | <u>_____</u> |

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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MIAMI-DADE COUNTY
PROCESS # Z08-163
DATE AUG 20 2008
BY: SDE

NAME OF PURCHASER: _____

| 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: [Handwritten Signature]
(Applicant)

Sworn to and subscribed before me this 20th day of August, 2008. Affiant is personally known to me or has produced _____ as identification.

(Notary Public)
Milana Meshenberg
My commission expires: _____



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

RECEIVED

DISCLOSURE OF INTEREST*

MIAMI-DADE COUNTY

PROCESS # 208-163

DATE AUG 20 2008

BY: SDE

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: King Meadow LLC

| <u>NAME AND ADDRESS</u> | <u>Percentage of Stock</u> |
|--------------------------|----------------------------|
| <u>Edward Reiss</u> | <u>100%</u> |
| <u>207 Hillcrest ST</u> | |
| <u>Orlando Fl. 32801</u> | |
| | |
| | |

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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

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 MIAMI-DADE COUNTY
 PROCESS #: Z08-163
 DATE: AUG 20 2008
 BY: SDE

entities, further disclosure shall be made to identify natural persons having the ultimate ownership

NAME OF PURCHASER: _____

ADDRESS AND OFFICE (if applicable) _____

Percentage of Interest _____

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Date of contract: _____

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

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

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

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

Signature: _____
 (Applicant)

Sworn to and subscribed before me this 18 day of August, 2008. Affiant is personally known to me or has produced _____ as identification.

 (Notary Public)

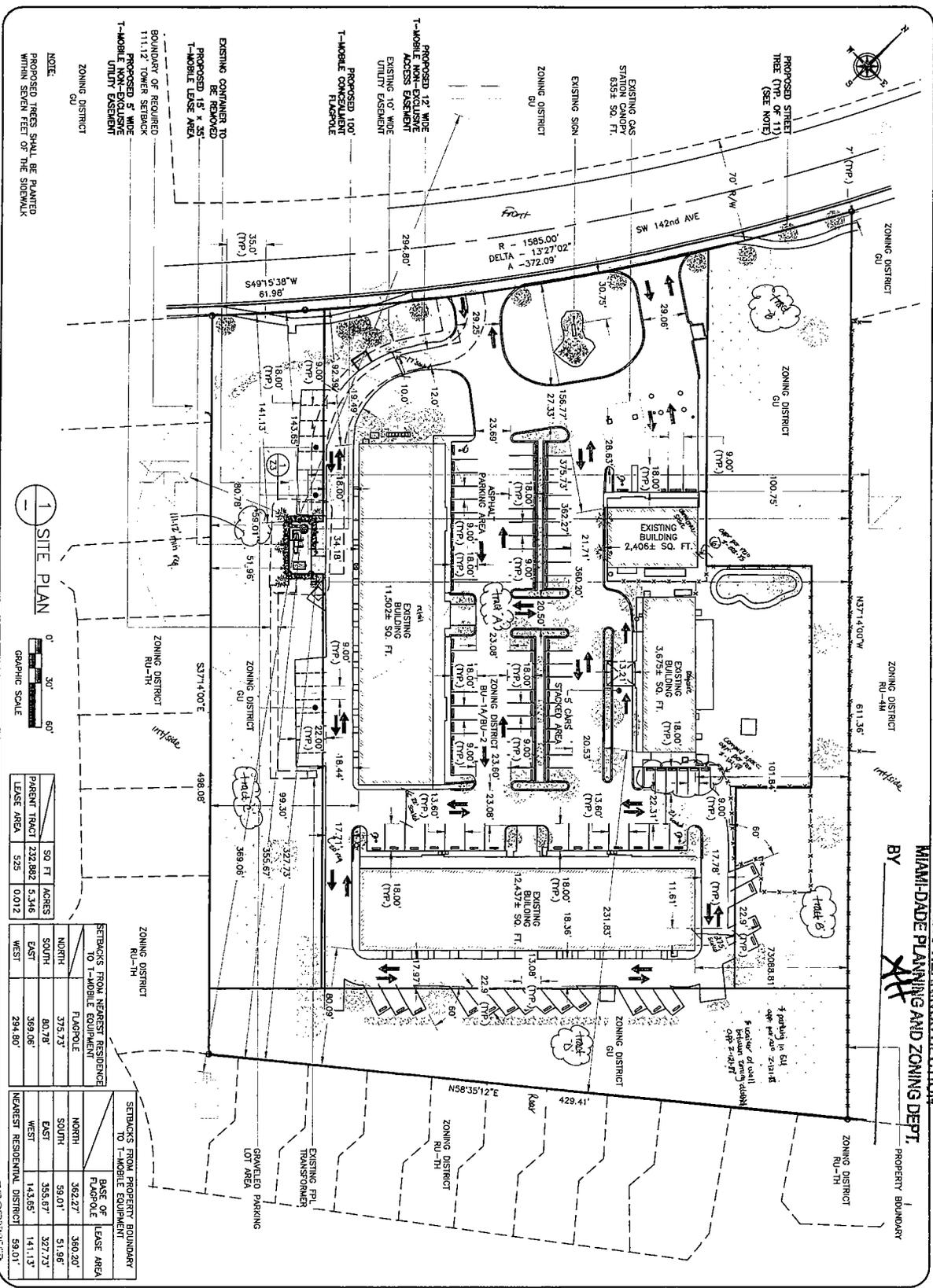


My commission expires: 11/26/10

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

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 208-163
 DEC 07 2009

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



NOTE:
 PROPOSED TREES SHALL BE PLANTED WITHIN SEVEN FEET OF THE SIDEWALK

1 SITE PLAN



| | | |
|------------|-------|-------|
| LEASE AREA | 525 | 0.012 |
| SO FT | 525 | 0.012 |
| ACRES | 5.346 | 0.122 |

| SETBACKS FROM NEAREST RESIDENCE TO T-MOBILE EQUIPMENT | |
|---|---------|
| NORTH | 375.73' |
| SOUTH | 80.78' |
| EAST | 359.06' |
| WEST | 294.90' |

| SETBACKS FROM PROPERTY BOUNDARY TO T-MOBILE EQUIPMENT | |
|---|---------|
| NORTH | 362.27' |
| SOUTH | 51.96' |
| EAST | 327.73' |
| WEST | 141.13' |

9901 SW 124th AVENUE
 MIAMI, FL 33186
 SHEET NAME
SITE PLAN
 SHEET NUMBER
Z2

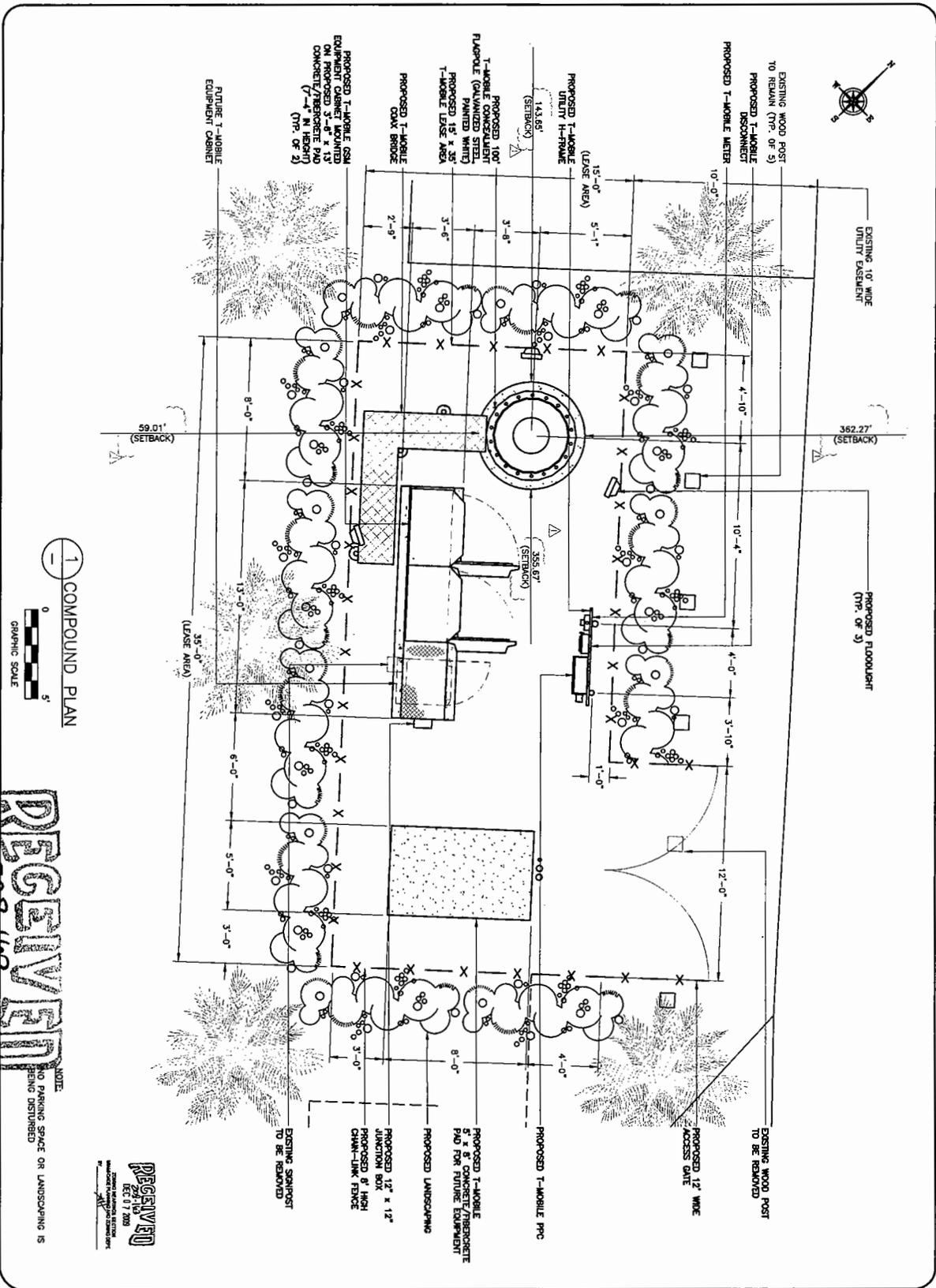
PROFESSIONAL SEAL
 DATE: 11/19/09
 NAME: MARTIN R. SHIM
 FIRM: FLEMING
 LICENSE NO.: 27287
 EXP. DATE: 02/28/11

PROJECT NO.: 0208-08-158 (120)
 CHECKED BY: J. BILLY
 DRAWN BY: J. BILLY

| | | |
|----|----------|----------|
| 1 | 11/19/08 | REVISION |
| 2 | 11/19/08 | REVISION |
| 3 | 11/19/08 | REVISION |
| 4 | 10/29/08 | REVISION |
| 5 | 10/29/08 | REVISION |
| 6 | 10/29/08 | REVISION |
| 7 | 10/29/08 | REVISION |
| 8 | 10/29/08 | REVISION |
| 9 | 10/29/08 | REVISION |
| 10 | 10/29/08 | REVISION |

MACTEC
 ENGINEERING & CONSULTING, INC.
 1150 S.W. 10th Street
 Miami, FL 33135
 TEL: (305) 525-4644
 FAX: (305) 525-1584

T-Mobile
 8100 SW 10th Street
 Miami, FL 33156
 TEL: (305) 654-2700
 FAX: (305) 654-2700



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NOTE:
 NO PARKING SPACE OR LANDSCAPING IS BEING DISTURBED

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NOTE:
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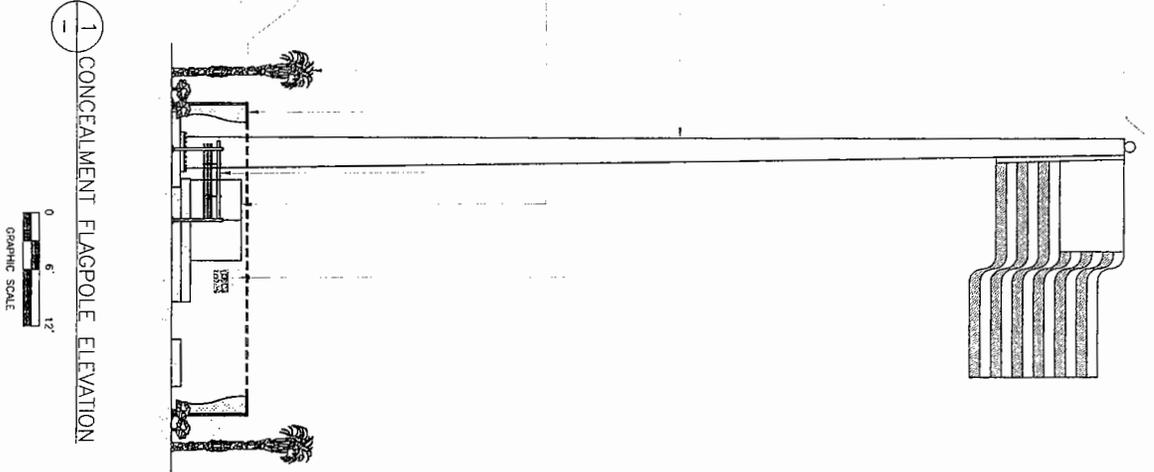
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NOTE:
 NO PARKING SPACE OR LANDSCAPING IS BEING DISTURBED

- TOP OF PROPOSED CONCEALMENT FLAGPOLE
 EL. 100'-0"
- RAD CENTER OF PROPOSED T-MOBILE ANTENNAS
 EL. 95'-0"
- RAD CENTER OF PROPOSED T-MOBILE ANTENNAS
 EL. 85'-0"
- FUTURE CARRIER ANTENNAS
 EL. 75'-0"
- FUTURE CARRIER ANTENNAS
 EL. 65'-0"
- PROPOSED 100' T-MOBILE CONCEALMENT
 FLAGPOLE (GALVANIZED STEEL, PAINTED WHITE)
- PROPOSED T-MOBILE GSM
 EQUIPMENT CABINET
 MOUNTED ON PROPOSED 3'-6" x 13'
 CONCRETE/FIBERGLASS PAD
 (7'-4" HP (HCP 2)
 PROPOSED T-MOBILE
 COAX BRIDGE
- PROPOSED 8' HIGH CHAIN-LINK FENCE
 (GALVANIZED STEEL, GALVANIZED FINISH)
- PROPOSED LANDSCAPING (TYP.)
- TOP OF FENCE
 EL. 8'-0"
- TOP OF T-MOBILE EQUIPMENT
 EL. 7'-3"
- EXISTING CANOE
 EL. 0'-0"



1 CONCEALMENT FLAGPOLE ELEVATION

GRAPHIC SCALE

0 6 12'

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

T-Mobile

MACTEC

PROJECT NO: 678-08-100 (1/08)

| | | |
|---|----------|---------------|
| 1 | 10/27/08 | REVISED |
| 2 | 10/27/08 | FOR PERMIT |
| 3 | 10/27/08 | DISSEMINATION |

DRAWN BY: J. MOJIB
 CHECKED BY: M. AMBER

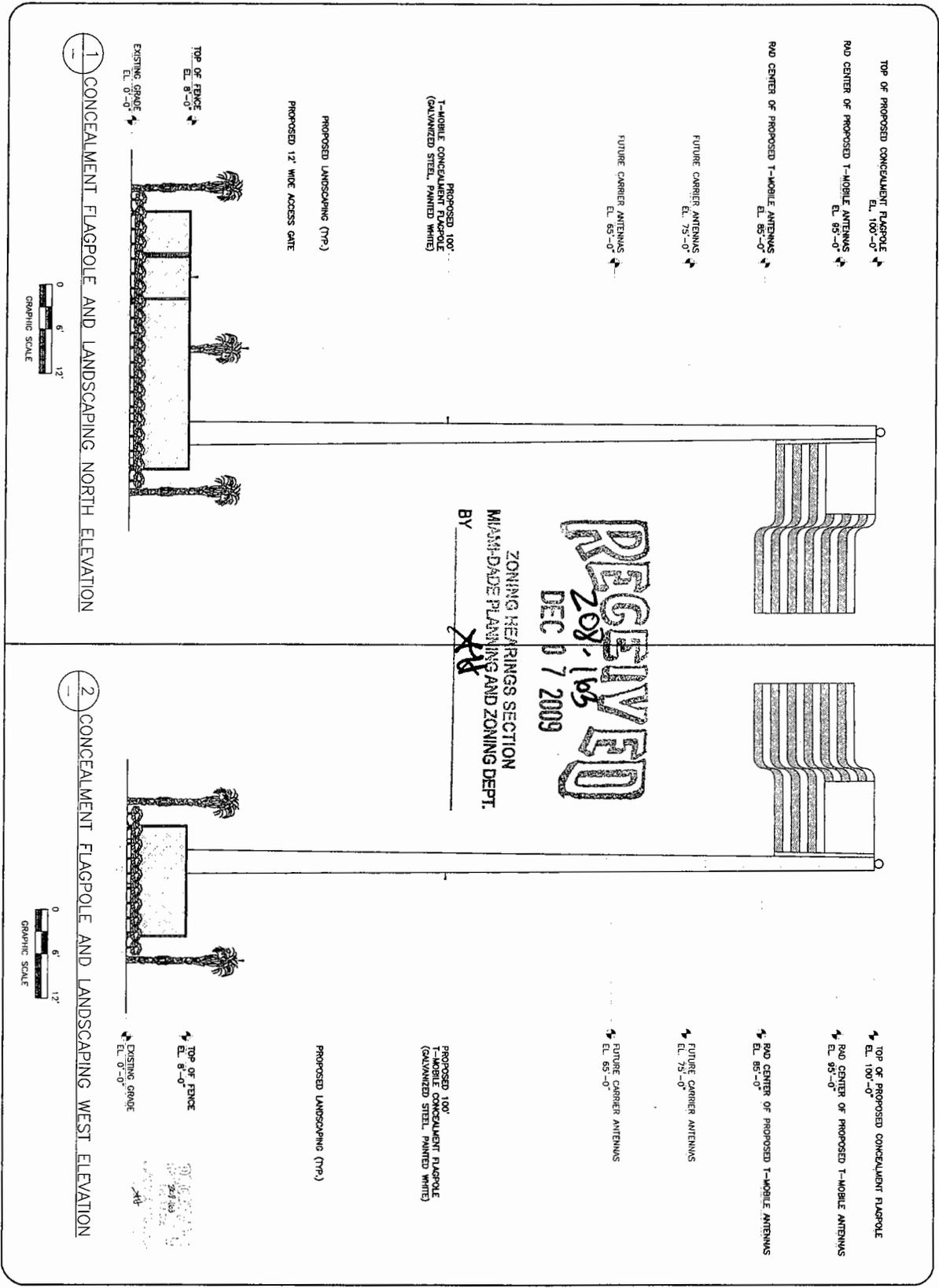
PROFESSIONAL ENGINEER

DATE: 11/19/08
 NAME: MARTIN H. SHIN
 STATE: FLORIDA
 LICENSE NO.: 27387
 EXP. DATE: 02/28/11

9901 SW 142ND AVENUE
 MIAMI, FL 33186

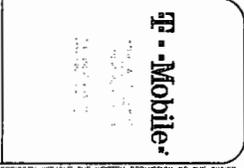
CONCEALMENT FLAGPOLE ELEVATION

SHEET NUMBER 25



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DEC 07 2009

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



MACTEC

| | |
|-------------|--------------------|
| PROJECT NO. | 0708-05-1593 (120) |
| DATE | 11/19/09 |
| BY | W. J. MOYER |
| CHECKED BY | W. J. MOYER |
| DATE | 02/26/11 |

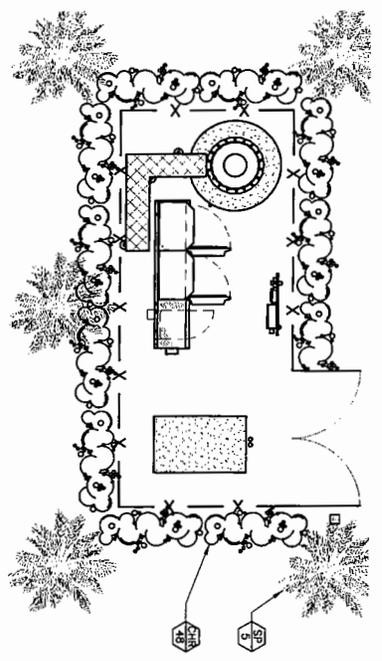
PROFESSIONAL ENGINEER

W. J. MOYER
11/19/09
W. J. MOYER
FLORIDA
LICENSE NO. 22787
EXPIRES 02/26/11

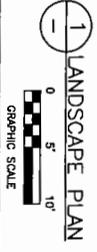
KINGS MEADOW PLAZA
MD1320E
9901 SW 142ND AVENUE
MIAMI, FL 33187

SHEET NAME
CONCEALMENT FLAGPOLE ELEVATION
SHEET NUMBER
27

RECEIVED

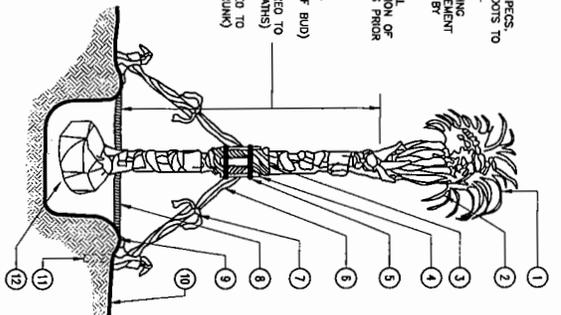


| TREES AND PALMS | SYMBOL | QUANTITY | BOTANICAL NAME | COMMON NAME | SIZE | SPECIFICATIONS | COMMENTS |
|-------------------------|--------|----------|--------------------------------|------------------|----------------|----------------------------|---|
| | SP | 5 | SABAL PALMETTO | CABBAGE PALM | 15' - 18' O.A. | STRAIGHT TRUNK, FULL HEADS | BOOTHED |
| SHRUBS AND GROUND COVER | | | BOTANICAL NAME | COMMON NAME | SIZE | SPECIFICATIONS | COMMENTS |
| | CRK | 48 | CHRYSOBALANIA TOXICA 'RED TIP' | RED TIP COCOPLUM | 24" x 24" | | FULL TO BASE |
| | MULCH | TBD | FLORA MULCH OR EQUIVALENT | | | | STD GRADE B MULCH TO BE INSTALLED AT 3" DEPTH |



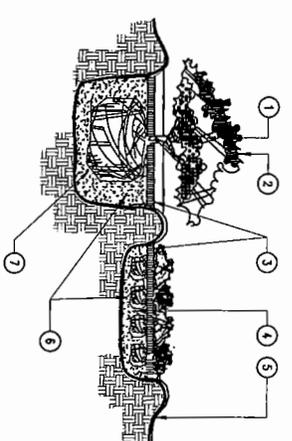
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 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY *AV*

- A. SABAL PALMETTO W/BOOTS INDIC.
- B. SEE PLANS AND SPECS FOR PALMS W/ BOOTS TO REMAIN ON TRUNK.
- C. PALM TREE STAKING DETAILS AND PLACEMENT TO BE APPROVED BY OWNER.
- D. CONTRACTOR SHALL ASSURE PERCOLATION OF ALL PLANTING PITS PRIOR TO INSTALLATION.



- 1. MINIMUM OF NINE (9) GOOD PALM FRONDS
- 2. PRUNE AND TRIM FRONDS WITH HEAVY THINNE CABBAGE PALMS TO BE THUNDERBOLT CUT
- 3. 3 LAYERS OF BURDUP TO PROTECT TRUNK
- 4. FIVE 2" x 4" x 18" WOOD BATTENS
- 5. SECURE BATTENS WITH 3/4" CARBON STEEL BANGS TO HOLD BATTENS IN PLACE. NO NAILS SHALL BE DRIVEN INTO PALM. HEIGHT OF BATTENS SHALL BE EQUAL TO THE HEIGHT OF THE TRUNK OF THE PALM FOR ADEQUATE BRACING.
- 6. 3"-2" x 4" x 8" WAIL (DRILL AND NAIL, IF NECESSARY) TO BATTENS AND 2" x 4" STAKES FLAG AT MIDPOINT AND AT BASE.
- 7. PROVIDE FLAGGERS
- 8. 3" SHREGGED COPRESS MULCH TAPERED TO GRADE 2" FROM TRUNK
- 9. DENG SOIL TO HOLD WATER
- 10. FINISH GRADE
- 11. 2" x 4" x 24" (MIN.) P.T. WOOD STAKES (TYP.) NAIL TO SUPPORT POLES
- 12. PREPARED AREA PLANTING SOIL AS SPECIFIED

2 PALM TREE DETAIL



- NOTES:
- 1. TOP OF SHRUB ROOTBALLS TO BE PLANTED 1" ABOVE FINISH GRADE SURROUNDING UP TO THE TOP OF THE ROOTBALL.
- 2. PRUNE ALL SHRUBS TO ACHIEVE A UNIFORM MASS/HEIGHT.
- 3. 3" LAMINAR SHREGGED COPRESS MULCH TAPERED TO GRADE 2" FROM TRUNK.
- 4. EXCAVATE ENTIRE BED SPECIFIED FOR FINISHED GRADE.
- 5. PREPARED PLANTING SOIL AS SPECIFIED.
- 6. NOTE: WHEN GROUNDCOVERS AND SHRUBS USED IN MASSES ENTIRE BED TO BE PREPARED WITH PLANTING SOIL MIX AS SPECIFIED.
- 7. SOAKOFF ROOTBALL SIDES AND BOTTOM.

3 SHRUB DETAIL

MACTEC
 ARCHITECTURE & CONSULTING, INC.
 1102 LANDSCAPE AVENUE
 MIAMI, FL 33134
 TEL: (305) 658-1088
 FAX: (305) 658-1799

PROJECT NO. 0709-04-1504 (120)

| REV | DATE | DESCRIPTION |
|-----|----------|-------------|
| 0 | 07/18/09 | FOR PERMIT |

DRAWN BY: J. MULLAN
 CHECKED BY: K. JENSEN
 PROFESSIONAL SEAL

DATE: 11/18/09
 NAME: MARTIN H. SMITH
 STATE: FLORIDA
 LICENSE NO.: 22787
 EXPIRES: 02/28/11

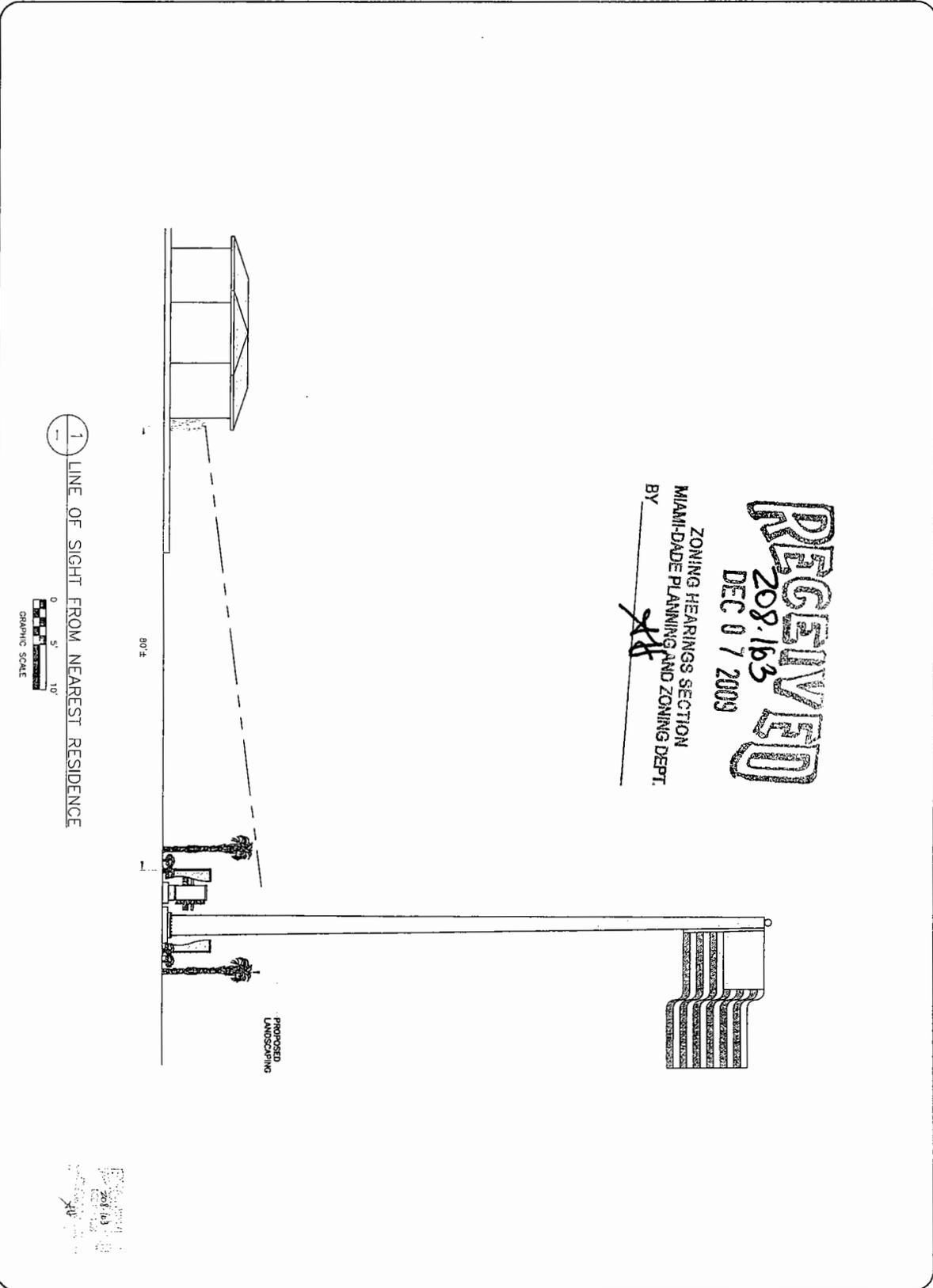
OWNER: KINGS MEADOW PLAZA
 9901 SW 149th AVENUE
 MIAMI, FL 33186

SHEET NAME: LANDSCAPE DETAILS
 SHEET NUMBER: Z8

mp-Mobile
 8180 SW 15th STREET
 MIAMI, FL 33134
 TEL: (305) 653-7100
 FAX: (305) 653-7200

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



Mobile

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PROJECT NO. 0796-08-190 (1/0)

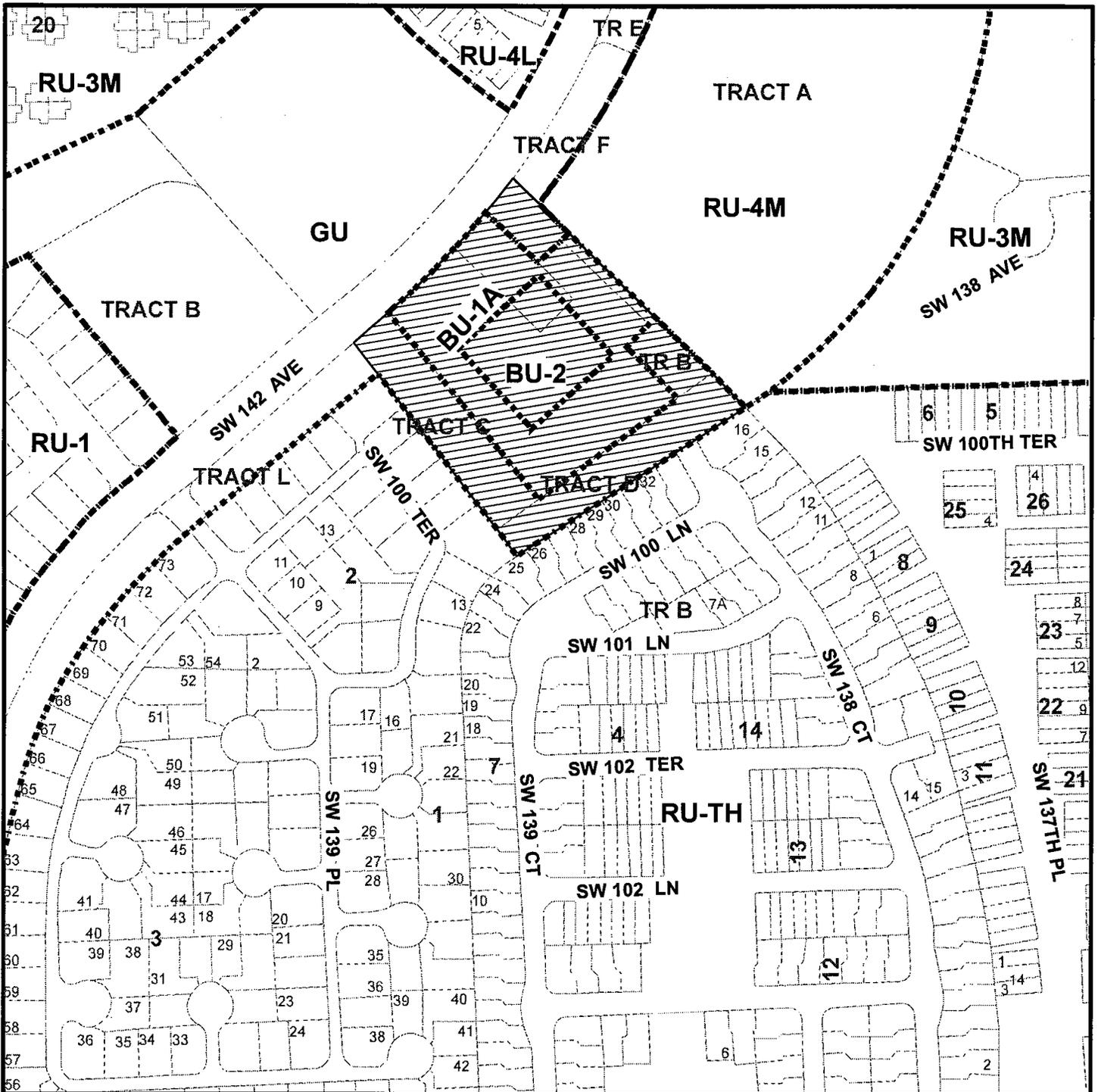
| REV | DATE | DESCRIPTION |
|-----|----------|-------------|
| 1 | 10/27/08 | ISSUED |
| 0 | 8/15/08 | FOR PERM |

CHECKED BY: M. ADRIE
 PROFESSIONAL ENGINEER
 DRAWING NO. J. MIAMI
 DATE: 02/28/11

OWNER: KINGS MEADOW PLAZA
 MD1320E
 3901 SW 140th AVENUE
 MIAMI, FL 33186

LINE OF SIGHT
 SHEET NUMBER
 Z9

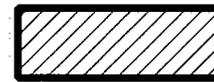
RECEIVED
 MACTEC ENGINEERING & ARCHITECTURE
 1101 S.W. 15th Ave.
 Miami, FL 33135



**MIAMI-DADE COUNTY
HEARING MAP**

Section: 03 Township: 55 Range: 39
 Applicant: T-MOBILE SOUTH, LLC.
 Zoning Board: C11
 Commission District: 11
 Drafter ID: ALFREDO
 Scale: NTS
 ----- Zoning

Process Number
08-163



SUBJECT PROPERTY



SKETCH CREATED ON: 08/28/08

| REVISION | DATE | BY |
|----------|------|----|
| | | 27 |



MIAMI-DADE COUNTY
AERIAL YEAR 2008

Section: 03 Township: 55 Range: 39
 Applicant: T-MOBILE SOUTH, LLC.
 Zoning Board: C11
 Commission District: 11
 Drafter ID: ALFREDO
 Scale: NTS
 ----- Zoning

Process Number
08-163



SUBJECT PROPERTY



SKETCH CREATED ON: 09/28/08

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