

# FINAL AGENDA

3-13-2013 Version # 1



COMMUNITY ZONING APPEALS BOARD 11  
KENDALL VILLAGE CENTER - CIVIC PAVILION  
8625 SW 124 Avenue, Miami  
Tuesday, April 16, 2013 at 7:30 p.m.

## CURRENT

1. 13-4-CZ11-1 KENDALLGATE CENTER ASSOCIATES,  
LTD 12-106 01-55-39 N



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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### COMMUNITY ZONING APPEALS BOARD - AREA 11

MEETING OF TUESDAY, APRIL 16, 2013

KENDALL VILLAGE CENTER – CIVIC PAVILION

8625 SW 124 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 7:30 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

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**I. Election of Officers**

**II. APPLICATION(S):**

**1. KENDALL GATE CENTER ASSOCIATES, LTD. (13-4-CZ11-1/12-106) 1-55-39  
Area 12/District 07**

- (1) MODIFICATION of Conditions #2, #6 & #7 of Resolution Z-17-90 passed and adopted by the Board of County Commissioners, reading as follows:

FROM:

“2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled Kendallgate Shopping Center Phase II, dated last revised 12-1-89 on page 1 and dated revised 11-6-89 on pages 2 and 3, prepared by Robin Bosco Architects and Planners, Inc.”

TO:

“2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled Kendall Preschool Center, dated stamped received 12-5-12 consisting of 4 sheets, as prepared by Diez Architecture, Inc., and landscape plan prepared by EGS 2 GROUP dated stamped received 2/21/13, consisting of one sheet.”

FROM:

“6. That the use shall be restricted to a maximum number of 100 children.”

TO:

“6. That the use shall be restricted to a maximum number of 124 children.”

FROM:

“7. That the hours of operation shall be between 7:30 A.M. and 6:30 P.M.”

TO:

“7. That the hours of operation shall be between 6:30 A.M. and 6:30 P.M.”

- (2) DELETION of Condition # 11 of Resolution Z-17-90 passed and adopted by the Board of County Commissioners, reading as follows:

“11. That signage for the use shall conform to the requirements of the zoning code.”

The purpose of the requests #1 & #2 is to allow the applicant to submit a new site plan showing an increase in the number of children, increase the size of the daycare facility, modify the hours of operation, and permit more signage.

- (3) NON-USE VARIANCE to permit the daycare facility setback 34' (50' required) from the rear (south) property line.
- (4) NON-USE VARIANCE to permit a second 24 sq. ft. sign (one 24 sq. ft. sign permitted).

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

LOCATION: Lying approximately 450' South of SW 88 Street and approximately 827' East of SW 122 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.97 Acres



**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 11**

**PH: Z12-106 (13-4-CZAB11-1)**

**April 16, 2013**

Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	10
<b>Applicant</b>	Kendallgate Center Associates, Ltd.
<b>Summary of Requests</b>	The applicant is requesting the modification and deletion of conditions of a previously approved resolution for a daycare center and to permit additional wall signage for said center.
<b>Location</b>	Lying approximately 450' south of SW 88 Street and approximately 827' east of SW 122 Avenue, Miami-Dade, County, Florida
<b>Property Size</b>	1.97 acres
<b>Existing Zoning</b>	RU-1, Single-Family Residential District
<b>Existing Land Use</b>	Parking lot
<b>2015-2025 CDMP Land Use Designation</b>	Business and Office Low Density Residential, 2.5 – 6 DUA <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance Standards Section 33-311 (A)(7) General Modification Standards <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval with conditions</b>

**REQUESTS:**

1. Modification of Conditions #2, #6 and #7 of Resolution Z-17-90, passed and adopted by the Board of County Commissioners, reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled " Kendallgate Shopping Center Phase II, dated last revised 12-1-89 on page 1 and dated revised 11-6-89 on pages 2 and 3, prepared by Robin Bosco Architects and Planners, Inc."

To: "2. That in the approved plan, the same be substantially in accordance with that submitted for the hearing entitled "Kendall Preschool Center, dated stamped received 12-5-12 consisting of 4 sheets as prepared by Diez Architecture, Inc. and Landscape Plan prepared by EGS 2 Group, dated stamped received 2/21/13 consisting of one (1) sheet."

From: "6. That the use shall be restricted to a maximum number of 100 children."

To: "6. That the use shall be restricted to a maximum number of 124 children."

From: "7. That the hours of operation shall be between 7:30 A.M. and 6:30 P.M."

To: "7. That the hours of operation shall be between 6:30 A.M. and 6:30 P.M"

2. DELETION of condition # 11 of resolution Z-17-90 passed and adopted by the Board of County Commissioners, reading as follows:

“11. That signage for the use shall conform to the requirements of the zoning code.”

The purpose of the above requests is to allow the applicant to submit a revised site plan showing an increase in the building square footage, the number of children and signage and a change in the hours of operation.

3. NON-USE VARIANCE to permit a second wall sign (one permitted) of 24 sq. ft.
4. NON-USE VARIANCE to permit the daycare facility setback 34' (50' required) from the side (south) property line.

**PROJECT DESCRIPTION:** The increase in the square footage of a previously approved daycare center to 6,288 sq. ft. on a 1.97 acre parcel that is a part of a larger 16-acre tract containing a shopping center.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	RU-1; parking lot	Low-Density Residential (2.5 to 6 dua)
<b>North</b>	BU-1A; shopping center	Business and Office
<b>South</b>	RU-1; vacant land	Low-Density Residential (2.5 to 6 dua)
<b>East</b>	Florida Turnpike Extension	Transportation
<b>West</b>	RU-4L; multi-family apartments	Medium Density Residential (13 to 25 dua)

**NEIGHBORHOOD COMPATIBILITY:**

The subject property currently contains a parking lot that serves a larger commercial shopping center development located to the north. The parcel abuts the Turnpike Extension to the east and single and multi-family residential developments to the west and south.

**SUMMARY OF THE IMPACTS:**

Staff opines that the approximately 25% increase in the size of the building and the number of children being requested will allow the applicant to provide increased daycare services to the community. However, the increase in the number of children may have an additional impact on traffic on the abutting roadways.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is a 1.97-parcel that is a part of a larger 16.03 tract of land that contains a retail shopping center on the north 14.06-acre portion of the tract that is zoned BU-1A, Limited Business District. This commercially zoned part of the tract is designated for **Business and Office** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan map. *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.*

Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the remaining southern 1.97-acre portion of the tract that is the subject of this application for **Residential Communities, Low Density Residential** use. The expansion of the shopping center use onto the subject parcel was approved pursuant to Resolution #Z-270-89, which also rezoned the 1.97-acre parcel to RU-1, Single-Family Residential District and permitted the RU-1 parcel with a reduced lot frontage along SW 120 Avenue. However, said resolution restricted the use of the subject parcel to provide only non-commercial parking in the more restrictive RU-1 zoning district for the shopping center.

Subsequently, pursuant to Resolution Z-17-90, the subject parcel was approved to allow the daycare center setback less than required from the interior side (west) property line. The applicant is now seeking to permit the expansion of the previously approved daycare center, to allow additional signage in connection with said use and to permit the daycare setback less than required from the rear (south) property line.

Staff notes that the CDMP Land Use Element Interpretative text under *Residential Communities* also permits *neighborhood and community services including schools, daycare centers and houses of worship, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood.* The criteria to evaluate compatibility among proximate land uses is outlined in the CDMP Land Use Element, **Policy LU-4A**, among which are *access, traffic, parking, height, bulk scale of architectural elements, buffering, and landscaping as applicable.* Staff opines that although the applicant is seeking to increase the size of the previously approved daycare building, increase the number of children allowed and expand the hours of operation, the requested changes are minimal and are not likely to have a negative impact on traffic or accessibility on the surrounding residential and commercial uses. Therefore, staff opines that since the applicant is not requesting to change the use, approval with conditions of the application would be **compatible** with the area based on the criteria for compatibility set forth in the CDMP Land Use Element, **Policy LU-4A**.

Therefore, staff opines that the proposed expansion of daycare use, the reduced setback and additional signage are **compatible** with the area and therefore **consistent** with the CDMP Land Use Element interpretative text for the **Residential Communities**, CDMP Land Use Element **Policy LU-4A** and the CDMP Land Use Plan map Business and Office and Low Density Residential designation for the entire subject property.

### **ZONING ANALYSIS:**

When requests #1, to permit the modification of conditions of a previously approved resolution and request #2, to delete a condition of said resolution, are analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that the approval of said requests would be **compatible** with the surrounding area for the reasons stated below. In staff's opinion, approval of the proposed modification would not generate excessive noise or traffic, provoke excessive overcrowding of people or tend to provoke a nuisance based on the analysis below. Approval would allow the applicant to submit a revised site plan indicating an approximately 25% increase in the size of the previously approved daycare building, to allow a similar percentage increase in the number of children and an increase in the hours of operation (request #1) as well as to permit the facility with additional signage (request #2). Further,

memoranda submitted by the Platting and Traffic Review Section and Division of Environmental Resources Management of the Department of Regulatory and Economic Resources (RER) and the Miami-Dade Fire Rescue Department indicate that the approval of said requests would not have negative noise or traffic impacts or unduly burden County services in the surrounding area. Additionally, said departments indicate in their memoranda that they do not object to the application.

The submitted plans indicate that the proposed daycare building will still be located in the southwest corner of the parcel and that although the size of the building will be increased by approximately 268 sq. ft., the height and scale of the building is similar to what was previously approved. In addition, staff notes that the increased square footage is a result of a 17' expansion of the building to the east and a 3'-8" expansion to the north. Among the changes resulting from the expansion is a relocation of the playground to the south of the proposed daycare building abutting the vacant residentially zoned parcel to the south, which could have a negative aural impact if and when the residential zoned parcel is developed. Staff notes that the eastward expansion of the building reduces the possibility of an increase in the encroachment into the rear (south) setback area which is the subject of request #4. Also, staff acknowledges that the tree protected area depicted on the plans on the east third of the site restricts any further expansion to the east including an eastward relocation of the playground area. Staff opines that based on the childcare checklist submitted by the applicant which indicates that the age of children will be 0 – 5 years, the relocation of the playground to the south will not create a significant aural impact on the residentially zoned parcel to the south if it is developed in the future. Further, staff notes that the applicant has provided adequate buffering in the form of a continuous hedge along most of the rear (south) property line and a wall along a small western portion of said property line, which in staff's opinion, will mitigate any negative visual and aural impact of the encroachment and the playground relocation in the south setback area. However, staff notes that the submitted plans indicate the location of fences for the playground area within the utility easement. Therefore, as a condition for approval staff requires that the applicant obtains the necessary authorization from the utility companies prior to final permit approval.

Staff notes that the proposed daycare use is oriented towards the north where it abuts the existing shopping center and through which all traffic to and from the facility will flow. Therefore, staff opines that the increased number of children and the operating hours will not have a negative impact on the residential developments to the south and west. Further, staff opines that the applicant's request to delete the condition of the prior resolution to allow for the erection of additional signage (request #2) will not have a negative visual impact on said residential and residentially zoned properties located to the west and south. As such, staff opines that the approval of the requests would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area. **Therefore, staff recommends approval with conditions of requests #1 and #2 under Section 33-311(A)(7) Generalized Modification Standards.**

When request #3, to permit a second 24 sq. ft. wall sign and request #4, to permit the daycare facility setback 34' (50' required) from the side (south) property line are analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with same. Staff's research of similar approvals in the surrounding area indicated that pursuant to Resolution #4-ZAB-184-88, the abutting parcel to the north was approved to permit a third oversized detached sign, where only two (2) detached signs was permitted by the Code. Similarly, pursuant to Resolution #4-ZAB-130-93, a property located to the west of the subject property at 12502 – 12650 N. Kendall Drive was approved to allow a

fourth oversized detached sign, where two (2) signs are permitted by the Code and three (3) existing signs were previously approved pursuant to Resolution #4-ZAB-106-86. In addition, due to the location of the daycare facility approximately 300' to the south of the southernmost building in the shopping center and almost 1,000' south of SW 88 Street (N. Kendall Drive), the abutting roadway to the north, staff opines that the approval of request #3, would allow for additional visibility from the north and from the east.

The proposed daycare use for 124 children as a building of public assemblage is required to be setback 50' from a property line abutting a lot under different ownership than that on which the structure is to be placed. Staff notes that the subject parcel was previously approved pursuant to Resolution #Z-17-90, to allow the daycare use for 100 children to setback 10' from the side (west) property line where 50' is required. Staff's review of the current application and a review of the plans for the daycare, indicates that there is a requirement for the proposed daycare use to also be setback 50' from the side (south) property line. The submitted plans indicate that the proposed building is setback approximately 34' from the south property line which is the subject of request #4. Staff opines that although the size of the building and the number of children for the facility will be increased by about 25%, the increase in the building footprint will be minimal in comparison to what was previously approved and staff's review of the current plans does not indicate that there is any increase in the encroachment into the side (south) setback area beyond what was previously approved. Further, staff opines that although the intensity of the development will be increased, the applicant has displayed some sensitivity to the residentially zoned parcel to the south by not increasing the encroachment along the south more than what was previously approved. In addition, staff notes that apart from the playground use, the majority of the uses will be enclosed within the building and the more intensive activities, which could include the drop-off and pick-up of students will be oriented away from the residentially zoned parcel located to the south. Therefore, in staff's opinion, approval of the 34' setback being requested will not be overly intensive, will not have a negative visual impact on the future development of the residential parcels to the south and will be **compatible** with same.

In addition, staff notes that the plans indicate additional fenestration on the south elevation of the building to prevent a blank wall view on any future residential development on the parcel to the south. Further, staff notes that the applicant has met the landscape requirement for a dissimilar land use buffer along the side (south) property line which in staff's opinion will mitigate any negative visual impact of the requested encroachment. As such, staff opines that approval of requests #3 and #4, would not be out of character with similar approvals in the surrounding area, would not have a negative visual or aural impact on the surrounding residential zoned properties and would be **compatible** with same. **Therefore, staff recommends approval with conditions of requests #3 and #4 under Section 33-311(A)(4)(b), Non-Use Variance Standards.**

**ACCESS, CIRCULATION AND PARKING:** The subject parcel is accessed from a larger commercial tract to the north through an existing access agreement, with ingress and egress drives from SW 122 Avenue and N. Kendall Drive.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

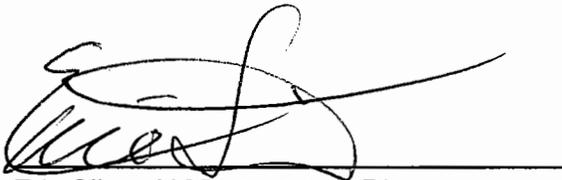
**OTHER:** Not applicable.

**RECOMMENDATION:** Approval with conditions.

**CONDITIONS FOR APPROVAL:**

1. That all the conditions of Resolution Z-17-90, remain in full force and effect, except as herein modified.
2. That no caricatures be placed on the fences or walls of the structure.
3. That the applicant obtain the necessary authorization from the utility companies prior to final permit approval.
4. That the applicant comply with all applicable conditions and requirements of the Platting and Traffic review Section and the Division of Environmental Review of the Department of Regulatory and Economic Resources, the Public Works and Waste Management and the Miami-Dade Fire Rescue Department as contained in their memoranda pertaining to this application.

ES:MW:NN:AN:CH



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

*NN*

# ZONING RECOMMENDATION ADDENDUM

Kendallgate Center Associates, Ltd.  
Z12-106

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS</b>	
<i>Division of Environmental Resource Management (DERM), (RER)</i>	<i>No objection*</i>
<i>Platting and Traffic Review Section (RER)</i>	<i>No objection</i>
<i>Parks</i>	<i>No objection</i>
<i>Fire Rescue</i>	<i>No objection</i>
<i>Schools</i>	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

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

<b>Business and Office</b> <i>(Page I-41)</i>	<i>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.</i>
<b>Low-Density Residential</b> <i>(Pg. I-31)</i>	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
<b>Residential Communities</b> <i>(Pg. I-26)</i>	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, <b>daycare centers</b>, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.</i>
<b>Policy LU-4A</b> <i>(Page I-11)</i>	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>

# ZONING RECOMMENDATION ADDENDUM

Kendallgate Center Associates, Ltd.  
Z12-106

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311(A)(7) Generalized Modification Standards.</b></p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; 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.</i></p>
<p><b>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</b></p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required</i></p>
<p><b>Buildings for public assemblage—In districts other than business or industrial. Sec. 33-17.</b></p>	<p><i>All building or other structures or any part thereof, intended for public assemblage, wherein provisions are made for fifty (50) or more persons to assemble in one (1) room or such structure as an auditorium, church, club, hospital, sanitarium, school, theater, night club, amusement park structure and similar structures, excluding hotels, motels and apartments shall be located or placed only in business or industrial districts, as herein provided, and shall comply with the following:</i></p> <ul style="list-style-type: none"> <li><i>(1) No building for public assemblage shall be located closer than twenty-five (25) feet to any property line which abuts on a public highway or alley, or closer than fifty (50) feet of any property line abutting a lot under different ownership than that on which the structure is to be placed, or closer than seventy-five (75) feet to an existing residential building.</i></li> <li><i>(3) In EU-1 and EU-2 Districts, where the setback from the front building line is greater than the minimum specified by this section, buildings for public assemblage shall set back at least the minimum distance required, namely, fifty (50) feet from the front property line.</i></li> <li><i>(4) No building for public assemblage in EU-M, EU-1 and EU-2 Districts shall be closer than seventy-five (75) feet to any property line abutting a lot under ownership other than that on which the structure is to be placed.</i></li> <li><i>(7) Ample parking facilities for buildings for public assemblage shall be provided off the highway right-of-way. Parking facilities for a church, school, or other buildings used for noncommercial purposes in a residential district may be permitted in the same district with said church, school or other buildings used for noncommercial purposes, provided no parking lot or special parking area is closer than twenty-five (25) feet to any property under different ownership which is zoned RU or EU unless the parking area is separated from such lot by a wall or hedge approved by the Director.</i></li> </ul>

**1. KENDALLGATE CENTER ASSOCIATES, LTD**  
**(Applicant)**

**13-4-CZ11-1 (12-106)**  
**Area 11/District 10**  
**Hearing Date: 04/16/13**

Property Owner (if different from applicant) **Kendallgate CTR Associates.**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1967	Carl E. Reetz Sr.	- Unusual Use Children's Home. - Special Exception site plan approval for multifamily development.	ZAB	Approved with Condition(s)
1974	Burt Poppeliers	- Zone change from GU to RU-1, RU-TH & RU-3M.	BCC	Approved with Condition(s)
1980	The Key of Kendall, Inc.	- Zone change from RU-TH to RU-1.	BCC	Approved with Condition(s)
1985	Norman's International Corp.	- Zone change from RU-1, RU-TH & RU-3M to RU-4L.	BCC	Approved with Condition(s)
1987	Guaranty Service Corp	- Zone change from RU-4L to BU-1A.	BCC	Approved with Condition(s)
1988	Guaranty Service Corp	- Non-Use Variance to permit a 3 <sup>rd</sup> sign.	ZAB	Approved with Condition(s)
1990	Kendall Gate Center Assoc. Ltd.	- Unusual Use to permit a day care. - Non-Use Variance for setback less than required.	BCC	Approved with Condition(s)

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

# Memorandum

**Date:** January 25, 2013

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

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

**Subject:** C-11 #Z2012000106-2<sup>nd</sup> Revision  
Kendallgate Center Associates, Ltd.  
SE Corner of SW 122<sup>nd</sup> Avenue & SW 88<sup>th</sup> Street, Miami, FL  
Modification to Previously Approved Resolution of Increase Number  
of Children and Hours of Operation; and Non-Use Variance to  
Permit an Additional Wall Sign where One is Permitted  
(RU-1) (16.03 Acres)  
01-55-39

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The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

#### Wellfield Protection

The subject property is located within the 210 days travel time contour of the Southwest Wellfield Complex. Therefore, development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code. Since the subject request is for a non-residential land use, the owner of the property has submitted a properly executed covenant in accordance with Section 24-43(5) of the Code which provides that hazardous materials or wastes shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

#### Potable Water Service

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

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

#### Wastewater Disposal

The closest public sanitary sewer is located approximately 79 feet from the subject property and is available for connection. Therefore, connection of any proposed development to the public sanitary sewer shall be required in accordance with the Code requirements.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and by the Water and Wastewater Engineering Section of DERM.

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

#### Stormwater Management

The applicant is advised that any future development greater than 2.0 acres of impervious area will require a Surface Water Standard General Permit for this site.

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

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

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

Drainage restrictions may be applicable, since the site is located within the Southwest Wellfield complex.

#### Wetlands

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

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

#### Tree Preservation

Tree Removal Permit #4237 was issued for this property on January 23, 2013. All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit on January 23, 2014, in order to avoid violation of permit conditions.

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

Enforcement History

The subject properties have three (3) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

Concurrency Review Summary

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

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

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

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

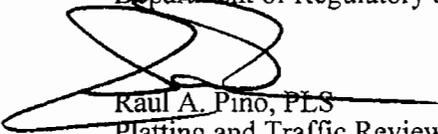
cc: Eric Silva, Department of Regulatory and Economic Resources

# Memorandum



**Date:** January 23, 2013

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

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

**Subject:** Z2012000106  
Name: Kendallgate Center Associates, Ltd  
Location: SE Corner of SW 122 Avenue & SW 88 Street  
Section 01 Township 55 South Range 39 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Tract "P" of Plat Book 139, Page 15.

Additional improvements may be required at time of permitting.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **91 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of these new trips **does not** exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-62	SW 88 St. e/o SW 127 Ave.	D	D
9720	SW 104 St. w/o SW 127 Ave.	E	E
9784	SW 127 Ave. s/o SW 104 St.	D	D
F-2252	FL Turnpike n/o SW 88 St.	B	B
F-2246	FL Turnpike s/o SW 88 St.	B	B
9768	SW 122 Ave. s/o SW 104 St.	C	C
9718	SW 104 St. w/o H.E.F.T.	D	D
9746	SW 117 Ave. s/o SW 72 St.	D	D
9748	SW 117 Ave. s/o SW 88 St.	C	C

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

Public Works and Waste Management Department Traffic Engineering Division Comments:

Page 2

The Miami Dade County Public Works and Waste Management Department Traffic Engineering Division (TED) has no objection to this application provided the recommendation indicated below is incorporated into the related documentation and implemented in the field.

The 9 parking stalls shown on the site plan must be reserved in the field for daycare vehicle loading/unloading during the peak arrival and dismissal times by post mounted signs, typically 7-9 AM and 4-6 PM. Each sign must be protected by parking stall bumper blocks on either side as shown in plans.

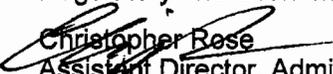
Please contact Ricardo Gavilan of TED at 305-375-2030, if you have any questions concerning this recommendation.

# Memorandum



**Date:** September 17, 2012

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

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

**Subject:** DIC # 12-106  
Kendallgate Center Associates, Ltd

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

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-106  
**Kendallgate Center Associates, Ltd**

**Application:** *Kendallgate Center Associates, Ltd* is requesting a modification of Resolution Z-17-90 to permit a childcare center in the existing Kendallgate Shopping Center. The applicant is also requesting a non-use variance to permit two wall signs of twenty-four (24) square feet where one such sign would be permitted, in an area zoned Single Family Residential (RU-1).

**Size:** The subject property is approximately 16.03 acres.

**Location:** The subject property is located at the southeast corner of SW 88<sup>th</sup> Street (North Kendall Drive) and SW 122<sup>nd</sup> Avenue in Miami-Dade County, Florida.

**Analysis:**

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrence Status Determination issued in September of 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The establishment a childcare center on the property will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

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

3. Recycling: Commercial Establishments

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

- 1) High grade office paper
- 6) Steel (cans, scrap)

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

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

**4. Waste Storage/Setout Considerations**

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

**5. Site Circulation Considerations**

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

# Memorandum



**Date:** September 11, 2012

**To:** Jack Osterholt, Director  
Regulatory and Economic Resource Department

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

**Subject:** Z2012000106: KENDALLGATE CENTER ASSOCIATES, LTD

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**Application Name:** KENDALLGATE CENTER ASSOCIATES, LTD

**Project Location:** The site is located at the SE CORNER OF SW 122 AVENUE & SW 88 STREET, Miami-Dade County.

**Proposed Development:** The applicant is requesting approval of a modification of a previous resolution for a daycare school.

Because this application does not generate any additional residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application. We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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

MN:jb

Cc: John M. Bowers, RLA/AICP, Parks Property Management Supervisor

Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School

School Name: SMART STARTS AT KENDALLGATE

School Address: 11918 SW 88TH STREET Tax Folio # 30 -5091-070-0700

1. Is this an expansion to an existing school  Yes  No If yes, indicated the number of students: \_\_\_\_\_ and age and grade ranges originally approved: \_\_\_\_\_.
2. Total size of site: 282 x 305 = 86,003 + 43,560 sq. ft. = 1.97 acres
3. Number of children or students requested: 124 Ages: 0-5
4. Number of teachers: 8 Number of administrative & clerical personnel: 2
5. Number of classrooms: 8 Total square footage of classroom area: 4344
6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):  
763
7. Amount of outdoor recreation/play area in square footage: 3,425

NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)

8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility:  
NONE - N/A
9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided 18 parking spaces required by §33-124(L) 10
10. Indicate the number of auto stacking spaces: 5 provided 5 required.
11. Proposed height for the structure(s): 17'-0" See §33-151.18(g).
12. Size of identification sign (2) 6' x 4' = 48 sq. ft. See §33-151.18(c). Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
13. Days and hours of operation: MONDAY - FRIDAY 6<sup>30</sup>am - 6<sup>30</sup>pm
14. Does the subject facility share the site with other facilities?  Yes  No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).
15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17?  Yes  No (If yes, describe the residential uses and indicate same on the plans).

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

- a. Day Nursery/Kindergarten, preschool and after-school care

$$35 \text{ sq. ft.} \times \underline{124} \text{ (number of children)} = \underline{4,340} \text{ sq. ft. of classroom area required.}$$

- b. Elementary Grades 1-6

$$30 \text{ sq. ft.} \times \underline{0} \text{ (number of children)} = \underline{0} \text{ sq. ft. of classroom area required.}$$

- c. Junior High and Senior High Schools (Grades 7-12)

$$25 \text{ sq. ft.} \times \underline{0} \text{ (number of children)} = \underline{0} \text{ sq. ft. of classroom area required.}$$

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 4,340  
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 4,344

OUTDOOR RECREATION SPACE:

- a. Day nursery/Kindergarten, preschool and after school care

$$45 \text{ sq. ft.} \times \underline{62} \text{ (}\frac{1}{2}\text{ of children)} = \underline{2,790}$$

- b. Grades 1-6 500 sq. ft. x 0 (first 30 children) = 0

$$300 \text{ sq. ft.} \times \underline{0} \text{ (remaining children)} = \underline{0}$$

- c. Grades 7-12 800 sq. ft. x 0 (first 30 children) = 0

$$300 \text{ sq. ft.} \times \underline{0} \text{ (next 300 children)} = \underline{0}$$

$$150 \text{ sq. ft.} \times \underline{0} \text{ (remaining children)} = \underline{0}$$

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 2,790  
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 3,436

TREES: See §33-151.18(g), and the Planning Division (12<sup>th</sup> Floor) for additional requirements.

- a. 28 trees are required per net acre. Trees required: 55 Trees provided: 55

- b. Ten shrubs are required for each tree required. Shrubs required 550 Shrubs provided 597

- c. Grass area for organized sports/play area in square feet: 3,425

- d. Lawn area in square feet (exclusive of organized sports/play area): 13,594

School Address: 11918 SW 88TH ST, MIAMI, FL Zip Code: 33186<sup>4</sup>.

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

Signed, sealed, executed and acknowledged on this 14<sup>th</sup> day of August at Miami-Dade County, Florida.

[Signature]  
Signature

WITNESSES: [Signature]  
[Signature]

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I hereby certify that on this 14 day of August, 2012, before me personally appeared Alejandro Garcia, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:



# Memorandum



**Date:** 01-OCT-12  
**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department  
**Subject:** Z2012000106

## Fire Prevention Unit:

No objections to site plan date stamped received August 22, 2012.

## Service Impact/Demand

Development for the above Z2012000106  
located at SE CORNER OF SW 122 AVENUE & SW 88 STREET, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid 1824 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>6,288</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 4.21 alarms-annually.  
The estimated average travel time is: 6:02 minutes

## Existing services

The Fire station responding to an alarm in the proposed development will be:  
Station 57 - West Kendall - 8501 SW 127 Avenue  
Rescue, Battalion 13

## Planned Service Expansions:

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

## Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received August 22, 2012. Substantial changes to the plan will require additional service impact analysis.

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

DATE: 09-APR-13

**BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT**

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

KENDALLGATE CENTER  
ASSOCIATES, LTD

Lying approximately 450' south of  
SW 88 STREET and approximately  
827' east of SW 122 Avenue, MIAMI-  
DADE COUNTY, FLORIDA.

---

**APPLICANT**

---

**ADDRESS**

Z2012000106

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**HEARING NUMBER**

**HISTORY:**

FOLIO'S: 30-5901-070-0070,30-5901-070-0060, 30-5901-070-0050, 30-5901-070-0040, 30-5901-070-0010, 30-5901-070-0030, 30-5901-070-0020, 30-5901-070-0090

NC: THERE ARE NO CURRENT OPEN OR CLOSED PENDING CASES.

BLDG SUPPORT: THERE ARE NO CURRENT OPEN OR CLOSED PENDING CASES.

KENDALLGATE CENTER ASSOCIATES, LTD

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

**REPORTER NAME:**



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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**RECEIVED**  
 2/2/10  
 AUG 27 2012

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT  
 BY: *fls*

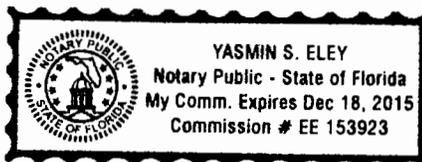
**NOTICE:** For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: *David Singer*  
 David Singer, Vice president of Bersin Development Corp.

Sworn to and subscribed before me this 9 day of AUGUST 2012. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

*Y. S. Eley*  
 (Notary Public)



My commission expires \_\_\_\_\_

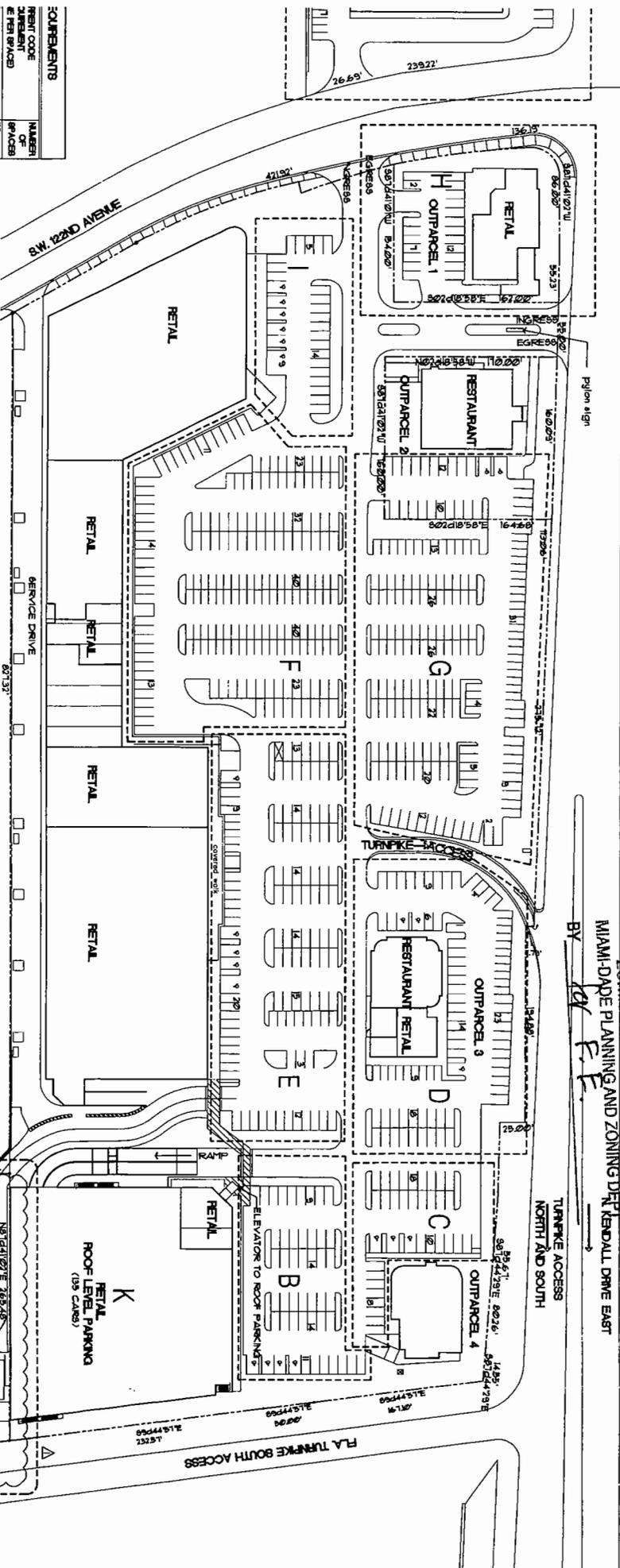
\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or a other country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership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

ENLARGED SITE PLAN  
S.W. 88th ST. (NORTH KENDALL DRIVE)

**RECEIVED**  
Z-12-106  
MIAMI-DADE PLANNING AND ZONING DEPT.  
DEC 05 2012  
K KENDALL DRIVE WEST

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

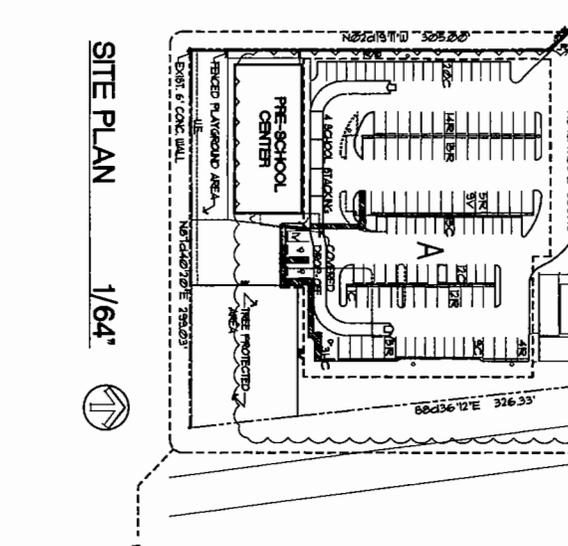
TURNPIKE ACCESS  
NORTH AND SOUTH



EQUIPMENTS	HEIGHT CODE	NUMBER OF SERVICES
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
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100	100	100

**KENDALL GATE SHOPPING CENTER SITE DATA PARCELS B AND C**

PARCEL	AREA	REQUIREMENTS	PROVIDED
PARCEL A	12.9 ACRES	11700 SF	66400 SF
PARCEL B	12.9 ACRES	11700 SF	66400 SF
PARCEL C	12.9 ACRES	11700 SF	66400 SF
PARCEL D	12.9 ACRES	11700 SF	66400 SF
PARCEL E	12.9 ACRES	11700 SF	66400 SF
PARCEL F	12.9 ACRES	11700 SF	66400 SF
PARCEL G	12.9 ACRES	11700 SF	66400 SF
PARCEL H	12.9 ACRES	11700 SF	66400 SF
PARCEL I	12.9 ACRES	11700 SF	66400 SF
PARCEL J	12.9 ACRES	11700 SF	66400 SF
PARCEL K	12.9 ACRES	11700 SF	66400 SF
PARCEL L	12.9 ACRES	11700 SF	66400 SF
PARCEL M	12.9 ACRES	11700 SF	66400 SF
PARCEL N	12.9 ACRES	11700 SF	66400 SF
PARCEL O	12.9 ACRES	11700 SF	66400 SF
PARCEL P	12.9 ACRES	11700 SF	66400 SF
PARCEL Q	12.9 ACRES	11700 SF	66400 SF
PARCEL R	12.9 ACRES	11700 SF	66400 SF
PARCEL S	12.9 ACRES	11700 SF	66400 SF
PARCEL T	12.9 ACRES	11700 SF	66400 SF
PARCEL U	12.9 ACRES	11700 SF	66400 SF
PARCEL V	12.9 ACRES	11700 SF	66400 SF
PARCEL W	12.9 ACRES	11700 SF	66400 SF
PARCEL X	12.9 ACRES	11700 SF	66400 SF
PARCEL Y	12.9 ACRES	11700 SF	66400 SF
PARCEL Z	12.9 ACRES	11700 SF	66400 SF









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PHONE: (305) 882-1370  
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OR 0005117

PROJECT CONSULTANT

KENDALL  
PRESCHOOL  
CENTER  
SMART  
STARTS

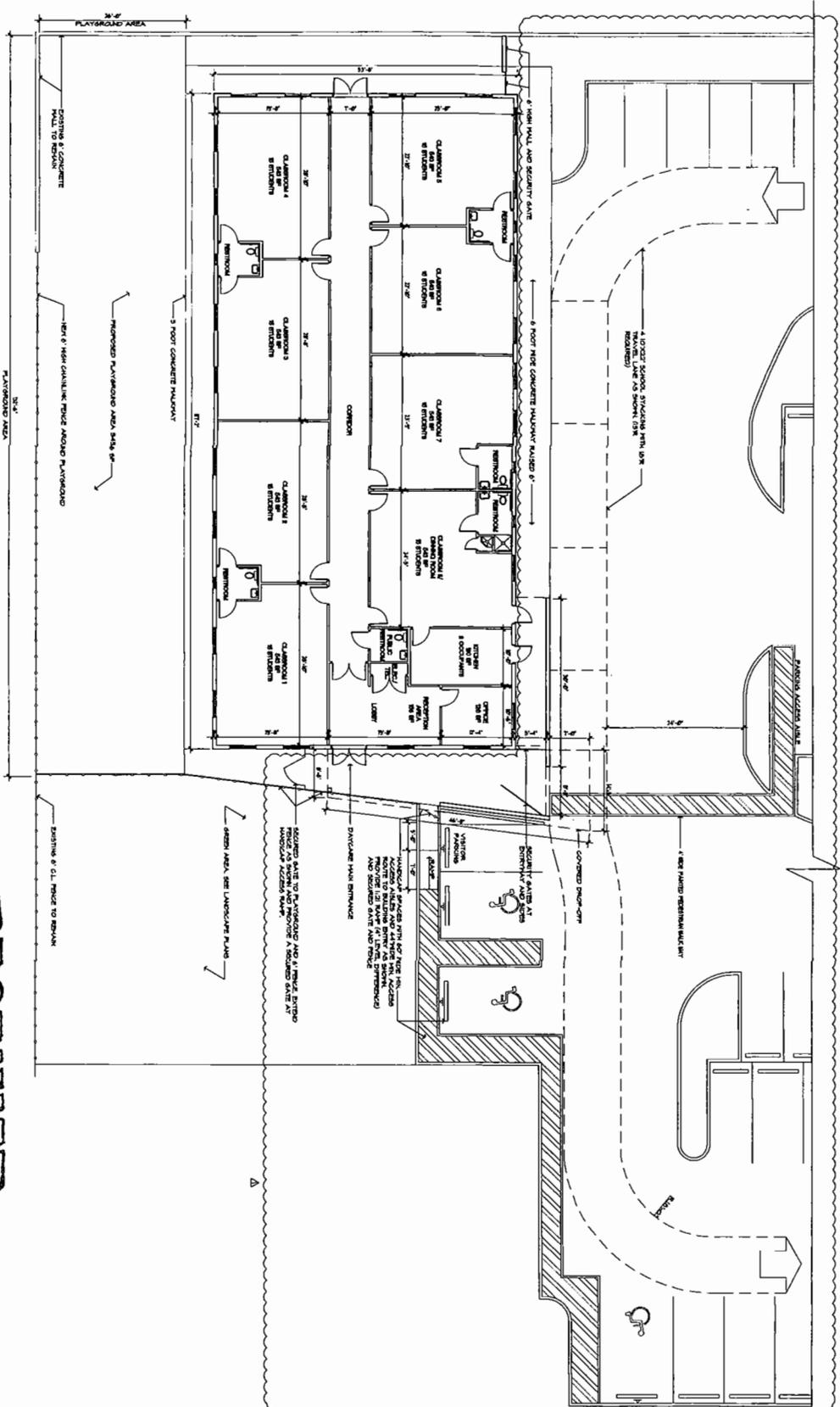
CONSULTING ENGINEER

PROJECT No. 013-012

REVISIONS

A. SEE COMMENTS 3.5.5

FLOOR PLAN



DAYCARE FLOOR PLAN 1/8"



**RECEIVED**  
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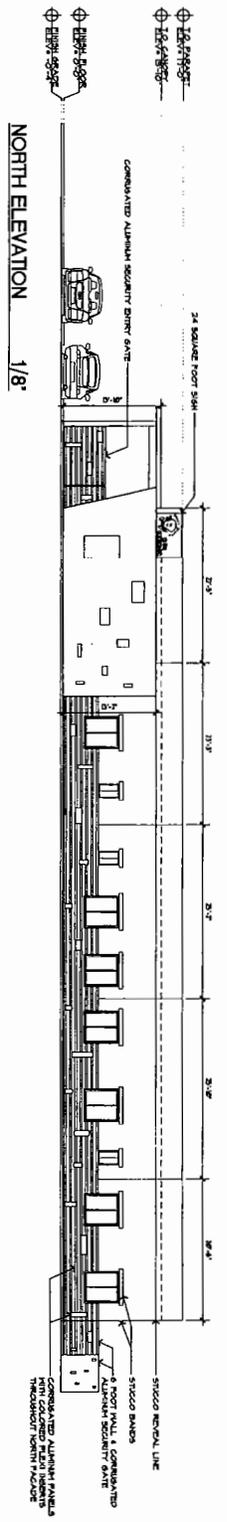
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY FOR F.E.

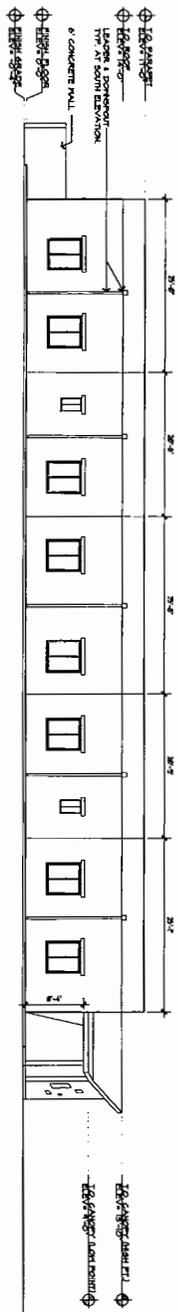
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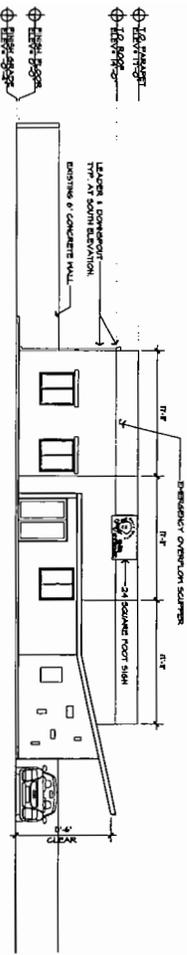
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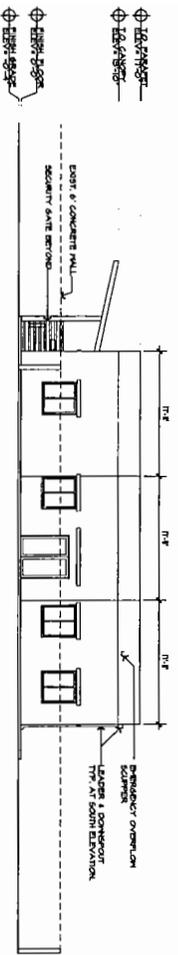
NORTH ELEVATION 1/8"



SOUTH ELEVATION 1/8"



EAST ELEVATION 1/8"



WEST ELEVATION 1/8"

**RECEIVED**  
 22-106  
 DEC 05 2012

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 MIAMI-DADE PLANNING AND ZONING DEPT.  
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KENDALL  
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 SMART  
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KENDALL PRESCHOOL  
 CENTER  
 PROJECT No. 012-012  
 MIA, FLORIDA  
 REVISIONS

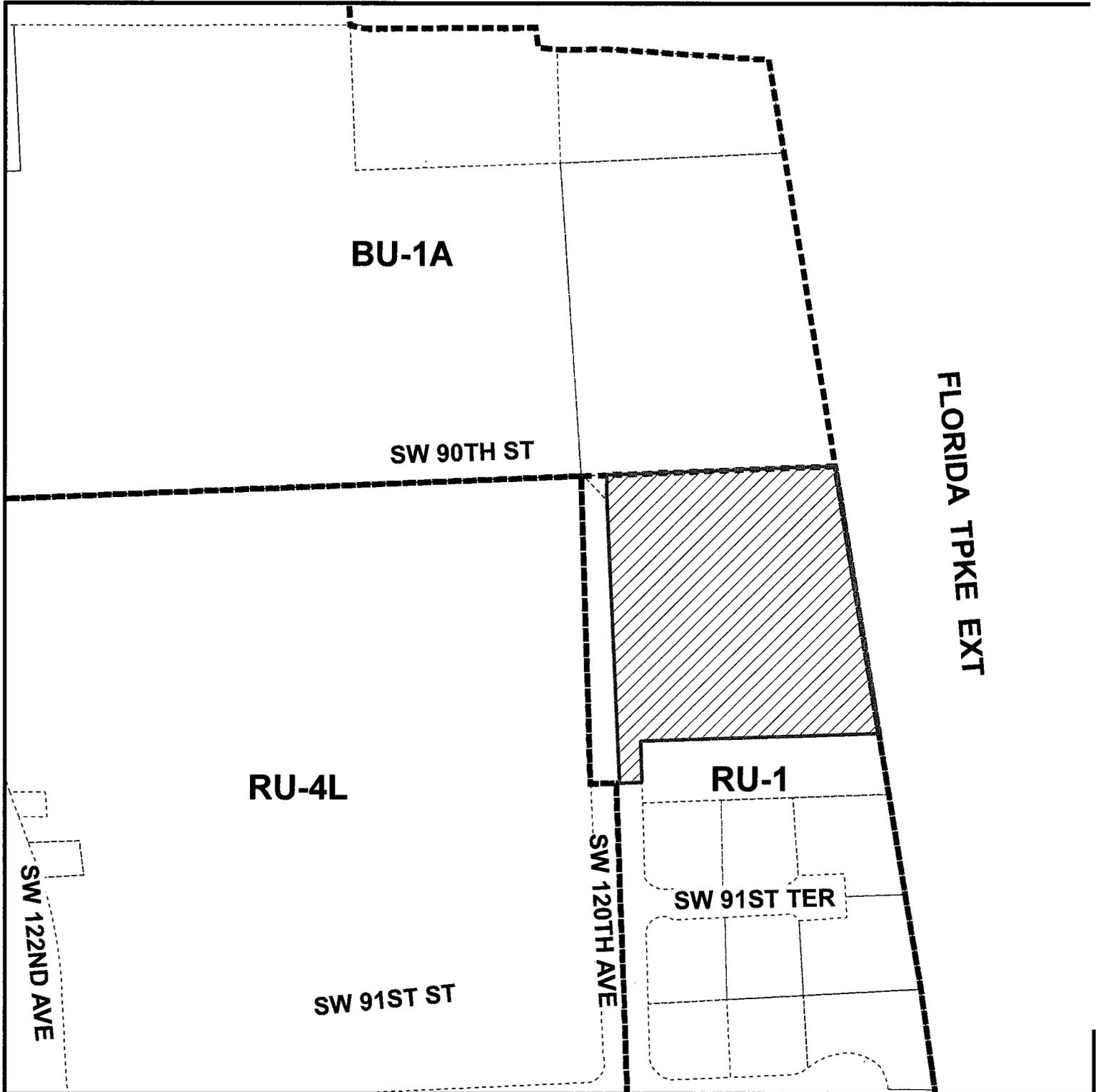
ELEVATIONS



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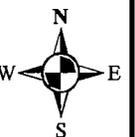
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217-106  
 RECEIVED  
 DEC 05 2012



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000106**



Section: 01 Township: 55 Range: 39  
 Applicant: KENDALLGATE CENTER ASSOCIATES, LTD  
 Zoning Board: C11  
 Commission District: 7  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

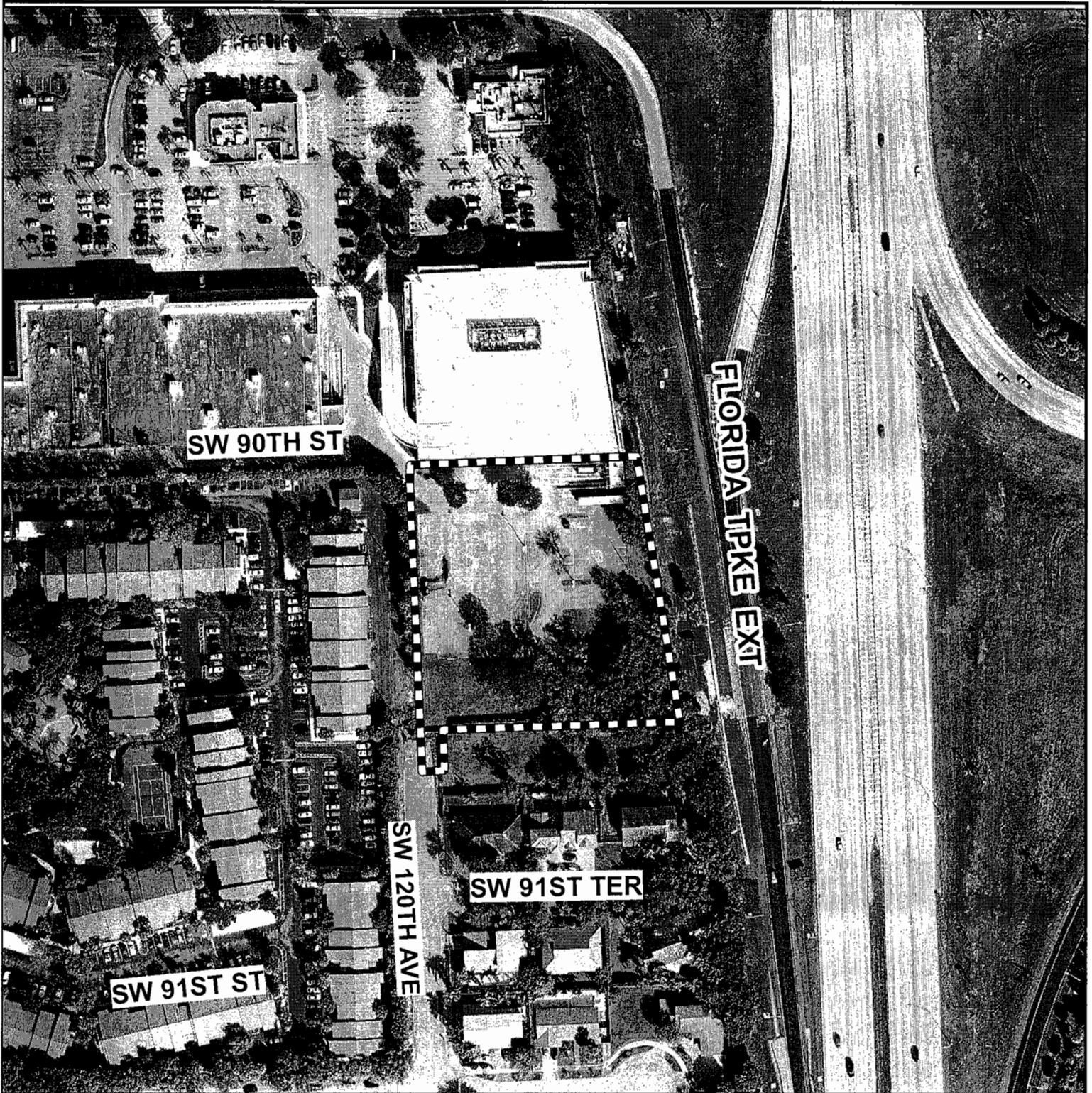
**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, September 20, 2012

REVISION	DATE	BY
		31



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2012**

Process Number  
**Z2012000106**

**Legend**



Subject Property



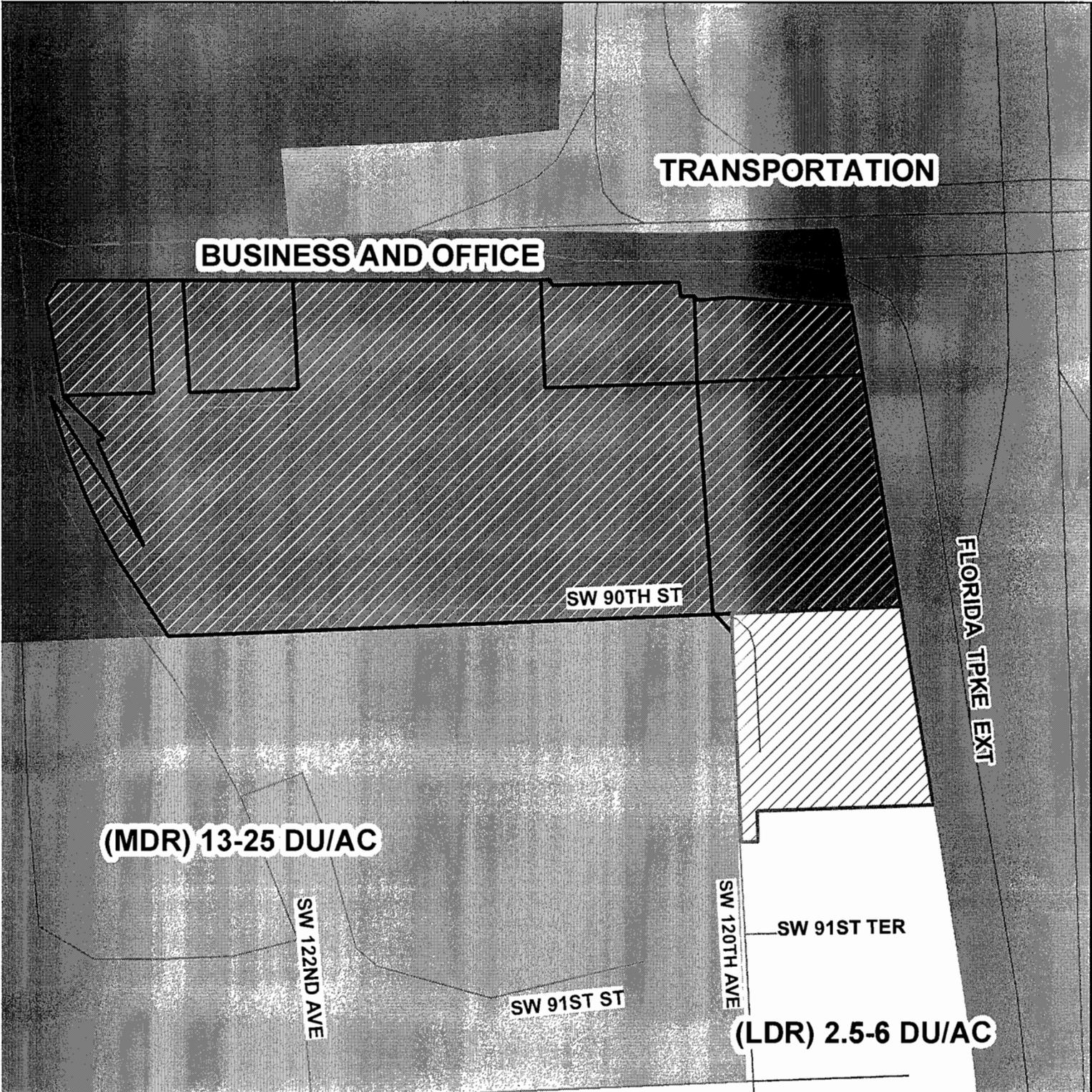
Section: 01 Township: 55 Range: 39  
 Applicant: KENDALLGATE CENTER ASSOCIATES, LTD  
 Zoning Board: C11  
 Commission District: 7  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



SKETCH CREATED ON: Thursday, September 20, 2012

REVISION	DATE	BY
		32





**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2012000106**



Section: 01 Township: 55 Range: 39  
 Applicant: KENDALLGATE CENTER ASSOCIATES, LTD  
 Zoning Board: C11  
 Commission District: 7  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, September 20, 2012

REVISION	DATE	BY