

FINAL AGENDA

3-11-2015 Version # 2



COMMUNITY ZONING APPEALS BOARD 12
KENDALL VILLAGE CENTER - CIVIC PAVILLION
8625 SW 124 Avenue, Miami
Tuesday, April 14, 2015 at 6:30 p.m.

PREVIOUSLY DEFERRED

A. 15-2-CZ12-1	<u>KIMCO DEVELOPMENT OF MILLERODE, INC.</u>	14-78	28-54-40	N
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CURRENT

1. 15-4-CZ12-1	<u>OLGA HERRERA</u>	14-21	06-55-40	N
2. 15-4-CZ12-2	<u>CHILDREN'S RESOURCE FUND, INC.</u>	14-96	10-55-40	N
3. 15-4-CZ12-3	<u>DEPARTMENT OF REGULATORY & ECONOMIC RESOURCES</u>	14-116	23-54-40	N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 12

MEETING OF TUESDAY, APRIL 14, 2015

KENDALL VILLAGE CENTER – CIVIC PAVILLION

8625 SW 124 AVENUE, MIAMI, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

2. CHILDREN'S RESOURCE FUND, INC. (15-4-CZ12-2/14-096)

**10-55-40
Area 12/District 08**

- (1) SPECIAL EXCEPTION to permit a private school.
- (2) MODIFICATION of plans approved pursuant to Resolution 5-ZAB-306-94 passed and adopted by the Zoning Appeals Board, last modified by Resolution CZAB12-8-07, passed and adopted by Community Zoning Appeals Board #12, reading as follows:

FROM: "That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Classroom Addition for Children's Center,' as prepared by Cohen, Freedman, Encinosa & Assoc. Architects, PA, dated stamped received July 03, 2006 consisting of five sheets."

TO: "That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Classroom Addition for Children's Center,' as prepared by Cohen, Freedman, Encinosa & Assoc. Architects, PA, Sheet A-00, dated stamped received 1/6/15 and the remaining 5 sheets dated stamped received 8/20/14 for a total of 6 sheets".

- (3) MODIFICATION of Condition #7 of Resolution 4ZAB-217-90, passed and adopted by the Zoning Appeals Board last modified by Resolution CZAB12-8-07, passed and adopted by Community Zoning Appeals Board #12, reading as follows:

FROM: "7. Instructions will be limited to nursery and preschool age students".

TO: "7. The instructions will include nursery, preschool and elementary (grades K through 6 grade) age students."

- (4) MODIFICATION of Condition #5 of Resolution Z-161-82, passed and adopted by the Board of County Commissioners, last modified by Resolution 5-ZAB-306-94, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "5. That the uses be conducted on the premises Monday through Saturday from 8:00 a.m. to 6:00 p.m."

TO: "5. That the uses be conducted on the premises Monday through Saturday from 7:30 a.m. to 6:00 p.m."

- (5) MODIFICATION of Paragraph 3 (c) & (d) of a Declaration of Restrictions, recorded in Official Records Book 16537 Pages 691 through 705, last modified by a Declaration of Restrictions recorded in Official Records Book 22264, Pages 0054 thru 0058, reading as follows:

FROM: "3c. The use will be conducted on the premises Monday through Saturday from 8:00 AM to 6:00 PM."

"3d. Instruction will be limited to nursery and preschool age students"

TO: "3c. The use will be conducted on the premises Monday through Saturday from 7:30 AM to 6:00 PM."

3. DEPARTMENT OF REGULATORY & (15-4-CZ12-3/14-116)
ECONOMIC RESOURCES

23-54-40
Area 12/District 07

The applicant is requesting to apply the Bird Road Design and Industrial Overlay District to the subject properties.

LOCATION: Lying generally North of SW 48 Street, East of SW 74 Avenue, West of SW 70 Avenue & South of SW 40 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 156 Acres +/-

Department of Regulatory and
Economic Resources
Recommendation:

Approval.

Protests: 1

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

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

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

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



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

**Miami-Dade County Department of Regulatory and Economic Development
Staff Report to Community Council No. 12**

PH: Z14-078 (15-2-CZ12-1)

**April 14, 2015
Item No. A**

Recommendation Summary	
Commission District	7
Applicant	Kimco Development of Millerode, Inc.
Summary of Request	The approval of the application would allow additional detached signage for the existing shopping center encroaching into the front (north) setback area.
Location	9310 – 9420 SW 56 Street, Miami-Dade County, Florida.
Property Size	7.78-Acres
Existing Zoning	BU-1A, Limited Business District
Existing Land Use	Shopping center
2020-2030 CDMP Land Use Designation	Business and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance standards (see attached Zoning Recommendation Addendum)
Recommendation	Deferral.

This item was deferred from the February 3, 2015, meeting of Community Zoning Appeals Board due to an advertising error. However, the applicant has submitted revised plans for this application. Therefore, the application was deferred for two (2) months, to allow staff to review the revised plans.

REQUEST:

NON-USE VARIANCE to permit a third detached sign for a single tenant (2 – 200 sq. ft. multi-tenant signs permitted) and to setback 12 feet (14.27' required) from the front (north) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Walgreens" as prepared by Incon, with two (2) sheets dated stamped received 7/24/14 and a boundary survey entitled, ALTA/ACSM Land Title Survey", as prepared by Aviron & Associates, Inc., dated stamped received 9/30/14, consisting of one (1) sheet. Plans may be modified at public hearing

PROJECT DESCRIPTION AND HISTORY:

Pursuant to Resolution #10656, the subject property was approved for a zone change to BU-1A, Limited Business District and to permit a shopping center in November 1956. Subsequently, in 1976, pursuant to Resolution #4-ZAB-407-76, the expansion of the previously approved shopping center was approved.

The BU-1A zoning district allows a shopping center with lineal frontage of more than 500', as is the case with the subject parcel, with two 200' sq. ft. signs that identify the shopping center. The applicant is seeking approval to permit a third detached sign identifying a single tenant, setback less than required from the front (north) property line.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-1A; shopping center	Business and Office
North	BU-1A; commercial	Business and Office
South	RU-1; single-family residences	Low Density Residential (2.5 to 6 DUA)
East	RU-1; single-family residences	Low Density Residential (2.5 to 6 DUA)
West	RU-1; single-family residences	Low Density Residential (2.5 to 6 DUA)

NEIGHBORHOOD COMPATIBILITY:

The subject property, an existing shopping center is located on 9310 - 9420 SW 56 Street. The surrounding area is characterized by commercial and residential uses.

SUMMARY OF THE IMPACTS:

Approval of this application would allow additional signage for the shopping center. However, the approval of signage in excess of what is allowed by the zoning district regulations could contribute to visual clutter along the abutting roadway and have a negative visual impact on the surrounding area.

CDMP ANALYSIS:

The subject property is currently zoned BU-1A, Special Business District and is located at 9310 SW 56 Street and is designated as **Business and Office** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) 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.* The subject property contains an existing shopping center, which, based on the zoning records, was approved at this site from 1956 pursuant to Resolution #10656, and subsequently, pursuant to Resolution #4-ZAB-407-76, was expanded. The current application for additional signage does not seek to change the existing shopping center use. Therefore, staff opines that since the approval of the application will not change the existing shopping center use, the subject property is **consistent** with the CDMP LUP map Business and Office designation and the CDMP Business and Office Land Use Element interpretive text describing the uses allowed in this land use category.

ZONING ANALYSIS:

The subject property is a 7.78 acre property is located at 9310 - 9420 SW 56 Street (Miller Drive), a well-traveled four lane section line roadway. The surrounding area is characterized by residential uses to the south, east and west, and commercial and institutional uses to the north.

The applicant submitted revised plans which shows the requested third sign as a monument sign that is smaller in size than the previously proposed detached sign, which staff opines is within the scope of the previous advertisement. The revised plans show the monument sign as 40.08 sq. ft. in area, 7' high from grade and set back 12' from the front (north) property line. When the request is analyzed under the Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations standards, staff opines that approval of the request would be out of character with the surrounding area and **incompatible** with same. Section 33-105 of the Code, Permanent Point of Sale Sign for Shopping Centers, permits the existing shopping center, which has approximately 916' of frontage along SW 56 Street, with a maximum of two (2), 200 sq. ft. detached signs. According to the Code, said signage *shall be used only to identify the shopping center and/or individual tenants*. The plans submitted by the applicant indicate that there are two (2) existing multi-tenant signs on the subject parcel each respectively with an area of 126 sq. ft. and 140 sq. ft. The applicant now seeks to permit an additional sign for a single tenant, 40.08 sq. ft. in area. The submitted plans indicate that the additional signage will be located within the northeast quadrant of the 7.78-acre parcel, approximately 126' west of the interior side (east) property line of the shopping center, where it abuts single-family residences. Staff notes that the shopping center also abuts single-family residences to the west, which will be spaced approximately 750' from the location of the proposed detached sign.

In staff's opinion, the existing signage within the shopping center is adequate and the requested additional detached signage would be excessive and out of character with the primarily residential uses that surround the property to the south, east and west. Further, staff's research did not indicate any similar approvals for variances of the sign regulations for the existing commercial uses in this area. As such, staff opines that approval of the additional signage could lead to a proliferation of detached signage in this area, which could be a visual detriment to the surrounding residential uses. Therefore, staff opines that apart from being out of character with the area, approval of the requested variance could contribute to visual clutter along the abutting roadway, SW 56 Street, and would have a negative visual impact on traffic along this roadway. **Notwithstanding the aforementioned, this application needs to be deferred and re-advertised for the May 12, 2015 agenda due to an inadvertent error in the advertisement.**

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

RECOMMENDATION: Deferral.

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:EJ:CH


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

MM

ZONING RECOMMENDATION ADDENDUM

*Kimco Development of Millerode, Inc.
PH: Z14-078*

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

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

<p>Business and Office (Page I-41)</p>	<p><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></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

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

15-2-CZ12-1 (14-078)
Area 12/District 07
Hearing Date: 04/14/15

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

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

If, so who are the interested parties?

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>
1956	Emil J. Goulds	- Zone change from RU-1 to BU-1A.	BCC	Approved
1976	Emil J. Gould	- Special Exception to permit expansion of existing communication structure.	ZAB	Approved with Condition(s)
2011	Mark Trommsdorff	- Site plan approval entitled "KIMCO Realty", proposed shopping center.	ACC	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
COMMUNITY ZONING APPEALS BOARD - AREA 12
MOTION SLIP**

#1

APPLICANT'S NAME: KIMCO DEVELOPMENT OF MILLERODE, INC.

REPRESENTATIVE: MARK BRENCHLEY

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
15-2-CZ12-4 (14-078)	February 3, 2015	CZAB12	5	15

REC: Denial without prejudice.

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: April 14, 2015 W/LEAVE TO AMEND
 DENY: WITH PREJUDICE WITHOUT PREJUDICE
 ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS
 APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.
 WITH CONDITIONS
 OTHER:
 Deferred with leave to amend to 4/14/15 to be properly advertised at the County's expense and allow time for staff to review recently submitted plans.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCIL WOMAN		Peggy BRODEUR			X
COUNCILMAN		Javier GONZALEZ-ABREU	X		
COUNCILMAN		Matthew LARSH	X		
COUNCILMAN		Alberto SANTANA	X		
VICE CHAIRWOMAN	S	Angela M. VAZQUEZ	X		
COUNCILMAN	M	Elliot N. ZACK	X		
CHAIRMAN		Jose I. VALDES (C.A.)	X		
VOTE:			6	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: Sabrina Levin

Memorandum



Date: July 29, 2014

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

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

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

Subject: C-12 #Z2014000078
Kimco Devp of Millerode Inc.
9310 SW 56 Street, Miami, FL
Non-Use Variance to permit 3 detached signs
(BU-1A) (7.78 Acres)
28-54-40

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code). DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

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.

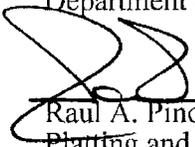
This memorandum shall constitute written approval as required by Chapter 24 of the Code.

Memorandum



Date: August 13, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2014000078
Name: Kimcodeup of Millerode
Location: 9310 SW 56 Street
Section 28 Township 54 South Range 40 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Tract B, Block 11, Plat Book 68, Page 48.

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

Memorandum



Date: August 4, 2014

To: Eric Silva, Development Coordinator
Regulatory and Economic Resources Department

From: 
Paul Mauriello, Deputy Director, Waste Operations
Public Works and Waste Management Department

Subject: KIMCO Development of Millerode, Inc. (#14_078)

The Public Works and Waste Management Department (PWWM) has no objections to the proposed application.

The application requests a non-use variance of sign requirements for an existing retail shopping center. Development of the property meets the County Code definition of a commercial establishment. Per the Code the following is required of commercial establishments 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.

Section 15-2.3a of the Code 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 of the Code 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.

The application will have no PWWM impact or associated costs. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager of the Fiscal Management and Planning Division, at 305-514-6661.

Memorandum



Date: August 5, 2014

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

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

Subject: Z2014000078: KIMCO DEVP. OF MILLERODE INC

Application Name: KIMCO DEVP. OF MILLERODE INC

Project Location: The site is located at 9310 SW 56 STREET, Miami-Dade County.

Proposed Development: The request is for a nonuse variance for signage.

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

Recommendation: PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: 14-AUG-14
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2014000078

Fire Prevention Unit:

Not applicable.

Service Impact/Demand

Development for the above Z2014000078
located at 9310 SW 56 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1633 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 6:22 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 13 - East Kendall - 6000 SW 87 Avenue
ALS 60'Aerial, Ai Truck.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

N/A

Fire Planning Additional Comments

N/A

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

KIMCO DEVP. OF MILLERODE INC

9310 SW 56 STREET, MIAMI-DADE COUNTY, FLORIDA

Miami-Dade County, Florida

APPLICANT

ADDRESS

March 24, 2015

Z2014000078

DATE

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

Neighborhood Regulations:

There are no current open or closed Neighborhood Regulations cases.

BUILDING SUPPORT REGULATIONS OPEN:

BSS Case 20140164972-B- 9420 SW 56 Street opened on February 6, 2014. Notice of Violation issued for Failure to obtain required building permits prior to commencing work on: Remodel of retail store without plans and permits. Case remains open. BSS Case 2015000884 9352 SW 56 Street opened on January 11, 2015. Notice of Violation issued for expired permit no. 2014028893. Case remains open.

BUILDING SUPPORT REGULATIONS CLOSED:

20140164642-B – 9342 SW 56 Street – Case closed on 8/5/2014

20140166240-B - 9420 SW 56 Street – Case closed on 04/09/14

A2015000668 - 9350 SW 56 Street – Case closed on 12/22/14

VIOLATOR:

KIMCO DEVP. OF MILLERODE INC

OUTSTANDING LIENS:

There is no outstanding lien

DISCLOSURE OF INTEREST

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

CORPORATION NAME: Kimco Dev of Millerde, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
X _____	X _____

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

_____	_____
_____	_____
_____	_____
_____	_____

- Kimco Realty Corporation is a publicly traded company.

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

X Signature: Joseph Denis Joseph Denis, Vice President
(Applicant)

Sworn to and subscribed before me this 11th day of June, 2014. Affiant is personally known to me or has produced _____ as identification.

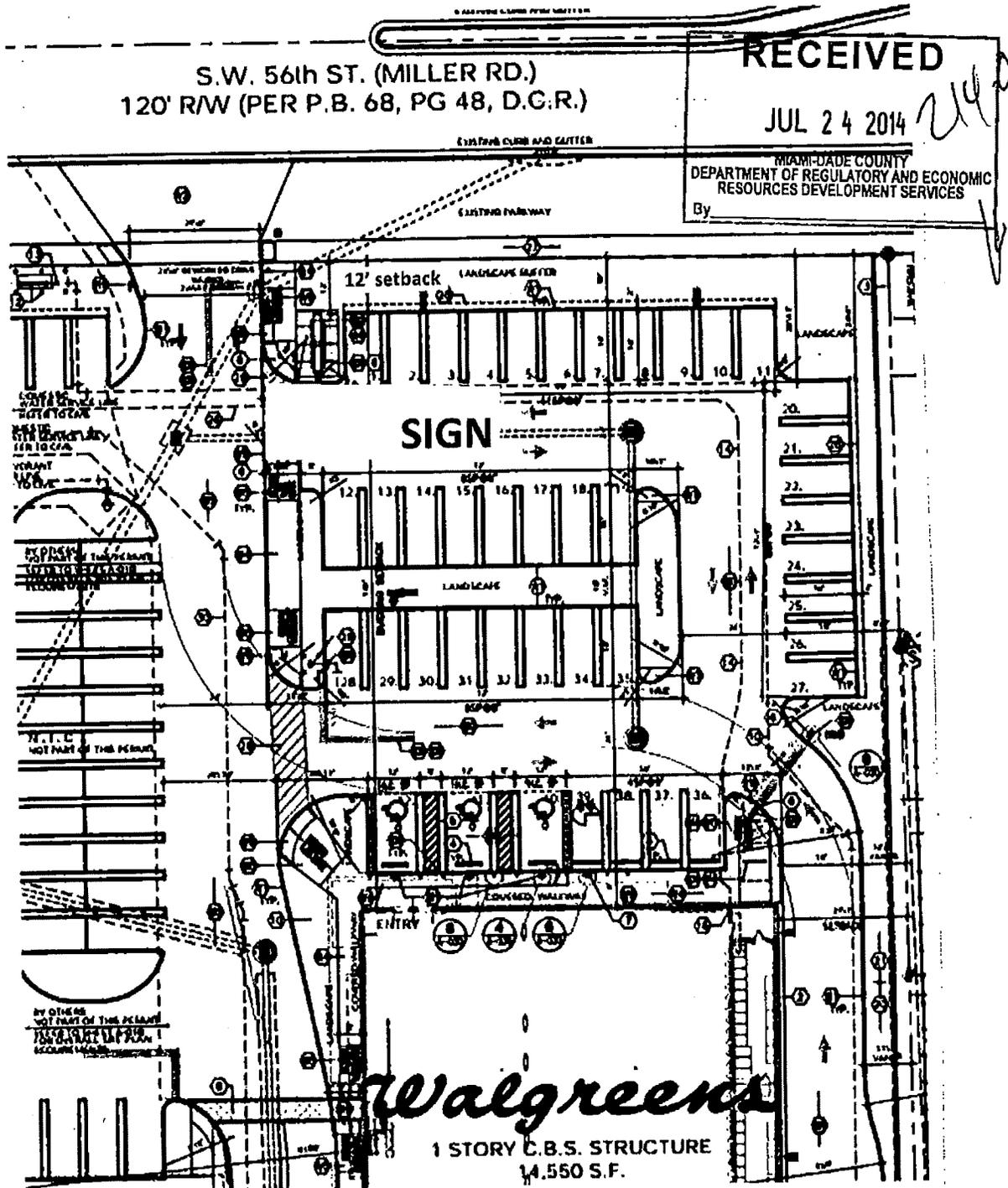
Cynthia Meadows
(Notary Public)
My commission expires: 6/1/18

STATE OF NC
COUNTY-MECKLENBURG



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 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 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.

SIGN PLANS/PHOTOGRAPHS/ENLARGED SITE PLAN



Walgreens

1 STORY C.B.S. STRUCTURE
14,550 S.F.



North

PROPOSED SIGN #3

SIGN PLANS/PHOTOGRAPHS/SITE PLAN

RECEIVED

JUL 24 2014 *WJ*

MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC
RESOURCES DEVELOPMENT SERVICES

By _____

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.

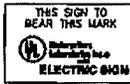
NOTE: SIGN IS TO BE WROTE WITH 14 GAUGE STRANDED 1000 NIPE THIN FOR DIAGRAM ON BALLAST. ELECTRICAL LEADS TO BE 12 GAUGE STRANDED 600 V NAC. 1249N SIGN MUST BE GROUNDING WITH 14 GAUGE SOLID 600 V GREEN NIPE THIN.

DESIGN LOADS:
175 MPH WIND LOAD
RISK CATEGORY II, EXPOSURE C.
2010 FLORIDA BUILDING CODE
SECTION 18 WIND LOAD ASSE 7-10

NOTE: WIND LAYOUT SHOWN FOR GRAPHICAL REPRESENTATION ONLY. SEE ARCHITECT FOR PRODUCTION.

FOUNDATION NOTE:
3000 PSI CONCRETE @ 28 DAYS
2000 PSF SOIL BEARING
150 PSF/FT SOIL LATERAL
BEARING UNDISTURBED SOIL

PROTECT ANCHOR BOLTS, NUTS AND WASHERS FROM CORROSION WITH BITUMINOUS COATING



NOTE: DISCONNECT SWITCH TO BE WITHIN SIGHT OF SIGN

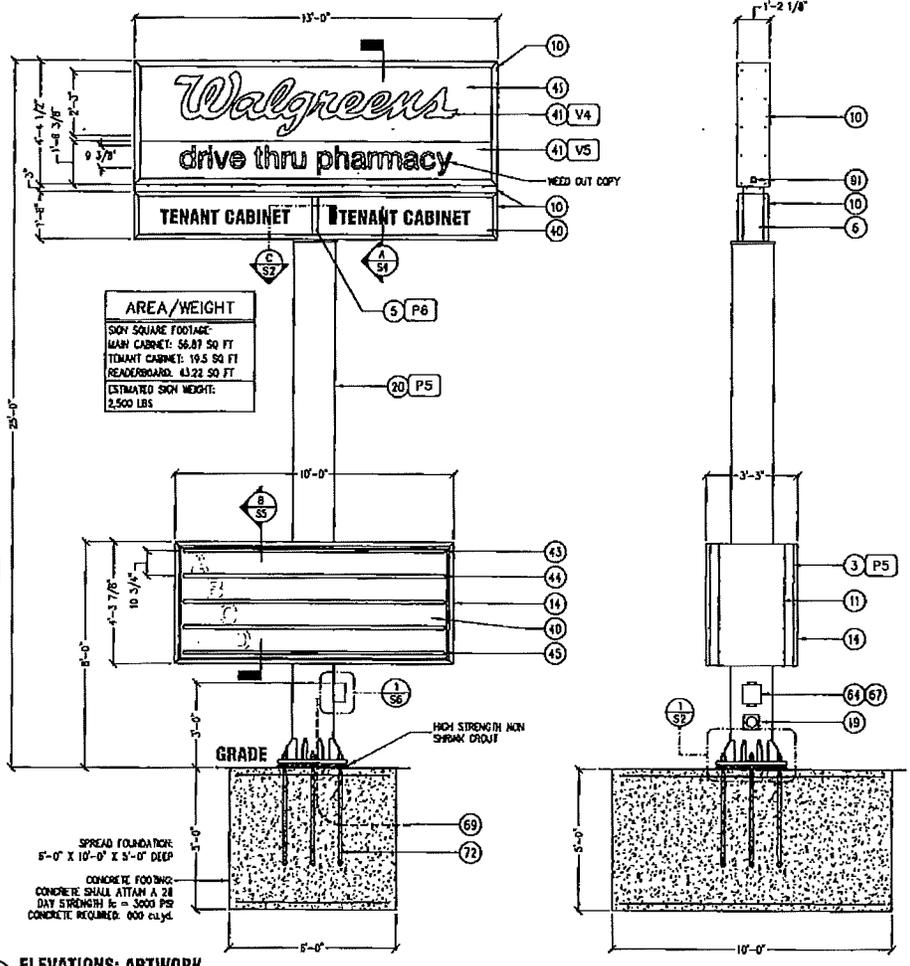
USE WHITE SILICONE TO CONCEAL LIGHT LEADS

SIGN INTERIOR TO BE PAINTED FLAT WHITE FOR MAXIMUM REFLECTIVITY

TOLERANCE: ± 1/16" ON ALL DIMENSIONS

ELECTRICAL

HEADER		
LAMPS	(1) 7/8/12 C.W.H.O.	
BALLAST	(3) 848-16 (SIGN)	
AMPS	10.25	
V.A.	120 VOLTS	WATTS 1,224
TENANT CABINET		
LAMPS	(1) 7/8/12 C.W.H.O.	
BALLAST	(2) 432-14 (SIGN)	
AMPS	4.88	
V.A.	120 VOLTS	WATTS 360
MANUAL READERBOARD (2)		
LAMPS	(2) 7/10/12 C.W.H.O.	
BALLAST	(4) 1510-11 (SIGN)	
AMPS	5.7	
V.A.	120 VOLTS	WATTS 682
TOTAL		
AMPS	20.63	
V.A.	120 VOLTS	WATTS 2,466
CIRCUITS	2-20 AMP	



AREA/WEIGHT

SIGN SQUARE FOOTAGE:
MAIN CABINET: 56.87 SQ FT
TENANT CABINET: 19.5 SQ FT
READERBOARD: 43.22 SQ FT

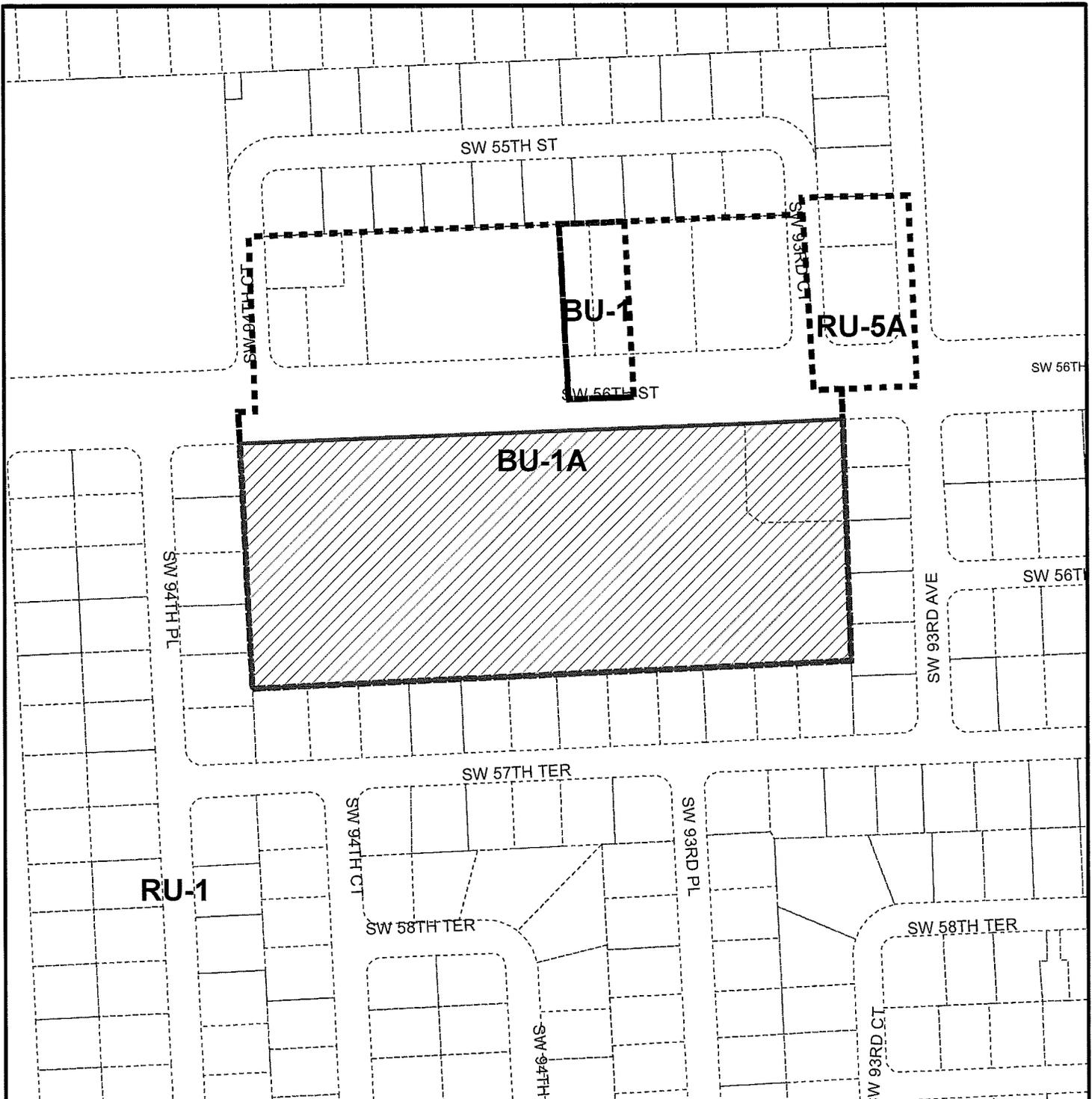
ESTIMATED SIGN WEIGHT:
2,500 LBS

ELEVATIONS: ARTWORK

SCALE: 1/4"=1'-0"

REF. DWG.	 1418 ELMHURST RD. BLK GROVE VILLAGE ELMHURST, ILLINOIS 60007	LOCATION:	MIAMI, FL		
SIGN ID: -		LOCATION No.:	13851		
		REQUEST No.:	161221		
		DRAWN BY:	RICARDO RODRIGUEZ	CHECKED BY:	CLAY SPANER
		DATE DRAWN:	10/19/2013	DATE CHECKED:	10/19/2013
		DRAWING SCALE:	AS NOTED	FILE:	WAL4838A SHEET: 1/6

RICARDO RODRIGUEZ (PH) WALGREENS PLYONS: Main and Performance VIAL 4324 435 X 107 X 255 OAH PYLON W 43275 X 107 VAILUAL READERBOARD #43 16222113 507 58 PIA 1/6/14



MIAMI-DADE COUNTY
HEARING MAP

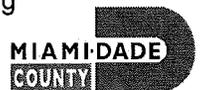
Process Number
Z2014000078



Section: 28 Township: 54 Range: 40
 Applicant: KIMCO DEVP. OF MILLERODE INC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: F. Arencibia
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, August 11, 2014

REVISION	DATE	BY
		18



MIAMI-DADE COUNTY
AERIAL YEAR 2014

Process Number
Z2014000078

Legend

-  MDC STL Index Poly
-  Subject Property
-  Street (Centerline)

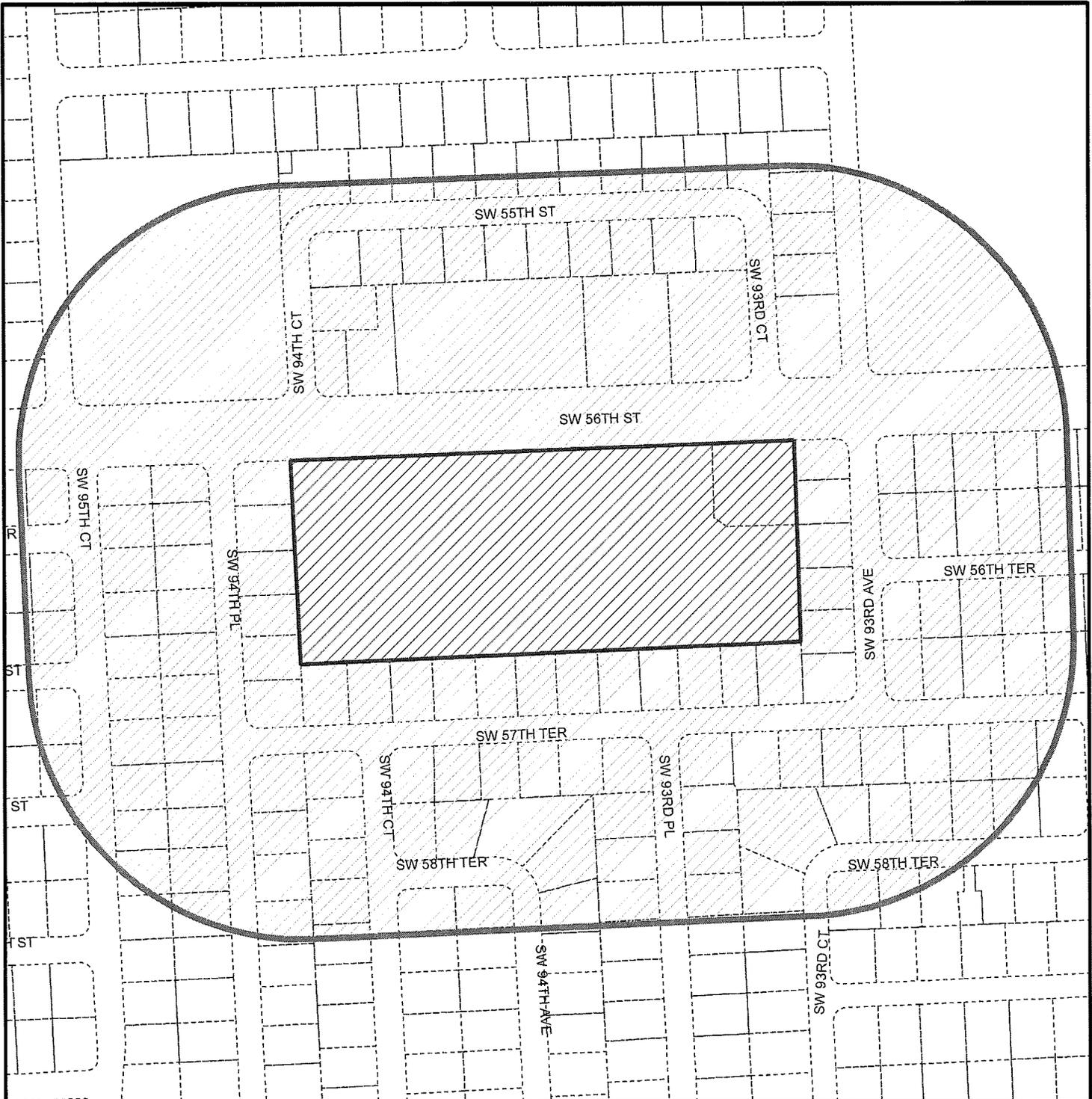


Section: 28 Township: 54 Range: 40
 Applicant: KIMCO DEVP. OF MILLERODE INC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: F. Arencibia
 Scale: NTS



SKETCH CREATED ON: Monday, August 11, 2014

REVISION	DATE	BY
		19



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2014000078
 RADIUS: 500

Section: 28 Township: 54 Range: 40
 Applicant: KIMCO DEVP. OF MILLERODE INC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: F. Arencibia
 Scale: NTS

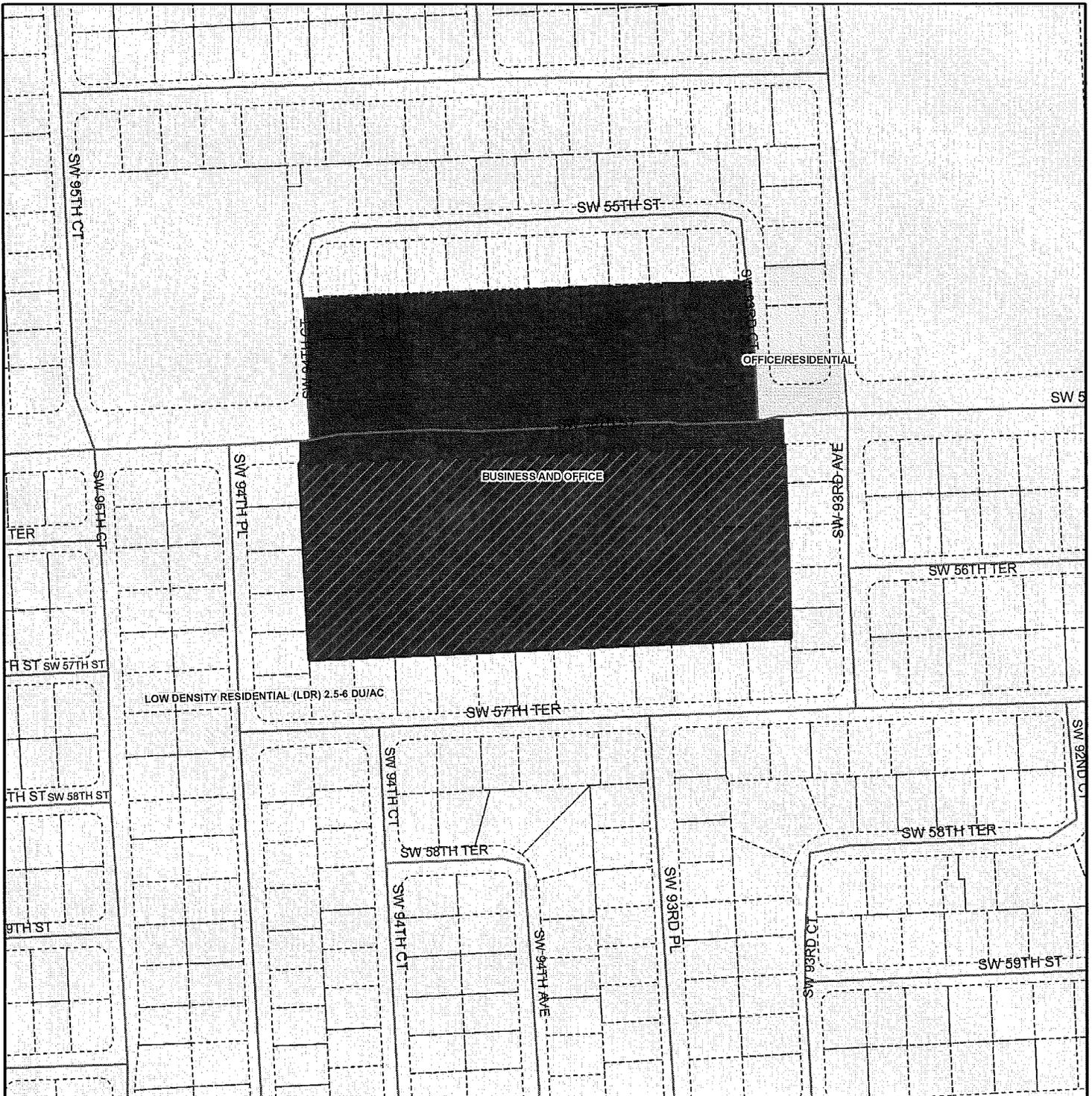
Legend

-  Subject Property
-  Buffer
-  Street (Centerline)
-  Property Boundaries



SKETCH CREATED ON: Monday, August 11, 2014

REVISION	DATE	BY
		20



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2014000078



Section: 28 Township: 54 Range: 40
 Applicant: KIMCO DEVP. OF MILLERODE INC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: F. Arencibia
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, August 11, 2014

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 12**

PH: Z14-021 (15-4-CZ12-1)

**April 14, 2015
Item No. 1**

Recommendation Summary	
Commission District	8
Applicant	Olga Herrera
Summary of Requests	The applicant is seeking approval of a private school use on the subject property with grades kindergarten through 5 in conjunction with the previously approved daycare center / pre-k private school with after school care. Additionally, the applicant seeks to modify a previously approved resolution to establish the aforementioned private school on the subject property, along with ancillary non-use variances.
Location	10701 - 03 SW 95 Street, Miami-Dade County, Florida.
Property Size	2.48 Acres
Existing Zoning	AU (Agricultural District 5 Acres Gross)
Existing Land Use	Daycare/private school
2020-2030 CDMP Land Use Designation	Low-Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7) Generalized Modification Standards, Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses and New Uses, Section 33-311(A)(4)(b) Non-Use Variance <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUESTS:

- (1) SPECIAL EXCEPTION to permit a private school in conjunction with a previously approved daycare center and after school care.
- (2) MODIFICATION of Condition #2 of Resolution 4-ZAB-279-84, last modified by Resolution #4-ZAB-487-86, both passed and adopted 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 'Our Lady of the Rosary School - Proposed School Enlargement', as prepared by Alfredo Quintero, P.E., Consulting Engineers, and dated October 2, 1986, and consisting of three pages."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Daycare Zoning Hearing" as prepared by Jose Ramos, with sheets SP-1 and L-1 dated stamped received 11/18/14 and the remaining 3 sheets dated stamped received 5/30/14, for a total of 5 sheets."

- (3) MODIFICATION of Condition #7 of Resolution #4-ZAB-279-84, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "7. That the use be restricted to children in the age group of from infants to seven years."

TO: "7. That the use be restricted to children in the age group of from infants to 5th grade."

The purpose of Requests #2 and #3 is to allow the applicant to submit a new site plan showing a private school in conjunction with the previously approved daycare center with after school care and increase the age group of the children.

- (4) NON-USE VARIANCE to the existing private school buildings to setback a minimum of 48'-17" from the front (south) property line setback a minimum of 46.84' from the interior side (west) property line, setback a minimum of 160.76' from the rear (north) property line, setback a minimum of 21.36' from the side street (east) property line (250' required from all property lines).
- (5) NON-USE VARIANCE to permit (3) existing canvas roof structures setback varying from 61'-5" to 93'-5" from the rear (north) property line, setback a minimum of 82'-1" from the side street (east) property line, setback a minimum of 122'-4" from the interior side (west) property line, setback a minimum of 186'-6" from the front (south) property line (250' required from all property lines).
- (6) NON-USE VARIANCE to permit the existing playground area setback less than the required 250' from property lines.
- (7) NON-USE VARIANCE to permit parking and drives within 25' of an official right-of-way (not permitted).

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

PROJECT HISTORY & DESCRIPTION:

Staff notes that the subject property has received several approvals to expand the existing daycare center / pre-k private school with after school care since 1984 when an application to establish same was approved, pursuant to Resolution #4-ZAB-279-84.

The subject 2.48-acre, AU zoned lot is located at 10701 - 03 SW 95 Street and is currently used as a daycare/private school from infant to pre-k grade. There is a church/school to the north of the subject property, office buildings to the south, a single-family residence to the west and single-family residences to the east. The existing buildings on the subject property are all one story in height and maintain the single-family residential scale commonly found in the residential density area abutting the subject property to the west and east. Further, the school property is located at the northwest corner of the intersection of a section line road (SW 107 Avenue) and SW 95 Street. Staff notes that the applicant is not requesting an increase in the number of students, which is approved for a maximum of 150 students on the subject property. The applicant is requesting to add grade levels 1 to 5.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	AU; educational facility	Low Density Residential (2.5 to 6 dua)
North	AU; church/school	Low Density Residential (2.5 to 6 dua)
South	RU-5A; office condominium	Office/Residential
East	RU-1; single-family residences	Low Density Residential (2.5 to 6 dua)
West	AU; single-family residence	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD CHARACTER:

The subject 2.48-acre, AU zoned lot is located at 10701 - 03 SW 95 Street and is currently used as a daycare/private school from infant to pre-k grade. The subject property is surrounded by single-family residences, an office condominium building and another educational facility.

SUMMARY OF IMPACT:

The approval of this application will provide the members of the existing daycare center / pre-k private school with after school care and the community with a new private school for infants through grade 5. However, since the proposed use will be located in the existing buildings, no new visual impacts will be created on the surrounding neighborhood. Further, staff opines that approval of the proposal will not create a negative impact on traffic on the abutting roadways based on the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this property for **Low Density Residential** use. Staff notes that the existing daycare/pre-k private school was approved, and subsequently expanded throughout the years since 1984, pursuant to Resolution #4-ZAB-279-84. As such, staff opines that the existing daycare and proposed school use are consistent with the CDMP. Also permitted in Residential Communities are neighborhood and community services including **schools**, parks, **houses of worship**, **daycare centers**, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. Staff notes that 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 the requested expansion of grade levels is compatible with the surrounding community for the reasons explained in the Zoning Analysis section below. As such, staff is of the opinion that the approval of the proposed private school use expansion is **compatible** with the area based on the criteria described in the CDMP Land Use Element **Policy LU-4A** and **consistent** with the CDMP Land Use Element interpretative text for the **Residential Communities**, and the CDMP Land Use Plan map designation for the subject property.

ZONING ANALYSIS:

When request #1, to permit a private school in conjunction with a previously approved daycare center and after school care, is reviewed under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses, staff opines that the approval of this request would be **compatible** with the surrounding community. Staff opines that based on memoranda from the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER), the Miami-Dade Fire Rescue Department (MDFRD) and the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources, approval with conditions of the request would not generate or result in excessive traffic or burden public facilities.

Staff notes that the existing buildings are all one story in height to maintain the single-family residential scale commonly found in the residential area abutting the subject property to the west and east. Staff further notes that the property abuts another institutional use (church/school) to the north. As such, staff opines that the proposed use is compatible with the area given that: the bulk and scale of the structures are similar to the abutting residential developments; does not exceed the maximum height requirement for this residential zoning designation; provides adequate access to the property, and exceeds the minimum parking requirements. The existing private school is a lawful non-residential use. Its expansion to include grades kindergarten through 5, designed with the same architectural scale as the surrounding community and with landscaping buffers to lessen any adverse impacts on adjacent residential uses, is in keeping with other similar uses in the immediate area and **compatible** with the neighborhood. **Therefore, staff recommends approval with conditions of request #1, under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses.**

When requests #2 and #3, to modify conditions of a prior resolution to allow the applicant to have elementary grades students along with the previously approved nursery and preschool age students, are analyzed under Section 33-311(A)(7), General Modification Standards, staff opines that approval of the same would be **compatible** with the surrounding neighborhood. Staff notes that the existing buildings on the subject property will be used for the proposed private school use and therefore will not create any new visual impact to the surrounding area. Again, staff notes that the buildings footprints are not changing to accommodate the proposed grade levels. The existing project incorporates abundant landscaping in the form of trees and hedges to buffer adjacent land uses from any aural or visual impacts generated by the proposed grade levels increase on the surrounding area. Staff further notes that approval of this application will not increase the number of students, which is approved for a maximum of 150 students on the subject property.

Staff opines that the existing parking and traffic configuration for the drop off and pick up of the existing students provides a controlled and orderly traffic flow that benefits the esthetic character of the site and of the surrounding area. Moreover, as previously mentioned, the memoranda submitted by other departments do not object to the proposed application. Based on the aforementioned, staff opines that the proposed private school use will not generate excessive noise or traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, and would be **compatible** with the surrounding area. **Therefore, staff recommends approval with conditions of requests #2 and #3 under Section 33-311(A)(7) Generalized Modification Standards.**

Staff opines that requests #4 through #6 are germane to the applicant's request to modify the approved nursery and preschool (requests #1 through #3). Also, staff notes that except for the playground request, all of these requests represent existing conditions on the site, and are due to the additional requirements in the Code for the requested private school use and additional grade

levels. When these requests are analyzed under the Non-Use Variance (NUV) Standards, 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **compatible** with the surrounding area. Staff opines that the existing private school buildings and canvas roof structures, which encroach into the rear, interior side, front and side street setback areas, and new playground area are adequately mitigated by an existing fence and abundant landscaping which include the required street and lot trees and hedges along all property lines. Staff further opines that approval of same would not create any new visual impacts on the surrounding properties or on passersby along the abutting area roadways. Additionally, staff opines that the overall design of the existing buildings and location provide for a cohesive campus for the proposed private school use because the façade and scale were previously designed to match that of the existing surrounding residential community.

When request #7 is analyzed under the Non-Use Variance (NUV) Standards, 33-311(A)(4)(b), staff is of the opinion that the approval with conditions of this request would also be **compatible** with the surrounding area. In addition, staff opines that the applicant's request to permit parking within 25' of an official right-of-way will still provide a minimum of 15'-5" spacing from the right-of-way. Also, the submitted plans indicate that there will be adequate landscaping to the stacking area which will mitigate any potential negative visual impact on passersby along SW 95 Street. Staff further notes that the Platting and Traffic Review Section of the RER does not object to the approval of this request. Therefore, staff opines that approval with conditions of this request will not create a negative visual impact, will not be intrusive to the surrounding area and would be **compatible** with the same. **Therefore, staff recommends approval with conditions of requests #4 through #7 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate that the subject property has one (1) ingress and one (1) egress drive along SW 95th Street. The plans also show a total of 24 parking spaces, which meets the parking requirement.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That all the conditions of Resolution #4-ZAB-279-84 remain in full force and effect, except as herein modified.
2. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
3. That the school gates be opened at least 45 minutes prior to the arrival and dismissal times.
4. That at the time of Certificate of Use renewal and each subsequent renewal, the owner shall submit to the Department of Regulatory and Economic Resources a letter from the principal of the school detailing the number of students and the grade levels that are currently enrolled in said facility.

5. That no outside speakers other than in connection with emergency systems shall be permitted on the property.
6. That the waste pick-up for the school shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except during arrival and dismissal times.
7. That night activities and/or special events shall be limited to twelve (12) events per year and shall end no later than 10:00 PM.
8. That the outside lighting shall be permitted with the proper shielding according to Miami-Dade County Code.
9. That the applicant complies with all of the applicable conditions, requirements, recommendations, requests and other provisions of the Public Works and Waste Management Department as contained in its attached memorandum dated June 13, 2014.

ES:MW:NN:CH:JV



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

NON

ZONING RECOMMENDATION ADDENDUM

Olga Herrera
Z14-021

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation & Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

<p>Low Density Residential (Pg. I-29)</p>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential use. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
<p>Residential Communities (Pg. I-26)</p>	<p><i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different constructions systems. Also permitted in residential Communities are neighborhood and community services including schools, parks, houses of worship, day care centers, group housing facilities, and utility facilities only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments mix of land uses, and their relationship.</i></p>
<p>Land Use Element LU-4A (Pg. I-11)</p>	<p><i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i></p>

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>33-311(A)(3) Special exceptions, unusual and new uses</p>	<p><i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the 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. For purposes of public hearing, a site plan shall be considered one (1) special exception, and upon approval of a site plan by the Community Zoning Appeals Board and/or the Board of County Commissioners, all non-use variances incorporated within and reflected upon the site plan shall be considered a part thereof,</i></p>
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ZONING RECOMMENDATION ADDENDUM

Olga Herrera
Z14-021

	<i>and official approval of the site plan shall constitute approval of all such non-use variances, unless otherwise so moved by the approving board.</i>
Section 33-311(A)(7) Generalized Modification Standards.	<i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; 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>
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>

1. OLGA HERRERA
(Applicant)

15-4-CZ12-1 (14-021)
Area 12/District 08
Hearing Date: 04/14/15

Property Owner (if different from applicant) Same.

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

If, so who are the interested parties? Olga Herrera

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>
1984	Carl F. Fisher	- Unusual Use to permit a day care center with after school care. - Non-Use Variance of Setback.	ZAB	Approved with Condition(s)
1986	Martha R. Sirven	- Unusual Use & Special Exception to permit the expansion of an existing day care center. - Non-Use Variance to permit additional children and of Setback. - Modification of Condition of Resolution.	ZAB	Approved with Condition(s)
1992	Martha Sirven	- Modification of Condition of Resolution. - Special Exception for Private School. - Non-Use Variance for number of students.	ZAB	Denied Without Prejudice

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

Memorandum



Date: February 11, 2015

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

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

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

Subject: C-12 #Z2014000021-4th Revision
Our Lady of The Rosary
10701 - 10703 SW 95th Street, Miami, FL 33171
Unusual Use: Pre K to 5th grade (add). Operate as a private facility.
Non-Use Variance to modify existing hearing to operate as a private facility and add grade from Pre K to 5th Grade. Special Exception privatizes existing Day Care and to add Pre K to 5th grade.
Modification of Previous Resolution/Plan Present plans to accommodate on existing building B west side for Pre K to 5th grade and become a private facility.
(AU) (2.01 Acres)
06-55-40

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

Wellfield Protection

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

Potable Water Service

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

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

Wastewater Disposal

The existing structures are currently served by a septic tank and drainfield as means for the disposal of domestic liquid waste. A 12-inch sanitary sewer force main abuts the subject site along SW 107th Avenue. Section 24-43.1(7) of the Code requires that when an approved sanitary sewer main is available and operative and abutting a property, any existing individual sewage disposal system, device or equipment shall, within ninety (90) days, be abandoned and the sewage waste from the residence or building be discharged into the sanitary sewer.

Based on the available information and historical records for the above referenced property, the Environmental Plan Review Section issued the Minor Departmental Review 2012-039, which determined that the facility complies with the sewage loading requirements as defined in Section 24-43.1(3) of the Code and accordingly, granted administrative approval of the interim use of an on-site sewage treatment and disposal system for those operations specific to those associated with the proposed daycare/school.

Furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(4)(a) of the Code, which provides that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank.

Stormwater Management

According to the information found on this project, the proposed change will not affect the existing stormwater management system.

Wetlands

The subject property does not contain wetlands as defined by Chapter 24-5 of the Code; therefore, a Class IV Wetlands 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

According to the site plan submitted, the subject application will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

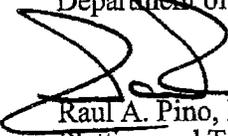
cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: June 13, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2014000021
Name: Olga Herrera
Location: 10701 SW 95 Street
Section 06 Township 55 South Range 40 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and objects for the following reasons:

Public Works and Waste Management Department Traffic Engineering Division Comments:

Miami-Dade County Public Works and Waste Management Department (PWWM) recommends disapproval of this application due to the project comments indicated below. Any approval of this application must require the project conditions stated below.

On Site Comments:

1. A vehicle turn around area (e.g. T-turn around) must be provided for the "dead-end" parking drive aisle.
2. A minimum 15 foot effective inside turning radius must be provided, and shown on plans, along all standard automobile vehicle paths.
3. Sufficient exit maneuverability must be provided to the first vehicle located at the head of the passenger loading zone.

Traffic Study Comments:

A traffic impact study that justifies sufficient site vehicle accumulation capacity and includes a school Traffic Operations Plan must be submitted for this application. The applicant is highly encouraged to meet with PWWM to determine the appropriate traffic impact study scope.

Project Conditions:

Operational Requirements:

The school will be required to operate as per the Traffic Operation Plan approved by PWWM.

Offsite Infrastructure Requirements:

The adjacent existing school speed zone is required to be improved along the school's frontage roads (SW 95 Street and SW 107 Avenue), upon the approval of all governing agencies. The school speed zone must be composed of signs (fluorescent yellow-green material must be used where applicable), pavement markings, and flashing beacons as per the governing standard. The existing posted time intervals for the school speed zone are required to be modified for the new schedule, if applicable.

Standard Requirements:

1. Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.
2. Safe sight distance clearance is required at all driveways; therefore, all tree placements in sight triangles shall meet or exceed FDOT Index 546. No tree foliage or branches shall descend below 7 feet within the public right-of-way. No trees shall remain or be planted in any clear zones.
3. Plans submitted for Permit shall conform to MUTCD, PWWM and other appropriate standards for engineering design in the public right-of-way. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.
4. All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required at locations remote from this site along safe routes to school to provide for pedestrian student safety. These requirements may be determined at the time of Dry Run submittal of Paving and Drainage Plans.

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

Please contact Ricardo Gavilan or Jeff Cohen at 305-375-2030, if you have any questions concerning this recommendation.

This land complies with Chapter 28 of the Miami-Dade County Code and was approved under Waiver of Plat D-15788.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **15 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
9748	SW 117 Ave s/o SW 88 St to SW 104 St	C	C
1092	SW 107 Ave s/o SW 93 St between SW 104 St – SW 88 St	C	C
1089	SW 112 St e/o SR 874 between SW 107 Ave – SW 95 Ave	C	C
9716	SW 104 St w/o SW 107 Ave to SW 117 Ave	E	E
9750	SW 117 Ave s/o SW 112 St between SW 103 St – SW 136 St	D	D

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

Memorandum



Date: March 20, 2014

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

From: Paul Mauriello, Assistant Director, Waste Operations
Public Works and Waste Management Department

A handwritten signature in cursive script, appearing to read "Paul Mauriello".

Subject: Olga Herrera (#14_021)

The Department's review of the above-referenced item is provided below. Additional comments will be provided as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager of the Fiscal Management and Planning Division, at 305-514-6661. **The PWWM has no objections to the proposed application.**

Application: *Olga Herrera* is requesting a special exception to permit a private elementary school in facilities currently being used as a children's daycare. The structures on the property are single family homes modified as educational facilities. The property is zoned in an Agricultural District (AU).

Size: The subject property is 1.90 acres.

Location: The subject property is located at 10701 and 10703 S.W. 95 Street in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 25, 2013, 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 Regulatory and Economic Resources 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

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the conversion of the single-family residences on the property to educational facilities meets the County Code definition of commercial establishments. Per the Code the

following is required of commercial establishments 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." This property is on residential waste collection route 5122, therefore, the landlord or property owner may fulfill the requirement, either through the PWWW, which can provide commercial waste cart service or through a private hauler to provide waste and recycling collection service.

3. Recycling

The following language from **Section 15-2.3a** of the Code 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 of the Code 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:

- Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- "T" shaped turnaround 60 feet long by 10 feet wide
- 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.

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

School Name: Our Lady of The Rosary

School Address: 10701-03 SW 95 St. Mia, FL 33186 Tax Folio # 30 - 500600000400

1. Is this an expansion to an existing school Yes No If yes, indicated the number of students: 150 and age and grade ranges originally approved: DAYCARE.
2. Total size of site: 88200 x 100 = 8820000 sq. ft. = 1.9 acres
3. Number of children or students requested: 150 Ages: Infant to 11 years old
4. Number of teachers: 15 Number of administrative & clerical personnel: 1
5. Number of classrooms: 9 Total square footage of classroom area: 4794
6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):
3006 SF
7. Amount of outdoor recreation/play area in square footage: 39,749

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:

9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided 18 parking spaces required by §33-124(L) 16
10. Indicate the number of auto stacking spaces: 5 provided 5 required.
11. Proposed height for the structure(s): 10 See §33-151.18(g).
12. Size of identification sign: _____ x _____ = _____ 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 to Friday from 7 to 6
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).

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3.

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 sq. ft. x 50 (number of children) = 1750 sq. ft. of classroom area required.

- b. Elementary Grades 1-6

30 sq. ft. x 100 (number of children) = 3000 sq. ft. of classroom area required.

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

25 sq. ft. x _____ (number of children) = _____ sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 4750 ✓
 TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 4794 ✓

OUTDOOR RECREATION SPACE:

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

45 sq. ft. x 25 (1/2 of children) = 1,125 ✓

- b. Grades 1-6

500 sq. ft. x 30 (first 30 children) = 15,000
 300 sq. ft. x 70 (remaining children) = 21,000 } 36,000

- c. Grades 7-12

800 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (next 300 children) = _____

150 sq. ft. x _____ (remaining children) = _____

N/A

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 37,125
 TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 39,749

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

- a. 28 trees are required per net acre. Trees required: 54 Trees provided: 54

- b. Ten shrubs are required for each tree required. Shrubs required: 540 Shrubs provided: 540

- c. Grass area for organized sports/play area in square feet: 39,749

- d. Lawn area in square feet (exclusive of organized sports/play area): 23,738

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 MAR 04 2014
 ZONING HEARINGS SECTION
 MIAMI DADE PLANNING AND ZONING DEPT.
 BY: AK

School Address: 10701.03 SW 95 St. Miami, Fla Zip Code: 33186^{4.}

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

Signed, sealed, executed and acknowledged on this 6 day of Dec, 2013 at Miami-Dade County, Florida.

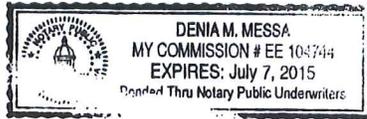
[Signature]
Signature

WITNESSES:

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 6 day of Dec 2013, before me personally appeared Olga Herrera, 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:



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214-02
MAR 04 2014

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

Memorandum



Date: December 1, 2014

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

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

Subject: Z2014000021: OLGA HERRERA
Revised Plans Submitted Dated Stamped Received 11/18/2014

Application Name: OLGA HERRERA

Project Location: The site is located at 10701 SW 95 ST, Miami-Dade County.

Proposed Development: The request is for approval for a special exception to permit a school.

Impact and demand: This application does not generate any new residential population applicable to CDMP Open Space Spatial Standards

Recommendation: PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION**

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Furney, Susan (RER)

From: Castillo, Guillermo (MDFR)
Sent: Monday, February 09, 2015 12:10 PM
To: Henderson, Cassandra (RER)
Cc: Furney, Susan (RER); Connally, Ronald (RER); Gutierrez, Franklin (RER); Heredia, Carlos (MDFR)
Subject: Zoning Hearings Distribution of Revision (Cas # Z2014000021)

The Miami-Dade Fire Rescue Department has reviewed the subject application and has the following comments:

No objection to the site plan with a 11/18/14, RER received date.

Thank you,

Guillermo E. Castillo, Principal Planner
Planning Section
Miami Dade Fire Rescue Department
9300 NW 41 St., Miami - FL 33178
786-331-4545 Direct Phone
786-331-4540 Main Phone
786-331-5259 Fax Number
Castilo@miamidade.gov
www.miamidade.gov
"Delivering Excellence Every Day"

DATE: 13-FEB-15
REVISION 2

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

OLGA HERRERA

10701 -03 SW 95 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2014000021

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. Prior case 201402-8808 opened on September 17, 2014 for Sign on private property, warning issued. Violation corrected October 17, 2014 and case closed. BNC: No bss cases open

Olga Herrera

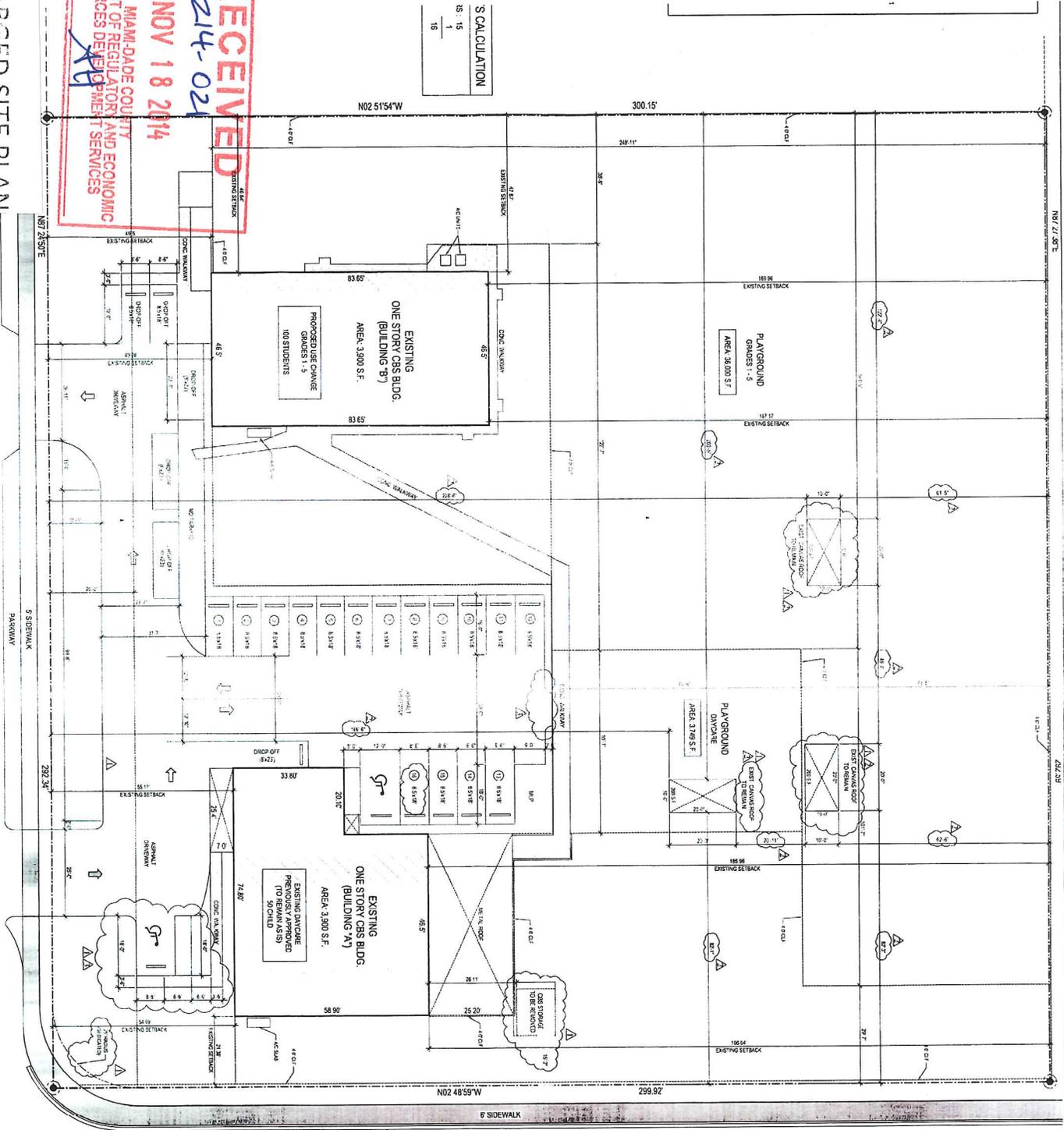
**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

REPORTER NAME:

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 214-02
 NOV 18 2014
 MANA'DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *XFB*

S. CALCULATION
 55 15
 16

ENLARGED SITE PLAN



SOUTHWEST 95TH STREET

50' ZONED RIGHT-OF-WAY
 24' ASPHALT PAVEMENT

SOUTHWEST 107TH AVENUE
 54' ASPHALT PAVEMENT

2 LANES SOUTH BOND

FLOOD LEGEND
Commercial, Industrial

ADDRESS: 0703 SW 99 STREET
 LOT: 1420
 BLOCK: 5407
 PLAT BOOK: 401 PAGE: 1813 & 1804

OWNER: JAMES R. ALVAREZ
 PROJECT: DAYCARE ZONING HEARING

EXISTING	PROPOSED	ADULTS
15	1	16

LEGAL DESCRIPTION
 NE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 16, TOWNSHIP 26 S, RANGE 30 W, COUNTY OF MIAMI, FLORIDA.

ZONING LEGEND
 ZONING DISTRICT: C-1 (COMMERCIAL)
 EXISTING LAND USE: DAYCARE
 PROPOSED LAND USE: DAYCARE - PROPOSED GRADES 1-5

CONSTRUCTION REQUIREMENTS
 CONSTRUCTION TYPE: 1-8
 OCCUPANCY: BUSINESS

AREAS
 GROSS LAND AREA: 84,300 SF (1.93 ACRES)
 LOT COVERAGE: 51.67% SF (77,880)
 PERMITTED AREA: 24,713 SF (2,020)

SETBACKS
 FRONT SETBACK: 20'-0"
 SIDE SETBACK: 25'-0"
 REAR SETBACK: 10'-0"

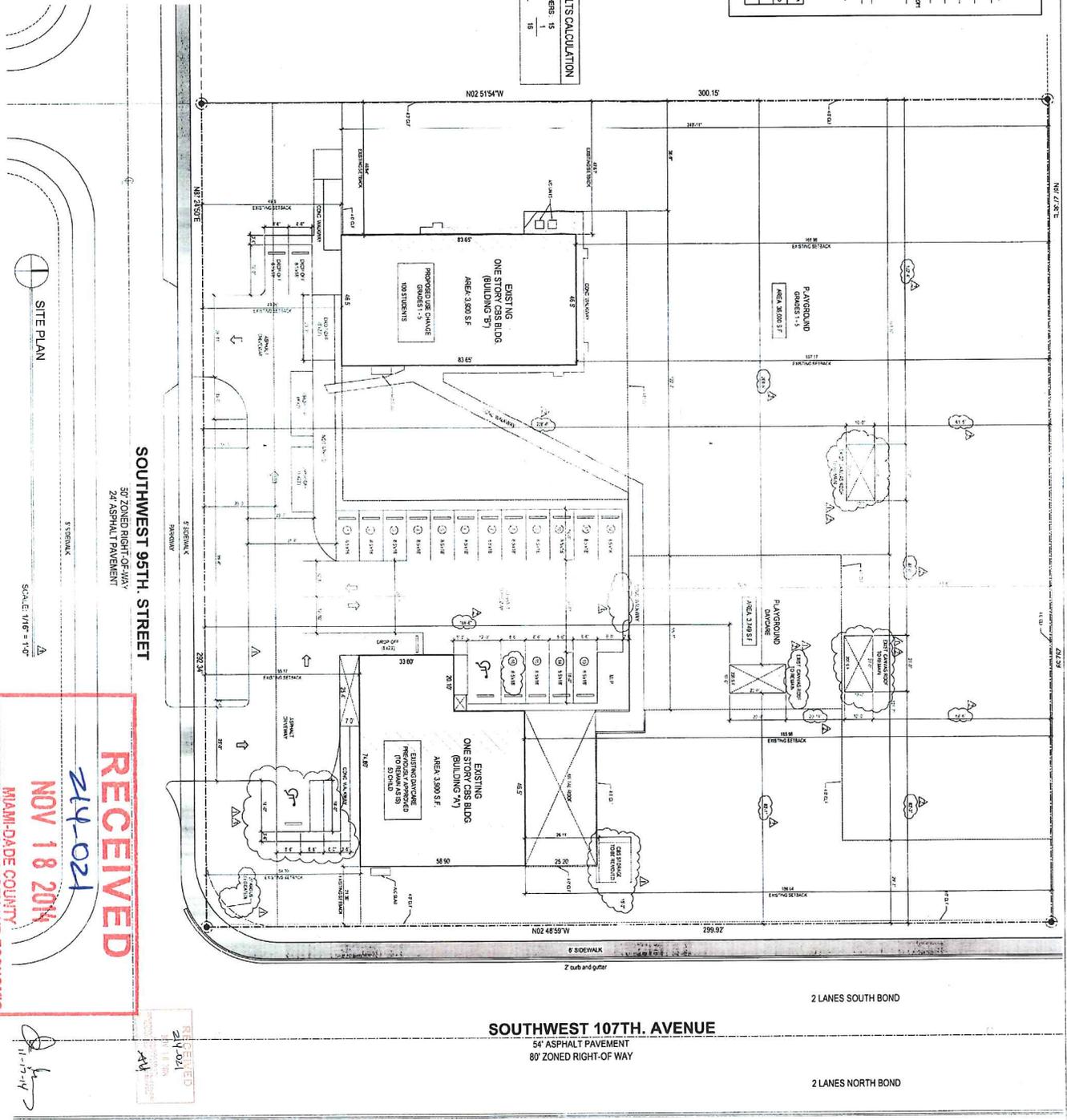
PARKING SPACES
 PARKING SPACES (7.5/1000 SF): 18.5
 DISP-OF-PARKING: 6.5

PLAYGROUND AREA
 DAY CARE - NUMBER 4 (5-7, 8-12 OR CHILDREN)
 REQUIRED = 1,125 SF
 PROVIDED = 2,049 SF

GRADE 1: 500 SF, 20 FIRST CHILDREN = 15,000 SF
 300 SF, 10 REMAINING CHILDREN = 21,000 SF
 PROVIDED = 38,000 SF

ADULTS CALCULATION

TEACHERS	15
STAFF	1
TOTAL	16



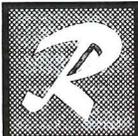
SITE PLAN

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

RECEIVED
 NOV 18 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By: [Signature]

25

Sheet	SP-1 of 1
Project number	11005



PROPOSED PLANS FOR
DAYCARE ZONING HEARING
 15478 NW 77TH COURT, 402 MIAMI LAKES, FL 33016
Ramos Architects & Associates ■ architects and planners
 (305) 445-8140

PROJECT ARCHITECT
JOSE RAMOS
 FLA. REG. AR11115
 AAC1595

ALL SCALE DIMENSIONS, STANDARDS, AND PLANS INDICATED BY DIMENSIONS ON THIS DRAWING ARE OWNED BY AND THE PROPERTY OF TECTONIC ASSOCIATES, INC. AND WERE CREATED BY THEM AND DEVELOPED FOR USE IN AND IN CONNECTION WITH THE SPECIFIC PROJECT. THIS DRAWING IS THE PROPERTY OF TECTONIC ASSOCIATES, INC. AND WILL BE FORWARDED TO THE CLIENT. THIS DRAWING IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TECTONIC ASSOCIATES, INC.

WRITTEN DIMENSIONS OF THESE DRAWINGS SHALL HAVE PRECEDENCE OVER ALL DIMENSIONS INDICATED ON THESE DRAWINGS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THE OFFICE SHALL BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS INDICATED BY THESE DIMENSIONS. THIS OFFICE SHALL BE RESPONSIBLE TO THE OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION.

FLOOR LEGEND	
PLAN ROOM 101	PLAN ROOM 201
PLAN ROOM 301	PLAN ROOM 401
PLAN ROOM 501	PLAN ROOM 601
PLAN ROOM 701	PLAN ROOM 801
PLAN ROOM 901	PLAN ROOM 1001
PLAN ROOM 1101	PLAN ROOM 1201
PLAN ROOM 1301	PLAN ROOM 1401
PLAN ROOM 1501	PLAN ROOM 1601
PLAN ROOM 1701	PLAN ROOM 1801
PLAN ROOM 1901	PLAN ROOM 2001
PLAN ROOM 2101	PLAN ROOM 2201
PLAN ROOM 2301	PLAN ROOM 2401
PLAN ROOM 2501	PLAN ROOM 2601
PLAN ROOM 2701	PLAN ROOM 2801
PLAN ROOM 2901	PLAN ROOM 3001
PLAN ROOM 3101	PLAN ROOM 3201
PLAN ROOM 3301	PLAN ROOM 3401
PLAN ROOM 3501	PLAN ROOM 3601
PLAN ROOM 3701	PLAN ROOM 3801
PLAN ROOM 3901	PLAN ROOM 4001
PLAN ROOM 4101	PLAN ROOM 4201
PLAN ROOM 4301	PLAN ROOM 4401
PLAN ROOM 4501	PLAN ROOM 4601
PLAN ROOM 4701	PLAN ROOM 4801
PLAN ROOM 4901	PLAN ROOM 5001
PLAN ROOM 5101	PLAN ROOM 5201
PLAN ROOM 5301	PLAN ROOM 5401
PLAN ROOM 5501	PLAN ROOM 5601
PLAN ROOM 5701	PLAN ROOM 5801
PLAN ROOM 5901	PLAN ROOM 6001
PLAN ROOM 6101	PLAN ROOM 6201
PLAN ROOM 6301	PLAN ROOM 6401
PLAN ROOM 6501	PLAN ROOM 6601
PLAN ROOM 6701	PLAN ROOM 6801
PLAN ROOM 6901	PLAN ROOM 7001
PLAN ROOM 7101	PLAN ROOM 7201
PLAN ROOM 7301	PLAN ROOM 7401
PLAN ROOM 7501	PLAN ROOM 7601
PLAN ROOM 7701	PLAN ROOM 7801
PLAN ROOM 7901	PLAN ROOM 8001
PLAN ROOM 8101	PLAN ROOM 8201
PLAN ROOM 8301	PLAN ROOM 8401
PLAN ROOM 8501	PLAN ROOM 8601
PLAN ROOM 8701	PLAN ROOM 8801
PLAN ROOM 8901	PLAN ROOM 9001
PLAN ROOM 9101	PLAN ROOM 9201
PLAN ROOM 9301	PLAN ROOM 9401
PLAN ROOM 9501	PLAN ROOM 9601
PLAN ROOM 9701	PLAN ROOM 9801
PLAN ROOM 9901	PLAN ROOM 10001

LEGAL DESCRIPTION
 BEING PART OF THE SE 1/4 OF THE SE 1/4 OF THE NE 1/4 OF SECTION 16 TOWNSHIP 25 SOUTH RANGE 30 EAST LESS THE EAST 40 FEET AND LESS THE SOUTH 10 FEET, AND ADJACENT THEREON, IN DEED TO THE STATE OF FLORIDA.

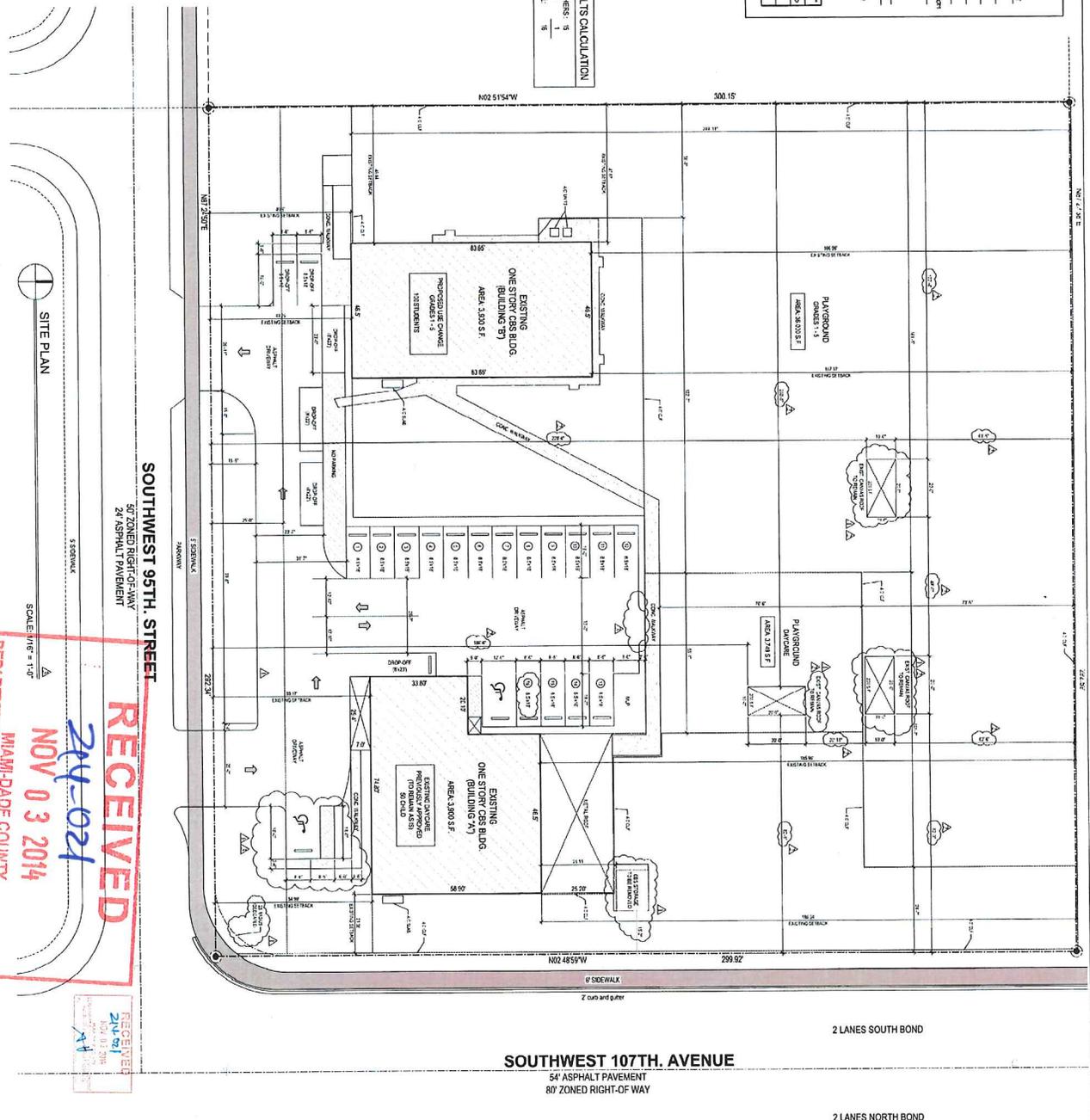
ZONING LEGEND
 ZONING CLASSIFICATION: **CU-1A**
 EXISTING LAND USE: **DAYCARE**
 PROPOSED LAND USE: **DAYCARE**

CONSTRUCTION REQUIREMENTS	AREAS
CONSTRUCTION TYPE: 1-4	AREAS TO BE REMOVED: 1-4
COMPACT BARRIERS	AREAS TO BE MAINTAINED: 1-4
SETBACKS	AREAS TO BE RESTORED: 1-4
FRONT SETBACK: 20'-0"	REAR SETBACK: 20'-0"
SIDE SETBACK: 20'-0"	REAR SETBACK: 20'-0"
REAR SETBACK: 20'-0"	REAR SETBACK: 20'-0"
REAR SETBACK: 20'-0"	REAR SETBACK: 20'-0"

PARKING SPACES
 REQUIRED: **14**
 PROVIDED: **14**

PLAYGROUND AREA	
DAYCARE - ADULTS: 45 SF	REQUIRED: 1125 SF
CHILDREN: 125 SF	REQUIRED: 3187 SF
GRASSES: 14,800 SF	REQUIRED: 15,000 SF
SPACES: 20 SF	REQUIRED: 20 SF

ADULTS CALCULATION
 TEACHERS: **15**
 STAFF: **1**
 TOTAL: **16**

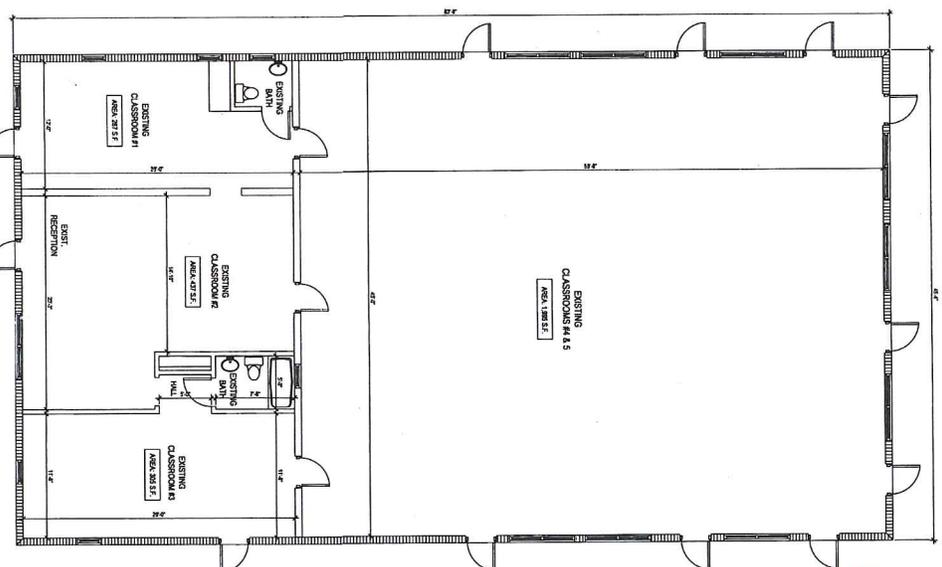


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 DEPARTMENT OF REGULATOR AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES

PROPOSED PLANS FOR: DAYCARE ZONING HEARING 10701 SW 95TH STREET MIAMI, FLORIDA 33176		PROJECT ARCHITECT: JOSE RAMOS FLA. REG. AR11115 AAC1595	
Ramos Architects & Associates ■ architects and planners 15476 NW 22ND COURT 404 MIAMI LAKES, FL 33018 ■ (305) 445-8140		ALL DATA, DESIGN, CALCULATIONS AND PLANS SHOWN ARE BASED UPON THE DATA AND DESIGN PROVIDED BY THE CLIENT AND THE PROPERTY OF THE ARCHITECT. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE PLANS OR FOR ANY DAMAGE TO ANY PERSON OR PROPERTY CAUSED BY THE USE OF THESE PLANS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ARCHITECT.	

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



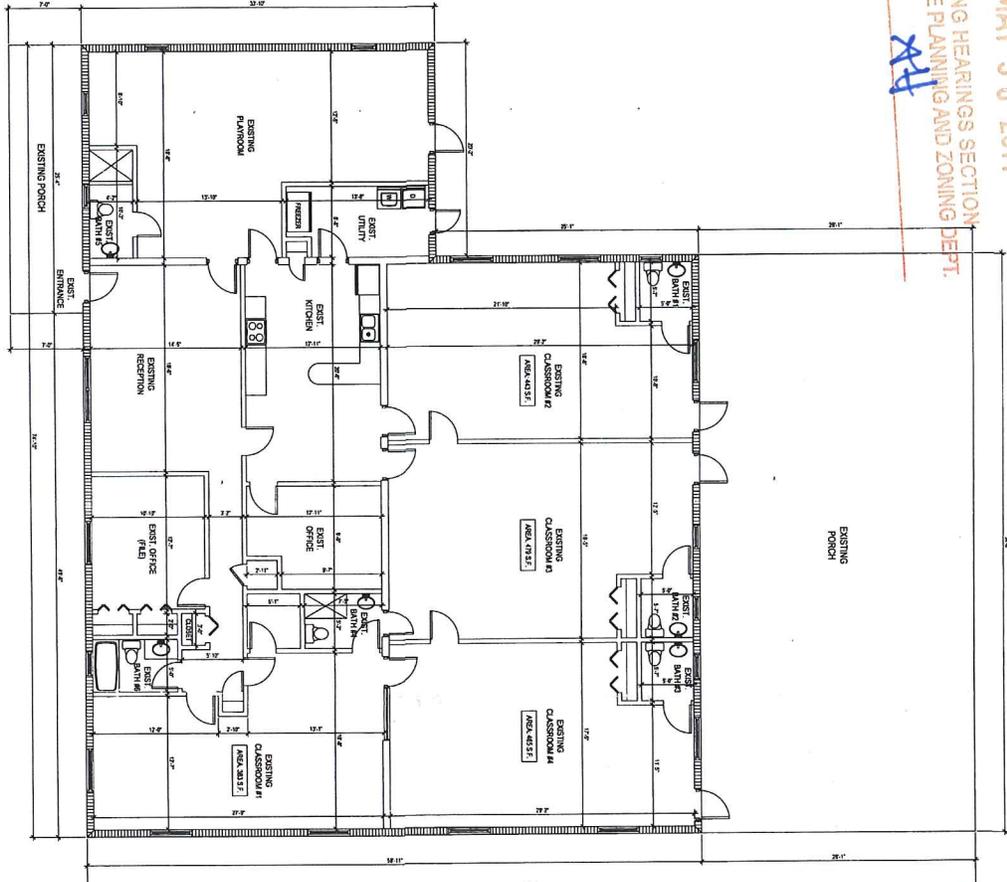
FLOOR PLAN
 EXISTING BUILDING (PROPOSED USE CHANGES)
 SCALE: 1/16" = 1'-0"

GRADES 1-5:

INTERIOR CLASSROOM AREA: 17,935 SF.
 100.235 SF = 3,000 SF. REQUIRED

- EXISTING CLASSROOM #1: 287 SF.
- EXISTING CLASSROOM #2: 425 SF.
- EXISTING CLASSROOM #3: 425 SF.
- EXISTING CLASSROOM #4: 425 SF.
- EXISTING CLASSROOM #5: 1,988 SF.

TOTAL CLASSROOM AREA: 3,045 SF.



FLOOR PLAN
 EXISTING BUILDING (EXISTING BATH CHANGES USUALLY APPROVED)
 SCALE: 1/16" = 1'-0"

EXISTING DAYCARE:

INTERIOR CLASSROOM AREA: 17,935 SF.
 91.255 SF = 1,750 SF. REQUIRED

- EXISTING CLASSROOM #1: 287 SF.
- EXISTING CLASSROOM #2: 425 SF.
- EXISTING CLASSROOM #3: 425 SF.
- EXISTING CLASSROOM #4: 425 SF.
- EXISTING CLASSROOM #5: 1,988 SF.

TOTAL CLASSROOM AREA: 17,935 SF.

Handwritten signature and date: 1-30-14

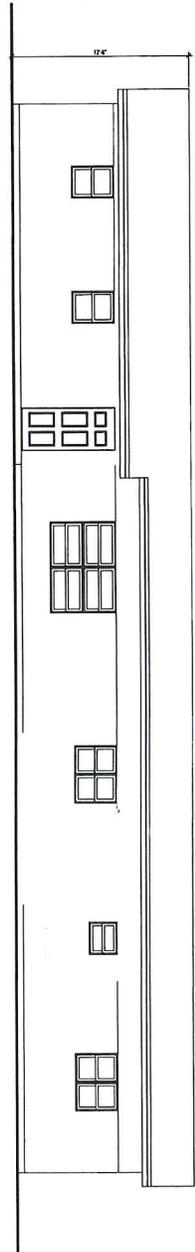
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27

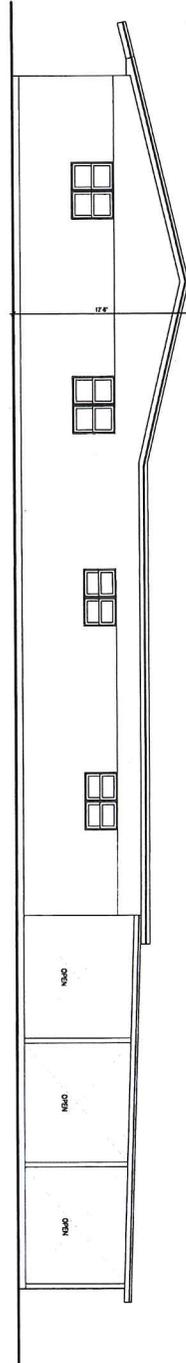
	PROPOSED PLANS FOR: DAYCARE ZONING HEARING 10701 SW 95TH STREET MIAMI, FLORIDA, 33176	PROJECT ARCHITECT JOSE RAMOS FLA. REG. AR11115 AAC1595	<small>ALL MEASUREMENTS, ARRANGEMENTS, AND PLANS INDICATED ARE THE PROPERTY OF THE ARCHITECT ASSOCIATES, INC. AND WILL BE THE PROPERTY OF THE ARCHITECT ASSOCIATES, INC. AND WILL BE USED IN CONNECTION WITH THE SPECIFIC PROJECT, NONE OF WHICH SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT ASSOCIATES, INC.</small>
	Ramos Architects & Associates ■ architects and planners 15476 NW 77th COURT, 402 MIAMI LAKES, FL 33016 ■ (305) 425-6140	<small>WRITTEN CONSENT OF THESE DRAWSERS SHALL HAVE BEEN OBTAINED FROM ALL DRAWSERS BEFORE ANY REVISIONS OR CHANGES TO THESE PLANS ARE MADE. THE ARCHITECT ASSOCIATES, INC. SHALL BE RESPONSIBLE FOR ALL DRAWSERS AND CONTRACTORS TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED BY THEM. THE ARCHITECT ASSOCIATES, INC. SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE ARCHITECT ASSOCIATES, INC. SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE ARCHITECT ASSOCIATES, INC. SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.</small>	

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

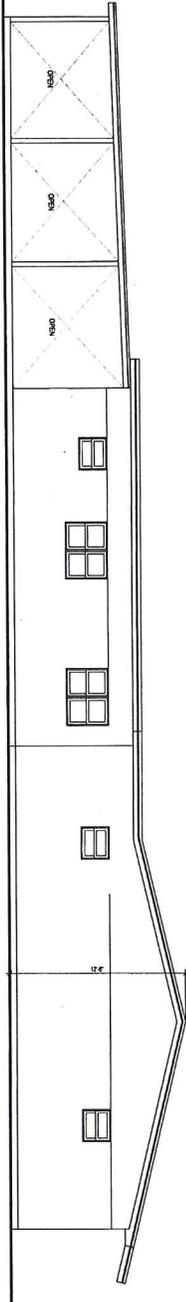
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 MAY 30 2014



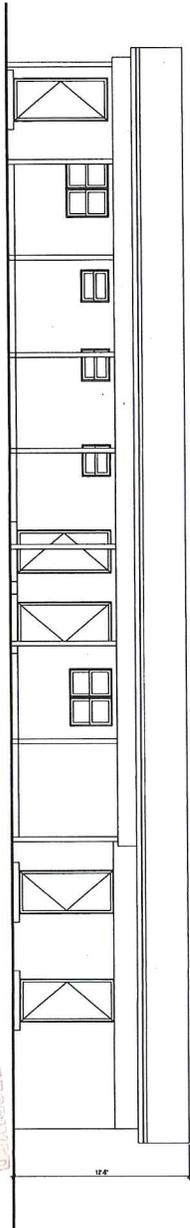
NORTH ELEVATION
 EXISTING BUILDING (S/A)
 (EXISTING DAYCARE PREVIOUSLY APPROVED)
 SCALE: 1/4" = 1'-0"



EAST ELEVATION
 EXISTING BUILDING (S/A)
 (EXISTING DAYCARE PREVIOUSLY APPROVED)
 SCALE: 1/4" = 1'-0"



WEST ELEVATION
 EXISTING BUILDING (S/A)
 (EXISTING DAYCARE PREVIOUSLY APPROVED)
 SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
 EXISTING BUILDING (S/A)
 (EXISTING DAYCARE PREVIOUSLY APPROVED)
 SCALE: 1/4" = 1'-0"

AK
 214-001
 4/30/14

PROPOSED PLANS FOR:
DAYCARE ZONING HEARING
 (0701 S.W. 95TH STREET MIAMI, FLORIDA, 33176)

PROJECT ARCHITECT
 JOSE RAMOS
 FLA. REG. AR11115
 AAC1595

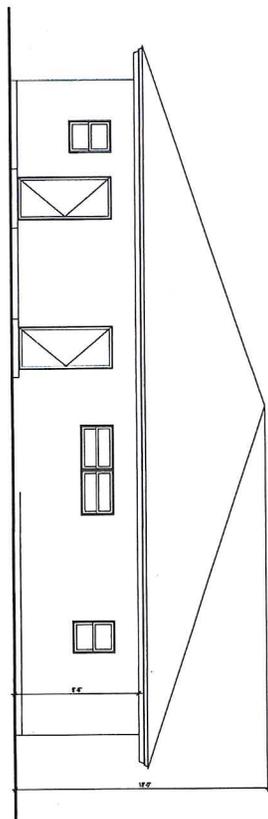
Ramos Architects & Associates ■ architects and planners
 14742 NW 72nd COURT, 402 MIAMI LAKES, FL 33016 ■ 305.445.8140

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WITHOUT LIMITATION OF THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALES, DIMENSIONS, CONTRACTORS SHALL VERIFY, AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THE OFFICE SHALL BE ADVISED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. ALL SHOP DETAILS MUST BE SUBMITTED TO THE OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION.

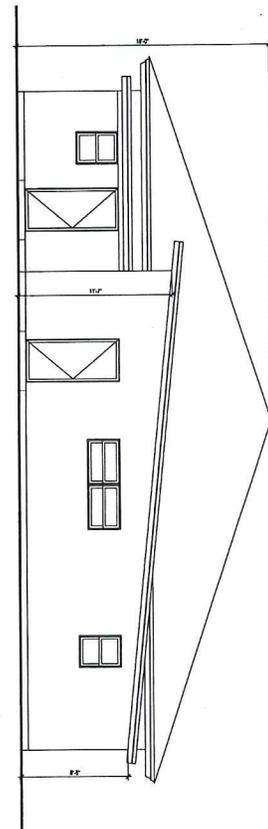
28

DATE	02.18.14
REV. 1	CDT (COWI) 1/20/14
PROJECT NUMBER	14005
SHEET	A-2



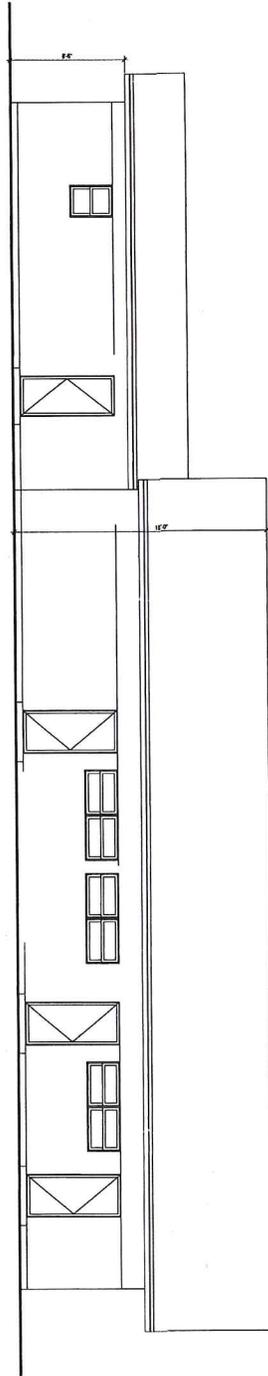
SOUTH ELEVATION
EXISTING BUILDING (C) / (A)
(PROPOSED USE CHANGE)

SCALE: 1/4" = 1'-0"



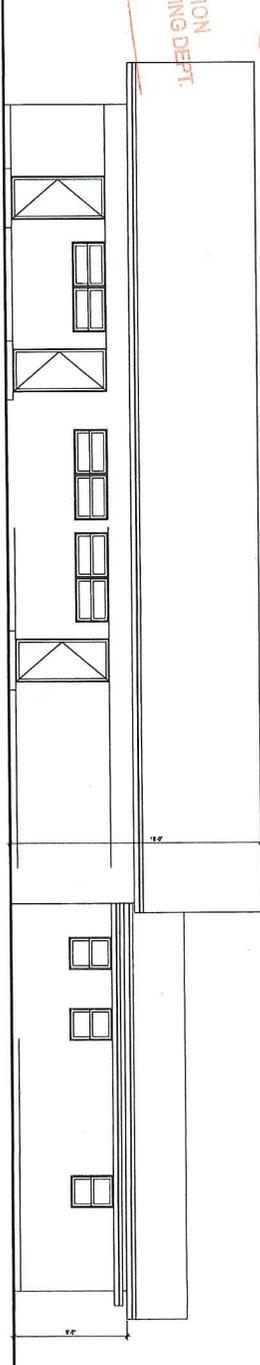
NORTH ELEVATION
EXISTING BUILDING (C) / (A)
(PROPOSED USE CHANGE)

SCALE: 1/4" = 1'-0"



EAST ELEVATION
EXISTING BUILDING (C) / (A)
(PROPOSED USE CHANGE)

SCALE: 1/4" = 1'-0"



WEST ELEVATION
EXISTING BUILDING (C) / (A)
(PROPOSED USE CHANGE)

SCALE: 1/4" = 1'-0"

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BY *[Signature]*

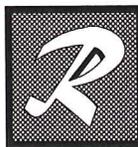
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MAY 30 2014
BY *[Signature]*

[Signature]

sheet
A-3
of

project number
14005

DATE	REV.	DESCRIPTION
02.18.14 <td>1 <td>CDT (COMM) 14005-1</td> </td>	1 <td>CDT (COMM) 14005-1</td>	CDT (COMM) 14005-1
07.10.14 <td>2 <td>CDT (COMM) 14005-2</td> </td>	2 <td>CDT (COMM) 14005-2</td>	CDT (COMM) 14005-2



PROPOSED PLANS FOR:
DAYCARE ZONING HEARING
(0701 SW 95TH STREET MIAMI, FLORIDA 33176)
Ramos Architects & Associates ■ architects and planners
15476 NW 77th COURT, 402 MIAMI LAKES, FL 33016 ■ (305) 445-8140

PROJECT ARCHITECT
JOSE RAMOS
FLA. REG. AR11115
AAC1595

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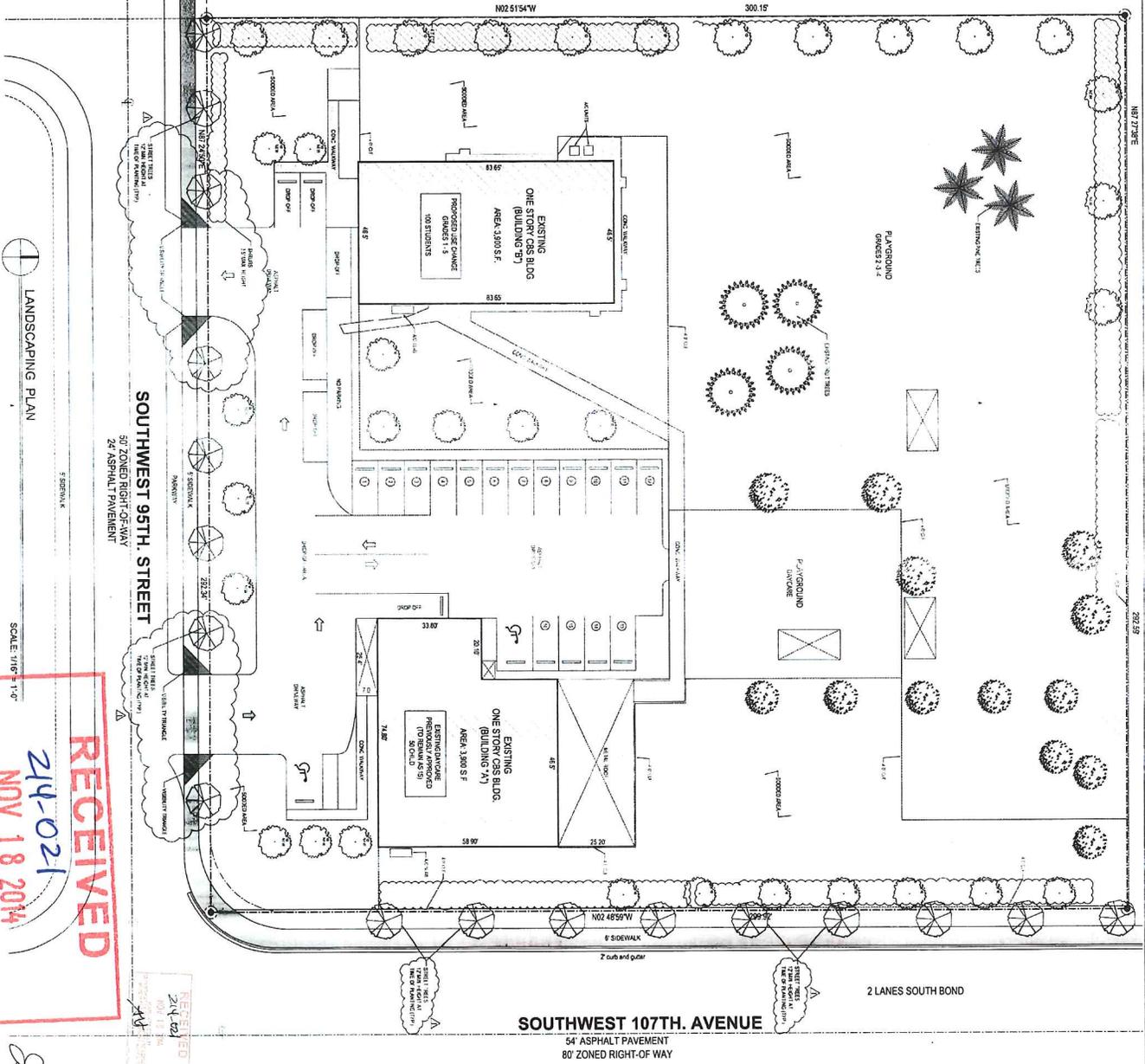
29

LANDSCAPE LEGEND		REQUIRED	PROPOSED
ZONING DISTRICT: BA-1	NET LOT AREA: 11,140 SQ. FT. (0.206 AC)	41,192 LF	41,192 LF
OPEN SPACE	NET LOT AREA: 11,140 SQ. FT. (0.206 AC)	20% = 22,284 LF	100% = 41,192 LF
A. Screen height of open space required by Chapter 25, as indicated on plan	Net lot area: 11,140 sq. ft. (0.206 ac)	20% = 22,284 LF	100% = 41,192 LF
B. Minimum height of open space required by Chapter 25, as indicated on plan	Net lot area: 11,140 sq. ft. (0.206 ac)	20% = 22,284 LF	100% = 41,192 LF
C. The number of planting spaces 27 1/2 inches wide per ft x 270 ft x 9	Net lot area: 11,140 sq. ft. (0.206 ac)	20% = 22,284 LF	100% = 41,192 LF
D. The number of planting spaces 27 1/2 inches wide per ft x 270 ft x 9	Net lot area: 11,140 sq. ft. (0.206 ac)	20% = 22,284 LF	100% = 41,192 LF
E. The number of planting spaces 27 1/2 inches wide per ft x 270 ft x 9	Net lot area: 11,140 sq. ft. (0.206 ac)	20% = 22,284 LF	100% = 41,192 LF
F. Total number of trees provided	Net lot area: 11,140 sq. ft. (0.206 ac)	22 trees	22 trees
SHRUBS			
A. The total number of shrubs required: 10% = 41,192 LF	Net lot area: 11,140 sq. ft. (0.206 ac)	41 shrubs	41 shrubs
B. The number of shrubs provided: 10% = 41,192 LF	Net lot area: 11,140 sq. ft. (0.206 ac)	41 shrubs	41 shrubs
IRRIGATION PLAN			
REQUIRED BY CHAPTERS:			
Area irrigated: of total sq. ft. provided			

LANDSCAPE LIST	QUANTITY	SYMBOL	DESCRIPTION	EXIST/NEW
18	1		STREET TREES	NEW
26	1		TREES	EXIST. (U.I.O.)
23	1		SHRUB TREES	EXISTING
3	1		PALM TREES	EXISTING
4	1		FRUIT TREES	EXISTING
540	1		SHRUBS	EXIST. (U.I.O.)

LANDSCAPE NOTES:

- STREET TREES
- SCREEN HEIGHT OF AT TIME OF PLANTING
- SHRUBS
- 7 MAX HEIGHT ALONG FRONT & REAR STREET PROPERTY LINES
- 7 MAX HEIGHT ALONG SIDE STREET PROPERTY LINES
- 7 MAX HEIGHT ALONG SIDE STREET PROPERTY LINES
- 7 MAX HEIGHT ALONG SIDE STREET PROPERTY LINES
- 7 MAX HEIGHT ALONG SIDE STREET PROPERTY LINES



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 RESOURCES DEVELOPMENT SERVICES
 By: AH

SCALE: 1/8" = 1'-0"
 11-17-14

Project number	11005
Sheet	L-1 of

PROPOSED PLANS FOR
DAYCARE ZONING HEARING
 1100 SW 95TH STREET MIAMI, FLORIDA 33156

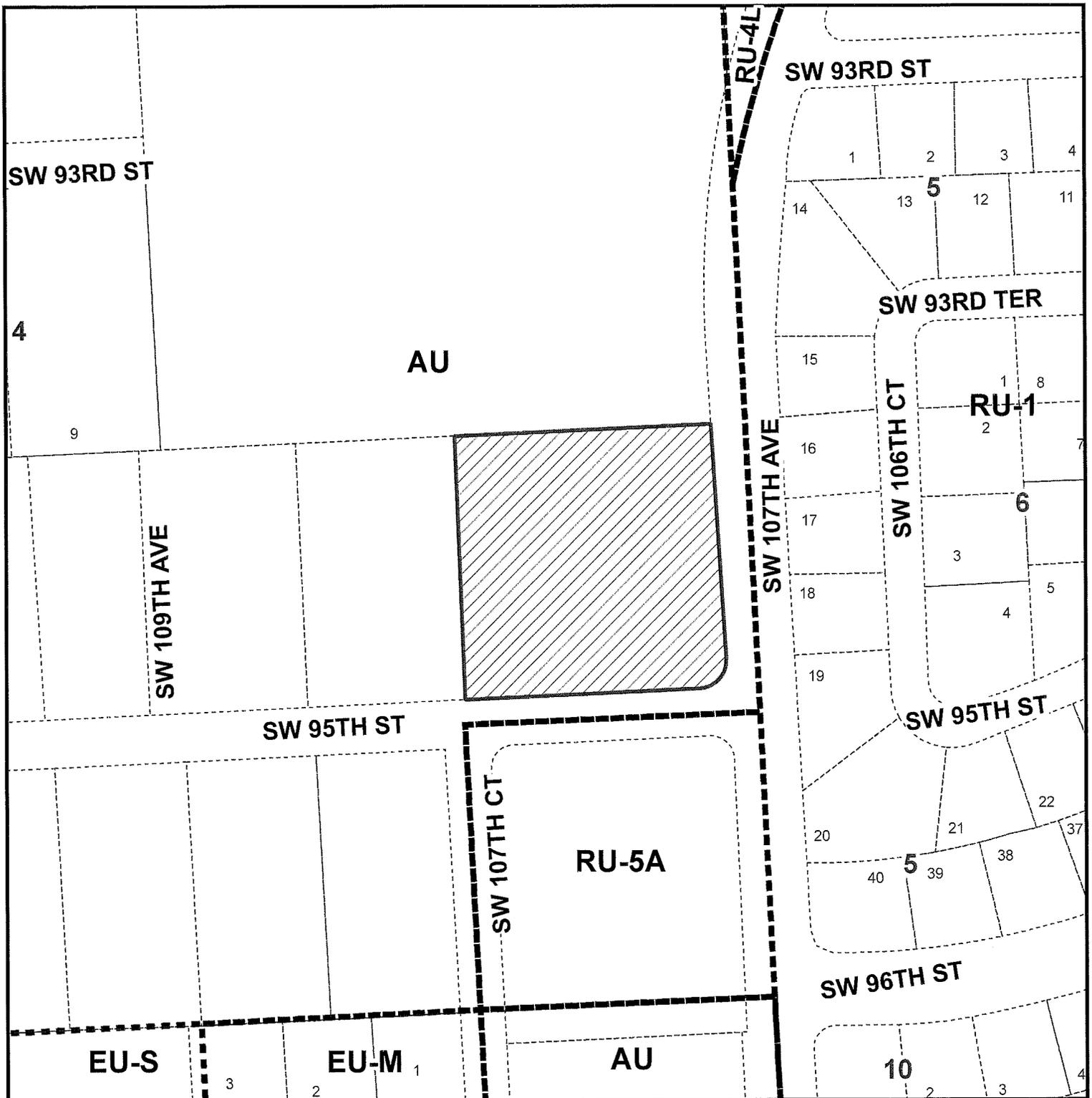
Ramos Architects & Associates ■ architects and planners
 15475 NW 77TH COURT, 402 MIAMI LAKES, FL 33016 ■ 13051 445-6140

PROJECT ARCHITECT
JOSE RAMOS
 FLA. REG. AR11115
 AAC1595

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WRITTEN CONSENT OF THESE DRAWING CONTRACTORS SHALL BE OBTAINED BEFORE ANY CONTRACTOR SHALL BE PERMITTED TO CONSTRUCT OR CONSTRUCT AND CONTROL THE JOB AND THE OFFICE SHALL BE NOTIFIED BY ANY CONTRACTOR FROM THE CONTRACTOR AND CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DELAY OR STOPPAGE OF THE PROJECT FOR ANY REASON.

30



MIAMI-DADE COUNTY

Process Number

HEARING MAP

Z2014000021



Section: 06 Township: 55 Range: 40
 Applicant: OLGA HERRERA
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, March 18, 2014

REVISION	DATE	BY
		31



MIAMI-DADE COUNTY

Process Number

AERIAL YEAR 2013

Z2014000021



Section: 06 Township: 55 Range: 40

Applicant: OLGA HERRERA

Zoning Board: C12

Commission District: 7

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend

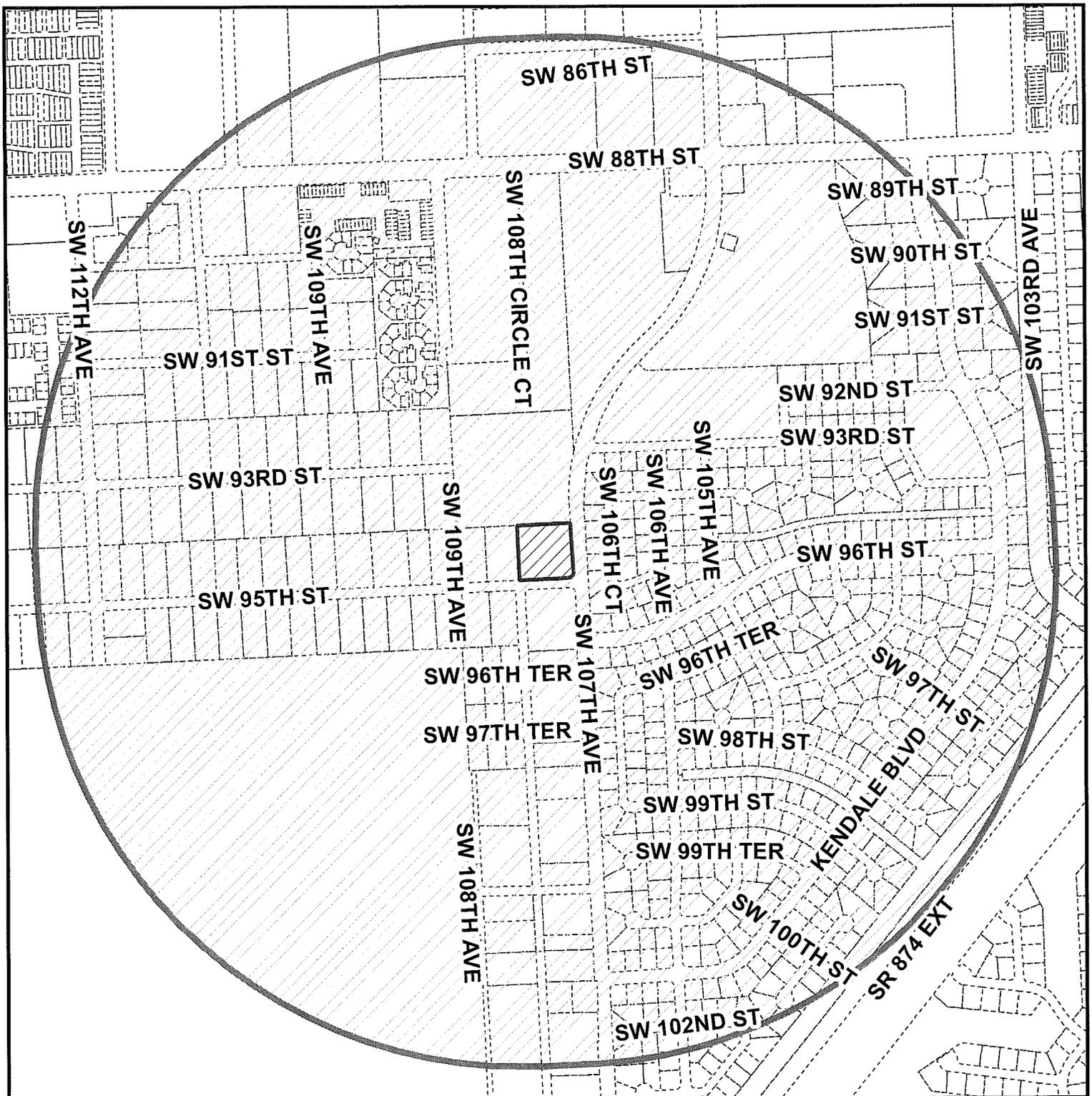


Subject Property



SKETCH CREATED ON: Tuesday, March 18, 2014

REVISION	DATE	BY
		32



**MIAMI-DADE COUNTY
RADIUS MAP**

Section: 06 Township: 55 Range: 40
 Applicant: OLGA HERRERA
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

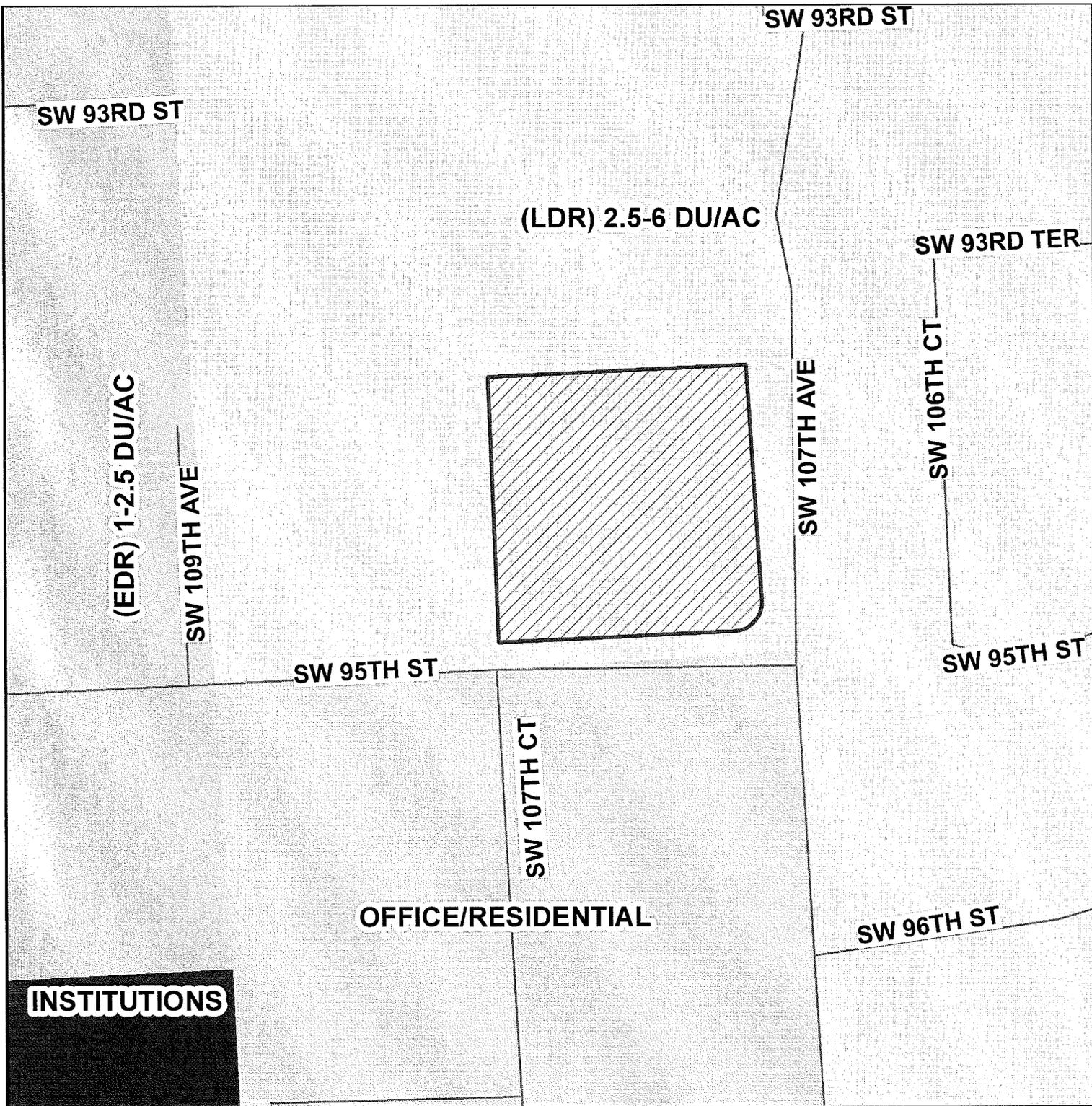
Process Number
Z2014000021
 RADIUS: 2640

Legend

-  Subject Property
-  Buffer



REVISION	DATE	BY
		33



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2014000021



Section: 06 Township: 55 Range: 40
 Applicant: OLGA HERRERA
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, March 18, 2014

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 12**

PH: Z14-096 (15-4-CZ12-3)

**April 14, 2015
Item No. 2**

Recommendation Summary	
Commission District	8
Applicant	Children's Resource Fund, Inc.
Summary of Requests	The applicant is seeking approval of a private school use on the subject property with grades kindergarten through 6. Additionally, the applicant seeks to modify a previously approved resolution and declaration of restrictions to establish the aforementioned private school on the subject property, to increase the hours of operation for a previously approved nursery and kindergarten, and permit an existing detached sign to setback less than required from property lines.
Location	8571 SW 112 Street, Miami-Dade County, Florida.
Property Size	2.08 Acres
Existing Zoning	EU-1; Estates 1 Family 1 Acre Gross
Existing Land Use	Daycare/private school
2020-2030 CDMP Land Use Designation	Estate Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7) Generalized Modification Standards, Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses and New Uses, Section 33-311(A)(4)(b) Non-Use Variance <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions, subject to the Board's acceptance of the proffered covenant.

REQUESTS:

- (1) SPECIAL EXCEPTION to permit a private school.
- (2) MODIFICATION of plans approved pursuant to Resolution #5-ZAB-306-94 passed and adopted by the Zoning Appeals Board, last modified by Resolution #CZAB12-8-07, passed and adopted by Community Zoning Appeals Board #12, reading as follows:

FROM: "That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Classroom Addition for Children's Center,' as prepared by Cohen, Freedman, Encinosa & Assoc. Architects, PA, dated stamped received July 03, 2006 consisting of five sheets."

TO: "That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Classroom Addition for Children's Center,' as prepared by Cohen, Freedman, Encinosa & Assoc. Architects, PA, dated stamped received 7/3/06 consisting of five sheets with A01 last handwritten revision dated 10/14/14 and Sheet A-00, dated stamped received 1/6/15".

- (3) MODIFICATION of Condition #7 of Resolution #4ZAB-217-90, passed and adopted by the Zoning Appeals Board last modified by Resolution #CZAB12-8-07, passed and adopted by Community Zoning Appeals Board #12, reading as follows:

FROM: "7. Instructions will be limited to nursery and preschool age students".

TO: "7. The instructions will include nursery, preschool and elementary (grades K through 6 grade) age students."

- (4) MODIFICATION of Condition #5 of Resolution #Z-161-82, passed and adopted by the Board of County Commissioners, last modified by Resolution #5ZAB-306-96, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "5. That the uses be conducted on the premises Monday through Saturday from 8:00 a.m. to 6:00 p.m."

TO: "5. That the uses be conducted on the premises Monday through Saturday from 7:30 a.m. to 6:00 p.m."

- (5) MODIFICATION of Paragraph 3 (c) & (d) of a Declaration of Restrictions, recorded in Official Records Book 16537 Pages 691 through 705, last modified by a Declaration of Restrictions recorded in Official Records Book 22264, Pages 0054 thru 0058, reading as follows:

FROM: "3c. The use will be conducted on the premises Monday through Saturday from 8:00 AM to 6:00 PM."

"3d. Instruction will be limited to nursery and preschool age students."

TO: "3c. The use will be conducted on the premises Monday through Saturday from 7:30 AM to 6:00 PM."

"3d. The instruction will include nursery, preschool and elementary (grades through 6 grade) age students."

- (6) MODIFICATION of Paragraph #1 of a Declaration of Restrictions recorded in Official Records Book 16537 Pages 691 through 705, last modified by a Modification of a Declaration of Restrictions recorded at official records Book 16537, Page 691, as modified by the Modification of Declaration of Restrictions recorded at Official Records Book 22264, Pages 0054 as recorded in Official Records Book 25649, pages 3897-3900, reading as follows:

FROM: "1. Substantial Compliance with Plans. "That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Classroom Addition for Children's Center,' as prepared by Cohen, Freedman, Encinosa & Assoc. Architects, PA, dated stamped received July 03, 2006 consisting of five sheets."

TO: "1. Substantial Compliance with Plans. "That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled

'Classroom Addition for Children's Center,' as prepared by Cohen, Freedman, Encinosa & Assoc. Architects, PA, dated stamped received 7/3/06 consisting of five sheets with A01 last handwritten revision dated 10/14/14 and Sheet A-00, dated stamped received 1/6/15".

The purpose of Requests #2 through #6 is to submit a revised site plan showing a new covered canopy play area, to increase the grades from K through 6th grade and to increase the hours of operation for a previously approved nursery and kindergarten.

- (7) NON-USE VARIANCE to permit an existing detached sign setback 4.6' from the rights-of-way for both SW 87th Avenue and SW 112 Street (15' required for both).

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

PROJECT HISTORY & DESCRIPTION:

On June 9, 1982, the subject property was part of a zoning hearing that requested a special exception to permit a private school grades kindergarten through 8. Said request was approved by the Zoning Appeals Board with conditions pursuant to Resolution 4-ZAB-190-82 but was appealed to the Board of County Commissioners who sustained the decision of the Zoning Appeals Board to approve the request pursuant to Resolution No. Z-161-82. In 1990, the property was once again the subject of a public hearing requesting an unusual use to permit a day nursery and preschool in conjunction with a special exception to permit the expansion of an existing building and modification of conditions for new hours of operation, limiting the school age of children, additional teachers and teacher assistants, and additional vehicles to serve the facility. These requests were sought to amend the conditions existing on the site relative to private school use to coincide with the proposed and anticipated day nursery/preschool use. Said requests were approved pursuant to Resolution 4-ZAB-217-90. In 1999, non-use variances to permit a larger monument sign and to permit a second sign on the subject property were sought and approved by Community Zoning Appeals Board-12 (CZAB-12), pursuant to Resolution No. CZAB12-24-99.

In 2001, the Children's Resources Fund, Inc. applied for a public hearing requesting a modification of a condition of a previous resolution to increase the number of children for the school and to modify a Declaration of Restrictions to extend hours of the day care service for additional school children. A non-use variance to permit less classroom area than required was also requested as part of the hearing. The requests were approved on a modified basis with conditions, pursuant to Resolution No. CZAB12-7-01. In 2007, pursuant to Resolution No. CZAB12-8-07, several requests were approved to modify previously approved plans, conditions and a Declaration of Restrictive Covenants which allowed for the physical expansion of a previously approved school and increased the number of teachers and classrooms and students. The applicant was also approved to permit new construction to encroach into setbacks.

The subject 2.08-acre, EU-1 zoned lot is located at 8571 SW 112 Street and is currently used as a daycare/private school from infant to pre-k grade. There is a church to the north of the subject property, a Montessori School to the south, a single-family residence to the east and a vacant parcel to the west. The existing buildings on the subject site are all one story in height and maintain the single-family residential scale commonly found in the estate density area surrounding the subject property. Further, the school property is located at the intersection of a

section line road (SW 87 Avenue) and a half-section line road (SW 112 Street). Staff notes that the applicant is not requesting an increase in the number of students, which was approved for a maximum of 104 students on the subject property.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	EU-1; Children's Resources Fund School	Estate Density Residential, 1 to 2.5 dua
North	EU-1; church	Estate Density Residential, 1 to 2.5 dua
South	EU-1; Montessori School	Estate Density Residential, 1 to 2.5 dua
East	EU-1; single-family residence	Estate Density Residential, 1 to 2.5 dua
West	EU-S; vacant property	Estate Density Residential, 1 to 2.5 dua

NEIGHBORHOOD CHARACTER:

The subject property is located on the northeast corner of SW 87 Avenue (Galloway Road) and SW 112 Street (Killian Drive). The area surrounding the subject property is developed with single-family homes and institutional uses such as schools and houses of worship.

SUMMARY OF IMPACT:

The approval of this application will provide the members of the existing daycare and the community with a new private school including grades kindergarten through 6. However, since the proposed use will be located in the existing buildings, no new visual impacts will be created on the surrounding neighborhood. Further, staff opines that approval of the proposal will not create a negative impact on traffic on the abutting roadways based on the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for ***Estate Density Residential*** use. *The Estate Density Residential land use designation falls within the Residential Communities category that also permits neighborhood and community services including schools, parks, houses of worship, day care centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of the Comprehensive Development Master Plan (CDMP) and compatible with the neighborhood.* Staff notes that 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.

The applicant proposes to utilize the existing buildings on the subject site for a new private school with grades kindergarten through 6, while modifying the starting time from 8 am to 7:30 am. Additionally, the applicant seeks approval of a detached sign setback less than required from the west and south property lines. Staff opines that the proposed use would not generate

additional traffic for the surrounding area, and the use is compatible with the area given that: the bulk and scale of the structures are similar to the abutting residential developments; does not exceed the maximum height requirement for this residential zoning designation; provides adequate access to the property, and exceeds the minimum parking requirements. Therefore, staff opines that approval of the proposed use is **compatible** with the surrounding neighborhood, in accordance with Policy LU-4A criteria.

Staff also opines that the proposed private school use would be adequately buffered by the existing landscaping elements which include the required street and lot trees and hedges. Staff further opines that approval of same would not create any new visual impacts on the surrounding properties or on passersby along the abutting area roadways. Additionally, staff opines that the overall design of the existing buildings and location provide for a cohesive campus for the proposed private school because the façade and scale were previously designed to match that of the existing surrounding residential community. For these reasons, staff is of the opinion that the approval of the proposed private school use is **compatible** with the area based on the criteria described in the CDMP Land Use Element **Policy LU-4A** and **consistent** with the CDMP Land Use Element interpretative text for the **Residential Communities**, and the CDMP Land Use Plan map designation for the subject property.

ZONING ANALYSIS:

When request #1, to permit a private school with grades kindergarten through 6 on the property is reviewed under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses, staff opines that the approval of this request would be **compatible** with the surrounding residential community. Staff opines that based on memoranda from the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER), the Miami-Dade Fire Rescue Department (MDFRD) and the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources, approval with conditions of the request would not generate or result in excessive traffic or burden public facilities. Staff notes that all existing and new buildings being proposed are and would be one story in height to maintain the single-family residential scale commonly found in the estate density area surrounding the subject property. Staff further notes that the property is surrounded by other institutional uses such as a Montessori School to the south and houses of worship to the north and southwest. The private school is an existing lawful non-residential use in an estate density land use category and its expansion to include grades kindergarten through 6, designed with the same architectural scale as the surrounding community and with landscaping buffers to lessen any adverse impacts on adjacent residential uses, is in keeping with other similar uses in the immediate area and **compatible** with the neighborhood. **Therefore, staff recommends approval with conditions of request #1, under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses.**

When requests #2 through #6, to modify conditions of a prior resolution and declaration of restrictions to allow the applicant to have elementary grades students along with the previously approved nursery and preschool age students, and increase the hours of operation for a previously approved nursery & kindergarten, are analyzed under Section 33-311(A)(7), **General Modification Standards**, staff opines that approval of the same would be **compatible** with the surrounding neighborhood. Staff notes that the existing buildings on the subject property will be used for the proposed private school use and therefore will not create any new visual impact to the surrounding area. Again, staff notes that the buildings footprints are not changing to accommodate the proposed grade levels. The existing project incorporates abundant landscaping in the form of trees and hedges to buffer adjacent land uses from any aural or visual impacts generated by the proposed grade levels increase on the surrounding area. Staff

further notes that approval of this application will not increase the number of students, which is approved for a maximum of 104 students on the subject property. Additionally, the applicant has submitted a revised covenant that restricts the development of the subject property to the submitted plans, new hours of operation and maintains all the prior restrictions that are not modified with this application.

Staff opines that the existing parking and traffic configuration for the drop off and pick up of the existing students provides a controlled and orderly parking situation that benefits the esthetic character of the site and of the surrounding area. Staff further opines that the proposed 30-minute increase in the hours of operation from 8:00 am to 7:30 am will not detrimentally impact the surrounding area. Moreover, the memoranda submitted by the Departments concerned with reviewing this application do not object to the proposed application. The Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) memorandum states that the application will not generate any new additional daily peak hour trips, will not exceed the acceptable level of service of the surrounding roadways and meets the traffic concurrency criteria for an Initial Development Order.

The Division of Environmental Resources Management (DERM) of the RER indicates that the approval with conditions of the aforementioned request will not have an unfavorable impact on the environmental resources of the County. Additionally, the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the proposed facilities will have a negative impact on fire rescue services in the area. Based on the aforementioned, staff opines that the proposed private school use will not generate excessive noise or traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, and would be **compatible** with the surrounding residential area. **Therefore, staff recommends approval with conditions of requests #2 through #6, subject to the Board's acceptance of the proffered covenant under Section 33-311(A)(7) Generalized Modification Standards.**

When request #7, to permit an existing detached sign setback 4.6' (15' required) from the SW 87th Avenue (west) property line and SW 112 Street (south) property line, is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff opines that approval with conditions of this request would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that in order to mitigate any visual impact generated from the existing detached sign, the landscape plan depicts ample landscaping along the aforementioned property lines in the general area where the sign is located. Staff further notes that the detached sign is setback 4.6' from the said property lines which, in staff's opinion, is sufficient to mitigate any visual impacts along an existing 80' wide section line right-of-way (SW 87 Avenue) and an existing 70' wide half-section line right-of-way (SW 112 Street). As such, staff opines that approval of request #7 will not have a negative visual impact on the surrounding area. Staff further notes that the Platting and Traffic Review Section of the RER does not object to the approval of this request. Staff further opines the requested non-use variance will have minimal impact on the surrounding area, provides curb appeal to the subject property and would be **compatible** with same. **As such, staff recommends approval with conditions of request #7 under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: N/A.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

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

CONDITIONS FOR APPROVAL:

1. That all the conditions of Resolution #4ZAB-217-90, last modified by Resolution #CZAB12-8-07 remain in full force and effect, except as herein modified.
2. That all other paragraphs of Declaration of Restrictions, recorded in Official Records Book 22264, Pages 0054 thru 0058 remain in full force and effect except as herein modified.
3. That all other paragraphs of Declaration of Restrictions, recorded in Official Records Book 16537 Pages 691 through 705, last modified by a Modification of a Declaration of Restrictions recorded at official records Book 16537, Page 691, as modified by the Modification of Declaration of Restrictions recorded at Official Records Book 22264, Pages 0054 as recorded in Official Records Book 25649, pages 3897-3900 remain in full force and effect except as herein modified.
4. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the school gates be opened at least 45 minutes prior to the arrival and dismissal times.
6. That at the time of Certificate of Use renewal and each subsequent renewal, the owner shall submit to the Department of Regulatory and Economic Resources a letter from the principal of the school detailing the number of students and the grade levels that are currently enrolled in said facility.
7. That no outside speakers other than in connection with emergency systems shall be permitted on the property.
8. That the waste pick-up for the school shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except during arrival and dismissal times.
9. That night activities and/or special events shall be limited to twelve (12) events per year and shall end no later than 10:00 PM.

10. That the outside lighting shall be permitted with the proper shielding according to Miami-Dade County Code.

ES:MW:NN:EJ:JV



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

MW

ZONING RECOMMENDATION ADDENDUM

Children's Resource Fund, Inc.
Z14-096

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation & Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

Estate Density (Pg. I-31)	<i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Estate Density Residential. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.</i>
Residential Communities (Pg. I-26)	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different constructions systems. Also permitted in residential Communities are neighborhood and community services including schools, parks, houses of worship, day care centers, group housing facilities, and utility facilities only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments mix of land uses, and their relationship.</i>
Land Use Element LU-4A (Pg. I-11)	<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>

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(3) Special exceptions, unusual and new uses	<i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the 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. For purposes of public hearing, a site plan shall be considered one (1) special exception, and upon approval of a site plan by the Community Zoning Appeals Board and/or the Board of County Commissioners, all non-use variances incorporated within and reflected upon the site plan shall be considered a part thereof, and official approval of the site plan shall constitute approval of all such non-use variances, unless otherwise so moved by the approving board.</i>
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ZONING RECOMMENDATION ADDENDUM

Children's Resource Fund, Inc.
Z14-096

Section 33-311(A)(7) Generalized Modification Standards.	<i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; 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>
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>

2. CHILDREN'S RESOURCE FUND, INC.
(Applicant)

15-4-CZ12-2 (14-096)
Area 12/District 08
Hearing Date: 04/14/15

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

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

If, so who are the interested parties?

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>
1982	Charles T. & Marguerite A. Bethel	- Special Exception Private School kindergarten to 8 th grade.	ZAB	Approved with Condition(s)
1990	Ronald & Parricia Cantwell	- Unusual Use to permit day nursery & preschool. - Special Exception to permit expansion of the existing building. - Modification of Condition of Resolution.	ZAB	Approved with Condition(s)
1994	Children's Resource	- Modification of Condition of Resolution.	ZAB	Approved with Condition(s)
2001	Children's Resource Fund, Inc.	- Modification of Condition #4 of Resolution and Agreement.	C12	Approved with Condition(s)
2007	Children's Resource Fund, Inc.	- Modification of Condition of Resolution. - Non-Use Variance of students.	C12	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: August 27, 2014

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

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

Subject: C-12 #Z2014000096
Children's Resource Fund, Inc.
8571 SW 112th Street Miami-Dade County
Modify previous resolution from day care to school
special exception to permit a school
(EU-1) (2.08 Acres)
10-55-40

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

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

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

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.

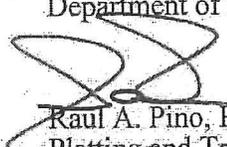
cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: August 29, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2014000096
Name: Children's Resource Fund
Location: 8571 SW 112 Street
Section 10 Township 55 South Range 40 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 21 of Plat Book 40, Page 52.

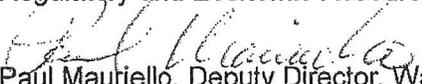
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Memorandum



Date: September 9, 2014

To: Eric Silva, Development Coordinator
Regulatory and Economic Resources Department

From: 
Paul Mauriello, Deputy Director, Waste Operations
Public Works and Waste Management Department

Subject: Children's Resource Fund (#14_096)

The Department's review of the above-referenced item is provided below. Additional comments will be provided as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager, Fiscal Management and Planning Division, at 305-514-6661. The PWWM has no objections to the proposed application.

Application: *Children's Resource Fund* The applicant requests a special exception for the expansion of an existing private school for special needs children. The applicant also requests modification of 1) the Declaration of Restrictions recorded at Official Records Book 16537 at Page 691 of the Public Records of Miami-Dade County, Florida, and 2) Resolution No. Z-161-82.

Size: The subject property is 2.1 acres.

Location: The subject property is located at 8571 SW 112th Street, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 25, 2013, 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 Regulatory and Economic Resources 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

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, new construction for the school on the property meets the County Code definition of a commercial establishment. Per the Code, the following is required of commercial establishments 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.

3. Recycling

The following language from **Section 15-2.3a** of the Code 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 of the Code 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.

Check List of Requirements
Day Nursery, Day Care, Kindergarten, Private School

School Name: Children's Resource Child Development Center

School Address: 8751 SW 112th Avenue, Miami-Dade County, FL

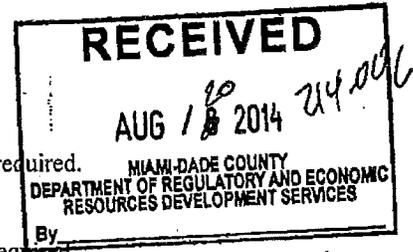
Tax Folio #s: 30-5010-007-0380

1. Is this an expansion to an existing school? Yes No if so, indicate the number of students: 104 and age and grade ranges originally approved: up to age 8
2. Total size of site: 300.96 x 301.46 = 90,676 ÷ 43,560 sq. ft = 2.08+/- acres
3. Number of children or students requested: 104 Ages: up to age 11
4. Number of Teachers: 21; number of administrative & clerical personnel 4
5. Number of classrooms: 8 Total square footage or classroom area: 5,323 s.f.
6. Total square footage of non-classroom area: 1,246 s.f.
7. Amount of exterior recreation / play area in square footage: 9,950 s.f.
8. Number of vehicles(s) that will be used in conjunction with the operation of the facility: 0 Type of vehicles(s): N/A
9. Number of parking spaces provided for staff, visitors, and transportation vehicles: 27 parking spaces provided 21 parking spaces required by Section 33-124(L).
10. Indicate the number of auto stacking spaces: 7 provided 7 required
11. Proposed height for the structures(s): 16' See Section 33-151.18(c).
12. Size of identification sign: 2 x 3 = 6 sq. ft. See Section 33-151.18(c). signage will require a separate permit. Contact the Permit Section at 375-2475.]
13. Days and hours of operation: Monday – Friday 7:30 a.m. to 6:00 p.m.
14. Does the subject facility share the site with other facilities Yes No (If so, the space which will be used solely for the school facility during the hours of operations must be indicated on the plans, pursuant to Section 33-151.16.)
15. If the school will include residential uses, do such uses meet the standards provided in Section 33-151.17? Yes No (If yes, describe the residential uses and indicate same on the plans.)

PHYSICAL STANDARDS, SITE SIZE, 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 based on site size calculations only. **WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.**

CLASSROOM SPACE: Calculated by grade levels.



- a. Day Nursery / Kindergarten, preschool and afterschool care
35 sq. ft x 52 (number of children) = 1,820 sq. ft of classroom area required.
- b. Elementary Grades 1 – 6
30 sq. ft x 52 (number of children) = 1,560 sq. ft of classroom area required.
- c. Junior High and Senior High School (Grades 7 – 12)
25 sq. ft x 0 (number of children) = _____ sq. ft of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 3,380 s.f.
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 10,442 s.f. proposed

OUTDOOR RECREATION SPACE

- a. Day nursery/kindergarten, preschool and afterschool care
45 sq. ft x 26 (1/2 of children) = 1,170 sf
- b. Grade 1 – 6
500 sq. ft x 30 (first 30 children) = 15,000 sf
300 sq. ft x 22 (remaining children) = 6,600 sf
- c. Grade 7 – 12
800 sq. ft. x _____ (first 30 children) = _____
300 sq. ft. x _____ (next 30 children) = _____
150 sq. ft. x _____ (remaining children) = _____

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 22,770 s.f.
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 82,286 s.f.

TREES: See Section 33-151.18(h), and Planning Department for additional requirements

- a. 28 trees are required per net acre. Trees required: 58 Trees Provided: 66
- b. Seven shrubs are required for each tree required. Shrubs required: 406 Shrubs provided: 406
- c. Grass area for organized sports/play area in square feet: 9,950 s.f.
- d. Lawn area in square feet (exclusive of organizes sports/play area): 53,128 s.f.

School Address: 8571 SW 112th Avenue, Miami-Dade County, Florida Zip Code: 33176

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

Signed, sealed, executed and acknowledged on this 19 day of August, 2014 at Miami-Dade County, Florida.

WITNESSES:

Luiz Elites
D. Mark J. Torres

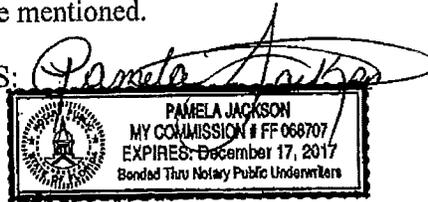
By: *Tracy Slavens*
Printed Name: Tracy Slavens
Title: Attorney for Applicant

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I hereby certify that on this 19 day of August, 2014, before me personally appeared TRACY SLAVENS, to me known to be the person described in and who executed the foreign instrument and he/she acknowledged to me that the execution thereof to be his/her free act for the use and purpose mentioned.

MY COMMISSION EXPIRES:



3864552_v1

Memorandum



Date: September 3, 2014

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

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

Subject: Z2014000096: CHILDREN'S RESOURCE FUND INC

Application Name: CHILDREN'S RESOURCE FUND INC

Project Location: The site is located at 8571 SW 112 ST, Miami-Dade County.

Proposed Development: The request is for modification of grade levels for a school.

Impact and demand: This application does not generate any additional residential population applicable to CDMP Open Space Spatial Standards.

Recommendation: PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: 09-SEP-14
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2014000096

Fire Prevention Unit:

No objection to the site plan with a August 20, 2014 Zoning Department received date.

Service Impact/Demand

Development for the above Z2014000096
located at 8571 SW 112 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1894 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>3,288</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 2.2 alarms-annually.
The estimated average travel time is: 6:06 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 23- Suniland - 7825 SW 104 Street
Rescue, BLS 75' Lader

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 20, 2014. Substantial changes to the plan will require additional service impact analysis.

DATE: 07-OCT-14

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

CHILDREN'S RESOURCE FUND,
INC.

8571 SW 112 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2014000096

HEARING NUMBER

HISTORY:

THERE ARE NO CURRENT NEIGHBORHOOD REGULATIONS OR BUILDING SUPPORT
REGULATIONS CASES.

CHILDREN'S RESOURCE FUND, INC

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

REPORTER NAME:

DISCLOSURE OF INTEREST*

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

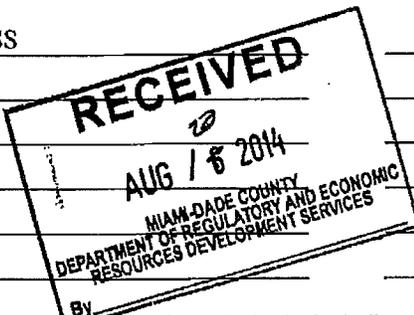
CORPORATION NAME: Children's Resource Fund, Inc., a Florida not for profit corporation Board of Trustees

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Margaret Armaly 7141 SW 136 Street, Pinecrest, Florida	0%
Joseph Armaly 7141 SW 136 Street, Pinecrest, Florida	0%
Gerard Berger 8571 SW 112 Street, Miami, Florida	0%
Daniel Tasciotti 8571 SW 112 Street, Miami, Florida	0%
Ronald Cantwell 8571 SW 112 Street, Miami, Florida	0%
Address: 8571 SW 112 Street, Miami, Florida 33156	

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

TRUST/ESTATE NAME: _____

<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 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: _____

<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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME AND ADDRESS (if applicable)	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final 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.

Children's Resource Fund, Inc.,
a Florida not for profit corporation

By: *Margaret Armaly*
Print Name/Title Margaret Armaly, Board Chairman

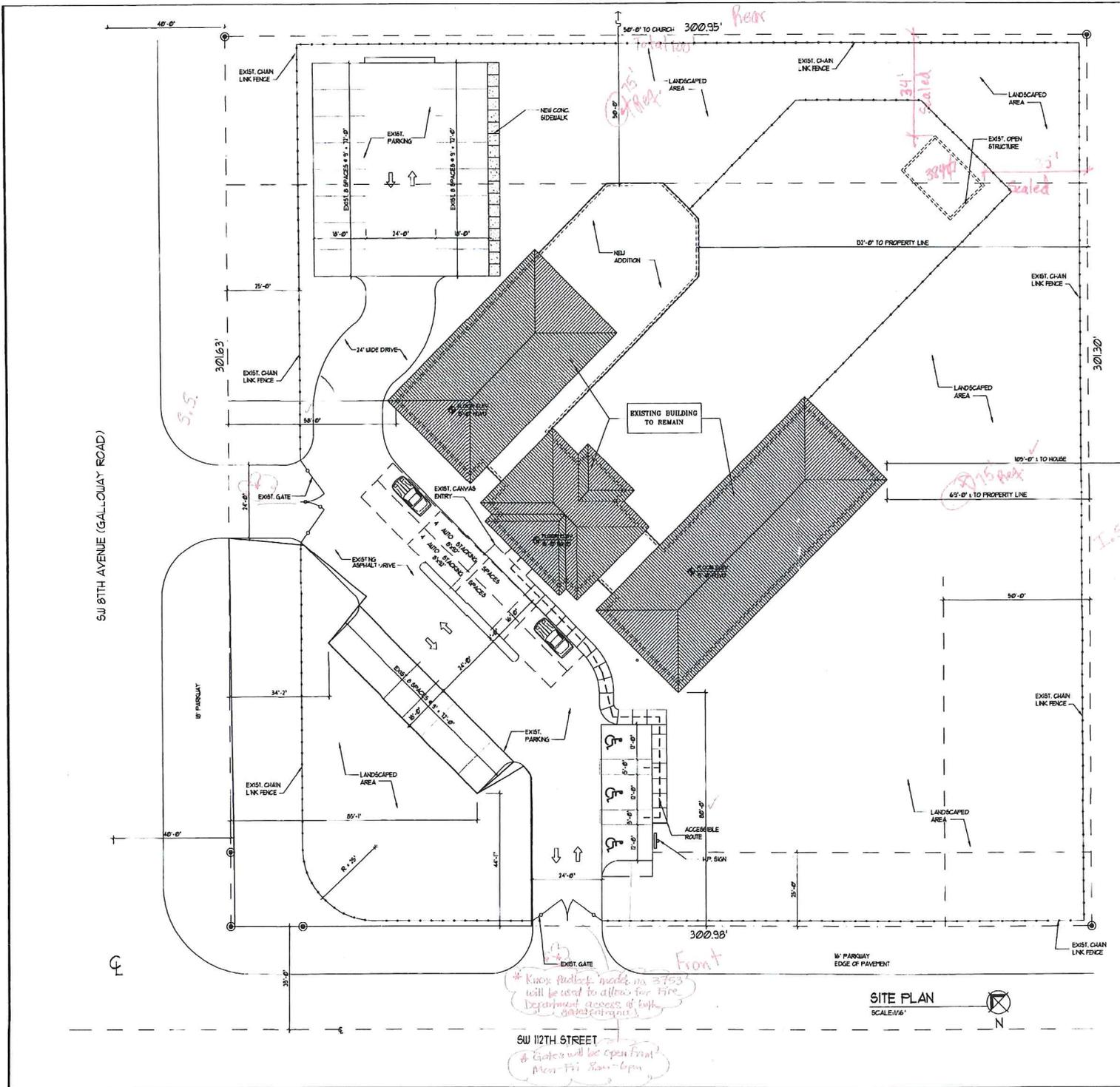
Sworn to and subscribed before me this 15 day of April, 2014, ~~2013~~. Affiant is personally known to me or has produced _____ as identification.

Gigliola Del Valle
(Notary Public)



My commission expires 4/30/16

*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.



ENLARGED SITE PLAN

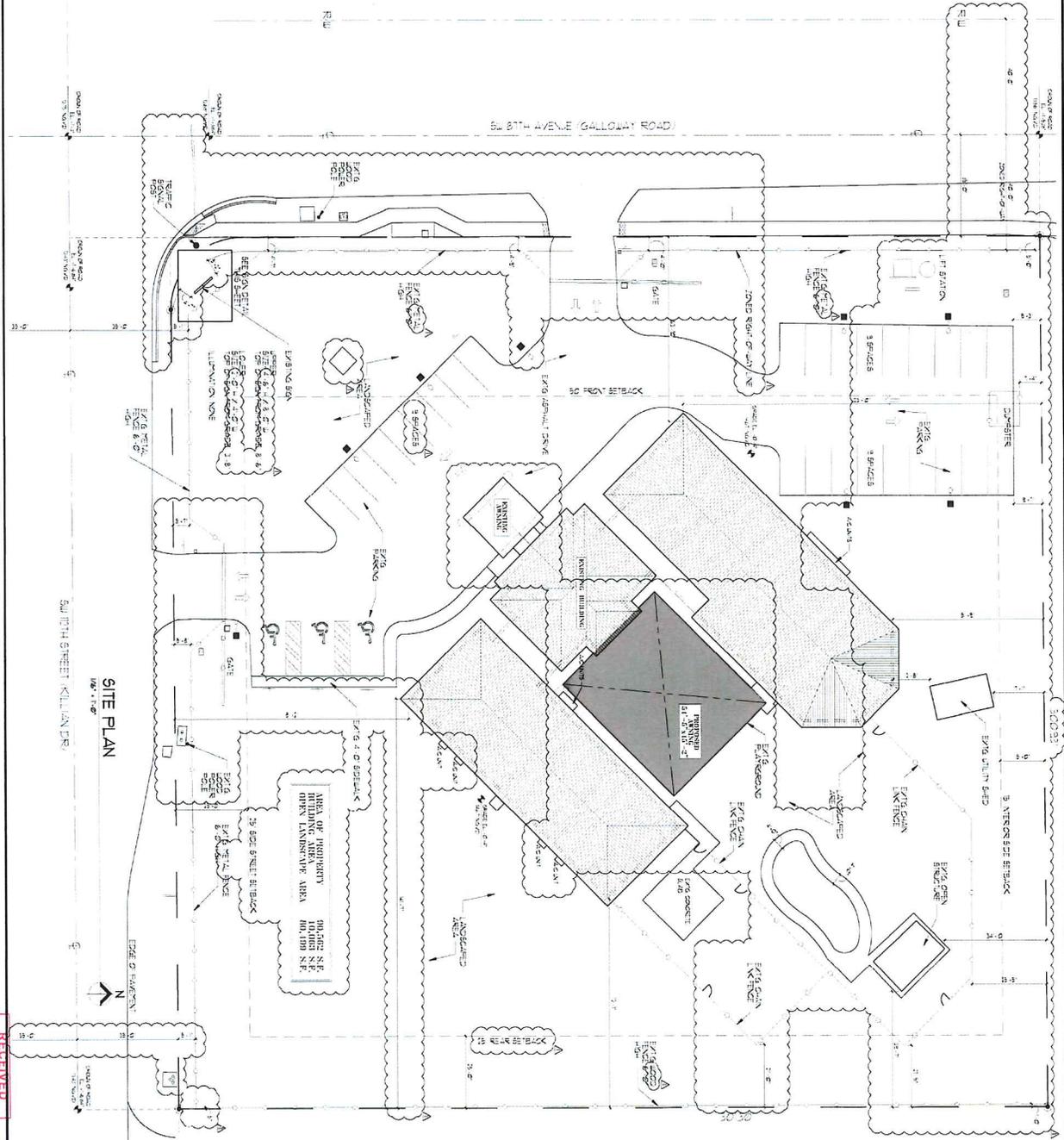
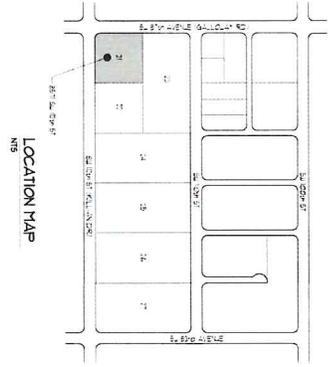
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 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *kr JE*

25

SIGN FOR: CHILDREN'S RESOURCES EDUCATIONAL CENTER

PROJECT DEVELOPER/OWNER:
CHILDREN'S RESOURCES
6971 SW 112th STREET
MIAMI, FLORIDA 33156
TEL. (305) 566.6866 FAX (305) 566.1166

ARCHITECTURE:
COHEN, FREEDMAN, ENCINOSA & ASSOC.
ARCHITECTS, P.A.
8085 NW 155th STREET
MIAMI LAKES, FLORIDA 33016
TEL. (305) 826.3999 FAX (305) 826.4155



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SIGN FOR:
CHILDREN'S RESOURCES EDUCATIONAL CENTER
8571 SW 112th STREET, MIAMI, FLORIDA 33156

COHEN • FREEDMAN • ENCINOSA & ASSOC.
Architects, PA AA C000779
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

Check List of Requirements
By: Nurson, Day Care, Kindergarten, Private School

School Name: Children's Resource Child Development Center

School Address: 2731 SW 117th Avenue, Miami-Dade County, FL

Trk. File No: 28-5010-0724380

- Is this an expansion to an existing school? Yes No. If so, indicate the number of students, 112, and age and grade ranges originally approved and ages 8.
- Total size of site: 200.00 x 301.00 = 60,200 sq. ft. = 2.08 ac. area
- Number of children or students proposed: 112. Also, indicate 11.
- Number of Teachers: 21. Number of Administrative & clerical personnel: 4.
- Number of classrooms: 8. Total square footage of classroom area: 3,333 sq. ft.
- Total square footage of non-classroom area: 1,243 sq. ft.
- Amount of outdoor recreation / play area in square footage: 9,920 sq. ft.
- Number of vehicles(s) that will be used in conjunction with the operation of the facility: 0. Type of vehicle(s): N/A.
- Number of parking spaces provided for staff, visitors, and transportation vehicles: 27. Parking spaces provided: 21. Parking spaces required by Section 31-124(1): 0.
- Indicate the number of auto standing spaces: 2. provided: 2. required: 0.
- Proposed height for the structure(s): 12 ft. See Section 31-151.1(8)(c).
- Size of identification sign: 2 x 3 = 6 sq. ft. See Section 31-151.1(8)(e). Signage will require a separate permit. Contact the Permit Section at 375-275751.
- Days and hours of operation: Monday - Friday, 7:30 am to 6:00 pm.
- Does the subject facility share the site with other facilities? Yes No. If so, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to Section 31-151.1(6).
- If the school will include residential uses, do such uses meet the standards provided in Section 31-151.1(7)? Yes No. If yes, describe the residential uses and indicate same on the plans.

PHYSICAL STANDARDS, SITE SIZE, 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 based on site size calculations only. WHEN GROUP, LEAVES OVERLAP, THE MORE RESTRICTIVE STANDARD WILL CONTROL.

CLASSROOM SPACE: Calculated by grade level.

a. Day Nursery / Kindergarten, preschool and transitional care: 35 sq. ft. x 25 (number of children) = 875 sq. ft. of classroom area required.

b. Elementary Grades 1 - 6: 26 sq. ft. x 25 (number of children) = 650 sq. ft. of classroom area required.

c. Junior High and Senior High School (Grades 7 - 12): 21 sq. ft. x 8 (number of children) = 168 sq. ft. of classroom area required.

d. TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 1,693 sq. ft.

e. TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 3,333 sq. ft.

OUTDOOR RECREATION SPACE:

a. Day Nursery/Kindergarten, preschool and transitional care: 1.175 ac.

b. Grade 1 - 6: 500 sq. ft. x 38 (first 30 children) = 15,000 sq. ft.

c. Grade 7 - 12: 800 sq. ft. x 22 (remaining children) = 17,600 sq. ft.

d. TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 17,600 sq. ft.

e. TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 22,734 sq. ft.

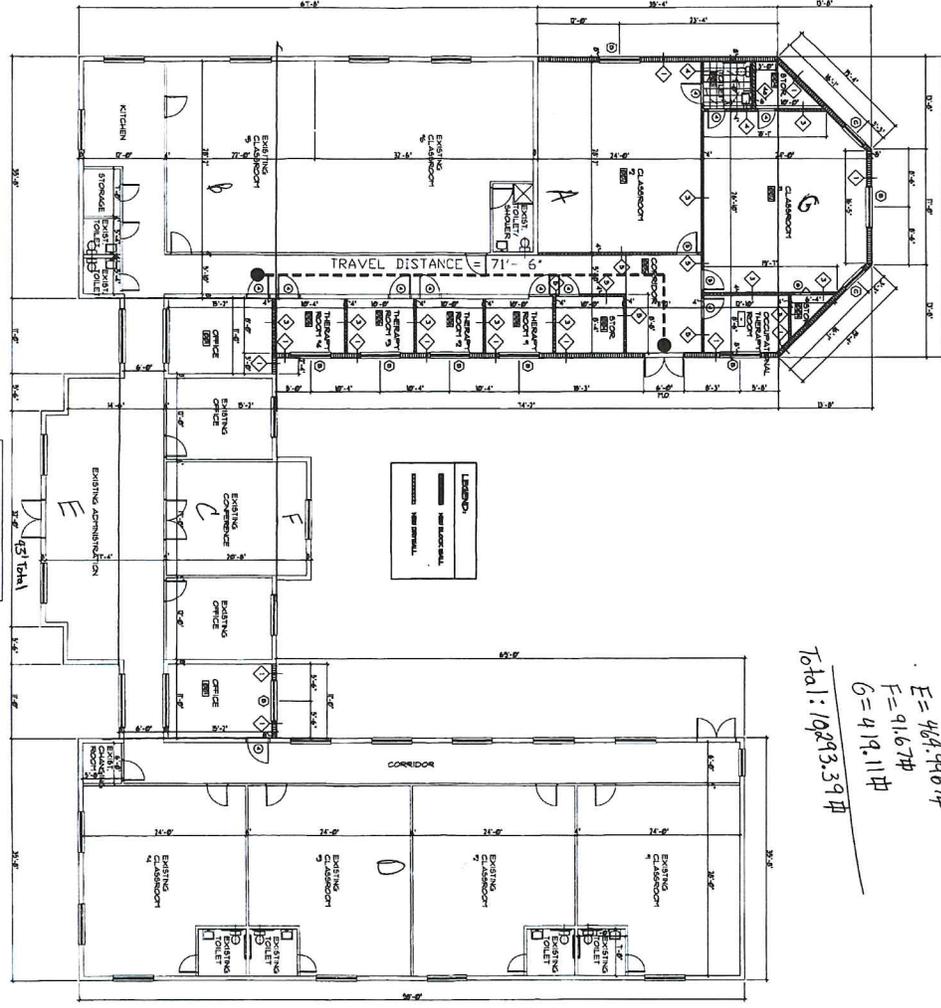
NOTES: See Section 31-151.1(8)(c) and Planning Department for additional requirements.

a. 20 trees are required per acre. Trees required: 28. Trees provided: 66.

b. Screen walls are required for each lot required. Screens required: 400. Screens provided: 400.

c. Class area for required specialty area in square feet: 3,333 sq. ft.

d. Land area in square feet (exclusive of required specialty area): 22,734 sq. ft.



Handwritten calculations:
 A = 3,338.056 sq ft
 B = 1,088.389 sq ft
 C = 1,505.833 sq ft
 D = 3,945.333 sq ft
 E = 484.947 sq ft
 F = 91.67 sq ft
 G = 419.11 sq ft
 Total: 10,933.39 sq ft

-56.67

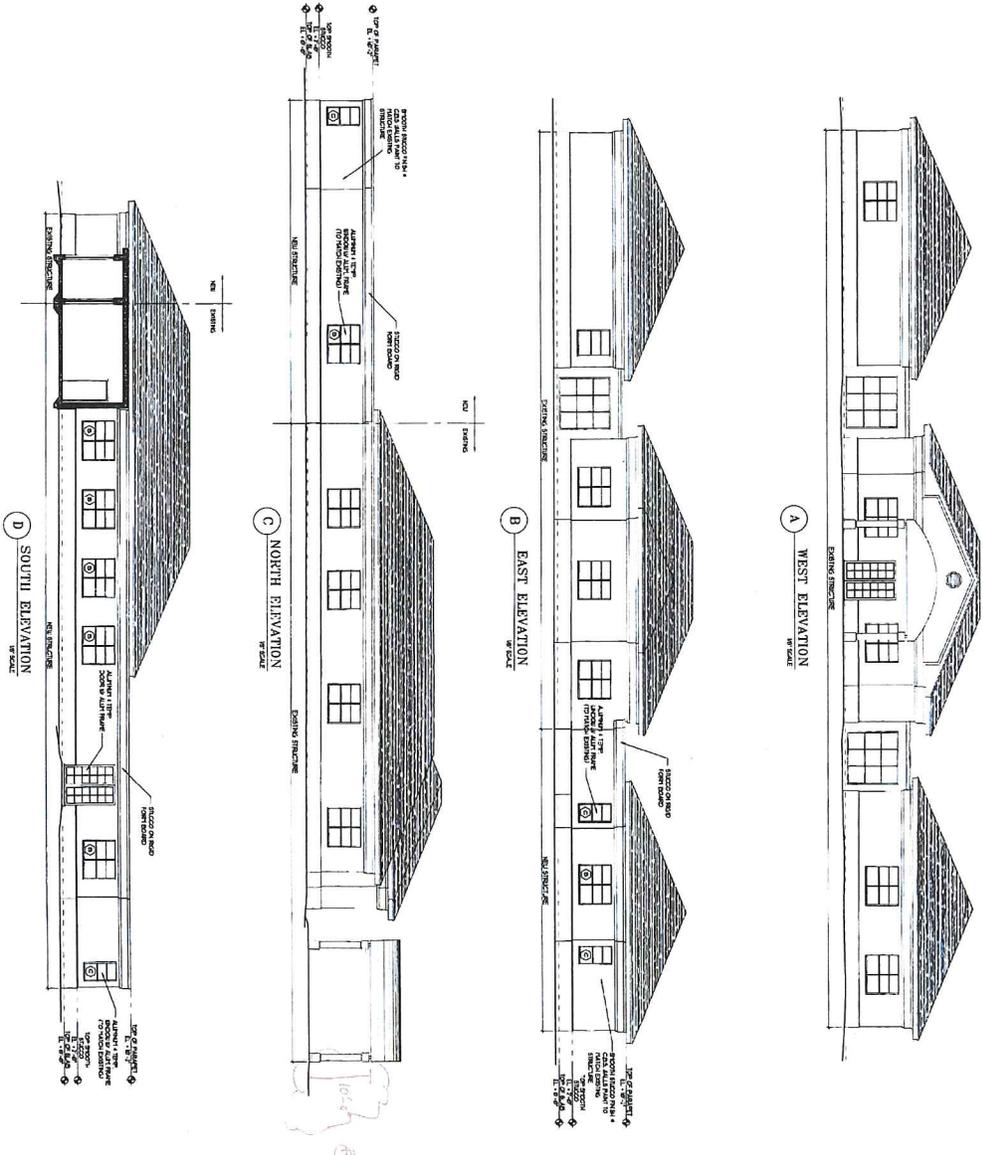
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 CHILDREN'S RESOURCE CENTER

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CLASSROOM ADDITION FOR:
CHILDREN'S CENTER
 6571 SW 112 St. MIAMI, FLORIDA 33156

COHEN · FREEDMAN · ENCINOSA & ASSOC.
 Architects, PA AA C000779
 8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

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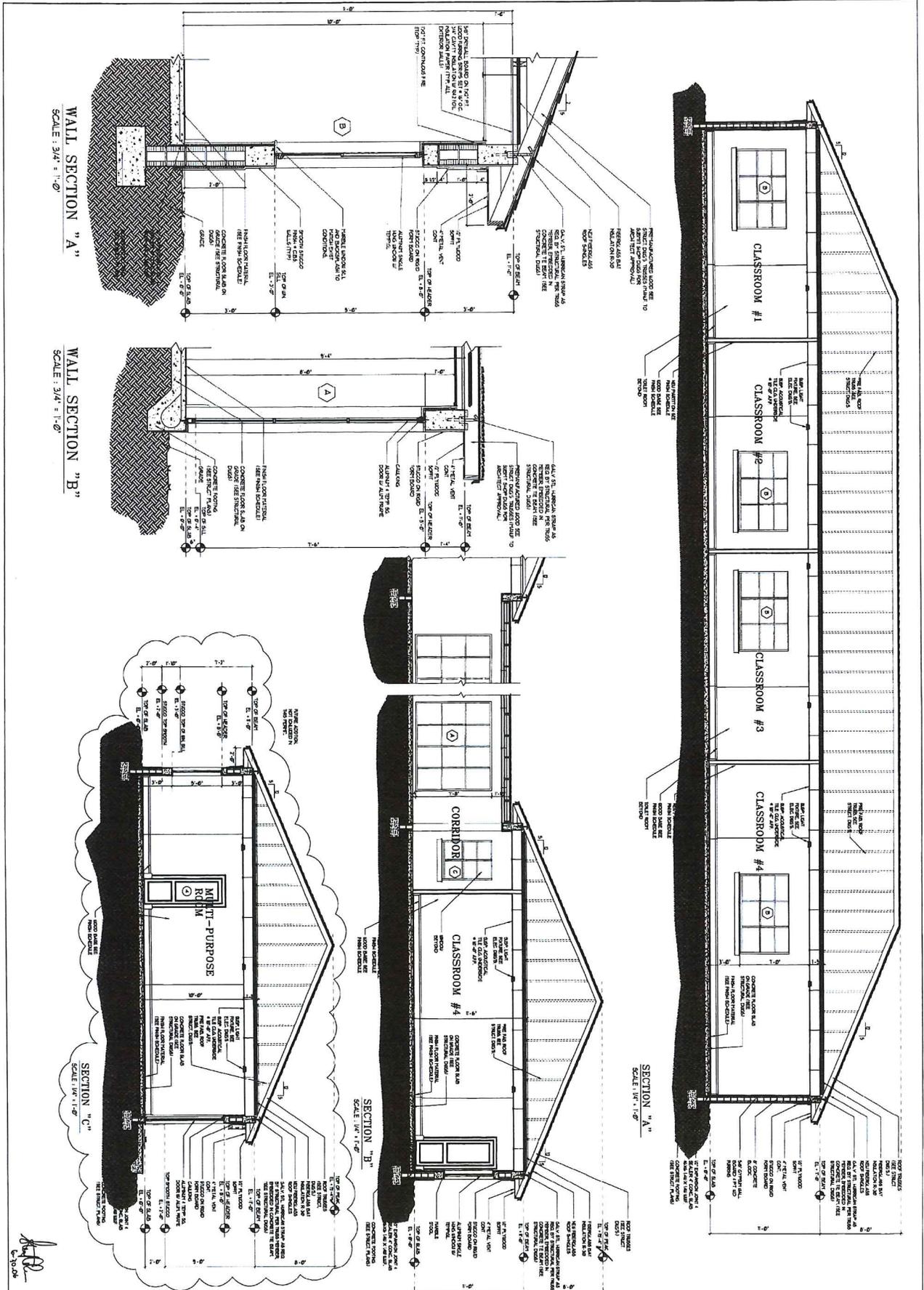
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PROJECT NO.	9290
DATE	6/29/06
SCALE	AS SHOWN
DESIGNED BY	
CHECKED BY	
DATE	
PROJECT NO.	A03

CLASSROOM ADDITION FOR:
CHILDREN'S CENTER
 8571 SW 112 St. MIAMI, FLORIDA 33156

COHEN · FREDMAN · ENCINOSA & ASSOC.
 Architects, PA AA C000779
 8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

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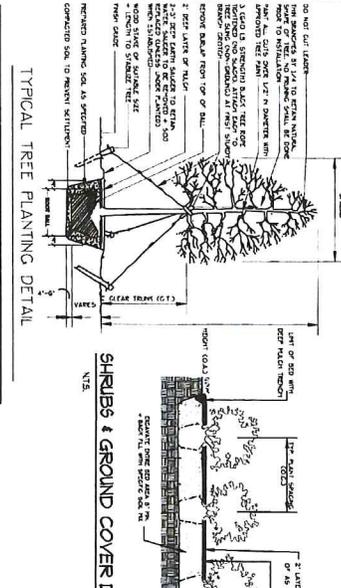
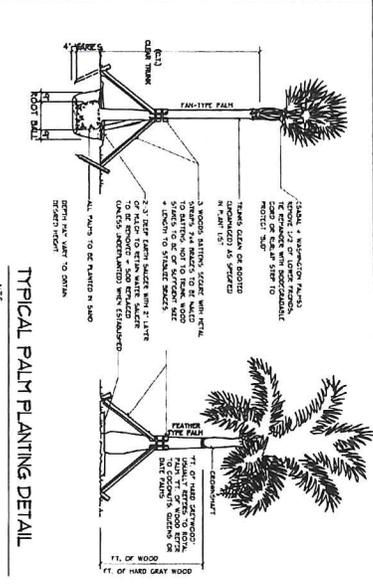
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NO.	DATE	DESCRIPTION
1	06/28/06	ISSUED FOR PERMITS
2	06/28/06	ISSUED FOR PERMITS
3	06/28/06	ISSUED FOR PERMITS
4	06/28/06	ISSUED FOR PERMITS
5	06/28/06	ISSUED FOR PERMITS
6	06/28/06	ISSUED FOR PERMITS
7	06/28/06	ISSUED FOR PERMITS
8	06/28/06	ISSUED FOR PERMITS
9	06/28/06	ISSUED FOR PERMITS
10	06/28/06	ISSUED FOR PERMITS

CLASSROOM ADDITION FOR:
CHILDREN'S CENTER
8571 SW 112 ST. MIAMI, FLORIDA 33156

COHEN • FREEDMAN • ENCINOSA & ASSOC.
Architects, PA AA C000779
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

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GENERAL SPECIFICATIONS

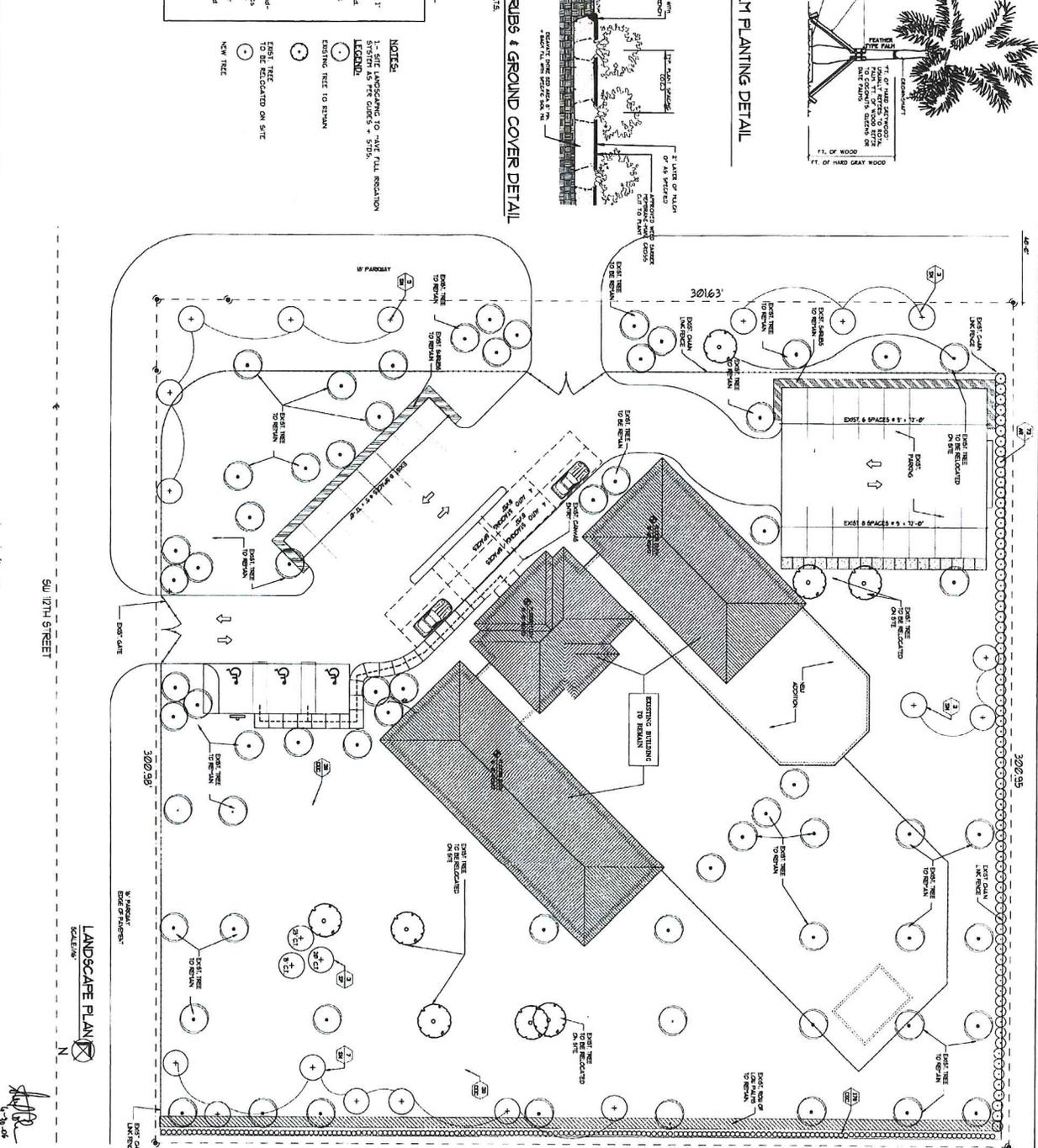
1. A plan of site preparation, showing grade, shall be submitted to the Engineer for review and approval.
2. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
3. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
4. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
5. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
6. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
7. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
8. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
9. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
10. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
11. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
12. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
13. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
14. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.
15. All trees shall be planted in the ground, and shall be supported by a 12-inch diameter trunk and a 12-inch diameter root ball.

TREES & PALMS

CODE	PLANTING	QUANTITY	LOCATION	SIZE	REMARKS
T-1	12" DIA. FAN-TYPE PALM	10	10	12"	10
T-2	12" DIA. TRUNK	10	10	12"	10
T-3	12" DIA. ROOT BALL	10	10	12"	10
T-4	12" DIA. TRUNK	10	10	12"	10
T-5	12" DIA. ROOT BALL	10	10	12"	10

SHRUBS & GROUND COVERS

CODE	PLANTING	QUANTITY	LOCATION	SIZE	REMARKS
S-1	12" DIA. SHRUB	10	10	12"	10
S-2	12" DIA. GROUND COVER	10	10	12"	10

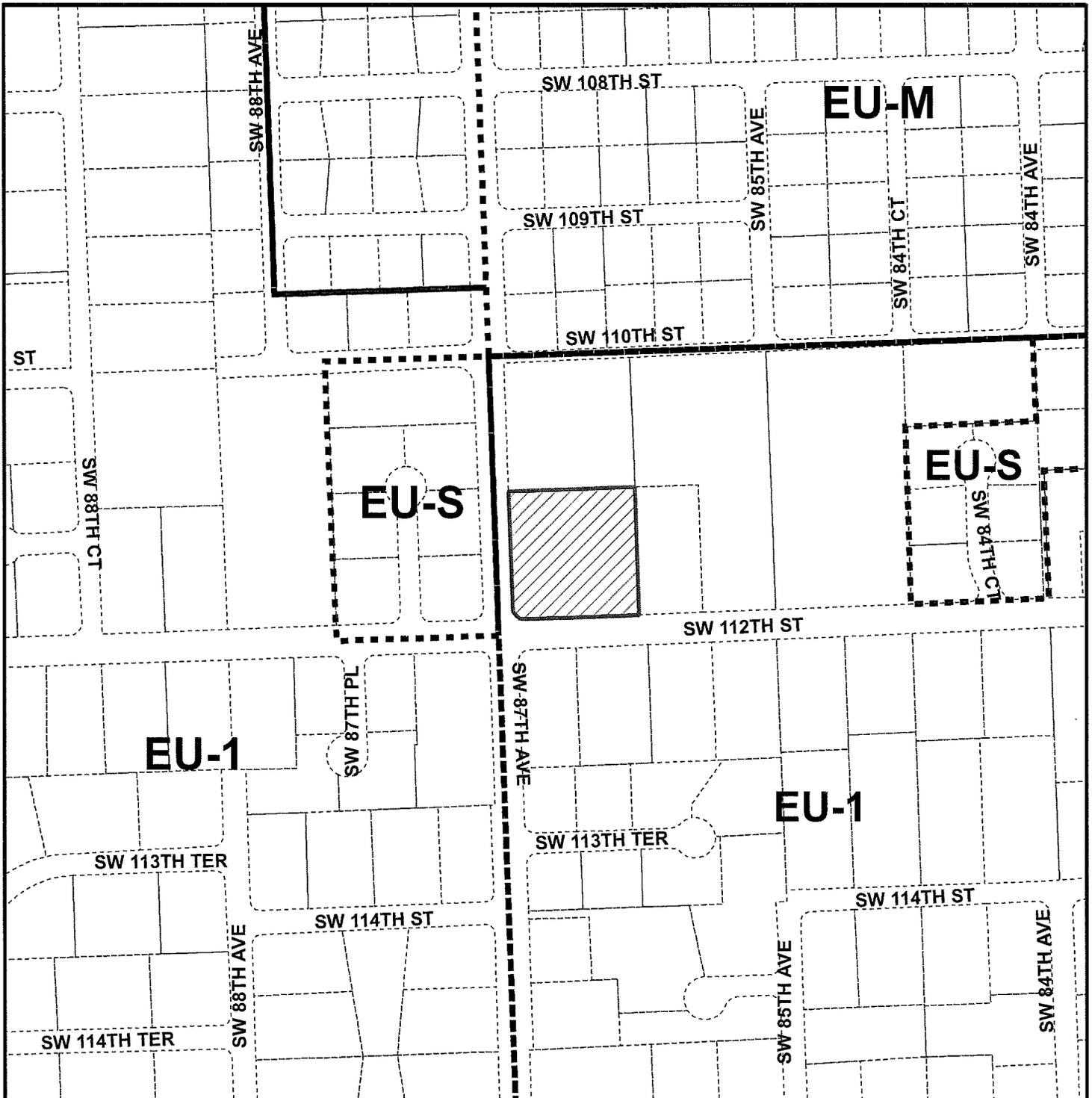


CLASSROOM ADDITION FOR CHILDREN'S CENTER
 8571 SW 112 ST MIAMI, FLORIDA 33156

COHEN • FREEDMAN • ENCINOSA & ASSOC. Architects, PA
 AA C000779
 8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

REV: 06/29/06
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 ARCHITECTURAL DEPARTMENT
 CITY OF MIAMI



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2014000096



Section: 10 Township: 55 Range: 40
 Applicant: CHILDREN'S RESOURCE FUND, INC.
 Zoning Board: C12
 Commission District: 7
 Drafter ID: GGARCIA
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, October 14, 2014

REVISION	DATE	BY
		32



MIAMI-DADE COUNTY

AERIAL YEAR 2014

Process Number

Z2014000096

Legend

-  MDC STL Index Poly
-  Subject Property
- Zoning

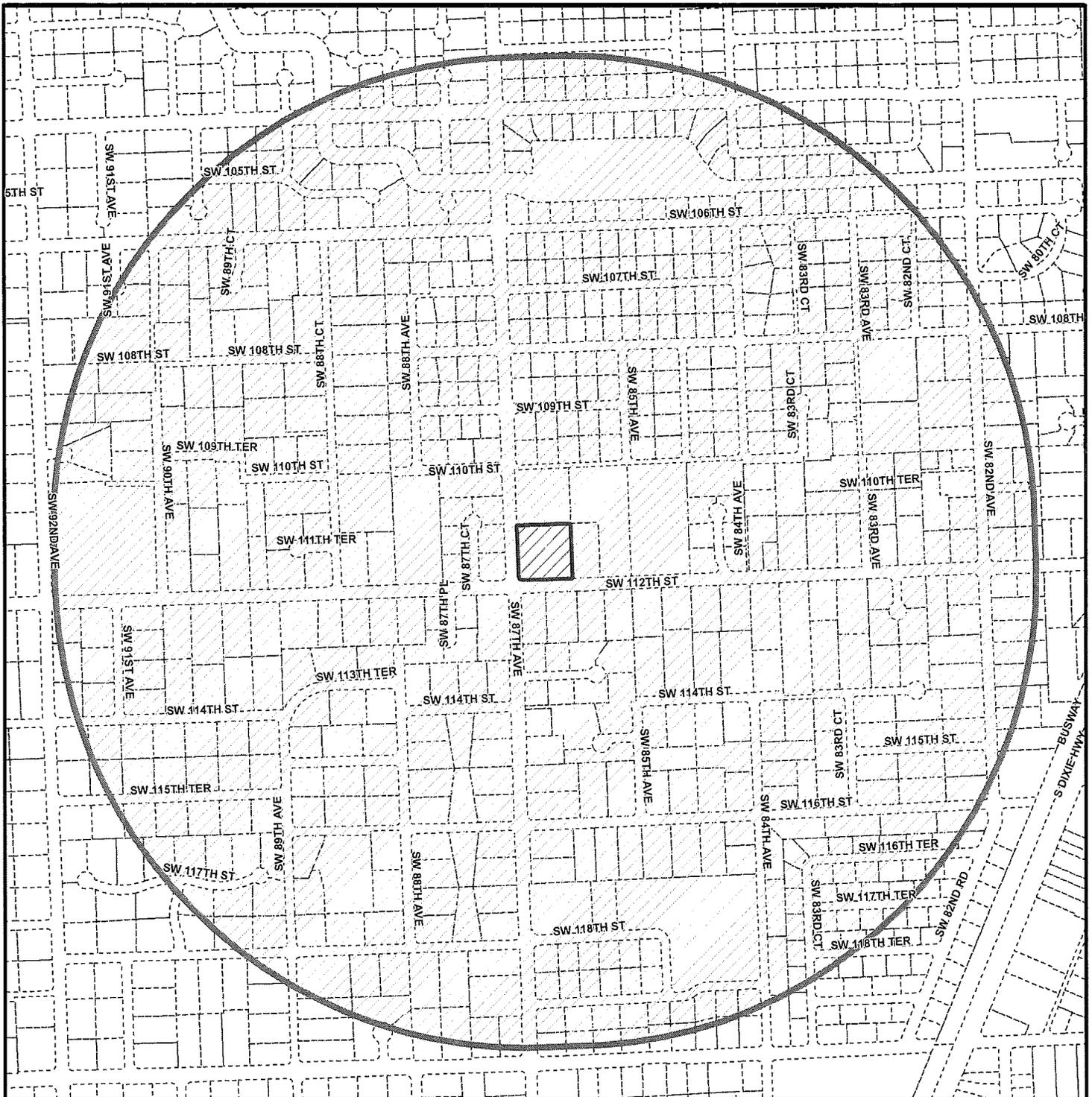


Section: 10 Township: 55 Range: 40
 Applicant: CHILDREN'S RESOURCE FUND, INC.
 Zoning Board: C12
 Commission District: 7
 Drafter ID: GGARCIA
 Scale: NTS



SKETCH CREATED ON: Tuesday, September 23, 2014

REVISION	DATE	BY
		33



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2014000096
 RADIUS: 2640

Section: 10 Township: 55 Range: 40
 Applicant: CHILDREN'S RESOURCE FUND, INC.
 Zoning Board: C12
 Commission District: 7
 Drafter ID: GGARCIA
 Scale: NTS

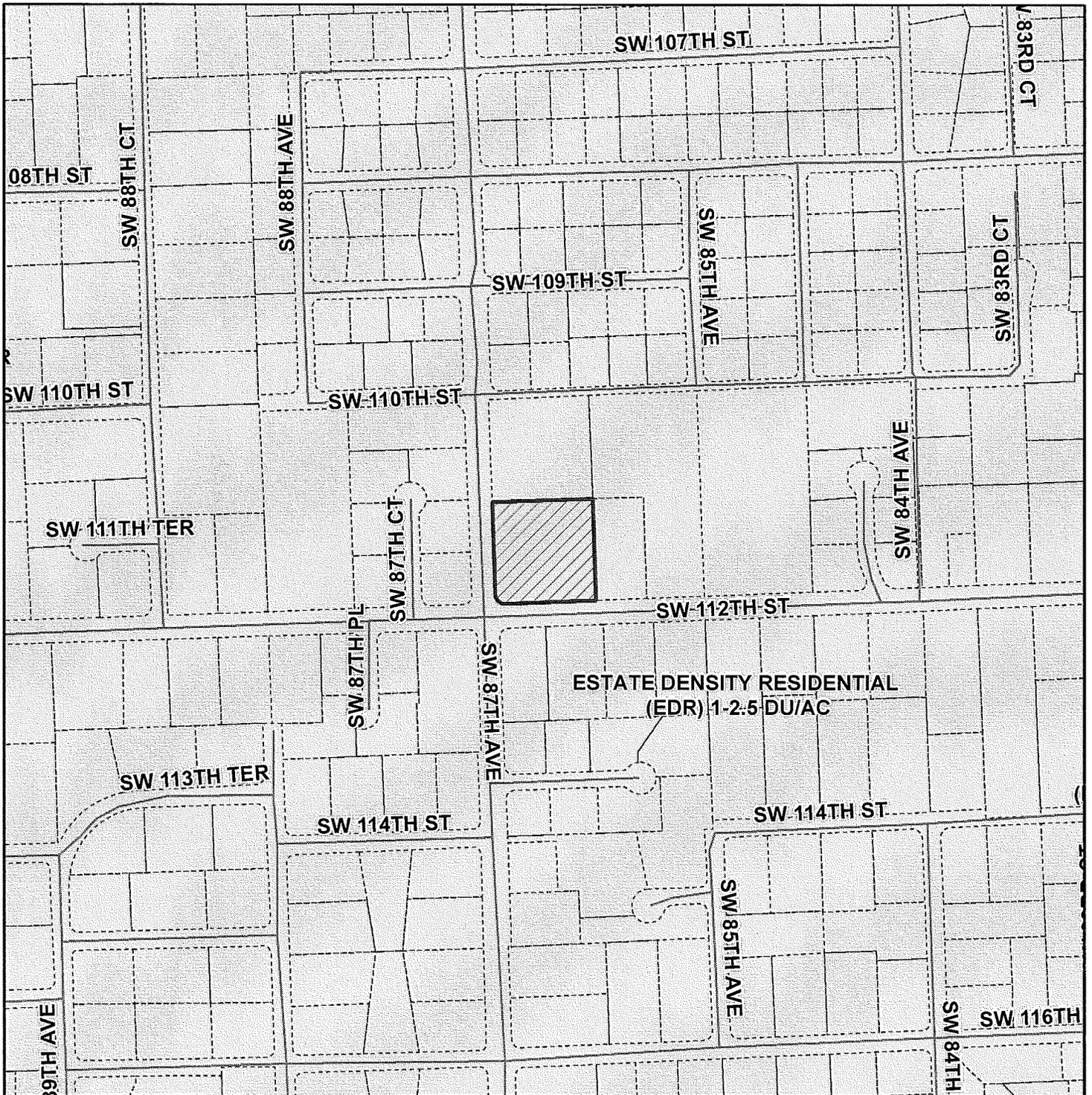
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-  MDC STL Index Poly
-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Tuesday, September 23, 2014

REVISION	DATE	BY
		34



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2014000096



Section: 10 Township: 55 Range: 40
 Applicant: CHILDREN'S RESOURCE FUND, INC.
 Zoning Board: C12
 Commission District: 7
 Drafter ID: GGARCIA
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, September 23, 2014

REVISION	DATE	BY

Children's Resource Fund
CZAB12 4/14/15
Z14-096 v.1 (3-23-15)

This instrument was prepared by:

Name: Tracy R. Slavens, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3300
Miami, Florida 33131

DRAFT

(Space reserved for Clerk of Court)

MODIFICATION OF DECLARATION OF RESTRICTIONS
RECORDED IN OFFICIAL RECORDS BOOK 16537 AT PAGE 691

THIS MODIFICATION OF DECLARATION OF RESTRICTIONS is made this ___ day of _____, 2015, by **Children's Resource Fund, Inc.**, a Florida not for profit corporation (the "Owner"), in favor of Miami-Dade County, a political subdivision of the State of Florida (the "County").

W I T N E S S E T H:

WHEREAS, the Owner, holds the fee simple title to that certain parcel of land in legally described in Exhibit "A" attached hereto and hereinafter referred to as the "Property"; and

WHEREAS, a Declaration of Restrictions in favor of Miami-Dade County was recorded in Official Records Book 16537 at Page 691 of the Public Records of Miami-Dade County, Florida (the "Declaration"), which placed certain restrictions and conditions on the use of the Property; and

WHEREAS, the Declaration has been amended from time to time;

WHEREAS, an application for a zoning public hearing was filed with the County pursuant to Public Hearing Application No. Z2014000096 (the "Application") seeking to, in relevant part, modify Paragraphs 1, 3(c), and 3(d) of the Declaration, as amended; and

WHEREAS, the Application was approved by Community Zoning Appeals Board 12 on _____, 2015, at which public hearing Resolution No. CZAB12- _____ (the "Resolution") was approved and adopted;

WHEREAS, the Resolution approved the modification of Paragraph 1 of the Declaration, last modified by a Modification of a Declaration of Restrictions recorded at official records Book 16537, Page 691, as modified by the Modification of Declaration of Restrictions recorded at Official Records Book 22264, Pages 0054 as recorded in Official Records Book 25649, pages 3897-3900, reading as follows:

FROM: "1. Substantial Compliance with Plans. "That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Classroom Addition for Children's Center,' as prepared by Cohen, Freedman, Encinosa & Assoc. Architects, PA, dated stamped received July 03, 2006 consisting of four sheets."

TO: "1. Substantial Compliance with Plans. "That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Classroom Addition for Children's Center,' as prepared by Cohen, Freedman, Encinosa & Assoc. Architects, PA, dated stamped received 7/3/06 consisting of five sheets with A01 last handwritten revision dated 10/14/14 and Sheet A-00, dated stamped received 10/6/15 with A-00 last handwritten revision dated 2/4/15."

WHEREAS, the Resolution approved the modification of a portion of Paragraph 3 of the Declaration, as last modified by a Declaration of Restrictions recorded in Official Records Book 22264, Pages 0054 thru 0058, reading as follows:

FROM:

"3c. The use will be conducted on the premises Monday through Saturday from 8:00 AM to 6:00 PM."

"3d. Instruction will be limited to nursery and preschool age students."

TO:

"3c. The use will be conducted on the premises Monday through Saturday from 7:30 AM to 6:00 PM."

"3d. The instruction will include nursery, preschool and elementary (grades K through 6 grade) age students."

NOW, THEREFORE, IN ORDER TO ASSURE Miami-Dade County (the "County") that the representations made by the Owner during its consideration of the Application and the approval of the Resolution will be abided by, the Owner freely, voluntarily, and without duress, hereby agrees as follows:

1. Paragraph 1 of the Declaration shall now read as follows:

1. Substantial Compliance with Plans. "That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Classroom Addition for Children's Center,' as prepared by Cohen, Freedman, Encinosa & Assoc. Architects, PA, dated stamped received 7/3/06 consisting of five sheets with A01 last handwritten revision dated 10/14/14 and Sheet A-00, dated stamped received 10/6/15 with A-00 last handwritten revision dated 2/4/15.

2. Subparagraphs 3(c) and 3(d) of the Declaration shall now read as follows:

3c. The use will be conducted on the premises Monday through Saturday from 7:30 AM to 6:00 PM.

- 3d. The instruction will include nursery, preschool and elementary (grades K through 6 grade) age students.
3. Except as hereby amended, all other restrictions in the Declaration, as amended, shall remain in full force and effect.

[Execution Pages Follow]

IN WITNESS WHEREOF, Children's Resource Fund, Inc., has caused these present to be signed in its name on this ____ day of _____, 2015.

WITNESSES:

Children's Resource Fund, Inc.,
a Florida not for profit corporation

Signature

By: _____

Print Name

Print Name: _____

Title: _____

Signature

Address: _____

Print Name

STATE OF FLORIDA)

) SS:

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by _____, as _____ of Children's Resource Fund, Inc., a Florida not for profit corporation, on behalf of said corporation, who is personally known to me or has produced _____ as identification.

My Commission Expires:

Notary Public – State of Florida

Printed Name

EXHIBIT "A"

LEGAL DESCRIPTION:

Tract 21 of "Kendall Greens Homesites," according to the Plat thereof, as recorded in Plat Book 40 at Page 52 of the Public Records of Miami-Dade County, Florida.

**JOINDER BY MORTGAGEE
CORPORATION**

The undersigned, _____, a Florida _____, under that certain Mortgage from Children's Resource Fund, Inc., a Florida not for profit corporation, recorded in Official Records Book ___, Pages ___, in the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing instrument, does hereby consent to the execution of this instrument by Children's Resource Fund, Inc., a Florida not for profit corporation, and agree that in the event Mortgagee or any other party shall obtain title to the property through foreclosure or deed-in-lieu of foreclosure, this Covenant shall be binding upon the entity obtaining title as the then owner of such property.

IN WITNESS WHEREOF, these presents have been executed this ___ day of _____, 2015.

WITNESSES:

MORTGAGEE

Print or Type Name

By: _____
Title: _____
Print name: _____
Address: _____

Print or Type Name

(Corporate Seal)

STATE OF FLORIDA)
) **SS**
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2015 by _____, of _____, on behalf of the company. He/She is personally known to me or has produced _____, as identification and did/did not take an oath.

Notary Public -State of _____
Print Name _____

My Commission Expires:

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 12**

PH: Z14-116

April 14, 2015

Item No. 3

Recommendation Summary	
Commission District	7
Applicant	Miami-Dade County Department of Regulatory and Economic Resources
Summary of Requests	To apply the Bird Road Design and Industrial Overlay District to the subject properties.
Location	Generally located north of SW 48 Street, east of SW 74 Avenue, west of SW 70 Avenue and south of SW 40 Street (Bird Road).
Property Size	156-acres
Existing Zoning	GU, RU-1, IU-1, IU-2, BRDI
Existing Land Use	Commercial, Industrial, Vacant Land
2020-2030 CDMP Land Use Designation	Business and Office, Industrial and Office, Restricted Industrial and Office, Transportation
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311 District Boundary Change Section 33-303.1(E)(2) Developmental Impact Committee <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval

REQUEST:

To apply the Bird Road Design and Industrial Overlay district to the subject properties.

NEIGHBORHOOD CHARACTERISTICS:

The subject properties are generally located north of SW 48 Street, east of SW 74 Avenue, west of SW 70 Avenue, and south of SW 40 Street (Bird Road). For reporting purposes, this area is referred to as the Bird Road Design District.

	Zoning and Existing Use	Land Use Designation
Subject Property	GU, RU-1, BU-1A, BU-2, BU-3, IU-1, IU-2, BRDI; various residential uses, business uses, industrial uses, and vacant land.	Business and Office, Industrial and Office, Restricted Industrial and Office, Transportation
North	RU-1, BU-1, BU-2, BU-3; various business uses and a County park.	Parks and Recreation, Business and Office, Industrial and Office
East	GU, IU-1, IU-2; vacant railroad right-of-way.	Transportation
South	RU-TH, IU-1; townhouse residences,	Low-Medium Density

	Zoning and Existing Use	Land Use Designation
	office uses, industrial uses.	Residential (6 to 13 dua), Restricted Industrial and Office
West	BU-2, IU-1, IU-2	Business and Office, Restricted Industrial and Office

ANALYSIS:

On September 1, 2009, the Board of County Commissioners (BCC) adopted Ordinance 09-71, establishing the Bird Road Design and Industrial Zoning District (BRDI). This zoning district was designed to address the existing conditions of the area generally bounded by Bird Road (SW 40 Street), SW 48th Street, SW 70th Avenue, and 74th Avenue. Although the area has been primarily designated and zoned for industrial purposes, over time, the area has transitioned to a commercial and industrial mixed-use district, now commonly known as the Bird Road Design District. The 2009 efforts sought to address these changing conditions via the establishment of a “thematic” zoning district, BRDI. With the establishment of BRDI, area property owners could avail themselves of the new district by filing individual applications to rezone their property to BRDI.

Early in 2014, the Department of Regulatory and Economic Resources (RER) staff conducted an assessment of the subject area and of the 2009 regulations and concluded that, as adopted, the ordinance did not have the intended outcome. The original ordinance required property owners to file individual applications and obtain a rezoning to BRDI in order to benefit from the district. Since 2009, there had only been two properties within the area rezoned to the new district, even though the uses that generated the need for the new regulations are found throughout the entire area.

In addition, the RER staff assessment of the 2009 regulations evidenced the need to re-establish the zoning district as an “overlay” zoning district. Overlay zoning districts lay on top of the underlying zoning districts, providing additional regulatory criteria for properties under them.

On June 17, 2014 the BCC adopted Ordinance 14-81, re-establishing the zoning district as the Bird Road Design and Industrial Overlay Zoning District (BRDI Overlay) and updating some of the regulations to address its “overlay” nature. Upon adoption, RER staff filed an application on behalf of the area property owners to apply the new BRDI Overlay. Once the BRDI Overlay is applied, development within the BRDI area will be guided by the underlying zoning regulations and by the BRDI Overlay regulations.

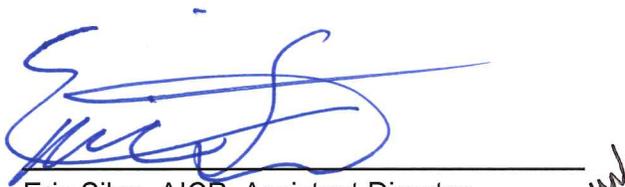
In general, as previously stated, the BRDI Overlay regulations seek to address the rather mixed-use nature of the BRDI area. The area, which is approximately 90% designated and zoned industrial, has over time evolved into a design-oriented commercial, office, and light warehousing district. BRDI Overlay authorizes additional uses such as artist’s studios, artisanal uses, interior design shops, and pottery shops, among others, as well as uses directly supportive of the businesses and activity in the area, such as restaurants and coffeehouses. To address existing conditions and the nature of the area, BRDI Overlay also provides a reduced parking requirement and the ability to park off-site within walking distance of a given use.

As part of the Board of County Commissioners adoption of BRDI Overlay, it was determined that such regulations were **consistent** with the Comprehensive Development Master Plan as provided in memoranda dated July 7, 2014 and as confirmed by the Developmental Impact Committee at their meeting of August 13, 2014. As previously stated, Staff opines that development under both the underlying zoning and the BRDI Overlay zoning districts will further the commercial and industrial mixed-use character that the subject area has been transitioning to and thus, render it **compatible** with the surrounding area. The service providers have raised no objections to the request. **Therefore, staff recommends approval of the request.**

RECOMMENDATION: Approval

CONDITIONS FOR APPROVAL: None

ES:GL



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

NSW

ZONING RECOMMENDATION ADDENDUM
 Miami-Dade Department of Regulatory and Economic Resources
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NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Neighborhood Compliance (RER)	No objection
Public Works & Waste Management	No objection
Parks, Recreation and Open Space	No objection
Fire Rescue	No objection
Police	No objection
Miami-Dade Transit	No objection
*Subject to conditions in the Department's attached memorandum.	

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

Land Use Element Goal	<i>Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and the man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.</i>
Land Use Element Objective LU-1	<i>The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.</i>
Land Use Element Policy LU-1C	<i>Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.</i>
Land Use Element Policy LU-1G	<i>Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.</i>
Land Use Element Objective LU-5	<i>All public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Development Master Plan.</i>
Land Use Element Policy LU-9I	<i>Miami-Dade County shall continue to update and enhance its land development regulations and area planning program to facilitate development of better planned neighborhoods and communities, and well-designed buildings, and shall encourage and assist municipalities to do the same.</i>
Land Use Element Policy LU-10A	<i>Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, moderate to high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. To facilitate and promote such development Miami-Dade County shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.</i>
Land Use Element Objective LU-12	<i>Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law.</i>
Land Use Element Policy LU-12D	<i>The County shall consider developing strategies that promote infill development in specific areas.</i>

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Land Use Element Urban Centers	<p>Business and Office</p> <p><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, entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Light industrial uses are also permitted in the Business and Office category within an approved Employment Center. 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-9O and LU-9P, 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></p> <p><i>Residential uses, and mixing of residential use with commercial, light industrial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the Density Bonus Programs for Affordable Housing discussed on the preceding pages, the allowances of the Residential communities section may be used within the limits provided in this paragraph.</i></p> <p>Employment Centers. <i>Within the Business and Office category, the integration of business, office, light industrial and limited residential uses is permitted through the development of employment centers. Employment centers are intended to create a synergistic relationship between industries that rely on one another for the exchange of goods, ideas and services and allow for the efficient use of shared resources and infrastructure. It is also intended to create an environment that connects industries with customers and the local workforce. Employment centers may be approved on properties designated as Business and Office on the CDMP Land Use Plan Map that meet the following: 1) are located inside the UDB, 2) contain a minimum of 10 acres, and 3) have direct access to a Major Roadway, as identified on the CDMP Land Use Plan Map.</i></p> <p><i>In addition to uses otherwise permitted in the Business and Office category, light industrial uses are also permitted provided such uses do not detrimentally impact adjacent or adjoining development and zoning. Residential uses are also permitted where not otherwise incompatible. Uses should be limited when necessary to provide compatibility with other uses within the employment center and protect adjacent and adjoining residential uses from impacts such as noise, vibrations, fumes or traffic. Light industrial uses shall generally include small-scale warehousing, wholesaling, manufacturing, packaging and distribution of products for</i></p>
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	<p><i>personal or household consumption including food products. Light industrial uses shall also include specialized medical, technology and biotechnology research and manufacturing.</i></p> <p><i>Employment centers shall be reviewed through the Planned Area Development zoning process or other similar process to allow for the implementation of design standards to ensure that uses are compatible with each other and adjacent properties and contribute to the character of the surrounding community. The standards for employment centers should remain flexible enough to allow for varying mixes of residential, business and industrial uses while providing an environment that is accommodating to consumers, residents and employees.</i></p> <p>Industrial and Office <i>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.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>33-303.1(E)(2) Developmental Impact Committee</p>	<p><i>Developmental Impact Committee (DIC) Duties.</i></p> <p>(2) <i>Except for applications which seek only non-use variances and/or a modification of a condition(s) or covenant(s) and which do not approve a change of use or an increase in the floor area for any and all nonresidential use(s), review County zoning actions which are:</i></p> <p>(A) <i>Required by the regulations to be taken after public hearing, and which would allow individually, or cumulatively within an independent development parcel:</i></p> <ol style="list-style-type: none"> (1) <i>Residential developments involving in excess of two hundred fifty (250) dwelling units.</i> (2) <i>Business uses involving in excess of ten (10) acres or one hundred thousand (100,000) square feet of retail floor area, or one thousand (1,000) vehicle off-street parking space capacity.</i> (3) <i>Recreational, cultural, or entertainment facilities involving in excess of one thousand (1,000) vehicle off-street parking space capacity for single performance or twenty (20) acres.</i> (4) <i>Office buildings or office complexes involving in excess of one hundred twenty-five thousand (125,000) square feet of floor space, or one thousand (1,000) vehicle off-street parking space capacity.</i> (5) <i>Industrial, processing or manufacturing activity involving fifty (50) acres, or five hundred (500) vehicle off-street parking space capacity.</i> (6) <i>Hotel and/or motel developments involving in excess of two hundred fifty (250) units.</i> (7) <i>All planned area developments.</i>
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	<p>(8) <i>Mixed-use developments with two (2) or more of the land use types specified in Subsections (E)(2)(a) 1 through 6 above where none of the individual land uses in the development meet or exceed the thresholds listed in Subsections (E)(2)(a) 1 through 6 above and where the sum of the percentages of the appropriate thresholds listed in Subsections (E)(2)(a) 1 through 6 above for each applicable land use in the development is greater than one hundred thirty (130) percent. Where a development addresses more than one (1) threshold within a particular land use type listed in 1 through 6 above, then the threshold in that land use type which generates the highest percentage shall be utilized in the calculation of the total mixed-use percentage for the subject development.</i></p>
<p>Section 33-311 District Boundary Change</p>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> (1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i> (2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i> (3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i> (4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i> (5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i>

**3. DEPARTMENT OF REGULATORY &
ECONOMIC RESOURCES**
(Applicant)

15-4-C12-3 (14-116)
Area 12/District 07
Hearing Date: 04/14/15

Property Owner (if different from applicant) Same.

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

If so, who are the interested parties?

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>
	Multiple Zoning Actions			

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: November 14, 2014

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

From: Maria A. Valdes, CSM, LEED[™] Green Associate
Chief, Comprehensive Planning & Water Supply Certification Section

Subject: DIC # 14-116 Department of Planning & Zoning Director

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project. The comments provided below are general for the subject area and as individual parcels are developed, they will be addressed on a case by case basis.

Recommendation: Approval based on conditions noted below.

Application Name: DP&Z Director

Proposed Development: Rezone area to Bird Road Industrial District.

Project Location: The subject property is located generally north of SW 48th Street, east of SW 74th Avenue, west of SW 70th Avenue and south of SW 40th Street, in unincorporated Miami-Dade County.

Water: The subject project is located within MDWASD's service area. Public water mains exist throughout the area. Please note that at the time that new development is initiated, existing infrastructure will be evaluated to determine if water main upgrades or water main extensions will be required. All future projects will be evaluated on a case by case basis to determine the water main and fire hydrant needs for each individual project. Any public water infrastructure must be within a public right-of-way, or within a utility easement.

All new developments will require a Water Supply Certification (WSC) from Miami-Dade Water and Sewer Department. Said Certification will be issued at the time connection to the water infrastructure is requested. The Certification is required to assure adequate water supply is available to all water users of the MDWASD as required by Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the MDWASD's 20-year Water Use Permit.

The source of water for this project is the Alexander Orr, Water Treatment Plant. MDWASD will be the utility providing water services subject to the following conditions:

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

Sewer: The subject project is located within MDWASD's service area. Public sanitary sewer exist throughout the area, nonetheless, the majority of the area between SW 70th Ct. and SW 72nd Ave.

between SW 40th ST. and SW 44th St. is not connected to public sewers. As such, sanitary sewer extensions may be required for future development. All new projects will be evaluated on a case by case basis to determine the sewer infrastructure needed for each individual development. Any public sewer infrastructure must be within a public right-of-way, or within a utility easement.

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

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

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

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

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

Below please find additional links to the Miami-Dade County WASD portal which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

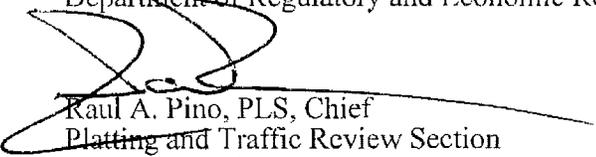
Should you have any questions, please call me at (786) 552-8198 or Alfredo B. Sanchez at (786) 552-8237.

Memorandum



Date: October 23, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2014000116
Name: Department of Regulatory and Economic Resources
Location: Lying North of SW 48 Street, East of SW 74 Avenue, West of SW 70 Avenue
and South of SW 40 Street
Section 23 Township 54 South Range 40 East

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

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

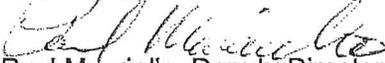
This project meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply.

Memorandum



Date: October 22, 2014

To: Eric Silva, Development Coordinator
Regulatory and Economic Resources Department

From: 
Paul Mauriello, Deputy Director, Waste Operations
Public Works and Waste Management Department

Subject: Department of Regulatory and Economic Resources (DIC #14_116)

The Department's review of the above-referenced item is provided below. Additional comments will be provided as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager, Fiscal Management and Planning Division, at 305-375-1354. **The PWWM has no objections to the proposed application.**

Application: *The Miami-Dade County Department of Regulatory and Economic Resources (RER)* is requesting a district boundary change from Interim District (GU); Single Family Residential District (RU-1), Industrial District, light manufacturing (IU-1), Industrial District, heavy manufacturing (IU-2), and Bird Road Design and Industrial Overlay District (BRDI) to Bird Road Design and Industrial Overlay District (BRDI). The designation provides for development of any of the aforementioned land uses (GU, RU-1, IU-1, and IU-2) within the BRDI. Development beyond the designated uses may go before a public hearing.

Size: The subject property is approximately 156 acres.

Location: The subject property is lying north of SW 48th Street, east of SW 74th Avenue, west of SW 70th Avenue, and south of SW 40th Street (Bird Road), in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 18, 2014, 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 Regulatory and Economic Resources 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

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the BRDI allows development of single family residential units. As such, according to the Code, each residential unit will receive PWWM waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWM solid waste collection service area.

Development within the BRDI also allows for interim and industrial uses, which meet the County Code definition of commercial establishments and multi-family residential establishments. Per the Code, the following is required of multi-family residential and commercial establishments 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.

3. Recycling: Single family Residential Units

The PWWM provides curbside recycling services to **residential units** located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained on the Department's website at <http://www.miamidade.gov/publicworks/recycling.asp>.

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

4. Recycling: Multi-family Residential Establishments

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

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

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

Applicants are **strongly** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program.

Requests for approval of modified recycling programs must be made directly to the Department. The application regarding modified recycling programs may be found on the website at <http://www.miamidade.gov/publicworks/multifamily-recycling.asp>.

5. Recycling: Commercial Establishments

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

6. Waste Storage/Setout Considerations

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

7. Site Circulation Considerations

It is required that development 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.

Memorandum



Date: February 27, 2015

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

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

Subject: BCC #Z2014000116-1st Revision
Department of Regulatory and Economic Resources
N of SW 48th St, E of SW 74th Ave, West of SW 70th Avenue & S of
SW 40th Street, Miami-Dade County
DBC from GU, RU-1, IU-1, IU-2, BRDI to Bird Road Design &
Industrial Overlay District (BRDI)
(GU) (156 Acres)
23-54-40

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

Wellfield Protection

The properties within the proposed Bird Road Design & Industrial Overlay District (BRDI) located west of 71st Avenue are located within maximum and Average protection area of the Alexander Orr Wellfield. Therefore, development on the properties within the wellfield shall be in accordance with the regulations established in Section 24-43 of the Code.

The subject request is to establish a zoning classification that would allow non-residential land uses in this area. Section 24-43(5) of the Code provides that for properties located within the basic wellfield protection area of any public utility potable water supply well, no County or municipal officer, agent, employee, or Board shall approve grant or issue any zoning action for non-residential land uses, unless the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County, which provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on that portion of the property located within the basic wellfield protection area of any public utility potable water supply well. Some of the existing non-residential properties in the proposed BRDI located in the average protection area of the wellfield do not have the aforementioned covenant. Each non-residential property located in the wellfield protection area would be required to file a covenant prior to the Department approval of this zoning request.

The Miami-Dade County Environmental Quality Control Board (EQCB) granted the property owner a variance from the requirements of Section 24-43(5) of the Code via Board Order 14-24, to allow the zoning action to proceed and to allow each property owner to file the required covenant prior to the approval of any subsequent development orders for any of the properties affected by the zoning action.

Wastewater Disposal

The proposed BRDI is located within the Miami-Dade Water and Sewer Department (MDWASD) sanitary sewer franchised service areas. Sanitary sewers are available on certain portions of this area in the form of gravity and force mains ranging in size from 8-inch to 16-inch.

The wastewater flows are directed via the sewage conveyance system to the MDWASD Wastewater Treatment Plants, which is an interconnected system, and at present it has sufficient capacity to treat current discharge. Inasmuch as there may be that at some point in time one or more sanitary sewer pump stations are on moratorium status, the capacity of the conveyance system would have to be determined on a case by case basis and would depend on the location of any specific property, at any given time, and would also depend on any proposed land use.

Several of the non-residential properties within the proposed BRDI do not have access to public sanitary sewers and are either served by a septic tank and drainfield system or would be served by a septic tank. Pursuant to the Code, non-residential properties can be approved for the interim use of a septic tank and drainfield, provided that the following items are satisfied:

1. The proposed development does not exceed the maximum sewage loading allowed by Section 24-43.1(4)(b) of the Code of 1,500 gallons per day per acre.
2. Pursuant to Section 24-43.1(4)(a) of the Code, the property owner submits a properly executed covenant running with the land in favor of Miami-Dade County which provides that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank. The covenant shall be submitted to and approved by the Department prior to public hearing. Each non-residential property served by a septic tank would be required to file a covenant prior to the Department approval of this zoning request.

The Miami-Dade County Environmental Quality Control Board (EQCB) granted the property owner a variance from the requirements of Section 24-43.1(4) of the Code via Board Order 14-24, to allow each property owner to file the required covenant prior to the approval of any subsequent development orders for any of the properties affected by the zoning action.

Stormwater Management

The applicant is advised that any redevelopment involving more than 2 acres of impervious area will require a DERM Surface Water Management General Permit for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. The applicant is advised to contact the Water Control Section of DERM (305-372-6681) for further information regarding permitting procedures and requirements.

Stormwater should be retained on site utilizing 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.

The applicant is advised that if the proposed project is located within or near a possibly contaminated area a DERM Class VI Permit will be required for the construction of the surface water management system.

Tree Preservation

There are no tree resources issues on the subject property.

Enforcement History

There are 2 open enforcement records for violations of Chapter 24 of the Code for properties within the subject area:

1. Folio #30-4023-011-0023: DERM file UT-2257, involving open petroleum discharge violation - (discharge report form submitted on 11/02) discovered as part of a phase 2 assessment of site. Discharge was of gasoline and diesel, may be related to previous underground storage tank removal.
2. Folio #30-4023-012-0221: DERM file UT-2440, Tropical Paint & Body Shopm which is currently in the State of FL Petroleum Restoration Program.

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: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: October 22, 2014

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

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

Subject: Z2014000116: DEPARTMENT OF REGULATORY & ECONOMIC RESOURCES

Application Name: DEPARTMENT OF REGULATORY & ECONOMIC RESOURCES

Project Location: The site is located at that area lying NORTH OF SW 48 STREET, EAST OF SW 74 AVENUE, WEST OF SW 70 AVENUE & SOUTH OF SW 40 ST (BIRD ROAD), Miami-Dade County.

Proposed Development: The request is for a district boundary change for the Bird Road Design and Industrial Overlay District.

Impact and demand: The BRDI as an overlay zoning district provides additional regulatory criteria for properties under the overlay, which in this case is predominately industrial. The overlay will allow these properties to be eligible for additional commercial uses and parking bonuses. The opportunity for residential development is limited to live-work units and is not expected to result in a significant impact to Level of Service. The area is located in Park Benefit District 2 which has a surplus of 491.32 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District.

Recommendation: Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: October 29, 2014
To: Jack Osterholt, Director
Regulatory and Economic Resources
From: Dave Downey, Fire Chief 
Miami-Dade Fire Rescue Department
Subject: DIC 2014000116 – Department of Regulatory and Economic Resources

The Department of Regulatory and Economic Resources (RER) is requesting a district boundary change from various zoning districts to the Bird Road Design and Industrial Overlay District (BRDI).

The area is comprised of approximately 156 acres between Bird Road (SW 40 Street) and SW 48 Street and between SW 70 Avenue and SW 74 Avenue in Miami-Dade County.

According to RER, the BRDI is an overlay zoning district that provides additional regulatory criteria for properties under the overlay, which in this case is predominately industrial. The opportunity for residential development is limited to live-work type units and is not expected to significantly impact current levels of service.

Presently, MDFR provides adequate emergency and fire service to the subject area. In addition to Station No. 3, the following MDFR stations are within close proximity and capable of rendering additional emergency and fire service.

STATION	ADDRESS	EQUIPMENT	STAFF
3	3911 SW 82 Avenue	Rescue, Engine	7
13	6000 SW 87 Avenue	Aerial	4
14	5860 SW 70 Street	Rescue, Engine, Battalion	8
40	975 SW 62 Avenue	Rescue, Engine	7

The Miami-Dade Fire Rescue Department has **no objection** to the application.

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

/ch

DATE: 12-FEB-15
REVISION 1

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

DEPARTMENT OF REGULATORY &
ECONOMIC RESOURCES

LYING NORTH OF SW 48 STREET,
EAST OF SW 74 AVENUE, WEST
OF SW 70 AVENUE & SOUTH OF
SW 40 ST (BIRD ROAD), MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2014000116

HEARING NUMBER

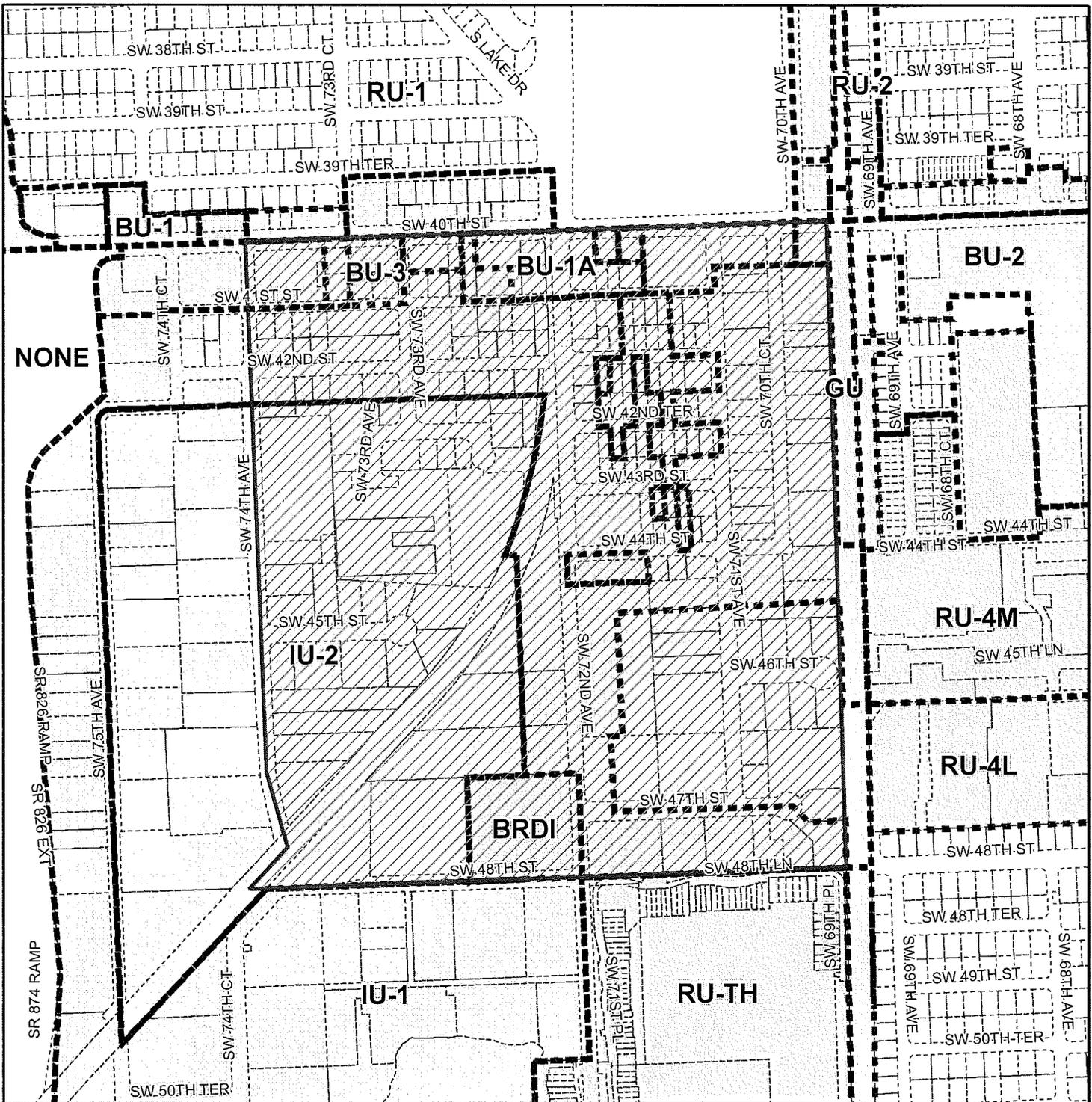
HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: No bss cases

Department of Regulatory & Economic Resources

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

REPORTER NAME:



MIAMI-DADE COUNTY

Process Number

HEARING MAP

Z2014000116

Section: 14/23 Township: 54 Range: 40
 Applicant: DEPARTMENT OF REGULATORY & ECONOMIC RESOURCES
 Zoning Board: C12/10
 Commission District: 7/6
 Drafter ID: GGARCIA
 Scale: NTS

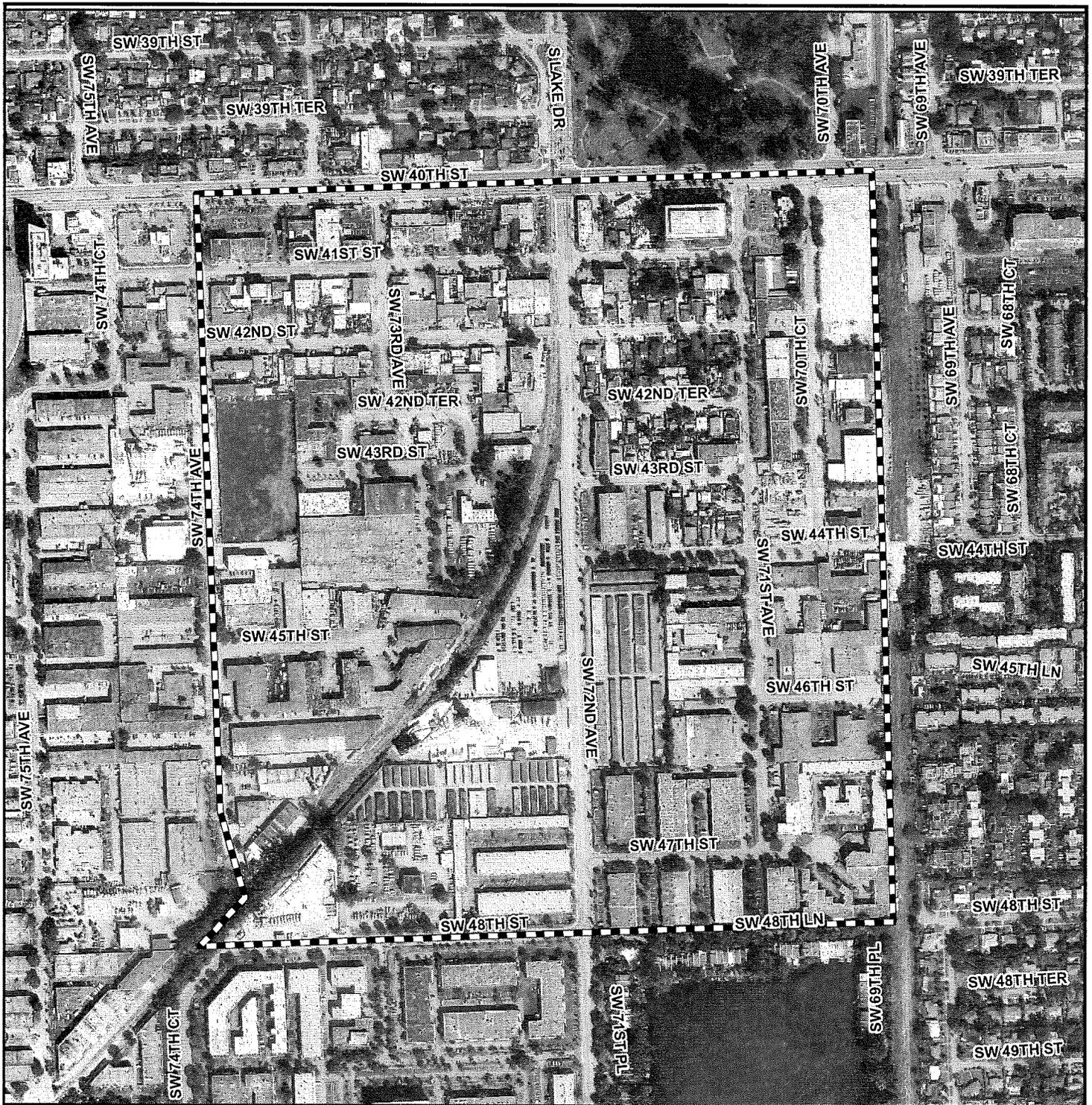
Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Friday, November 7, 2014

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY

AERIAL YEAR 2014

Process Number

Z2014000116

Legend

 Subject Property



Section: 14/23 Township: 54 Range: 40

Applicant: DEPARTMENT OF REGULATORY & ECONOMIC RESOURCES

Zoning Board: C12/10

Commission District: 7/6

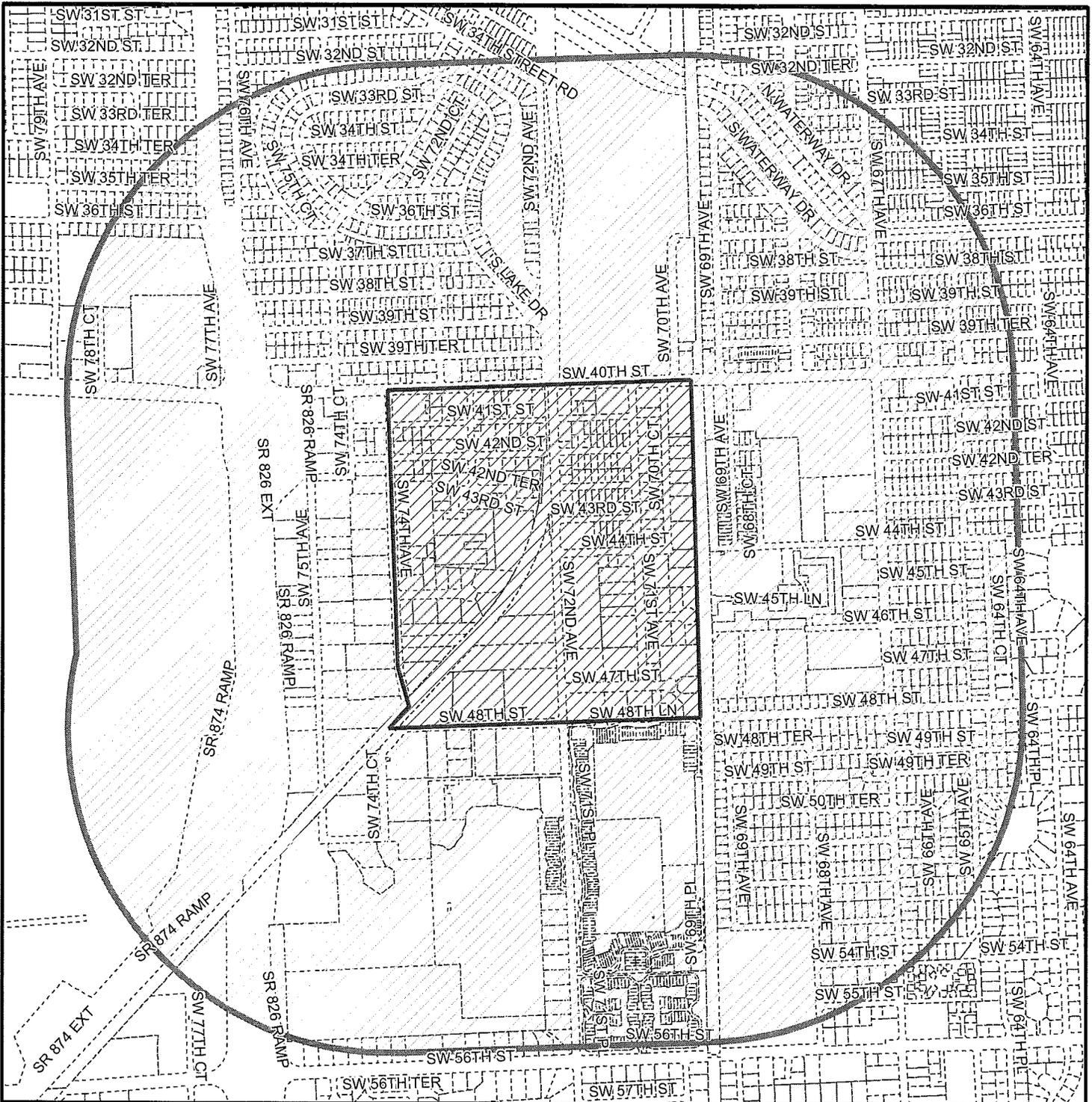
Drafter ID: GGARCIA

Scale: NTS



SKETCH CREATED ON: Friday, November 7, 2014

REVISION	DATE	BY
		22



MIAMI-DADE COUNTY
RADIUS MAP

Section: 14/23 Township: 54 Range: 40
 Applicant: DEPARTMENT OF
 REGULATORY & ECONOMIC RESOURCES
 Zoning Board: C12/10
 Commission District: 7/6
 Drafter ID: GGARCIA
 Scale: NTS

Process Number

Z2014000116

RADIUS: 2640

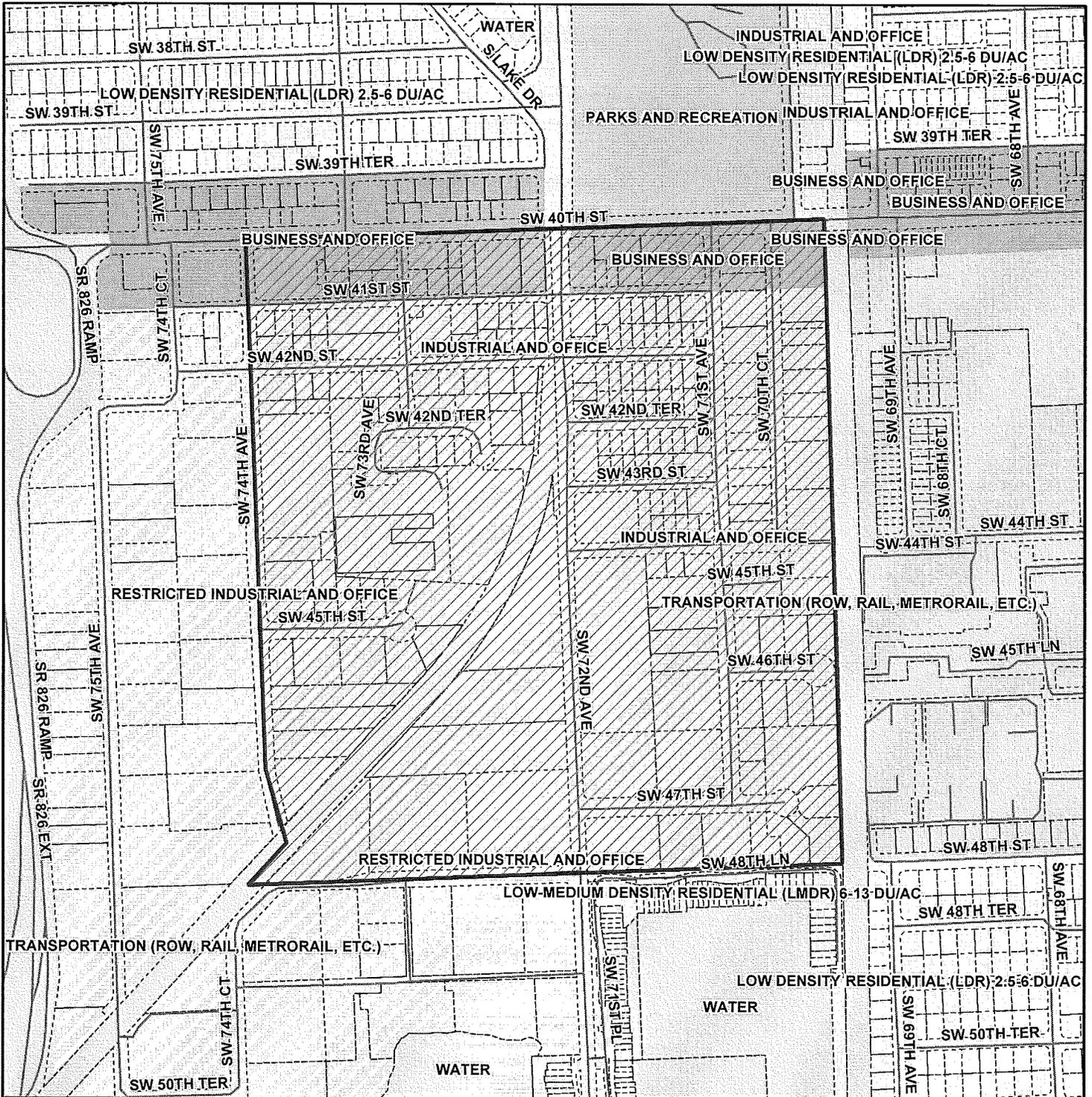
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Friday, November 7, 2014

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY

Process Number

CDMP MAP

Z2014000116

Legend



 Subject Property Case

Section: 14/23 Township: 54 Range: 40
 Applicant: DEPARTMENT OF
 REGULATORY & ECONOMIC RESOURCES
 Zoning Board: C12/10
 Commission District: 7/6
 Drafter ID: GGARCIA
 Scale: NTS



SKETCH CREATED ON: Friday, November 7, 2014

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