

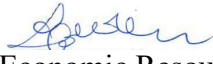
Memorandum



Date: October 19, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

Agenda Item No. 5(G)

From: Lourdes M. Gomez, Director 
Department of Regulatory and Economic Resources

Resolution No. R-988-21

Subject: Designation of Land Located at Northwest corner of SW 248 Street and SW
120 Avenue as a Brownfield Area

Recommendation

It is recommended that the Board of County Commissioners (“Board”) designate the land located at the Northwest corner of SW 248 Street and SW 120 Avenue, Miami-Dade County, Florida 33032 (“Subject Property”), and further specified in Exhibit 2 to the resolution, as a brownfield area to be known as the South Riviera Investment No. 2.

According to the proposal submitted by the property owner, South Riviera Investments #2, Inc. (“South Riviera”), the owner plans to construct a two-story, 63,120 sq. ft. charter school for students in kindergarten through the eighth grade. The developer is projecting a total investment of \$11,000,000.00 and will create at least five new permanent jobs. However, the capital investment and the construction outcomes are not guaranteed.

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board’s meeting agenda by the Director of the Department of Regulatory and Economic Resources. Pursuant to section 376.80(1)(c)4., Florida Statutes, this matter requires two quasi-judicial public hearings before the Board, and the public hearings must be announced at a meeting of the Board before the actual public hearings.

Scope

The Subject Property is located in Commission District 8, represented by Commissioner Danielle Cohen Higgins. The proposed area is identified by folio numbers 30-6924-000-1980, 30-6924-000-2010, and 30-6924-000-2011.

Delegation of Authority

This item has no delegation of authority.

Fiscal Impact/Funding Source

Approval of this location as a brownfield site would not create a negative fiscal impact to the County.

Track Record/Monitor

Not applicable.

Background

A brownfield site, as defined in Section 376.79(4) of the Florida Statutes, is real property, where the expansion, redevelopment or reuse of the property may be complicated by actual or perceived environmental contamination. A brownfield area is defined as a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government resolution. Brownfields may include all or portions of community development areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency-designated brownfield pilot projects. The goal of the brownfield program is to significantly improve the utilization, general condition, and appearance of these sites. Once a property has been designated as a brownfield by a local government, the property may be eligible for certain state-funded incentives.

South Riviera submitted a proposal, attached to the resolution as Exhibit 1, to designate the Subject Property as a brownfield area pursuant to Section 376.80, Florida Statutes. Under Section 376.80, the County shall designate a proposed site as a brownfield area if, after giving the notice and holding the public hearings required under that statute, the person who submitted the proposal establishes at the public hearing to adopt the resolution, that all five of the factors set forth in Section 376.80(2)(c) are satisfied.

The Department of Regulatory and Economic Resources (RER), Planning Division, has reviewed the proposal and is recommending that the Board designate the Subject Property as a brownfield area for the following reasons: The Subject Property qualifies as a “brownfield site” under the definition set forth in Section 376.79(4), Florida Statutes because the redevelopment or reuse of the Subject Property may be complicated by the presence of actual environmental contamination, likely resulting from the historic use of the Subject Property for agriculture. South Riviera has plans to develop this site into a private charter school for students in kindergarten through the eighth grade. When the project is complete, it will contain a two-story, 63,120 sq. ft. building, with a 20,000 sq. ft. rooftop playground for 750 students.

Section 376.80(2)(c), Florida Statutes, sets forth the following criteria South Riviera must establish for the County to designate the Subject Property as a brownfield. RER believes that South Riviera proposal satisfies these criteria:

- (1) “A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.”

South Riviera owns the Subject Property and is requesting the Brownfield Area designations. As the owner of the property, South Riviera plans to enter into a Brownfield Site Rehabilitation Agreement to complete site rehabilitation and redevelopment of the brownfield site.

- (2) “The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the

implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas, or parks.”

The redevelopment of the Subject Property as a school will result in the creation of at least five new permanent, full-time equivalent jobs for teaching positions, maintenance positions, and operations at the school, which will not be associated with the implementation of the brownfield site rehabilitation agreement or redevelopment, project demolition, or construction of the Subject Property. In addition, the redevelopment of the Subject Property for a school will result in the creation of recreational areas, open space and park-like uses to support the educational use.

- (3) “The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.”

South Riviera rezoned the Subject Property and received approval to develop the Subject Property as a private school, as more particularly documented in Miami-Dade County Resolution No. Z-28-18. The approval of this resolution demonstrates that the proposed redevelopment is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.

- (4) “Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to paragraph (1)(c), and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subparagraph must be posted in the affected area.”

South Riviera published notice of the proposed designation in the Miami Herald and El Nuevo Herald newspapers, posted notice of the proposed designation on the Subject Property, and is scheduled to hold a virtual community meeting on September 27, 2021 to give neighbors and nearby residents the opportunity to provide comments and suggestions about rehabilitation.

- (5) “The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.”

South Riviera has sufficient financial resources to implement and complete the site rehabilitation and redevelopment. A statement regarding South Riviera’s ability to complete the same is included with the enclosed application.

For the reasons above, RER is recommending that the Board designate the Subject Property as a brownfield area.



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 19, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(G)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(G)
10-19-21

RESOLUTION NO. _____ R-988-21

RESOLUTION TAKING ACTION, AFTER PUBLIC HEARING, ON PROPOSAL OF SOUTH RIVIERA INVESTMENTS #2, INC., TO DESIGNATE REAL PROPERTY LOCATED AT NORTHWEST CORNER OF SW 248TH STREET AND SW 120TH AVENUE, MIAMI-DADE COUNTY, FLORIDA 33032, ALSO IDENTIFIED BY FOLIO NUMBERS 30-6924-000-1980, 30-6924-000-2010 AND 30-6924-000-2011, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80, FLORIDA STATUTES, WHICH SHALL BE KNOWN AS THE SOUTH RIVIERA INVESTMENT NO. 2

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, brownfield sites are defined under section 376.79(4), Florida Statutes, as “real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination”; and

WHEREAS, sections 376.77–376.85, Florida Statutes, hereinafter referred to as the “Brownfields Redevelopment Act,” provide that local governments may designate brownfield areas, which are defined in part as “a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution,” for the purpose of encouraging economic development and environmental remediation; and

WHEREAS, this Board has reviewed the proposal submitted by South Riviera Investments #2, Inc., attached hereto as Exhibit 1, to designate real property located at Northwest corner of SW 248th Street and SW 120th Avenue, Miami-Dade County, Florida 33032, also identified by Folio Numbers 30-6924-000-1980, 30-6924-000-2010 and 30-6924-000-2011, and further identified in Exhibit 2 (the “subject property”), as a brownfield area; and

WHEREAS, this Board finds that the subject property qualifies as a brownfield site within the meaning of section 376.79(4), Florida Statutes; and

WHEREAS, this Board has considered the factors set forth in section 376.80(2)(c), Florida Statutes, which South Riviera Investments #2, Inc., must establish for this Board to designate the subject property as a brownfield site, and finds that South Riviera Investments #2, Inc., has established all of those factors; and

WHEREAS, this Board has complied with the notice, public hearing, and other requirements set forth in section 376.80, Florida Statutes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The recitals and findings set forth above are true and are hereby incorporated by reference.

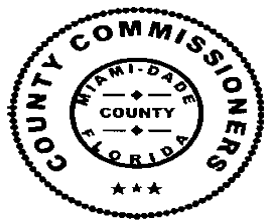
Section 2. This Board accepts the proposal submitted by South Riviera Investments #2, Inc., and designates the real property identified in Exhibit 2, attached hereto and incorporated herein by reference, as a brownfield area under the Brownfields Redevelopment Act. This brownfield area shall be known as the “South Riviera Investment No. 2.” This designation shall not render Miami-Dade County liable for the costs of site rehabilitation or source removal, as those terms are defined in section 376.79, Florida Statutes, or for any other costs.

Section 3. This Board directs the County Mayor or County Mayor’s designee, within 30 days of the adoption of this resolution, to transmit a certified copy of this resolution to the Florida Department of Environmental Protection and to maintain a certified copy of this resolution on file with the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, as the local pollution control program.

The foregoing resolution was offered by Commissioner **Kionne L. McGhee**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 19th day of October, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

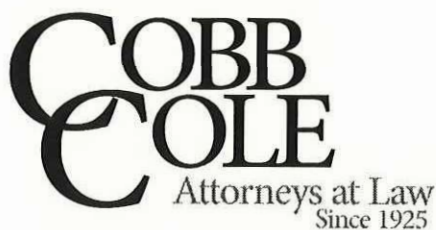
By: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl

Scott W. Cichon
Robert A. Merrell III
John P. Ferguson
Mark A. Watts
Heather Bond Vargas
Michael J. Woods
Raymond L. Schumann
Kathleen L. Crotty
Michael O. Sznajstajler
Matthew S. Welch
Robert E. Doan
William A. Rice
Douglas J. Collins
Sara E. Glover
Holly W. Zitzka
Jessica L. Gow
Joseph A. Cottingham
Nika K. Hosceini
Sydney V. Cichon



Daytona Beach • DeLand

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OF COUNSEL
Larry D. Marsh

RETIRED
Thomas S. Hart

William M. Cobb
(1881-1939)
Thomas T. Cobb
(1916-2004)
W. Warren Cole, Jr.
(1926-2008)

June 30, 2021

VIA FEDERAL EXPRESS AND E-MAIL

Miami-Dade County
Attn: Freenette Williams
Business Development Specialist
Office of Economic Development and
International Trade
111 NW 1st Street – 19th Floor
Miami, FL 33128

Re: Brownfield Area Designation for South Riviera No. 2 Property

Dear Ms. Williams:

Cobb Cole has the pleasure of representing South Riviera Investments #2, Inc. ("South Riviera") with respect to the above referenced parcels (the "Property"). South Riviera is interested in redeveloping the Property as a charter school for students in Kindergarten through Eighth (8th) grade. The attached site plan illustrates the proposed redevelopment plan. Redevelopment of the Property is complicated by historic use of the Property for agricultural uses. The presence of constituents of concern at the Property are documented in reports submitted to the County's Division of Environmental Resource Management for file number HWR-00970/F-N/A.

South Riviera is interested in redeveloping the Property under the Florida Brownfields Redevelopment Program to facilitate site rehabilitation. Accordingly, South Riviera respectfully requests that Miami-Dade County designate the property as a Brownfield Area. Attached hereto please find the following in support of the requested designation:

- Miami-Dade County Brownfield Redevelopment Program Application for Brownfield Designation;
- A figure showing the location and the legal description of the Property;
- Resolution No. Z-28-18 approved by the Board of County Commissioners for Miami-Dade County;

- Site plan for the Property; and
- Statement providing financial assurance.

Under Section 376.80(2)(c), Florida Statutes, a local government designates a property as a Brownfield Area if the applicant meets the applicable criteria provided for in the statute. A description of said criteria and an analysis of how the Property meets the same is set forth below:

I. Section 376.80(2)(c)1, Florida Statutes. A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.

South Riviera owns the Property and is requesting the Brownfield Area designation. As the owner of the Property, South Riviera plans to enter into a Brownfield Site Rehabilitation Agreement to complete site rehabilitation and redevelopment of the brownfield site.

II. Section 376.80(2)(c)2, Florida Statutes. The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas, or parks.

The redevelopment of the Property as a school will result in the creation of at least 5 new permanent, full-time equivalent jobs for teaching positions, maintenance positions, and operations at the school, which will not be associated with redevelopment, project demolition, or construction at the Property. In addition, the redevelopment of the Property for a school will result in the creation of recreational areas, open space and park-like uses to support the educational use.

III. Section 376.80(2)(c)3, Florida Statutes. The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.

South Riviera rezoned the Property and received approval to develop the Property as a private school, as more particularly documented in Miami-Dade County Resolution No. Z-28-18. The approval of this resolution demonstrates that the proposed redevelopment is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.

IV. Section 376.80(2)(c)4, Florida Statutes. Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to paragraph (1)(c), and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subparagraph must be posted in the affected area.

South Riviera is committed to providing proper notice and facilitating public involvement in the brownfield area designation process and the redevelopment of the Property. South Riviera will assist Miami-Dade County in complying with the applicable notice provisions and will facilitate opportunities for comments and suggestions about rehabilitation.

V. Section 376.80(2)(c)5, Florida Statutes. The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.

South Riviera has sufficient financial resources to implement and complete the site rehabilitation and redevelopment. A statement regarding South Riviera's ability to complete the same is included with the enclosed application.

We appreciate the opportunity to present this information and look forward to working with Miami-Dade County on this matter. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Michael O. Sznapstajler

Direct Dial (386) 323-9222
Michael.Sznapstajler@CobbCole.com
Fax (386) 944-7963

Enclosures

cc: South Riviera Investments #2, Inc.
Sandra Rezola
(both via e-mail with enclosures)



**MIAMI DADE COUNTY BROWNFIELD REDEVELOPMENT PROGRAM
APPLICATION FOR BROWNFIELD DESIGNATION**

Please complete this form to initiate the Brownfield designation process. It is important to complete all applicable sections and attach all necessary information. If you have any questions concerning completion of this Application or wish to schedule a Pre-Application Meeting, please call (305) 375-1254 and ask for a Brownfield Representative.

I. PROPERTY INFORMATION

Property Address Northwest corner of SW 248th Street and SW 120th Avenue

Property Name South Riviera No. 2 Property

City Miami State FL Zip Code 33032

Property Size (acres/square feet) Total: +/- 222,135 S.F./ 5.10 AC

Parcel Number(s) 1980; 2010; 2011

Folio Number 30-6924-000-1980; 30-6924-000-2010; 30-6924-000-2011

Zoning EU-M

DERM File Number HWR-00970/F-N/A

FDEP File Number _____

Name of Applicant's Interest in Property

☒ Owner
☐ Tenant
☐ Under Contract
☐ Option to Purchase/Lease
☐ Letter of Intent
☐ Other (If so, please describe briefly: _____)

Is property subject to an enforcement action under the Comprehensive Environmental Compensation or Liability Act, the Resource Conservation and Recovery Act, or Chapter 376 or 403, Florida Statutes?

No.

If so, please provide a brief description of the material facts and circumstances associated with such action(s).

N/A

If the project consists of an assemblage, please include all property information for each additional parcel as an attachment, including legal descriptions.

Describe all outstanding property taxes due on the property.

There are no outstanding property taxes due on the applicable properties.

Describe all liens on the property.

To the best of our knowledge, there are no outstanding liens on the applicable properties.

II. PROJECT DESCRIPTION

Briefly describe the project and the anticipated redevelopment plan.

The property owner anticipates developing the property as a charter school for students in Kindergarten through 8th grade. The attached site plan illustrates the proposed redevelopment plan.

Briefly describe the environmental conditions and issues associated with the project.

Redevelopment of the property is completed by historic use of the property for agricultural uses.

Please refer to DERM file number HWR-00970/F-N/A for additional information regarding the environmental conditions and issues associated with the redevelopment.

Briefly describe any anticipated plans for assessment and remediation of the environmental conditions associated with the property.

Once the brownfield area has been established, the property owner intends on entering into a Brownfield Site Rehabilitation Agreement to assess and remediate the property.

Will your project require a change in zoning and /or the County's Comprehensive Plan? If so, please provide a brief description of the material facts and circumstances associated with such change(s).

No. A change in applicable zoning was completed in 2019.

Please attach a statement demonstrating that the project currently qualifies for designation as a Brownfield Area under the Florida Brownfield Redevelopment Act (or will qualify prior to the date the item is brought before the County Commission). Note that reasonable assurances must be provided by the Applicant that sufficient financial resources are available to implement and complete a rehabilitation agreement and redevelopment plan. Accordingly, your statement must outline the financial resources that are available in this regard.

If you intend to apply for the Brownfield Job Refund Bonus or the Brownfield Economic Development Initiative (Revolving Loan Fund), please indicate so by attaching a statement that discusses why you believe your project qualifies. Note: A separate application process exists for these programs.

Please attach any non confidential environmental assessment documentation associated with the project, including Phase I and Phase II Reports, Site Assessment Reports, and Remedial Action Plans.

III. APPLICANT INFORMATION

Name SOUTH RIVIERA INVESTMENTS # 2, INC.

Address 660 S.W. 123 AVENUE

City Miami State FL Zip Code 33184

Phone 305-316-7540 Fax _____ E-Mail HermanHdezRealtor@gmail.com

Ownership Interest
in Property Owner

Legal Status of the Applicant:

_____ Individual /Sole Proprietorship _____ General Partnership _____ State
_____ Limited Liability Company _____ Limited Partnership
 X Florida Corporation
_____ Out-of-State Corporation State of Incorporation _____

Name of current Property owner if different from Applicant N/A

Address _____

City _____ Zip Code _____

State _____ Mail _____

Phone _____ Fax _____ E- _____

Legal Status of the Current Property Owner (s):

_____ Individual /Sole Proprietorship _____ General Partnership _____ State
_____ Limited Liability Company _____ Limited Partnership
 X Florida Corporation
_____ Out-of-State Corporation State of Incorporation _____

If the current property owner is not the applicant, please attach an affidavit from the current owner that it does not object to designation of the Property as a Brownfield Area under the Florida Brownfield Redevelopment Act.

IV. SERVICES TO BE PROVIDED

Have you requested a Brownfield Meeting prior to completing this application? X Yes
_____ No

In order to better assist you, please check the type of designation you are requesting and the type of assistance/incentives (check all that apply) you are seeking through this designation:

Type of Designation: X Several parcels _____ Single parcel

Type of Assistance/Incentives requested:

_____ Regulatory Assistance (aid for meeting government agency permitting requirements)

_____ Technical Assistance (aid in obtaining grants, loans, etc.)

_____ Grants (gap financing for Brownfield remediation)

_____ Loan (remediation loan funds)

☒ Tax Credits/Exemptions due to Brownfield Area Designation

_____ Job Creation Tax Refund due to Brownfield Area Designation

Other (please describe):

Return completed form and attachments to:

Office of Economic Development and International Trade

111 NW 1st Street – 19th Floor

Miami, FL 33128

305 375-1254

<http://www.miamidade.gov/oedit/>

V. CERTIFICATION

The contents of this application shall be considered public records held by Miami Dade County and upon submittal becomes the property of Miami Dade County. The undersigned affirms that the information contained in this application is true and accurate.

Applicant's Signature: Ruben Diaz Date: 6-29-2021

Print / Type Name: RUBEN DIAZ

FOR OFFICIAL USE ONLY

Applicant Received by: _____ Date: _____

Application Completeness Reviewed by: _____

_____ Application Complete _____ Application Incomplete

Specify reason(s) below:

Applicant Contacted on: _____

Applicant Phone Number: _____

Applicant E-mail: _____

Date corrected information received to complete application (if applicable):

Signature of Reviewer: _____ Date: _____

As of 12/11/09

THE PROPERTY

Parcel A: The Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East, less the East 25 feet thereof, lying and being in Miami-Dade County, Florida, and

Parcel B: The West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, less the South 35 feet thereof for Roadway purposes in Section 24, Township 56 South, Range 39 East, Miami-Dade County, Florida, and

Parcel C: The East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, less the South 35 feet thereof for Roadway purposes in Section 24, Township 56 South, Range 39 East, Miami-Dade County, Florida.



Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-28-18

WHEREAS, SOUTH RIVIERA INVESTMENTS No. 2, INC. applied to Community

Zoning Appeals Board 15 for the following:

- (1) DISTRICT BOUNDARY CHANGE from AU (Agricultural District) to EU-M (Estates Modified District)
- (2) NON-USE VARIANCE to permit a proposed private school building setback 59' (75' required) from the interior side (west) property line.

OR IN THE ALTERNATIVE TO REQUESTS #1 and #2, THE FOLLOWING:

- (3) SPECIAL EXCEPTION and UNUSUAL USE to permit a private school with grades Kindergarten through 8th.
- (4) NON-USE VARIANCE to permit to a proposed private school building and playground area setback a minimum of 33' from the rear (north) property line, setback a minimum of 28' from the interior side (west) property line, setback a minimum of 39' from the side street (east) property line and setback a minimum of 105.8' from the front (south) property line (250' required for all).
- (5) NON-USE VARIANCE to permit a private driveway and parking areas within 25' of an official right-of-way (not permitted).
- (6) NON-USE VARIANCE to permit 86,204 sq. ft. of outdoor recreation space (251,580 sq. ft. required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "South Riviera 2 School" as prepared by Villa & Associates Inc., dated stamped received 09/12/16 and consisting of 6 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Parcel A: The Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East, less the East 25 feet thereof, lying and being in Miami-Dade County, Florida, and

Parcel B: The West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, less the South 35 feet thereof for Roadway purposes in Section 24, Township 56 South, Range 39 East, Miami-Dade County, Florida, and

Parcel C: the East ½ of the Southeast ¼ of the Southwest ¼ of the Southwest ¼ of the Southeast ¼, less the South 35 feet thereof for Roadway purposes in Section 24, Township 56 South, Range 39 East, Miami-Dade County, Florida.

LOCATION: Northwest corner of SW 248th Street and SW 120th Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 15 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 15 that the requested DISTRICT BOUNDARY CHANGE from AU (Agricultural District) to EU-M (Request #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requested NON-USE VARIANCE to permit to a proposed private school building setback 59' (75' required) from the interior side (west) property line (Request #2), OR IN THE ALTERNATIVE TO REQUESTS #1 and #2, the SPECIAL EXCEPTION and UNUSUAL USE to permit a private school with grades Kindergarten through 8th (Request #3), the NON-USE VARIANCE to permit to a proposed private school building and playground area setback a minimum of 33' from the rear (north) property line, setback a minimum of 28' from the interior side (west) property line, setback a minimum of 39' from the side street (east) property line and setback a minimum of 105.8' from the front (south) property line (250' required for all) (Request #4), the NON-USE VARIANCE to permit a private driveway and parking areas within 25' of an official right-of-way (not permitted) (Request #5) and the NON-USE VARIANCE to permit 86,204 sq. ft. of outdoor recreation space (251,580 sq. ft. required) (Request #6) would not be in harmony with the general purpose and intent of the regulations and would not conform with the

requirements and intent of the Zoning Procedure Ordinance, and said application was denied with prejudice by Resolution No. CZAB15-11-17, and

WHEREAS, SOUTH RIVIERA INVESTMENTS No. 2, INC. appealed the decision of Community Zoning Appeals Board 15 to the Board of County Commissioners for the following:

- (1) DISTRICT BOUNDARY CHANGE from AU (Agricultural District) to EU-M (Estates Modified District)
- (2) NON-USE VARIANCE to permit a proposed private school building setback 59' (75' required) from the interior side (west) property line.

OR IN THE ALTERNATIVE TO REQUESTS #1 and #2, THE FOLLOWING:

- (3) NON-USE VARIANCE to permit to a proposed private school building and playground area setback a minimum of 33' from the rear (north) property line, setback a minimum of 28' from the interior side (west) property line, setback a minimum of 39' from the side street (east) property line and setback a minimum of 105.8' from the front (south) property line (250' required for all).
- (4) SPECIAL EXCEPTION and UNUSUAL USE to permit a private school with grades Kindergarten through 8th.
- (5) NON-USE VARIANCE to permit a private driveway and parking areas within 25' of an official right-of-way (not permitted).
- (6) NON-USE VARIANCE to permit 86,204 sq. ft. of outdoor recreation space (251,580 sq. ft. required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "South Riviera 2 School" as prepared by Villa & Associates Inc., dated stamped received 09/12/16 and consisting of 6 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Parcel A: The Northeast ¼ of the Southwest ¼ of the Southwest ¼ of the Southeast ¼ of Section 24, Township 56 South, Range 39 East, less the East 25 feet thereof, lying and being in Miami-Dade County, Florida, and

Parcel B: The West ½ of the Southeast ¼ of the Southwest ¼ of the Southwest ¼ of the Southeast ¼, less the South 35 feet thereof for Roadway purposes in Section 24, Township 56 South, Range 39 East, Miami-Dade County, Florida, and

Parcel C: the East ½ of the Southeast ¼ of the Southwest ¼ of the Southwest ¼ of the Southeast ¼, less the South 35 feet thereof for Roadway purposes in Section 24, Township 56 South, Range 39 East, Miami-Dade County, Florida.

LOCATION: Northwest corner of SW 248th Street and SW 120th Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the NON-USE VARIANCE to permit to a proposed private school building setback 59' (75' required) from the interior side (west) property line (Request #2) and the NON-USE VARIANCE to permit to a proposed private school building and playground area setback a minimum of 33' from the rear (north) property line, setback a minimum of 28' from the interior side (west) property line, setback a minimum of 39' from the side street (east) property line and setback a minimum of 105.8' from the front (south) property line (250' required for all) (Request #3), and at which time the applicant requested permission to revise the application on a modified basis to allow a NON-USE VARIANCE to permit 109,349 sq. ft. of outdoor recreation space (251,580 sq. ft. required) (Request #6), and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, after reviewing the record and decision of the Miami-Dade County Zoning Appeals Board 15 and after having given an opportunity for interested parties to be heard, it is the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that the grounds and reasons alleged by the appellants specified in the appeal were sufficient to merit a reversal of the ruling made by the Zoning Appeals Board in Resolution No. CZAB15-11-17 and that the appeal should be approved and the decision of Community Zoning Appeals Board 15 should be overruled, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested DISTRICT BOUNDARY CHANGE from AU (Agricultural District) to EU-M (Estates Modified District) (Request #1) would be consistent with the Comprehensive Development Master plan and would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and

WHEREAS, the requested SPECIAL EXCEPTION and UNUSUAL USE to permit a private school with grades Kindergarten through 8th (Request #4), the requested NON-USE VARIANCE to permit a private driveway and parking areas within 25' of an official right-of-way (not permitted) (Request #5) and the requested NON-USE VARIANCE on a modified basis to permit 109,349 sq. ft. of outdoor recreation space (251,580 sq. ft. required) (Request #6) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and should be approved, and that the withdrawal of the NON-USE VARIANCE to permit to a proposed private school building setback 59' (75' required) from the interior side (west) property line (Request #2) and the NON-USE VARIANCE to permit to a proposed private school building and playground area setback a minimum of 33' from the rear (north) property line, setback a minimum of 28' from the interior side (west) property line, setback a minimum of 39' from the side street (east) property line and setback a minimum of 105.8' from the front (south) property line (250' required for all) (Request #3) should be granted, and

WHEREAS, a motion to grant the appeal and overrule the decision of Community Zoning Appeals Board 15, and to approve Requests #1, and #4 through #6, as modified, and withdraw Requests #2 and #3 was offered by Commissioner Daniella Levine Cava,

seconded by Commissioner Jose “Pepe” Diaz, and upon a poll of the members present the vote was as follows:

Daniella Levine Cava	aye	Joe A. Martinez	aye
Jose “Pepe” Diaz	aye	Jean Monestime	aye
Audrey M. Edmonson	aye	Dennis C. Moss	aye
Sally A. Heyman	absent	Rebeca Sosa	aye
Eileen Higgins	aye	Sen. Javier D. Souto	aye
Barbara J. Jordan	aye	Xavier L. Suarez	nay

Esteban Bovo, Jr. aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby approved and the decision of Community Zoning Appeals Board 15 is overruled.

BE IT FURTHER RESOLVED that Resolution No. CZAB15-11-17 is hereby null and void.

BE IT FURTHER RESOLVED that the requested DISTRICT BOUNDARY CHANGE from AU (Agricultural District) to EU-M (Estates Modified District) be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that that the requested SPECIAL EXCEPTION and UNUSUAL USE to permit a private school with grades Kindergarten through 8th (Request #4), the requested NON-USE VARIANCE to permit a private driveway and parking areas within 25’ of an official right-of-way (not permitted) (Request #5) and the requested NON-USE VARIANCE on a modified basis to permit 109,349 sq. ft. of outdoor recreation space (251,580 sq. ft. required) (Request #6) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources or its successor upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled " South Riviera 2 School" as prepared by Villa & Associates Inc., dated stamped received February 21, 2018, consisting of 9 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type, size of plant material, and compliance with DERM conditions prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Occupancy.
5. That the applicant shall comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources as may be contained in its memorandum dated March 8, 2018.
6. That the applicant comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the Division of Environmental Resources of the Department of Regulatory and Economic Resources as contained in its memorandum dated October 18, 2016.
7. 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.
8. That the school gates be opened at least 45 minutes prior to the arrival and dismissal times.
9. That at the time of each annual Certificate of Use 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.
10. That the private school use be limited to grades K – 8th and be limited to a maximum of 600 students. Upon demonstrating to the Director compliance with the requirements of the annual certificate of use for three years, the applicant shall be entitled to an increase in the number of students up to 685.
11. That there will be three (3) arrival and dismissal staggered shifts for students at the private school, separated by a minimum of 30 minutes. The arrival and dismissal times shall be as follows:

Arrival Times/Departure Times

7:30 a.m. to 2:00 p.m. Grades K-1

8:00 a.m. to 2:30 p.m. Grades 2-5

8:30 a.m. to 3:00 p.m. Grades 6-8

12. That the owner shall have trained personnel on site to manage the traffic operations during the arrival and dismissal period.
13. That at the time of each annual Certificate of Use renewal, the owner shall submit to the Department of Regulatory and Economic Resources a letter or approved form from the Department of Transportation and Public Works showing that the school facility is in compliance with the traffic impact study and the TOP that was submitted as part of the hearing application.
14. That no outside speakers other than in connection with emergency systems shall be permitted on the property.
15. That the waste pick-up for the private 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.
16. That Private School related night activities and/or special events shall be limited to twelve (12) events per year and shall end no later than 10:00 PM.
17. That the outside lighting shall be permitted with the proper shielding according to Miami-Dade County Code.
18. That the school operator shall provide 4 vans with 16 seats each, each running three (3) shifts, to transport students at no cost to the parents.
19. As reflected in the Traffic Operations Plan filed with the County, traffic to and from the proposed school shall enter the Property from SW 248th Street, via SW 120th Avenue. Subject to the approval of the Department of Transportation and Public Works ("DTPW"), the applicant shall design and, following the receipt of all necessary approvals, install at its cost and expense a T-turn-around, as may be approved by DTPW, at the terminus of SW 120th Avenue in front of the Property. It is understood that that the roadway abutting the Property on SW 120th Avenue will be improved and a guardrail will be installed at the north terminus on SW 120th Avenue where the improved roadway ends, until such time that SW 120th Avenue is fully dedicated north of the Property.
20. The applicant shall be responsible for resurfacing with asphalt SW 120th Avenue, north of the T-turn-around to SW 240th Street.

21. Within 90 days of the third full school year of operation, the applicant shall submit a traffic signal warrant study to DTPW for review and approval, which study shall analyze whether the installation of a traffic signal at the intersection of SW 122nd Avenue and SW 248th Street is warranted. If the traffic signal warrant study determines that the installation of the traffic signal is warranted, the applicant shall be responsible for the installation of the signal. The signal shall be installed at the applicant's cost and expense within 120 days of the approval of the traffic plans by DTPW, unless the Director of DTPW extends the time period for good cause shown. The traffic signal shall include adaptive signal technology.

BE IT FURTHER RESOLVED that the request to withdraw the NON-USE VARIANCE to permit to a proposed private school building setback 59' (75' required) from the interior side (west) property line (Request #2) and the NON-USE VARIANCE to permit to a proposed private school building and playground area setback a minimum of 33' from the rear (north) property line, setback a minimum of 28' from the interior side (west) property line, setback a minimum of 39' from the side street (east) property line and setback a minimum of 105.8' from the front (south) property line (250' required for all) (Request #3) be and the same are hereby approved, and said requests are hereby withdrawn without prejudice.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources and to issue all permits in accordance with the terms and conditions of this resolution.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 6th day of December, 2018, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

cl

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

LINDA L. CAVE
By _____
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 31st DAY OF JANUARY, 2019.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Claudia Luna, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-28-18 adopted by said Board of County Commissioners at its meeting held on the 6th day of December, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 31st day of January, 2019.



Claudia Luna, Deputy Clerk (160446)
Miami-Dade County Department of Regulatory and
Economic Resources

SEAL





Department of Regulatory and Economic Resources
Development Services Division
111 NW 1st Street • Suite 1110
Miami, Florida 33128-1902
T 305-375-2640
www.miamidade.gov/economy

January 31, 2019

South Riviera Investments No. 2, Inc.
c/o Alberto Torres
701 Brickell Avenue, Suite 3300
Miami, FL 33131

Re: Hearing No. Z2016000106
Location: Northwest corner of SW 248th Street and SW 120th Avenue, Miami-Dade County, Florida

Dear Appellant:

Enclosed herewith is Resolution No. Z-28-18, adopted by the Board of County Commissioners, which approved your appeal and reversed the decision of Community Zoning Appeals Board 15 on the above-described property. Specifically, the Board approved requests #1 and #4 through #6 of your application. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

If stipulated in the resolution that building permits and/or use, occupancy or completion certificates will be required, please note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificates(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department as appropriate. At time of permit application you must provide a copy of this resolution.

If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, in as much as building permits will not be issued prior to the approval of said plan.

The Board's decision may be appealed by an aggrieved party to Circuit Court within 30 days of the date of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is January 31, 2019. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

Abigail Price-Williams,
County Attorney
111 N.W. 1st Street, Suite 2811
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claudia Luna".

Claudia Luna
Deputy Clerk

Enclosure

REVISIONS:
 FIRE: 06-06-2017
 ZONING: 09-27-2017
 ZONING: 02-08-2018

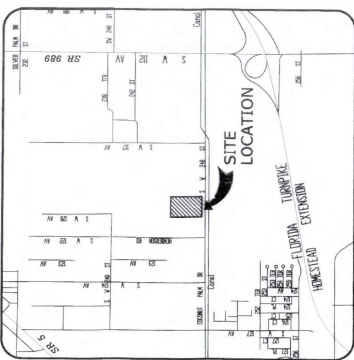
PROPOSED PK-8th GRADE SCHOOL
 FOR:
SOUTH RIVIERA 2 SCHOOL
 VACANT LAND - SW 120th AVENUE & 248th STREET
 MIAMI DADE COUNTY, FLORIDA 33032
 FOLD #s 30-6824-000-1980, 30-6824-000-2010 & 30-6824-000-2011

CONCEPTUAL DESIGN
 APPROVED
 JUDGE T. VILLALBA
 02/08/2018

VILLA & ASSOCIATES INC.
 ARCHITECTURE
 7944 SW 48 STREET
 MIAMI, FL 33156
 (305) 881-9011
 CONSULTANT:



SCALE: 1" = 40'
 DATE SUBMITTED: 02-08-18
 DRAWING NO: A-1 OF 7



LOCATION MAP
 N
 SITE LOCATION

MASTER SITE SUMMARY

LOCATION: VACANT LAND SW 248th STREET AND 120th AVENUE
 MIAMI DADE COUNTY, FLORIDA 33032
 FOLD NUMBERS: 30-6824-000-2010, 30-6824-000-2011 & 30-6824-000-1980
 ZONING: AU
 ZONING RESOLUTION: PENDING APPLICATION
 BUILDING HEIGHT: MAXIMUM 35'-0"

LOT AREA: GROSS AREA 222,135 S.F. (5.10 ACRES)
 R/W DEDICATIONS: 29,111 S.F. (0.67 ACRES)
 TOTAL NET AREA 193,024 S.F. (4.43 ACRES)

EXISTING BUILDINGS: NO EXISTING BUILDINGS ON PROPOSED PROJECT

PROPOSED BUILDINGS: REFER TO SHEETS A-5 & A-6

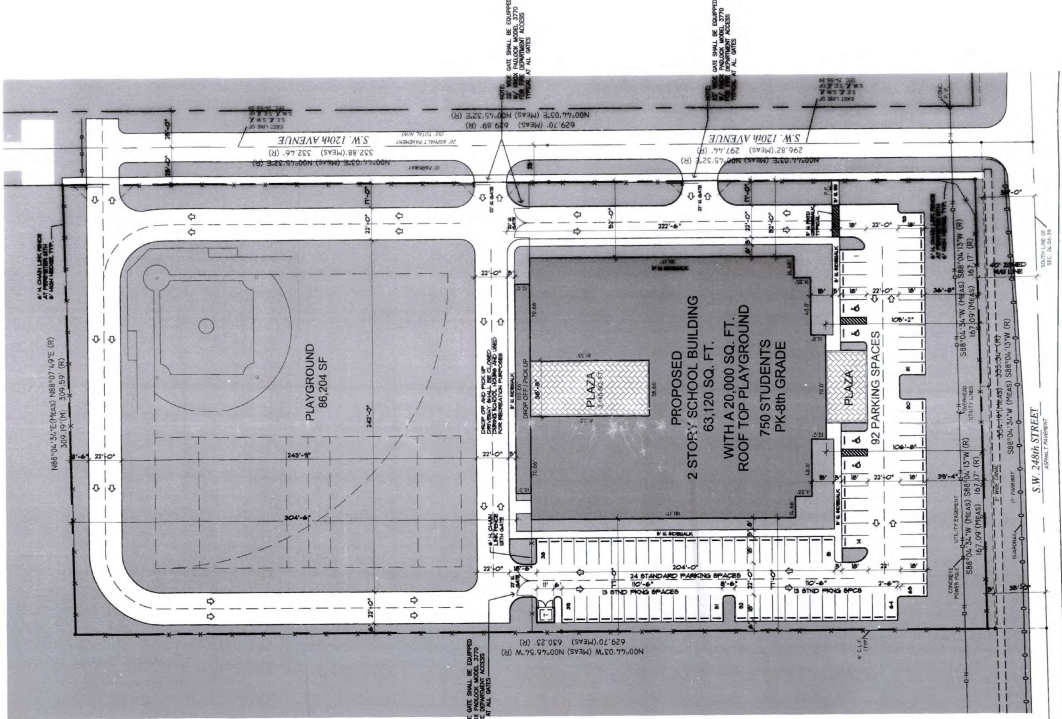
TWO STORY PROPOSED K-8th GRADE SCHOOL BUILDING
 FIRST FLOOR AREA (INDOOR AREA) 25,742 SQ. FT.
 FIRST FLOOR AREA (COVERED WALKWAYS) 6,150 SQ. FT.
 FIRST FLOOR BUILDING AREA = 31,892 SQ. FT.
 SECOND FLOOR AREA (INDOOR AREA) 25,742 SQ. FT.
 SECOND FLOOR AREA (COVERED WALKWAYS) 6,150 SQ. FT.
 SECOND FLOOR BUILDING AREA = 31,892 SQ. FT.
 TOTAL BUILDING AREA = 63,784 SQ. FT.
 TOTAL PROPOSED BUILDING LOT COVERAGE = 31,892 SQ. FT. 16.5 %
 ROOFTOP PLAYGROUND = 20,000 SQ. FT.

SUMMARY OF OVERALL LOT COVERAGE:
 TOTAL EXISTING BUILDING LOT COVERAGE 0.0 %
 TOTAL PROPOSED BUILDING LOT COVERAGE 31,892 SQ. FT. 16.5 %
 ASPHALT PAVED AREA EXISTING 0.0 %
 ASPHALT PAVED AREA PROPOSED 55,276 SQ. FT. 28.7 %
 LANDSCAPE OPEN SPACE 137,748 SQ. FT. 71.3 %

SETBACKS PROVIDED:
 FRONT (PROPOSED SCHOOL BUILDING) 105'-2"
 SIDE - EAST (PROPOSED SCHOOL BUILDING) 35'-0"
 REAR - NORTH (PROPOSED SCHOOL BUILDING) 30'-0"
 SIDE - WEST (PROPOSED SCHOOL BUILDING) 77'-0"

PARKING REQUIRED: AS PER 33-124 MDC ZONING CODE
 - PROPOSED SCHOOL BUILDING K-8th Grd 65 SPACES
 K TO 8th GRADE: 1 SPACE PER STAFF X 42 = 42 SPACES
 7th TO 8th GRADE 1.25 SPACES PER STAFF X 18 = 22.5 SPACES
 PARKING REQUIRED AT PROPOSED SCHOOL BUILDING 65 SPACES

PARKING PROVIDED:
 - ON SCHOOL PROPERTY 80 SPACES
 - OFF SCHOOL PROPERTY 4 SPACES
 - HANDICAP - 12.0' X 18' - ON SCHOOL PROPERTY 4 SPACES
 PARKING PROVIDED 83 SPACES



MASTER SITE PLAN
 PLEASE REFER TO SHEET A-2 FOR BLOWUP AT 1" = 30'-0"
 1" = 40'-0"

RECEIVED
 FEB 21 2018
 MIAMI DADE COUNTY
 PLANNING DEPARTMENT

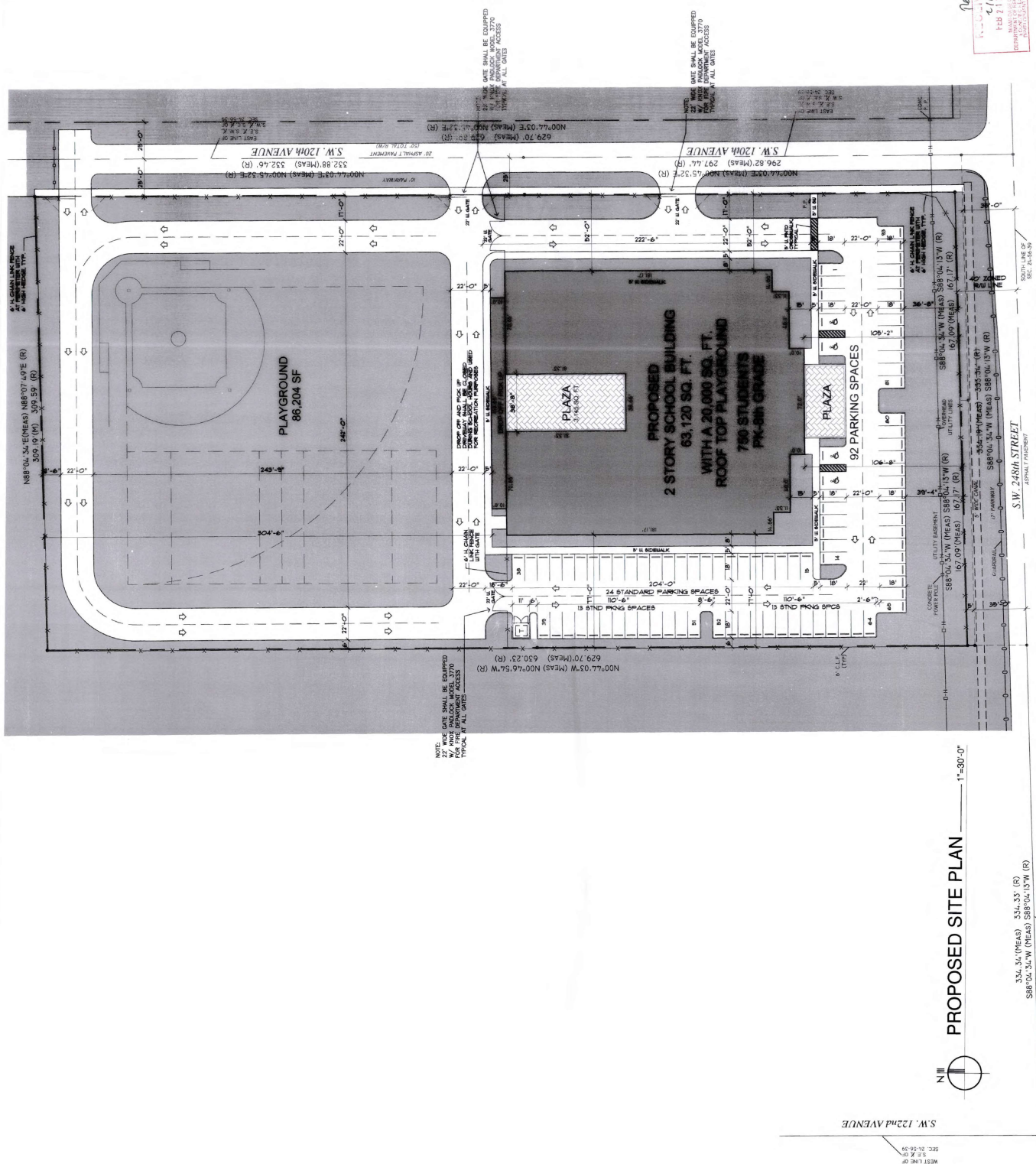
PROPOSED PK-8th GRADE SCHOOL
FOR:
SOUTH RIVIERA 2 SCHOOL
VACANT LAND - SW 120th AVENUE & 248th STREET
MIAMI DADE COUNTY, FLORIDA 33082
PLC # 30-0824-000-1800, 30-0824-000-2010 & 30-0824-000-2011

VILLA & ASSOCIATES INC.
ARCHITECTURE
INTERIOR DESIGN
PLANNING
7344 SW 48 STREET
MIAMI FL 33155
(305) 661-8181

DATE: 02-06-18
SCALE: 1" = 20'
DATE SUBMITTED FOR REVIEW:
DRAWN BY:
A-2 OF 7

REVISIONS:

NO. 01	DATE: 02-06-2017	DESCRIPTION: PRELIMINARY
NO. 02	DATE: 02-06-2018	DESCRIPTION: REVISED



Financial Statement for Brownfield Area Designation

The applicant, South Riviera Investments No. 2, Inc., is an affiliate of South Riviera Investments, Inc. and Kids Paradise 2, Inc. As an affiliate of these entities, the applicant has over 20 years of experience in purchasing, developing, constructing, and operating educational facilities in South Florida.

The applicant and its affiliate's previous success with real estate development and business operations provides the experience and resources needed to transform the vacant, underutilized property into a benefit to the surrounding area. The applicant plans to facilitate development of the property through practical investment strategies and financial planning.

As you may know, the applicant acquired the site for the proposed education institution in 2016. Since acquiring the site, the applicant has completed a rezoning and design for the proposed redevelopment. To date, the applicant has utilized corporate funds and equity to facilitate the redevelopment. All legal, design, survey, site work, and environmental due diligence has been completed using its own funds and without any loans. The applicant intends to continue to use corporate funds to cover project costs until the commencement of construction of the school building.

The applicant intends to use traditional/private lending and private investment strategies to finance construction of the school building. Currently, the applicant is banking with First American Bank in Miami. In addition to private investment and loans, the applicant intends to utilize the Voluntary Cleanup Tax Credits to offset assessment and cleanup expenses associated with the proposed redevelopment.

Disclosure of Interest

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Ruben Diaz

APPLICANT B: Amparo Diaz

APPLICANT C:

APPLICANT D:

APPLICANT E:

APPLICANT F:

APPLICANT G:

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area and indicate those properties in which the applicant has an interest. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
SOUTH RIVIERA INVESTMENT #2	SOUTH RIVIERA INVESTMENT #2	30-6924-000- 2010	1.25
SOUTH RIVIERA INVESTMENT #2	SOUTH RIVIERA INVESTMENT #2	30-6924-000- 2011	1.25
SOUTH RIVIERA INVESTMENT #2	SOUTH RIVIERA INVESTMENT #2	30-6924-000- 1980	2.30

3. For each applicant, check the appropriate column to indicate the **NATURE OF THE APPLICANT'S INTEREST** in the property identified in Section 2 above.

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER(Attach Explanation)
A	X			

4. **DISCLOSURE OF APPLICANT'S INTEREST:** Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an **INDIVIDUAL** (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

- b. If the applicant is a **CORPORATION**, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: _____

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Ruben Diaz ,660 sw 123 ave, Miami FL,33184	50 %
Amparo Diaz,660 sw 123 ave,Miami FL,33184	50 %

- c. If the applicant is a **TRUSTEE**, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES NAME: N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

- d. If the applicant is a **PARTNERSHIP or LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (s) trust (s) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME AND ADDRESS

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.

5. **DISCLOSURE OF OWNER'S INTEREST:** Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

N/A

- a. If the owner is an **INDIVIDUAL** (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

N/A

-
-
- b. If the owner is a **CORPORATION**, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: N/A

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
--	----------------------------

- c. If the owner is a **TRUSTEE**, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEE'S NAME: N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
---------------------------------------	-------------------------------

- d. If the owner is a **PARTNERSHIP or LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including

general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>

- e. If the owner is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

N/A

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>

Date of Contract: _____

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

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

ENTITIES REGULARLY TRADED ON AN ESTABLISHED SECURITIES, PENSION FUNDS OR PENSION TRUSTS OF MORE THAN FIVE THOUSAND (5,000) OWNERSHIP INTERESTS

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

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

Applicant's Signature and Printed Name
(Complete one signature page per applicant)

Signature

Printed Name: Amparo Diaz

State of Florida
County of Miami-Dade

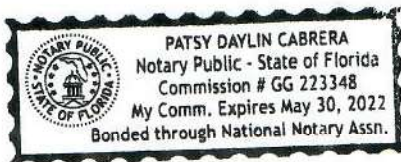
Sworn to (or affirmed) and subscribed before me by means of (how the individual appeared check one): (how the individual appeared check one):

☒ physical presence ☐ online notarization this 9th day of September, 2021.
(date) (month)(year)

by Amparo Diaz
(name of individual swearing or affirming)

as Vice President for South Riviera Investment #2
(type of authority, e.g., Officer, Attorney-in Fact)(Name of party on behalf of whom executed)

Individual identified by: ☒ personal knowledge ☐ satisfactory evidence _____
(type)



(affix Florida Notary Seal above)

(Signature of Notary Public)

Patsy Cabrera
(typed, printed, or stamped name of Notary Public)

My Commission Expires: May 30, 2022

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

Applicant's Signature and Printed Name
(Complete one signature page per applicant)

Signature

Rubén Díaz

Printed Name : Ruben Diaz

State of Florida
County of Miami-Dade

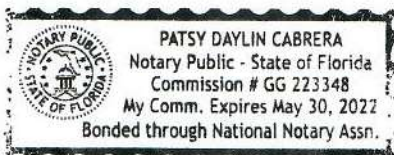
Sworn to (or affirmed) and subscribed before me by means of (how the individual appeared check one): (how the individual appeared check one):

☒ physical presence ☐ online notarization this 9th day of September, 20 21.
(date) (month)(year)

by Ruben Diaz
(name of individual swearing or affirming)

as President for South Riviera Investment #2
(type of authority, e.g., Officer, Attorney-in Fact))(Name of party on behalf of whom executed)

Individual identified by: ☒ personal knowledge ☐ satisfactory evidence _____
(type)



(affix Florida Notary Seal above)

[Signature]

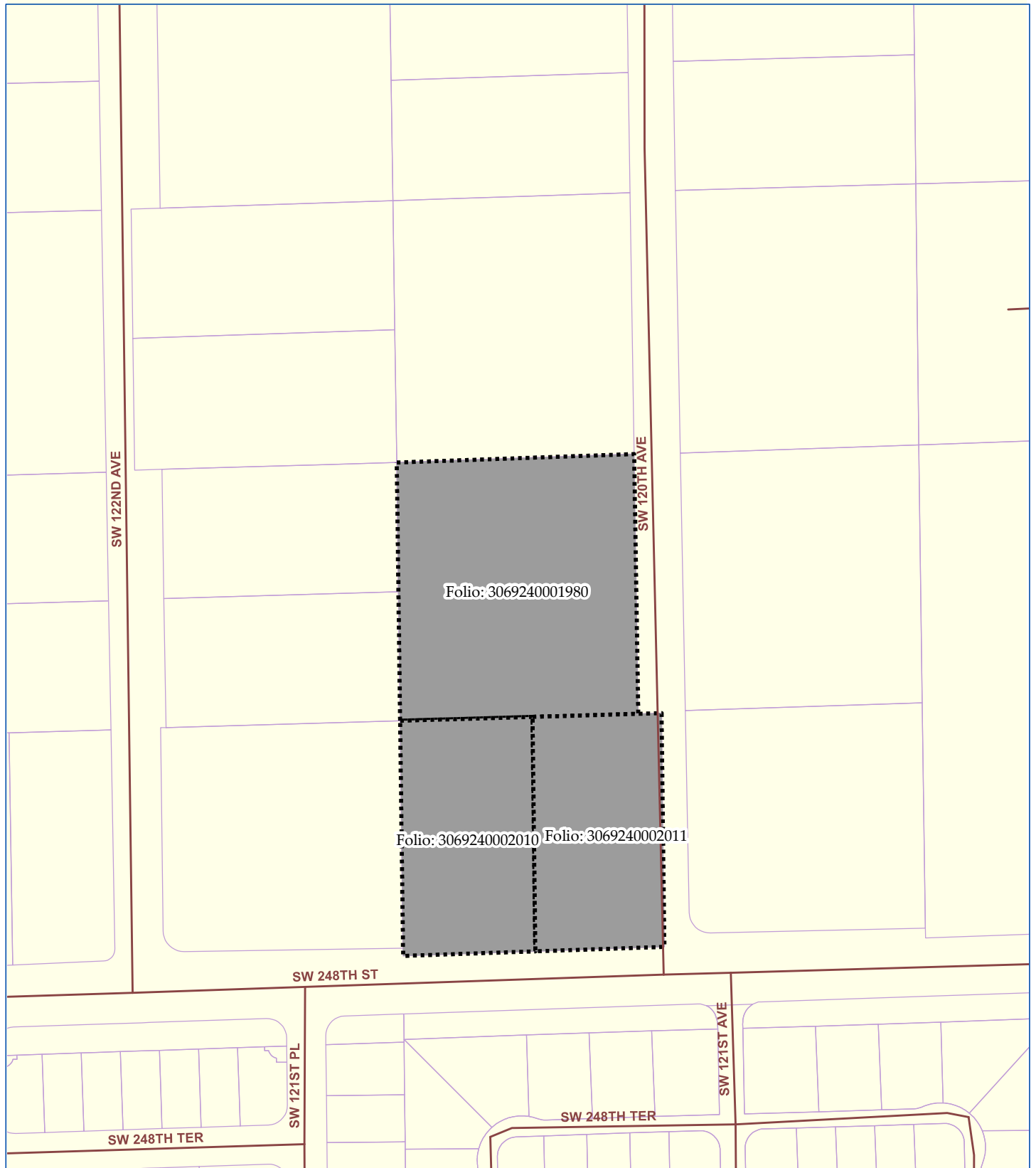
(Signature of Notary Public)

Patsy Cabrera
(typed, printed, or stamped name of Notary Public)

My Commission Expires: May 30, 2022

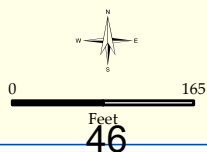
South Riviera Brownfield Application

Miami-Dade County, Florida



Legend

-  Proposed Brownfield Parcels
-  Streets



Department of Regulatory and Economic Resources (RER)
Planning Research and Economic Analysis Section
July 2021