FINAL AGENDA

7-28-2015 Version # 1

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 7
PHYLLIS RUTH MILLER ELEMENTARY SCHOOL
840 NE 87 Street, Miami
Wednesday, September 2, 2015 at 6:30 p.m.

CURRENT

1.	15-9-CZ7-1	KMART CORP	15-14	32-52-42	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 7

MEETING OF WEDNESDAY, SEPTEMBER 2, 2015

PHYLLIS RUTH MILLER ELEMENTARY SCHOOL

840 NE 87 STREET, 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

I. **Selection of Chair and Vice-Chair**
II. **Sunset Review**
III. **Briefing on Sunshine and Jennings Law**

---

1. KMART CORP. (15-9-CZ07-1/15-014) **32-52-42**
Area 07/District 03

NON-USE VARIANCE to permit a detached multi-tenant sign setback 11' (19.6' required) from the front (east) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Kmart" as prepared by Southwest Signs, dated stamped received 7/15/15 and consisting of 2 sheets. Plans may be modified at public hearing.

LOCATION: 10700 BISCAYNE BLVD, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 9.78 Acres

Department of Regulatory and Economic Resources Recommendation: **Approval with Conditions.**

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

NOTICE

****

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

****

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

Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Regulatory and Economic Resources (RER), 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 Resources
Staff Report to Community Council No. 7

PH: Z15-014 (15-9-CZ7-1) **September 2, 2015**
Item No. 1

Recommendation Summary	
Commission District	3
Applicant	Kmart Corp.
Summary of Requests	The applicant seeks to permit a detached multi-tenant sign setback less than required.
Location	10700 Biscayne Blvd, Miami-Dade County, Florida
Property Size	9.78 acres
Existing Zoning	BU-1A, Limited Business District
Existing Land Use	Commercial building and vacant land
2020-2030 CDMP Land Use Designation	Business and Office *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards, *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval with conditions.**

REQUEST:

NON-USE VARIANCE to permit a detached multi-tenant sign setback 11' (19.6' required) from the front (east) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Kmart" as prepared by Southwest Signs, dated stamped received 7/15/15 and consisting of 2 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

The submitted site plan shows a proposed 194 sq. ft. detached multi-tenant sign encroaching into the front back area on the 9.78 acre property.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	BU-1A; commercial building and vacant land	Business and Office
North	RU-4M; condominiums	Low Medium Density Residential (6-13 dua)
South	BU-1A; auto repair	Business and Office
East	BU-1A; bank and commercial building/RU-4; condominiums	Business and Office Medium Density Residential
West	City of Miami Shores; single-family residences	Low Density Residential (2.5 – 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The 9.78 acre parcel is located at 10700 Biscayne Blvd. The surrounding area is characterized by commercial and residential uses.

SUMMARY OF THE IMPACTS:

The approval of the request would allow the applicant a 194 sq. ft. detached multi-tenant sign along the Biscayne Boulevard corridor, which could allow patrons to easily locate the retail store.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the approximately 9.78-acre vacant subject property as ***Business and Office.*** Staff opines that the approval of the application to permit a detached sign would not change the existing retail uses on the entire subject property, which is a permitted use in the Business and Office category. Therefore, staff opines that approval of the application would be **consistent** with the CDMP Land Use Element interpretative text for properties designated Business and Office on the CDMP LUP map.

ZONING ANALYSIS:

When the request is analyzed under Section 33-311(A)(4)(b), Non-Use Variance standards, staff opines that approval of the request would be **compatible** with the surrounding area. Staff notes that the proposed sign would be located at the intersection of Biscayne Boulevard and NE 107 Street, and would face the opposite intersection of Biscayne and Quayside Boulevards to the east. Furthermore, staff notes that from the County's Geographic Information System (GIS) that the intersection between Biscayne Boulevard and NE 107 Street to Biscayne and Quayside Boulevards is approximately 110' wide and that the property line of the subject property is approximately 154' from the closest condominium apartment building and 129' from the service station to the east. Therefore staff opines that the distance from the subject property to neighboring properties lessens any negative visual impacts from the 8.6' encroachment into the front setback area on the properties to the east. As such, staff opines that approval of the request *would be* **compatible** with the surrounding land uses and that said approval would not be detrimental to the surrounding area. Based on staff's review of similar signage along Biscayne Boulevard in the City of North Miami, the proposed scale and height is similar to other commercial properties. **Therefore, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations standards.**

ACCESS, CIRCULATION AND PARKING: The subject parcel has an ingress/egress drive along NE 108 Street and an ingress/egress drive along Biscayne Boulevard. The Applicant will provide 529 parking spaces for the shopping center.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval with conditions

CONDITIONS FOR APPROVAL:

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

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, Kmart" as prepared Southwest Signs, dated stamped received 7/15/15 and consisting of 2 sheets..

3. That the use be established and maintained in accordance with the approved plan.

NK:MW:NN:CH:EJ

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

ZONING RECOMMENDATION ADDENDUM

KMART Corp.
Z15-014

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental Resource Management (RER)	No objections
Platting and Traffic Review Section (RER)	No objections
Parks, Recreation and Open Spaces	No objections
Police	No objections
Fire Rescue	No objections
Schools	No objections
Public Works and Waste Management Department	No objections
*Subject to conditions in their memorandum.	

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

Business and Office (Page I-40)	*The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for* ***Low Medium Density Residential****. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

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

1. KMART CORP
(Applicant)

15-9-CZ07-1 (15-014)
Area 07/District 03
Hearing Date: 09/02/15

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** ☑

Disclosure of interest form attached? **Yes** ☑ **No** ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1961	MACKIT CORP.	- Zone change from RU-4A to BU-2.	BCC	Approved with Condition(s)
1962	Wash & Wax Inc.	- Use Variance steam cleaning automobile wheels.	ZAB	Approved with Condition(s)
1967	John and Stella Shelbrick	- Variance setback and spacing requirements.	ZAB	Approved with Condition(s)
1968	Freedland and Samuels	- Use Variance to permit a business use in RU-4A. - Unusual Use to permit non commercial parking. - Variance of sign regulations.	ZAB	Approved with Condition(s)
1968	Freedland and Samuels	- Unusual Use to permit non commercial parking. - Variance lot zoning regulations.	BCC	Appeal Denied, Application Approved
1976	Directors	- Zone change fromRU-4A to BU-1A.	BCC	Approved with Condition(s)
1992	K-Mart Corp.	- Non-Use Variance of Zoning regulation requiring all uses to be conducted with in approved building. To waive same to permit outdoor retail garden sales.	ZAB	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

MIAMI-DADE COUNTY

Date: July 23, 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: C-07 #Z2015000014-3rd Revision
Kmart Corporation
10700 Biscayne Blvd.
Non-Use Variance to permit a free standing sign setback less than required.
(BU-1A) (9.78 Acres)
32-52-42

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 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.

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

MIAMI-DADE COUNTY

Date: July 31, 2015

To: Nathan Kogon, Assistant Director
Department of Regulatory and Economic Resources

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

Subject: Z2015000014
Name: Kmart Corp.
Location: 10700 Biscayne Blvd.
Section 32 Township 52 South Range 42 East

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

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

This application 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

MIAMI-DADE COUNTY

Date: March 20, 2015

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

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

Subject: KMART Corporation (DIC #15_014)

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

KMART Corporation is requesting a non-use variance of sign regulations to permit an existing single-tenant sign on the property. The existing retail use 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.

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

If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager, Fiscal Management and Planning Division, at 305-375-1354.

Memorandum

MIAMI-DADE COUNTY

Date: July 24, 2015

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

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

Subject: Z2015000014: KMART CORP
Revised Plans Submitted Dated Stamped Received 7/15/2015

Application Name: KMART CORP

Project Location: The site is located at 10700 BISCAYNE BLVD, Miami-Dade County.

Proposed Development: The request is for non-use variance for a sign.

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 Planning Section Supervisor

REVISION 1

Memorandum

Date: 02-JUL-15

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

From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2015000014

Recommendation:

Existing FD comment memo dated 5/13/15 would stand.

Service Impact/Demand

Development for the above Z2015000014
located at 10700 BISCAYNE BLVD, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0545 is proposed as the following:

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

Based on this development information, estimated service impact is: No Impact. N/A alarms-annually.

Existing services

The Fire station responding to an alarm in the proposed development will be: Station # 20
The estimated average travel time is: 6:30 minutes

Planned Service Expansions:

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

Fire Planning Additional Comments

No objection.

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

Memorandum

Date: 13-MAY-15

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

From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2015000014

Recommendation:

No objection to the site plan with a 2/18/15 RER received date.

Service Impact/Demand

Development for the above Z2015000014
located at 10700 BISCAYNE BLVD, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0545 is proposed as the following:

N/A (residential)	dwelling units	N/A (industrial)	square feet
N/A (Office)	square feet	N/A (institutional)	square feet
N/A (Retail)	square feet	N/A (nursing home/hospitals)	square feet

Based on this development information, estimated service impact is: No Impact. N/A alarms-annually.

Existing services

The Fire station responding to an alarm in the proposed development will be: Station # 20
The estimated average travel time is: 6:30 minutes

Planned Service Expansions:

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

Fire Planning Additional Comments

Not applicable.

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

11

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

Kmart Corp	10700 BISCAYNE BOULEVARD MIAMI-DADE COUNTY, FLORIDA
APPLICANT	**ADDRESS**
SEPTEMBER 2, 2015	Z2015000014
DATE	**HEARING NUMBER**

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:
JULY 16, 2015

NEIGHBORHOOD REGULATIONS:
OPEN: THERE ARE NO CURRENT OPEN CASES

CLOSED:
CASE#201406003985 WAS OPENED ON AUGUST 4, 2014, FOR TWO SHOPPING CARTS AT SOUTH PROPERTY LINE FULL OF TRASH. ON SEPTEMBER 17, 2014, A COMPLIANCE INSPECTION WAS CONDUCTED AND STAFF VERIFIED THAT COMPLAINCE WAS MET. CASE WAS CLOSED ON SEPTEMBER 17, 2014

CASE#201406004762 WAS OPENED ON SEPTEMBER 24, 2014, FOR FAILURE MAINTAIN THE BUSINESS PREMISE. A FOLLOW UP INSPECTION WAS CONDUCTED DECEMBER 10, 2014 AND STAFF VERIFIED THAT COMPLIANCE WAS MET. CASE WAS CLOSED ON DECEMBER 10, 2014

BUILDING SUPPORT REGULATIONS:
THERE ARE NO CURRENT OPEN OR CLOSED CASES

VIOLATOR:
KMART CORP.

OUTSTANDING LIENS AND FINES:
AS OF JULY 16, 2015 THERE ARE NO OUTSTANDING LIENS OR FINES

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: Kmart Corporation

NAME AND ADDRESS	Percentage of Stock
Kmart Corporation	KMRT
	Publicly Traded Company

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 _____

NAME AND ADDRESS	Percentage of Interest

RECEIVED
FEB 18 2015
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC
RESOURCES DEVELOPMENT SERVICES
By

2/5/2014

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: _____

NAME AND ADDRESS	Percentage of Ownership

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

NAME OF PURCHASER: _____

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

Date of contract: _____

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

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

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

Signature X _____ Robert Riecker, VP/Controller Kwait Corporation
(Applicant) (Print Applicant name)

Sworn to and subscribed before me this 4 day of February 2015. Affiant is personally know to me ~~or has~~ produced _____ as identification.

_____
(Notary Public)

GWEN A. SANDSTROM
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
July 26, 2015
Seal

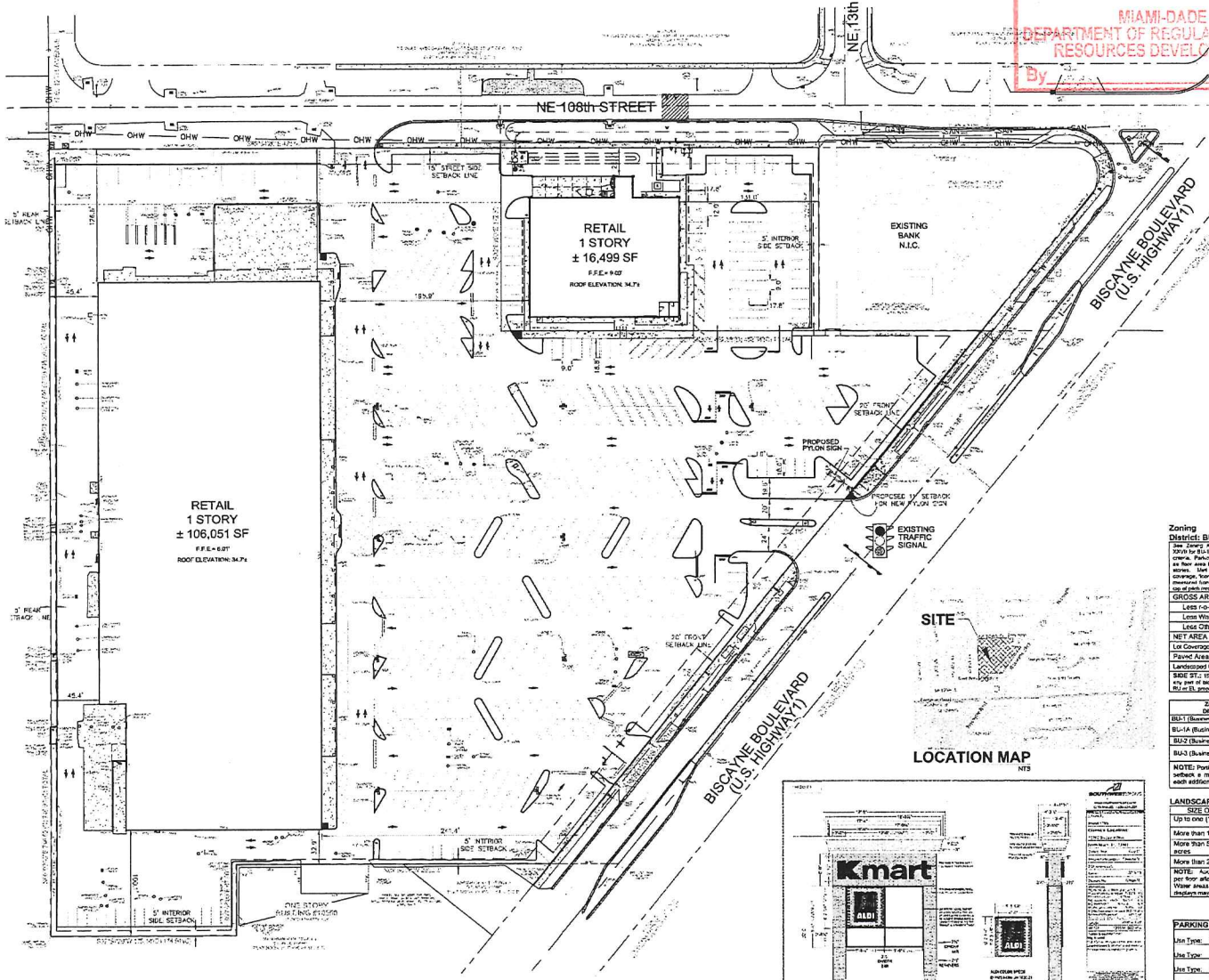
My commission expires: 7-26-2015

*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.

Rev. 12/2/14

RECEIVED
215-014
JUL 15 2015
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC
RESOURCES DEVELOPMENT SERVICES
By

15



DEVELOPMENT SUMMARY

SITE AREA	= 10.97 AC
FUTURE LAND USE	= BUSINESS AND OFFICE
EXISTING ZONING	= BU-1A (LIMITED BUSINESS DISTRICT)
MAX. BLDG. HEIGHT PERMITTED	= 4 STORIES OR 40' MAX.
PROPOSED BLDG. HEIGHT	= 35'
BUILDING SF	= 122,550 SF
PROPOSED F.A.R.	= 0.26
ALLOWABLE F.A.R.	= 0.40

PARKING

KMART REQUIRED 106,051 SF x 1 / 250 SF =	425 SPACES
ALDI REQUIRED 16,499 SF x 1 / 250 SF =	66 SPACES
TOTAL PARKING REQUIRED =	491 SPACES
TOTAL PARKING PROVIDED =	529 SPACES
ACCESSIBLE SPACES REQUIRED = (2% OF TOTAL)	11 SPACES
ACCESSIBLE SPACES PROVIDED =	
KMART =	13 SPACES
ALDI =	4 SPACES
	17 SPACES
BABY STROLLER SPACES REQUIRED =	3 SPACES
BABY STROLLER SPACES PROVIDED =	3 SPACES

BU - ZONING LEGEND

Zoning — Legend data to be incorporated onto the plan

District: BU- 1A

MINIMUM REQUIREMENTS			REQUIRED	PROVIDED
		frontage for interior lot	50'	649.31'
		lot area for interior lot	5,000 s.f.	477,453 sf
		75' frontage for corner lot (s.f. 7,500 prior to PB 40-16)	N/A	N/A
		7,500 s.f. lot area for corner lot (5,000 s.f. prior to PB 40-16)	N/A	N/A
GROSS AREA (acres)	10.97 ac			
Less R-O-W	N/A			
Less Water	N/A			
Less Other	N/A			
NET AREA (sq. ft.)	10.97 ac	100 %		
Lot Coverage (48% max)	123,550 sf	25.6 %		
Paved Area	318,574 sf	66.8 %		
Landscaped Open Space	36,715 sf	7.6 %		

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	20'	341.6'
SIDE STREET (15' or 25')	15'	125.6' & 25.7'
INTERIOR (0', 5', 10' or 15')	5'	100.1' & 32.9'
REAR (5', 7' or 20')	5'	45.4'
BETWEEN BUILDINGS	20'	195.9'
Same setbacks as shown for accessory buildings		

SIDE ST.: 15', except 20' on any part of bldg. within 25' of BU or EU property. INTERIOR: 0' if adjacent property is BU or EU industry; 5' if wall has openings & any fire resist. 10' for portions of bldg. with residential use. 15' when adjacent property is RU or EU-1. REAR: 5' to BU/EU if abutting an alley bldg. wall; 0' if no opening; 20' from res. (incl. width of alley).

ZONING DISTRICT	MAX. HEIGHT	MAX. STORIES
BU-1 (Business - Neighborhood)	35	2 stories
BU-1A (Business - Limited)	45'	4 stories
BU-2 (Business - Special)	no max.	no max.
BU-3 (Business - Liberal)	no max.	no max.

NOTE: Portion of bldg. in BU-2, BU-3 from 35' – 45' height to setback a minimum of 25' from the street, thereafter 1' for each additional 5' of height. (see 33-55 for exemptions)

Maximum Floor Area Ratio (F.A.R.) per No. of Bldg. Stories

	2 thru 5 stories	6th story and up
1 story		
0.4	0.11 per additional floor permitted up to 5 stories	0.04 per each additional story above 5th floor

MAX. HEIGHT OF PROPOSED BLDGS. =	35'
MAX. NUMBER OF STORIES PERMITTED =	4
MAX. NUMBER OF STORIES PROPOSED =	1
F.A.R. PERMITTED =	0.40
F.A.R. PROPOSED =	0.26

LANDSCAPED OPEN SPACE REQUIREMENTS

SIZE OF TOTAL LOT AREA	% OF TOTAL LOT AREA
Up to one (1) acre	16% required for 1 story
More than 1 acre and up to 5 acres	16.0% for 1 story
More than 5 acres and up to 25 acres	14.0% for 1 story
More than 25 acres	12.0% for 1 story

PROCEDURE FOR VARIABLE BLDG. HEIGHTS: Ex: A building with 2 heights: 2 stories with 30,000 s.f. under roof and 5 stories with 40,000 s.f. under roof. Multiply & add (2 x 30,000) + (5 x 40,000) = 260,000. Add 30,000 + 40,000 = 70,000. Divide 260,000 by 70,000 = 3.71 (round up to 4) Use 4 as avg. bldg. height for landscaping requirements.

NOTE: Above is minimum landscaped open space for 1 story. Increase 1.5% per story (or fraction) for 2nd to 6th floor; then 2.5% per floor after 6th. If bldg. height varies use example at right to determine # of stories. Landscape with grass, trees and shrubs. Water areas may be used to meet up to 20% of requirement. Mall areas with landscaping. Art water areas &/or permanent art displays may be used to meet up to 10% of requirement. See Ch. 18A for landscape criteria.

PARKING REQUIREMENTS		Total Sq. Ft. per Use	Sq. Ft./space ratio	Spaces Required
Use Type:	Retail uses (1 space per 250 s.f. or fraction thereof)	122,550	1 sp / 250 sf	491
Use Type:				
Use Type:				
Use Type:				
Use Type:				
NOTE: See Zoning Code Article VII, Off-Street Parking Sec. 33-122 thru 33-132 for parking standards. See Article VIII, Sec. 33-133 thru 33-137 for rights-of-way requirements.		TOTAL PARKING SPACES REQUIRED:		491
Revised Date: 05-20-15		TOTAL PARKING SPACES PROVIDED:		529

(Legend Rev.)

RECEIVED
215-014
JUL 15 2015

Kimley»Horn
© 2015 KIMLEY-HORN AND ASSOCIATES, INC.
445 24th STREET, SUITE 200, VERO BEACH, FL 32960
PHONE: 772-794-4100 FAX: 772-794-4130
WWW.KIMLEY-HORN.COM CA 00000696

NO.	REVISIONS	DATE	BY
1	REVISE PYLON SETBACK & CUTSHEET	07/09/15	DTW

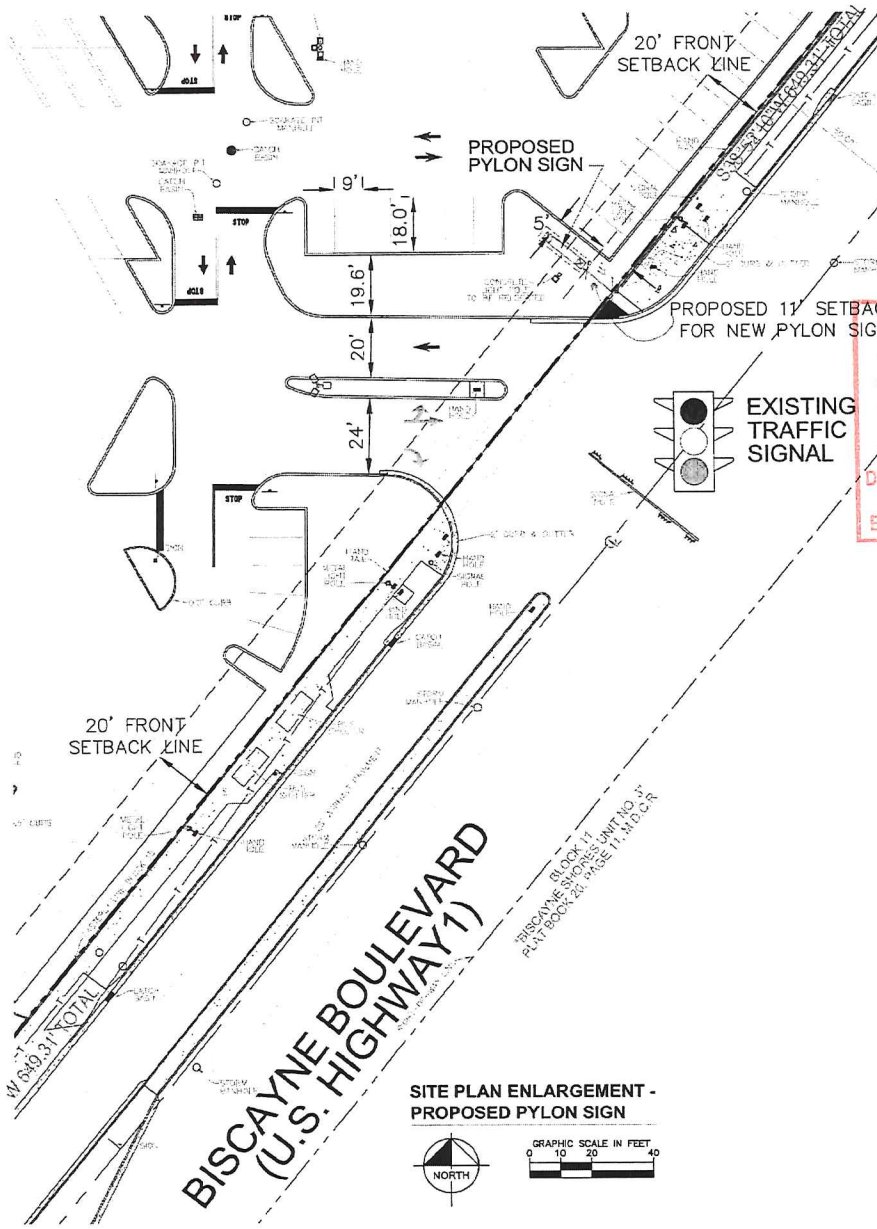
DESIGNED BY: DAVID T. MOORHEAD, PLA
FLORIDA REGISTRATION NUMBER: A 1163
DATE: JULY 9, 2015
SCALE: AS NOTED
DESIGNED BY: —
DRAWN BY: —
CHECKED BY: —

KMART CORPORATION
MIAMI DADE COUNTY FLORIDA

OVERALL SITE PLAN

DATE 12-15-14
PROJECT NO.
SHEET NUMBER C-1

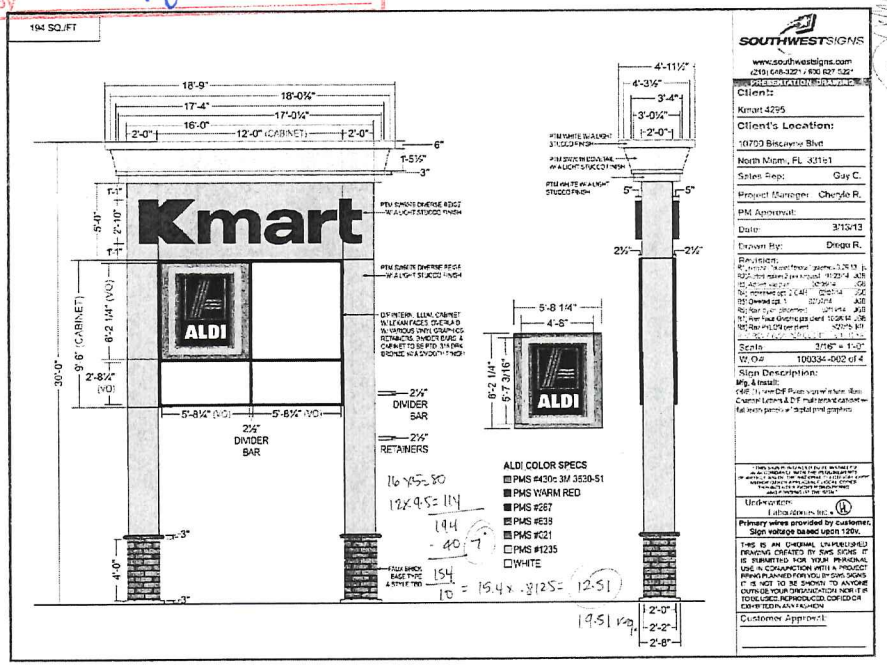
Drawing name: I:\civil\SEARS -HOLDING COMPANY\KMART-NORTH MIAMI\PROPOSED SITE PLAN\C-1.dwg C-1 SITE PLAN Jul 09, 2015 - 4:49pm by dave.woodward
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



SITE PLAN ENLARGEMENT - PROPOSED PYLON SIGN

LOCATION MAP

PROPOSED HEADER PANEL



PROPOSED PYLON SIGN

RECEIVED
Z15-014
JUL 15 2015
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES DEVELOPMENT SERVICES
By

Kimley»Horn

© 2012 KIMLEY-HORN AND ASSOCIATES, INC.
145 24TH STREET, SUITE 200, VERO BEACH, FL 32960
PHONE: 772-794-4100 FAX: 772-794-4130
WWW.KIMLEY-HORN.COM CA 00000096

No	REVISIONS	DATE	BY
1	REVISE PYLON SIGN SETBACK & CUTSHEET	07/06/15	DTW

SCALE: AS NOTED
DESIGNED BY
DRAWN BY
CHECKED BY
DATE: JUL 06 2015

SITE PLAN ENLARGEMENT - PROPOSED SIGN

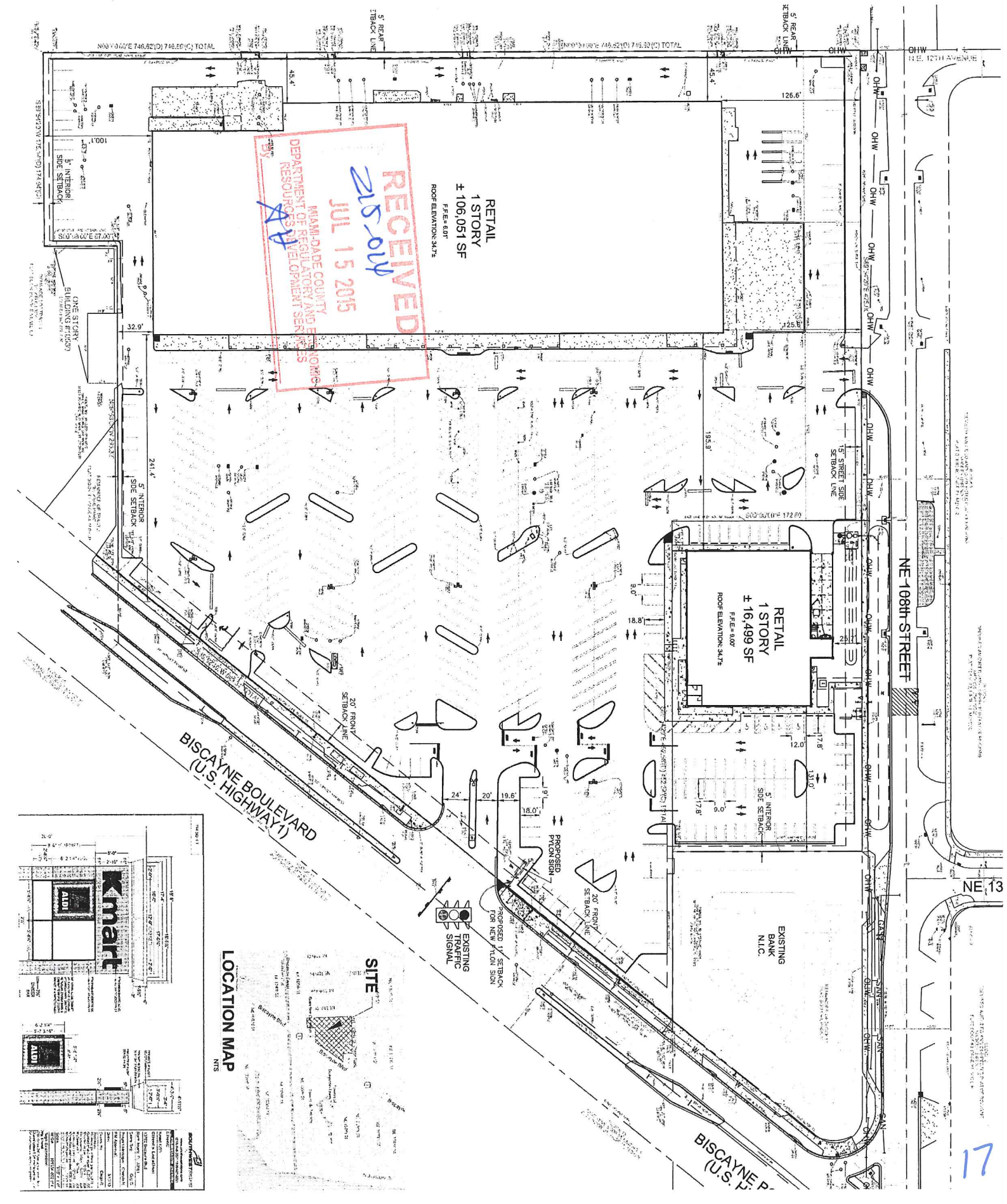
KMART CORPORATION
MIAMI-DADE COUNTY FLORIDA

DATE 02/02/15
PROJECT NO.
SHEET NUMBER C-2

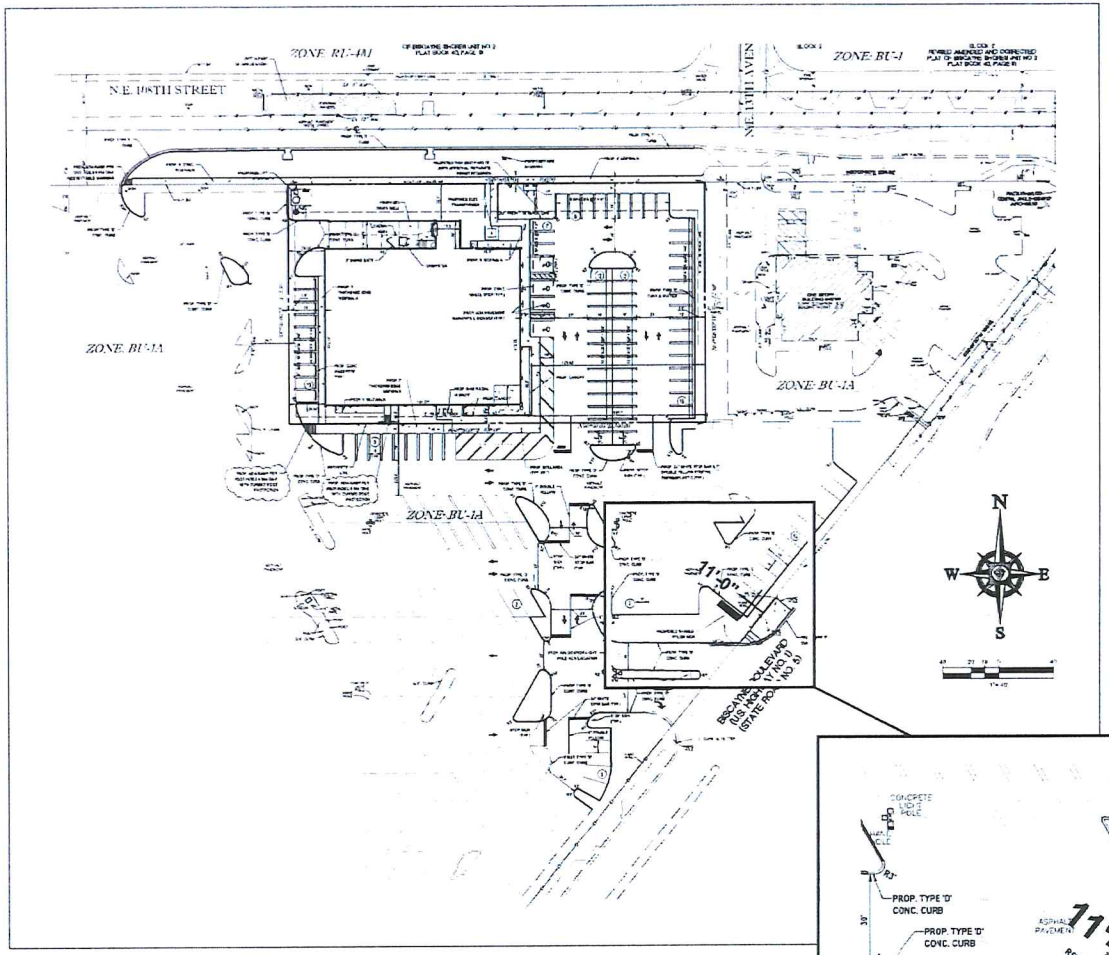
Drawing name: U:\Cadd\SEARS HOLDING COMPANY\KMART-NORTH MIAMI\PROPOSED SITE PLAN\C-1.dwg C-2 SITE PLAN ENLARGEMENT Jul 06, 2015 4:50pm by: dave.woodward

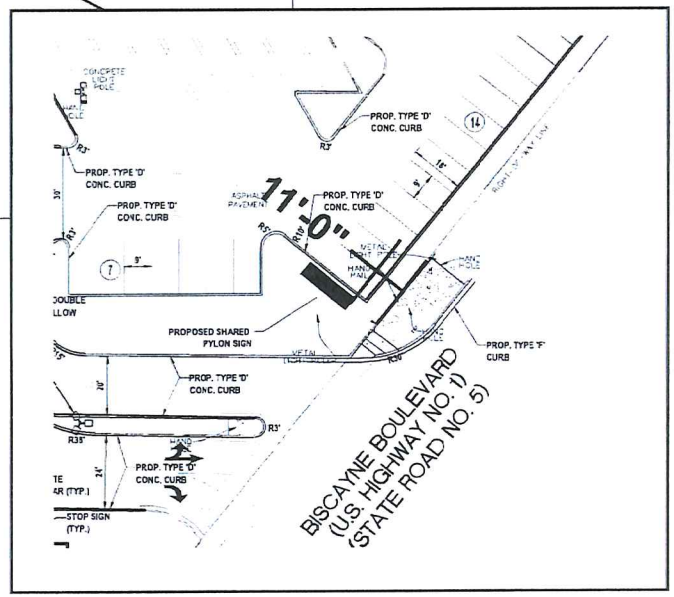
EARS HOLDING COMPANY\KMART-NORTH MIAMI\PROPOSED SITE PLAN\C-1.dwg C-1 SITE PLAN Jul 06, 2015 4:49pm by: dave.woodward

cepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and



17





RECEIVED
215-04
JUN 23 2015
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES DEVELOPMENT SERVICES
By AH

SOUTHWESTSIGNS

www.southwestsigns.com
(210) 648-3221 / 800-927-3221

PRESENTATION DRAWING

Client:
Kmart 4295

Client's Location:
10700 Biscayne Blvd
North Miami, FL 33161

Sales Rep: Guy C.
Project Manager: Cheryle R.
PM Approval:
Date: 3/13/13
Drawn By: Diego R.
Revision:

Scale: NTS
W/O# 100334-004 of 4

Sign Description:

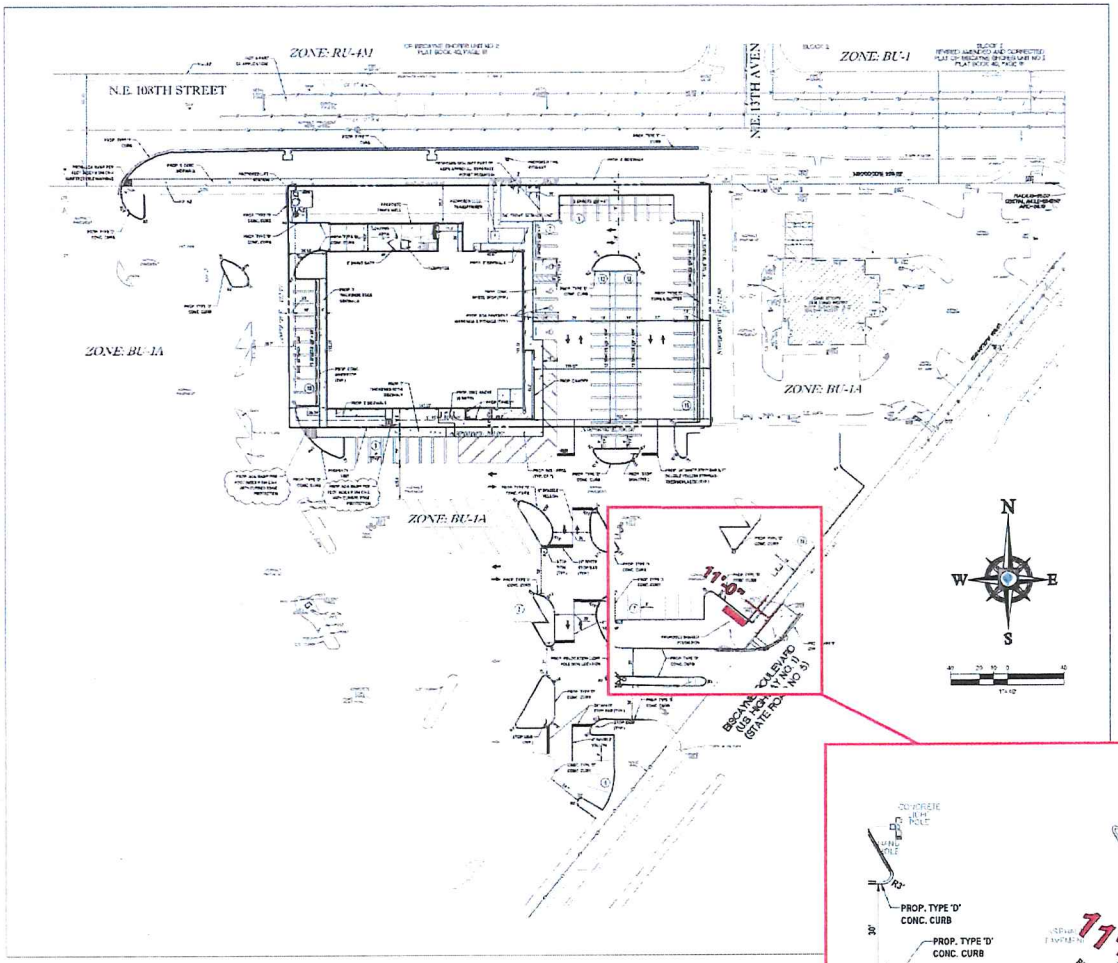
"THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN."

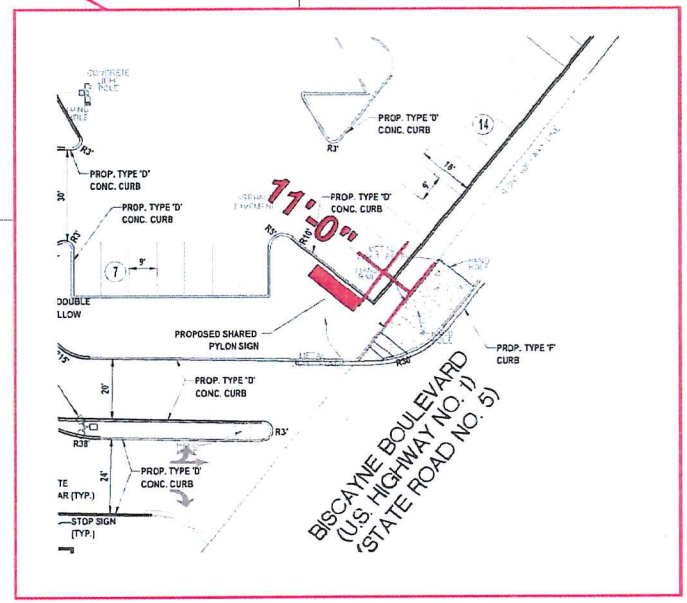
Underwriters Laboratories Inc.®

Primary wires provided by customer. Sign voltage based upon 120v.

THIS IS AN ORIGINAL UN-PUBLISHED DRAWING CREATED BY SWS SIGNS. IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONJUNCTION WITH A PROJECT BEING PLANNED FOR YOU BY SWS SIGNS. IT IS NOT TO BE SHOWN TO ANYONE OUTSIDE YOUR ORGANIZATION, NOR IT IS TO BE USED, REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION.

Customer Approval:





RECEIVED
215-014
JUN 23 2015
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES
By: AH

SOUTHWESTSIGNS
www.southwestsigns.com
(210) 648-3221 / 800-927-3221

PRESENTATION DRAWING

Client:
Kmart 4295

Client's Location:
10700 Biscayne Blvd
North Miami, FL 33161

Sales Rep:	Guy C.
Project Manager:	Cheryle R.
PM Approval:	
Date:	3/13/13
Drawn By:	Diego R.
Revision:	
Scale:	NTS
W/O#	100334-004 of 4

Sign Description:

"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 THE SIGN."

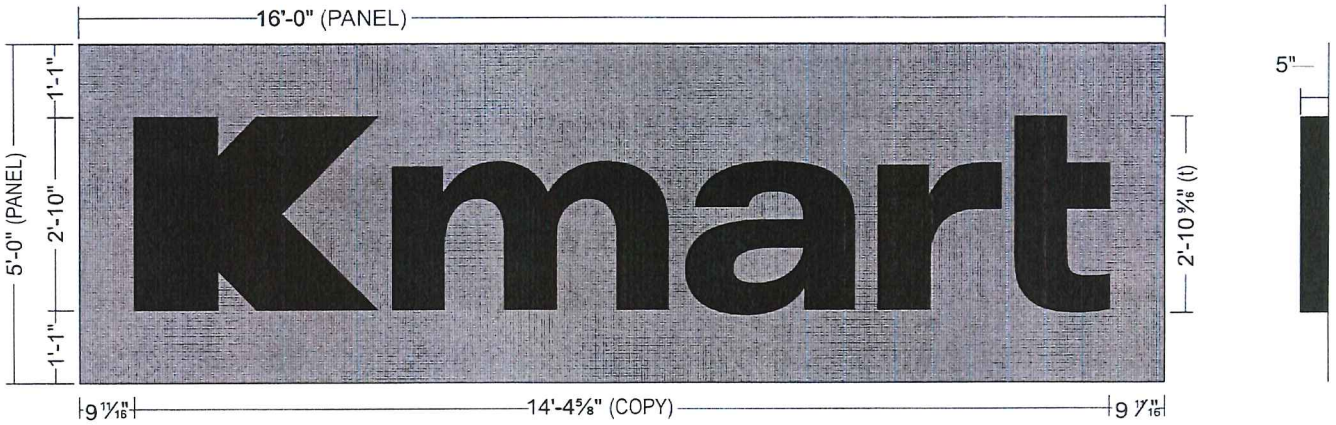
Underwriters Laboratories Inc.®

Primary wires provided by customer. Sign voltage based upon 120v.

THIS IS AN ORIGINAL UN-PUBLISHED DRAWING CREATED BY SWS SIGNS. IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONJUNCTION WITH A PROJECT BEING PLANNED FOR YOU BY SWS SIGNS. IT IS NOT TO BE SHOWN TO ANYONE OUTSIDE YOUR ORGANIZATION, NOR IT IS TO BE USED, REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION.

Customer Approval:

PANEL DETAIL - SCALE: ⅜"=1'-0"



"Kmart"

TWO (2) SETS OF LED INTERN. ILLUM. FACE LIT CHANNEL LETTERS.

- **FACES:** 7328 WHITE, 3M 3632-33 RED OVERLAY
- **TRIMCAP:** 1" JEWELITE PTM PMS 485c RED
- **RETURNS:** 5" .050 ALUM. PTM PMS 485c RED
- **BACKS:** .080 ALUM.
- **ILLUM.:** RED LED
- **INSTALL:** FLUSH MOUNT TO ALUM. FASCIA HEADER PANEL

"Kmart"

COLOR SPECS

3M 3632-33 RED
PMS 485c

RECEIVED
215-014
JUN 23 2015
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES
DEVELOPMENT SERVICES
By: AH

SOUTHWESTSIGNS

www.southwestsigns.com
(210) 648-3221 / 800-927-3221

PRESENTATION DRAWING

Client:
Kmart 4295

Client's Location:
10700 Biscayne Blvd
North Miami, FL 33161

Sales Rep: Guy C.
Project Manager: Cheryle R.
PM Approval:
Date: 3/13/13
Drawn By: Diego R.
Revision:

Scale: ¼" = 1'-0"
W/O# 100334-003 of 4

Sign Description:
Header Panel Details

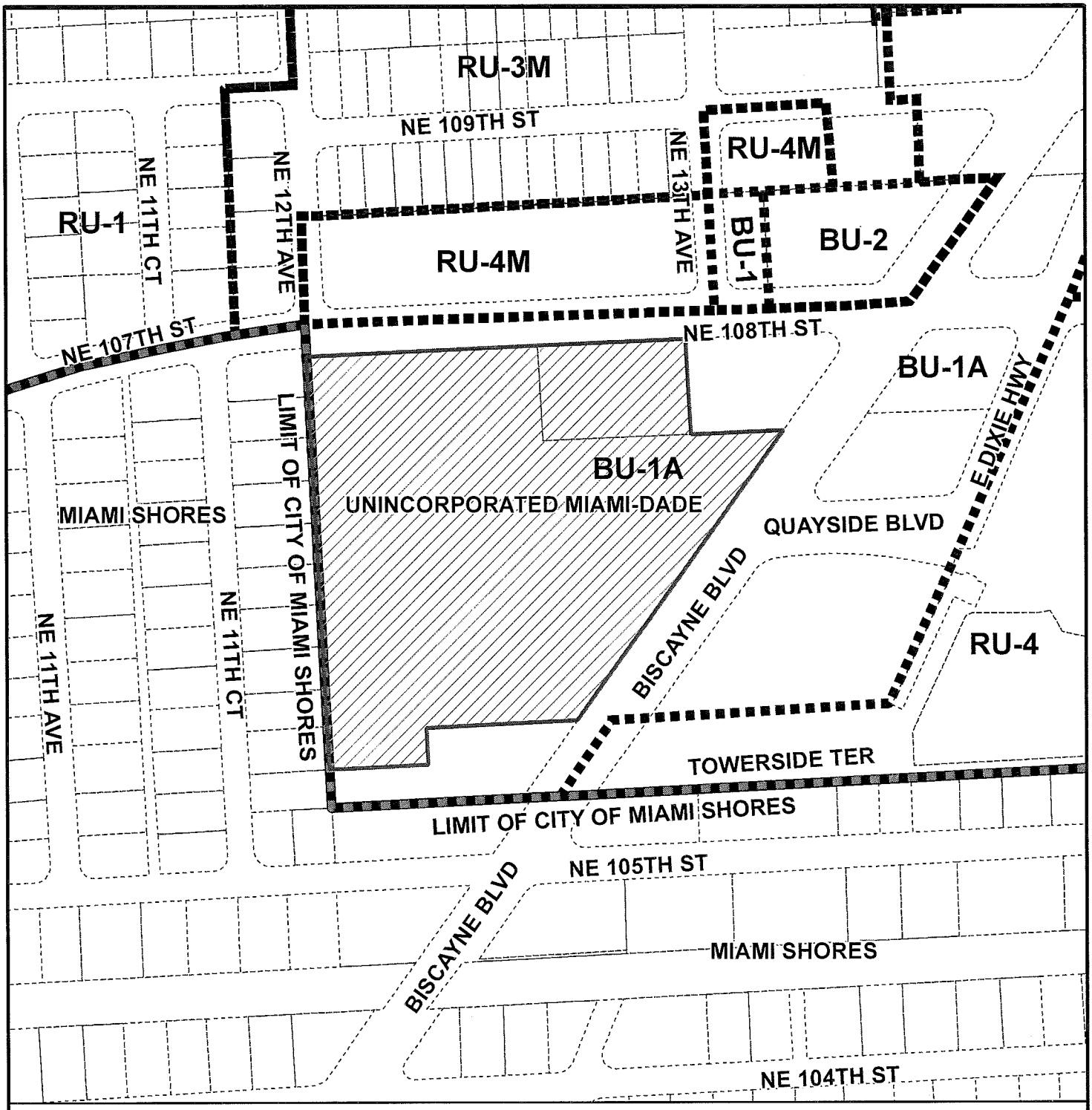
"THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN."

Underwriters Laboratories Inc.®

Primary wires provided by customer. Sign voltage based upon 120v.

THIS IS AN ORIGINAL UN-PUBLISHED DRAWING CREATED BY SWS SIGNS. IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONJUNCTION WITH A PROJECT BEING PLANNED FOR YOU BY SWS SIGNS. IT IS NOT TO BE SHOWN TO ANYONE OUTSIDE YOUR ORGANIZATION, NOR IT IS TO BE USED, REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION.

Customer Approval:



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2015000014

Section: 32 Township: 52 Range: 42
Applicant: KMART CORP
Zoning Board: C7
Commission District: 3
Drafter ID: E.CESPEDES
Scale: NTS

Legend

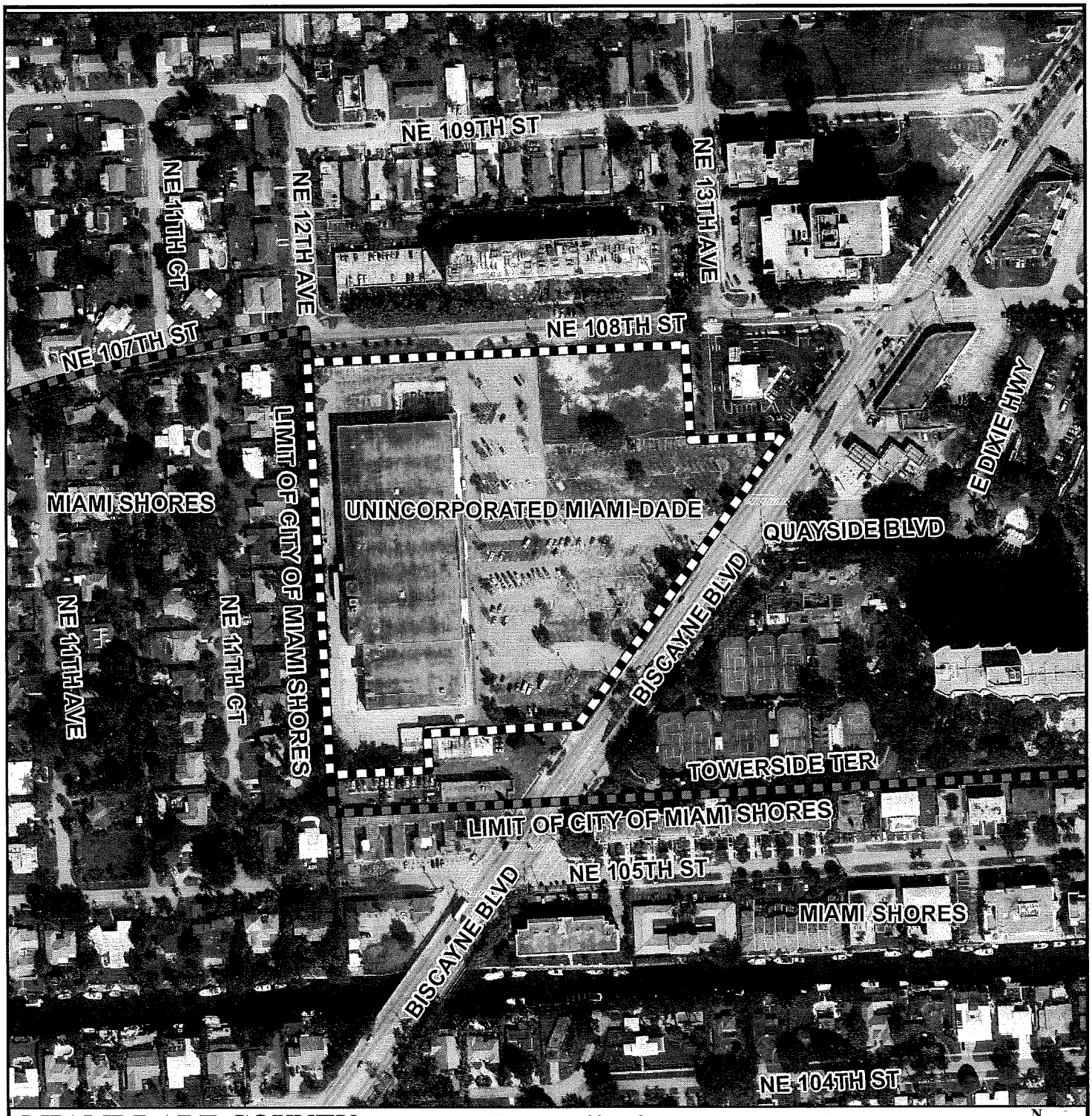
- Subject Property Case
- Zoning
- Municipalities

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, February 26, 2015

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY

AERIAL YEAR 2014

Process Number

Z2015000014

Legend

Subject Property

Municipalities

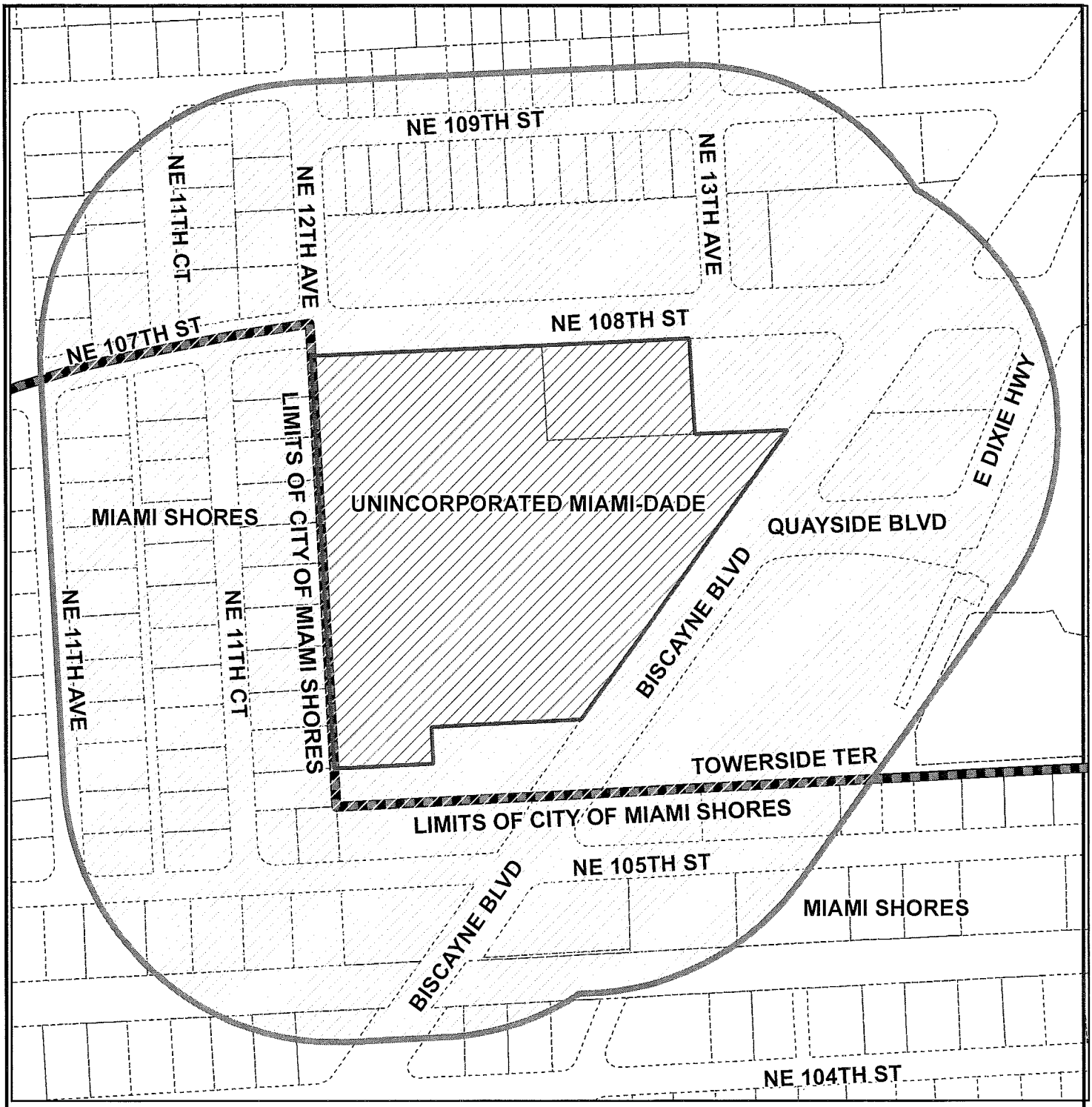
N
W E
S

Section: 32 Township: 52 Range: 42
Applicant: KMART CORP
Zoning Board: C7
Commission District: 3
Drafter ID: E.CESPEDES
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, February 26, 2015

REVISION	DATE	BY
		22



MIAMI-DADE COUNTY

RADIUS MAP

Section: 32 Township: 52 Range: 42
Applicant: KMART CORP
Zoning Board: C7
Commission District: 3
Drafter ID: E.CESPEDES
Scale: NTS

Process Number

Z2015000014

RADIUS: 500

Legend

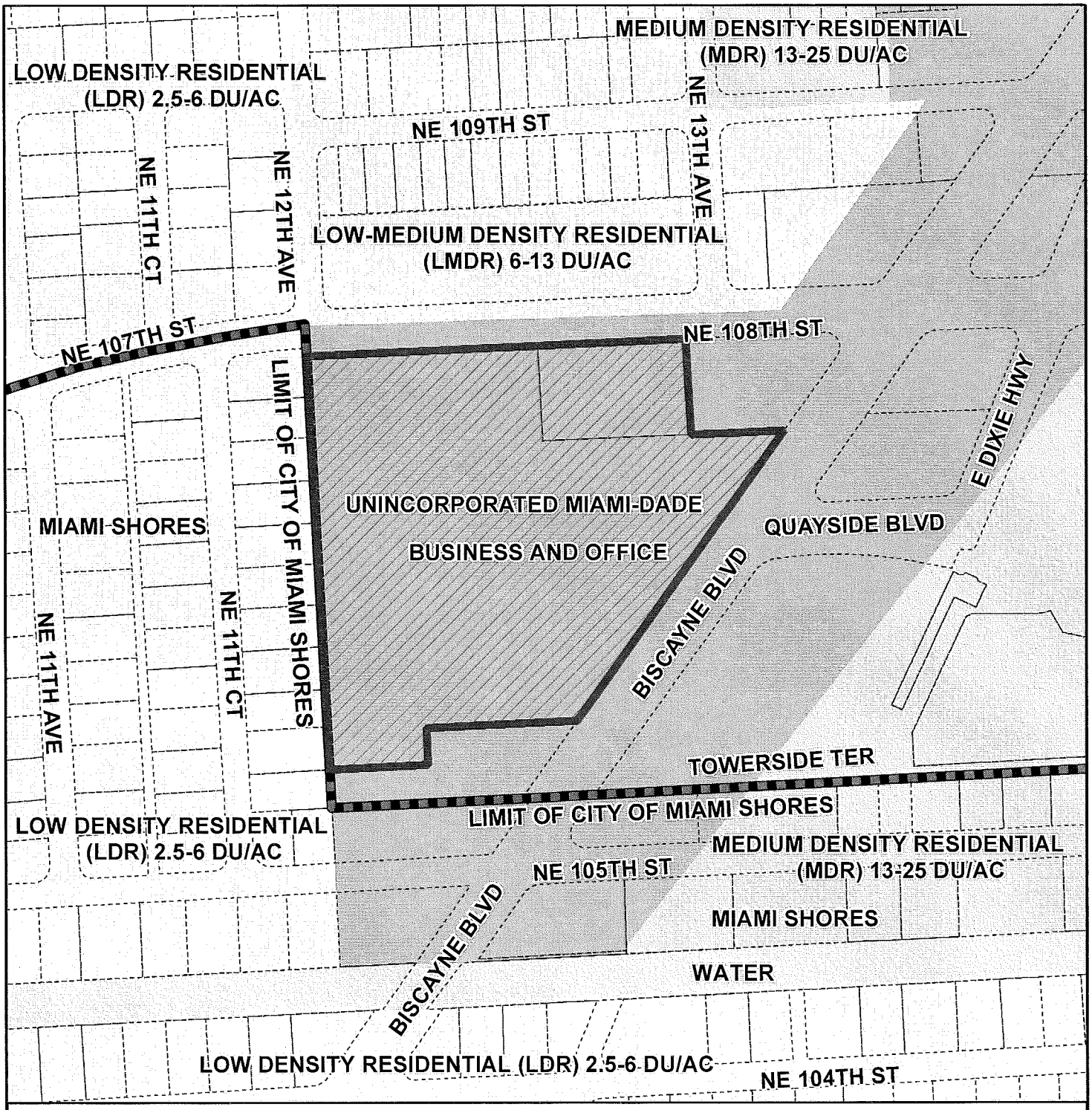
- Subject Property
- Buffer
- Municipalities
- Property Boundaries

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, February 26, 2015

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2015000014

Legend

- Subject Property Case
- Municipalities

N
W E
S

Section: 32 Township: 52 Range: 42
Applicant: KMART CORP
Zoning Board: C7
Commission District: 3
Drafter ID: E.CESPEDES
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, February 26, 2015

REVISION	DATE	BY