

# FINAL AGENDA

9-30-2015 Version # 1



COMMUNITY ZONING APPEALS BOARD 7  
PHYLLIS RUTH MILLER ELEMENTARY SCHOOL  
840 NE 87 Street, Miami  
Wednesday, November 4, 2015 at 6:30 p.m.

CURRENT

- |    |             |   |       |          |   |
|----|-------------|---|-------|----------|---|
| 1. | 15-11-CZ7-1 | <u>BRANDON OF B LLC/GOTHAM 55TH ASSOCIATES LP</u> | 13-33 | 29-52-42 | N |
|----|-------------|---|-------|----------|---|



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

---

COMMUNITY ZONING APPEALS BOARD - AREA 7

MEETING OF WEDNESDAY, NOVEMBER 4, 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

---

**1. BRANDON OF B LLC & (15-11-CZ07-1/13-033)  
GOTHAM 55<sup>th</sup> ASSOCIATES LP**

**29-52-42  
Area 07/District 04**

- (1) NON-USE VARIANCE to permit a total of 436 parking spaces (459 spaces required).
- (2) NON-USE VARIANCE to permit a proposed addition to an existing commercial building resulting in a lot coverage of 41.4% (40% permitted).
- (3) NON-USE VARIANCE to permit a Floor Area Ratio of 1.19 (1.17 permitted).
- (4) NON-USE VARIANCE to permit a landscape open space of 26.20% (26.5% required).
- (5) NON-USE VARIANCE to permit a landscape buffer varying from 5'-0" to 6'-0" (7' required) along the rights-of-way.

Upon a demonstration that the applicable standards have been satisfied, approval of Requests #1 - #4 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) and Requests #1 - #5 under §33-311(A)(4)(b) (Non-Use Variance).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Site Plan & Floor Plans" as prepared by SBLM, Sheet SPA-1.1 dated stamped received 9/9/15, Sheets SPA2.1, SPA2.2, SPA2.4 & SPA 4.4 dated stamped received 9/4/15, consisting of 5 sheets, "Landscape Plans" prepared by Tanning & Associates, Inc., dated stamped received 5/15/15, consisting of 3 sheets, for a total of 8 sheets. Plans may be modified at public hearing.

LOCATION: 12000 Biscayne Boulevard, Miami-Dade County, Florida.

SIZE OF PROPERTY: 3.093 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](http://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: Z13-033 (15-11-CZ7-1)**

**November 4, 2015**

**Item No. 1**

<b>Recommendation Summary</b>	
<b>Commission District</b>	4
<b>Applicants</b>	Brandon of B, LLC/Gotham 55 Associates, LP
<b>Summary of Request</b>	The approval of the application would permit additions to the existing buildings that result in less parking, and landscape open space, an increase in Floor Area Ratio (FLOOR AREA RATIO) and lot coverage, as well as a reduced landscape buffer along the abutting rights-of-way.
<b>Location</b>	12000 Biscayne Boulevard, Miami-Dade County, Florida.
<b>Property Size</b>	6.2-Acres
<b>Existing Zoning</b>	BU-2, Special Business District
<b>Existing Land Use</b>	Office building
<b>2020-2030 CDMP Land Use Designation</b>	Business and Office (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations standards Section 33-311(A)(16), Alternative Site Development Option for the BU Zoning District (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval with conditions.</b>

**REQUESTS:**

- (1) NON-USE VARIANCE to permit a total of 436 parking spaces (459 spaces required).
- (2) NON-USE VARIANCE to permit a proposed addition to an existing commercial building resulting in a lot coverage of 41.4% (40% permitted).
- (3) NON-USE VARIANCE to permit a Floor Area Ratio of 1.19 (1.17 permitted).
- (4) NON-USE VARIANCE to permit a landscape open space of 26.20% (26.5% required).
- (5) NON-USE VARIANCE to permit a landscape buffer varying from 5'-0" to 6'-0" (7' required) along the rights-of-way.

Upon the demonstration that the applicable standards have been satisfied, approval of requests #1 - 4 may be considered under Section 33-311(A)(16) (Alternative Site Development Option for the BU Zoning District), and requests #1 through #5 may be considered under Section 33-311(A)(4)(b) (Non-Use Variance).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Site Plan & Floor Plans" as prepared by SBLM, Sheet SPA-1.1 dated stamped received 9/9/15, Sheets SPA2.1, SPA2.2, SPA2.4 & SPA 4.4 dated stamped received 9/4/15, consisting of 5 sheets, "Landscape Plans" prepared by Toning & Associates, Inc., dated stamped received 5/15/15, consisting of 3 sheets, for a total of 8 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND HISTORY:**

Pursuant to Resolution #Z-353-74, the subject property was approved for a district boundary change to BU-2, Special Business District. Between 1982 and 1997, the subject parcel also received approvals of variances to the BU-2 district regulations pertaining to the requirement for a masonry wall and to permit a cellular communications facility on the roof.

The applicants now seek to permit additions to the ground floor of the existing commercial building in order to add additional retail and restaurant space on the ground floor of the existing building. This will result in the increase of the floor area ratio and lot coverage for the building and open space regulations for the BU-2 district, which among other things, are the subject of this application.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	BU-2; office building	Business and Office
<b>North</b>	City of N. Miami; office building	Business and Office
<b>South</b>	BU-2; office building	Business and Office
<b>East</b>	City of N. Miami; shopping center	Business and Office)
<b>West</b>	RU-4M; apartments	Medium Density Residential (13-25 DUA)

**NEIGHBORHOOD COMPATIBILITY:**

The subject property, an existing mixed use building and separate parking garage, located at 12000 Biscayne Boulevard. The surrounding area is characterized by commercial and multi-family residential uses.

**SUMMARY OF THE IMPACTS:**

Approval of this application would allow the applicants to provide additional retail and restaurant uses along this section of Biscayne Boulevard, which may serve the commercial and residential uses located along the Biscayne Boulevard corridor. Staff opines that approval of the variances sought in this application will not create any new visual impacts on the surrounding area, and will not have a negative impact on traffic along Biscayne Boulevard.

**CDMP ANALYSIS:**

The subject property is currently zoned BU-2, Special Business District and is located at 12000 Biscayne Boulevard and is designated as **Business and Office** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. The subject property contains an existing office building and parking garage. With the current application, the applicants seek to expand the restaurant and retail uses on the ground floor. With this, the applicants are also seeking variances of the lot coverage and floor area ratio, less parking, and less landscape open space than required. Staff opines that since the approval of the application will not change the existing office and mixed uses on the subject property, approval of the application is **consistent** with the CDMP LUP map Business and Office designation.

### **ZONING ANALYSIS:**

When analyzing requests #1 through #5, under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that approval of the aforementioned requests will maintain 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 that the request will be otherwise **compatible** with the surrounding land uses and would not be detrimental to the community. The applicants seek to permit the existing office and commercial site with 18 less parking spaces than the 459 spaces required (request #1), to permit a proposed addition that results in a 41.4% (40% maximum permitted) lot coverage (request #2), and to permit the site with a floor area ratio of 1.19 (1.17 permitted). Additionally, the applicants seek to permit the site with a landscape open space of 26.20% where 26.5% is required (request #4) and to permit a landscape buffer varying from 5' to 6' (7' required) along the property lines abutting Biscayne Boulevard and NE 121 Street.

Staff opines that all of the aforementioned requests for variances are very minimal and will not create a negative visual impact along this section of Biscayne Boulevard, which is a well-travelled north/south roadway in this section of the County. Further, staff notes that the requests sought in this application are not out of character with other approvals in the surrounding area. In addition, based on a further analysis of requests #1 through #4 of the application under the Alternative Site Development Option (ASDO) Standards below, staff is of the opinion that approval of same will not result in the spillage of parking onto the abutting roadways and will not result in an obvious departure from the character of the existing office and retail uses in the immediate vicinity. Further, staff notes that the existing building is similar in height and scale to the building on the abutting parcel to the south, which was also approved for similar variances to that being requested herein. **As such, staff recommends approval with conditions of requests #1 through #5, under Section 33-311(A)(4)(b), NUV Standards.**

Staff notes that the applicant has also requested that requests #1 through #4, be reviewed under the Alternative Site Development Option (ASDO) Standards for Buildings and Structures in BU Districts, Section 33-311(A)(16). When the request #1, to permit 436 parking spaces (459 parking spaces required) is analyzed under the aforementioned ASDO standards, staff notes that the reduction of 23 spaces is within the 10% maximum reduction allowed. Further, the subject property abuts Biscayne Boulevard, which is a Major Roadway identified on the LUP map of the CDMP. Additionally, the applicant has provided an analysis of the off-street parking spaces applying the Urban Land Use Institute (ULI) Shared Parking Methodology to the required number of parking spaces. Said analysis concluded that the resulting peak parking demand is **428** during the weekday period. Further, the application complies with all the other ASDO requirements in that the alternative reduction does not apply to disabled parking spaces. The analysis therefore concluded, and staff concurs, that approval of the requested 436 parking spaces will result in **8** surplus parking spaces based on the peak parking demand. **Staff therefore, recommends approval of the applicants' request for reduced parking (request #1) under Section 33-311(A)(16) ASDO Standards.**

Additionally, the applicants are seeking approval under the ASDO standards to permit the proposed additions to the existing buildings, which result in a lot coverage of 41.4%, where 40% is permitted (request #2), which results in a floor area ratio of 1.19 (1.17 permitted) (request #3); and to permit the site with 26.20% (26.5% required) of landscape open space (request #4). Staff notes that in all of the aforementioned requests, the requested variances from the Code requirements are within the 10% maximum allowed under the ASDO standards. Further, the

applicants indicated in their letter of intent, and staff's review of the submitted plans indicate, that the increase in lot coverage and floor area ratio will not result in a development that goes beyond the scale and mass of the buildings in the surrounding area. Further, as noted earlier, the buildings on the parcel to the south were also approved for similar variances of lot coverage and floor area ratio. Similarly, staff notes that, although the applicants are seeking approval of a reduction in the landscape open space (request #4), the plans indicate that they are providing an adequate number of trees throughout the property, which, in staff's opinion, will provide adequate shade and provide an adequate enhancement of the architectural features of the existing buildings and the proposed additions. As such, staff opines that the proposed development will not result in an obvious departure from the character of the surrounding community, and further, will be **compatible** with the existing buildings and the surrounding area.

Therefore, based on the review of all the memoranda from Departments commenting on the application, which are attached hereto, staff opines that approval with conditions of the application will not result in a significant diminution of the value of property in the immediate vicinity, will not have a substantial negative impact on public safety due to unsafe automobile movements, or result in a materially adverse impact on public services or facilities than that which would result from the development of the parcel under the underlying district regulations. **Therefore, based on the foregoing analysis, staff recommends approval with conditions of requests #2 through #4 under the ASDO standards, Section 33-311(A)(16).**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate an ingress only drive from Biscayne Boulevard and two (2) ingress/egress drives abutting NE 121 Street. Apart from the parking garage located on the western portion of the parcel, there are existing surface parking spaces around the building abutting Biscayne Boulevard and NE 121 Street.

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

**OTHER:** N/A

**RECOMMENDATION:**

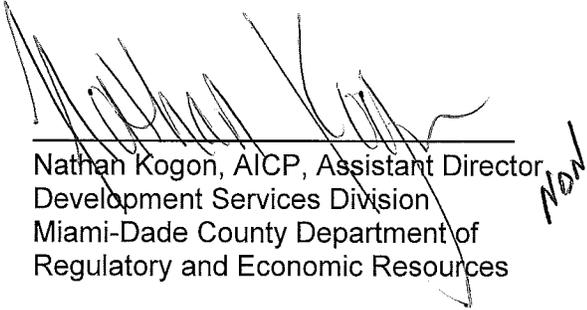
**Approval with conditions of requests #1 through #5, under Section 33-311(A)(4)(b)(NUV); and approval with conditions of requests #1 through #4, only, under Section 33-311(A)(16)(ASDO).**

**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, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Site Plan & Floor Plans" as prepared by SBLM, Sheet SPA-1.1 dated stamped received 9/9/15, Sheets SPA2.1, SPA2.2, SPA2.4 & SPA 4.4 dated stamped received 9/4/15, consisting of 5 sheets, "Landscape Plans" prepared by Tanning & Associates, Inc., dated stamped received 5/15/15, consisting of 3 sheets, for a total of 8 sheets.

3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants shall install the landscaping indicated in the plans prior to obtaining a Certificate of Occupancy for the proposed addition.

NK:MW:NN:JV:CH



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

*Now*

# ZONING RECOMMENDATION ADDENDUM

*Brandon of B, LLC/Gotham 55 Associates, LP  
PH: Z13-033*

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

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

<b><i>Business and Office (Page I-41)</i></b>	<i>This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.</i>
---	--

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b><i>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</i></b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required</i>
<b><i>Section 33-311(A)(16) Alternative Site Development Option for Buildings and Structures in the BU Zoning Districts.</i></b>	<i>This subsection provides for the establishment of an alternative site development option, after public hearing, for buildings and structures permitted by the underlying district regulations, except residential buildings and structures and religious facilities, in the BU-1, BU-1A, BU-2, and BU-3 zoning districts, in accordance with the standards established herein. In considering any application for approval hereunder, the Community Zoning Appeals Board shall consider the same subject to approval of a site plan or such other plans as necessary to demonstrate compliance with the standards herein.</i>

# ZONING RECOMMENDATION ADDENDUM

Brandon of B, LLC/Gotham 55 Associates, LP  
PH: Z13-033

(d) **An alternative lot coverage or floor area ratio for a building shall be approved upon demonstration of the following:**

- (1) total lot coverage or floor area ratio shall not be increased by more than ten percent (10%) of the lot coverage or floor area permitted by the underlying district regulations; and
- (2) the proposed alternative development will not result in the destruction or removal of mature trees on the lot with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in Section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the lot; and
- (3) the increase in lot coverage or floor area ratio will not result in a principal or accessory building(s) with an architectural design, scale, mass or building materials that are not aesthetically harmonious with that of other existing or proposed structures in the immediate vicinity; and
- (4) the proposed alternative development will not result in an obvious departure from the aesthetic character of in the immediate vicinity.

(e) **An alternative amount of landscaped open space shall be approved upon demonstration of the following:**

- (1) landscaped open space shall not be decreased by more than ten percent (10%) of the landscaped open space required by the applicable district regulations; and
- (2) the proposed alternative development will not result in the destruction or removal of mature trees on the lot with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in Section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the lot; and
- (3) the landscaped open space provided shall be used to shade and cool, direct wind movements, enhance architectural features, relate structure design to site, visually screen non-compatible uses and block noise generated by major roadways and intense use areas; and
- (4) the landscaped open space provided shall relate to any natural characteristics in such a way as to preserve and enhance their scenic and functional qualities; and
- (5) the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, and
- (6) the installation of the required percentage of landscaped parcel containing a previously approved and existing building, would necessitate a decrease in the number of parking spaces provided, or necessitate a decrease in the square footage of an existing building on the site; and
- (7) that 20% more lot or street trees are provided on the site or within the adjacent rights-of-way, respectively; said trees to be of a type and size as required by Chapter 18A; and

(j) **An alternative reduction in the number of required parking spaces shall be approved after public hearing upon demonstration of the following:**

- (1) the alternative reduction of the number of required parking spaces does not apply to parking spaces for the disabled, parking spaces for persons transporting small children, nor to bicycle racks or other means of bicycle storage; and either:
- (2) the total number of required parking spaces is not reduced below ten percent (10%); and
  - (A) the lot, parcel or tract is located within six hundred and sixty (660) feet of an existing transportation corridor such as a Major Roadway identified on the Land Use Plan (LUP) map, within one-quarter ( 1/4) mile from existing rail transit stations or existing express busway stops; or

# ZONING RECOMMENDATION ADDENDUM

Brandon of B, LLC/Gotham 55 Associates, LP  
PH: Z13-033

	<p>(B) <i>the hours of operation of multiple commercial uses within the development vary and do not overlap and a recordable agreement is provided which restricts the hours of operation; or</i></p> <p>(3) <i>the alternative development involves a mixed-use project in which the number of off-street parking spaces is calculated by applying the Urban Land Institute (ULI) Shared Parking Methodology to the required number of parking spaces.</i></p> <p><b>(k) <i>Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:</i></b></p> <p>(1) <i>will result in a significant diminution of the value of property in the immediate vicinity; or</i></p> <p>(2) <i>will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or</i></p> <p>(3) <i>will result in a materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations.</i></p> <p><b>(l) <i>Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the economic viability of any commercial enterprises proposed within the approved development and the quality of life of residents and other owners of property in the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, landscaped open space over and above that normally required by the code, additional trees or landscaping materials, the inclusion of residential use(s), convenient pedestrian connection(s) to adjacent residential development(s), convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, monument signage (where detached signs are allowed) or limited and cohesive wall signage, and decorative street lighting. In determining which amenities or buffering elements are appropriate, the following shall be considered:</i></b></p> <p>(A) <i>the types of needs of the residents or other owners immediate vicinity and the needs of the business owners and employees of the parcel proposed for development that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and</i></p> <p>(B) <i>the proportionality between the impacts on the residents or other owners of property of parcel(s) in the immediate vicinity and the amenities or buffering required. For example, a reduction in setbacks for numerous lots or significantly large commercial buildings may warrant the provision of additional landscaped open space.</i></p>
--	---

**1. BRANDON OF B LLC/  
GOTHAM 55TH ASSOCIATES, LP**  
**(Applicant)**

**15-11-CZ07-1(13-033)**  
**Area 07/District 04**  
**Hearing Date: 11/04/15**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1974	Arthur J. Ehrlick Trustee	- Zone change from RU-3 and RU-3B to BU-2.	BCC	Approved with Condition(s)
1982	Arthur J. Ehrlick Trustee	- Non-Use Variance to waive required wall.	ZAB	Approved with Condition(s)
1997	12000 Biscayne Blvd., INC.	- Unusual Use to permit cellular communication facility.	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



**Date:** September 28, 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 #Z2013000033-3<sup>rd</sup> Revision  
Brandon of B LLC and Gotham 55th Associates, LP  
12000 Biscayne Boulevard, Miami, Florida 33181  
Non-Use Variance to Permit Greater Far and Lot Coverage  
(BU-2) (3.09 Acres)  
29-52-42

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

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.

#### Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Water services and sanitary sewer services are provided by City of North Miami Water and Sewer Department. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

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

#### Stormwater Management

The applicant is advised that the expansion of the existing building cannot interfere with the existing stormwater management system.

#### Wetlands

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

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management

District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Tree Preservation

The subject property contains tree resources. Please note that Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Projects shall be designed to meet the requirements of Sections 24-49.2 and 24-49.4 of the Code including compliance with the specimen tree preservation requirements of the Code as well as CON 8A of the Comprehensive Development Master Plan.

Finally, in accordance with the Code and CON8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. DERM also recommends that this requirement be included as a condition of any zoning approval.

The applicant is advised to contact Tree Permitting Program at (305) 372-6574 for additional information regarding tree permitting procedures and requirements.

#### Enforcement History

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

#### Concurrency Review Summary

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

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

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

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

cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** August 14, 2015

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

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

**Subject:** Z2013000033  
Name: Brandon of B LLC/Gotham 55<sup>th</sup> Associates LP  
Location: 12000 Biscayne Blvd  
Section 29 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 objection.

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Tract A of Plat Book 118, Page 8.

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

# Memorandum



**Date:** October 7, 2015

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

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

**Subject:** Update: Brandon Of B, LLC and Gotham 55TH Associates, LP (#13\_033)

---

The Public Works and Waste Management Department (PWWM) has **no objections to the proposed application**. The review of this application updates a response previously dated May 31, 2013.

**Brandon Of B, LLC and Gotham 55TH Associates, LP** are requesting non-use variances to add new ground floor retail space to the existing building. Additionally, revised proposed plans were submitted to request a reduction in the number of required parking spaces. The existing commercial/office development use of the property meets the County Code definition of a commercial establishment. Per the Code, the following is required of commercial establishments located in unincorporated Miami-Dade County:

"Every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service.

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

- |                                  |  |
|----------------------------------|--|
| 1) High grade office paper       | 6) Steel (cans, scrap)                         |
| 2) Mixed paper                   | 7) other metals/scrap production materials     |
| 3) Corrugated cardboard          | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles                                    |
| 5) Aluminum (cans, scrap)        | 10) Wood                                       |

**Section 15-2.3b** 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, Intergovernmental and External Affairs, at (305) 375-1354.

# Memorandum



**Date:** September 28, 2015

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

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

**Subject:** Z2013000033: BRANDON OF B LLC/GOTHAM 55 ASSOC LP  
Revised Plans Submitted Dated Stamped Received Through 9/09/2015

---

**Application Name:** BRANDON OF B LLC/GOTHAM 55 ASSOC LP

**Project Location:** The site is located at 12000 BISCAYNE BLVD, Miami-Dade County.

**Proposed Development:** The applicant is seeking approval for non-use variances for lot coverage and FAR to permit the addition of retail space.

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

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor



# Memorandum

**Date:** 14-SEP-15  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2013000033

**Recommendation:**

This memo supersedes MDRF memorandum dated September 10, 2015.  
 APPROVAL  
 No objection to the site plan with a 9/9/15 RER received date.

**Service Impact/Demand**

Development for the above Z2013000033  
 located at 12000 BISCAYNE BLVD, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 0545 is proposed as the following:

N/A	dwelling units	N/A	square feet
<u>residential</u>		<u>industrial</u>	square feet
N/A	square feet	N/A	square feet
<u>Office</u>		<u>institutional</u>	
4,400	square feet	N/A	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: Minimal Impact. 1.30 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: 6:18 minutes

**Planned Service Expansions:**

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

**Fire Planning Additional Comments**

OK

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

15

# ***Building and Neighborhood Compliance***

## **ENFORCEMENT HISTORY**

BRANDON OF B LLC/GOTHAM 55<sup>TH</sup> ASSOCIATES LP      12000 BISCAYNE BLVD,  
MIAMI-DADE COUNTY, FLORIDA

---

APPLICANT

ADDRESS

NOVEMBER 4, 2015

Z2015000033

---

DATE

HEARING NUMBER

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

October 19, 2015

**NEIGHBORHOOD REGULATIONS:**

THERE ARE NO CURRENT OPEN OR CLOSED CASES

**BUILDING SUPPORT REGULATIONS:**

THERE ARE NO CURRENT OPEN CASES

**CLOSED CASE:**

Case #A2015003132-X, was opened on August 11, 2015, for Failure to renew Expired Permit #2014037675. The permit was renewed and the case was closed.

**VIOLATOR:**

Brandon of B LLC/Gotham 55<sup>th</sup> Associates LP.

**OUTSTANDING LIENS AND FINES:**

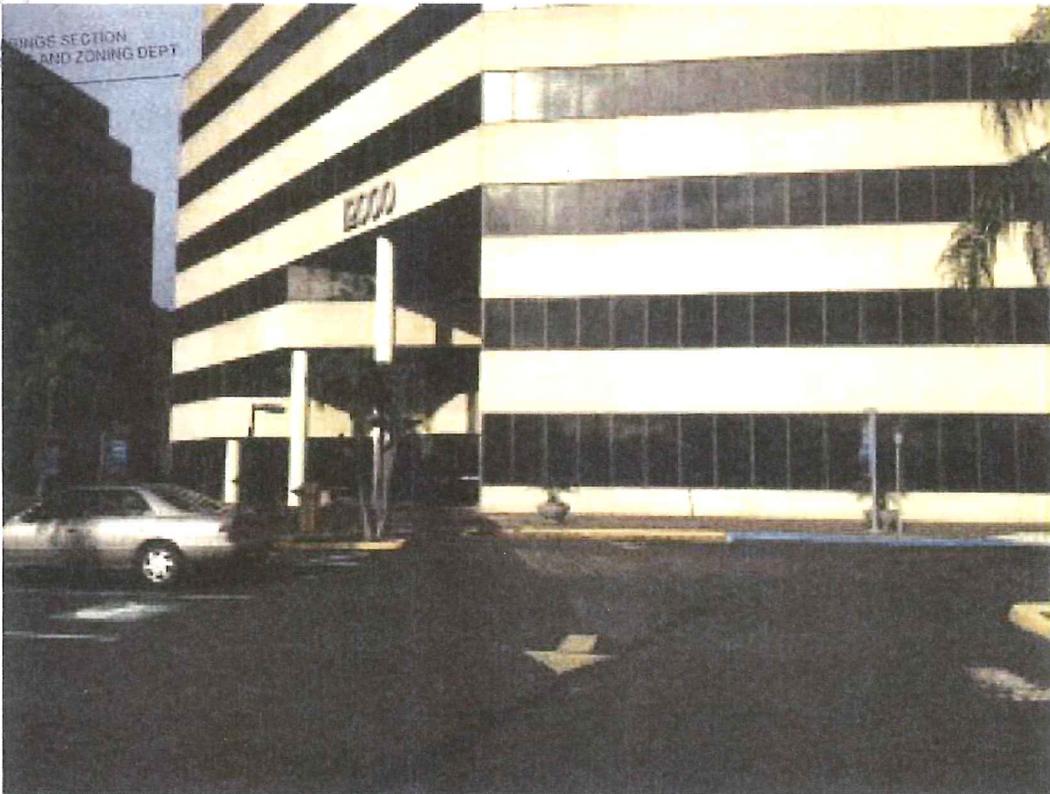
AS OF OCTOBER 19, 2015, THERE ARE NO OUTSTANDING LIENS OR FINES



South Elevation

2/3033

RECEIVED  
APR 03 2013



South & East Elevation

ZONING REGULATIONS SECTION  
MIAMI DADE PLANNING AND ZONING DEPT  
BY

FE



East & North Elevation

23-033  
RECEIVED  
APR 03 2013

STUDY FOR REVIEW OF THE  
MAMMOTH PLANNING AND ZONING DEPT  
BY

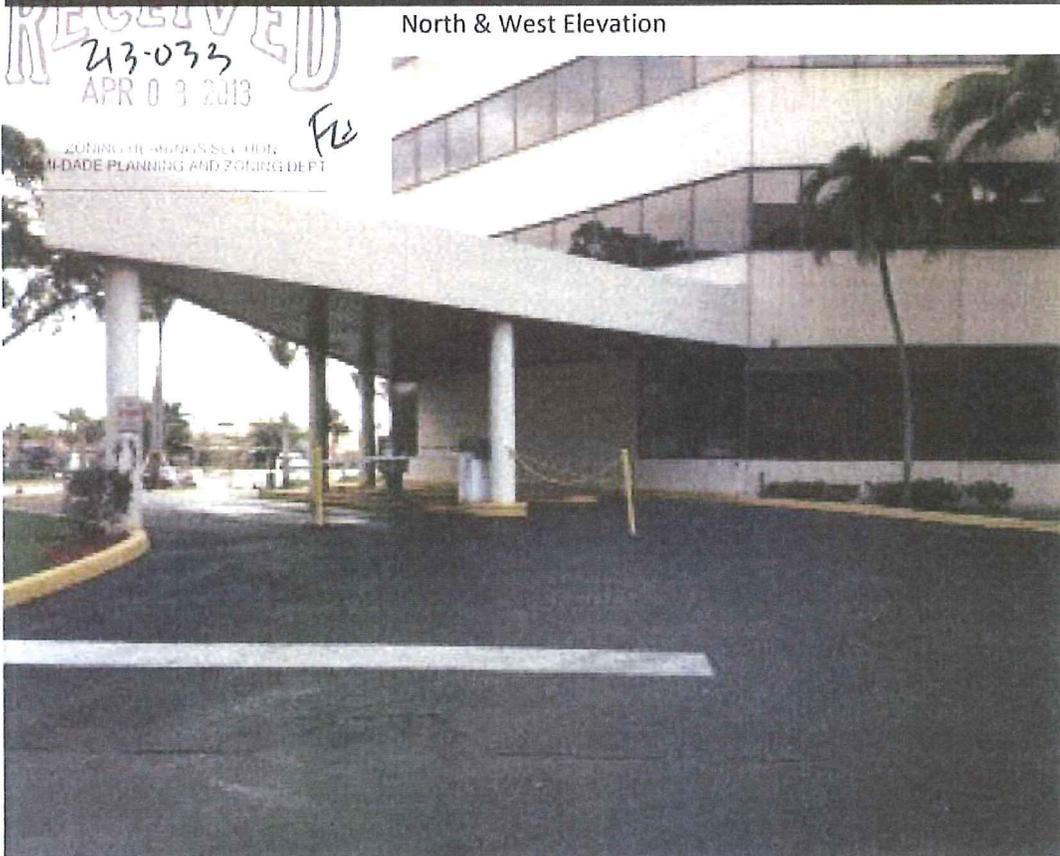
FE



North Elevation



North & West Elevation



West Elevation



West Elevation

213-033  
RECEIVED  
APR 03 2013

ZONING OFFICER'S SECTION  
TAMPA POLICE PLANNING AND ZONING DEPT  
BY

FB

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: Brandon of B, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>12000 Biscayne Blvd Owner LLC</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____

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

TRUST/ESTATE NAME \_\_\_\_\_

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

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



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

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: Brandon of B, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>12000 Biscayne Blvd Owner LLC</u>	<u>100%</u>
<u>See Exhibit B for 12000 Biscayne Blvd Owner LLC ownership</u>	

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

TRUST/ESTATE NAME \_\_\_\_\_

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

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



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

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

NAME OF PURCHASER: \_\_\_\_\_

<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.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

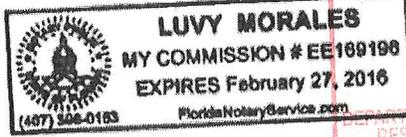
**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: [Signature], Brandon of B, LLC  
(Applicant)

Sworn to and subscribed before me this 2 day of April, 20 13. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
(Notary Public)



My commission expires: February 27, 2016

Seal

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

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: Gotham 55th Associates, LP

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>12000 Biscayne Blvd Owner LLC</u>	<u>100%</u>
<u>See Exhibit B for 12000 Biscayne Blvd Owner LLC ownership</u>	

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

TRUST/ESTATE NAME \_\_\_\_\_

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

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



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

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: \_\_\_\_\_

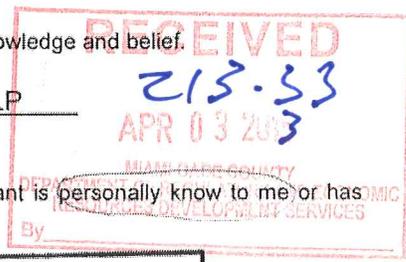
If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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: [Signature], Gotham 55th Associates, LP  
(Applicant)



Sworn to and subscribed before me this 2 day of April, 2013. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

[Signature]  
(Notary Public)



My commission expires: February 27, 2016

Seal

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

Exhibit B

Member	Address	% of Class	Percentage
<b>Class A Members</b>			
Charles P. Greenman	315 West 36th Street Apt. 15A New York, NY 10018	8.7500%	0.0875%
Danielle Greenman	315 West 36th Street Apt. 15A New York, NY 10018	2.5000%	0.0250%
Jacklyn Greenman	315 West 36th Street Apt. 15A New York, NY 10018	2.5000%	0.0250%
Jane Greenman	315 West 36th Street Apt. 15A New York, NY 10018	8.7500%	0.0875%
Margot Greenman	315 West 36th Street Apt. 15A New York, NY 10018	2.5000%	0.0250%
Michael Scher	66 Wellington Avenue New Rochelle, NY 10804	10.0000%	0.1000%
Roxanne Scher	66 Wellington Avenue New Rochelle, NY 10804	2.5000%	0.0250%
Travis Scher	66 Wellington Avenue New Rochelle, NY 10804	2.5000%	0.0250%
Karen Lederer	66 Wellington Avenue New Rochelle, NY 10804	10.0000%	0.1000%
Gotham 55th Street Parking Corp.	c/o Muss Development 118-35 Queens Blvd. Forest Hills, NY 11375	0.5000%	0.0050%
Stanley Muss	19767 Oakbrook Circle Boca Raton, FL 33434	40.0000%	0.4000%
Michael Muss	12 Stanton Circle New Rochelle, NY 10804	3.1667%	0.0317%
Alyssa Muss Ebrahimoft	277 Country Ridge Road Scarsdale, NY 10583	3.1667%	0.0317%
Jonathan Muss	8 Blackpoint Horseshoe Rumson, NJ 07760	3.1667%	0.0317%
	<b>TOTAL CLASS A MEMBERS</b>	<b>100.0000%</b>	<b>1.0000%</b>

**RECEIVED**  
21553  
APR 03 2013  
MONROE COUNTY  
DEPARTMENT OF REGULATION AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By \_\_\_\_\_

Member	Address	% of Class	Percentage
<i>Class B Members</i>			
Jan Burman	c/o Engel Burman Group 67 Clinton Road Garden City, NY 11530	3.9166%	3.8774%
Scott Burman	c/o Engel Burman Group 67 Clinton Road Garden City, NY 11530	3.9166%	3.8774%
David Burman	c/o Engel Burman Group 67 Clinton Road Garden City, NY 11530	3.9166%	3.8774%
Steven Krieger	c/o Engel Burman Group 67 Clinton Road Garden City, NY 11530	3.9166%	3.8774%
Piluso Family Associates, L.L.C.	495 Manhasset Woods Road Manhasset, NY 11030	3.9166%	3.8774%
Clifford M. Stein	c/o Swilar Realty Advisors 5345 Pine Tree Drive Miami Beach, FL 33140	17.6413%	17.4649%
Janna L. Golden	c/o Swilar Realty Advisors 5345 Pine Tree Drive Miami Beach, FL 33140	1.9417%	1.9223%
Stanley Muss	19767 Oakbrook Circle Boca Raton, FL 33434	1.6500%	1.6335%
Gothman 55th Street Parking Corp.	c/o Muss Development 118-35 Queens Blvd. Forest Hills, NY 11375	0.3340%	0.3267%
Michael Muss	12 Stanton Circle New Rochelle, NY 10804	10.3400%	10.2366%
Jonathan Muss	8 Blackpoint Horsestone Rumson, NJ 07760	10.3400%	10.2366%
Alyssa Muss Ebrhlimoff	277 Country Ridge Road Scarsdale, NY 10583	10.3400%	10.2366%
Charles P. Greenman	315 West 36th Street Apt. 15A New York, NY 10018	13.7285%	13.5912%
Jaclyn Greenman	315 West 36th Street Apt. 15A New York, NY 10018	1.9500%	1.9305%

RECEIVED  
2.3.53  
APR 03 2013  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By \_\_\_\_\_

Member	Address	% of Class	Percentage
Margot Greenman	315 West 36th Street Apt. 15A New York, NY 10018	1.9300%	1.9305%
Danielle Greenman	315 West 36th Street Apt. 15A New York, NY 10018	1.9500%	1.9305%
Michael Scher	66 Wellington Avenue New Rochelle, NY 10804	2.3643%	2.3407%
Michael S. Scher, Trustee, Trust FBO Gloria Scher w/w/a Martin M. Scher	66 Wellington Avenue New Rochelle, NY 10804	2.3529%	2.3294%
Karen Lederer	66 Wellington Avenue New Rochelle, NY 10804	2.3588%	2.3352%
Roxanne Scher	66 Wellington Avenue New Rochelle, NY 10804	0.5897%	0.5838%
Travis Scher	66 Wellington Avenue New Rochelle, NY 10804	0.5897%	0.5838%
	<b>TOTAL CLASS B MEMBERS</b>	<b>100.0000%</b>	<b>99.0000%</b>
	<b>TOTAL ALL MEMBERS:</b>		<b>100.0000%</b>

**RECEIVED**  
*21333*  
**APR 03 2013**  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 By \_\_\_\_\_

SBLM

Owner  
GARDINER REAL ESTATE LLC  
1160 Michigan Avenue, Suite 101  
Miami Beach, FL 33139  
Telephone: 305 412 8121  
Fax: 305 412 8121  
www.sblm.com

Project #  
SBLM 150000  
1160 Michigan Avenue, Suite 101  
Miami Beach, FL 33139  
Telephone: 305 412 8121  
Fax: 305 412 8121  
www.sblm.com

12-17-14. *Final* Law comments from  
Miami-Dade Traffic Engineering Division  
07-21-15. *Final* City of Miami-LACC comments  
08-27-15. *Final* City of Miami comments  
09-28-15. *Final* City of Miami comments

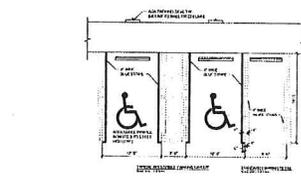
Key File:

Project #  
GARDINER REAL ESTATE LLC  
1160 Michigan Avenue, Suite 101  
Miami Beach, Florida 33139

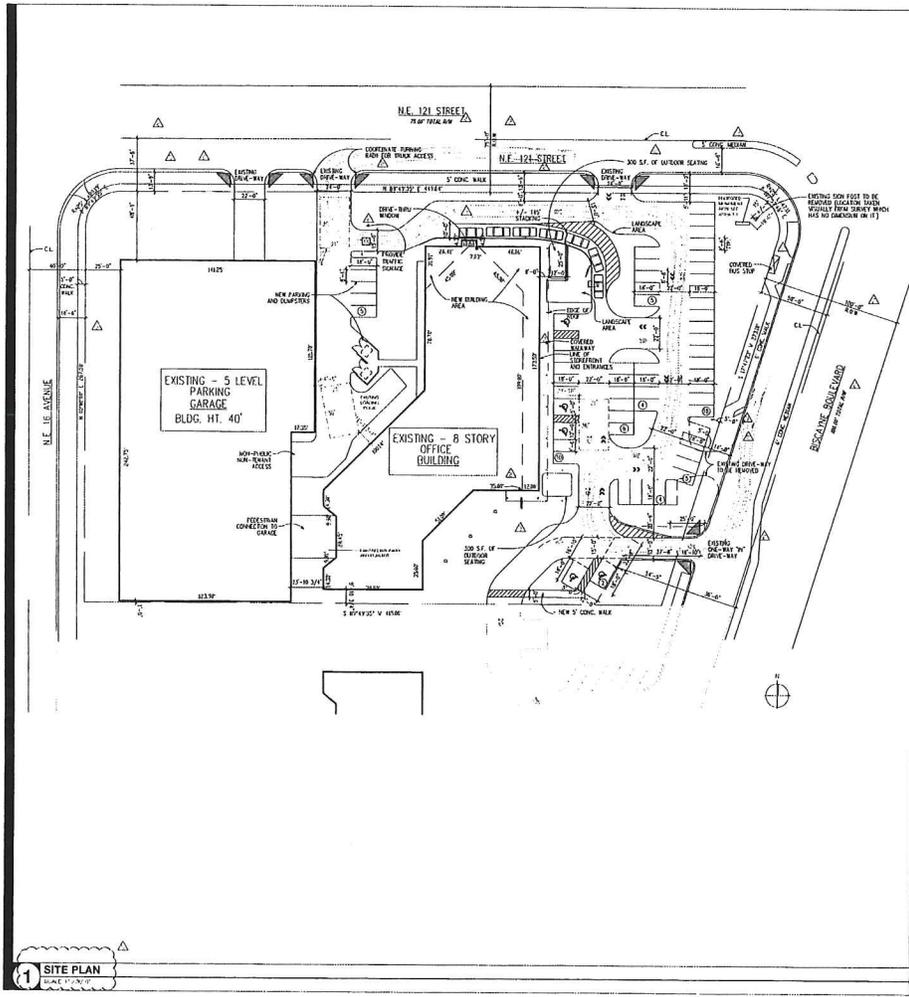
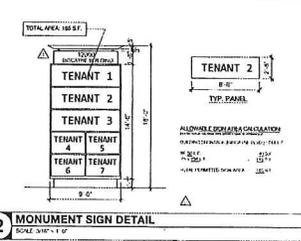
Job Number: 01450  
Drawing: SITE PLAN  
Scale: AS SHOWN  
Drawing Date: 08/11/15

Option #  
OPTION F  
**SPA-1.1**  
Sheet 01 of 09

TYPE	DESCRIPTION	AREA (SQ. FT.)	PERCENT	COMMENTS
TOTAL AREA		1,100,000	100%	
EXISTING OFFICE BLDG		1,100,000	100%	
EXISTING GARAGE		1,100,000	100%	
TOTAL EXISTING AREA		2,200,000	100%	
NEW CONSTRUCTION				
NEW OFFICE BLDG		1,100,000	100%	
NEW GARAGE		1,100,000	100%	
TOTAL NEW CONSTRUCTION AREA		2,200,000	100%	
TOTAL PROJECT AREA		4,400,000	100%	
PERCENTAGE OF TOTAL PROJECT AREA				
EXISTING OFFICE BLDG		25%		
EXISTING GARAGE		25%		
NEW OFFICE BLDG		25%		
NEW GARAGE		25%		

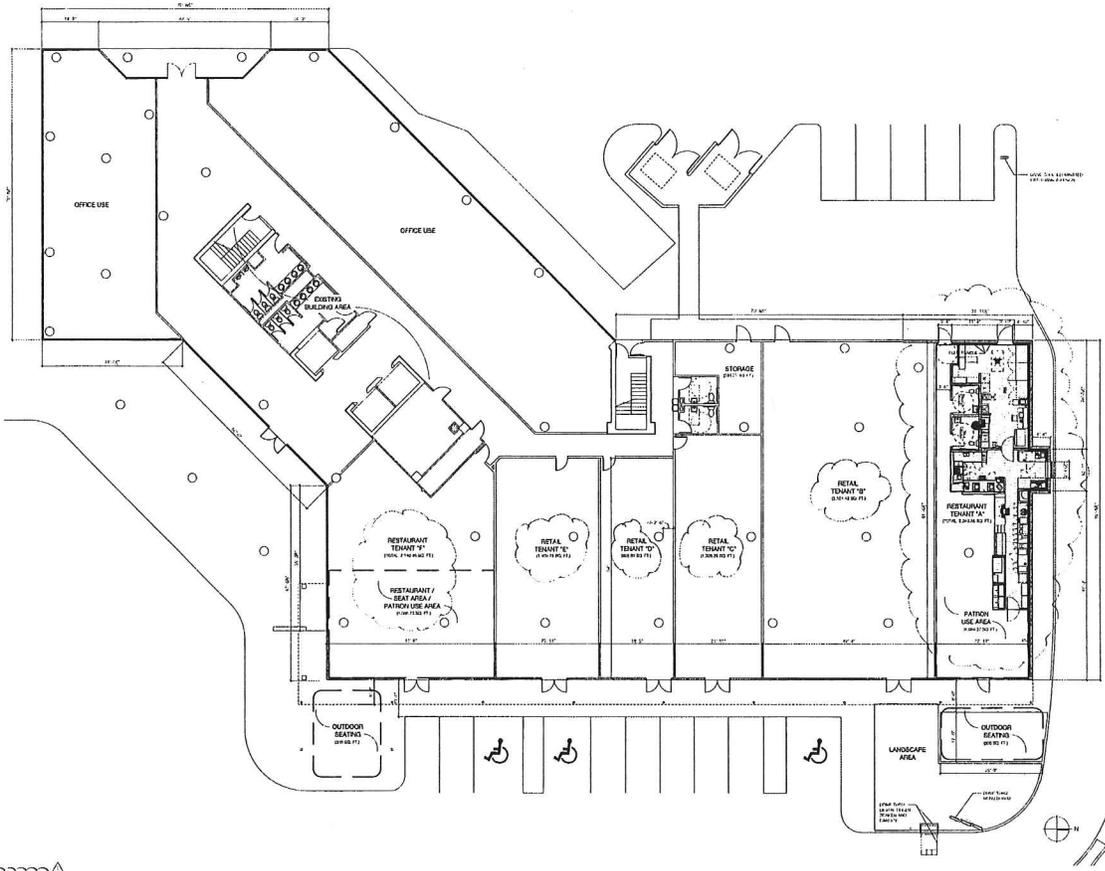


LEVEL	AREA (SQ. FT.)	PERCENT
TOTAL AREA	1,100,000	100%
LEVEL 1	275,000	25%
LEVEL 2	275,000	25%
LEVEL 3	275,000	25%
LEVEL 4	275,000	25%
TOTAL LEVEL AREA	1,100,000	100%



RECEIVED  
71833  
SEP 09 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By

SBLM



Owner  
**GADSBY REAL ESTATE LLC**  
 1001 McKey Avenue, Suite 101  
 Miami Beach, FL 33139  
 Telephone (305) 655-0555

Architect  
**SBLM Architects**  
 11430 N. Kendall Drive, Suite 310  
 Miami, FL 33176  
 Telephone (305) 412-9187  
 Fax (305) 412-6731  
 www.sblm.com

Revisions/Notes  
 09-01-15: MDC Zoning Department Comments

Key Plan

Project Title  
**GADSBY REAL ESTATE LLC**  
 TENANT IMPROVEMENT AT  
 15000 Biscayne Boulevard, Suite 101  
 North Miami Beach, Florida 33181

Job Number: 014040  
 Elected: \_\_\_\_\_  
 Drawing Title: **GROUND FLOOR PLAN**  
 Scale: AS SHOWN  
 Drawing Date: 06/27/15

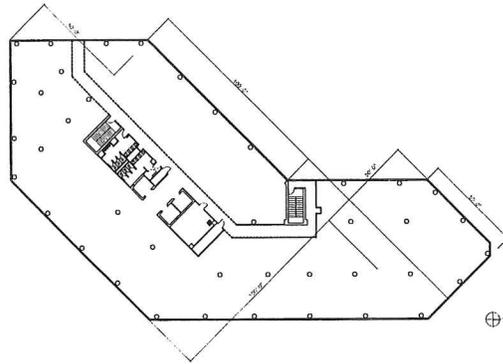
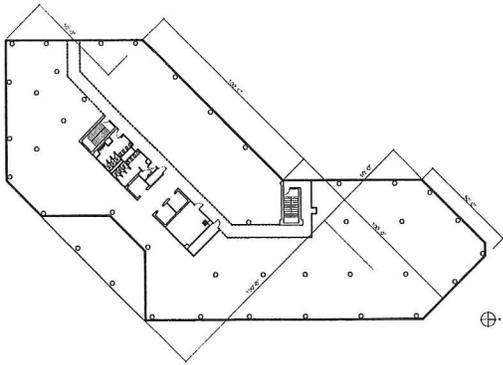
Drawing No.  
**SPA2.1**  
 Sheet 02 of 09

1 GROUND FLOOR PLAN  
 SCALE: 3/32" = 1'-0"

**RECEIVED**  
 21833  
**SEP 04 2015**  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 By \_\_\_\_\_

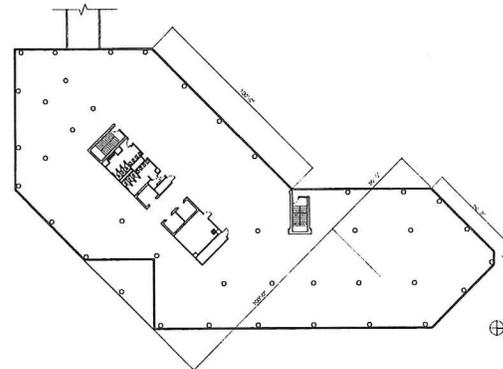
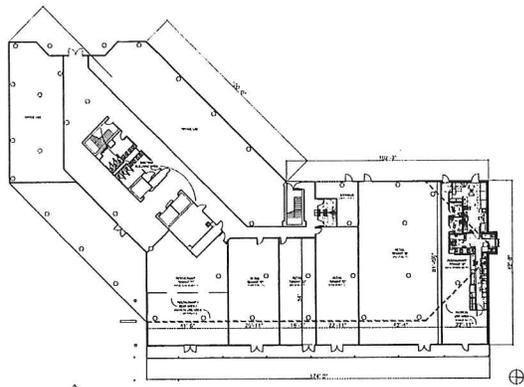
30

SBLM



1 SECOND FLOOR PLAN  
SCALE 3/8" = 1'-0"

2 FOURTH FLOOR PLAN  
SCALE 3/8" = 1'-0"



3 GROUND FLOOR PLAN  
SCALE 3/8" = 1'-0"

4 THIRD FLOOR PLAN  
SCALE 3/8" = 1'-0"

Client  
**GARDINSKY REAL ESTATE LLC**  
1880 Miramar Avenue, Suite 310  
Miami Beach, FL 33139  
Telephone: (305) 412-3127  
Fax: (305) 412-2218  
www.sblm.com

Architect  
**SBLM Architects**  
17400 Biscayne Blvd., Suite 310  
Miami, FL 33170  
Telephone: (305) 412-3127  
Fax: (305) 412-2218  
www.sblm.com

Revisions/Notes  
On 08-15, Revisions and address MDC comments.  
On 08-15, MDC Review Equipment Comments

Project No.  
**GARDINSKY REAL ESTATE LLC**  
1880 Miramar Avenue, Suite 310  
Miami Beach, Florida 33139

Job Number  
**014040**

Drawing  
**FLOOR PLANS**

Scale  
**AS SHOWN**

Drawing Date  
**08/07/15**

Drawing To:

**SPA2.2**

Sheet 03 Of 09

RECEIVED  
21333  
SEP 04 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By

31



SBLM

Owner  
GARDINER REAL ESTATE LLC  
1650 Michigan Avenue, Suite 101  
Miami Beach, FL 33139  
Telephone (305) 996-4263

Architect  
SBLM and Studio  
11433 NE Florida Avenue, Suite 210  
Miami, FL 33156  
Telephone 305-819-8187  
Fax 305-412-6731  
www.sblm.com

Revisions/Notes  
08-27-15 ADG Zoning Department comments

File Path

Seal

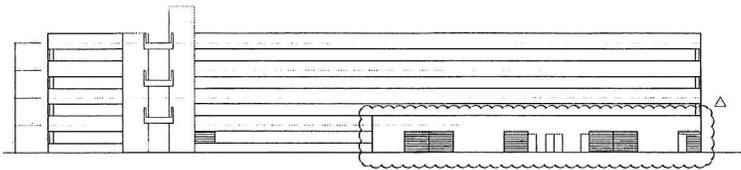
Project File  
GARDINER REAL ESTATE LLC  
11433 NE Florida Avenue, Suite 210  
Miami, FL 33156  
Phone 305-819-8187  
Fax 305-412-6731

Job Number: 01404  
Drawing: GARAGE ELEVATIONS  
Scale: AS SHOWN  
Drawing Date: 08/27/15

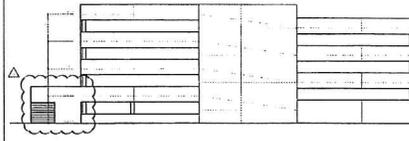
Drawing File

**SPA4.4**

Sheet 09 of 09



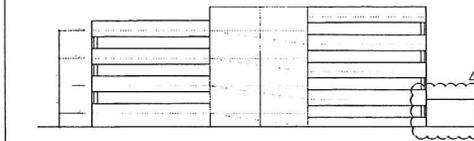
1 EAST ELEVATION - GARAGE  
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION - GARAGE  
SCALE: 1/8" = 1'-0"



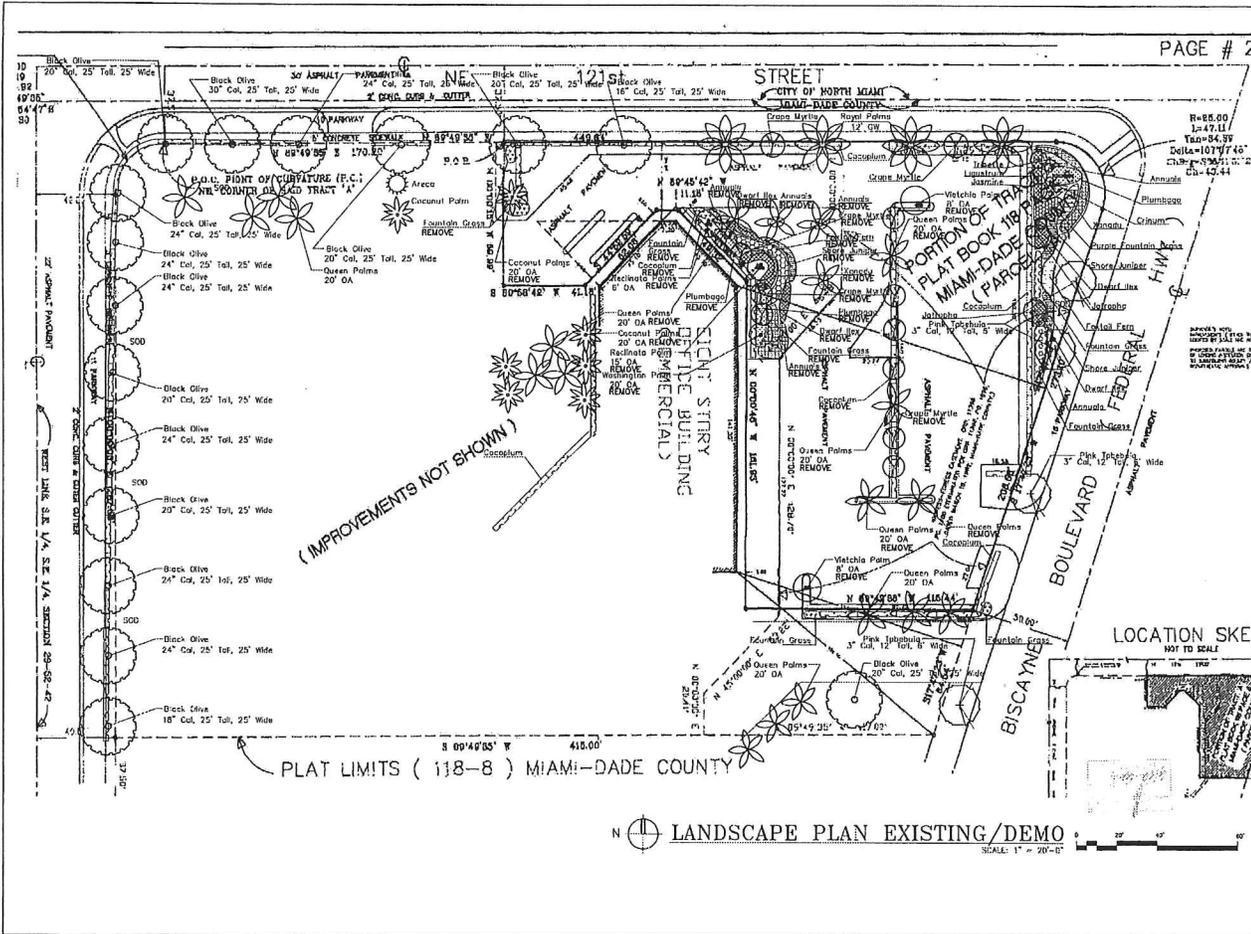
3 WEST ELEVATION - GARAGE  
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION - GARAGE  
SCALE: 1/8" = 1'-0"

RECEIVED  
213-33  
SEP 04 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By

33

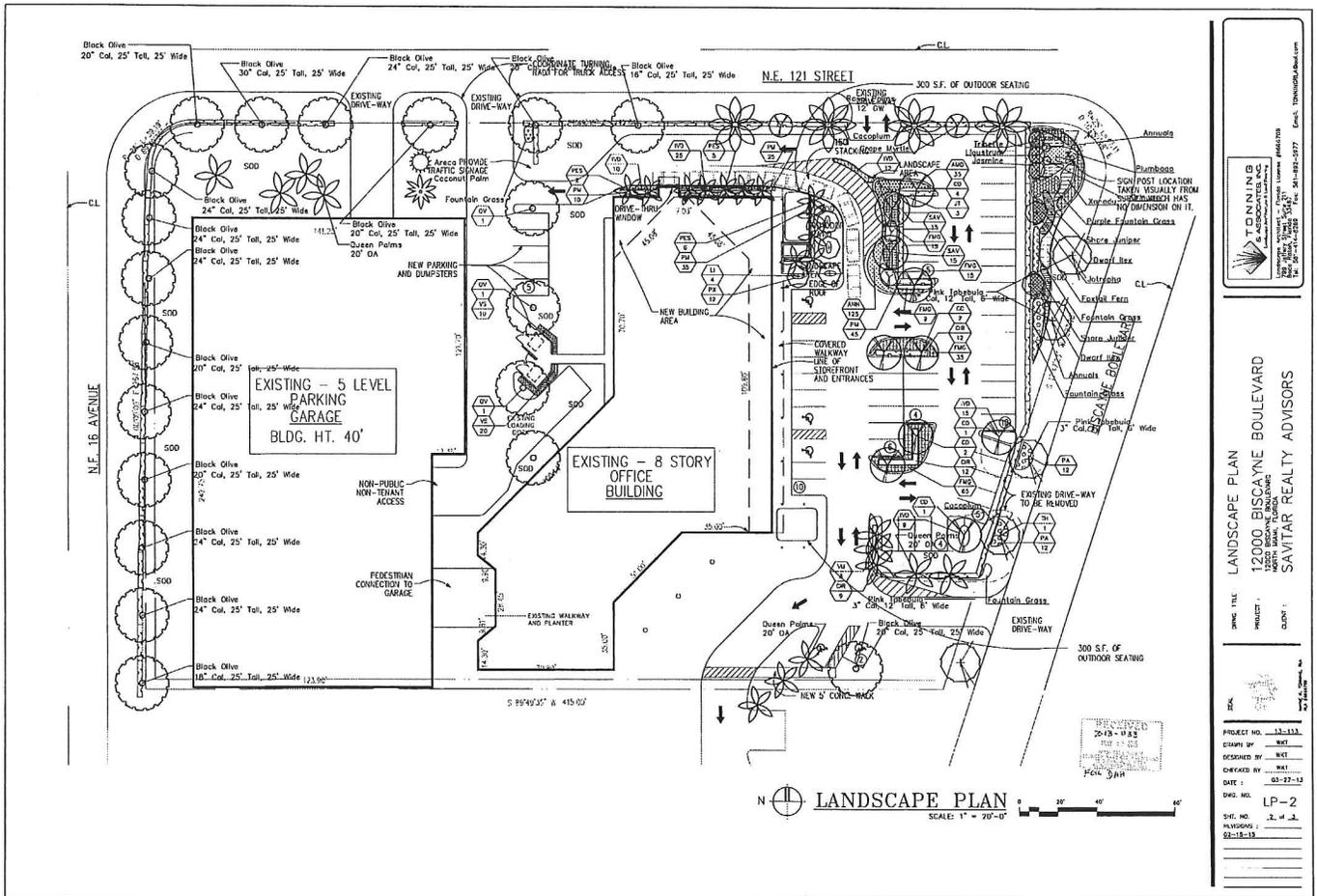


TONNING  
LANDSCAPE ARCHITECTURE  
12000 BISCAYNE BOULEVARD  
SUITE 100  
MIAMI, FL 33146  
TEL: 305-445-2977  
WWW.TONNINGLANDSCAPE.COM

LANDSCAPE PLAN - EXISTING/DEMO  
PROJECT: 12000 BISCAYNE BOULEVARD  
DATE: 03-27-13

PROJECT NO.: 12112  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
DATE: 03-27-13  
DISC NO.: LP-1  
SHEET NO.: 1 of 3  
REVISED: 02-15-15

RECEIVED  
218.33  
MAY 15 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By



**TRAINING & ACCOUNTING**  
 LANDSCAPE ARCHITECTURE  
 12000 BISCAYNE BOULEVARD  
 MIAMI, FL 33146  
 TEL: 305-441-2588  
 FAX: 305-441-2587  
 E-MAIL: TRAINING@tad.com

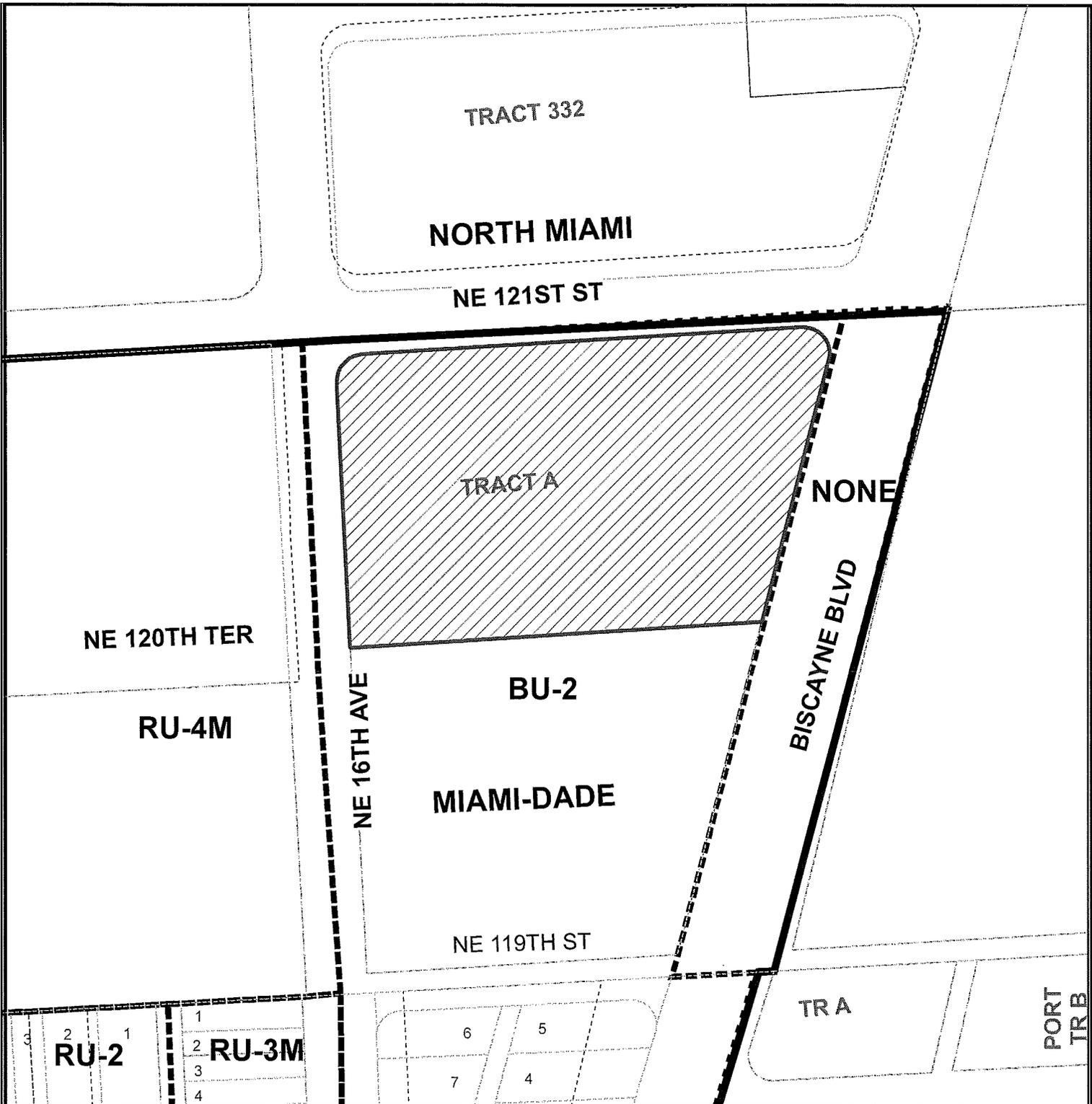
DWG. TITLE: **LANDSCAPE PLAN**  
 PROJECT: **12000 BISCAYNE BOULEVARD**  
 CLIENT: **SAVITAR REALTY ADVISORS**

PROJECT NO. **12-111**  
 DRAWN BY: **WCT**  
 DESIGNED BY: **WCT**  
 CHECKED BY: **WAT**  
 DATE: **05-27-12**  
 DWG. NO.: **LP-2**  
 SHEET NO.: **2 of 2**  
 REVISIONS:  
 SCALE: **1/8" = 1'-0"**

**RECEIVED**  
**7.15.13**  
**MAY 15 2015**  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 By \_\_\_\_\_

35





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

Process Number

**Z2013000033**



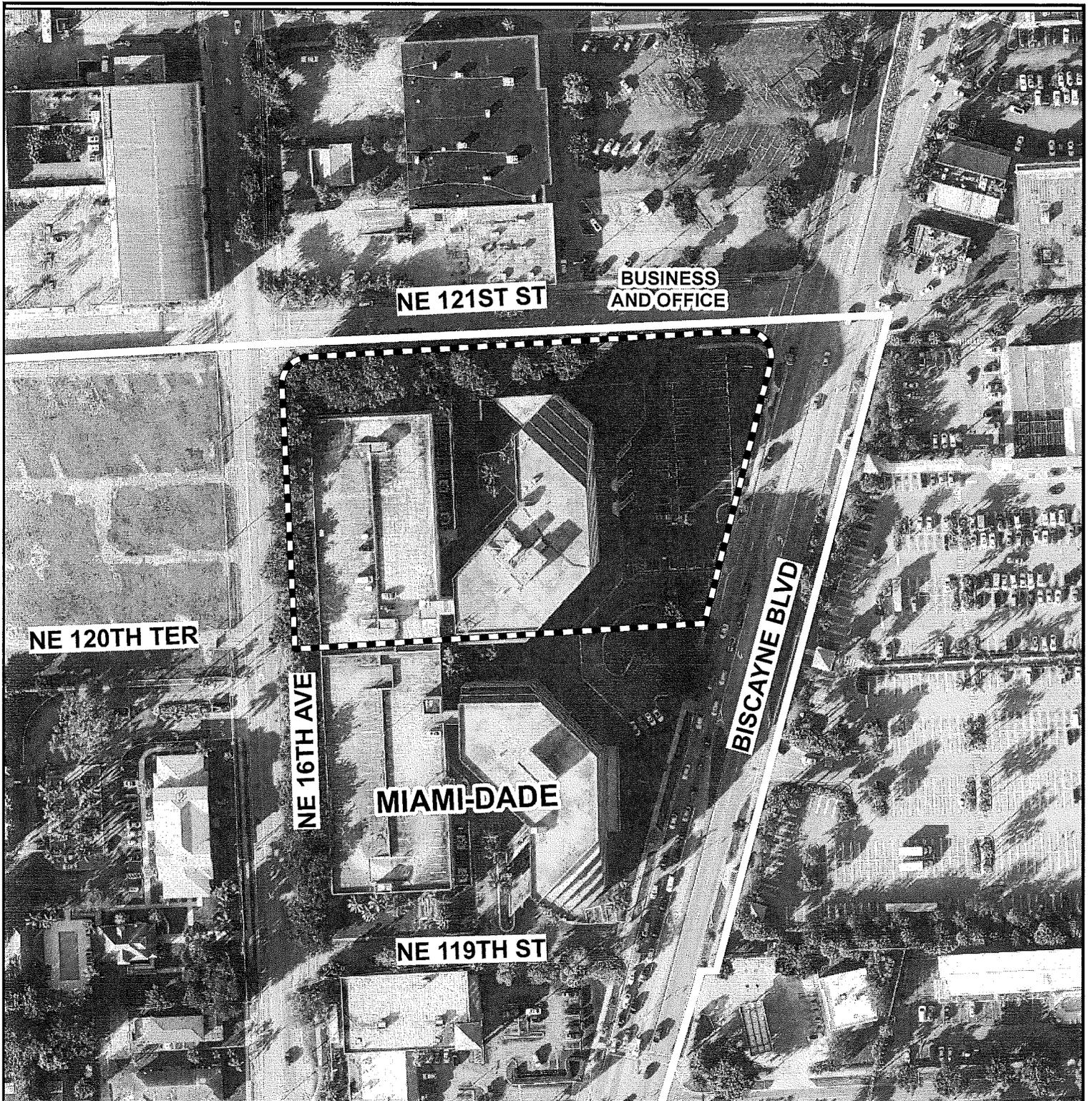
Section: 29 Township: 52 Range: 42  
 Applicant: BRANDON OF B LLC/GOTHAM 55 ASSOC LP  
 Zoning Board: C7  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



REVISION	DATE	BY
		37



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

Process Number

**Z2013000033**



Section: 29 Township: 52 Range: 42  
 Applicant: BRANDON OF B LLC/GOTHAM 55 ASSOC LP  
 Zoning Board: C7  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

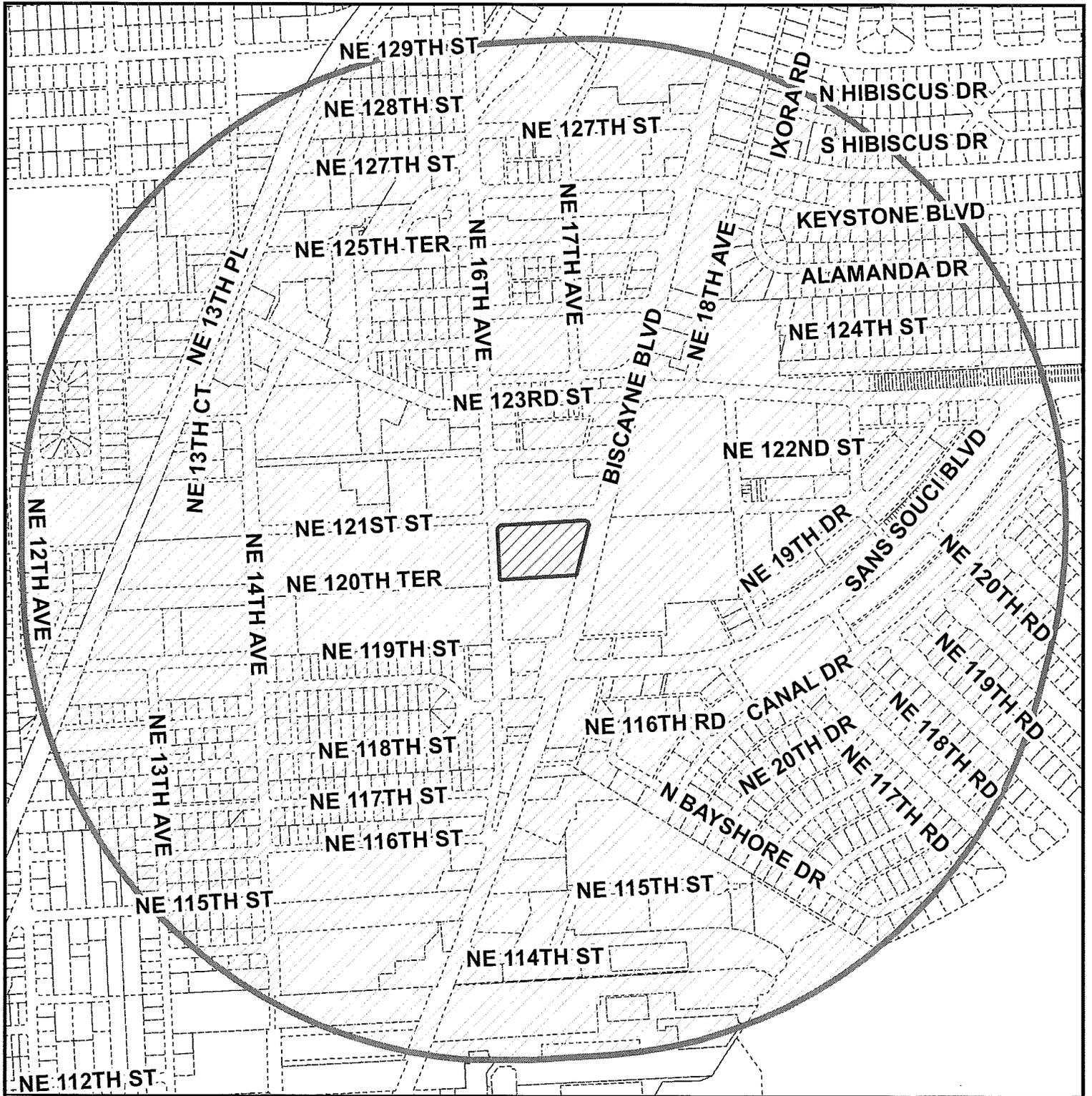
**Legend**

 Subject Property



SKETCH CREATED ON: Tuesday, April 23, 2013

REVISION	DATE	BY
		38



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Process Number

**Z2013000033**

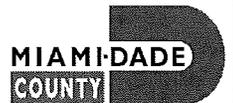
RADIUS: 2640

Section: 29 Township: 52 Range: 42  
 Applicant: BRANDON OF B LLC/GOTHAM 55 ASSOC LP  
 Zoning Board: C7  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



**Legend**

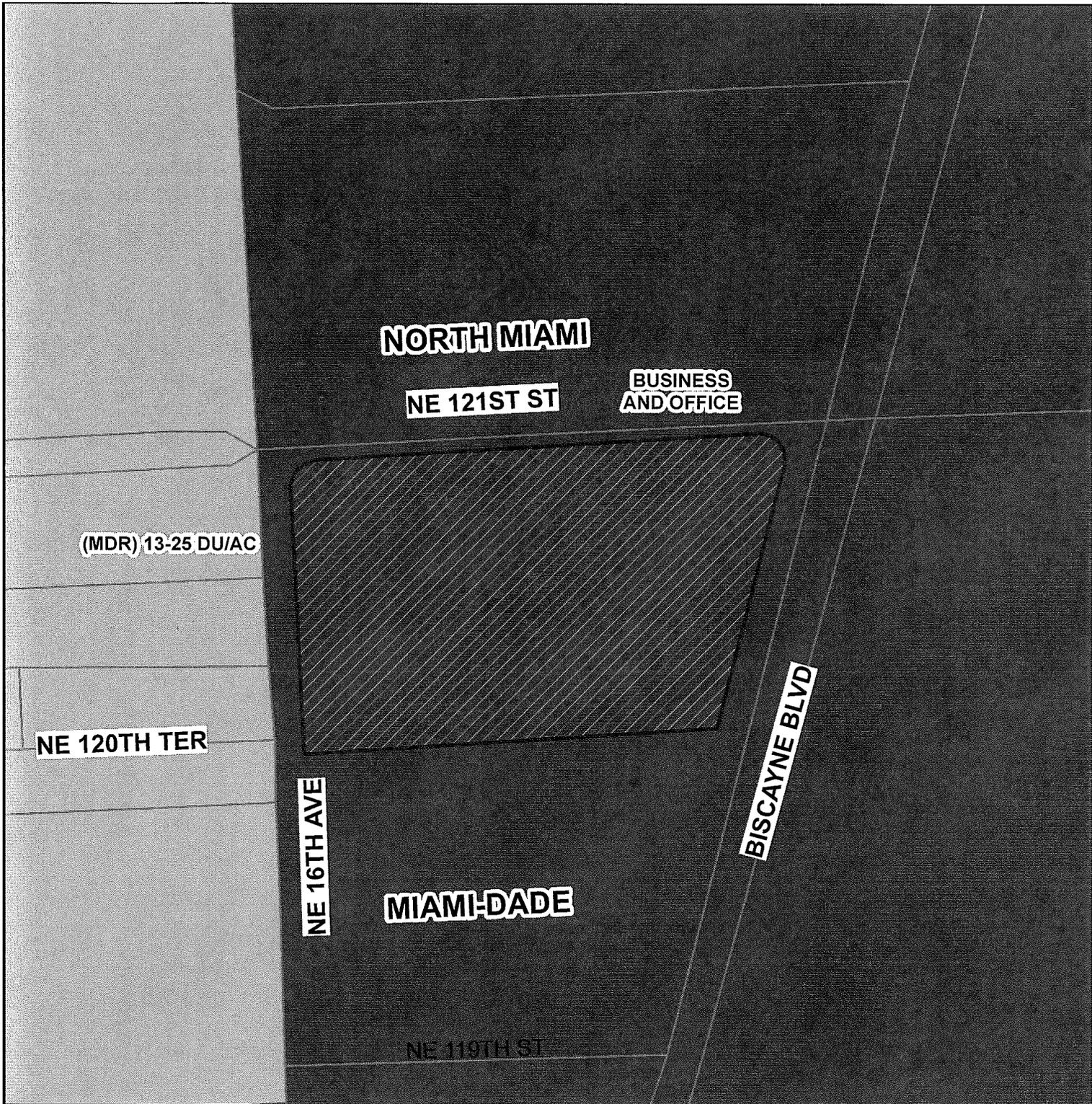
-  Subject Property
-  Buffer



SKETCH CREATED ON: Tuesday, April 23, 2013

REVISION	DATE	BY
		39





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

Process Number

**Z2013000033**



Section: 29 Township: 52 Range: 42  
 Applicant: BRANDON OF B LLC/GOTHAM 55 ASSOC LP  
 Zoning Board: C7  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Tuesday, April 23, 2013

REVISION	DATE	BY