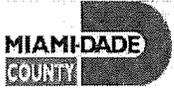


# FINAL AGENDA

3-24-2015 Version # 2



**COMMUNITY ZONING APPEALS BOARD 8**  
**HENRY REEVES ELEMENTARY SCHOOL**  
**2005 NW 111 Street, Miami**  
**Tuesday, March 31, 2015 at 7:00 p.m.**

**CURRENT**

- |    |            |  |        |          |   |
|----|------------|--|--------|----------|---|
| 1. | 15-3-CZ8-1 | <u>CHURCH OF GOD PRINCE OF PEACE<br/>INC</u> | 14-33  | 31-52-42 | N |
| 2. | 15-3-CZ8-2 | <u>BRAVO PARTNERS BLUE LAGOON LLC</u>        | 14-77  | 02-54-40 | N |
| 2. | 15-3-CZ8-3 | <u>R G REALTY INVESTMENT INC</u>             | 14-108 | 20-52-42 | N |



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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### COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF TUESDAY, MARCH 31, 2015

HENRY REEVES ELEMENTARY SCHOOL

2005 NW 111 STREET, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 7:00 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

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NOTICE

\*\*\*\*\*

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



\*\*\*\*\*

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

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website ([www.municode.com](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. 8**

PH: Z14-033 (15-3-CZ8-1)

March 31, 2015

Item No. 1

| <b>Recommendation Summary</b>              |  |
|--|--|
| <b>Commission District</b>                 | 3  |
| <b>Applicant</b>                           | Church of God Prince of Peace, Inc.  |
| <b>Summary of Requests</b>                 | The applicant seeks to modify a condition of a prior resolution in order to submit revised site plans showing an addition to the previously approved religious facility, with less landscape open space than required. |
| <b>Location</b>                            | 210 NE 119 Street, Miami-Dade County, Florida.   |
| <b>Property Size</b>                       | .53 net acre +/-   |
| <b>Existing Zoning</b>                     | BU-1A, Limited Business District   |
| <b>Existing Land Use</b>                   | Vacant   |
| <b>2020-2030 CDMP Land Use Designation</b> | Low Density Residential, 2.5 to 6, dua<br>(see attached Zoning Recommendation Addendum)  |
| <b>Comprehensive Plan Consistency</b>      | Consistent with the LUP map, and the interpretative text 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<br>Section 33-311(A)(7), Generalized Modification Standards<br>(see attached Zoning Recommendation Addendum)                   |
| <b>Recommendation</b>                      | <b>Approval with conditions.</b>   |

**REQUESTS:**

1. MODIFICATION of Condition #2 of Resolution CZAB-8-19-03, passed and adopted by the Community Zoning Appeals Board #8, reading as follows:

From: "2 That in the approval of the plan the same be substantially in accordance with that submitted for the hearing entitled Church Legalization of God Prince of Peace, as prepared by Arcon Engineering Group, dated 1-12-03 and consisting of 3 sheets.."

To: "2 That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled Church Rebuilding for Church of God Prince of Peace, as prepared by Arcon Engineering Group, dated stamped received 7-14-14 and consisting of 6 sheets."

The purpose of the request is to permit the applicant submit a new site plan indicating an addition to an existing church.

2. NON-USE VARIANCE to permit a landscape open space of 15% (18% required).

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

Pursuant to Resolution #CZAB8-19-03, the subject property was approved to permit a religious facility on the BU-1A, Limited Business District parcel with reduced setbacks and a smaller landscape buffer along property lines than required.

The applicant now seeks to modify the condition that pertains to the previously approved plans for the religious facility in order to permit a two-story addition, and permit the facility with less landscape open space than required.

| <b>NEIGHBORHOOD CHARACTERISTICS</b> |                                |   |
|-------------------------------------|--------------------------------|---|
|                                     | <b>Zoning and Existing Use</b> | <b>Land Use Designation</b>             |
| <b>Subject Property</b>             | BU-1A; church                  | Low-Density Residential, (2.5 to 6 dua) |
| <b>North</b>                        | City of N. Miami; apartments   | Low-Density Residential, (2.5 to 6 dua) |
| <b>South</b>                        | BU-1A; strip mall              | Business and Office                     |
| <b>East</b>                         | BU-1A; strip mall              | Business and Office                     |
| <b>West</b>                         | BU-1A; gas station             | Low-Density Residential, (2.5 to 6 dua) |

**NEIGHBORHOOD COMPATIBILITY:**

The .57-net acre subject property contains the existing religious facility and is surrounded by properties that are zoned for commercial uses.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow the applicant to expand the services offered within the religious facility. Based on memoranda from County Staff, approval of the application will not reduce the Levels of Service on the surrounding roadways, environmental or water resources, or be hazardous to the surrounding community.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Residential Communities, Low-Density Residential** use. This land use category is *typically characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses*. Notwithstanding, staff notes that the subject property is currently zoned BU-1A, Limited Business District and contains an existing religious facility. The BU-1A zoning district allows all the uses permitted within the BU-1, Neighborhood Business District, among which, are religious facilities.

Further, the CDMP Land Use Element interpretative text states that *existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map*. Said text further states that *all such lawful uses and zoning are deemed to be consistent with this Plan*. The approval of the application will not change the existing religious facility use on the subject property. Therefore, staff opines that the approval would be **consistent** with the CDMP Land Use Element interpretative text for the **Residential Communities** and the CDMP Land Use Plan map Low-Density Residential designation for the subject property.

**ZONING ANALYSIS:**

When the request to approve the modification of a condition of a prior resolution (request #1), Resolution #CZAB8-19-03, is analyzed under Section 33-311(A)(7), Generalized Modification Standards, staff opines that approval would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modification in relation to the present and future development of the area concerned. The purpose of the application is to modify a condition of the prior resolution to allow the applicant to submit revised plans for the previously approved religious facility. This would allow the applicant to erect a two-story addition, with an approximately 924 sq. ft. footprint along the interior side (southerly) property line of the subject property. Based on the elevations submitted with the application, the proposed addition will be similar in height to the existing sanctuary building, which apart from the steeple, is approximately 29' in height. Further, staff notes that the proposed addition will abut existing commercial uses located southeasterly of the triangular shaped subject property and is separated by a 12' wide alley. As such, staff opines that the proposed addition will not have any negative visual impacts on said abutting property.

Staff opines that approval of the application would not have an unfavorable impact on the environment, subject to the conditions outlined in the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER) memorandum, which also indicates that DERM does not object to the application. In addition, based on the memoranda of the other departments reviewing the application including the Miami-Dade Fire Rescue Department and the Platting and Traffic Review Section of the RER, staff opines that approval of this request would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, provoke excessive overcrowding of people, nor tend to provoke a nuisance. **Staff, therefore recommends approval with conditions of the request #1 under Section 33-311(A)(7), Generalized Modification Standards.**

Contingent on the approval of the aforementioned request for a modification of the plans, the applicant also seeks to permit the existing religious facility with 15% landscape open space, where 18% is required in the BU-1A zoning district (request #2). When this request is analyzed under the Non-Use Variance From Other Than Airport Regulations (NUV) Standards, Section 33-311(A)(4)(b), staff opines that approval of this request would not be detrimental to the surrounding area, and further, would not have a negative visual impact on the area. Staff opines that the requested 3% reduction in landscape open space for the existing facility is minimal. As previously noted, the proposed addition will be located to the rear of the existing building and will result in the removal of a small green area in this section of the subject property. However, staff notes that the applicant is proposing twelve (12) new trees along the front (north) and side street (west) property lines, which in staff's opinion, will mitigate any negative impact of the reduced landscape open on the surrounding properties. However, as a condition for approval, staff recommends that the applicant shall install the additional trees prior to obtaining a Certificate of Occupancy for the proposed addition. **Staff, therefore, recommends approval with conditions of request #2 under Section 33-311(A)(4)(b), NUV standards.**

**ACCESS, CIRCULATION AND PARKING:** The subject parcel is located south of NW 119 Street and east of NE 2nd avenue. The plans indicate an ingress and egress drive respectively, along the aforementioned roadways.

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

**OTHER:** Not applicable.

**RECOMMENDATION:**

**Approval with conditions.**

**CONDITION FOR APPROVAL:**

1. That all the other conditions of Resolution #CZAB8-19-03 remain in full force and effect except as herein modified.
2. That the twelve (12) additional trees indicated in the Plan, be installed prior to obtaining final permit approval for the proposed addition.

ES:MW:NN:EJ:CH



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

*MAN*

## ZONING RECOMMENDATION ADDENDUM

*Church of God Prince of Peace, Inc.*  
Z14-033

| <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 objection</i>  |
| <i>*Subject to conditions in their memorandum.</i>         |                      |

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

|   |   |
|---|---|
| <b>Low Density Residential</b><br><i>(Pg. I-29)</i> | <i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i> |
|---|---|

### PERTINENT ZONING REQUIREMENTS/STANDARDS

|  |   |
|--|---|
| <b>Section 33-311(A)(7) Generalized Modification Standards.</b>                      | <i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i> |
| <b>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b> | <i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required</i>   |

**1. CHURCH OF GOD PRINCE  
OF PEACE INC  
(Applicant)**

**15-3-CZ8-1(14-033)  
Area 08/District 03  
Hearing Date: 03/31/15**

Property Owner (if different from applicant) **HILAIRE LOUIS-JEN.**

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>     |
|--------------------|------------------------------------|---|---------------------|----------------------------|
| 2003               | Church of God Prince of Peace Inc. | - Applicant is requesting a proposed religion facility.<br>- Non-Use Variance of landscape regulations to permit a landscape buffer.<br>- Applicant is requesting a proposed religion facility. | C08                 | 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:** May 6, 2014

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

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

**Subject:** C-08 #Z2014000033-1<sup>st</sup> Revision  
Church of God, Prince of Peace Inc.  
210 NE 119<sup>th</sup> Street, Miami, Florida 33161  
Modification of previous approved plan  
(BU-1A) (1.02 Acres)  
31-52-42

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

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

#### Wastewater Disposal

The closest available public sanitary sewer is a 4-inch force main located along N.E. 2<sup>nd</sup> Avenue, approximately 231 feet of the site, owned and operated by the City of North Miami. As per Section 24-5 of the Code, extension of a public sewer main is required if the nearest available point of connection is less than the value derived of the existing and proposed gross building area, divided by a factor of fifteen (15), or if the nearest available point of connection to a public sanitary sewer is located within 500 feet of the closest point of the property. Based on the information provided, the proposed development is within calculated feasible distance for connection to the public sanitary sewer system.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the DERM Environmental Wastewater Permitting Section, prior to approval of final development orders.

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

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 must provide to DERM Water Control Section calculations showing the 5-year / 1-day storm event is fully retained on site prior to approval of final development orders.

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

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

#### Pollution Remediation

There are no records of current contamination assessment/remediation issues on the subject site or records of current contamination assessment/remediation issues for sites directly abutting the property.

#### Tree Preservation

The proposal to modify a previous approved plan will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

#### Air Quality Preservation

In the event of any kind of renovation or demolition activity, an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A notice of asbestos renovation or demolition form must be filed with the Air Quality Management Division of DERM for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

#### 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.

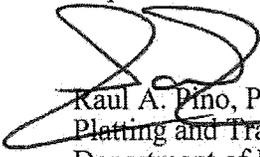
cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** December 11, 2014

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

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

**Subject:** Z2014000033  
Name: Church of God Prince of Peace, Inc.  
Location: 210 NE 119 Street  
Section 31 Township 52 South Range 42 East

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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 Lots 1 thru 12 of Plat Book 9, Page 108.

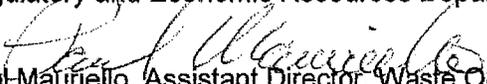
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

# Memorandum



**Date:** April 24, 2014

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

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

**Subject:** Church of God Prince of Peace, Inc. (#14\_033)

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

**Application:** *Church of God Prince of Peace, Inc.*, is requesting a modification of existing plans to expand a church on the property, which is zoned in a Business District (BU-1A).

**Size:** The subject property is approximately 1.02 acres.

**Location:** The subject property is located at 210 NE 119 Street in Miami-Dade County, Florida.

## **Analysis:**

### 1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 25, 2013, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Regulatory and Economic Resources Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

### 2. Garbage and Trash Collection Services

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the church on the property will be considered a commercial establishment. Per the Code, the following is required of commercial establishments located in unincorporated Miami-Dade County:

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

### 3. Recycling

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

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

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

### 4. Waste Storage/Setout Considerations

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

### 5. Site Circulation Considerations

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

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

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

# Memorandum



**Date:** May 1, 2014

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

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

**Subject:** Z2014000033: CHURCH OF GOD PRINCE OF PEACE INC

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**Application Name:** CHURCH OF GOD PRINCE OF PEACE INC

**Project Location:** The site is located at 210 NE 119 ST, Miami-Dade County.

**Proposed Development:** The request is for modification of a resolution for improvements to an existing church.

**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:** 24-JUL-14  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2014000033

**Fire Prevention Unit:**

No objections with site plan with Zoning received date of July 14, 2014.

**Service Impact/Demand**

Development for the above Z2014000033  
 located at 210 NE 119 ST, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 0541 is proposed as the following:

|                    |                |                               |             |
|--------------------|----------------|-------------------------------|-------------|
| <u>N/A</u>         | dwelling units | <u>N/A</u>                    | square feet |
| <b>residential</b> |                | <b>industrial</b>             |             |
| <u>N/A</u>         | square feet    | <u>4,235</u>                  | square feet |
| <b>Office</b>      |                | <b>institutional</b>          |             |
| <u>N/A</u>         | square feet    | <u>N/A</u>                    | square feet |
| <b>Retail</b>      |                | <b>nursing home/hospitals</b> |             |

Based on this development information, estimated service impact is: 1.25 alarms-annually.  
 The estimated average travel time is: 7:16 minutes

**Existing services**

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

Station 19 - North Miami - 650 NW 131 Street  
 Rescue, ALS 60' Aerial, TRT 1

**Planned Service Expansions:**

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

None.

**Fire Planning Additional Comments**

Current service impact calculated based on site plan date stamped received July 14, 2014.

# ***Building and Neighborhood Compliance***

## **ENFORCEMENT HISTORY**

CHURCH OF GOD PRINCE OF PEACE INC

210 NE 119 ST  
MIAMI-DADE COUNTY, FLORIDA

APPLICANT

ADDRESS

MARCH 31, 2015

Z2014000033

DATE

HEARING NUMBER

### **CURRENT ENFORCEMENT HISTORY:**

#### **Neighborhood Regulations:**

There are no current open or closed Neighborhood Regulations cases.

#### **BUILDING SUPPORT REGULATIONS**

There are no current open or closed Building Support Regulations Cases

#### **VIOLATOR:**

Church Of God Prince of Peace Inc

#### **OUTSTANDING LIENS:**

As of the present date, there are no pending Liens or Fines

## Building Photographs

1-0003158-4

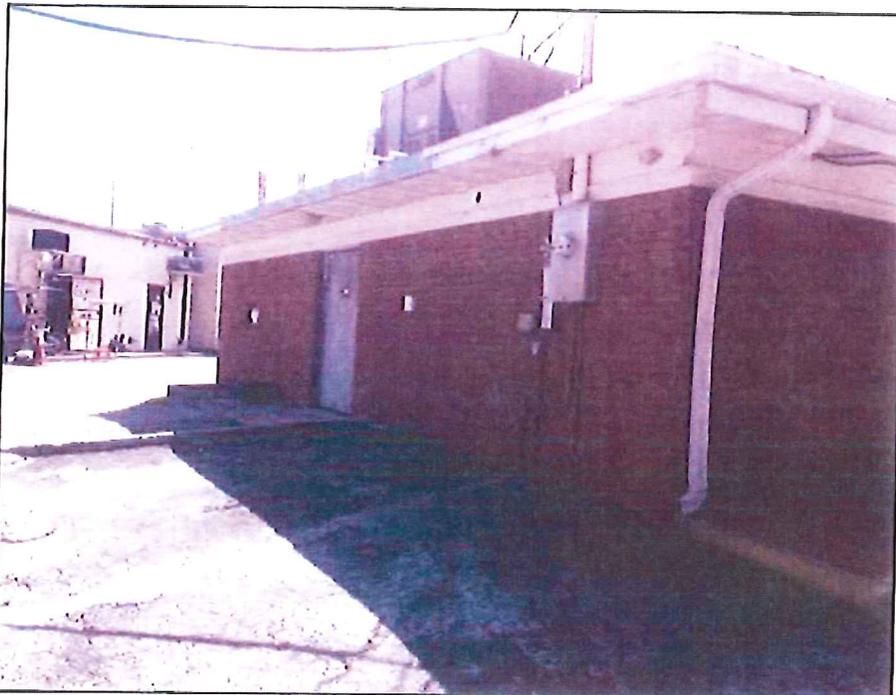
See Instructions for Item A6.

|  |             |                   |                            |
|--|-------------|-------------------|----------------------------|
| Building Street Address (including Apt., Unit, Suite and/or Bldg. No.) or P.O. Route and Box No. |             |                   | For Insurance Company Use: |
| 210 NE 119 ST  |             |                   | Policy Number              |
| City<br>MIAMI  | State<br>FL | ZIP Code<br>33161 | Company NAIC Number        |



**Front View**

Date of Photograph: 03/11/2014



**Rear View**

Date of Photograph: 03/11/2014

RECEIVED  
 APR - 3 2014  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.

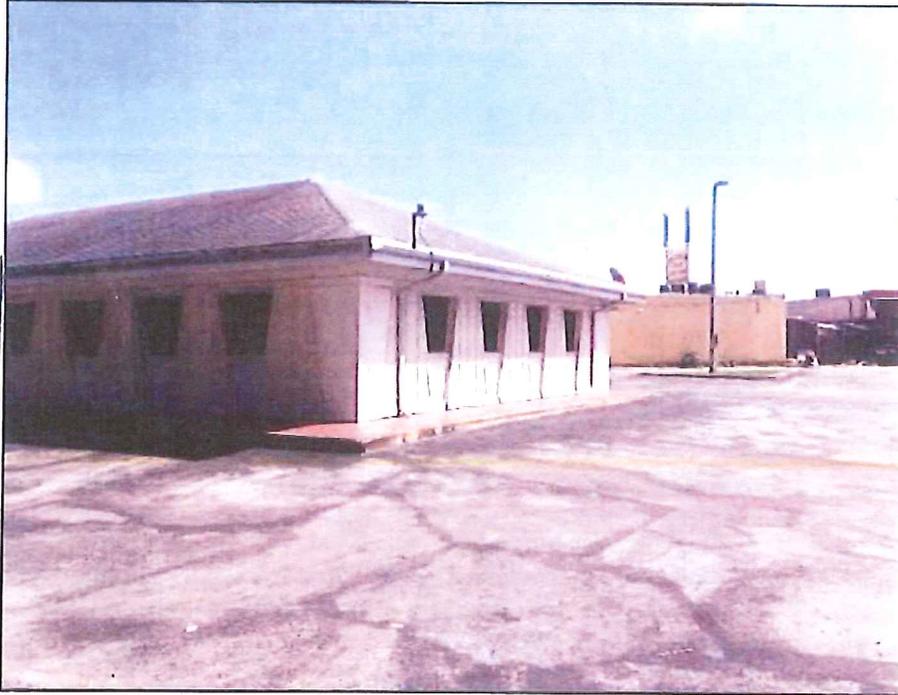
24-033

## Building Photographs

1-0003158-4

Continuation Page

|   |             |                   |   |
|---|-------------|-------------------|---|
| Building Street Address (including Apt., Unit, Suite and/or Bldg. No.) or P.O. Route and Box No.<br>210 NE 119 ST |             |                   | For Insurance Company Use:<br>Policy Number |
| City<br>MIAMI   | State<br>FL | ZIP Code<br>33161 | Company NAIC Number                         |



**Left Side View**

Date of Photograph: 03/11/2014

214-03  
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 APR - 9 2014  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY



**Right Side View**

Date of Photograph: 03/11/2014



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 APR - 9 2014  
 ZONING HEARINGS SECTION  
 MIAMI DADE PLANNING AND ZONING DEPT  
 R 214-037

✓

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: Church of God, Prince of Peace Inc.

| <u>NAME AND ADDRESS</u>   | <u>Percentage of Stock</u> <i>not for profit</i> |
|---------------------------|--|
| <u>Charles Bellerive</u>  | <u>2</u>   |
| <u>Kathlyn Simon</u>      | <u>0</u>   |
| <u>Hilatre Louis-Jean</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> <i>24.03%</i> |
|-------------------------|---|
| _____                   |   |
| _____                   |   |
| _____                   |   |
| _____                   |   |

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APR - 9 2014  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT  
*[Signature]*

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 \_\_\_\_\_

(Applicant)

Hilaire Louis - Jean

(Print Applicant name)

Sworn to and subscribed before me this 8<sup>th</sup> day of Feb., 2014. Affiant is personally know to me or has produced D.L.# L250-320-56-219-0 as identification.

\_\_\_\_\_  
(Notary Public)

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

*[Handwritten signature]*



\*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.

6 EACH SUCH PARKING SPACE SHALL CONFORM TO THE REQUIREMENT OF STATE PARAGRAPH 915.66(2), HEREIN, SHALL BE CONSPICUOUS DELINEATED IN BLUE PAINT, AND SHALL BE POSTED AND MAINTAINED WITH A PERMANENT, ABOVE-GRADE SIGN BEARING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY ON THE CAPTION \*PARKING BY DISABLED PERSON ONLY\* OR BEARING BOTH SUCH SYMBOL AND CAPTION. ALL HANDICAP PARKING SPACES MUST BE SIGNED AND MARKED IN ACCORDANCE WITH THE STANDARDS ADOPTED BY THE DEPARTMENT OF TRANSPORTATION. IN ADDITION, EACH SUCH PARKING SPACE SHALL BE PROVIDED WITH A SIGN STATING \*TOW AWAY ZONE AND FINE UP TO \$250.00\*

**RECEIVED**  
 214 033  
 JUL 14 2014  
 MANHATTAN COUNTY AND ECONOMIC DEVELOPMENT SERVICES  
 DEPARTMENT OF REVENUE AND RESOURCE BY

1" SPLIT 3/4" BORDER  
 1" SERIES 1 LEGEND  
 COLOR  
 BACKGROUND WHITE  
 LEGEND AND BORDER BLACK

**SQUARE TUBE SIGN POST**

THE SQUARE TUBE SIGN POST SHALL BE 2" SQUARE AND INSERTED WITHIN THE SQUARE TUBE ANCHOR POST. THE SIGN POST SHALL BE SECURED TO THE ANCHOR POST WITH A #10 GRADAL LIVE WIRE BRACKET. SEE DETAIL S-16/225 FOR ANCHOR POST AND TIE.

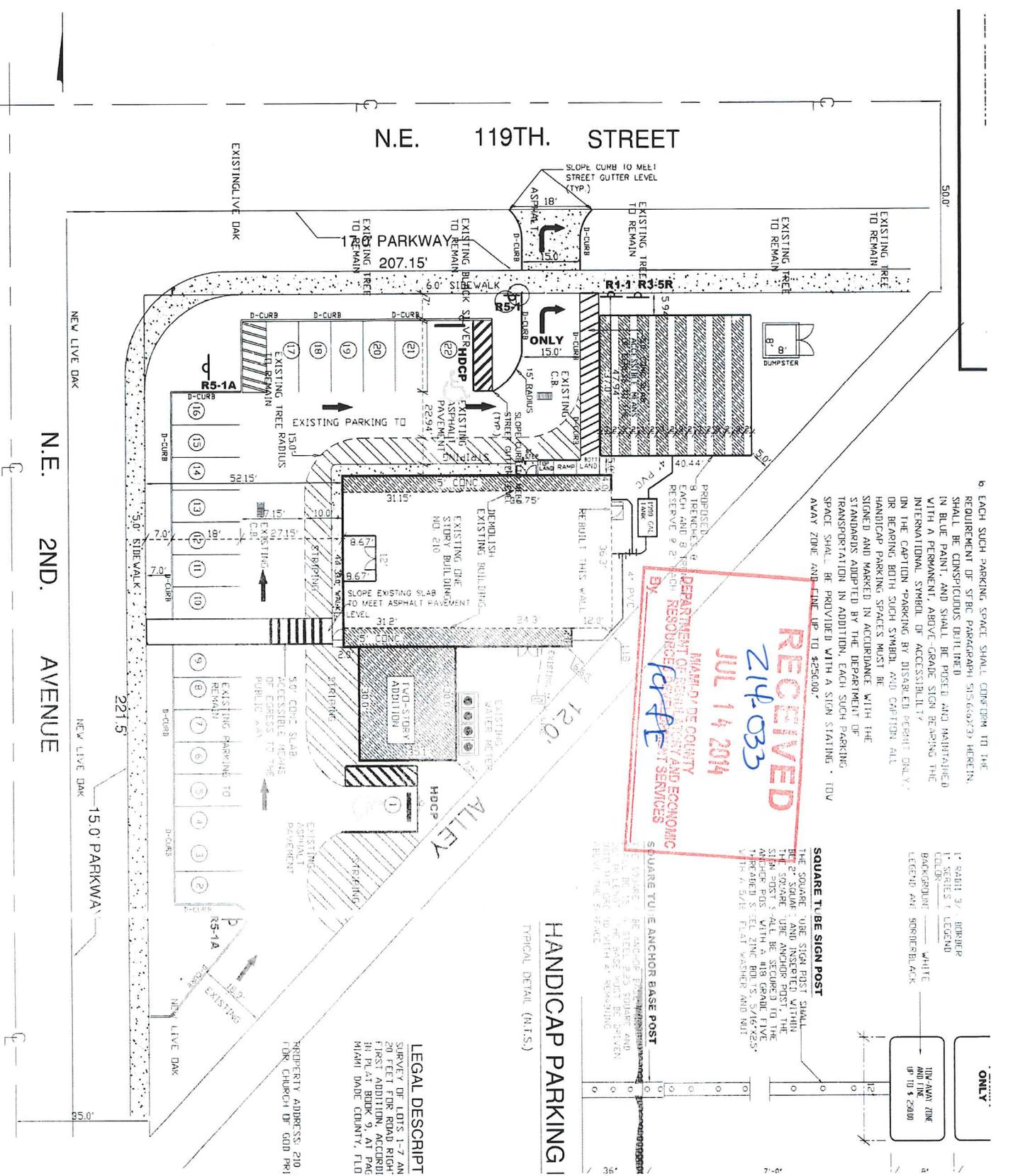
**SQUARE TUBE ANCHOR BASE POST**

THE SQUARE TUBE ANCHOR BASE POST SHALL BE 2" SQUARE AND INSERTED WITHIN THE SQUARE TUBE ANCHOR POST. THE ANCHOR POST SHALL BE SECURED TO THE ANCHOR POST WITH A #10 GRADAL LIVE WIRE BRACKET. SEE DETAIL S-16/225 FOR ANCHOR POST AND TIE.

**HANDICAP PARKING I**  
 TYPICAL DETAIL (N.T.S.)

**LEGAL DESCRIPTION**  
 SURVEY OF LOTS 1-7 AND 20 FEET FOR ROAD RIGHT-OF-WAY FIRST ADDITION, ACCORDING TO PLAT BOOK 9, AT PAGE 104, MIAMI DADE COUNTY, FLA

PROPERTY ADDRESS: 210 FOR CHURCH OF GOD P1



AND / DR PALMS SHALL BE NATIVE SPECIES. THE NATIVE TREE REQUIREMENT SHALL BE MET BY PALMS

**SITE PLAN**  
**ENLARGED SITE PLAN**

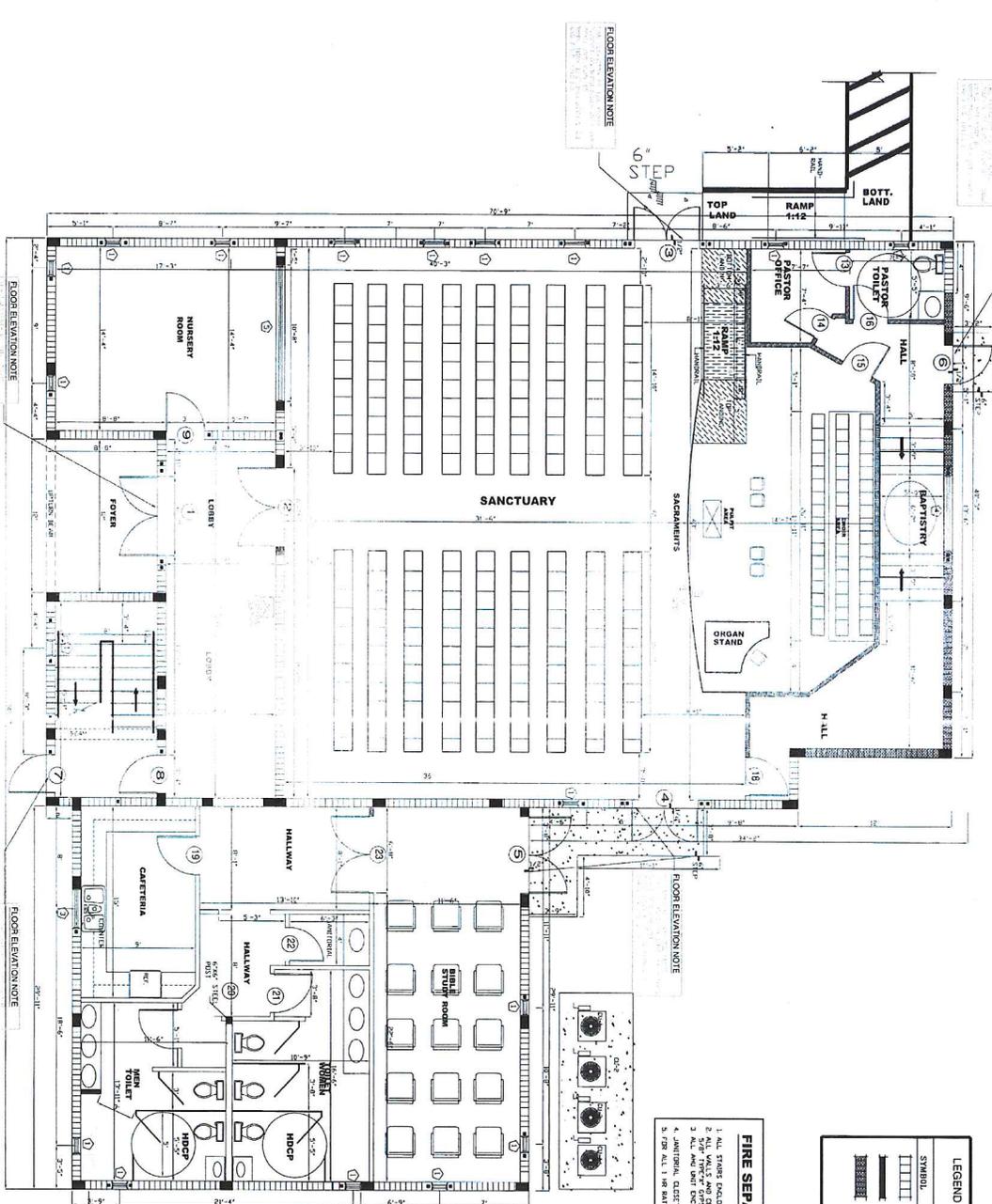
SCALE 1"=20'





# CHURCH GROUND FLOOR PLAN

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



- FIRE SEPARATION NOTES:**
1. ALL STAIRS EXPOSED TO BE 1 HR FIRE RATED WALL.
  2. ALL WALLS AND CEILING, STAIRS AND CORRIDORS TO BE 1 HR FIRE RATED.
  3. ALL WALL AND CEILING EXPOSED TO BE 1 HR FIRE RATED WALL.
  4. JUNCTIONS, CEILING TO BE 1 HR FIRE RATED WALL AND CEILING.
  5. COR. ALL 1 HR RATED WALL, USE 5/8" TYPE 'X' CORNER JOISTS.

| SYMBOL   | DESCRIPTION                        |
|----------|------------------------------------|
| [Symbol] | BLOCKED UP 8" CBS WALL             |
| [Symbol] | NEW 4" NON-BEARING PARTITIONS WALL |
| [Symbol] | EXISTING 8" WALL TO BE REBUILT     |

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M-10871

RECEIVED

214-833

JUL 14 2014

DEPARTMENT OF REGULATORY SERVICES  
RESOURCES DEVELOPMENT  
BY: [Signature]

DATE: 12/15/2013  
SCALE: 1/4" = 1'-0"  
DRAWN BY: AL  
PROJECT NO.: 2013-41  
CHECKED BY: AL  
SHEET NO.: A-4  
ENGINEER OF RECORD  
ARONIA THOMAS, P.E.  
1170 N.E. 125TH STREET SUITE 215  
TEL.: (305) 853-2445

PROPOSED CHURCH REBUILDING  
NAME: CHURCH OF GOD PRINCE OF PEACE  
210 N.E. 119th STREET  
MIAMI FL, 33161  
TEL: (786) 326-7594

**ARCION**

12701 N.W. 27th Avenue, Suite 200  
Miami, FL 33187  
Phone: (305) 551-1111  
Fax: (305) 551-1111  
www.arcion.com

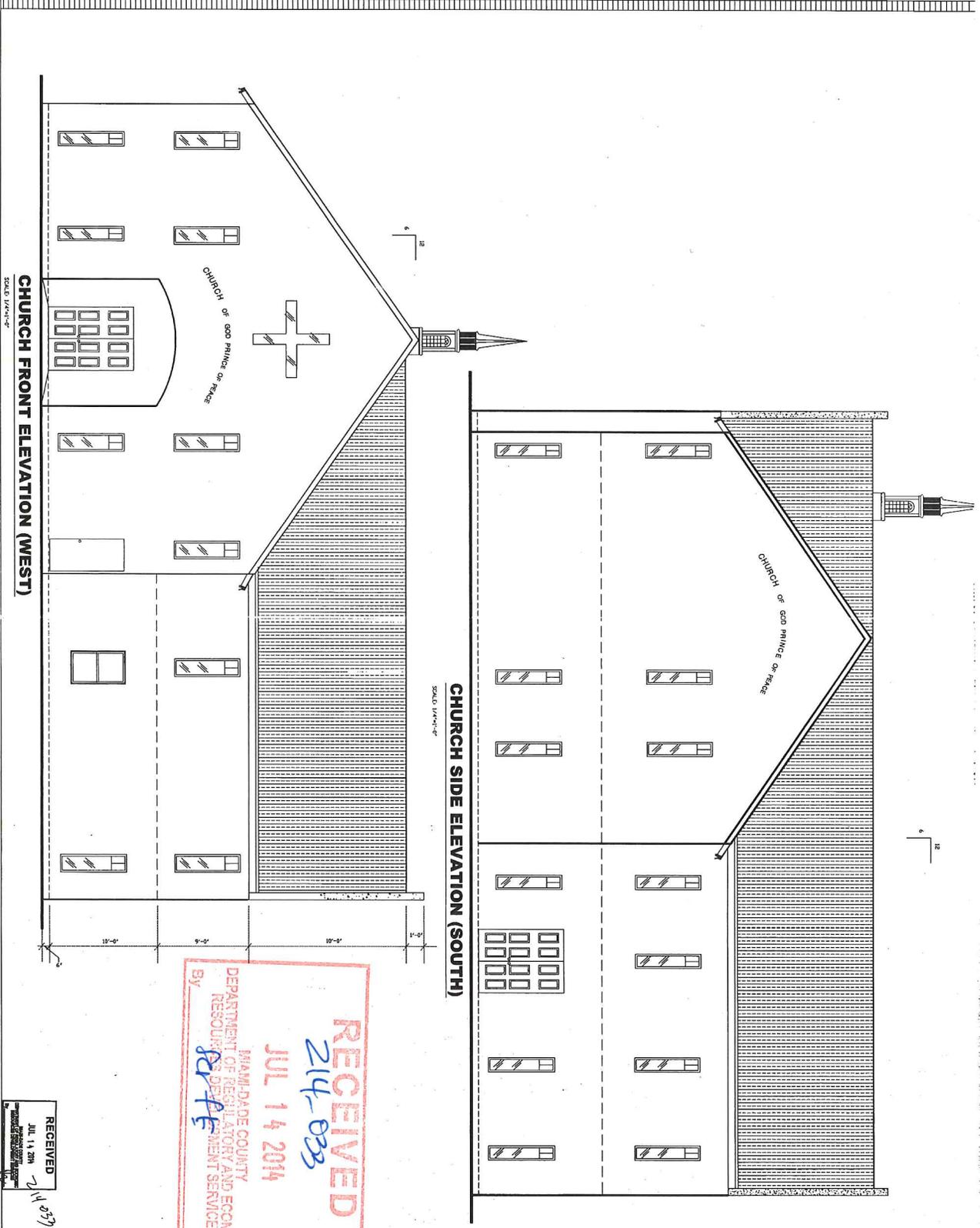
**ARCION**

12701 N.W. 27th Avenue, Suite 200  
Miami, FL 33187  
Phone: (305) 551-1111  
Fax: (305) 551-1111  
www.arcion.com

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 DEPARTMENT OF REGULATION AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 BY *SAFF*

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 214-033

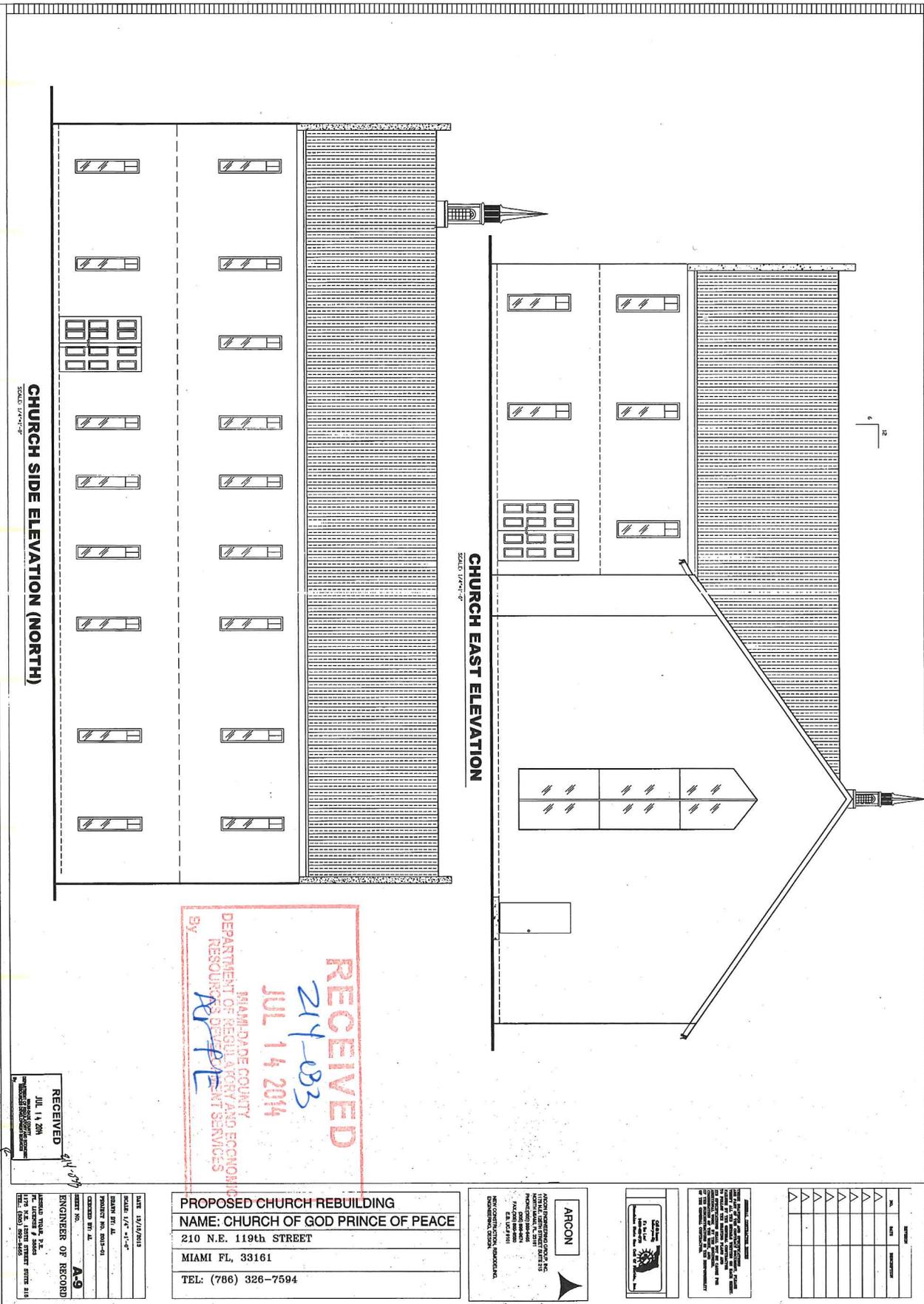
|                                  |                    |
|----------------------------------|--------------------|
| DATE                             | 10/12/2013         |
| SCALE                            | 1/4" = 1'-0"       |
| DRAWN BY                         | SA                 |
| CHECKED BY                       | SA                 |
| DATE                             | 10/12/2013         |
| ENGINEER OF RECORD               | A-S                |
| REGISTERED PROFESSIONAL ENGINEER | NO. 12577          |
| STATE OF FLORIDA                 | EXPIRES 12/31/2015 |

**PROPOSED CHURCH REBUILDING**  
**NAME: CHURCH OF GOD PRINCE OF PEACE**  
 210 N.E. 119th STREET  
 MIAMI FL, 33161  
 TEL: (786) 326-7594

**ARCON**  
 ARCHITECTURAL RECORDING  
 1100 N.W. 107th STREET, SUITE 202  
 MIAMI, FL 33187  
 TEL: (786) 326-7594  
 FAX: (786) 326-7595  
 WWW.ARCONFLA.COM

**ARCON**  
 ARCHITECTURAL RECORDING  
 1100 N.W. 107th STREET, SUITE 202  
 MIAMI, FL 33187  
 TEL: (786) 326-7594  
 FAX: (786) 326-7595  
 WWW.ARCONFLA.COM

|     |      |           |
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| NO. | DATE | REVISIONS |
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CHURCH SIDE ELEVATION (NORTH)  
SCALE 1/4"=1'-0"

CHURCH EAST ELEVATION  
SCALE 1/4"=1'-0"

RECEIVED

214-083

JUL 14 2014

A-9

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

RECEIVED  
JUL 14 2014  
MARIANNE B. HARRIS  
COUNTY ENGINEER

|  |              |
|--|--------------|
| DATE   | 12/12/2013   |
| SCALE  | 1/4" = 1'-0" |
| DRAWN BY   | AL           |
| PROJECT NO.  | 003-01       |
| CHECKED BY   | AL           |
| SHEET NO.  | A-9          |
| ENGINEER OF RECORD   |              |
| MARION ROSS, P.E.<br>1775 N.E. 15TH STREET SUITE 310<br>MIAMI, FL 33138<br>TEL: (305) 592-4285 |              |

**PROPOSED CHURCH REBUILDING**  
**NAME: CHURCH OF GOD PRINCE OF PEACE**  
 210 N.E. 119th STREET  
 MIAMI FL, 33161  
 TEL: (786) 326-7594

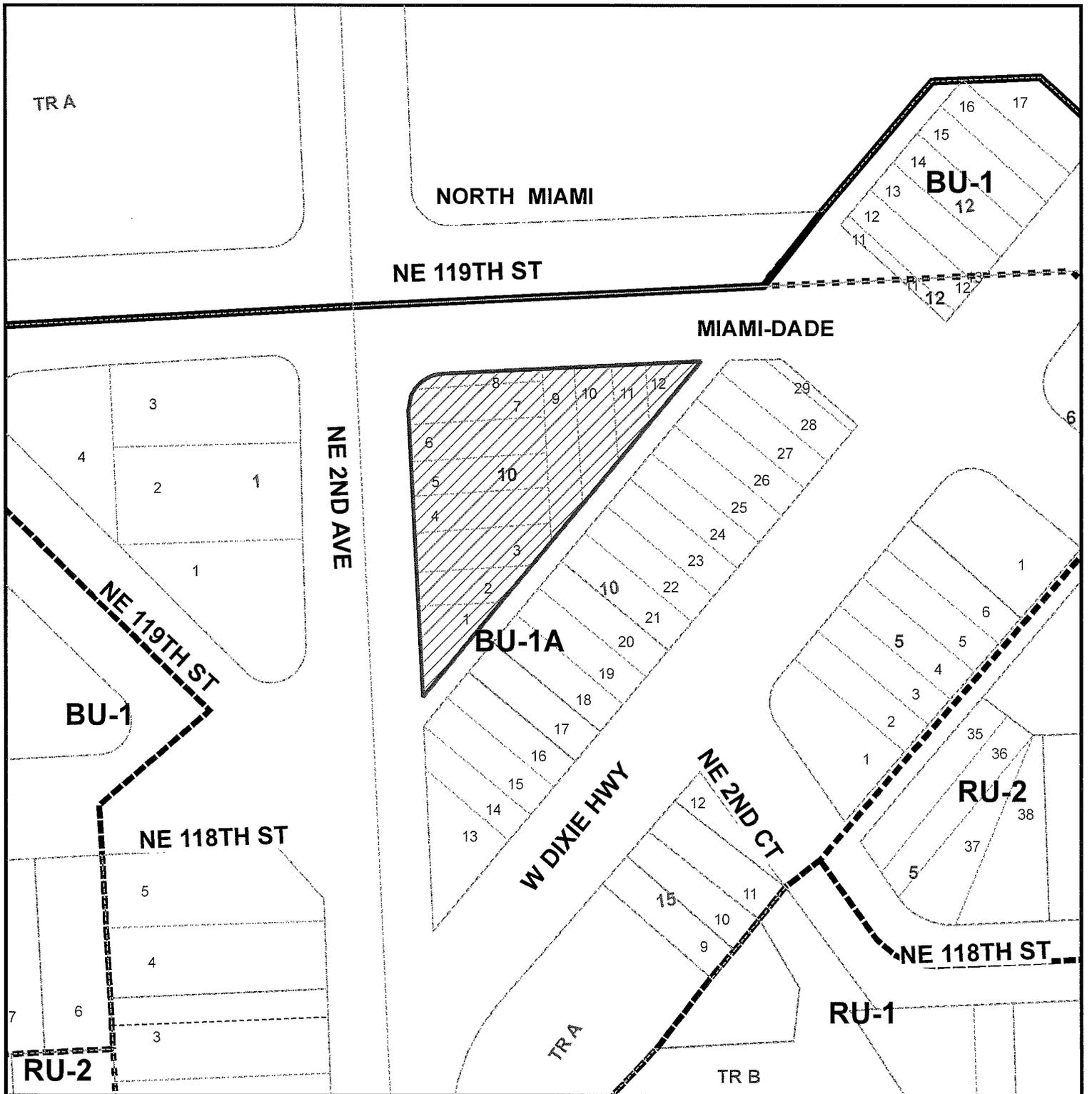
**ARTCOON**

ARCHITECTURAL CONSULTANTS  
 1000 WESTWIND DRIVE, SUITE 100  
 MIAMI, FL 33136  
 TEL: (305) 441-1111  
 FAX: (305) 441-1112  
 WWW.ARTCOON.COM

**SEAL**

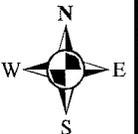
Professional Engineer  
 State of Florida  
 License No. 12345  
 Exp. 12/31/2015

| NO. | DATE | REVISIONS |
|-----|------|-----------|
|     |      |           |
|     |      |           |
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|     |      |           |
|     |      |           |



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

Process Number  
**Z2014000033**



Section: 31 Township: 52 Range: 42  
 Applicant: CHURCH OF GOD PRINCE OF PEACE INC  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

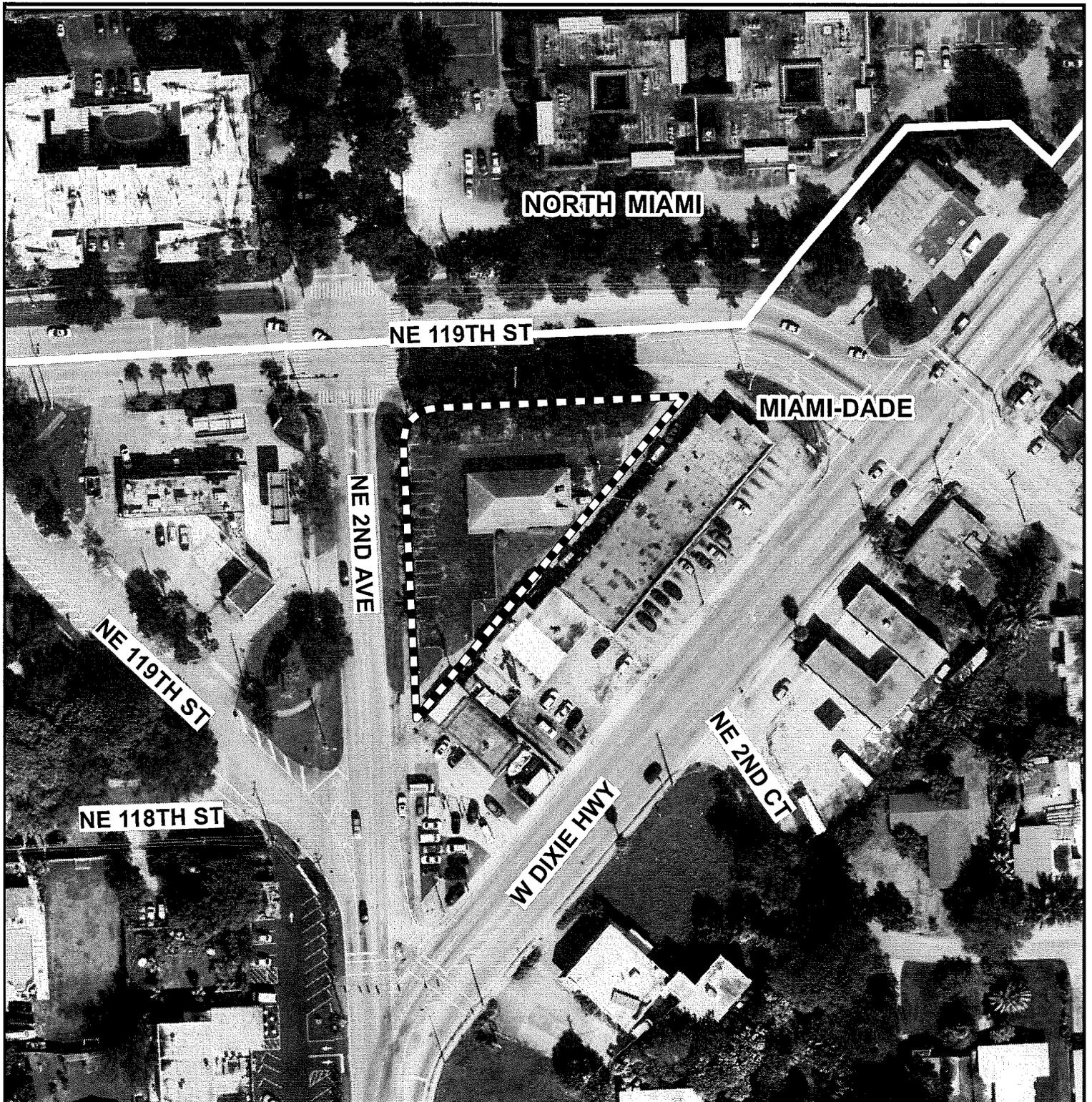
**Legend**

 Subject Property Case



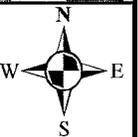
SKETCH CREATED ON: Friday, April 18, 2014

| REVISION | DATE | BY |
|----------|------|----|
|          |      | 28 |



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2013**

Process Number  
**Z2014000033**



Section: 31 Township: 52 Range: 42  
 Applicant: CHURCH OF GOD PRINCE OF PEACE INC  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

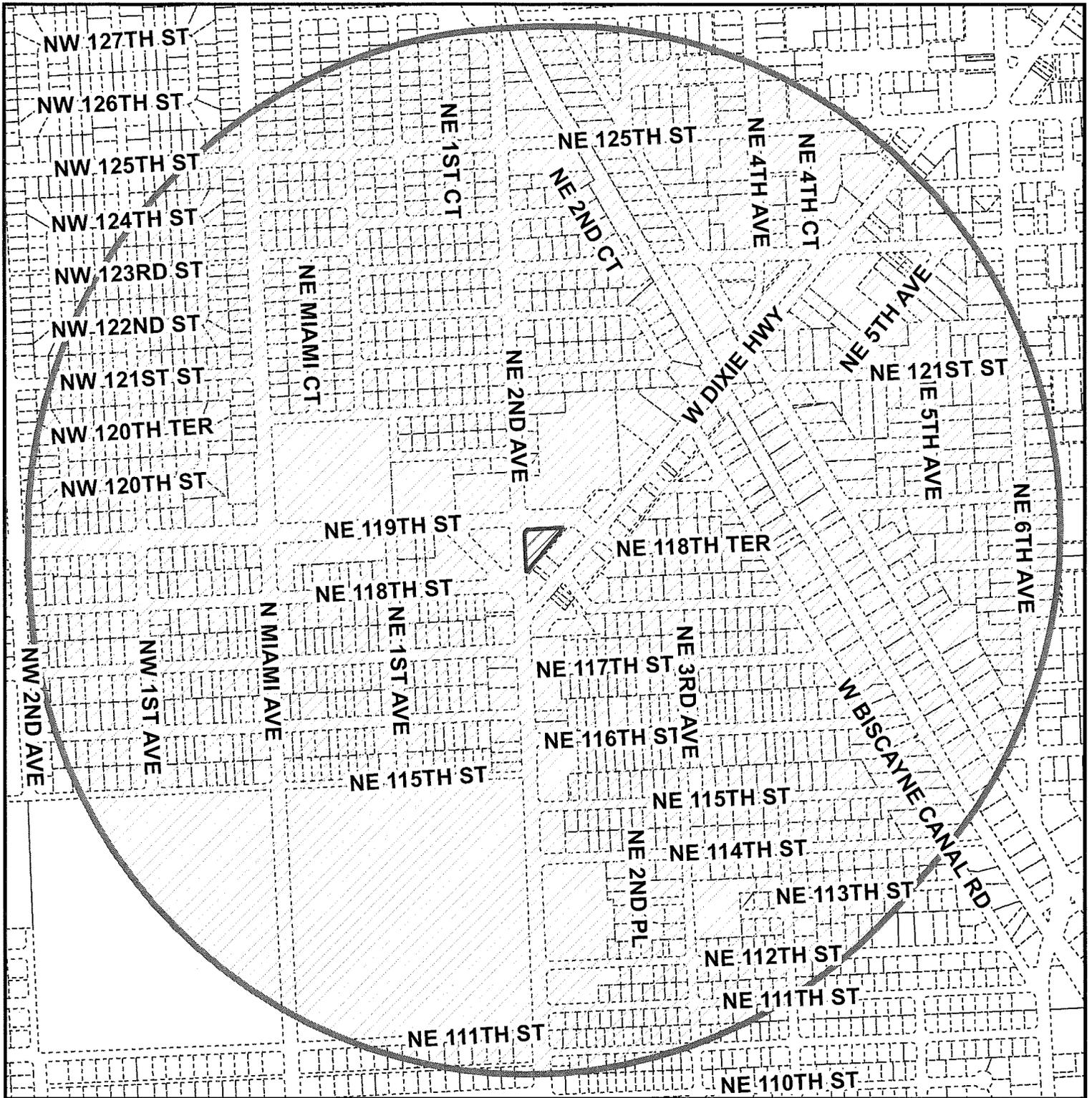
Legend

 Subject Property



SKETCH CREATED ON: Friday, April 18, 2014

| REVISION | DATE | BY |
|----------|------|----|
|          |      | 29 |



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

Process Number  
**Z2014000033**  
 RADIUS: 2640

Section: 31 Township: 52 Range: 42  
 Applicant: CHURCH OF GOD PRINCE OF PEACE INC  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

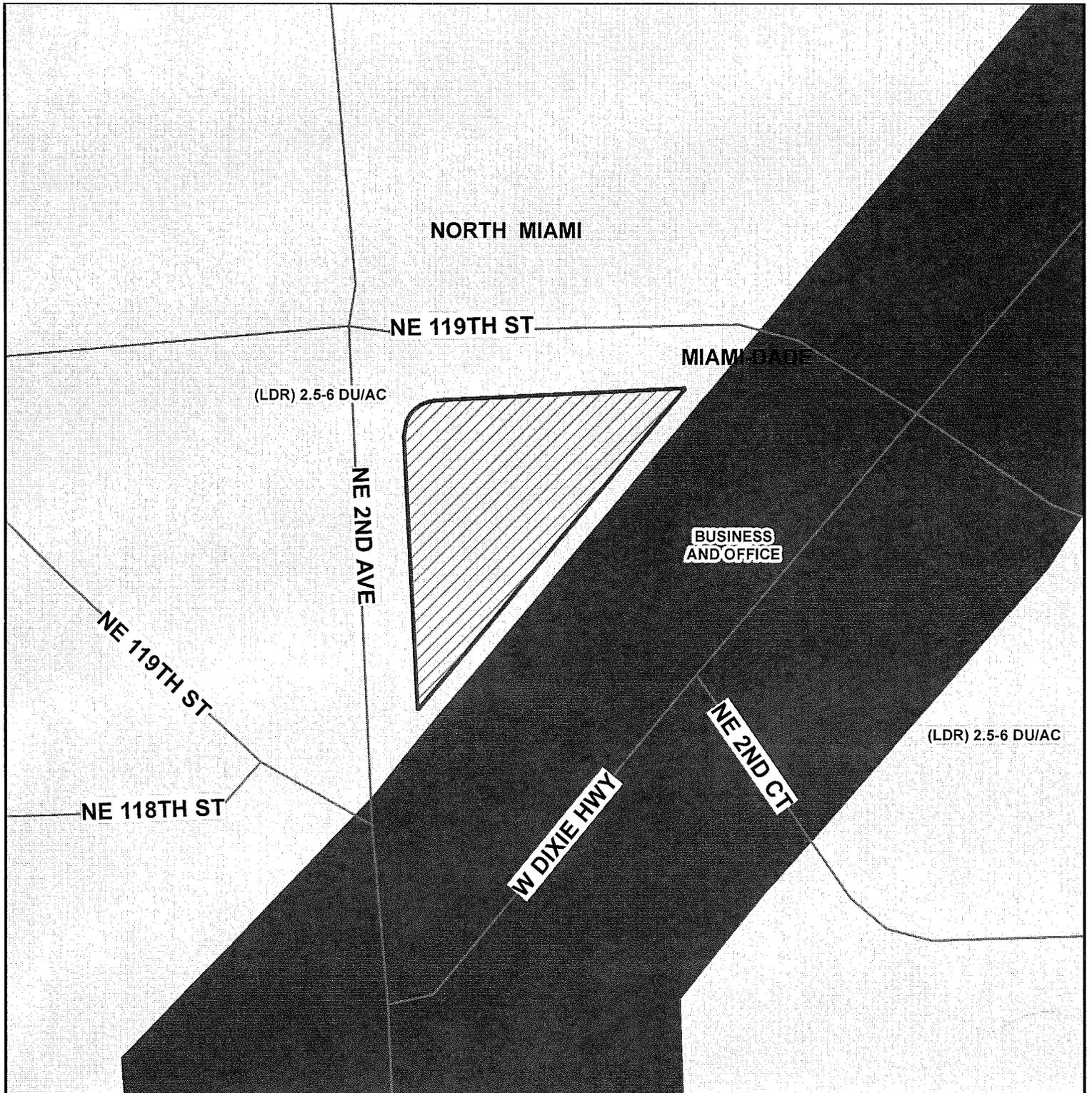
**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Tuesday, May 20, 2014

| REVISION | DATE | BY |
|----------|------|----|
|          |      | 30 |



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

Process Number

**Z2014000033**



Section: 31 Township: 52 Range: 42  
 Applicant: CHURCH OF GOD PRINCE OF PEACE INC  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Friday, April 18, 2014

| REVISION | DATE | BY |
|----------|------|----|
|          |      |    |

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 8**

**PH: Z14-077 (15-3-CZ8-2)**

**March 31, 2015**

Item No. 2

| <b>Recommendation Summary</b>              |   |
|--|---|
| <b>Commission District</b>                 | 6   |
| <b>Applicants</b>                          | Bravo Partners Blue Lagoon, LLC   |
| <b>Summary of Requests</b>                 | The applicant is seeking approval of a zone change to BU-2 and a Special Exception request in order to develop the parcel with 272 multi-family residential units. Additionally, the applicant is seeking approval of several requests for reduced setbacks, landscape open space, spacing between buildings, drive width and to permit parking closer to the right-of-way. |
| <b>Location</b>                            | Lying south of NW 7 Street and on both sides of theoretical NW 67 Avenue, Miami-Dade County, Florida.   |
| <b>Property Size</b>                       | 7.44 acres  |
| <b>Existing Zoning</b>                     | IU-2, Light Industrial District   |
| <b>Existing Land Use</b>                   | Vacant  |
| <b>2020-2030 CDMP Land Use Designation</b> | Office/Residential<br><i>(see attached Zoning Recommendation Addendum)</i>  |
| <b>Comprehensive Plan Consistency</b>      | Consistent with the LUP map, and the interpretative text and policies of the CDMP   |
| <b>Applicable Zoning Code Section(s)</b>   | Section 33-311(A)(4)(b) Non-Use Variance,<br>Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses and New Uses,<br>Section 33-311, District Boundary Change,<br><i>(see attached Zoning Recommendation Addendum)</i>  |
| <b>Recommendation</b>                      | <b>Approval of request #1, subject to the acceptance of the covenant; and approval with conditions of requests #2 through #7.</b>   |

**REQUESTS:**

- (1) DISTRICT BOUNDARY CHANGE from IU-2 to BU-2.
- (2) SPECIAL EXCEPTION to permit a residential development in the BU-2 zoning district.
- (3) NON-USE VARIANCE to permit buildings setback a minimum of 10' (45.64' required) from the interior sides (north, east & west) property lines.
- (4) NON-USE VARIANCE to permit a minimum spacing of 10'-6" (30' required) between buildings with openings.
- (5) NON-USE VARIANCE to permit a landscape open space of 31.16% (40% required).
- (6) NON-USE VARIANCE to permit portions of a 1-way drive with a width of 10' (14' required).
- (7) NON-USE VARIANCE to permit parking within 25' of an official right-of-way (not permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Blue Lagoon Residence" as prepared by MSA Architects, with sheets SP-1 & A-206 dated stamped received 1/9/15, consisting of 2 sheets, sheet A-2.5 dated stamped received 1/8/15, consisting of 1 sheet and the remaining 15 sheets dated stamped received 12/9/14 for a total of 18 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The applicant is seeking approval of a zone change to BU-2 and a Special Exception request in order to develop the parcel with 272 multi-family residential units. Additionally, the applicant is seeking approval of several requests for reduced setbacks, landscape open space, spacing between buildings, and driveway width and to permit parking closer to the right-of-way. The submitted plans depict the proposed 272 unit, multi-family residential development consisting of the two (2), eight (8)-story apartment buildings, two (2) parking garage buildings and parking areas on the approximately 7.44-acre subject parcel of land. The proposed amenities will include a clubhouse and a pool. Staff notes that pedestrian and vehicular connectivity along with attractive green spaces are interspersed throughout the site.

Since 1948, the 7.44-acre subject parcel was part of a larger tract of land that received several approvals for rezoning and different variances. Staff notes that the last public hearing on the subject property was an approval to modify a lake area, pursuant to Resolution #Z-17-95.

| <b><u>NEIGHBORHOOD CHARACTERISTICS</u></b> |                                     |                             |
|--|-------------------------------------|-----------------------------|
|  | <b>Zoning and Existing Use</b>      | <b>Land Use Designation</b> |
| <b>Subject Property</b>                    | IU-2; vacant land                   | Office/Residential          |
| <b>North</b>                               | IU-2; hotel, offices and warehouses | Office/Residential          |
| <b>South</b>                               | IU-2; lake                          | Office/Residential          |
| <b>East</b>                                | IU-2; vacant land                   | Office/Residential          |
| <b>West</b>                                | IU-2; hotel                         | Office/Residential          |

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a vacant parcel surrounded by a lake, vacant land, offices, warehouses and hotels.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow the applicant to develop the parcel with 272 multi-family residential units, while seeking approval of several requests for reduced setbacks, landscape open space, spacing between buildings, and driveway width and to permit parking closer to the right-of-way, which will provide the community with additional multi-family residences in this area. However, the site is currently vacant and the proposed development for a residential site could have impacts on resources in this area including schools, traffic and public safety. However, based on comments from different Departments, any impacts will be within the Level of Services (LOS).

### **COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is designated **Office/Residential** on the CDMP Land Use Plan (LUP) map. *Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses.* The CDMP Land Use Element interpretative text for the Office/Residential use also states that *where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively office use of the site.* Staff notes that the subject property is a vacant parcel surrounded by vacant land, offices, warehouses and hotels. Staff further notes that the applicant has submitted a Massing Study which among other things shows that the proposed residential project, including height, bulk and floor area ratio will not be greater than that which would be permitted for an exclusively office use on the site. Staff further notes that the proposed residential project will not exceed the maximum allowable non-residential development intensity inside the Urban Infill Area (UIA) of 2.0 Floor Area Ratio (FAR). Additionally, the applicant has submitted a covenant that ties that submitted plans to the subject site, along with a restriction that no business or commercial uses will be allowed on the subject property.

Therefore, staff opines that approval of the application, subject to the acceptance of the proffered covenant, would be **consistent** with the CDMP LUP map, the text of the Office/Residential land use category and with the Office/Residential designation for the property.

### **ZONING ANALYSIS:**

The applicant seeks approval of a request for a zone change from IU-2, Light Industrial District, to BU-2, Special Business District, (request #1) on the subject property in order to develop the parcel with 272 multi-family residential units (request #2). For the reasons stated below, staff opines that when the applicant's request #1 is analyzed under Section 33-311, District Boundary Change, and request #2 under 33-311(A)(3) Special Exceptions, Unusual and New Uses, approval of these requests would be **compatible** with the abutting surrounding area.

Staff notes that the subject property is a vacant parcel of land surrounded by a lake, vacant land, offices, warehouses and hotels, which are located inside of the Urban Development Boundary Line (UDB). The submitted site plan indicates that the proposed 272 unit, multi-family residential development consisting of the two (2), eight (8)-story apartment buildings, two (2) parking garage buildings and parking areas on the approximately 7.44-acre subject parcel of land will front NW 7 Street. Also included in the site plan is a two-story club house which will include indoor amenities and recreation space. A courtyard located adjacent to the lake contains a swimming pool, cabanas and outdoor living areas. This courtyard is connected internally to the subject property and will be accessible to all residents. The arrangement of buildings away from the roadway and the integration of architecturally defined open space is much more pedestrian-friendly than conventional developments. Pedestrian paths and sidewalks are also provided throughout the site to connect to the aforementioned recreational area. Staff opines that the abundant fenestration applied to all facades precludes the formation of a "blank wall" condition on building walls. The landscaping plans show an assortment of plant species consisting of trees, palms and shrubs that will be used to shade parking areas and enhance the aesthetics of the development. Additionally, landscaping is used to buffer the proposal from adjacent uses as well as to reinforce the urban spaces created by this design. Additionally, the applicant has submitted a covenant that ties that submitted plans to the subject

site, along with a restriction that no business or commercial uses will be allowed in the subject property.

Staff notes that based on the memorandum from the Public Works and Waste Management Department, the approval of the aforementioned requests would efficiently use the roads, streets and highways which have been constructed, planned or budgeted in this area and further, would not result in excessive traffic. Their memorandum states that subject to conditions, the application, which was reviewed together with a submitted traffic study, meets the criteria for traffic concurrency for an Initial Development Order. Similarly, the memorandum from the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources (RER) indicates that the approval with conditions of the aforementioned requests will not have an unfavorable impact on the environmental resources of the County. Specifically, its memorandum indicates that a review of the application for compliance with the requirements of Chapter 24 of the Code indicated that the Level of Service standards as specified in the CDMP for potable water supply, wastewater disposal and flood protection are valid for this initial development order. In addition, the Miami-Dade County Public Schools memorandum indicates that the proposed project will generate 55 students and that the area schools have sufficient capacity to serve the application. However, the Miami-Dade Fire Rescue Department (MDFRD) objects to the subject application, specifically to request #5 which is requesting to permit portions of a 1-way drive with a width of 10' (14' required).

In addition, access to the site will be provided through NW 7 Street, which will provide connectivity to the proposed residential development by allowing its future residents to travel east and west. Based on the foregoing analysis and the memoranda from the Departments, staff opines that the approval of the rezoning and proposed residential development will be consistent with the CDMP, will not have an unfavorable impact on the economy of the County and would not have an unfavorable impact on the environmental and natural resources or create an unnecessary burden on the water, sewer, solid waste or recreational resources among others which have been constructed, planned or budgeted for. As such, staff opines that approval of the rezoning to BU-2 (request #1), along with the Special Exception request (#2) would permit residential uses that would not be out of character with, and would be compatible with the existing uses in the area. **Therefore, staff recommends approval of request #1, subject to the acceptance of the proffered covenant, under Section 33-311, District Boundary Change, and approval with conditions of request #2 under Section 33-311(A)(3) Special Exceptions, Unusual and New Uses.**

When evaluating requests #3 through #7 under Section 33-311(A)(4)(b), the Non-Use Variance From Other Than Airport Standards, staff is of the opinion that the approval with conditions of said requests would 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 would not be detrimental to the community.

Staff notes that request #3, to permit buildings setback a minimum of 10' (45.64' required) from the interior sides (north, east & west) property lines, and request #4, to permit a minimum spacing of 10'-6" (30' required) between buildings with openings, are internal to the site, and opines that they are minimal when taking into consideration the grand scale of the proposed development. Staff further opines that approval of same will have minimal visual impact on the surrounding area and would provide curb appeal to the subject property. Additionally, staff opines that by utilizing the subject location next to NW 7 Street and placing the buildings away

from said street will facilitate the flow of traffic and pedestrian connectivity within the project, while providing ample spacing between said project and the abutting uses.

Regarding request #5, to permit a landscape open space of 31.16% (40% required), staff opines that approval of same will be compatible with the area based on the unique location of the proposed residential project. Staff notes that the subject property is located in an area commonly known as "Blue Lagoon". This particular portion of the Blue Lagoon is bounded by State Road 836 Expressway to the north, NW 62 Avenue to the east, a park and industrial uses to the west before reaching NW 72 Avenue, and a residential development along Tamiami Canal Road to the south. The subject property is located on the south side of NW 7 Street. Additionally, staff notes that there are two large lakes further to the north and south of NW 7 Street. Staff further notes that the existing residential development to the south is located approximately 1,100 feet from the proposed residential development across one of the aforementioned large lakes. Staff opines that although there are no similar approvals in the area, the adjacent hotel developments to the west of the subject site were approved after providing 40% of landscape open, where 20% of the 40% landscape open space came from the abutting lake to the south. Nevertheless, staff opines that the overall design of the proposed buildings and location of said project provide for a compatible development when taking into account the unique location of the proposed residential project, its proximity to other residential developments as indicated above, and the already provided ample landscaping in the form of trees and hedges as indicated in the submitted plans. Therefore, staff opines that approval with conditions of this request will not create a negative visual impact, will not be intrusive to the surrounding area and would be **compatible** with the same.

Additionally, regarding request #6, to permit portions of a 1-way drive with a width of 10' (14' required), and request #7, to permit parking within 25' of an official right-of-way (not permitted), staff opines that these requests are also internal to the property, and due to the unique characteristics of the proposed residential development, the use of reduced drive widths and parking closer to the right-of-way would not have a likelihood of the spillage of parking onto the abutting roadways. Staff notes that request #6 refers to a small drive area that will not detrimentally impact the project. Additionally, staff opines that said driveway and parking areas will be adequately buffered by ample landscaping in the form of trees and hedges as indicated in the submitted plans. For the same reasons, staff opines that approval of same with conditions will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated. Additionally, staff further notes that there are other drives within this site that allow for vehicular flow without any traffic disturbance, and therefore, in staff's opinion, approval of same would not be detrimental to the area and would not have a negative traffic impact.

Additionally, staff notes that based on the memorandum from the Public Works and Waste Management Department, the approval of the aforementioned requests would efficiently use the roads, streets and highways which have been constructed, planned or budgeted for in this area and further, would not result in excessive traffic. As such, staff opines that the approval of requests #3 through #6 would be **compatible** with the area. **Therefore, staff recommends approval with conditions of requests #3 through #7 under Section 33-311(A)(4)(b).**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate one (1) ingress and three (3) egress points along NW 7 Street. The applicant has provided a total of 450 parking spaces. The applicant has also provided adequate drives to facilitate the flow of traffic within the proposed development.

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

**OTHER:** Not applicable.

**RECOMMENDATION:**

**Approval of request #1, subject to the acceptance of the covenant; and approval with conditions of requests #2 through #7.**

**CONDITIONS FOR APPROVAL:** For requests #2 through #7 only.

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources or its successor Department 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 "Blue Lagoon Residence" as prepared by MSA Architects, with sheets SP-1 & A-206 dated stamped received 1/9/15, consisting of 2 sheets, sheet A-2.5 dated stamped received 1/8/15, consisting of 1 sheet and the remaining 15 sheets dated stamped received 12/9/14 for a total of 18 sheets., as may be modified at the public hearing on the application.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department of Regulatory and Economic Resources for review and approval a landscape plan.
5. That the applicant complies with all of the applicable conditions, requirements, recommendations, requests and other provisions of the Public Works and Waste Management Department as contained in its attached memorandum.

ES:MW:NN:CH:JV



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

*NNN*

# ZONING RECOMMENDATION ADDENDUM

Bravo Partners Blue Lagoon, LLC  
Z14-077

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

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

|   |   |
|---|---|
| <p><b>Office/Residential</b><br/>(Pg. 1-43)</p>             | <p><i>Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunications facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.</i></p> <p><i>Residential uses are also allowed in the Office/Residential category. In these locations, residential density may be approved up to one density category higher than that allowed in the adjoining or adjacent residentially designated area on the same side of the abutting principal roadway, or up to the density of existing adjoining or adjacent residential development, or zoning if the adjacent or adjoining land is undeveloped whichever is higher. If there is no adjacent or adjoining residential development existing, zoned or designated on the same side of the abutting principal roadway, then the allowable maximum residential density shall be based on that which exists or which the plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively office use of the site.</i></p> |
| <p><b>Policy of the Land Use Element</b><br/>(Pg. 1-24)</p> | <p><i>The LUP map provides six Residential Communities categories organized by gross density ranges. The non-residential land use categories, notably industrial, office, business, institutional, public facilities and transportation terminals, are organized by the types of predominant uses allowed or encouraged on land so designated, and relative intensities of development authorized in these categories are expressed as allowable land uses, as contrasted with land uses allowed in other LUP map categories. The specific intensity of development which may be approved on a particular parcel designated in a non-residential category on the LUP map will be dependent on the particular land use, design, urban service, environmental, and social conditions on and around the subject parcel at the time of approval including consideration of applicable CDMP goals, objectives and policies, including provisions of this text chapter, and provisions of applicable land development regulations which serve to implement the comprehensive plan. At a maximum, unless otherwise provided in this Plan, as provided for example for Urban Centers, the following shall be the maximum</i></p>  |

# ZONING RECOMMENDATION ADDENDUM

## Bravo Partners Blue Lagoon, LLC Z14-077

|  |  |
|--|--|
|  | <p>intensities at which land designated on the LUP map in one or more non-residential categories may be developed. Actual intensities approvable on a given site may be significantly lower than the maximum where necessary to conform with an overriding Plan policy, or to ensure compatibility of the development with its surroundings. Moreover, notwithstanding adoption of these intensity ceilings in the CDMP, estimations of prospective urban service demands or impacts of proposed developments will be based on the actual approved uses and/or intensity of a particular development when applicable, and for purposes of long-range areawide service facility planning purposes, such estimations may be based on averages or trends of development types and intensities in localized areas when consistent with sound service/facility planning practice. The following allowable maximum intensities are expressed as the floor area ratio (FAR) of building square footage (not counting parking structures) divided by the net lot area of the development parcel.</p> <p><b>Maximum Allowable Non-Residential Development Intensity</b><br/>         Inside the Urban Infill Area UIA 2.0 FAR<br/>         Urbanizing Area, UIA to<br/>         Urban Development Boundary (UDB) 1.25 FAR<br/>         Outside UDB 0.5 FAR<br/>         [See also Mixed Use Development and<br/>         Urban Centers]</p> |
|--|--|

### PERTINENT ZONING REQUIREMENTS/STANDARDS

|   |   |
|---|---|
| <p><b>Section 33-311<br/>District<br/>Boundary<br/>Change</b></p> | <p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> <li>(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></li> <li>(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></li> <li>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></li> <li>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></li> </ol> |
|---|---|

# ZONING RECOMMENDATION ADDENDUM

Bravo Partners Blue Lagoon, LLC  
Z14-077

|   |  |
|---|--|
|   | <p>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></p>   |
| <p><b>33-311(A)(4)(b)<br/>Non-Use<br/>Variances From<br/>Other Than<br/>Airport<br/>Regulations</b></p> | <p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>   |
| <p><b>Section 33-311(A)(3)<br/>Special<br/>Exception,<br/>Unusual and<br/>New Uses.</b></p>             | <p><i>Hear applications for and grant or deny special exceptions; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and <b>unusual use</b> which by the regulations are only permitted upon approval after public hearing; provide the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or planned and budgeted for construction, area accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area of and its development.</i></p> |



## MEMORANDUM

**DATE** | October 15, 2014

**TO** | Jorge Vital  
Department of Planning and Zoning

**FROM** | Susan Schreiber   
Miami-Dade Metropolitan Planning Organization (MPO)

**SUBJECT** | 14-077 – Bravo Partners Blue Lagoon, LLC - requesting approval of a district boundary change from IU-2, Heavy Industrial District, to BU-2, Special Business District and permission for a residential development in the BU-2 zoning district for 272 units with buildings

The applicant requests approval of a district boundary change from IU-2, Heavy Industrial District, to BU-2, Special Business District and a permit for a residential development in the BU-2 zoning district for 272 units with buildings, at grade parking and 2 parking structures.

The MPO has no objections to the application but does request inclusion of bicycle racks for the club house/pool area. The MPO appreciates the opportunity to comment on the application.

**2. BRAVO PARTNERS BLUE LAGOON LLC**  
**(Applicant)**

**15-3-CZ8-2(14-077)**  
**Area 08/District 06**  
**Hearing Date: 03/31/15**

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

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

If so, who are the interested parties? **Ascend Properties, LLC**

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>     |
|--------------------|-------------------------------|---|---------------------|----------------------------|
| 1948               | Seminole Rock & Sand Co et al | - Zone change from GU, AU, RU-3B, BU2A, IU-1, IU-2 to IU-2 to permit lake excavation. | BCC                 | Approved with Condition(s) |
| 1993               | The Epoch Corp.               | - Unusual Use to permit the filling of a portion of a lake.                           | ZAB                 | Approved with Condition(s) |
| 1993               | The Epoch Corporation         | - Unusual Use to permit the filling of a portion of a lake.                           | ZAB                 | Approved with Condition(s) |
| 1994               | The Epoch Corp.               | - Modification of a condition of Resolution.  | ZAB                 | Denied without Prejudice   |
| 1995               | The Epoch Corp.               | - Modification of a condition of Resolution.  | BCC                 | Approved with Condition(s) |

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

# Memorandum



**Date:** February 11, 2015

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

**Subject:** BCC #Z2014000077-3<sup>rd</sup> Revision  
Bravo Partners Blue Lagoon LLC  
6700 NW 7<sup>th</sup> Street, Miami, FL  
DBC from IU-2 to BU-2; Non-Use Variance to allow a floor area ratio of 1.475 where 1.17 is required; Special Exception to allow residential use in the BU-2 zoning district  
(IU-2) (7.44 Acres)  
02-54-40

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

#### Potable Water Service and Wastewater Disposal

The subject property is located within the Miami-Dade Water and Sewer Department (MDWASD) water franchised service area. Public water mains are within a portion of the site in the form of a 12-inch water main that runs along NW 7<sup>th</sup> Street. Said water main is owned and operated by MDWASD.

The source for this water supply is the MDWASD's Hialeah-Preston Water Treatment Plant. This plant has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.

The subject property is located within MDWASD sanitary sewer franchised service area. Public sanitary sewers run within the site in the form of an 8-inch gravity main abutting the property along NW 7<sup>th</sup> Street.

The aforementioned gravity main directs the sewer flow to sanitary pump station 30-0100, then to pump station 30-001 and then to the Central District Wastewater Treatment Plant. The aforementioned sanitary sewer pump station as well as the South District Wastewater Treatment Plant are owned and operated by MDWASD. The aforementioned pump stations are currently working within the mandated criteria set forth in the new USEPA/FDEP Consent Decree (Case: N0. 1:12-cv-24400-FAM, effective December 6, 2013). At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

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

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

Applicant is advised that an Environmental Resource Permit from the South Florida Water Management District (1-800-432-2045) may be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. It is the applicant's responsibility to contact the above mentioned agency for further information regarding permitting procedures and requirements.

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

Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

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

The applicant is advised that an existing 15-foot drainage easement is located on the site for drainage conveyance/outfall. Proposed work shall not impact this easement. The applicant is advised that any work in the drainage easement will require a DERM Class III Permit.

The applicant is advised that a DERM Class II Permit will be required if the proposed surface water management system will have an overflow outfall to the adjacent lake.

#### Pollution Remediation

There are no records of current contamination assessment/remediation issues on the subject site or records of current contamination assessment/remediation issues for sites directly abutting the property.

#### Coastal Resources

Any proposed project should employ turbidity barriers and means of containment so materials from the proposed operation do not enter surface waters. Said containment systems should be designed to account for tidal and wind influence.

Potential impacts to the Federally Endangered West Indian Manatee may result as manatees are known to frequent waters adjacent to the subject property. Manatees have been injured or killed by entrapment in existing culverts as well as roadway/culvert projects under construction within Miami-Dade County. The Miami-Dade County Manatee Protection Plan (MPP) requires that all new or

replacement culverts and outfalls accessible to manatees be designed to prevent entrapment of or injury to these animals. Those outfalls which are greater than 7 inches and less than 60 inches in diameter shall be covered with grates or screens with spaces less than 7 inches wide in order to prevent entrapment. New culverts installed in areas not previously accessible to manatees shall be covered with flap gates or other devices designed so as not to cause injury to manatees, and to prevent the animals from entering the outfall including during construction.

Further, all State of Florida 2011 Standard Manatee Protection Conditions for Construction should be implemented.

Please note that an operating permit is required for all commercial boat docking facilities and for all recreational boat docking facilities with a total of ten (10) or more boat slips, moorings, davit spaces and vessel tie-up spaces.

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.

#### Wetlands

An on site inspection performed by staff on August 4, 2014 revealed that the subject property does not contain wetlands as defined by Section 24-5 of the Code. Therefore, a Class IV Wetlands Permit will not be required.

#### Tree Preservation

Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

Pursuant to Section 24-49 of the Code and the minimum requirements of the Miami-Dade County Landscape Ordinance, prohibited plant species shall be removed or eradicated from all portions of this property prior to development or redevelopment. See the following link for a list of the species:

<http://www.miamidade.gov/environment/prohibited-plants.asp>.

These prohibited species shall be removed upon development or redevelopment. Furthermore, prohibited plant species shall not be sold, propagated, planted, imported or transported and each property shall be maintained at all times to prevent the growth or accumulation of all prohibited species including non-native grasses, weeds and undergrowth.

#### 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.

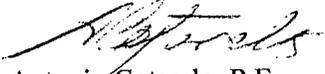
cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** March 23, 2015

**To:** Eric Silva  
Development Coordinator  
Regulatory and Economic Resource Department

**From:**   
Antonio Cotarelo, P.E.  
Deputy Director and County Engineer  
Public Works and Waste Management Department

**Subject:** DIC 14-077  
Name: Bravo Partners Blue Lagoon, LLC  
Section 02 Township 54 South Range 40 East

---

I. PROJECT LOCATION:

6700 NW 7 Street

II. APPLICATION REQUEST:

This application requests a district boundary change from IU-2 to BU-2, a special exemption to allow multi-family in the BU-2 district and a non-use variance of floor area ratio.

III. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION:

Access to the site is available from the east and the west from NW 7 Street and State Road 836 and from the north and the south from State Road 826, 72 Avenue, 67 Avenue, 62 Avenue and 57 Avenue.

IV. RECOMMENDATION:

This project is located within the jurisdiction of Miami-Dade County. This project is subject to the payment of Road Impact Fees. Additional improvements may be required at time of permitting/platting. **Public Works and Waste Management recommends approval of this application with the conditions herein.**

V. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY:

A. Trip Generation (Based on Institute of Transportation Engineers 8<sup>th</sup> Edition)

169 PM Peak Hour trips are generated by this development.

B. Cardinal Distribution

|       |     |      |     |
|-------|-----|------|-----|
| North | 24% | East | 29% |
| South | 23% | West | 24% |

VI. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

**Station F-1202** located on NW 72 Avenue north of NW 12 Street, has a maximum LOS "E" of **5390** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **2870** vehicles and an additional **26** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-1202** with its PHP and assigned vehicles is at LOS "C". The **21** vehicle trips generated by this development when combined with the **2870** and those previously approved through Development Orders, **26**, equal **2917** and will cause this segment to remain at LOS "C" which is less than 5250.

**Station F-1201** located on NW 72 Avenue north of West Flagler Street, has a maximum LOS "E" of **5390** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **3524** vehicles and an additional **20** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-1201** with its PHP and assigned vehicles is at LOS "C". The **57** vehicle trips generated by this development when combined with the **3524** and those previously approved through Development Orders, **20**, equal **3601** and will cause this segment to remain at LOS "C" which is less than 5250.

**Station F-2188** located on SR836 east of Palmetto Expressway, has a maximum LOS "D" of **13,390** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **12,799** vehicles and an additional **6** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-2188** with its PHP and assigned vehicles is at LOS "D". The **17** vehicle trips generated by this development when combined with the **12,799** and those previously approved through Development Orders, **6**, equal **12,822** and will cause this segment to remain at LOS "D" whose range is 11,101 to 13,390.

**Station F-527** located on SW 8 Street west of SW 57 Avenue, has a maximum LOS "E+50" of **5370** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **2869** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-527** with its PHP and assigned vehicles is at LOS "C". The **21** vehicle trips generated by this development when combined with the **2869** and those previously approved through Development Orders, **0**, equal **2890** and will cause this segment to remain at LOS "C" which is less than 3420.

**Station F-35** located on SW 57 Avenue south of SW 24 Street, has a maximum LOS "E" of **1600** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **926** vehicles and an additional **18** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-35** with its PHP and assigned vehicles is at LOS "C". The **15** vehicle trips generated by this development when combined with the **926** and those previously approved through Development Orders, **18**, equal **959** and will cause this segment to remain at LOS "C" which is less than 1510.

**Station 9348** located on NW 7 Street west of NW 60 Avenue, has a maximum LOS “E+50” of **4425** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1512** vehicles and an additional **23** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9348** with its PHP and assigned vehicles is at LOS “D”. The **38** vehicle trips generated by this development when combined with the **1512** and those previously approved through Development Orders, **23**, equal **1573** and will cause this segment to remain at LOS “D” whose range is 491 to 2450.

VII. SITE PLAN CRITIQUE:

- Provide turnaround area at the end of “dead-end” parking aisle in parking garage #2.
- Provide five foot of additional space at the end of parking aisle where stall is marked for back out space.
- Secondary driveway to remain “open” for exit for residents and visitors.
- Show stacking distance required per traffic study.
- Revise accessible parking sign and parking stall markings per County standards.
- Construct a traffic separator between residence access lane and by-pass lane.
- Include gate operation note to specify that the resident gate will remain closed when visitor gate is opened.
- This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 3, Block 1, Plat Book 148, Page 47.

VIII. ACCESS IMPROVEMENTS REQUIRED FOR THIS PROJECT:

- An exclusive westbound left-turn lane must be provided at project’s main driveway for entering vehicles.
- The project access configuration is proposed to have full access. However, due to conflicting movements and short distances between adjacent median openings, the northbound left-turn movement cannot be allowed at this driveway. Therefore, the entrance must be designed to restrict such a movement.
- The proposed crosswalk (across NW 7 Street) on the west leg should be removed. Instead, a public sidewalk must be provided on the south side of NW 7 Street (along the frontage of the property) to provide pedestrian connectivity to adjacent transit stops.
- A separate review is required by the Miami-Dade Regulatory and Economic Resources Department (RER) for the entrance features shown in Figure 2B on page 5 of the report.

Eric Silva

Page 4

IX. STANDARD CONDITIONS:

A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."

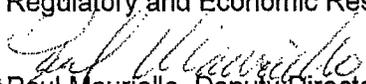
- c: Raul A. Pino, PLS, Department of Regulatory and Economic Resources  
Joan Shen, Ph. D., P.E., PTOE, Chief, Traffic Engineering Division, PWWM  
Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division, PWWM

# Memorandum



**Date:** December 31, 2014

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

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

**Subject:** Update Bravo Partners Blue Lagoon, LLC (#14\_077)

---

The Department's review of the above-referenced item is provided below. This memo updates a previous response, dated August 4, 2014 to submit revised development plans. Additional comments will be provided as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager, Fiscal Management and Planning Division at 305-375-1354. **The PWWM has no objections to the proposed application.**

**Application:** *Bravo Partners Blue Lagoon, LLC* maintains the request for 1) a district boundary change from Industrial, heavy manufacturing (IU-2) to Special Business (BU-2); and 2) a special exception to allow residential uses in the Special Business district. Additionally, the applicant requests 3) the withdrawal of a non-use variance of floor area ratio; and 4) a series of non-use variances to construct a rental multi-family residential project.

**Size:** The subject property is 7.44 acres.

**Location:** The subject property is vacant, approximately located at 6700 NW 7<sup>th</sup> Street, in Miami-Dade County, Florida.

## **Analysis:**

### 1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 18, 2014, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

## 2. Garbage and Trash Collection Services

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, development a multi-family residential project will meet the County Code definition of multi-family residential establishments.

Per the Code, the following is required of multi-family residential establishments located in unincorporated Miami-Dade County:

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

## 3. Recycling

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

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

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

Applicants are **strongly** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling programs must be made directly to the Department at 305-514-6666.

## 4. Waste Storage/Setout Considerations

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

## 5. Site Circulation Considerations

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

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

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

# Memorandum



**Date:** February 17, 2015

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

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

**Subject:** Z2014000077: BRAVO PARTNERS BLUE LAGOON LLC  
Revised Plans Submitted Dated Stamped Received 2/5/2015

**Application Name:** BRAVO PARTNERS BLUE LAGOON LLC

**Project Location:** The site is located in that area LYING SOUTH OF NW 7 STREET AND ON BOTH SIDES OF THEORETICAL NW 67 AVENUE, Miami-Dade County.

**Proposed Development:** The request is for a district boundary change from IU-2 to BU-2, a special exception for residential uses in the BU-2 district and an associated non-use variance. This application proposes a development of 272 multi-family dwelling units including private recreation consisting of a pool and clubhouse overlooking the adjacent lake.

**Impact and demand:** This application proposes a development of 272 multi-family dwelling units with an estimated population of 598 and an impact to the Level of Service (LOS) of approximately 1.65 acres. The site is located along the boundary of Park Benefit Districts 1 and 2 which have a surplus of 156.45 acres and 491.32 acres of local parkland, respectively, and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in located along the boundary of Park Benefit Districts 1 and 2 which have a surplus of 156.45 acres and 491.32 acres of local parkland, respectively, when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park.

**Table A - County Parks (local only)  
Within a 3 Mile Radius of Application Area.**

| Park Facility                        | Classification      | Acreage |
|--------------------------------------|---------------------|---------|
| Sunset Heights Park                  | MINI-PARK           | 2.00    |
| Schenley Park                        | NEIGHBORHOOD PARK   | 5.70    |
| Brothers To The Rescue Memorial Park | SINGLE PURPOSE PARK | 0.92    |
| San Jacinto Park                     | MINI-PARK           | 0.37    |
| Coral Villas Park                    | MINI-PARK           | 2.00    |
| Sunset Heights Park                  | MINI-PARK           | 5.70    |
| Schenley Park                        | NEIGHBORHOOD PARK   | 0.92    |

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor



# Miami-Dade County Public Schools

*giving our students the world*

**Superintendent of Schools**  
Alberto M. Carvalho

**Miami-Dade County School Board**  
Perla Tabares Hantman, Chair  
Dr. Lawrence S. Feldman, Vice Chair  
Dr. Dorothy Bendross-Mindingall  
Susie V. Castillo  
Dr. Wilbert "Tee" Holloway  
Dr. Martin Karp  
Dr. Marta Pérez  
Raquel A. Regalado

February 6, 2015

**VIA ELECTRONIC MAIL**

Mr. Gilberto Pastoriza, Senior Counsel  
Weiss Serota Helfman Cole Bierman & Popok  
2525 Ponce de Leon Blvd., Suite 700  
Coral Gables, Florida 33134

[gpastoriza@wsh-law.com](mailto:gpastoriza@wsh-law.com)

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS  
BRAVO PARTNERS BLUE LAGOON, INC. - Z2014000077  
LOCATED SOUTH OF NW 7 ST. AND ON BOTH SIDES OF THEORETICAL NW 67 AVE.  
PH3015011600014 – FOLIO No.: 3040020490030**

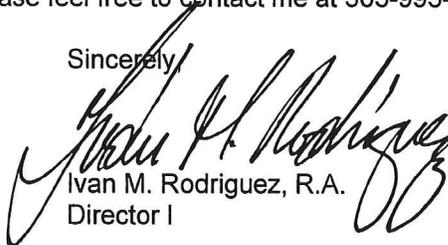
Dear Applicant:

Pursuant to State Statutes and the Interlocal Agreements for Public School Facility Planning in Miami-Dade County, the above-referenced application was reviewed for compliance with Public School Concurrency. Accordingly, enclosed please find the School District's Preliminary Concurrency Analysis (Schools Planning Level Review).

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed development would yield a maximum residential density of 272 multi-family units, which generate 55 students; 25 elementary, 14 middle and 16 senior high students. **At this time, all three school levels have sufficient capacity available to serve the application.** However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. As such, this analysis does not constitute a Public School Concurrency approval.

Should you have any questions, please feel free to contact me at 305-995-4501.

Sincerely,



Ivan M. Rodriguez, R.A.  
Director I

IMR:ir  
L-376

Enclosure

cc: Ms. Ana Rijo-Conde, AICP  
Ms. Vivian G. Villaamil  
Miami-Dade County  
School Concurrency Master File

*Facilities Planning, Design and Sustainability*

Ana Rijo-Conde, AICP, Deputy Chief Facilities and Eco-Sustainability Officer • 1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132  
305-995-7285 • 305-995-4760 (FAX) • [arijo@dadeschools.net](mailto:arijo@dadeschools.net)

2015 MAR 24 P 3:18  
PLANNING AND ZONING  
AGENDA OFFICE

25



**Concurrency Management System (CMS)**

Miami Dade County Public Schools

**Miami-Dade County Public Schools**

**Concurrency Management System  
Preliminary Concurrency Analysis**

MDCPS Application Number: PH3015011600014 Local Government (LG): Miami-Dade  
 Date Application Received: 1/16/2015 9:44:29 AM LG Application Number: Z2014000077  
 Type of Application: Public Hearing Sub Type: Zoning

Applicant's Name: BRAVO PARTNERS BLUE LAGOON, INC., c/o Gilberto Pas  
 Address/Location: 2525 Ponce De Leon Blvd., Suite 700, Coral Gables, FL 33134  
 Master Folio Number: 3040020490030  
 Additional Folio Number(s):

PROPOSED # OF UNITS 272  
 SINGLE-FAMILY DETACHED UNITS: 0  
 SINGLE-FAMILY ATTACHED UNITS: 0  
 MULTIFAMILY UNITS: 272



**CONCURRENCY SERVICE AREA SCHOOLS**

| CSA Id | Facility Name       | Net Available Capacity | Seats Required | Seats Taken | LOS Met | Source Type                |
|--------|---------------------|------------------------|----------------|-------------|---------|----------------------------|
| 1801   | FAIRLAWN ELEMENTARY | -39                    | 25             | 0           | NO      | Current CSA                |
| 1801   | FAIRLAWN ELEMENTARY | 0                      | 25             | 0           | NO      | Current CSA Five Year Plan |
| 6961   | WEST MIAMI MIDDLE   | 302                    | 14             | 14          | YES     | Current CSA                |
| 7721   | SOUTH MIAMI SENIOR  | 6                      | 16             | 6           | NO      | Current CSA                |
| 7721   | SOUTH MIAMI SENIOR  | 0                      | 10             | 0           | NO      | Current CSA Five Year Plan |

**ADJACENT SERVICE AREA SCHOOLS**

|      |                          |     |    |    |     |              |
|------|--------------------------|-----|----|----|-----|--------------|
| 3381 | MIAMI SPRINGS ELEMENTARY | 42  | 25 | 25 | YES | Adjacent CSA |
| 7511 | MIAMI SPRINGS SENIOR     | 328 | 10 | 10 | YES | Adjacent CSA |

\*An Impact reduction of 22.36% included for charter and magnet schools (Schools of Choice).

MDCPS has conducted a preliminary public school concurrency review of this application; please see results above. A final determination of public school concurrency and capacity reservation will be made at the time of approval of plat, site plan or functional equivalent. **THIS ANALYSIS DOES NOT CONSTITUTE PUBLIC SCHOOL CONCURRENCY APPROVAL.**

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7634 / 305-995-4760 fax / concurrency@dadeschools.net

2015 MAR 24 P 3:19  
 PLANNING AND ZONING  
 ADMINISTRATION OFFICE

## **Furney, Susan (RER)**

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**From:** Castillo, Guillermo (MDFR)  
**Sent:** Thursday, February 26, 2015 3:54 PM  
**To:** Henderson, Cassandra (RER)  
**Cc:** Furney, Susan (RER); Connally, Ronald (RER); Gutierrez, Franklin (RER); Heredia, Carlos (MDFR)  
**Subject:** Zoning Hearing Distribution of Revision (Case # Z2014000077)

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

- No objection to the site plan with a 12/9/14 RER received date (the short 10' section of road at the round-a-bout is not a necessary Fire Department access road).

Thank you,

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

# Memorandum



**Date:** December 23, 2014  
**To:** Jack Osterholt, Director  
Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief   
Miami-Dade Fire Rescue Department  
**Subject:** DIC 2014000077 – Bravo Partners Blue Lagoon, LLC (Revision No. 1)

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According to the revised letter of intent dated August 27, 2014, the applicant is seeking to rezone an approximate 7 acre parcel of land lying south of NW 7 Street at NW 67 Avenue from IU-2 (Industrial District) to BU-2 (Special Business District). The applicant is also seeking a Special Exception to allow residential uses in the BU-2 district along with a variance of zoning regulations to allow a greater floor area ratio than permitted. The applicant intends to develop the property with a multi-family residential complex consisting of 272 units.

## SERVICE IMPACT/DEMAND

- (A) Based on development information, this project is expected to generate approximately 76 fire and rescue calls annually. Although the estimated number of alarms results in a moderate impact to existing fire and rescue service, current stations serving this area will be able to absorb the additional number of alarms.
- (B) Based on data retrieved during calendar year 2014, the average travel time to the vicinity of the proposed development was 7:29 minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.
- (C) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires four (4) suppression units; one of which must be an aerial, and the other three may be a combination of engines, tankers, ladders or aerials. Additionally, the assignment will require one (1) rescue and a battalion commander. This assignment requires twenty (20) firefighters and officers.

## EXISTING SERVICES

| STATION | ADDRESS            | EQUIPMENT                 | STAFF |
|---------|--------------------|---------------------------|-------|
| 40      | 975 SW 62 Avenue   | Rescue, Engine            | 7     |
| 3       | 3911 SW 82 Avenue  | Rescue, Engine            | 7     |
| 47      | 9361 SW 24 Street  | Rescue, Engine            | 7     |
| 48      | 8825 NW 18 Terrace | Rescue, Engine            | 7     |
| 29      | 351 SW 107 Avenue  | Rescue, Aerial, Battalion | 8     |

SITE PLAN REVIEW:

- (A) Fire Engineering & Water Supply Bureau reviewed and approved the revised site plan entitled 'Blue Lagoon Residences' as prepared by MSA Architects, dated stamp received December 9, 2014.
- (B) This plan has been reviewed to assure compliance with the MDRR Access Road Requirements for DIC applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must be reviewed by the Fire Engineering & Water Supply Bureau to assure compliance with the Florida Fire Prevention Code (FFPC) and National Fire Protection Association (NFPA) standards, including all applicable conditions set forth during the DIC review process.

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

DATE: 10-FEB-15  
REVISION 1

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

BRAVO PARTNERS BLUE LAGOON  
LLC

LYING SOUTH OF NW 7 STREET  
AND ON BOTH SIDES OF  
THEORETICAL NW 67 AVENUE,  
MIAMI-DADE COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

Z2014000077

---

HEARING NUMBER

**HISTORY:**

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

Bravo Partners

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

**REPORTER NAME:**

**PHOTOGRAPHS –submit photos showing entire site and all structures**

**FRONT ELEVATION**



**SIDE ELEVATION**



**REAR ELEVATION**



**RECEIVED**  
214-077  
JUL 22 2014  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By *[Signature]*

Additional photos may be submitted

# Memorandum



**Date:** September 3, 2014

**To:** Eric Silva, AICP, Assistant Director  
Development Services Division  
Department of Regulatory and Economic Resources

**From:** *JDP*  
J.D. Patterson, Director  
Miami-Dade Police Department

**Subject:** Review – Developmental Impact Committee Review - Zoning Application  
Case: No. Z2014000077 – Bravo Partners Blue Lagoon LLC

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## APPLICATION

The Applicant, Bravo Partners Blue Lagoon LLC, is requesting district zoning changes in order to build a multifamily rental development consisting of 272 residential units on approximately 7.44 acres of land. The subject property is located south of NW 7 Street on both sides of NW 67 Avenue, in Miami-Dade County, Florida. Based on the proposed increase in residential units, the population is estimated to increase by 645 permanent residents within the police district currently servicing the area.

## CURRENT POLICE SERVICES

The subject property is located in unincorporated Miami-Dade County and serviced by our Midwest District, located at 9101 NW 25 Street, Doral, Florida. Our current staffing allows for an average emergency response time of eight minutes or less.

## REVIEW

A review of the application and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. Current data of police staffing and population was examined and compared to expected population growth and projected increases in calls for service. Based on this data, a minimum of one additional sworn police officer would need to be added to the Midwest District staffing in order to maintain current staffing levels to population and projected volume of calls for service. Should demand for police services increase beyond these calculations, additional sworn personnel, support staff, and equipment may be required to maintain current levels of service.

**The MDPD does not object to any proposed zoning modifications to complete this project.** The applicant and developers are encouraged to work with police during any future application, design, or construction changes to determine the best possible solutions or security options.

Should you have any questions or require additional information, Sergeant Keith Hedrick, of the Strategic Planning and Development Section, may be contacted at (305) 471-1990.

JDP/kh  
Attachment



**MIAMI DADE POLICE DEPARTMENT**  
**57B - Summarized CFS Year Comparison By Call Type-Grid-Signal**  
**Z2014000077-Brave Partners Blue Lagoon Inc.**  
**Complaint Date Range: Jan 1, 2014 - Dec 31, 2014**



**EMERGENCY**

| Grid Code                  | CAD Signal Code           | YTD 2014         | LYTD 2013        | P_LYTD 2012      |
|----------------------------|---------------------------|------------------|------------------|------------------|
| 1244                       | 17 TRAFFIC ACCIDENT       | 1                | 1                | 1                |
|                            | 41 SICK OR INJURED PERSON | 2                | 3                | 1                |
| <b>TOTAL FOR GRID 1244</b> |                           | <b>3</b>         | <b>4</b>         | <b>2</b>         |
| 1245                       | 14 CONDUCT INVESTIGATION  | 1                | 0                | 0                |
|                            | 15 MEET AN OFFICER        | 0                | 1                | 0                |
|                            | 17 TRAFFIC ACCIDENT       | 3                | 10               | 4                |
|                            | 18 HIT AND RUN            | 0                | 1                | 1                |
|                            | 41 SICK OR INJURED PERSON | 14               | 21               | 20               |
| <b>TOTAL FOR GRID 1245</b> |                           | <b>18</b>        | <b>33</b>        | <b>25</b>        |
|                            |                           | Reported: 5      | Reported: 10     | Reported: 4      |
|                            |                           | Not Reported: 16 | Not Reported: 27 | Not Reported: 23 |
| <b>TOTAL EMERGENCY</b>     |                           | <b>21</b>        | <b>37</b>        | <b>27</b>        |



**MIAMI DADE POLICE DEPARTMENT**  
**57B - Summarized CFS Year Comparison By Call Type-Grid-Signal**  
**Z2014000077-Brave Partners Blue Lagoon Inc.**  
**Complaint Date Range: Jan 1, 2014 - Dec 31, 2014**



**PRIORITY**

| Grid Code                  | CAD Signal Code            | YTD 2014         | LYTD 2013        | P_LYTD 2012     |
|----------------------------|----------------------------|------------------|------------------|-----------------|
| 1244                       | 14 CONDUCT INVESTIGATION   | 0                | 0                | 1               |
|                            | 17 TRAFFIC ACCIDENT        | 1                | 0                | 0               |
|                            | 26 BURGLARY                | 0                | 1                | 0               |
|                            | 34 DISTURBANCE             | 0                | 1                | 0               |
| <b>TOTAL FOR GRID 1244</b> |                            | <b>1</b>         | <b>2</b>         | <b>1</b>        |
| 1245                       | 14 CONDUCT INVESTIGATION   | 5                | 2                | 0               |
|                            | 15 MEET AN OFFICER         | 0                | 2                | 0               |
|                            | 17 TRAFFIC ACCIDENT        | 0                | 1                | 0               |
|                            | 32 ASSAULT                 | 0                | 3                | 2               |
|                            | 34 DISTURBANCE             | 5                | 2                | 3               |
|                            | 47 BOMB OR EXPLOSIVE ALERT | 1                | 0                | 1               |
| <b>TOTAL FOR GRID 1245</b> |                            | <b>11</b>        | <b>10</b>        | <b>6</b>        |
| 1299                       | 32 ASSAULT                 | 0                | 0                | 1               |
| <b>TOTAL FOR GRID 1299</b> |                            | <b>0</b>         | <b>0</b>         | <b>1</b>        |
|                            |                            | Reported: 1      | Reported: 2      | Reported: 1     |
|                            |                            | Not Reported: 11 | Not Reported: 10 | Not Reported: 7 |
| <b>TOTAL PRIORITY</b>      |                            | <b>12</b>        | <b>12</b>        | <b>8</b>        |



**MIAMI DADE POLICE DEPARTMENT**  
**57B - Summarized CFS Year Comparison By Call Type-Grid-Signal**  
**Z2014000077-Brave Partners Blue Lagoon Inc.**  
**Complaint Date Range: Jan 1, 2014 - Dec 31, 2014**



**ROUTINE**

| Grid Code                  | CAD Signal Code                   | YTD 2014  | LYTD 2013 | P_LYTD 2012 |
|----------------------------|-----------------------------------|-----------|-----------|-------------|
| <b>1244</b>                | 13 SPECIAL INFORMATION/ASSIGNMENT | 1         | 2         | 1           |
|                            | 14 CONDUCT INVESTIGATION          | 13        | 8         | 12          |
|                            | 15 MEET AN OFFICER                | 1         | 0         | 1           |
|                            | 17 TRAFFIC ACCIDENT               | 11        | 6         | 11          |
|                            | 18 HIT AND RUN                    | 4         | 2         | 3           |
|                            | 19 TRAFFIC STOP                   | 4         | 2         | 0           |
|                            | 20 TRAFFIC DETAIL                 | 0         | 0         | 2           |
|                            | 22 AUTO THEFT                     | 0         | 0         | 3           |
|                            | 25 BURGLAR ALARM RINGING          | 3         | 1         | 2           |
|                            | 26 BURGLARY                       | 8         | 26        | 12          |
|                            | 27 LARCENY                        | 4         | 4         | 2           |
|                            | 28 VANDALISM                      | 0         | 0         | 1           |
|                            | 32 ASSAULT                        | 1         | 1         | 2           |
|                            | 34 DISTURBANCE                    | 10        | 19        | 3           |
|                            | 36 MISSING PERSON                 | 0         | 0         | 1           |
|                            | 37 SUSPICIOUS VEHICLE             | 1         | 2         | 0           |
|                            | 38 SUSPICIOUS PERSON              | 2         | 1         | 0           |
|                            | 39 PRISONER                       | 0         | 1         | 0           |
|                            | 41 SICK OR INJURED PERSON         | 1         | 2         | 0           |
|                            | 49 FIRE                           | 0         | 1         | 1           |
| 52 NARCOTICS INVESTIGATION | 1                                 | 0         | 0         |             |
| 54 FRAUD                   | 1                                 | 0         | 0         |             |
| <b>TOTAL FOR GRID 1244</b> |                                   | <b>66</b> | <b>78</b> | <b>57</b>   |
| <b>1245</b>                | 13 SPECIAL INFORMATION/ASSIGNMENT | 20        | 24        | 25          |
|                            | 14 CONDUCT INVESTIGATION          | 77        | 143       | 151         |
|                            | 15 MEET AN OFFICER                | 9         | 15        | 6           |
|                            | 16 D.U.I.                         | 0         | 0         | 2           |
|                            | 17 TRAFFIC ACCIDENT               | 45        | 68        | 69          |
|                            | 18 HIT AND RUN                    | 8         | 16        | 19          |
|                            | 19 TRAFFIC STOP                   | 17        | 35        | 42          |
|                            | 20 TRAFFIC DETAIL                 | 4         | 6         | 2           |
|                            | 21 LOST OR STOLEN TAG             | 3         | 6         | 1           |
|                            | 22 AUTO THEFT                     | 6         | 2         | 9           |
|                            | 25 BURGLAR ALARM RINGING          | 54        | 89        | 128         |
|                            | 26 BURGLARY                       | 37        | 49        | 49          |
|                            | 27 LARCENY                        | 18        | 42        | 40          |
|                            | 28 VANDALISM                      | 7         | 5         | 3           |
| 29 ROBBERY                 | 0                                 | 0         | 1         |             |
| 32 ASSAULT                 | 6                                 | 10        | 16        |             |

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**MIAMI DADE POLICE DEPARTMENT**  
**57B - Summarized CFS Year Comparison By Call Type-Grid-Signal**  
**Z2014000077-Brave Partners Blue Lagoon Inc.**  
**Complaint Date Range: Jan 1, 2014 - Dec 31, 2014.**



| Grid Code                  | CAD Signal Code                   | YTD 2014          | LYTD 2013         | P_LYTD 2012       |
|----------------------------|-----------------------------------|-------------------|-------------------|-------------------|
| 1245                       | 33 SEX OFFENSE                    | 0                 | 4                 | 3                 |
|                            | 34 DISTURBANCE                    | 35                | 55                | 40                |
|                            | 36 MISSING PERSON                 | 2                 | 2                 | 3                 |
|                            | 37 SUSPICIOUS VEHICLE             | 0                 | 2                 | 1                 |
|                            | 38 SUSPICIOUS PERSON              | 2                 | 1                 | 3                 |
|                            | 39 PRISONER                       | 0                 | 3                 | 1                 |
|                            | 41 SICK OR INJURED PERSON         | 9                 | 18                | 14                |
|                            | 43 BAKER ACT                      | 1                 | 3                 | 2                 |
|                            | 44 ATTEMPTED SUICIDE              | 1                 | 1                 | 1                 |
|                            | 45 DEAD ON ARRIVAL                | 0                 | 1                 | 0                 |
|                            | 49 FIRE                           | 2                 | 5                 | 6                 |
|                            | 52 NARCOTICS INVESTIGATION        | 0                 | 1                 | 1                 |
|                            | 54 FRAUD                          | 9                 | 13                | 15                |
| <b>TOTAL FOR GRID 1245</b> |                                   | <b>372</b>        | <b>619</b>        | <b>653</b>        |
| 1299                       | 13 SPECIAL INFORMATION/ASSIGNMENT | 15                | 16                | 18                |
|                            | 14 CONDUCT INVESTIGATION          | 3                 | 3                 | 7                 |
|                            | 15 MEET AN OFFICER                | 0                 | 1                 | 3                 |
|                            | 17 TRAFFIC ACCIDENT               | 0                 | 0                 | 1                 |
|                            | 19 TRAFFIC STOP                   | 2                 | 4                 | 2                 |
|                            | 27 LARCENY                        | 0                 | 1                 | 0                 |
|                            | 29 ROBBERY                        | 1                 | 0                 | 0                 |
|                            | 32 ASSAULT                        | 0                 | 1                 | 1                 |
|                            | 34 DISTURBANCE                    | 0                 | 0                 | 1                 |
|                            | 39 PRISONER                       | 2                 | 1                 | 0                 |
|                            | 43 BAKER ACT                      | 1                 | 0                 | 0                 |
| 52 NARCOTICS INVESTIGATION | 1                                 | 1                 | 2                 |                   |
| <b>TOTAL FOR GRID 1299</b> |                                   | <b>25</b>         | <b>28</b>         | <b>35</b>         |
|                            |                                   | Reported: 216     | Reported: 309     | Reported: 364     |
|                            |                                   | Not Reported: 247 | Not Reported: 416 | Not Reported: 381 |
| <b>TOTAL ROUTINE</b>       |                                   | <b>463</b>        | <b>725</b>        | <b>745</b>        |
| <b>GRAND TOTAL</b>         |                                   | <b>496</b>        | <b>774</b>        | <b>780</b>        |

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**MIAMI DADE POLICE DEPARTMENT**  
**57B - Summarized CFS Year Comparison By Call Type-Grid-Signal**  
Report Filters



**Complaint Date Range:** Jan 1, 2014 - Dec 31, 2014

**Grid:** 1245, 1244, 1299

**Signal:** 13 SPECIAL INFORMATION/ASSIGNMENT, 14 CONDUCT INVESTIGATION, 15 MEET AN OFFICER, 16 D.U.I., 17 TRAFFIC ACCIDENT, 18 HIT AND RUN, 19 TRAFFIC STOP, 20 TRAFFIC DETAIL, 21 LOST OR STOLEN TAG, 22 AUTO THEFT, 23 CLEARANCE CHECK, 24 COMPLETE CHECK, 25 BURGLAR ALARM RINGING, 26 BURGLARY, 27 LARCENY, 28 VANDALISM, 29 ROBBERY, 30 SHOOTING, 31 HOMICIDE, 32 ASSAULT, 33 SEX OFFENSE, 34 DISTURBANCE, 35 INTOXICATED PERSON - MYERS ACT, 36 MISSING PERSON, 37 SUSPICIOUS VEHICLE, 38 SUSPICIOUS PERSON, 39 PRISONER, 40 SUBJECT POSSIBLY WANTED, 41 SICK OR INJURED PERSON, 42 AMBULANCE, 43 BAKER ACT, 44 ATTEMPTED SUICIDE, 45 DEAD ON ARRIVAL, 46 MEDICAL DETAIL, 47 BOMB OR EXPLOSIVE ALERT, 48 EXPLOSION, 49 FIRE, 50 ORGANIZED CRIME FIGURE, 51 NARCOTICS VIOLATOR, 52 NARCOTICS INVESTIGATION, 53 ABDUCTION, 54 FRAUD, 55 WEAPONS VIOLATION

**Agency:** MIAMI-DADE

**District:**

**Call Type:** PRIORITY, ROUTINE, EMERGENCY

**Primary Unit:** Primary Unit not contains '0000' 'SB' 'CR' or Primary Unit does not exits

**CDW Package**

**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: **BRAVO PARTNERS BLUE LAGOON, LLC**

| NAME AND ADDRESS  | Percentage of Stock |
|---|---------------------|
| Armando Bravo – 2645 Douglas Road, Suite 301<br>Miami, FL 33133 | 15%                 |
| <b>NLJ RE Holdings, LLC</b>                                     | 85%                 |
| Felipe A. Valls   | 28%                 |
| Jeannette Valls Edwards   | 28%                 |
| Leticia Tornes  | 29%                 |

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 Stock |
|------------------|---------------------|
|                  |                     |
|                  |                     |
|                  |                     |

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 Stock |
|------------------|---------------------|
|                  |                     |
|                  |                     |
|                  |                     |

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: ASCEND PROPERTIES, LLC

| NAME AND ADDRESS AND OFFICE (if applicable) | Percentage of Interest |
|---|------------------------|
|   |                        |
|   |                        |

Date of contract: November 18, 2013

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: \_\_\_\_\_

*[Handwritten Signature]*  
(Applicant)

Sworn to and subscribed before me this 3 day of June, 2014. Affiant is personally known to me  or has produced \_\_\_\_\_ as identification.

(Notary Public)

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



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: \_\_\_\_\_

| <u>NAME AND ADDRESS</u> | <u>Percentage of Stock</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: Ascend Properties, LLC

| NAME, ADDRESS AND OFFICE (if applicable) | Percentage of Interest |
|--|------------------------|
| <u>Michael Wohl</u>                      | <u>40%</u>             |
| <u>Richard Finkelstein</u>               | <u>40%</u>             |
| <u>Dean Borg</u>                         | <u>20%</u>             |
| _____                                    | _____                  |
| _____                                    | _____                  |

Date of contract: November 18, 2013

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:** [Handwritten Signature] *Attorney for Applicant*

(Applicant)

Sworn to and subscribed before me this 21 day of July, 2014. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

[Handwritten Signature]  
 (Notary Public)



MARILYN SOMODEVILLA  
 MY COMMISSION # EE 116532  
 EXPIRES: September 13, 2015  
 Bonded Thru Budget Notary Services

My commission expires: \_\_\_\_\_ 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.



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

Process Number

**Z2014000077**

Section: 01/02 Township: 54 Range: 40  
 Section: 51 Township: 53 Range: 40  
 Applicant: BRAVO PARTNERS BLUE LAGOON LLC  
 Zoning Board: C8  
 Commission District: 6  
 Drafter ID: F. Arencibia  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning

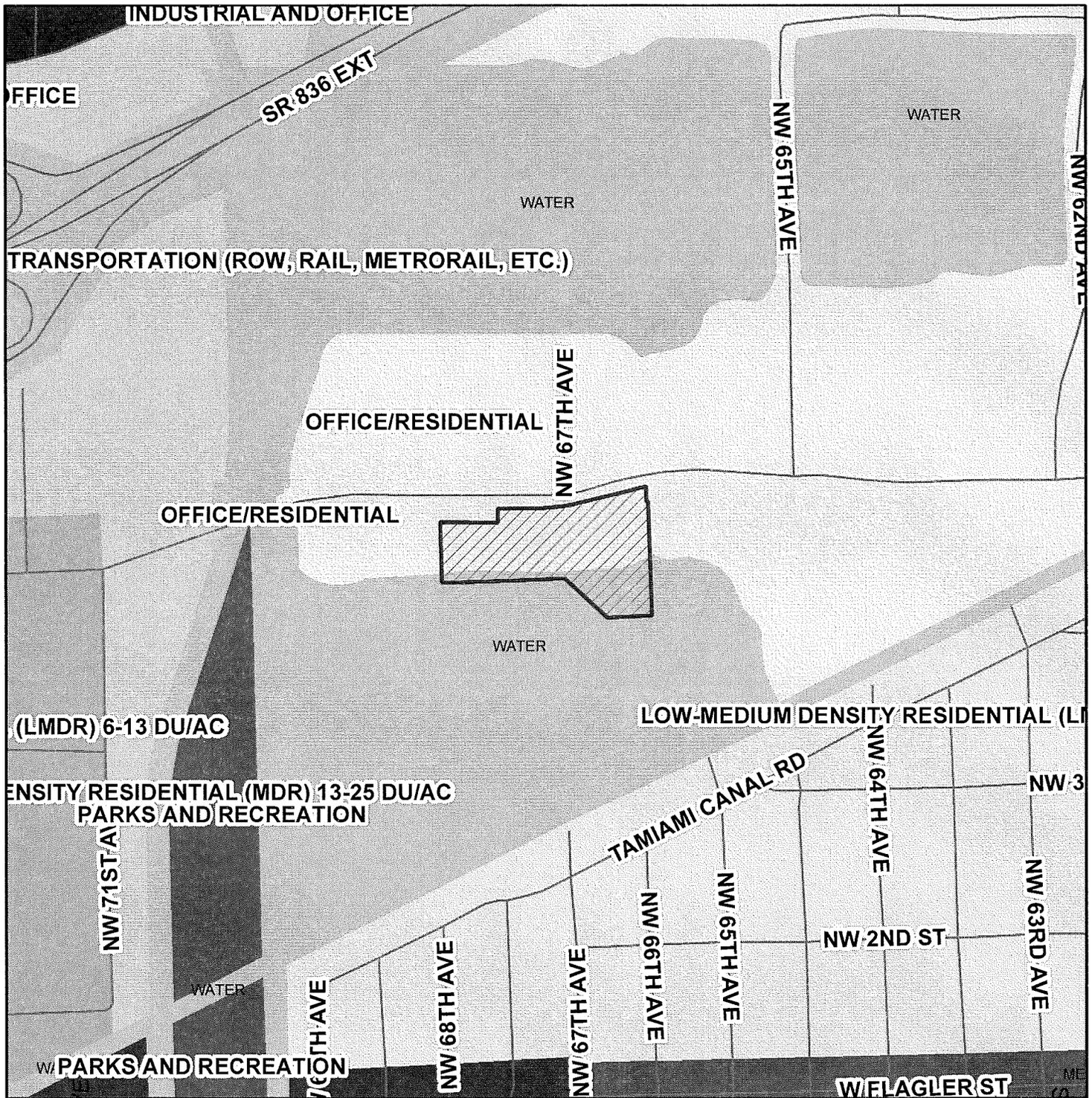


SKETCH CREATED ON: Monday, August 18, 2014

| REVISION | DATE | BY |
|----------|------|----|
|          |      | 42 |







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

Process Number

**Z2014000077**



Section: 01/02 Township: 54 Range: 40  
 Section: 51 Township: 53 Range: 40  
 Applicant: BRAVO PARTNERS BLUE LAGOON LLC  
 Zoning Board: C8  
 Commission District: 6  
 Drafter ID: F. Arencibia  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, August 18, 2014

| REVISION | DATE | BY |
|----------|------|----|
|          |      |    |

This instrument was prepared by:  
Name: Gilberto Pastoriza

Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
2525 Ponce de Leon Blvd., Suite 700  
Coral Gables, FL 33134

Bravo Partners  
Blue Lagoon LLC  
CZABF 3/31/15  
214-027

(Space reserved for Clerk)

### DECLARATION OF RESTRICTIONS

*WHEREAS*, the undersigned Owner, Bravo Partners Blue Lagoon, LLC, holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

*IN ORDER TO ASSURE* the County that the representations made by the Owner during consideration of Public Hearing No. Z2014000077 will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) **Density Limitations.** The Property shall be developed with a maximum of 272 residential units.
- (2) **Use Restrictions.** There shall be no business or office uses on the Property.
- (3) **Development per Plans.** That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Blue Lagoon Residences" as prepared by MSA Architects, with Sheets A-3.1 - A-3.5 dated stamped received 2/5/15, consisting of 5 sheets, Sheets SP-1 & A-206 dated stamped received 1/9/15, consisting of 2 sheets, Sheet A-2.5 dated stamped received 1/8/15, consisting of 1 sheet and the remaining 10 sheets dated stamped received 12/9/14 for a total of 18 sheets., as may be modified at the public hearing on the application.

**County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

OK

**Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

**Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

**Modification, Amendment, Release.** This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the, then, owner(s) of the property, including jointers of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, or the Director as provided by the Miami-Dade County Code of Ordinances. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with applicable procedures.

**Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

**Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

**Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

**Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

**Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

**Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Regulatory and Economic Resources Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

**Acceptance of Declaration.** Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

**Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

Declaration of Restrictions  
Page 4

Signed, witnessed, executed and acknowledge this 17 day of March, 2015.

Witnesses

Maria  
Print Name: Maria Montenegro  
Moises T. Grayson  
Print Name: MOISES T. GRAYSON

BRAVO PARTNERS BLUE LAGOON, LLC  
A Florida limited liability company

By: [Signature]  
Print Name: Felipe Valls  
Its: MANAGER

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of March, 2015, by Felipe Valls as \_\_\_\_\_ of BRAVO PARTNERS BLUE LAGOON, LLC, a Florida limited liability company. He is personally known \_\_\_\_\_ or has produced \_\_\_\_\_ as identification.

[Signature]  
NOTARY PUBLIC, STATE OF FLORIDA  
Print Name: \_\_\_\_\_

MOISES T. GRAYSON  
MY COMMISSION # EE 150683  
EXPIRES: December 4, 2015  
Bonded Thru Budget Notary Services



MOISES T. GRAYSON  
MY COMMISSION # EE 150683  
EXPIRES: December 4, 2015  
Bonded Thru Budget Notary Services



2639001

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Lot 3, Block 1, CANTEL SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 148, Page 47, of the Public Records of Miami-Dade County, Florida.

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 8**

PH: Z14-108 (15-03-CZ8-3)

March 31, 2015

Item No. 3

| <b>Recommendation Summary</b>                |   |
|--|---|
| <b>Commission District</b>                   | 2   |
| <b>Applicants</b>                            | R. G. Realty Investment, Inc.   |
| <b>Summary of Requests</b>                   | The applicant is seeking a district boundary change from BU-1 and BU-1A to BU-1A.                       |
| <b>Location</b>                              | 14501 W. Dixie Highway and 14520 NE 16 Avenue, Miami-Dade County, Florida.                              |
| <b>Property Size</b>                         | 1.8 acres   |
| <b>Existing Zoning</b>                       | BU-1, Neighborhood Business District<br>BU-1A, Limited Business District                                |
| <b>Existing Land Use</b>                     | Retail / Multi-family   |
| <b>2020 - 2030 CDMP Land Use Designation</b> | Business and Office<br>Low Density Residential<br><i>(see attached Zoning Recommendation Addendum)</i>  |
| <b>Comprehensive Plan Consistency</b>        | Consistent with the LUP map, and the interpretative text and policies of the CDMP                       |
| <b>Applicable Zoning Code Section(s)</b>     | Section 33-311, <b>District Boundary Change</b><br><i>(see attached Zoning Recommendation Addendum)</i> |
| <b>Recommendation</b>                        | <b>Approval, subject to the acceptance of the proffered covenant.</b>                                   |

**REQUEST:**

DISTRICT BOUNDARY CHANGE from BU-1 and BU-1A to BU-1A.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The subject property is comprised of several parcels that had several zoning approvals throughout the years. The last one in 2010 on the western 1.45 acre portion of the subject property approved a music conservatory in conjunction with a convention hall spaced less than required from a residential district with a smaller greenbelt than required along the rights-of-way and a reduced landscape open space, pursuant to Resolution #CZAB8-4-10.

The applicant seeks to rezone the entire 1.8-acre subject property, which now includes a 0.35 acre parcel to the northeast, from BU-1, Neighborhood Business District, and BU-1A, Limited Business District, to BU-1A to unify the zoning on the subject site.

| <b>NEIGHBORHOOD CHARACTERISTICS</b> |   |   |
|-------------------------------------|---|---|
|                                     | <b>Zoning and Existing Use</b>                                      | <b>Land Use Designation</b>                                 |
| <b>Subject Property</b>             | BU-1A/BU-1; commercial building and apartments                      | Business and Office<br>Low Density Residential, 2.5 to 6 du |
| <b>North</b>                        | BU-1A; commercial buildings   | Business and Office   |
| <b>South</b>                        | BU-1/BU-1A/RU-2/RU-3; apartment buildings, single-family residences | Business and Office<br>Low Density Residential, 2.5 to 6 du |
| <b>East</b>                         | BU-1 and RU-2; group home,  | Business and Office   |

|             |   |                                       |
|-------------|---|---------------------------------------|
|             | apartments and residences               | Low Density Residential, 2.5 to 6 dua |
| <b>West</b> | BU-1A; shopping center, office building | Business and Office                   |

**NEIGHBORHOOD COMPATIBILITY:**

The subject property consists of an existing commercial building located at 14501 West Dixie Highway and a 4 unit apartment building located at 14520 NE 16 Avenue. The area is characterized by a mixture of retail, offices, apartment buildings and single-family residences.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow the applicant to rezone the property to BU-1A, Limited Business District in order to redevelop the entire parcel with commercial uses.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the western approximately 260' of the subject property running parallel to West Dixie Highway as being within the Urban Development Boundary (UDB) for **Business and Office** use. *This designation accommodates a full range of sales and service activities which include, among other things, retail, wholesale, personal and professional services, commercial and professional offices, entertainment and cultural facilities, amusements and commercial recreation establishments.* The balance of the subject property is designated **Low Density Residential** use on the LUP map. *The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. This density category is generally characterized by single family housing, e.g., single family detached, cluster and townhouses.* The subject property is currently used as commercial and is zoned BU-1, Neighborhood Business District and BU-1A, Limited Business District.

The purpose of the BU-1A District is to provide for retail and service convenience facilities which satisfy the essential and frequent needs of the adjacent neighborhood as well as the more specialized commercial facilities which may serve several neighborhoods. The BU-1A district allows uses such as, but is not limited to, banks with drive through tellers, beauty parlors, antique shops, bakeries and drug stores as well as service stations, auto parts stores, dry cleaners, retail stores and health and exercise clubs, including bath and massage parlors, and includes all uses permitted in the BU-1.

Staff notes that according to two Letters of Interpretation dated April 8, 2014, and December 12, 2014 (see attached) the existing commercial uses and BU-1A and BU-1 zoning on the entire property are consistent with the CDMP and are relevant factors in determining the depth of commercial development. Additionally, regarding the eastern portion of the subject property, notwithstanding its designation Low Density Residential use on the LUP map, it was determined that with adequate buffering, site planning or design features assuring compatibility with the residential uses abutting the eastern boundary of the subject property, the Business and Office designation applies to the entire property and would provide a logical transition to the adjacent commercial and residential properties. The applicant has submitted a covenant stating that prior to the issuance of a building permit for new development on the Property, the Owner shall secure Administrative Site Plan Review ("ASPR") approval to assure the Property is compatible with the adjacent uses through the implementation of adequate buffering, site planning, and/or design features.

As such, subject to the acceptance of the covenant staff opines that approval of the proposed rezoning from BU-1 and BU-1A to BU-1A would be **consistent** with the CDMP LUP map Business and Office designation and the CDMP Business and Office text describing the allowed uses in this land use category.

### **ZONING ANALYSIS:**

When the applicant's request to rezone the 1.8-acre parcel to BU-1A is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of this request would be **compatible** with the surrounding area. Staff notes that the subject property is an irregular upside-down L-shape parcel abutting West Dixie Highway, between NE 145 Street and NE 146 Street. Currently there is a musical instrument store and thrift store on the West Parcel, and a 4-unit multifamily residence on the East Parcel. Lying to the east of the subject site, across West Dixie Highway, there is a commercial shopping center. To the north, abutting the property, is an automobile repair and service station. Further north is an automobile sales center. To the south of the subject property is a multifamily residential community. Lying to the east, abutting the site, is an adult congregate living facility. Further east exists a single family residential community. In staff's opinion, approval of the BU-1A zoning district on the subject property would be a natural transition of the development business trend along West Dixie Highway. Staff notes that there are existing buildings on the subject site. However, the applicant did not submit plans for this application. Notwithstanding, as previously noted, the applicant has submitted a covenant stating that prior to the issuance of a building permit for new development on the Property, the Owner shall secure Administrative Site Plan Review ("ASPR") approval to assure that the Property is compatible with the adjacent uses through the implementation of adequate buffering, site planning, and/or design features.

Staff notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) memorandum states similar to the current zoning, that the application will generate 217 PM daily peak hour trips. However, said memorandum also indicates the traffic distribution of said trips to the adjacent roadways do not exceed the acceptable level of service and that this application meets the traffic concurrency criteria for an initial development order. Also, the Division of Environmental Resources Management of RER memorandum indicates that approval of this application meets all applicable LOS standards for an initial development order, as specified in the CDMP for potable water service, wastewater disposal, and flood protection. Additionally, the memorandum from the Miami-Dade Fire Rescue Department indicates that the proposed re-zoning of the property will not have a negative impact on fire rescue services in the area. Based on the aforementioned memoranda, staff opines that approval of the subject request will not have an unfavorable effect on the economy of Miami-Dade County, Florida. Further, approval would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction.

Therefore, staff opines that the requested rezoning of the parcel to BU-1A would be **compatible** with the surrounding commercial and residential uses in the area and would serve as a natural transition to the residential uses to the east. **Staff therefore, recommends approval, subject to the acceptance of the proffered covenant, of the application under Section 33-311, District Boundary Change.**

R. G. Realty Investment, Inc.

Z14-108

Page | 4

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

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

**OTHER:** Not applicable.

**RECOMMENDATION:** Approval, subject to the acceptance of the proffered covenant.

**CONDITIONS FOR APPROVAL:** None.

ES:MW:NN:CH:JV



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

*NDN.*

# ZONING RECOMMENDATION ADDENDUM

R. G. Realty Investment, Inc.  
Z14-108

| <b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>     |              |
|---|--------------|
| Division of Environmental Resource Management (RER) | No objection |
| Platting and Traffic Review Section (RER)           | No objection |
| Public Works and Waste Management                   | No objection |
| Parks, Recreation and Open Space                    | No objection |
| Fire Rescue   | No objection |
| Police  | No objection |
| Schools   | No comment   |

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

|  |   |
|--|---|
| <p><b>Business and Office</b><br/>(Pg. I-40)</p>     | <p><i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Business and Office</b>. 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.</i></p>   |
| <p><b>Low Density Residential</b><br/>(Pg. I-29)</p> | <p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential use. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p> |

## PERTINENT ZONING REQUIREMENTS/STANDARDS

|   |   |
|---|---|
| <p><b>Section 33-311 District Boundary Change</b></p> | <p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p> <p>(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></p> |
|---|---|

## ZONING RECOMMENDATION ADDENDUM

R. G. Realty Investment, Inc.  
Z14-108

|  |   |
|--|---|
|  | <p>(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></p> <p>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></p> <p>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></p> <p>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></p> |
|--|---|



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Planning Division, Metropolitan Planning Section  
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Miami, Florida 33128-1902  
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www.miamidade.gov/business/planning.asp

PLANNING AND ZONING  
AGENDA OFFICE

2015 MAR 16 P 12:20

December 12, 2014

2015 MAR 16 P 11:10  
PLANNING AND ZONING  
AGENDA OFFICE

Melissa Tapanes Llahues, Esq.  
Bercow Radell & Fernandez  
Southeast Financial Center  
200 South Biscayne Boulevard, Suite 850  
Miami, Florida 33131

RE: Request for Interpretation of Comprehensive Development Master Plan (CDMP) Adopted  
Land Use Plan Map Designation for Real Property with Folio No. 30-2220-002-2410

Dear Ms. Llahues:

This letter is in response to your correspondence dated September 17, 2014, in which you request confirmation that the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map designation for the subject property is "Business and Office".

The subject property is a ±0.345-acre parcel located at the southwest corner of the intersection of NE 146 Street and NE 16 Avenue (east of West Dixie Highway). The property is zoned BU-1 (Neighborhood Business) and is developed with a multifamily residential building (a 4-unit building according to the Property Appraiser's records). Existing land uses abutting and adjacent to the subject property include commercial uses to the north and west, a home for the aged abutting to the south and single family residences to the east beyond NE 16 Avenue.

The CDMP LUP map depicts a strip of "Business and Office" along both sides of West Dixie Highway beginning at NE 151 Street to NE 125 Street. The depth of the "Business and Office" strip on the east side of West Dixie highway is generally ±200 feet from the road right-of-way and the northeastern ±0.075-acre portion of the subject property is within the "Business and Office" strip. The CDMP LUP map depicts the remaining ±0.27 acres of the subject property as "Low Density Residential", which allows residential development at density ranging from 2.5 to 6 dwelling units per gross acre.

The "Business and Office" text under 'Uses and Zoning Not Specifically Depicted', on page I-43, states that "[s]ome existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled 'Concepts and Limitations of the Land Use Plan Map'. The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan".

In addition, the LUP map is a generalized land use plan, adopted at a scale of one inch to the mile, where the depth of "Business and Office" strips along roadway frontages are guided by CDMP policy. The "Business and Office" land use category text on CDMP page I-43, under Strips and Nodes, states that "[t]he depth of the ribbon for commercial development and other uses permitted under the Business and Office land use category is more generalized. In general, the

*Delivering Excellence Every Day*

Melissa Tapanes Llahues, Esq.  
December 12, 2014  
Page 2

depth should be limited to the norm for the strip, but may be approved at such other depth that will provide a logical transition to adjacent commercial and residential uses or accommodate vehicular parking to serve an adjacent use, provided that liberal permanent buffering is provided or other site planning or design features are used, to provide compatibility with any adjoining and adjacent residential uses that exist or are designated on the Land Use Plan map, in keeping with the Plan's policies".

Compatibility of land uses between adjoining and adjacent properties is an important consideration in determining consistency with the various provisions of the CDMP. Land Use Element Policies LU-4A, LU-4B, LU-4C and LU-4D, CDMP page I-9, are intended to address uses to be protected from potentially negative impacts of incompatible uses and how certain impacts can be mitigated through design solutions and buffering.

Based on the foregoing, the stated CDMP policies indicate that the "Business and Office" strip may be approved at such other depth as to encompass the entire subject property provided certain conditions are met. These conditions include providing a logical transition to the adjacent commercial and residential uses and ensuring compatibility with the abutting home for the aged and the residential uses to the east beyond NE 16 Avenue. In addition, the existing multifamily residential use and BU-1 zoning on the property are consistent with the CDMP and are relevant factors in determining the depth of commercial development.

In conclusion, based on the relevant portions of the CDMP cited above together with the existing use and zoning on the property, it is determined that with adequate buffering, site planning or design features assuring compatibility with the abutting home for the aged and residential uses to the east of the subject property, the "Business and Office" designation applies to the entire property and would provide a logical transition to the adjacent commercial and residential properties.

This letter is provided in response to your request for interpreting provisions of the CDMP; it does not constitute a departmental recommendation on any pending or future requests for development approval pertaining to the subject parcel. This interpretation is based upon the information provided and the policies and provisions of the CDMP currently in effect. If you have any questions regarding this review, please contact me or Garrett Rowe, Section Supervisor, at the letterhead address or telephone number.

Sincerely,



Mark R. Woerner, AICP  
Assistant Director for Planning

MRW:GR:de

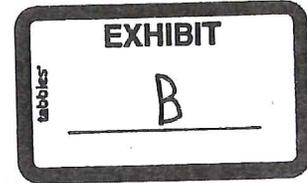


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PLANNING AND ZONING  
AGENDA OFFICE

2015 MAR 16 P 12:21  
April 8, 2014



Melissa Tapanes Llahues, Esq.  
Bercow Radell & Fernandez  
Southeast Financial Center  
200 South Biscayne Boulevard, Suite 850  
Miami, Florida 33131

RE: Request for Interpretation of Comprehensive Development Master Plan (CDMP) Adopted Land Use Plan Map Designation for Real Property with Folio No. 30-2220-002-2421

Dear Ms. Llahues:

This letter is in response to your correspondence dated February 25, 2014, in which you request an interpretation of the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map to confirm that the future land use designation for the entire subject property is "Business and Office".

The subject property is a ±1.46-acre parcel located on the east side of West Dixie Highway between NE 145 Street and NE 146 Street. The subject property is developed with a commercial building on the western ±0.79-acre portion of the property and parking on the remaining ±0.67 acres. The western ±0.79 acres are zoned BU-1A (Limited Business) and the eastern ±0.67 acres zoned BU-1 (Neighborhood Business).

The CDMP LUP map depicts a strip of "Business and Office" along both sides of West Dixie Highway from SW corner of NE 151 Street and NE 8 Avenue. The CDMP LUP map depicts a ±1.2-acre portion of the subject property within the referenced "Business and Office" strip and the remaining ±0.26-acre portion of the property is depicted as "Low Density Residential" (2.5 to 6 dwelling units per gross acre).

The following provisions of the CDMP text are particularly relevant to this request:

The LUP map is a generalized land use plan where the depth of "Business and Office" strips along roadway frontages are guided by CDMP policy. The adopted scale of this map is one inch to the mile. The "Business and Office" land uses category text on CDMP page I-43, under Strips and Nodes, states that "[t]he depth of the ribbon for commercial development and other uses permitted under the Business and Office land use category is more generalized. In general, the depth should be limited to the norm for the strip, but may be approved at such other depth that will provide a logical transition to adjacent commercial and residential uses or accommodate vehicular parking to serve an adjacent use, provided that liberal permanent buffering is provided or other site planning or design features are used, to provide compatibility with any adjoining and adjacent residential uses that exist or are designated on the Land Use Plan map, in keeping with the Plan's policies".

In addition, the "Business and Office" text under 'Uses and Zoning Not Specifically Depicted', on page I-43, states that "[s]ome existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled 'Concepts and Limitations of the Land

Melissa Tapanes Llahues, Esq.  
April 8, 2014  
Page 2

Use Plan Map'. The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan".

Compatibility of land uses between adjoining and adjacent properties is an important consideration in determining consistency with the various provisions of the CDMP. Land Use Element Policies LU-4A, LU-4B, LU-4C and LU-4D, CDMP page I-9, are intended to address uses to be protected from potentially negative impacts of incompatible uses and how certain impacts can be mitigated through design solutions and buffering.

Based on the foregoing, the stated CDMP policies indicate that the "Business and Office" strip may be approved at such other depth as to encompass the entire subject property provided certain conditions are met. These conditions include providing a logical transition to the adjacent commercial and residential uses and ensuring compatibility with the adjacent residential uses. In addition, the existing commercial uses and BU-1A and BU-1 zoning on the entire property are consistent with the CDMP and are relevant factors in determining the depth of commercial development.

In conclusion, based on the relevant portions of the CDMP cited above together with the existing uses and zoning on the property, it is determined that with adequate buffering, site planning or design features assuring compatibility with the residential uses abutting the eastern boundary of the subject property, the "Business and Office" designation applies to the entire property and would provide a logical transition to the adjacent commercial and residential properties.

This letter is provided in response to your request for interpreting provisions of the CDMP; it does not constitute a departmental recommendation on any pending or future requests for development approval pertaining to the subject parcel. This interpretation is based upon the information provided and the policies and provisions of the CDMP currently in effect. If you have any questions regarding this review, please contact me or Garrett Rowe, Section Supervisor, at the letterhead address or telephone number.

Sincerely,  
  
Mark R. Woerner, AICP  
Assistant Director for Planning

MRW:GR:de

**3. R G REALTY INVESTMENT INC**  
**(Applicant)**

**15-3-CZ8-3(14-108)**  
**Area 08/District 02**  
**Hearing Date: 03/31/15**

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>     |
|--------------------|-----------------------------|---|---------------------|----------------------------|
| 1952               | Jeannette Williams          | - Variance Setback requirement to permit continuous use of a 4 unit apartment. U. T.    | BCC                 | Approved                   |
| 1953               | Jeannette Williams          | - Variance lot area and lot width to permit an additional 4 unit apartment and Setback. | BCC                 | Approved                   |
| 1958               | Dick McGinley               | - Zone change from BU-1 to BU-1A to permit gas service station.                         | BCC                 | Approved                   |
| 2010               | Ibrahim Gonzalez,<br>ET. AL | - Special Exception for spacing.<br>- Non-Use Variance of open space and greenbelt.     | C08                 | Approved with Condition(s) |

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

# Memorandum



**Date:** January 15, 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-08 #Z2014000108-1<sup>st</sup> Revision  
R G Realty Investments, Inc.  
14501 West Dixie Highway and 14520 NE 16<sup>th</sup> Avenue  
DBC from BU-1, BU-1A to BU-1A; Modification of a previous  
Resolution to permit retail stores.  
(BU-1) (1.8 Acres)  
20-52-42

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

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 Supply and Wastewater Disposal

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

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the DERM Environmental Wastewater Permitting Section, prior to approval of final development orders.

Notwithstanding the foregoing, 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 alternative means of sewage disposal. Use of an alternative 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

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

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

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

#### Pollution Remediation

There are no records of current contamination assessment/remediation issues on the subject site. There is one record of a current contaminated site directly abutting the subject property under Aseman Corp (UT-236) 14575 W Dixie Hwy. It is a petroleum contaminated site currently in a state administered cleanup program.

#### Tree Preservation

Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code. Chapter 24 of the Code and CON-8A of the CDMP requires the preservation of specimen trees.

Pursuant to Section 24-49 of the Code and the minimum requirements of the Miami-Dade County Landscape Ordinance, prohibited plant species shall be removed or eradicated from all portions of this property prior to development or redevelopment.

See the following link for a list of the species: <http://www.miamidade.gov/environment/prohibited-plants.asp>.

Furthermore, prohibited plant species shall not be sold, propagated, planted, imported or transported and each property shall be maintained at all times to prevent the growth or accumulation of all prohibited species including non-native grasses, weeds and undergrowth.

#### Air Quality Preservation

In the event of any kind of renovation or demolition activity, an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A notice of asbestos renovation or demolition form must be filed with the Air Quality Management Division of DERM for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

#### 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.

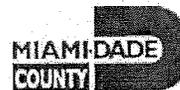
This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any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

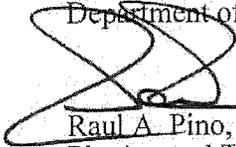
cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** January 20, 2015

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

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

**Subject:** Z2014000108  
Name: R G Realty Investment, Inc.  
Location: 14501 West Dixie Highway  
Section 20 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** meet the traffic concurrency criteria for an Initial Development Order. It will generate approximately **217 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of these new trips **does not** exceed the acceptable level of service of the following roadways:

| Sta.#  |  | LOS present | LOS w/project |
|--------|--|-------------|---------------|
| F-5229 | NE 167 St w/o NE 10 Ave to NE 6 Ave                        | D           | D             |
| F-531  | W. Dixie Hwy n/o NE 151 St bet NE 10 Ave & NE 163 St       | C           | C             |
| F-1026 | NE 135 St w/o US-1 to NE 10 Ave                            | C           | C             |
| F-144  | NE 135 St w/o W. Dixie Hwy to NE 6 Ave                     | C           | C             |
| F-1024 | NE 125 St w/o NE 4 Ave bet NE 7 Ave & NE 6 Ave             | D           | D             |
| 9316   | N. Miami Ave n/o NE 159 St bet Bisc. River Dr & NE 167 Ave | D           | D             |

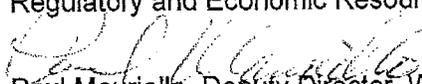
The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

# Memorandum



**Date:** October 13, 2014

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

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

**Subject:** RG Realty Investment, Inc. (#14\_108)

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

**Application:** *RG Realty Investment, Inc.* requests 1) a district boundary change from Neighborhood Business (BU-1) and Limited Business (BU-1A) to Limited Business (BU-1A) and 2) a Modification of Resolution No. CZAB8-4-10 to develop a neighborhood-serving grocery store and retail building on the property.

**Size:** The subject property is approximately 1.8 acres.

**Location:** The subject property is located at approximately 14501 West Dixie Highway and 14520 NE 16<sup>th</sup> Avenue, in Miami-Dade County, Florida.

## **Analysis:**

### 1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 18, 2014, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Regulatory and Economic Resources Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

### 2. Garbage and Trash Collection Services

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, development of a grocery store and retail building on the property meets the

County Code definition of a commercial establishment. Per the Code, the following is required of commercial establishments located in unincorporated Miami-Dade County:

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

### 3. Recycling

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

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

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

### 4. Waste Storage/Setout Considerations

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

### 5. Site Circulation Considerations

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

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

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

# Memorandum



**Date:** January 21, 2015

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

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

**Subject:** Z2014000108: R G REALTY INVESTMENT INC  
Revised Plans Submitted Dated Stamped Received 1-13-2015

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**Application Name:** R G REALTY INVESTMENT INC

**Project Location:** The site is located at 14501 W DIXIE HWY, Miami-Dade County.

**Proposed Development:** The request is for a district boundary change from BU1 & BU1A TO BU1A and a modification of a previous resolution for development of retail use.

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

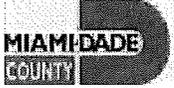
**Recommendation:** PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

# Memorandum



**Date:** 15-OCT-14

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

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

**Subject:** Z2014000108

**Fire Prevention Unit:**

No objection.

**Service Impact/Demand**

Development for the above Z2014000108  
 located at 14501 W DIXIE HWY, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 0398 is proposed as the following:

|                    |                |                               |             |
|--------------------|----------------|-------------------------------|-------------|
| <u>N/A</u>         | dwelling units | <u>N/A</u>                    | square feet |
| <u>residential</u> |                | <u>industrial</u>             | square feet |
| <u>N/A</u>         | square feet    | <u>N/A</u>                    | square feet |
| <u>Office</u>      |                | <u>institutional</u>          |             |
| <u>21679</u>       | square feet    | <u>N/A</u>                    | square feet |
| <u>Retail</u>      |                | <u>nursing home/hospitals</u> |             |

Based on this development information, estimated service impact is: 6.43 alarms-annually.  
 The estimated average travel time is: 6:02 minutes

**Existing services**

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

Station 20 - North Miami E - 13000 NE 16 Avenue  
 Rescue, ALS Engine, Battalion 3

**Planned Service Expansions:**

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

None.

**Fire Planning Additional Comments**

Current service impact calculated based on site plan date stamped received October 3, 2014. Substantial changes to the plan will require additional service impact analysis.

# ***Building and Neighborhood Compliance***

## **ENFORCEMENT HISTORY**

R G REALTY INVESTMENTS

14501 W DIXIE HWY  
MIAMI-DADE COUNTY, FLORIDA

APPLICANT

ADDRESS

3/31/15

Z2014000108

DATE

HEARING NUMBER

### **CURRENT ENFORCEMENT HISTORY:**

### **Neighborhood Regulations:**

**FOLIO: 30-2220-002-2410/30-2220-2421**

**NC OPEN:** THERE ARE NO CURRENT OPEN NEIGHBORHOOD REGULATIONS CASES

**NC CLOSED:**

**FOLIO: 30-2220-002-2410**, CASE # 201406001299 WAS OPENED ON FEBRUARY 25, 2014, FAILURE TO OBTAIN A CERTIFICATE OF USE FOR THE OPERATION OF EGLISE EVANELIQUE CHRETIENNE DE DIEU CHURCH. CIVIL VIOLATION NOTICE #T046481, WAS ISSUED ON MAY 15, 2014. THE CITATION WAS SUBMITTED FOR CLOSURE ON AUGUST 14, 2014, AS THE PROPERTY CHANGED OWNERSHIP AND ALL CHURCH ACTIVITES/SERVICES CEASED. THE CASE WAS CLOSED.

**FOLIO: 30-2220-002-2421**

THERE ARE NO CURRENT OPEN OR CLOSED NEIGHBORHOOD REGULATIONS CASES

### **BUILDING SUPPORT REGULATIONS:**

**BLDG:** THERE ARE NO CURRENT OPEN OR CLOSED BUILDING REGULATIONS CASES ON EITHER FOLIO'S.

### **VIOLATOR:**

R G REALTY INVESTMENTS INC

### **OUTSTANDING LIENS:**

THERE ARE NO ACTIVE OR PENDING LIENS OR FINES.

**RG - RETAIL BUILDING  
& GROCERY STORE**  
14501 WEST DIXIE HIGHWAY  
MIAMI, FL 33181



**KEY SITE PLAN**  
(NOT TO SCALE)



① **NORTHWEST VIEW**



② **SOUTHWEST VIEW**



③ **SOUTHWEST VIEW**



④ **SOUTH VIEW** PH-01

RECEIVED  
254-102  
SEP 18 2011  
MARTIN LUTHER KING, JR. CENTER  
PLANNING DEPARTMENT

**RG - RETAIL BUILDING  
& GROCERY STORE**

14501 WEST DIXIE HIGHWAY  
MIAMI, FL 33181



LOCATION MAP  
(NOT TO SCALE)



5 EAST VIEW



6 NORTH VIEW 1



7 NORTH VIEW 2



8 SOUTHEAST VIEW

RECEIVED  
21-10-19  
SEP 16 2019  
MAYOR'S OFFICE  
PLANNING DEPARTMENT

PH-02

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: R G Realty Investments Inc.  
1150 NW 72<sup>nd</sup> Avenue #555 Miami, Florida 33126

| <u>NAME AND ADDRESS</u>                     | <u>Percentage of Stock</u> |
|---|----------------------------|
| <u>Robert E. Gomez</u>                      | <u>100%</u>                |
| <u>1150 NW 72<sup>nd</sup> Avenue # 555</u> |                            |
| <u>Miami, FL 33126</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 N/A

| <u>NAME AND ADDRESS</u> | <u>Percentage of Interest</u> |
|-------------------------|-------------------------------|
|                         |                               |
|                         |                               |
|                         |                               |
|                         |                               |

**RECEIVED**  
*214-108*  
**SEP 16 2014**  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By *JL*

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: N/A

| <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  
N/A \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Date of contract: \_\_\_\_\_

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

N/A \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

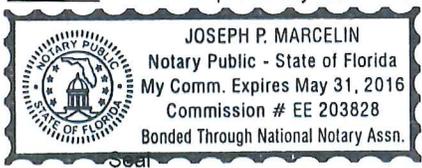
**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

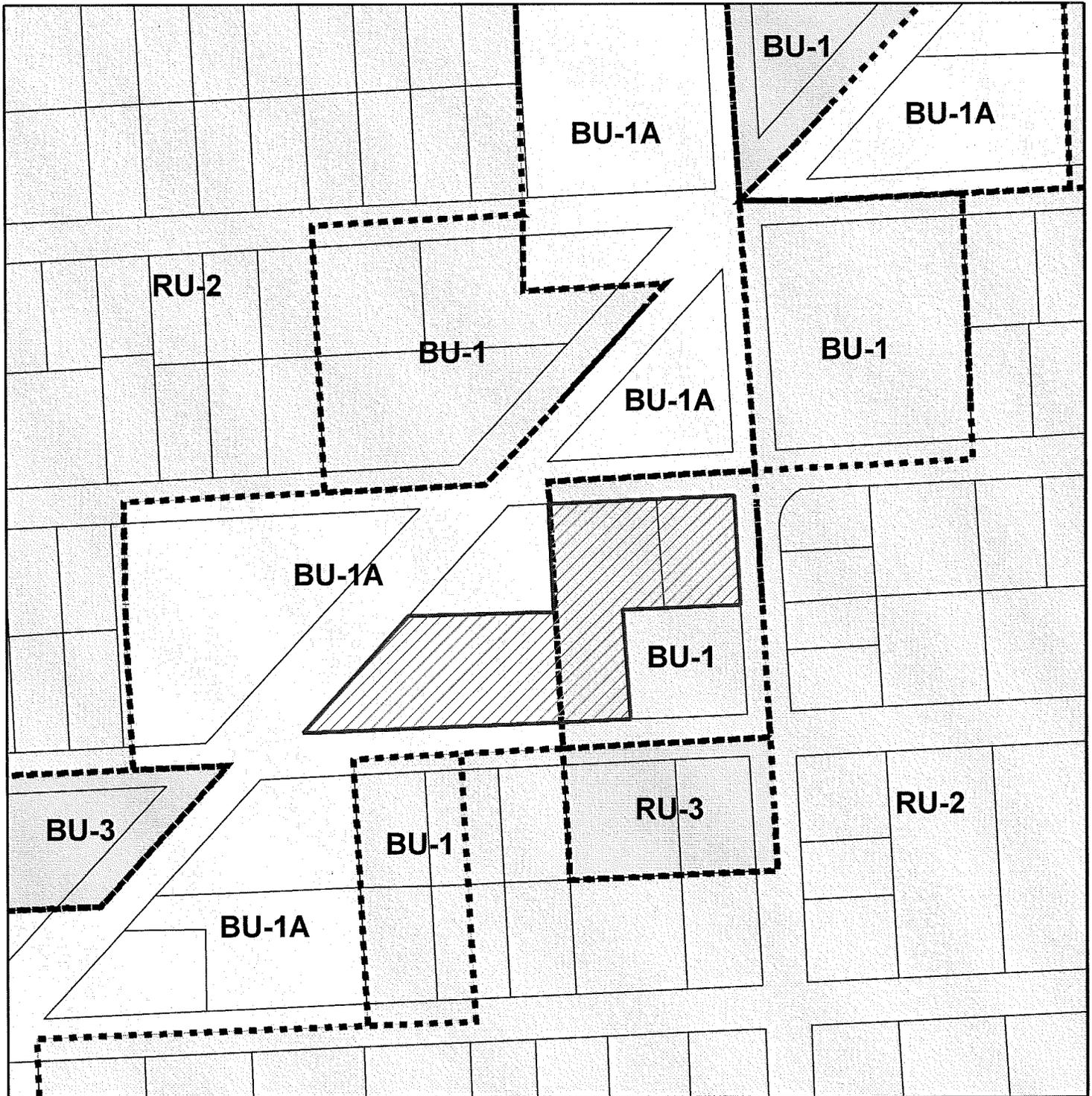
Signature: [Signature]

Sworn to and subscribed before me this 28 day of August, 2014. Affiant is personally know to me or has produced FLDL# 652076578466 as identification.

[Signature]  
(Notary Public)  
My commission expires: 5-31-16



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



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

Process Number

**Z2014000108**



Section: 20 Township: 52 Range: 42  
 Applicant: R G REALTY INVESTMENT INC  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: GGARCIA  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, January 6, 2015

| REVISION | DATE | BY |
|----------|------|----|
|          |      | 25 |



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2014**

**Process Number**  
**Z2014000108**

**Legend**

-  MDC STL Index Poly
-  Subject Property
-  Zoning

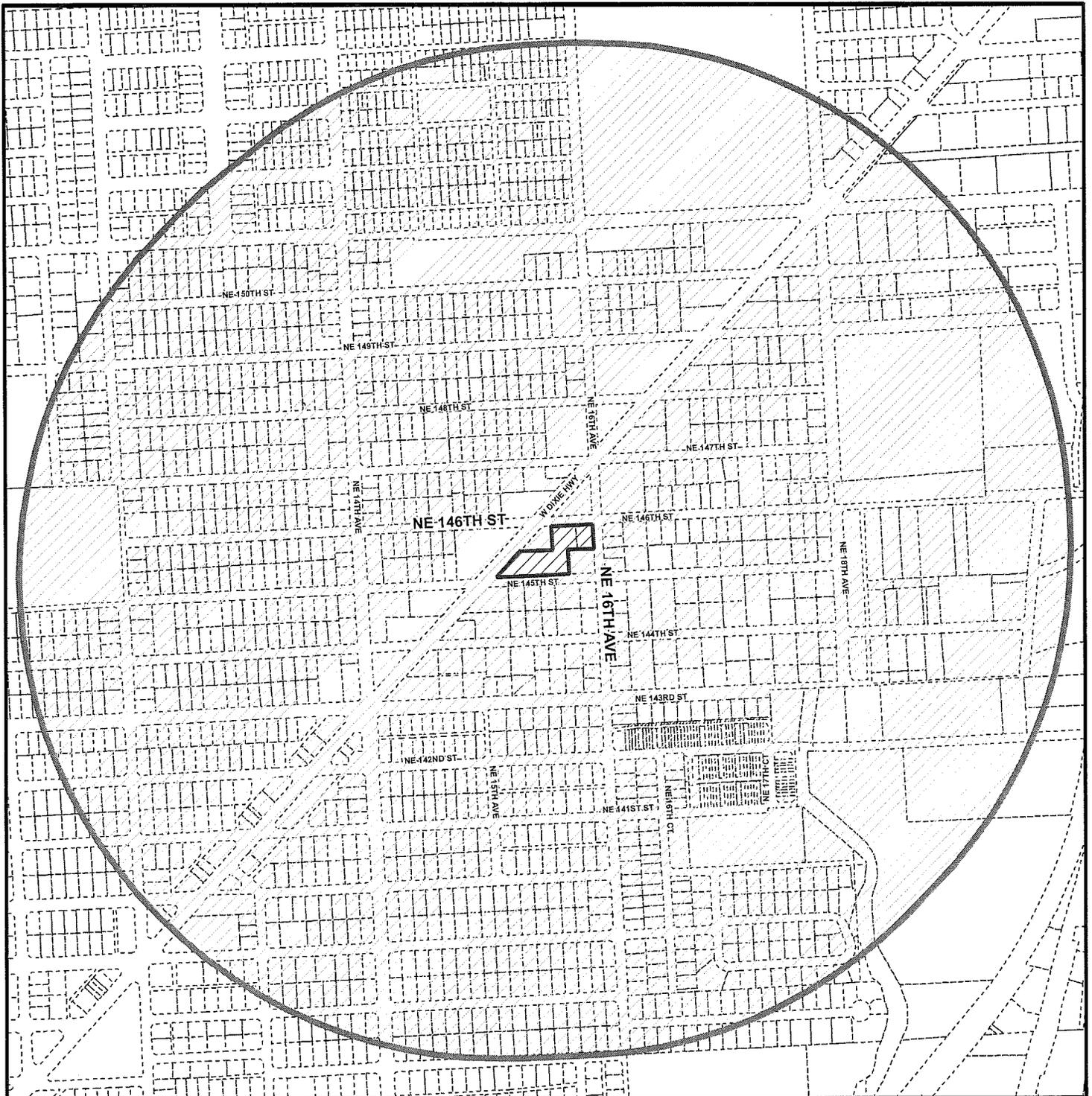


**Section: 20 Township: 52 Range: 42**  
**Applicant: R G REALTY INVESTMENT INC**  
**Zoning Board: C8**  
**Commission District: 2**  
**Drafter ID: GGARCIA**  
**Scale: NTS**



SKETCH CREATED ON: Wednesday, October 1, 2014

| REVISION | DATE | BY |
|----------|------|----|
|          |      | 26 |



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

Process Number  
**Z2014000108**  
 RADIUS: 2640

Section: 20 Township: 52 Range: 42  
 Applicant: R G REALTY INVESTMENT INC  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: GGARCIA  
 Scale: NTS

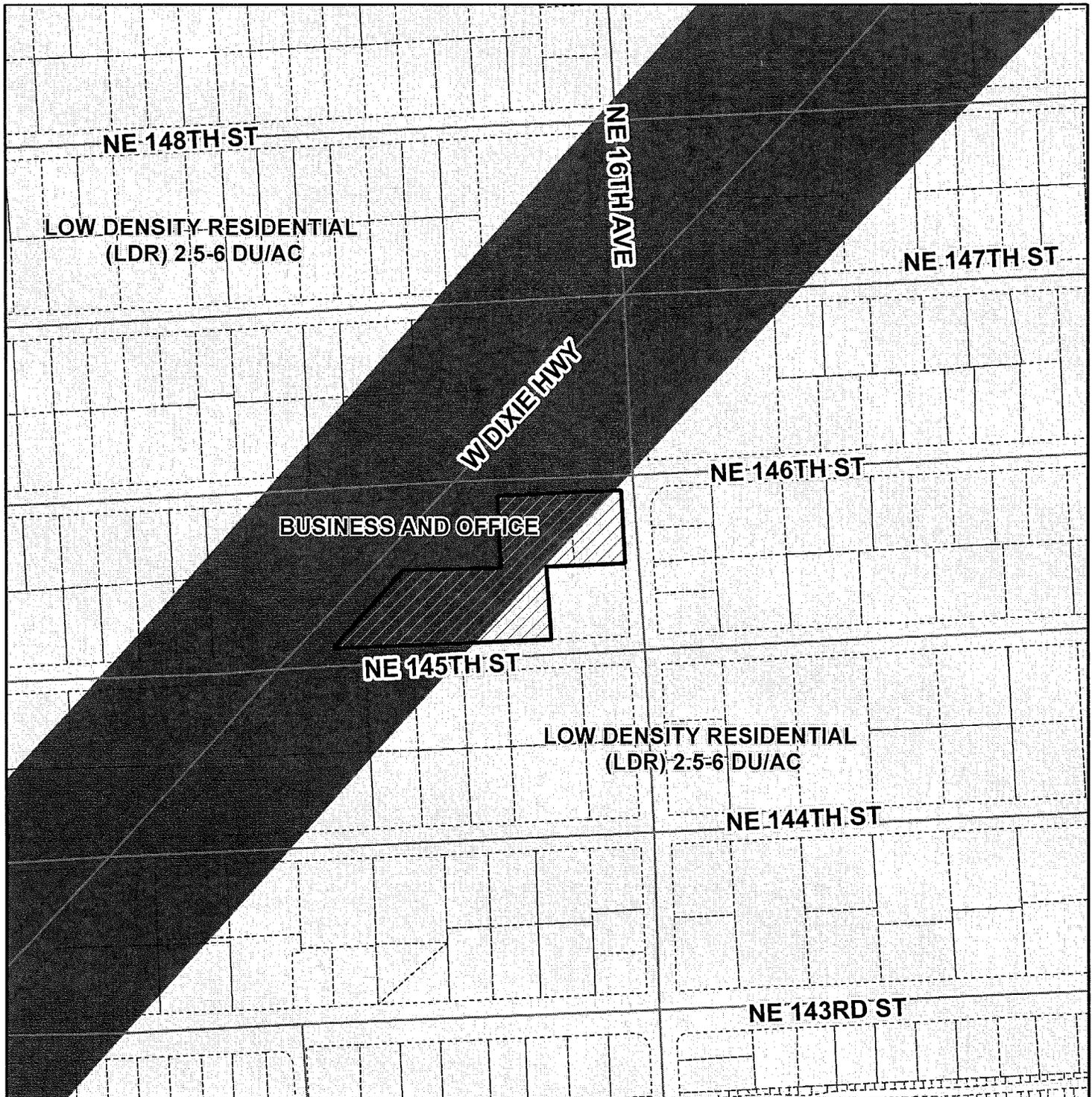
**Legend**

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



SKETCH CREATED ON: Wednesday, October 1, 2014

| REVISION | DATE | BY |
|----------|------|----|
|          |      | 27 |



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

Process Number

**Z2014000108**

**Legend**



-  Subject Property Case
-  Zoning

Section: 20 Township: 52 Range: 42  
 Applicant: R G REALTY INVESTMENT INC  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: GGARCIA  
 Scale: NTS



SKETCH CREATED ON: Wednesday, October 1, 2014

| REVISION | DATE | BY |
|----------|------|----|
|          |      |    |

R.G Realty  
Investment Inc.  
CZABF 3/31/15  
Z14-108

This instrument was prepared by:

Melissa Tapanes Llahues, Esq.  
Bercow Radell & Fernandez, P.A.  
200 S. Biscayne Boulevard  
Suite 850  
Miami, Florida 33131

**DRAFT 2**

(Space reserved for Clerk)

### DECLARATION OF RESTRICTIONS

**WHEREAS**, the undersigned Owner, holds fee simple title to the land in Miami-Dade County, Florida (the "County"), legally described as follows:

Parcel I:

Tract 103 of ARCH CREEK ESTATES, according to the Plat recorded in Plat Book 46, Page 73, Public Records of Miami-Dade County, Florida;

Parcel II:

The North 1/2 of Lot 102 and the Westerly 80 feet of the South 1/2 of Lot 102 and all of Lot 104, of ARCH CREEK ESTATES, according to the Plat thereof, as recorded in Plat Book 46, at Page 73, of the Public Records of Miami-Dade County, Florida;

Parcel III:

North one-half (1/2) of parcel number 101, of ARCH CREEK ESTATES, according to the Plat thereof, as recorded in Plat Book 46, at Page 73, of the Public Records of Miami-Dade County, Florida;

hereinafter referred to as the "Property," which is supported by the attorney's opinion; and

**WHEREAS**, the Property is comprised of the following three (3) parcels located on the southwest corner of the intersection of NE 146 Street and NE 16<sup>th</sup> Avenue:

Parcel I having the Folio No. 30-2220-002-2450,  
Parcel II having the Folio No. 30-2220-002-2421,  
Parcel III having the Folio No. 30-2220-002-2410; and

**WHEREAS**, the Property is designated as "Business and Office" (See Exhibits "A" and "B," attached hereto); and

**WHEREAS**, the Owner seeks, through Public Hearing Application No. 14-108 (the "Application"), to rezone the Property from "BU-1" (Neighborhood Business District) and "BU-1A" (Limited Business District) to "BU-1A" (Limited Business District); and

Section-Township-Range: 20-52-42  
Folio Numbers: 30-2220-002-2450; 30-2220-002-2421; and 30-2220-002-2410

**WHEREAS**, the Owner and the County desire that the covenants contained herein control the development and operation of the Property; and

**IN ORDER TO ASSURE** the County that the representations made during consideration of the Application will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) That prior to the issuance of a building permit for new development on the Property, the Owner shall secure Administrative Site Plan Review ("ASPR") approval to assure the Property is compatible with the adjacent uses through the implementation of adequate buffering, site planning, and/or design features.

**County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

**Covenant Running with the Land.** This Declaration on the part of the Owners shall constitute a covenant running with the land and may be recorded, at Owners' expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owners, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owners, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

**Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the then-owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

**Modification, Amendment, Release.** This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the then-owner(s) of the property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, or the Director as provided by the Miami-Dade County Code of Ordinances. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with applicable procedures.

**Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

**Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

**Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

**Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

**Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

**Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

**Acceptance of Declaration.** Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owners to a favorable recommendation or

**Declaration of Restrictions**  
**Page 4 of 5**

approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

**Owner.** The term Owners shall include the Owner, and its heirs, successors and assigns.

[Execution Page to Follow]

**FLORIDA CORPORATION**

Signed, witnessed, executed and acknowledged on this 18<sup>th</sup> day of March, 2015.

IN WITNESS WHEREOF, R G Realty Investments, Inc., a Florida corporation, and fee simple owner of the Property identified by Miami-Dade County Folio Nos. 30-2220-002-2450, 30-2220-002-2421, and 30-2220-002-2410, has caused these presents to be signed in its name by its proper officials.

Joseph P. Marcelin  
Witness Signature

Joseph P. Marcelin  
Print Name

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Print Name

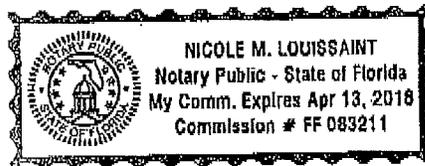
By: [Signature]  
R G Realty Investments, Inc.

Address:  
1150 NW 72<sup>nd</sup> Avenue, Suite 555  
Miami, Florida 33312  
By: Robert Gomez, Director

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by Roberto Gomez who is personally known to me or has produced Driver license as identification.

Witness my signature and official seal this 18<sup>th</sup> day of March, 2015, in the County and State aforesaid.



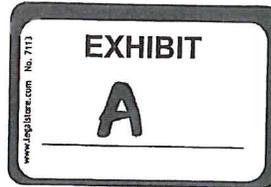
[Signature]  
Notary Public State of Florida

Nicole M. Louissaint  
Print Name

My Commission Expires: 4/13/2018



miamidade.gov



Department of Regulatory and Economic Resources  
Planning Division, Metropolitan Planning Section  
111 NW 1 Street • Suite 1250  
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April 8, 2014

Melissa Tapanes Llahues, Esq.  
Bercow Radell & Fernandez  
Southeast Financial Center  
200 South Biscayne Boulevard, Suite 850  
Miami, Florida 33131

RE: Request for Interpretation of Comprehensive Development Master Plan (CDMP) Adopted Land Use Plan Map Designation for Real Property with Folio No. 30-2220-002-2421

Dear Ms. Llahues:

This letter is in response to your correspondence dated February 25, 2014, in which you request an interpretation of the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map to confirm that the future land use designation for the entire subject property is "Business and Office".

The subject property is a  $\pm 1.46$ -acre parcel located on the east side of West Dixie Highway between NE 145 Street and NE 146 Street. The subject property is developed with a commercial building on the western  $\pm 0.79$ -acre portion of the property and parking on the remaining  $\pm 0.67$  acres. The western  $\pm 0.79$  acres are zoned BU-1A (Limited Business) and the eastern  $\pm 0.67$  acres zoned BU-1 (Neighborhood Business).

The CDMP LUP map depicts a strip of "Business and Office" along both sides of West Dixie Highway from SW corner of NE 151 Street and NE 8 Avenue. The CDMP LUP map depicts a  $\pm 1.2$ -acre portion of the subject property within the referenced "Business and Office" strip and the remaining  $\pm 0.26$ -acre portion of the property is depicted as "Low Density Residential" (2.5 to 6 dwelling units per gross acre).

The following provisions of the CDMP text are particularly relevant to this request:

The LUP map is a generalized land use plan where the depth of "Business and Office" strips along roadway frontages are guided by CDMP policy. The adopted scale of this map is one inch to the mile. The "Business and Office" land uses category text on CDMP page I-43, under Strips and Nodes, states that "[t]he depth of the ribbon for commercial development and other uses permitted under the Business and Office land use category is more generalized. In general, the depth should be limited to the norm for the strip, but may be approved at such other depth that will provide a logical transition to adjacent commercial and residential uses or accommodate vehicular parking to serve an adjacent use, provided that liberal permanent buffering is provided or other site planning or design features are used, to provide compatibility with any adjoining and adjacent residential uses that exist or are designated on the Land Use Plan map, in keeping with the Plan's policies".

In addition, the "Business and Office" text under 'Uses and Zoning Not Specifically Depicted', on page I-43, states that "[s]ome existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled 'Concepts and Limitations of the Land

Melissa Tapanes Llahues, Esq.  
April 8, 2014  
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Use Plan Map'. The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan".

Compatibility of land uses between adjoining and adjacent properties is an important consideration in determining consistency with the various provisions of the CDMP. Land Use Element Policies LU-4A, LU-4B, LU-4C and LU-4D, CDMP page I-9, are intended to address uses to be protected from potentially negative impacts of incompatible uses and how certain impacts can be mitigated through design solutions and buffering.

Based on the foregoing, the stated CDMP policies indicate that the "Business and Office" strip may be approved at such other depth as to encompass the entire subject property provided certain conditions are met. These conditions include providing a logical transition to the adjacent commercial and residential uses and ensuring compatibility with the adjacent residential uses. In addition, the existing commercial uses and BU-1A and BU-1 zoning on the entire property are consistent with the CDMP and are relevant factors in determining the depth of commercial development.

In conclusion, based on the relevant portions of the CDMP cited above together with the existing uses and zoning on the property, it is determined that with adequate buffering, site planning or design features assuring compatibility with the residential uses abutting the eastern boundary of the subject property, the "Business and Office" designation applies to the entire property and would provide a logical transition to the adjacent commercial and residential properties.

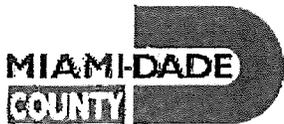
This letter is provided in response to your request for interpreting provisions of the CDMP; it does not constitute a departmental recommendation on any pending or future requests for development approval pertaining to the subject parcel. This interpretation is based upon the information provided and the policies and provisions of the CDMP currently in effect. If you have any questions regarding this review, please contact me or Garrett Rowe, Section Supervisor, at the letterhead address or telephone number.

Sincerely,

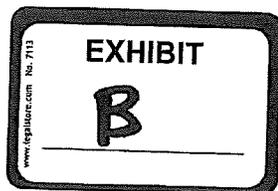


Mark R. Woerner, AICP  
Assistant Director for Planning

MRW:GR:de



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December 12, 2014

Melissa Tapanes Llahues, Esq.  
Bercow Radell & Fernandez  
Southeast Financial Center  
200 South Biscayne Boulevard, Suite 850  
Miami, Florida 33131

RE: Request for Interpretation of Comprehensive Development Master Plan (CDMP) Adopted Land Use Plan Map Designation for Real Property with Folio No. 30-2220-002-2410

Dear Ms. Llahues:

This letter is in response to your correspondence dated September 17, 2014, in which you request confirmation that the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map designation for the subject property is "Business and Office".

The subject property is a  $\pm 0.345$ -acre parcel located at the southwest corner of the intersection of NE 146 Street and NE 16 Avenue (east of West Dixie Highway). The property is zoned BU-1 (Neighborhood Business) and is developed with a multifamily residential building (a 4-unit building according to the Property Appraiser's records). Existing land uses abutting and adjacent to the subject property include commercial uses to the north and west, a home for the aged abutting to the south and single family residences to the east beyond NE 16 Avenue.

The CDMP LUP map depicts a strip of "Business and Office" along both sides of West Dixie Highway beginning at NE 151 Street to NE 125 Street. The depth of the "Business and Office" strip on the east side of West Dixie highway is generally  $\pm 200$  feet from the road right-of-way and the northeastern  $\pm 0.075$ -acre portion of the subject property is within the "Business and Office" strip. The CDMP LUP map depicts the remaining  $\pm 0.27$  acres of the subject property as "Low Density Residential", which allows residential development at density ranging from 2.5 to 6 dwelling units per gross acre.

The "Business and Office" text under 'Uses and Zoning Not Specifically Depicted', on page I-43, states that "[s]ome existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled 'Concepts and Limitations of the Land Use Plan Map'. The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan".

In addition, the LUP map is a generalized land use plan, adopted at a scale of one inch to the mile, where the depth of "Business and Office" strips along roadway frontages are guided by CDMP policy. The "Business and Office" land use category text on CDMP page I-43, under Strips and Nodes, states that "[t]he depth of the ribbon for commercial development and other uses permitted under the Business and Office land use category is more generalized. In general, the

Melissa Tapanes Llahues, Esq.  
December 12, 2014  
Page 2

depth should be limited to the norm for the strip, but may be approved at such other depth that will provide a logical transition to adjacent commercial and residential uses or accommodate vehicular parking to serve an adjacent use, provided that liberal permanent buffering is provided or other site planning or design features are used, to provide compatibility with any adjoining and adjacent residential uses that exist or are designated on the Land Use Plan map, in keeping with the Plan's policies".

Compatibility of land uses between adjoining and adjacent properties is an important consideration in determining consistency with the various provisions of the CDMP. Land Use Element Policies LU-4A, LU-4B, LU-4C and LU-4D, CDMP page I-9, are intended to address uses to be protected from potentially negative impacts of incompatible uses and how certain impacts can be mitigated through design solutions and buffering.

Based on the foregoing, the stated CDMP policies indicate that the "Business and Office" strip may be approved at such other depth as to encompass the entire subject property provided certain conditions are met. These conditions include providing a logical transition to the adjacent commercial and residential uses and ensuring compatibility with the abutting home for the aged and the residential uses to the east beyond NE 16 Avenue. In addition, the existing multifamily residential use and BU-1 zoning on the property are consistent with the CDMP and are relevant factors in determining the depth of commercial development.

In conclusion, based on the relevant portions of the CDMP cited above together with the existing use and zoning on the property, it is determined that with adequate buffering, site planning or design features assuring compatibility with the abutting home for the aged and residential uses to the east of the subject property, the "Business and Office" designation applies to the entire property and would provide a logical transition to the adjacent commercial and residential properties.

This letter is provided in response to your request for interpreting provisions of the CDMP; it does not constitute a departmental recommendation on any pending or future requests for development approval pertaining to the subject parcel. This interpretation is based upon the information provided and the policies and provisions of the CDMP currently in effect. If you have any questions regarding this review, please contact me or Garrett Rowe, Section Supervisor, at the letterhead address or telephone number.

Sincerely,



Mark R. Woerner, AICP  
Assistant Director for Planning

MRW:GR:de