

**B. DADELAND BREEZE APARTMENTS LLC**  
(Applicant)

05-3-CZ12-2 (04-366)  
BCC/District 7  
Hearing Date: 10/6/05

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:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1964	Sec. 34 Corp.	Zone change from AU to RU-4M.	BCC	Approved w/conds.
1966	Kendall Park Apts.	Unusual Use entrance feature.	ZAB	Approved w/conds.

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.

**ZONING ACTION**

**MEMORANDUM**

**Harvey Ruvin**

**Clerk of the Circuit and County Courts  
Clerk of the Board of County Commissioners**

**(305) 375-5126**

**(305) 375-2484 FAX**

**[www.miami-dadeclerk.com](http://www.miami-dadeclerk.com)**



**August 25, 2005**

**The hearing was cancelled (no hearing held) due to hurricane Katrina.**

ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts  
Clerk of the Board of County Commissioners  
(305) 375-5126  
(305) 375-2484 FAX  
www.miami-dadeclerk.com

DATE: JUNE 23, 2005

#Z-

APPLICANT: 1. DADELAND BREEZE APARTMENTS  
L.L.C.

MOTION: DEFERRED TO AUGUST 25, 2005—NO  
FURTHER NOTICE

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Carey-Shuler	M	X		
Diaz		X		
Gimenez				X
Heyman				X
Jordan				X
Rolle		X		
Seijas				X
Sorenson				X
Sosa				X
Souto		X		
Vice Chairman Moss	S	X		
Chairman Martinez		X		
<b>TOTAL</b>		<b>7</b>	<b>0</b>	<b>6</b>

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**



APPLICANT'S NAME: DADELAND BREEZE APARTMENTS LLC

REPRESENTATIVE(S): JUAN MAYOL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	MAY 10, 2005	CZAB12-14-05

REQ: RU-4M to PAD

WITHDRAW:  APPLICATION  ITEMS: \_\_\_\_\_  
 DEFER:  INDEFINITELY  TO: \_\_\_\_\_  W/LEAVE TO AMEND  
 DENY:  WITH PREJUDICE  WITHOUT PREJUDICE  
 ACCEPT PROFFERED COVENANT  ACCEPT REVISED PLANS  
 APPROVE  PER REQUEST  PER DEPARTMENT  PER D.I.C.  
 WITH CONDITIONS

TITLE	M/S	NAME	YES	NO	ABSN
MS.		Peggy BRODEUR	X		
MS.		Jackie HERNANDEZ- TORAÑO			X
MADAME VICE-CHAIR		Millie HERRERA	X		
MS.	S	Carla SAVOLA	X		
MR.		Nelson A. VARONA		X	
MR.	M	Robert W. WILCOSKY	X		
CHAIRMAN		Jose I. VALDES (C.A.)	X		

VOTE: 5 to 1

EXHIBITS:  YES  NO

COUNTY ATTORNEY: JAY WILLIAMS

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**



APPLICANT'S NAME: **(D.I.C.) DADELAND BREEZE APARTMENTS LLC**

REPRESENTATIVE: **JUAN MAYOL**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	APRIL 26, 2005	CZAB12- -05

REQ: RU-4M to PAD

REC: APPROVE DBC SUBJECT TO COVENANT **WITHDRAW REQUEST #2**

WITHDRAW:  APPLICATION  ITEMS: \_\_\_\_\_  
 DEFER:  INDEFINITELY  TO: \_\_\_\_\_  W/LEAVE TO AMEND  
 DENY:  WITH PREJUDICE  WITHOUT PREJUDICE  
 ACCEPT PROFFERED COVENANT  ACCEPT REVISED PLANS  
 APPROVE  PER REQUEST  PER DEPARTMENT  PER D.I.C.  
 WITH CONDITIONS  
 **OUT OF TIME - HEARING NOT CONCLUDED - CARRIED FORWARD TO 5/10/05 MEETING**

TITLE	M/S	NAME	YES	NO	ABSN
MS.		Peggy BRODEUR			
MS.		Jackie HERNANDEZ- TORAÑO			
MADAME VICE-CHAIR		Millie HERRERA			
MS.		Carla SAVOLA			
MR.		Nelson A. VARONA			
MR.		Robert W. WILCOSKY			
CHAIRMAN		Jose I. VALDES (C.A.)			

VOTE: \_\_\_\_\_ to \_\_\_\_\_

EXHIBITS:  YES  NO

COUNTY ATTORNEY: TOM LOGUE

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**

**2**

APPLICANT'S NAME: **(D.I.C.) DADELAND BREEZE APARTMENTS LLC**

REPRESENTATIVE(S): **JUAN MAYOL**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	MARCH 29, 2005	CZAB12- -05

REQ: RU-4M to PAD

REC: APPROVAL OF DBC TO PAD

**WITHDRAWAL OF REQUEST #2**

WITHDRAW:  APPLICATION  ITEMS: \_\_\_\_\_

DEFER:  INDEFINITELY  TO: APRIL 26, 2005  W/LEAVE TO AMEND

DENY:  WITH PREJUDICE  WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT  ACCEPT REVISED PLANS

APPROVE  PER REQUEST  PER DEPARTMENT  PER D.I.C.  
 WITH CONDITIONS

TITLE	M/S	NAME	YES	NO	ABSN
MS.	S	Peggy BRODEUR	X		
MS.		Jackie HERNANDEZ- TORAÑO	X		
MADAME VICE-CHAIR		Millie HERRERA	X		
MS.	M	Carla SAVOLA	X		
MR.		Nelson A. VARONA	X		
MR.		Robert W. WILCOSKY	X		
CHAIRMAN		Jose I. VALDEZ (C.A.)	X		

VOTE: 7 to 0

EXHIBITS:  YES  NO

COUNTY ATTORNEY: THOMAS ROBERTSON

**DEVELOPMENTAL IMPACT COMMITTEE  
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

**APPLICANT:** Dadeland Breeze Apartments, LLC

**PH:** 04-366

**SECTION:** 34-54-40

**DATE:** October 6, 2005

**COMMISSION DISTRICT:** 7

**ITEM NO.:** B

**A. INTRODUCTION**

o **REQUESTS:**

(1) RU-4M to PAD

Plans are on file and may be examined in the Zoning Department entitled "H & H Development as prepared by Cohen-Freeman-Encinosa & Assoc., dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

**SUMMARY OF REQUESTS:**

The applicant is requesting a zone change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development District, in order to develop an approximately 11.11-acre parcel of land with a multi-family development. Three site plans have been submitted for this proposal indicating that all of the existing three-story apartment buildings will be demolished to accommodate, in the first option, 640 one, two and three bedroom residential units, in the second option, 592 one, two and three bedroom units and in the third option, 521 one, two and three bedroom residential units. In all cases, residential units will be housed within apartment and townhouse building types. The subject property is located on the northwest corner of SW 77 Avenue and SW 88 Street.

o **LOCATION:** Northwest Corner of SW 77 Ave. & SW 88 St; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida.

o **SIZE:** 11.11 Acres

o **IMPACT:**

The proposed residential development will provide additional housing to the community; however, it will bring an increase in traffic and noise into the area and will impact schools and public services.

**B. ZONING HEARINGS HISTORY:**

In 1964 pursuant to resolution Z-242-64, the Board of County commissioners approved a zone change from AU, Agriculture District to RU-4M, Modified Apartment House District. In 1966 pursuant to Resolution 3ZAB-230-66 the Zoning Appeals Board approved an unusual use for an entrance feature on the subject property.

**C. NEIGHBORHOOD CHARACTERISTICS:**

<u>SUBJECT PROPERTY</u>	<u>EXISTING ZONING</u>	<u>EXISTING LAND USE PLAN DESIGNATION</u>
	RU-4M; 3-story apartments	Medium-High Density Residential, 25 to 60 dua
 <b><u>SURROUNDING PROPERTY</u></b>		
<b><u>NORTH</u></b>	RU-4M; 4-story apartments	Medium-High Density Residential, 25 to 60 dua
<b><u>SOUTH</u></b>	BU-2 and RU-4A; strip shopping center, 5-story office building, 6-story hotel and Palmetto Expressway	Business and Office and Medium- High Density residential, 25 to 60 dua
<b><u>EAST</u></b>	Palmetto Expressway	Palmetto Expressway
<b><u>WEST</u></b>	RU-4M and RU-5A; office building and 2-story townhouse-type condominiums (Kendall Glenn Condo)	Business and Office and Medium- High Density residential, 25 to 60 dua

The subject property is located in the east Kendall area of Miami-Dade County. The area immediately west of the Palmetto Expressway is predominately developed with apartments and townhouses. East of the Palmetto is the burgeoning Downtown Kendall Urban Center District, with its mixed-use developments consisting of condominiums, retail and office. A small strip shopping center with office uses is located to the southwest of the subject property.

**D. SITE AND BUILDINGS:**

Scale/Utilization of Site:	<b>Acceptable</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Acceptable</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Acceptable</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Visibility/Visual Screening:	<b>Acceptable</b>
Energy Considerations:	<b>N/A</b>
Roof Installations:	<b>N/A</b>
Service Areas:	<b>N/A</b>
Signage:	<b>N/A</b>
Urban Design:	<b>Acceptable</b>

**E. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(F) District Boundary Changes**

In evaluating an application for a **district boundary change**, the Board shall take into consideration, among other factors, the extent to which the development permitted by the application, if granted:

- (1) 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;
- (2) 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;
- (3) Will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) 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;
- (5) 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.

**Section 33-311(A)(17). Modification or Elimination of Conditions and Covenants After Public Hearing.** The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs of this section have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**Section 33-311(A)(7).** 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; 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.

**F. NEIGHBORHOOD SERVICES:**

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	See Exhibit 'A'
Planning and Zoning	No objection

**G. RECOMMENDATION:**

**Approval** of the district boundary change from RU-4M to PAD subject to the Board's acceptance of the proffered covenant and with acceptance of the Option 1 site plan for 640 units. Said covenant provides that development of the subject site be substantially in accordance with the submitted site plan; that the maximum number of dwelling units on the property be 640; that the development of the property is projected to commence in February 2006 with construction to be completed within 24-36 months from commencement; and that a shuttle service shall be in operation prior to final zoning signoff of the 307th dwelling unit. Said agreement also provides additional quantitative data regarding number of bedrooms, building coverage, open space, residential density, nonresidential construction, private roads and private areas, and population projection.

The Executive Council is of the opinion that the proposed zone change will be in keeping with the Comprehensive Development Master Plan (CDMP) Medium-High Density Residential designation for the subject parcel. When taking into consideration the reasonableness of the applied for rezoning in relation to the present and future development of the area, the Executive Council finds that the zone change request will permit a residential development which is **consistent** with the CDMP, and will not be contrary to the public interest. The Council also finds that the proposed development will also be **compatible** with the development trend in the surrounding area.

**PROJECT DESCRIPTION**

Three site plans have been submitted for staff's review by the applicant. Option 1, dated/received December 30, 2004, depicts the development of the subject parcel with 640 residential units made up of one, two and three bedroom units housed within 8-story apartment buildings and 3-story townhouse building types. Another plan (option 2), dated/received April 08, 2005, depicts one, two and three bedroom units housed within 6-story and 8-story apartment buildings and 3-story townhouse building types for a total of 592 units. A third site plan (option 3), dated/received June 29, 2005, shows the development of the property with 521 one, two and three bedroom units housed within 6 and 8-story apartment buildings and 3-story townhouse building types.

The 640-unit plan (option 1), originally submitted with this application, was recommended for approval by the Department of Planning and Zoning to the Executive Council of the Developmental Impact Committee (DIC) as said plan was found to be consistent with the Master Plan and compatible with the surrounding area. The DIC Executive Council concurred with the Department's analysis and recommended approval of the 640-unit plan to the Community Zoning Appeals Board 12. During the Community Zoning Appeals Board 12 hearing for this proposal, the applicant showed a modified site plan dated April 08, 2005 (option 2), that had not been previously submitted to the Department, indicating the development of the subject parcel with 592 one, two, and three bedroom units housed within 6 and 8-story apartment buildings and 3-story townhouse building types. However, this site plan was denied with prejudice by said Board. The applicant appealed the

CZAB-12's decision to the Board of County Commissioners. On June 23, 2005, the applicant requested and was granted a deferral by the Board of County Commissioners in order to obtain the DIC Executive Council's recommendation for the 592-unit plan (option 2) submitted at the CZAB-12 hearing and a currently submitted 521-unit (option 3) proposal. Both options require a Development of Impact Committee review and approval due to changes in the number of units and/or building configurations. In addition, the deferral would permit the area's Commissioner to be present at the August 25, 2005 Board of County Commissioners zoning hearing.

**The following project description pertains to the 640-unit proposal (option 1):**

Submitted plans, dated/stamped/received December 30, 2004, depict a square-shaped parcel bounded by the Palmetto Expressway to the east, an office building and 2-story townhouse-type condominiums to the west, SW 88 Street (North Kendall Drive) to the south, and SW 86 Street to the north. Two entrances into the complex are shown, one from Kendall Drive and a second from SW 86 Street. Vehicles or pedestrians entering from North Kendall Drive encounter a frontage drive providing access into the parking garage serving the apartment portion of the development. This drive is also connected to a loop road that provides access to other apartment buildings, townhouse units fronting SW 86 Street, and recreational facilities consisting of a tennis court, putting green, swimming pools and a fitness center. All of the parking spaces required by the apartment portion of this project will be located inside a parking structure that is completely lined by the proposed apartment buildings. Providing habitable space in front of the parking structure will prohibit parking spaces to be seen from the adjacent street network. Parking for the townhouse units fronting SW 86 Street are placed inside individual parking garages located to the rear of each unit. The absence of visible parking spaces will enhance the aesthetics of those corridors surrounding the subject property and proposed development. The placement of the parking behind buildings, and fronting buildings closer to the street as proposed by the subject application, help to foster a pedestrian-scaled environment along SW 86 Street and SW 88 Street. Staff notes, however, that the human-scaled environment will become more evident along SW 86 Street due to the townhouse building's proximity to said corridor. Proposed buildings adopt a modified Art-Deco style and will have heights reaching 86' for apartments and approximately 28' for the townhouse types. The intensive building program consisting of 8-story buildings (86' high) is concentrated in the central portion of the property and along North Kendall Drive, which is a more intensively built and highly trafficked street. The less intensive-scaled, 3-story townhouses (28' high) front SW 86 Street, a local street. Building intensity transitions from Kendall Drive to SW 86 Street by placing the taller, more densely developed 8-story building program along North Kendall Drive and in the center portion of the property and the less intensive 3-story townhouses along SW 86 Street. Landscaping in the form of trees, palms and shrubs will be provided throughout the site, with planting emphasis placed where the site adjoins the Palmetto Expressway in order to help buffer the development from the highway's noise and activity.

**The following project description pertains to the alternate proposal with 592 units (option 2):**

Submitted plans, dated/stamped/received April 08, 2005, depict a square-shaped parcel bounded by the Palmetto Expressway to the east, an office building and 2-story townhouse-type condominiums to the west, SW 88 Street (North Kendall Drive) to the south, and SW 86 Street to the north. Two entrances into the complex are shown, one from Kendall Drive and a second from SW 86 Street. Vehicles or pedestrians entering from North Kendall Drive encounter a frontage drive providing access into the parking garage serving the apartment portion of the development. This drive is also connected to a loop road that provides access to other apartment buildings, townhouse units fronting SW 86 Street, and recreational facilities consisting of a tennis court, putting green, swimming pools and a fitness center. All of the parking spaces required by the apartment portion of this project will be located inside a parking structure that is completely lined by the proposed

apartment buildings. Providing habitable space in front of the parking structure will prohibit parking spaces from being seen from the adjacent street network. Parking for the townhouse units fronting SW 86 Street are placed inside individual parking garages located to the rear of each unit. The absence of visible parking spaces will enhance the aesthetics of those corridors surrounding the subject property and proposed development. The placement of the parking behind buildings, and fronting buildings closer to the street as proposed by the subject application, help to foster a pedestrian-scaled environment along SW 86 Street and SW 88 Street. Staff notes, however, that the human-scaled environment will become more evident along SW 86 Street due to the townhouse building's proximity to said corridor. Proposed buildings adopt a modified Art-Deco style and will have heights reaching 63' for the 6-story apartment buildings, 84' for the 8-story apartments and approximately 28' for the townhouse types. Most of the intensive building program consisting of 8-story buildings (84' high) is concentrated in the central portion of the property and along North Kendall Drive, which is a more intensively built and highly trafficked street. The 6-story (63' high) buildings are sited between the central portion of the property and the row of 3-story townhouses that front SW 86 Street, a local street. Building intensity transitions from Kendall Drive to SW 86 Street by placing the taller, more intensively developed 8-story building program along North Kendall Drive and the less intensive 6-story buildings and 3-story townhouses closer to and along SW 86 Street. Landscaping in the form of trees, palms and shrubs will be provided throughout the site, with planting emphasis placed where the site adjoins the Palmetto Expressway in order to help buffer the development from the highway's noise and activity.

**The following project description pertains to the alternate proposal with 521 units (option 3):**

Submitted plans, dated/stamped/received June 29, 2005, depict a square-shaped parcel bounded by the Palmetto Expressway to the east, an office building and 2-story townhouse-type condominiums to the west, SW 88 Street (North Kendall Drive) to the south, and SW 86 Street to the north. Two entrances into the complex are shown, one from Kendall Drive and a second from SW 86 Street. Vehicles or pedestrians entering from North Kendall Drive encounter a frontage drive providing access into the parking garage serving the apartment portion of the development. This drive is also connected to a loop road providing access to apartment buildings, townhouse units fronting SW 86 Street and recreational facilities consisting of a tennis court, putting green, swimming pools and a fitness center. The two apartment buildings fronting SW 88 Street will be 8-stories high. Buildings planned on the central portion of the site, behind those buildings fronting Kendall Drive and surrounded by a putting green, open lawns, pools and clubhouse will also have heights of 8 stories. Between the 8-story buildings on the central portion of the property and the 3-story townhouses proposed along SW 86 Street will be two 6-story apartment buildings. One of the 6-story buildings is situated in front of the parking garage and the other directly behind the 8-story building in the central portion of the property. A common hallway that also provides access to the parking garage connects the apartment buildings. Parking spaces required by the apartment portion of this project are planned inside the aforementioned parking structure completely lined by apartment units. Providing habitable space in front of the parking structure will prohibit parking spaces to be seen from the adjacent street network. A row of townhouse building types will front SW 86 Street and six townhouses building types will be constructed along the west property line. Parking for the townhouse units are placed inside individual parking garages located to the rear of each unit and are accessible from the loop road that will surround the parcel. The absence of visible parking spaces will enhance the aesthetics of those corridors surrounding the subject property and proposed development. Placing parking behind buildings, and fronting buildings closer to the street as proposed by the subject application, will help to foster a pedestrian-scaled environment along SW 86 Street and SW 88 Street. Staff notes, however, that the human-scaled environment will become more evident along SW 86 Street due to the townhouse building's proximity to said corridor. Proposed buildings adopt a modified Art-Deco style and will have heights reaching 84' for the 8-story apartments, 63' for the 6-story apartments and 30' for the townhouse

types. Most of the intensive building program consisting of 8-story buildings is concentrated in the central portion of the property and along North Kendall Drive, which is a more intensively built and highly trafficked street. 6-story buildings are placed between the central portion of the site and the row of 3-story townhouses fronting SW 86 Street. The less intensive-scaled, 3-story townhouses are placed along SW 86 Street, a local street, and the westerly portion of the property. Building intensity transitions from Kendall Drive to SW 86 Street by placing the taller, more densely developed 8-story building program along North Kendall Drive and the 6-story buildings and 3-story townhouses closer to and along SW 86 Street and the westerly portion of the property. Landscaping in the form of trees, palms and shrubs will be provided throughout the site, with planting emphasis placed where the site adjoins the Palmetto Expressway in order to help buffer the development from the highway's noise and activity.

**COMMENTS AND MAJOR CONCERNS**

Ordinance Number 75-47 charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility. This application is before the Developmental Impact Committee because the number of units proposed exceeds the DIC threshold of 250 units.

The following comments address these specific charges with regard to the subject application:

**I. CONFORMANCE WITH ALL APPLICABLE PLANS**

**A. RELEVANCE TO THE COMPERHENSIVE DEVELOPMENT MASTER PLAN**

**APPLICABLE CDMP GOALS, OBJECTIVES AND POLICIES**

**Land Use Objective 5**

Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goals, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.

**Land Use Element Goal**

Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

**Land Use Policy 5B**

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan

Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

### **Land Use Policy 2A**

All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).

### **Land Use Policy 9M**

Miami-Dade County shall develop an urban design manual establishing design guidelines. This manual shall provide additional criteria for use in review of all new residential, commercial and industrial development in unincorporated Miami-Dade County.

The Adopted 2005 and 2015 Land Use Plan designates 10 acres of the subject property as being within the Urban Development Boundary for **Medium-High Density Residential**.

### **Medium-High Density Residential**

This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.

### **DEPARTMENT OF PLANNING AND ZONING DIRECTOR'S EVALUATION**

The applicant, Dadeland Breeze Apartments, Inc., is requesting a zone change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development District on an 11.11-acre parcel located on the northwest corner of SW 77 Avenue and SW 88 Street, in the east Kendall area of Miami-Dade County. All of the 3-story apartment buildings now found on the site will be demolished to accommodate the new residential development. To the southwest, across North Kendall Drive, there is a 1-story strip commercial shopping center, an 8-story office building and a 6-story hotel. The Palmetto Expressway and the burgeoning Downtown Kendall Urban Center District lie to the east and an office building and 2-story townhouses lie to the west. Four-story apartment buildings exist on a parcel located north of the subject property, across SW 86 Street.

The Department of Environmental Resources Management (**DERM**) offers **no objections** to this application and has indicated that it meets the minimum requirements as set forth in Chapter 24 of the Code of Miami-Dade County. Since public water and public sanitary sewers can be made available to this property, DERM will require that the applicant connect to the water supply and the public sanitary sewer system. The **Police Department** offers **no objections** to this application and indicates in their memorandum for this hearing that police services are currently provided by the Kendall Station (Police District 5). Based upon a district wide statistical analysis, the average emergency response time is 5.1 minutes. The **Public Works Department** does **not object** to this application as it pertains to the development of the property in accordance with the submitted site plans, and indicates in their memorandum for this hearing that the land must be platted. This application meets the criteria for traffic concurrency for an Initial Development Order. No vehicle trips have been reserved by this application and it will be subject to the payment of road impact fees. The Department of **Solid Waste Management** does **not object**

to this project as well. The latest Concurrency Status Determination issued on September 12, 2003, which is valid for three (3) years, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with 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. The **Parks and Recreation Department does not object** to this application. The proposal generates a need for 4.10 acres of local parkland, based on the CDMP Open Space Spatial Standards of 2.75 acres per 1000 population. This Department recommends that the applicant consider adding a tot lot playground to one of the open play areas because there are no neighborhood parks nearby to serve the residents, and the adjacent areas have been built out. **Miami-Dade County Public Schools (MDCPS)** has indicated that the proposed zoning and site plan for 640 units (the more intensive site plan option) will bring an additional 61 students into the area's public schools. They indicate in their memorandum that the proposed development will impact Kenwood Elemiddle School and South Miami Senior High School currently operating at 131% and 146% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Kenwood Elemiddle School and South Miami Senior High School to 135% and 147%, respectively. The **Miami-Dade Water and Sewer Department (MDWSD) does not object** to this application and indicates in their memorandum for this hearing that, for water service, the applicant must connect to an existing 16-in. w.m. in SW 77 Avenue N/O SW 74 Ln. and extend same northerly in SW 77 Avenue to SW 74 Street, thence westerly in SW 74 Street to SW 77 Ct. to be interconnected to an existing 16-in. w.m. N/O SW 74 Street. Connect to any of the existing 12-in. and/or 16-in. w.m. in SW 88 Street and SW 86 Street, respectively. Any public w.m. extension within the property shall be 12-in. minimum in diameter with 2 points of connection and the system shall be looped, in order to avoid dead end mains. The gravity sewer point of connection information for this development and the size of the required gravity sewer main in public right of way are subject to an engineering analysis to be conducted by the M-DWASD at the time a request for connection is sent to the Department, due to existing available capacity concerns in the area of the City of Miami.

The CDMP designates the 11.11-acre subject property for **medium-high density residential**. This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre and would allow the development of 666 units on the subject site. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas. The applicant is proposing three site plans, one indicating a total of 640 residential units at a density of 57 units per gross acre (option 1), an alternative site plan (option 2) indicating 592 residential units at a density of 53 units per gross acre, and option 3, indicating the development of the subject parcel with 521 residential units at a density of 46 units per gross acre. The applicant intends to proffer one of three covenants that address each of the submitted plans. One covenant will limit the density to 57 units per gross acre for a total of 640 residential units, another will limit the density to 53 units per gross acre for a total of 592 residential units and a third covenant will limit the density to 46 units per gross acre for a total of 521 units. Each of the covenants ties the development to its respective site plan, and indicates the development's projected commencement to be no earlier than February 2006. In addition, the covenants allow for a 60,000 dollar donation to the County to be used for a charrette or planning study to help cover the costs of the "Kendall Charrette." Further, the covenants address the number of bedrooms, building coverage, open space, maintenance of roads and all common areas, accessory uses, and lighting and landscaping improvements. The proposed Planned Area Development District, with the proffered covenant limiting the density to 640 residences at 57 units per gross acre, or 592

residences at 53 units per gross acre or 521 residences at 46 units per gross acre is **consistent** with the maximum numerical threshold permitted by the Land Use Plan map. Staff is of the opinion that the proposed developments, option 1 consisting of 8-story apartment buildings and 3-story townhouse building types for the 640-unit proposal, option 2 planned with 8 and 6-story apartments and 3-story townhouse building types and option 3 with 8-story apartment buildings, 6-story apartment buildings and 3-story townhouse building types are **compatible** with surrounding development, such as, the 6-story hotel located across the parcel, the 8-story office building and shopping center to the southwest of the property and the Downtown Kendall area found to the east of the Palmetto Expressway with its mixed-use buildings, some of which reach 25 stories, some 10 stories and others 7 stories. This development lies to the west of the Downtown Kendall's Center and Edge Sub-districts. Under the Downtown Kendall Urban Center District Ordinance (DKUCD), the Center Sub-district standards permit 10-story buildings with maximum heights that can reach up to 156' and the Edge Sub-district standards permit buildings with maximum heights of 114'. The 8-story (86' and 84' high buildings), 6-story (63' high buildings) and 3-story (28' and 30' high buildings) proposed in each option are not a significant departure from the 10-story and 7-story buildings permitted under the DKUCD's Center Sub-district and Edge Sub-district, respectively, and are significantly lower than the 25-story buildings permitted in the DKUCD's Core Sub-districts with heights that can reach 366'. The proposed site plans are also compatible with existing development found to the north, south, west and southwest developed with office buildings, a hotel, mid-rise apartments, a commercial center and townhouses. The office building found to the southwest, on the south side of North Kendall Drive, is 8 stories which in staff's opinion is a height that is in keeping with and similar in scale to the proposed 8-story apartments of the development. The 6-story hotel to the south is a similar height as the 6-story apartments proposed in two of the alternative options and not a substantial departure in height to the 8-story heights proposed in all three options. Staff notes that south of North Kendall Drive, on the east side of SW 77 Avenue, is an apartment development with buildings that reach 8-stories as well. Many of the apartment buildings to the north are 4 stories in height and those townhouse-type condominiums to the west are 2-stories. In the 640-unit option, 3-story townhouse building types will front SW 86 Street, to provide a transition between the proposed 8-story buildings fronting North Kendall Drive and the existing 4-story buildings found to the north of the subject parcel. To buffer the 2-story townhouse-type condominium development to the west from the proposal, the applicant proposes to install a high concentration of landscape material along the west property line and setback the proposed apartments approximately 60' from said property line as well. The second site plan option, with 592 units, indicates 8-story buildings along North Kendall Drive and in the central area of the subject parcel and 6-story buildings between the central portion of the site and the row of townhouses along SW 86 Street. The building height transition proposed in this option from the highly trafficked North Kendall Drive corridor to the less trafficked SW 86 Street promotes compatibility between the subject parcel and the surrounding land uses. In the 521-story option (option 3), the applicant will site 3-story townhouse building types along SW 86 Street and near the westerly property line. The transitional height provided by the townhouse building type in conjunction with proposed landscape material and setback considerations will help to alleviate any impacts generated by the scale and intensity of the residential project on the townhouse condominium development to the west and surrounding uses. Transitional building heights also create a development that is in keeping with and more **compatible** with the surrounding uses. Further, all of the required off-street parking is stored in a garage lined with apartment buildings. No parking spillage to major or local streets will be generated as the garage can adequately accommodate the parking needs of the requested densities. Parking structures not only permit the vertical storage of automobiles, but also allow for the reservation of additional areas of on-site open space. Lining the parking garage with apartment buildings prohibit parking areas to be seen from the street or from the development's surroundings. This enhances the aesthetics of the development, the surrounding land uses, and streets. As such,

staff of the Department is of the opinion that as proposed, all three optional site plans are **compatible** with the community and **consistent** with the medium-high residential development density permitted by the LUP map of the CDMP.

When considering district boundary changes the Board shall hear and grant or deny applications by taking into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities 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. The applicant is seeking approval for a district boundary change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development, incorporating a mixture of building types within a well-designed community having a number of recreational amenities. The approval of this application would help to address the needs in this area of Miami-Dade County by promoting the redevelopment of a site, all in accordance with the County's adopted Urban Design Manual. Proposed building types are designed with well-articulated facades using plentiful fenestration and regional architectural motifs. Parking is relegated to the rear of buildings or is completely camouflaged from streets or the surrounding community view by habitable space. A number of important thoroughfares such as the Palmetto Expressway and North Kendall Drive can access the proposal and link the proposal to other major urban centers such as Downtown Kendall and South Miami. In addition, the proposal is easily accessible from US 1 and is easily reached by metrorail and buses that cross North Kendall Drive. In staff's opinion, this project will have a favorable impact on the economy of Dade County as the additional units provide more tax revenue, and the development will not burden water, sewer, solid waste disposal, recreation or other public services. Staff supports the more intensive development proposal with 640 residential units at 57 units per gross acre. The intensification of the subject parcel will provide needed housing for the community and help to decrease the intensification of land uses near the Urban Development Boundary. The design of this proposal is in keeping with similar projects now under construction in Downtown Kendall to the east and compatible with the mid-rise development established on the south side of Kendall Drive, east of SW 77 Avenue. This proposal will provide a contemporary alternative to the existing development that is now found on the subject parcel. Architecture and landscape architectural elements are used to create a project that is compatible with its surroundings and visually impact, in a positive manner, the redeveloping North Kendall Drive corridor. The development of the 640-unit proposal with 8-story buildings and 3-story townhouse building types furthers the objectives and goals of the subject property's underlying Master Plan medium-high density residential designation with housing that will be compatible and not negatively impact surrounding uses. As such, staff recommends approval of the district boundary change from RU-4M to PAD, subject to the Board's acceptance of the proffered covenant limiting the subject parcel to 640 units.

**RECOMMENDATION:** Approval of the district boundary change from RU-4M to PAD subject to the Board's acceptance of the proffered covenant limiting the parcel to 640 units.

**B. MULTI-YEAR CAPITAL IMPROVEMENTS PROGRAM**

The General Services Administration department has reviewed this application with respect to its compatibility with the County's current Capital Budget and Multi-Year Capital Plan. This plan is prepared pursuant to state growth management legislation and the Miami-Dade County code. This application does not conflict with the current plan.

**II. ENVIRONMENTAL IMPACT**

**A. WELLFIELD PROTECTION**

The subject property is located within the Maximum Day Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-12.1 of the Code.

**B. STORMWATER MANAGEMENT**

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

**C. POLLUTION REMEDIATION**

There are no records of current or historical contamination assessment or remediation issues on the subject property or within 500 feet of the same.

**D. AIR QUALITY PRESERVATION**

This project includes the demolition of existing buildings on site. These buildings must be surveyed for asbestos, and a notice of demolition must be submitted to this office 10 days prior to the start of the demolition.

**E. WETLANDS**

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

**F. TREE PRESERVATION**

Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized trees which are on the site. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees.

**G. ENFORCEMENT HISTORY**

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

**Concurrency Review Summary**

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code. Accordingly, DERM does not object to the request, provided that the applicant complies with all Code requirements expressed herein. Furthermore, the application may be scheduled for consideration by the DIC Executive Council and this memorandum shall constitute DERM's written consent to that effect as required by the Code.

**III. IMPACT ON THE ECONOMY**

It is estimated that for a total of 640 multifamily residential units sold at \$350,000.00 per unit, the operating revenue and cost to Miami-Dade County and the School Board will be as follows:

	County	School Board	Combined
Total Revenues	\$4,150,718.	\$2,136,580.	\$6,287,298.
Total Costs	<u>1,802,518.</u>	<u>587,194</u>	<u>2,389,712.</u>
Net Fiscal Impact	\$ 2,348,200.	\$ 1,549,386.	\$3,897,586.

The net fiscal impact of this proposal is estimated to provide a positive operating revenue to Miami-Dade County of \$2,348,200.00 and a net surplus of \$1,549,386.00 to the School Board, for a combined total for both jurisdictions of \$3,897,586.00.

**IV. IMPACT ON ESSENTIAL GOVERNMENTAL SERVICES**

**A. POTABLE WATER SUPPLY**

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (WASD). Public water service exists throughout the property. Connection of the proposed new development to the public water supply system shall be required in accordance with Code requirements. The applicant shall connect to an existing sixteen (16)-in. w.m. in NW 77 Ave. N/O SW 74 Ln. and extend same northerly in NW 77 Ave. to SW 74 St., thence westerly in SW 74 St. to SW 77 Ct. to be interconnected to an existing sixteen (16)-in. w.m. N/O SW 74 St. Connect to any of the existing twelve (12)-in. and/or sixteen (16)-in. w.m. in SW 88 St and SW 86 St. respectively. Any public w.m. extension within the property shall be twelve (12)-in. min. in diameter with two (2) points of connection and the system shall be looped, in order to avoid dead end mains. The estimated demand for this project is 125,400 gallons per day (gpd). This figure does not include irrigation demands.

The source of water for these mains is Miami-Dade County Water & Sewer Department's Alexander Orr Water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State and County drinking water standards.

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

Notwithstanding that adequate system capacity is available for this project, DERM will require that water conserving plumbing fixtures be installed in accordance with the requirements of the South Florida Building Code in order to use more efficiently the Southeast Florida water resources.

It is recommended that the landscaping conform to xeriscape concepts. Included in these concepts is use of drought tolerant plants, reduces use of turf grass together with efficient

irrigation system design. Details of xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water Management District.

**B. SEWER SERVICE**

The property is located within the franchised sewer service area of the Miami-Dade County Water & Sewer Department (WASD). Public sanitary sewers abut the site in the form of an 8-inch gravity main located along S.W. 86<sup>th</sup> Street. Downstream flow is directed to the South District Treatment Plant, which has adequate capacity to meet projected demands from this project. The gravity sewer point of connection information for this development and the size of the required gravity sewer mains in public right of way are subject to an engineering analysis to be conducted by the M-DWASD at the time a request for connection is sent to the Department, due to existing available capacity concerns in the area of the City of Miami. Connection of the proposed development to the public sanitary sewer system shall be required.

Existing public water and public sanitary 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 of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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.

**C. POLICE**

Police services are currently provided by our Kendall Station (Police District 5) located at 7707 SW 117 Avenue. During the month of August 2004, based upon a districtwide statistical analysis, the average emergency response time was 5.1 minutes (includes dispatch and travel time). Station police officers answered 5,647 calls for service and operated with 160 sworn personnel, to deliver police service to a district boundary area of 41.5 square miles and a citizen population of 176,811.

**D. FIRE**

**Service Impact/Demand**

1. Based on development information, this project is expected to generate approximately 68 fire and rescue calls annually.
2. A suspected fire within this project would be designated as a high rise dispatch assignment. Such an assignment requires 4 suppressions or engines, telesquirts or

tankers, 2 aerials, 2 rescues and an accompanying command vehicle(s). This assignment requires 30 firefighters and officers.

3. The desired travel time to such a project is 5 minutes for the first-in unit.
4. Required fire flow for this project is 2,000 gpm with hydrant spacing no further than every 300 feet. Proper main extensions can be provided by WASAD. Generally, for this type of development 16 inch mains are required.

**Existing Services**

1. The stations responding to a fire alarm will be:

<u>Station</u>	<u>Address</u>	<u>Equipment</u>	<u>Staff</u>	<u>Response Time</u>
23	Kendall South 7825 SW 104 St	Aerial, Rescue	4,3	2 min
14	South Miami 5860 SW 70 St	Rescue, Engine	3,4	2 min
49	Pinecrest 10850 SW 57 Ave	Rescue	3	6 min
9	Kendall 7777 SW 117 Ave	Rescue, ALS Engine	3,4	6 min
3	Tropical Park 3911 SW 82 Ave	Rescue, ALS Engine	3,4	6 min
47	Westchester 9361 SW 24 St	Rescue, ALS Eng.	3,4	8 min
17	Virginia Gardens 7050 NW 36 St	Aerial, HazMat	4,3	10 min

2. The following first-response units/stations show a potential unavailability rate in excess of 20% during peak call hours for the previous calendar year:

<u>Units/Stations</u>	<u>Potential Unavailability During Peak Hours</u>
9	26.87%
3	23.3%
47	28.49%

3. Increased response times may result because of congestion on the following roadways:

SW 88 St. (Kendall Drive)

**Planned Service Expansions**

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

<u>Station/Unit</u>	<u>Address</u>	<u>Est. Completion Date</u>	<u>Response Time</u>	<u>Cost</u>
None				

Funding source is primarily: Fire rescue impact fees.

## **Site Plan Review**

All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau.

### **E. PARKS**

#### **Identify Impact and Demand**

The 620 dwelling units will produce a population of 1,491 people, according to current population estimates prepared by the Research Division of the Planning Division of the Planning and Zoning Department. This population generates a need for 4.10 acres of local parkland, based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population.

#### **Existing Service**

The nearest community park is Continental Park, located at 10000 SW 82<sup>nd</sup> Avenue, approximately one mile south of this application. The nearest neighborhood park is Kendallwood Park, located at SW 80<sup>th</sup> Terrace and SW 93rd Court, approximately 2 miles west of this application. The nearest district park is Tamiami Park, located at 11201 SW 24<sup>th</sup> Street, approximately 5 miles northwest of this application.

#### **Facilities**

Continental Park has baseball fields, basketball court, fitness course, picnic shelter, parking lot, small recreation center, tennis center, and a tot lot playground.

Kendallwood Park is a passive open space park with no improvements.

Tamiami Park has 12 lighted baseball fields, 7 tennis courts, 4 volleyball courts, a swimming pool, a basketball court, and various concession, storage, recreation and maintenance buildings.

#### **Concurrency/Capacity Status**

This application is located in Park Benefit District 2, which has a surplus of 581.51 acres of local parkland and it meets concurrency.

#### **Site Plan Critique & Quality of Life Issues**

The site plan includes an open playground, a tennis court, 2 pools, and 2 sand volleyball courts for use by residents of this development. The Department recommends that they consider adding a tot lot playground to one of the open play areas because there are no neighborhood parks nearby to serve the residents, and the adjacent areas have been built out. These recreation areas should be clearly identified on the site plan, with their sizes, so that additional language can be added to the covenant that has been offered to require that they be preserved in perpetuity as open space recreation areas.

**F. SCHOOLS**

Comments from Miami Dade County Public Schools are provided in attached Exhibit "A".

**G. SOLID WASTE MANAGEMENT**

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department 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 12, 2003, which is valid for three (3) years, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with 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.

**V. IMPACT ON TRANSPORTATION FACILITIES AND ACCESSIBILITY**

**A. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY**

**1. Trip Generation**

341 PM Peak Hour trip ends

**2. Cardinal Distribution**

North	38.0%	East	28.0%
South	14.0 %	West	20.0%

**B. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION**

1. Location:	<b>SW 88 Street</b>	<b>SW 826 (Palmetto)</b>
2. Description:	<b>Primary</b>	<b>Highway</b>
3. No. of lanes:	<b>6</b>	<b>6</b>
Right of way:	<b>110'</b>	<b>150'</b>
Maintenance:	<b>FDOT</b>	<b>FDOT</b>

**C. IMPACT ON EXISTING ROADWAYS**

Station F-1075 located on SW 87<sup>th</sup> Avenue s/o SW 56<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2100 vehicles and 405 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1075 with its 2505 PHP and assigned vehicles is at LOS "C". The 52 vehicles generated by this development when combined with the 2505 equals 2557 and LOS "C" where the range of LOS "C" is from 1731 to 3100 vehicles.

Station F-1076 located on SW 87<sup>th</sup> Avenue n/o SW 85<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2019 vehicles and 195 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1076 with its 2214 PHP and assigned vehicles is at LOS "C". The 20 vehicles generated by this development when combined with the 2214 equals 2234 and LOS "C" where the range of LOS "C" is from 1 to 2650 vehicles.

Station F-684 located on SW 88<sup>th</sup> Street e/o SW 79<sup>th</sup> Avenue has a maximum capacity of LOS "EE" of 6970 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 3780 vehicles and 1413 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-684 with its 5193 PHP and assigned vehicles is at LOS "D". The 184 vehicles generated by this development when combined with the 5193 equals 5377 and LOS "E" where the range of LOS "E" is from 5301 to 5810 vehicles.

Station 9172 located on SW 87<sup>th</sup> Avenue s/o SW 88<sup>th</sup> Street has a maximum capacity of LOS "C" of 2080 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 1759 vehicles and 125 vehicles have been assigned to this section of road from previously approved Development Orders. Station 9172 with its 1884 PHP and assigned vehicles is at LOS "C". The 30 vehicles generated by this development when combined with the 1884 equals 1914 and LOS "C" where the range of LOS "C" is from 1811 to 1980 vehicles.

Station F-64 located on SW 88<sup>th</sup> Street e/o SW 103<sup>rd</sup> Avenue has a maximum capacity of LOS "EE" of 7350 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 6057 vehicles and 431 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-64 with its 6488 PHP and assigned vehicles is at LOS "EE". The 55 vehicles generated by this development when combined with the 6488 equals 6543 and LOS "EE" where the range of LOS "EE" is from 6131 to 7350 vehicles.

**D. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT**

1. Entrance along SW 88<sup>th</sup> Street requires signal and median opening modification plans.
2. Contribution for Traffic Signal modification is required.
3. Traffic study and Traffic pavement markings and signs shall be submitted to the Public Works Department Traffic Engineering Division at the SPCC for review, before permitting.
4. Provide connection between inner walkways and SW 88<sup>th</sup> Street sidewalk.
5. Provide pedestrian access at SW 86<sup>th</sup> Street entrance.
6. Contact Florida Department of Transportation concerning sidewalk along the Palmetto Expressway (SR 826) exit ramp, for authorization to widen the existing sidewalk width from five feet (5') to ten feet (10') to incorporate the sidewalk into the MPO adopted the Snapper Creek trail of the North Dade Greenway Network.
7. Several Cross Walks within the development will require shifting, to avoid pedestrian drop off areas.
8. A turning radius of fifteen feet (15') is required in parking aisles on all floors.

**E. SITE PLAN CRITIQUE**

1. Legal description not provided. The land may require to be platted.

2. Public Works permit is required for construction in the public right of way.
3. State Road permit is required for construction in the State Road right of way.

This application meets the criteria for traffic concurrency for an Initial Development Order. No vehicle trips, other than the trips assigned to the existing facilities, have been reserved by this application. It will be subject to the payment of road Impact Fees.

**F. MASS TRANSIT**

The area is currently served by the following Metrobus routes and frequencies:

<b>Route</b>	<b>Peak</b>	<b>Non-Peak</b>	<b>Night</b>	<b>Sat</b>	<b>Sun</b>
Rt. 87	30	30	50	30	30
Rt. 88	15	30	30	20	30
Rt. 104	30	30	60	60	60

In addition to the above mentioned, Metrorail and routes 1, 52, 65, 73, Busway Local, Saga Bay MAX, and Coral Reef MAX, service the Dadeland South Metrorail station providing service in the nearby area.

The 2005 Transportation Improvement Program (TIP) does not identify any improvements for the area.

The 2025 Long Range Transportation Needs Plan does not identify any improvements for the area.

The 2004 Transit Development Program (TDP) identifies in its 2009 Recommended Service Plan (RSP) the following improvements:

Rt.87: Improve peak headways from 30 to 15 minutes by 2005.

Rt.88: Improve peak headways from 15 to 12 minutes by 2004. Straighten route and extend westward to the West Kendall Terminal, eliminating the 142 Avenue branch by 2005.

Rt 104: Improve peak headways from 30 to 15 minutes by 2005. Operate the last westbound trip in the evenings along the entire route alignment

**Proposed New Routes:**

Baptist Hospital Shuttle: Shuttle service from Dadeland South station to the Baptist Hospital complex and surrounding medical centers/buildings on SW 87 Avenue.

Based on the information presented, MDT has no objection to this project. However, provisions must be made by developer for removal of existing bus shelter and providing for pull-out bay and new bus shelter. Coordination for these activities must be made with MDT's Service and Mobility Planning Division.

This project has been reviewed by MDT for mass transit concurrency and was found concurrent with the level-of-service standards established Miami-Dade County.

**G. AVIATION**

Miami-Dade Aviation Department has determined that DIC Zoning Application 04-366 Dadeland Breezes Apartment, LLC is clear of any restrictive zones as depicted for the Miami-Dade County system of airports and would be compatible with airport operations.

DATE TYPED: 12/10/04  
DATE REVISED: 01/26/05;02/03/05;07/21/05  
DATE FINALIZED: 07/21/05

## EXHIBIT 'A'



# Miami-Dade County Public Schools

*giving our students the world*

**Superintendent of Schools**  
Rudolph F. Crew, Ed.D.

**Ana Rijo-Conde, AICP, Facilities Planning Officer**  
Facilities Planning

**Miami-Dade County School Board**

Frank J. Bolaños, Chair  
Dr. Robert B. Ingram, Vice Chair  
Agustin J. Barrera  
Evelyn Langlieb Greer  
Perla Tabares Hantman  
Dr. Martin Karp  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

January 25, 2005

Ms. Maria Teresa-Fojo, Division Chief  
Miami-Dade County  
Department of Planning and Zoning  
Zoning Evaluation Section  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128

**Re: Dadeland Breezes Apartments, LLC - Application No. 04-366 (CC12)**  
**North of SW 88 Street on the West side of State Road 826**  
**Updated**

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that all of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Kenwood Elemiddle School and South Miami Senior High School currently operating at 131% and 146% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Kenwood Elemiddle School and South Miami Senior High School to 136% and 147%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on January 24, 2005, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

Ms. Maria Teresa Fojo  
January 25, 2005  
Page Two

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

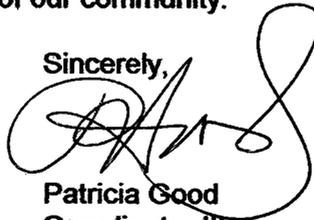
$$\text{New residential unit square footage} \times .90 \text{ (Square Footage Fee)} + \$600.00 \text{ (Base Fee)} + 2\% \text{ administrative fee} = \text{Educational Facilities Impact fee}$$

As an example, assuming the proposed unit is 2,000 square feet, the 640-unit development is estimated to generate approximately \$1,566,720 (\$2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Patricia Good  
Coordinator III

PG:am  
L-561  
Attachment

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albueme  
Mr. Michael A. Levine  
Mr. Ivan M. Rodriguez  
Ms. Vivian Villaamil  
Mr. Juan Mayol

## SCHOOL IMPACT REVIEW ANALYSIS

**APPLICATION:** No. 04-366, Dadeland Breezes Apartments, LLC (12)

**REQUEST:** Zone change from RU-4M to PAD

**ACRES:** 11.11 acres

**MSA/Multiplier:** 5.5/25

**LOCATION:** North of SW 88 Street on the West side of State Road 826

**UNITS:** 242 additional units (398 units currently permitted under existing zoning classification, for a total of 640 units)

**ESTIMATED STUDENT POPULATION:** 61 students \*

**ELEMENTARY:** 28

**MIDDLE:** 15

**SENIOR:** 18

### SCHOOLS SERVING AREA OF APPLICATION:

**ELEMIDDLE:** Kenwood Elemiddle - 9300 SW 79 Ave.

**SENIOR HIGH:** South Miami Senior - 6856 SW 53 St.

All schools are located in Region 5

\* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2004:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Kenwood	1136/	854	133%/	16	131%/
Elemiddle	1179*		138%*		136%*
South Miami Sr.	2858/ 2876*	1695	169%/ 170%*	261	146%/ 147%*

\* increased student population as a result of the proposed development  
Note:

- 1) The cumulative effect of other approved or proposed developments in the vicinity is not included as part of this analysis, however is hereby attached in this package.
- 2) Figures above reflect the impact of the class size amendment.
- 3) Pursuant to the Interlocal Agreement, all of the schools meet the review threshold.

**PLANNED RELIEF SCHOOLS IN THE AREA**

(information included in Capital Improvement Projects Report of December 9, 2004):

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
Classroom addition at Kenwood K-8 Center (242 student stations)	Design	August 2005
State School "NNN" At South Miami Sr. (900 additional student stations)	Construction	April 2006

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$355,813.

**CAPITAL COSTS:** Based on the State's January-2005 student station cost factors\*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	28 x	\$ 13,480	=	\$ 377,440
MIDDLE	15 x	\$ 15,456	=	\$ 231,840
SENIOR	18 x	\$ 20,453	=	\$ 368,154
Total Potential Capital Cost				\$ 977,434

\* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

**ZONING REPORT**  
(APPLICATIONS REVIEWED SINCE JANUARY 2001)  
CC12

	Applicant Name & Number	Location Address	Units/Students	Schools	Board District(s)/Region(s)	Community Council/ Date	Approved/ Denied/ Comments
1	HOWARD MARLOWE #03-243	N of SW 32 St. and W of SW 145 Ave.	7 Units/ 4 Students	GREENGLADE ELEM-2 WR THOMAS MID-1 BRADDOCK SR-1	7/5 8/5 7/5	CC12	WITHDRAWN
2	OTTO GONZALEZ JR. #01-364	6725 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 1/24/02	DENIED
3	TASNIM UDDIN #02-266	E of SW 89 Ct. and N of SW 72 St.	8 Units/ 3 Students	BLUE LAKES ELEM-1 GLADES MID-1 KILLIAN SR-1	8/5 8/5 6/5	CC12 10/09/03	APPROVED
4	CAULEY PALISADE CORP. #02-096	9325 SW 128 St.	7 Units/ 3 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR-1	7/5 9/5 6/5	CC12 10/22/02	APPROVED
5	HARLON & ANN SACHS #02-140	9500 SW 68 St.	3 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 10/22/02	APPROVED
6	ARLENE POLLOCK #01-110	S of SW 96 St. and W of SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
7	DAVID KING #01-109	SWC of SW 96 St. and SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
8	JAY A. DAVIS #01-108	S of SW 96 St. and W of SW 107 Ave.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
9	HENRY FORERO #02-172	13010 SW 102 Ave.	4 Units/ 1 Student	LEEWOOD ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 11/26/02	APPROVED
10	JORGE A. RODRIGUEZ #02-264	5810 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 11/26/02	APPROVED
11	LUDLAM POINT CLUB, LLC #02-221	6801 SW 44 St.	118 Units/ 17 Students	S. MIAMI ELEM-8 S. MIAMI MID-4 S. MIAMI SR-5	6/5 6/5 8/5	CC12 11/26/02	APPROVED
12	HHJ DEVELOPMENT, LLC #01-388	8820-90 SW 94 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 11/26/02	DENIED
13	AVIS KAPLOW KALLAN #02-269	11860 SW 80 St.	58 Units/ 32 Students	SUNSET PARK ELEM-15 GLADES MID-8 KILLIAN SR-9	6/5 8/5 6/5	CC12 12/18/02	APPROVED
14	MARTA DE VARONA #00-370	9390 SW 66 St.	2 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 2/20/01	APPROVED

**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

15	EMILIA A. LAVIN #01-375	7890 SW 72 Ave.	4 Units/ 2 Students	LUDLAM ELEM-1 S. MIAMI MID-1 S. MIAMI SR	6/5 6/5 8/5	CC12 3/26/02	DENIED
16	RAMON LAVIN #01-378	N of SW 80 St. and approx. 152' W of SW 72 Ave.	3 Units/ 1 Student	LUDLAM ELEM-1 S. MIAMI MID S. MIAMI SR	6/5 6/5 8/5	CC12 3/26/02	DENIED
17	JOSEPH C. SHAW, TRUSTEE #02-182	7990 SW 112 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID PALMETTO SR	7/5 9/5 9/5	CC12 5/13/03	APPROVED
18	RAUL & JUANA GAMAZO #02-345	10305 SW 70 St.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 5/13/03	APPROVED
19	PHILLIP & DONNA SLOTSKY, ET AL #02-346	S of SW 112 St. and W of SW 87 Ave.	5 Units/ 2 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR	7/5 9/5 6/5	CC12 5/13/03	WITHDRAWN
20	ROSA, OTIS & JAMES WHITEHEAD #03-024	S of SW 126 St. & E of SW 92 Ave.	11 Units/ 4 Students	VINELAND ELEM-2 PALMETTO MID-1 PALMETTO SR-1	7/5 9/5 9/5	CC12 5/28/03	APPROVED
21	SILVERWINGS DEVELOPMENT LLC #03-035	E of SW 80 Ave. & S of SW 110 St.	17 Units/ 6 Students	VINELAND ELEM-3 PALMETTO MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 5/28/03	APPROVED
22	GENERAL CONFERENCE CORP OF 7TH DAY ADVENTIST #00-440	8100 SW 117 Ave.	10 Units/ 6 Students	SUNSET PARK ELEM-3 GLADES MID-1 KILLIAN SR-2	6/5 8/5 6/5	CC12 7/05/01	APPROVED
23	JIMMY DIAZ #03-109	4920 SW 76 St.	1 Units/ 0 Students	CORAL GABLES ELEM PONCE DE LEON MID CORAL GABLES SR	6/4 9/4 6/4	CC12 7/3/03	APPROVED
24	ROBET S. NEUMANN #03-083	9720 SW 92 Terr.	2 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 7/3/03	APPROVED
25	SLMK COP. & LAURISSE K. MASRI, TRUSTEE #03-118	SEC of SW 84 Ave. & S of SW 110 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 7/3/03	APPROVED
26	MARQUISE'S INVESTMENTS, LLC #00-176	9520 SW 92 St.	3 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 9/20/01	APPROVED
27	HHJ DEVELOPMENT, LLC #03-117	SEC of SW 89 Ave. & SW 94 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 9/23/03	APPROVED
28	AMIGOS INVESTMENT, INC. #03-351	13630 SW 97 Ave.	3 Units/ 2 Students	LEEWOOD ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 7/6/04	WITHDRAWN

**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

29	A WALK IN GLOWAY PARK, INC #03-318	NWC of SW 112 St. and SW 87 Ave.	4 Units/ 2 Student	VINELAND ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 BCC 11/18/04	APPROVED
30	MYSTIC FOREST INVESTMENTS III, INC. #03-358	NWC of SW 119 Ct. and SW 80 St.	20 Units/ 10 Students	SUNSET PARK ELEM-5 GLADES MID-2 KILLIAN SR-3	6/5 8/5 6/5	CC12 9/8/04	APPROVED
31	FRANCIS B. COMPTON #03-271	SW 124 St. and SW 95 Ave.	23 Units/ 10 Student	VINELAND ELEM-5 PALMETTO MID-2 KILLIAN SR-3	7/5 9/5 6/5	CC12 9/8/04	APPROVED
32	ENRIQUE PIWKO #03-333	NEC of SW 84 Ave. and SW 94 St.	2 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 3/10/04	APPROVED
33	A WALK IN FALL PARK, INC. #03-320	SWC of SW 148 St. and SW 93 Ave.	10 Units/ 5 Students	VINELAND ELEM-2 SOUTHWOOD MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 1/25/05	PENDING
34	SILVIO & JUANA YOLANDA ALVA #04-112	SEC of SW 64 St. and SW 97 Ave.	1 Unit/ 0 Students	SNAPPER CREEK ELEM-0 GLADES MID-0 SW MIAMI SR-0	8/5 8/5 8/5	CC12 10/13/04	APPROVED
35	PINES DEVELOPMENT CORP. #04-333	9795 SW 107 Ave.	3 Units/ 1 Students	KENDALE ELEM-1 ARVIDA MID-0 KILLIAN SR-0	7/5 7/5 6/5	CC12	PENDING

Note: There are two applications that are pending which would generate 6 students.



# Miami-Dade County Public Schools Charter School Operations

## Existing Charter Schools

- 1 Archimedean Academy, 10870 SW 113 Place, Miami, FL 33178
- 2 ASPIRA Eugenio Maria de Hostos Youth Leadership, 3650 North Miami Avenue, Miami, FL 33127
- 3 ASPIRA South Youth Leadership, 14112-14 SW 288 Street, Leisure City, FL 33033
- 4 ASPIRA Youth Leadership, 13300 Memorial Highway, North Miami, FL 33161
- 5 Aventura Charter Elementary School, 3333 NE 188 Street, Miami, FL 33180
- 6 Coral Reef Montessori Academy, 10853 SW 216 Street, Miami, FL 33157
- 7 Doral Academy, 2450 NW 97 Avenue, Miami, FL 33172
- 8 Doral Academy Charter Middle School, 2601 NW 112 Avenue, Miami, FL 33172
- 9 Doral Academy High School, 11100 NW 27 Street, Miami, FL 33172
- 10 Downtown Miami Charter School, 305 NW 3 Avenue, Miami, FL 33128
- 11 Florida International Academy, 7630 Biscayne Boulevard, Miami, FL 33138
- 12 Theodore R. & Thelma A. Gibson Charter School, 3634 Grand Avenue, Miami, FL 33133
- 13 Keys Gate Charter School, 2000 SE 28 Avenue, Homestead, FL 33035
- 14 Liberty City Charter School, 8700 NW 5 Avenue, Miami, FL 33150
- 15 Mater Academy, 7700 NW 98 Street, Hialeah Gardens, FL 33018
- 16 Mater Academy Charter Middle School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 17 Mater Academy Charter High School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 18 Mater Academy East, 450 SW 4 Street, Miami, FL 33130
- 19 M/S Barry University Connected Learning Center, 11441 NW 2 Avenue, Miami Shores, FL 33168
- 20 North County Charter School, 3400 NW 135 Street, Miami, FL 33054
- 21 North Dade Community Charter School, 13850 NW 26 Avenue, Opa-Locka, FL 33054
- 22 Northeast Academy, 3400 NW 135 Street, Miami, FL 33054
- 23 Pinecrest Preparatory Academy, 14301 SW 42 Street, Miami, FL 33175
- 24 Pinecrest Preparatory Academy Charter Middle School, 14301 SW 42 Street, Miami, FL 33175
- 25 Rosa Parks Charter School/Florida City, 713 West Palm Drive, Florida City, FL 33034
- 26 Rosa Parks Community School/Overtown, 430 NW 9 Street, Miami, FL 33136
- 27 Ryder Elementary Charter School, 8360 NW 33 Street, Miami, FL 33122
- 28 Sandor Wiener School of Opportunity  
Main Campus: 20000 NW 47 Court, Opa-Locka, FL 33055  
Kendall Campus: 11025 SW 84 Street, Miami, FL 33173
- 29 Spiral Tech Elementary Charter School, 12400 SW 72 Street, Miami, FL 33183
- 30 Vankara Academy Charter School, 13307-11 Alexandria Drive, Opa-Locka, FL 33054
- 31 Youth Co-Op, 12051 West Okeechobee Road, Hialeah Gardens, FL 33018

## Approved Contracts for 2004-2005

- 32 Academy of Arts & Minds, 3138 Commodore Plaza, Miami, FL 33133
- 33 Balere Language Academy, 10600 Caribbean Blvd., FL 33189
- 34 International Studies Charter High, 3280 South Miami Avenue, Miami, FL 33127
- 35 Las Palmas Charter School, 14250 SW 202 Avenue, Miami, FL 33196
- 36 Miami Children's Museum Charter School, 450 SW 4 Street, Miami, FL 33130 (temporary location)

## Approved Contracts for 2004-2005 (Continued)

- 37 Miami Community Charter School, 101 SW Redland Road, FL 33034\*
- 38 Pinecrest Preparatory Academy Charter High School (two locations)  
Main Campus (Kendall Greens): SW 80 Street & 150 Avenue, Miami, FL 33193 and  
Holy Cross Campus: 12425 SW 72 Street, Miami, FL 33183
- 39 School for Integrated Academics and Technologies (SIATech) (two locations)  
Main Campus: 3050 NW 183 Street, Miami, FL 33056, and  
Homestead Campus: 12350 SW 285 Street, Homestead, FL 33033
- 40 Somerset Academy, 8750 NW 21 Terr., Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and 232 Street, Miami, FL 33170 (permanent location)
- 41 Somerset Academy Charter Middle School  
2601 NW 112 Avenue, Miami, FL 33172 and  
8750 NW 21 Terr, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent)
- 42 Somerset Academy Charter High School, 11100 NW 27 Street, Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent location)
- 43 Sweet Home Charter School, 17201 SW 103 Avenue, Miami, FL 33157 (temporary location)  
SW 190 Street and 112 Avenue, Miami, FL 33157\*

\* Locations pending final School Board approval.

## Approved Contracts for Subsequent Years

- 44 Dr. Joseph Coats Grace Community Charter School, SW 246 Street & 112 Avenue, Miami, FL
- 45 Miami Shores Charter Middle/Senior High School, NW 11441 NW Second Avenue,  
Miami Shores, FL 33168
- 46 Summerville Charter School, SW 246 Street and 117 Avenue, Miami, FL

## Approved Applications

- 47 Mater Academy South Charter School, Sweetwater area
- 48 Mater Gardens Academy Elementary School, Hialeah Gardens area
- 49 Mater Gardens Academy Middle School, Hialeah Gardens area
- 50 Mater Springs Academy Elementary School (location to be determined)
- 51 Mater Springs Academy Middle School (location to be determined)
- 52 Miami-Dade Charter Foundation (4 sites - locations to be determined)
- 53 North Miami/Florida International University Charter Senior High School, NE 151 St. & Biscayne, North Miami, FL
- 54 Sabal Palm Charter High School, Hialeah area
- 55 Somerset Academy (6 sites - locations to be determined)
- 56 Spirit City Academy (location to be determined)
- 57 Sunset Academy (location to be determined)
- 58 The City of North Miami/Florida International University Charter School (location to be determined)



APPLICATION NO. Z04-366  
DADELAND BREEZE APARTMENTS LLC

Respectfully Submitted,

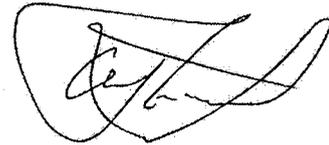
DIC Executive Council  
July 20, 2005

Pedro G. Hernandez, P.E.  
Assistant County Manager



AYE

Alfredo Suarez, Assistant Fire Chief  
Miami-Dade Fire Rescue Department



NAY

Irma San Roman, Deputy Director  
Metropolitan Planning Organization Secretariat



AYE

Diane O'Quinn Williams, Director  
Department of Planning and Zoning



AYE

Aristides Rivera, P.E., P.L.S., Director  
Public Works Department



NAY

Jose Gonzalez, P.E., Assistant Director  
Department of Environmental Resources Mgmt



AYE

William Brant, Director  
Miami-Dade Water and Sewer Department

Absent

RECEIVED  
LEGAL COUNSEL SEC.  
MAY 12 11 53 AM '05  
PETITION OF APPEAL FROM DECISION OF  
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD  
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY B AMOUNT OF FEE \$1954.12  
RECEIPT # 200516031  
DATE HEARD: 5/10/05  
BY CZAB # 121405

RECEIVED  
MAY 12 2005  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY B  
DATE RECEIVED STAMP

\*\*\*\*\*  
This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 04-366  
Filed in the name of (Applicant) DADELAND BREEZE APARTMENTS, LLC  
Name of Appellant, if other than applicant \_\_\_\_\_

Address/Location of APPELLANT'S property: NORTH OF SW 88 STREET AND WEST OF SR 826

Application, or part of Application being Appealed (Explanation): ENTIRE APPLICATION

Appellant (name): DADELAND BREEZE APARTMENTS, LLC  
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:  
(State in brief and concise language)

THE DENIAL OF THE APPLICATION WAS NOT BASED ON SUBSTANTIAL COMPETENT EVIDENCE

APPELLANT MUST SIGN THIS PAGE

Date: \_\_\_\_\_ day of MAY, year: 2005

Signed \_\_\_\_\_  
*[Handwritten Signature]*

HARVEY HERNANDEZ  
Print Name

4535 PONCE DE LEON BLVD., CORAL GABLES  
Mailing Address FL, 33146

305-740-0819 \_\_\_\_\_  
Phone Fax

**REPRESENTATIVE'S AFFIDAVIT**  
If you are filing as representative of an association or other entity, so indicate:

\_\_\_\_\_  
Representing

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Address

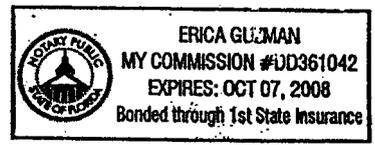
\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Telephone Number

Subscribed and Sworn to before me on the 12<sup>th</sup> day of May, year 2005

\_\_\_\_\_  
*[Handwritten Signature]*  
Notary Public

(stamp/seal)



Commission expires: Oct. 07, 2008

APPELLANT'S AFFIDAVIT OF STANDING  
(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared HARVEY HERNANDEZ  
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal  
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community  
Zoning Appeals Board matter because of the following:

(Check all that apply)

- 1. Participation at the hearing
- 2. Original Applicant.
- 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,  
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

**Witnesses:**

[Signature]  
Signature  
HUMBERTO VANECKS  
Print Name

[Signature]  
Appellant's signature  
HARVEY HERNANDEZ  
Print Name

[Signature]  
Signature  
ENRIQUE R. VILA  
Print Name

Sworn to and subscribed before me on the 12<sup>th</sup> day of May, year 2005.

Appellant is personally know to me or has produced \_\_\_\_\_ as  
identification.

[Signature]  
Notary  
(Stamp/Seal)  
Commission Expires: Oct. 07, 2008

 ERICA GUZMAN MY COMMISSION #JD361042 EXPIRES: OCT 07, 2008 Bonded through 1st State Insurance
---

RESOLUTION NO. CZAB12-14-05

WHEREAS, DADELAND BREEZE APARTMENTS L. L. C. applied for the following:

RU-4M to PAD

Plans are on file and may be examined in the Zoning Department entitled "H+H Development," as prepared by Cohen-Freedman-Encinosa & Associates, Revision #2 dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and a portion of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  all in Section 34, Township 54 South, Range 40 East, being particularly described as follows:

Commence at the Southwest corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34; thence run N87° 54'27"E along the south boundary of said Section 34 a distance of 432.11' to a point, said point being 898.41' west of the Southeast corner of said Section 34 and being on a line that is 20' east of and parallel to the east face of a 1 story C.B.S. building; thence run N02° 04'38"W along a line that is 20' east of and parallel to the east face of a 1 story C.B.S. warehouse building a distance of 55' to the point of intersection with the north right-of-way boundary of State Road #94 (N. Kendall Drive) as shown on the right-of-way map recorded in Plat book 78, Page 35; said point being the Point of beginning of the parcel of land hereinafter to be described; thence continue on the last described course a distance of 597.97' to the Point of intersection with the north boundary of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34; said point being 433.52' east of the Northwest corner of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34; thence run N87° 50'41"E along the north boundary of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 a distance of 873.38' to a Point of intersection with the west right-of-way boundary of State Road #826 (Palmetto By-Pass) as shown on a right-of-way map recorded in Plat book 70, Page 6; said point being on a line that is 25' west of and parallel to the east boundary of Section 34; thence run S2° 04'46"E along said west right-of-way boundary and along a line that is 25' west of and parallel to the east boundary of said Section 34 a distance of 233.24' to a point; thence run S5° 48'45"W along said west right-of-way boundary a distance of 364.14' to a point, said point being on a line that is 75' west of and parallel to the east boundary of said Section 34 and being also on a line that is 60' north of and parallel to the south boundary of said Section 34; thence run S87° 54'27"W along a line that is 60' north of and parallel to the south boundary of said Section 34 and along the north right-of-way line of said State Road 826, a distance of 632.73' to a point; thence run S2° 04'43"E along the west right-of-way boundary of State Road 826, a distance of 5' to a Point of intersection with the north right-of-way boundary of said State Road #94; thence run S87° 54'27"W along the north right-of-way boundary of said State Road #94 a distance of 190.67' to the Point of beginning. LESS: The north 30' thereof for road purpose as recorded in Official Record Book 4704, Page 337, and being more particularly described as follows:

Commence at the Northeast corner of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34, Township 54 South, Range 40 East; thence run S87° 50'41"W along the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 for 25' to the Point of beginning; thence continue S87° 50'41"W along the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 for 873.38'; thence run S2° 04'38"E for 30' to a point on a line that is 30' south and parallel to the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34; thence run N87° 50'41"E along the line that is 30' south of and parallel to the north line of

the south 1/2 of the SE 1/4 of the SE 1/4 of said Section 34 for 848.35' to the Point of curvature of a circular curve, concave to the Southwest with a radius of 25'; thence run SE/ly along the arc of said curve for 39.3' to the Point of tangency on the west line of the east 25' of the SE 1/4 of said Section 34; thence run N2° 04'48"W along the west line of the east 25' of the SE 1/4 of said Section 34 for 55.03' to the Point of beginning.

LOCATION: The Northwest corner of S.W. 77 Avenue & S.W. 88 Street; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to PAD would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny the application with prejudice was offered by Robert W. Wilcosky, seconded by Carla Savola, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Carla Savola	aye
Jackie Hernandez-Toraño	absent	Nelson A. Varona	nay
Millie Herrera	aye	Robert W. Wilcosky	aye
Jose I. Valdes		aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to PAD be and the same is hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records  
of the Miami-Dade County Department of Planning and Zoning.

*PASSED AND ADOPTED* this 10<sup>th</sup> day of May, 2005.

Hearing No. 05-3-CZ12-2  
Is

STATE OF FLORIDA

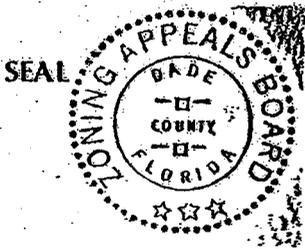
COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-14-05 adopted by said Community Zoning Appeals Board at its meeting held on the 10<sup>th</sup> day of May 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16<sup>th</sup> day of May 2005.

*Luis Salvat*

Luis Salvat, Deputy Clerk (2678)  
Miami-Dade County Department of Planning and Zoning



# TEAM METRO

## ENFORCEMENT HISTORY

DADELAND BREEZE APARTMENTS  
LLC

NORTHWEST CORNER OF SW 77  
AVE & SW 88 ST AKA 7701 N.  
KENDALL DR

---

APPLICANT

---

ADDRESS

Z2004000366

---

HEARING NUMBER

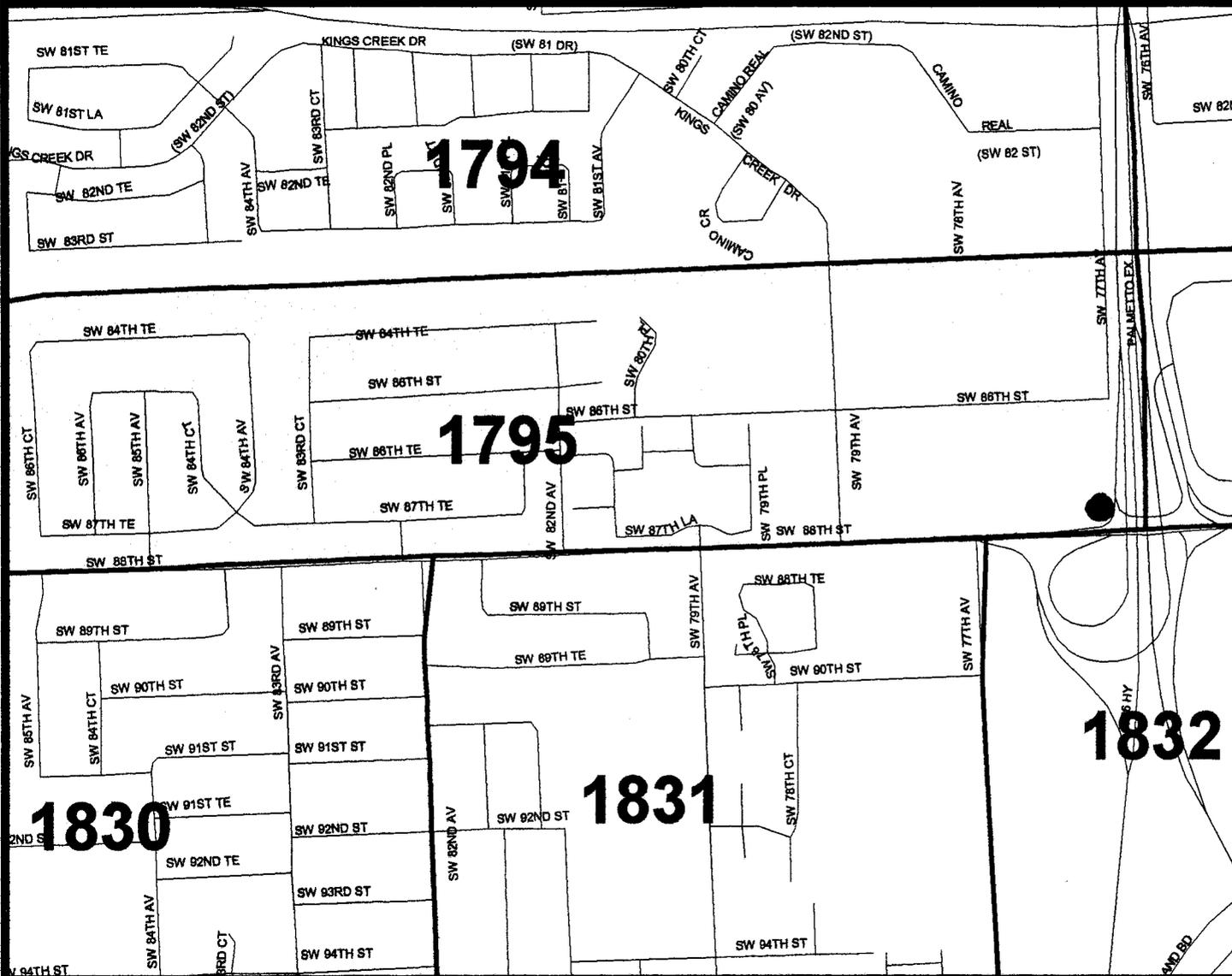
### CURRENT ENFORCEMENT HISTORY:

02/25/2005 Inspection conducted  
02/25/2005 No current violations

L. Cuellar



Miami-Dade Police Department  
Target Area - Police Grid(s): 1795  
Dadeland Breeze Apartments, LLC.; Hearing #04306



Police Grids Boundaries  
Boundary

MDPD Crime Analysis System  
June 6, 2005  
Data in this document represents  
successfully geocoded attributes.

0 0.07 0.14 Miles





# Miami-Dade Police Department

## Address Query for Events occurring at 7701 N. Kendall For Thru

Miami-Dade Police Department

Crime Information Warehouse

43

Detail Filter: Dis.Complaint Date >= "2003-05-20" and Dis.Complaint Date < "2005-05-21" and Dis.Police District Code in ( "A", "B", "C", "D", "E", "H", "I", "J", "K", "L", "M", "N", "P", "Q", "R", "ZZ" ) and Dis.Incident Address contains "7701 N. Kendall" and Dis.Reporting Agency Code = substrng( "030", 1, 3 ) and Common and Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" )

Incident Address	Dis	Grid	A O P	Complaint Date	Day of Wk	Call Rcvd Time	Complaint Name	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit	Event Number	Rp Wr YN

0



# Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: ( Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate ) and ( Dis.Grid in ( "1705", "1795" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) or ( 'ALL' in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) ) ) and Common

2003      2004

Grid	Signal Code	Signal Description	2003	2004
1795	13	SPECIAL INFORMATION/ASSIGNMENT	39	27
	14	CONDUCT INVESTIGATION	103	80
	15	MEET AN OFFICER	341	314
	16	D.U.I.	4	1
	17	TRAFFIC ACCIDENT	18	15
	18	HIT AND RUN	5	5
	19	TRAFFIC STOP	23	25
	20	TRAFFIC DETAIL	3	8
	21	LOST OR STOLEN TAG	8	5
	22	AUTO THEFT	11	9
	25	BURGLAR ALARM RINGING	84	91
	26	BURGLARY	31	39
	27	LARCENY	11	6
	28	VANDALISM	8	10
	32	ASSAULT	24	31
	33	SEX OFFENSE	3	1
	34	DISTURBANCE	146	113
	36	MISSING PERSON	7	5
	37	SUSPICIOUS VEHICLE	10	12
	38	SUSPICIOUS PERSON	8	10
39	PRISONER	3	4	
41	SICK OR INJURED PERSON	35	39	
43	BAKER ACT	2	2	
44	ATTEMPTED SUICIDE	0	1	
45	DEAD ON ARRIVAL	5	3	
47	BOMB OR EXPLOSIVE ALERT	0	1	

49



# Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: ( Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate ) and ( Dis.Grid in ( "1705", "1795" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) or ( 'ALL' in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) ) ) and Common

2003      2004

Grid	Signal Code	Signal Description		
1795	49	FIRE	8	6
	52	NARCOTICS INVESTIGATION	2	5
	53	ABDUCTION	1	0
	54	FRAUD	5	11
<b>Total Signals for Grid 1795 :</b>			<b>948</b>	<b>879</b>

45



**MIAMI-DADE POLICE DEPARTMENT**  
**Zoning Hearing Report Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**For 2003 and 2004**

Miami-Dade Police Department

Grid(s): 1705, 1795

**2003    2004**

Grid 1795				
<b>Part I</b>				
130A	AGGRAVATED ASSAULT		8	6
2200	BURGLARY		11	16
110C	FONDLING		1	0
2400	MOTOR VEHICLE THEFT		7	6
230A	POCKET PICKING		1	1
110A	RAPE		1	0
1200	ROBBERY		1	0
230C	SHOPLIFTING		19	39
230G	SHOPLIFTING ALL OTHERS		15	13
230F	SHOPLIFTING FROM A MOTOR VEHICLE		15	14
<b>Part I TOTAL</b>			<b>79</b>	<b>95</b>
<b>Part II</b>				
2700	EMBEZZLEMENT		3	0
260A	FRAUD CON/SWINDLE/FALSE PRET.		1	1
260B	FRAUD CREDIT CARD/ATM		3	5
260D	IMPERSONATION		5	13
1000	KIDNAPPING - ABDUCTION		1	0
350A	NARCOTIC BUY/SELL/POSS/IMPORT/MA		2	3
130B	SIMPLE ASSAULT		7	11
<b>Part II TOTAL</b>			<b>22</b>	<b>33</b>
<b>Grid 1795 TOTAL</b>			<b>101</b>	<b>128</b>

46



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

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

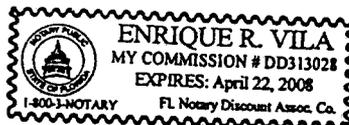
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

**Dadeland Breezes Apartments, LLC**

Signature: By: \_\_\_\_\_  
(Applicant)

Sworn to and subscribed before me this 18 day of August, 2004. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

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



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

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

EXHIBIT " B "

Dadeland Breezes Apartments, LLC

Dadeland Breezes Partners, LLC

BCP- Prestige Dadeland, LLC

Boschetti Capital Partners, LLC

Jose Boschetti (60%)  
Luis Boschetti (40%)

Prestige Bulder's Capital Investments, LLC

Martin Caparros (70%)  
Alex Vega (10%)  
Julio Robaina (10%)  
Otto Rodriguez (10%)

FGH Holdings, LLC

Guillermo Hanfing (20%)  
Fuad Farach (20%)  
Harvey Hernandez (60%)

RECEIVED  
204-329  
AUG 18 2004

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY \_\_\_\_\_

# Option 1 - 640 units

A RESIDENTIAL DEVELOPMENT FOR

# H & H DEVELOPMENT

DADE COUNTY, FLORIDA

**ZONING**  
RU-4

**NET LOT AREA**  
483,806 S.F. (11.11 ACRES)

**NUMBER OF UNITS**  
EXISTING: 306 UNITS  
NUMBER PROVIDED: 640 UNITS

**SETBACKS**

FRONT	PROVIDED
INTERIOR SIDE	75'-0"
REAR	60'-0"
	71'-0"

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM	1.5 X 212 =	318 SPACES
2 BEDROOM	1.75 X 372 =	651 SPACES
3 BEDROOM	2.00 X 56 =	112 SPACES
<b>TOTAL</b>		<b>1081 SPACES</b>

**PROVIDED:**

SURFACE PARKING	26 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE GARAGES	56 SPACES
<b>TOTAL</b>	<b>1081 SPACES*</b>

\* includes 22 handicapped parking spaces

**ARCHITECTURE:**

COHEN, FREEDMAN, ENCINOSA & ASSOC.  
ARCHITECTS, P.A.  
8085 N.W. 155TH STREET  
MIAMI, FLORIDA 33018  
TEL (305) 826-3999 FAX (305) 826-4155  
EMAIL: CFSEARCH@BELLSOUTH.NET

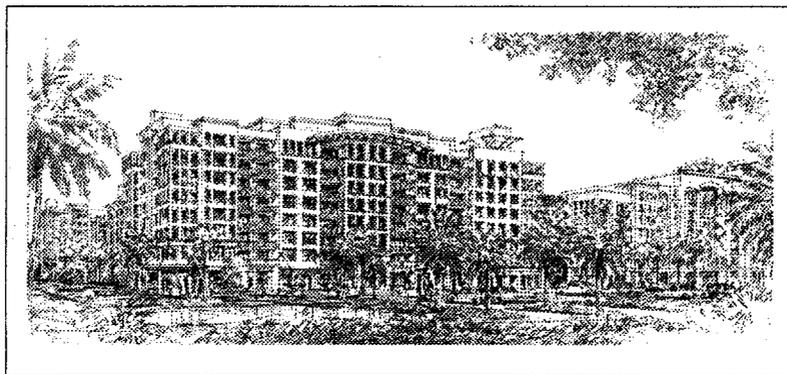
**LANDSCAPE ARCHITECTURE:**

FUSTER DESIGN ASSOC.  
7500 S.W. 86TH COURT  
MIAMI, FLORIDA 33143  
TEL (305) 279-2202 FAX (305) 279-2804

**INDEX OF SHEETS**

A-0	TITLE SHEET/PROJECT DATA
A-1	GROUND FLOOR PLAN 1:30 SCALE
A-2	2nd - 5th LEVEL FLOOR PLAN 1:30 SCALE
A-3	6th LEVEL FLOOR PLAN 1:30 SCALE
A-4	7th LEVEL FLOOR PLAN 1:30 SCALE
A-5	8th LEVEL FLOOR PLAN 1:30 SCALE
A-6	ELEVATION
A-7	ELEVATION
A-8	ELEVATION
A-9	BUILDING SECTION 1:30 SCALE
A-10	RENDERING NO SCALE
A-11	EXISTING SITE CONDITIONS

<b>TOTAL GROSS ACREAGE:</b>	483,806 S.F. OR 11.11 ACRES	100%
<b>COVERAGE BLDG. @ GROUND LEVEL:</b>	189,133 S.F. OR 4.34 ACRES	39%
<b>PRIVATE ROADS &amp; PARKING ARRAYS:</b>	56,546 SF OR 1.3 ACRES	12%
<b>COMMON OPEN SPACE:</b>	182,056 SF OR 4.18 ACRES	38%
<b>PRIVATE OPEN SPACE:</b>	14,890 SF OR .34 ACRES	3%
<b>WATER BODIES:</b>	0 SF	
<b>PUBLIC FACILITIES:</b>	21,522 SF OR .50 ACRES	4%
<b>PUBLIC ROADS:</b>	19,860 S.F. OR .451 ACRES	4%
<b>TOTAL:</b>	483,808 SF 11.11 ACRES	



**BUILDING MIX**

TYPE	HEIGHT	STORIES
TOWER 1	56'-0"	8
TOWER 2	56'-0"	8
TOWER 3	56'-0"	8

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM	1.5 X 212 =	318 SPACES
2 BEDROOM	1.75 X 372 =	651 SPACES
3 BEDROOM	2.00 X 56 =	112 SPACES
<b>TOTAL</b>		<b>1081 SPACES</b>

**PROVIDED:**

SURFACE PARKING	26 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE GARAGES	56 SPACES
<b>TOTAL</b>	<b>1081 SPACES*</b>

\* includes 22 handicapped parking spaces

**RECEIVED**  
DEC 30 2004

DEPT. OF PLANNING & ZONING  
ZONING EVALUATION SECTION  
BY \_\_\_\_\_

**UNIT MIX - PROJECT TOTAL**

1 BED	2 BED	3 BED	60 TOWNHOUSE	TOTAL
212	372	26	28	640
33%	58%	4.1%	4.2%	

UNIT TYPE	UNIT S.F.	1st	2nd-5th	6th	7th	8th	TOTAL UNITS
A1	794	80	20nd-80	20	18	18	180
A2	876	-	4nd-18	4	4	4	20
A3	1080	4	4nd-18	4	4	4	20
B1	1020	-	4nd-18	-	-	-	18
B2	1100	20	20nd-120	20	24	24	220
B3	1200	18	12nd-48	12	12	12	60
B4	1270	4	4nd-18	4	4	4	20
C2	1420	-	4nd-18	4	4	4	20
T21	1950	26	-	-	-	-	26
<b>TOTAL</b>		20	220	70	20	20	640

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

PRELIMINARY DESIGN FOR  
**H + H DEVELOPMENT**  
 DADE COUNTY, FLORIDA

**A.0**

I:\Users\james.kimball\11-11-2004\11-11-2004.dwg Sun Dec 27 07:28:38 2004



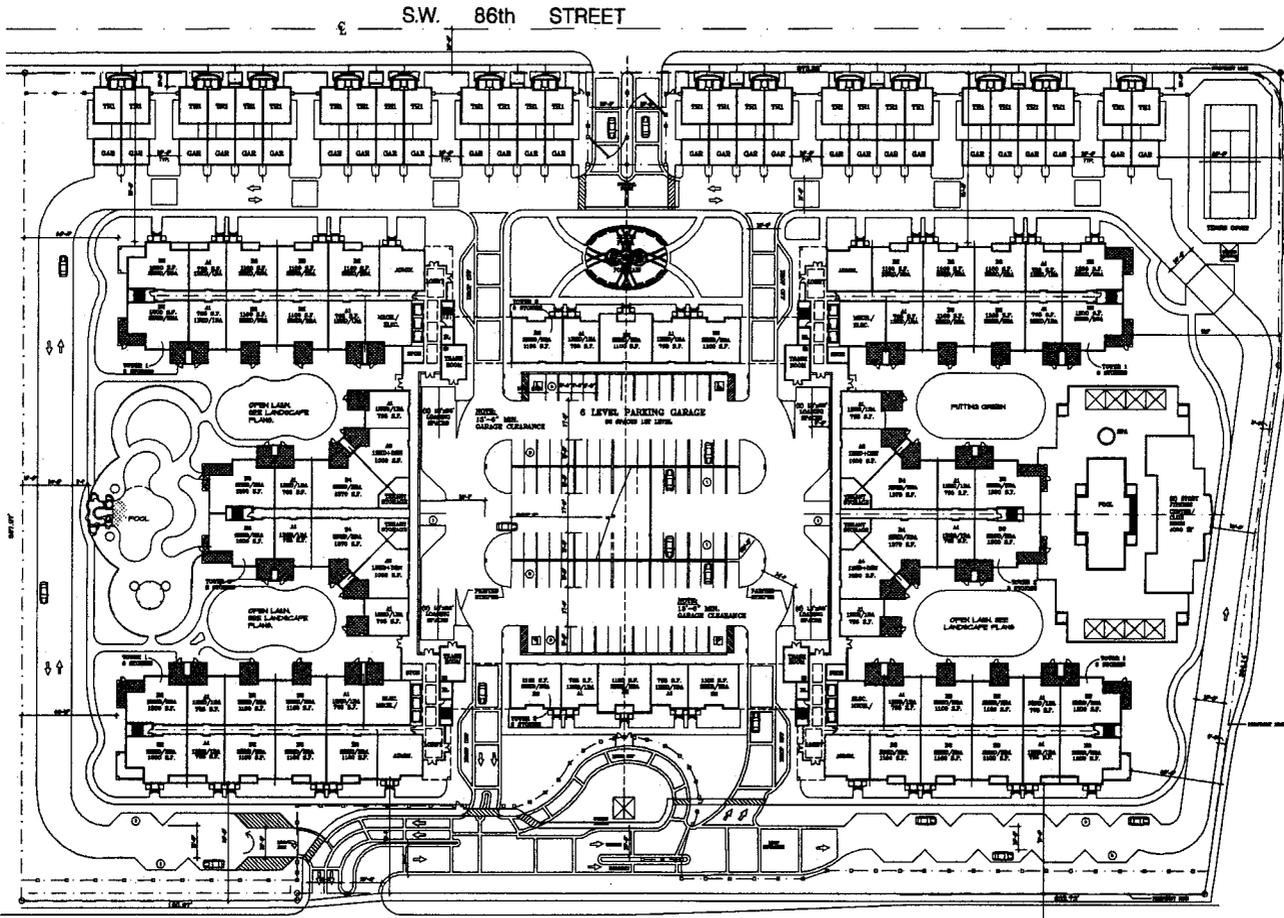
VIEW OF TOWER I

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3397

A.10

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S.W. 86th STREET

PALMETTO EXWY. (S.R. No. 826)

S.W. 88th STREET (S.R. 94) West Bound

NOTE:  
 PAVEMENT SURFACES AND TRAFFIC  
 MARKS TO BE INCLUDED AS PART OF A  
 TRAFFIC STUDY. STUDY TO BE  
 SUBMITTED TO F.H.C. MONROE DEPT.  
 FOR APPROVAL.

SIGNAL  
 INDICATION  
 INDICATED.



1ST LEVEL PLAN  
 1:40' SCALE

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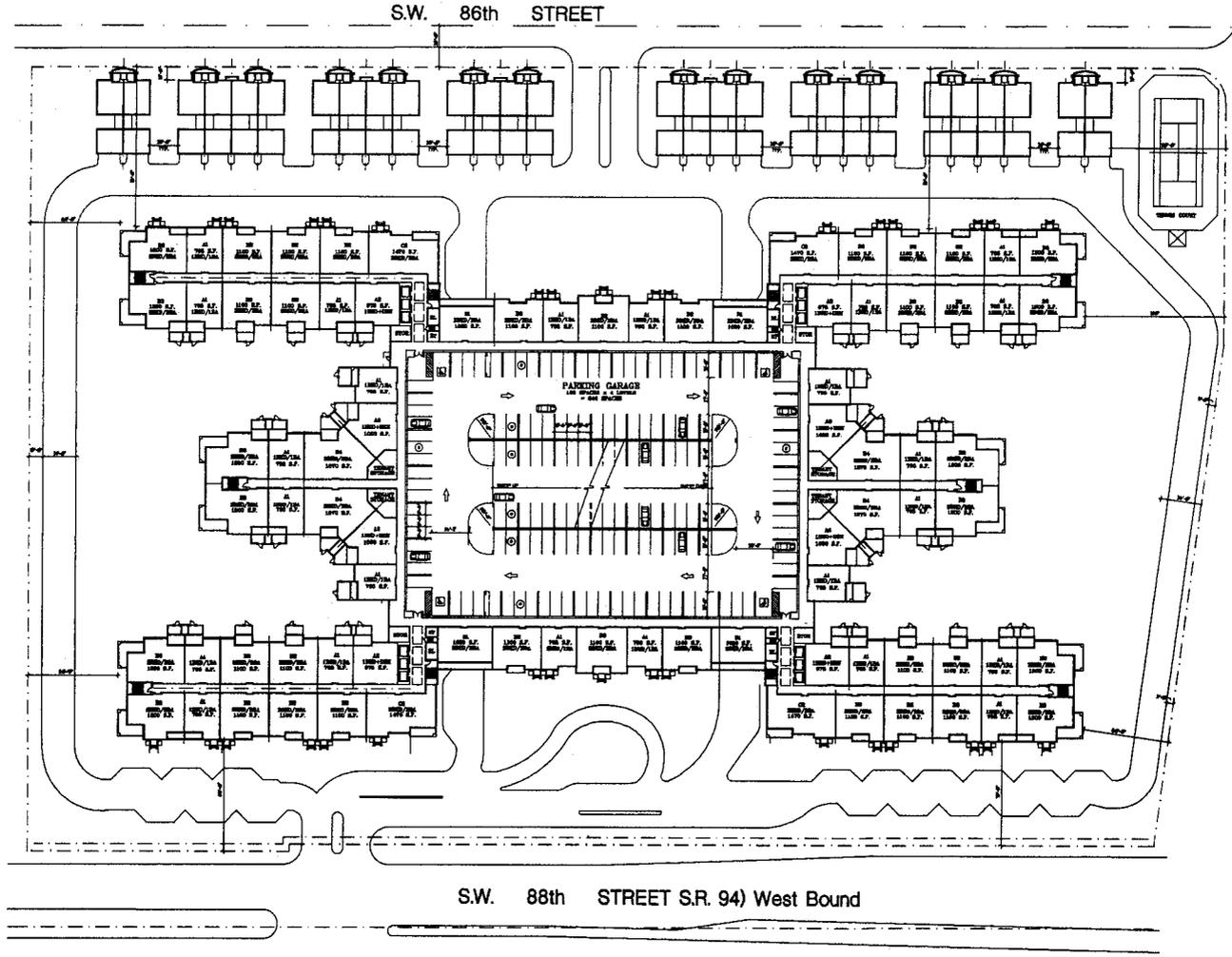
PRELIMINARY DESIGN FOR:  
**H + H DEVELOPMENT**  
 DADE COUNTY, FLORIDA

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

**A.1**

52

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2nd-5th LEVEL PLAN  
1:40' SCALE

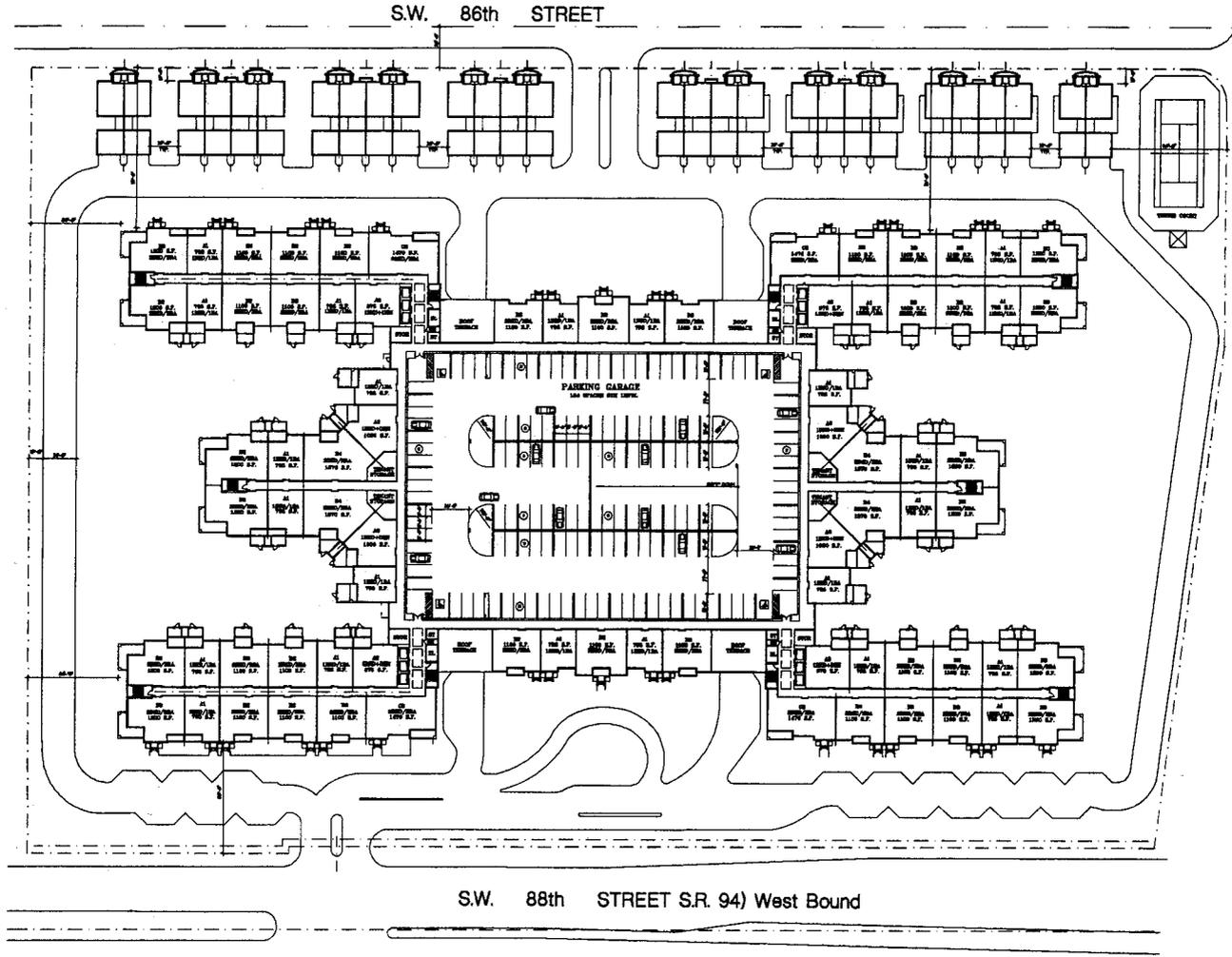
PRELIMINARY DESIGN FOR:  
**H + H DEVELOPMENT**  
DADE COUNTY, FLORIDA

**A.2**

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3996

53

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6th LEVEL PLAN  
1:40' SCALE

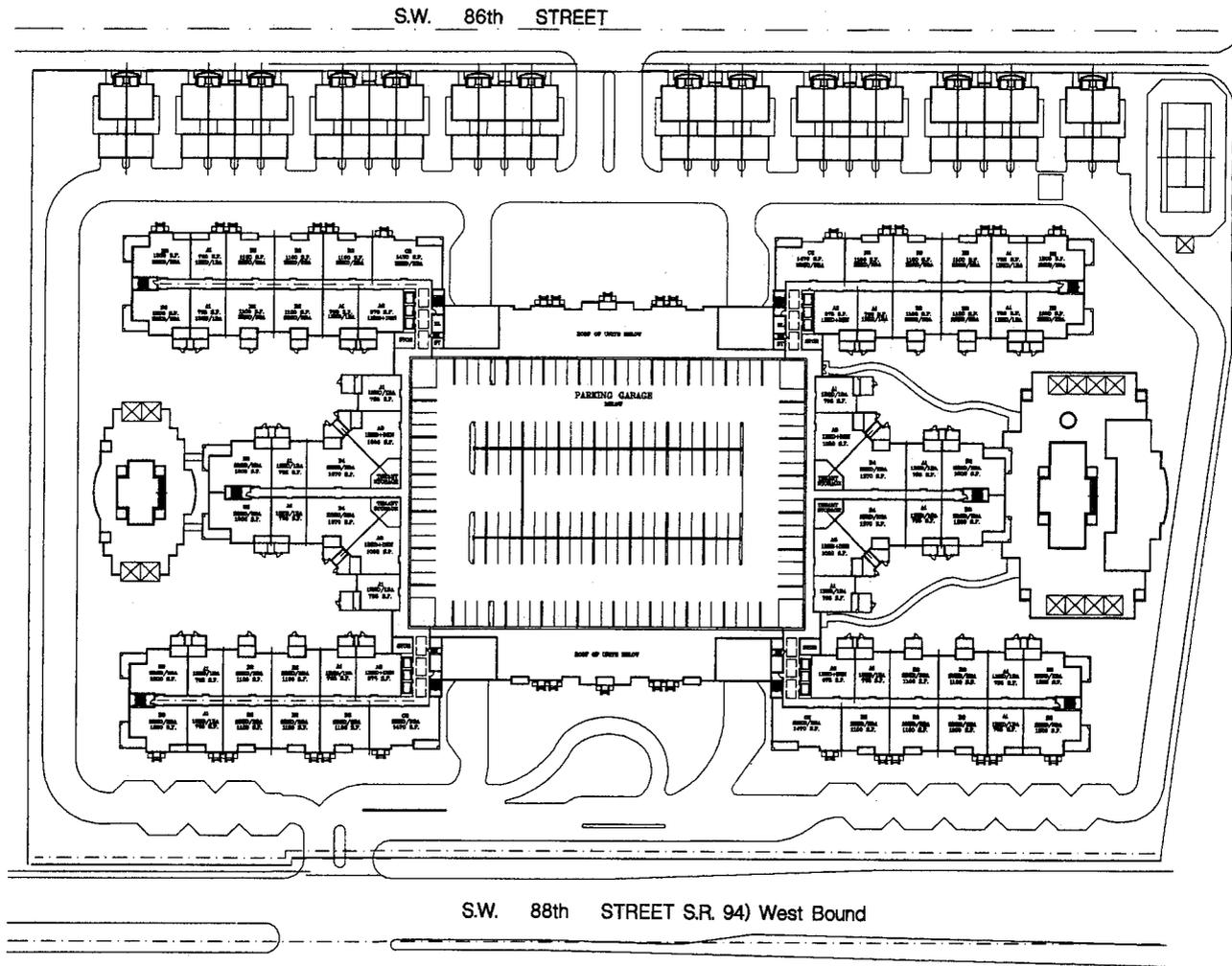
PRELIMINARY DESIGN FOR:  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

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

A.3

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56



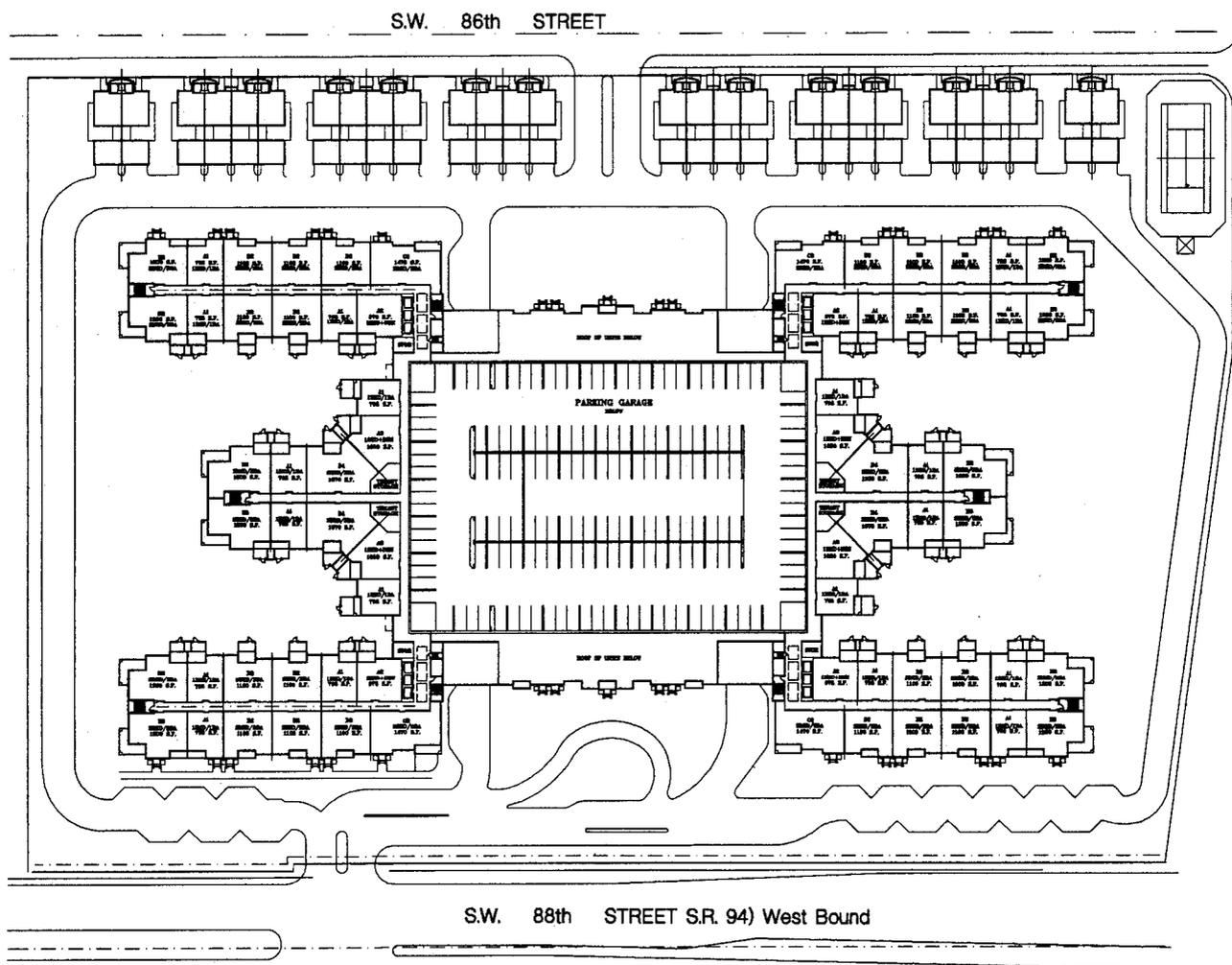

**7th LEVEL PLAN**  
 1:40' SCALE

PRELIMINARY DESIGN FOR  
**H + H DEVELOPMENT**  
 DADE COUNTY, FLORIDA

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
 Architects, PA  
 8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3155

**A.4**

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8th LEVEL PLAN  
1:40' SCALE

PRELIMINARY DESIGN FOR:  
**H + H DEVELOPMENT**  
DADE COUNTY, FLORIDA

**A.5**

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
Architects, PA  
9082 N.W. 15511 Street Miami Lakes, Florida 33016 305-826-3995

56



PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20' SCALE

- ELEVATION KEY NOTES
- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/B/LU/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |



PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20' SCALE

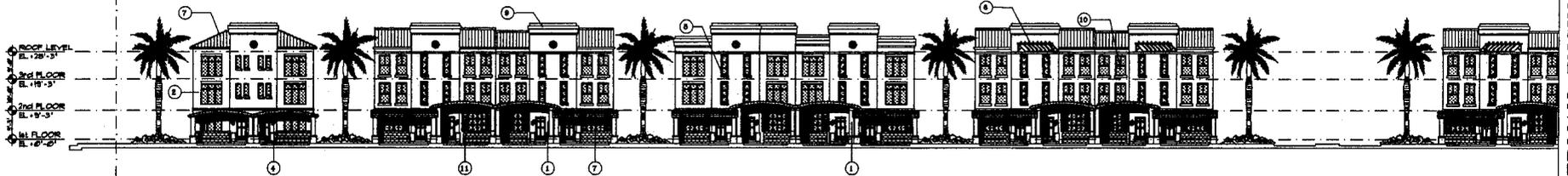
PRELIMINARY DESIGN FOR:  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

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Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

A.6

57

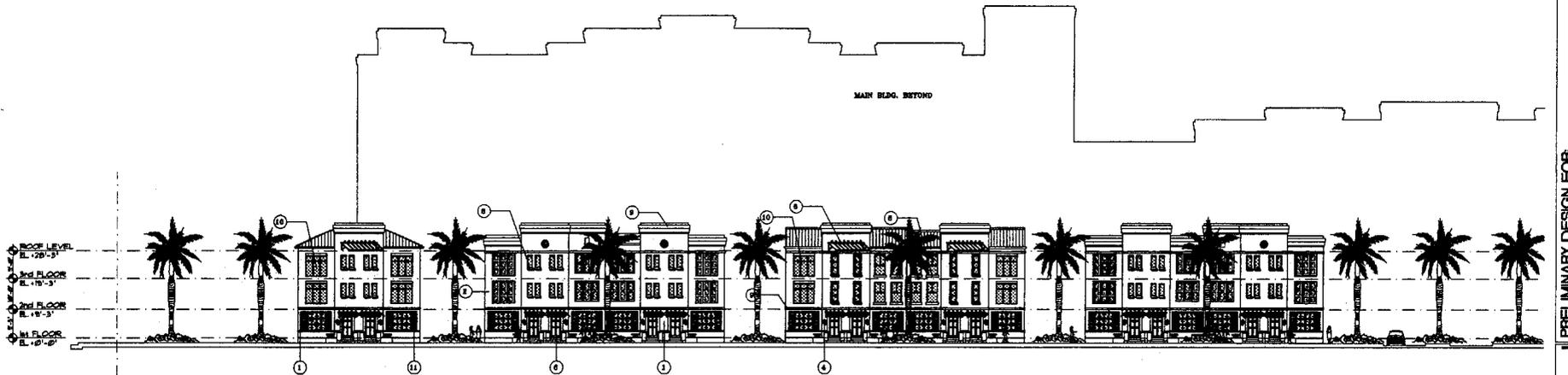
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**PARTIAL TOWNHOME ELEVATION**  
1:20' SCALE

**ELEVATION KEY NOTES**

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. STANDING SEAM MTL. ROOF      |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/B/LU/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |



**PARTIAL TOWNHOME ELEVATION**  
1:20' SCALE

**ELEVATION KEY NOTES**

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/B/LU/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |

PRELIMINARY DESIGN FOR  
**H + H DEVELOPMENT**  
DADE COUNTY, FLORIDA

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
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8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3995

A.7

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PARTIAL BLDG. ELEVATION (EAST/WEST)

1:20' SCALE

PROPERTY LINE



(EAST/WEST)

1:20' SCALE

PARTIAL BLDG. ELEVATION (EAST/WEST)

1:20' SCALE

PROPERTY LINE

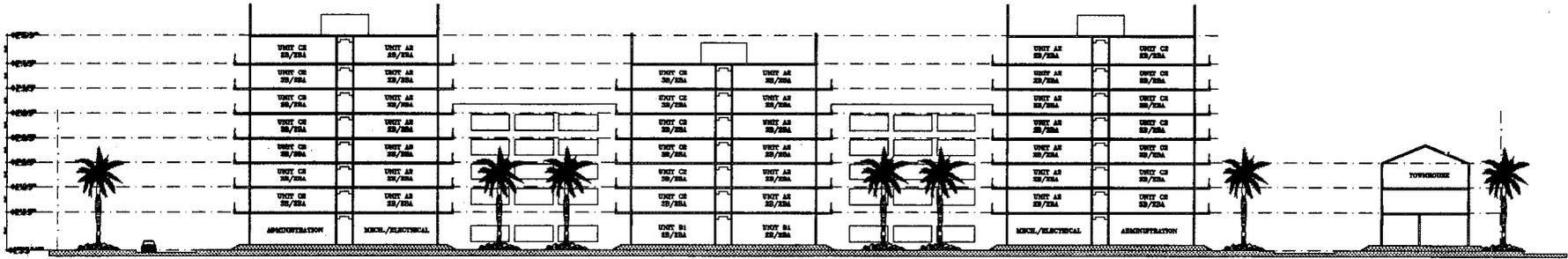
PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3995

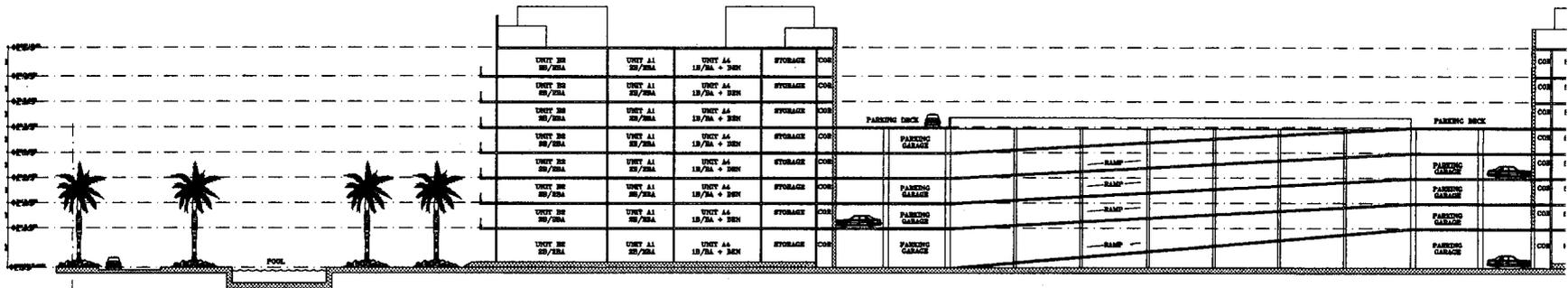
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59

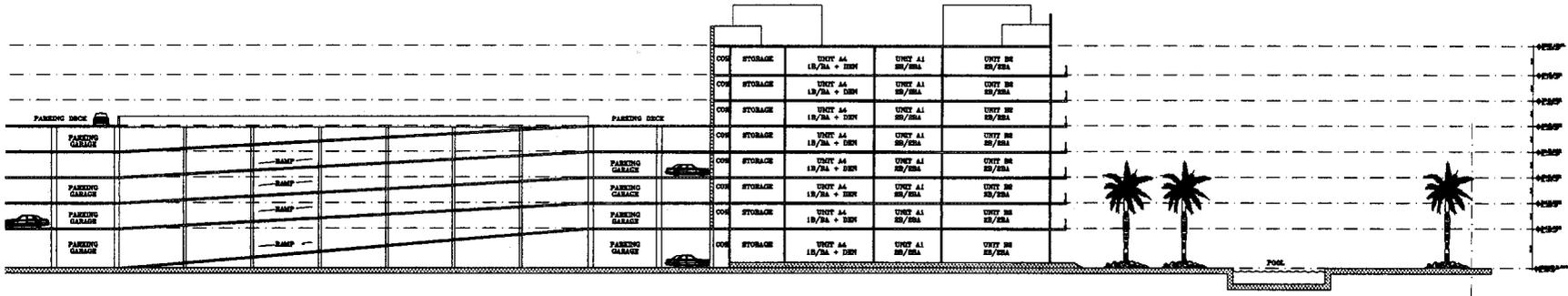
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BLDG. SECTION (NORTH-SOUTH)  
1/80' SCALE



PARTIAL BLDG. SECTION (EAST-WEST)  
1/80' SCALE



PARTIAL BLDG. SECTION (EAST-WEST)  
1/80' SCALE

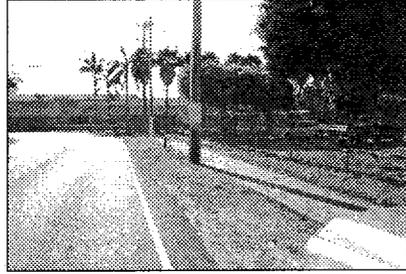
COHEN · FREEDMAN · ENCINOSA · & ASSOC.  
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PRELIMINARY DESIGN FOR:  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

Sheet No. A.9



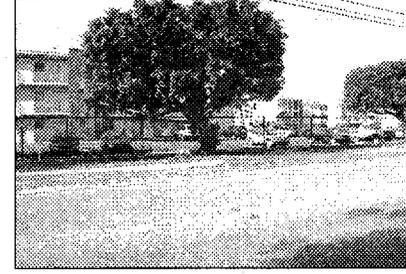
ADJACENT SITE NORTH OF  
86TH STREET



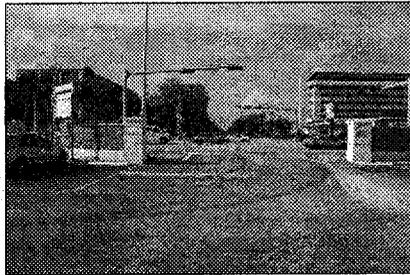
VIEW LOOKING EAST TOWARDS  
PALMETTO EXPRESSWAY



VIEW LOOKING WEST ON  
86TH STREET



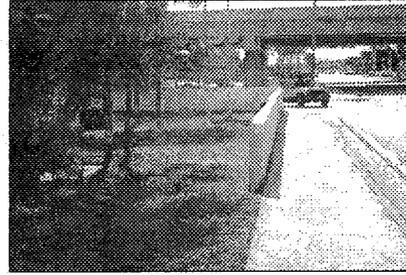
VIEW LOOKING SOUTH OF  
EXISTING SITE



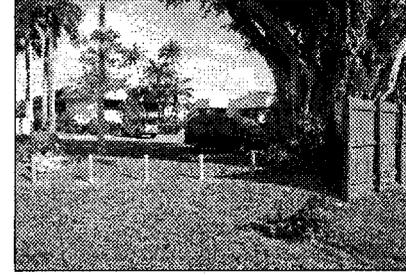
VIEW LOOKING SOUTH FROM  
KENDALL DRIVE EXIT



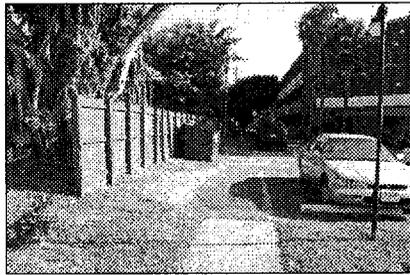
KENDALL DRIVE LOOKING  
WEST



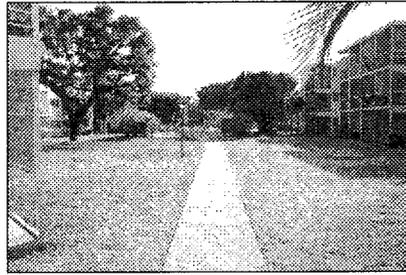
KENDALL DRIVE LOOKING  
EAST



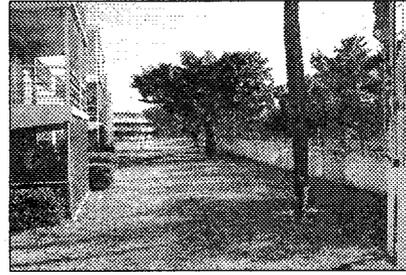
MEDICAL CENTER ADJACENT  
TO EXISTING SITE



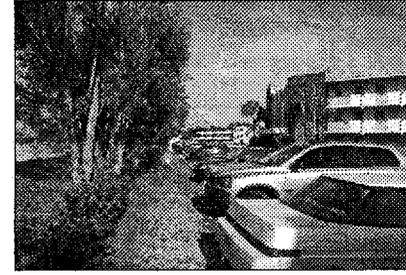
VIEW LOOKING NORTH AT  
WEST PROPERTY LINE



COURT YARD OF EXISTING  
APARTMENTS ON SITE



VIEW LOOKING NORTH AT  
PALMETTO EXPRESSWAY



EXISTING SITE LOOKING  
WEST ON KENDALL DRIVE

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

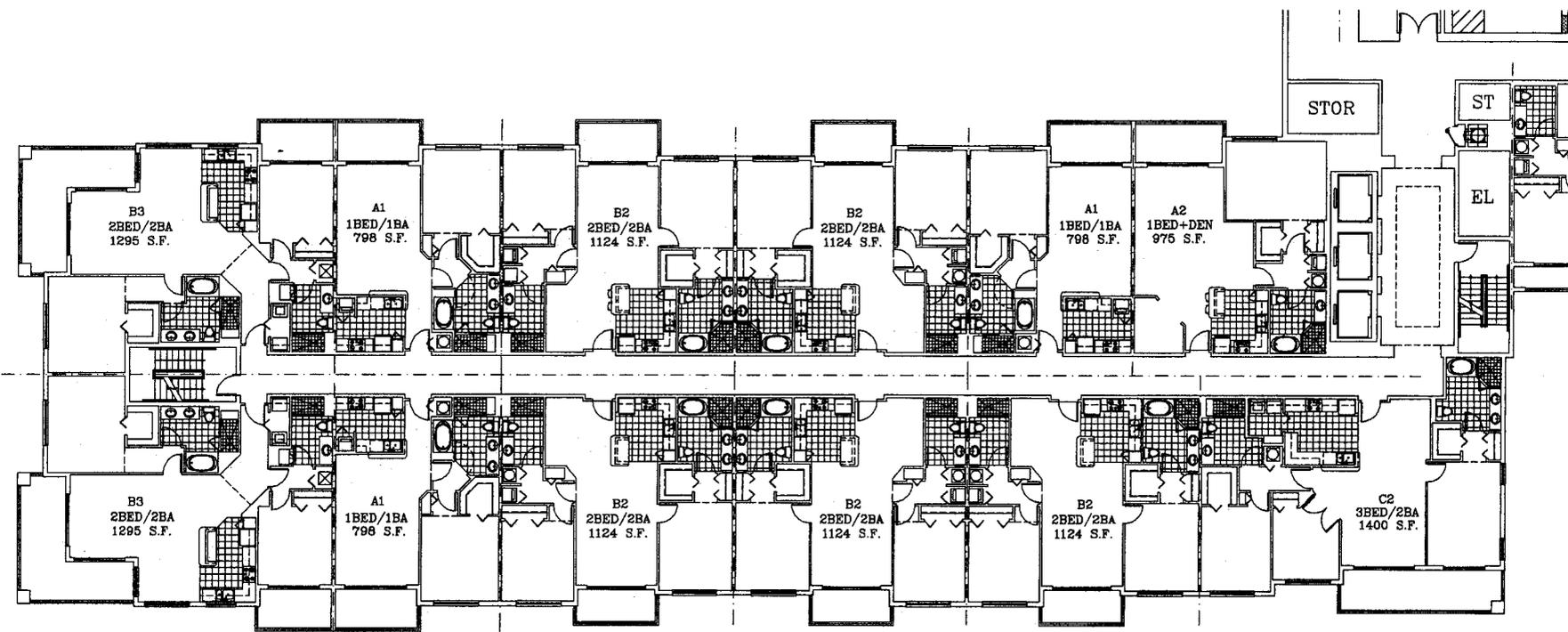
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Architects, PA  
Miami Lakes, Florida 33016 305-826-3931

A.11

8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3931

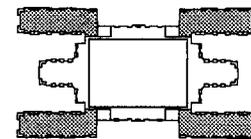
61

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TYPICAL LEVEL PLAN

1/8" SCALE

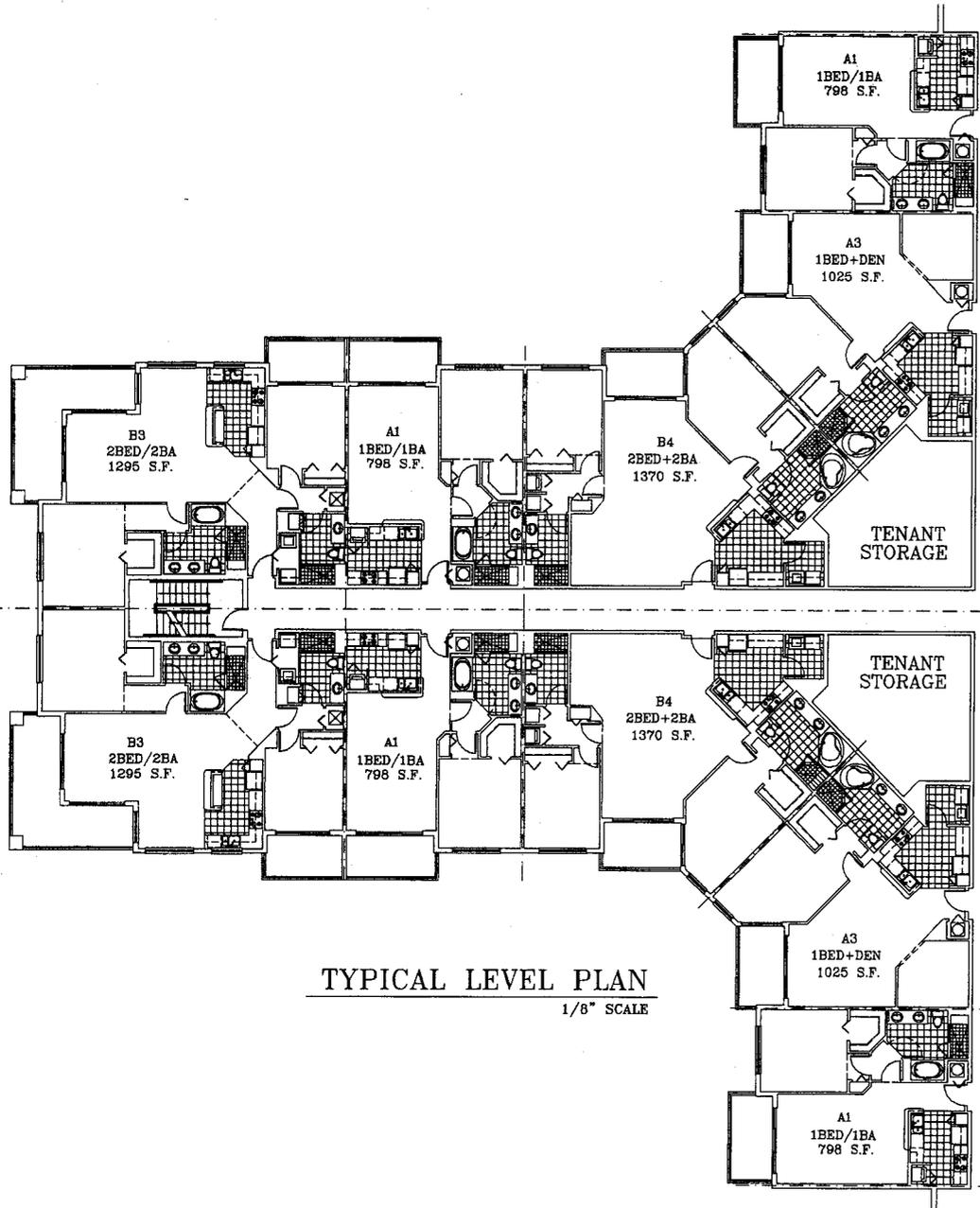


KEY PLAN  
N.T.S.

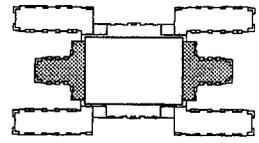
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DADE COUNTY, FLORIDA

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TYPICAL LEVEL PLAN  
1/8" SCALE



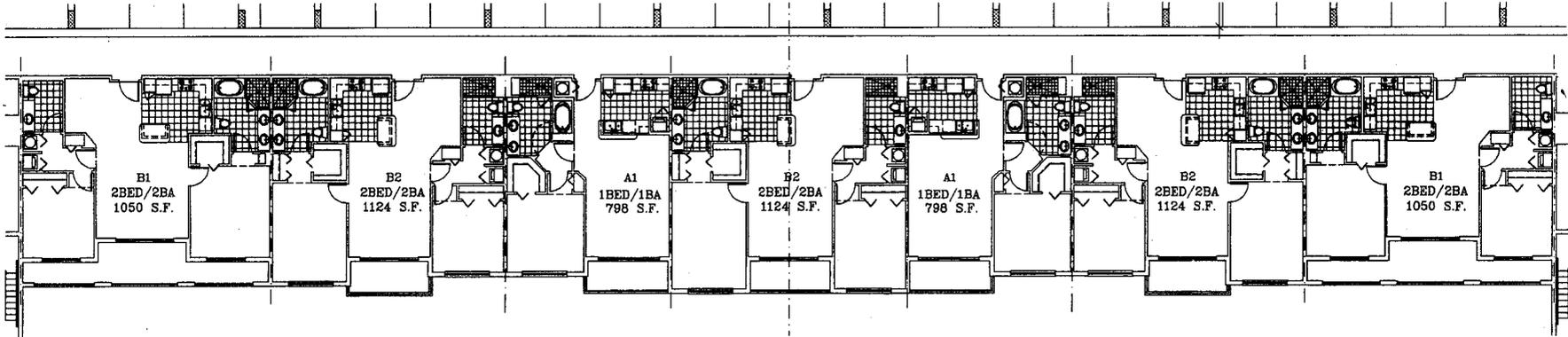
KEY PLAN  
N.T.S.

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

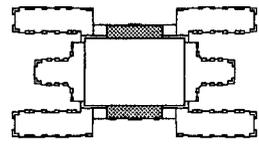
COHEN · FREEDMAN · ENCINOSA · & ASSOC.  
Architects, PA  
8085 N.W. 155th Street  
Miami Lakes, Florida 33016 305-826-3999

A.13

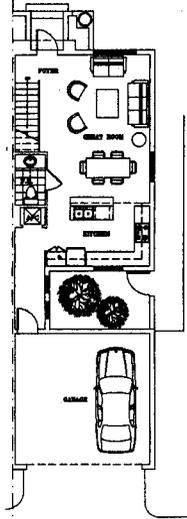
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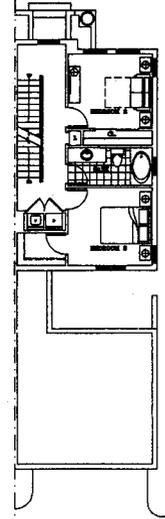
TYPICAL LEVEL PLAN  
1/8" SCALE



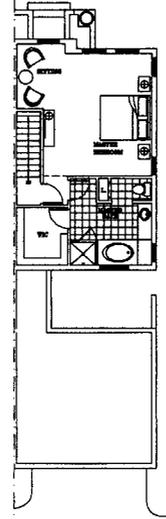
KEY PLAN  
N.T.S.



1ST LEVEL PLAN  
1/8" SCALE



2ND LEVEL PLAN  
1/8" SCALE



3RD LEVEL PLAN  
1/8" SCALE

TOTAL A/C 1785 S.F.

TYPICAL TOWNHOUSE PLAN  
1/8" SCALE

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PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

A.14

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# Option 2 - 592 units

67

**RECEIVED**  
 241-366  
 APR 18 2005

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

**RECEIVED**  
 APR 12 2005

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY \_\_\_\_\_

## A RESIDENTIAL DEVELOPMENT FOR **CENTRAL PARC** DADE COUNTY, FLORIDA

**ARCHITECTURE:**

COHEN, FREEDMAN, ENCINOSA & ASSOC.  
 ARCHITECTS, P.A.  
 8085 N.W. 155TH STREET  
 MIAMI, FLORIDA 33016  
 TEL. (305) 826-3999 FAX (305) 826-4166  
 EMAIL: CFSEARCH@BELLSOUTH.NET

**LANDSCAPE ARCHITECTURE:**

FUSTER DESIGN ASSOC.  
 7500 S.W. 86TH COURT  
 MIAMI, FLORIDA 33143  
 TEL. (305) 279-2202 FAX (305) 279-2804

**INDEX OF SHEETS**

- A-0 TITLE SHEET/PROJECT DATA
- A-1 GROUND FLOOR PLAN 1:40 SCALE
- A-2 2nd LEVEL FLOOR PLAN 1:40 SCALE
- A-3 3rd LEVEL FLOOR PLAN 1:40 SCALE
- A-4 4th LEVEL FLOOR PLAN 1:40 SCALE
- A-5 5th LEVEL FLOOR PLAN 1:40 SCALE
- A-6 6th LEVEL FLOOR PLAN 1:40 SCALE
- A-7 7th-8th LEVEL FLOOR PLAN 1:40 SCALE
- A-8 ROOF PLAN
- A-9 TYPICAL FLOOR PLAN 1/16" SCALE
- A-10 LOBBY PLAN 1/16" SCALE
- A-11 CLUBHOUSE PLAN 1/16" SCALE
- A-12 BUILDING ELEVATIONS 1:20' SCALE
- A-13 BUILDING ELEVATIONS 1:20' SCALE
- A-14 BUILDING ELEVATIONS 1:20' SCALE
- A-14a BUILDING ELEVATIONS 1:20' SCALE
- A-15 BUILDING SECTIONS 1:20' SCALE
- A-16 BUILDING RENDERING
- A-17 SITE PHOTOGRAPHS
- A-18 CONTEXT PLAN AND SECTIONS

**ZONING**  
 RU-4

**NET LOT AREA**  
 483,951.6 S.F. (11.11 ACRES)

**NUMBER OF UNITS**  
 EXISTING: 308 UNITS  
 NUMBER PROVIDED: 592 UNITS

**SETBACKS**

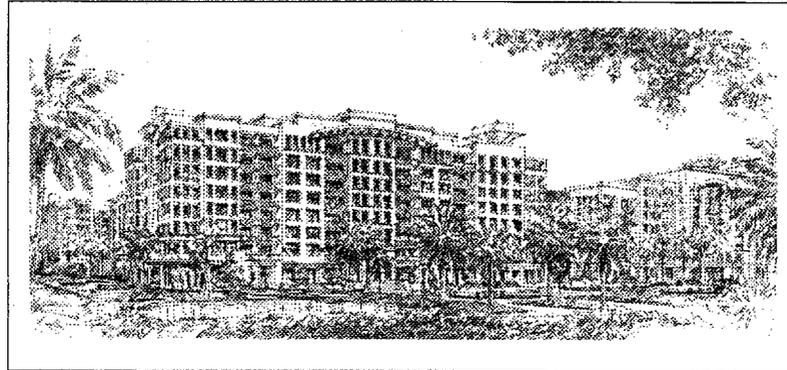
	PROVIDED
FRONT	75'-0"
INTERIOR SIDE	60'-0"
REAR	71'-0"

**PARKING SPACES**

**REQUIRED:**  
 1 BEDROOM 1.5 X 196 = 294 SPACES  
 2 BEDROOM 1.75 X 344 = 602 SPACES  
 3 BEDROOM 2.00 X 52 = 104 SPACES  
**TOTAL 1000 SPACES**

**PROVIDED:**  
 SURFACE PARKING 16 SPACES  
 GARAGE LEVEL 1 100 SPACES  
 LEVELS 2-5 704 SPACES  
 LEVEL 6 198 SPACES  
 TOWNHOUSE CARPORTS 56 SPACES  
**TOTAL 1066 SPACES\***

\* includes 22 handicapped parking spaces



TOTAL GROSS ACREAGE:	483,808 S.F. OR 11.11 ACRES	100%
COVERAGE BLDG. ● GROUND LEVEL:	193,040 S.F. OR 4.34 ACRES	39.9%
PRIVATE ROADS & PARKING AREAS:	56,546 SF OR 1.3 ACRES	12%
COMMON OPEN SPACE:	182,056 SF OR 4.18 ACRES	38%
PRIVATE OPEN SPACE:	14,890 SF OR .34 ACRES	3%
WATER BODIES:	0 SF	
PUBLIC FACILITIES:	21,522 SF OR .50 ACRES	4%
PUBLIC ROADS:	19,660 S.F. OR .451 ACRES	4%
<b>TOTAL:</b>	<b>483,808 SF 11.11 ACRES</b>	

**UNIT BREAKDOWN**

**UNIT MIX - PROJECT TOTAL**

1 BED	2 BED	3 BED	NO TOWNH	TOTAL
196	344	52	0	592
50%	58%	4.5%	0%	

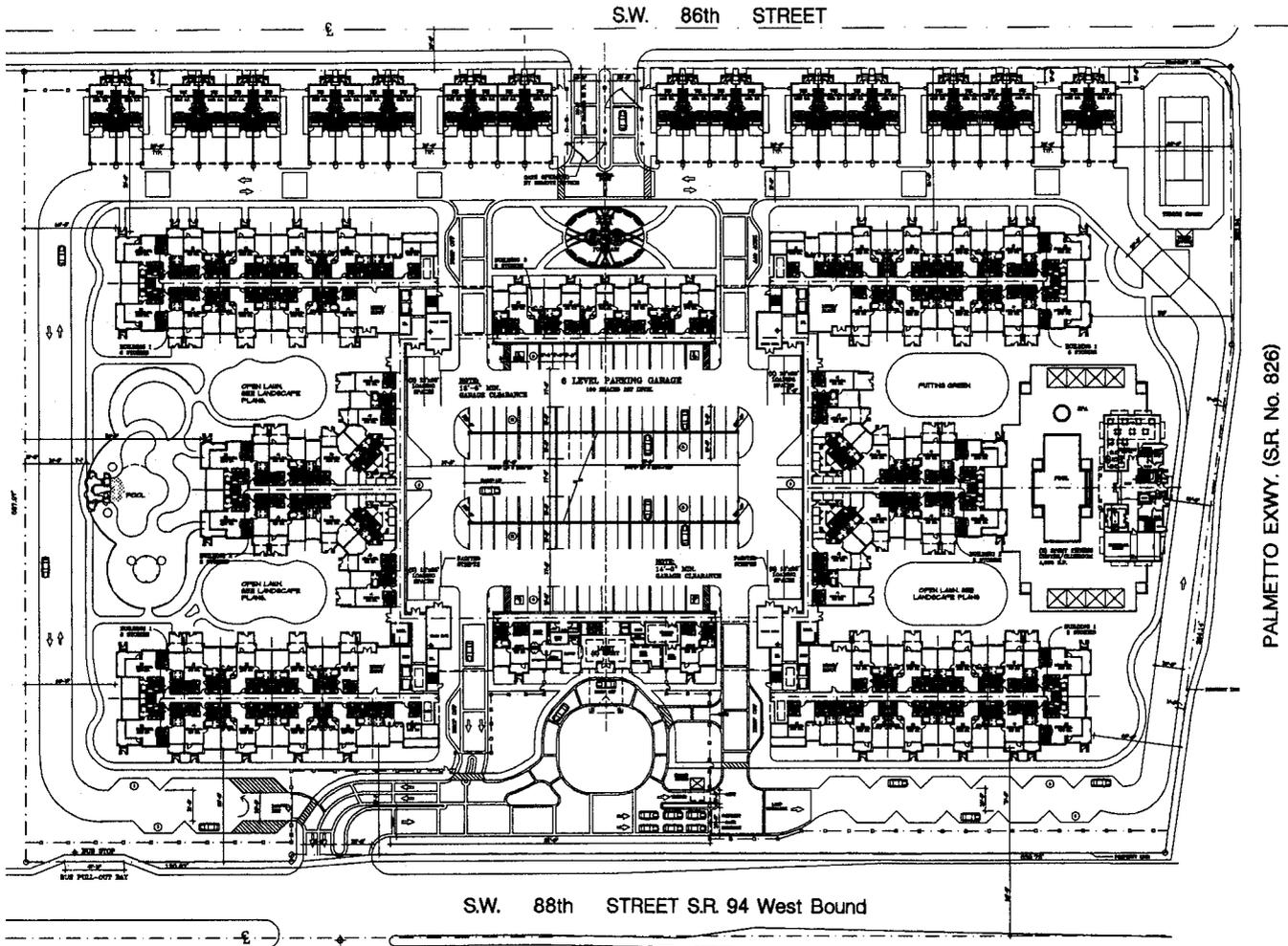
UNIT TYPE	UNIT S.F.	1st	2nd-5th	6th	7th	8th	TOTAL UNITS
1 BED	196	50	44	2	0	0	96
2 BED	344	50	114	14	14	14	206
3 BED	196	4	4	4	4	4	20
TOTAL	196	50	162	20	18	18	292

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PRELIMINARY DESIGN FOR  
**CENTRAL PARC**  
 DADE COUNTY, FLORIDA

**A.0**

2419



NOTES:  
 1. PAINTMENT FINISHES AND TRAFFIC MARKS TO BE INCLUDED AS PART OF A SEPARATE STUDY. STUDY TO BE SUBMITTED TO PUBLIC WORKS DEPT. FOR APPROVAL.  
 2. ENTRANCE FEATURES ON ALL STREET FRONTS & SIDE STREET SHALL BE SHOWN SEPARATE APPLICATION.

SIGNAL INDICATION REQUIRED.

1ST LEVEL PLAN  
 1:40' SCALE

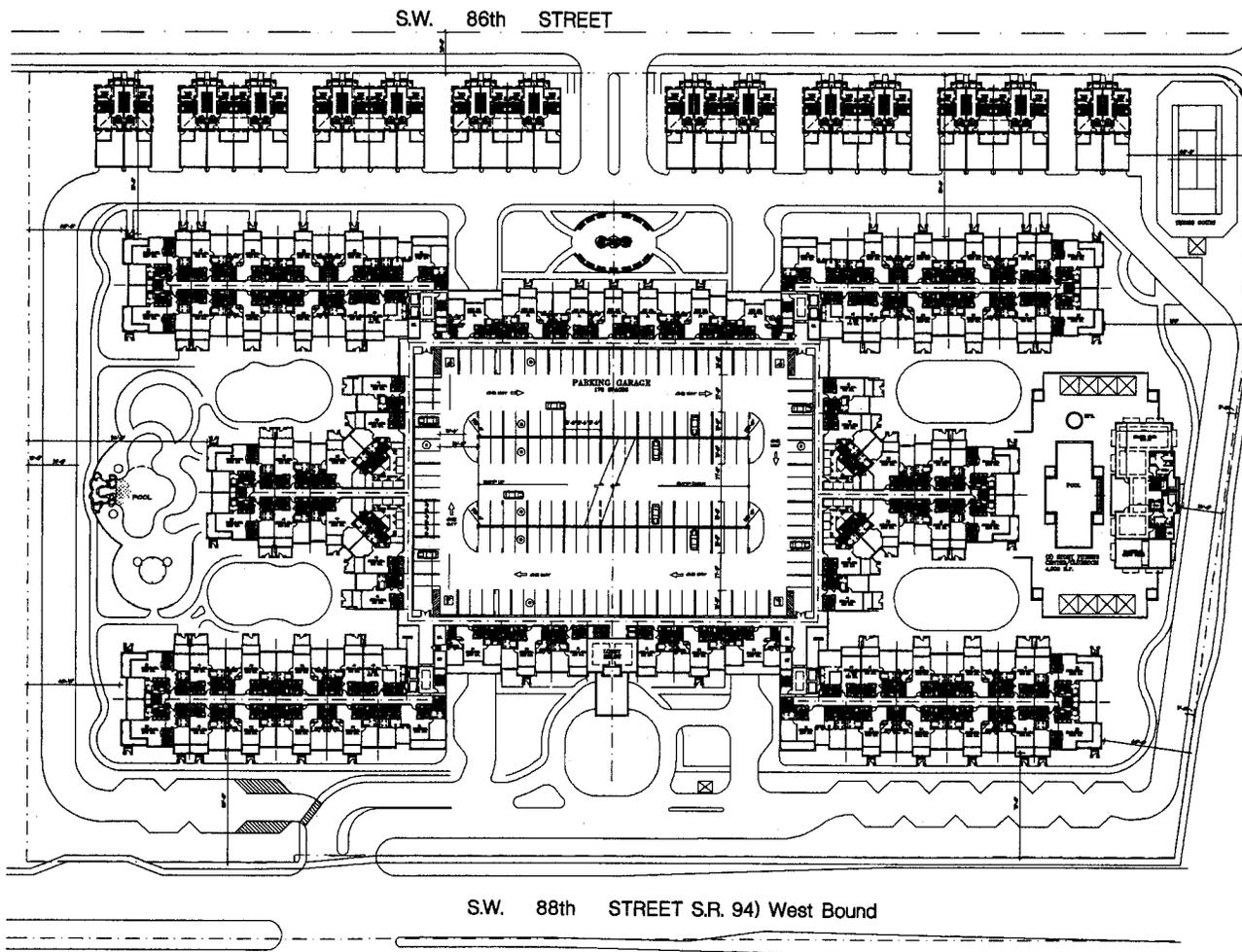
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PRELIMINARY DESIGN FOR:  
 CENTRAL PARC  
 DADE COUNTY, FLORIDA

A.1

2419

68



S.W. 86th STREET

S.W. 88th STREET S.R. 94) West Bound

2nd LEVEL PLAN  
1:40' SCALE

PRELIMINARY DESIGN FOR:  
CENTRAL PARC  
DADE COUNTY, FLORIDA

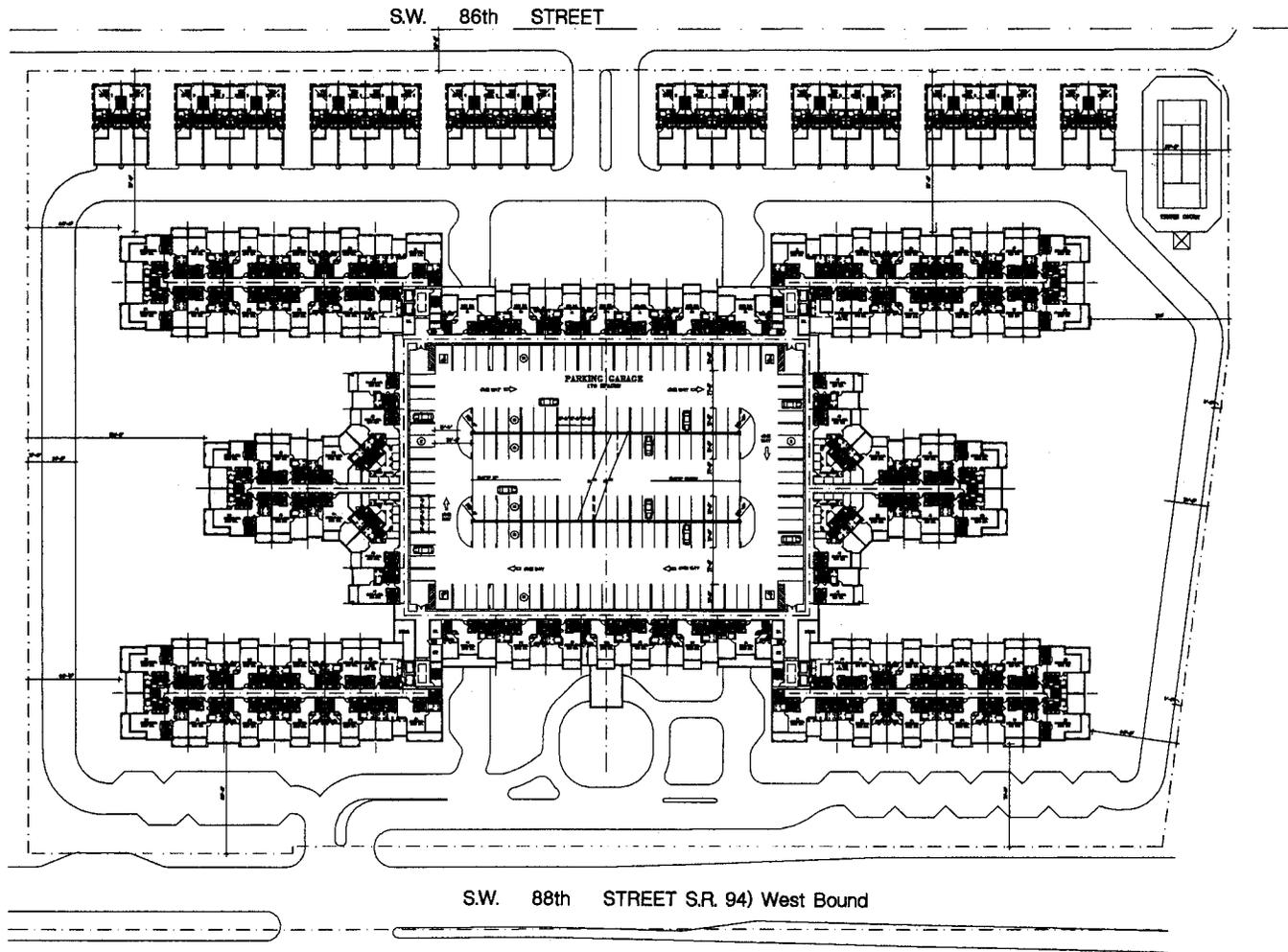
A.2

2419

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Architects, PA

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69



3rd LEVEL PLAN  
1:40' SCALE

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Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

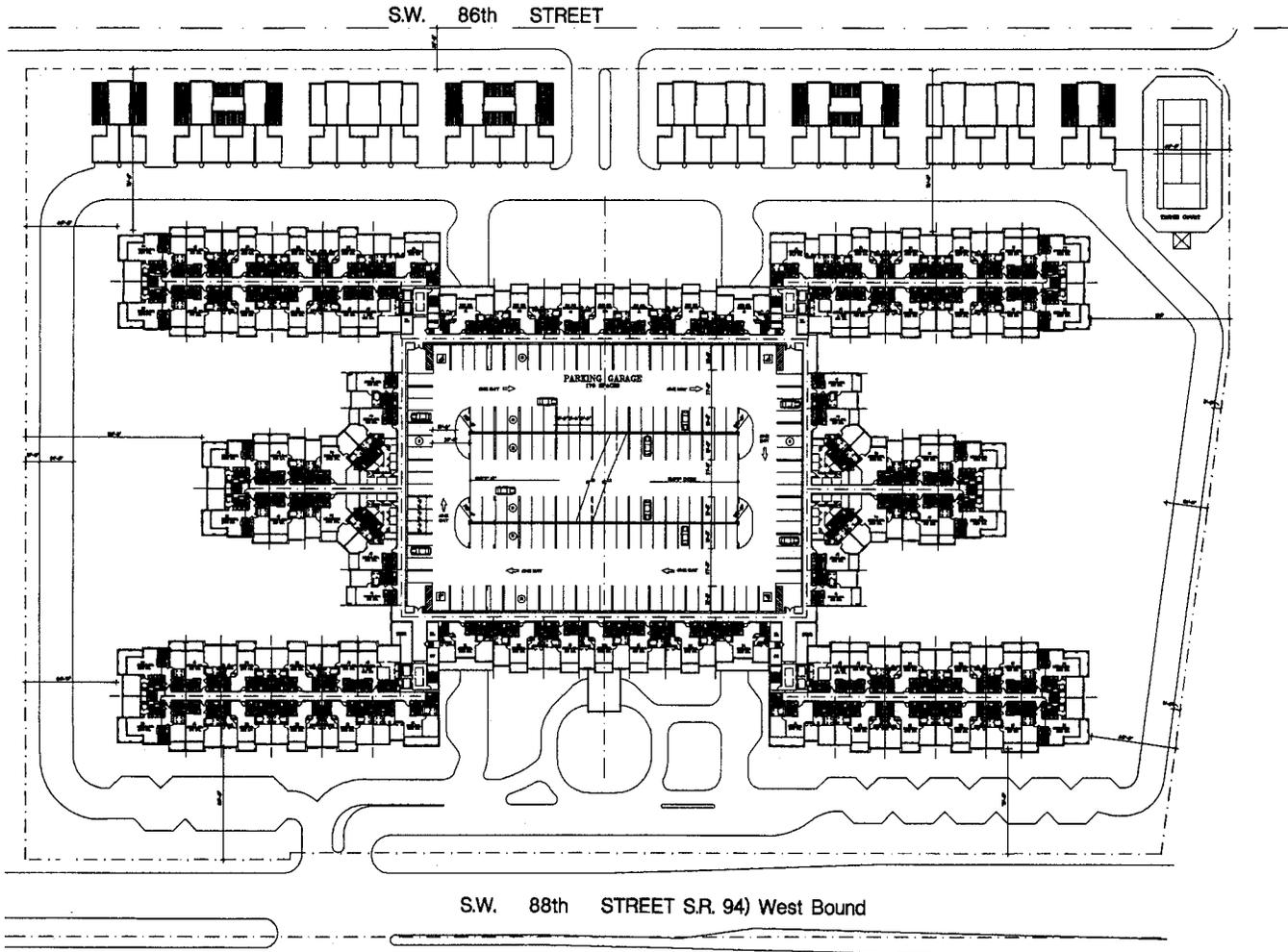
PRELIMINARY DESIGN FOR:  
CENTRAL PARC  
DADE COUNTY, FLORIDA

DATE: 8/2/99  
BY: [Signature]

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

**A.3**

2419



4th LEVEL PLAN  
1:40' SCALE

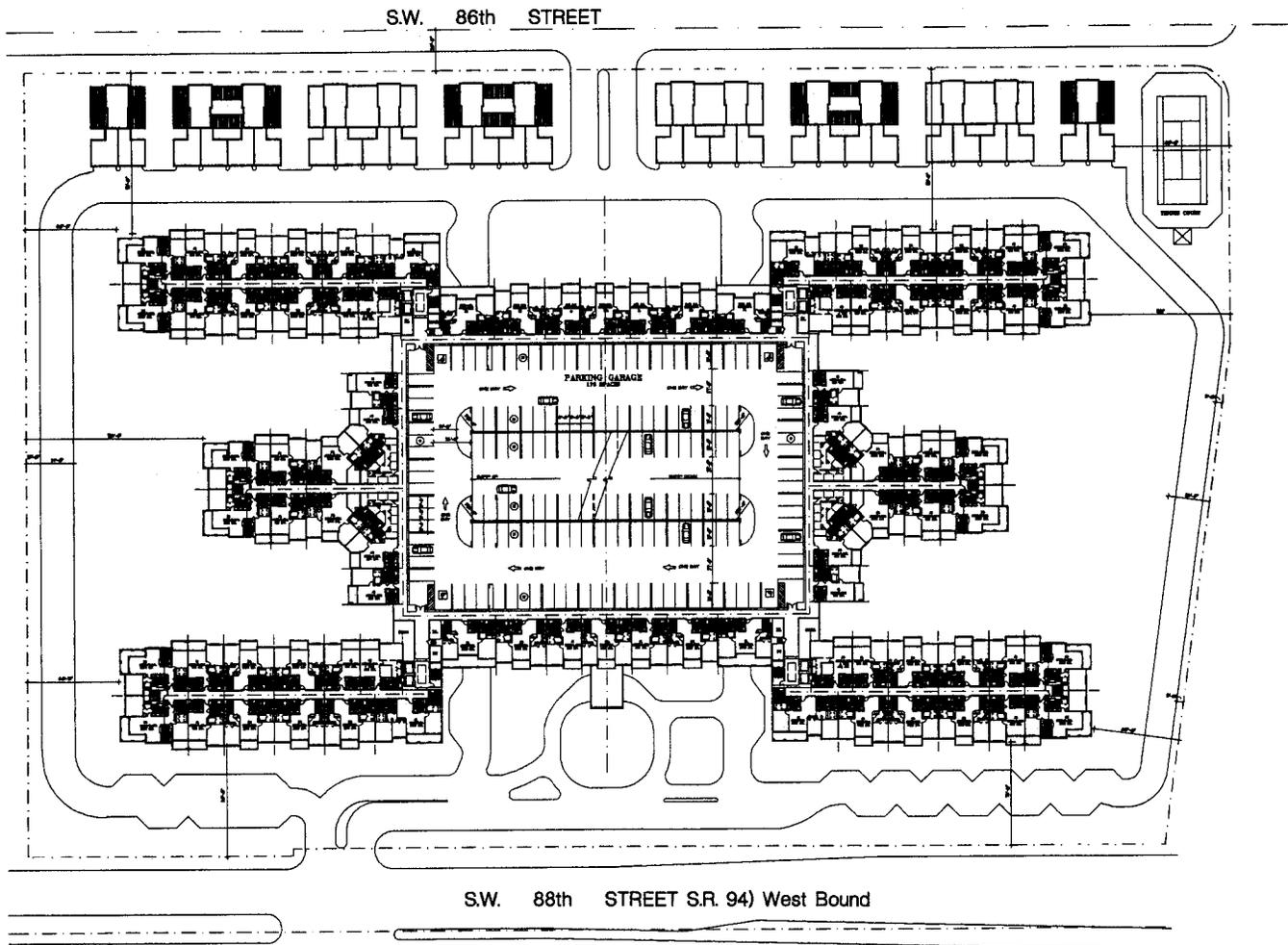
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CENTRAL PARC  
DADE COUNTY, FLORIDA

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA

8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

REV	DATE	BY	CHK
1	12/15/88	...	...
2	12/15/88	...	...
3	12/15/88	...	...
4	12/15/88	...	...
DATE: 1/20/89			
SCALE: A.4			
NO: 2419			

71



5th LEVEL PLAN

1:40' SCALE

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

PRELIMINARY DESIGN FOR:  
CENTRAL PARC  
DADE COUNTY, FLORIDA

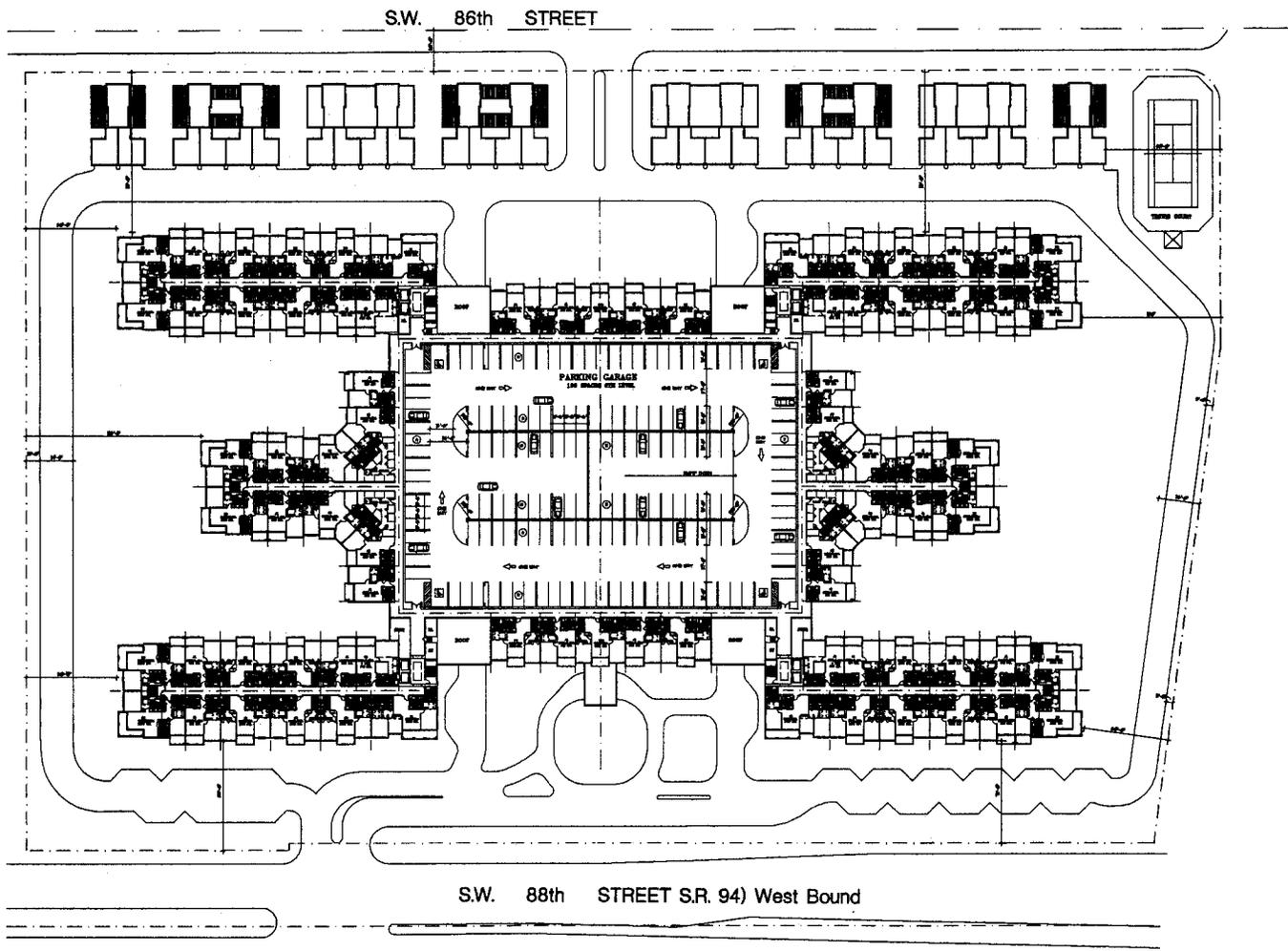
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DATE: 11/10/09  
BY: [Signature]

1/20/09

A.5

2419

72



6th LEVEL PLAN  
1/40" SCALE

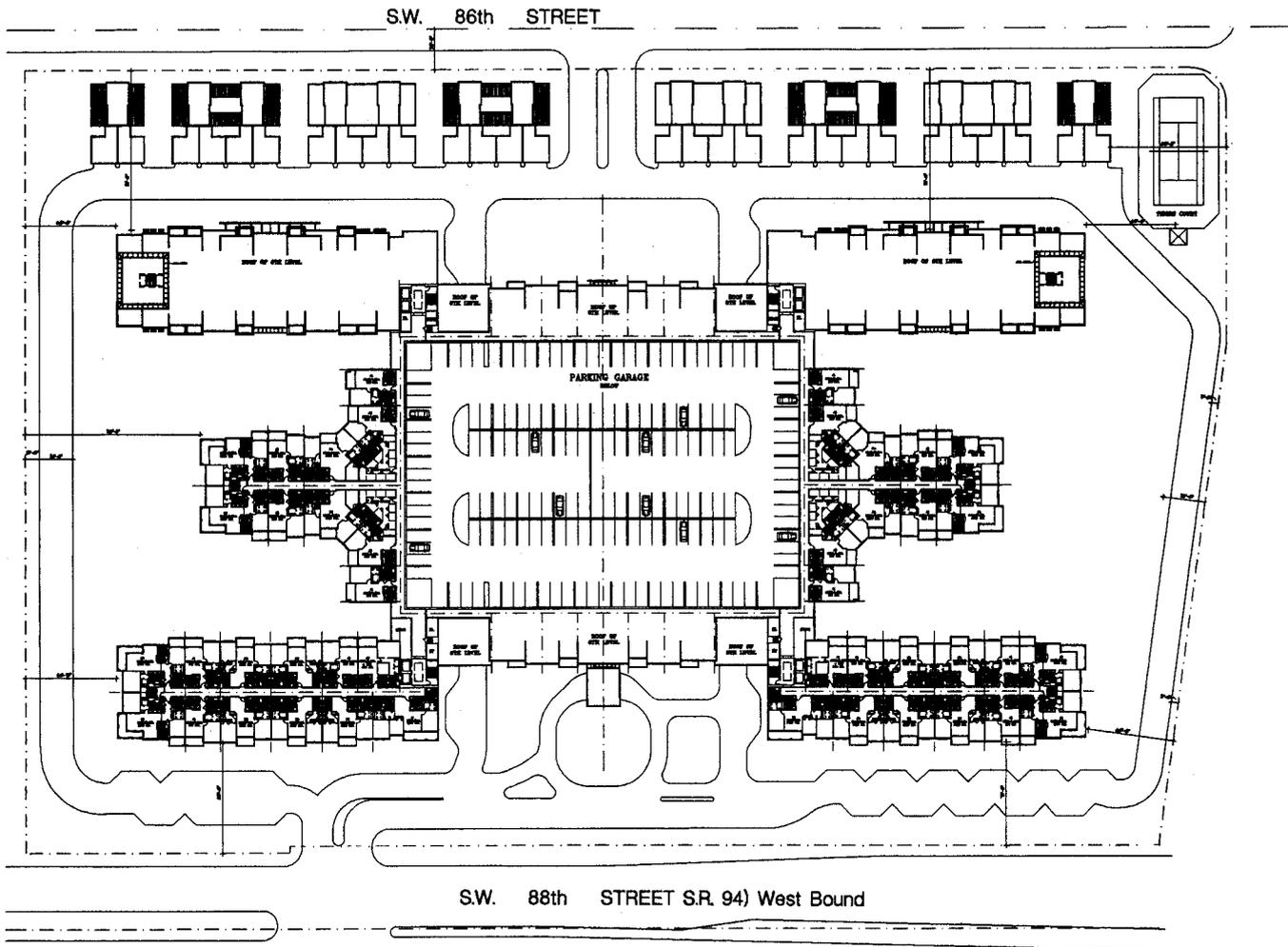
COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

PRELIMINARY DESIGN FOR  
CENTRAL PARC  
DADE COUNTY, FLORIDA

2419  
**A.6**

73

74



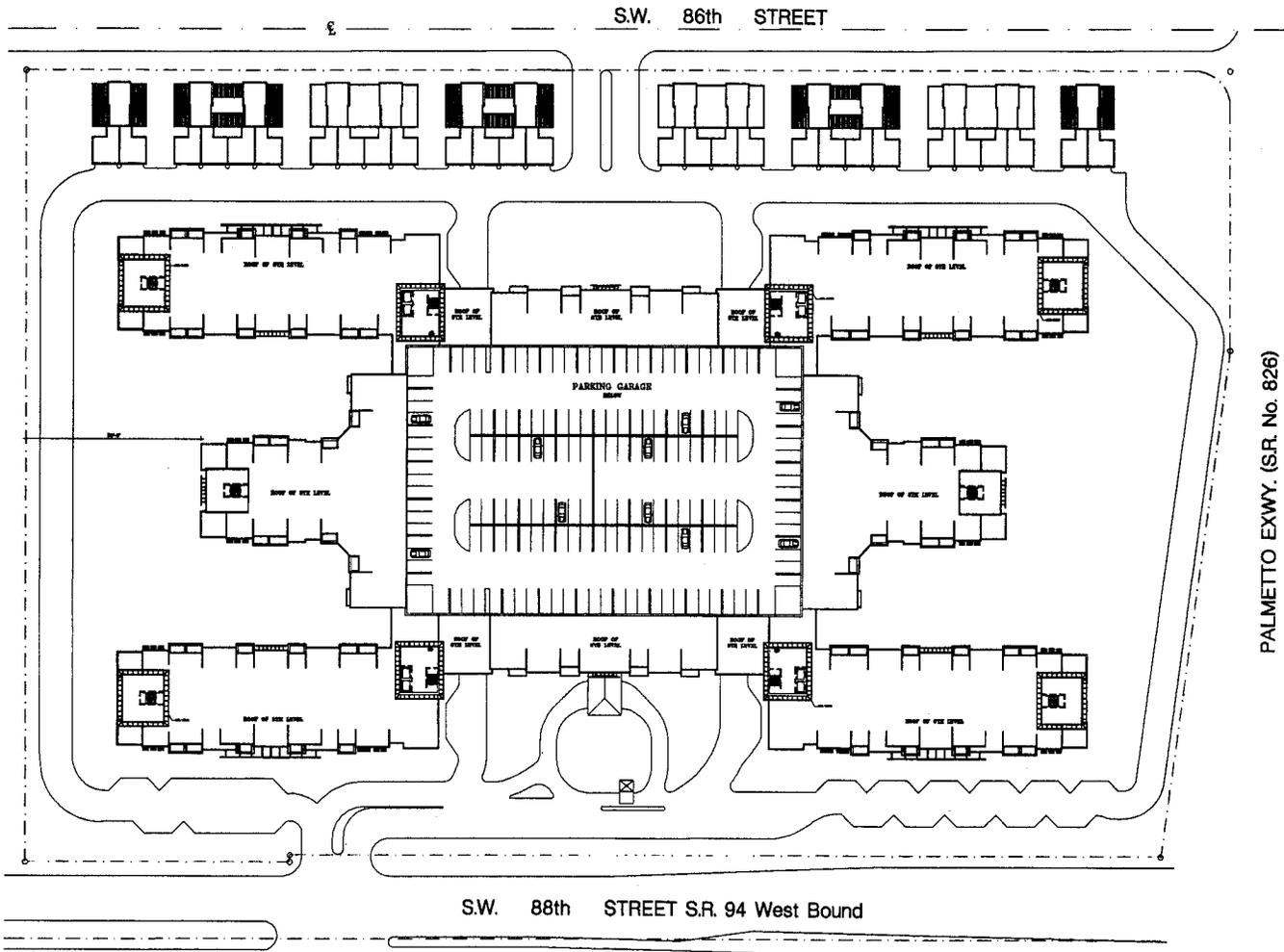
7th-8th LEVEL PLAN  
1:40' SCALE

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
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PRELIMINARY DESIGN FOR  
CENTRAL PARC  
DADE COUNTY, FLORIDA

A.7  
24B

75



ROOF PLAN

1:40' SCALE

PRELIMINARY DESIGN FOR:  
**CENTRAL PARC**  
 DADE COUNTY, FLORIDA

**A.8**

2419

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
*Architects, PA*

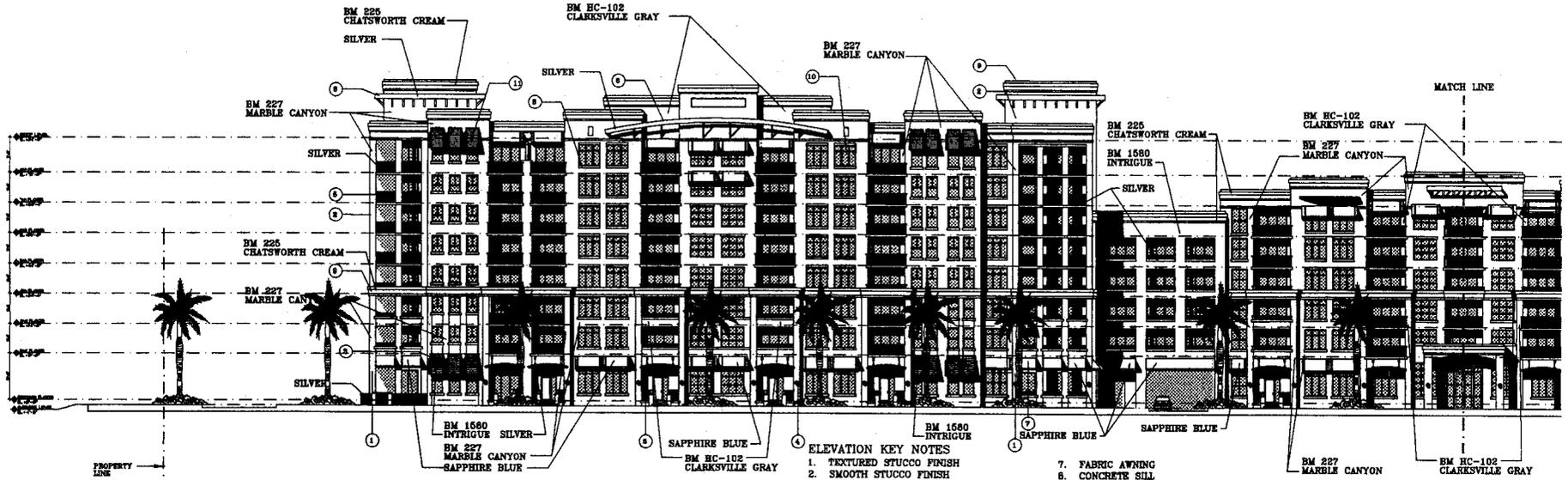
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

PALMETTO EXWY. (S.R. No. 826)

S.W. 86th STREET

S.W. 88th STREET S.R. 94 West Bound

76



**PARTIAL BLDG. ELEVATION (SOUTH)**  
FACING KENDALL DRIVE  
1/16" SCALE

- ELEVATION KEY NOTES**
1. TEXTURED STUCCO FINISH
  2. SMOOTH STUCCO FINISH
  3. ALUMINUM AWNING (ESP FIN.)
  4. DECORATIVE LIGHT FIXTURE
  5. ALUMINUM RAILING (ESP FIN.)
  6. ALUMINUM TRELLES (ESP FIN.)
  7. FABRIC AWNING
  8. CONCRETE SILL
  9. RAISED STUCCO BAND
  10. ALUM FRAME (ESP FIN.)
  11. W/BLUE/GREEN TINTED GLASS
  12. ALUMINUM SHUTTER (ESP FIN.)



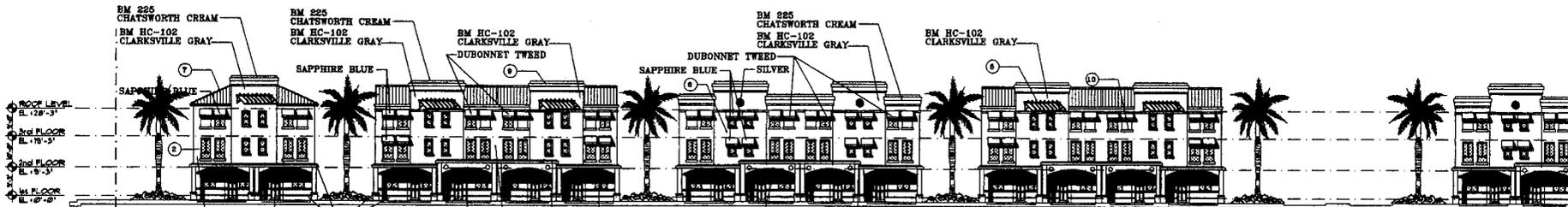
**PARTIAL BLDG. ELEVATION (SOUTH)**  
FACING KENDALL DRIVE  
1/16" SCALE

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

PRELIMINARY DESIGN FOR  
**CENTRAL PARC**  
DADE COUNTY, FLORIDA

**A.12**  
2419

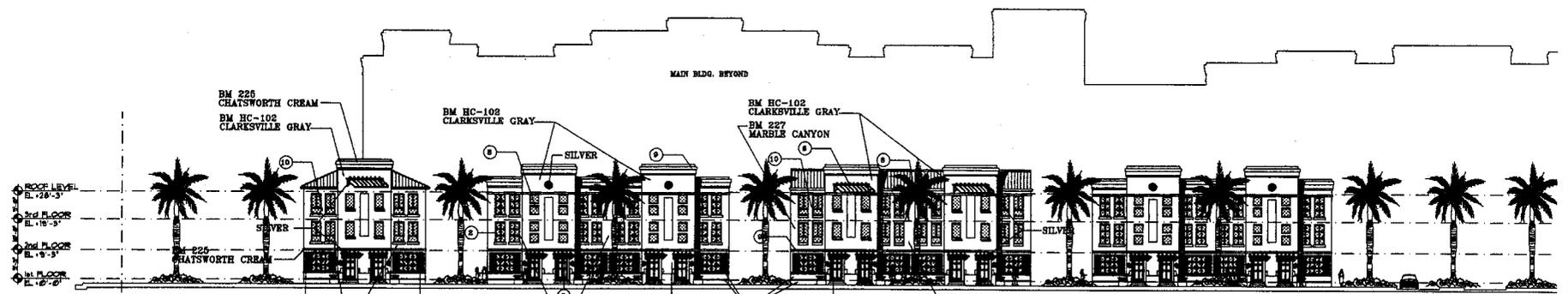
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**PARTIAL TOWNHOME ELEVATION**  
1/16" SCALE

**ELEVATION KEY NOTES**

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. STANDING SEAM MTL. ROOF      |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/BLUE/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |



**PARTIAL TOWNHOME ELEVATION**  
1/16" SCALE

**ELEVATION KEY NOTES**

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRSTE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/BLUE/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
Architects, PA  
9085 N.W. 155th Street Miami Lakes, Florida 33016 305-926-3999

PRELIMINARY DESIGN FOR  
**CENTRAL PARC**  
DADE COUNTY, FLORIDA

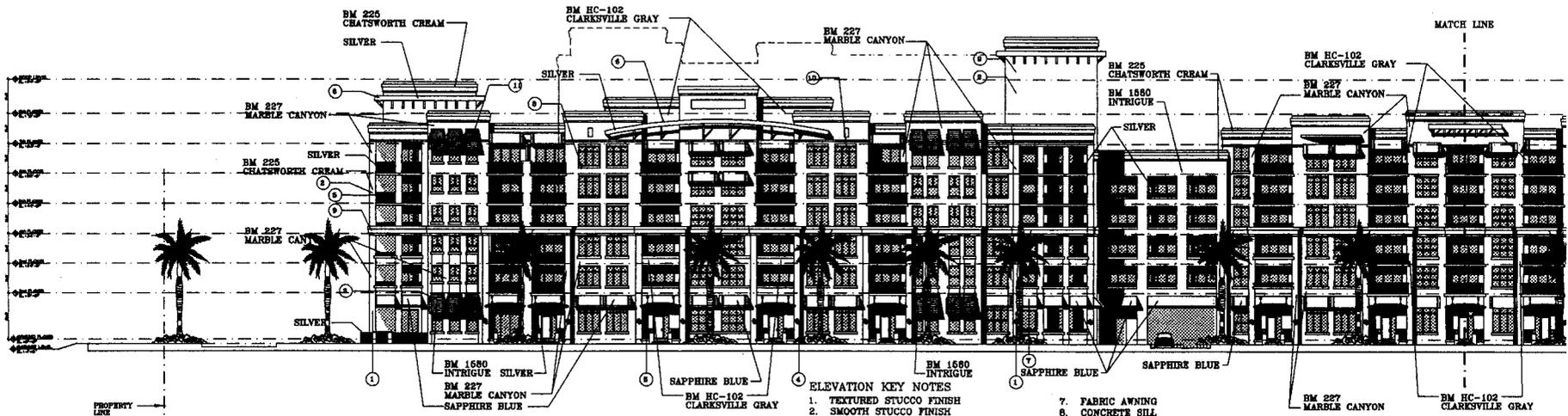
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NO. 2419

**A.13**

2419

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PARTIAL BLDG. ELEVATION (NORTH)

1/16" SCALE

- ELEVATION KEY NOTES
1. TEXTURED STUCCO FINISH
  2. SMOOTH STUCCO FINISH
  3. ALUMINUM AWNING (ESP FIN.)
  4. DECORATIVE LIGHT FIXTURE
  5. ALUMINUM RAILING (ESP FIN.)
  6. ALUMINUM TRELLIS (ESP FIN.)
  7. FABRIC AWNING
  8. CONCRETE SILL
  9. RAISED STUCCO BAND
  10. ALUM. FRAME (ESP FIN.)  
W/BUE/GREEN TINTED GLASS
  11. ALUMINUM SHUTTER (ESP FIN.)



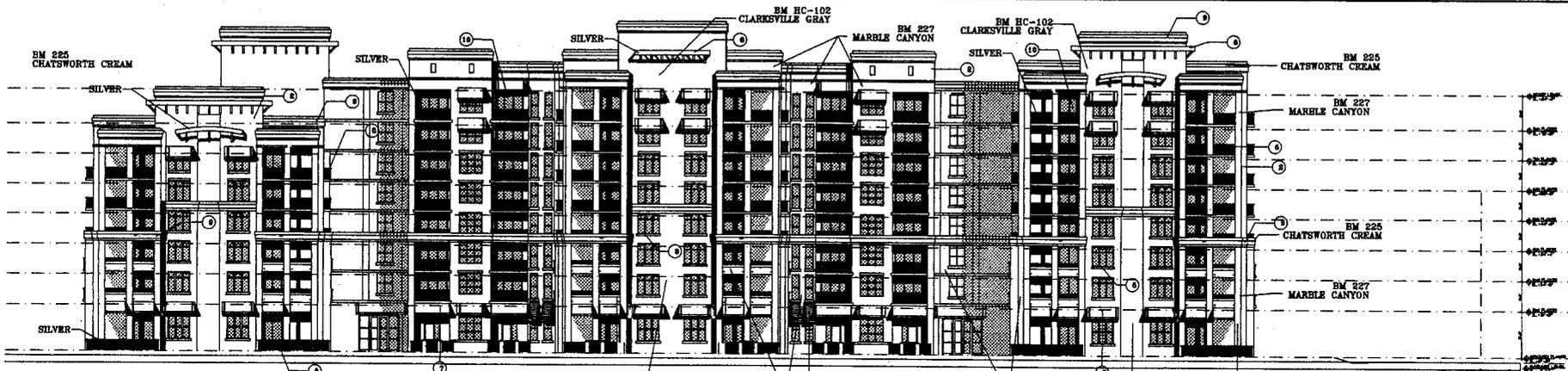
PARTIAL BLDG. ELEVATION (NORTH)

1/16" SCALE

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

PRELIMINARY DESIGN FOR  
CENTRAL PARC  
DADE COUNTY, FLORIDA

A.14a  
2419

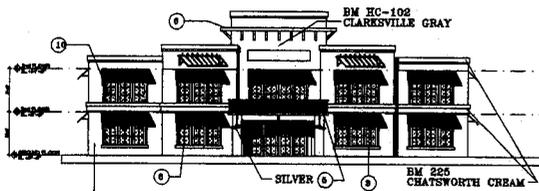


- ELEVATION KEY NOTES**
1. TEXTURED STUCCO FINISH
  2. SMOOTH STUCCO FINISH
  3. ALUMINUM AWNING (ESP. FIN.)
  4. DECORATIVE LIGHT FIXTURE
  5. ALUMINUM RAILING (ESP. FIN.)
  6. ALUMINUM TRELLIS (ESP. FIN.)
  7. FABRIC AWNING
  8. CONCRETE SILL
  9. RAISED STUCCO BAND
  10. ALUM. FRAME (ESP. FIN.)
  11. ALUMINUM SHUTTER (ESP. FIN.)

**BUILDING ELEVATION (WEST)**

1/16" SCALE

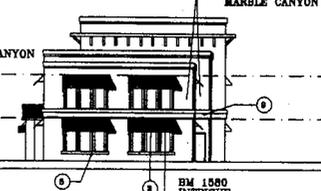
PROPERTY LINE



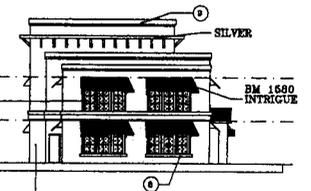
**CLUB HOUSE ELEVATION**  
WEST ELEVATION 1/16" SCALE



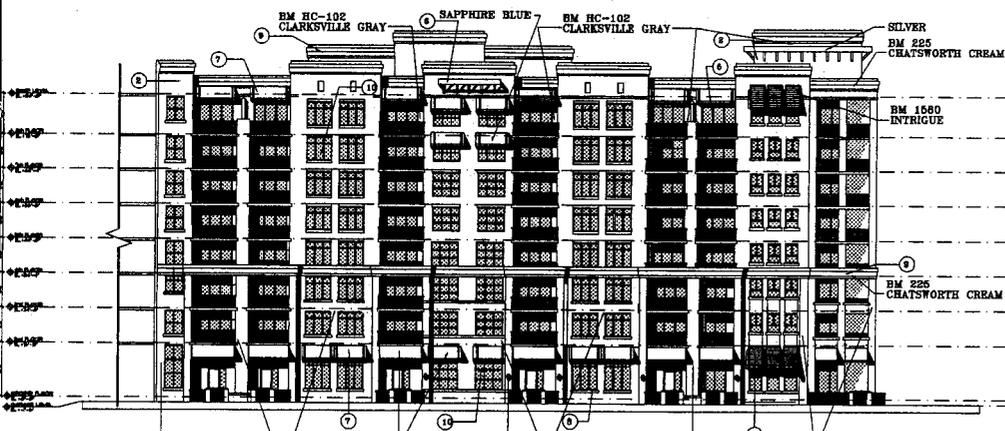
**CLUB HOUSE ELEVATION**  
EAST ELEVATION 1/16" SCALE



**CLUB HOUSE ELEVATION**  
SOUTH ELEVATION 1/16" SCALE

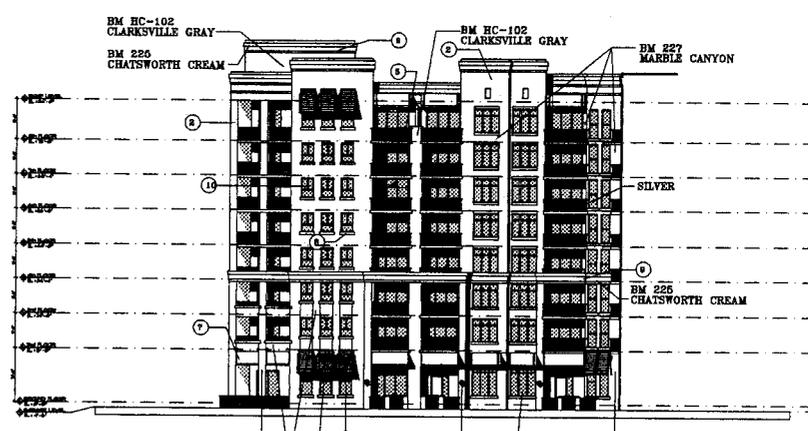


**CLUB HOUSE ELEVATION**  
NORTH ELEVATION 1/16" SCALE



**INTERIOR ELEVATION SOUTH TOWER 1**

1/16" SCALE



**INTERIOR ELEVATION TOWER 2 (NORTH/SOUTH)**

1/16" SCALE

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-9999

PRELIMINARY DESIGN FOR  
**CENTRAL PARC**  
DADE COUNTY, FLORIDA

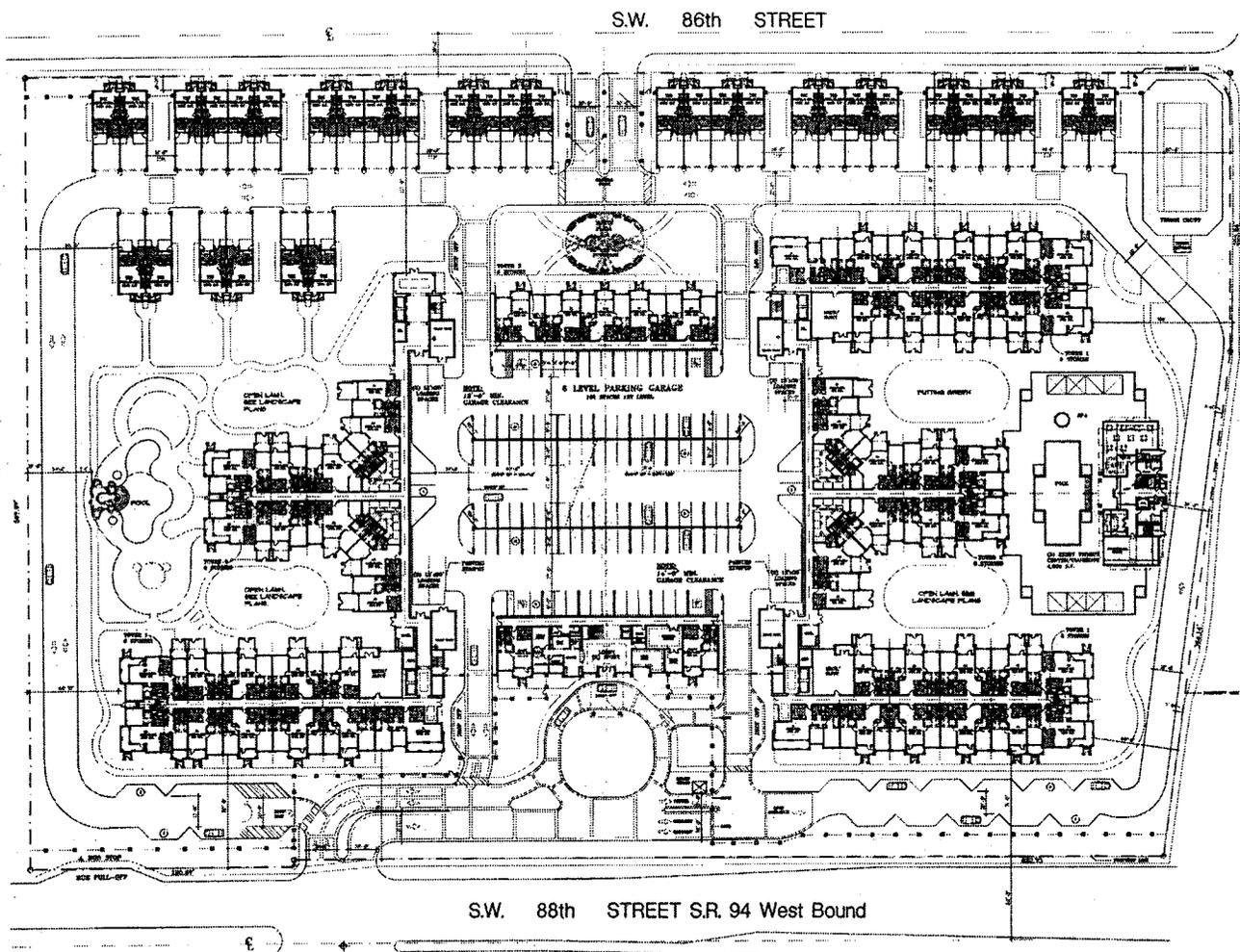
3/26/09  
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2419

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NOTES:

1. PAVEMENT FINISHES AND TRACING SHALL BE AS SHOWN OR AS PART OF A TRACING. ANY CHANGES TO BE SUBMITTED TO PUBLIC WORKS DEPT. FOR APPROVAL.
2. ENTRANCE FEATURES ON ALL DRIVEWAYS SHALL BE WITH FINISH SHALL BE UNDER SEPARATE APPLICATION.

MINOR REVISIONS REQUIRED

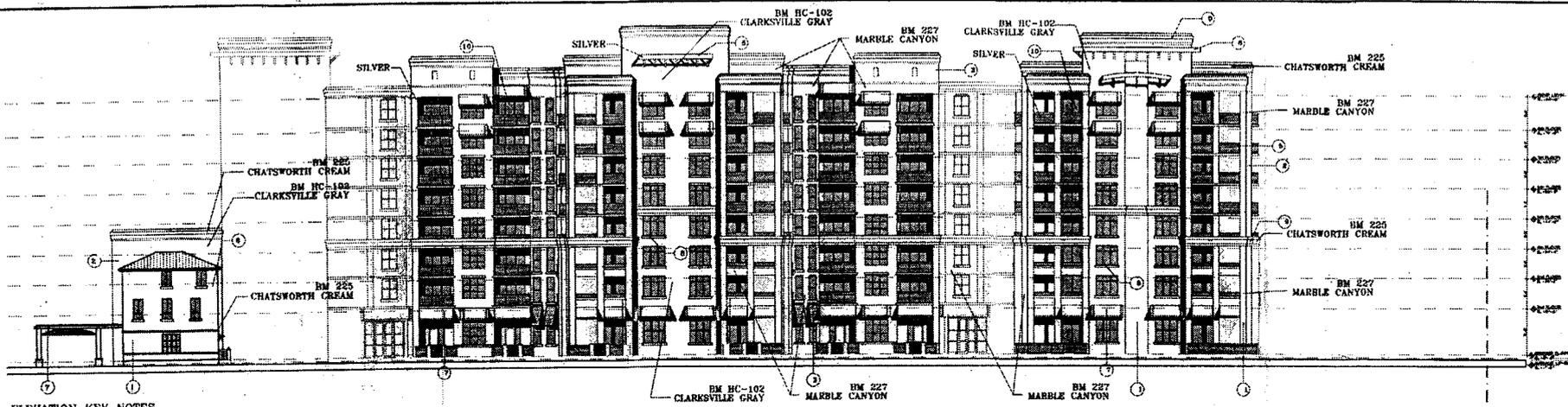
1ST LEVEL PLAN  
1:40' SCALE

PALMETTO EXWY. (SR. NO. 826)

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

PRELIMINARY DESIGN FOR  
CENTRAL PARC  
DADE COUNTY, FLORIDA

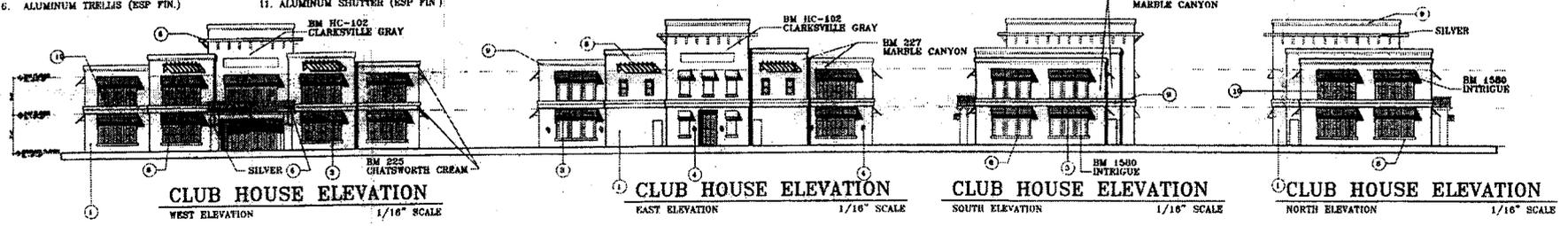
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CHECKED BY: [Signature]  
SCALE: 1/4" = 1'-0"  
SHEET: A.1  
TOTAL SHEETS: 249



- ELEVATION KEY NOTES**
1. TEXTURED STUCCO FINISH
  2. SMOOTH STUCCO FINISH
  3. ALUMINUM AWNING (ESP FIN.)
  4. DECORATIVE LIGHT FIXTURE
  5. ALUMINUM HAILING (ESP FIN.)
  6. ALUMINUM TRELLIS (ESP FIN.)
  7. FABRIC AWNING
  8. CONCRETE SILL
  9. RAISED STUCCO BAND
  10. ALUM. FRAME (ESP FIN.)
  11. ALUMINUM SHUTTER (ESP FIN.)

**BUILDING ELEVATION (WEST)**

1/16" SCALE

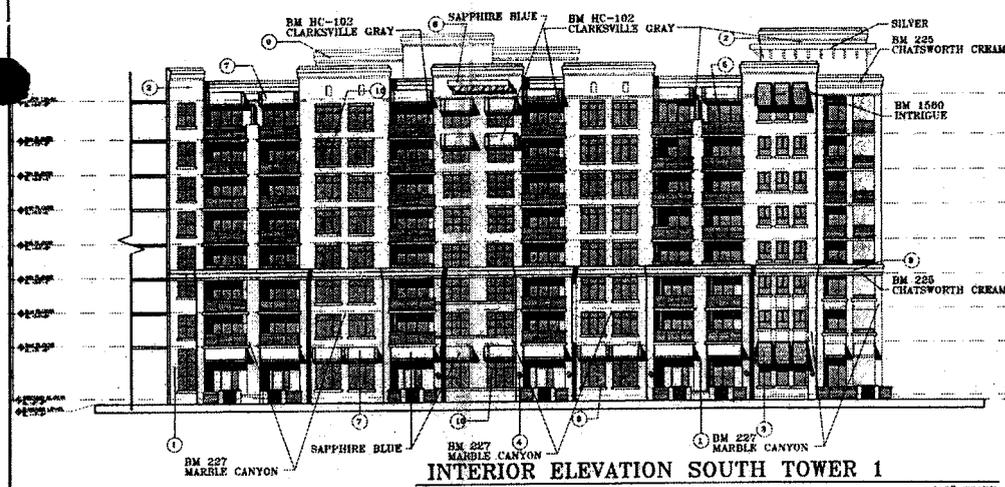


**CLUB HOUSE ELEVATION**  
WEST ELEVATION 1/16" SCALE

**CLUB HOUSE ELEVATION**  
EAST ELEVATION 1/16" SCALE

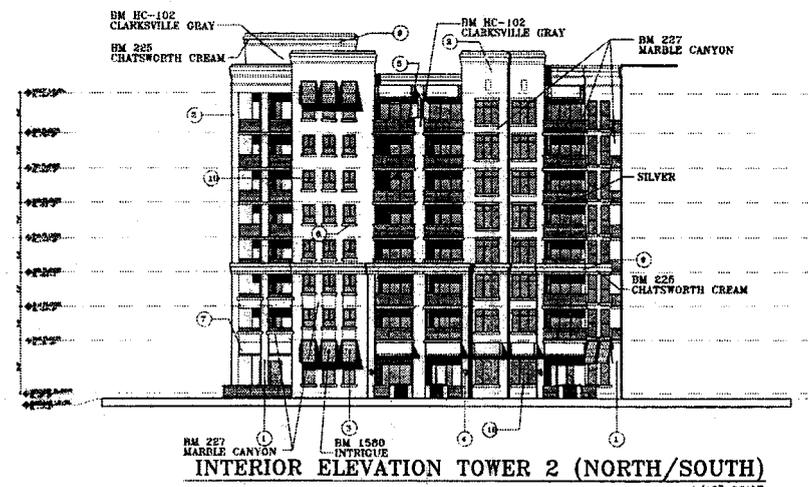
**CLUB HOUSE ELEVATION**  
SOUTH ELEVATION 1/16" SCALE

**CLUB HOUSE ELEVATION**  
NORTH ELEVATION 1/16" SCALE



**INTERIOR ELEVATION SOUTH TOWER 1**

1/16" SCALE



**INTERIOR ELEVATION TOWER 2 (NORTH/SOUTH)**

1/16" SCALE

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

PRELIMINARY DESIGN FOR  
**CENTRAL PARK**  
DADE COUNTY, FLORIDA

REV. 11/15/09  
BY: [Signature]  
DATE: 11/15/09  
15/09

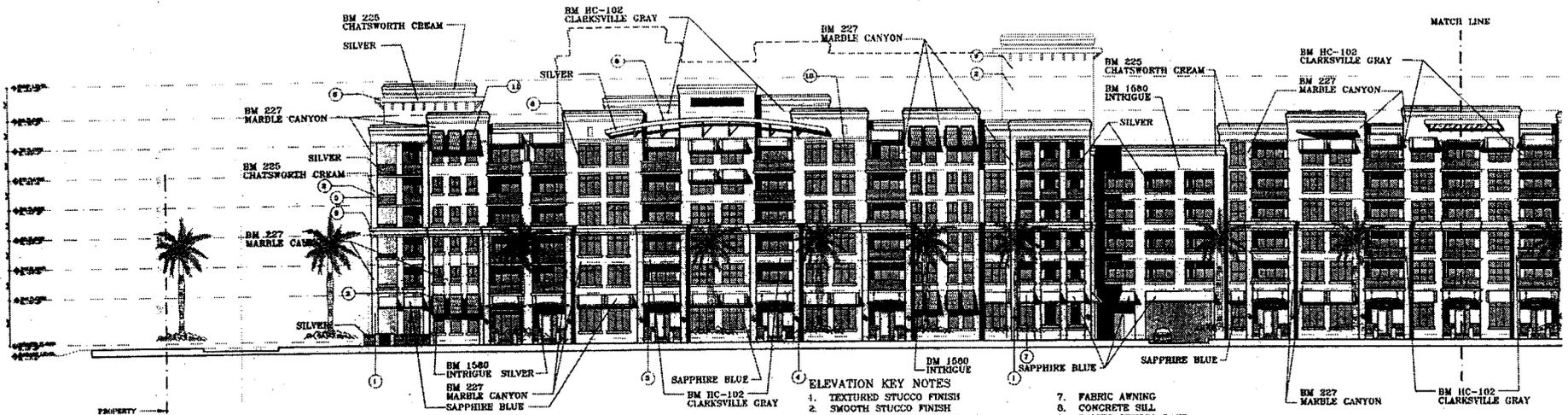
DATE: 11/15/09

15/09

**A.14**

2419

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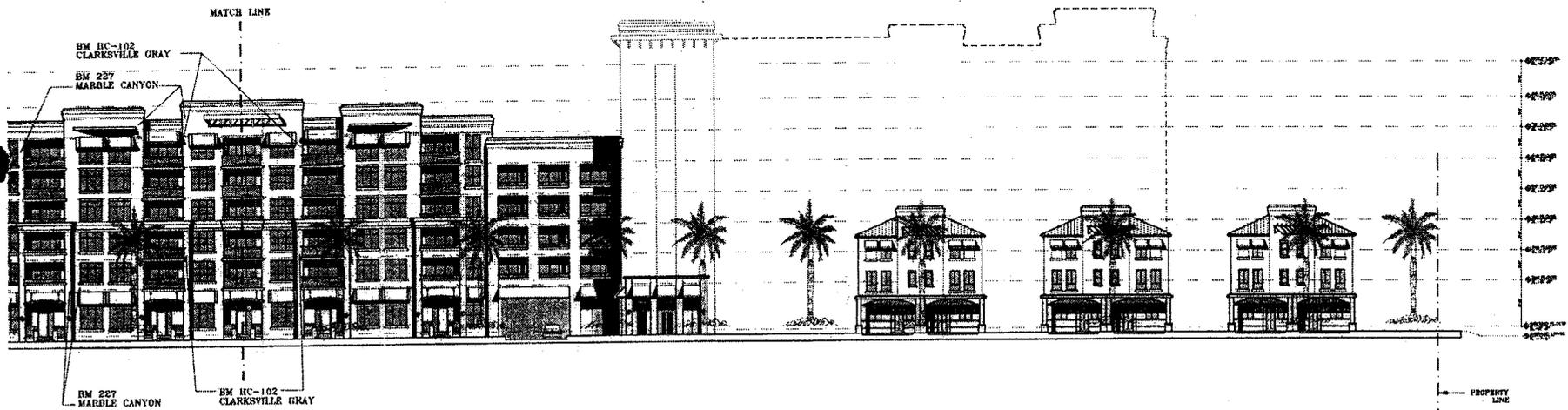


**PARTIAL BLDG. ELEVATION (NORTH)**

1/16" SCALE

**ELEVATION KEY NOTES**

- 1. TEXTURED STUCCO FINISH
- 2. SMOOTH STUCCO FINISH
- 3. ALUMINUM AWNING (ESP FIN.)
- 4. DECORATIVE LIGHT FIXTURE
- 5. ALUMINUM RAILING (ESP FIN.)
- 6. ALUMINUM TRELLIS (ESP FIN.)
- 7. FABRIC AWNING
- 8. CONCRETE SILL
- 9. RAISED STUCCO BAND
- 10. ALUM. FRAME (ESP FIN.)  
W/BLUE/GREEN TINTED GLASS
- 11. ALUMINUM SHUTTER (ESP FIN.)



**PARTIAL BLDG. ELEVATION (NORTH)**

1/16" SCALE

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
**Architects, PA**

8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

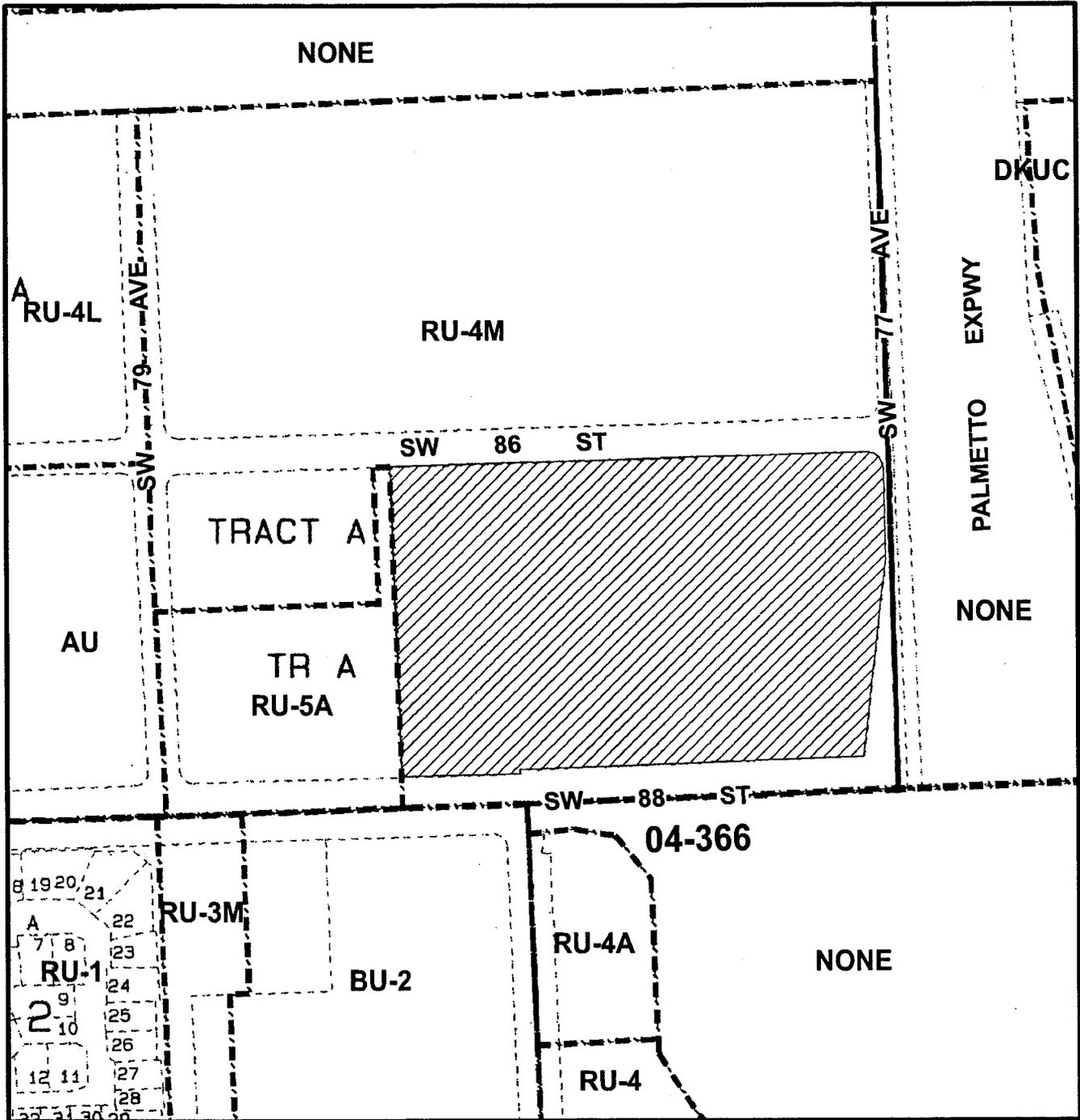
PRELIMINARY DESIGN FOR  
**CENTRAL PARC**  
 DADE COUNTY, FLORIDA

DATE: 02/15/06  
 DRAWN BY: [Signature]

NO. 10649

**A.14a**

2410



**MIAMI-DADE COUNTY  
HEARING MAP**



SUBJECT PROPERTY

Section: 34 Township: 54 Range: 40  
 Process Number: 04-366  
 Applicant: DADELAND BREEZE APARTMENTS, INC  
 District Number: 07  
 Zoning Board: C12  
 Drafter ALFREDO  
 Scale: 1:300'





MIAMI-DADE COUNTY  
**AERIAL**

Section: 34 Township: 54 Range: 40  
Process Number: 04-366  
Applicant: DADELAND BREEZEZ APARTMENTS, INC  
District Number: 07  
Zoning Board: C12  
Drafter ALFREDO  
Scale: NTS

S C A L E  
0 NTS N

 SUBJECT PROPERTY



**B. DADELAND BREEZE APARTMENTS LLC**  
**(Applicant)**

05-3-CZ12-2 (04-366)  
BCC/District 7  
Hearing Date: 8/25/05

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:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1964	Sec. 34 Corp.	Zone change from AU to RU-4M.	BCC	Approved w/conds.
1966	Kendall Park Apts.	Unusual Use entrance feature.	ZAB	Approved w/conds.

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.



**ZONING ACTION**

**MEMORANDUM**

**Harvey Ruvin**

**Clerk of the Circuit and County Courts  
Clerk of the Board of County Commissioners**

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com

**DATE: JUNE 23, 2005**

**#Z-**

**APPLICANT: 1. DADELAND BREEZE APARTMENTS  
L.L.C.**

**MOTION: DEFERRED TO AUGUST 25, 2005—NO  
FURTHER NOTICE**

<b>ROLL CALL</b>	<b>M/S</b>	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>
Barreiro		X		
Carey-Shuler	M	X		
Diaz		X		
Gimenez				X
Heyman				X
Jordan				X
Rolle		X		
Seijas				X
Sorenson				X
Sosa				X
Souto		X		
<b>Vice Chairman Moss</b>	S	X		
<b>Chairman Martinez</b>		X		
<b>TOTAL</b>		<b>7</b>	<b>0</b>	<b>6</b>

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**



APPLICANT'S NAME: DADELAND BREEZE APARTMENTS LLC

REPRESENTATIVE(S): JUAN MAYOL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	MAY 10, 2005	CZAB12-14-05

REQ: RU-4M to PAD

WITHDRAW:  APPLICATION       ITEMS: \_\_\_\_\_  
 DEFER:       INDEFINITELY       TO: \_\_\_\_\_       W/LEAVE TO AMEND  
 DENY:       WITH PREJUDICE       WITHOUT PREJUDICE  
 ACCEPT PROFFERED COVENANT       ACCEPT REVISED PLANS  
 APPROVE       PER REQUEST       PER DEPARTMENT       PER D.I.C.  
                                   WITH CONDITIONS

TITLE	M/S	NAME	YES	NO	ABSN
MS.		Peggy BRODEUR	X		
MS.		Jackie HERNANDEZ- TORAÑO			X
MADAME VICE-CHAIR		Millie HERRERA	X		
MS.	S	Carla SAVOLA	X		
MR.		Nelson A. VARONA		X	
MR.	M	Robert W. WILCOSKY	X		
CHAIRMAN		Jose I. VALDES (C.A.)	X		

VOTE: 5 to 1

EXHIBITS:  YES       NO

COUNTY ATTORNEY: JAY WILLIAMS

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**



APPLICANT'S NAME: **(D.I.C.) DADELAND BREEZE APARTMENTS LLC**

REPRESENTATIVE: **JUAN MAYOL**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	APRIL 26, 2005	CZAB12- -05

REQ: RU-4M to PAD

REC: APPROVE DBC SUBJECT TO COVENANT **WITHDRAW REQUEST #2**

WITHDRAW:  APPLICATION  ITEMS: \_\_\_\_\_

DEFER:  INDEFINITELY  TO: \_\_\_\_\_  W/LEAVE TO AMEND

DENY:  WITH PREJUDICE  WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT  ACCEPT REVISED PLANS

APPROVE  PER REQUEST  PER DEPARTMENT  PER D.I.C.  
 WITH CONDITIONS

**OUT OF TIME - HEARING NOT CONCLUDED - CARRIED FORWARD TO 5/10/05 MEETING**

TITLE	M/S	NAME	YES	NO	ABSN
MS.		Peggy BRODEUR			
MS.		Jackie HERNANDEZ- TORAÑO			
MADAME VICE-CHAIR		Millie HERRERA			
MS.		Carla SAVOLA			
MR.		Nelson A. VARONA			
MR.		Robert W. WILCOSKY			
CHAIRMAN		Jose I. VALDES (C.A.)			

VOTE: \_\_\_\_\_ to \_\_\_\_\_

EXHIBITS:  YES  NO

COUNTY ATTORNEY: TOM LOGUE

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**

APPLICANT'S NAME: **(D.I.C.) DADELAND BREEZE APARTMENTS LLC**

**2**

REPRESENTATIVE(S): **JUAN MAYOL**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	MARCH 29, 2005	CZAB12- -05

REQ: RU-4M to PAD

REC: APPROVAL OF DBC TO PAD

**WITHDRAWAL OF REQUEST #2**

WITHDRAW:  APPLICATION  ITEMS: \_\_\_\_\_

DEFER:  INDEFINITELY  TO: APRIL 26, 2005  W/LEAVE TO AMEND

DENY:  WITH PREJUDICE  WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT  ACCEPT REVISED PLANS

APPROVE  PER REQUEST  PER DEPARTMENT  PER D.I.C.  
 WITH CONDITIONS

TITLE	M/S	NAME	YES	NO	ABSN
MS.	<b>S</b>	Peggy BRODEUR	X		
MS.		Jackie HERNANDEZ- TORAÑO	X		
MADAME VICE-CHAIR		Millie HERRERA	X		
MS.	<b>M</b>	Carla SAVOLA	X		
MR.		Nelson A. VARONA	X		
MR.		Robert W. WILCOSKY	X		
CHAIRMAN		Jose I. VALDEZ (C.A.)	X		

VOTE: 7 to 0

EXHIBITS:  YES  NO

COUNTY ATTORNEY: THOMAS ROBERTSON

**DEVELOPMENTAL IMPACT COMMITTEE  
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

**APPLICANT:** Dadeland Breeze Apartments, LLC

**PH:** 04-366

**SECTION:** 34-54-40

**DATE:** August 25, 2005

**COMMISSION DISTRICT:** 7

**ITEM NO.:** B

**A. INTRODUCTION**

o **REQUESTS:**

(1) RU-4M to PAD

Plans are on file and may be examined in the Zoning Department entitled "H & H Development as prepared by Cohen-Freeman-Encinosa & Assoc., dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

**SUMMARY OF REQUESTS:**

The applicant is requesting a zone change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development District, in order to develop an approximately 11.11-acre parcel of land with a multi-family development. Three site plans have been submitted for this proposal indicating that all of the existing three-story apartment buildings will be demolished to accommodate, in the first option, 640 new one, two and three bedroom residential units, in the second option, 592 one, two and three bedroom units and in the third option, 521 one, two and three bedroom residential units. In all cases, residential units will be housed within apartment and townhouse building types. The subject property is located on the northwest corner of SW 77 Avenue and SW 88 Street.

o **LOCATION:** Northwest Corner of SW 77 Ave. & SW 88 St; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida.

o **SIZE:** 11.11 Acres

o **IMPACT:**

The proposed residential development will provide additional housing to the community; however, it will bring an increase in traffic and noise into the area and will impact schools and public services.

**B. ZONING HEARINGS HISTORY:**

In 1964 pursuant to resolution Z-242-64, the Board of County commissioners approved a zone change from AU, Agriculture District to RU-4M, Modified Apartment House District. In 1966 pursuant to Resolution 3ZAB-230-66 the Zoning Appeals Board approved an unusual use for an entrance feature on the subject property.

**C. NEIGHBORHOOD CHARACTERISTICS:**

<u>SUBJECT PROPERTY</u>	<u>EXISTING ZONING</u>	<u>EXISTING LAND USE PLAN DESIGNATION</u>
	RU-4M; 3-story apartments	Medium-High Density Residential, 25 to 60 dua
 <b><u>SURROUNDING PROPERTY</u></b>		
<b><u>NORTH</u></b>	RU-4M; 4-story apartments	Medium-High Density Residential, 25 to 60 dua
<b><u>SOUTH</u></b>	BU-2 and RU-4A; strip shopping center, 5-story office building, 6-story hotel and Palmetto Expressway	Business and Office and Medium- High Density residential, 25 to 60 dua
<b><u>EAST</u></b>	Palmetto Expressway	Palmetto Expressway
<b><u>WEST</u></b>	RU-4M and RU-5A; office building and 2-story townhouse-type condominiums (Kendall Glenn Condo)	Business and Office and Medium- High Density residential, 25 to 60 dua

The subject property is located in the east Kendall area of Miami-Dade County. The area immediately west of the Palmetto Expressway is predominately developed with apartments and townhouses. East of the Palmetto is the burgeoning Downtown Kendall Urban Center District, with its mixed-use developments consisting of condominiums, retail and office. A small strip shopping center with office uses is located to the southwest of the subject property.

**D. SITE AND BUILDINGS:**

Scale/Utilization of Site:	<b>Acceptable</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Acceptable</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Acceptable</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Visibility/Visual Screening:	<b>Acceptable</b>
Energy Considerations:	<b>N/A</b>
Roof Installations:	<b>N/A</b>
Service Areas:	<b>N/A</b>
Signage:	<b>N/A</b>
Urban Design:	<b>Acceptable</b>

**E. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(F) District Boundary Changes**

In evaluating an application for a **district boundary change**, the Board shall take into consideration, among other factors, the extent to which the development permitted by the application, if granted:

- (1) 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;
- (2) 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;
- (3) Will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) 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;
- (5) 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.

**Section 33-311(A)(17). Modification or Elimination of Conditions and Covenants After Public Hearing.** The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs of this section have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**Section 33-311(A)(7).** 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; 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.

**F. NEIGHBORHOOD SERVICES:**

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	See Exhibit 'A'
Planning and Zoning	No objection

**G. RECOMMENDATION:**

**Approval** of the district boundary change from RU-4M to PAD subject to the Board's acceptance of the proffered covenant and with acceptance of the Option 1 site plan for 640 units. Said covenant provides that development of the subject site be substantially in accordance with the submitted site plan; that the maximum number of dwelling units on the property be 640; that the development of the property is projected to commence in February 2006 with construction to be completed within 24-36 months from commencement; and that a shuttle service shall be in operation prior to final zoning signoff of the 307th dwelling unit. Said agreement also provides additional quantitative data regarding number of bedrooms, building coverage, open space, residential density, nonresidential construction, private roads and private areas, and population projection.

The Executive Council is of the opinion that the proposed zone change will be in keeping with the Comprehensive Development Master Plan (CDMP) Medium-High Density Residential designation for the subject parcel. When taking into consideration the reasonableness of the applied for rezoning in relation to the present and future development of the area, the Executive Council finds that the zone change request will permit a residential development which is **consistent** with the CDMP, and will not be contrary to the public interest. The Council also finds that the proposed development will also be **compatible** with the development trend in the surrounding area.

**PROJECT DESCRIPTION**

Three site plans have been submitted for staff's review by the applicant. Option 1, dated/received December 30, 2004, depicts the development of the subject parcel with 640 residential units made up of one, two and three bedroom units housed within 8-story apartment buildings and 3-story townhouse building types. Another plan (option 2), dated/received April 08, 2005, depicts one, two and three bedroom units housed within 6-story and 8-story apartment buildings and 3-story townhouse building types for a total of 592 units. A third site plan (option 3), dated/received June 29, 2005, shows the development of the property with 521 one, two and three bedroom units housed within 6 and 8-story apartment buildings and 3-story townhouse building types.

The 640-unit plan (option 1), originally submitted with this application, was recommended for approval by the Department of Planning and Zoning to the Executive Council of the Developmental Impact Committee (DIC) as said plan was found to be consistent with the Master Plan and compatible with the surrounding area. The DIC Executive Council concurred with the Department's analysis and recommended approval of the 640-unit plan to the Community Zoning Appeals Board 12. During the Community Zoning Appeals Board 12 hearing for this proposal, the applicant showed a modified site plan dated April 08, 2005 (option 2), that had not been previously submitted to the Department, indicating the development of the subject parcel with 592 one, two, and three bedroom units housed within 6 and 8-story apartment buildings and 3-story townhouse building types. However, this site plan was denied with prejudice by said Board. The applicant appealed the

CZAB-12's decision to the Board of County Commissioners. On June 23, 2005, the applicant requested and was granted a deferral by the Board of County Commissioners in order to obtain the DIC Executive Council's recommendation for the 592-unit plan (option 2) submitted at the CZAB-12 hearing and a currently submitted 521-unit (option 3) proposal. Both options require a Development of Impact Committee review and approval due to changes in the number of units and/or building configurations. In addition, the deferral would permit the area's Commissioner to be present at the August 25, 2005 Board of County Commissioners zoning hearing.

**The following project description pertains to the 640-unit proposal (option 1):**

Submitted plans, dated/stamped/received December 30, 2004, depict a square-shaped parcel bounded by the Palmetto Expressway to the east, an office building and 2-story townhouse-type condominiums to the west, SW 88 Street (North Kendall Drive) to the south, and SW 86 Street to the north. Two entrances into the complex are shown, one from Kendall Drive and a second from SW 86 Street. Vehicles or pedestrians entering from North Kendall Drive encounter a frontage drive providing access into the parking garage serving the apartment portion of the development. This drive is also connected to a loop road that provides access to other apartment buildings, townhouse units fronting SW 86 Street, and recreational facilities consisting of a tennis court, putting green, swimming pools and a fitness center. All of the parking spaces required by the apartment portion of this project will be located inside a parking structure that is completely lined by the proposed apartment buildings. Providing habitable space in front of the parking structure will prohibit parking spaces to be seen from the adjacent street network. Parking for the townhouse units fronting SW 86 Street are placed inside individual parking garages located to the rear of each unit. The absence of visible parking spaces will enhance the aesthetics of those corridors surrounding the subject property and proposed development. The placement of the parking behind buildings, and fronting buildings closer to the street as proposed by the subject application, help to foster a pedestrian-scaled environment along SW 86 Street and SW 88 Street. Staff notes, however, that the human-scaled environment will become more evident along SW 86 Street due to the townhouse building's proximity to said corridor. Proposed buildings adopt a modified Art-Deco style and will have heights reaching 86' for apartments and approximately 28' for the townhouse types. The intensive building program consisting of 8-story buildings (86' high) is concentrated in the central portion of the property and along North Kendall Drive, which is a more intensively built and highly trafficked street. The less intensive-scaled, 3-story townhouses (28' high) front SW 86 Street, a local street. Building intensity transitions from Kendall Drive to SW 86 Street by placing the taller, more densely developed 8-story building program along North Kendall Drive and in the center portion of the property and the less intensive 3-story townhouses along SW 86 Street. Landscaping in the form of trees, palms and shrubs will be provided throughout the site, with planting emphasis placed where the site adjoins the Palmetto Expressway in order to help buffer the development from the highway's noise and activity.

**The following project description pertains to the alternate proposal with 592 units (option 2):**

Submitted plans, dated/stamped/received April 08, 2005, depict a square-shaped parcel bounded by the Palmetto Expressway to the east, an office building and 2-story townhouse-type condominiums to the west, SW 88 Street (North Kendall Drive) to the south, and SW 86 Street to the north. Two entrances into the complex are shown, one from Kendall Drive and a second from SW 86 Street. Vehicles or pedestrians entering from North Kendall Drive encounter a frontage drive providing access into the parking garage serving the apartment portion of the development. This drive is also connected to a loop road that provides access to other apartment buildings, townhouse units fronting SW 86 Street, and recreational facilities consisting of a tennis court, putting green, swimming pools and a fitness center. All of the parking spaces required by the apartment portion of this project will be located inside a parking structure that is completely lined by the proposed

apartment buildings. Providing habitable space in front of the parking structure will prohibit parking spaces from being seen from the adjacent street network. Parking for the townhouse units fronting SW 86 Street are placed inside individual parking garages located to the rear of each unit. The absence of visible parking spaces will enhance the aesthetics of those corridors surrounding the subject property and proposed development. The placement of the parking behind buildings, and fronting buildings closer to the street as proposed by the subject application, help to foster a pedestrian-scaled environment along SW 86 Street and SW 88 Street. Staff notes, however, that the human-scaled environment will become more evident along SW 86 Street due to the townhouse building's proximity to said corridor. Proposed buildings adopt a modified Art-Deco style and will have heights reaching 63' for the 6-story apartment buildings, 84' for the 8-story apartments and approximately 28' for the townhouse types. Most of the intensive building program consisting of 8-story buildings (84' high) is concentrated in the central portion of the property and along North Kendall Drive, which is a more intensively built and highly trafficked street. The 6-story (63' high) buildings are sited between the central portion of the property and the row of 3-story townhouses that front SW 86 Street, a local street. Building intensity transitions from Kendall Drive to SW 86 Street by placing the taller, more intensively developed 8-story building program along North Kendall Drive and the less intensive 6-story buildings and 3-story townhouses closer to and along SW 86 Street. Landscaping in the form of trees, palms and shrubs will be provided throughout the site, with planting emphasis placed where the site adjoins the Palmetto Expressway in order to help buffer the development from the highway's noise and activity.

**The following project description pertains to the alternate proposal with 521 units (option 3):**

Submitted plans, dated/stamped/received June 29, 2005, depict a square-shaped parcel bounded by the Palmetto Expressway to the east, an office building and 2-story townhouse-type condominiums to the west, SW 88 Street (North Kendall Drive) to the south, and SW 86 Street to the north. Two entrances into the complex are shown, one from Kendall Drive and a second from SW 86 Street. Vehicles or pedestrians entering from North Kendall Drive encounter a frontage drive providing access into the parking garage serving the apartment portion of the development. This drive is also connected to a loop road providing access to apartment buildings, townhouse units fronting SW 86 Street and recreational facilities consisting of a tennis court, putting green, swimming pools and a fitness center. The two apartment buildings fronting SW 88 Street will be 8-stories high. Buildings planned on the central portion of the site, behind those buildings fronting Kendall Drive and surrounded by a putting green, open lawns, pools and clubhouse will also have heights of 8 stories. Between the 8-story buildings on the central portion of the property and the 3-story townhouses proposed along SW 86 Street will be two 6-story apartment buildings. One of the 6-story buildings is situated in front of the parking garage and the other directly behind the 8-story building in the central portion of the property. A common hallway that also provides access to the parking garage connects the apartment buildings. Parking spaces required by the apartment portion of this project are planned inside the aforementioned parking structure completely lined by apartment units. Providing habitable space in front of the parking structure will prohibit parking spaces to be seen from the adjacent street network. A row of townhouse building types will front SW 86 Street and six townhouses building types will be constructed along the west property line. Parking for the townhouse units are placed inside individual parking garages located to the rear of each unit and are accessible from the loop road that will surround the parcel. The absence of visible parking spaces will enhance the aesthetics of those corridors surrounding the subject property and proposed development. Placing parking behind buildings, and fronting buildings closer to the street as proposed by the subject application, will help to foster a pedestrian-scaled environment along SW 86 Street and SW 88 Street. Staff notes, however, that the human-scaled environment will become more evident along SW 86 Street due to the townhouse building's proximity to said corridor. Proposed buildings adopt a modified Art-Deco style and will have heights reaching 84' for the 8-story apartments, 63' for the 6-story apartments and 30' for the townhouse

types. Most of the intensive building program consisting of 8-story buildings is concentrated in the central portion of the property and along North Kendall Drive, which is a more intensively built and highly trafficked street. 6-story buildings are placed between the central portion of the site and the row of 3-story townhouses fronting SW 86 Street. The less intensive-scaled, 3-story townhouses are placed along SW 86 Street, a local street, and the westerly portion of the property. Building intensity transitions from Kendall Drive to SW 86 Street by placing the taller, more densely developed 8-story building program along North Kendall Drive and the 6-story buildings and 3-story townhouses closer to and along SW 86 Street and the westerly portion of the property. Landscaping in the form of trees, palms and shrubs will be provided throughout the site, with planting emphasis placed where the site adjoins the Palmetto Expressway in order to help buffer the development from the highway's noise and activity.

### **COMMENTS AND MAJOR CONCERNS**

Ordinance Number 75-47 charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility. This application is before the Developmental Impact Committee because the number of units proposed exceeds the DIC threshold of 250 units.

The following comments address these specific charges with regard to the subject application:

#### **I. CONFORMANCE WITH ALL APPLICABLE PLANS**

##### **A. RELEVANCE TO THE COMPERHENSIVE DEVELOPMENT MASTER PLAN**

###### **APPLICABLE CDMP GOALS, OBJECTIVES AND POLICIES**

###### **Land Use Objective 5**

Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goals, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.

###### **Land Use Element Goal**

Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

###### **Land Use Policy 5B**

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan

Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

### **Land Use Policy 2A**

All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).

### **Land Use Policy 9M**

Miami-Dade County shall develop an urban design manual establishing design guidelines. This manual shall provide additional criteria for use in review of all new residential, commercial and industrial development in unincorporated Miami-Dade County.

The Adopted 2005 and 2015 Land Use Plan designates 10 acres of the subject property as being within the Urban Development Boundary for **Medium-High Density Residential**.

### **Medium-High Density Residential**

This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.

### **DEPARTMENT OF PLANNING AND ZONING DIRECTOR'S EVALUATION**

The applicant, Dadeland Breeze Apartments, Inc., is requesting a zone change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development District on an 11.11-acre parcel located on the northwest corner of SW 77 Avenue and SW 88 Street, in the east Kendall area of Miami-Dade County. All of the 3-story apartment buildings now found on the site will be demolished to accommodate the new residential development. To the southwest, across North Kendall Drive, there is a 1-story strip commercial shopping center, an 8-story office building and a 6-story hotel. The Palmetto Expressway and the burgeoning Downtown Kendall Urban Center District lie to the east and an office building and 2-story townhouses lie to the west. Four-story apartment buildings exist on a parcel located north of the subject property, across SW 86 Street.

The Department of Environmental Resources Management (**DERM**) offers **no objections** to this application and has indicated that it meets the minimum requirements as set forth in Chapter 24 of the Code of Miami-Dade County. Since public water and public sanitary sewers can be made available to this property, DERM will require that the applicant connect to the water supply and the public sanitary sewer system. The **Police Department** offers **no objections** to this application and indicates in their memorandum for this hearing that police services are currently provided by the Kendall Station (Police District 5). Based upon a district wide statistical analysis, the average emergency response time is 5.1 minutes. The **Public Works Department does not object** to this application as it pertains to the development of the property in accordance with the submitted site plans, and indicates in their memorandum for this hearing that the land must be platted. This application meets the criteria for traffic concurrency for an Initial Development Order. No vehicle trips have been reserved by this application and it will be subject to the payment of road impact fees. The Department of **Solid Waste Management does not object**

to this project as well. The latest Concurrency Status Determination issued on September 12, 2003, which is valid for three (3) years, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with 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. The **Parks and Recreation Department does not object** to this application. The proposal generates a need for 4.10 acres of local parkland, based on the CDMP Open Space Spatial Standards of 2.75 acres per 1000 population. This Department recommends that the applicant consider adding a tot lot playground to one of the open play areas because there are no neighborhood parks nearby to serve the residents, and the adjacent areas have been built out. **Miami-Dade County Public Schools (MDCPS)** has indicated that the proposed zoning and site plan for 640 units (the more intensive site plan option) will bring an additional 61 students into the area's public schools. They indicate in their memorandum that the proposed development will impact Kenwood Elemiddle School and South Miami Senior High School currently operating at 131% and 146% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Kenwood Elemiddle School and South Miami Senior High School to 135% and 147%, respectively. The **Miami-Dade Water and Sewer Department (MDWSD) does not object** to this application and indicates in their memorandum for this hearing that, for water service, the applicant must connect to an existing 16-in. w.m. in SW 77 Avenue N/O SW 74 Ln. and extend same northerly in SW 77 Avenue to SW 74 Street, thence westerly in SW 74 Street to SW 77 Ct. to be interconnected to an existing 16-in. w.m. N/O SW 74 Street. Connect to any of the existing 12-in. and/or 16-in. w.m. in SW 88 Street and SW 86 Street, respectively. Any public w.m. extension within the property shall be 12-in. minimum in diameter with 2 points of connection and the system shall be looped, in order to avoid dead end mains. The gravity sewer point of connection information for this development and the size of the required gravity sewer main in public right of way are subject to an engineering analysis to be conducted by the M-DWASD at the time a request for connection is sent to the Department, due to existing available capacity concerns in the area of the City of Miami.

The CDMP designates the 11.11-acre subject property for **medium-high density residential**. This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre and would allow the development of 666 units on the subject site. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas. The applicant is proposing three site plans, one indicating a total of 640 residential units at a density of 57 units per gross acre (option 1), an alternative site plan (option 2) indicating 592 residential units at a density of 53 units per gross acre, and option 3, indicating the development of the subject parcel with 521 residential units at a density of 46 units per gross acre. The applicant intends to proffer one of three covenants that address each of the submitted plans. One covenant will limit the density to 57 units per gross acre for a total of 640 residential units, another will limit the density to 53 units per gross acre for a total of 592 residential units and a third covenant will limit the density to 46 units per gross acre for a total of 521 units. Each of the covenants ties the development to its respective site plan, and indicates the development's projected commencement to be no earlier than February 2006. In addition, the covenants allow for a 60,000 dollar donation to the County to be used for a charrette or planning study to help cover the costs of the "Kendall Charrette." Further, the covenants address the number of bedrooms, building coverage, open space, maintenance of roads and all common areas, accessory uses, and lighting and landscaping improvements. The proposed Planned Area Development District, with the proffered covenant limiting the density to 640 residences at 57 units per gross acre, or 592

residences at 53 units per gross acre or 521 residences at 46 units per gross acre is **consistent** with the maximum numerical threshold permitted by the Land Use Plan map. Staff is of the opinion that the proposed developments, option 1 consisting of 8-story apartment buildings and 3-story townhouse building types for the 640-unit proposal, option 2 planned with 8 and 6-story apartments and 3-story townhouse building types and option 3 with 8-story apartment buildings, 6-story apartment buildings and 3-story townhouse building types are **compatible** with surrounding development, such as, the 6-story hotel located across the parcel, the 8-story office building and shopping center to the southwest of the property and the Downtown Kendall area found to the east of the Palmetto Expressway with its mixed-use buildings, some of which reach 25 stories, some 10 stories and others 7 stories. This development lies to the west of the Downtown Kendall's Center and Edge Sub-districts. Under the Downtown Kendall Urban Center District Ordinance (DKUCD), the Center Sub-district standards permit 10-story buildings with maximum heights that can reach up to 156' and the Edge Sub-district standards permit buildings with maximum heights of 114'. The 8-story (86' and 84' high buildings), 6-story (63' high buildings) and 3-story (28' and 30' high buildings) proposed in each option are not a significant departure from the 10-story and 7-story buildings permitted under the DKUCD's Center Sub-district and Edge Sub-district, respectively, and are significantly lower than the 25-story buildings permitted in the DKUCD's Core Sub-districts with heights that can reach 366'. The proposed site plans are also compatible with existing development found to the north, south, west and southwest developed with office buildings, a hotel, mid-rise apartments, a commercial center and townhouses. The office building found to the southwest, on the south side of North Kendall Drive, is 8 stories which in staff's opinion is a height that is in keeping with and similar in scale to the proposed 8-story apartments of the development. The 6-story hotel to the south is a similar height as the 6-story apartments proposed in two of the alternative options and not a substantial departure in height to the 8-story heights proposed in all three options. Staff notes that south of North Kendall Drive, on the east side of SW 77 Avenue, is an apartment development with buildings that reach 8-stories as well. Many of the apartment buildings to the north are 4 stories in height and those townhouse-type condominiums to the west are 2-stories. In the 640-unit option, 3-story townhouse building types will front SW 86 Street, to provide a transition between the proposed 8-story buildings fronting North Kendall Drive and the existing 4-story buildings found to the north of the subject parcel. To buffer the 2-story townhouse-type condominium development to the west from the proposal, the applicant proposes to install a high concentration of landscape material along the west property line and setback the proposed apartments approximately 60' from said property line as well. The second site plan option, with 592 units, indicates 8-story buildings along North Kendall Drive and in the central area of the subject parcel and 6-story buildings between the central portion of the site and the row of townhouses along SW 86 Street. The building height transition proposed in this option from the highly trafficked North Kendall Drive corridor to the less trafficked SW 86 Street promotes compatibility between the subject parcel and the surrounding land uses. In the 521-story option (option 3), the applicant will site 3-story townhouse building types along SW 86 Street and near the westerly property line. The transitional height provided by the townhouse building type in conjunction with proposed landscape material and setback considerations will help to alleviate any impacts generated by the scale and intensity of the residential project on the townhouse condominium development to the west and surrounding uses. Transitional building heights also create a development that is in keeping with and more **compatible** with the surrounding uses. Further, all of the required off-street parking is stored in a garage lined with apartment buildings. No parking spillage to major or local streets will be generated as the garage can adequately accommodate the parking needs of the requested densities. Parking structures not only permit the vertical storage of automobiles, but also allow for the reservation of additional areas of on-site open space. Lining the parking garage with apartment buildings prohibit parking areas to be seen from the street or from the development's surroundings. This enhances the aesthetics of the development, the surrounding land uses, and streets. As such,

staff of the Department is of the opinion that as proposed, all three optional site plans are **compatible** with the community and **consistent** with the medium-high residential development density permitted by the LUP map of the CDMP.

When considering district boundary changes the Board shall hear and grant or deny applications by taking into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities 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. The applicant is seeking approval for a district boundary change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development, incorporating a mixture of building types within a well-designed community having a number of recreational amenities. The approval of this application would help to address the needs in this area of Miami-Dade County by promoting the redevelopment of a site, all in accordance with the County's adopted Urban Design Manual. Proposed building types are designed with well-articulated facades using plentiful fenestration and regional architectural motifs. Parking is relegated to the rear of buildings or is completely camouflaged from streets or the surrounding community view by habitable space. A number of important thoroughfares such as the Palmetto Expressway and North Kendall Drive can access the proposal and link the proposal to other major urban centers such as Downtown Kendall and South Miami. In addition, the proposal is easily accessible from US 1 and is easily reached by metrorail and buses that cross North Kendall Drive. In staff's opinion, this project will have a favorable impact on the economy of Dade County as the additional units provide more tax revenue, and the development will not burden water, sewer, solid waste disposal, recreation or other public services. Staff supports the more intensive development proposal with 640 residential units at 57 units per gross acre. The intensification of the subject parcel will provide needed housing for the community and help to decrease the intensification of land uses near the Urban Development Boundary. The design of this proposal is in keeping with similar projects now under construction in Downtown Kendall to the east and compatible with the mid-rise development established on the south side of Kendall Drive, east of SW 77 Avenue. This proposal will provide a contemporary alternative to the existing development that is now found on the subject parcel. Architecture and landscape architectural elements are used to create a project that is compatible with its surroundings and visually impact, in a positive manner, the redeveloping North Kendall Drive corridor. The development of the 640-unit proposal with 8-story buildings and 3-story townhouse building types furthers the objectives and goals of the subject property's underlying Master Plan medium-high density residential designation with housing that will be compatible and not negatively impact surrounding uses. As such, staff recommends approval of the district boundary change from RU-4M to PAD, subject to the Board's acceptance of the proffered covenant limiting the subject parcel to 640 units.

**RECOMMENDATION:** Approval of the district boundary change from RU-4M to PAD subject to the Board's acceptance of the proffered covenant limiting the parcel to 640 units.

**B. MULTI-YEAR CAPITAL IMPROVEMENTS PROGRAM**

The General Services Administration department has reviewed this application with respect to its compatibility with the County's current Capital Budget and Multi-Year Capital Plan. This plan is prepared pursuant to state growth management legislation and the Miami-Dade County code. This application does not conflict with the current plan.

**II. ENVIRONMENTAL IMPACT**

**A. WELLFIELD PROTECTION**

The subject property is located within the Maximum Day Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-12.1 of the Code.

**B. STORMWATER MANAGEMENT**

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

**C. POLLUTION REMEDIATION**

There are no records of current or historical contamination assessment or remediation issues on the subject property or within 500 feet of the same.

**D. AIR QUALITY PRESERVATION**

This project includes the demolition of existing buildings on site. These buildings must be surveyed for asbestos, and a notice of demolition must be submitted to this office 10 days prior to the start of the demolition.

**E. WETLANDS**

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

**F. TREE PRESERVATION**

Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized trees which are on the site. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees.

**G. ENFORCEMENT HISTORY**

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

**Concurrency Review Summary**

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code. Accordingly, DERM does not object to the request, provided that the applicant complies with all Code requirements expressed herein. Furthermore, the application may be scheduled for consideration by the DIC Executive Council and this memorandum shall constitute DERM's written consent to that effect as required by the Code.

**III. IMPACT ON THE ECONOMY**

It is estimated that for a total of 640 multifamily residential units sold at \$350,000.00 per unit, the operating revenue and cost to Miami-Dade County and the School Board will be as follows:

	County	School Board	Combined
Total Revenues	\$4,150,718.	\$2,136,580.	\$6,287,298.
Total Costs	<u>1,802,518.</u>	<u>587,194</u>	<u>2,389,712.</u>
Net Fiscal Impact	\$ 2,348,200.	\$ 1,549,386.	\$3,897,586.

The net fiscal impact of this proposal is estimated to provide a positive operating revenue to Miami-Dade County of \$2,348,200.00 and a net surplus of \$1,549,386.00 to the School Board, for a combined total for both jurisdictions of \$3,897,586.00.

**IV. IMPACT ON ESSENTIAL GOVERNMENTAL SERVICES**

**A. POTABLE WATER SUPPLY**

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (WASD). Public water service exists throughout the property. Connection of the proposed new development to the public water supply system shall be required in accordance with Code requirements. The applicant shall connect to an existing sixteen (16)-in. w.m. in NW 77 Ave. N/O SW 74 Ln. and extend same northerly in NW 77 Ave. to SW 74 St., thence westerly in SW 74 St. to SW 77 Ct. to be interconnected to an existing sixteen (16)-in. w.m. N/O SW 74 St. Connect to any of the existing twelve (12)-in. and/or sixteen (16)-in. w.m. in SW 88 St and SW 86 St. respectively. Any public w.m. extension within the property shall be twelve (12)-in. min. in diameter with two (2) points of connection and the system shall be looped, in order to avoid dead end mains. The estimated demand for this project is 125,400 gallons per day (gpd). This figure does not include irrigation demands.

The source of water for these mains is Miami-Dade County Water & Sewer Department's Alexander Orr Water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State and County drinking water standards.

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

Notwithstanding that adequate system capacity is available for this project, DERM will require that water conserving plumbing fixtures be installed in accordance with the requirements of the South Florida Building Code in order to use more efficiently the Southeast Florida water resources.

It is recommended that the landscaping conform to xeriscape concepts. Included in these concepts is use of drought tolerant plants, reduces use of turf grass together with efficient

irrigation system design. Details of xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water Management District.

**B. SEWER SERVICE**

The property is located within the franchised sewer service area of the Miami-Dade County Water & Sewer Department (WASD). Public sanitary sewers abut the site in the form of an 8-inch gravity main located along S.W. 86<sup>th</sup> Street. Downstream flow is directed to the South District Treatment Plant, which has adequate capacity to meet projected demands from this project. The gravity sewer point of connection information for this development and the size of the required gravity sewer mains in public right of way are subject to an engineering analysis to be conducted by the M-DWASD at the time a request for connection is sent to the Department, due to existing available capacity concerns in the area of the City of Miami. Connection of the proposed development to the public sanitary sewer system shall be required.

Existing public water and public sanitary 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 of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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.

**C. POLICE**

Police services are currently provided by our Kendall Station (Police District 5) located at 7707 SW 117 Avenue. During the month of August 2004, based upon a districtwide statistical analysis, the average emergency response time was 5.1 minutes (includes dispatch and travel time). Station police officers answered 5,647 calls for service and operated with 160 sworn personnel, to deliver police service to a district boundary area of 41.5 square miles and a citizen population of 176,811.

**D. FIRE**

**Service Impact/Demand**

1. Based on development information, this project is expected to generate approximately 68 fire and rescue calls annually.
2. A suspected fire within this project would be designated as a high rise dispatch assignment. Such an assignment requires 4 suppressions or engines, telesquirts or

tankers, 2 aerials, 2 rescues and an accompanying command vehicle(s). This assignment requires 30 firefighters and officers.

3. The desired travel time to such a project is 5 minutes for the first-in unit.
4. Required fire flow for this project is 2,000 gpm with hydrant spacing no further than every 300 feet. Proper main extensions can be provided by WASAD. Generally, for this type of development 16 inch mains are required.

**Existing Services**

1. The stations responding to a fire alarm will be:

<u>Station</u>	<u>Address</u>	<u>Equipment</u>	<u>Staff</u>	<u>Response Time</u>
23	Kendall South 7825 SW 104 St	Aerial, Rescue	4,3	2 min
14	South Miami 5860 SW 70 St	Rescue, Engine	3,4	2 min
49	Pinecrest 10850 SW 57 Ave	Rescue	3	6 min
9	Kendall 7777 SW 117 Ave	Rescue, ALS Engine	3,4	6 min
3	Tropical Park 3911 SW 82 Ave	Rescue, ALS Engine	3,4	6 min
47	Westchester 9361 SW 24 St	Rescue, ALS Eng.	3,4	8 min
17	Virginia Gardens 7050 NW 36 St	Aerial, HazMat	4,3	10 min

2. The following first-response units/stations show a potential unavailability rate in excess of 20% during peak call hours for the previous calendar year:

<u>Units/Stations</u>	<u>Potential Unavailability During Peak Hours</u>
9	26.87%
3	23.3%
47	28.49%

3. Increased response times may result because of congestion on the following roadways:  
 SW 88 St. (Kendall Drive)

**Planned Service Expansions**

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

<u>Station/Unit</u>	<u>Address</u>	<u>Est. Completion Date</u>	<u>Response Time</u>	<u>Cost</u>
None				

Funding source is primarily: Fire rescue impact fees.

## Site Plan Review

All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau.

### E. PARKS

#### Identify Impact and Demand

The 620 dwelling units will produce a population of 1,491 people, according to current population estimates prepared by the Research Division of the Planning Division of the Planning and Zoning Department. This population generates a need for 4.10 acres of local parkland, based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population.

#### Existing Service

The nearest community park is Continental Park, located at 10000 SW 82<sup>nd</sup> Avenue, approximately one mile south of this application. The nearest neighborhood park is Kendalwood Park, located at SW 80<sup>th</sup> Terrace and SW 93<sup>rd</sup> Court, approximately 2 miles west of this application. The nearest district park is Tamiami Park, located at 11201 SW 24<sup>th</sup> Street, approximately 5 miles northwest of this application.

#### Facilities

Continental Park has baseball fields, basketball court, fitness course, picnic shelter, parking lot, small recreation center, tennis center, and a tot lot playground.

Kendallwood Park is a passive open space park with no improvements.

Tamiami Park has 12 lighted baseball fields, 7 tennis courts, 4 volleyball courts, a swimming pool, a basketball court, and various concession, storage, recreation and maintenance buildings.

#### Concurrency/Capacity Status

This application is located in Park Benefit District 2, which has a surplus of 581.51 acres of local parkland and it meets concurrency.

#### Site Plan Critique & Quality of Life Issues

The site plan includes an open playground, a tennis court, 2 pools, and 2 sand volleyball courts for use by residents of this development. The Department recommends that they consider adding a tot lot playground to one of the open play areas because there are no neighborhood parks nearby to serve the residents, and the adjacent areas have been built out. These recreation areas should be clearly identified on the site plan, with their sizes, so that additional language can be added to the covenant that has been offered to require that they be preserved in perpetuity as open space recreation areas.

**F. SCHOOLS**

Comments from Miami Dade County Public Schools are provided in attached Exhibit "A".

**G. SOLID WASTE MANAGEMENT**

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department 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 12, 2003, which is valid for three (3) years, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with 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.

**V. IMPACT ON TRANSPORTATION FACILITIES AND ACCESSIBILITY**

**A. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY**

**1. Trip Generation**

341 PM Peak Hour trip ends

**2. Cardinal Distribution**

North 38.0%	East 28.0%
South 14.0 %	West 20.0%

**B. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION**

1. Location:	<b>SW 88 Street</b>	<b>SW 826 (Palmetto)</b>
2. Description:	<b>Primary</b>	<b>Highway</b>
3. No. of lanes:	<b>6</b>	<b>6</b>
Right of way:	<b>110'</b>	<b>150'</b>
Maintenance:	<b>FDOT</b>	<b>FDOT</b>

**C. IMPACT ON EXISTING ROADWAYS**

Station F-1075 located on SW 87<sup>th</sup> Avenue s/o SW 56<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2100 vehicles and 405 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1075 with its 2505 PHP and assigned vehicles is at LOS "C". The 52 vehicles generated by this development when combined with the 2505 equals 2557 and LOS "C" where the range of LOS "C" is from 1731 to 3100 vehicles.

Station F-1076 located on SW 87<sup>th</sup> Avenue n/o SW 85<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2019 vehicles and 195 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1076 with its 2214 PHP and assigned vehicles is at LOS "C". The 20 vehicles generated by this development when combined with the 2214 equals 2234 and LOS "C" where the range of LOS "C" is from 1 to 2650 vehicles.

Station F-684 located on SW 88<sup>th</sup> Street e/o SW 79<sup>th</sup> Avenue has a maximum capacity of LOS "EE" of 6970 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 3780 vehicles and 1413 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-684 with its 5193 PHP and assigned vehicles is at LOS "D". The 184 vehicles generated by this development when combined with the 5193 equals 5377 and LOS "E" where the range of LOS "E" is from 5301 to 5810 vehicles.

Station 9172 located on SW 87<sup>th</sup> Avenue s/o SW 88<sup>th</sup> Street has a maximum capacity of LOS "C" of 2080 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 1759 vehicles and 125 vehicles have been assigned to this section of road from previously approved Development Orders. Station 9172 with its 1884 PHP and assigned vehicles is at LOS "C". The 30 vehicles generated by this development when combined with the 1884 equals 1914 and LOS "C" where the range of LOS "C" is from 1811 to 1980 vehicles.

Station F-64 located on SW 88<sup>th</sup> Street e/o SW 103<sup>rd</sup> Avenue has a maximum capacity of LOS "EE" of 7350 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 6057 vehicles and 431 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-64 with its 6488 PHP and assigned vehicles is at LOS "EE". The 55 vehicles generated by this development when combined with the 6488 equals 6543 and LOS "EE" where the range of LOS "EE" is from 6131 to 7350 vehicles.

**D. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT**

1. Entrance along SW 88<sup>th</sup> Street requires signal and median opening modification plans.
2. Contribution for Traffic Signal modification is required.
3. Traffic study and Traffic pavement markings and signs shall be submitted to the Public Works Department Traffic Engineering Division at the SPCC for review, before permitting.
4. Provide connection between inner walkways and SW 88<sup>th</sup> Street sidewalk.
5. Provide pedestrian access at SW 86<sup>th</sup> Street entrance.
6. Contact Florida Department of Transportation concerning sidewalk along the Palmetto Expressway (SR 826) exit ramp, for authorization to widen the existing sidewalk width from five feet (5') to ten feet (10') to incorporate the sidewalk into the MPO adopted the Snapper Creek trail of the North Dade Greenway Network.
7. Several Cross Walks within the development will require shifting, to avoid pedestrian drop off areas.
8. A turning radius of fifteen feet (15') is required in parking aisles on all floors.

**E. SITE PLAN CRITIQUE**

1. Legal description not provided. The land may require to be platted.

2. Public Works permit is required for construction in the public right of way.
3. State Road permit is required for construction in the State Road right of way.

This application **meets** the criteria for traffic concurrency for an Initial Development Order. No vehicle trips, other than the trips assigned to the existing facilities, have been reserved by this application. It will be subject to the payment of road Impact Fees.

**F. MASS TRANSIT**

The area is currently served by the following Metrobus routes and frequencies:

<b>Route</b>	<b>Peak</b>	<b>Non-Peak</b>	<b>Night</b>	<b>Sat</b>	<b>Sun</b>
Rt. 87	30	30	50	30	30
Rt. 88	15	30	30	20	30
Rt. 104	30	30	60	60	60

In addition to the above mentioned, Metrorail and routes 1, 52, 65, 73, Busway Local, Saga Bay MAX, and Coral Reef MAX, service the Dadeland South Metrorail station providing service in the nearby area.

The 2005 Transportation Improvement Program (TIP) does not identify any improvements for the area.

The 2025 Long Range Transportation Needs Plan does not identify any improvements for the area.

The 2004 Transit Development Program (TDP) identifies in its 2009 Recommended Service Plan (RSP) the following improvements:

Rt.87: Improve peak headways from 30 to 15 minutes by 2005.

Rt.88: Improve peak headways from 15 to 12 minutes by 2004. Straighten route and extend westward to the West Kendall Terminal, eliminating the 142 Avenue branch by 2005.

Rt 104: Improve peak headways from 30 to 15 minutes by 2005. Operate the last westbound trip in the evenings along the entire route alignment

**Proposed New Routes:**

Baptist Hospital Shuttle: Shuttle service from Dadeland South station to the Baptist Hospital complex and surrounding medical centers/buildings on SW 87 Avenue.

Based on the information presented, MDT has no objection to this project. However, provisions must be made by developer for removal of existing bus shelter and providing for pull-out bay and new bus shelter. Coordination for these activities must be made with MDT's Service and Mobility Planning Division.

This project has been reviewed by MDT for mass transit concurrency and was found concurrent with the level-of-service standards established Miami-Dade County.

**G. AVIATION**

Miami-Dade Aviation Department has determined that DIC Zoning Application 04-366 Dadeland Breezes Apartment, LLC is clear of any restrictive zones as depicted for the Miami-Dade County system of airports and would be compatible with airport operations.

DATE TYPED: 12/10/04  
DATE REVISED: 01/26/05;02/03/05;07/21/05  
DATE FINALIZED: 07/21/05

# EXHIBIT 'A'



# Miami-Dade County Public Schools

*giving our students the world*

**Superintendent of Schools**

*Rudolph F. Crew, Ed.D.*

**Ana Rijo-Conde, AICP, Facilities Planning Officer**

*Facilities Planning*

January 25, 2005

**Miami-Dade County School Board**

*Frank J. Bolaños, Chair*  
*Dr. Robert B. Ingram, Vice Chair*  
*Agustin J. Barrera*  
*Evelyn Langlieb Greer*  
*Perla Tabares Hantman*  
*Dr. Martin Karp*  
*Ana Rivas Logan*  
*Dr. Marta Pérez*  
*Dr. Solomon C. Stinson*

Ms. Maria Teresa-Fojo, Division Chief  
Miami-Dade County  
Department of Planning and Zoning  
Zoning Evaluation Section  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128

**Re: Dadeland Breezes Apartments, LLC - Application No. 04-366 (CC12)**  
**North of SW 88 Street on the West side of State Road 826**  
**Updated**

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that all of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Kenwood Elemiddle School and South Miami Senior High School currently operating at 131% and 146% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Kenwood Elemiddle School and South Miami Senior High School to 136% and 147%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on January 24, 2005, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

Ms. Maria Teresa Fojo  
January 25, 2005  
Page Two

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

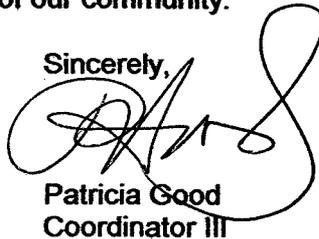
**New residential unit square footage X .90 (Square Footage Fee) + \$600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee**

As an example, assuming the proposed unit is 2,000 square feet, the 640-unit development is estimated to generate approximately \$1,566,720 (\$2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Patricia Good  
Coordinator III

PG:am  
L-561  
Attachment

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albuerne  
Mr. Michael A. Levine  
Mr. Ivan M. Rodriguez  
Ms. Vivian Villaamil  
Mr. Juan Mayol

## SCHOOL IMPACT REVIEW ANALYSIS

**APPLICATION:** No. 04-366, Dadeland Breezes Apartments, LLC (12)  
**REQUEST:** Zone change from RU-4M to PAD  
**ACRES:** 11.11 acres  
**MSA/Multiplier:** 5.5/25  
**LOCATION:** North of SW 88 Street on the West side of State Road 826  
**UNITS:** 242 additional units (398 units currently permitted under existing zoning classification, for a total of 640 units)

**ESTIMATED  
STUDENT  
POPULATION:** 61 students \*

**ELEMENTARY:** 28

**MIDDLE:** 15

**SENIOR:** 18

### SCHOOLS SERVING AREA OF APPLICATION:

**ELEMIDDLE:** Kenwood Elemiddle - 9300 SW 79 Ave.

**SENIOR HIGH:** South Miami Senior - 6856 SW 53 St.

All schools are located in Region 5

\* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2004:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Kenwood	1136/	854	133%/	16	131%/
Elemiddle	1179*		138%*		136%*
South Miami Sr.	2858/ 2876*	1695	169%/ 170%*	261	146%/ 147%*

\* increased student population as a result of the proposed development

Note:

- 1) The cumulative effect of other approved or proposed developments in the vicinity is not included as part of this analysis, however is hereby attached in this package.
- 2) Figures above reflect the impact of the class size amendment.
- 3) Pursuant to the Interlocal Agreement, all of the schools meet the review threshold.

### PLANNED RELIEF SCHOOLS IN THE AREA

(information included in Capital Improvement Projects Report of December 9, 2004):

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
Classroom addition at Kenwood K-8 Center (242 student stations)	Design	August 2005
State School "NNN" At South Miami Sr. (900 additional student stations)	Construction	April 2006

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$355,813.

**CAPITAL COSTS:** Based on the State's January-2005 student station cost factors\*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	28 x \$ 13,480 = \$ 377,440
MIDDLE	15 x \$ 15,456 = \$ 231,840
SENIOR	18 x \$ 20,453 = \$ 368,154
<b>Total Potential Capital Cost</b>	<b>\$ 977,434</b>

\* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

	Applicant Name & Number	Location Address	Units/Students	Schools	Board District(s)/Region(s)	Community Council/ Date	Approved/ Denied/ Comments
1	HOWARD MARLOWE #03-243	N of SW 32 St. and W of SW 145 Ave.	7 Units/ 4 Students	GREENGLADE ELEM-2 WR THOMAS MID-1 BRADDOCK SR-1	7/5 8/5 7/5	CC12	WITHDRAWN
2	OTTO GONZALEZ JR. #01-364	6725 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 1/24/02	DENIED
3	TASNIM UDDIN #02-266	E of SW 89 Ct. and N of SW 72 St.	8 Units/ 3 Students	BLUE LAKES ELEM-1 GLADES MID-1 KILLIAN SR-1	8/5 8/5 6/5	CC12 10/09/03	APPROVED
4	CAULEY PALISADE CORP. #02-096	9325 SW 128 St.	7 Units/ 3 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR-1	7/5 9/5 6/5	CC12 10/22/02	APPROVED
5	HARLON & ANN SACHS #02-140	9500 SW 68 St.	3 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 10/22/02	APPROVED
6	ARLENE POLLOCK #01-110	S of SW 96 St. and W of SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
7	DAVID KING #01-109	SWC of SW 96 St. and SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
8	JAY A. DAVIS #01-108	S of SW 96 St. and W of SW 107 Ave.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
9	HENRY FORERO #02-172	13010 SW 102 Ave.	4 Units/ 1 Student	LEEWOOD ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 11/26/02	APPROVED
10	JORGE A. RODRIGUEZ #02-264	5810 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 11/26/02	APPROVED
11	LUDLAM POINT CLUB, LLC #02-221	6801 SW 44 St.	118 Units/ 17 Students	S. MIAMI ELEM-8 S. MIAMI MID-4 S. MIAMI SR-5	6/5 6/5 8/5	CC12 11/26/02	APPROVED
12	HHJ DEVELOPMENT, LLC #01-388	8820-90 SW 94 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 11/26/02	DENIED
13	AVIS KAPLOW KALLAN #02-269	11860 SW 80 St.	58 Units/ 32 Students	SUNSET PARK ELEM-15 GLADES MID-8 KILLIAN SR-9	6/5 8/5 6/5	CC12 12/18/02	APPROVED
14	MARTA DE VARONA #00-370	9390 SW 66 St.	2 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 2/20/01	APPROVED

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**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

15	EMILIA A. LAVIN #01-375	7890 SW 72 Ave.	4 Units/ 2 Students	LUDLAM ELEM-1 S. MIAMI MID-1 S. MIAMI SR	6/5 6/5 8/5	CC12 3/26/02	DENIED
16	RAMON LAVIN #01-378	N of SW 80 St. and approx. 152' W of SW 72 Ave.	3 Units/ 1 Student	LUDLAM ELEM-1 S. MIAMI MID S. MIAMI SR	6/5 6/5 8/5	CC12 3/26/02	DENIED
17	JOSEPH C. SHAW, TRUSTEE #02-182	7990 SW 112 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID PALMETTO SR	7/5 9/5 9/5	CC12 5/13/03	APPROVED
18	RAUL & JUANA GAMAZO #02-345	10305 SW 70 St.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 5/13/03	APPROVED
19	PHILLIP & DONNA SLOTSKY, ET AL #02-346	S of SW 112 St. and W of SW 87 Ave.	5 Units/ 2 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR	7/5 9/5 6/5	CC12 5/13/03	WITHDRAWN
20	ROSA, OTIS & JAMES WHITEHEAD #03-024	S of SW 126 St. & E of SW 92 Ave.	11 Units/ 4 Students	VINELAND ELEM-2 PALMETTO MID-1 PALMETTO SR-1	7/5 9/5 9/5	CC12 5/28/03	APPROVED
21	SILVERWINGS DEVELOPMENT LLC #03-035	E of SW 80 Ave. & S of SW 110 St.	17 Units/ 6 Students	VINELAND ELEM-3 PALMETTO MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 5/28/03	APPROVED
22	GENERAL CONFERENCE CORP OF 7TH DAY ADVENTIST #00-440	8100 SW 117 Ave.	10 Units/ 6 Students	SUNSET PARK ELEM-3 GLADES MID-1 KILLIAN SR-2	6/5 8/5 6/5	CC12 7/05/01	APPROVED
23	JIMMY DIAZ #03-109	4920 SW 76 St.	1 Units/ 0 Students	CORAL GABLES ELEM PONCE DE LEON MID CORAL GABLES SR	6/4 9/4 6/4	CC12 7/3/03	APPROVED
24	ROBET S. NEUMANN #03-083	9720 SW 92 Terr.	2 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 7/3/03	APPROVED
25	SLMK COP. & LAURISSE K. MASRI, TRUSTEE #03-118	SEC of SW 84 Ave. & S of SW 110 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 7/3/03	APPROVED
26	MARQUISE'S INVESTMENTS, LLC #00-176	9520 SW 92 St.	3 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 9/20/01	APPROVED
27	HHJ DEVELOPMENT, LLC #03-117	SEC of SW 89 Ave. & SW 94 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 9/23/03	APPROVED
28	AMIGOS INVESTMENT, INC. #03-351	13630 SW 97 Ave.	3 Units/ 2 StudentS	LEEWOOD ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 7/6/04	WITHDRAWN

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**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

29	A WALK IN GLOWAY PARK, INC #03-318	NWC of SW 112 St. and SW 87 Ave.	4 Units/ 2 Student	VINELAND ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 BCC 11/18/04	APPROVED
30	MYSTIC FOREST INVESTMENTS III, INC. #03-358	NWC of SW 119 Ct. and SW 80 St.	20 Units/ 10 Students	SUNSET PARK ELEM-5 GLADES MID-2 KILLIAN SR-3	6/5 8/5 6/5	CC12 9/8/04	APPROVED
31	FRANCIS B. COMPTON #03-271	SW 124 St. and SW 95 Ave.	23 Units/ 10 Student	VINELAND ELEM-5 PALMETTO MID-2 KILLIAN SR-3	7/5 9/5 6/5	CC12 9/8/04	APPROVED
32	ENRIQUE PIWKO #03-333	NEC of SW 84 Ave. and SW 94 St.	2 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 3/10/04	APPROVED
33	A WALK IN FALL PARK, INC. #03-320	SWC of SW 148 St. and SW 93 Ave.	10 Units/ 5 Students	VINELAND ELEM-2 SOUTHWOOD MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 1/25/05	PENDING
34	SILVIO & JUANA YOLANDA ALVA #04-112	SEC of SW 64 St. and SW 97 Ave.	1 Unit/ 0 Students	SNAPPER CREEK ELEM-0 GLADES MID-0 SW MIAMI SR-0	8/5 8/5 8/5	CC12 10/13/04	APPROVED
35	PINES DEVELOPMENT CORP. #04-333	9795 SW 107 Ave.	3 Units/ 1 Students	KENDALE ELEM-1 ARVIDA MID-0 KILLIAN SR-0	7/5 7/5 6/5	CC12	PENDING

Note: There are two applications that are pending which would generate 6 students.

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# Miami-Dade County Public Schools Charter School Operations

## Existing Charter School

- 1 Archimedean Academy, 10870 SW 113 Place, Miami, FL 33176
- 2 ASPIRA Eugenio Maria de Hostos Youth Leadership, 3650 North Miami Avenue, Miami, FL 33127
- 3 ASPIRA South Youth Leadership, 14112-14 SW 288 Street, Leisure City, FL 33033
- 4 ASPIRA Youth Leadership, 13300 Memorial Highway, North Miami, FL 33161
- 5 Aventura Charter Elementary School, 3333 NE 188 Street, Miami, FL 33180
- 6 Coral Reef Montessori Academy, 10853 SW 216 Street, Miami, FL 33157
- 7 Doral Academy, 2450 NW 97 Avenue, Miami, FL 33172
- 8 Doral Academy Charter Middle School, 2601 NW 112 Avenue, Miami, FL 33172
- 9 Doral Academy High School, 11100 NW 27 Street, Miami, FL 33172
- 10 Downtown Miami Charter School, 305 NW 3 Avenue, Miami, FL 33128
- 11 Florida International Academy, 7630 Biscayne Boulevard, Miami, FL 33138
- 12 Theodore R. & Thelma A. Gibson Charter School, 3634 Grand Avenue, Miami, FL 33133
- 13 Keys Gate Charter School, 2000 SE 28 Avenue, Homestead, FL 33035
- 14 Liberty City Charter School, 8700 NW 5 Avenue, Miami, FL 33150
- 15 Mater Academy, 7700 NW 98 Street, Hialeah Gardens, FL 33016
- 16 Mater Academy Charter Middle School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 17 Mater Academy Charter High School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 18 Mater Academy East, 450 SW 4 Street, Miami, FL 33130
- 19 M/S Barry University Connected Learning Center, 11441 NW 2 Avenue, Miami Shores, FL 33168
- 20 North County Charter School, 3400 NW 135 Street, Miami, FL 33054
- 21 North Dade Community Charter School, 13850 NW 26 Avenue, Opa-Locka, FL 33054
- 22 Northeast Academy, 3400 NW 135 Street, Miami, FL 33054
- 23 Pinecrest Preparatory Academy, 14301 SW 42 Street, Miami, FL 33175
- 24 Pinecrest Preparatory Academy Charter Middle School, 14301 SW 42 Street, Miami, FL 33175
- 25 Rosa Parks Charter School/Florida City, 713 West Palm Drive, Florida City, FL 33034
- 26 Rosa Parks Community School/Overtown, 430 NW 9 Street, Miami, FL 33136
- 27 Ryder Elementary Charter School, 8360 NW 33 Street, Miami, FL 33122
- 28 Grand Wiener School of Opportunity  
Main Campus: 20000 NW 47 Court, Opa-Locka, FL 33055  
Kendall Campus: 11025 SW 84 Street, Miami, FL 33173
- 29 Spiral Tech Elementary Charter School, 12400 SW 72 Street, Miami, FL 33183
- 30 Vankara Academy Charter School, 13307-11 Alexandria Drive, Opa-Locka, FL 33054
- 31 Youth Co-Op, 12051 West Okeechobee Road, Hialeah Gardens, FL 33016

## Approved Contracts for 2004-2005

- 32 Academy of Arts & Minds, 3138 Commodore Plaza, Miami, FL 33133
- 33 Balera Language Academy, 10600 Caribbean Blvd., FL 33189\*
- 34 International Studies Charter High, 3280 South Miami Avenue, Miami, FL 33127
- 35 Las Palmas Charter School, 14250 SW 202 Avenue, Miami, FL 33196
- 36 Miami Children's Museum Charter School, 450 SW 4 Street, Miami, FL 33130 (temporary location)

## Approved Contracts for 2004-2005 (Continued)

- 37 Miami Community Charter School, 101 SW Redland Road, FL 33034\*
- 38 Pinecrest Preparatory Academy Charter High School (two locations)  
Main Campus (Kendall Greens): SW 80 Street & 150 Avenue, Miami, FL 33193 and  
Holy Cross Campus: 12425 SW 72 Street, Miami, FL 33183
- 39 School for Integrated Academics and Technologies (SIATech) (two locations)  
Main Campus: 3050 NW 183 Street, Miami, FL 33056, and  
Homestead Campus: 12350 SW 285 Street, Homestead, FL 33033
- 40 Somerset Academy, 8750 NW 21 Terr., Miami, FL 33172 and  
2801 NW 112 Avenue, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and 232 Street, Miami, FL 33170 (permanent location)
- 41 Somerset Academy Charter Middle School  
2801 NW 112 Avenue, Miami, FL 33172 and  
8750 NW 21 Terr, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent)
- 42 Somerset Academy Charter High School, 11100 NW 27 Street, Miami, FL 33172 and  
2801 NW 112 Avenue, Miami, FL 33172 (temporary locations)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent location)
- 43 Sweet Home Charter School, 17201 SW 103 Avenue, Miami, FL 33157 (temporary location)  
SW 190 Street and 112 Avenue, Miami, FL 33157\*

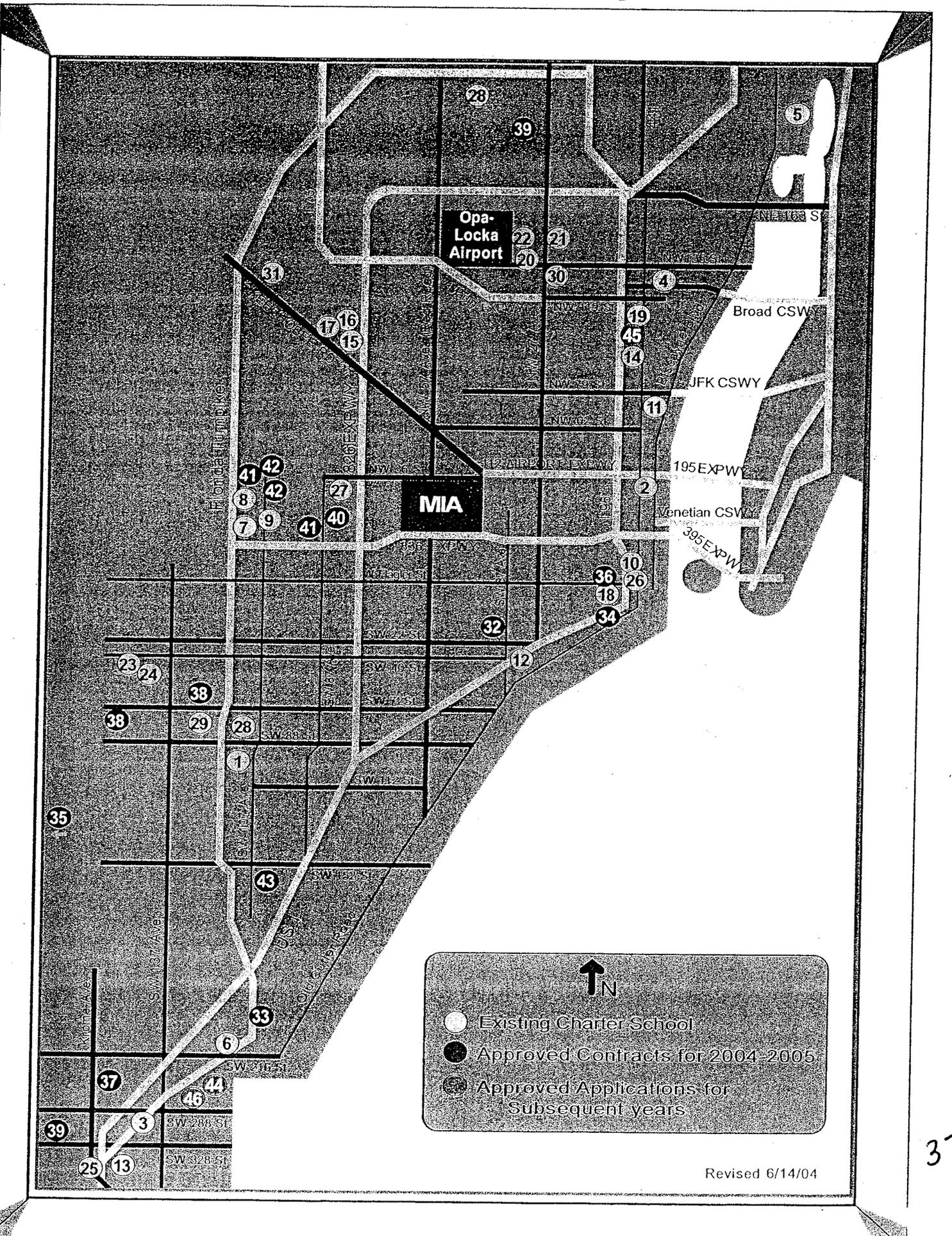
\* Locations pending final School Board approval.

## Approved Contracts for Subsequent years

- 44 Dr. Joseph Coats Grace Community Charter School, SW 246 Street & 112 Avenue, Miami, FL
- 45 Miami Shores Charter Middle/Senior High School, NW 11441 NW Second Avenue,  
Miami Shores, FL 33168
- 46 Summerville Charter School, SW 246 Street and 117 Avenue, Miami, FL

## Approved Applications

- 47 Mater Academy South Charter School, Sweetwater area
- 48 Mater Gardens Academy Elementary School, Hialeah Gardens area
- 49 Mater Gardens Academy Middle School, Hialeah Gardens area
- 50 Mater Springs Academy Elementary School (location to be determined)
- 51 Mater Springs Academy Middle School (location to be determined)
- 52 Miami-Dade Charter Foundation (4 sites - locations to be determined)
- 53 North Miami/Florida International University Charter Senior High School, NE 151 St. & Biscayne, North Miami, FL
- 54 Sabal Palm Charter High School, Hialeah area
- 55 Somerset Academy (6 sites - locations to be determined)
- 56 Spirit City Academy (location to be determined)
- 57 Sunset Academy (location to be determined)
- 58 The City of North Miami/Florida International University Charter School (location to be determined)



Revised 6/14/04

RECEIVED  
LEGAL COUNSEL SEC.  
PETITION OF APPEAL FROM DECISION OF  
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD  
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY B AMOUNT OF FEE \$1954.12  
RECEIPT # 1200516031  
DATE HEARD: 5/10/05  
BY CZAB # 121405

RECEIVED  
MAY 12 2005  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY B  
DATE RECEIVED STAMP

\*\*\*\*\*  
This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 04-366  
Filed in the name of (Applicant) DADELAND BREEZE APARTMENTS, LLC  
Name of Appellant, if other than applicant \_\_\_\_\_

Address/Location of APPELLANT'S property: NORTH OF SW 88 STREET AND WEST OF SR 826

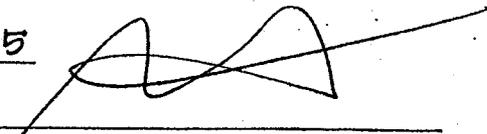
Application, or part of Application being Appealed (Explanation): ENTIRE APPLICATION

Appellant (name): DADELAND BREEZE APARTMENTS, LLC  
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:  
(State in brief and concise language)

THE DENIAL OF THE APPLICATION WAS NOT BASED ON SUBSTANTIAL COMPETENT EVIDENCE

APPELLANT MUST SIGN THIS PAGE

Date: \_\_\_\_\_ day of MAY, year: 2005

Signed \_\_\_\_\_  


HARVEY HERNANDEZ  
Print Name

4535 PONCE DE LEON BLVD., CORAL GABLES  
Mailing Address FL, 33146

305.740.0819  
Phone Fax

**REPRESENTATIVE'S AFFIDAVIT**  
If you are filing as representative of an association or other entity, so indicate:

\_\_\_\_\_ Representing

\_\_\_\_\_ Signature

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

\_\_\_\_\_ Address

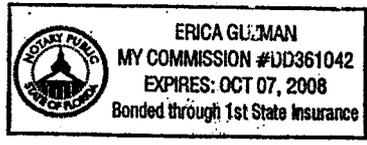
\_\_\_\_\_ City State Zip

\_\_\_\_\_ Telephone Number

Subscribed and Sworn to before me on the 12<sup>th</sup> day of May, year 2005

\_\_\_\_\_  
Notary Public

(stamp/seal)



Commission expires: Oct. 07, 2008

APPELLANT'S AFFIDAVIT OF STANDING  
(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared HARVEY HERNANDEZ  
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal  
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community  
Zoning Appeals Board matter because of the following:

(Check all that apply)

- 1. Participation at the hearing
- 2. Original Applicant
- 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,  
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

[Signature]  
Signature

HUMBERTO VANEKAS  
Print Name

[Signature]  
Appellant's signature

HARVEY HERNANDEZ  
Print Name

[Signature]  
Signature

ENRIQUE R. VILA  
Print Name

Sworn to and subscribed before me on the 12<sup>th</sup> day of May, year 2005.

Appellant is personally know to me or has produced \_\_\_\_\_ as  
identification.

[Signature]  
Notary  
(Stamp/Seal)

Commission Expires: Oct. 07, 2008

ERICA GUZMAN  
MY COMMISSION #UD361042  
EXPIRES: OCT 07, 2008  
Bonded through 1st State Insurance

RESOLUTION NO. CZAB12-14-05

WHEREAS, DADELAND BREEZE APARTMENTS L. L. C. applied for the following:

RU-4M to PAD

Plans are on file and may be examined in the Zoning Department entitled "H+H Development," as prepared by Cohen-Freedman-Encinosa & Associates, Revision #2 dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and a portion of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  all in Section 34, Township 54 South, Range 40 East, being particularly described as follows:

Commence at the Southwest corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34; thence run N87° 54'27"E along the south boundary of said Section 34 a distance of 432.11' to a point, said point being 898.41' west of the Southeast corner of said Section 34 and being on a line that is 20' east of and parallel to the east face of a 1 story C.B.S. building; thence run N02° 04'38"W along a line that is 20' east of and parallel to the east face of a 1 story C.B.S. warehouse building a distance of 55' to the point of intersection with the north right-of-way boundary of State Road #94 (N. Kendall Drive) as shown on the right-of-way map recorded in Plat book 78, Page 35; said point being the Point of beginning of the parcel of land hereinafter to be described; thence continue on the last described course a distance of 597.97' to the Point of intersection with the north boundary of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34; said point being 433.52' east of the Northwest corner of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34; thence run N87° 50'41"E along the north boundary of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 a distance of 873.38' to a Point of intersection with the west right-of-way boundary of State Road #826 (Palmetto By-Pass) as shown on a right-of-way map recorded in Plat book 70, Page 6; said point being on a line that is 25' west of and parallel to the east boundary of Section 34; thence run S2° 04'46"E along said west right-of-way boundary and along a line that is 25' west of and parallel to the east boundary of said Section 34 a distance of 233.24' to a point; thence run S5° 48'45"W along said west right-of-way boundary a distance of 364.14' to a point, said point being on a line that is 75' west of and parallel to the east boundary of said Section 34 and being also on a line that is 60' north of and parallel to the south boundary of said Section 34; thence run S87° 54'27"W along a line that is 60' north of and parallel to the south boundary of said Section 34 and along the north right-of-way line of said State Road 826, a distance of 632.73' to a point; thence run S2° 04'43"E along the west right-of-way boundary of State Road 826, a distance of 5' to a Point of intersection with the north right-of-way boundary of said State Road #94; thence run S87° 54'27"W along the north right-of-way boundary of said State Road #94 a distance of 190.67' to the Point of beginning. LESS: The north 30' thereof for road purpose as recorded in Official Record Book 4704, Page 337, and being more particularly described as follows:

Commence at the Northeast corner of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34, Township 54 South, Range 40 East; thence run S87° 50'41"W along the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 for 25' to the Point of beginning; thence continue S87° 50'41"W along the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 for 873.38'; thence run S2° 04'38"E for 30' to a point on a line that is 30' south and parallel to the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34; thence run N87° 50'41"E along the line that is 30' south of and parallel to the north line of

the south 1/2 of the SE 1/4 of the SE 1/4 of said Section 34 for 848.35' to the Point of curvature of a circular curve, concave to the Southwest with a radius of 25'; thence run SE/ly along the arc of said curve for 39.3' to the Point of tangency on the west line of the east 25' of the SE 1/4 of said Section 34; thence run N2° 04'48"W along the west line of the east 25' of the SE 1/4 of said Section 34 for 55.03' to the Point of beginning.

LOCATION: The Northwest corner of S.W. 77 Avenue & S.W. 88 Street; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to PAD would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny the application with prejudice was offered by Robert W. Wilcosky, seconded by Carla Savola, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Carla Savola	aye
Jackie Hernandez-Toraño	absent	Nelson A. Varona	nay
Millie Herrera	aye	Robert W. Wilcosky	aye
Jose I. Valdes			aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to PAD be and the same is hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records  
of the Miami-Dade County Department of Planning and Zoning.

*PASSED AND ADOPTED* this 10<sup>th</sup> day of May, 2005.

Hearing No. 05-3-CZ12-2

Is

STATE OF FLORIDA

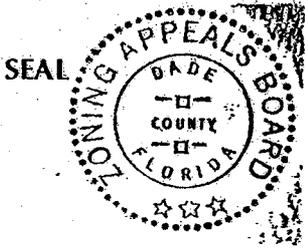
COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-14-05 adopted by said Community Zoning Appeals Board at its meeting held on the 10<sup>th</sup> day of May 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16<sup>th</sup> day of May 2005.



Luis Salvat, Deputy Clerk (2678)  
Miami-Dade County Department of Planning and Zoning



# TEAM METRO

## ENFORCEMENT HISTORY

DADELAND BREEZE APARTMENTS  
LLC

NORTHWEST CORNER OF SW 77  
AVE & SW 88 ST AKA 7701 N.  
KENDALL DR

---

APPLICANT

---

ADDRESS

Z2004000366

---

HEARING NUMBER

### CURRENT ENFORCEMENT HISTORY:

02/25/2005 Inspection conducted  
02/25/2005 No current violations

L. Cuellar





# Miami-Dade Police Department

## Address Query for Events occurring at 7701 N. Kendall For Thru

7

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2003-05-20" and Dis.Complaint Date < "2005-05-21" and Dis.Police District Code in ( "A", "B", "C", "D", "E", "H", "I", "J", "K", "L", "M", "N", "P", "Q", "R", "ZZ" ) and Dis.Incident Address contains "7701 N. Kendall" and Dis.Reporting Agency Code = substring( "030", 1, 3 ) and Common and Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" )

Incident Address	Dis	Grid	A O P	Complaint Date	Day of Wk	Call Rcvd Time	Complaint Name	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit	Event Number	Rp Wr YN

0



# Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: ( Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate ) and ( Dis.Grid in ( "1705", "1795" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) or ( 'ALL' in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) ) and Common

**2003                      2004**

Grid	Signal Code	Signal Description	2003	2004
1795	13	SPECIAL INFORMATION/ASSIGNMENT	39	27
	14	CONDUCT INVESTIGATION	103	80
	15	MEET AN OFFICER	341	314
	16	D.U.I.	4	1
	17	TRAFFIC ACCIDENT	18	15
	18	HIT AND RUN	5	5
	19	TRAFFIC STOP	23	25
	20	TRAFFIC DETAIL	3	8
	21	LOST OR STOLEN TAG	8	5
	22	AUTO THEFT	11	9
	25	BURGLAR ALARM RINGING	84	91
	26	BURGLARY	31	39
	27	LARCENY	11	6
	28	VANDALISM	8	10
	32	ASSAULT	24	31
	33	SEX OFFENSE	3	1
	34	DISTURBANCE	146	113
	36	MISSING PERSON	7	5
	37	SUSPICIOUS VEHICLE	10	12
	38	SUSPICIOUS PERSON	8	10
39	PRISONER	3	4	
41	SICK OR INJURED PERSON	35	39	
43	BAKER ACT	2	2	
44	ATTEMPTED SUICIDE	0	1	
45	DEAD ON ARRIVAL	5	3	
47	BOMB OR EXPLOSIVE ALERT	0	1	

48



# Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004

Miami-Dade Police Department

Detail Filter: ( Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate ) and ( Dis.Grid in ( "1705" "1795" ) ) and ( ( Dis.Signal Code in ( "13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55" ) or ( 'ALL' in ( "13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55" ) ) ) ) and Common

**2003                  2004**

Grid	Signal Code	Signal Description		
1795	49	FIRE	8	6
	52	NARCOTICS INVESTIGATION	2	5
	53	ABDUCTION	1	0
	54	FRAUD	5	11
<b>Total Signals for Grid 1795 :</b>			<b>948</b>	<b>879</b>

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**MIAMI-DADE POLICE DEPARTMENT**  
**Zoning Hearing Report Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**For 2003 and 2004**



Miami-Dade Police Department

Grid(s): 1705, 1795

2003    2004

Grid 1795				
<b>Part I</b>				
130A		AGGRAVATED ASSAULT	8	6
2200		BURGLARY	11	16
110C		FONDLING	1	0
2400		MOTOR VEHICLE THEFT	7	6
230A		POCKET PICKING	1	1
110A		RAPE	1	0
1200		ROBBERY	1	0
230C		SHOPLIFTING	19	39
230G		SHOPLIFTING ALL OTHERS	15	13
230F		SHOPLIFTING FROM A MOTOR VEHICLE	15	14
<b>Part I TOTAL</b>			<b>79</b>	<b>95</b>
<b>Part II</b>				
2700		EMBEZZLEMENT	3	0
260A		FRAUD CON/SWINDLE/FALSE PRET.	1	1
260B		FRAUD CREDIT CARD/ATM	3	5
260D		IMPERSONATION	5	13
1000		KIDNAPPING - ABDUCTION	1	0
350A		NARCOTIC BUY/SELL/POSS/IMPORT/MA	2	3
130B		SIMPLE ASSAULT	7	11
<b>Part II TOTAL</b>			<b>22</b>	<b>33</b>
<b>Grid 1795 TOTAL</b>			<b>101</b>	<b>128</b>

50

# Option 1 - 640 units

A RESIDENTIAL DEVELOPMENT FOR

# H & H DEVELOPMENT

DADE COUNTY, FLORIDA

31

**ZONING**

RU-4

**NET LOT AREA**

483,961.6 S.F. (11.11 ACRES)

**NUMBER OF UNITS**

EXISTING: 306 UNITS  
NUMBER PROVIDED: 640 UNITS

**SETBACKS**

FRONT	75'-0"
INTERIOR SIDE	60'-0"
REAR	71'-0"

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM	1.5 X 212 =	318 SPACES
2 BEDROOM	1.75 X 372 =	661 SPACES
3 BEDROOM	2.00 X 56 =	112 SPACES
<b>TOTAL</b>		<b>1091 SPACES</b>

**PROVIDED:**

SURFACE PARKING	85 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE GARAGES	56 SPACES
<b>TOTAL</b>	<b>1061 SPACES*</b>

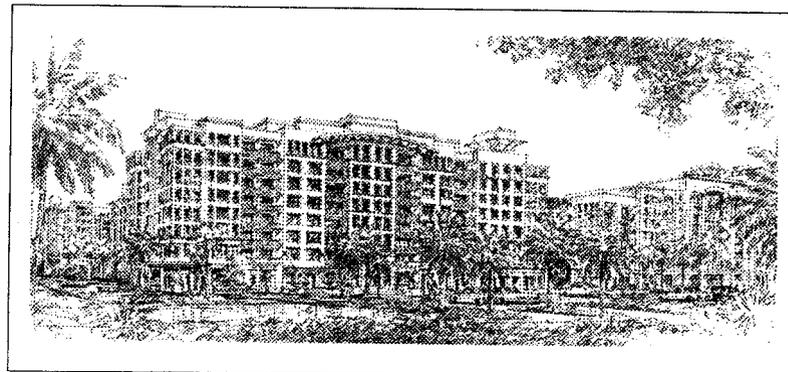
\* includes 22 handicapped parking spaces

**ARCHITECTURE:**

COHEN, FREEDMAN, ENCINOSA & ASSOC.  
ARCHITECTS, P.A.  
8085 N.W. 155TH STREET  
MIAMI, FLORIDA 33143  
TEL. (305) 826-3999 FAX (305) 826-4155  
EMAIL: CFSEARCH@BKLSSOUTH.NET

**LANDSCAPE ARCHITECTURE:**

FUSTER DESIGN ASSOC.  
7500 S.W. 86TH COURT  
MIAMI, FLORIDA 33143  
TEL. (305) 278-2202 FAX (305) 278-2804



**BUILDING MIX**

TYPE	HEIGHT	STORIES
TOWER 1	86'-0"	6
TOWER 2	86'-0"	6
TOWER 3	86'-0"	6

**RECEIVED**  
DEC 30 2004

DEPT. OF PLANNING & ZONING  
ZONING EVALUATION SECTION  
BY \_\_\_\_\_

**INDEX OF SHEETS**

- A-0 TITLE SHEET/PROJECT DATA
- A-1 GROUND FLOOR PLAN 1:30 SCALE
- A-2 2nd - 5th LEVEL FLOOR PLAN 1:30 SCALE
- A-3 6th LEVEL FLOOR PLAN 1:30 SCALE
- A-4 7th LEVEL FLOOR PLAN 1:30 SCALE
- A-5 8th LEVEL FLOOR PLAN 1:30 SCALE
- A-6 ELEVATION
- A-7 ELEVATION
- A-8 ELEVATION
- A-9 BUILDING SECTION 1:30 SCALE
- A-10 RENDERING NO SCALE
- A-11 EXISTING SITE CONDITIONS

**UNIT MIX - PROJECT TOTAL**

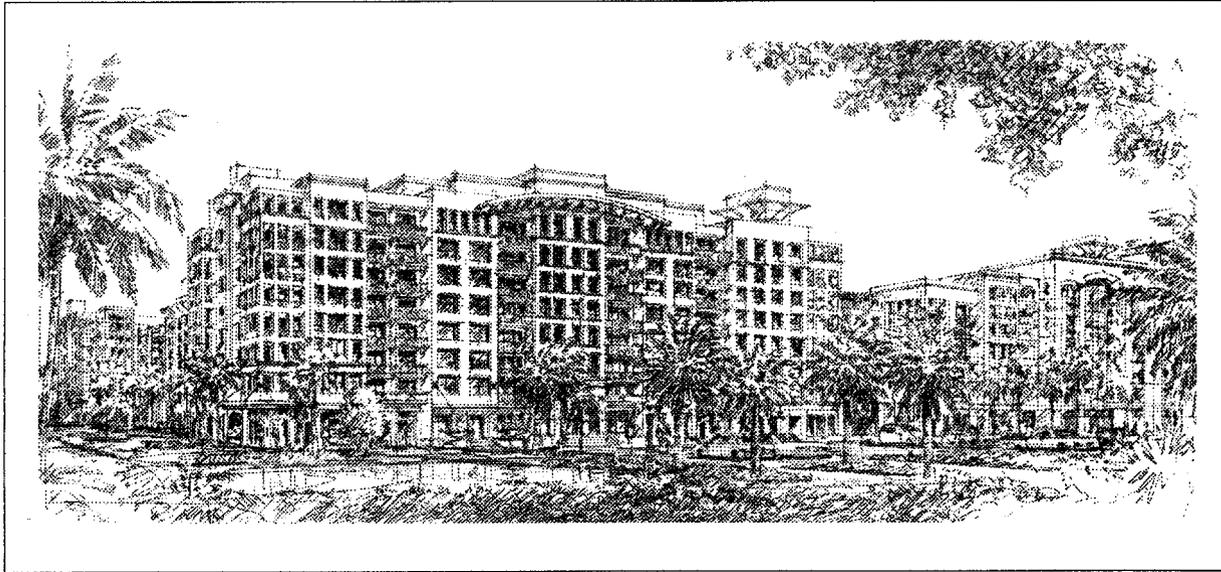
1 BED	2 BED	3 BED	30 TOWNH	TOTAL
212	276	20	32	640
33%	43%	4.8%	4.8%	

UNIT TYPE	UNIT S.F.	1st	2nd-5th	6th	7th	8th	TOTAL UNITS
A1	704	80	204-80	30	14	10	148
A2	276	-	404-16	4	4	4	30
A3	1000	4	404-16	4	4	4	22
B1	1080	-	404-16	-	-	-	18
B2	1100	30	304-180	30	24	24	228
B3	1200	12	124-64	12	12	12	60
B4	1270	4	404-16	4	4	4	20
C1	1480	-	404-16	4	4	4	20
TTL	1200	88	-	-	-	-	36
<b>TOTAL</b>		<b>96</b>	<b>282</b>	<b>70</b>	<b>28</b>	<b>28</b>	<b>640</b>

PRELIMINARY DESIGN FOR  
**H + H DEVELOPMENT**  
DADE COUNTY, FLORIDA

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

DATE: 12/30/04  
BY: [Signature]  
SCALE: A.0



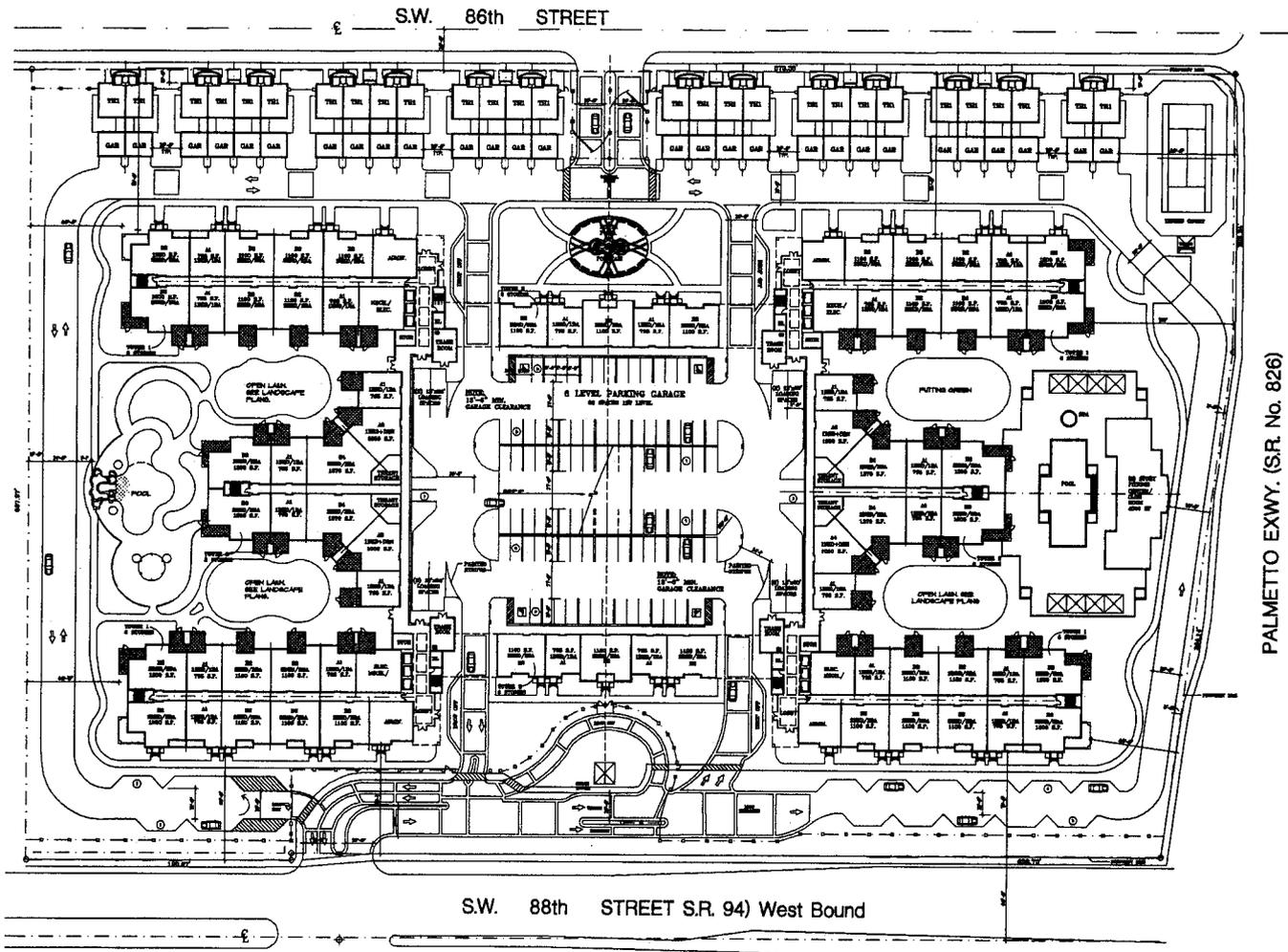
VIEW OF TOWER I

52

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
8085 N.W. 15511 Street Miami Lakes, Florida 33016 305-826-3999

A.10



NOTE:  
PAVEMENT FINISHES AND TRAFFIC MARKS TO BE DELIVERED AS PART OF A TRAFFIC STUDY. STUDY TO BE SUBMITTED TO PUBLIC WORKS DEPT. FOR APPROVAL.

SIGNAL POSITION REQUIRED.



1ST LEVEL PLAN  
1:40' SCALE

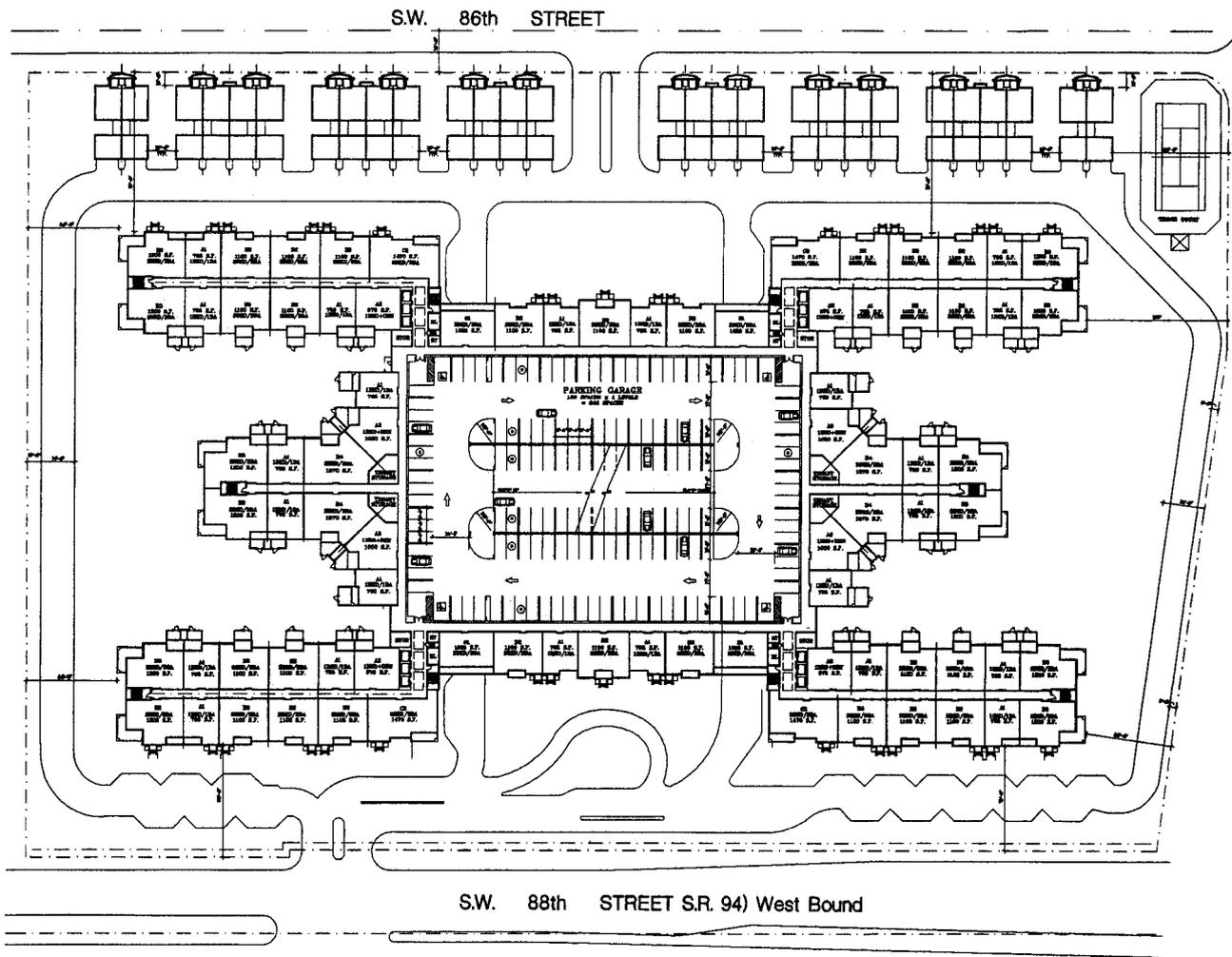
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PRELIMINARY DESIGN FOR:  
**H + H DEVELOPMENT**  
DADE COUNTY, FLORIDA

**A.1**

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

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54



2nd-5th LEVEL PLAN  
1:40' SCALE

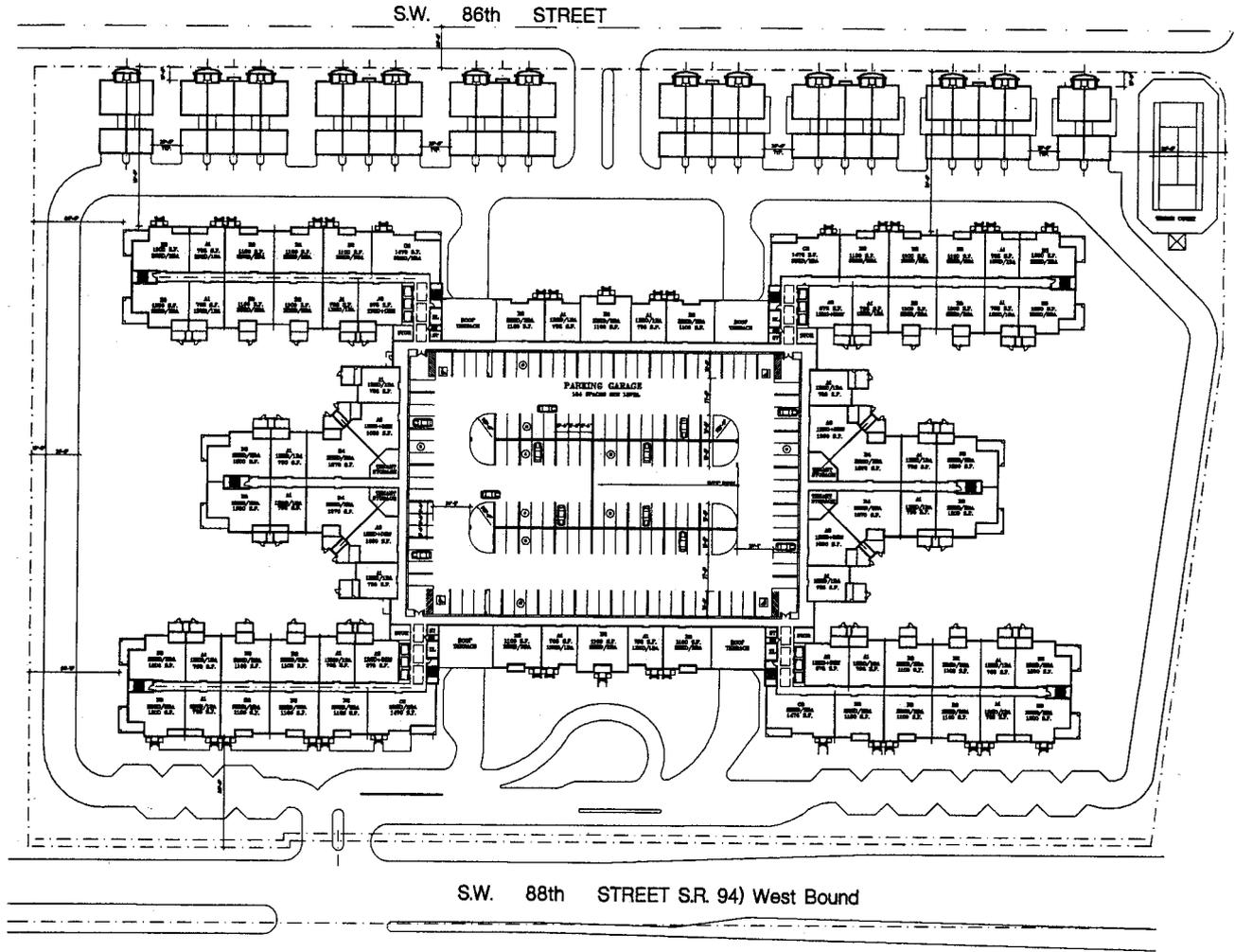
PRELIMINARY DESIGN FOR:  
**H + H DEVELOPMENT**  
DADE COUNTY, FLORIDA

**A.2**

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
**Architects, PA**  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-395

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55



6th LEVEL PLAN  
1:40' SCALE

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

DATE: 10/18/00  
BY: [Signature]

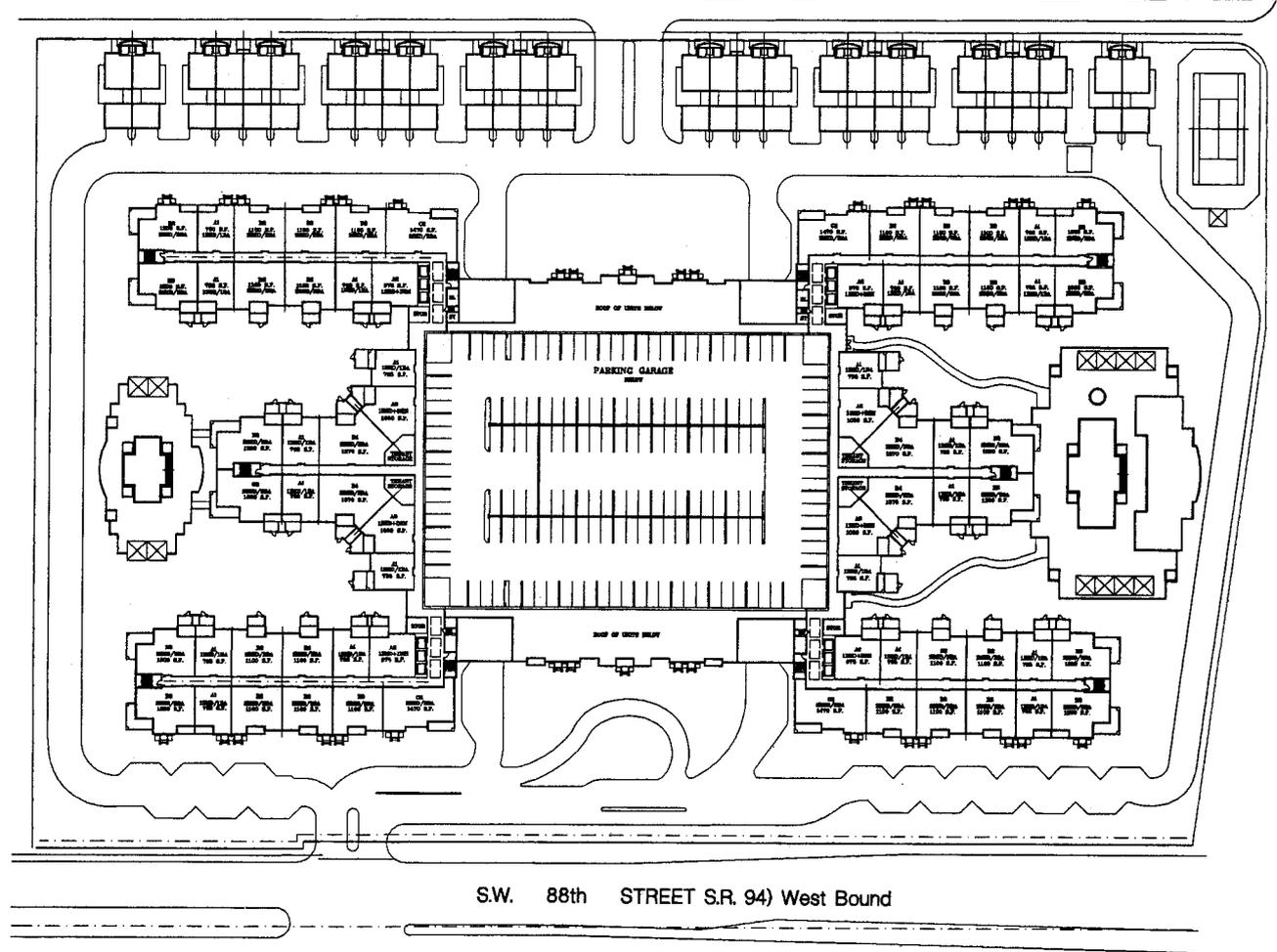
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A.3

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

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S.W. 86th STREET



S.W. 88th STREET (S.R. 94) West Bound


**7th LEVEL PLAN**  
 1:40' SCALE

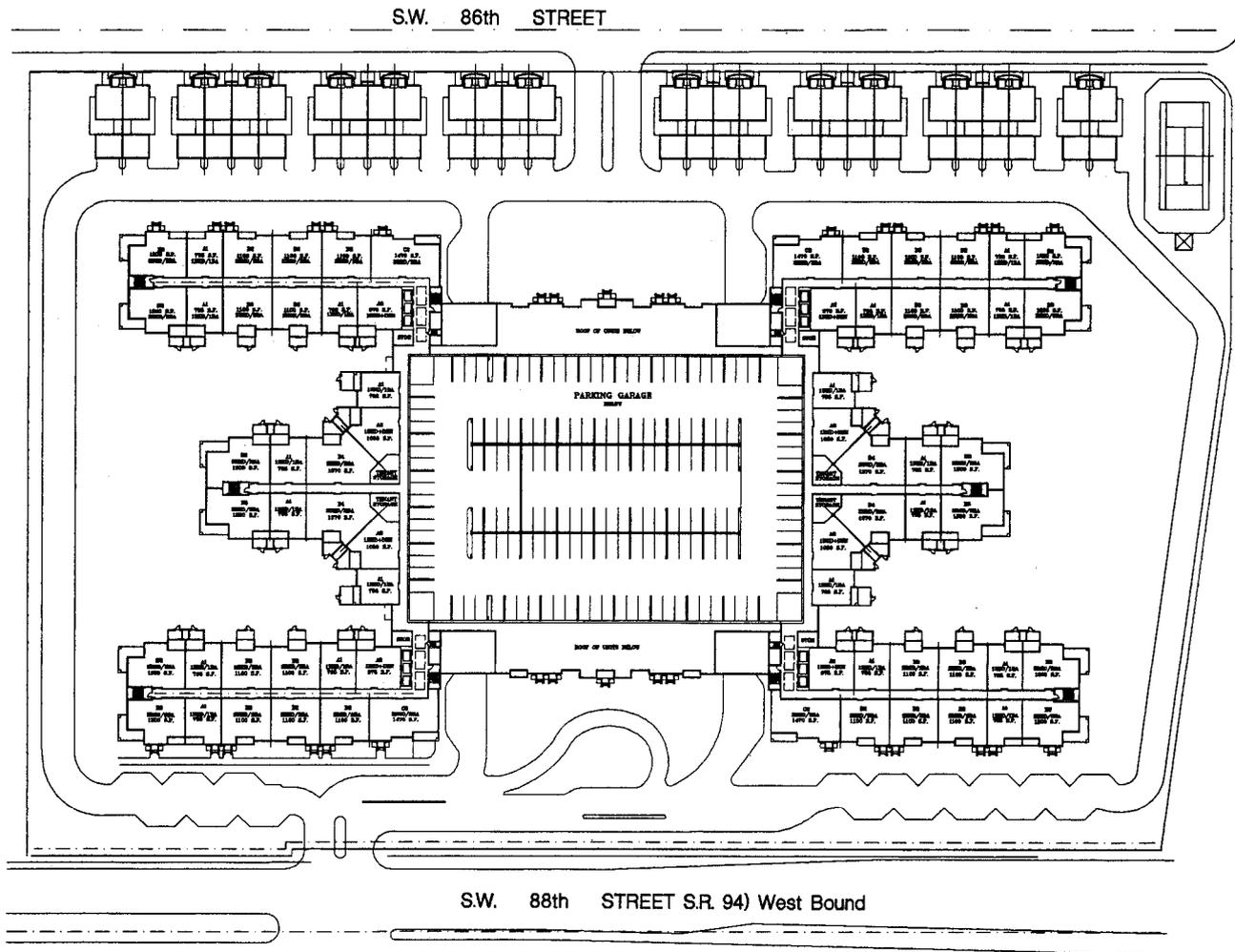
PRELIMINARY DESIGN FOR  
**H + H DEVELOPMENT**  
 DADE COUNTY, FLORIDA

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
 Architects, PA  
 8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-31

SHEET NO. **A.4**

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S.W. 86th STREET

S.W. 88th STREET S.R. 94) West Bound

8th LEVEL PLAN  
1:40' SCALE

51

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Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999.

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

A.5



PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20' SCALE

ELEVATION KEY NOTES

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/BLUE/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |



PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20' SCALE

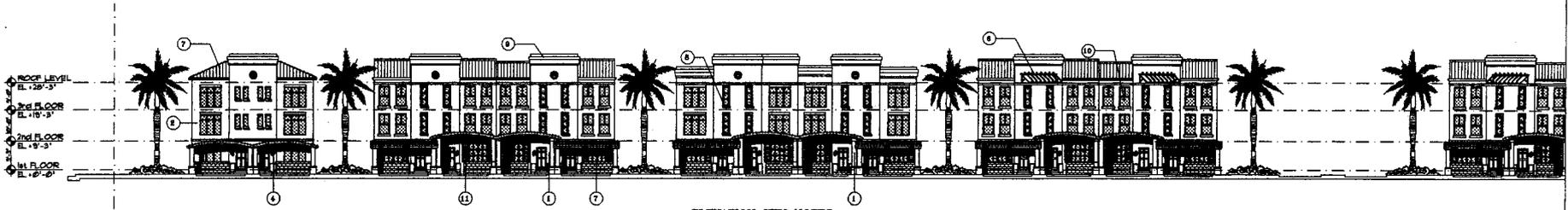
58

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

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

A.6

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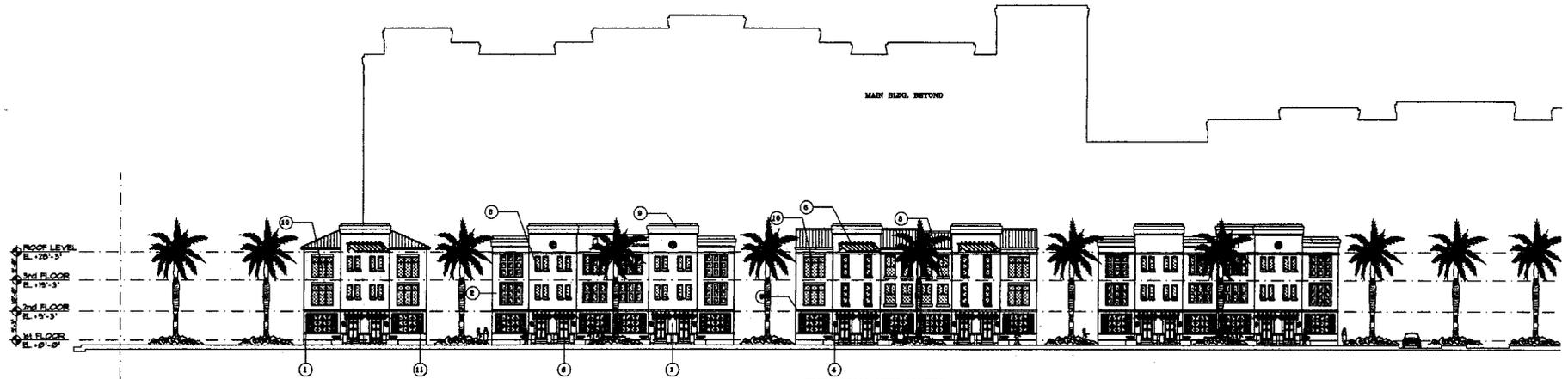


**PARTIAL TOWNHOME ELEVATION**

1:20' SCALE

**ELEVATION KEY NOTES**

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. STANDING SEAM MTL. ROOF      |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/BLUE/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |



**PARTIAL TOWNHOME ELEVATION**

1:20' SCALE

**ELEVATION KEY NOTES**

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/BLUE/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |

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PROPERTY LINE

PARTIAL BLDG. ELEVATION (EAST/WEST)

1:20' SCALE



(EAST/WEST)

1:20' SCALE

PARTIAL BLDG. ELEVATION (EAST/WEST)

1:20' SCALE

PROPERTY LINE

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

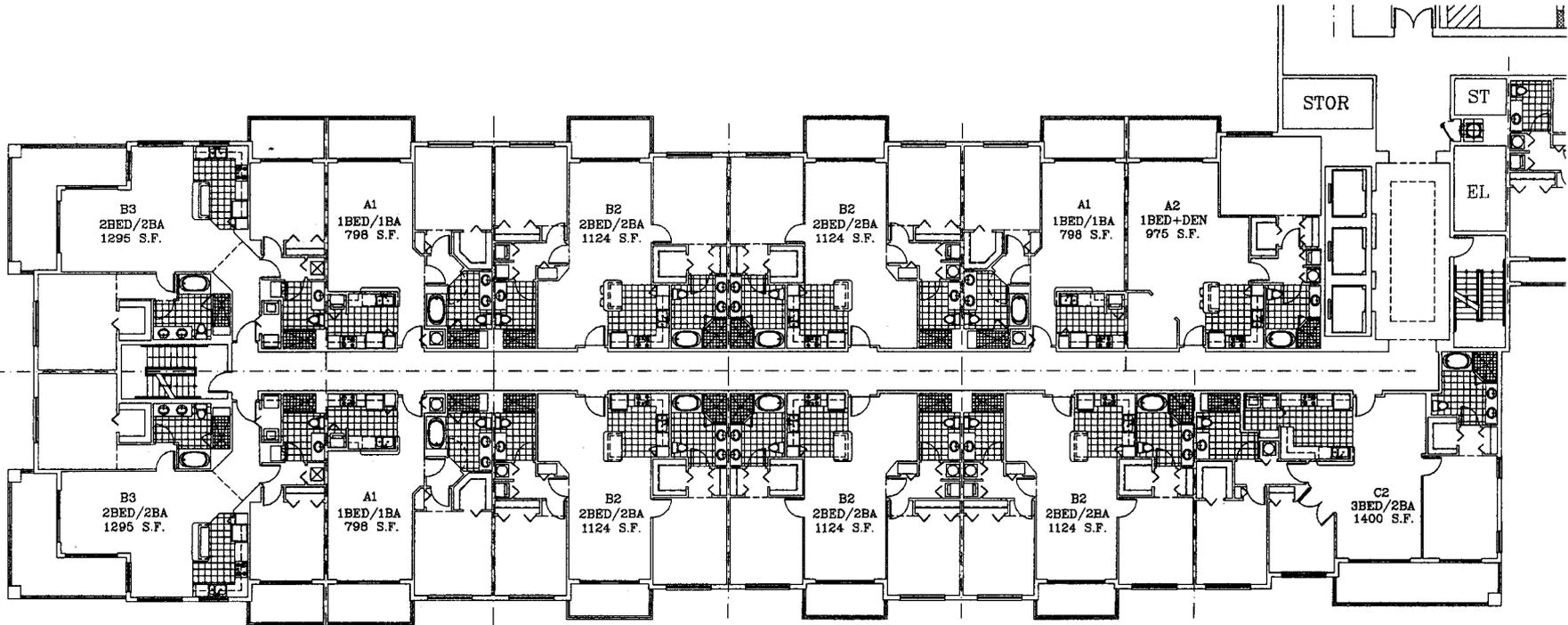
COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA

8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3995

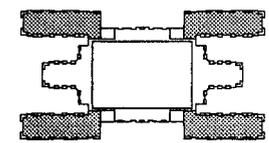
A.8







TYPICAL LEVEL PLAN  
1/8" SCALE



KEY PLAN  
N.T.S.

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

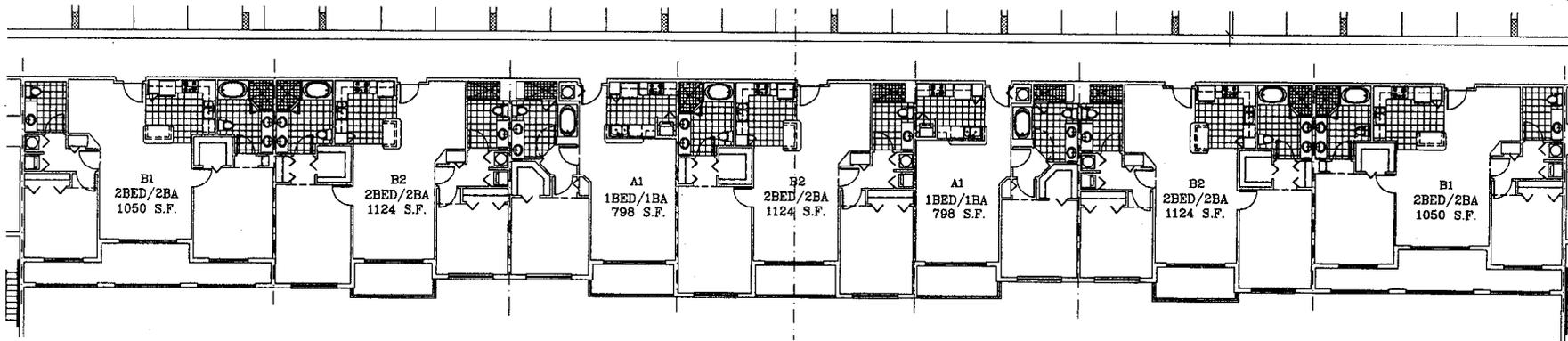
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Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3111

A.12

62

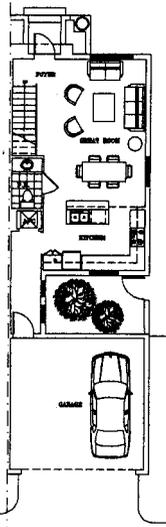
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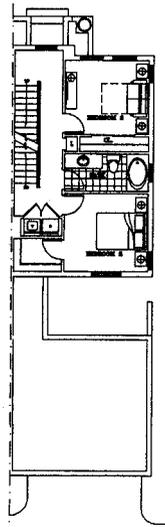


TYPICAL LEVEL PLAN

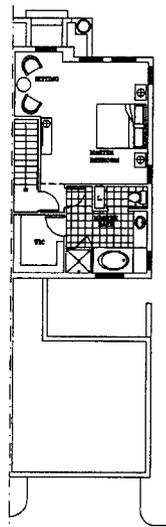
1/8" SCALE



1ST LEVEL PLAN  
1/8" SCALE



2ND LEVEL PLAN  
1/8" SCALE

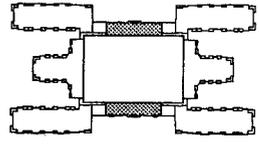


3RD LEVEL PLAN  
1/8" SCALE

TOTAL A/C 1785 S.F.

TYPICAL TOWNHOUSE PLAN

1/8" SCALE



KEY PLAN  
N.T.S.

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

COHEN · FREEDMAN · ENCINOSA & ASSOC  
Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-9999

A.14

65





# Option 2 - 592 units

12

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201-300  
APR 18 2005

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

ZONING  
RU-4

NET LOT AREA  
483,851.6 S.F. (11.11 ACRES)

NUMBER OF UNITS  
EXISTING: 308 UNITS  
NUMBER PROVIDED: 592 UNITS

SETBACKS

	PROVIDED
FRONT	75'-0"
INTERIOR SIDE	60'-0"
REAR	71'-0"

PARKING SPACES

REQUIRED:

1 BEDROOM	1.5 X 196 =	294 SPACES
2 BEDROOM	1.75 X 344 =	602 SPACES
3 BEDROOM	2.00 X 52 =	104 SPACES
TOTAL		1000 SPACES

PROVIDED:

SURFACE PARKING	15 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE CARPORTS	58 SPACES
TOTAL	1088 SPACES*

\* includes 22 handicapped parking spaces

TOTAL GROSS ACREAGE:	483,808 S.F. OR 11.11 ACRES	100%
COVERAGE BLDG. ● GROUND LEVEL:	193,040 S.F. OR 4.34 ACRES	39.9%
PRIVATE ROADS & PARKING AREAS:	56,548 SF OR 1.3 ACRES	12%
COMMON OPEN SPACE:	182,055 SF OR 4.18 ACRES	38%
PRIVATE OPEN SPACE:	14,890 SF OR .34 ACRES	3%
WATER BODIES:	0 SF	
PUBLIC FACILITIES:	21,522 SF OR .50 ACRES	4%
PUBLIC ROADS:	19,660 S.F. OR .451 ACRES	4%
TOTAL:	483,808 SF 11.11 ACRES	

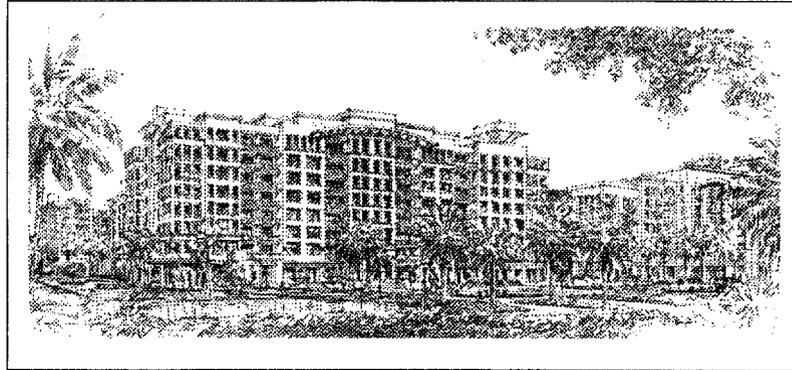
## A RESIDENTIAL DEVELOPMENT FOR **CENTRAL PARC** DADE COUNTY, FLORIDA

ARCHITECTURE:

COHEN, FREEDMAN, ENCINOSA & ASSOC.  
ARCHITECTS, P.A.  
8085 N.W. 155TH STREET  
MIAMI, FLORIDA 33016  
TEL. (305) 826-3999 FAX (305) 826-4165  
EMAIL: CFSEARCH@BELLSOUTH.NET

LANDSCAPE ARCHITECTURE:

FUSTER DESIGN ASSOC.  
7500 S.W. 86TH COURT  
MIAMI, FLORIDA 33143  
TEL. (305) 279-2202 FAX (305) 279-2604



**RECEIVED**  
APR 12 2005

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY \_\_\_\_\_

INDEX OF SHEETS

- A-0 TITLE SHEET/PROJECT DATA
- A-1 GROUND FLOOR PLAN 1:40 SCALE
- A-2 2nd LEVEL FLOOR PLAN 1:40 SCALE
- A-3 3rd LEVEL FLOOR PLAN 1:40 SCALE
- A-4 4th LEVEL FLOOR PLAN 1:40 SCALE
- A-5 5th LEVEL FLOOR PLAN 1:40 SCALE
- A-6 6th LEVEL FLOOR PLAN 1:40 SCALE
- A-7 7th-8th LEVEL FLOOR PLAN 1:40 SCALE
- A-8 ROOF PLAN
- A-9 TYPICAL FLOOR PLAN 1/16" SCALE
- A-10 LOBBY PLAN 1/16" SCALE
- A-11 CLUBHOUSE PLAN 1/16" SCALE
- A-12 BUILDING ELEVATIONS 1:20' SCALE
- A-13 BUILDING ELEVATIONS 1:20' SCALE
- A-14 BUILDING ELEVATIONS 1:20' SCALE
- A-14a BUILDING ELEVATIONS 1:20' SCALE
- A-15 BUILDING SECTIONS 1:20' SCALE
- A-16 BUILDING RENDERING
- A-17 SITE PHOTOGRAPHS
- A-18 CONTEXT PLAN AND SECTIONS

UNIT BREAKDOWN

UNIT MIX - PROJECT TOTAL

1 BED	2 BED	3 BED	NO CHOICE	TOTAL
198	344	24	28	600
85%	58%	4.8%	4.8%	

UNIT TYPE	UNIT S.F.	1st	2nd-5th	6th	7th	8th	TOTAL UNITS
A1	796	20	200-200	20	12	12	140
A2	875	-	400-18	4	2	2	24
A3	1060	4	400-18	4	4	4	20
B1	1280	-	400-18	-	-	-	12
B2	1100	20	200-180	20	14	14	206
B3	1200	12	120-180	12	9	9	60
B4	1970	4	400-18	4	4	4	20
C1	1400	-	400-18	4	4	4	24
TOTAL	1800	28	-	-	-	-	28
TOTAL:		28	282	78	44	44	600

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

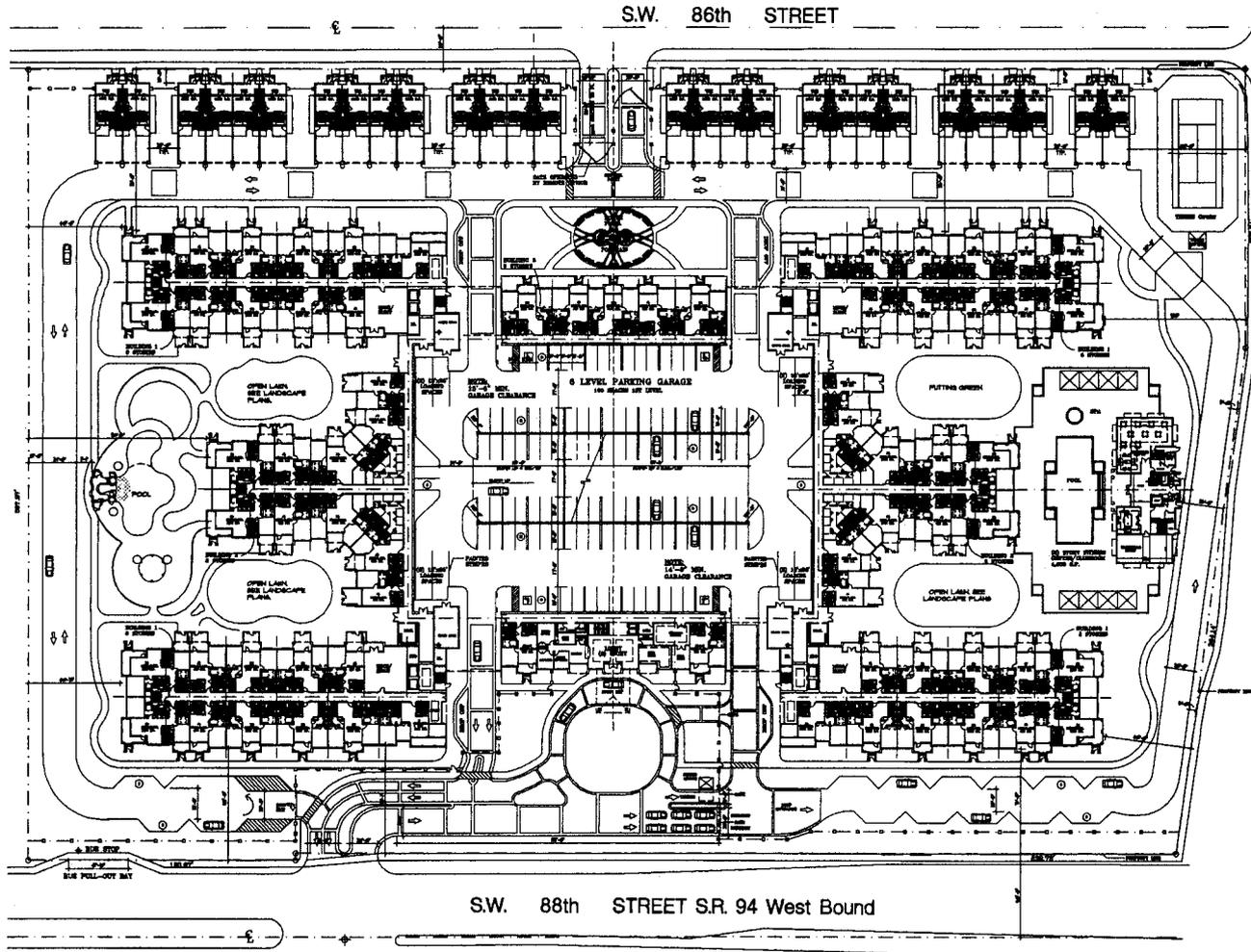
PRELIMINARY DESIGN FOR  
**CENTRAL PARC**  
DADE COUNTY, FLORIDA

REV. 10/04  
REV. 02/04  
REV. 07/04

A.0

2419

69



PALMETTO EXWY. (S.R. No. 826)

S.W. 88th STREET S.R. 94 West Bound

NOTES:

1. PARKING FEATURES AND TRAFFIC SIGNALS TO BE INCLUDED AS PART OF A PUBLIC WORKS STUDY TO BE SUBMITTED TO PUBLIC WORKS DEPT. FOR APPROVAL.
2. ENTRANCE FEATURES ON ALL WITH STREET & SIDE STREET WILL BE IN CORN SEPARATE APPLICATION.

MINOR MODIFICATION REQUIRED.

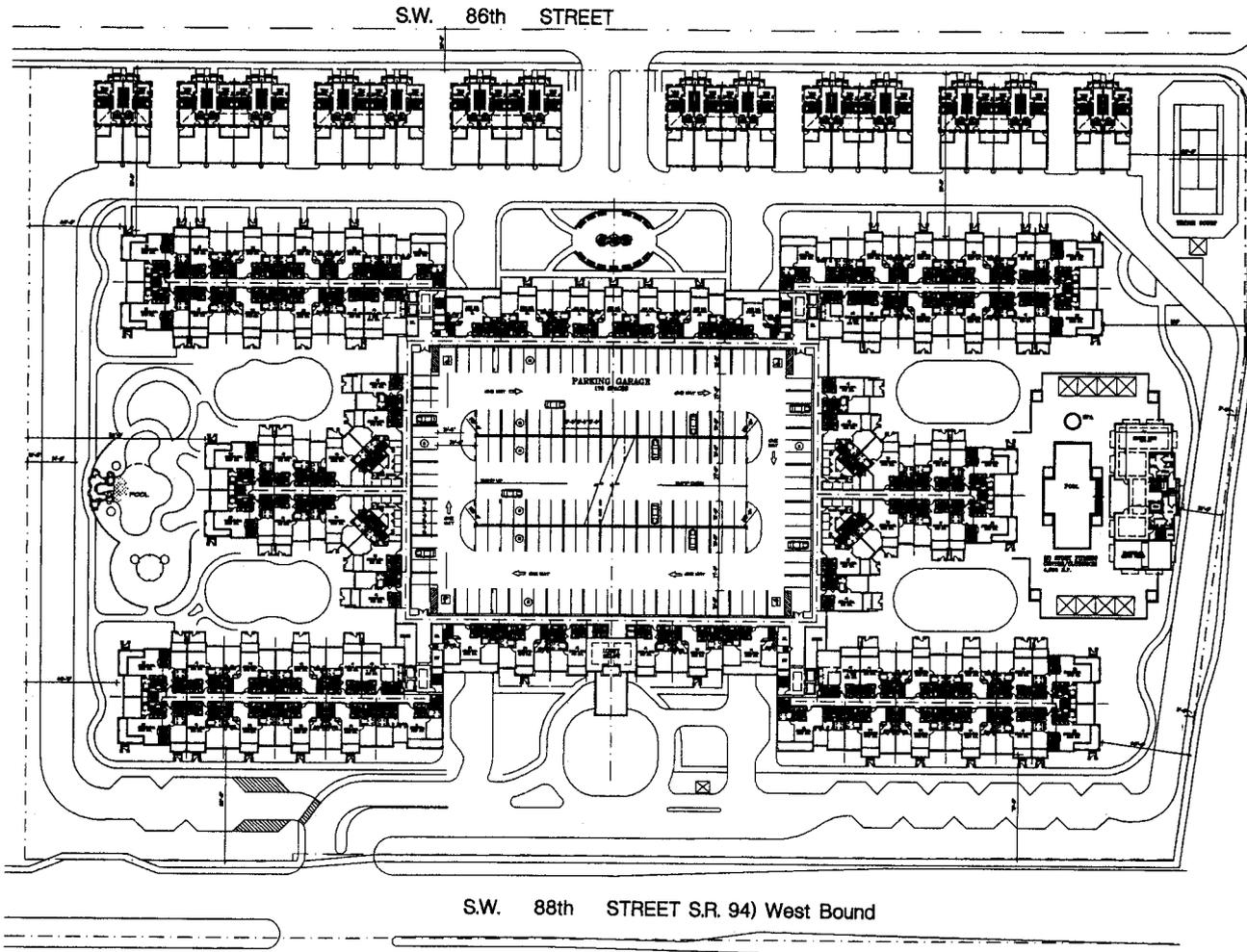
1ST LEVEL PLAN  
1:40' SCALE

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

PRELIMINARY DESIGN FOR:  
CENTRAL PARC  
DADE COUNTY, FLORIDA

A.1  
2419

70



S.W. 86th STREET

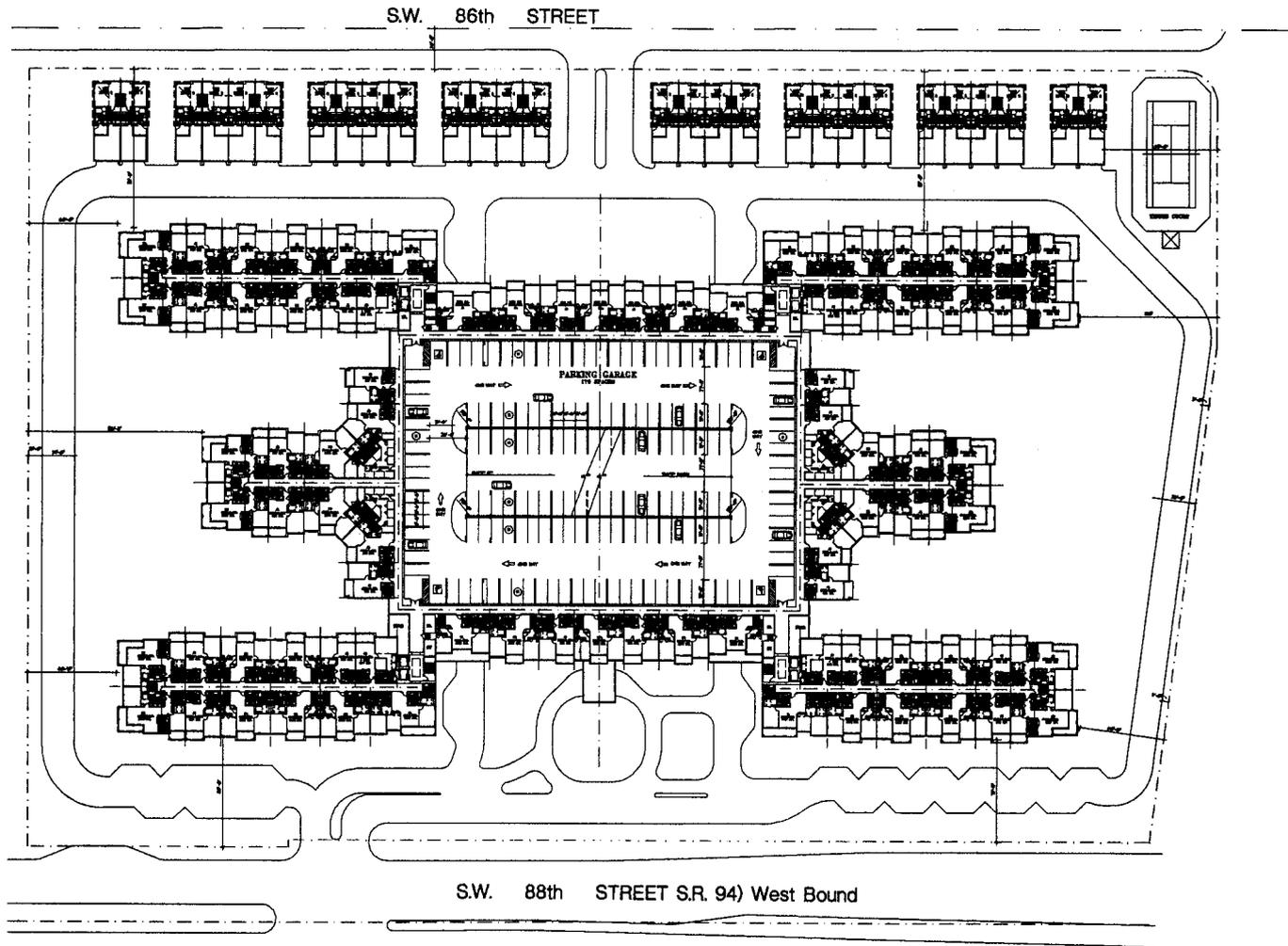
S.W. 88th STREET (S.R. 94) West Bound


**2nd LEVEL PLAN**  
 1:40' SCALE

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

PRELIMINARY DESIGN FOR  
**CENTRAL PARC**  
 DADE COUNTY, FLORIDA

**A.2**  
 2419




**3rd LEVEL PLAN**  
 1:40' SCALE

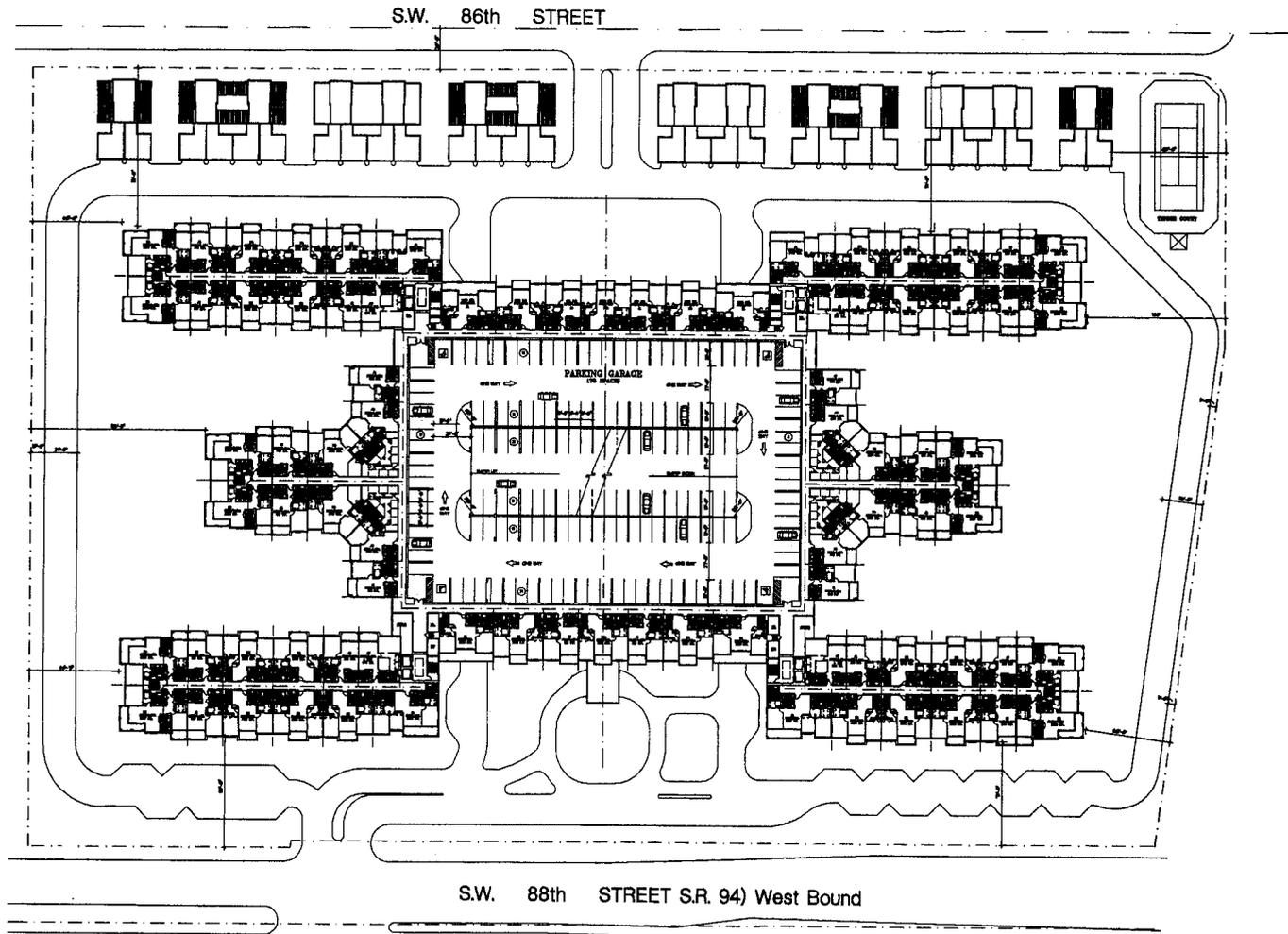
**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
**Architects, PA**  
 8085 N.W. 155th Street Miami Lakes, Florida 33016 305-926-3999

PRELIMINARY DESIGN FOR  
**CENTRAL PARC**  
 DADE COUNTY, FLORIDA

**A.3**  
 2419

71

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S.W. 86th STREET

S.W. 88th STREET (S.R. 94) West Bound

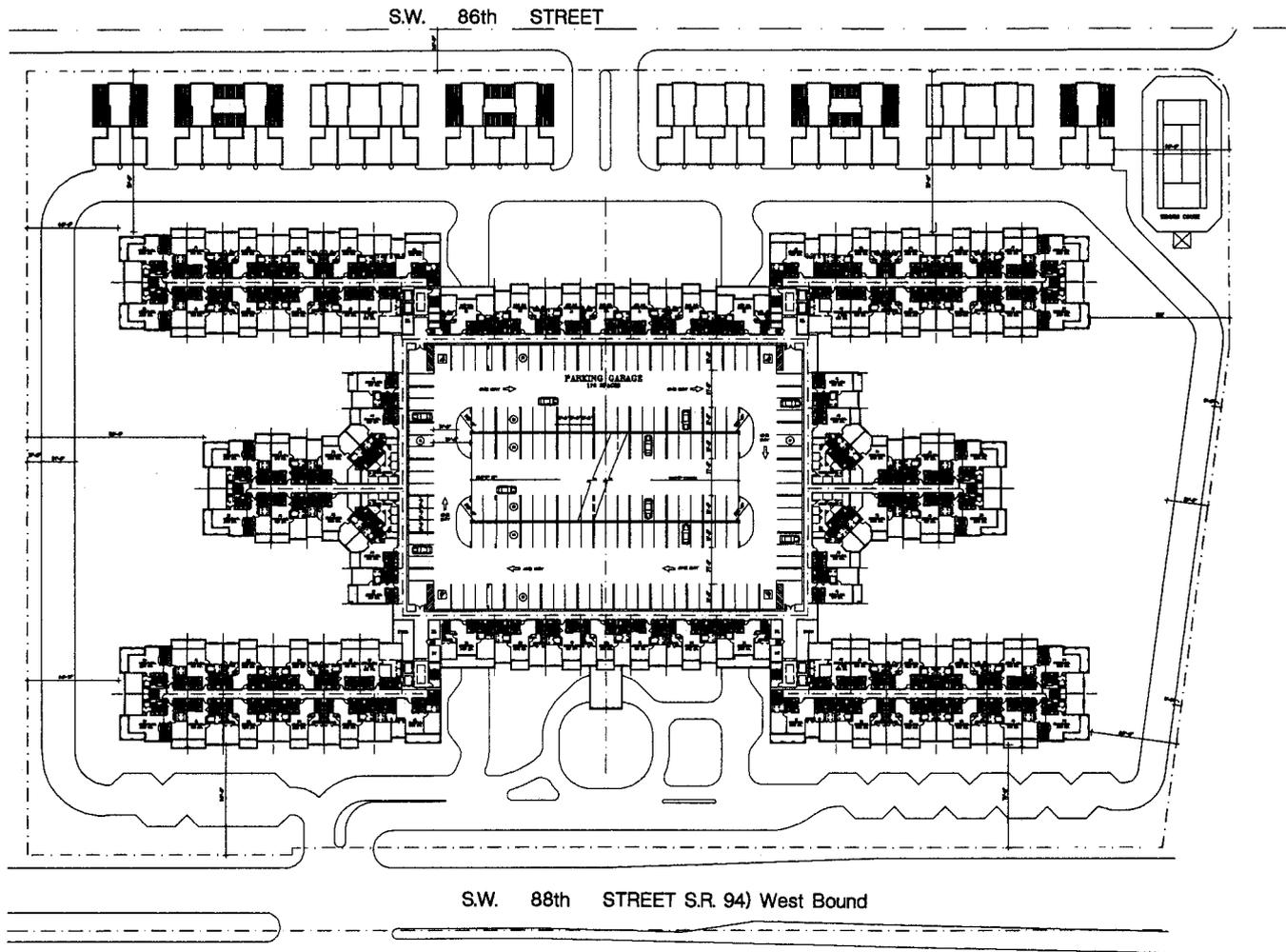

**4th LEVEL PLAN**  
 1:40' SCALE

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

PRELIMINARY DESIGN FOR:  
**CENTRAL PARC**  
 DADE COUNTY, FLORIDA

**A.4**

13



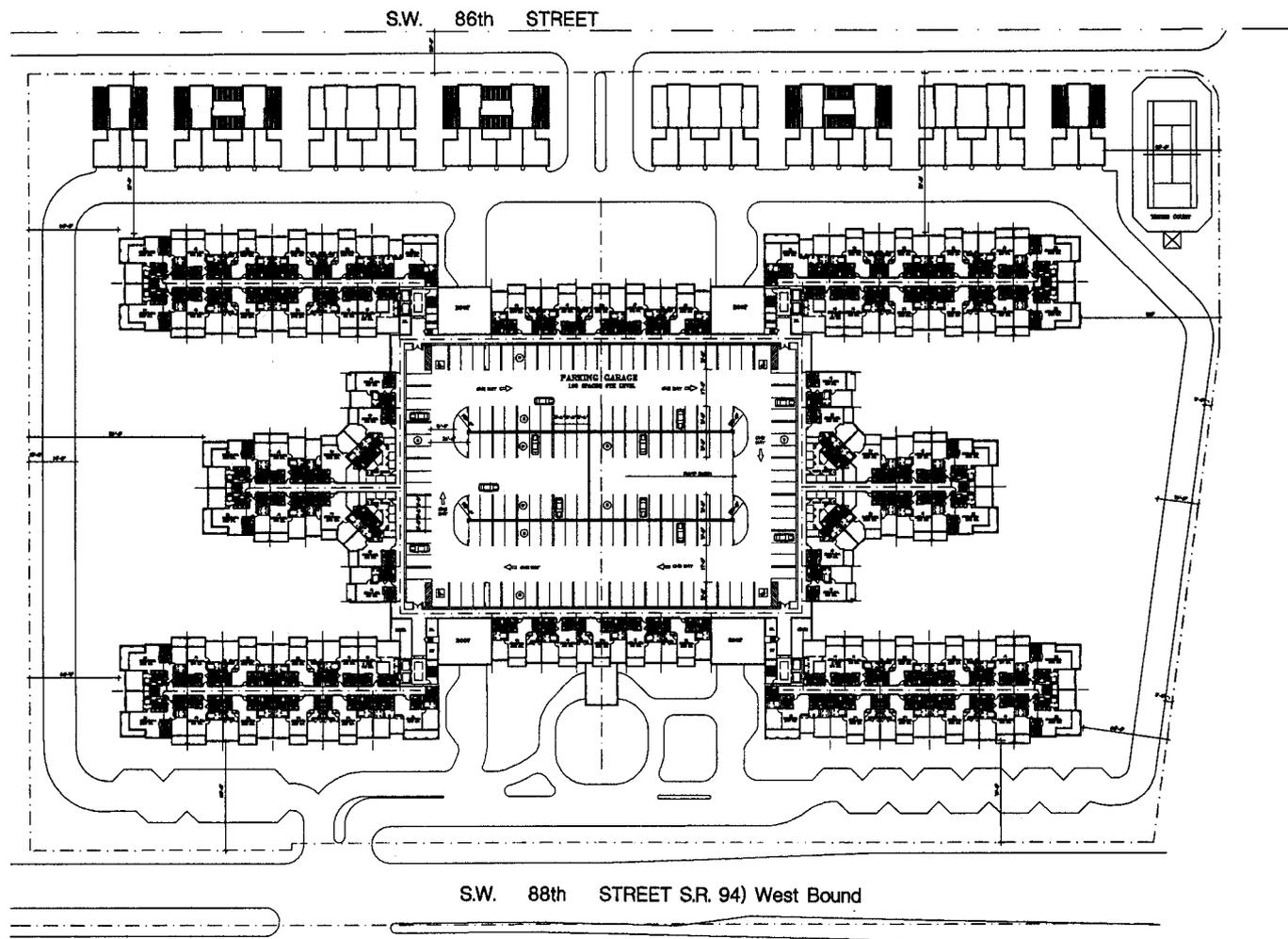
5th LEVEL PLAN  
1:40' SCALE

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

PRELIMINARY DESIGN FOR  
CENTRAL PARC  
DADE COUNTY, FLORIDA

A5  
2419

74



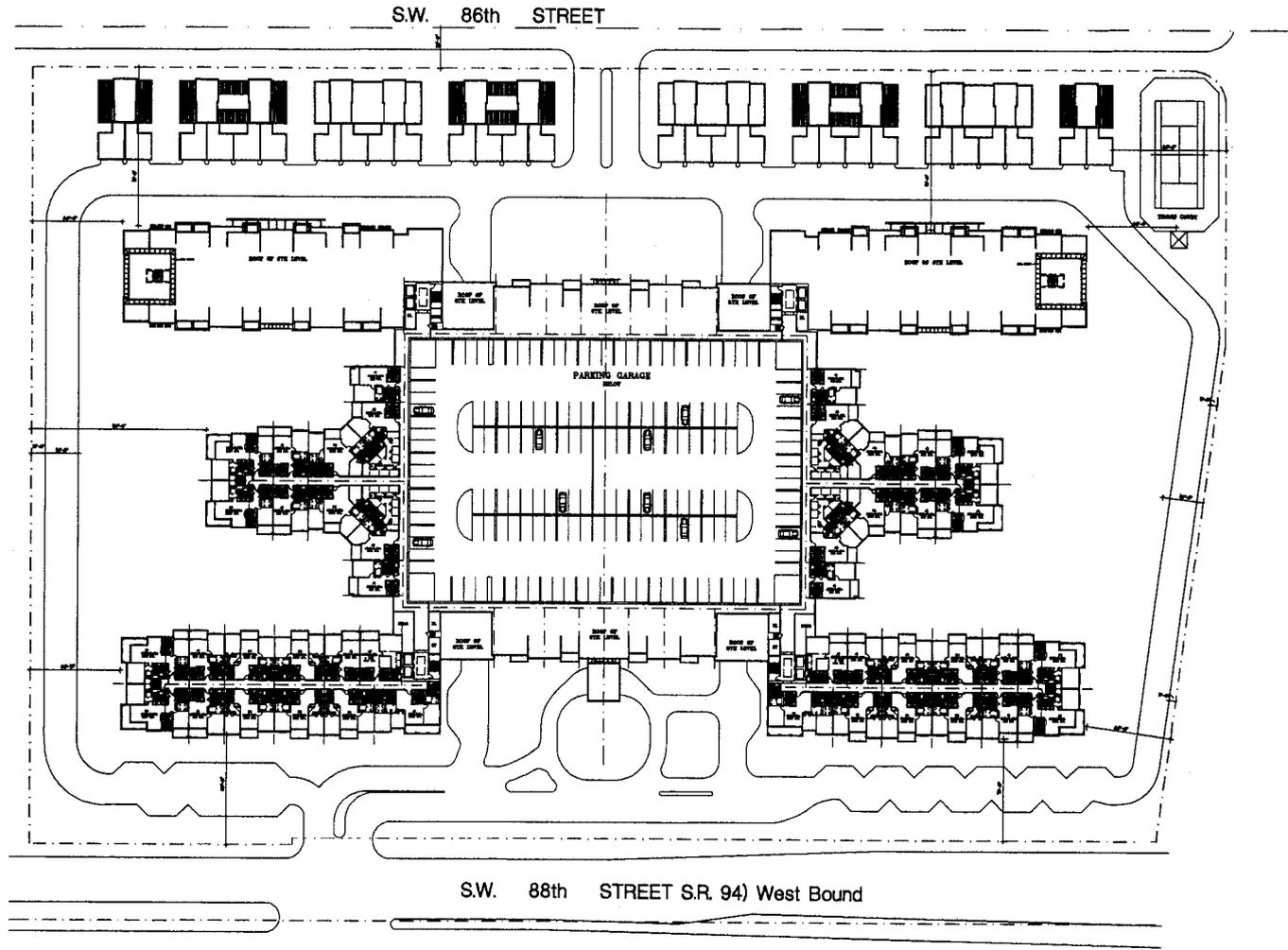
6th LEVEL PLAN  
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COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
9085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

PRELIMINARY DESIGN FOR:  
CENTRAL PARC  
DADE COUNTY, FLORIDA

A.6  
2419

15



7th-8th LEVEL PLAN  
1:40' SCALE

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA

8082 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

PRELIMINARY DESIGN FOR:  
CENTRAL PARK  
DADE COUNTY, FLORIDA

DATE: 11/10/00

SCALE: 1/40'

NO. 1

DATE: 11/10/00

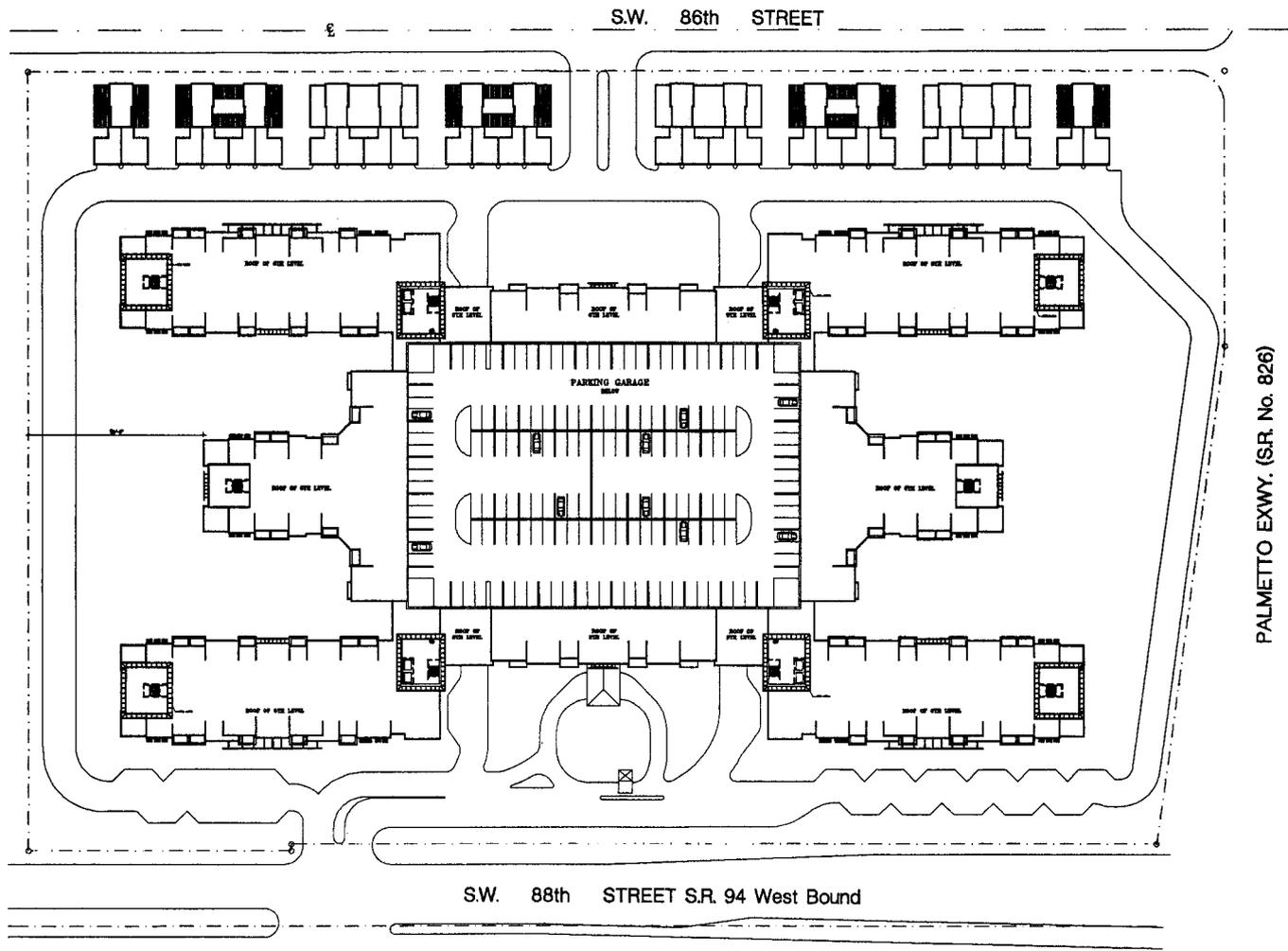
SCALE: 1/40'

NO. A.7

DATE: 11/10/00

NO. 2419

16



S.W. 88th STREET S.R. 94 West Bound

PALMETTO EXWY. (SR. No. 826)

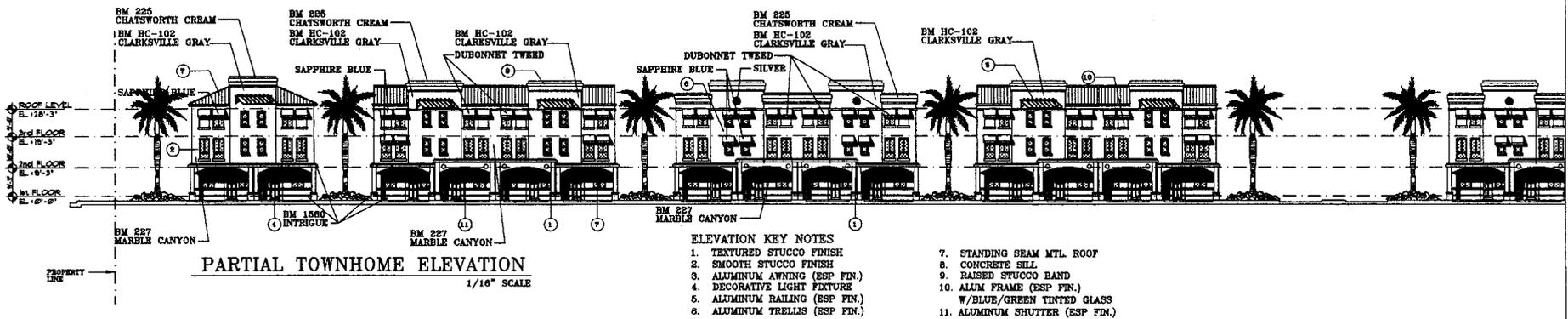

**ROOF PLAN**  
 1:40' SCALE

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
**Architects, PA**  
 8085 N.W. 155th Street Miami Lakes, Florida 33016 305-926-3999

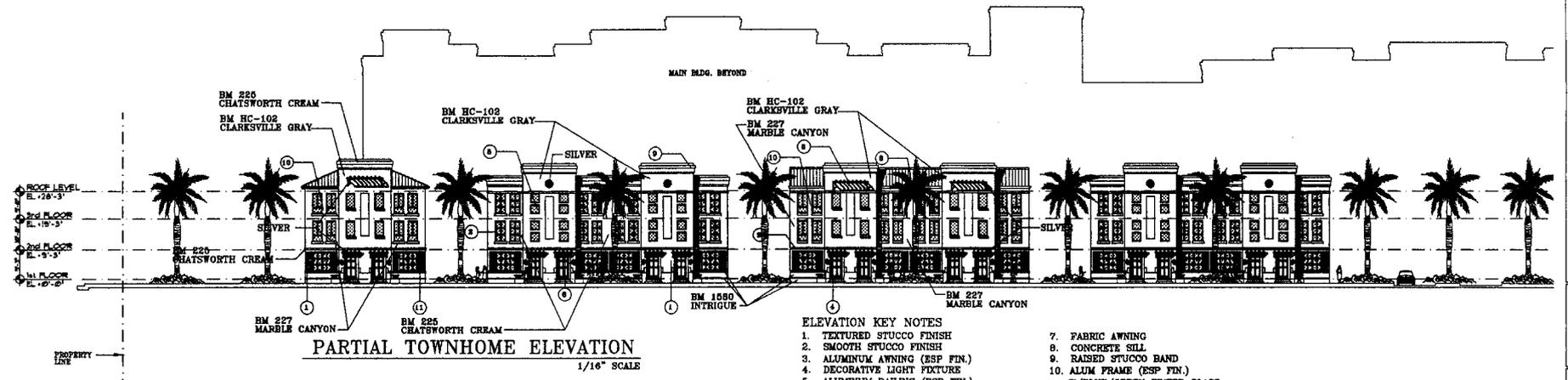
PRELIMINARY DESIGN FOR:  
**CENTRAL PARC**  
 DADE COUNTY, FLORIDA

**A.8**  
 2419





- ELEVATION KEY NOTES**
- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. STANDING SEAM MTL. ROOF      |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/B/LU/E/GREEN TINTED GLASS     |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |



- ELEVATION KEY NOTES**
- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/B/LU/E/GREEN TINTED GLASS     |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |

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

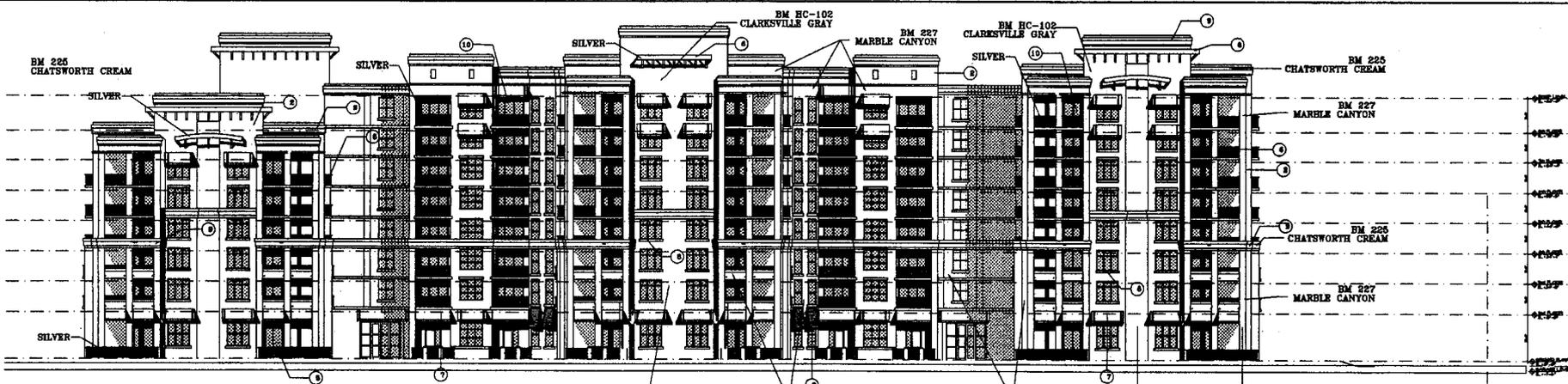
PRELIMINARY DESIGN FOR  
**CENTRAL PARC**  
 DADE COUNTY, FLORIDA

**A.13**

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40

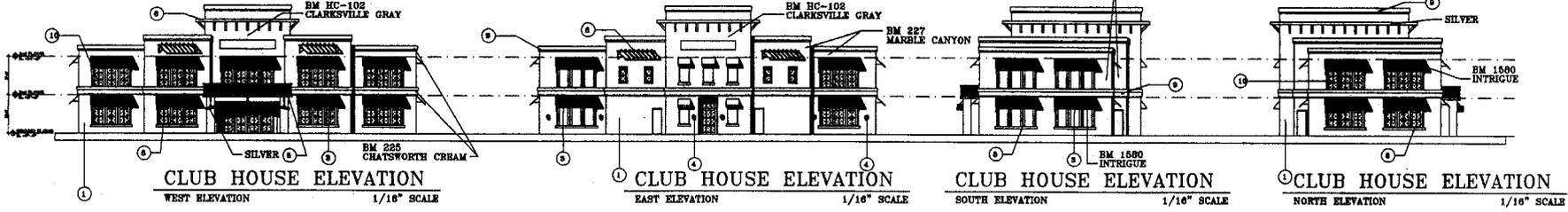


BUILDING ELEVATION (WEST)

1/16" SCALE

ELEVATION KEY NOTES

- 1. TEXTURED STUCCO FINISH
- 2. SMOOTH STUCCO FINISH
- 3. ALUMINUM AWNING (ESP FIN.)
- 4. DECORATIVE LIGHT FIXTURE
- 5. ALUMINUM RAILING (ESP FIN.)
- 6. ALUMINUM TRELLIS (ESP FIN.)
- 7. FABRIC AWNING
- 8. CONCRETE SILL
- 9. RAISED STUCCO BAND
- 10. ALUM FRAME (ESP FIN.)
- 11. ALUMINUM SHUTTER (ESP FIN.)



CLUB HOUSE ELEVATION WEST ELEVATION

1/16" SCALE

CLUB HOUSE ELEVATION EAST ELEVATION

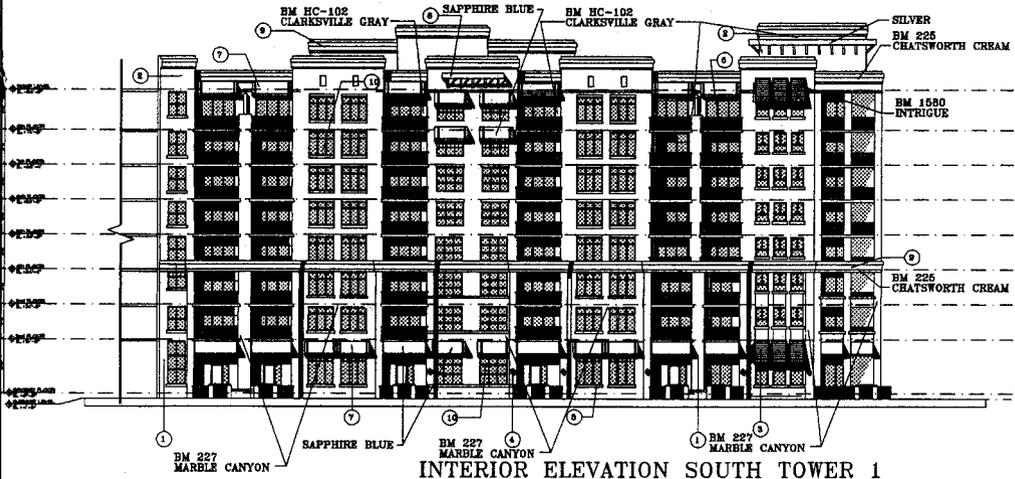
1/16" SCALE

CLUB HOUSE ELEVATION SOUTH ELEVATION

1/16" SCALE

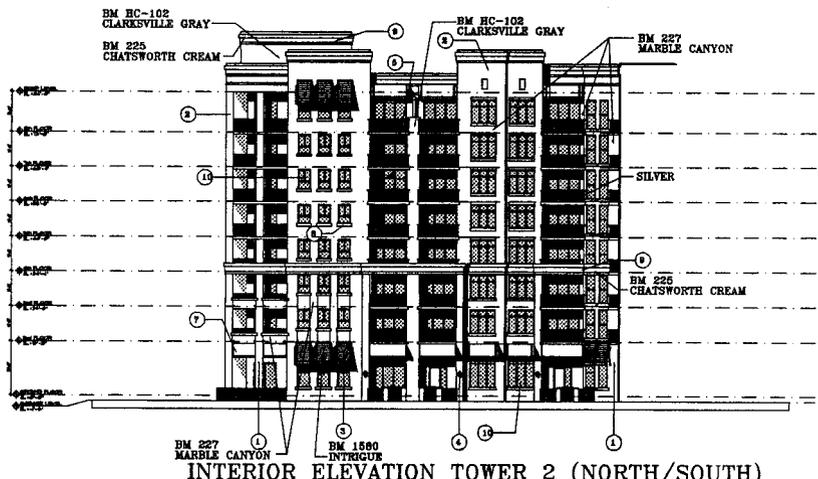
CLUB HOUSE ELEVATION NORTH ELEVATION

1/16" SCALE



INTERIOR ELEVATION SOUTH TOWER 1

1/16" SCALE



INTERIOR ELEVATION TOWER 2 (NORTH/SOUTH)

1/16" SCALE

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 8085 N.W. 155th Street  
 Miami Lakes, Florida 33016 305-926-3999

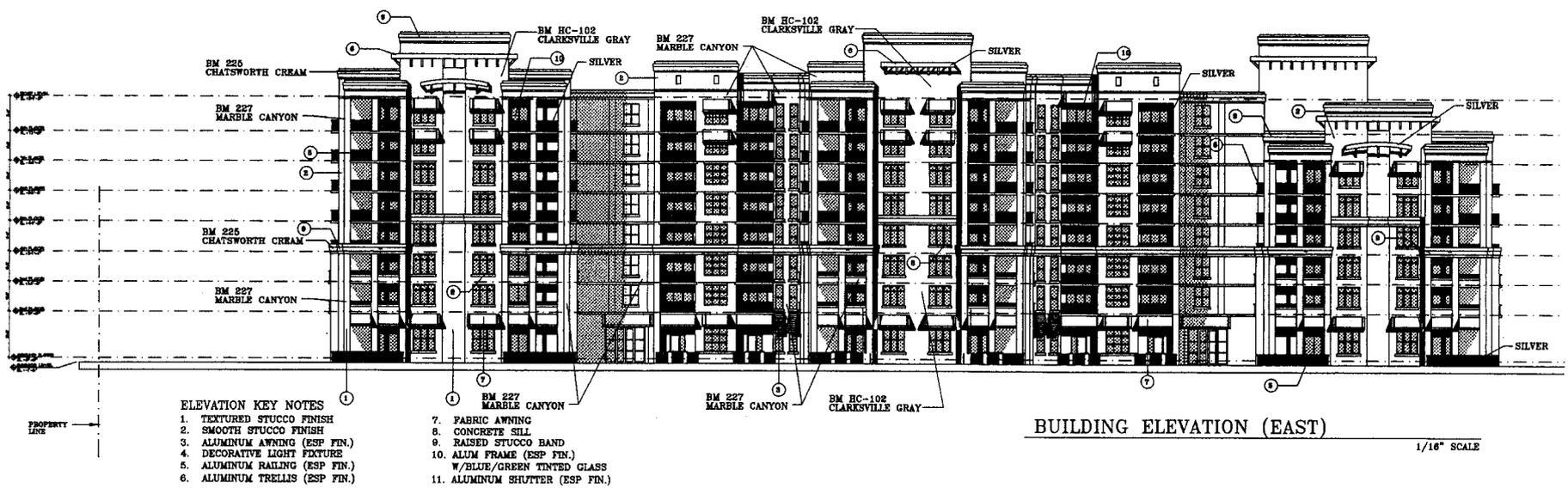
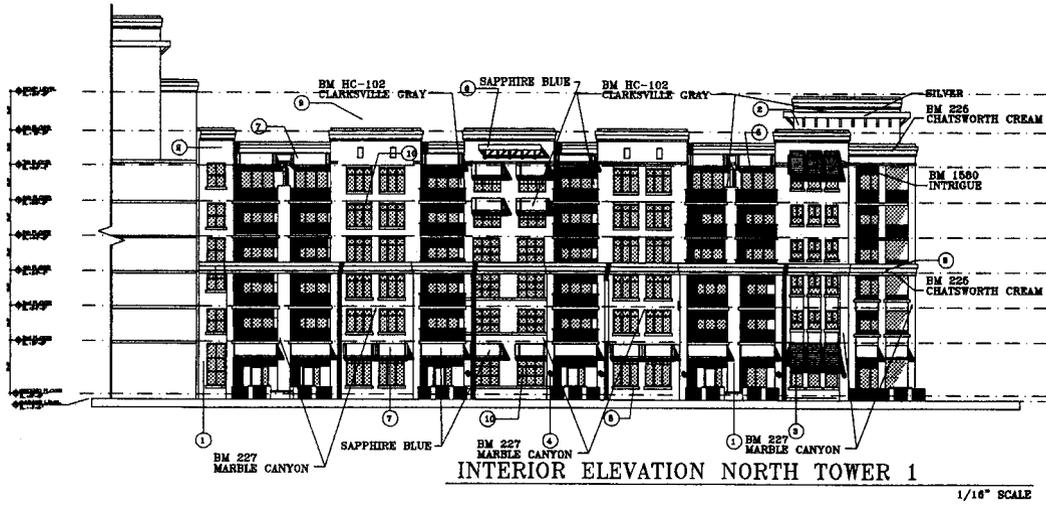
PRELIMINARY DESIGN FOR  
 CENTRAL PARC  
 DADE COUNTY, FLORIDA

A.14

2419

1/16" = 1/8" = 1/4" = 1/2" = 1" = 2" = 4" = 8" = 16" = 32" = 64" = 128" = 256" = 512" = 1024" = 2048" = 4096" = 8192" = 16384" = 32768" = 65536" = 131072" = 262144" = 524288" = 1048576" = 2097152" = 4194304" = 8388608" = 16777216" = 33554432" = 67108864" = 134217728" = 268435456" = 536870912" = 1073741824" = 2147483648" = 4294967296" = 8589934592" = 17179869184" = 34359738368" = 68719476736" = 137438953472" = 274877906944" = 549755813888" = 1099511627776" = 2199023255552" = 4398046511104" = 8796093022208" = 17592186044416" = 35184372088832" = 70368744177664" = 140737488355328" = 281474976710656" = 562949953421312" = 1125899906842624" = 2251799813685248" = 4503599627370496" = 9007199254740992" = 18014398509481984" = 36028797018963968" = 72057594037927936" = 144115188075855872" = 288230376151711744" = 576460752303423488" = 1152921504606846976" = 2305843009213693952" = 4611686018427387904" = 9223372036854775808" = 18446744073709551616" = 36893488147419103232" = 73786976294838206464" = 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18



- ELEVATION KEY NOTES**
1. TEXTURED STUCCO FINISH
  2. SMOOTH STUCCO FINISH
  3. ALUMINUM AWNING (ESP FIN.)
  4. DECORATIVE LIGHT FIXTURE
  5. ALUMINUM RAILING (ESP FIN.)
  6. ALUMINUM TRELLIS (ESP FIN.)
  7. FABRIC AWNING
  8. CONCRETE SILL
  9. RAISED STUCCO BAND
  10. ALUM FRAME (ESP FIN.)  
W/BLUE/GREEN TINTED GLASS
  11. ALUMINUM SHUTTER (ESP FIN.)

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

PRELIMINARY DESIGN FOR:  
**CENTRAL PARC**  
 DADE COUNTY, FLORIDA

**A.14b**

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# Option 3 - 521 units

33

## A RESIDENTIAL DEVELOPMENT FOR **CENTRAL PARC** DADE COUNTY, FLORIDA

RECEIVED  
PLANS REVIEWED BY THE DEPT. OF  
REVIEWED BY: Fred L. Woodard  
JUN 20 05  
ZONING DEPARTMENT  
IF PLANS ACCEPTABLE  
IF NOT ACCEPTABLE

**ARCHITECTURE:**  
**COHEN, FREEDMAN, ENCINOSA & ASSOC.**  
ARCHITECTS, P.A.  
6065 N.W. 155TH STREET  
MIAMI, FLORIDA 33016  
TEL. (305) 826-3999 FAX (305) 825-4155  
EMAIL: CFCARCH@BELLSOUTH.NET

**LANDSCAPE ARCHITECTURE:**  
**FUSTER DESIGN ASSOC.**  
7500 S.W. 86TH COURT  
MIAMI, FLORIDA 33143  
TEL. (305) 379-2262 FAX (305) 379-2604

**ZONING:**  
RU-4  
**NET LOT AREA:**  
483,951.8 S.F. (11.11 ACRES)

**NUMBER OF UNITS:**  
EXISTING: 300 UNITS  
NUMBER PROVIDED: 521 UNITS

**SETBACKS:**

FRONT	75'-0"
INTERIOR SIDE	60'-0"
REAR	71'-0"

**PARKING SPACES:**

**REQUIRED:**

1 BEDROOM 1.5 X 173 =	280 SPACES
2 BEDROOM 1.75 X 295 =	517 SPACES
3 BEDROOM 2.00 X 53 =	106 SPACES
<b>TOTAL</b>	<b>863 SPACES</b>

**PROVIDED:**

SURFACE PARKING	15 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE CARPORTS	56 SPACES
<b>TOTAL</b>	<b>1066 SPACES*</b>

\* includes 22 handicapped parking spaces



TOTAL GROSS ACREAGE:	483,008 S.F. OR 11.11 ACRES	100%
COVERAGE BLDG. & GROUND LEVEL:	193,040 S.F. OR 4.34 ACRES	39.8%
PRIVATE ROADS & PARKING AREAS:	56,648 SF OR 1.3 ACRES	12%
COMMON OPEN SPACE:	182,055 SF OR 4.18 ACRES	38%
PRIVATE OPEN SPACE:	14,890 SF OR .34 ACRES	3%
WATER BODIES:	0 SF	
PUBLIC FACILITIES:	21,582 SF OR .50 ACRES	4%
PUBLIC ROADS:	19,660 S.F. OR .451 ACRES	4%
<b>TOTAL:</b>	<b>483,808 SF 11.11 ACRES</b>	

### INDEX OF SHEETS

- A-0 TITLE SHEET/PROJECT DATA
- A-1 GROUND FLOOR PLAN 1:40 SCALE
- A-2 2nd LEVEL FLOOR PLAN 1:40 SCALE
- A-3 3rd LEVEL FLOOR PLAN 1:40 SCALE
- A-4 4th LEVEL FLOOR PLAN 1:40 SCALE
- A-5 5th LEVEL FLOOR PLAN 1:40 SCALE
- A-6 6th LEVEL FLOOR PLAN 1:40 SCALE
- A-7 7th-9th LEVEL FLOOR PLAN 1:40 SCALE
- A-8 ROOF PLAN
- A-9 TYPICAL FLOOR PLAN 1/16" SCALE
- A-10 LOBBY PLAN 1/16" SCALE
- A-11 CLUBHOUSE PLAN 1/16" SCALE
- A-12 BUILDING ELEVATIONS 1:20" SCALE
- A-13 BUILDING ELEVATIONS 1:20" SCALE
- A-14 BUILDING ELEVATIONS 1:20" SCALE
- A-14a BUILDING ELEVATIONS 1:20" SCALE
- A-15 BUILDING SECTIONS 1:20" SCALE
- A-16 BUILDING RENDERING
- A-17 SITE PHOTOGRAPHS
- A-18 CONTEXT PLAN AND SECTIONS

### UNIT BREAKDOWN

UNIT MIX - PROJECT TOTAL

1 BED	2 BED	3 BED	3B TOWNH	TOTAL
177	294	19	34	524
33%	56%	4.0%	4.8%	

RECEIVED  
JUN 23 2005

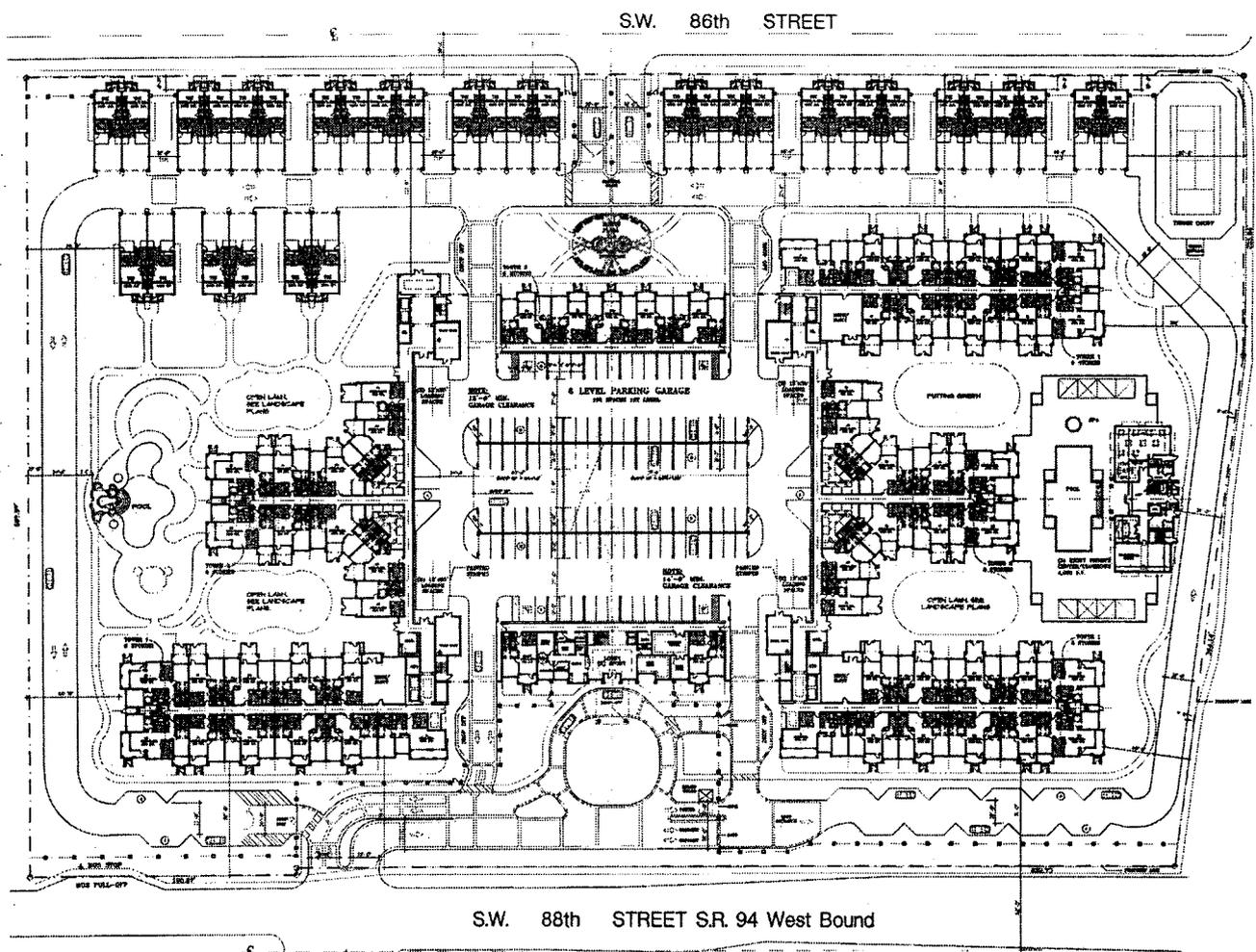
UNIT TYPE	UNIT S.F.	1st	2nd-5th	6th	7th	8th	TOTAL UNITS
A1	720	17	1700-00	17	19	19	100
A2	975	3	80-10	3	3	3	19
A3	1000	4	60-10	4	4	4	30
B	1200	-	40-10	-	-	-	16
B1	1200	19	200-100	20	15	15	178
B2	1300	15	100-00	17	6	6	50
B3	1200	3	20-10	3	4	4	30
C1	1400	-	200-10	3	3	2	18
TOTAL	1000	59	-	-	-	-	51
<b>TOTAL</b>		<b>61</b>	<b>393</b>	<b>60</b>	<b>41</b>	<b>44</b>	<b>521</b>

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
**Architects, PA**  
 8083 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

PRELIMINARY DESIGN FOR:  
**CENTRAL PARC**  
 DADE COUNTY, FLORIDA

**A0**  
2419

84



NOTES:

1. PAULBERRY FURNISHINGS AND TRAFFIC SIGNALS TO BE INCLUDED AS PART OF A TRAFFIC STUDY. STUDY TO BE SUBMITTED TO PUBLIC WORKS DEPT. FOR APPROVAL.
2. EXISTING UTILITIES ON S.W. 88th STREET & S.W. 86th STREET WILL BE UNDER SEPARATE APPLICATION.

SEWER REVISION REQUIRED



1ST LEVEL PLAN  
1/40" SCALE

PALMETTO EXWY. (SR. No. 826)

S.W. 86th STREET

S.W. 88th STREET S.R. 94 West Bound

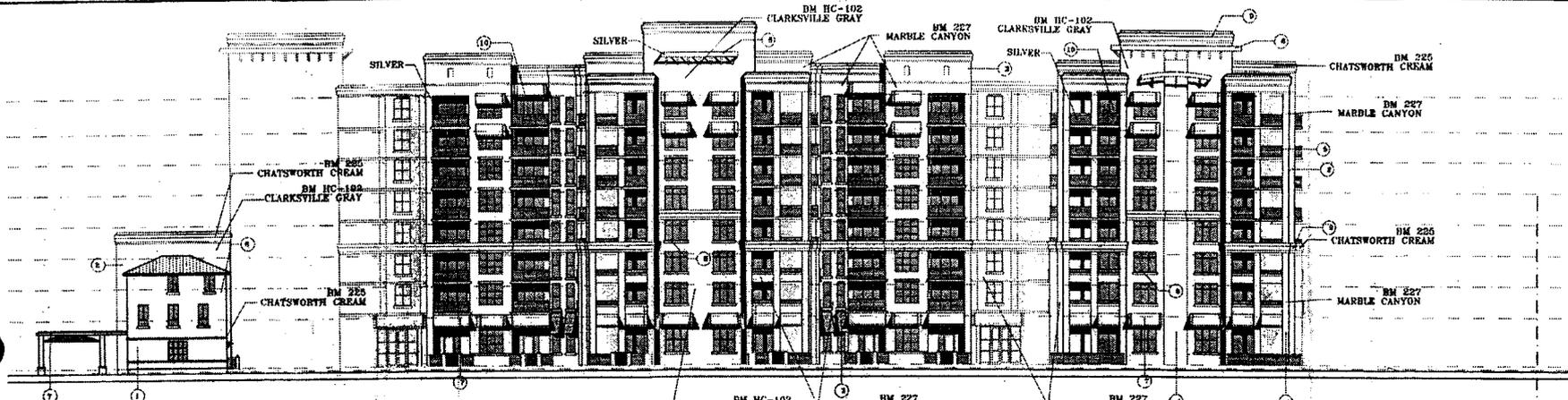
PRELIMINARY DESIGN FOR:  
**CENTRAL PARC**  
DADE COUNTY, FLORIDA

**A.1**

249

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

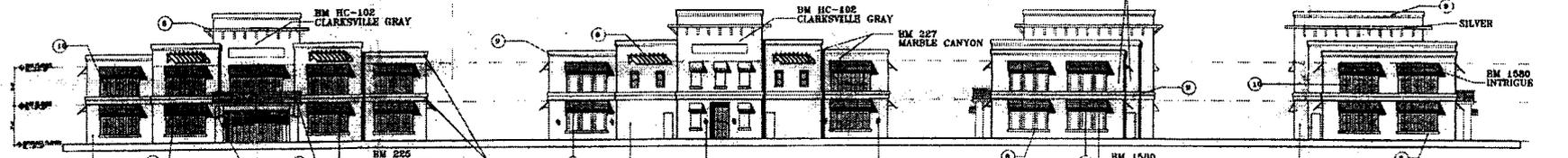
42



- ELEVATION KEY NOTES**
1. TEXTURED STUCCO FINISH
  2. SMOOTH STUCCO FINISH
  3. ALUMINUM AWNING (ESP FIN.)
  4. DECORATIVE LIGHT FIXTURE
  5. ALUMINUM RAILING (ESP FIN.)
  6. ALUMINUM TRELLIS (ESP FIN.)
  7. FABRIC AWNING
  8. CONCRETE SILL
  9. RAISED STUCCO BAND
  10. ALUM. FRAME (ESP FIN.)
  11. ALUMINUM SHUTTER (ESP FIN.)

**BUILDING ELEVATION (WEST)**

1/16" SCALE

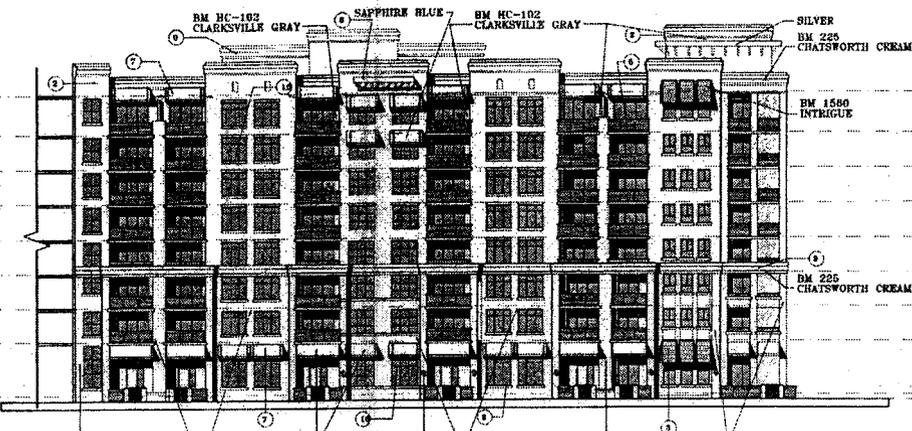


**CLUB HOUSE ELEVATION**  
WEST ELEVATION  
1/16" SCALE

**CLUB HOUSE ELEVATION**  
EAST ELEVATION  
1/16" SCALE

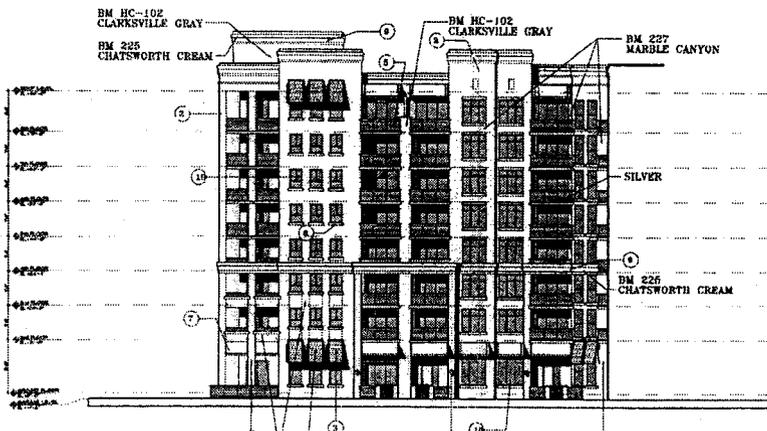
**CLUB HOUSE ELEVATION**  
SOUTH ELEVATION  
1/16" SCALE

**CLUB HOUSE ELEVATION**  
NORTH ELEVATION  
1/16" SCALE



**INTERIOR ELEVATION SOUTH TOWER 1**

1/16" SCALE



**INTERIOR ELEVATION TOWER 2 (NORTH/SOUTH)**

1/16" SCALE

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
Architects, PA

8085 N.W. 155th Street  
Miami Lakes, Florida 33016 305-826-3999

PRELIMINARY DESIGN FOR  
**CENTRAL PARK**  
DADE COUNTY, FLORIDA

DATE: 02/08/08  
BY: [Signature]

1/16" SCALE

**A.14**

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

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

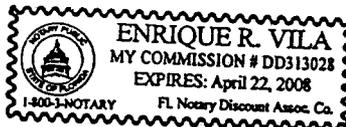
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Dadeland Breezes Apartments, LLC

Signature: By: \_\_\_\_\_  
(Applicant)

Sworn to and subscribed before me this 18 day of August, 2004. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

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



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

\*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.

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- EXHIBIT " B -

**Dadeland Breezes Apartments, LLC**

**Dadeland Breezes Partners, LLC**

**BCP- Prestige Dadeland, LLC**

**Boschetti Capital Partners, LLC**

Jose Boschetti (60%)  
Luis Boschetti (40%)

**Prestige Bulder's Capital Investments, LLC**

Martin Caparros (70%)  
Alex Vega (10%)  
Julio Robaina (10%)  
Otto Rodriguez (10%)

**FGH Holdings, LLC**

Guillermo Hanfing (20%)  
Fuad Farach (20%)  
Harvey Hernandez (60%)

**RECEIVED**  
204-329  
AUG 18 2004

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY \_\_\_\_\_



This instrument was prepared under  
the supervision of:

Name: Stephen M. James, Esq.  
Address: Holland & Knight LLP  
701 Brickell Avenue  
Suite 3000  
Miami, Florida 33131

640 UNITS

(Space Reserved for Clerk of the Court)

**PLANNED AREA DEVELOPMENT AGREEMENT**

WHEREAS, the undersigned (“the Owner”) holds fee simple title to that certain 11.11± acre parcel of land located at 7701 North Kendall Drive, in unincorporated Miami-Dade County, and which is legally described in the Exhibit “A,” attached hereto (the “Property”); and

WHEREAS, the Owner filed Application No. 04-366 (the “Application”) with Miami-Dade County, for the approval of a Planned Area Development District (“PAD”), pursuant to Article XXXIIID of the Miami-Dade County Code (the “Code”); and

WHEREAS, Section 33-284.26 of the Code requires the Owner to submit to the Department of Planning and Zoning a recordable agreement guaranteeing the development of the Property in accordance with promises made in the written and graphic documents as approved by the Community Zoning Appeals Board.

NOW, THEREFORE, in order to assure Miami-Dade County that the representations made by the Owner during consideration of the Application will be abided by freely, voluntarily, and without duress, the Owner makes the following Declaration of Restrictions covering and running with the Property:

1. **Site Plan.** The Property shall be developed substantially in accordance with the plans entitled "H + H Development," as prepared by Cohen Freedman Encinosa & Assoc., Architects, P.A., dated stamped received December 30, 2004 (collectively, the "Plans"), as may be modified at the public hearing on the Application.

2. **Development Schedule.** Pursuant to Section 33-284.26 (B) of the Code of Miami-Dade County, attached as Exhibit B to this Agreement is a Development Schedule indicating the approximate date(s) when construction of the planned area development and stages thereof can be expected to be initiated.

3. **Additional Quantitative Data.**

- A. **Total number of bedrooms.** The total number of bedrooms on the Property shall not exceed 1124.
- B. **Total Building Coverage.** The total area of building coverage for the Property shall not exceed 189,133 square feet or 39% of the Property.
- C. **Open Space.** The total area of common open space for the Property shall be in accordance with Section 33-284.27 (I) of the Code of Miami-Dade County, as may be amended from time to time. The private open space for each unit, if required, shall be in accordance with Section 33-284.27 (K) of the Code of Miami-Dade County, as may be amended from time to time.
- D. **Residential Density.** The maximum number of dwelling units on the Property shall be 640.
- E. **Common Open Space.** The total common open space on the Property shall be 4.18 acres.
- F. **Non-Residential Construction.** The amount of non-residential construction shall be no less than 21,522 square feet.
- G. **Public and Private Roads.** In addition to the common open space, the private roadways within the proposed PAD shall comprise 1.3 acres, including surface parking areas. There will be no public roadways within the PAD.

H. **Population Projection.** As reflected in the Plans, the estimated population projection resulting from the development of the Property is 2,240 people, based on an average of 3.5 persons per dwelling unit.

4. **Installation of Lighting Along Pedestrian Path.** The Owner agrees to install and, thereafter, maintain lighting within the Property, to be located as close as possible to that certain pedestrian path located within the Property and the Palmetto Expressway right-of-way (the "Path"), as said Path is depicted in the Plans, from the northern boundary of the Property to the southern boundary of the Property, in such manner as may allow the Path to be illuminated from dusk to dawn; provided same lighting is approved by all applicable governmental entities prior to its installation.

5. **Accessory Uses.** The Owner agrees that the accessory uses on the Property shall be limited to the following (and to such other similar uses and structures as may be approved by the Director):

- A. North and South Plazas with Fountain Feature;
- B. Pools, Spas and Cabanas;
- C. Tennis Court and Pavilion;
- D. Fitness Center with Club Room (including racquetball and/or squash court) / Sauna / Toilets;
- E. Storage Rooms;
- F. Parking Garages;
- G. Guard House, Gates and Entrance Feature;
- H. Convenient Retail Service Facilities, as may be permitted by Section 33-284-27(F) of the Code of Miami-Dade County, which shall be located within the interior of the buildings;
- I. Property Maintenance / Real Estate Office.

6. **Funding for Charette.** Within thirty (30) days following the approval by the Board of County Commissioners of a charette or planning study of the area bounded by the Palmetto Expressway on the east, SW 97<sup>th</sup> Avenue on the west, SW 112<sup>th</sup> Street on the south and SW 72<sup>nd</sup> Street on the north, or such other boundaries as may be approved by the County but which include the Property (the "Kendall Charette"), the Owner shall contribute up to the sum of \$60,000.00 to Miami-Dade County, in care of the Department of Planning and Zoning, to help finance the cost of the proposed Kendall Charette.

7. **Landscaping Improvements.** Subject to the provisions of this Paragraph, prior to the final zoning inspection for the construction of the proposed improvements on the Property, the Owner shall, at its sole cost and expense, cause the following landscaping to be installed:

(a) trees (live oak, yellow tababulla or such other species as may be approved by the Florida Department of Transportation ("DOT")) to be planted within the Kendall Drive median along the Property's frontage on Kendall Drive at a distance of twenty-five feet (25') on center (or at such distance as may be approved by DOT) and at a height of 14 -16 feet; and

(b) trees (live oak, mahogany, yellow tababulla or such other species as may be approved by the Public Works Department) to be planted within the southern swale of SW 86<sup>th</sup> Street at a distance of twenty-five feet (25') on center (or at such distance as may be approved by the Public Works Department) and at a height of 14 – 16 feet.

The Owner's obligation to install or to cause the installation of the foregoing landscaping shall be subject to the prior receipt of all required governmental approvals.

8. **Landscape Plan.** The Owner shall submit to the Department for its review and approval a landscaping plan which will include the type and size of plant material, prior to the issuance of a building permit for any improvements within the Property, which landscaping shall be installed prior to the issuance of a certificate of use for any improvements within the Property.

9. **Pedestrian and Vehicular Access.** The Owner shall submit to and obtain approval of the Director of Public Works of a recordable agreement providing for permanent and safe access for pedestrian and vehicular traffic within the Property and particularly for right of access for fire, police, health and sanitation and other public services personnel and vehicles. The agreement, which shall be a covenant running with the land, shall also include a stipulation that the streets, or access ways, shall be installed and maintained by the Owner and/or its successors, including, but not limited to, sidewalks, drainage facilities, water and sewer facilities, and fire hydrants, meeting with the approval of the Director of the Planning and Zoning Department and the Director of the Public Works Department. Such agreement shall be executed by the property owner and any and all parties having an interest in the land, such as mortgagees, and its improvements.

10. **Ownership and Maintenance of Common Areas.** In the event of multiple ownership of the Property, a homeowner's association, Special Taxing District, if approved, or Community Development District, if approved, shall be established in accordance with applicable regulations to assure that all common areas and facilities for the use of all residents

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shall be maintained in a continuous and satisfactory manner, and without expense to the general taxpayers of Miami-Dade County. The homeowner's association and/or the approved district shall also own and maintain all of the green space, recreational facilities and walkways outside of the public right-of-way. The instrument incorporating such provisions shall be approved by the County Attorney as to form and legal sufficiency and shall be recorded in the public records of Miami-Dade County at the time of recording of the subdivision plat.

11. **Other Requirements.** The Owner shall comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the various County Departments, as stated in their recommendations and comments on the Application.

12. **Miscellaneous.**

A. **County Inspection.** As further part of this Agreement, 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.

B. **Covenant Running with the Land.** This Agreement on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at the 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 Property and for the public welfare.

C. **Term.** This Agreement 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 that this Agreement 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 Agreement has first been modified or released by Miami-Dade County.

D. **Modification, Amendment, Release.** This Agreement may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of that portion of the Property that is covered under such modification, amendment or release, 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, after public hearing.

Should this Agreement be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

E. **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.

F. **Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Agreement 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 Agreement is complied with.

G. **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.

H. **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 Agreement.

I. **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.

J. **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.

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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.

**[Signature Pages Follow]**

IN WITNESS WHEREOF, we have hereunto set our hands and seal this \_\_\_\_ day of \_\_\_\_\_, 2005.

**DADELAND BREEZES APARTMENTS, LLC,**  
**a Florida limited liability company**

WITNESSES:

By: \_\_\_\_\_

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Signature

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

STATE OF FLORIDA            )  
  )  
COUNTY OF MIAMI-DADE    )        SS.

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2005 by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification, and acknowledged that he/she did execute this instrument freely and voluntarily for the purposes stated herein.

My Commission Expires:

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

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

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**JOINDER BY MORTGAGEE  
CORPORATION**

The undersigned, Ocean Bank under that certain Mortgage from Dadeland Breezes Apartments, LLC, recorded in Official Records Book 21707, Pages 1403, in the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Agreement, does hereby consent to the execution of this Agreement by Dadeland Breezes Apartments, LLC, and agree that in the event Mortgagee or any other party shall obtain title to the property through foreclosure or deed-in-lieu of foreclosure, this Agreement shall be binding upon the entity obtaining title as the then owner of such property.

*IN WITNESS WHEREOF*, these presents have been executed this \_\_\_\_ day of \_\_\_\_\_, 2005.

**WITNESSES:**

Ocean Bank

\_\_\_\_\_  
\_\_\_\_\_  
Print or Type Name

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Print name: \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Print or Type Name

(Corporate Seal)

STATE OF FLORIDA     )  
  ) SS  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2005 by \_\_\_\_\_, of Ocean Bank, on behalf of the corporation. He/She is personally known to me or has produced \_\_\_\_\_, as identification and did/did not take an oath.

\_\_\_\_\_  
Notary Public -State of \_\_\_\_\_  
Print Name \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

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**EXHIBIT "A"**

***LEGAL DESCRIPTION***

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**EXHIBIT "B"**

*Approximate Development Schedule for Property*

Start  
Development      No earlier than February 2006

	<u>Units</u>
<u>Townhouses:</u>	28
<u>Condominiums:</u>	612

\* Construction will be completed approximately within 24 -36 months from the start of construction.

# 3042807\_v1

102

This instrument was prepared under  
the supervision of:

Name: Stephen M. James, Esq.  
Address: Holland & Knight LLP  
701 Brickell Avenue  
Suite 3000  
Miami, Florida 33131

592 UNITS

(Space Reserved for Clerk of the Court)

**PLANNED AREA DEVELOPMENT AGREEMENT**

WHEREAS, the undersigned (“the Owner”) holds fee simple title to that certain 11.11± acre parcel of land located at 7701 North Kendall Drive, in unincorporated Miami-Dade County, and which is legally described in the Exhibit “A,” attached hereto (the “Property”); and

WHEREAS, the Owner filed Application No. 04-366 (the “Application”) with Miami-Dade County, for the approval of a Planned Area Development District (“PAD”), pursuant to Article XXXIIID of the Miami-Dade County Code (the “Code”); and

WHEREAS, Section 33-284.26 of the Code requires the Owner to submit to the Department of Planning and Zoning a recordable agreement guaranteeing the development of the Property in accordance with promises made in the written and graphic documents as approved by the Community Zoning Appeals Board.

NOW, THEREFORE, in order to assure Miami-Dade County that the representations made by the Owner during consideration of the Application will be abided by freely, voluntarily, and without duress, the Owner makes the following Declaration of Restrictions covering and running with the Property:

1. **Site Plan.** The Property shall be developed substantially in accordance with the plans entitled "Central Parc," as prepared by Cohen Freedman Encinosa & Assoc., Architects, P.A., dated stamped received April 8, 2005 (collectively, the "Plans"), as may be modified at the public hearing on the Application.

2. **Development Schedule.** Pursuant to Section 33-284.26 (B) of the Code of Miami-Dade County, attached as Exhibit B to this Agreement is a Development Schedule indicating the approximate date(s) when construction of the planned area development and stages thereof can be expected to be initiated.

3. **Additional Quantitative Data.**

- A. **Total number of bedrooms.** The total number of bedrooms on the Property shall not exceed 1,040.
- B. **Total Building Coverage.** The total area of building coverage for the Property shall not exceed 193,040 square feet or 39.9% of the Property.
- C. **Open Space.** The total area of common open space for the Property shall be in accordance with Section 33-284.27 (I) of the Code of Miami-Dade County, as may be amended from time to time. The private open space for each unit, if required, shall be in accordance with Section 33-284.27 (K) of the Code of Miami-Dade County, as may be amended from time to time.
- D. **Residential Density.** The maximum number of dwelling units on the Property shall be 592.
- E. **Common Open Space.** The total common open space on the Property shall be 4.18 acres.
- F. **Non-Residential Construction.** The amount of non-residential construction shall be no less than 21,522 square feet.
- G. **Public and Private Roads.** In addition to the common open space, the private roadways within the proposed PAD shall comprise 1.3 acres, including surface parking areas. There will be no public roadways within the PAD.

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H. **Population Projection.** As reflected in the Plans, the estimated population projection resulting from the development of the Property is 2,072 people, based on an average of 3.5 persons per dwelling unit.

4. **Installation of Lighting Along Pedestrian Path.** The Owner agrees to install and, thereafter, maintain lighting within the Property, to be located as close as possible to that certain pedestrian path located within the Property and the Palmetto Expressway right-of-way (the "Path"), as said Path is depicted in the Plans, from the northern boundary of the Property to the southern boundary of the Property, in such manner as may allow the Path to be illuminated from dusk to dawn; provided same lighting is approved by all applicable governmental entities prior to its installation.

5. **Accessory Uses.** The Owner agrees that the accessory uses on the Property shall be limited to the following (and to such other similar uses and structures as may be approved by the Director):

- A. North and South Plazas with Fountain Feature;
- B. Pools, Spas and Cabanas;
- C. Tennis Court and Pavilion;
- D. Fitness Center with Club Room (including racquetball and/or squash court) / Sauna / Toilets;
- E. Storage Rooms;
- F. Parking Garages;
- G. Guard House, Gates and Entrance Feature;
- H. Convenient Retail Service Facilities, as may be permitted by Section 33-284-27(F) of the Code of Miami-Dade County, which shall be located within the interior of the buildings;
- I. Property Maintenance / Real Estate Office.

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6. **Funding for Charette.** Within thirty (30) days following the approval by the Board of County Commissioners of a charette or planning study of the area bounded by the Palmetto Expressway on the east, SW 97<sup>th</sup> Avenue on the west, SW 112<sup>th</sup> Street on the south and SW 72<sup>nd</sup> Street on the north, or such other boundaries as may be approved by the County but which include the Property (the "Kendall Charette"), the Owner shall contribute up to the sum of \$60,000.00 to Miami-Dade County, in care of the Department of Planning and Zoning, to help finance the cost of the proposed Kendall Charette.

7. **Landscaping Improvements.** Subject to the provisions of this Paragraph, prior to the final zoning inspection for the construction of the proposed improvements on the Property, the Owner shall, at its sole cost and expense, cause the following landscaping to be installed:

(a) trees (live oak, yellow tababulla or such other species as may be approved by the Florida Department of Transportation ("DOT")) to be planted within the Kendall Drive median along the Property's frontage on Kendall Drive at a distance of twenty-five feet (25') on center (or at such distance as may be approved by DOT) and at a height of 14 -16 feet; and

(b) trees (live oak, mahogany, yellow tababulla or such other species as may be approved by the Public Works Department) to be planted within the southern swale of SW 86<sup>th</sup> Street at a distance of twenty-five feet (25') on center (or at such distance as may be approved by the Public Works Department) and at a height of 14 – 16 feet.

The Owner's obligation to install or to cause the installation of the foregoing landscaping shall be subject to the prior receipt of all required governmental approvals.

8. **Landscape Plan.** The Owner shall submit to the Department for its review and approval a landscaping plan which will include the type and size of plant material, prior to the issuance of a building permit for any improvements within the Property, which landscaping shall be installed prior to the issuance of a certificate of use for any improvements within the Property.

9. **Pedestrian and Vehicular Access.** The Owner shall submit to and obtain approval of the Director of Public Works of a recordable agreement providing for permanent and safe access for pedestrian and vehicular traffic within the Property and particularly for right of access for fire, police, health and sanitation and other public services personnel and vehicles. The agreement, which shall be a covenant running with the land, shall also include a stipulation that the streets, or access ways, shall be installed and maintained by the Owner and/or its successors, including, but not limited to, sidewalks, drainage facilities, water and sewer facilities, and fire hydrants, meeting with the approval of the Director of the Planning and Zoning Department and the Director of the Public Works Department. Such agreement shall be executed by the property owner and any and all parties having an interest in the land, such as mortgagees, and its improvements.

10. **Ownership and Maintenance of Common Areas.** In the event of multiple ownership of the Property, a homeowner's association, Special Taxing District, if approved, or Community Development District, if approved, shall be established in accordance with applicable regulations to assure that all common areas and facilities for the use of all residents

shall be maintained in a continuous and satisfactory manner, and without expense to the general taxpayers of Miami-Dade County. The homeowner's association and/or the approved district shall also own and maintain all of the green space, recreational facilities and walkways outside of the public right-of-way. The instrument incorporating such provisions shall be approved by the County Attorney as to form and legal sufficiency and shall be recorded in the public records of Miami-Dade County at the time of recording of the subdivision plat.

11. **Other Requirements.** The Owner shall comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the various County Departments, as stated in their recommendations and comments on the Application.

12. **Miscellaneous.**

A. **County Inspection.** As further part of this Agreement, 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.

B. **Covenant Running with the Land.** This Agreement on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at the 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 Property and for the public welfare.

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C. **Term.** This Agreement 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 that this Agreement 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 Agreement has first been modified or released by Miami-Dade County.

D. **Modification, Amendment, Release.** This Agreement may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of that portion of the Property that is covered under such modification, amendment or release, 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, after public hearing.

Should this Agreement be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

E. **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.

F. **Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Agreement 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 Agreement is complied with.

G. **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.

H. **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 Agreement.

I. **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.

J. **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.

**[Signature Pages Follow]**

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IN WITNESS WHEREOF, we have hereunto set our hands and seal this \_\_\_\_ day of \_\_\_\_\_, 2005.

**DADELAND BREEZES APARTMENTS, LLC,**  
**a Florida limited liability company**

WITNESSES:

By: \_\_\_\_\_

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Signature

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

STATE OF FLORIDA )

COUNTY OF MIAMI-DADE )

SS.

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2005 by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification, and acknowledged that he/she did execute this instrument freely and voluntarily for the purposes stated herein.

My Commission Expires:

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

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

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**JOINDER BY MORTGAGEE  
CORPORATION**

The undersigned, Ocean Bank under that certain Mortgage from Dadeland Breezes Apartments, LLC, recorded in Official Records Book 21707, Pages 1403, in the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Agreement, does hereby consent to the execution of this Agreement by Dadeland Breezes Apartments, LLC, and agree that in the event Mortgagee or any other party shall obtain title to the property through foreclosure or deed-in-lieu of foreclosure, this Agreement shall be binding upon the entity obtaining title as the then owner of such property.

*IN WITNESS WHEREOF*, these presents have been executed this \_\_\_\_ day of \_\_\_\_\_, 2005.

**WITNESSES:**

Ocean Bank

\_\_\_\_\_  
Print or Type Name

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Print name: \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_  
Print or Type Name

(Corporate Seal)

STATE OF FLORIDA     )  
  ) SS  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2005 by \_\_\_\_\_, of Ocean Bank, on behalf of the corporation. He/She is personally known to me or has produced \_\_\_\_\_, as identification and did/did not take an oath.

\_\_\_\_\_  
Notary Public -State of \_\_\_\_\_  
Print Name \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**EXHIBIT "A"**

***LEGAL DESCRIPTION***

**EXHIBIT "B"**

*Approximate Development Schedule for Property*

Start  
Development      No earlier than February 2006

Units

Townhouses:      28

Condominiums:      564

\* Construction will be completed approximately within 24 -36 months from the start of construction.

# 2658820\_v6

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This instrument was prepared under  
the supervision of:

Name: Stephen M. James, Esq.  
Address: Holland & Knight LLP  
701 Brickell Avenue  
Suite 3000  
Miami, Florida 33131

521 UNITS

(Space Reserved for Clerk of the Court)

**PLANNED AREA DEVELOPMENT AGREEMENT**

WHEREAS, the undersigned (“the Owner”) holds fee simple title to that certain 11.11± acre parcel of land located at 7701 North Kendall Drive, in unincorporated Miami-Dade County, and which is legally described in the Exhibit “A,” attached hereto (the “Property”); and

WHEREAS, the Owner filed Application No. 04-366 (the “Application”) with Miami-Dade County, for the approval of a Planned Area Development District (“PAD”), pursuant to Article XXXIIID of the Miami-Dade County Code (the “Code”); and

WHEREAS, Section 33-284.26 of the Code requires the Owner to submit to the Department of Planning and Zoning a recordable agreement guaranteeing the development of the Property in accordance with promises made in the written and graphic documents as approved by the Community Zoning Appeals Board.

NOW, THEREFORE, in order to assure Miami-Dade County that the representations made by the Owner during consideration of the Application will be abided by freely, voluntarily, and without duress, the Owner makes the following Declaration of Restrictions covering and running with the Property:

1. **Site Plan.** The Property shall be developed substantially in accordance with the plans entitled "Central Parc," as prepared by Cohen Freedman Encinosa & Assoc., Architects, P.A., dated stamped received June 29, 2005 (collectively, the "Plans"), as may be modified at the public hearing on the Application.

2. **Development Schedule.** Pursuant to Section 33-284.26 (B) of the Code of Miami-Dade County, attached as Exhibit B to this Agreement is a Development Schedule indicating the approximate date(s) when construction of the planned area development and stages thereof can be expected to be initiated.

3. **Additional Quantitative Data.**

- A. **Total number of bedrooms.** The total number of bedrooms on the Property shall not exceed 922.
- B. **Total Building Coverage.** The total area of building coverage for the Property shall not exceed 193,040 square feet or 39.9% of the Property.
- C. **Open Space.** The total area of common open space for the Property shall be in accordance with Section 33-284.27 (I) of the Code of Miami-Dade County, as may be amended from time to time. The private open space for each unit, if required, shall be in accordance with Section 33-284.27 (K) of the Code of Miami-Dade County, as may be amended from time to time.
- D. **Residential Density.** The maximum number of dwelling units on the Property shall be 521.
- E. **Common Open Space.** The total common open space on the Property shall be 4.18 acres.
- F. **Non-Residential Construction.** The amount of non-residential construction shall be no less than 21,522 square feet.
- G. **Public and Private Roads.** In addition to the common open space, the private roadways within the proposed PAD shall comprise 1.3 acres, including surface parking areas. There will be no public roadways within the PAD.

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**H. Population Projection.** As reflected in the Plans, the estimated population projection resulting from the development of the Property is 1,823 people, based on an average of 3.5 persons per dwelling unit.

**4. Installation of Lighting Along Pedestrian Path.** The Owner agrees to install and, thereafter, maintain lighting within the Property, to be located as close as possible to that certain pedestrian path located within the Property and the Palmetto Expressway right-of-way (the "Path"), as said Path is depicted in the Plans, from the northern boundary of the Property to the southern boundary of the Property, in such manner as may allow the Path to be illuminated from dusk to dawn; provided same lighting is approved by all applicable governmental entities prior to its installation.

**5. Accessory Uses.** The Owner agrees that the accessory uses on the Property shall be limited to the following (and to such other similar uses and structures as may be approved by the Director):

- A. North and South Plazas with Fountain Feature;
- B. Pools, Spas and Cabanas;
- C. Tennis Court and Pavilion;
- D. Fitness Center with Club Room (including racquetball and/or squash court) / Sauna / Toilets;
- E. Storage Rooms;
- F. Parking Garages;
- G. Guard House, Gates and Entrance Feature;
- H. Convenient Retail Service Facilities, as may be permitted by Section 33-284-27(F) of the Code of Miami-Dade County, which shall be located within the interior of the buildings;
- I. Property Maintenance / Real Estate Office.

6. **Funding for Charette.** Within thirty (30) days following the approval by the Board of County Commissioners of a charette or planning study of the area bounded by the Palmetto Expressway on the east, SW 97<sup>th</sup> Avenue on the west, SW 112<sup>th</sup> Street on the south and SW 72<sup>nd</sup> Street on the north, or such other boundaries as may be approved by the County but which include the Property (the "Kendall Charette"), the Owner shall contribute up to the sum of \$60,000.00 to Miami-Dade County, in care of the Department of Planning and Zoning, to help finance the cost of the proposed Kendall Charette.

7. **Landscaping Improvements.** Subject to the provisions of this Paragraph, prior to the final zoning inspection for the construction of the proposed improvements on the Property, the Owner shall, at its sole cost and expense, cause the following landscaping to be installed:

(a) trees (live oak, yellow tababulla or such other species as may be approved by the Florida Department of Transportation ("DOT")) to be planted within the Kendall Drive median along the Property's frontage on Kendall Drive at a distance of twenty-five feet (25') on center (or at such distance as may be approved by DOT) and at a height of 14 -16 feet; and

(b) trees (live oak, mahogany, yellow tababulla or such other species as may be approved by the Public Works Department) to be planted within the southern swale of SW 86<sup>th</sup> Street at a distance of twenty-five feet (25') on center (or at such distance as may be approved by the Public Works Department) and at a height of 14 – 16 feet.

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10. **Ownership and Maintenance of Common Areas.** In the event of multiple ownership of the Property, a homeowner's association, Special Taxing District, if approved, or Community Development District, if approved, shall be established in accordance with applicable regulations to assure that all common areas and facilities for the use of all residents

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shall be maintained in a continuous and satisfactory manner, and without expense to the general taxpayers of Miami-Dade County. The homeowner's association and/or the approved district shall also own and maintain all of the green space, recreational facilities and walkways outside of the public right-of-way. The instrument incorporating such provisions shall be approved by the County Attorney as to form and legal sufficiency and shall be recorded in the public records of Miami-Dade County at the time of recording of the subdivision plat.

11. **Other Requirements.** The Owner shall comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the various County Departments, as stated in their recommendations and comments on the Application.

12. **Miscellaneous.**

A. **County Inspection.** As further part of this Agreement, 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.

B. **Covenant Running with the Land.** This Agreement on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at the 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 Property and for the public welfare.

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C. **Term.** This Agreement 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 that this Agreement 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 Agreement has first been modified or released by Miami-Dade County.

D. **Modification, Amendment, Release.** This Agreement may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of that portion of the Property that is covered under such modification, amendment or release, 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, after public hearing.

Should this Agreement be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

E. **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

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services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

**F. Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Agreement 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 Agreement is complied with.

**G. 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.

**H. 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 Agreement.

**I. 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.

**J. 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.

**[Signature Pages Follow]**

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IN WITNESS WHEREOF, we have hereunto set our hands and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

**DADELAND BREEZES APARTMENTS, LLC,  
a Florida limited liability company**

WITNESSES:

By: \_\_\_\_\_

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Signature

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

STATE OF FLORIDA            )  
  )  
COUNTY OF MIAMI-DADE    )       SS.

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2005 by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification, and acknowledged that he/she did execute this instrument freely and voluntarily for the purposes stated herein.

My Commission Expires:

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

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

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**JOINDER BY MORTGAGEE  
CORPORATION**

The undersigned, Ocean Bank under that certain Mortgage from Dadeland Breezes Apartments, LLC, recorded in Official Records Book 21707, Pages 1403, in the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Agreement, does hereby consent to the execution of this Agreement by Dadeland Breezes Apartments, LLC, and agree that in the event Mortgagee or any other party shall obtain title to the property through foreclosure or deed-in-lieu of foreclosure, this Agreement shall be binding upon the entity obtaining title as the then owner of such property.

*IN WITNESS WHEREOF*, these presents have been executed this \_\_\_\_ day of \_\_\_\_\_, 2005.

**WITNESSES:**

Ocean Bank

\_\_\_\_\_  
Print or Type Name

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Print name: \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_  
Print or Type Name

(Corporate Seal)

STATE OF FLORIDA     )  
  ) SS  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2005 by \_\_\_\_\_, of Ocean Bank, on behalf of the corporation. He/She is personally known to me or has produced \_\_\_\_\_, as identification and did/did not take an oath.

\_\_\_\_\_  
Notary Public -State of \_\_\_\_\_  
Print Name \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

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**EXHIBIT "A"**

***LEGAL DESCRIPTION***

**EXHIBIT "B"**

*Approximate Development Schedule for Property*

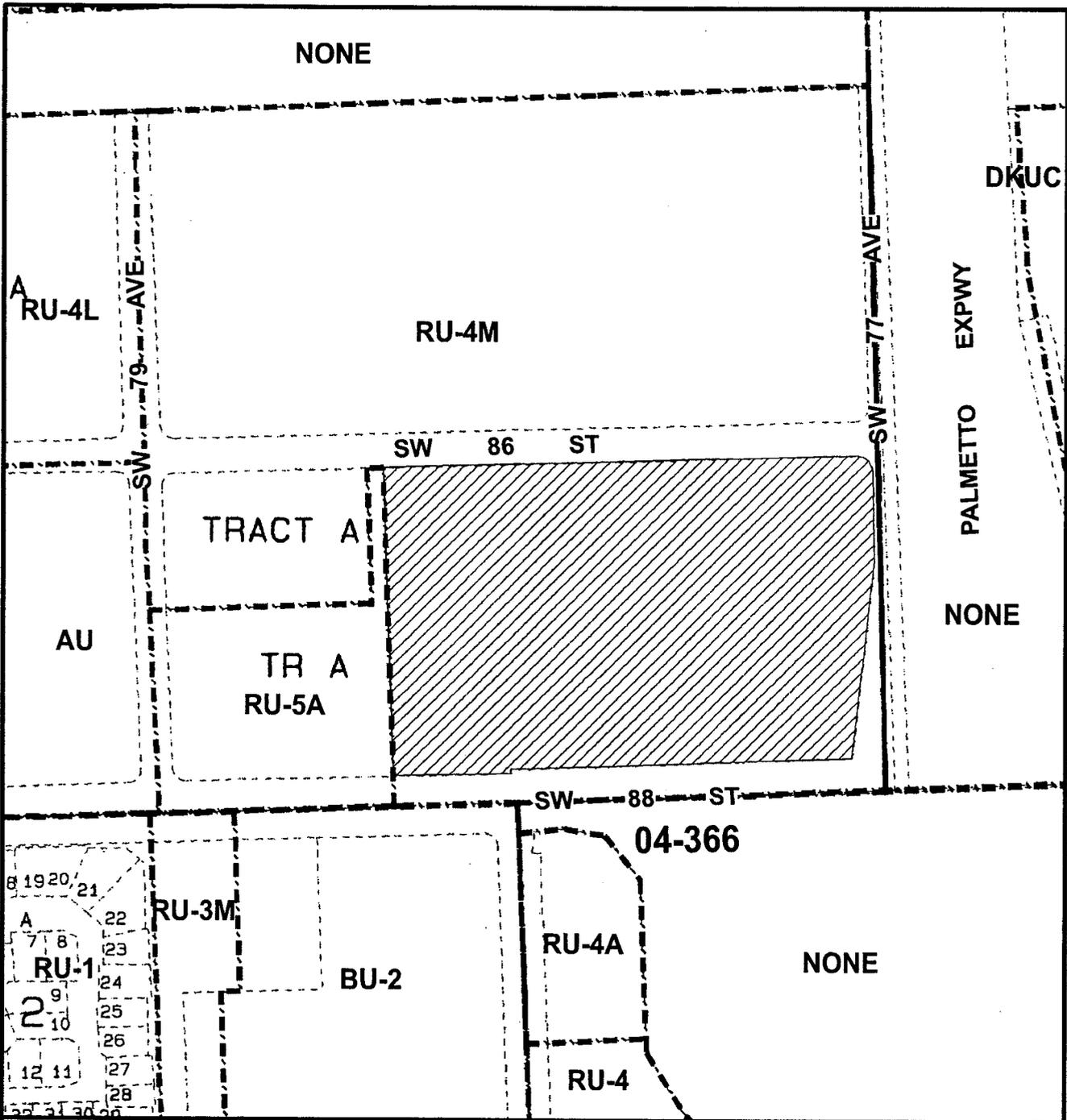
**Start**  
**Development**      No earlier than February 2006

**Units**

**Townhouses:**      34

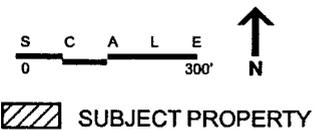
**Condominiums:**      487

\* Construction will be completed approximately within 24 -36 months from the start of construction.



**MIAMI-DADE COUNTY  
HEARING MAP**

Section: 34 Township: 54 Range: 40  
 Process Number: 04-366  
 Applicant: DADELAND BREEZEZ APARTMENTS, INC  
 District Number: 07  
 Zoning Board: C12  
 Drafter ALFREDO  
 Scale: 1:300'



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MIAMI-DADE COUNTY  
**AERIAL**

Section: 34 Township: 54 Range: 40  
Process Number: 04-366  
Applicant: DADELAND BREEZEZ APARTMENTS, INC  
District Number: 07  
Zoning Board: C12  
Drafter ALFREDO  
Scale: NTS

S C A L E  
0 \_\_\_\_\_ NTS  
↑  
N

 SUBJECT PROPERTY

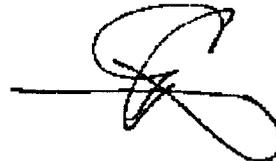


APPLICATION NO. Z04-366  
DADELAND BREEZE APARTMENTS LLC

Respectfully Submitted,

DIC Executive Council  
July 20, 2005

Pedro G. Hernandez, P.E.  
Assistant County Manager



AYE

Alfredo Suarez, Assistant Fire Chief  
Miami-Dade Fire Rescue Department



NAY

Irma San Roman, Deputy Director  
Metropolitan Planning Organization Secretariat



AYE

Diane O'Quinn Williams, Director  
Department of Planning and Zoning



AYE

Aristides Rivera, P.E., P.L.S., Director  
Public Works Department



NAY

Jose Gonzalez, P.E., Assistant Director  
Department of Environmental Resources Mgmt



AYE

William Brant, Director  
Miami-Dade Water and Sewer Department

Absent

**1. DADELAND BREEZE APARTMENTS LLC**  
**(Applicant)**

**05-3-CZ12-2 (04-366)**  
**BCC/District 7**  
**Hearing Date: 6/23/05**

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>
1964	Sec. 34 Corp.	Zone change from AU to RU-4M.	BCC	Approved w/conds.
1966	Kendall Park Apts.	Unusual Use entrance feature.	ZAB	Approved w/conds.

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

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**



APPLICANT'S NAME: DADELAND BREEZE APARTMENTS LLC

REPRESENTATIVE(S): JUAN MAYOL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	MAY 10, 2005	CZAB12- <del>14</del> -05

REQ: RU-4M to PAD

WITHDRAW:  APPLICATION       ITEMS: \_\_\_\_\_  
 DEFER:       INDEFINITELY       TO: \_\_\_\_\_  W/LEAVE TO AMEND  
 DENY:       WITH PREJUDICE       WITHOUT PREJUDICE  
 ACCEPT PROFFERED COVENANT       ACCEPT REVISED PLANS  
 APPROVE       PER REQUEST       PER DEPARTMENT       PER D.I.C.  
                                   WITH CONDITIONS

TITLE	M/S	NAME	YES	NO	ABSN
MS.		Peggy BRODEUR	X		
MS.		Jackie HERNANDEZ- TORAÑO			X
MADAME VICE-CHAIR		Millie HERRERA	X		
MS.	<b>S</b>	Carla SAVOLA	X		
MR.		Nelson A. VARONA		X	
MR.	<b>M</b>	Robert W. WILCOSKY	X		
CHAIRMAN		Jose I. VALDES (C.A.)	X		

VOTE: 5 to 1

EXHIBITS:  YES  NO

COUNTY ATTORNEY: JAY WILLIAMS

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**



APPLICANT'S NAME: **(D.I.C.) DADELAND BREEZE APARTMENTS LLC**

REPRESENTATIVE: **JUAN MAYOL**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	APRIL 26, 2005	CZAB12- -05

REQ: RU-4M to PAD

REC: APPROVE DBC SUBJECT TO COVENANT **WITHDRAW REQUEST #2**

WITHDRAW:  APPLICATION  ITEMS: \_\_\_\_\_  
 DEFER:  INDEFINITELY  TO: \_\_\_\_\_  W/LEAVE TO AMEND  
 DENY:  WITH PREJUDICE  WITHOUT PREJUDICE  
 ACCEPT PROFFERED COVENANT  ACCEPT REVISED PLANS  
 APPROVE  PER REQUEST  PER DEPARTMENT  PER D.I.C.  
 WITH CONDITIONS

**OUT OF TIME - HEARING NOT CONCLUDED - CARRIED FORWARD TO 5/10/05 MEETING**

TITLE	M/S	NAME	YES	NO	ABSN
MS.		Peggy BRODEUR			
MS.		Jackie HERNANDEZ- TORAÑO			
MADAME VICE-CHAIR		Millie HERRERA			
MS.		Carla SAVOLA			
MR.		Nelson A. VARONA			
MR.		Robert W. WILCOSKY			
CHAIRMAN		Jose I. VALDES (C.A.)			

VOTE: \_\_\_\_\_ to \_\_\_\_\_

EXHIBITS:  YES  NO

COUNTY ATTORNEY: TOM LOGUE

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**

**2**

APPLICANT'S NAME: **(D.I.C.) DADELAND BREEZE APARTMENTS LLC**

REPRESENTATIVE(S): **JUAN MAYOL**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	MARCH 29, 2005	CZAB12- -05

**REQ:** RU-4M to PAD

**REC:** APPROVAL OF DBC TO PAD

**WITHDRAWAL OF REQUEST #2**

WITHDRAW:  APPLICATION  ITEMS: \_\_\_\_\_

DEFER:  INDEFINITELY  TO: APRIL 26, 2005  W/LEAVE TO AMEND

DENY:  WITH PREJUDICE  WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT  ACCEPT REVISED PLANS

APPROVE  PER REQUEST  PER DEPARTMENT  PER D.I.C.  
 WITH CONDITIONS

TITLE	M/S	NAME	YES	NO	ABSN
MS.	<b>S</b>	Peggy BRODEUR	X		
MS.		Jackie HERNANDEZ- TORAÑO	X		
MADAME VICE-CHAIR		Millie HERRERA	X		
MS.	<b>M</b>	Carla SAVOLA	X		
MR.		Nelson A. VARONA	X		
MR.		Robert W. WILCOSKY	X		
CHAIRMAN		Jose I. VALDEZ (C.A.)	X		

VOTE: 7 to 0

EXHIBITS:  YES  NO

COUNTY ATTORNEY: THOMAS ROBERTSON

**DEVELOPMENTAL IMPACT COMMITTEE  
RECOMMENDATION TO COMMUNITY ZONING APPEALS BOARD No. 12**

**APPLICANT:** Dadeland Breeze Apartments, LLC

**PH:** 04-366

**SECTION:** 34-54-40

**DATE:** June 23, 2005

**COMMISSION DISTRICT:** 7

**ITEM NO.:** 1

**A. INTRODUCTION**

o **REQUESTS:**

(1) RU-4M to PAD

(2) Deletion of a Declaration of Restrictions recorded in Official Records Book 13739, Pages 733 through 736.

The purpose of the request is to permit the applicant to eliminate the limitation on ingress and egress across SW 86 Street.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) or under §33-311(A)(17) (Modification or Elimination of conditions or Covenants After Public Hearing).

Plans are on file and may be examined in the Zoning Department entitled "H & H Development as prepared by Cohen-Freeman-Encinosa & Assoc., dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

**SUMMARY OF REQUESTS:**

The applicant is requesting a zone change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development District, in order to develop an approximately 11.11-acre parcel of land with a multi-family development. All of the existing three-story apartment buildings will be demolished to accommodate 640 new one, two and three bedroom residential units housed within apartment or townhouse building types. In addition to the district boundary change, the applicant is seeking to delete a Declaration of Restrictive Covenants that limits vehicular access into the property from SW 86 Street. The subject property is located on the northwest corner of SW 77 Avenue and SW 88 Street.

o **LOCATION:** Northwest Corner of SW 77 Ave. & SW 88 St; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida.

o **SIZE:** 11.11 Acres

o **IMPACT:**

The proposed residential development will provide additional housing to the community; however, it will bring an increase in traffic and noise into the area and will impact schools and public services.

**B. ZONING HEARINGS HISTORY:**

In 1964 pursuant to resolution Z-242-64, the Board of County commissioners approved a zone change from AU, Agriculture District to RU-4M, Modified Apartment House District. In 1966 pursuant to Resolution 3ZAB-230-66 the Zoning Appeals Board approved an unusual use for an entrance feature on the subject property.

**C. NEIGHBORHOOD CHARACTERISTICS:**

<u>SUBJECT PROPERTY</u>	<u>EXISTING ZONING</u>	<u>EXISTING LAND USE PLAN DESIGNATION</u>
	RU-4M; 3-story apartments	Medium-High Density Residential, 25 to 60 dua
 <b><u>SURROUNDING PROPERTY</u></b>  		
<b><u>NORTH</u></b>	RU-4M; 4-story apartments	Medium-High Density Residential, 25 to 60 dua
<b><u>SOUTH</u></b>	BU-2 and RU-4A; strip shopping center, 5-story office building, 10-story motel/hotel and Palmetto Expressway	Business and Office and Medium-High Density residential, 25 to 60 dua
<b><u>EAST</u></b>	Palmetto Expressway	Palmetto Expressway
<b><u>WEST</u></b>	RU-4M and RU-5A; office building and 2-story apartments	Business and Office and Medium-High Density residential, 25 to 60 dua

The subject property is located in the east Kendall area of Miami-Dade County. The area west of the Palmetto Expressway is predominately developed with apartments and townhouses. East of the Palmetto is the burgeoning Downtown Kendall Urban Center District, with its mixed-use developments consisting of condominiums, retail and office. A number of small strip shopping centers and office uses are located west of the Palmetto Expressway, on the north and south sides of SW 88 Street.

**D. SITE AND BUILDINGS:**

Scale/Utilization of Site:	<b>Acceptable</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Acceptable</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Acceptable</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Visibility/Visual Screening:	<b>Acceptable</b>
Energy Considerations:	<b>N/A</b>

Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	Acceptable

**E. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(A)(8).** The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

**Section 33-311(A)(17). Modification or Elimination of Conditions and Covenants After Public Hearing.** The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs of this section have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**Section 33-311(A)(7).** 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; 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.

**F. NEIGHBORHOOD SERVICES:**

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	See Exhibit 'A'
Planning and Zoning	No objection

## **G. RECOMMENDATION:**

**Approval** of the district boundary change from RU-4M to PAD subject to the Board's acceptance of the proffered covenant. Said covenant provides that development of the subject site be substantially in accordance with the submitted site plan; that the maximum number of dwelling units on the property be 660; and that development of the property is projected to commence in February 2006 with construction to be completed within 24-36 months from commencement. Said agreement also provides additional quantitative data regarding number of bedrooms, building coverage, open space, residential density, nonresidential construction, private roads and private areas, and population projection.

**Withdrawal** of request #2.

The Executive Council is of the opinion that the proposed zone change will be in keeping with the Comprehensive Development Master Plan (CDMP) Medium-High Density Residential designation for the subject parcel. When taking into consideration the reasonableness of the applied for rezoning in relation to the present and future development of the area, the Executive Council finds that the zone change request will permit a residential development which is **consistent** with the CDMP, and will not be contrary to the public interest. The Council also finds that the proposed development will also be **compatible** with the development trend in the surrounding area.

## **PROJECT DESCRIPTION**

The submitted plans depict a square-shaped parcel bounded by the Palmetto Expressway to the east, SW 79 Avenue to the west, SW 88 Street (North Kendall Drive) to the south, and SW 86 Street to the north. Two entrances into the complex are shown, one from Kendall Drive and a second from SW 86 Street. Vehicles or pedestrians entering from North Kendall Drive encounter a frontage drive providing access into the parking garage serving the apartment portion of the development. This drive is also connected to a loop road that provides access to other apartment buildings, townhouse units fronting SW 86 Street and recreational facilities consisting of a tennis court, putting green, swimming pools and a fitness center. All of the parking spaces required by the apartment portion of this project will be located inside a parking structure that is completely lined by the proposed apartment buildings. Providing habitable space in front of the parking structure will prohibit parking spaces to be seen from the adjacent street network. Parking for the townhouse units fronting SW 86 Street are placed inside parking garages located in the rear of each unit. The absence of visible parking spaces will enhance the aesthetics of those corridors surrounding the subject property and proposed development. Further, by placing parking behind buildings, and fronting buildings closer to the street as is being proposed by the subject application, will help to foster a pedestrian-scaled environment along SW 86 Street and SW 88 Street. Staff notes, however, that the human-scaled environment will become more evident along SW 86 Street due to the townhouse building's proximity to said corridor. Proposed buildings adopt a modified Art-Deco style and will have heights reaching eight stories for apartments and three stories for the townhouse types. Most of the building program is concentrated along North Kendall Drive, which is a more intensively built and highly trafficked street, while the less intensive-scaled, three-story townhouses front SW 86 Street, a local street. Building intensity transitions from Kendall Drive to SW 86 Street by placing the taller, more densely developed program along North Kendall Drive and the less intensively developed townhouses along SW 86 Street. Landscaping in the form of trees, palms and shrubs will be provided throughout the site, with planting emphasis placed where the site adjoins the Palmetto Expressway in order to help buffer the development from the highway's noise.

## **COMMENTS AND MAJOR CONCERNS**

Ordinance Number 75-47 charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The following comments address these specific charges with regard to the subject application:

### **I. CONFORMANCE WITH ALL APPLICABLE PLANS**

#### **A. RELEVANCE TO THE COMPERHENSIVE DEVELOPMENT MASTER PLAN**

##### **APPLICABLE CDMP GOALS, OBJECTIVES AND POLICIES**

###### **Land Use Objective 5**

Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goals, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.

###### **Land Use Element Goal**

Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

###### **Land Use Policy 5B**

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

###### **Land Use Policy 2A**

All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).

###### **Land Use Policy 9M**

Miami-Dade County shall develop an urban design manual establishing design guidelines. This manual shall provide additional criteria for use in review of all new residential, commercial and industrial development in unincorporated Miami-Dade County.

The Adopted 2005 and 2015 Land Use Plan designates 10 acres of the subject property as being within the Urban Development Boundary for **Medium-High Density Residential**.

### **Medium-High Density Residential**

This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.

### **DEPARTMENT OF PLANNING AND ZONING DIRECTOR'S EVALUATION**

The applicant, Dadeland Breeze Apartments, Inc., is requesting a zone change from GU, Interim District, to PAD, Planned Area Development District on an 11.11-acre parcel located on the northwest corner of SW 77 Avenue and SW 88 Street, in the east Kendall area of Miami-Dade County. The proposed planned area development will consist of 640 residential units made up of one, two and three bedroom units housed within apartment and townhouse building types. In conjunction with the district boundary change, the applicant is seeking to delete a Declaration of Restrictive Covenants limiting vehicular ingress and egress into the site from SW 86 Street. All of the 3-story apartment buildings now found in the site will be demolished to accommodate the new residential development. Four-story apartment buildings exist on a parcel located north of the subject property, across SW 86 Street. To the south, across North Kendall Drive, there is a 1-story strip commercial shopping center, a 5-story office building and a 10-story hotel. The Palmetto Expressway and the burgeoning Downtown Kendall District Urban Center lie to the east and an office building and 2-story apartments lie to the west.

The CDMP designates the 11.11-acre subject property for **medium-high density residential**. This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas. The applicant is proposing a total of 640 residential units at a density of 57 units per gross acre. A declaration of restrictive covenants will be proffered by the applicant that, among other things, limits the density to 57 units per gross acre for a total of 640 residential units, ties the subject property to a site plan, and indicates the development's projected commencement to be no earlier than December 2005. As such, the proposed Planned Area Development District, with the proffered covenant limiting the density to 640 units at 57 units per gross acre is **consistent** with the maximum numerical threshold permitted by the Land Use Plan map. Staff is of the opinion that the proposed development consisting of 8-story apartment buildings and 3-story townhouses is **compatible** with surrounding development such as the 10-story hotel located across the parcel, on the south side of SW 88 Street, and the Downtown Kendall area found to the east of the Palmetto Expressway with its mixed-use buildings, some of which reach 25 stories, some 10 stories and others 7 stories. This development lies to the west of the Downtown Kendall's Edge Sub-district. Under the Downtown Kendall Urban Center District Ordinance (DKUCD), the Edge Sub-district standards permit buildings with heights of up to 7 stories. The 8-story buildings proposed for this development are not a significant departure from the 7-story buildings permitted under the DKUCD's Edge Sub-district and are significantly lower than those buildings permitted in the DKUCD's Core and Center Sub-districts which may reach heights of up to 25 and 10 stories, respectively. The proposal is also compatible with existing development found to the north, west and southwest developed with office buildings, a commercial center and

apartments. The office building found to the southwest, on the south side of North Kendall Drive, is approximately 5 stories which in staff's opinion is a height that is in keeping with and similar in scale to the proposed 8-story apartment portion of the development. However, many of the apartment buildings to the north are 4 stories in height and those to the west are 2-stories. 3-story townhouse building types will front SW 86 Street, to provide a transition between the proposed 8-story buildings fronting N. Kendall Drive and the existing 4-story buildings found to the north of the subject parcel. To buffer the 2-story apartment buildings to the west from the proposal, the applicant proposes to install a high concentration of landscape material along the west property line and setback the proposed apartments approximately 60' from said property line as well. The transitional height provided by the townhouse building type in conjunction with proposed landscape material and setback considerations will alleviate any detrimental impacts generated by the scale and intensity of the residential project on surrounding uses and helps to create a development that is in keeping and more **compatible** with the surrounding uses. Further, all of the required off-street parking is stored in a garage lined with apartment buildings. No parking spillage to major or local streets will be generated as the garage can adequately accommodate the parking needs of the requested density. Parking structures not only permit the vertical storage of automobiles, but also allow for the reservation of additional areas of on-site open space. Lining the parking garage with apartment buildings prevent parking areas from being seen from the street or from the development's surroundings. This enhances the aesthetics of the development, the surrounding land uses and streets. As such, staff of the Department is of the opinion that as proposed, the residential development is **compatible** with the community and **consistent** with the medium-high residential development density permitted by the LUP map under the CDMP.

When considering district boundary changes the Board shall hear and grant or deny applications by taking into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities 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. The applicant is seeking approval for a district boundary change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development, incorporating a mixture of building types within a well-designed community having a number of recreational amenities. The approval of this application would help to address the needs in this area of Miami-Dade County by promoting the redevelopment of an underdeveloped site, all in accordance with the County's adopted Urban Design Manual. Proposed building types are designed with well-articulated facades using plentiful fenestration and regional architectural motifs. Parking is relegated to the rear of buildings or is completely camouflaged from streets or the surrounding community view by habitable space. A number of important thoroughfares such as the Palmetto Expressway and North Kendall Drive can access the proposal and link the proposal to other major urban centers such as Downtown Kendall and South Miami. In addition, the proposal is easily accessible from US 1 and is easily reached by metrorail and buses that cross North Kendall Drive. In staff's opinion, this project will have a favorable impact on the economy of Dade County as the additional units provide more tax revenue, and the development will not burden water, sewer, solid waste disposal, recreation or other public services. The design of this proposal is in keeping with similar projects now under construction in Downtown Kendall to the east, and as such will provide an elegant and much needed

alternative to the existing development that is now found on the subject parcel. Architecture and landscape architectural elements are used to create a project that is compatible with its surroundings and visually impact, in a positive manner, the redeveloping North Kendall Drive corridor. As such, staff recommends approval of request #1 subject to the proffered covenant.

Request #2 seeks to delete a previously approved declaration of restrictive covenants that limited access into the property from SW 86 Street. Said request can be analyzed under Section 33-311(A)(7) of the Zoning Code that states that the Board shall hear applications to modify or eliminate any conditions or part thereof which have been imposed by any final decision adopted by resolution; provided, that the modification or elimination 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 tend to provoke a nuisance, or would not be incompatible with the area concerned considering its present and future development. Staff does not object to deleting this restriction and is of the opinion that ingress and egress options should be provided when accessing a residential site, especially one that is planned with 640 units. The submitted site plan indicates two major entrances into the site, one from North Kendall Drive and the other from SW 86 Street. Both entrances will discourage stacking problems and traffic conflicts to concentrate on a single street as is the prevalent condition found in similar projects using only one form of access. Staff is of the opinion that the deletion limiting access into the site from SW 86 Street and the provision of two optional entrances into the development will promote better traffic circulation in the area, especially along North Kendall Drive and not burden the surrounding community. As such, request #2 is recommended for approval under Section 33-311(A)(7).

The standards under Section 33-311(A)(17) provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved Resolution or restrictive covenant comply with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification standards under this section are applicable to this application. As such, staff is unable to fully analyze request #2 of this application under Section 33-311(A)(17) due to lack of information and this application should be denied under same.

**RECOMMENDATION:** Approval of the district boundary change from RU-4L to PAD subject to the Board's acceptance of the proffered covenant; approval with conditions of request #2 under Section 33-311(A)(7)(General Modification Standards) and denial without prejudice of request # 2 under Section 33-311(A)(17).

#### **B. MULTI-YEAR CAPITAL IMPROVEMENTS PROGRAM**

The General Services Administration department has reviewed this application with respect to its compatibility with the County's current Capital Budget and Multi-Year Capital Plan. This plan is prepared pursuant to state growth management legislation and the Miami-Dade County code. This application does not conflict with the current plan.

### **II. ENVIRONMENTAL IMPACT**

#### **A. WELLFIELD PROTECTION**

The subject property is located within the Maximum Day Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-

12.1 of the Code.

**B. STORMWATER MANAGEMENT**

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

**C. POLLUTION REMEDIATION**

There are no records of current or historical contamination assessment or remediation issues on the subject property or within 500 feet of the same.

**D. AIR QUALITY PRESERVATION**

This project includes the demolition of existing buildings on site. These buildings must be surveyed for asbestos, and a notice of demolition must be submitted to this office 10 days prior to the start of the demolition.

**E. WETLANDS**

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

**F. TREE PRESERVATION**

Section 24-60 of the Code requires the preservation of tree resources. Consequently,

DERM will require the preservation of all the specimen-sized trees which are on the site. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

**G. ENFORCEMENT HISTORY**

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

**Concurrency Review Summary**

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code. Accordingly, DERM does not object to the request, provided that the applicant complies with all Code requirements expressed herein. Furthermore, the application may be scheduled for consideration by the DIC Executive Council and this memorandum shall constitute DERM's written consent to that effect as required by the Code.

**III. IMPACT ON THE ECONOMY**

It is estimated that for a total of 640 multifamily residential units sold at \$350,000.00 per unit, the operating revenue and cost to Miami-Dade County and the School Board will be as follows:

	County	School Board	Combined
Total Revenues	\$4,150,718.	\$2,136,580.	\$6,287,298.
Total Costs	<u>1,802,518.</u>	<u>587,194</u>	<u>2,389,712.</u>
Net Fiscal Impact	\$ 2,348,200.	\$ 1,549,386.	\$3,897,586.

The net fiscal impact of this proposal is estimated to provide a positive operating revenue to Miami-Dade County of \$2,348,200.00 and a net surplus of \$1,549,386.00 to the School Board, for a combined total for both jurisdictions of \$3,897,586.00.

#### **IV. IMPACT ON ESSENTIAL GOVERNMENTAL SERVICES**

##### **A. POTABLE WATER SUPPLY**

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (WASD). Public water service exists throughout the property. Connection of the proposed new development to the public water supply system shall be required in accordance with Code requirements. The applicant shall connect to an existing sixteen (16)-in. w.m. in NW 77 Ave. N/O SW 74 Ln. and extend same northerly in NW 77 Ave. to SW 74 St., thence westerly in SW 74 St. to SW 77 Ct. to be interconnected to an existing sixteen (16)-in. w.m. N/O SW 74 St. Connect to any of the existing twelve (12)-in. and/or sixteen (16)-in. w.m. in SW 88 St and SW 86 St. respectively. Any public w.m. extension within the property shall be twelve (12)-in. min. in diameter with two (2) points of connection and the system shall be looped, in order to avoid dead end mains. The estimated demand for this project is 125,400 gallons per day (gpd). This figure does not include irrigation demands.

The source of water for these mains is Miami-Dade County Water & Sewer Department's Alexander Orr Water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State and County drinking water standards.

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

Notwithstanding that adequate system capacity is available for this project, DERM will require that water conserving plumbing fixtures be installed in accordance with the requirements of the South Florida Building Code in order to use more efficiently the Southeast Florida water resources.

It is recommended that the landscaping conform to xeriscape concepts. Included in these concepts is use of drought tolerant plants, reduces use of turf grass together with efficient irrigation system design. Details of xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water Management District.

##### **B. SEWER SERVICE**

The property is located within the franchised sewer service area of the Miami-Dade County Water & Sewer Department (WASD). Public sanitary sewers abut the site in the form of an 8-inch gravity main located along S.W. 86<sup>th</sup> Street. Downstream flow is directed to the South District Treatment Plant, which has adequate capacity to meet projected demands from this project. The gravity sewer point of connection information for this development and the size of the required gravity sewer mains in public right of way are subject to an engineering analysis to be conducted by the M-DWASD at the time a request for connection is sent to the Department, due to existing available capacity concerns in the area of the City of Miami. Connection of the proposed development to the public sanitary sewer system shall be required.

Existing public water and public sanitary 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 of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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.

**C. POLICE**

Growth in commercial development within a district results in increased demands for police services. The demands for service typically vary based upon the specific demographics of the area and traffic volume. Service demands normally are evaluated once neighborhoods are established, and re-evaluated on an on-going basis utilizing the budgetary process. Historically, departmentwide manpower, in conjunction with the ability to adjust sworn assignments, has permitted extension and maintenance of the current level of police services to newly established developments of any size.

A careful review of the application shows that the predicted impact on MDPD resources will be significant, based upon the increase in hotel units. This development will also greatly increase traffic volume. As the project is phased in over the buildout period, additional sworn personnel resources may be required to maintain the current level of service to the area. These resources would be requested through the annual budgetary process.

Regarding actual construction when development occurs, the following applicable guidelines are provided to address public safety issues:

1. The development should comply with requirements of the Code of Miami-Dade County, with special attention given to the following:
  - a. Section 21-276, Burglar Alarms.
  - b. Section 28-15(g), Required improvements.
  - c. Section 33-139, Names and numbers to comply with article; authority of the Department of Planning and Zoning.
  - d. Section 33-147, Numbering buildings.
  - e. Section 33-149, Duty of owners of buildings.
2. A Crime Prevention Through Environmental Design (CPTED) study coordinated and conducted through the Police, and other appropriate Departments respectively, with the developer may be very beneficial. CPTED is premised on the concept that the proper design and effective use of the built environment can lead to a reduction of crime and an increase in the quality of life.

3. All burglar alarm systems shall require an annual registration with MDPD by the user. This includes all systems even if they are not monitored by an alarm monitoring company. Locations that have more than one alarm system require separate registration for each system. Information brochures are available at MDPD district stations.
4. Each building should have address numbers conspicuously mounted that are not less than three inches in height and easily observable from the roadway. Buildings that back on to an alleyway should also have address numbers on the rear of the buildings.
5. A lighted directory should be erected near each point of entry and at other appropriate locations within the development for rapid location of buildings by responding emergency vehicles.
6. Shrubbery and landscaping at all driveways and intersections should be sufficiently set back to permit vehicle operators an unobstructed view of other traffic and pedestrians.
7. Landscaping and lighting should be maintained so that address numbers are never allowed to become obscured.
8. Adequate lighting, closed circuit television, and security officers in vehicle parking areas can discourage criminal activity.
9. Stairwells should have access controlled to restrict movements of persons contemplating criminal activity.
10. Any unmanned, card accessible, security entrance gate should have a coded lock-box feature for emergency access by police and fire-rescue vehicles.
11. Designation of areas within the development to be kept free of parked motor vehicles in order to facilitate access to buildings by emergency vehicles (fire lanes) is accomplished by application of the owner or lessor of the development pursuant to Miami-Dade County Code 30-388 (Ordinance 83-23), Establishment of Emergency Vehicle Zones. Only those developments with zones designated as Fire Lanes are authorized to have police enforcement.
12. The U.S. Department of Housing and Urban Development recommends five to ten foot-candles of light for heavily used spaces; e.g., paths, entries, and parking areas. Outdoor lighting can be one of the most effective deterrents against crime. Properly used, it discourages criminal activity and reduces fear.

### **Additional Comments**

Police services are currently provided by our Kendall Station (Police District 5) located at 7707 SW 117 Avenue. During the month of August 2004, based upon a districtwide statistical analysis, the average emergency response time was 5.1 minutes (includes dispatch and travel time). Station police officers answered 5,647 calls for service and operated with 160 sworn personnel, to deliver police service to a district boundary area of 41.5 square miles and a citizen population of 176,811.

Miami-Dade County Commissioner constituents have voiced concerns at town-hall meetings about increasing traffic volume and other quality-of-life issues associated with new land development. In this regard, Lieutenant Nelson Aloy of our Kendall District, who is thoroughly familiar with the area and neighborhood involved with the proposed development, along with the designated MDPD representative to the DIC, will attend the scheduled meeting for this project.

**D. FIRE**

**Service Impact/Demand**

1. Based on development information, this project is expected to generate approximately 68 fire and rescue calls annually.
2. A suspected fire within this project would be designated as a high rise dispatch assignment. Such an assignment requires 4 suppressions or engines, telesquirts or tankers, 2 aerials, 2 rescues and an accompanying command vehicle(s). This assignment requires 30 firefighters and officers.
3. The desired travel time to such a project is 5 minutes for the first-in unit.
4. Required fire flow for this project is 2,000 gpm with hydrant spacing no further than every 300 feet. Proper main extensions can be provided by WASAD. Generally, for this type of development 16 inch mains are required.

The Fire Rescue Department's Fire and Water Engineering Bureau, 11805 SW 26<sup>th</sup> Street, (786) 315-2771 makes final determination regarding exact size and looping of water mains, and the number and placement of hydrants.

**Existing Services**

1. The stations responding to a fire alarm will be:

<u>Station</u>	<u>Address</u>	<u>Equipment</u>	<u>Staff</u>	<u>Response Time</u>
23	Kendall South 7825 SW 104 St	Aerial, Rescue	4,3	2 min
14	South Miami 5860 SW 70 St	Rescue, Engine	3,4	2 min
49	Pinecrest 10850 SW 57 Ave	Rescue	3	6 min
9	Kendall 7777 SW 117 Ave	Rescue, ALS Engine	3,4	6 min
3	Tropical Park 3911 SW 82 Ave	Rescue, ALS Engine	3,4	6 min
47	Westchester 9361 SW 24 St	Rescue, ALS Eng.	3,4	8 min
17	Virginia Gardens 7050 NW 36 St	Aerial, HazMat	4,3	10 min

2. The following first-response units/stations show a potential unavailability rate in excess of 20% during peak call hours for the previous calendar year:

<u>Units/Stations</u>	<u>Potential Unavailability During Peak Hours</u>
9	26.87%
3	23.3%
47	28.49%

3. Increased response times may result because of congestion on the following roadways:  
SW 88 St. (Kendall Drive)

### **Planned Service Expansions**

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

<u>Station/Unit</u>	<u>Address</u>	<u>Est. Completion Date</u>	<u>Response Time</u>	<u>Cost</u>
None				

Funding source is primarily: Fire rescue impact fees.

### **Site Plan Review**

All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau.

### **Site Requirements**

The attached site requirements pertain to the site plan submitted as part of this review. All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau.

1. Compliance with Ordinance 83-23 giving Police jurisdiction to issue citations for parking along frontage of all commercial development.
2. Emergency vehicle parking area is to be located in close proximity to the main entrances. Said area to be identified, per S.F.F.P.C.
3. Fire Department vehicle access is to be provided to as many sides of the structure as practical or as necessitated by the design of the structure and location of internal fire protection connector.
4. Fire access lanes must be capable of supporting 32 tons surfaced with solid pavement, natural or concrete stones or with grass turf reinforced by concrete grids or stabilized subgrade construction, which meet the standards of the Miami-Dade County Public Works Department. Such construction must be certified by a registered professional engineer of the State of Florida. Access lanes are to be minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches. Landscaping along these lanes must be approved and conform to landscaping plans. (Florida Fire Prevention Code).

5. Curb cuts for fire access lanes marked "Fire Lanes" in such a manner as to be easily visible from the road and clearly delineated with informational signs of not less than two square feet each parcel. Parking on fire access lanes is to be prohibited.
6. A turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted). (Florida Prevention Code).
7. All slopes in the project must be able to accommodate our largest aerial truck. This truck has the dimensions and angle requirements shown below:

Overall length:	46 feet, 10 inches
Bumper-to-bumper length	32 feet
Wheelbase length:	256 inches.
Angle of approach:	11 degrees maximum
Brake-over angle:	7 degrees maximum
Angle of departure:	8 degrees maximum

8. Aerial apparatus set-up sites at the corner of each building over three stories and at the center of buildings in excess of 125 feet in length.
9. Site-up sites no closer than 10 feet or further than 30 feet from any building and at least 21 feet wide and 36 feet long with a cross slope of less than 5 percent. Construction the set-up sites will consist of a stabilized subgrade, which meets the standards of the Miami-Dade County Public Works Department, and Grass Pavers" or an equally acceptable product as determined by the authority having jurisdiction. Set-up sites must be capable of withstanding any point forces resulting from out riggers.
10. Maintenance of fire lanes provided by the owner.
11. Fire sprinkler system in accordance with S.F.B.C., South Florida Fire Prevention Code and adapted NFPA Codes.
  - a. All fire main installation beyond backflow preventor detector check valve are to be done by a State certified Fire Protection Contractor.
  - b. "P.I.V." and "F.D.C." shall be located not less than 40 ft. from building. "Backflow Preventor" shall be located upstream from "P.I.V."
  - c. "F.D.C." must be placed within 150 feet from a fire hydrant.
12. An identification system located at each entrance of the complex consisting of a framed lighted map of the development showing all structures and streets at adequate scale.
13. Lighted signs for identification on all structures within the development. Sign letters and numbers shall be 6" on front of building and 4" on the rear.
14. Limited dead ends to 150 feet and locate "Dead End" signs at the entrance of each area. In a fully sprinklered building, dead ends may 250'. (Florida Fire Prevention Code).
15. Minimum 15' gate width. Cannot be within turning radius.

16. Gated entrances to provide elevator lock box containing switch or level to activate gate for fire department use.
17. Fire hydrants and fire protection appliances-clearances of seven and one-half feet in front of and to the sides and four feet to the rear shall be maintained. (Florida Fire Prevention Code).

**E. PARKS**

**Identify Impact and Demand**

The 620 dwelling units will produce a population of 1,491 people, according to current population estimates prepared by the Research Division of the Planning Division of the Planning and Zoning Department. This population generates a need for 4.10 acres of local parkland, based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population.

**Existing Service**

The nearest community park is Continental Park, located at 10000 SW 82<sup>nd</sup> Avenue, approximately one mile south of this application. The nearest neighborhood park is Kendalwood Park, located at SW 80<sup>th</sup> Terrace and SW 93rd Court, approximately 2 miles west of this application. The nearest district park is Tamiami Park, located at 11201 SW 24<sup>th</sup> Street, approximately 5 miles northwest of this application.

**Facilities**

Continental Park has baseball fields, basketball court, fitness course, picnic shelter, parking lot, small recreation center, tennis center, and a tot lot playground.

Kendallwood Park is a passive open space park with no improvements.

Tamiami Park has 12 lighted baseball fields, 7 tennis courts, 4 volleyball courts, a swimming pool, a basketball court, and various concession, storage, recreation and maintenance buildings.

**Concurrency/Capacity Status**

This application is located in Park Benefit District 2, which has a surplus of 581.51 acres of local parkland.

**Site Plan Critique & Quality of Life Issues**

The site plan includes an open playground, a tennis court, 2 pools, and 2 sand volleyball courts for use by residents of this development. I recommend that they consider adding a tot lot playground to one of the open play areas because there are no neighborhood parks nearby to serve the residents, and the adjacent areas have been built out. These recreation areas should be clearly identified on the site plan, with their sizes, so that additional language can be added to the covenant that has been offered to require that they be preserved in perpetuity as open space recreation areas.

**F. SCHOOLS**

Comments from Miami Dade County Public Schools are provided in attached Exhibit "A".

**G. SOLID WASTE MANAGEMENT**

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department 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 12, 2003, which is valid for three (3) years, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with 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.

This project falls within the DSWM **solid waste collection service area**. A number of the residences proposed for inclusion in this project meet the County Code definition of **residential unit**. Per the code, residential units located within the project shall, therefore, receive DSWM garbage and trash collection service. Twice weekly individual curbside garbage and trash collection, scheduled bulky waste collections service, and unlimited use of the Trash and Recycling Centers are the services currently provided to residential units in the DSWM solid waste collection service area.

In addition the project proposes multifamily uses. Chapter 15-2 of the Miami-Dade County Code requires the following of multi-family and commercial uses located in unincorporated Miami-Dade County:

**Section 15-2** - "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."

Currently, DSWM provides curbside recycling services to **residential units** located in the unincorporated Dade County. Residential units shall, therefore, utilize DSWM weekly curbside recycling services, provided for the County by BFI, Inc. The recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Participation in the residential program is mandatory in accordance with Chapter 15, Section 15-2.6 of the County Code. Further information may be obtained by calling the Department's Service Development Division at 594-1500 or 514-6714.

As it relates to the multi-family uses, **Section 15-2.2** requires that "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.

Recyclable Materials: Multi-family

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

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 514-6666.

**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".

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations 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 accord 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 setout 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.

## **V. IMPACT ON TRANSPORTATION FACILITIES AND ACCESSIBILITY**

### **A. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY**

#### **1. Trip Generation**

341 PM Peak Hour trip ends

#### **2. Cardinal Distribution**

North	38.0%	East	28.0%
South	14.0 %	West	20.0%

**B. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION**

1. Location:	<b>SW 88 Street</b>	<b>SW 826 (Palmetto)</b>
2. Description:	<b>Primary</b>	<b>Highway</b>
3. No. of lanes:	<b>6</b>	<b>6</b>
Right of way:	<b>110'</b>	<b>150'</b>
Maintenance:	<b>FDOT</b>	<b>FDOT</b>

**C. IMPACT ON EXISTING ROADWAYS**

Station F-1075 located on SW 87<sup>th</sup> Avenue s/o SW 56<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2100 vehicles and 405 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1075 with its 2505 PHP and assigned vehicles is at LOS "C". The 52 vehicles generated by this development when combined with the 2505 equals 2557 and LOS "C" where the range of LOS "C" is from 1731 to 3100 vehicles.

Station F-1076 located on SW 87<sup>th</sup> Avenue n/o SW 85<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2019 vehicles and 195 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1076 with its 2214 PHP and assigned vehicles is at LOS "C". The 20 vehicles generated by this development when combined with the 2214 equals 2234 and LOS "C" where the range of LOS "C" is from 1 to 2650 vehicles.

Station F-684 located on SW 88<sup>th</sup> Street e/o SW 79<sup>th</sup> Avenue has a maximum capacity of LOS "EE" of 6970 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 3780 vehicles and 1413 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-684 with its 5193 PHP and assigned vehicles is at LOS "D". The 184 vehicles generated by this development when combined with the 5193 equals 5377 and LOS "E" where the range of LOS "E" is from 5301 to 5810 vehicles.

Station 9172 located on SW 87<sup>th</sup> Avenue s/o SW 88<sup>th</sup> Street has a maximum capacity of LOS "C" of 2080 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 1759 vehicles and 125 vehicles have been assigned to this section of road from previously approved Development Orders. Station 9172 with its 1884 PHP and assigned vehicles is at LOS "C". The 30 vehicles generated by this development when combined with the 1884 equals 1914 and LOS "C" where the range of LOS "C" is from 1811 to 1980 vehicles.

Station F-64 located on SW 88<sup>th</sup> Street e/o SW 103<sup>rd</sup> Avenue has a maximum capacity of LOS "EE" of 7350 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 6057 vehicles and 431 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-64 with its 6488 PHP and assigned vehicles is at LOS "EE". The 55 vehicles generated by this development when combined with the 6488 equals 6543 and LOS "EE" where the range of LOS "EE" is from 6131 to 7350 vehicles.

**D. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT**

1. Entrance along SW 88<sup>th</sup> Street requires signal and median opening modification plans.
2. Contribution for Traffic Signal modification is required.
3. Traffic study and Traffic pavement markings and signs shall be submitted to the Public Works Department Traffic Engineering Division at the SPCC for review, before permitting.
4. Provide connection between inner walkways and SW 88<sup>th</sup> Street sidewalk.
5. Provide pedestrian access at SW 86<sup>th</sup> Street entrance.
6. Contact Florida Department of Transportation concerning sidewalk along the Palmetto Expressway (SR 826) exit ramp, for authorization to widen the existing sidewalk width from five feet (5') to ten feet (10') to incorporate the sidewalk into the MPO adopted the Snapper Creek trail of the North Dade Greenway Network.
7. Several Cross Walks within the development will require shifting, to avoid pedestrian drop off areas.
8. A turning radius of fifteen feet (15') is required in parking aisles on all floors.

**E. SITE PLAN CRITIQUE**

1. Legal description not provided. The land may require to be platted.
2. Public Works permit is required for construction in the public right of way.
3. State Road permit is required for construction in the State Road right of way.

This application **meets** the criteria for traffic concurrency for an Initial Development Order. No vehicle trips, other than the trips assigned to the existing facilities, have been reserved by this application. It will be subject to the payment of road Impact Fees.

**F. MASS TRANSIT**

The area is currently served by the following Metrobus routes and frequencies:

<b>Route</b>	<b>Peak</b>	<b>Non-Peak</b>	<b>Night</b>	<b>Sat</b>	<b>Sun</b>
Rt. 87	30	30	50	30	30
Rt. 88	15	30	30	20	30
Rt. 104	30	30	60	60	60

In addition to the above mentioned, Metrorail and routes 1, 52, 65, 73, Busway Local, Saga Bay MAX, and Coral Reef MAX, service the Dadeland South Metrorail station providing service in the nearby area.

The 2005 Transportation Improvement Program (TIP) does not identify any improvements for the area.

The 2025 Long Range Transportation Needs Plan does not identify any improvements for the area.

The 2004 Transit Development Program (TDP) identifies in its 2009 Recommended Service Plan (RSP) the following improvements:

Rt.87: Improve peak headways from 30 to 15 minutes by 2005.

Rt.88: Improve peak headways from 15 to 12 minutes by 2004. Straighten route and extend westward to the West Kendall Terminal, eliminating the 142 Avenue branch by 2005.

Rt 104: Improve peak headways from 30 to 15 minutes by 2005. Operate the last westbound trip in the evenings along the entire route alignment

**Proposed New Routes:**

Baptist Hospital Shuttle: Shuttle service from Dadeland South station to the Baptist Hospital complex and surrounding medical centers/buildings on SW 87 Avenue.

Based on the information presented, MDT has no objection to this project. However, provisions must be made by developer for removal of existing bus shelter and providing for pull-out bay and new bus shelter. Coordination for these activities must be made with MDT's Service and Mobility Planning Division.

This project has been reviewed by MDT for mass transit concurrency and was found concurrent with the level-of-service standards established Miami-Dade County.

**G. AVIATION**

Miami-Dade Aviation Department has determined that DIC Zoning Application 04-366 Dadeland Breezes Apartment, LLC is clear of any restrictive zones as depicted in the proposed zoning ordinance for Miami International Airport, and would be compatible with airport operations.

**CONDITIONS**

1. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
2. That a recordable agreement be submitted to and meet with the approval of the Director providing for permanent and safe access for pedestrian and vehicular traffic within the development and particularly for right of access for fire, police, health, and sanitation and other public service personnel and vehicles. The agreement, which shall be a covenant running with the land, shall also include a stipulation that the streets, or access ways, shall be installed and maintained by the applicant, including, but not limited to, sidewalks, drainage facilities, water, sewers and fire hydrants, meeting with the approval of the Director and the Director of the Public Works Department. Such agreement shall be executed by the property owner and any and all parties having an interest in the land, such as mortgagees, etc., and its improvements.
3. That in the event of multiple ownership, a homeowner's association, Special Taxing District or Community Development District be established in accordance with applicable regulations to assure that all common area and facilities for use of all residents shall be maintained in a continuous and satisfactory manner, and without expense to the general taxpayer of Miami-Dade County. The instrument incorporating such provisions shall be approved by the County Attorney as to form and legal sufficiency and shall be recorded in the public records of Miami-Dade County at the time recording of the subdivision plat.
4. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments.

DATE TYPED: 12/10/04  
DATE REVISED: 01/26/05;02/03/05  
DATE FINALIZED: 02/03/05

## EXHIBIT 'A'



# Miami-Dade County Public Schools

giving our students the world

**Superintendent of Schools**  
Rudolph F. Crew, Ed.D.

**Ana Rijo-Conde, AICP, Facilities Planning Officer**  
Facilities Planning

January 25, 2005

**Miami-Dade County School Board**

Frank J. Bolaños, Chair  
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Evelyn Langlieb Greer  
Perla Tabares Hantman  
Dr. Martin Karp  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

Ms. Maria Teresa-Fojo, Division Chief  
Miami-Dade County  
Department of Planning and Zoning  
Zoning Evaluation Section  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128

**Re: Dadeland Breezes Apartments, LLC - Application No. 04-366 (CC12)**  
**North of SW 88 Street on the West side of State Road 826**  
**Updated**

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that all of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Kenwood Elemiddle School and South Miami Senior High School currently operating at 131% and 146% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Kenwood Elemiddle School and South Miami Senior High School to 136% and 147%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on January 24, 2005, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

Ms. Maria Teresa Fojo  
January 25, 2005  
Page Two

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

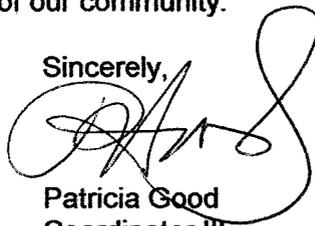
$$\text{New residential unit square footage} \times .90 \text{ (Square Footage Fee)} + \$600.00 \text{ (Base Fee)} + 2\% \text{ administrative fee} = \text{Educational Facilities Impact fee}$$

As an example, assuming the proposed unit is 2,000 square feet, the 640-unit development is estimated to generate approximately \$1,566,720 (\$2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Patricia Good  
Coordinator III

PG:am  
L-561  
Attachment

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albuerne  
Mr. Michael A. Levine  
Mr. Ivan M. Rodriguez  
Ms. Vivian Villaamil  
Mr. Juan Mayol

## SCHOOL IMPACT REVIEW ANALYSIS

**APPLICATION:** No. 04-366, Dadeland Breezes Apartments, LLC (12)  
**REQUEST:** Zone change from RU-4M to PAD  
**ACRES:** 11.11 acres  
**MSA/Multiplier:** 5.5/25  
**LOCATION:** North of SW 88 Street on the West side of State Road 826  
**UNITS:** 242 additional units (398 units currently permitted under existing zoning classification, for a total of 640 units)

### ESTIMATED STUDENT

**POPULATION:** 61 students \*

**ELEMENTARY:** 28

**MIDDLE:** 15

**SENIOR:** 18

### SCHOOLS SERVING AREA OF APPLICATION:

**ELEMIDDLE:** Kenwood Elemiddle - 9300 SW 79 Ave.

**SENIOR HIGH:** South Miami Senior - 6856 SW 53 St.

All schools are located in Region 5

\* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2004:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Kenwood	1136/	854	133%/	16	131%/
Elemiddle	1179*		138%*		136%*
South Miami Sr.	2858/	1695	169%/	261	146%/
	2876*		170%*		147%*

\* increased student population as a result of the proposed development

Note:

- 1) The cumulative effect of other approved or proposed developments in the vicinity is not included as part of this analysis, however is hereby attached in this package.
- 2) Figures above reflect the impact of the class size amendment.
- 3) Pursuant to the Interlocal Agreement, all of the schools meet the review threshold.

### PLANNED RELIEF SCHOOLS IN THE AREA

(information included in Capital Improvement Projects Report of December 9, 2004):

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
Classroom addition at Kenwood K-8 Center (242 student stations)	Design	August 2005
State School "NNN" At South Miami Sr. (900 additional student stations)	Construction	April 2006

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$355,813.

**CAPITAL COSTS:** Based on the State's January-2005 student station cost factors\*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	28 x \$ 13,480 = \$ 377,440
MIDDLE	15 x \$ 15,456 = \$ 231,840
SENIOR	18 x \$ 20,453 = \$ 368,154
Total Potential Capital Cost	\$ 977,434

\* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

	Applicant Name & Number	Location Address	Units/Students	Schools	Board District(s)/ Region(s)	Community Council/ Date	Approved/ Denied/ Comments
1	HOWARD MARLOWE #03-243	N of SW 32 St. and W of SW 145 Ave.	7 Units/ 4 Students	GREENGLADE ELEM-2 WR THOMAS MID-1 BRADDOCK SR-1	7/5 8/5 7/5	CC12	WITHDRAWN
2	OTTO GONZALEZ JR. #01-364	6725 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 1/24/02	DENIED
3	TASNIM UDDIN #02-266	E of SW 89 Ct. and N of SW 72 St.	8 Units/ 3 Students	BLUE LAKES ELEM-1 GLADES MID-1 KILLIAN SR-1	8/5 8/5 6/5	CC12 10/09/03	APPROVED
4	CAULEY PALISADE CORP. #02-096	9325 SW 128 St.	7 Units/ 3 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR-1	7/5 9/5 6/5	CC12 10/22/02	APPROVED
5	HARLON & ANN SACHS #02-140	9500 SW 68 St.	3 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 10/22/02	APPROVED
6	ARLENE POLLOCK #01-110	S of SW 96 St. and W of SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
7	DAVID KING #01-109	SWC of SW 96 St. and SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
8	JAY A. DAVIS #01-108	S of SW 96 St. and W of SW 107 Ave.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
9	HENRY FORERO #02-172	13010 SW 102 Ave.	4 Units/ 1 Student	LEEWOOD ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 11/26/02	APPROVED
10	JORGE A. RODRIGUEZ #02-264	5810 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 11/26/02	APPROVED
11	LUDLAM POINT CLUB, LLC #02-221	6801 SW 44 St.	118 Units/ 17 Students	S. MIAMI ELEM-8 S. MIAMI MID-4 S. MIAMI SR-5	6/5 6/5 8/5	CC12 11/26/02	APPROVED
12	HHJ DEVELOPMENT, LLC #01-388	8820-90 SW 94 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 11/26/02	DENIED
13	AVIS KAPLOW KALLAN #02-269	11860 SW 80 St.	58 Units/ 32 Students	SUNSET PARK ELEM-15 GLADES MID-8 KILLIAN SR-9	6/5 8/5 6/5	CC12 12/18/02	APPROVED
14	MARTA DE VARONA #00-370	9390 SW 66 St.	2 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 2/20/01	APPROVED

**ZONING REPORT**  
(APPLICATIONS REVIEWED SINCE JANUARY 2001)  
CC12

15	EMILIA A. LAVIN #01-375	7890 SW 72 Ave.	4 Units/ 2 Students	LUDLAM ELEM-1 S. MIAMI MID-1 S. MIAMI SR	6/5 6/5 8/5	CC12 3/26/02	DENIED
16	RAMON LAVIN #01-378	N of SW 80 St. and approx. 152' W of SW 72 Ave.	3 Units/ 1 Student	LUDLAM ELEM-1 S. MIAMI MID S. MIAMI SR	6/5 6/5 8/5	CC12 3/26/02	DENIED
17	JOSEPH C. SHAW, TRUSTEE #02-182	7990 SW 112 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID PALMETTO SR	7/5 9/5 9/5	CC12 5/13/03	APPROVED
18	RAUL & JUANA GAMAZO #02-345	10305 SW 70 St.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 5/13/03	APPROVED
19	PHILLIP & DONNA SLOTSKY, ET AL #02-346	S of SW 112 St. and W of SW 87 Ave.	5 Units/ 2 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR	7/5 9/5 6/5	CC12 5/13/03	WITHDRAWN
20	ROSA, OTIS & JAMES WHITEHEAD #03-024	S of SW 126 St. & E of SW 92 Ave.	11 Units/ 4 Students	VINELAND ELEM-2 PALMETTO MID-1 PALMETTO SR-1	7/5 9/5 9/5	CC12 5/28/03	APPROVED
21	SILVERWINGS DEVELOPMENT LLC #03-035	E of SW 80 Ave. & S of SW 110 St.	17 Units/ 6 Students	VINELAND ELEM-3 PALMETTO MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 5/28/03	APPROVED
22	GENERAL CONFERENCE CORP OF 7TH DAY ADVENTIST #00-440	8100 SW 117 Ave.	10 Units/ 6 Students	SUNSET PARK ELEM-3 GLADES MID-1 KILLIAN SR-2	6/5 8/5 6/5	CC12 7/05/01	APPROVED
23	JIMMY DIAZ #03-109	4920 SW 76 St.	1 Units/ 0 Students	CORAL GABLES ELEM PONCE DE LEON MID CORAL GABLES SR	6/4 9/4 6/4	CC12 7/3/03	APPROVED
24	ROBET S. NEUMANN #03-083	9720 SW 92 Terr.	2 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 7/3/03	APPROVED
25	SLMK COP. & LAURISSE K. MASRI, TRUSTEE #03-118	SEC of SW 84 Ave. & S of SW 110 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 7/3/03	APPROVED
26	MARQUISE'S INVESTMENTS, LLC #00-176	9520 SW 92 St.	3 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 9/20/01	APPROVED
27	HHJ DEVELOPMENT, LLC #03-117	SEC of SW 89 Ave. & SW 94 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 9/23/03	APPROVED
28	AMIGOS INVESTMENT, INC. #03-351	13630 SW 97 Ave.	3 Units/ 2 StudentS	LEEWOOD ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 7/6/04	WITHDRAWN

**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

29	A WALK IN GLOWAY PARK, INC #03-318	NWC of SW 112 St. and SW 87 Ave.	4 Units/ 2 Student	VINELAND ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 BCC 11/18/04	APPROVED
30	MYSTIC FOREST INVESTMENTS III, INC. #03-358	NWC of SW 119 Ct. and SW 80 St.	20 Units/ 10 Students	SUNSET PARK ELEM-5 GLADES MID-2 KILLIAN SR-3	6/5 8/5 6/5	CC12 9/8/04	APPROVED
31	FRANCIS B. COMPTON #03-271	SW 124 St. and SW 95 Ave.	23 Units/ 10 Student	VINELAND ELEM-5 PALMETTO MID-2 KILLIAN SR-3	7/5 9/5 6/5	CC12 9/8/04	APPROVED
32	ENRIQUE PIWKO #03-333	NEC of SW 84 Ave. and SW 94 St.	2 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 3/10/04	APPROVED
33	A WALK IN FALL PARK, INC. #03-320	SWC of SW 148 St. and SW 93 Ave.	10 Units/ 5 Students	VINELAND ELEM-2 SOUTHWOOD MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 1/25/05	PENDING
34	SILVIO & JUANA YOLANDA ALVA #04-112	SEC of SW 64 St. and SW 97 Ave.	1 Unit/ 0 Students	SNAPPER CREEK ELEM-0 GLADES MID-0 SW MIAMI SR-0	8/5 8/5 8/5	CC12 10/13/04	APPROVED
35	PINES DEVELOPMENT CORP. #04-333	9795 SW 107 Ave.	3 Units/ 1 Students	KENDALE ELEM-1 ARVIDA MID-0 KILLIAN SR-0	7/5 7/5 6/5	CC12	PENDING

Note: There are two applications that are pending which would generate 6 students.



# Miami-Dade County Public Schools Charter School Operations

33

### Existing Charter School

- 1 Archimedean Academy, 10870 SW 113 Place, Miami, FL 33176
- 2 ASPIRA Eugenio Maria de Hostos Youth Leadership, 3650 North Miami Avenue, Miami, FL 33127
- 3 ASPIRA South Youth Leadership, 14112-14 SW 288 Street, Leisure City, FL 33033
- 4 ASPIRA Youth Leadership, 13300 Memorial Highway, North Miami, FL 33161
- 5 Aventura Charter Elementary School, 3333 NE 188 Street, Miami, FL 33180
- 6 Coral Reef Montessori Academy, 10853 SW 216 Street, Miami, FL 33157
- 7 Doral Academy, 2450 NW 97 Avenue, Miami, FL 33172
- 8 Doral Academy Charter Middle School, 2601 NW 112 Avenue, Miami, FL 33172
- 9 Doral Academy High School, 11100 NW 27 Street, Miami, FL 33172
- 10 Downtown Miami Charter School, 305 NW 3 Avenue, Miami, FL 33128
- 11 Florida International Academy, 7630 Biscayne Boulevard, Miami, FL 33138
- 12 Theodore R. & Thelma A. Gibson Charter School, 3634 Grand Avenue, Miami, FL 33133
- 13 Keys Gate Charter School, 2000 SE 28 Avenue, Homestead, FL 33035
- 14 Liberty City Charter School, 8700 NW 5 Avenue, Miami, FL 33150
- 15 Mater Academy, 7700 NW 98 Street, Hialeah Gardens, FL 33016
- 16 Mater Academy Charter Middle School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 17 Mater Academy Charter High School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 18 Mater Academy East, 450 SW 4 Street, Miami, FL 33130
- 19 M/S Barry University Connected Learning Center, 11441 NW 2 Avenue, Miami Shores, FL 33168
- 20 North County Charter School, 3400 NW 135 Street, Miami, FL 33054
- 21 North Dade Community Charter School, 13850 NW 26 Avenue, Opa-Locka, FL 33054
- 22 Northeast Academy, 3400 NW 135 Street, Miami, FL 33054
- 23 Pinecrest Preparatory Academy, 14301 SW 42 Street, Miami, FL 33175
- 24 Pinecrest Preparatory Academy Charter Middle School, 14301 SW 42 Street, Miami, FL 33175
- 25 Rosa Parks Charter School/Florida City, 713 West Palm Drive, Florida City, FL 33034
- 26 Rosa Parks Community School/Overtown, 430 NW 9 Street, Miami, FL 33136
- 27 Ryder Elementary Charter School, 8360 NW 33 Street, Miami, FL 33122
- 28 Sandor Wiener School of Opportunity  
Main Campus: 20000 NW 47 Court, Opa-Locka, FL 33055  
Kendall Campus: 11025 SW 84 Street, Miami, FL 33173
- 29 Spiral Tech Elementary Charter School, 12400 SW 72 Street, Miami, FL 33183
- 30 Vankara Academy Charter School, 13307-11 Alexandria Drive, Opa-Locka, FL 33054
- 31 Youth Co-Op, 12051 West Okeechobee Road, Hialeah Gardens, FL 33018

### Approved Contracts for 2004-2005

- 32 Academy of Arts & Minds, 3138 Commodore Plaza, Miami, FL 33133
- 33 Balere Language Academy, 10600 Caribbean Blvd., FL 33189\*
- 34 International Studies Charter High, 3280 South Miami Avenue, Miami, FL 33127
- 35 Las Palmas Charter School, 14250 SW 202 Avenue, Miami, FL 33196
- 36 Miami Children's Museum Charter School, 450 SW 4 Street, Miami, FL 33130 (temporary location)

### Approved Contracts for 2004-2005 (Continued)

- 37 Miami Community Charter School, 101 SW Redland Road, FL 33034\*
- 38 Pinecrest Preparatory Academy Charter High School (two locations)  
Main Campus (Kendall Greens): SW 80 Street & 150 Avenue, Miami, FL 33193 and  
Holy Cross Campus: 12425 SW 72 Street, Miami, FL 33183
- 39 School for Integrated Academics and Technologies (SIATech) (two locations)  
Main Campus: 3050 NW 183 Street, Miami, FL 33056, and  
Homestead Campus: 12350 SW 285 Street, Homestead, FL 33033
- 40 Somerset Academy, 8750 NW 21 Terr., Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and 232 Street, Miami, FL 33170 (permanent location)
- 41 Somerset Academy Charter Middle School  
2601 NW 112 Avenue, Miami, FL 33172 and  
8750 NW 21 Terr, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent)
- 42 Somerset Academy Charter High School, 11100 NW 27 Street, Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent location)
- 43 Sweet Home Charter School, 17201 SW 103 Avenue, Miami, FL 33157 (temporary location)  
SW 190 Street and 112 Avenue, Miami, FL 33157\*

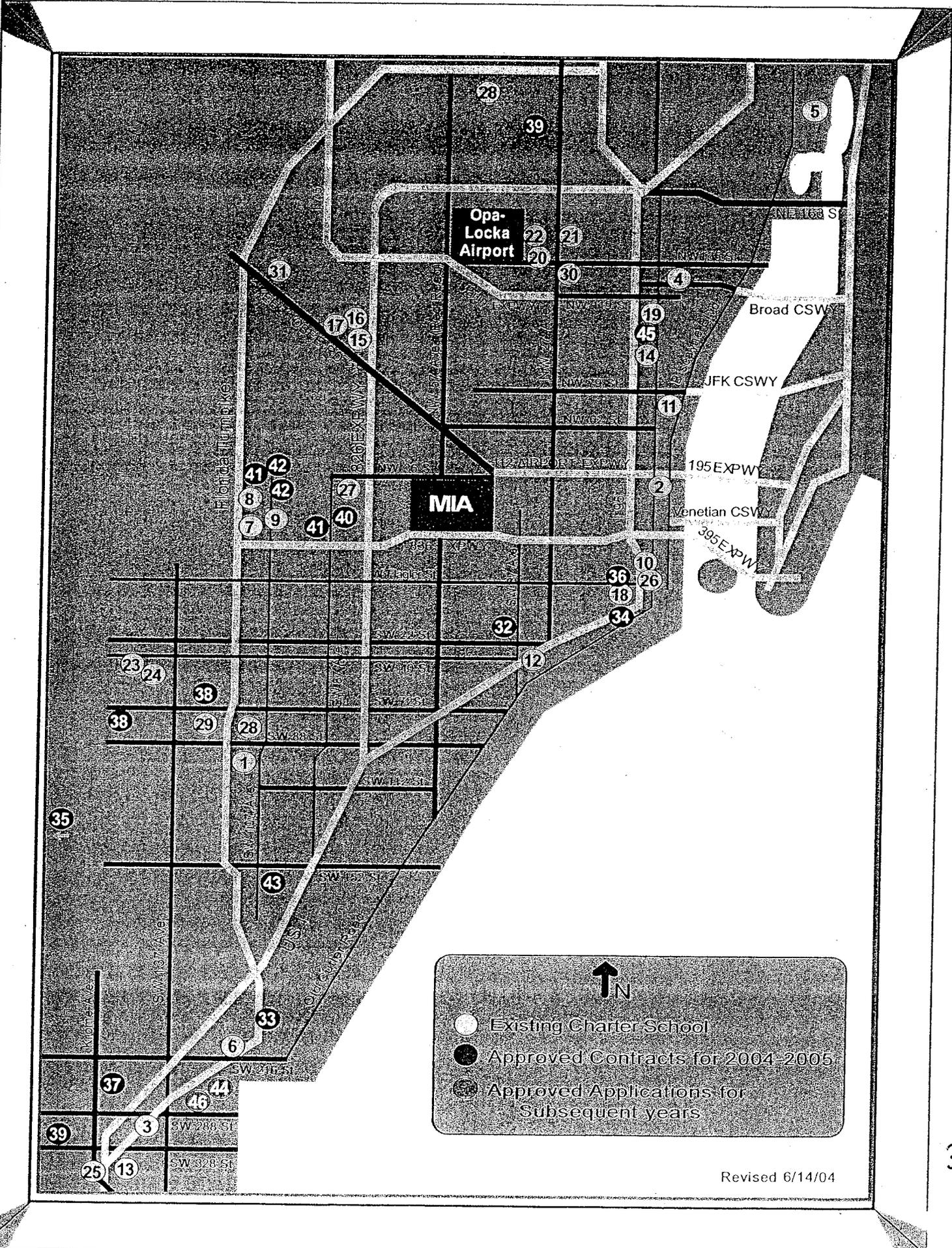
\* Locations pending final School Board approval.

### Approved Contracts for Subsequent Years

- 44 Dr. Joseph Coats Grace Community Charter School, SW 246 Street & 112 Avenue, Miami, FL
- 45 Miami Shores Charter Middle/Senior High School, NW 11441 NW Second Avenue,  
Miami Shores, FL 33168
- 46 Summerville Charter School, SW 246 Street and 117 Avenue, Miami, FL

### Approved Applications

- 47 Mater Academy South Charter School, Sweetwater area
- 48 Mater Gardens Academy Elementary School, Hialeah Gardens area
- 49 Mater Gardens Academy Middle School, Hialeah Gardens area
- 50 Mater Springs Academy Elementary School (location to be determined)
- 51 Mater Springs Academy Middle School (location to be determined)
- 52 Miami-Dade Charter Foundation (4 sites - locations to be determined)
- 53 North Miami/Florida International University Charter Senior High School, NE 151 St. & Biscayne, North Miami, FL
- 54 Sabal Palm Charter High School, Hialeah area
- 55 Somerset Academy (6 sites - locations to be determined)
- 56 Spirit City Academy (location to be determined)
- 57 Sunset Academy (location to be determined)
- 58 The City of North Miami/Florida International University Charter School (location to be determined)



Revised 6/14/04

APPLICATION NO. Z04-366  
DADELAND BREEZE APARTMENTS LLC

Respectfully Submitted,

DIC Executive Council  
February 02, 2005

Pedro G. Hernandez, P.E.  
Assistant County Manager

Absent

Herminio Lorenzo, Fire Chief  
Miami-Dade Fire Rescue Department

Absent

Irma San Roman, Deputy Director  
Metropolitan Planning Organization Secretariat



AYE

Diane O'Quinn Williams, Director  
Department of Planning and Zoning



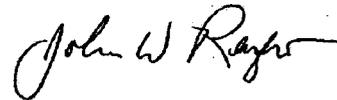
AYE

Aristides Rivera, P.E., P.L.S., Director  
Public Works Department



AYE

John W. Renfrow, P.E., Director  
Department of Environmental Resources Mgmt



AYE

Jorge S. Rodriguez, P.E., Assistant Director  
Miami-Dade Water and Sewer Department



AYE

RECEIVED  
LEGAL COUNSEL SEC.  
PETITION OF APPEAL FROM DECISION OF  
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD  
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY DS AMOUNT OF FEE \$1954.12  
RECEIPT # 1200516037  
DATE HEARD: 5/10/05  
BY CZAB # 121405

**RECEIVED**  
MAY 12 2005  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY DS  
DATE RECEIVED STAMP

\*\*\*\*\*

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 04-366

Filed in the name of (Applicant) DADELAND BREEZE APARTMENTS, LLC

Name of Appellant, if other than applicant \_\_\_\_\_

Address/Location of APPELLANT'S property: NORTH OF SW 88 STREET AND WEST OF SR 826

Application, or part of Application being Appealed (Explanation): ENTIRE APPLICATION

Appellant (name): DADELAND BREEZE APARTMENTS, LLC  
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:  
(State in brief and concise language)

THE DENIAL OF THE APPLICATION WAS NOT BASED ON SUBSTANTIAL COMPETENT EVIDENCE

APPELLANT MUST SIGN THIS PAGE

Date: \_\_\_\_\_ day of MAY, year: 2005

Signed \_\_\_\_\_

HARVEY HERNANDEZ

Print Name

4535 PONCE DE LEON BLVD., CORAL GABLES

Mailing Address

FL, 33146

305.740.0819

Phone

Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

\_\_\_\_\_ Representing

\_\_\_\_\_ Signature

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

\_\_\_\_\_ Address

\_\_\_\_\_ City

\_\_\_\_\_ State

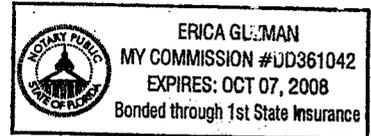
\_\_\_\_\_ Zip

\_\_\_\_\_ Telephone Number

Subscribed and Sworn to before me on the 12<sup>th</sup> day of May, year 2005

\_\_\_\_\_  
Notary Public

(stamp/seal)



Commission expires: Oct. 07, 2008

APPELLANT'S AFFIDAVIT OF STANDING

(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared HARVEY HERNANDEZ (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

- 1. Participation at the hearing
- 2. Original Applicant
- 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

[Signature]  
 Signature  
HUMBERTO VANECKAS  
 Print Name

[Signature]  
 Appellant's signature  
HARVEY HERNANDEZ  
 Print Name

[Signature]  
 Signature  
Enrique R. Vila  
 Print Name

Sworn to and subscribed before me on the 12<sup>th</sup> day of May, year 2005.

Appellant is personally know to me or has produced \_\_\_\_\_ as identification.

[Signature]  
 Notary  
 (Stamp/Seal)  
 Commission Expires: Oct. 07, 2008

 ERICA GUZMAN MY COMMISSION #UD361042 EXPIRES: OCT 07, 2008 Bonded through 1st State Insurance
---

RESOLUTION NO. CZAB12-14-05

WHEREAS, DADELAND BREEZE APARTMENTS L. L. C. applied for the following:

RU-4M to PAD

Plans are on file and may be examined in the Zoning Department entitled "H+H Development," as prepared by Cohen-Freedman-Encinosa & Associates, Revision #2 dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and a portion of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  all in Section 34, Township 54 South, Range 40 East, being particularly described as follows:

Commence at the Southwest corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34; thence run N87° 54'27"E along the south boundary of said Section 34 a distance of 432.11' to a point, said point being 898.41' west of the Southeast corner of said Section 34 and being on a line that is 20' east of and parallel to the east face of a 1 story C.B.S. building; thence run N02° 04'38"W along a line that is 20' east of and parallel to the east face of a 1 story C.B.S. warehouse building a distance of 55' to the point of intersection with the north right-of-way boundary of State Road #94 (N. Kendall Drive) as shown on the right-of-way map recorded in Plat book 78, Page 35; said point being the Point of beginning of the parcel of land hereinafter to be described; thence continue on the last described course a distance of 597.97' to the Point of intersection with the north boundary of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34; said point being 433.52' east of the Northwest corner of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34; thence run N87° 50'41"E along the north boundary of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 a distance of 873.38' to a Point of intersection with the west right-of-way boundary of State Road #826 (Palmetto By-Pass) as shown on a right-of-way map recorded in Plat book 70, Page 6; said point being on a line that is 25' west of and parallel to the east boundary of Section 34; thence run S2° 04'46"E along said west right-of-way boundary and along a line that is 25' west of and parallel to the east boundary of said Section 34 a distance of 233.24' to a point; thence run S5° 48'45"W along said west right-of-way boundary a distance of 364.14' to a point, said point being on a line that is 75' west of and parallel to the east boundary of said Section 34 and being also on a line that is 60' north of and parallel to the south boundary of said Section 34; thence run S87° 54'27"W along a line that is 60' north of and parallel to the south boundary of said Section 34 and along the north right-of-way line of said State Road 826, a distance of 632.73' to a point; thence run S2° 04'43"E along the west right-of-way boundary of State Road 826, a distance of 5' to a Point of intersection with the north right-of-way boundary of said State Road #94; thence run S87° 54'27"W along the north right-of-way boundary of said State Road #94 a distance of 190.67' to the Point of beginning. LESS: The north 30' thereof for road purpose as recorded in Official Record Book 4704, Page 337, and being more particularly described as follows:

Commence at the Northeast corner of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34, Township 54 South, Range 40 East; thence run S87° 50'41"W along the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 for 25' to the Point of beginning; thence continue S87° 50'41"W along the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 for 873.38'; thence run S2° 04'38"E for 30' to a point on a line that is 30' south and parallel to the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34; thence run N87° 50'41"E along the line that is 30' south of and parallel to the north line of

the south 1/2 of the SE 1/4 of the SE 1/4 of said Section 34 for 848.35' to the Point of curvature of a circular curve, concave to the Southwest with a radius of 25'; thence run SE/ly along the arc of said curve for 39.3' to the Point of tangency on the west line of the east 25' of the SE 1/4 of said Section 34; thence run N2° 04'48"W along the west line of the east 25' of the SE 1/4 of said Section 34 for 55.03' to the Point of beginning.

LOCATION: The Northwest corner of S.W. 77 Avenue & S.W. 88 Street; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to PAD would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny the application with prejudice was offered by Robert W. Wilcosky, seconded by Carla Savola, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Carla Savola	aye
Jackie Hernandez-Toraño	absent	Nelson A. Varona	nay
Millie Herrera	aye	Robert W. Wilcosky	aye
Jose I. Valdes		aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to PAD be and the same is hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records  
of the Miami-Dade County Department of Planning and Zoning.

*PASSED AND ADOPTED* this 10<sup>th</sup> day of May, 2005.

Hearing No. 05-3-CZ12-2

Is

STATE OF FLORIDA

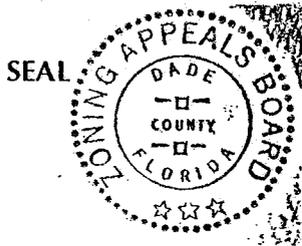
COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-14-05 adopted by said Community Zoning Appeals Board at its meeting held on the 10<sup>th</sup> day of May 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16<sup>th</sup> day of May 2005.



Luis Salvat, Deputy Clerk (2678)  
Miami-Dade County Department of Planning and Zoning



# TEAM METRO

## ENFORCEMENT HISTORY

DADELAND BREEZE APARTMENTS  
LLC

NORTHWEST CORNER OF SW 77  
AVE & SW 88 ST AKA 7701 N.  
KENDALL DR

---

APPLICANT

---

ADDRESS

---

Z2004000366

---

HEARING NUMBER

### CURRENT ENFORCEMENT HISTORY:

02/25/2005 Inspection conducted  
02/25/2005 No current violations

L. Cuellar





# Miami-Dade Police Department

## Address Query for Events occurring at 7701 N. Kendall

### For Thru

45

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2003-05-20" and Dis.Complaint Date < "2005-05-21" and Dis.Police District Code in ( "A", "B", "C", "D", "E", "H", "I", "J", "K", "L", "M", "N", "P", "Q", "R", "ZZ" ) and Dis.Incident Address contains "7701 N. Kendall" and Dis.Reporting Agency Code = substring( "030", 1, 3 ) and Common and Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" )

Incident Address	Dis	Grid	A O P	Complaint Date	Day of Wk	Call Rcvd Time	Complaint Name	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit	Event Number	Rp Wr YN

*Q*



# Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: ( Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate ) and ( Dis.Grid in ( "1705", "1795" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) or ( 'ALL' in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) ) ) and Common

**2003                      2004**

Grid	Signal Code	Signal Description	2003	2004
1795	13	SPECIAL INFORMATION/ASSIGNMENT	39	27
	14	CONDUCT INVESTIGATION	103	80
	15	MEET AN OFFICER	341	314
	16	D.U.I.	4	1
	17	TRAFFIC ACCIDENT	18	15
	18	HIT AND RUN	5	5
	19	TRAFFIC STOP	23	25
	20	TRAFFIC DETAIL	3	8
	21	LOST OR STOLEN TAG	8	5
	22	AUTO THEFT	11	9
	25	BURGLAR ALARM RINGING	84	91
	26	BURGLARY	31	39
	27	LARCENY	11	6
	28	VANDALISM	8	10
	32	ASSAULT	24	31
	33	SEX OFFENSE	3	1
	34	DISTURBANCE	146	113
	36	MISSING PERSON	7	5
	37	SUSPICIOUS VEHICLE	10	12
	38	SUSPICIOUS PERSON	8	10
39	PRISONER	3	4	
41	SICK OR INJURED PERSON	35	39	
43	BAKER ACT	2	2	
44	ATTEMPTED SUICIDE	0	1	
45	DEAD ON ARRIVAL	5	3	
47	BOMB OR EXPLOSIVE ALERT	0	1	

46



# Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Data# Filter: ( Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate ) and ( Dis.Grid in ( "1705" "1795" ) ) and ( ( Dis.Signal Code in ( "13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55" ) or ( 'ALL' in ( "13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55" ) ) ) ) and Common

**2003      2004**

Grid	Signal Code	Signal Description		
1795	49	FIRE	8	6
	52	NARCOTICS INVESTIGATION	2	5
	53	ABDUCTION	1	0
	54	FRAUD	5	11
<b>Total Signals for Grid 1795 :</b>			<b>948</b>	<b>879</b>



**MIAMI-DADE POLICE DEPARTMENT**  
**Zoning Hearing Report Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**For 2003 and 2004**



Miami-Dade Police Department

Grid(s): 1705, 1795

2003    2004

Grid 1795				
<b>Part I</b>				
130A	AGGRAVATED ASSAULT		8	6
2200	BURGLARY		11	16
110C	FONDLING		1	0
2400	MOTOR VEHICLE THEFT		7	6
230A	POCKET PICKING		1	1
110A	RAPE		1	0
1200	ROBBERY		1	0
230C	SHOPLIFTING		19	39
230G	SHOPLIFTING ALL OTHERS		15	13
230F	SHOPLIFTING FROM A MOTOR VEHICLE		15	14
<b>Part I TOTAL</b>			<b>79</b>	<b>95</b>
<b>Part II</b>				
2700	EMBEZZLEMENT		3	0
260A	FRAUD CON/SWINDLE/FALSE PRET.		1	1
260B	FRAUD CREDIT CARD/ATM		3	5
260D	IMPERSONATION		5	13
1000	KIDNAPPING - ABDUCTION		1	0
350A	NARCOTIC BUY/SELL/POSS/IMPORT/MA		2	3
130B	SIMPLE ASSAULT		7	11
<b>Part II TOTAL</b>			<b>22</b>	<b>33</b>
<b>Grid 1795 TOTAL</b>			<b>101</b>	<b>128</b>

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

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

NAME AND ADDRESS (if applicable) \_\_\_\_\_ Percentage of Interest \_\_\_\_\_

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

**RECEIVED**  
AUG 18 2004

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

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

BY \_\_\_\_\_

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

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

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

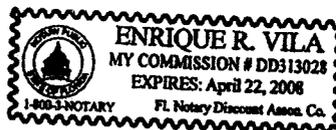
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

**Dadeland Breezes Apartments, LLC**

Signature: By: \_\_\_\_\_ (Applicant)

Sworn to and subscribed before me this 18 day of August, 2004. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

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



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

\*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.

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# A RESIDENTIAL DEVELOPMENT FOR

# H & H DEVELOPMENT

## DADE COUNTY, FLORIDA

**ZONING**  
RU-4

**NET LOT AREA**  
485,951.6 S.F. (11.11 ACRES)

**NUMBER OF UNITS**  
EXISTING: 305 UNITS  
NUMBER PROVIDED: 640 UNITS

**SETBACKS**

FRONT	75'-0"
INTERIOR SIDE	80'-0"
REAR	71'-0"

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM	1.5 X 212 =	318 SPACES
2 BEDROOM	1.75 X 372 =	651 SPACES
3 BEDROOM	2.00 X 56 =	112 SPACES
<b>TOTAL</b>		<b>1081 SPACES</b>

**PROVIDED:**

SURFACE PARKING	25 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE GARAGES	56 SPACES
<b>TOTAL</b>	<b>1081 SPACES*</b>

\* includes 22 handicapped parking spaces

<b>TOTAL GROSS ACREAGE:</b>	483,806 S.F. OR 11.11 ACRES	100%
<b>COVERAGE BLDG. @ GROUND LEVEL:</b>	189,133 S.F. OR 4.34 ACRES	39%
<b>PRIVATE ROADS &amp; PARKING AREAS:</b>	56,548 SF OR 1.3 ACRES	12%
<b>COMMON OPEN SPACE:</b>	182,055 SF OR 4.16 ACRES	38%
<b>PRIVATE OPEN SPACE:</b>	14,890 SF OR .34 ACRES	3%
<b>WATER BODIES:</b>	0 SF	
<b>PUBLIC FACILITIES:</b>	21,522 SF OR .50 ACRES	4%
<b>PUBLIC ROADS:</b>	19,860 S.F. OR .451 ACRES	4%
<b>TOTAL:</b>	483,806 SF 11.11 ACRES	

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM	1.5 X 212 =	318 SPACES
2 BEDROOM	1.75 X 372 =	651 SPACES
3 BEDROOM	2.00 X 56 =	112 SPACES
<b>TOTAL</b>		<b>1081 SPACES</b>

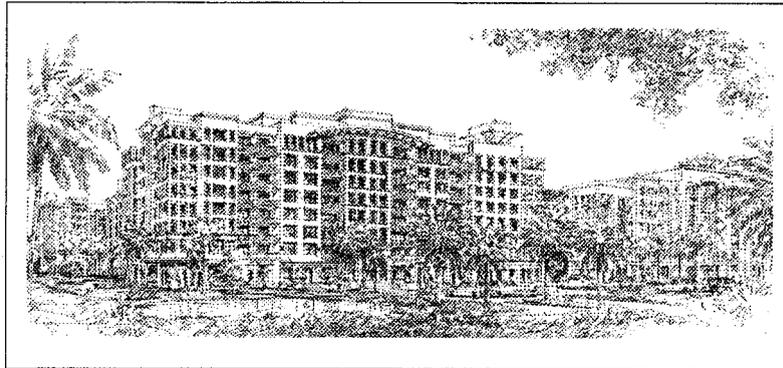
**PROVIDED:**

SURFACE PARKING	25 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE GARAGES	56 SPACES
<b>TOTAL</b>	<b>1081 SPACES*</b>

\* includes 22 handicapped parking spaces

**ARCHITECTURE:**  
COHEN, FREEDMAN, ENCINOSA & ASSOC.  
ARCHITECTS, P.A.  
8085 N.W. 155TH STREET  
MIAMI, FLORIDA 33016  
TEL (305) 826-3999 FAX (305) 826-4155  
EMAIL: CFEARCH@BELLSSOUTH.NET

**LANDSCAPE ARCHITECTURE:**  
FUSTER DESIGN ASSOC.  
7500 S.W. 86TH COURT  
MIAMI, FLORIDA 33143  
TEL (305) 279-2202 FAX (305) 279-2804



**BUILDING MIX**

TYPE	HEIGHT	STORIES
TOWER 1	86'-0"	8
TOWER 2	88'-0"	8
TOWER 3	86'-0"	8

RECEIVED

DEC 30 2004

DEPT. OF PLANNING & ZONING  
ZONING EVALUATION SECTION  
BY \_\_\_\_\_

**INDEX OF SHEETS**

- A-0 TITLE SHEET/PROJECT DATA
- A-1 GROUND FLOOR PLAN 1:30 SCALE
- A-2 2nd - 5th LEVEL FLOOR PLAN 1:30 SCALE
- A-3 6th LEVEL FLOOR PLAN 1:30 SCALE
- A-4 7th LEVEL FLOOR PLAN 1:30 SCALE
- A-5 8th LEVEL FLOOR PLAN 1:30 SCALE
- A-6 ELEVATION
- A-7 ELEVATION
- A-8 ELEVATION
- A-9 BUILDING SECTION 1:30 SCALE
- A-10 RENDERING NO SCALE
- A-11 EXISTING SITE CONDITIONS

**UNIT MIX - PROJECT TOTAL**

1 BED	2 BED	3 BED	3B TOWNHOUSE	TOTAL
212	372	28	28	640
33%	58%	4.5%	4.5%	

UNIT TYPE	UNIT S.F.	1st	2nd-5th	6th	7th	8th	TOTAL UNITS
A1	756	20	2064-80	20	18	18	162
A2	975	-	424-18	4	4	4	26
A3	1050	4	424-18	4	4	4	32
B1	1080	-	624-18	-	-	-	18
B2	1100	30	3064-180	30	84	24	228
B3	1200	12	1224-18	12	12	12	96
B4	1870	4	624-18	4	4	4	32
C2	1430	-	424-18	4	4	4	26
T3L	1500	22	-	-	-	-	22
<b>TOTAL</b>		64	828	78	58	68	640

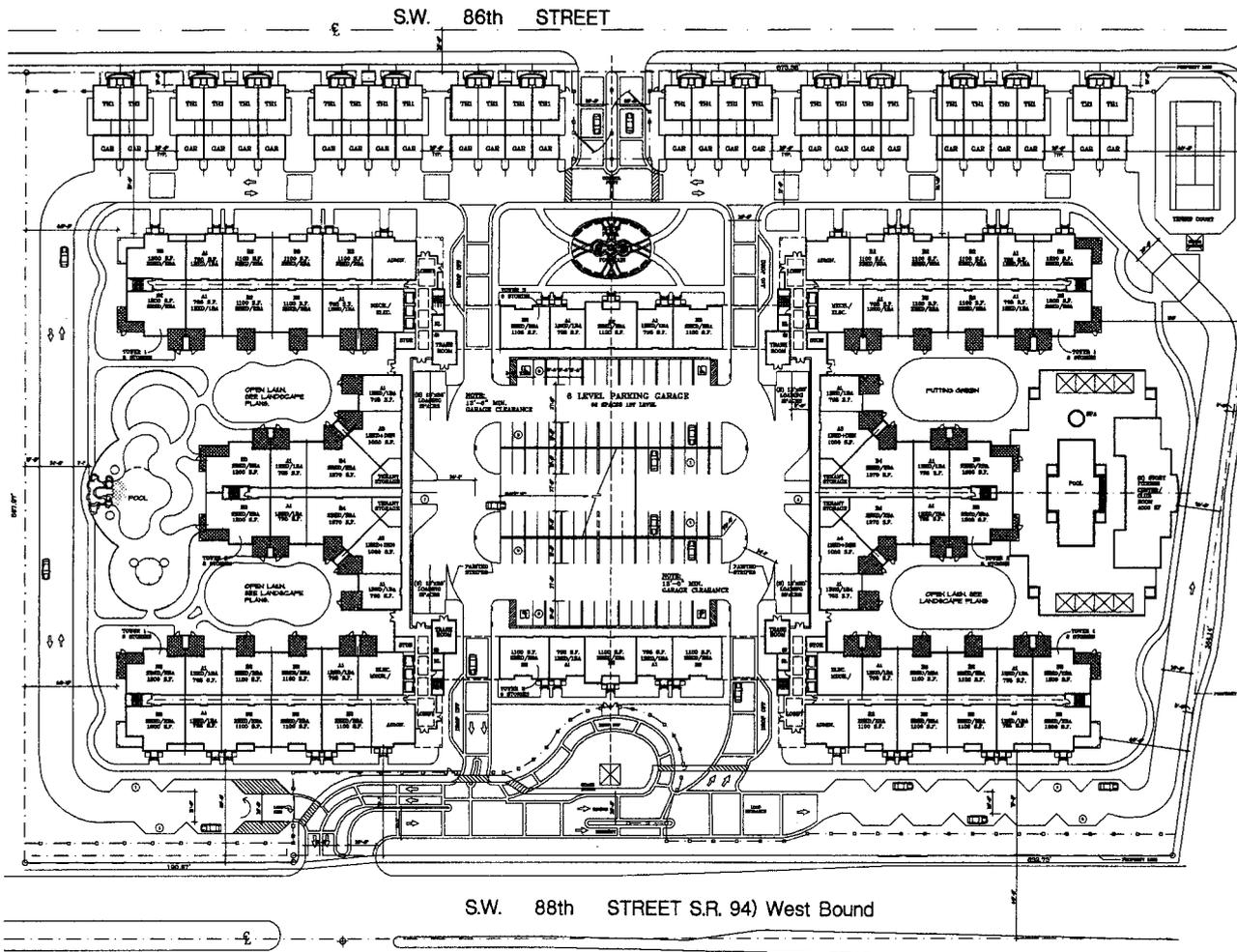
**COHEN - FREEDMAN - ENCINOSA & ASSOC.**  
**Architects, PA**  
 8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

PRELIMINARY DESIGN FOR  
**H + H DEVELOPMENT**  
 DADE COUNTY, FLORIDA

SHEET NO. 01-0001  
 DATE: 02-04-04  
 8/30-04  
**A.0**



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NOTES:  
 PAVEMENT MARKINGS AND TRAFFIC SIGNS TO BE INCLUDED AS PART OF A TRAFFIC STUDY. STUDY TO BE SUBMITTED TO PUBLIC WORKS DEPT. FOR APPROVAL.

SIGNAL INDICATION REQUIRED.

1ST LEVEL PLAN  
 1:40' SCALE

PALMETTO EXWY. (S.R. No. 826)

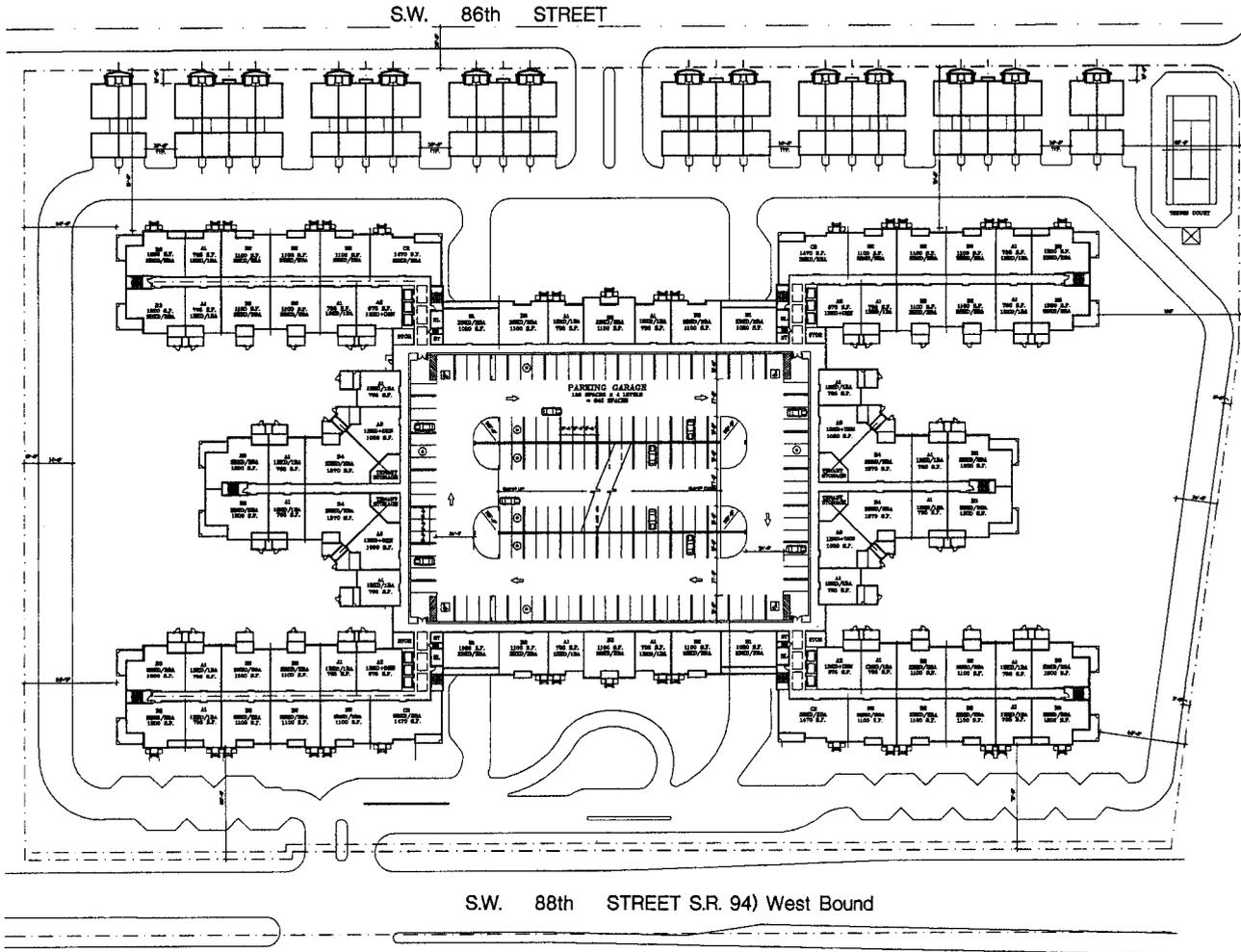
PRELIMINARY DESIGN FOR:  
**H + H DEVELOPMENT**  
 DADE COUNTY, FLORIDA

**COHEN · FREDMAN · ENCINOSA & ASSOC.**  
 Architects, PA  
 8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-9999

DATE: 12/23/93  
 DRAWN BY: BAWH  
 SHEET NO: **A.1**

\\srmc\work\1266\p1266-4606\1141.dwg 10/18/93 12:23:53 2004 B

54



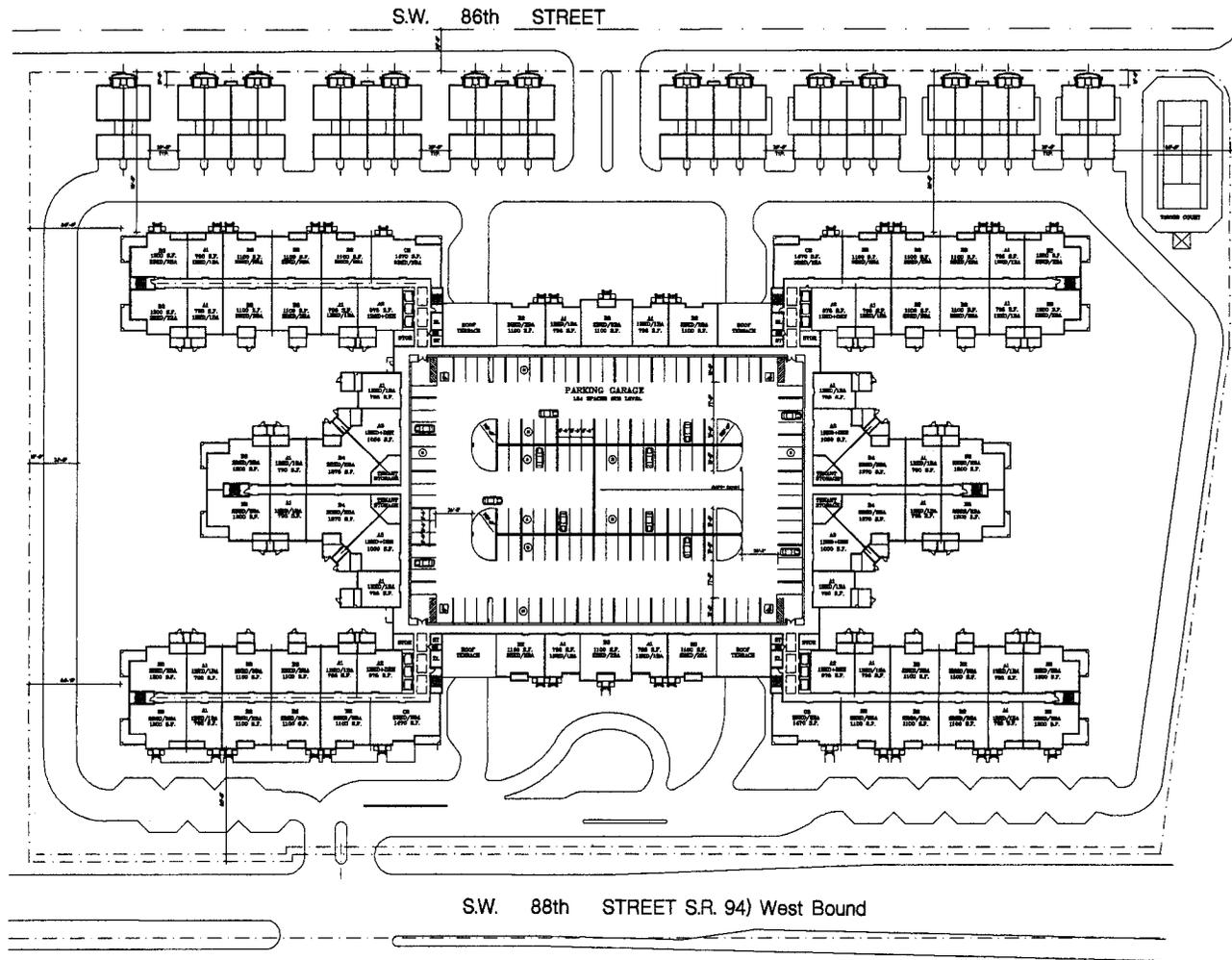
2nd-5th LEVEL PLAN  
1:40' SCALE

PRELIMINARY DESIGN FOR:  
**H + H DEVELOPMENT**  
DADE COUNTY, FLORIDA

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

DATE	BY	REVISION
<b>A.2</b>		

55



6th LEVEL PLAN  
1:40' SCALE

PRELIMINARY DESIGN FOR  
**H + H DEVELOPMENT**  
DADE COUNTY, FLORIDA

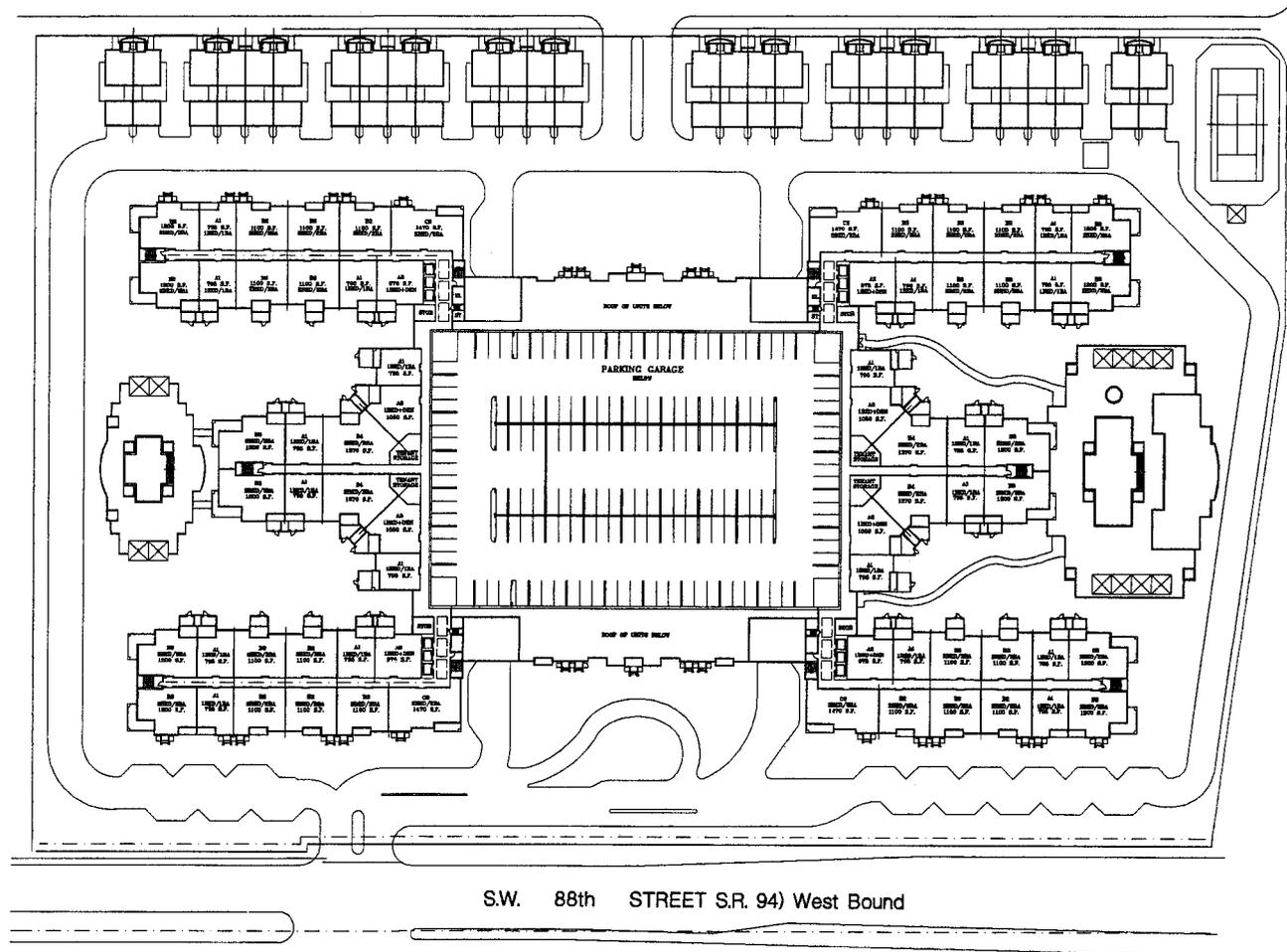
**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

DATE	BY
<b>A.3</b>	

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56

S.W. 86th STREET



S.W. 88th STREET (S.R. 94) West Bound

7th LEVEL PLAN  
1:40' SCALE

PRELIMINARY DESIGN FOR  
**H + H DEVELOPMENT**  
 DADE COUNTY, FLORIDA

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
 Architects, PA

8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

DATE	11/11/04
BY	SA/04
NO.	<b>A.4</b>





PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20" SCALE

ELEVATION KEY NOTES

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM. FRAME (ESP FIN.)      |
| 5. ALUMINUM RAILING (ESP FIN.) | W/BLUE/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |



PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20" SCALE

PRELIMINARY DESIGN FOR:  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

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

A.6

58

59



PARTIAL TOWNHOME ELEVATION

1:20" SCALE

ELEVATION KEY NOTES

- 1. TEXTURED STUCCO FINISH
- 2. SMOOTH STUCCO FINISH
- 3. ALUMINUM AWNING (ESP FIN.)
- 4. DECORATIVE LIGHT FIXTURE
- 5. ALUMINUM RAILING (ESP FIN.)
- 6. ALUMINUM TRELIS (ESP FIN.)
- 7. STANDING SEAM MTL ROOF
- 8. CONCRETE SILL
- 9. RAISED STUCCO BAND
- 10. ALUM FRAME (ESP FIN.)  
W/BUE/GREEN TINTED GLASS
- 11. ALUMINUM SHUTTER (ESP FIN.)



PARTIAL TOWNHOME ELEVATION

1:20" SCALE

ELEVATION KEY NOTES

- 1. TEXTURED STUCCO FINISH
- 2. SMOOTH STUCCO FINISH
- 3. ALUMINUM AWNING (ESP FIN.)
- 4. DECORATIVE LIGHT FIXTURE
- 5. ALUMINUM RAILING (ESP FIN.)
- 6. ALUMINUM TRELIS (ESP FIN.)
- 7. FABRIC AWNING
- 8. CONCRETE SILL
- 9. RAISED STUCCO BAND
- 10. ALUM FRAME (ESP FIN.)  
W/BUE/GREEN TINTED GLASS
- 11. ALUMINUM SHUTTER (ESP FIN.)

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

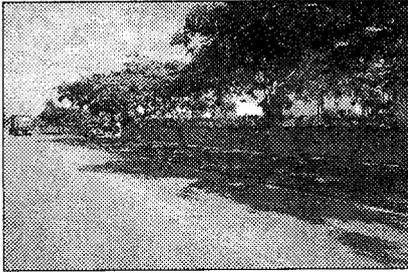
COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
8085 N.W. 155th Street  
Miami Lakes, Florida 33016 305-826-3999

DATE: 8/18/04  
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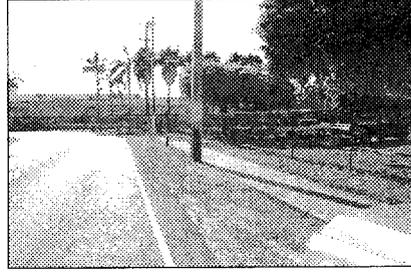
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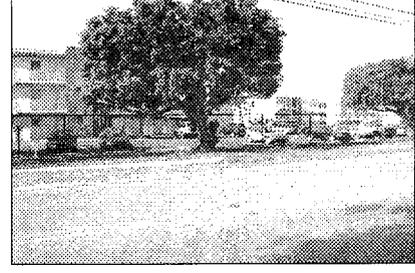
ADJACENT SITE NORTH OF  
86TH STREET



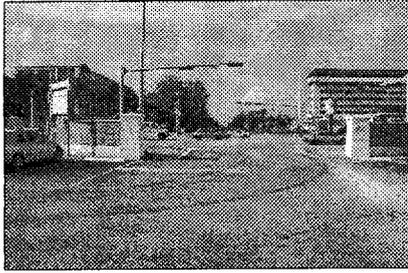
VIEW LOOKING EAST TOWARDS  
PALMETTO EXPRESSWAY



VIEW LOOKING WEST ON  
86TH STREET



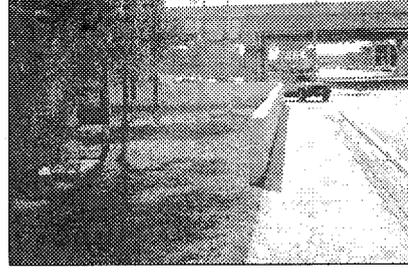
VIEW LOOKING SOUTH OF  
EXISTING SITE



VIEW LOOKING SOUTH FROM  
KENDALL DRIVE EXIT



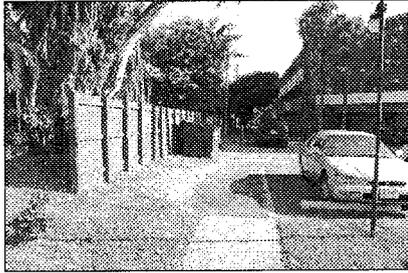
KENDALL DRIVE LOOKING  
WEST



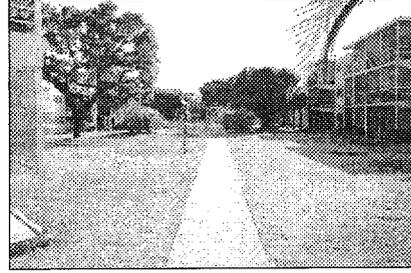
KENDALL DRIVE LOOKING  
EAST



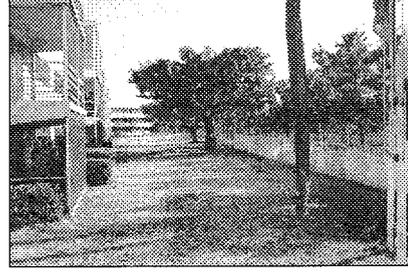
MEDICAL CENTER ADJACENT  
TO EXISTING SITE



VIEW LOOKING NORTH AT  
WEST PROPERTY LINE



COURT YARD OF EXISTING  
APARTMENTS ON SITE



VIEW LOOKING NORTH AT  
PALMETTO EXPRESSWAY

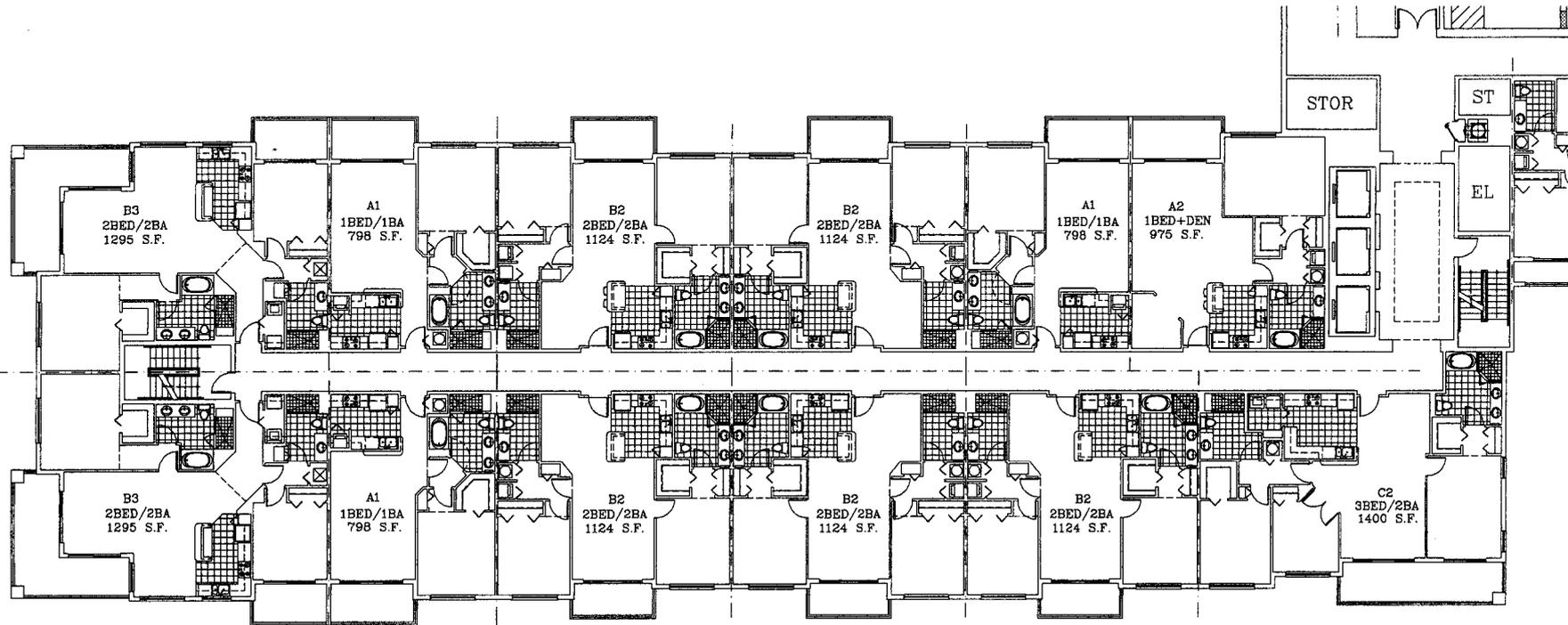


EXISTING SITE LOOKING  
WEST ON KENDALL DRIVE

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

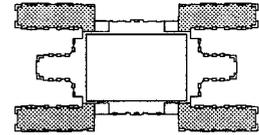
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COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999



TYPICAL LEVEL PLAN

1/8" SCALE



KEY PLAN  
N.T.S.

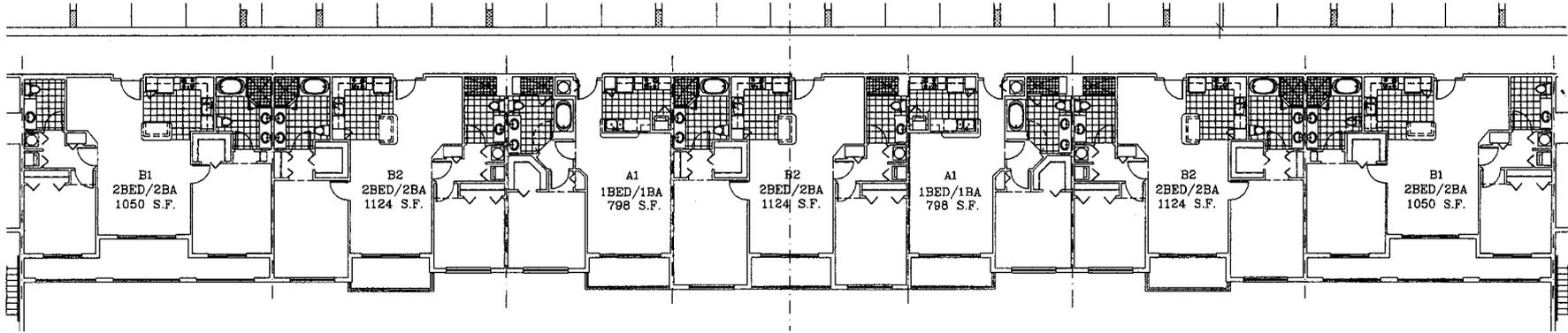
PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

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Architects, PA  
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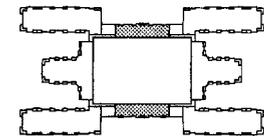
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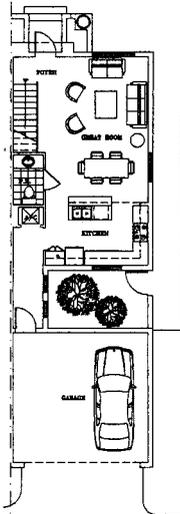


TYPICAL LEVEL PLAN

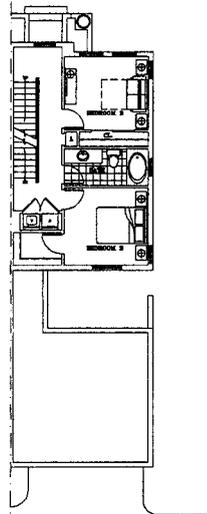
1/8" SCALE



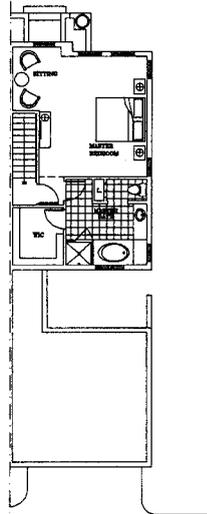
KEY PLAN  
N.T.S.



1ST LEVEL PLAN  
1/8" SCALE



2ND LEVEL PLAN  
1/8" SCALE



3RD LEVEL PLAN  
1/8" SCALE

TOTAL A/C 1786 S.F.

TYPICAL TOWNHOUSE PLAN

1/8" SCALE

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

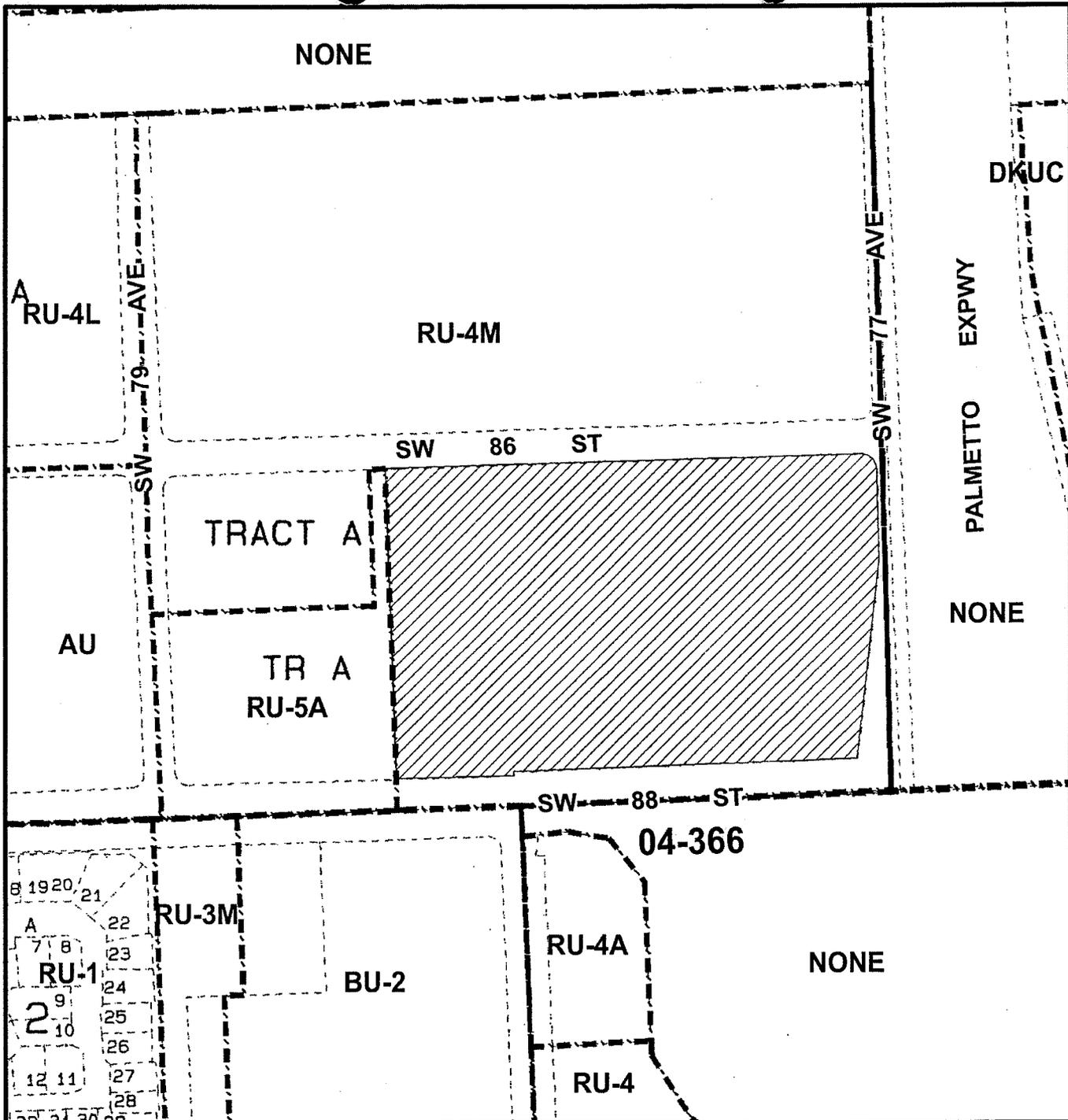
COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
8085 N.W. 15513 Street Miami Lakes, Florida 33016 305-826-3999

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**MIAMI-DADE COUNTY  
HEARING MAP**

Section: 34 Township: 54 Range: 40  
 Process Number: 04-366  
 Applicant: DADELAND BREEZEZ APARTMENTS, INC  
 District Number: 07  
 Zoning Board: C12  
 Drafter ALFREDO  
 Scale: 1:300'



 SUBJECT PROPERTY





MIAMI-DADE COUNTY  
**AERIAL**

Section: 34 Township: 54 Range: 40  
Process Number: 04-366  
Applicant: DAELAND BREEZEZ APARTMENTS, INC  
District Number: 07  
Zoning Board: C12  
Drafter ALFREDO  
Scale: NTS

SCALE  
0 NTS N

  
 SUBJECT PROPERTY

**B. DADELAND BREEZE APARTMENTS LLC**  
**(Applicant)**

**05-3-CZ12-2 (04-366)**  
**Area 12/District 7**  
**Hearing Date: 5/10/05**

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

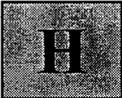
Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1964	Sec. 34 Corp.	Zone change from AU to RU-4.	BCC	Approved w/conds.
1966	Kendall Park Apts.	Unusual Use entrance feature.	ZAB	Approved w/conds.

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

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**



APPLICANT'S NAME: **(D.I.C.) DADELAND BREEZE APARTMENTS LLC**

REPRESENTATIVE: **JUAN MAYOL**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	APRIL 26, 2005	CZAB12- -05

**REQ:** RU-4M to PAD

**REC:** APPROVE DBC SUBJECT TO COVENANT

**WITHDRAW REQUEST #2**

WITHDRAW:  APPLICATION  ITEMS: \_\_\_\_\_  
 DEFER:  INDEFINITELY  TO: \_\_\_\_\_  W/LEAVE TO AMEND  
 DENY:  WITH PREJUDICE  WITHOUT PREJUDICE  
 ACCEPT PROFFERED COVENANT  ACCEPT REVISED PLANS  
 APPROVE  PER REQUEST  PER DEPARTMENT  PER D.I.C.  
 WITH CONDITIONS

**OUT OF TIME - HEARING NOT CONCLUDED – CARRIED FORWARD TO 5/10/05 MEETING**

TITLE	M/S	NAME	YES	NO	ABSN
MS.		Peggy BRODEUR			
MS.		Jackie HERNANDEZ- TORAÑO			
MADAME VICE-CHAIR		Millie HERRERA			
MS.		Carla SAVOLA			
MR.		Nelson A. VARONA			
MR.		Robert W. WILCOSKY			
CHAIRMAN		Jose I. VALDES (C.A.)			

VOTE: \_\_\_\_\_ to \_\_\_\_\_

EXHIBITS:  YES  NO

COUNTY ATTORNEY: TOM LOGUE

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**

**B**

APPLICANT'S NAME: DADELAND BREEZE APARTMENTS LLC

REPRESENTATIVE(S): JUAN MAYOL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	MAY 10, 2005	CZAB12- <del>14</del> -05

**REQ:** RU-4M to PAD

WITHDRAW:  APPLICATION       ITEMS: \_\_\_\_\_

DEFER:       INDEFINITELY       TO: \_\_\_\_\_       W/LEAVE TO AMEND

DENY:       WITH PREJUDICE       WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT       ACCEPT REVISED PLANS

APPROVE       PER REQUEST       PER DEPARTMENT       PER D.I.C.

WITH CONDITIONS

TITLE	M/S	NAME	YES	NO	ABSN
MS.		Peggy BRODEUR	X		
MS.		Jackie HERNANDEZ- TORAÑO			X
MADAME VICE-CHAIR		Millie HERRERA	X		
MS.	<b>S</b>	Carla SAVOLA	X		
MR.		Nelson A. VARONA		X	
MR.	<b>M</b>	Robert W. WILCOSKY	X		
CHAIRMAN		Jose I. VALDES (C.A.)	X		

VOTE: 5 to 1

EXHIBITS:  YES     NO

COUNTY ATTORNEY: JAY WILLIAMS

# EXHIBIT LIST

## COMMUNITY ZONING APPEALS BOARD 12

MAY 10, 2005

RESOLUTION #: CZAB12-14-05

ITEM#	HEARING#	APPLICANT'S NAME	SS-TT-RR
B	04-366	DADELAND BREEZE APARTMENTS, LLC	34-54-40

EX. #	EXHIBIT DESCRIPTION	IN FILE
B-1	Spiral bound booklet with name of applicant, etc. by Holland + Knight	YES
B-2	Compute generated aerial entitled "Distribution of Students...Site"	YES
B-3	16 computer generated photographs of roadways in vicinity of property	YES
B-4	2 pp print-out from Miami Herald.com re: "Traffic here among worst in U.S."	YES
B-5	1 pg. entitled 'Comparison'	YES
B-6	1 pg. bubble map, in color identifying ellipticals CDMP Med-High Density area, Dadeland Breezes, roadway barriers, etc	YES
B-7	Resolution from Village of Kings Creek Condominium Association	YES
B-8	Letter to BCC c/o CZAB from Continental Park HOA	YES
B-9	Letters from Pepperwood HOA, Tara HOA, & Kendall Glenn Condo Assoc., (4 pp.)	YES
B-10	Misc. documents (3 pages)	YES
B-11	Misc. documents (6 pages)	YES
B-12	53 pages of protests (signatures NOT counted)	YES
B-13	5 2'x3' sheets (4 w/excerpts from Rec. Report, 1 pg. w/computer generated aerial photo (subj. prop. & adjoining dev. on sepia tone)	YES
B-14	Poster board comparing present vs proposed (on corrugated cardboard)	NO
B-15	Landscape Concept Plan (on foam board)	NO
B-16	Aerial color photograph of subject property (on foam board)	NO
B-17		
B-18		

**DEVELOPMENTAL IMPACT COMMITTEE  
RECOMMENDATION TO COMMUNITY ZONING APPEALS BOARD No. 12**

**APPLICANT:** Dadeland Breeze Apartments, LLC

**PH:** 04-366

**SECTION:** 34-54-40

**DATE:** May 10, 2005

**COMMISSION DISTRICT:** 7

**ITEM NO.:** B

**A. INTRODUCTION**

o **REQUESTS:**

(1) RU-4M to PAD

(2) Deletion of a Declaration of Restrictions recorded in Official Records Book 13739, Pages 733 through 736.

The purpose of the request is to permit the applicant to eliminate the limitation on ingress and egress across SW 86 Street.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) or under §33-311(A)(17) (Modification or Elimination of conditions or Covenants After Public Hearing).

Plans are on file and may be examined in the Zoning Department entitled "H & H Development as prepared by Cohen-Freeman-Encinosa & Assoc., dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

**SUMMARY OF REQUESTS:**

The applicant is requesting a zone change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development District, in order to develop an approximately 11.11-acre parcel of land with a multi-family development. All of the existing three-story apartment buildings will be demolished to accommodate 640 new one, two and three bedroom residential units housed within apartment or townhouse building types. In addition to the district boundary change, the applicant is seeking to delete a Declaration of Restrictive Covenants that limits vehicular access into the property from SW 86 Street. The subject property is located on the northwest corner of SW 77 Avenue and SW 88 Street.

o **LOCATION:** Northwest Corner of SW 77 Ave. & SW 88 St; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida.

o **SIZE:** 11.11 Acres

o **IMPACT:**

The proposed residential development will provide additional housing to the community; however, it will bring an increase in traffic and noise into the area and will impact schools and public services.

**B. ZONING HEARINGS HISTORY:**

In 1964 pursuant to resolution Z-242-64, the Board of County commissioners approved a zone change from AU, Agriculture District to RU-4, Apartment House District. In 1966 pursuant to Resolution 3ZAB-230-66 the Zoning Appeals Board approved an unusual use for an entrance feature on the subject property.

**C. NEIGHBORHOOD CHARACTERISTICS:**

<u>SUBJECT PROPERTY</u>	<u>EXISTING ZONING</u>	<u>EXISTING LAND USE PLAN DESIGNATION</u>
	RU-4M; 3-story apartments	Medium-High Density Residential, 25 to 60 dua
 <b><u>SURROUNDING PROPERTY</u></b>  		
<b><u>NORTH</u></b>	RU-4M; 4-story apartments	Medium-High Density Residential, 25 to 60 dua
<b><u>SOUTH</u></b>	BU-2 and RU-4A; strip shopping center, 5-story office building, 10-story motel/hotel and Palmetto Expressway	Business and Office and Medium-High Density residential, 25 to 60 dua
<b><u>EAST</u></b>	Palmetto Expressway	Palmetto Expressway
<b><u>WEST</u></b>	RU-4M and RU-5A; office building and 2-story apartments	Business and Office and Medium-High Density residential, 25 to 60 dua

The subject property is located in the east Kendall area of Miami-Dade County. The area west of the Palmetto Expressway is predominately developed with apartments and townhouses. East of the Palmetto is the burgeoning Downtown Kendall Urban Center District, with its mixed-use developments consisting of condominiums, retail and office. A number of small strip shopping centers and office uses are located west of the Palmetto Expressway, on the north and south sides of SW 88 Street.

**D. SITE AND BUILDINGS:**

Scale/Utilization of Site:	<b>Acceptable</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Acceptable</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Acceptable</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Visibility/Visual Screening:	<b>Acceptable</b>
Energy Considerations:	<b>N/A</b>

Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	Acceptable

**E. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(A)(8).** The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

**Section 33-311(A)(17). Modification or Elimination of Conditions and Covenants After Public Hearing.** The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs of this section have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**Section 33-311(A)(7).** 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; 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.

**F. NEIGHBORHOOD SERVICES:**

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	See Exhibit 'A'
Planning and Zoning	No objection

**G. RECOMMENDATION:**

**Approval** of the district boundary change from RU-4M to PAD subject to the Board's acceptance of the proffered covenant. Said covenant provides that development of the subject site be substantially in accordance with the submitted site plan; that the maximum number of dwelling units on the property be 660; and that development of the property is projected to commence in February 2006 with construction to be completed within 24-36 months from commencement. Said agreement also provides additional quantitative data regarding number of bedrooms, building coverage, open space, residential density, nonresidential construction, private roads and private areas, and population projection.

**Withdrawal** of request #2.

The Executive Council is of the opinion that the proposed zone change will be in keeping with the Comprehensive Development Master Plan (CDMP) Medium-High Density Residential designation for the subject parcel. When taking into consideration the reasonableness of the applied for rezoning in relation to the present and future development of the area, the Executive Council finds that the zone change request will permit a residential development which is **consistent** with the CDMP, and will not be contrary to the public interest. The Council also finds that the proposed development will also be **compatible** with the development trend in the surrounding area.

**PROJECT DESCRIPTION**

The submitted plans depict a square-shaped parcel bounded by the Palmetto Expressway to the east, SW 79 Avenue to the west, SW 88 Street (North Kendall Drive) to the south, and SW 86 Street to the north. Two entrances into the complex are shown, one from Kendall Drive and a second from SW 86 Street. Vehicles or pedestrians entering from North Kendall Drive encounter a frontage drive providing access into the parking garage serving the apartment portion of the development. This drive is also connected to a loop road that provides access to other apartment buildings, townhouse units fronting SW 86 Street and recreational facilities consisting of a tennis court, putting green, swimming pools and a fitness center. All of the parking spaces required by the apartment portion of this project will be located inside a parking structure that is completely lined by the proposed apartment buildings. Providing habitable space in front of the parking structure will prohibit parking spaces to be seen from the adjacent street network. Parking for the townhouse units fronting SW 86 Street are placed inside parking garages located in the rear of each unit. The absence of visible parking spaces will enhance the aesthetics of those corridors surrounding the subject property and proposed development. Further, by placing parking behind buildings, and fronting buildings closer to the street as is being proposed by the subject application, will help to foster a pedestrian-scaled environment along SW 86 Street and SW 88 Street. Staff notes, however, that the human-scaled environment will become more evident along SW 86 Street due to the townhouse building's proximity to said corridor. Proposed buildings adopt a modified Art-Deco style and will have heights reaching eight stories for apartments and three stories for the townhouse types. Most of the building program is concentrated along North Kendall Drive, which is a more intensively built and highly trafficked street, while the less intensive-scaled, three-story townhouses front SW 86 Street, a local street. Building intensity transitions from Kendall Drive to SW 86 Street by placing the taller, more densely developed program along North Kendall Drive and the less intensively developed townhouses along SW 86 Street. Landscaping in the form of trees, palms and shrubs will be provided throughout the site, with planting emphasis placed where the site adjoins the Palmetto Expressway in order to help buffer the development from the highway's noise.

**COMMENTS AND MAJOR CONCERNS**

Ordinance Number 75-47 charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The following comments address these specific charges with regard to the subject application:

**I. CONFORMANCE WITH ALL APPLICABLE PLANS**

**A. RELEVANCE TO THE COMPERHENSIVE DEVELOPMENT MASTER PLAN**

**APPLICABLE CDMP GOALS, OBJECTIVES AND POLICIES**

**Land Use Objective 5**

Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goals, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.

**Land Use Element Goal**

Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

**Land Use Policy 5B**

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

**Land Use Policy 2A**

All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).

**Land Use Policy 9M**

Miami-Dade County shall develop an urban design manual establishing design guidelines. This manual shall provide additional criteria for use in review of all new residential, commercial and industrial development in unincorporated Miami-Dade County.

The Adopted 2005 and 2015 Land Use Plan designates 10 acres of the subject property as being within the Urban Development Boundary for **Medium-High Density Residential**.

### **Medium-High Density Residential**

This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.

### **DEPARTMENT OF PLANNING AND ZONING DIRECTOR'S EVALUATION**

The applicant, Dadeland Breeze Apartments, Inc., is requesting a zone change from GU, Interim District, to PAD, Planned Area Development District on an 11.11-acre parcel located on the northwest corner of SW 77 Avenue and SW 88 Street, in the east Kendall area of Miami-Dade County. The proposed planned area development will consist of 640 residential units made up of one, two and three bedroom units housed within apartment and townhouse building types. In conjunction with the district boundary change, the applicant is seeking to delete a Declaration of Restrictive Covenants limiting vehicular ingress and egress into the site from SW 86 Street. All of the 3-story apartment buildings now found in the site will be demolished to accommodate the new residential development. Four-story apartment buildings exist on a parcel located north of the subject property, across SW 86 Street. To the south, across North Kendall Drive, there is a 1-story strip commercial shopping center, a 5-story office building and a 10-story hotel. The Palmetto Expressway and the burgeoning Downtown Kendall District Urban Center lie to the east and an office building and 2-story apartments lie to the west.

The CDMP designates the 11.11-acre subject property for **medium-high density residential**. This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas. The applicant is proposing a total of 640 residential units at a density of 57 units per gross acre. A declaration of restrictive covenants will be proffered by the applicant that, among other things, limits the density to 57 units per gross acre for a total of 640 residential units, ties the subject property to a site plan, and indicates the development's projected commencement to be no earlier than December 2005. As such, the proposed Planned Area Development District, with the proffered covenant limiting the density to 640 units at 57 units per gross acre is **consistent** with the maximum numerical threshold permitted by the Land Use Plan map. Staff is of the opinion that the proposed development consisting of 8-story apartment buildings and 3-story townhouses is **compatible** with surrounding development such as the 10-story hotel located across the parcel, on the south side of SW 88 Street, and the Downtown Kendall area found to the east of the Palmetto Expressway with its mixed-use buildings, some of which reach 25 stories, some 10 stories and others 7 stories. This development lies to the west of the Downtown Kendall's Edge Sub-district. Under the Downtown Kendall Urban Center District Ordinance (DKUCD), the Edge Sub-district standards permit buildings with heights of up to 7 stories. The 8-story buildings proposed for this development are not a significant departure from the 7-story buildings permitted under the DKUCD's Edge Sub-district and are significantly lower than those buildings permitted in the DKUCD's Core and Center Sub-districts which may reach heights of up to 25 and 10 stories, respectively. The proposal is also compatible with existing development found to the north, west and southwest developed with office buildings, a commercial center and

apartments. The office building found to the southwest, on the south side of North Kendall Drive, is approximately 5 stories which in staff's opinion is a height that is in keeping with and similar in scale to the proposed 8-story apartment portion of the development. However, many of the apartment buildings to the north are 4 stories in height and those to the west are 2-stories. 3-story townhouse building types will front SW 86 Street, to provide a transition between the proposed 8-story buildings fronting N. Kendall Drive and the existing 4-story buildings found to the north of the subject parcel. To buffer the 2-story apartment buildings to the west from the proposal, the applicant proposes to install a high concentration of landscape material along the west property line and setback the proposed apartments approximately 60' from said property line as well. The transitional height provided by the townhouse building type in conjunction with proposed landscape material and setback considerations will alleviate any detrimental impacts generated by the scale and intensity of the residential project on surrounding uses and helps to create a development that is in keeping and more **compatible** with the surrounding uses. Further, all of the required off-street parking is stored in a garage lined with apartment buildings. No parking spillage to major or local streets will be generated as the garage can adequately accommodate the parking needs of the requested density. Parking structures not only permit the vertical storage of automobiles, but also allow for the reservation of additional areas of on-site open space. Lining the parking garage with apartment buildings prevent parking areas from being seen from the street or from the development's surroundings. This enhances the aesthetics of the development, the surrounding land uses and streets. As such, staff of the Department is of the opinion that as proposed, the residential development is **compatible** with the community and **consistent** with the medium-high residential development density permitted by the LUP map under the CDMP.

When considering district boundary changes the Board shall hear and grant or deny applications by taking into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities 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. The applicant is seeking approval for a district boundary change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development, incorporating a mixture of building types within a well-designed community having a number of recreational amenities. The approval of this application would help to address the needs in this area of Miami-Dade County by promoting the redevelopment of an underdeveloped site, all in accordance with the County's adopted Urban Design Manual. Proposed building types are designed with well-articulated facades using plentiful fenestration and regional architectural motifs. Parking is relegated to the rear of buildings or is completely camouflaged from streets or the surrounding community view by habitable space. A number of important thoroughfares such as the Palmetto Expressway and North Kendall Drive can access the proposal and link the proposal to other major urban centers such as Downtown Kendall and South Miami. In addition, the proposal is easily accessible from US 1 and is easily reached by metrorail and buses that cross North Kendall Drive. In staff's opinion, this project will have a favorable impact on the economy of Dade County as the additional units provide more tax revenue, and the development will not burden water, sewer, solid waste disposal, recreation or other public services. The design of this proposal is in keeping with similar projects now under construction in Downtown Kendall to the east, and as such will provide an elegant and much needed

alternative to the existing development that is now found on the subject parcel. Architecture and landscape architectural elements are used to create a project that is compatible with its surroundings and visually impact, in a positive manner, the redeveloping North Kendall Drive corridor. As such, staff recommends approval of request #1 subject to the proffered covenant.

Request #2 seeks to delete a previously approved declaration of restrictive covenants that limited access into the property from SW 86 Street. Said request can be analyzed under Section 33-311(A)(7) of the Zoning Code that states that the Board shall hear applications to modify or eliminate any conditions or part thereof which have been imposed by any final decision adopted by resolution; provided, that the modification or elimination 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 tend to provoke a nuisance, or would not be incompatible with the area concerned considering its present and future development. Staff does not object to deleting this restriction and is of the opinion that ingress and egress options should be provided when accessing a residential site, especially one that is planned with 640 units. The submitted site plan indicates two major entrances into the site, one from North Kendall Drive and the other from SW 86 Street. Both entrances will discourage stacking problems and traffic conflicts to concentrate on a single street as is the prevalent condition found in similar projects using only one form of access. Staff is of the opinion that the deletion limiting access into the site from SW 86 Street and the provision of two optional entrances into the development will promote better traffic circulation in the area, especially along North Kendall Drive and not burden the surrounding community. As such, request #2 is recommended for approval under Section 33-311(A)(7).

The standards under Section 33-311(A)(17) provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved Resolution or restrictive covenant comply with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification standards under this section are applicable to this application. As such, staff is unable to fully analyze request #2 of this application under Section 33-311(A)(17) due to lack of information and this application should be denied under same.

**RECOMMENDATION:** Approval of the district boundary change from RU-4L to PAD subject to the Board's acceptance of the proffered covenant; approval with conditions of request #2 under Section 33-311(A)(7)(General Modification Standards) and denial without prejudice of request # 2 under Section 33-311(A)(17).

## **B. MULTI-YEAR CAPITAL IMPROVEMENTS PROGRAM**

The General Services Administration department has reviewed this application with respect to its compatibility with the County's current Capital Budget and Multi-Year Capital Plan. This plan is prepared pursuant to state growth management legislation and the Miami-Dade County code. This application does not conflict with the current plan.

## **II. ENVIRONMENTAL IMPACT**

### **A. WELLFIELD PROTECTION**

The subject property is located within the Maximum Day Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-

12.1 of the Code.

**B. STORMWATER MANAGEMENT**

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

**C. POLLUTION REMEDIATION**

There are no records of current or historical contamination assessment or remediation issues on the subject property or within 500 feet of the same.

**D. AIR QUALITY PRESERVATION**

This project includes the demolition of existing buildings on site. These buildings must be surveyed for asbestos, and a notice of demolition must be submitted to this office 10 days prior to the start of the demolition.

**E. WETLANDS**

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

**F. TREE PRESERVATION**

Section 24-60 of the Code requires the preservation of tree resources. Consequently,

DERM will require the preservation of all the specimen-sized trees which are on the site. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

**G. ENFORCEMENT HISTORY**

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code. Accordingly, DERM does not object to the request, provided that the applicant complies with all Code requirements expressed herein. Furthermore, the application may be scheduled for consideration by the DIC Executive Council and this memorandum shall constitute DERM's written consent to that effect as required by the Code.

**III. IMPACT ON THE ECONOMY**

It is estimated that for a total of 640 multifamily residential units sold at \$350,000.00 per unit, the operating revenue and cost to Miami-Dade County and the School Board will be as follows:

	County	School Board	Combined
Total Revenues	\$4,150,718.	\$2,136,580.	\$6,287,298.
Total Costs	<u>1,802,518.</u>	<u>587,194</u>	<u>2,389,712.</u>
Net Fiscal Impact	\$ 2,348,200.	\$ 1,549,386.	\$3,897,586.

The net fiscal impact of this proposal is estimated to provide a positive operating revenue to Miami-Dade County of \$2,348,200.00 and a net surplus of \$1,549,386.00 to the School Board, for a combined total for both jurisdictions of \$3,897,586.00.

#### **IV. IMPACT ON ESSENTIAL GOVERNMENTAL SERVICES**

##### **A. POTABLE WATER SUPPLY**

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (WASD). Public water service exists throughout the property. Connection of the proposed new development to the public water supply system shall be required in accordance with Code requirements. The applicant shall connect to an existing sixteen (16)-in. w.m. in NW 77 Ave. N/O SW 74 Ln. and extend same northerly in NW 77 Ave. to SW 74 St., thence westerly in SW 74 St. to SW 77 Ct. to be interconnected to an existing sixteen (16)-in. w.m. N/O SW 74 St. Connect to any of the existing twelve (12)-in. and/or sixteen (16)-in. w.m. in SW 88 St and SW 86 St. respectively. Any public w.m. extension within the property shall be twelve (12)-in. min. in diameter with two (2) points of connection and the system shall be looped, in order to avoid dead end mains. The estimated demand for this project is 125,400 gallons per day (gpd). This figure does not include irrigation demands.

The source of water for these mains is Miami-Dade County Water & Sewer Department's Alexander Orr Water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State and County drinking water standards.

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

Notwithstanding that adequate system capacity is available for this project, DERM will require that water conserving plumbing fixtures be installed in accordance with the requirements of the South Florida Building Code in order to use more efficiently the Southeast Florida water resources.

It is recommended that the landscaping conform to xeriscape concepts. Included in these concepts is use of drought tolerant plants, reduces use of turf grass together with efficient irrigation system design. Details of xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water Management District.

##### **B. SEWER SERVICE**

The property is located within the franchised sewer service area of the Miami-Dade County Water & Sewer Department (WASD). Public sanitary sewers abut the site in the form of an 8-inch gravity main located along S.W. 86<sup>th</sup> Street. Downstream flow is directed to the South District Treatment Plant, which has adequate capacity to meet projected demands from this project. The gravity sewer point of connection information for this development and the size of the required gravity sewer mains in public right of way are subject to an engineering analysis to be conducted by the M-DWASD at the time a request for connection is sent to the Department, due to existing available capacity concerns in the area of the City of Miami. Connection of the proposed development to the public sanitary sewer system shall be required.

Existing public water and public sanitary 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 of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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.

**C. POLICE**

Growth in commercial development within a district results in increased demands for police services. The demands for service typically vary based upon the specific demographics of the area and traffic volume. Service demands normally are evaluated once neighborhoods are established, and re-evaluated on an on-going basis utilizing the budgetary process. Historically, departmentwide manpower, in conjunction with the ability to adjust sworn assignments, has permitted extension and maintenance of the current level of police services to newly established developments of any size.

A careful review of the application shows that the predicted impact on MDPD resources will be significant, based upon the increase in hotel units. This development will also greatly increase traffic volume. As the project is phased in over the buildout period, additional sworn personnel resources may be required to maintain the current level of service to the area. These resources would be requested through the annual budgetary process.

Regarding actual construction when development occurs, the following applicable guidelines are provided to address public safety issues:

1. The development should comply with requirements of the Code of Miami-Dade County, with special attention given to the following:
  - a. Section 21-276, Burglar Alarms.
  - b. Section 28-15(g), Required improvements.
  - c. Section 33-139, Names and numbers to comply with article; authority of the Department of Planning and Zoning.
  - d. Section 33-147, Numbering buildings.
  - e. Section 33-149, Duty of owners of buildings.
2. A Crime Prevention Through Environmental Design (CPTED) study coordinated and conducted through the Police, and other appropriate Departments respectively, with the developer may be very beneficial. CPTED is premised on the concept that the proper design and effective use of the built environment can lead to a reduction of crime and an increase in the quality of life.

3. All burglar alarm systems shall require an annual registration with MDPD by the user. This includes all systems even if they are not monitored by an alarm monitoring company. Locations that have more than one alarm system require separate registration for each system. Information brochures are available at MDPD district stations.
4. Each building should have address numbers conspicuously mounted that are not less than three inches in height and easily observable from the roadway. Buildings that back on to an alleyway should also have address numbers on the rear of the buildings.
5. A lighted directory should be erected near each point of entry and at other appropriate locations within the development for rapid location of buildings by responding emergency vehicles.
6. Shrubbery and landscaping at all driveways and intersections should be sufficiently set back to permit vehicle operators an unobstructed view of other traffic and pedestrians.
7. Landscaping and lighting should be maintained so that address numbers are never allowed to become obscured.
8. Adequate lighting, closed circuit television, and security officers in vehicle parking areas can discourage criminal activity.
9. Stairwells should have access controlled to restrict movements of persons contemplating criminal activity.
10. Any unmanned, card accessible, security entrance gate should have a coded lock-box feature for emergency access by police and fire-rescue vehicles.
11. Designation of areas within the development to be kept free of parked motor vehicles in order to facilitate access to buildings by emergency vehicles (fire lanes) is accomplished by application of the owner or lessor of the development pursuant to Miami-Dade County Code 30-388 (Ordinance 83-23), Establishment of Emergency Vehicle Zones. Only those developments with zones designated as Fire Lanes are authorized to have police enforcement.
12. The U.S. Department of Housing and Urban Development recommends five to ten foot-candles of light for heavily used spaces; e.g., paths, entries, and parking areas. Outdoor lighting can be one of the most effective deterrents against crime. Properly used, it discourages criminal activity and reduces fear.

#### **Additional Comments**

Police services are currently provided by our Kendall Station (Police District 5) located at 7707 SW 117 Avenue. During the month of August 2004, based upon a districtwide statistical analysis, the average emergency response time was 5.1 minutes (includes dispatch and travel time). Station police officers answered 5,647 calls for service and operated with 160 sworn personnel, to deliver police service to a district boundary area of 41.5 square miles and a citizen population of 176,811.

Miami-Dade County Commissioner constituents have voiced concerns at town-hall meetings about increasing traffic volume and other quality-of-life issues associated with new land development. In this regard, Lieutenant Nelson Aloy of our Kendall District, who is thoroughly familiar with the area and neighborhood involved with the proposed development, along with the designated MDPD representative to the DIC, will attend the scheduled meeting for this project.

**D. FIRE**

**Service Impact/Demand**

1. Based on development information, this project is expected to generate approximately 68 fire and rescue calls annually.
2. A suspected fire within this project would be designated as a high rise dispatch assignment. Such an assignment requires 4 suppressions or engines, telesqrts or tankers, 2 aerials, 2 rescues and an accompanying command vehicle(s). This assignment requires 30 firefighters and officers.
3. The desired travel time to such a project is 5 minutes for the first-in unit.
4. Required fire flow for this project is 2,000 gpm with hydrant spacing no further than every 300 feet. Proper main extensions can be provided by WASAD. Generally, for this type of development 16 inch mains are required.

The Fire Rescue Department's Fire and Water Engineering Bureau, 11805 SW 26<sup>th</sup> Street, (786) 315-2771 makes final determination regarding exact size and looping of water mains, and the number and placement of hydrants.

**Existing Services**

1. The stations responding to a fire alarm will be:

<u>Station</u>	<u>Address</u>	<u>Equipment</u>	<u>Staff</u>	<u>Response Time</u>
23	Kendall South 7825 SW 104 St	Aerial, Rescue	4,3	2 min
14	South Miami 5860 SW 70 St	Rescue, Engine	3,4	2 min
49	Pinecrest 10850 SW 57 Ave	Rescue	3	6 min
9	Kendall 7777 SW 117 Ave	Rescue, ALS Engine	3,4	6 min
3	Tropical Park 3911 SW 82 Ave	Rescue, ALS Engine	3,4	6 min
47	Westchester 9361 SW 24 St	Rescue, ALS Eng.	3,4	8 min
17	Virginia Gardens 7050 NW 36 St	Aerial, HazMat	4,3	10 min

2. The following first-response units/stations show a potential unavailability rate in excess of 20% during peak call hours for the previous calendar year:

<u>Units/Stations</u>	<u>Potential Unavailability During Peak Hours</u>
9	26.87%
3	23.3%
47	28.49%

3. Increased response times may result because of congestion on the following roadways:  
 SW 88 St. (Kendall Drive)

**Planned Service Expansions**

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

<u>Station/Unit</u>	<u>Address</u>	<u>Est. Completion Date</u>	<u>Response Time</u>	<u>Cost</u>
None				

Funding source is primarily: Fire rescue impact fees.

**Site Plan Review**

All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau.

**Site Requirements**

The attached site requirements pertain to the site plan submitted as part of this review. All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau.

1. Compliance with Ordinance 83-23 giving Police jurisdiction to issue citations for parking along frontage of all commercial development.
2. Emergency vehicle parking area is to be located in close proximity to the main entrances. Said area to be identified, per S.F.F.P.C.
3. Fire Department vehicle access is to be provided to as many sides of the structure as practical or as necessitated by the design of the structure and location of internal fire protection connector.
4. Fire access lanes must be capable of supporting 32 tons surfaced with solid pavement, natural or concrete stones or with grass turf reinforced by concrete grids or stabilized subgrade construction, which meet the standards of the Miami-Dade County Public Works Department. Such construction must be certified by a registered professional engineer of the State of Florida. Access lanes are to be minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches. Landscaping along these lanes must be approved and conform to landscaping plans. (Florida Fire Prevention Code).

5. Curb cuts for fire access lanes marked "Fire Lanes" in such a manner as to be easily visible from the road and clearly delineated with informational signs of not less than two square feet each parcel. Parking on fire access lanes is to be prohibited.
6. A turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted). (Florida Prevention Code).
7. All slopes in the project must be able to accommodate our largest aerial truck. This truck has the dimensions and angle requirements shown below:

Overall length:	46 feet, 10 inches
Bumper-to-bumper length	32 feet
Wheelbase length:	256 inches.
Angle of approach:	11 degrees maximum
Brake-over angle:	7 degrees maximum
Angle of departure:	8 degrees maximum

8. Aerial apparatus set-up sites at the corner of each building over three stories and at the center of buildings in excess of 125 feet in length.
9. Site-up sites no closer than 10 feet or further than 30 feet from any building and at least 21 feet wide and 36 feet long with a cross slope of less than 5 percent. Construction the set-up sites will consist of a stabilized subgrade, which meets the standards of the Miami-Dade County Public Works Department, and Grass Pavers" or an equally acceptable product as determined by the authority having jurisdiction. Set-up sites must be capable of withstanding any point forces resulting from out riggers.
10. Maintenance of fire lanes provided by the owner.
11. Fire sprinkler system in accordance with S.F.B.C., South Florida Fire Prevention Code and adapted NFPA Codes.
  - a. All fire main installation beyond backflow preventor detector check valve are to be done by a State certified Fire Protection Contractor.
  - b. "P.I.V." and "F.D.C." shall be located not less than 40 ft. from building. "Backflow Preventor" shall be located upstream from "P.I.V."
  - c. "F.D.C." must be placed within 150 feet from a fire hydrant.
12. An identification system located at each entrance of the complex consisting of a framed lighted map of the development showing all structures and streets at adequate scale.
13. Lighted signs for identification on all structures within the development. Sign letters and numbers shall be 6" on front of building and 4" on the rear.
14. Limited dead ends to 150 feet and locate "Dead End" signs at the entrance of each area. In a fully sprinklered building, dead ends may 250'. (Florida Fire Prevention Code).
15. Minimum 15' gate width. Cannot be within turning radius.

16. Gated entrances to provide elevator lock box containing switch or level to activate gate for fire department use.
17. Fire hydrants and fire protection appliances-clearances of seven and one-half feet in front of and to the sides and four feet to the rear shall be maintained. (Florida Fire Prevention Code).

**E. PARKS**

**Identify Impact and Demand**

The 620 dwelling units will produce a population of 1,491 people, according to current population estimates prepared by the Research Division of the Planning Division of the Planning and Zoning Department. This population generates a need for 4.10 acres of local parkland, based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population.

**Existing Service**

The nearest community park is Continental Park, located at 10000 SW 82<sup>nd</sup> Avenue, approximately one mile south of this application. The nearest neighborhood park is Kendalwood Park, located at SW 80<sup>th</sup> Terrace and SW 93rd Court, approximately 2 miles west of this application. The nearest district park is Tamiami Park, located at 11201 SW 24<sup>th</sup> Street, approximately 5 miles northwest of this application.

**Facilities**

Continental Park has baseball fields, basketball court, fitness course, picnic shelter, parking lot, small recreation center, tennis center, and a tot lot playground.

Kendallwood Park is a passive open space park with no improvements.

Tamiami Park has 12 lighted baseball fields, 7 tennis courts, 4 volleyball courts, a swimming pool, a basketball court, and various concession, storage, recreation and maintenance buildings.

**Concurrency/Capacity Status**

This application is located in Park Benefit District 2, which has a surplus of 581.51 acres of local parkland.

**Site Plan Critique & Quality of Life Issues**

The site plan includes an open playground, a tennis court, 2 pools, and 2 sand volleyball courts for use by residents of this development. I recommend that they consider adding a tot lot playground to one of the open play areas because there are no neighborhood parks nearby to serve the residents, and the adjacent areas have been built out. These recreation areas should be clearly identified on the site plan, with their sizes, so that additional language can be added to the covenant that has been offered to require that they be preserved in perpetuity as open space recreation areas.

**F. SCHOOLS**

Comments from Miami Dade County Public Schools are provided in attached Exhibit "A".

**G. SOLID WASTE MANAGEMENT**

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department 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 12, 2003, which is valid for three (3) years, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with 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.

This project falls within the DSWM **solid waste collection service area**. A number of the residences proposed for inclusion in this project meet the County Code definition of **residential unit**. Per the code, residential units located within the project shall, therefore, receive DSWM garbage and trash collection service. Twice weekly individual curbside garbage and trash collection, scheduled bulky waste collections service, and unlimited use of the Trash and Recycling Centers are the services currently provided to residential units in the DSWM solid waste collection service area.

In addition the project proposes multifamily uses. Chapter 15-2 of the Miami-Dade County Code requires the following of multi-family and commercial uses located in unincorporated Miami-Dade County:

**Section 15-2** - "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."

Currently, DSWM provides curbside recycling services to **residential units** located in the unincorporated Dade County. Residential units shall, therefore, utilize DSWM weekly curbside recycling services, provided for the County by BFI, Inc. The recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Participation in the residential program is mandatory in accordance with Chapter 15, Section 15-2.6 of the County Code. Further information may be obtained by calling the Department's Service Development Division at 594-1500 or 514-6714.

As it relates to the multi-family uses, **Section 15-2.2** requires that "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.

Recyclable Materials: Multi-family

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

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 514-6666.

**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".

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations 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 accord 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 setout 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.

**V. IMPACT ON TRANSPORTATION FACILITIES AND ACCESSIBILITY**

**A. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY**

**1. Trip Generation**

341 PM Peak Hour trip ends

**2. Cardinal Distribution**

North 38.0%	East 28.0%
South 14.0 %	West 20.0%

**B. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION**

1. Location:	<b>SW 88 Street</b>	<b>SW 826 (Palmetto)</b>
2. Description:	<b>Primary</b>	<b>Highway</b>
3. No. of lanes:	<b>6</b>	<b>6</b>
Right of way:	<b>110'</b>	<b>150'</b>
Maintenance:	<b>FDOT</b>	<b>FDOT</b>

**C. IMPACT ON EXISTING ROADWAYS**

Station F-1075 located on SW 87<sup>th</sup> Avenue s/o SW 56<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2100 vehicles and 405 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1075 with its 2505 PHP and assigned vehicles is at LOS "C". The 52 vehicles generated by this development when combined with the 2505 equals 2557 and LOS "C" where the range of LOS "C" is from 1731 to 3100 vehicles.

Station F-1076 located on SW 87<sup>th</sup> Avenue n/o SW 85<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2019 vehicles and 195 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1076 with its 2214 PHP and assigned vehicles is at LOS "C". The 20 vehicles generated by this development when combined with the 2214 equals 2234 and LOS "C" where the range of LOS "C" is from 1 to 2650 vehicles.

Station F-684 located on SW 88<sup>th</sup> Street e/o SW 79<sup>th</sup> Avenue has a maximum capacity of LOS "EE" of 6970 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 3780 vehicles and 1413 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-684 with its 5193 PHP and assigned vehicles is at LOS "D". The 184 vehicles generated by this development when combined with the 5193 equals 5377 and LOS "E" where the range of LOS "E" is from 5301 to 5810 vehicles.

Station 9172 located on SW 87<sup>th</sup> Avenue s/o SW 88<sup>th</sup> Street has a maximum capacity of LOS "C" of 2080 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 1759 vehicles and 125 vehicles have been assigned to this section of road from previously approved Development Orders. Station 9172 with its 1884 PHP and assigned vehicles is at LOS "C". The 30 vehicles generated by this development when combined with the 1884 equals 1914 and LOS "C" where the range of LOS "C" is from 1811 to 1980 vehicles.

Station F-64 located on SW 88<sup>th</sup> Street e/o SW 103<sup>rd</sup> Avenue has a maximum capacity of LOS "EE" of 7350 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 6057 vehicles and 431 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-64 with its 6488 PHP and assigned vehicles is at LOS "EE". The 55 vehicles generated by this development when combined with the 6488 equals 6543 and LOS "EE" where the range of LOS "EE" is from 6131 to 7350 vehicles.

**D. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT**

1. Entrance along SW 88<sup>th</sup> Street requires signal and median opening modification plans.
2. Contribution for Traffic Signal modification is required.
3. Traffic study and Traffic pavement markings and signs shall be submitted to the Public Works Department Traffic Engineering Division at the SPCC for review, before permitting.
4. Provide connection between inner walkways and SW 88<sup>th</sup> Street sidewalk.
5. Provide pedestrian access at SW 86<sup>th</sup> Street entrance.
6. Contact Florida Department of Transportation concerning sidewalk along the Palmetto Expressway (SR 826) exit ramp, for authorization to widen the existing sidewalk width from five feet (5') to ten feet (10') to incorporate the sidewalk into the MPO adopted the Snapper Creek trail of the North Dade Greenway Network.
7. Several Cross Walks within the development will require shifting, to avoid pedestrian drop off areas.
8. A turning radius of fifteen feet (15') is required in parking aisles on all floors.

**E. SITE PLAN CRITIQUE**

1. Legal description not provided. The land may require to be platted.
2. Public Works permit is required for construction in the public right of way.
3. State Road permit is required for construction in the State Road right of way.

This application **meets** the criteria for traffic concurrency for an Initial Development Order. No vehicle trips, other than the trips assigned to the existing facilities, have been reserved by this application. It will be subject to the payment of road Impact Fees.

**F. MASS TRANSIT**

The area is currently served by the following Metrobus routes and frequencies:

Route	Peak	Non-Peak	Night	Sat	Sun
Rt. 87	30	30	50	30	30
Rt. 88	15	30	30	20	30
Rt. 104	30	30	60	60	60

In addition to the above mentioned, Metrorail and routes 1, 52, 65, 73, Busway Local, Saga Bay MAX, and Coral Reef MAX, service the Dadeland South Metrorail station providing service in the nearby area.

The 2005 Transportation Improvement Program (TIP) does not identify any improvements for the area.

The 2025 Long Range Transportation Needs Plan does not identify any improvements for the area.

The 2004 Transit Development Program (TDP) identifies in its 2009 Recommended Service Plan (RSP) the following improvements:

Rt.87: Improve peak headways from 30 to 15 minutes by 2005.

Rt.88: Improve peak headways from 15 to 12 minutes by 2004. Straighten route and extend westward to the West Kendall Terminal, eliminating the 142 Avenue branch by 2005.

Rt 104: Improve peak headways from 30 to 15 minutes by 2005. Operate the last westbound trip in the evenings along the entire route alignment

**Proposed New Routes:**

Baptist Hospital Shuttle: Shuttle service from Dadeland South station to the Baptist Hospital complex and surrounding medical centers/buildings on SW 87 Avenue.

Based on the information presented, MDT has no objection to this project. However, provisions must be made by developer for removal of existing bus shelter and providing for pull-out bay and new bus shelter. Coordination for these activities must be made with MDT's Service and Mobility Planning Division.

This project has been reviewed by MDT for mass transit concurrency and was found concurrent with the level-of-service standards established Miami-Dade County.

**G. AVIATION**

Miami-Dade Aviation Department has determined that DIC Zoning Application 04-366 Dadeland Breezes Apartment, LLC is clear of any restrictive zones as depicted in the proposed zoning ordinance for Miami International Airport, and would be compatible with airport operations.

**CONDITIONS**

1. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
2. That a recordable agreement be submitted to and meet with the approval of the Director providing for permanent and safe access for pedestrian and vehicular traffic within the development and particularly for right of access for fire, police, health, and sanitation and other public service personnel and vehicles. The agreement, which shall be a covenant running with the land, shall also include a stipulation that the streets, or access ways, shall be installed and maintained by the applicant, including, but not limited to, sidewalks, drainage facilities, water, sewers and fire hydrants, meeting with the approval of the Director and the Director of the Public Works Department. Such agreement shall be executed by the property owner and any and all parties having an interest in the land, such as mortgages, etc., and its improvements.
3. That in the event of multiple ownership, a homeowner's association, Special Taxing District or Community Development District be established in accordance with applicable regulations to assure that all common area and facilities for use of all residents shall be maintained in a continuous and satisfactory manner, and without expense to the general taxpayer of Miami-Dade County. The instrument incorporating such provisions shall be approved by the County Attorney as to form and legal sufficiency and shall be recorded in the public records of Miami-Dade County at the time recording of the subdivision plat.
4. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments.

DATE TYPED: 12/10/04  
DATE REVISED: 01/26/05;02/03/05  
DATE FINALIZED: 02/03/05

# EXHIBIT 'A'



# Miami-Dade County Public Schools

*giving our students the world*

**Superintendent of Schools**  
Rudolph F. Crew, Ed.D.

**Ana Rijs-Conde, AICP, Facilities Planning Officer**  
Facilities Planning

January 25, 2005

**Miami-Dade County School Board**  
Frank J. Bolaños, Chair  
Dr. Robert B. Ingram, Vice Chair  
Agustín J. Barrera  
Evelyn Langlieb Greer  
Perla Tabares Hantman  
Dr. Martin Karp  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

Ms. Maria Teresa-Fojo, Division Chief  
Miami-Dade County  
Department of Planning and Zoning  
Zoning Evaluation Section  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128

**Re: Dadeland Breezes Apartments, LLC - Application No. 04-366 (CC12)**  
**North of SW 88 Street on the West side of State Road 826**  
**Updated**

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that all of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Kenwood Elemiddle School and South Miami Senior High School currently operating at 131% and 146% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Kenwood Elemiddle School and South Miami Senior High School to 136% and 147%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on January 24, 2005, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

Ms. Maria Teresa Fojo  
January 25, 2005  
Page Two

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

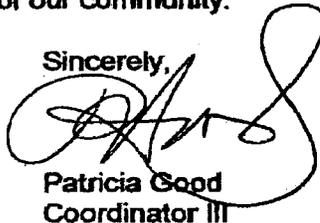
**New residential unit square footage X .90 (Square Footage Fee) + \$600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee**

As an example, assuming the proposed unit is 2,000 square feet, the 640-unit development is estimated to generate approximately \$1,566,720 (\$2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Patricia Good  
Coordinator III

PG:am  
L-561  
Attachment

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albueme  
Mr. Michael A. Levine  
Mr. Ivan M. Rodriguez  
Ms. Vivian Villaamil  
Mr. Juan Mayol

**SCHOOL IMPACT REVIEW ANALYSIS**

**APPLICATION:** No. 04-366, Dadeland Breezes Apartments, LLC (12)

**REQUEST:** Zone change from RU-4M to PAD

**ACRES:** 11.11 acres

**MSA/Multiplier:** 5.5/.25

**LOCATION:** North of SW 88 Street on the West side of State Road 826

**UNITS:** 242 additional units (398 units currently permitted under existing zoning classification, for a total of 640 units)

**ESTIMATED STUDENT POPULATION:** 61 students \*

**ELEMENTARY:** 28

**MIDDLE:** 15

**SENIOR:** 18

**SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMIDDLE:** Kenwood Elemiddle - 9300 SW 79 Ave.

**SENIOR HIGH:** South Miami Senior - 6856 SW 53 St.

All schools are located in Region 5

\* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2004:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Kenwood	1136/	854	133%/	16	131%/
Elemiddle	1179*		138%*		135%*
South Miami Sr.	2858/	1695	169%/	261	146%/
	2876*		170%*		147%*

\* increased student population as a result of the proposed development

Note:

- 1) The cumulative effect of other approved or proposed developments in the vicinity is not included as part of this analysis, however is hereby attached in this package.
- 2) Figures above reflect the impact of the class size amendment.
- 3) Pursuant to the Interlocal Agreement, all of the schools meet the review threshold.

**PLANNED RELIEF SCHOOLS IN THE AREA**

(Information Included in Capital Improvement Projects Report of December 9, 2004):

<u>School</u>	<u>Status</u>	<u>Substantial Completion Date</u>
Classroom addition at Kenwood K-8 Center (484 student stations)	Design	March 2006
Classroom addition at Kenwood K-8 Center (242 student stations)	Design	June 2006
State School "NNN" At South Miami Sr. (900 additional student stations)	Construction	February 2006

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$355,813.

**CAPITAL COSTS:** Based on the State's January-2005 student station cost factors\*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	28 x	\$ 13,480	=	\$ 377,440
MIDDLE	15 x	\$ 15,456	=	\$ 231,840
SENIOR	18 x	\$ 20,453	=	\$ 368,154
Total Potential Capital Cost				\$ 977,434

\* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

**ZONING REPORT**  
(APPLICATIONS REVIEWED SINCE JANUARY 2001)  
CC12

Application Number	Applicant Name & Number	Location Address	Units/Students	Schools	Board Meeting (Proposed)	Comptroller's Office Date	Applicant's Status
1	HOWARD MARLOWE #03-243	N of SW 32 St. and W of SW 145 Ave.	7 Units/ 4 Students	GREENGLADE ELEM-2 WR THOMAS MID-1 BRADDOCK SR-1	7/5 8/5 7/5	CC12	WITHDRAWN
2	OTTO GONZALEZ JR. #01-364	6725 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 1/24/02	DENIED
3	TASNIM UDDIN #02-288	E of SW 89 Ct. and N of SW 72 St.	8 Units/ 3 Students	BLUE LAKES ELEM-1 GLADES MID-1 KILLIAN SR-1	8/5 8/5 6/5	CC12 10/09/03	APPROVED
4	CAULEY PALISADE CORP. #02-086	9325 SW 128 St.	7 Units/ 3 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR-1	7/5 9/5 6/5	CC12 10/22/02	APPROVED
5	HARLON & ANN SACHS #02-140	9500 SW 68 St.	3 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 10/22/02	APPROVED
6	ARLENE POLLOCK #01-110	S of SW 98 St. and W of SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
7	DAVID KING #01-109	SWC of SW 96 St. and SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
8	JAY A. DAVIS #01-108	S of SW 96 St. and W of SW 107 Ave.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
9	HENRY FORERO #02-172	13010 SW 102 Ave.	4 Units/ 1 Student	LEEWOOD ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 11/26/02	APPROVED
10	JORGE A. RODRIGUEZ #02-284	5810 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 11/26/02	APPROVED
11	LUDLAM POINT CLUB, LLC #02-221	8801 SW 44 St.	118 Units/ 17 Students	S. MIAMI ELEM-8 S. MIAMI MID-4 S. MIAMI SR-5	6/5 6/5 8/5	CC12 11/26/02	APPROVED
12	HHJ DEVELOPMENT, LLC #01-388	8820-90 SW 94 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/8 6/5	CC12 11/26/02	DENIED
13	AVIS KAPLOW KALLAN #02-269	11860 SW 60 St.	58 Units/ 32 Students	SUNSET PARK ELEM-15 GLADES MID-8 KILLIAN SR-9	6/5 8/5 6/5	CC12 12/18/02	APPROVED
14	MARTA DE VARONA #00-370	9380 SW 68 St.	2 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 2/20/01	APPROVED

**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

15	EMILIA A. LAVIN #01-375	7890 SW 72 Ave.	4 Units/ 2 Students	LUJDLAM ELEM-1 S. MIAMI MID-1 S. MIAMI SR	6/5 6/5 8/5	CC12 3/28/02	DENIED
16	RAMON LAVIN #01-378	N of SW 80 St. and approx. 152' W of SW 72 Ave.	3 Units/ 1 Student	LUJDLAM ELEM-1 S. MIAMI MID S. MIAMI SR	6/5 6/5 8/5	CC12 3/28/02	DENIED
17	JOSEPH C. SHAW, TRUSTEE #02-182	7990 SW 112 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID PALMETTO SR	7/5 9/5 9/5	CC12 5/13/03	APPROVED
18	RAUL & JUANA GAMAZO #02-345	10305 SW 70 St.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 5/13/03	APPROVED
19	PHILLIP & DONNA SLOTSKY, ET AL #02-346	S of SW 112 St. and W of SW 87 Ave.	5 Units/ 2 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR	7/5 9/5 8/5	CC12 5/13/03	WITHDRAWN
20	ROSA, OTIS & JAMES WHITEHEAD #03-024	S of SW 126 St. & E of SW 92 Ave.	11 Units/ 4 Students	VINELAND ELEM-2 PALMETTO MID-1 PALMETTO SR-1	7/5 9/5 9/5	CC12 5/28/03	APPROVED
21	SILVERWINGS DEVELOPMENT LLC #03-035	E of SW 80 Ave. & S of SW 110 St.	17 Units/ 6 Students	VINELAND ELEM-3 PALMETTO MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 5/28/03	APPROVED
22	GENERAL CONFERENCE CORP OF 7TH DAY ADVENTIST #00-440	8100 SW 117 Ave.	10 Units/ 6 Students	SUNSET PARK ELEM-3 GLADES MID-1 KILLIAN SR-2	6/5 8/5 6/5	CC12 7/05/01	APPROVED
23	JIMMY DIAZ #03-109	4920 SW 76 St.	1 Units/ 0 Students	CORAL GABLES ELEM PONCE DE LEON MID CORAL GABLES SR	8/4 8/4 8/4	CC12 7/3/03	APPROVED
24	ROBERT S. NEUMANN #03-083	9720 SW 92 Terr.	2 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 7/3/03	APPROVED
25	SLMK COP. & LAURISSE K. MASRI, TRUSTEE #03-118	SEC of SW 84 Ave. & S of SW 110 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 7/3/03	APPROVED
26	MARQUISE'S INVESTMENTS, LLC #00-176	9520 SW 82 St.	3 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 8/20/01	APPROVED
27	HHJ DEVELOPMENT, LLC #03-117	SEC of SW 89 Ave. & SW 84 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 9/23/03	APPROVED
28	AMIGOS INVESTMENT, INC. #03-351	13830 SW 97 Ave.	3 Units/ 2 Students	LEEWOOD ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 7/6/04	WITHDRAWN

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**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

29	A WALK IN GILLOWAY PARK, INC #03-318	NWC of SW 112 St. and SW 87 Ave.	4 Units/ 2 Student	VINELAND ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 BCC 11/18/04	APPROVED
30	MYSTIC FOREST INVESTMENTS II, INC. #03-358	NWC of SW 119 Ct. and SW 80 St.	20 Units/ 10 Students	SUNSET PARK ELEM-5 GLADES MID-2 KILLIAN SR-3	6/5 8/5 6/5	CC12 9/8/04	APPROVED
31	FRANCIS B. COMPTON #03-271	SW 124 St. and SW 95 Ave.	23 Units/ 10 Student	VINELAND ELEM-5 PALMETTO MID-2 KILLIAN SR-3	7/5 9/5 6/5	CC12 9/8/04	APPROVED
32	ENRIQUE PIWKO #03-333	NEC of SW 84 Ave. and SW 94 St.	2 Units/ 1 Student	KENWOOD ELEM/D-1 KILLIAN SR	6/5 6/5	CC12 3/10/04	APPROVED
33	A WALK IN FALL PARK, INC. #03-320	SWC of SW 148 St. and SW 83 Ave.	10 Units/ 5 Students	VINELAND ELEM-2 SOUTHWOOD MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 1/25/05	PENDING
34	SILVIO & JUANA YOLANDA ALVA #04-112	SEC of SW 84 St. and SW 97 Ave.	1 Unit/ 0 Students	SNAPPER CREEK ELEM-0 GLADES MID-0 SW MIAMI SR-0	8/5 8/5 8/5	CC12 10/13/04	APPROVED
35	PINES DEVELOPMENT CORP. #04-333	8795 SW 107 Ave.	3 Units/ 1 Students	KENDALE ELEM-1 ARVIDA MID-0 KILLIAN SR-0	7/5 7/5 6/5	CC12	PENDING

Note: There are two applications that are pending which would generate 6 students.



# Miami-Dade County Public Schools Charter School Operations

## Existing Charter Schools

- 1 Archimedean Academy, 10870 SW 113 Place, Miami, FL 33178
- 2 ASPIRA Eugenio Maria de Hostos Youth Leadership, 3650 North Miami Avenue, Miami, FL 33127
- 3 ASPIRA South Youth Leadership, 14112-14 SW 288 Street, Leisure City, FL 33033
- 4 ASPIRA Youth Leadership, 13300 Memorial Highway, North Miami, FL 33181
- 5 Aventura Charter Elementary School, 3333 NE 188 Street, Miami, FL 33180
- 6 Coral Reef Montessori Academy, 10853 SW 216 Street, Miami, FL 33167
- 7 Doral Academy, 2450 NW 97 Avenue, Miami, FL 33172
- 8 Doral Academy Charter Middle School, 2601 NW 112 Avenue, Miami, FL 33172
- 9 Doral Academy High School, 11100 NW 27 Street, Miami, FL 33172
- 10 Downtown Miami Charter School, 305 NW 3 Avenue, Miami, FL 33128
- 11 Florida International Academy, 7630 Biscayne Boulevard, Miami, FL 33138
- 12 Theodore R. & Thelma A. Gibson Charter School, 3634 Grand Avenue, Miami, FL 33133
- 13 Keys Gate Charter School, 2000 SE 28 Avenue, Homestead, FL 33036
- 14 Liberty City Charter School, 8700 NW 5 Avenue, Miami, FL 33150
- 15 Mater Academy, 7700 NW 98 Street, Hialeah Gardens, FL 33016
- 16 Mater Academy Charter Middle School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 17 Mater Academy Charter High School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 18 Mater Academy East, 450 SW 4 Street, Miami, FL 33130
- 19 M/S Barry University Connected Learning Center, 11441 NW 2 Avenue, Miami Shores, FL 33168
- 20 North County Charter School, 3408 NW 135 Street, Miami, FL 33054
- 21 North Dade Community Charter School, 13850 NW 28 Avenue, Opa-Locka, FL 33054
- 22 Northeast Academy, 3400 NW 135 Street, Miami, FL 33054
- 23 Pinecrest Preparatory Academy, 14301 SW 42 Street, Miami, FL 33175
- 24 Pinecrest Preparatory Academy Charter Middle School, 14301 SW 42 Street, Miami, FL 33175
- 25 Rosa Parks Charter School/Florida City, 713 West Palm Drive, Florida City, FL 33034
- 26 Rosa Parks Community School/Overtown, 430 NW 9 Street, Miami, FL 33136
- 27 Ryder Elementary Charter School, 8380 NW 33 Street, Miami, FL 33122
- 28 Sander Wiener School of Opportunity  
Main Campus: 20000 NW 47 Court, Opa-Locka, FL 33055  
Kendall Campus: 11025 SW 84 Street, Miami, FL 33173
- 29 Spiral Tech Elementary Charter School, 12400 SW 72 Street, Miami, FL 33183
- 30 Vankara Academy Charter School, 13307-11 Alexandria Drive, Opa-Locka, FL 33054
- 31 Youth Co-Op, 12051 West Okeechobee Road, Hialeah Gardens, FL 33016

## Approved Contracts 2004-2005

- 32 Academy of Arts & Minds, 3138 Commodore Plaza, Miami, FL 33133
- 33 Balera Language Academy, 10800 Caribbean Blvd., FL 33189\*
- 34 International Studies Charter High, 3280 South Miami Avenue, Miami, FL 33127
- 35 Las Palmas Charter School, 14250 SW 202 Avenue, Miami, FL 33196
- 36 Miami Children's Museum Charter School, 450 SW 4 Street, Miami, FL 33130 (temporary location)

## Approved Contracts for 2004-2005 (Continued)

- 37 Miami Community Charter School, 101 SW Redland Road, FL 33034\*
- 38 Pinecrest Preparatory Academy Charter High School (two locations)  
Main Campus (Kendall Greens): SW 80 Street & 150 Avenue, Miami, FL 33183 and  
Holy Cross Campus: 12425 SW 72 Street, Miami, FL 33183
- 39 School for Integrated Academics and Technologies (SIATech) (two locations)  
Main Campus: 3060 NW 183 Street, Miami, FL 33086, and  
Homestead Campus: 12350 SW 285 Street, Homestead, FL 33033
- 40 Somerset Academy, 8750 NW 21 Terr., Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and 232 Street, Miami, FL 33170 (permanent location)
- 41 Somerset Academy Charter Middle School  
2601 NW 112 Avenue, Miami, FL 33172 and  
8750 NW 21 Terr, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent)
- 42 Somerset Academy Charter High School, 11100 NW 27 Street, Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent location)
- 43 Sweet Home Charter School, 17201 SW 103 Avenue, Miami, FL 33157 (temporary location).  
SW 190 Street and 112 Avenue, Miami, FL 33157\*

\* Locations pending final School Board approval.

## Approved Contracts for Subsequent Years

- 44 Dr. Joseph Costa Grace Community Charter School, SW 248 Street & 112 Avenue, Miami, FL
- 45 Miami Shores Charter Middle/Senior High School, NW 11441 NW Second Avenue,  
Miami Shores, FL 33168
- 46 Summerville Charter School, SW 248 Street and 117 Avenue, Miami, FL

## Approved Locations

- 47 Mater Academy South Charter School, Sweetwater area
- 48 Mater Gardens Academy Elementary School, Hialeah Gardens area
- 49 Mater Gardens Academy Middle School, Hialeah Gardens area
- 50 Mater Springs Academy Elementary School (location to be determined)
- 51 Mater Springs Academy Middle School (location to be determined)
- 52 Miami-Dade Charter Foundation (4 sites - locations to be determined)
- 53 North Miami/Florida International University Charter Senior High School, NE 151 St. & Biscayne, North Miami, FL
- 54 Sabal Palm Charter High School, Hialeah area
- 55 Somerset Academy (6 sites - locations to be determined)
- 56 Spirit City Academy (location to be determined)
- 57 Sunset Academy (location to be determined)
- 58 The City of North Miami/Florida International University Charter School (location to be determined)

STATE PLANNING 3033554760



# A RESIDENTIAL DEVELOPMENT FOR H & H DEVELOPMENT

DADE COUNTY, FLORIDA

**ZONING**  
RU-4

**NET LOT AREA**  
483,806 S.F. (11.11 ACRES)

**NUMBER OF UNITS**  
EXISTING: 306 UNITS  
NUMBER PROVIDED: 640 UNITS

**SETBACKS**

FRONT	PROVIDED
INTERIOR SIDE	75'-0"
REAR	60'-0"
	71'-0"

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM	1.5 X 212 =	318 SPACES
2 BEDROOM	1.75 X 372 =	651 SPACES
3 BEDROOM	2.00 X 56 =	112 SPACES
<b>TOTAL</b>		<b>1081 SPACES</b>

**PROVIDED:**

SURFACE PARKING	25 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE GARAGES	56 SPACES
<b>TOTAL</b>	<b>1081 SPACES*</b>

\* includes 22 handicapped parking spaces

<b>TOTAL GROSS ACREAGE:</b>	483,806 S.F. OR 11.11 ACRES	100%
<b>COVERAGE BLDG. @ GROUND LEVEL:</b>	189,133 S.F. OR 4.34 ACRES	39%
<b>PRIVATE ROADS &amp; PARKING AREAS:</b>	54,648 SF OR 1.3 ACRES	12%
<b>COMMON OPEN SPACE:</b>	182,056 SF OR 4.18 ACRES	38%
<b>PRIVATE OPEN SPACE:</b>	14,860 SF OR .34 ACRES	3%
<b>WATER BODIES:</b>	0 SF	
<b>PUBLIC FACILITIES:</b>	21,522 SF OR .50 ACRES	4%
<b>PUBLIC ROADS:</b>	19,860 S.F. OR .451 ACRES	4%
<b>TOTAL:</b>	483,806 SF 11.11 ACRES	

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM	1.5 X 212 =	318 SPACES
2 BEDROOM	1.75 X 372 =	651 SPACES
3 BEDROOM	2.00 X 56 =	112 SPACES
<b>TOTAL</b>		<b>1081 SPACES</b>

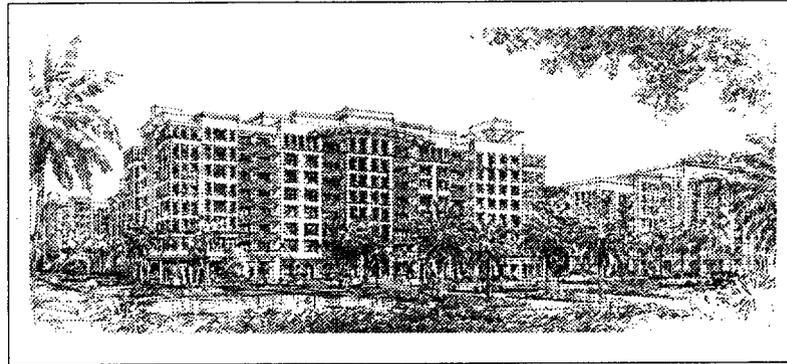
**PROVIDED:**

SURFACE PARKING	25 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE GARAGES	56 SPACES
<b>TOTAL</b>	<b>1081 SPACES*</b>

\* includes 22 handicapped parking spaces

**ARCHITECTURE:**  
COHEN, FREEDMAN, ENCINOSA & ASSOC.  
ARCHITECTS, P.A.  
8085 N.W. 155TH STREET  
MIAMI, FLORIDA 33018  
TEL (305) 826-3999 FAX (305) 826-4155  
EMAIL: CFSEARCH@HELLSOUTH.NET

**LANDSCAPE ARCHITECTURE:**  
FUSTER DESIGN ASSOC.  
7500 S.W. 86TH COURT  
MIAMI, FLORIDA 33143  
TEL (305) 279-2202 FAX (305) 279-2804



**BUILDING MIX**

TYPE	HEIGHT	STORIES
TOWER 1	66'-0"	6
TOWER 2	66'-0"	6
TOWER 3	66'-0"	6

**INDEX OF SHEETS**

- A-0 TITLE SHEET/PROJECT DATA
- A-1 GROUND FLOOR PLAN 1:30 SCALE
- A-2 2nd - 6th LEVEL FLOOR PLAN 1:30 SCALE
- A-3 6th LEVEL FLOOR PLAN 1:30 SCALE
- A-4 7th LEVEL FLOOR PLAN 1:30 SCALE
- A-5 8th LEVEL FLOOR PLAN 1:30 SCALE
- A-6 ELEVATION
- A-7 ELEVATION
- A-8 ELEVATION
- A-9 BUILDING SECTION 1:30 SCALE
- A-10 RENDERING NO SCALE
- A-11 EXISTING SITE CONDITIONS

**UNIT MIX - PROJECT TOTAL**

1 BED	2 BED	3 BED	3D TOWNH	TOTAL
214	278	88	58	640
28%	43%	14%	15%	

UNIT TYPE	UNIT S.F.	14	2nd-6th	6th	7th	8th	TOTAL UNITS
A1	708	20	20x4-18	20	10	10	100
A2	676	-	4x4-18	4	4	4	20
A3	1200	4	4x4-18	4	4	4	20

UNIT TYPE	UNIT S.F.	14	2nd-6th	6th	7th	8th	TOTAL UNITS
B1	1080	-	4x4-18	-	-	-	10
B2	1100	20	20x4-18	20	24	24	200
B3	1380	12	12x4-18	12	12	12	60
B4	1270	4	4x4-18	4	4	4	20

UNIT TYPE	UNIT S.F.	14	2nd-6th	6th	7th	8th	TOTAL UNITS
C2	1420	-	4x4-18	4	4	4	20

UNIT TYPE	UNIT S.F.	14	2nd-6th	6th	7th	8th	TOTAL UNITS
T31	1800	28	-	-	-	-	28

**TOTAL:** 28 200 70 20 20 20 20 640

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DEPT. OF PLANNING & ZONING  
ZONING EVALUATION SECTION  
BY \_\_\_\_\_

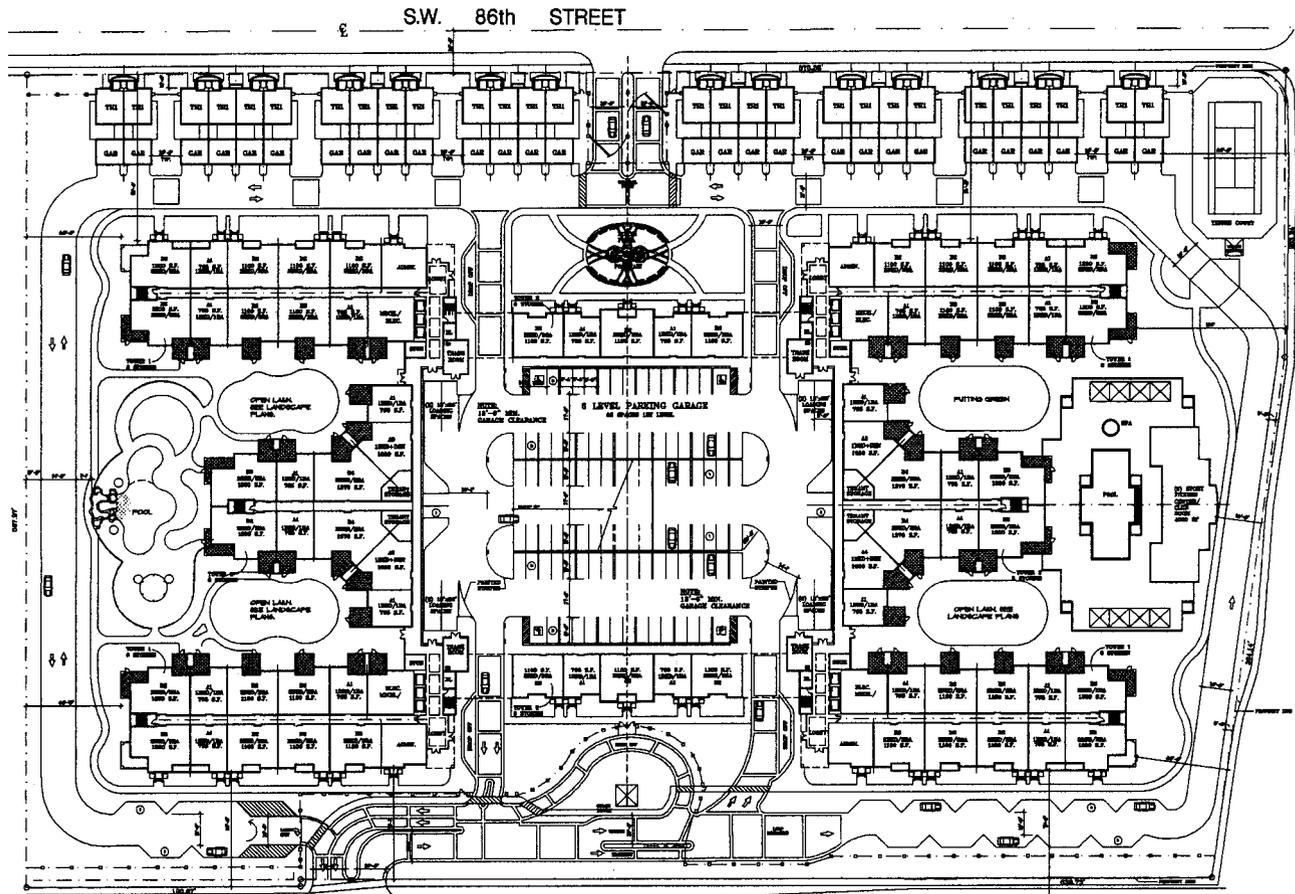
COHEN • FREEDMAN • ENCINOSA & ASSOC.  
Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

A.0

37





S.W. 86th STREET

S.W. 88th STREET (S.R. 94) West Bound

PALMETTO EXWY. (S.R. No. 826)

NOTE:  
PAVEMENT FINISHES AND TRAFFIC  
SIGNALS TO BE INCLUDED AS PART OF A  
TRAFFIC STUDY. STUDY TO BE  
SUBMITTED TO PUBLIC WORKS DEPT.  
FOR APPROVAL.

SIGNAL  
REGISTRATION  
REQUIRED



1ST LEVEL PLAN  
1:40' SCALE

PRELIMINARY DESIGN FOR:  
**H + H DEVELOPMENT**  
DALLAS COUNTY, FLORIDA

**A.1**

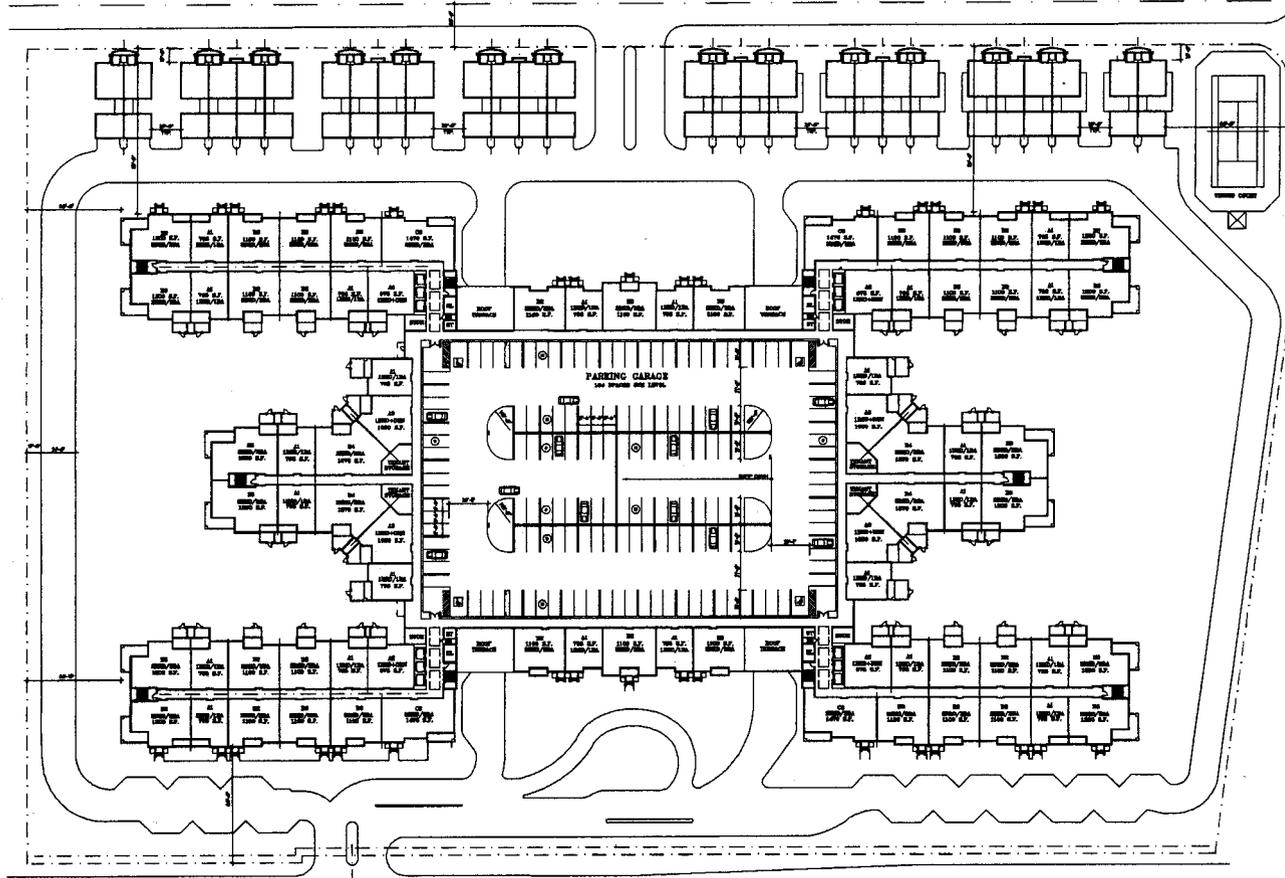
**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
**Architects, PA**  
155th Street Miami Lakes, Florida 33016 305-826-3999

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39



S.W. 86th STREET



S.W. 88th STREET S.R. 94) West Bound



6th LEVEL PLAN

1/40" SCALE

PRELIMINARY DESIGN FOR

H + H DEVELOPMENT

DAY COUNTY, FLORIDA

DATE: 11/11/04

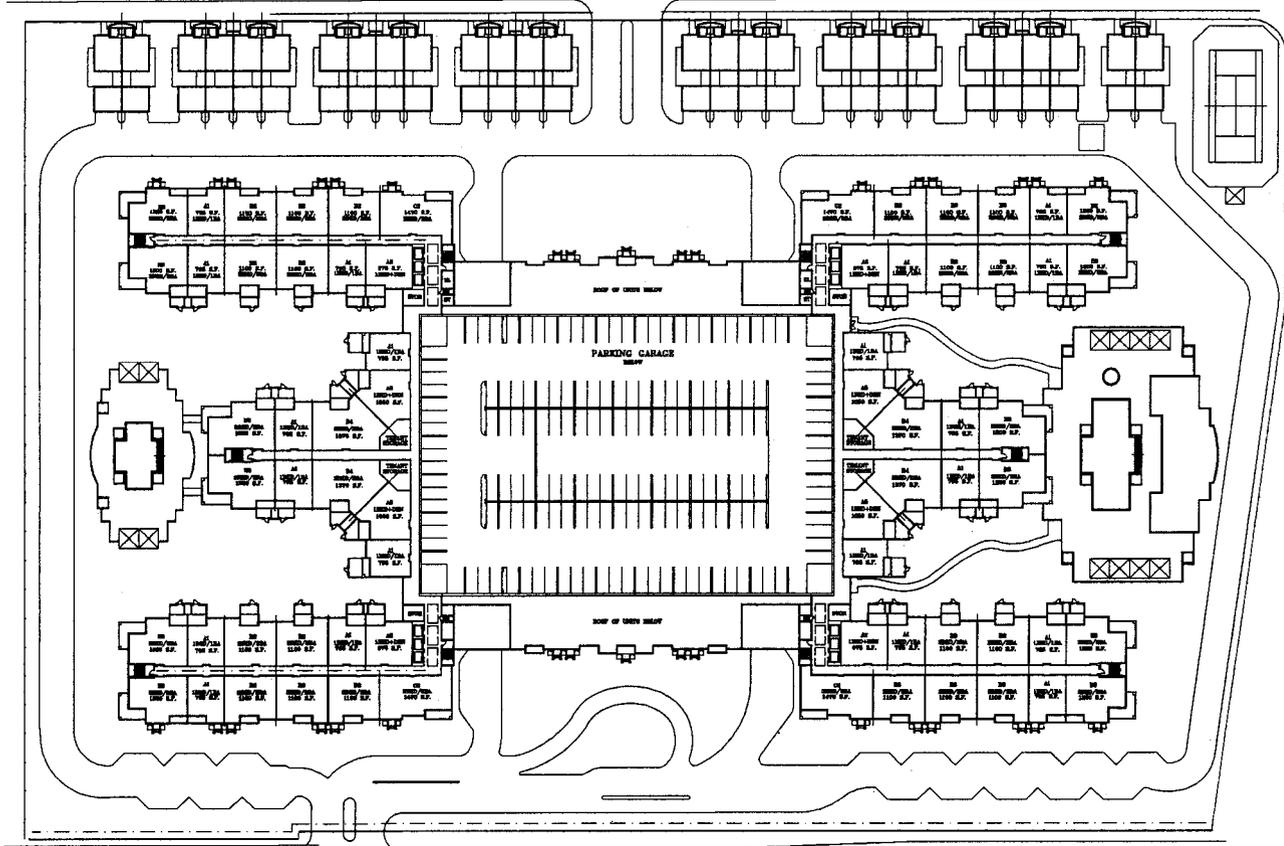
SCALE: 1/40"

NO. A.3

COHEN · FREEDMAN · ENCINOSA · & ASSOC.  
Architects, PA  
15551 SW 155th Street Miami Lakes, Florida 33016 305-826-3999

17

S.W. 86th STREET



S.W. 88th STREET S.R. 94) West Bound



7th LEVEL PLAN

1/40' SCALE

PRELIMINARY DESIGN FOR:  
**H + H DEVELOPMENT**  
 DALLAS COUNTY, FLORIDA

A.4

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
 Architects, PA

800 S. 155th Street Miami Lakes, Florida 33016 305-826-3999

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42





PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20' SCALE

ELEVATION KEY NOTES

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM. FRAME (ESP FIN.)      |
| 5. ALUMINUM RAILING (ESP FIN.) | W/BLUE/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |



PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20' SCALE

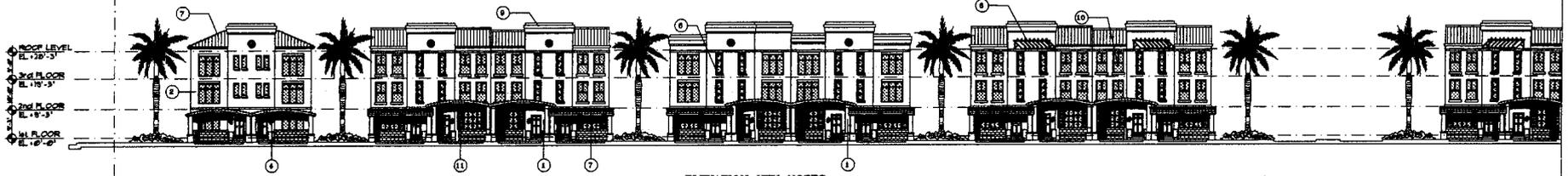
COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
808 S. 155th Street Miami Lakes, Florida 33016 305-826-3999

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

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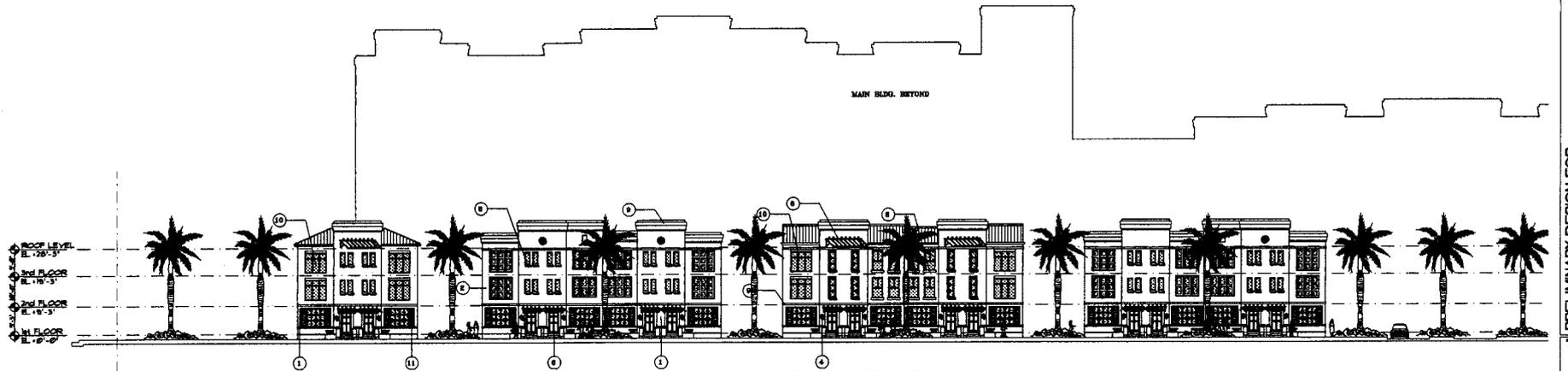


**PARTIAL TOWNHOME ELEVATION**

1:20" SCALE

**ELEVATION KEY NOTES**

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. STANDING SEAM MTL. ROOF      |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/BLUE/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |



**PARTIAL TOWNHOME ELEVATION**

1:20" SCALE

**ELEVATION KEY NOTES**

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)       |
| 5. ALUMINUM RAILING (ESP FIN.) | W/BLUE/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |

PRELIMINARY DESIGN FOR  
**H + H DEVELOPMENT**  
 D COUNTY, FLORIDA

**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
 Architects, PA  
 W. 155th Street  
 Miami Lakes, Florida 33016 305-826-3899

A.7

45



PARTIAL BLDG. ELEVATION (EAST/WEST)  
1:20' SCALE



(EAST/WEST)  
1:20' SCALE

PARTIAL BLDG. ELEVATION (EAST/WEST)  
1:20' SCALE

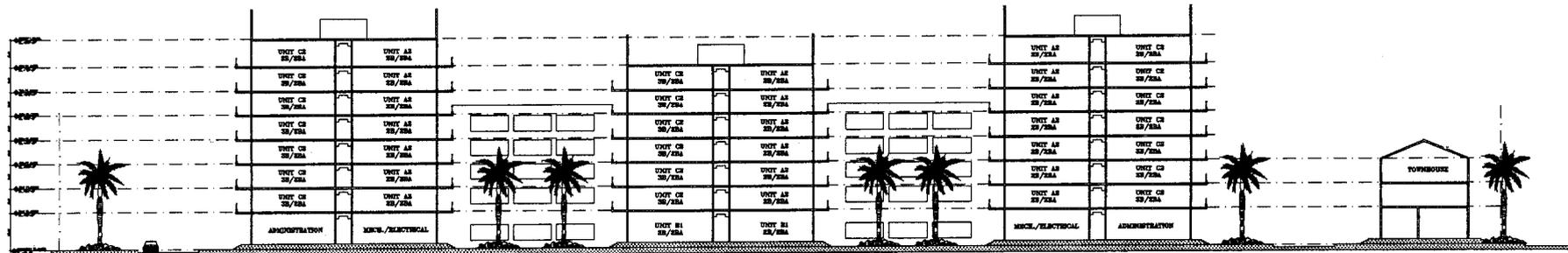
COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
155th Street Miami Lakes, Florida 33016 305-826-3999

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

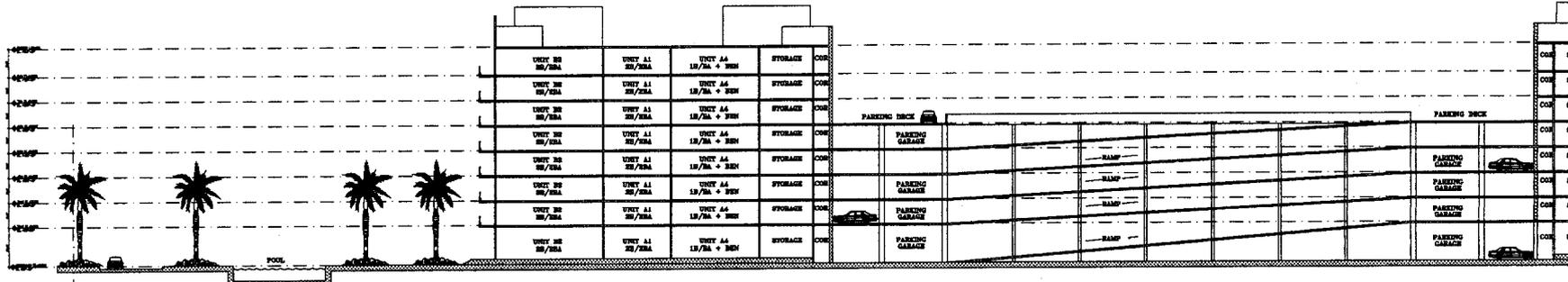
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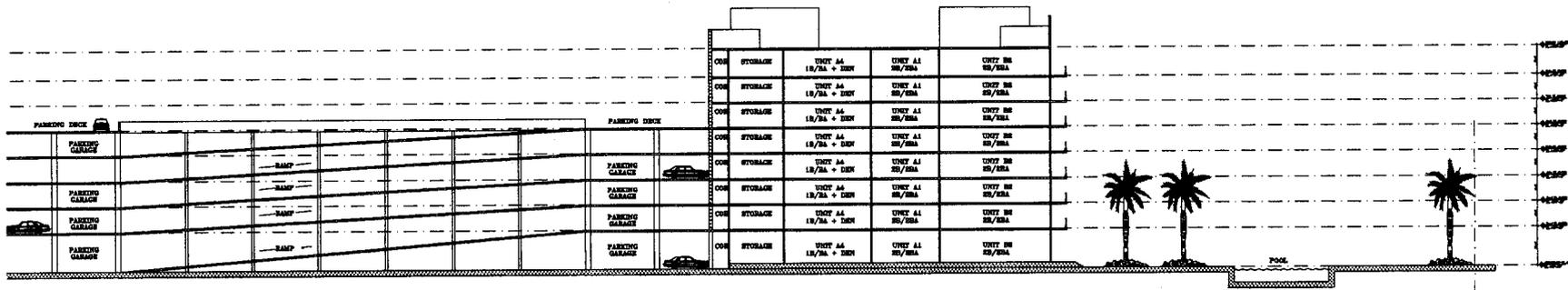
46



BLDG. SECTION (NORTH-SOUTH)  
1/8" = 1'-0"



PARTIAL BLDG. SECTION (EAST-WEST)  
1/8" = 1'-0"



PARTIAL BLDG. SECTION (EAST-WEST)  
1/8" = 1'-0"

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Architects, PA  
W. 155th Street Miami Lakes, Florida 33016 305-826-3999

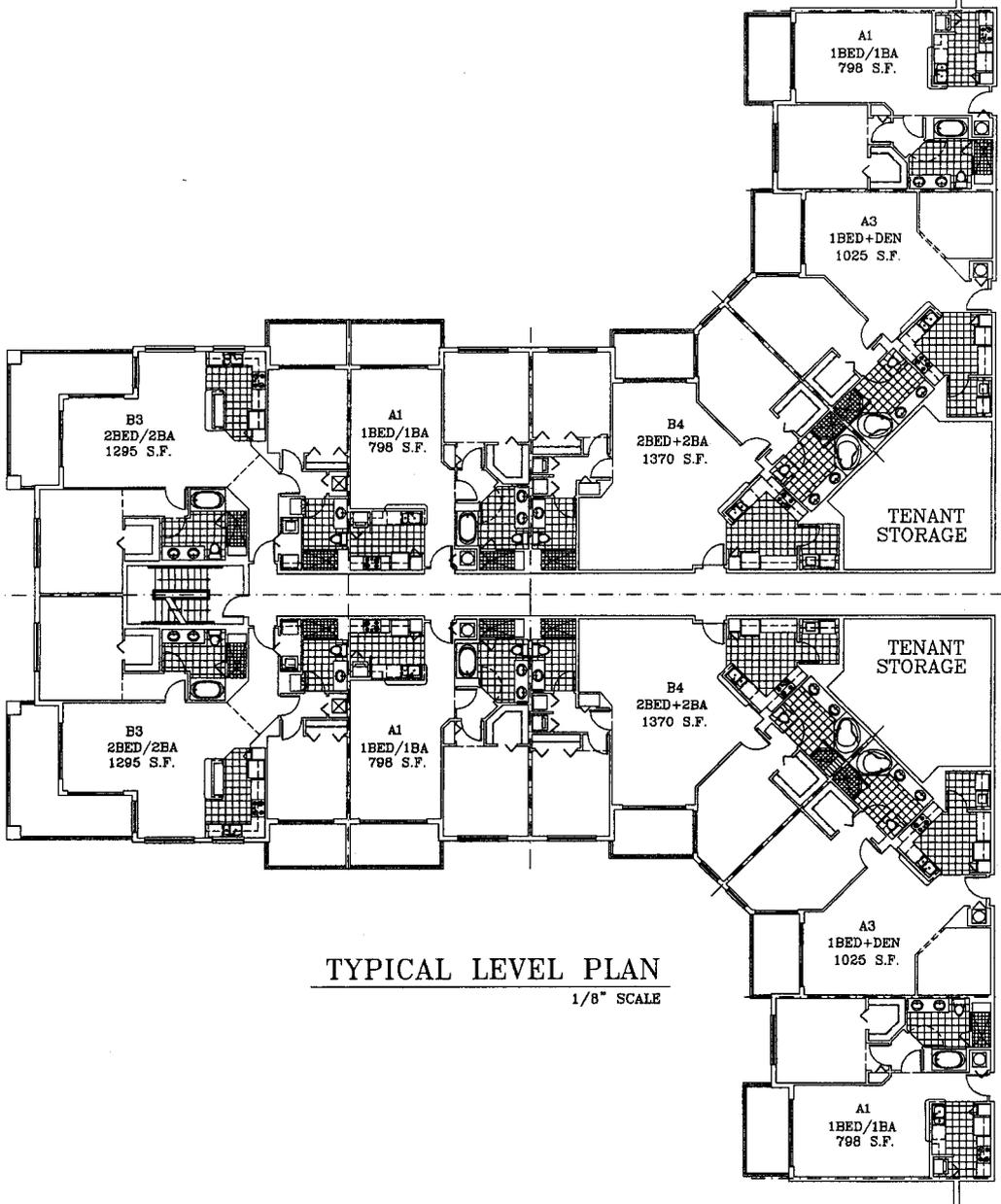
PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

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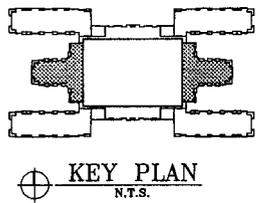
47







TYPICAL LEVEL PLAN  
1/8" SCALE



KEY PLAN  
N.T.S.

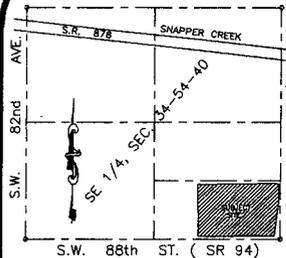
PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

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Architects, PA  
808 155th Street Miami Lakes, Florida 33016 305-826-3999

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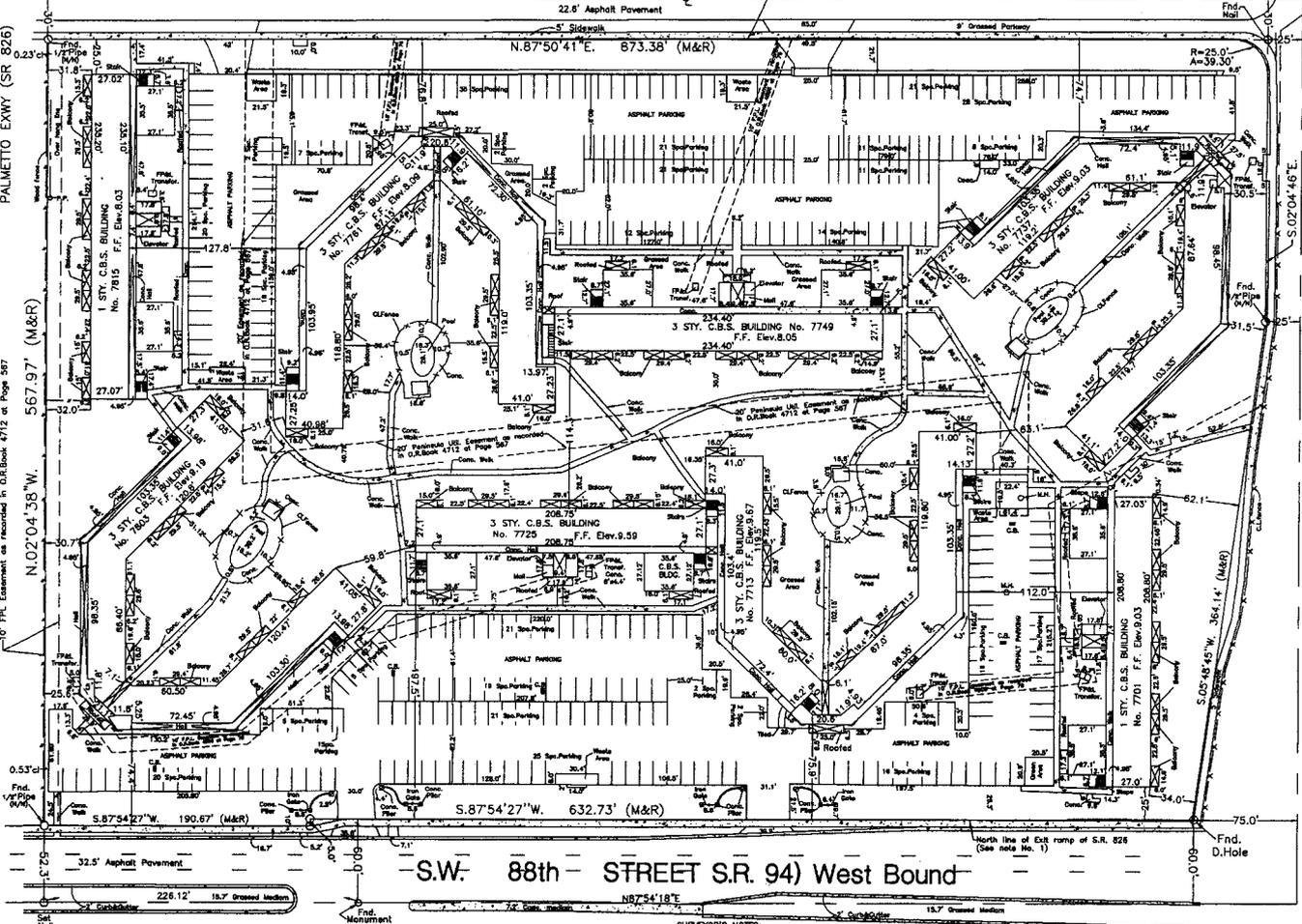
50





BOUNDARY SURVEY

SCALE: 1" = 40'



P.O.C. SW Cor. of SE 1/4, SE 1/4 Section 34-44-40 N87°54'18"E 432.11'

S.W. 88th STREET S.R. 94) West Bound N87°54'27"W 632.73' (M&R)

PALMETTO EXWY. (SR. No. 826)

LEGAL DESCRIPTION: A portion of the E.E. 1/4 of the S.E. 1/4 of the S.W. 1/4 and a portion of the S.E. 1/4 of the S.E. 1/4 of the S.W. 1/4 of Section 34, Township 24 South, Range 80 East, Dade County, Florida, more particularly described as follows...

LESS THE NORTH 30.00 FEET THEREOF FOR ROAD PURPOSE AS RECORDED IN O.R. BOOK 4704 AT PAGE 337 OF THE PUBLIC RECORD OF MIAMI-DADE COUNTY, FLORIDA AND SOME OTHER PARTICULARS DESCRIBED AS FOLLOWS...

Note: State Road No. 826 extends 632.73 feet into S.R. 94 (S.W. 88th Street) as part of the east ramp and acceleration lane of S.R. 826

SURVEYOR'S NOTES: The Property described on this Survey does lie within a Special Flood Hazard Area as defined by the Federal Emergency Management Agency; the Property lies within Zone AE of the Flood Insurance Rate Map Identified as Community Panel No. 120835-250...

CERTIFIED TO: OCEAN BANK, ITS SUCCESSORS AND/OR ASSIGNS OCEAN TITLE SERVICES, INC. UNITED GENERAL TITLE INSURANCE COMPANY MARIA FERNANDEZ-VALLE, ESQ. DANGLAND BREEZES APARTMENTS, LLC

WE HEREBY CERTIFY THAT THE ATTACHED SKETCH OF "BOUNDARY SURVEY" OF THE ABOVE DESCRIBED PROPERTY IS A TRUE AND CORRECT REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 2149-8 OF FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Legal Description was provided by the client SITE ADDRESS: 7701-7815 S.W. 88th STREET, MIAMI, FLORIDA JOB NUMBER: 01-748/03-889 DATE OF SURVEY: AUG. 6, 2001, REVISED AUG. 28, 2001, REVISED AUG. 29, 2003

AMERICAN SERVICES OF MIAMI, CORP. Consulting Engineers, Planners, Surveyors

ORDER No. 01-748/03-889 SHEET No. 1 of 1 DATE: AUG. 29, 2003

AMERICAN SERVICES OF MIAMI, CORP. Consulting Engineers, Planners, Surveyors

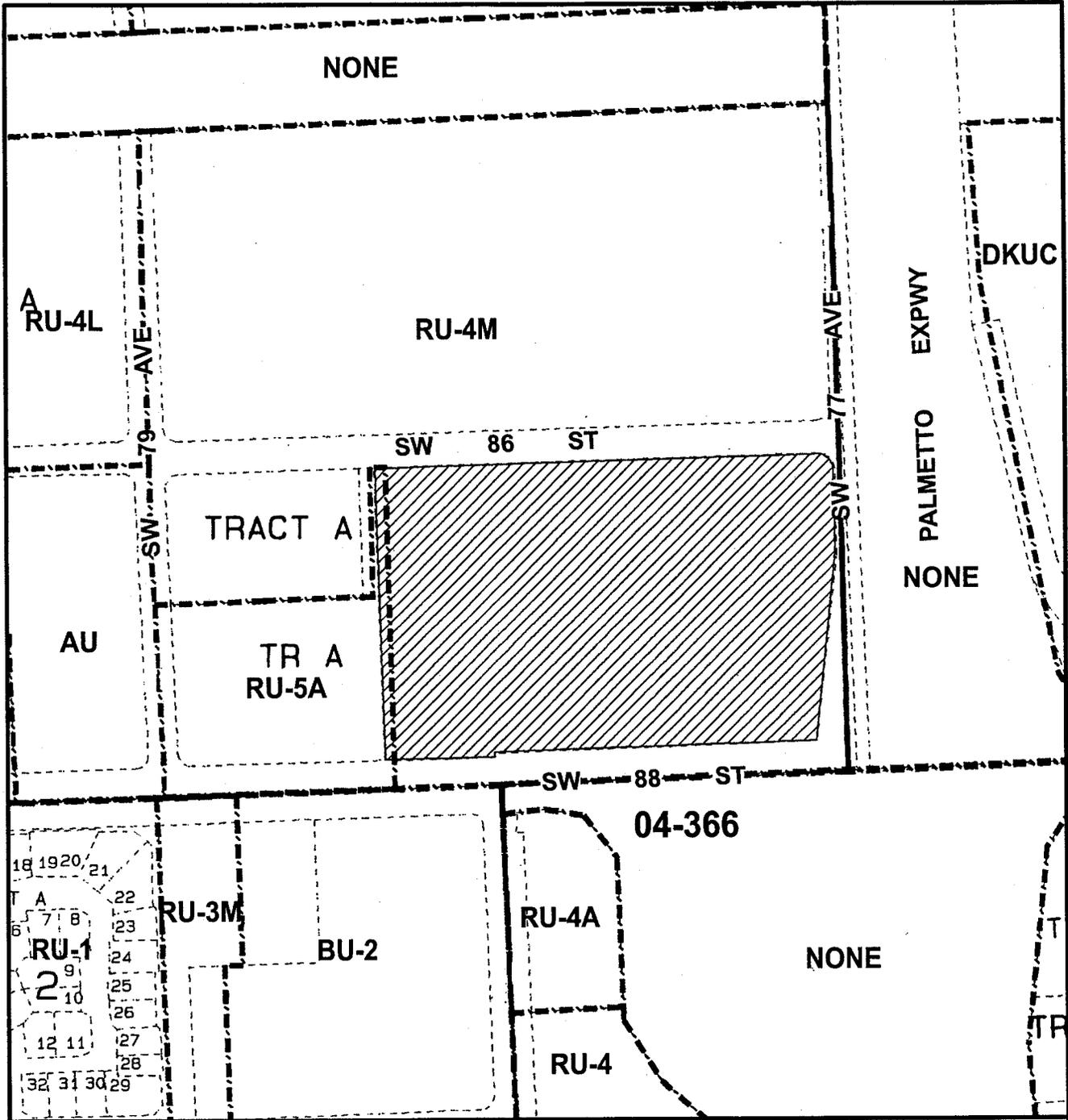
DANGLAND BREEZES APARTMENTS, LLC ORDERED BY: MARIA FERNANDEZ-VALLE, ESQ. DATE: 8/17/01

AMERICAN SERVICES OF MIAMI, CORP. Consulting Engineers, Planners, Surveyors

DATE: AUG. 29, 2003

52





**MIAMI-DADE COUNTY  
HEARING MAP**

Section: 34 Township: 54 Range: 40  
 Process Number: 04-366  
 Applicant: DADELAND BREEZEZ APARTMENTS, INC  
 District Number: 07  
 Zoning Board: C12  
 Drafter ALFREDO  
 Scale: 1:300'



 SUBJECT PROPERTY





MIAMI-DADE COUNTY  
AERIAL

Section: 34 Township: 54 Range: 40  
Process Number: 04-366  
Applicant: DADELAND BREEZEZ APARTMENTS, INC  
District Number: 07  
Zoning Board: C12  
Drafter ALFREDO  
Scale: NTS

SCALE  
0 NTS N

 SUBJECT PROPERTY



APPLICATION NO. Z04-366  
DADELAND BREEZE APARTMENTS LLC

Respectfully Submitted,

DIC Executive Council  
February 02, 2005

Pedro G. Hernandez, P.E.  
Assistant County Manager

Absent

Herminio Lorenzo, Fire Chief  
Miami-Dade Fire Rescue Department

Absent

Irma San Roman, Deputy Director  
Metropolitan Planning Organization Secretariat



AYE

Diane O'Quinn Williams, Director  
Department of Planning and Zoning



AYE

Aristides Rivera, P.E., P.L.S., Director  
Public Works Department



AYE

John W. Renfrow, P.E., Director  
Department of Environmental Resources Mgmt



AYE

Jorge S. Rodriguez, P.E., Assistant Director  
Miami-Dade Water and Sewer Department



AYE

# TEAM METRO

## ENFORCEMENT HISTORY

DADELAND BREEZE APARTMENTS  
LLC

NORTHWEST CORNER OF SW 77  
AVE & SW 88 ST AKA 7701 N.  
KENDALL DR

---

**APPLICANT**

---

**ADDRESS**

---

Z2004000366

---

**HEARING NUMBER**

### CURRENT ENFORCEMENT HISTORY:

02/25/2005 Inspection conducted  
02/25/2005 No current violations

L. Cuellar



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

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

NAME AND ADDRESS (if applicable) \_\_\_\_\_ Percentage of Interest \_\_\_\_\_

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

**RECEIVED**  
AUG 18 2004

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

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

BY \_\_\_\_\_

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

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

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

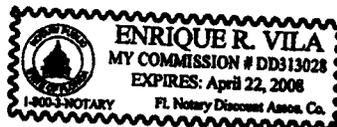
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

**Dadeland Breezes Apartments, LLC**

Signature: By: \_\_\_\_\_  
(Applicant)

Sworn to and subscribed before me this 18 day of August, 2004. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

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



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

\*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.

**H. DADELAND BREEZE APARTMENTS LLC**  
**(Applicant)**

**05-3-CZ12-2 (04-366)**  
**Area 12/District 7**  
**Hearing Date: 4/26/05**

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:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1964	Sec. 34 Corp.	Zone change from AU to RU-4.	BCC	Approved w/conds.
1966	Kendall Park Apts.	Unusual Use entrance feature.	ZAB	Approved w/conds.

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

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD AREA 12  
MOTION SLIP**

**2**

APPLICANT'S NAME: **(D.I.C.) DADELAND BREEZE APARTMENTS LLC**

REPRESENTATIVE(S): **JUAN MAYOL**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
05-3-CZ12-2 (04-366)	MARCH 29, 2005	CZAB12- -05

**REQ:** RU-4M to PAD

**REC:** APPROVAL OF DBC TO PAD

**WITHDRAWAL OF REQUEST #2**

WITHDRAW:  APPLICATION  ITEMS: \_\_\_\_\_

DEFER:  INDEFINITELY  TO: APRIL 26, 2005  W/LEAVE TO AMEND

DENY:  WITH PREJUDICE  WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT  ACCEPT REVISED PLANS

APPROVE  PER REQUEST  PER DEPARTMENT  PER D.I.C.  
 WITH CONDITIONS

TITLE	M/S	NAME	YES	NO	ABSN
MS.	<b>S</b>	Peggy BRODEUR	<b>X</b>		
MS.		Jackie HERNANDEZ- TORAÑO	<b>X</b>		
MADAME VICE-CHAIR		Millie HERRERA	<b>X</b>		
MS.	<b>M</b>	Carla SAVOLA	<b>X</b>		
MR.		Nelson A. VARONA	<b>X</b>		
MR.		Robert W. WILCOSKY	<b>X</b>		
CHAIRMAN		Jose I. VALDEZ (C.A.)	<b>X</b>		

VOTE: 7 to 0

EXHIBITS:  YES  NO

COUNTY ATTORNEY: THOMAS ROBERTSON

2

**DEVELOPMENTAL IMPACT COMMITTEE  
RECOMMENDATION TO COMMUNITY ZONING APPEALS BOARD No. 12**

**APPLICANT:** Dadeland Breeze Apartments, LLC

**PH:** 04-366

**SECTION:** 34-54-40

**DATE:** April 26, 2005

**COMMISSION DISTRICT:** 7

**ITEM NO.:** H

**A. INTRODUCTION**

o **REQUESTS:**

(1) RU-4M to PAD

(2) Deletion of a Declaration of Restrictions recorded in Official Records Book 13739, Pages 733 through 736.

The purpose of the request is to permit the applicant to eliminate the limitation on ingress and egress across SW 86 Street.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) or under §33-311(A)(17) (Modification or Elimination of conditions or Covenants After Public Hearing).

Plans are on file and may be examined in the Zoning Department entitled "H & H Development as prepared by Cohen-Freeman-Encinosa & Assoc., dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

**SUMMARY OF REQUESTS:**

The applicant is requesting a zone change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development District, in order to develop an approximately 11.11-acre parcel of land with a multi-family development. All of the existing three-story apartment buildings will be demolished to accommodate 640 new one, two and three bedroom residential units housed within apartment or townhouse building types. In addition to the district boundary change, the applicant is seeking to delete a Declaration of Restrictive Covenants that limits vehicular access into the property from SW 86 Street. The subject property is located on the northwest corner of SW 77 Avenue and SW 88 Street.

o **LOCATION:** Northwest Corner of SW 77 Ave. & SW 88 St; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida.

o **SIZE:** 11.11 Acres

o **IMPACT:**

The proposed residential development will provide additional housing to the community; however, it will bring an increase in traffic and noise into the area and will impact schools and public services.

**B. ZONING HEARINGS HISTORY:**

In 1964 pursuant to resolution Z-242-64, the Board of County commissioners approved a zone change from AU, Agriculture District to RU-4, Apartment House District. In 1966 pursuant to Resolution 3ZAB-230-66 the Zoning Appeals Board approved an unusual use for an entrance feature on the subject property.

**C. NEIGHBORHOOD CHARACTERISTICS:**

<u>SUBJECT PROPERTY</u>	<u>EXISTING ZONING</u>	<u>EXISTING LAND USE PLAN DESIGNATION</u>
	RU-4M; 3-story apartments	Medium-High Density Residential, 25 to 60 dua
 <u>SURROUNDING PROPERTY</u>  		
<u>NORTH</u>	RU-4M; 4-story apartments	Medium-High Density Residential, 25 to 60 dua
<u>SOUTH</u>	BU-2 and RU-4A; strip shopping center, 5-story office building, 10-story motel/hotel and Palmetto Expressway	Business and Office and Medium-High Density residential, 25 to 60 dua
<u>EAST</u>	Palmetto Expressway	Palmetto Expressway
<u>WEST</u>	RU-4M and RU-5A; office building and 2-story apartments	Business and Office and Medium-High Density residential, 25 to 60 dua

The subject property is located in the east Kendall area of Miami-Dade County. The area west of the Palmetto Expressway is predominately developed with apartments and townhouses. East of the Palmetto is the burgeoning Downtown Kendall Urban Center District, with its mixed-use developments consisting of condominiums, retail and office. A number of small strip shopping centers and office uses are located west of the Palmetto Expressway, on the north and south sides of SW 88 Street.

**D. SITE AND BUILDINGS:**

Scale/Utilization of Site:	<b>Acceptable</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Acceptable</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Acceptable</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Visibility/Visual Screening:	<b>Acceptable</b>
Energy Considerations:	<b>N/A</b>

Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	Acceptable

**E. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(A)(8).** The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

**Section 33-311(A)(17). Modification or Elimination of Conditions and Covenants After Public Hearing.** The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs of this section have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**Section 33-311(A)(7).** 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; 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.

**F. NEIGHBORHOOD SERVICES:**

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	See Exhibit 'A'
Planning and Zoning	No objection

**G. RECOMMENDATION:**

**Approval** of the district boundary change from RU-4M to PAD subject to the Board's acceptance of the proffered covenant. Said covenant provides that development of the subject site be substantially in accordance with the submitted site plan; that the maximum number of dwelling units on the property be 660; and that development of the property is projected to commence in February 2006 with construction to be completed within 24-36 months from commencement. Said agreement also provides additional quantitative data regarding number of bedrooms, building coverage, open space, residential density, nonresidential construction, private roads and private areas, and population projection.

**Withdrawal** of request #2.

The Executive Council is of the opinion that the proposed zone change will be in keeping with the Comprehensive Development Master Plan (CDMP) Medium-High Density Residential designation for the subject parcel. When taking into consideration the reasonableness of the applied for rezoning in relation to the present and future development of the area, the Executive Council finds that the zone change request will permit a residential development which is **consistent** with the CDMP, and will not be **contrary** to the public interest. The Council also finds that the proposed development will also be **compatible** with the development trend in the surrounding area.

**PROJECT DESCRIPTION**

The submitted plans depict a square-shaped parcel bounded by the Palmetto Expressway to the east, SW 79 Avenue to the west, SW 88 Street (North Kendall Drive) to the south, and SW 86 Street to the north. Two entrances into the complex are shown, one from Kendall Drive and a second from SW 86 Street. Vehicles or pedestrians entering from North Kendall Drive encounter a frontage drive providing access into the parking garage serving the apartment portion of the development. This drive is also connected to a loop road that provides access to other apartment buildings, townhouse units fronting SW 86 Street and recreational facilities consisting of a tennis court, putting green, swimming pools and a fitness center. All of the parking spaces required by the apartment portion of this project will be located inside a parking structure that is completely lined by the proposed apartment buildings. Providing habitable space in front of the parking structure will prohibit parking spaces to be seen from the adjacent street network. Parking for the townhouse units fronting SW 86 Street are placed inside parking garages located in the rear of each unit. The absence of visible parking spaces will enhance the aesthetics of those corridors surrounding the subject property and proposed development. Further, by placing parking behind buildings, and fronting buildings closer to the street as is being proposed by the subject application, will help to foster a pedestrian-scaled environment along SW 86 Street and SW 88 Street. Staff notes, however, that the human-scaled environment will become more evident along SW 86 Street due to the townhouse building's proximity to said corridor. Proposed buildings adopt a modified Art-Deco style and will have heights reaching eight stories for apartments and three stories for the townhouse types. Most of the building program is concentrated along North Kendall Drive, which is a more intensively built and highly trafficked street, while the less intensive-scaled, three-story townhouses front SW 86 Street, a local street. Building intensity transitions from Kendall Drive to SW 86 Street by placing the taller, more densely developed program along North Kendall Drive and the less intensively developed townhouses along SW 86 Street. Landscaping in the form of trees, palms and shrubs will be provided throughout the site, with planting emphasis placed where the site adjoins the Palmetto Expressway in order to help buffer the development from the highway's noise.

**COMMENTS AND MAJOR CONCERNS**

Ordinance Number 75-47 charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The following comments address these specific charges with regard to the subject application:

**I. CONFORMANCE WITH ALL APPLICABLE PLANS**

**A. RELEVANCE TO THE COMPERHENSIVE DEVELOPMENT MASTER PLAN**

**APPLICABLE CDMP GOALS, OBJECTIVES AND POLICIES**

**Land Use Objective 5**

Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goals, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.

**Land Use Element Goal**

Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

**Land Use Policy 5B**

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

**Land Use Policy 2A**

All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).

**Land Use Policy 9M**

Miami-Dade County shall develop an urban design manual establishing design guidelines. This manual shall provide additional criteria for use in review of all new residential, commercial and industrial development in unincorporated Miami-Dade County.

The Adopted 2005 and 2015 Land Use Plan designates 10 acres of the subject property as being within the Urban Development Boundary for **Medium-High Density Residential**.

### **Medium-High Density Residential**

This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.

### **DEPARTMENT OF PLANNING AND ZONING DIRECTOR'S EVALUATION**

The applicant, Dadeland Breeze Apartments, Inc., is requesting a zone change from GU, Interim District, to PAD, Planned Area Development District on an 11.11-acre parcel located on the northwest corner of SW 77 Avenue and SW 88 Street, in the east Kendall area of Miami-Dade County. The proposed planned area development will consist of 640 residential units made up of one, two and three bedroom units housed within apartment and townhouse building types. In conjunction with the district boundary change, the applicant is seeking to delete a Declaration of Restrictive Covenants limiting vehicular ingress and egress into the site from SW 86 Street. All of the 3-story apartment buildings now found in the site will be demolished to accommodate the new residential development. Four-story apartment buildings exist on a parcel located north of the subject property, across SW 86 Street. To the south, across North Kendall Drive, there is a 1-story strip commercial shopping center, a 5-story office building and a 10-story hotel. The Palmetto Expressway and the burgeoning Downtown Kendall District Urban Center lie to the east and an office building and 2-story apartments lie to the west.

The CDMP designates the 11.11-acre subject property for **medium-high density residential**. This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas. The applicant is proposing a total of 640 residential units at a density of 57 units per gross acre. A declaration of restrictive covenants will be proffered by the applicant that, among other things, limits the density to 57 units per gross acre for a total of 640 residential units, ties the subject property to a site plan, and indicates the development's projected commencement to be no earlier than December 2005. As such, the proposed Planned Area Development District, with the proffered covenant limiting the density to 640 units at 57 units per gross acre is **consistent** with the maximum numerical threshold permitted by the Land Use Plan map. Staff is of the opinion that the proposed development consisting of 8-story apartment buildings and 3-story townhouses is **compatible** with surrounding development such as the 10-story hotel located across the parcel, on the south side of SW 88 Street, and the Downtown Kendall area found to the east of the Palmetto Expressway with its mixed-use buildings, some of which reach 25 stories, some 10 stories and others 7 stories. This development lies to the west of the Downtown Kendall's Edge Sub-district. Under the Downtown Kendall Urban Center District Ordinance (DKUCD), the Edge Sub-district standards permit buildings with heights of up to 7 stories. The 8-story buildings proposed for this development are not a significant departure from the 7-story buildings permitted under the DKUCD's Edge Sub-district and are significantly lower than those buildings permitted in the DKUCD's Core and Center Sub-districts which may reach heights of up to 25 and 10 stories, respectively. The proposal is also compatible with existing development found to the north, west and southwest developed with office buildings, a commercial center and

apartments. The office building found to the southwest, on the south side of North Kendall Drive, is approximately 5 stories which in staff's opinion is a height that is in keeping with and similar in scale to the proposed 8-story apartment portion of the development. However, many of the apartment buildings to the north are 4 stories in height and those to the west are 2-stories. 3-story townhouse building types will front SW 86 Street, to provide a transition between the proposed 8-story buildings fronting N. Kendall Drive and the existing 4-story buildings found to the north of the subject parcel. To buffer the 2-story apartment buildings to the west from the proposal, the applicant proposes to install a high concentration of landscape material along the west property line and setback the proposed apartments approximately 60' from said property line as well. The transitional height provided by the townhouse building type in conjunction with proposed landscape material and setback considerations will alleviate any detrimental impacts generated by the scale and intensity of the residential project on surrounding uses and helps to create a development that is in keeping and more **compatible** with the surrounding uses. Further, all of the required off-street parking is stored in a garage lined with apartment buildings. No parking spillage to major or local streets will be generated as the garage can adequately accommodate the parking needs of the requested density. Parking structures not only permit the vertical storage of automobiles, but also allow for the reservation of additional areas of on-site open space. Lining the parking garage with apartment buildings prevent parking areas from being seen from the street or from the development's surroundings. This enhances the aesthetics of the development, the surrounding land uses and streets. As such, staff of the Department is of the opinion that as proposed, the residential development is **compatible** with the community and **consistent** with the medium-high residential development density permitted by the LUP map under the CDMP.

When considering district boundary changes the Board shall hear and grant or deny applications by taking into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities 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. The applicant is seeking approval for a district boundary change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development, incorporating a mixture of building types within a well-designed community having a number of recreational amenities. The approval of this application would help to address the needs in this area of Miami-Dade County by promoting the redevelopment of an underdeveloped site, all in accordance with the County's adopted Urban Design Manual. Proposed building types are designed with well-articulated facades using plentiful fenestration and regional architectural motifs. Parking is relegated to the rear of buildings or is completely camouflaged from streets or the surrounding community view by habitable space. A number of important thoroughfares such as the Palmetto Expressway and North Kendall Drive can access the proposal and link the proposal to other major urban centers such as Downtown Kendall and South Miami. In addition, the proposal is easily accessible from US 1 and is easily reached by metrorail and buses that cross North Kendall Drive. In staff's opinion, this project will have a favorable impact on the economy of Dade County as the additional units provide more tax revenue, and the development will not burden water, sewer, solid waste disposal, recreation or other public services. The design of this proposal is in keeping with similar projects now under construction in Downtown Kendall to the east, and as such will provide an elegant and much needed

alternative to the existing development that is now found on the subject parcel. Architecture and landscape architectural elements are used to create a project that is compatible with its surroundings and visually impact, in a positive manner, the redeveloping North Kendall Drive corridor. As such, staff recommends approval of request #1 subject to the proffered covenant.

Request #2 seeks to delete a previously approved declaration of restrictive covenants that limited access into the property from SW 86 Street. Said request can be analyzed under Section 33-311(A)(7) of the Zoning Code that states that the Board shall hear applications to modify or eliminate any conditions or part thereof which have been imposed by any final decision adopted by resolution; provided, that the modification or elimination 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 tend to provoke a nuisance, or would not be incompatible with the area concerned considering its present and future development. Staff does not object to deleting this restriction and is of the opinion that ingress and egress options should be provided when accessing a residential site, especially one that is planned with 640 units. The submitted site plan indicates two major entrances into the site, one from North Kendall Drive and the other from SW 86 Street. Both entrances will discourage stacking problems and traffic conflicts to concentrate on a single street as is the prevalent condition found in similar projects using only one form of access. Staff is of the opinion that the deletion limiting access into the site from SW 86 Street and the provision of two optional entrances into the development will promote better traffic circulation in the area, especially along North Kendall Drive and not burden the surrounding community. As such, request #2 is recommended for approval under Section 33-311(A)(7).

The standards under Section 33-311(A)(17) provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved Resolution or restrictive covenant comply with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification standards under this section are applicable to this application. As such, staff is unable to fully analyze request #2 of this application under Section 33-311(A)(17) due to lack of information and this application should be denied under same.

**RECOMMENDATION:** Approval of the district boundary change from RU-4L to PAD subject to the Board's acceptance of the proffered covenant; approval with conditions of request #2 under Section 33-311(A)(7)(General Modification Standards) and denial without prejudice of request # 2 under Section 33-311(A)(17).

## **B. MULTI-YEAR CAPITAL IMPROVEMENTS PROGRAM**

The General Services Administration department has reviewed this application with respect to its compatibility with the County's current Capital Budget and Multi-Year Capital Plan. This plan is prepared pursuant to state growth management legislation and the Miami-Dade County code. This application does not conflict with the current plan.

## **II. ENVIRONMENTAL IMPACT**

### **A. WELLFIELD PROTECTION**

The subject property is located within the Maximum Day Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-

12.1 of the Code.

**B. STORMWATER MANAGEMENT**

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

**C. POLLUTION REMEDIATION**

There are no records of current or historical contamination assessment or remediation issues on the subject property or within 500 feet of the same.

**D. AIR QUALITY PRESERVATION**

This project includes the demolition of existing buildings on site. These buildings must be surveyed for asbestos, and a notice of demolition must be submitted to this office 10 days prior to the start of the demolition.

**E. WETLANDS**

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

**F. TREE PRESERVATION**

Section 24-60 of the Code requires the preservation of tree resources. Consequently,

DERM will require the preservation of all the specimen-sized trees which are on the site. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

**G. ENFORCEMENT HISTORY**

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code. Accordingly, DERM does not object to the request, provided that the applicant complies with all Code requirements expressed herein. Furthermore, the application may be scheduled for consideration by the DIC Executive Council and this memorandum shall constitute DERM's written consent to that effect as required by the Code.

**III. IMPACT ON THE ECONOMY**

It is estimated that for a total of 640 multifamily residential units sold at \$350,000.00 per unit, the operating revenue and cost to Miami-Dade County and the School Board will be as follows:

	County	School Board	Combined
Total Revenues	\$4,150,718.	\$2,136,580.	\$6,287,298.
Total Costs	<u>1,802,518.</u>	<u>587,194</u>	<u>2,389,712.</u>
Net Fiscal Impact	\$ 2,348,200.	\$ 1,549,386.	\$3,897,586.

The net fiscal impact of this proposal is estimated to provide a positive operating revenue to Miami-Dade County of \$2,348,200.00 and a net surplus of \$1,549,386.00 to the School Board, for a combined total for both jurisdictions of \$3,897,586.00.

#### **IV. IMPACT ON ESSENTIAL GOVERNMENTAL SERVICES**

##### **A. POTABLE WATER SUPPLY**

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (WASD). Public water service exists throughout the property. Connection of the proposed new development to the public water supply system shall be required in accordance with Code requirements. The applicant shall connect to an existing sixteen (16)-in. w.m. in NW 77 Ave. N/O SW 74 Ln. and extend same northerly in NW 77 Ave. to SW 74 St., thence westerly in SW 74 St. to SW 77 Ct. to be interconnected to an existing sixteen (16)-in. w.m. N/O SW 74 St. Connect to any of the existing twelve (12)-in. and/or sixteen (16)-in. w.m. in SW 88 St and SW 86 St. respectively. Any public w.m. extension within the property shall be twelve (12)-in. min. in diameter with two (2) points of connection and the system shall be looped, in order to avoid dead end mains. The estimated demand for this project is 125,400 gallons per day (gpd). This figure does not include irrigation demands.

The source of water for these mains is Miami-Dade County Water & Sewer Department's Alexander Orr Water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State and County drinking water standards.

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

Notwithstanding that adequate system capacity is available for this project, DERM will require that water conserving plumbing fixtures be installed in accordance with the requirements of the South Florida Building Code in order to use more efficiently the Southeast Florida water resources.

It is recommended that the landscaping conform to xeriscape concepts. Included in these concepts is use of drought tolerant plants, reduces use of turf grass together with efficient irrigation system design. Details of xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water Management District.

##### **B. SEWER SERVICE**

The property is located within the franchised sewer service area of the Miami-Dade County Water & Sewer Department (WASD). Public sanitary sewers abut the site in the form of an 8-inch gravity main located along S.W. 86<sup>th</sup> Street. Downstream flow is directed to the South District Treatment Plant, which has adequate capacity to meet projected demands from this project. The gravity sewer point of connection information for this development and the size of the required gravity sewer mains in public right of way are subject to an engineering analysis to be conducted by the M-DWASD at the time a request for connection is sent to the Department, due to existing available capacity concerns in the area of the City of Miami. Connection of the proposed development to the public sanitary sewer system shall be required.

Existing public water and public sanitary 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 of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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.

**C. POLICE**

Growth in commercial development within a district results in increased demands for police services. The demands for service typically vary based upon the specific demographics of the area and traffic volume. Service demands normally are evaluated once neighborhoods are established, and re-evaluated on an on-going basis utilizing the budgetary process. Historically, departmentwide manpower, in conjunction with the ability to adjust sworn assignments, has permitted extension and maintenance of the current level of police services to newly established developments of any size.

A careful review of the application shows that the predicted impact on MDPD resources will be significant, based upon the increase in hotel units. This development will also greatly increase traffic volume. As the project is phased in over the buildout period, additional sworn personnel resources may be required to maintain the current level of service to the area. These resources would be requested through the annual budgetary process.

Regarding actual construction when development occurs, the following applicable guidelines are provided to address public safety issues:

1. The development should comply with requirements of the Code of Miami-Dade County, with special attention given to the following:
  - a. Section 21-276, Burglar Alarms.
  - b. Section 28-15(g), Required improvements.
  - c. Section 33-139, Names and numbers to comply with article; authority of the Department of Planning and Zoning.
  - d. Section 33-147, Numbering buildings.
  - e. Section 33-149, Duty of owners of buildings.
2. A Crime Prevention Through Environmental Design (CPTED) study coordinated and conducted through the Police, and other appropriate Departments respectively, with the developer may be very beneficial. CPTED is premised on the concept that the proper design and effective use of the built environment can lead to a reduction of crime and an increase in the quality of life.

3. All burglar alarm systems shall require an annual registration with MDPD by the user. This includes all systems even if they are not monitored by an alarm monitoring company. Locations that have more than one alarm system require separate registration for each system. Information brochures are available at MDPD district stations.
4. Each building should have address numbers conspicuously mounted that are not less than three inches in height and easily observable from the roadway. Buildings that back on to an alleyway should also have address numbers on the rear of the buildings.
5. A lighted directory should be erected near each point of entry and at other appropriate locations within the development for rapid location of buildings by responding emergency vehicles.
6. Shrubbery and landscaping at all driveways and intersections should be sufficiently set back to permit vehicle operators an unobstructed view of other traffic and pedestrians.
7. Landscaping and lighting should be maintained so that address numbers are never allowed to become obscured.
8. Adequate lighting, closed circuit television, and security officers in vehicle parking areas can discourage criminal activity.
9. Stairwells should have access controlled to restrict movements of persons contemplating criminal activity.
10. Any unmanned, card accessible, security entrance gate should have a coded lock-box feature for emergency access by police and fire-rescue vehicles.
11. Designation of areas within the development to be kept free of parked motor vehicles in order to facilitate access to buildings by emergency vehicles (fire lanes) is accomplished by application of the owner or lessor of the development pursuant to Miami-Dade County Code 30-388 (Ordinance 83-23), Establishment of Emergency Vehicle Zones. Only those developments with zones designated as Fire Lanes are authorized to have police enforcement.
12. The U.S. Department of Housing and Urban Development recommends five to ten foot-candles of light for heavily used spaces; e.g., paths, entries, and parking areas. Outdoor lighting can be one of the most effective deterrents against crime. Properly used, it discourages criminal activity and reduces fear.

#### **Additional Comments**

Police services are currently provided by our Kendall Station (Police District 5) located at 7707 SW 117 Avenue. During the month of August 2004, based upon a districtwide statistical analysis, the average emergency response time was 5.1 minutes (includes dispatch and travel time). Station police officers answered 5,647 calls for service and operated with 160 sworn personnel, to deliver police service to a district boundary area of 41.5 square miles and a citizen population of 176,811.

Miami-Dade County Commissioner constituents have voiced concerns at town-hall meetings about increasing traffic volume and other quality-of-life issues associated with new land development. In this regard, Lieutenant Nelson Aloy of our Kendall District, who is thoroughly familiar with the area and neighborhood involved with the proposed development, along with the designated MDPD representative to the DIC, will attend the scheduled meeting for this project.

**D. FIRE**

**Service Impact/Demand**

1. Based on development information, this project is expected to generate approximately 68 fire and rescue calls annually.
2. A suspected fire within this project would be designated as a high rise dispatch assignment. Such an assignment requires 4 suppressions or engines, telesquirts or tankers, 2 aerials, 2 rescues and an accompanying command vehicle(s). This assignment requires 30 firefighters and officers.
3. The desired travel time to such a project is 5 minutes for the first-in unit.
4. Required fire flow for this project is 2,000 gpm with hydrant spacing no further than every 300 feet. Proper main extensions can be provided by WASAD. Generally, for this type of development 16 inch mains are required.

The Fire Rescue Department's Fire and Water Engineering Bureau, 11805 SW 26<sup>th</sup> Street, (786) 315-2771 makes final determination regarding exact size and looping of water mains, and the number and placement of hydrants.

**Existing Services**

1. The stations responding to a fire alarm will be:

<u>Station</u>	<u>Address</u>	<u>Equipment</u>	<u>Staff</u>	<u>Response Time</u>
23	Kendall South 7825 SW 104 St	Aerial, Rescue	4,3	2 min
14	South Miami 5860 SW 70 St	Rescue, Engine	3,4	2 min
49	Pinecrest 10850 SW 57 Ave	Rescue	3	6 min
9	Kendall 7777 SW 117 Ave	Rescue, ALS Engine	3,4	6 min
3	Tropical Park 3911 SW 82 Ave	Rescue, ALS Engine	3,4	6 min
47	Westchester 9361 SW 24 St	Rescue, ALS Eng.	3,4	8 min
17	Virginia Gardens 7050 NW 36 St	Aerial, HazMat	4,3	10 min

2. The following first-response units/stations show a potential unavailability rate in excess of 20% during peak call hours for the previous calendar year:

<u>Units/Stations</u>	<u>Potential Unavailability During Peak Hours</u>
9	26.87%
3	23.3%
47	28.49%

3. Increased response times may result because of congestion on the following roadways:  
 SW 88 St. (Kendall Drive)

**Planned Service Expansions**

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

<u>Station/Unit</u>	<u>Address</u>	<u>Est. Completion Date</u>	<u>Response Time</u>	<u>Cost</u>
None				

Funding source is primarily: Fire rescue impact fees.

**Site Plan Review**

All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau.

**Site Requirements**

The attached site requirements pertain to the site plan submitted as part of this review. All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau.

1. Compliance with Ordinance 83-23 giving Police jurisdiction to issue citations for parking along frontage of all commercial development.
2. Emergency vehicle parking area is to be located in close proximity to the main entrances. Said area to be identified, per S.F.F.P.C.
3. Fire Department vehicle access is to be provided to as many sides of the structure as practical or as necessitated by the design of the structure and location of internal fire protection connector.
4. Fire access lanes must be capable of supporting 32 tons surfaced with solid pavement, natural or concrete stones or with grass turf reinforced by concrete grids or stabilized subgrade construction, which meet the standards of the Miami-Dade County Public Works Department. Such construction must be certified by a registered professional engineer of the State of Florida. Access lanes are to be minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches. Landscaping along these lanes must be approved and conform to landscaping plans. (Florida Fire Prevention Code).

5. Curb cuts for fire access lanes marked "Fire Lanes" in such a manner as to be easily visible from the road and clearly delineated with informational signs of not less than two square feet each parcel. Parking on fire access lanes is to be prohibited.
6. A turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted). (Florida Prevention Code).
7. All slopes in the project must be able to accommodate our largest aerial truck. This truck has the dimensions and angle requirements shown below:

Overall length:	46 feet, 10 inches
Bumper-to-bumper length	32 feet
Wheelbase length:	256 inches.
Angle of approach:	11 degrees maximum
Brake-over angle:	7 degrees maximum
Angle of departure:	8 degrees maximum

8. Aerial apparatus set-up sites at the corner of each building over three stories and at the center of buildings in excess of 125 feet in length.
9. Site-up sites no closer than 10 feet or further than 30 feet from any building and at least 21 feet wide and 36 feet long with a cross slope of less than 5 percent. Construction the set-up sites will consist of a stabilized subgrade, which meets the standards of the Miami-Dade County Public Works Department, and Grass Pavers" or an equally acceptable product as determined by the authority having jurisdiction. Set-up sites must be capable of withstanding any point forces resulting from out riggers.
10. Maintenance of fire lanes provided by the owner.
11. Fire sprinkler system in accordance with S.F.B.C., South Florida Fire Prevention Code and adapted NFPA Codes.
  - a. All fire main installation beyond backflow preventor detector check valve are to be done by a State certified Fire Protection Contractor.
  - b. "P.I.V." and "F.D.C." shall be located not less than 40 ft. from building. "Backflow Preventor" shall be located upstream from "P.I.V."
  - c. "F.D.C." must be placed within 150 feet from a fire hydrant.
12. An identification system located at each entrance of the complex consisting of a framed lighted map of the development showing all structures and streets at adequate scale.
13. Lighted signs for identification on all structures within the development. Sign letters and numbers shall be 6" on front of building and 4" on the rear.
14. Limited dead ends to 150 feet and locate "Dead End" signs at the entrance of each area. In a fully sprinklered building, dead ends may 250'. (Florida Fire Prevention Code).
15. Minimum 15' gate width. Cannot be within turning radius.

16. Gated entrances to provide elevator lock box containing switch or level to activate gate for fire department use.
17. Fire hydrants and fire protection appliances-clearances of seven and one-half feet in front of and to the sides and four feet to the rear shall be maintained. (Florida Fire Prevention Code).

**E. PARKS**

**Identify Impact and Demand**

The 620 dwelling units will produce a population of 1,491 people, according to current population estimates prepared by the Research Division of the Planning Division of the Planning and Zoning Department. This population generates a need for 4.10 acres of local parkland, based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population.

**Existing Service**

The nearest community park is Continental Park, located at 10000 SW 82<sup>nd</sup> Avenue, approximately one mile south of this application. The nearest neighborhood park is Kendallwood Park, located at SW 80<sup>th</sup> Terrace and SW 93<sup>rd</sup> Court, approximately 2 miles west of this application. The nearest district park is Tamiami Park, located at 11201 SW 24<sup>th</sup> Street, approximately 5 miles northwest of this application.

**Facilities**

Continental Park has baseball fields, basketball court, fitness course, picnic shelter, parking lot, small recreation center, tennis center, and a tot lot playground.

Kendallwood Park is a passive open space park with no improvements.

Tamiami Park has 12 lighted baseball fields, 7 tennis courts, 4 volleyball courts, a swimming pool, a basketball court, and various concession, storage, recreation and maintenance buildings.

**Concurrency/Capacity Status**

This application is located in Park Benefit District 2, which has a surplus of 581.51 acres of local parkland.

**Site Plan Critique & Quality of Life Issues**

The site plan includes an open playground, a tennis court, 2 pools, and 2 sand volleyball courts for use by residents of this development. I recommend that they consider adding a tot lot playground to one of the open play areas because there are no neighborhood parks nearby to serve the residents, and the adjacent areas have been built out. These recreation areas should be clearly identified on the site plan, with their sizes, so that additional language can be added to the covenant that has been offered to require that they be preserved in perpetuity as open space recreation areas.

**F. SCHOOLS**

Comments from Miami Dade County Public Schools are provided in attached Exhibit "A".

**G. SOLID WASTE MANAGEMENT**

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department 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 12, 2003, which is valid for three (3) years, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with 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.

This project falls within the DSWM **solid waste collection service area**. A number of the residences proposed for inclusion in this project meet the County Code definition of **residential unit**. Per the code, residential units located within the project shall, therefore, receive DSWM garbage and trash collection service. Twice weekly individual curbside garbage and trash collection, scheduled bulky waste collections service, and unlimited use of the Trash and Recycling Centers are the services currently provided to residential units in the DSWM solid waste collection service area.

In addition the project proposes multifamily uses. Chapter 15-2 of the Miami-Dade County Code requires the following of multi-family and commercial uses located in unincorporated Miami-Dade County:

**Section 15-2** - "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."

Currently, DSWM provides curbside recycling services to **residential units** located in the unincorporated Dade County. Residential units shall, therefore, utilize DSWM weekly curbside recycling services, provided for the County by BFI, Inc. The recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Participation in the residential program is mandatory in accordance with Chapter 15, Section 15-2.6 of the County Code. Further information may be obtained by calling the Department's Service Development Division at 594-1500 or 514-6714.

As it relates to the multi-family uses, **Section 15-2.2** requires that "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.

Recyclable Materials: Multi-family

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

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 514-6666.

**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".

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations 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 accord 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 setout 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.

**V. IMPACT ON TRANSPORTATION FACILITIES AND ACCESSIBILITY**

**A. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY**

**1. Trip Generation**

341 PM Peak Hour trip ends

**2. Cardinal Distribution**

North 38.0%	East 28.0%
South 14.0 %	West 20.0%

**B. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION**

1. Location:	SW 88 Street	SW 826 (Palmetto)
2. Description:	Primary	Highway
3. No. of lanes:	6	6
Right of way:	110'	150'
Maintenance:	FDOT	FDOT

**C. IMPACT ON EXISTING ROADWAYS**

Station F-1075 located on SW 87<sup>th</sup> Avenue s/o SW 56<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2100 vehicles and 405 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1075 with its 2505 PHP and assigned vehicles is at LOS "C". The 52 vehicles generated by this development when combined with the 2505 equals 2557 and LOS "C" where the range of LOS "C" is from 1731 to 3100 vehicles.

Station F-1076 located on SW 87<sup>th</sup> Avenue n/o SW 85<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2019 vehicles and 195 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1076 with its 2214 PHP and assigned vehicles is at LOS "C". The 20 vehicles generated by this development when combined with the 2214 equals 2234 and LOS "C" where the range of LOS "C" is from 1 to 2650 vehicles.

Station F-684 located on SW 88<sup>th</sup> Street e/o SW 79<sup>th</sup> Avenue has a maximum capacity of LOS "EE" of 6970 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 3780 vehicles and 1413 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-684 with its 5193 PHP and assigned vehicles is at LOS "D". The 184 vehicles generated by this development when combined with the 5193 equals 5377 and LOS "E" where the range of LOS "E" is from 5301 to 5810 vehicles.

Station 9172 located on SW 87<sup>th</sup> Avenue s/o SW 88<sup>th</sup> Street has a maximum capacity of LOS "C" of 2080 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 1759 vehicles and 125 vehicles have been assigned to this section of road from previously approved Development Orders. Station 9172 with its 1884 PHP and assigned vehicles is at LOS "C". The 30 vehicles generated by this development when combined with the 1884 equals 1914 and LOS "C" where the range of LOS "C" is from 1811 to 1980 vehicles.

Station F-64 located on SW 88<sup>th</sup> Street e/o SW 103<sup>rd</sup> Avenue has a maximum capacity of LOS "EE" of 7350 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 6057 vehicles and 431 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-64 with its 6488 PHP and assigned vehicles is at LOS "EE". The 55 vehicles generated by this development when combined with the 6488 equals 6543 and LOS "EE" where the range of LOS "EE" is from 6131 to 7350 vehicles.

**D. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT**

1. Entrance along SW 88<sup>th</sup> Street requires signal and median opening modification plans.
2. Contribution for Traffic Signal modification is required.
3. Traffic study and Traffic pavement markings and signs shall be submitted to the Public Works Department Traffic Engineering Division at the SPCC for review, before permitting.
4. Provide connection between inner walkways and SW 88<sup>th</sup> Street sidewalk.
5. Provide pedestrian access at SW 86<sup>th</sup> Street entrance.
6. Contact Florida Department of Transportation concerning sidewalk along the Palmetto Expressway (SR 826) exit ramp, for authorization to widen the existing sidewalk width from five feet (5') to ten feet (10') to incorporate the sidewalk into the MPO adopted the Snapper Creek trail of the North Dade Greenway Network.
7. Several Cross Walks within the development will require shifting, to avoid pedestrian drop off areas.
8. A turning radius of fifteen feet (15') is required in parking aisles on all floors.

**E. SITE PLAN CRITIQUE**

1. Legal description not provided. The land may require to be platted.
2. Public Works permit is required for construction in the public right of way.
3. State Road permit is required for construction in the State Road right of way.

This application **meets** the criteria for traffic concurrency for an Initial Development Order. No vehicle trips, other than the trips assigned to the existing facilities, have been reserved by this application. It will be subject to the payment of road Impact Fees.

**F. MASS TRANSIT**

The area is currently served by the following Metrobus routes and frequencies:

<b>Route</b>	<b>Peak</b>	<b>Non-Peak</b>	<b>Night</b>	<b>Sat</b>	<b>Sun</b>
Rt. 87	30	30	50	30	30
Rt. 88	15	30	30	20	30
Rt. 104	30	30	60	60	60

In addition to the above mentioned, Metrorail and routes 1, 52, 65, 73, Busway Local, Saga Bay MAX, and Coral Reef MAX, service the Dadeland South Metrorail station providing service in the nearby area.

The 2005 Transportation Improvement Program (TIP) does not identify any improvements for the area.

The 2025 Long Range Transportation Needs Plan does not identify any improvements for the area.

The 2004 Transit Development Program (TDP) identifies in its 2009 Recommended Service Plan (RSP) the following improvements:

Rt.87: Improve peak headways from 30 to 15 minutes by 2005.

Rt.88: Improve peak headways from 15 to 12 minutes by 2004. Straighten route and extend westward to the West Kendall Terminal, eliminating the 142 Avenue branch by 2005.

Rt 104: Improve peak headways from 30 to 15 minutes by 2005. Operate the last westbound trip in the evenings along the entire route alignment

**Proposed New Routes:**

Baptist Hospital Shuttle: Shuttle service from Dadeland South station to the Baptist Hospital complex and surrounding medical centers/buildings on SW 87 Avenue.

Based on the information presented, MDT has no objection to this project. However, provisions must be made by developer for removal of existing bus shelter and providing for pull-out bay and new bus shelter. Coordination for these activities must be made with MDT's Service and Mobility Planning Division.

This project has been reviewed by MDT for mass transit concurrency and was found concurrent with the level-of-service standards established Miami-Dade County.

**G. AVIATION**

Miami-Dade Aviation Department has determined that DIC Zoning Application 04-366 Dadeland Breezes Apartment, LLC is clear of any restrictive zones as depicted in the proposed zoning ordinance for Miami International Airport, and would be compatible with airport operations.

**CONDITIONS**

1. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
2. That a recordable agreement be submitted to and meet with the approval of the Director providing for permanent and safe access for pedestrian and vehicular traffic within the development and particularly for right of access for fire, police, health, and sanitation and other public service personnel and vehicles. The agreement, which shall be a covenant running with the land, shall also include a stipulation that the streets, or access ways, shall be installed and maintained by the applicant, including, but not limited to, sidewalks, drainage facilities, water, sewers and fire hydrants, meeting with the approval of the Director and the Director of the Public Works Department. Such agreement shall be executed by the property owner and any and all parties having an interest in the land, such as mortgagees, etc., and its improvements.
3. That in the event of multiple ownership, a homeowner's association, Special Taxing District or Community Development District be established in accordance with applicable regulations to assure that all common area and facilities for use of all residents shall be maintained in a continuous and satisfactory manner, and without expense to the general taxpayer of Miami-Dade County. The instrument incorporating such provisions shall be approved by the County Attorney as to form and legal sufficiency and shall be recorded in the public records of Miami-Dade County at the time recording of the subdivision plat.
4. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments.

DATE TYPED: 12/10/04  
DATE REVISED: 01/26/05;02/03/05  
DATE FINALIZED: 02/03/05

**EXHIBIT 'A'**



# Miami-Dade County Public Schools

*giving our students the world*

**Superintendent of Schools**  
Rudolph F. Crew, Ed.D.

**Ana Rijo-Conde, AICP, Facilities Planning Officer**  
Facilities Planning

January 25, 2005

**Miami-Dade County School Board**

Frank J. Bolaños, Chair  
Dr. Robert B. Ingram, Vice Chair  
Agustin J. Barrera  
Evelyn Langlieb Greer  
Perla Tabares Hantman  
Dr. Martin Karp  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

Ms. Maria Teresa-Fojo, Division Chief  
Miami-Dade County  
Department of Planning and Zoning  
Zoning Evaluation Section  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128

**Re: Dadeland Breezes Apartments, LLC - Application No. 04-366 (CC12)**  
**North of SW 88 Street on the West side of State Road 826**  
**Updated**

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that all of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Kenwood Elemiddle School and South Miami Senior High School currently operating at 131% and 146% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Kenwood Elemiddle School and South Miami Senior High School to 136% and 147%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on January 24, 2005, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

**School Board Administration Building • 1450 N.E. 2<sup>nd</sup> Avenue, Suite 525 • Miami, Florida 33132**  
**305-995-7285 • FAX 305-995-4760 • [arijo@dadeschools.net](mailto:arijo@dadeschools.net)**

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Ms. Maria Teresa Fojo  
January 25, 2005  
Page Two

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

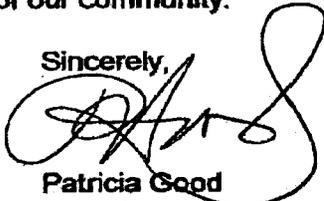
Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

$$\text{New residential unit square footage} \times .90 \text{ (Square Footage Fee)} + \$600.00 \text{ (Base Fee)} + 2\% \text{ administrative fee} = \text{Educational Facilities Impact fee}$$

As an example, assuming the proposed unit is 2,000 square feet, the 640-unit development is estimated to generate approximately \$1,566,720 (\$2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,  
  
Patricia Good  
Coordinator III

PG:am  
L-561  
Attachment

- cc: Ms. Ana Rijo-Conde
- Mr. Fernando Albueme
- Mr. Michael A. Levine
- Mr. Ivan M. Rodriguez
- Ms. Vivian Villaamil
- Mr. Juan Mayol

**SCHOOL IMPACT REVIEW ANALYSIS**

**APPLICATION:** No. 04-366, Dadeland Breezes Apartments, LLC (12)

**REQUEST:** Zone change from RU-4M to PAD

**ACRES:** 11.11 acres

**MSA/Multiplier:** 5.5/.25

**LOCATION:** North of SW 88 Street on the West side of State Road 826

**UNITS:** 242 additional units (398 units currently permitted under existing zoning classification, for a total of 640 units)

**ESTIMATED STUDENT POPULATION:** 61 students \*

**ELEMENTARY:** 28

**MIDDLE:** 15

**SENIOR:** 18

**SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMIDDLE:** Kenwood Elemiddle - 9300 SW 79 Ave.

**SENIOR HIGH:** South Miami Senior - 6856 SW 53 St.

All schools are located in Region 5

\* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2004:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Kenwood	1136/	854	133%/	16	131%/
Elemiddle	1179*		138%*		136%*
South Miami Sr.	2858/	1695	169%/	261	146%/
	2876*		170%*		147%*

\* increased student population as a result of the proposed development

Note:

- 1) The cumulative effect of other approved or proposed developments in the vicinity is not included as part of this analysis, however is hereby attached in this package.
- 2) Figures above reflect the impact of the class size amendment.
- 3) Pursuant to the Interlocal Agreement, all of the schools meet the review threshold.

**PLANNED RELIEF SCHOOLS IN THE AREA**

(Information Included in Capital Improvement Projects Report of December 9, 2004):

<u>School</u>	<u>Status</u>	<u>Substantial Completion Date</u>
Classroom addition at Kenwood K-8 Center (484 student stations)	Design	March 2006
Classroom addition at Kenwood K-8 Center (242 student stations)	Design	June 2006
State School "NNN" At South Miami Sr. (900 additional student stations)	Construction	February 2006

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$355,813.

**CAPITAL COSTS:** Based on the State's January-2005 student station cost factors\*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	28 x \$ 13,480	= \$ 377,440
MIDDLE	15 x \$ 15,456	= \$ 231,840
SENIOR	18 x \$ 20,453	= \$ 368,154
<b>Total Potential Capital Cost</b>		<b>\$ 977,434</b>

\* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

	Applicant Name & Number	Location Address	Units/Students	Article	Board Decision (Date)	Community Council # Date	Approved/Action/Comments
1	HOWARD MARLOWE #03-243	N of SW 32 St. and W of SW 145 Ave.	7 Units/ 4 Students	GREENGLADE ELEM-2 WR THOMAS MID-1 BRADDOCK SR-1	7/5 8/5 7/5	CC12	WITHDRAWN
2	OTTO GONZALEZ JR. #01-364	6725 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 1/24/02	DENIED
3	TASNIM UDDIN #02-288	E of SW 69 Ct. and N of SW 72 St.	8 Units/ 3 Students	BLUE LAKES ELEM-1 GLADES MID-1 KILLIAN SR-1	8/5 8/5 6/5	CC12 10/09/03	APPROVED
4	CAULEY PALISADE CORP. #02-096	9325 SW 128 St.	7 Units/ 3 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR-1	7/5 9/5 6/5	CC12 10/22/02	APPROVED
5	HARLON & ANN SACHS #02-140	9500 SW 68 St.	3 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 10/22/02	APPROVED
6	ARLENE POLLOCK #01-110	S of SW 98 St. and W of SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
7	DAVID KING #01-109	SWC of SW 96 St. and SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
8	JAY A. DAVIS #01-108	S of SW 98 St. and W of SW 107 Ave.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
9	HENRY FORERO #02-172	13010 SW 102 Ave.	4 Units/ 1 Student	LEEWOOD ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 11/28/02	APPROVED
10	JORGE A. RODRIGUEZ #02-284	5810 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 11/28/02	APPROVED
11	LUDLAM POINT CLUB, LLC #02-221	6801 SW 44 St.	118 Units/ 17 Students	S. MIAMI ELEM-8 S. MIAMI MID-4 S. MIAMI SR-5	6/5 6/5 8/5	CC12 11/28/02	APPROVED
12	HHJ DEVELOPMENT, LLC #01-388	8820-90 SW 94 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 11/28/02	DENIED
13	AVIS KAPLOW KALLAN #02-269	11860 SW 80 St.	58 Units/ 32 Students	SUNSET PARK ELEM-15 GLADES MID-8 KILLIAN SR-9	8/5 8/5 6/5	CC12 12/18/02	APPROVED
14	MARTA DE VARONA #00-370	9380 SW 68 St.	2 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 2/20/01	APPROVED

**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

15	EMILIA A. LAVIN #01-375	7890 SW 72 Ave.	4 Units/ 2 Students	LUDLAM ELEM-1 S. MIAMI MID-1 S. MIAMI SR	8/5 8/5 8/5	CC12 3/28/02	DENIED
16	RAMON LAVIN #01-378	N of SW 80 St. and approx. 152' W of SW 72 Ave.	3 Units/ 1 Student	LUDLAM ELEM-1 S. MIAMI MID S. MIAMI SR	8/5 8/5 8/5	CC12 3/28/02	DENIED
17	JOSEPH C. SHAW, TRUSTEE #02-182	7990 SW 112 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID PALMETTO SR	7/5 9/5 9/5	CC12 5/13/03	APPROVED
18	RAUL & JUANA GAMAZO #02-345	10305 SW 70 St.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 5/13/03	APPROVED
19	PHILLIP & DONNA SLOTSKY, ET AL #02-346	S of SW 112 St. and W of SW 87 Ave.	5 Units/ 2 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR	7/5 9/5 8/5	CC12 5/13/03	WITHDRAWN
20	ROSA, OTIS & JAMES WHITEHEAD #03-024	S of SW 126 St. & E of SW 92 Ave.	11 Units/ 4 Students	VINELAND ELEM-2 PALMETTO MID-1 PALMETTO SR-1	7/5 9/5 9/5	CC12 5/28/03	APPROVED
21	SILVERWINGS DEVELOPMENT LLC #03-035	E of SW 80 Ave. & S of SW 110 St.	17 Units/ 8 Students	VINELAND ELEM-3 PALMETTO MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 5/28/03	APPROVED
22	GENERAL CONFERENCE CORP OF 7TH DAY ADVENTIST #00-440	8100 SW 117 Ave.	10 Units/ 6 Students	SUNSET PARK ELEM-3 GLADES MID-1 KILLIAN SR-2	6/5 8/5 6/5	CC12 7/05/01	APPROVED
23	JIMMY DIAZ #03-109	4920 SW 76 St.	1 Units/ 0 Students	CORAL GABLES ELEM PONCE DE LEON MID CORAL GABLES SR	8/4 9/4 6/4	CC12 7/3/03	APPROVED
24	ROBERT S. NEUMANN #03-083	9720 SW 92 Terr.	2 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 7/3/03	APPROVED
25	SLMK COP. & LAURISSE K. MASRI, TRUSTEE #03-118	SEC of SW 84 Ave. & S of SW 110 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 7/3/03	APPROVED
26	MARQUISE'S INVESTMENTS, LLC #00-176	9520 SW 82 St.	3 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 8/20/01	APPROVED
27	HHJ DEVELOPMENT, LLC #03-117	SEC of SW 89 Ave. & SW 94 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 9/23/03	APPROVED
28	AMIGOS INVESTMENT, INC. #03-351	13630 SW 97 Ave.	3 Units/ 2 Students	LEEWOOD ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 7/6/04	WITHDRAWN

**ZONING REPORT**  
(APPLICATIONS REVIEWED SINCE JANUARY 2001)  
CC12

29	A WALK IN GLOWAY PARK, INC #03-318	NWC of SW 112 St. and SW 87 Ave.	4 Units/ 2 Student	VINELAND ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 BCC 11/18/04	APPROVED
30	MYSTIC FOREST INVESTMENTS II, INC. #03-368	NWC of SW 119 Ct. and SW 80 St.	20 Units/ 10 Students	SUNSET PARK ELEM-5 GLADES MID-2 KILLIAN SR-3	6/5 8/5 6/5	CC12 9/8/04	APPROVED
31	FRANCIS B. COMPTON #03-271	SW 124 St. and SW 95 Ave.	23 Units/ 10 Student	VINELAND ELEM-5 PALMETTO MID-2 KILLIAN SR-3	7/5 9/5 6/5	CC12 9/8/04	APPROVED
32	ENRIQUE PIWKO #03-333	NEC of SW 84 Ave. and SW 94 St.	2 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	8/5 8/5	CC12 3/10/04	APPROVED
33	A WALK IN FALL PARK, INC. #03-320	SWC of SW 148 St. and SW 83 Ave.	10 Units/ 5 Students	VINELAND ELEM-2 SOUTHWOOD MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 1/25/05	PENDING
34	SILVIO & JUANA YOLANDA ALVA #04-112	SEC of SW 64 St. and SW 97 Ave.	1 Unit/ 0 Students	SNAPPER CREEK ELEM-0 GLADES MID-0 SW MIAMI SR-0	8/5 8/5 8/5	CC12 10/13/04	APPROVED
35	PINES DEVELOPMENT CORP. #04-333	9795 SW 107 Ave.	3 Units/ 1 Students	KENDALE ELEM-1 ARVIDA MID-0 KILLIAN SR-0	7/5 7/5 6/5	CC12	PENDING

Note: There are two applications that are pending which would generate 6 students.



# Miami-Dade County Public Schools Charter School Operations

## Approved Contracts for 2004-2005

- 1 Archimedean Academy, 10870 SW 113 Place, Miami, FL 33176
- 2 ASPIRA Eugenio Maria de Hostoa Youth Leadership, 3650 North Miami Avenue, Miami, FL 33127
- 3 ASPIRA South Youth Leadership, 14112-14 SW 288 Street, Laisure City, FL 33033
- 4 ASPIRA Youth Leadership, 13300 Memorial Highway, North Miami, FL 33161
- 5 Aventura Charter Elementary School, 3333 NE 188 Street, Miami, FL 33180
- 6 Coral Reef Montessori Academy, 10853 SW 216 Street, Miami, FL 33157
- 7 Doral Academy, 2450 NW 97 Avenue, Miami, FL 33172
- 8 Doral Academy Charter Middle School, 2601 NW 112 Avenue, Miami, FL 33172
- 9 Doral Academy High School, 11100 NW 27 Street, Miami, FL 33172
- 10 Downtown Miami Charter School, 305 NW 9 Avenue, Miami, FL 33138
- 11 Florida International Academy, 7630 Biscayne Boulevard, Miami, FL 33138
- 12 Theodore R. & Theima A. Gibson Charter School, 3834 Grand Avenue, Miami, FL 33133
- 13 Keys Gate Charter School, 2000 SE 28 Avenue, Homestead, FL 33036
- 14 Liberty City Charter School, 8700 NW 5 Avenue, Miami, FL 33150
- 15 Mater Academy, 7700 NW 98 Street, Hialeah Gardens, FL 33016
- 16 Mater Academy Charter Middle School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 17 Mater Academy Charter High School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 18 Mater Academy East, 450 SW 4 Street, Miami, FL 33130
- 19 M/S Barry University Connected Learning Center, 11441 NW 2 Avenue, Miami Shores, FL 33168
- 20 North County Charter School, 3400 NW 136 Street, Miami, FL 33054
- 21 North Dade Community Charter School, 13850 NW 26 Avenue, Opa-Locka, FL 33054
- 22 Northeast Academy, 3400 NW 136 Street, Miami, FL 33054
- 23 Pinecrest Preparatory Academy, 14301 SW 42 Street, Miami, FL 33175
- 24 Pinecrest Preparatory Academy Charter Middle School, 14301 SW 42 Street, Miami, FL 33175
- 25 Rosa Parks Charter School/Florida City, 713 West Palm Drive, Florida City, FL 33034
- 26 Rosa Parks Community School/Overtown, 430 NW 9 Street, Miami, FL 33136
- 27 Ryder Elementary Charter School, 8380 NW 33 Street, Miami, FL 33122
- 28 Sendor Wiener School of Opportunity  
Main Campus: 20000 NW 47 Court, Opa-Locka, FL 33056  
Kendall Campus: 11025 SW 84 Street, Miami, FL 33173
- 29 Spiral Tech Elementary Charter School, 12400 SW 72 Street, Miami, FL 33183
- 30 Vankara Academy Charter School, 13307-11 Alexandria Drive, Opa-Locka, FL 33054
- 31 Youth Co-Op, 12051 West Okeechee Road, Hialeah Gardens, FL 33016

## Approved Contracts for 2004-2005

- 32 Academy of Arts & Minds, 3138 Commodore Plaza, Miami, FL 33133
- 33 Balera Language Academy, 10800 Caribbean Blvd., FL 33189\*
- 34 International Studies Charter High, 3280 South Miami Avenue, Miami, FL 33127
- 35 Las Palmas Charter School, 14250 SW 202 Avenue, Miami, FL 33196
- 36 Miami Children's Museum Charter School, 450 SW 4 Street, Miami, FL 33130 (temporary location)

## Approved Contracts for 2004-2005 (Continued)

- 37 Miami Community Charter School, 101 SW Redland Road, FL 33034\*
- 38 Pinecrest Preparatory Academy Charter High School (two locations)  
Main Campus (Kendall Greens): SW 80 Street & 150 Avenue, Miami, FL 33193 and  
Holy Cross Campus: 12425 SW 72 Street, Miami, FL 33183
- 39 School for Integrated Academics and Technologies (SIATech) (two locations)  
Main Campus: 3060 NW 188 Street, Miami, FL 33066, and  
Homestead Campus: 12350 SW 285 Street, Homestead, FL 33033
- 40 Somerset Academy, 8750 NW 21 Terr., Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and 232 Street, Miami, FL 33170 (permanent location)
- 41 Somerset Academy Charter Middle School  
2601 NW 112 Avenue, Miami, FL 33172 and  
8750 NW 21 Terr., Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent)
- 42 Somerset Academy Charter High School, 11100 NW 27 Street, Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent location)
- 43 Sweet Home Charter School, 17201 SW 103 Avenue, Miami, FL 33157 (temporary location)  
SW 190 Street and 112 Avenue, Miami, FL 33157\*

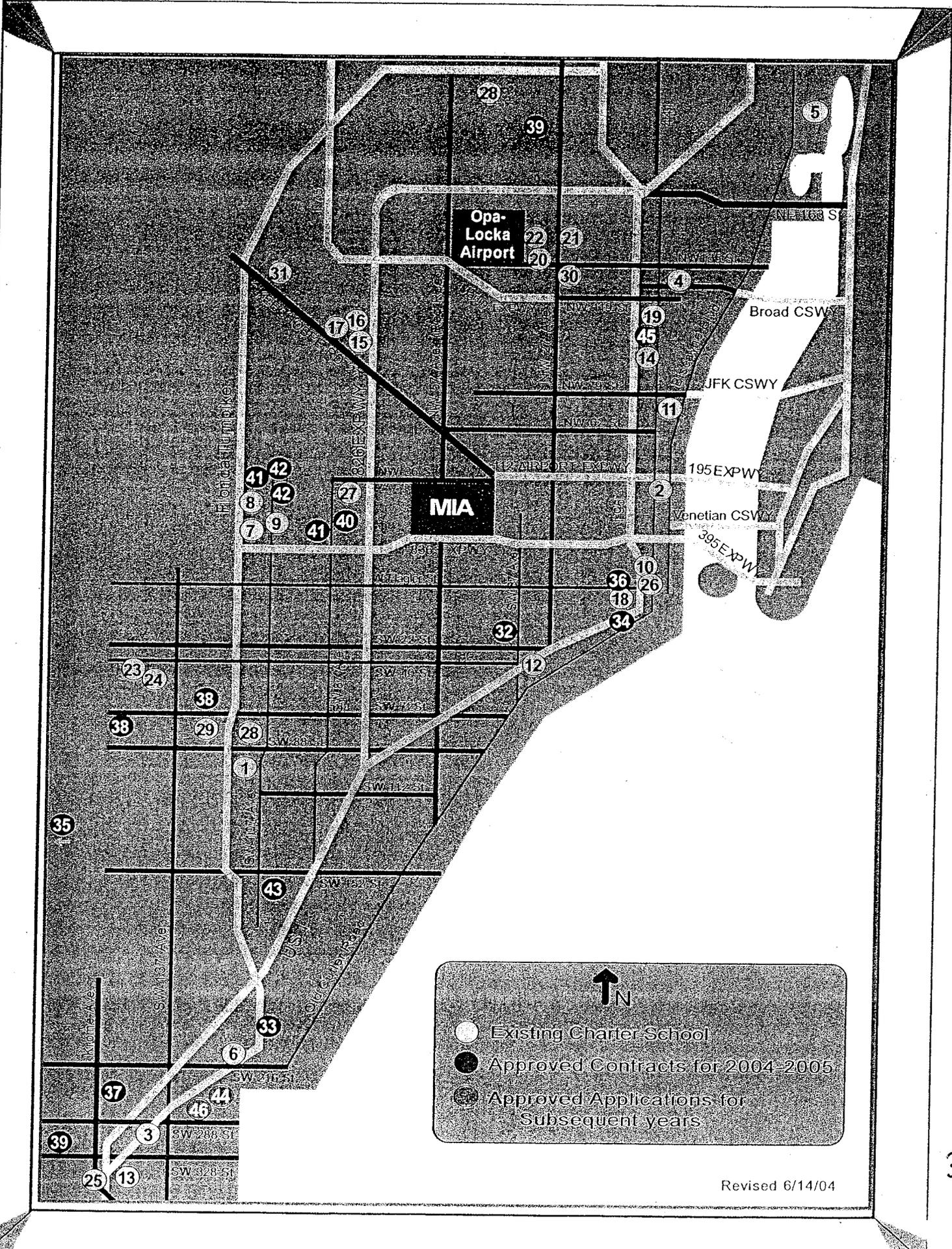
\* Locations pending final School Board approval.

## Approved Contracts for 2004-2005 (Continued)

- 44 Dr. Joseph Coats Grace Community Charter School, SW 248 Street & 112 Avenue, Miami, FL
- 45 Miami Shores Charter Middle/Senior High School, NW 11441 NW Second Avenue,  
Miami Shores, FL 33168
- 46 Summerville Charter School, SW 248 Street and 117 Avenue, Miami, FL

## Approved Contracts for 2004-2005

- 47 Mater Academy South Charter School, Sweetwater area
- 48 Mater Gardens Academy Elementary School, Hialeah Gardens area
- 49 Mater Gardens Academy Middle School, Hialeah Gardens area
- 50 Mater Springs Academy Elementary School (location to be determined)
- 51 Mater Springs Academy Middle School (location to be determined)
- 52 Miami-Dade Charter Foundation (4 sites - locations to be determined)
- 53 North Miami/Florida International University Charter Senior High School, NE 151 St. & Biscayne, North Miami, FL
- 54 Sabal Palm Charter High School, Hialeah area
- 55 Somerset Academy (6 sites - locations to be determined)
- 56 Spirit City Academy (location to be determined)
- 57 Sunset Academy (location to be determined)
- 58 The City of North Miami/Florida International University Charter School (location to be determined)



# A RESIDENTIAL DEVELOPMENT FOR

# H & H DEVELOPMENT

DADE COUNTY, FLORIDA

**ZONING**  
RU-4

**NET LOT AREA**  
468,951.6 S.F. (11.11 ACRES)

**NUMBER OF UNITS**  
EXISTING: 306 UNITS  
NUMBER PROVIDED: 640 UNITS

**SETBACKS**

FRONT	76'-0"
INTERIOR SIDE	80'-0"
REAR	71'-0"

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM	1.5 X 212 =	318 SPACES
2 BEDROOM	1.75 X 372 =	651 SPACES
3 BEDROOM	2.00 X 56 =	112 SPACES
<b>TOTAL</b>		<b>1081 SPACES</b>

**PROVIDED:**

SURFACE PARKING	26 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE GARAGES	56 SPACES
<b>TOTAL</b>	<b>1081 SPACES*</b>

\* includes 22 handicapped parking spaces

<b>TOTAL GROSS ACREAGE:</b>	463,806 S.F. OR 11.11 ACRES	100%
<b>COVERAGE BLDG. @ GROUND LEVEL:</b>	189,133 S.F. OR 4.34 ACRES	39%
<b>PRIVATE ROADS &amp; PARKING AREAS:</b>	56,546 SF OR 1.3 ACRES	12%
<b>COMMON OPEN SPACE:</b>	182,056 SF OR 4.18 ACRES	39%
<b>PRIVATE OPEN SPACE:</b>	14,890 SF OR .34 ACRES	3%
<b>WATER BODIES:</b>	0 SF	
<b>PUBLIC FACILITIES:</b>	21,522 SF OR .50 ACRES	4%
<b>PUBLIC ROADS:</b>	19,860 S.F. OR .451 ACRES	4%
<b>TOTAL:</b>	463,806 SF 11.11 ACRES	

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM	1.5 X 212 =	318 SPACES
2 BEDROOM	1.75 X 372 =	651 SPACES
3 BEDROOM	2.00 X 56 =	112 SPACES
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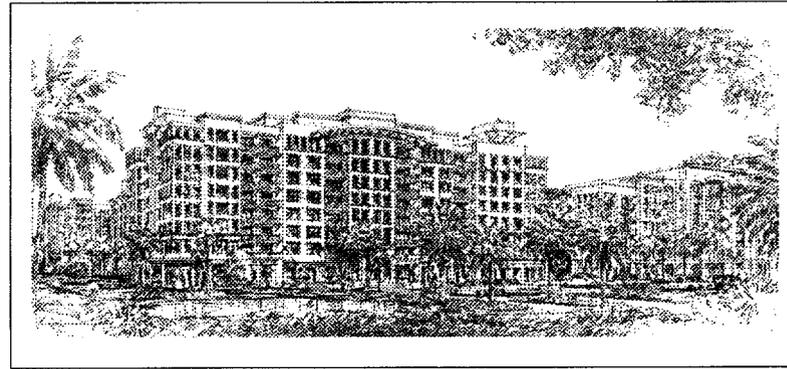
\* includes 22 handicapped parking spaces

**ARCHITECTURE:**

COHEN, FREEDMAN, ENCINOSA & ASSOC.  
ARCHITECTS, P.A.  
8095 N.W. 155TH STREET  
MIAMI, FLORIDA 33018  
TEL (305) 828-3999 FAX (305) 828-4155  
EMAIL: CFSEARCH@BELLSOUTH.NET

**LANDSCAPE ARCHITECTURE:**

FUSTER DESIGN ASSOC.  
7500 S.W. 88TH COURT  
MIAMI, FLORIDA 33143  
TEL (305) 279-2202 FAX (305) 279-2604



**BUILDING MIX**

TYPE	HEIGHT	STORIES
TOWER 1	66'-0"	8
TOWER 2	66'-0"	8
TOWER 3	66'-0"	8

**INDEX OF SHEETS**

- A-0 TITLE SHEET/PROJECT DATA
- A-1 GROUND FLOOR PLAN 1:30 SCALE
- A-2 2nd - 5th LEVEL FLOOR PLAN 1:30 SCALE
- A-3 6th LEVEL FLOOR PLAN 1:30 SCALE
- A-4 7th LEVEL FLOOR PLAN 1:30 SCALE
- A-5 8th LEVEL FLOOR PLAN 1:30 SCALE
- A-6 ELEVATION
- A-7 ELEVATION
- A-8 ELEVATION
- A-9 BUILDING SECTION 1:30 SCALE
- A-10 RENDERING NO SCALE
- A-11 EXISTING SITE CONDITIONS

**UNIT MIX - PROJECT TOTAL**

1 BRD	2 BRD	3 BRD	50 TOWNH	TOTAL
216	372	25	23	640
66%	58%	4.6%	4.6%	

UNIT TYPE	UNIT S.F.	1st	2nd-5th	6th	7th	8th	TOTAL UNITS
A1	706	80	80	80	18	18	156
A2	975	-	4	4	4	4	16
A3	1060	4	4	4	4	4	16
B1	1080	-	4	-	-	-	4
B2	1100	30	30	30	34	34	128
B3	1200	12	12	12	12	12	48
B4	1270	4	4	4	4	4	16
C1	1430	-	4	4	4	4	16
T1	1000	56	-	-	-	-	56
<b>TOTAL</b>		80	80	76	26	26	640

RECEIVED

DEC 30 2004

DEPT. OF PLANNING & ZONING  
ZONING EVALUATION SECTION  
BY \_\_\_\_\_

**COHEN - FREEDMAN - ENCINOSA & ASSOC.**  
**Architects, PA**  
 Miami Lakes, Florida 33016 305-826-3999  
 8095 N.W. 155th Street

PRELIMINARY DESIGN FOR  
**H & H DEVELOPMENT**  
 DADE COUNTY, FLORIDA

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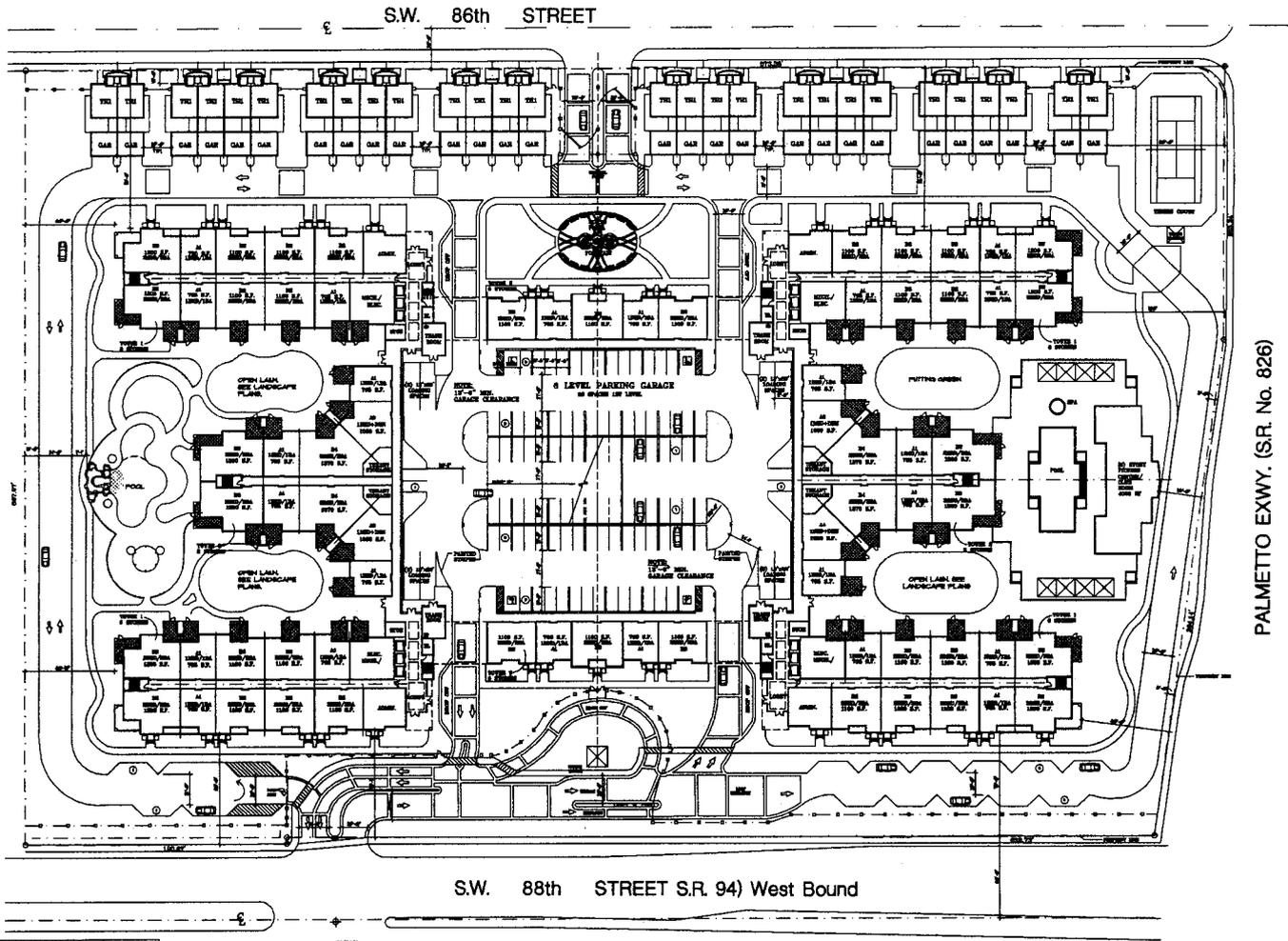


VIEW OF TOWER I

PRELIMINARY DESIGN FOR  
HIGH DEVELOPMENT  
DADE COUNTY, FLORIDA

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

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NOTE:  
 PLACEMENT HANDICAPS AND TRAFFIC  
 SIGNS TO BE INCLUDED AS PART OF A  
 TRAFFIC STUDY. STUDY TO BE  
 LIMITED TO PUBLIC WORKS DEPT.  
 FOR APPROVAL.

SEWER  
 INFORMATION  
 REQUIRED.

S.W. 88th STREET S.R. 94) West Bound

PALMETTO EXWY. (S.R. No. 826)

S.W. 86th STREET

1ST LEVEL PLAN  
 1:40' SCALE

PRELIMINARY DESIGN FOR  
**H + H DEVELOPMENT**  
 COUNTY, FLORIDA

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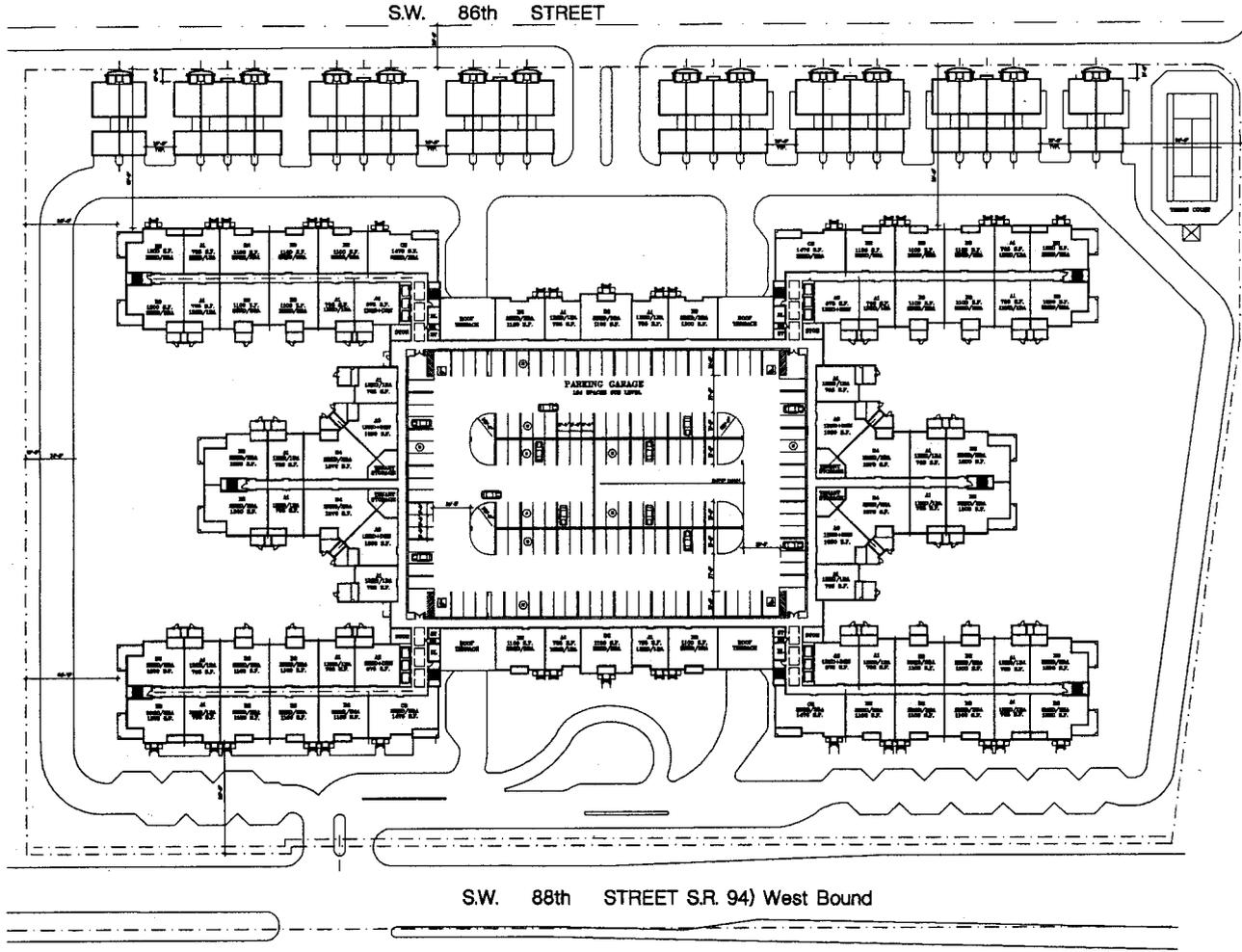
**COHEN · FREDMAN · ENCINOSA & ASSOC.**  
 Architects, PA

155th Street Miami Lakes, Florida 33016 305-826-3999

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6th LEVEL PLAN  
1:40' SCALE

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

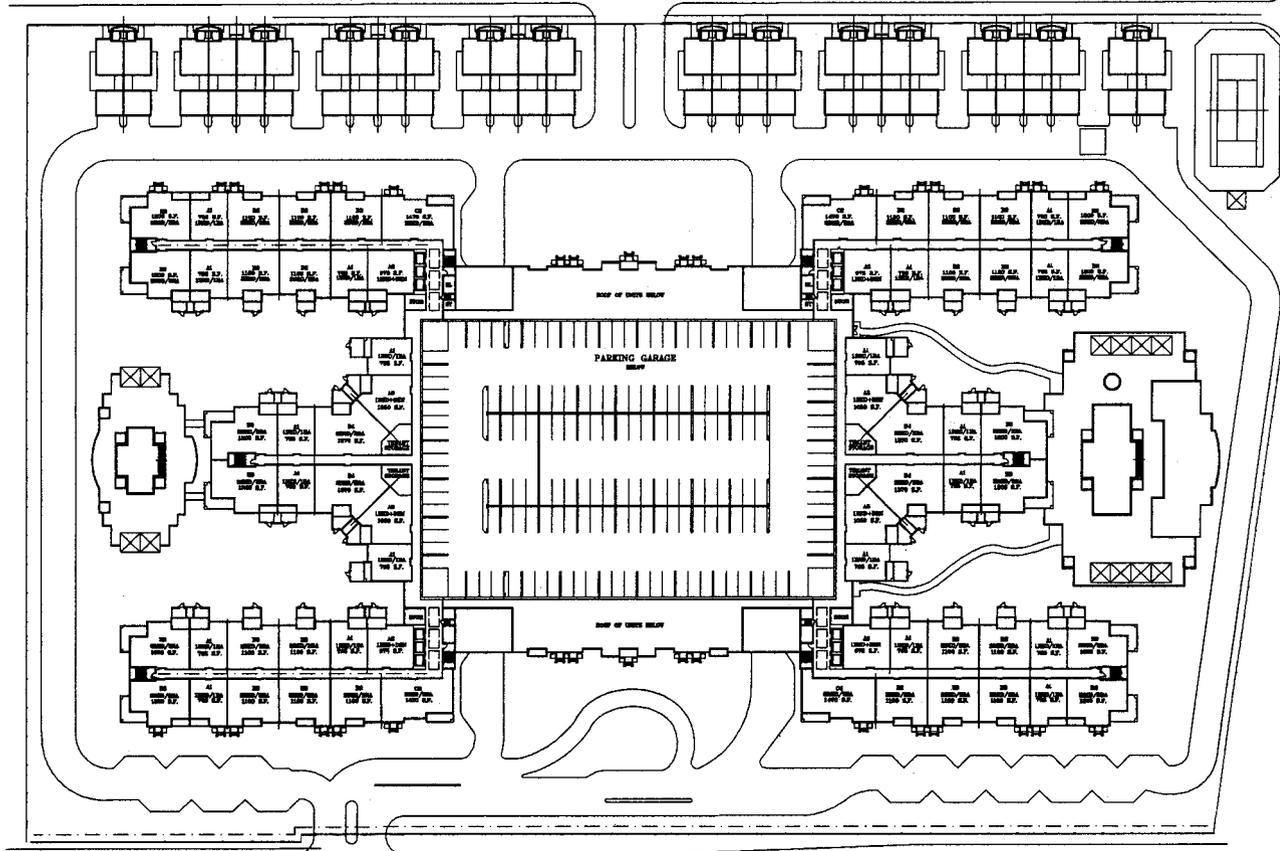
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COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
155th Street Miami Lakes, Florida 33016 305-826-3999

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S.W. 86th STREET



S.W. 88th STREET (S.R. 94) West Bound



7th LEVEL PLAN

1:40' SCALE

PRELIMINARY DESIGN FOR  
**HIGH DEVELOPMENT**  
 DALLAS COUNTY, FLORIDA

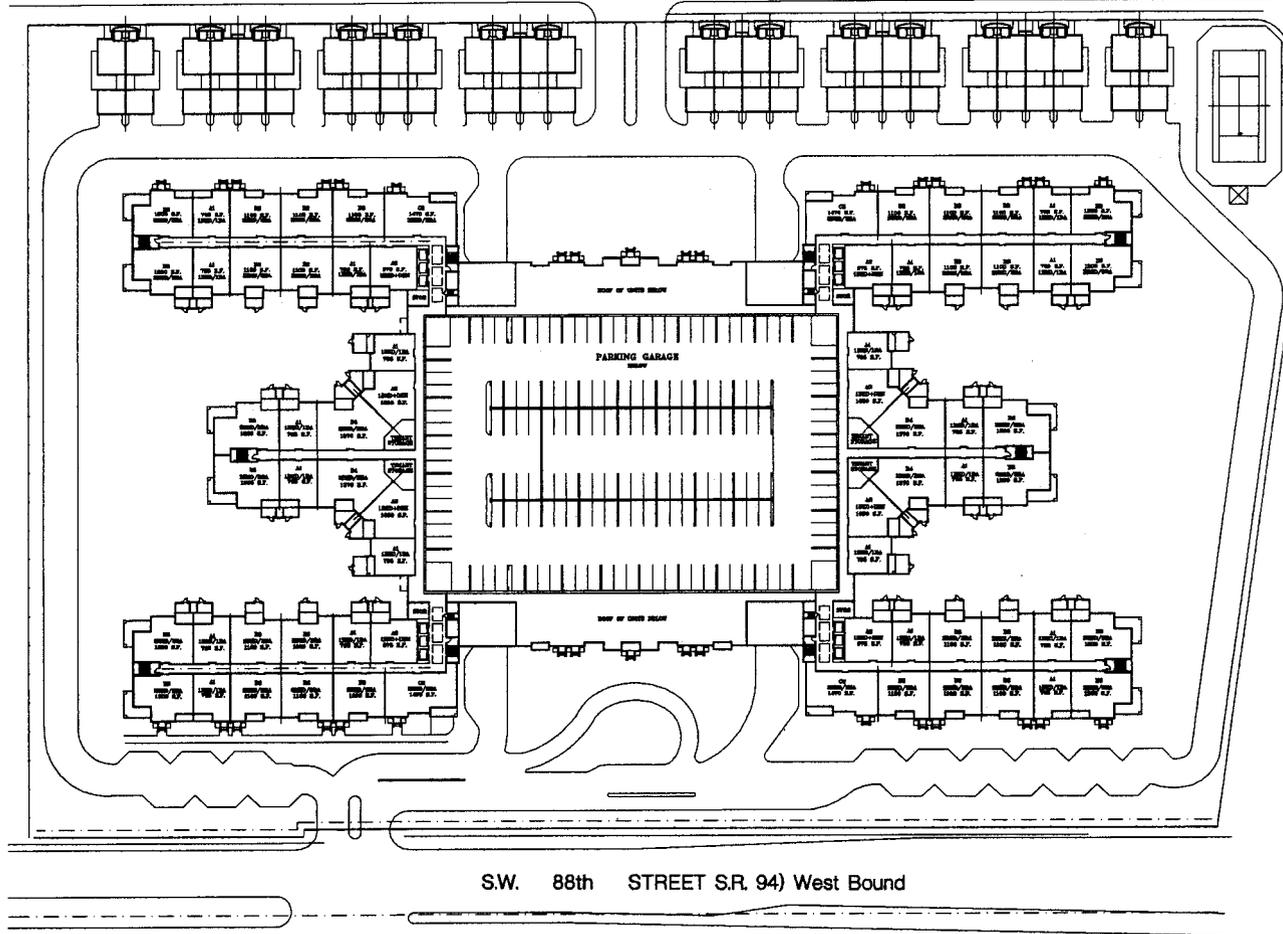
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**COHEN · FREEDMAN · ENCINOSA & ASSOC.**  
 Architects, PA  
 8085 New 155th Street Miami Lakes, Florida 33016 305-426-3999

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S.W. 86th STREET



S.W. 88th STREET (S.R. 94) West Bound



8th LEVEL PLAN  
1:40' SCALE

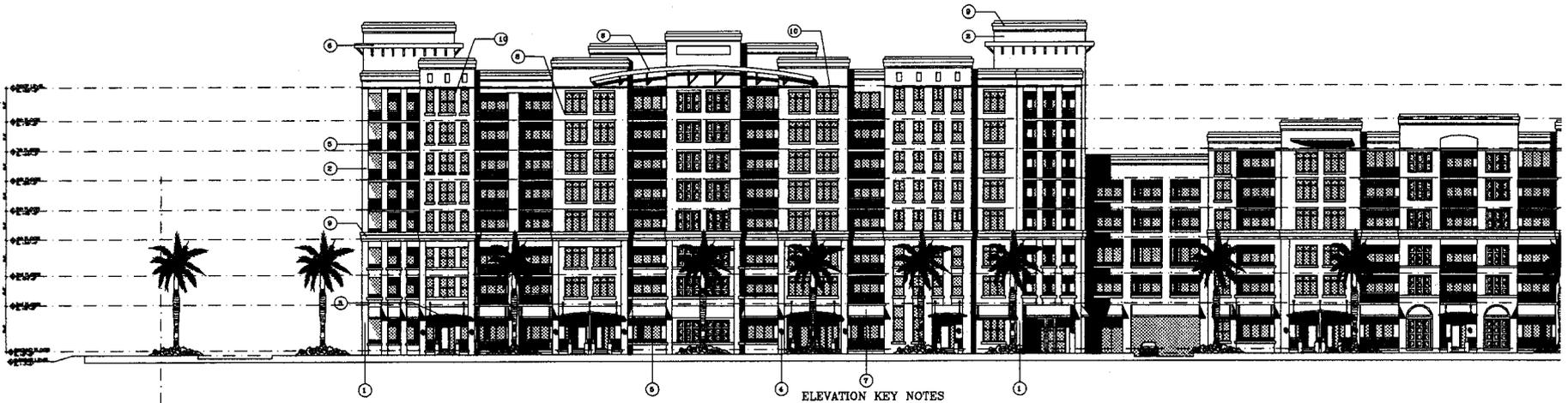
PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DALLAS COUNTY, FLORIDA

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
801 S. 155th Street Miami Lakes, Florida 33016 905-526-3999

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PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20' SCALE

ELEVATION KEY NOTES

- |                                |  |
|--------------------------------|--|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                                       |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                                       |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND                                  |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM FRAME (ESP FIN.)<br>W/BLUE/GREEN TINTED GLASS |
| 5. ALUMINUM RAILING (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.)                        |
| 6. ALUMINUM TRELLIS (ESP FIN.) |  |



PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20' SCALE

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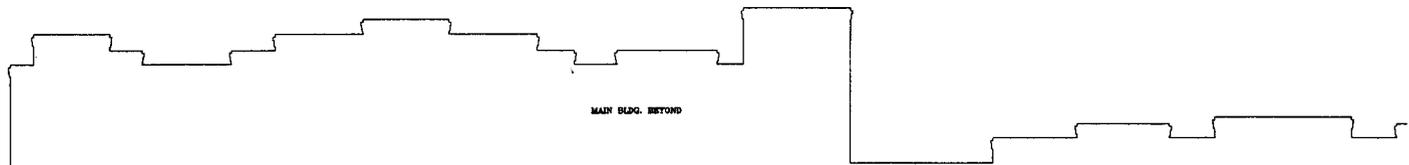
44



PARTIAL TOWNHOME ELEVATION  
1:20' SCALE

ELEVATION KEY NOTES

- |                                |   |
|--------------------------------|---|
| 1. TEXTURED STUCCO FINISH      | 7. STANDING SEAM MTL. ROOF                              |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL  |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND                                   |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM. FRAME (ESP FIN.)<br>W/BLUE/GREEN TINTED GLASS |
| 5. ALUMINUM RAILING (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.)                         |
| 6. ALUMINUM TRELLIS (ESP FIN.) |   |



PARTIAL TOWNHOME ELEVATION  
1:20' SCALE

ELEVATION KEY NOTES

- |                                |   |
|--------------------------------|---|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING  |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL  |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND                                   |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM. FRAME (ESP FIN.)<br>W/BLUE/GREEN TINTED GLASS |
| 5. ALUMINUM RAILING (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.)                         |
| 6. ALUMINUM TRELLIS (ESP FIN.) |   |

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

A.7

COHEN • FREEDMAN • ENCINOSA & ASSOC.  
Architects, PA  
801 S. 155th Street  
Miami Lakes, Florida 33016 305-826-3999

45



PROPERTY LINE

PARTIAL BLDG. ELEVATION (EAST/WEST)

1:20' SCALE



(EAST/WEST)

1:20' SCALE

PARTIAL BLDG. ELEVATION (EAST/WEST)

1:20' SCALE

PROPERTY LINE

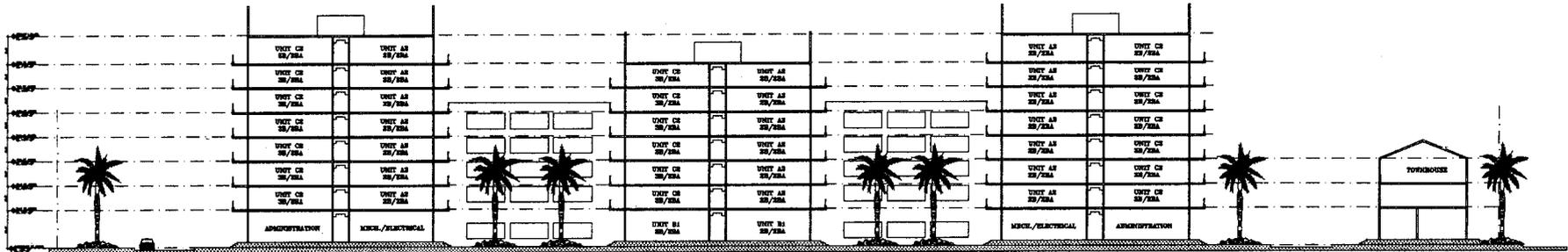
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 H + H DEVELOPMENT  
 DALLAS COUNTY, FLORIDA

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
 Architects, PA  
 8085 NW 155th Street Miami Lakes, Florida 33016 305-826-9999

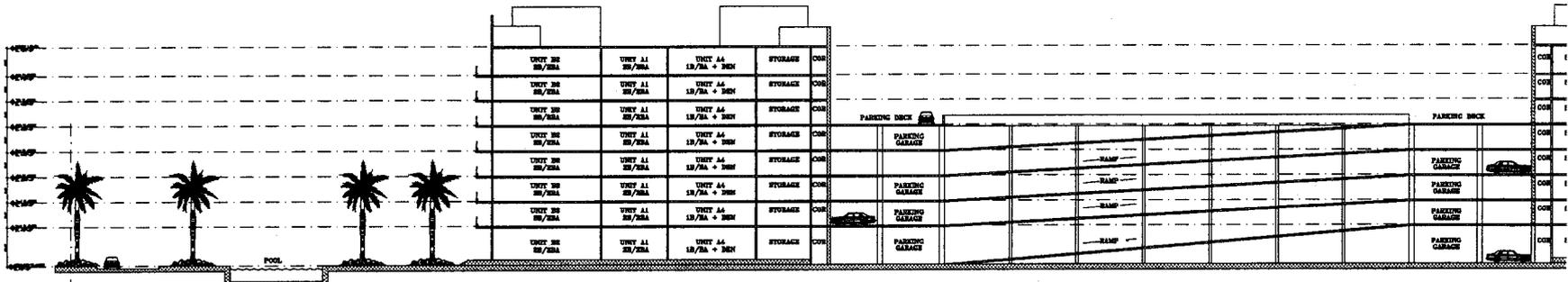
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46

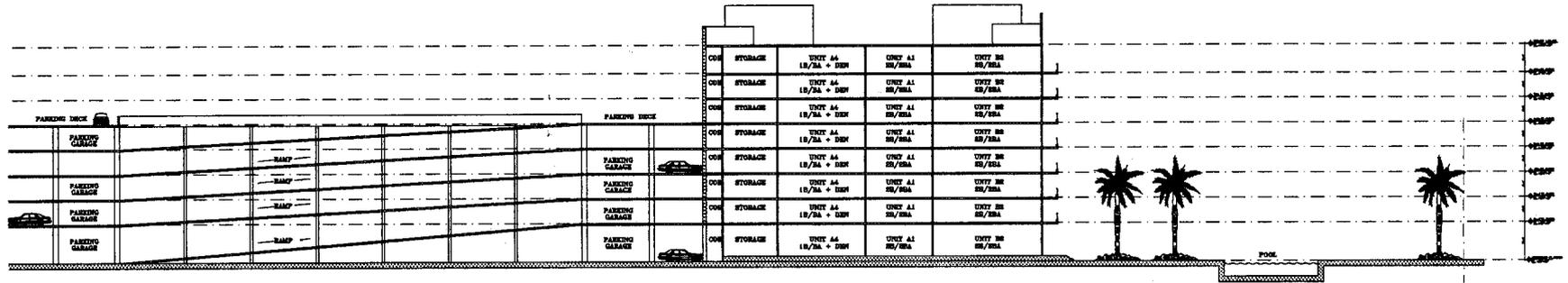
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BLDG. SECTION (NORTH-SOUTH)  
1/80" SCALE



PARTIAL BLDG. SECTION (EAST-WEST)  
1/80" SCALE



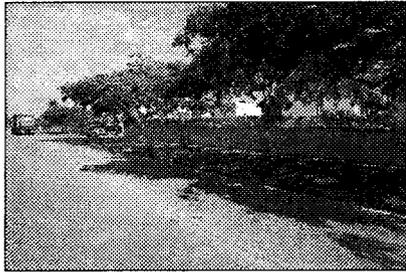
PARTIAL BLDG. SECTION (EAST-WEST)  
1/80" SCALE

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
1554th Street  
Miami Lakes, Florida 33016 305-826-3999

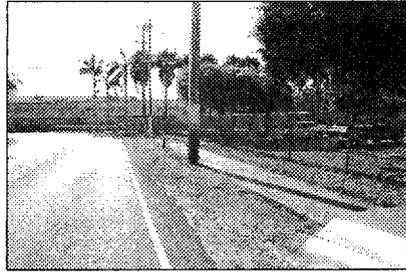
PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
D COUNTY, FLORIDA

A.9

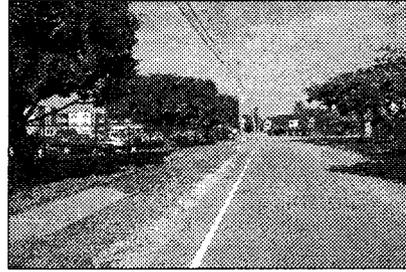
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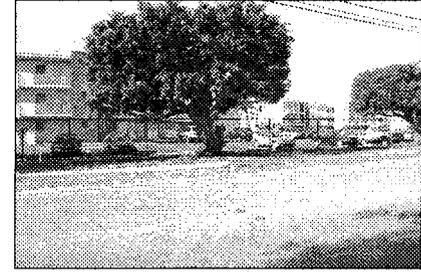
ADJACENT SITE NORTH OF  
86TH STREET



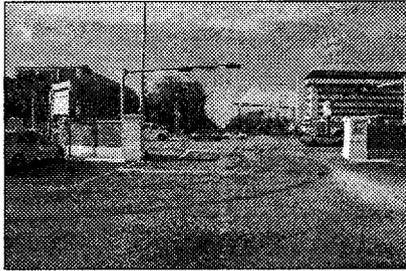
VIEW LOOKING EAST TOWARDS  
PALMETTO EXPRESSWAY



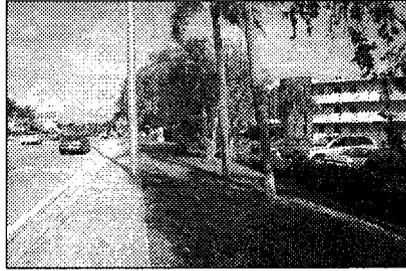
VIEW LOOKING WEST ON  
86TH STREET



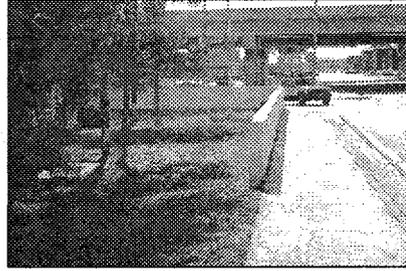
VIEW LOOKING SOUTH OF  
EXISTING SITE



VIEW LOOKING SOUTH FROM  
KENDALL DRIVE EXIT



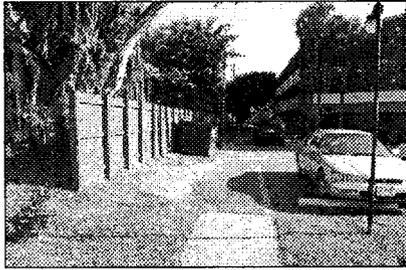
KENDALL DRIVE LOOKING  
WEST



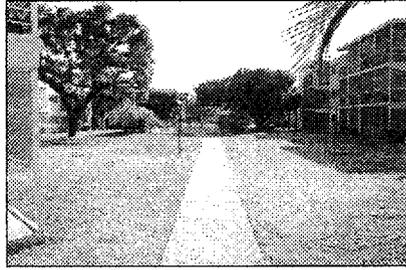
KENDALL DRIVE LOOKING  
EAST



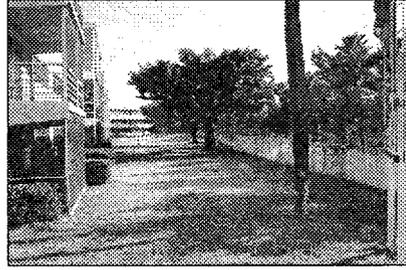
MEDICAL CENTER ADJACENT  
TO EXISTING SITE



VIEW LOOKING NORTH AT  
WEST PROPERTY LINE



COURT YARD OF EXISTING  
APARTMENTS ON SITE



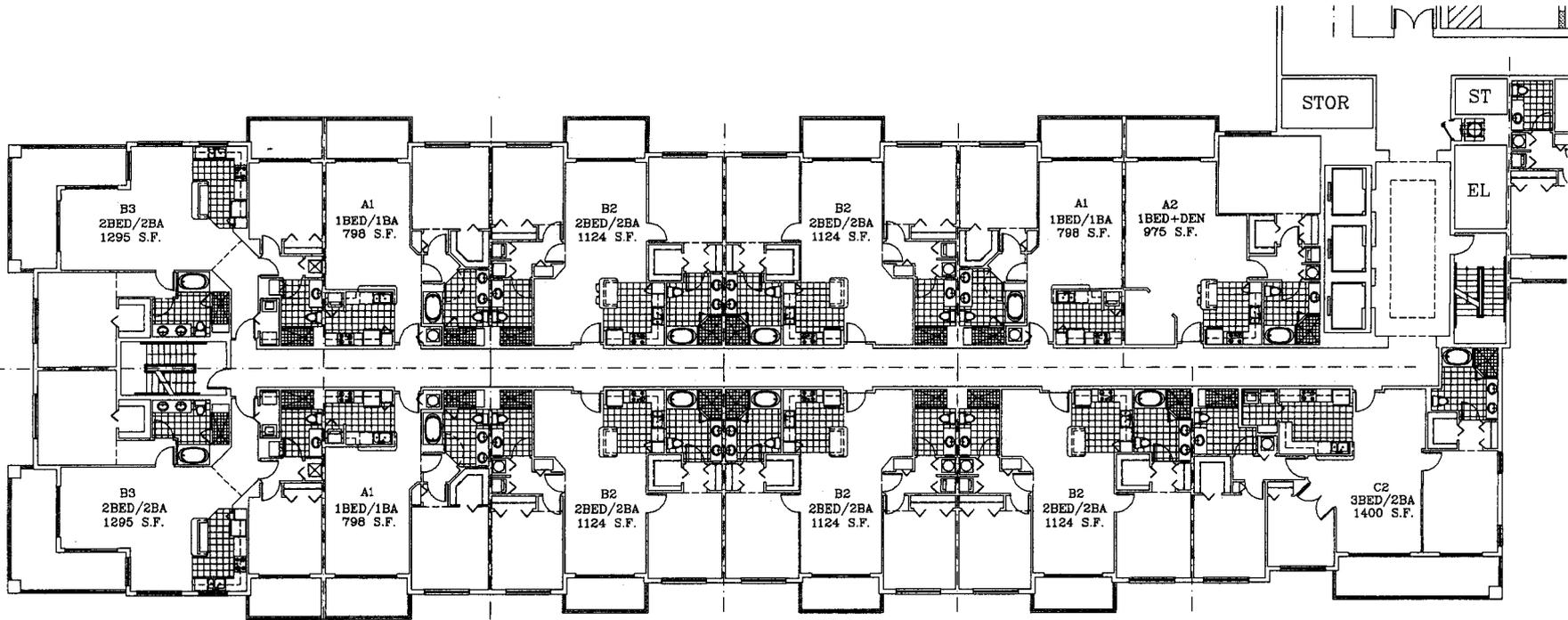
VIEW LOOKING NORTH AT  
PALMETTO EXPRESSWAY



EXISTING SITE LOOKING  
WEST ON KENDALL DRIVE

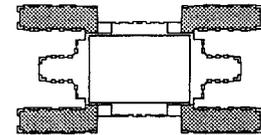
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48



TYPICAL LEVEL PLAN

1/8" SCALE



KEY PLAN  
N.T.S.

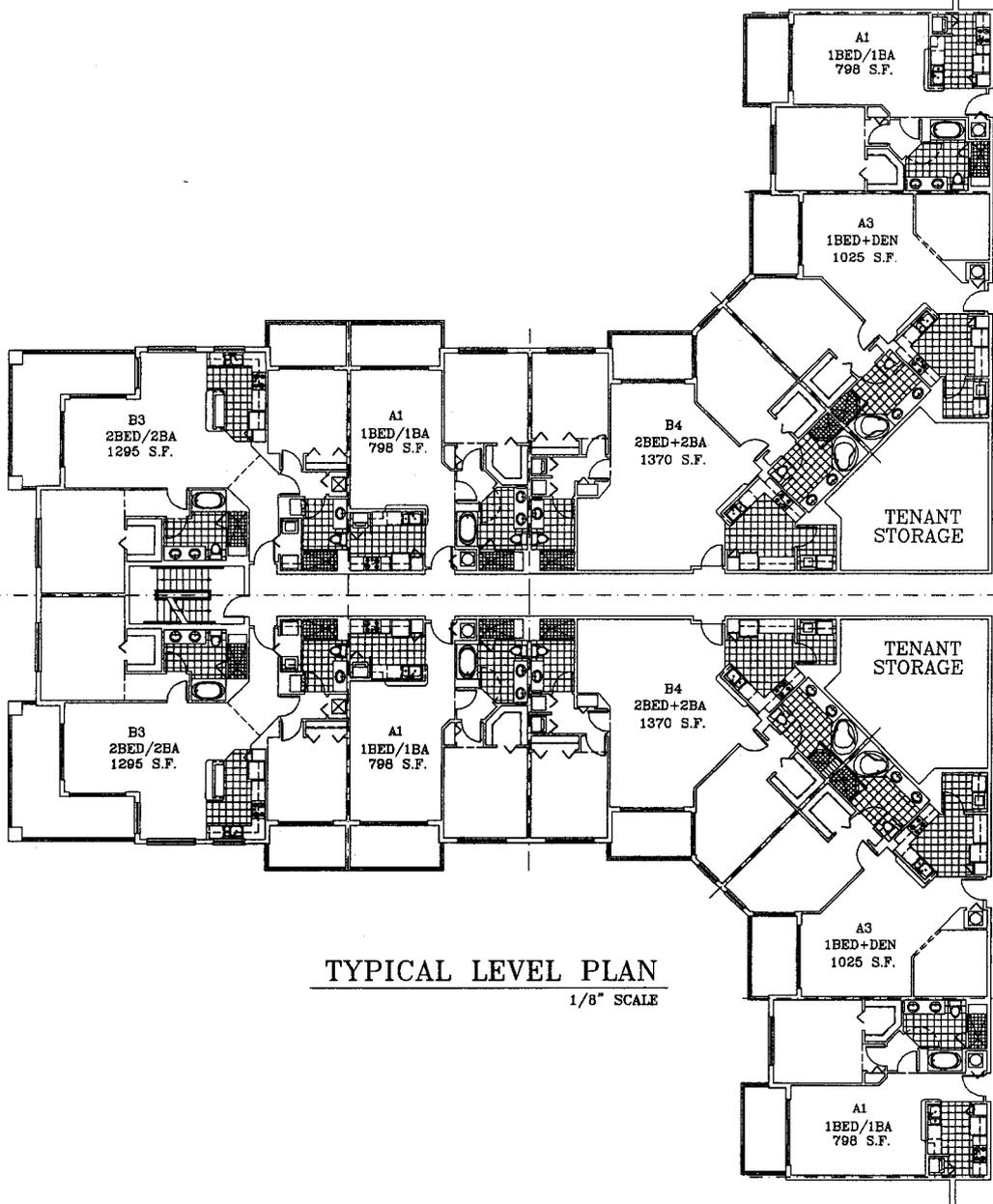
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HIGHLAND COUNTY, FLORIDA

A.12

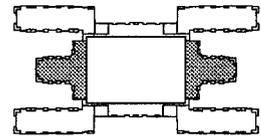
COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
801 S. 155th Street  
Miami Lakes, Florida 33016 305 926 3999

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TYPICAL LEVEL PLAN  
1/8" SCALE



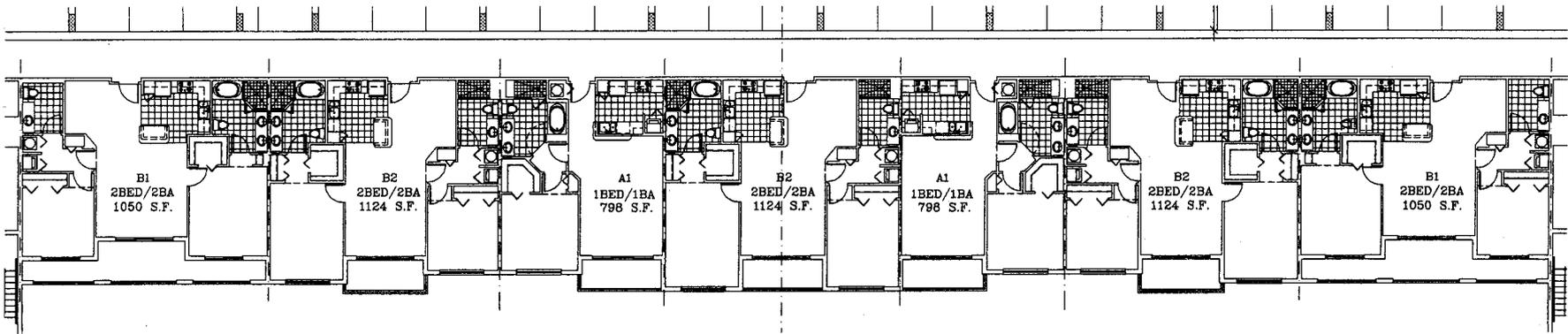
KEY PLAN  
N.T.S.

PRELIMINARY DESIGN FOR:  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA

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

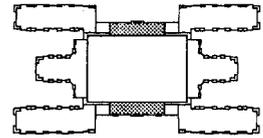
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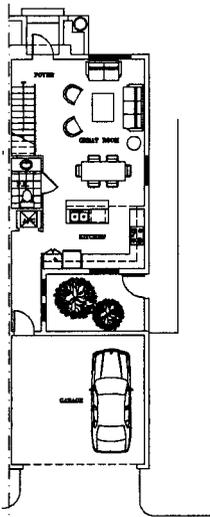


TYPICAL LEVEL PLAN

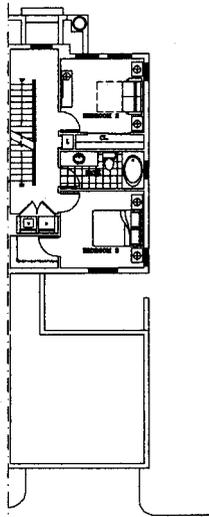
1/8" SCALE



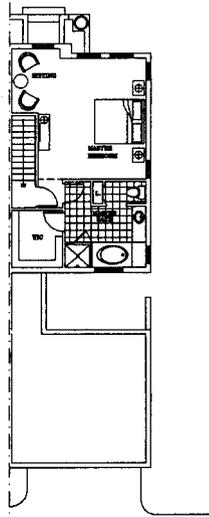
KEY PLAN  
N.T.S.



1ST LEVEL PLAN  
1/8" SCALE



2ND LEVEL PLAN  
1/8" SCALE



3RD LEVEL PLAN  
1/8" SCALE

TOTAL A/C 1788 S.F.

TYPICAL TOWNHOUSE PLAN

1/8" SCALE

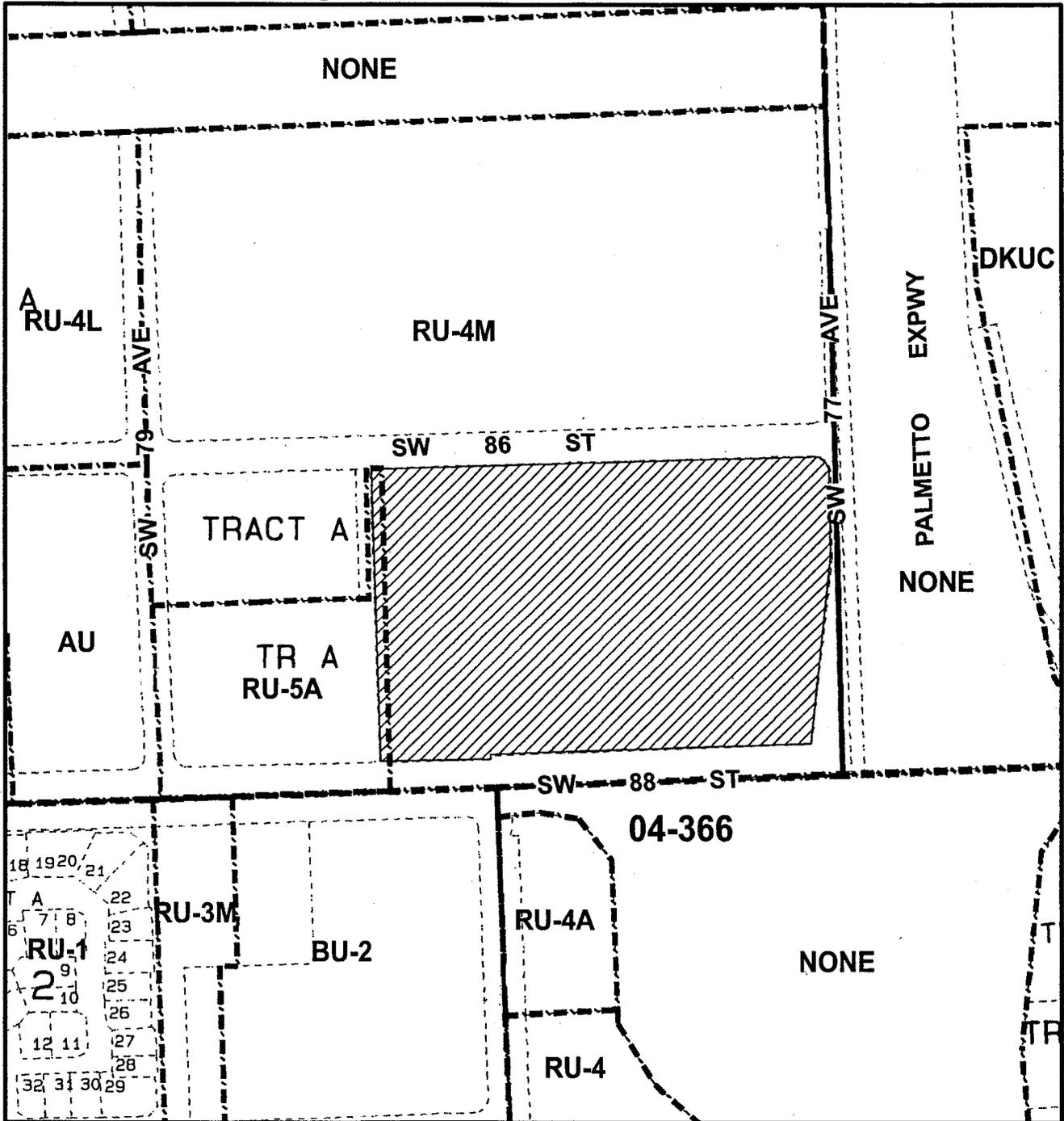
PRELIMINARY DESIGN FOR  
HIGHLAND DEVELOPMENT  
DADE COUNTY, FLORIDA

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

A.14







**MIAMI-DADE COUNTY  
HEARING MAP**

**Section: 34 Township: 54 Range: 40  
 Process Number: 04-366  
 Applicant: DADELAND BREEZEZ APARTMENTS, INC  
 District Number: 07  
 Zoning Board: C12  
 Drafter ALFREDO  
 Scale: 1:300'**



 SUBJECT PROPERTY





MIAMI-DADE COUNTY  
AERIAL

Section: 34 Township: 54 Range: 40  
Process Number: 04-366  
Applicant: DAELAND BREEZEZ APARTMENTS, INC  
District Number: 07  
Zoning Board: C12  
Drafter ALFREDO  
Scale: NTS



 SUBJECT PROPERTY



APPLICATION NO. Z04-366  
DADELAND BREEZE APARTMENTS LLC

Respectfully Submitted,

DIC Executive Council  
February 02, 2005

Pedro G. Hernandez, P.E.  
Assistant County Manager

Absent

Herminio Lorenzo, Fire Chief  
Miami-Dade Fire Rescue Department

Absent

Irma San Roman, Deputy Director  
Metropolitan Planning Organization Secretariat



AYE

Diane O'Quinn Williams, Director  
Department of Planning and Zoning



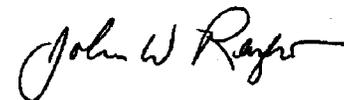
AYE

Aristides Rivera, P.E., P.L.S., Director  
Public Works Department



AYE

John W. Renfrow, P.E., Director  
Department of Environmental Resources Mgmt



AYE

Jorge S. Rodriguez, P.E., Assistant Director  
Miami-Dade Water and Sewer Department



AYE

# TEAM METRO

## ENFORCEMENT HISTORY

DADELAND BREEZE APARTMENTS  
LLC

NORTHWEST CORNER OF SW 77  
AVE & SW 88 ST AKA 7701 N.  
KENDALL DR

---

APPLICANT

---

ADDRESS

---

Z2004000366

---

HEARING NUMBER

### CURRENT ENFORCEMENT HISTORY:

02/25/2005 Inspection conducted  
02/25/2005 No current violations

L. Cuellar



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

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

NAME AND ADDRESS (if applicable) \_\_\_\_\_ Percentage of Interest \_\_\_\_\_

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

**RECEIVED**  
AUG 18 2004

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

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

BY \_\_\_\_\_

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

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

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

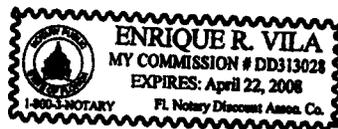
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

**Dadeland Breezes Apartments, LLC**

Signature: By: \_\_\_\_\_  
(Applicant)

Sworn to and subscribed before me this 18 day of August, 2004. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

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



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

\*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.

**2. DADELAND BREEZE APARTMENTS LLC**  
**(Applicant)**

**05-3-CZ12-2 (04-366)**  
**Area 12/District 7**  
**Hearing Date: 3/29/05**

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:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1964	Sec. 34 Corp.	Zone change from AU to RU-4.	BCC	Approved w/conds.
1966	Kendall Park Apts.	Unusual Use entrance feature.	ZAB	Approved w/conds.

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.

**DEVELOPMENTAL IMPACT COMMITTEE  
RECOMMENDATION TO COMMUNITY ZONING APPEALS BOARD No. 12**

**APPLICANT:** Dadeland Breeze Apartments, LLC

**PH:** 04-366

**SECTION:** 34-54-40

**DATE:** March 29, 2005

**COMMISSION DISTRICT:** 7

**ITEM NO.:** 2

=====

**A. INTRODUCTION**

o **REQUESTS:**

(1) RU-4M to PAD

(2) Deletion of a Declaration of Restrictions recorded in Official Records Book 13739, Pages 733 through 736.

The purpose of the request is to permit the applicant to eliminate the limitation on ingress and egress across SW 86 Street.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) or under §33-311(A)(17) (Modification or Elimination of conditions or Covenants After Public Hearing).

Plans are on file and may be examined in the Zoning Department entitled "H & H Development as prepared by Cohen-Freeman-Encinosa & Assoc., dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

**SUMMARY OF REQUESTS:**

The applicant is requesting a zone change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development District, in order to develop an approximately 11.11-acre parcel of land with a multi-family development. All of the existing three-story apartment buildings will be demolished to accommodate 640 new one, two and three bedroom residential units housed within apartment or townhouse building types. In addition to the district boundary change, the applicant is seeking to delete a Declaration of Restrictive Covenants that limits vehicular access into the property from SW 86 Street. The subject property is located on the northwest corner of SW 77 Avenue and SW 88 Street.

o **LOCATION:** Northwest Corner of SW 77 Ave. & SW 88 St; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida.

o **SIZE:** 11.11 Acres

o **IMPACT:**

The proposed residential development will provide additional housing to the community; however, it will bring an increase in traffic and noise into the area and will impact schools and public services.

**B. ZONING HEARINGS HISTORY:**

In 1964 pursuant to resolution Z-242-64, the Board of County commissioners approved a zone change from AU, Agriculture District to RU-4, Apartment House District. In 1966 pursuant to Resolution 3ZAB-230-66 the Zoning Appeals Board approved an unusual use for an entrance feature on the subject property.

**C. NEIGHBORHOOD CHARACTERISTICS:**

<u>SUBJECT PROPERTY</u>	<u>EXISTING ZONING</u>	<u>EXISTING LAND USE PLAN DESIGNATION</u>
	RU-4M; 3-story apartments	Medium-High Density Residential, 25 to 60 dua
 <u>SURROUNDING PROPERTY</u>  		
<u>NORTH</u>	RU-4M; 4-story apartments	Medium-High Density Residential, 25 to 60 dua
<u>SOUTH</u>	BU-2 and RU-4A; strip shopping center, 5-story office building, 10-story motel/hotel and Palmetto Expressway	Business and Office and Medium- High Density residential, 25 to 60 dua
<u>EAST</u>	Palmetto Expressway	Palmetto Expressway
<u>WEST</u>	RU-4M and RU-5A; office building and 2-story apartments	Business and Office and Medium- High Density residential, 25 to 60 dua

The subject property is located in the east Kendall area of Miami-Dade County. The area west of the Palmetto Expressway is predominately developed with apartments and townhouses. East of the Palmetto is the burgeoning Downtown Kendall Urban Center District, with its mixed-use developments consisting of condominiums, retail and office. A number of small strip shopping centers and office uses are located west of the Palmetto Expressway, on the north and south sides of SW 88 Street.

**D. SITE AND BUILDINGS:**

Scale/Utilization of Site:	<b>Acceptable</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Acceptable</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Acceptable</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Visibility/Visual Screening:	<b>Acceptable</b>
Energy Considerations:	<b>N/A</b>

Roof Installations: N/A  
Service Areas: N/A  
Signage: N/A  
Urban Design: Acceptable

**E. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(A)(8).** The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

**Section 33-311(A)(17). Modification or Elimination of Conditions and Covenants After Public Hearing.** The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs of this section have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**Section 33-311(A)(7).** 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; 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.

**F. NEIGHBORHOOD SERVICES:**

DERM No objection  
Public Works No objection  
Parks No objection  
MDTA No objection  
Fire Rescue No objection  
Police No objection  
Schools See Exhibit 'A'  
Planning and Zoning No objection

**G. RECOMMENDATION:**

**Approval** of the district boundary change from RU-4M to PAD subject to the Board's acceptance of the proffered covenant. Said covenant provides that development of the subject site be substantially in accordance with the submitted site plan; that the maximum number of dwelling units on the property be 660; and that development of the property is projected to commence in February 2006 with construction to be completed within 24-36 months from commencement. Said agreement also provides additional quantitative data regarding number of bedrooms, building coverage, open space, residential density, nonresidential construction, private roads and private areas, and population projection.

**Withdrawal** of request #2.

The Executive Council is of the opinion that the proposed zone change will be in keeping with the Comprehensive Development Master Plan (CDMP) Medium-High Density Residential designation for the subject parcel. When taking into consideration the reasonableness of the applied for rezoning in relation to the present and future development of the area, the Executive Council finds that the zone change request will permit a residential development which is **consistent** with the CDMP, and will not be contrary to the public interest. The Council also finds that the proposed development will also be **compatible** with the development trend in the surrounding area.

**PROJECT DESCRIPTION**

The submitted plans depict a square-shaped parcel bounded by the Palmetto Expressway to the east, SW 79 Avenue to the west, SW 88 Street (North Kendall Drive) to the south, and SW 86 Street to the north. Two entrances into the complex are shown, one from Kendall Drive and a second from SW 86 Street. Vehicles or pedestrians entering from North Kendall Drive encounter a frontage drive providing access into the parking garage serving the apartment portion of the development. This drive is also connected to a loop road that provides access to other apartment buildings, townhouse units fronting SW 86 Street and recreational facilities consisting of a tennis court, putting green, swimming pools and a fitness center. All of the parking spaces required by the apartment portion of this project will be located inside a parking structure that is completely lined by the proposed apartment buildings. Providing habitable space in front of the parking structure will prohibit parking spaces to be seen from the adjacent street network. Parking for the townhouse units fronting SW 86 Street are placed inside parking garages located in the rear of each unit. The absence of visible parking spaces will enhance the aesthetics of those corridors surrounding the subject property and proposed development. Further, by placing parking behind buildings, and fronting buildings closer to the street as is being proposed by the subject application, will help to foster a pedestrian-scaled environment along SW 86 Street and SW 88 Street. Staff notes, however, that the human-scaled environment will become more evident along SW 86 Street due to the townhouse building's proximity to said corridor. Proposed buildings adopt a modified Art-Deco style and will have heights reaching eight stories for apartments and three stories for the townhouse types. Most of the building program is concentrated along North Kendall Drive, which is a more intensively built and highly trafficked street, while the less intensive-scaled, three-story townhouses front SW 86 Street, a local street. Building intensity transitions from Kendall Drive to SW 86 Street by placing the taller, more densely developed program along North Kendall Drive and the less intensively developed townhouses along SW 86 Street. Landscaping in the form of trees, palms and shrubs will be provided throughout the site, with planting emphasis placed where the site adjoins the Palmetto Expressway in order to help buffer the development from the highway's noise.

**COMMENTS AND MAJOR CONCERNS**

Ordinance Number 75-47 charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The following comments address these specific charges with regard to the subject application:

**I. CONFORMANCE WITH ALL APPLICABLE PLANS**

**A. RELEVANCE TO THE COMPERHENSIVE DEVELOPMENT MASTER PLAN**

**APPLICABLE CDMP GOALS, OBJECTIVES AND POLICIES**

**Land Use Objective 5**

Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goals, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.

**Land Use Element Goal**

Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

**Land Use Policy 5B**

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

**Land Use Policy 2A**

All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).

**Land Use Policy 9M**

Miami-Dade County shall develop an urban design manual establishing design guidelines. This manual shall provide additional criteria for use in review of all new residential, commercial and industrial development in unincorporated Miami-Dade County.

The Adopted 2005 and 2015 Land Use Plan designates 10 acres of the subject property as being within the Urban Development Boundary for **Medium-High Density Residential**.

### **Medium-High Density Residential**

This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.

### **DEPARTMENT OF PLANNING AND ZONING DIRECTOR'S EVALUATION**

The applicant, Dadeland Breeze Apartments, Inc., is requesting a zone change from GU, Interim District, to PAD, Planned Area Development District on an 11.11-acre parcel located on the northwest corner of SW 77 Avenue and SW 88 Street, in the east Kendall area of Miami-Dade County. The proposed planned area development will consist of 640 residential units made up of one, two and three bedroom units housed within apartment and townhouse building types. In conjunction with the district boundary change, the applicant is seeking to delete a Declaration of Restrictive Covenants limiting vehicular ingress and egress into the site from SW 86 Street. All of the 3-story apartment buildings now found in the site will be demolished to accommodate the new residential development. Four-story apartment buildings exist on a parcel located north of the subject property, across SW 86 Street. To the south, across North Kendall Drive, there is a 1-story strip commercial shopping center, a 5-story office building and a 10-story hotel. The Palmetto Expressway and the burgeoning Downtown Kendall District Urban Center lie to the east and an office building and 2-story apartments lie to the west.

The CDMP designates the 11.11-acre subject property for **medium-high density residential**. This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas. The applicant is proposing a total of 640 residential units at a density of 57 units per gross acre. A declaration of restrictive covenants will be proffered by the applicant that, among other things, limits the density to 57 units per gross acre for a total of 640 residential units, ties the subject property to a site plan, and indicates the development's projected commencement to be no earlier than December 2005. As such, the proposed Planned Area Development District, with the proffered covenant limiting the density to 640 units at 57 units per gross acre is **consistent** with the maximum numerical threshold permitted by the Land Use Plan map. Staff is of the opinion that the proposed development consisting of 8-story apartment buildings and 3-story townhouses is **compatible** with surrounding development such as the 10-story hotel located across the parcel, on the south side of SW 88 Street, and the Downtown Kendall area found to the east of the Palmetto Expressway with its mixed-use buildings, some of which reach 25 stories, some 10 stories and others 7 stories. This development lies to the west of the Downtown Kendall's Edge Sub-district. Under the Downtown Kendall Urban Center District Ordinance (DKUCD), the Edge Sub-district standards permit buildings with heights of up to 7 stories. The 8-story buildings proposed for this development are not a significant departure from the 7-story buildings permitted under the DKUCD's Edge Sub-district and are significantly lower than those buildings permitted in the DKUCD's Core and Center Sub-districts which may reach heights of up to 25 and 10 stories, respectively. The proposal is also compatible with existing development found to the north, west and southwest developed with office buildings, a commercial center and

apartments. The office building found to the southwest, on the south side of North Kendall Drive, is approximately 5 stories which in staff's opinion is a height that is in keeping with and similar in scale to the proposed 8-story apartment portion of the development. However, many of the apartment buildings to the north are 4 stories in height and those to the west are 2-stories. 3-story townhouse building types will front SW 86 Street, to provide a transition between the proposed 8-story buildings fronting N. Kendall Drive and the existing 4-story buildings found to the north of the subject parcel. To buffer the 2-story apartment buildings to the west from the proposal, the applicant proposes to install a high concentration of landscape material along the west property line and setback the proposed apartments approximately 60' from said property line as well. The transitional height provided by the townhouse building type in conjunction with proposed landscape material and setback considerations will alleviate any detrimental impacts generated by the scale and intensity of the residential project on surrounding uses and helps to create a development that is in keeping and more **compatible** with the surrounding uses. Further, all of the required off-street parking is stored in a garage lined with apartment buildings. No parking spillage to major or local streets will be generated as the garage can adequately accommodate the parking needs of the requested density. Parking structures not only permit the vertical storage of automobiles, but also allow for the reservation of additional areas of on-site open space. Lining the parking garage with apartment buildings prevent parking areas from being seen from the street or from the development's surroundings. This enhances the aesthetics of the development, the surrounding land uses and streets. As such, staff of the Department is of the opinion that as proposed, the residential development is **compatible** with the community and **consistent** with the medium-high residential development density permitted by the LUP map under the CDMP.

When considering district boundary changes the Board shall hear and grant or deny applications by taking into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities 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. The applicant is seeking approval for a district boundary change from RU-4M, Modified Apartment House District, to PAD, Planned Area Development, incorporating a mixture of building types within a well-designed community having a number of recreational amenities. The approval of this application would help to address the needs in this area of Miami-Dade County by promoting the redevelopment of an underdeveloped site, all in accordance with the County's adopted Urban Design Manual. Proposed building types are designed with well-articulated facades using plentiful fenestration and regional architectural motifs. Parking is relegated to the rear of buildings or is completely camouflaged from streets or the surrounding community view by habitable space. A number of important thoroughfares such as the Palmetto Expressway and North Kendall Drive can access the proposal and link the proposal to other major urban centers such as Downtown Kendall and South Miami. In addition, the proposal is easily accessible from US 1 and is easily reached by metrorail and buses that cross North Kendall Drive. In staff's opinion, this project will have a favorable impact on the economy of Dade County as the additional units provide more tax revenue, and the development will not burden water, sewer, solid waste disposal, recreation or other public services. The design of this proposal is in keeping with similar projects now under construction in Downtown Kendall to the east, and as such will provide an elegant and much needed

alternative to the existing development that is now found on the subject parcel. Architecture and landscape architectural elements are used to create a project that is compatible with its surroundings and visually impact, in a positive manner, the redeveloping North Kendall Drive corridor. As such, staff recommends approval of request #1 subject to the proffered covenant.

Request #2 seeks to delete a previously approved declaration of restrictive covenants that limited access into the property from SW 86 Street. Said request can be analyzed under Section 33-311(A)(7) of the Zoning Code that states that the Board shall hear applications to modify or eliminate any conditions or part thereof which have been imposed by any final decision adopted by resolution; provided, that the modification or elimination 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 tend to provoke a nuisance, or would not be incompatible with the area concerned considering its present and future development. Staff does not object to deleting this restriction and is of the opinion that ingress and egress options should be provided when accessing a residential site, especially one that is planned with 640 units. The submitted site plan indicates two major entrances into the site, one from North Kendall Drive and the other from SW 86 Street. Both entrances will discourage stacking problems and traffic conflicts to concentrate on a single street as is the prevalent condition found in similar projects using only one form of access. Staff is of the opinion that the deletion limiting access into the site from SW 86 Street and the provision of two optional entrances into the development will promote better traffic circulation in the area, especially along North Kendall Drive and not burden the surrounding community. As such, request #2 is recommended for approval under Section 33-311(A)(7).

The standards under Section 33-311(A)(17) provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved Resolution or restrictive covenant comply with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification standards under this section are applicable to this application. As such, staff is unable to fully analyze request #2 of this application under Section 33-311(A)(17) due to lack of information and this application should be denied under same.

**RECOMMENDATION:** Approval of the district boundary change from RU-4L to PAD subject to the Board's acceptance of the proffered covenant; approval with conditions of request #2 under Section 33-311(A)(7)(General Modification Standards) and denial without prejudice of request # 2 under Section 33-311(A)(17).

**B. MULTI-YEAR CAPITAL IMPROVEMENTS PROGRAM**

The General Services Administration department has reviewed this application with respect to its compatibility with the County's current Capital Budget and Multi-Year Capital Plan. This plan is prepared pursuant to state growth management legislation and the Miami-Dade County code. This application does not conflict with the current plan.

**II. ENVIRONMENTAL IMPACT**

**A. WELLFIELD PROTECTION**

The subject property is located within the Maximum Day Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-

12.1 of the Code.

**B. STORMWATER MANAGEMENT**

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

**C. POLLUTION REMEDIATION**

There are no records of current or historical contamination assessment or remediation issues on the subject property or within 500 feet of the same.

**D. AIR QUALITY PRESERVATION**

This project includes the demolition of existing buildings on site. These buildings must be surveyed for asbestos, and a notice of demolition must be submitted to this office 10 days prior to the start of the demolition.

**E. WETLANDS**

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

**F. TREE PRESERVATION**

Section 24-60 of the Code requires the preservation of tree resources. Consequently,

DERM will require the preservation of all the specimen-sized trees which are on the site. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

**G. ENFORCEMENT HISTORY**

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

**Concurrency Review Summary**

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code. Accordingly, DERM does not object to the request, provided that the applicant complies with all Code requirements expressed herein. Furthermore, the application may be scheduled for consideration by the DIC Executive Council and this memorandum shall constitute DERM's written consent to that effect as required by the Code.

**III. IMPACT ON THE ECONOMY**

It is estimated that for a total of 640 multifamily residential units sold at \$350,000.00 per unit, the operating revenue and cost to Miami-Dade County and the School Board will be as follows:

	County	School Board	Combined
Total Revenues	\$4,150,718.	\$2,136,580.	\$6,287,298.
Total Costs	<u>1,802,518.</u>	<u>587,194</u>	<u>2,389,712.</u>
Net Fiscal Impact	\$ 2,348,200.	\$ 1,549,386.	\$3,897,586.

The net fiscal impact of this proposal is estimated to provide a positive operating revenue to Miami-Dade County of \$2,348,200.00 and a net surplus of \$1,549,386.00 to the School Board, for a combined total for both jurisdictions of \$3,897,586.00.

#### **IV. IMPACT ON ESSENTIAL GOVERNMENTAL SERVICES**

##### **A. POTABLE WATER SUPPLY**

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (WASD). Public water service exists throughout the property. Connection of the proposed new development to the public water supply system shall be required in accordance with Code requirements. The applicant shall connect to an existing sixteen (16)-in. w.m. in NW 77 Ave. N/O SW 74 Ln. and extend same northerly in NW 77 Ave. to SW 74 St., thence westerly in SW 74 St. to SW 77 Ct. to be interconnected to an existing sixteen (16)-in. w.m. N/O SW 74 St. Connect to any of the existing twelve (12)-in. and/or sixteen (16)-in. w.m. in SW 88 St and SW 86 St. respectively. Any public w.m. extension within the property shall be twelve (12)-in. min. in diameter with two (2) points of connection and the system shall be looped, in order to avoid dead end mains. The estimated demand for this project is 125,400 gallons per day (gpd). This figure does not include irrigation demands.

The source of water for these mains is Miami-Dade County Water & Sewer Department's Alexander Orr Water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State and County drinking water standards.

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

Notwithstanding that adequate system capacity is available for this project, DERM will require that water conserving plumbing fixtures be installed in accordance with the requirements of the South Florida Building Code in order to use more efficiently the Southeast Florida water resources.

It is recommended that the landscaping conform to xeriscape concepts. Included in these concepts is use of drought tolerant plants, reduces use of turf grass together with efficient irrigation system design. Details of xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water Management District.

##### **B. SEWER SERVICE**

The property is located within the franchised sewer service area of the Miami-Dade County Water & Sewer Department (WASD). Public sanitary sewers abut the site in the form of an 8-inch gravity main located along S.W. 86<sup>th</sup> Street. Downstream flow is directed to the South District Treatment Plant, which has adequate capacity to meet projected demands from this project. The gravity sewer point of connection information for this development and the size of the required gravity sewer mains in public right of way are subject to an engineering analysis to be conducted by the M-DWASD at the time a request for connection is sent to the Department, due to existing available capacity concerns in the area of the City of Miami. Connection of the proposed development to the public sanitary sewer system shall be required.

Existing public water and public sanitary 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 of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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.

**C. POLICE**

Growth in commercial development within a district results in increased demands for police services. The demands for service typically vary based upon the specific demographics of the area and traffic volume. Service demands normally are evaluated once neighborhoods are established, and re-evaluated on an on-going basis utilizing the budgetary process. Historically, departmentwide manpower, in conjunction with the ability to adjust sworn assignments, has permitted extension and maintenance of the current level of police services to newly established developments of any size.

A careful review of the application shows that the predicted impact on MDPD resources will be significant, based upon the increase in hotel units. This development will also greatly increase traffic volume. As the project is phased in over the buildout period, additional sworn personnel resources may be required to maintain the current level of service to the area. These resources would be requested through the annual budgetary process.

Regarding actual construction when development occurs, the following applicable guidelines are provided to address public safety issues:

1. The development should comply with requirements of the Code of Miami-Dade County, with special attention given to the following:
  - a. Section 21-276, Burglar Alarms.
  - b. Section 28-15(g), Required improvements.
  - c. Section 33-139, Names and numbers to comply with article; authority of the Department of Planning and Zoning.
  - d. Section 33-147, Numbering buildings.
  - e. Section 33-149, Duty of owners of buildings.
2. A Crime Prevention Through Environmental Design (CPTED) study coordinated and conducted through the Police, and other appropriate Departments respectively, with the developer may be very beneficial. CPTED is premised on the concept that the proper design and effective use of the built environment can lead to a reduction of crime and an increase in the quality of life.

3. All burglar alarm systems shall require an annual registration with MDPD by the user. This includes all systems even if they are not monitored by an alarm monitoring company. Locations that have more than one alarm system require separate registration for each system. Information brochures are available at MDPD district stations.
4. Each building should have address numbers conspicuously mounted that are not less than three inches in height and easily observable from the roadway. Buildings that back on to an alleyway should also have address numbers on the rear of the buildings.
5. A lighted directory should be erected near each point of entry and at other appropriate locations within the development for rapid location of buildings by responding emergency vehicles.
6. Shrubbery and landscaping at all driveways and intersections should be sufficiently set back to permit vehicle operators an unobstructed view of other traffic and pedestrians.
7. Landscaping and lighting should be maintained so that address numbers are never allowed to become obscured.
8. Adequate lighting, closed circuit television, and security officers in vehicle parking areas can discourage criminal activity.
9. Stairwells should have access controlled to restrict movements of persons contemplating criminal activity.
10. Any unmanned, card accessible, security entrance gate should have a coded lock-box feature for emergency access by police and fire-rescue vehicles.
11. Designation of areas within the development to be kept free of parked motor vehicles in order to facilitate access to buildings by emergency vehicles (fire lanes) is accomplished by application of the owner or lessor of the development pursuant to Miami-Dade County Code 30-388 (Ordinance 83-23), Establishment of Emergency Vehicle Zones. Only those developments with zones designated as Fire Lanes are authorized to have police enforcement.
12. The U.S. Department of Housing and Urban Development recommends five to ten foot-candles of light for heavily used spaces; e.g., paths, entries, and parking areas. Outdoor lighting can be one of the most effective deterrents against crime. Properly used, it discourages criminal activity and reduces fear.

#### **Additional Comments**

Police services are currently provided by our Kendall Station (Police District 5) located at 7707 SW 117 Avenue. During the month of August 2004, based upon a districtwide statistical analysis, the average emergency response time was 5.1 minutes (includes dispatch and travel time). Station police officers answered 5,647 calls for service and operated with 160 sworn personnel, to deliver police service to a district boundary area of 41.5 square miles and a citizen population of 176,811.

Miami-Dade County Commissioner constituents have voiced concerns at town-hall meetings about increasing traffic volume and other quality-of-life issues associated with new land development. In this regard, Lieutenant Nelson Aloy of our Kendall District, who is thoroughly familiar with the area and neighborhood involved with the proposed development, along with the designated MDPD representative to the DIC, will attend the scheduled meeting for this project.

**D. FIRE**

**Service Impact/Demand**

1. Based on development information, this project is expected to generate approximately 68 fire and rescue calls annually.
2. A suspected fire within this project would be designated as a high rise dispatch assignment. Such an assignment requires 4 suppressions or engines, telesqurts or tankers, 2 aerials, 2 rescues and an accompanying command vehicle(s). This assignment requires 30 firefighters and officers.
3. The desired travel time to such a project is 5 minutes for the first-in unit.
4. Required fire flow for this project is 2,000 gpm with hydrant spacing no further than every 300 feet. Proper main extensions can be provided by WASAD. Generally, for this type of development 16 inch mains are required.

The Fire Rescue Department's Fire and Water Engineering Bureau, 11805 SW 26<sup>th</sup> Street, (786) 315-2771 makes final determination regarding exact size and looping of water mains, and the number and placement of hydrants.

**Existing Services**

1. The stations responding to a fire alarm will be:

<u>Station</u>	<u>Address</u>	<u>Equipment</u>	<u>Staff</u>	<u>Response Time</u>
23	Kendall South 7825 SW 104 St	Aerial, Rescue	4,3	2 min
14	South Miami 5860 SW 70 St	Rescue, Engine	3,4	2 min
49	Pinecrest 10850 SW 57 Ave	Rescue	3	6 min
9	Kendall 7777 SW 117 Ave	Rescue, ALS Engine	3,4	6 min
3	Tropical Park 3911 SW 82 Ave	Rescue, ALS Engine	3,4	6 min
47	Westchester 9361 SW 24 St	Rescue, ALS Eng.	3,4	8 min
17	Virginia Gardens 7050 NW 36 St	Aerial, HazMat	4,3	10 min

2. The following first-response units/stations show a potential unavailability rate in excess of 20% during peak call hours for the previous calendar year:

<u>Units/Stations</u>	<u>Potential Unavailability During Peak Hours</u>
9	26.87%
3	23.3%
47	28.49%

- Increased response times may result because of congestion on the following roadways:  
 SW 88 St. (Kendall Drive)

**Planned Service Expansions**

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

<u>Station/Unit</u>	<u>Address</u>	<u>Est. Completion Date</u>	<u>Response Time</u>	<u>Cost</u>
None				

Funding source is primarily: Fire rescue impact fees.

**Site Plan Review**

All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau.

**Site Requirements**

The attached site requirements pertain to the site plan submitted as part of this review. All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau.

- Compliance with Ordinance 83-23 giving Police jurisdiction to issue citations for parking along frontage of all commercial development.
- Emergency vehicle parking area is to be located in close proximity to the main entrances. Said area to be identified, per S.F.F.P.C.
- Fire Department vehicle access is to be provided to as many sides of the structure as practical or as necessitated by the design of the structure and location of internal fire protection connector.
- Fire access lanes must be capable of supporting 32 tons surfaced with solid pavement, natural or concrete stones or with grass turf reinforced by concrete grids or stabilized subgrade construction, which meet the standards of the Miami-Dade County Public Works Department. Such construction must be certified by a registered professional engineer of the State of Florida. Access lanes are to be minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches. Landscaping along these lanes must be approved and conform to landscaping plans. (Florida Fire Prevention Code).

5. Curb cuts for fire access lanes marked "Fire Lanes" in such a manner as to be easily visible from the road and clearly delineated with informational signs of not less than two square feet each parcel. Parking on fire access lanes is to be prohibited.
6. A turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted). (Florida Prevention Code).
7. All slopes in the project must be able to accommodate our largest aerial truck. This truck has the dimensions and angle requirements shown below:

Overall length:	46 feet, 10 inches
Bumper-to-bumper length	32 feet
Wheelbase length:	256 inches.
Angle of approach:	11 degrees maximum
Brake-over angle:	7 degrees maximum
Angle of departure:	8 degrees maximum
8. Aerial apparatus set-up sites at the corner of each building over three stories and at the center of buildings in excess of 125 feet in length.
9. Site-up sites no closer than 10 feet or further than 30 feet from any building and at least 21 feet wide and 36 feet long with a cross slope of less than 5 percent. Construction the set-up sites will consist of a stabilized subgrade, which meets the standards of the Miami-Dade County Public Works Department, and Grass Pavers" or an equally acceptable product as determined by the authority having jurisdiction. Set-up sites must be capable of withstanding any point forces resulting from out riggers.
10. Maintenance of fire lanes provided by the owner.
11. Fire sprinkler system in accordance with S.F.B.C., South Florida Fire Prevention Code and adapted NFPA Codes.
  - a. All fire main installation beyond backflow preventor detector check valve are to be done by a State certified Fire Protection Contractor.
  - b. "P.I.V." and "F.D.C." shall be located not less than 40 ft. from building. "Backflow Preventor" shall be located upstream from "P.I.V."
  - c. "F.D.C." must be placed within 150 feet from a fire hydrant.
12. An identification system located at each entrance of the complex consisting of a framed lighted map of the development showing all structures and streets at adequate scale.
13. Lighted signs for identification on all structures within the development. Sign letters and numbers shall be 6" on front of building and 4" on the rear.
14. Limited dead ends to 150 feet and locate "Dead End" signs at the entrance of each area. In a fully sprinklered building, dead ends may 250'. (Florida Fire Prevention Code).
15. Minimum 15' gate width. Cannot be within turning radius.

16. Gated entrances to provide elevator lock box containing switch or level to activate gate for fire department use.
17. Fire hydrants and fire protection appliances-clearances of seven and one-half feet in front of and to the sides and four feet to the rear shall be maintained. (Florida Fire Prevention Code).

**E. PARKS**

**Identify Impact and Demand**

The 620 dwelling units will produce a population of 1,491 people, according to current population estimates prepared by the Research Division of the Planning Division of the Planning and Zoning Department. This population generates a need for 4.10 acres of local parkland, based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population.

**Existing Service**

The nearest community park is Continental Park, located at 10000 SW 82<sup>nd</sup> Avenue, approximately one mile south of this application. The nearest neighborhood park is Kendalwood Park, located at SW 80<sup>th</sup> Terrace and SW 93rd Court, approximately 2 miles west of this application. The nearest district park is Tamiami Park, located at 11201 SW 24<sup>th</sup> Street, approximately 5 miles northwest of this application.

**Facilities**

Continental Park has baseball fields, basketball court, fitness course, picnic shelter, parking lot, small recreation center, tennis center, and a tot lot playground.

Kendallwood Park is a passive open space park with no improvements.

Tamiami Park has 12 lighted baseball fields, 7 tennis courts, 4 volleyball courts, a swimming pool, a basketball court, and various concession, storage, recreation and maintenance buildings.

**Concurrency/Capacity Status**

This application is located in Park Benefit District 2, which has a surplus of 581.51 acres of local parkland.

**Site Plan Critique & Quality of Life Issues**

The site plan includes an open playground, a tennis court, 2 pools, and 2 sand volleyball courts for use by residents of this development. I recommend that they consider adding a tot lot playground to one of the open play areas because there are no neighborhood parks nearby to serve the residents, and the adjacent areas have been built out. These recreation areas should be clearly identified on the site plan, with their sizes, so that additional language can be added to the covenant that has been offered to require that they be preserved in perpetuity as open space recreation areas.

**F. SCHOOLS**

Comments from Miami Dade County Public Schools are provided in attached Exhibit "A".

**G. SOLID WASTE MANAGEMENT**

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department 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 12, 2003, which is valid for three (3) years, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with 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.

This project falls within the DSWM **solid waste collection service area**. A number of the residences proposed for inclusion in this project meet the County Code definition of **residential unit**. Per the code, residential units located within the project shall, therefore, receive DSWM garbage and trash collection service. Twice weekly individual curbside garbage and trash collection, scheduled bulky waste collections service, and unlimited use of the Trash and Recycling Centers are the services currently provided to residential units in the DSWM solid waste collection service area.

In addition the project proposes multifamily uses. Chapter 15-2 of the Miami-Dade County Code requires the following of multi-family and commercial uses located in unincorporated Miami-Dade County:

**Section 15-2** - "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."

Currently, DSWM provides curbside recycling services to **residential units** located in the unincorporated Dade County. Residential units shall, therefore, utilize DSWM weekly curbside recycling services, provided for the County by BFI, Inc. The recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Participation in the residential program is mandatory in accordance with Chapter 15, Section 15-2.6 of the County Code. Further information may be obtained by calling the Department's Service Development Division at 594-1500 or 514-6714.

As it relates to the multi-family uses, **Section 15-2.2** requires that "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.

Recyclable Materials: Multi-family

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

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 514-6666.

**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".

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations 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 accord 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 setout 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.

**V. IMPACT ON TRANSPORTATION FACILITIES AND ACCESSIBILITY**

**A. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY**

**1. Trip Generation**

341 PM Peak Hour trip ends

**2. Cardinal Distribution**

North 38.0%	East 28.0%
South 14.0 %	West 20.0%

**B. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION**

1. Location:	<b>SW 88 Street</b>	<b>SW 826 (Palmetto)</b>
2. Description:	<b>Primary</b>	<b>Highway</b>
3. No. of lanes:	<b>6</b>	<b>6</b>
Right of way:	<b>110'</b>	<b>150'</b>
Maintenance:	<b>FDOT</b>	<b>FDOT</b>

**C. IMPACT ON EXISTING ROADWAYS**

Station F-1075 located on SW 87<sup>th</sup> Avenue s/o SW 56<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2100 vehicles and 405 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1075 with its 2505 PHP and assigned vehicles is at LOS "C". The 52 vehicles generated by this development when combined with the 2505 equals 2557 and LOS "C" where the range of LOS "C" is from 1731 to 3100 vehicles.

Station F-1076 located on SW 87<sup>th</sup> Avenue n/o SW 85<sup>th</sup> Street has a maximum capacity of LOS "SUMA" of 3500 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2019 vehicles and 195 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-1076 with its 2214 PHP and assigned vehicles is at LOS "C". The 20 vehicles generated by this development when combined with the 2214 equals 2234 and LOS "C" where the range of LOS "C" is from 1 to 2650 vehicles.

Station F-684 located on SW 88<sup>th</sup> Street e/o SW 79<sup>th</sup> Avenue has a maximum capacity of LOS "EE" of 6970 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 3780 vehicles and 1413 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-684 with its 5193 PHP and assigned vehicles is at LOS "D". The 184 vehicles generated by this development when combined with the 5193 equals 5377 and LOS "E" where the range of LOS "E" is from 5301 to 5810 vehicles.

Station 9172 located on SW 87<sup>th</sup> Avenue s/o SW 88<sup>th</sup> Street has a maximum capacity of LOS "C" of 2080 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 1759 vehicles and 125 vehicles have been assigned to this section of road from previously approved Development Orders. Station 9172 with its 1884 PHP and assigned vehicles is at LOS "C". The 30 vehicles generated by this development when combined with the 1884 equals 1914 and LOS "C" where the range of LOS "C" is from 1811 to 1980 vehicles.

Station F-64 located on SW 88<sup>th</sup> Street e/o SW 103<sup>rd</sup> Avenue has a maximum capacity of LOS "EE" of 7350 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 6057 vehicles and 431 vehicles have been assigned to this section of road from previously approved Development Orders. Station F-64 with its 6488 PHP and assigned vehicles is at LOS "EE". The 55 vehicles generated by this development when combined with the 6488 equals 6543 and LOS "EE" where the range of LOS "EE" is from 6131 to 7350 vehicles.

**D. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT**

1. Entrance along SW 88<sup>th</sup> Street requires signal and median opening modification plans.
2. Contribution for Traffic Signal modification is required.
3. Traffic study and Traffic pavement markings and signs shall be submitted to the Public Works Department Traffic Engineering Division at the SPCC for review, before permitting.
4. Provide connection between inner walkways and SW 88<sup>th</sup> Street sidewalk.
5. Provide pedestrian access at SW 86<sup>th</sup> Street entrance.
6. Contact Florida Department of Transportation concerning sidewalk along the Palmetto Expressway (SR 826) exit ramp, for authorization to widen the existing sidewalk width from five feet (5') to ten feet (10') to incorporate the sidewalk into the MPO adopted the Snapper Creek trail of the North Dade Greenway Network.
7. Several Cross Walks within the development will require shifting, to avoid pedestrian drop off areas.
8. A turning radius of fifteen feet (15') is required in parking aisles on all floors.

**E. SITE PLAN CRITIQUE**

1. Legal description not provided. The land may require to be platted.
2. Public Works permit is required for construction in the public right of way.
3. State Road permit is required for construction in the State Road right of way.

This application **meets** the criteria for traffic concurrency for an Initial Development Order. No vehicle trips, other than the trips assigned to the existing facilities, have been reserved by this application. It will be subject to the payment of road Impact Fees.

**F. MASS TRANSIT**

The area is currently served by the following Metrobus routes and frequencies:

Route	Peak	Non-Peak	Night	Sat	Sun
Rt. 87	30	30	50	30	30
Rt. 88	15	30	30	20	30
Rt. 104	30	30	60	60	60

In addition to the above mentioned, Metrorail and routes 1, 52, 65, 73, Busway Local, Saga Bay MAX, and Coral Reef MAX, service the Dadeland South Metrorail station providing service in the nearby area.

The 2005 Transportation Improvement Program (TIP) does not identify any improvements for the area.

The 2025 Long Range Transportation Needs Plan does not identify any improvements for the area.

The 2004 Transit Development Program (TDP) identifies in its 2009 Recommended Service Plan (RSP) the following improvements:

Rt.87: Improve peak headways from 30 to 15 minutes by 2005.

Rt.88: Improve peak headways from 15 to 12 minutes by 2004. Straighten route and extend westward to the West Kendall Terminal, eliminating the 142 Avenue branch by 2005.

Rt 104: Improve peak headways from 30 to 15 minutes by 2005. Operate the last westbound trip in the evenings along the entire route alignment

**Proposed New Routes:**

Baptist Hospital Shuttle: Shuttle service from Dadeland South station to the Baptist Hospital complex and surrounding medical centers/buildings on SW 87 Avenue.

Based on the information presented, MDT has no objection to this project. However, provisions must be made by developer for removal of existing bus shelter and providing for pull-out bay and new bus shelter. Coordination for these activities must be made with MDT's Service and Mobility Planning Division.

This project has been reviewed by MDT for mass transit concurrency and was found concurrent with the level-of-service standards established Miami-Dade County.

**G. AVIATION**

Miami-Dade Aviation Department has determined that DIC Zoning Application 04-366 Dadeland Breezes Apartment, LLC is clear of any restrictive zones as depicted in the proposed zoning ordinance for Miami International Airport, and would be compatible with airport operations.

**CONDITIONS**

1. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
2. That a recordable agreement be submitted to and meet with the approval of the Director providing for permanent and safe access for pedestrian and vehicular traffic within the development and particularly for right of access for fire, police, health, and sanitation and other public service personnel and vehicles. The agreement, which shall be a covenant running with the land, shall also include a stipulation that the streets, or access ways, shall be installed and maintained by the applicant, including, but not limited to, sidewalks, drainage facilities, water, sewers and fire hydrants, meeting with the approval of the Director and the Director of the Public Works Department. Such agreement shall be executed by the property owner and any and all parties having an interest in the land, such as mortgagees, etc., and its improvements.
3. That in the event of multiple ownership, a homeowner's association, Special Taxing District or Community Development District be established in accordance with applicable regulations to assure that all common area and facilities for use of all residents shall be maintained in a continuous and satisfactory manner, and without expense to the general taxpayer of Miami-Dade County. The instrument incorporating such provisions shall be approved by the County Attorney as to form and legal sufficiency and shall be recorded in the public records of Miami-Dade County at the time recording of the subdivision plat.
4. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments.

DATE TYPED: 12/10/04  
DATE REVISED: 01/26/05;02/03/05  
DATE FINALIZED: 02/03/05

# EXHIBIT 'A'



# Miami-Dade County Public Schools

*giving our students the world*

**Superintendent of Schools**  
*Rudolph F. Crew, Ed.D.*

**Miami-Dade County School Board**  
*Frank J. Bolaños, Chair*  
*Dr. Robert B. Ingram, Vice Chair*  
*Agustin J. Barrera*  
*Evelyn Langlieb Greer*  
*Perla Tabares Hartman*  
*Dr. Martin Karp*  
*Ana Rivas Logan*  
*Dr. Marta Pérez*  
*Dr. Solomon C. Stinson*

**Ana Rijs-Conde, AICP, Facilities Planning Officer**  
*Facilities Planning*

January 25, 2005

Ms. Maria Teresa-Fojo, Division Chief  
Miami-Dade County  
Department of Planning and Zoning  
Zoning Evaluation Section  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128

**Re: Dadeland Breezes Apartments, LLC - Application No. 04-366 (CC12)**  
**North of SW 88 Street on the West side of State Road 826**  
**Updated**

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that all of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Kenwood Elemiddle School and South Miami Senior High School currently operating at 131% and 146% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Kenwood Elemiddle School and South Miami Senior High School to 136% and 147%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on January 24, 2005, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

**School Board Administration Building • 1450 N.E. 2<sup>nd</sup> Avenue, Suite 525 • Miami, Florida 33132**  
**305-995-7285 • FAX 305-995-4760 • [arijo@dadeschools.net](mailto:arijo@dadeschools.net)**

Ms. Maria Teresa Fojo  
January 25, 2005  
Page Two

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

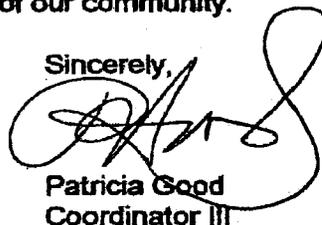
**New residential unit square footage X .90 (Square Footage Fee) + \$600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee**

As an example, assuming the proposed unit is 2,000 square feet, the 640-unit development is estimated to generate approximately \$1,566,720 (\$2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Patricia Good  
Coordinator III

PG:am  
L-561  
Attachment

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albuerno  
Mr. Michael A. Levine  
Mr. Ivan M. Rodriguez  
Ms. Vivian Villaamil  
Mr. Juan Mayol

**SCHOOL IMPACT REVIEW ANALYSIS**

**APPLICATION:** No. 04-366, Dadeland Breezes Apartments, LLC (12)

**REQUEST:** Zone change from RU-4M to PAD

**ACRES:** 11.11 acres

**MSA/Multiplier:** 5.5/.25

**LOCATION:** North of SW 88 Street on the West side of State Road 826

**UNITS:** 242 additional units (398 units currently permitted under existing zoning classification, for a total of 640 units)

**ESTIMATED STUDENT POPULATION:** 61 students \*

**ELEMENTARY:** 28

**MIDDLE:** 15

**SENIOR:** 18

**SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMIDDLE:** Kenwood Elemiddle - 9300 SW 79 Ave.

**SENIOR HIGH:** South Miami Senior - 6856 SW 53 St.

All schools are located in Region 5

\* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2004:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Kenwood	1136/	854	133%/	16	131%/
Elemiddle	1179*		138%*		136%*
South Miami Sr.	2858/	1695	169%/	261	146%/
	2876*		170%*		147%*

\* increased student population as a result of the proposed development

Note:

- 1) The cumulative effect of other approved or proposed developments in the vicinity is not included as part of this analysis, however is hereby attached in this package.
- 2) Figures above reflect the impact of the class size amendment.
- 3) Pursuant to the Interlocal Agreement, all of the schools meet the review threshold.

**PLANNED RELIEF SCHOOLS IN THE AREA**

(Information Included in Capital Improvement Projects Report of December 9, 2004):

<u>School</u>	<u>Status</u>	<u>Substantial Completion Date</u>
Classroom addition at Kenwood K-8 Center (484 student stations)	Design	March 2006
Classroom addition at Kenwood K-8 Center (242 student stations)	Design	June 2006
State School "NNN" At South Miami Sr. (900 additional student stations)	Construction	February 2006

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$355,813.

**CAPITAL COSTS:** Based on the State's January-2005 student station cost factors\*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	28 x \$ 13,480 = \$ 377,440
MIDDLE	15 x \$ 15,456 = \$ 231,840
SENIOR	18 x \$ 20,453 = \$ 368,154
<b>Total Potential Capital Cost</b>	<b>\$ 977,434</b>

\* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

**ZONING REPORT**  
(APPLICATIONS REVIEWED SINCE JANUARY 2001)  
CC12

	Applicant Name & Address	Proposed Address	Units/Students	Schools	Home Elementary Proposed	Community Council Date	Approved/Status/Comments
1	HOWARD MARLOWE #03-243	N of SW 32 St. and W of SW 145 Ave.	7 Units/ 4 Students	GREENGLADE ELEM-2 WR THOMAS MID-1 BRADDOCK SR-1	7/5 8/5 7/5	CC12	WITHDRAWN
2	OTTO GONZALEZ JR. #01-384	8725 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 1/24/02	DENIED
3	TASNIM UDDIN #02-288	E of SW 89 Ct. and N of SW 72 St.	8 Units/ 3 Students	BLUE LAKES ELEM-1 GLADES MID-1 KILLIAN SR-1	8/5 8/5 6/5	CC12 10/09/03	APPROVED
4	CAULEY PALISADE CORP. #02-096	9325 SW 128 St.	7 Units/ 3 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR-1	7/5 8/5 8/5	CC12 10/22/02	APPROVED
5	HARLON & ANN SACHS #02-140	9500 SW 68 St.	3 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 10/22/02	APPROVED
6	ARLENE POLLOCK #01-110	S of SW 98 St. and W of SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
7	DAVID KING #01-109	SWC of SW 96 St. and SW 107 Ct.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 8/5	CC12 11/07/01	APPROVED
8	JAY A. DAVIS #01-108	S of SW 96 St. and W of SW 107 Ave.	3 Units/ 2 Students	KENDALE ELEM-1 ARVIDA MID-1 KILLIAN SR	7/5 7/5 6/5	CC12 11/07/01	APPROVED
9	HENRY FORERO #02-172	13010 SW 102 Ave.	4 Units/ 1 Student	LEEWOOD ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 11/28/02	APPROVED
10	JORGE A. RODRIGUEZ #02-284	5810 SW 97 Ave.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 11/28/02	APPROVED
11	LUDLAM POINT CLUB, LLC #02-221	6801 SW 44 St.	118 Units/ 17 Students	S. MIAMI ELEM-8 S. MIAMI MID-4 S. MIAMI SR-5	8/5 8/5 8/5	CC12 11/28/02	APPROVED
12	HHJ DEVELOPMENT, LLC #01-388	8820-90 SW 94 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	8/5 8/5	CC12 11/28/02	DENIED
13	AVIS KAPLOW KALLAN #02-269	11860 SW 80 St.	58 Units/ 32 Students	SUNSET PARK ELEM-15 GLADES MID-8 KILLIAN SR-9	8/5 8/5 6/5	CC12 12/18/02	APPROVED
14	MARTA DE VARONA #00-370	8380 SW 68 St.	2 Units/ 1 Student	SNAPPER CREEK ELEM-1 GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 2/20/01	APPROVED

**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

15	EMILIA A. LAVIN #01-375	7890 SW 72 Ave.	4 Units/ 2 Students	LUDLAM ELEM-1 S. MIAMI MID-1 S. MIAMI SR	6/5 6/5 8/5	CC12 3/28/02	DENIED
16	RAMON LAVIN #01-378	N of SW 80 St. and approx. 152' W of SW 72 Ave.	3 Units/ 1 Student	LUDLAM ELEM-1 S. MIAMI MID S. MIAMI SR	6/5 6/5 8/5	CC12 3/28/02	DENIED
17	JOSEPH C. SHAW, TRUSTEE #02-182	7990 SW 112 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID PALMETTO SR	7/5 9/5 9/5	CC12 5/13/03	APPROVED
18	RAUL & JUANA GAMAZO #02-345	10305 SW 70 St.	1 Units/ 0 Students	SNAPPER CREEK ELEM GLADES MID SOUTHWEST MIAMI SR	8/5 8/5 8/5	CC12 5/13/03	APPROVED
19	PHILLIP & DONNA SLOTSKY, ET AL #02-348	S of SW 112 St. and W of SW 97 Ave.	5 Units/ 2 Students	VINELAND ELEM-1 PALMETTO MID-1 KILLIAN SR	7/5 9/5 6/5	CC12 5/13/03	WITHDRAWN
20	ROSA, OTIS & JAMES WHITEHEAD #03-024	S of SW 128 St. & E of SW 92 Ave.	11 Units/ 4 Students	VINELAND ELEM-2 PALMETTO MID-1 PALMETTO SR-1	7/5 9/5 9/5	CC12 5/28/03	APPROVED
21	SILVERWINGS DEVELOPMENT LLC #03-035	E of SW 80 Ave. & S of SW 110 St.	17 Units/ 8 Students	VINELAND ELEM-3 PALMETTO MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 5/28/03	APPROVED
22	GENERAL CONFERENCE CORP OF 7TH DAY ADVENTIST #00-440	8100 SW 117 Ave.	10 Units/ 6 Students	SUNSET PARK ELEM-3 GLADES MID-1 KILLIAN SR-2	6/5 8/5 6/5	CC12 7/05/01	APPROVED
23	JIMMY DIAZ #03-109	4920 SW 78 St.	1 Units/ 0 Students	CORAL GABLES ELEM PONCE DE LEON MID CORAL GABLES SR	8/4 9/4 6/4	CC12 7/3/03	APPROVED
24	ROBERT S. NEUMANN #03-083	9720 SW 92 Terr.	2 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 7/3/03	APPROVED
25	SLMIK COP. & LAURISSE K. MASRI, TRUSTEE #03-118	SEC of SW 84 Ave. & S of SW 110 St.	3 Units/ 1 Student	VINELAND ELEM-1 PALMETTO MID KILLIAN SR	7/5 9/5 6/5	CC12 7/3/03	APPROVED
26	MARQUISE'S INVESTMENTS, LLC #00-178	9520 SW 92 St.	3 Units/ 1 Student	KENDALE ELEM-1 GLADES MID KILLIAN SR	7/5 8/5 6/5	CC12 8/20/01	APPROVED
27	HHJ DEVELOPMENT, LLC #03-117	SEC of SW 89 Ave. & SW 84 St.	3 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	6/5 6/5	CC12 9/23/03	APPROVED
28	AMIGOS INVESTMENT, INC. #03-351	13830 SW 97 Ave.	3 Units/ 2 Students	LEEWOOD ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 7/6/04	WITHDRAWN

**ZONING REPORT**  
 (APPLICATIONS REVIEWED SINCE JANUARY 2001)  
 CC12

29	A WALK IN GLOWAY PARK, INC #03-318	NWC of SW 112 St. and SW 87 Ave.	4 Units/ 2 Student	VINELAND ELEM-1 PALMETTO MID-0 KILLIAN SR-1	7/5 9/5 6/5	CC12 BCC 11/18/04	APPROVED
30	MYSTIC FOREST INVESTMENTS II, INC. #03-358	NWC of SW 119 Ct. and SW 80 St.	20 Units/ 10 Students	SUNSET PARK ELEM-5 GLADES MID-2 KILLIAN SR-3	6/5 8/5 6/5	CC12 9/8/04	APPROVED
31	FRANCIS B. COMPTON #03-271	SW 124 St. and SW 95 Ave.	23 Units/ 10 Student	VINELAND ELEM-5 PALMETTO MID-2 KILLIAN SR-3	7/5 9/5 6/5	CC12 9/8/04	APPROVED
32	ENRIQUE PIWKO #03-333	NEC of SW 84 Ave. and SW 94 St.	2 Units/ 1 Student	KENWOOD ELEMID-1 KILLIAN SR	8/5 6/5	CC12 3/10/04	APPROVED
33	A WALK IN FALL PARK, INC. #03-320	SWC of SW 148 St. and SW 83 Ave.	10 Units/ 5 Students	VINELAND ELEM-2 SOUTHWOOD MID-1 PALMETTO SR-2	7/5 9/5 9/5	CC12 1/25/06	PENDING
34	SILVIO & JUANA YOLANDA ALVA #04-112	SEC of SW 64 St. and SW 97 Ave.	1 Unit/ 0 Students	SNAPPER CREEK ELEM-0 GLADES MID-0 SW MIAMI SR-0	8/5 8/5 8/5	CC12 10/13/04	APPROVED
35	PINES DEVELOPMENT CORP. #04-333	9795 SW 107 Ave.	3 Units/ 1 Students	KENDALE ELEM-1 ARVIDA MID-0 KILLIAN SR-0	7/5 7/5 6/5	CC12	PENDING

Note: There are two applications that are pending which would generate 6 students.

32



# Miami-Dade County Public Schools Charter School Operations

## Existing Charter Schools

- 1 Archimedean Academy, 10870 SW 113 Place, Miami, FL 33178
- 2 ASPIRA Eugenio Maria de Hostos Youth Leadership, 3650 North Miami Avenue, Miami, FL 33127
- 3 ASPIRA South Youth Leadership, 14112-14 SW 288 Street, Leisure City, FL 33033
- 4 ASPIRA Youth Leadership, 13300 Memorial Highway, North Miami, FL 33161
- 5 Aventura Charter Elementary School, 3333 NE 188 Street, Miami, FL 33180
- 6 Coral Reef Montessori Academy, 10853 SW 216 Street, Miami, FL 33167
- 7 Doral Academy, 2450 NW 97 Avenue, Miami, FL 33172
- 8 Doral Academy Charter Middle School, 2601 NW 112 Avenue, Miami, FL 33172
- 9 Doral Academy High School, 11100 NW 27 Street, Miami, FL 33172
- 10 Downtown Miami Charter School, 305 NW 3 Avenue, Miami, FL 33128
- 11 Florida International Academy, 7630 Biscayne Boulevard, Miami, FL 33138
- 12 Theodore R. & Thelma A. Gibson Charter School, 3634 Grand Avenue, Miami, FL 33133
- 13 Keys Gate Charter School, 2000 SE 28 Avenue, Homestead, FL 33036
- 14 Liberty City Charter School, 8700 NW 5 Avenue, Miami, FL 33150
- 15 Mater Academy, 7700 NW 98 Street, Hialeah Gardens, FL 33016
- 16 Mater Academy Charter Middle School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 17 Mater Academy Charter High School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 18 Mater Academy East, 450 SW 4 Street, Miami, FL 33130
- 19 M/S Barry University Connected Learning Center, 11441 NW 2 Avenue, Miami Shores, FL 33188
- 20 North County Charter School, 3400 NW 135 Street, Miami, FL 33054
- 21 North Dade Community Charter School, 13850 NW 26 Avenue, Opa-Locka, FL 33054
- 22 Northeast Academy, 3400 NW 135 Street, Miami, FL 33054
- 23 Pinecrest Preparatory Academy, 14301 SW 42 Street, Miami, FL 33175
- 24 Pinecrest Preparatory Academy Charter Middle School, 14301 SW 42 Street, Miami, FL 33175
- 25 Rosa Parks Charter School/Florida City, 713 West Palm Drive, Florida City, FL 33034
- 26 Rosa Parks Community School/Overtown, 430 NW 9 Street, Miami, FL 33136
- 27 Ryder Elementary Charter School, 8360 NW 33 Street, Miami, FL 33122
- 28 Sander Wiener School of Opportunity  
Main Campus: 20000 NW 47 Court, Opa-Locka, FL 33055  
Kendall Campus: 11025 SW 84 Street, Miami, FL 33173
- 29 Spiral Tech Elementary Charter School, 12400 SW 72 Street, Miami, FL 33183
- 30 Vankara Academy Charter School, 13307-11 Alexandria Drive, Opa-Locka, FL 33054
- 31 Youth Co-Op, 12051 West Okeechee Road, Hialeah Gardens, FL 33016

## Approved Contracts for 2004-2005

- 32 Academy of Arts & Minds, 3138 Commodore Plaza, Miami, FL 33133
- 33 Balera Language Academy, 10600 Caribbean Blvd., FL 33189\*
- 34 International Studies Charter High, 3280 South Miami Avenue, Miami, FL 33127
- 35 Las Palmas Charter School, 14250 SW 202 Avenue, Miami, FL 33196
- 36 Miami Children's Museum Charter School, 450 SW 4 Street, Miami, FL 33130 (temporary location)

## Approved Contracts for 2004-2005 (Continued)

- 37 Miami Community Charter School, 101 SW Redland Road, FL 33034\*
- 38 Pinecrest Preparatory Academy Charter High School (two locations)  
Main Campus (Kendall Greens): SW 80 Street & 150 Avenue, Miami, FL 33183 and  
Holy Cross Campus: 12425 SW 72 Street, Miami, FL 33183
- 39 School for Integrated Academics and Technologies (SIATech) (two locations)  
Main Campus: 3060 NW 183 Street, Miami, FL 33068, and  
Homestead Campus: 12350 SW 285 Street, Homestead, FL 33033
- 40 Somerset Academy, 8750 NW 21 Terr., Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and 232 Street, Miami, FL 33170 (permanent location)
- 41 Somerset Academy Charter Middle School  
2601 NW 112 Avenue, Miami, FL 33172 and  
8750 NW 21 Terr., Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent)
- 42 Somerset Academy Charter High School, 11100 NW 27 Street, Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations)  
SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent location)
- 43 Sweet Home Charter School, 17201 SW 103 Avenue, Miami, FL 33157 (temporary location).  
SW 190 Street and 112 Avenue, Miami, FL 33157\*

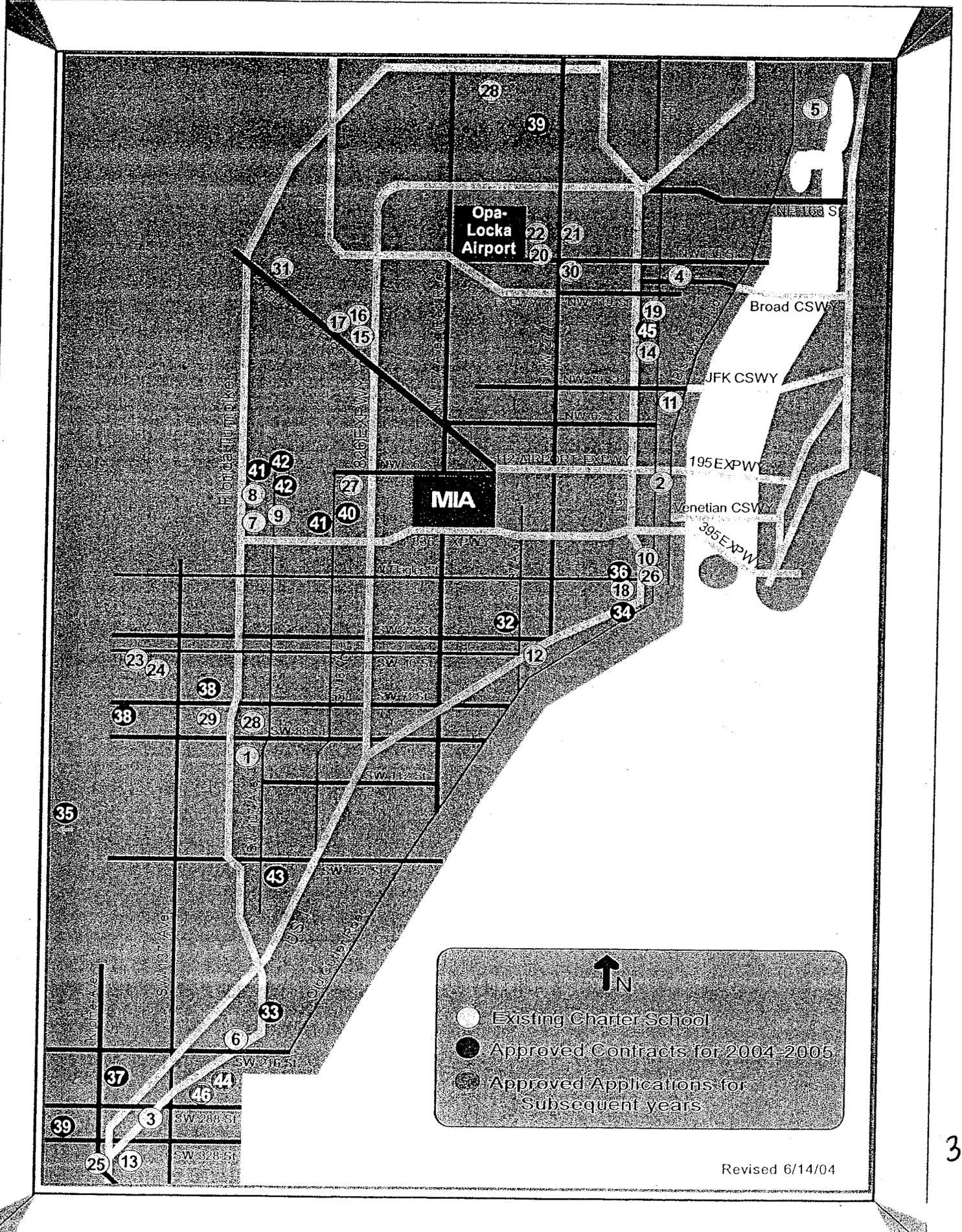
\* Locations pending final School Board approval.

## Approved Contracts for 2005-2006

- 44 Dr. Joseph Costa Grace Community Charter School, SW 248 Street & 112 Avenue, Miami, FL
- 45 Miami Shores Charter Middle/Senior High School, NW 11441 NW Second Avenue,  
Miami Shores, FL 33168
- 46 Summerville Charter School, SW 248 Street and 117 Avenue, Miami, FL

## Approved Applications

- 47 Mater Academy South Charter School, Sweetwater area
- 48 Mater Gardens Academy Elementary School, Hialeah Gardens area
- 49 Mater Gardens Academy Middle School, Hialeah Gardens area
- 50 Mater Springs Academy Elementary School (location to be determined)
- 51 Mater Springs Academy Middle School (location to be determined)
- 52 Miami-Dade Charter Foundation (4 sites - locations to be determined)
- 53 North Miami/Florida International University Charter Senior High School, NE 151 St. & Biscayne, North Miami, FL
- 54 Sabal Palm Charter High School, Hialeah area
- 55 Somerset Academy (8 sites - locations to be determined)
- 56 Spirit City Academy (location to be determined)
- 57 Sunset Academy (location to be determined)
- 58 The City of North Miami/Florida International University Charter School (location to be determined)



Revised 6/14/04

# A RESIDENTIAL DEVELOPMENT FOR H & H DEVELOPMENT

DADE COUNTY, FLORIDA

**ZONING**

RU-4

**NET LOT AREA**

483,806 S.F. (11.11 ACRES)

**NUMBER OF UNITS**

EXISTING: 306 UNITS  
NUMBER PROVIDED: 640 UNITS

**SETBACKS**

FRONT	PROVIDED
INTERIOR SIDE	75'-0"
REAR	50'-0"
	71'-0"

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM 1.5 X 212 =	318 SPACES
2 BEDROOM 1.75 X 372 =	651 SPACES
3 BEDROOM 2.00 X 56 =	112 SPACES
<b>TOTAL</b>	<b>1081 SPACES</b>

**PROVIDED:**

SURFACE PARKING	26 SPACES
GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE GARAGES	56 SPACES
<b>TOTAL</b>	<b>1081 SPACES*</b>

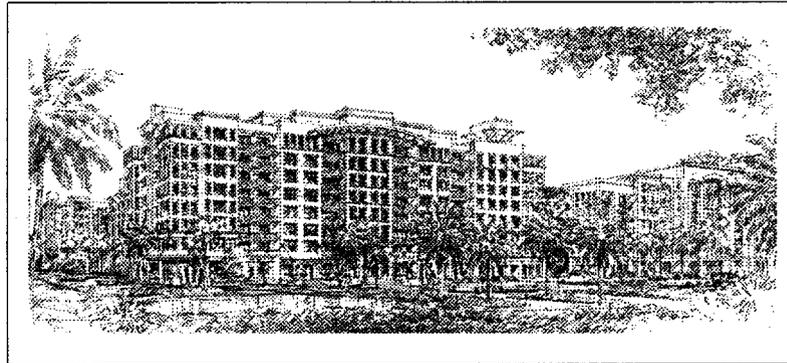
\* includes 22 handicapped parking spaces

**ARCHITECTURE:**

COHEN, FREEDMAN, ENCINOSA & ASSOC.  
ARCHITECTS, P.A.  
8055 N.W. 155TH STREET  
MIAMI, FLORIDA 33016  
TEL (305) 828-3999 FAX (305) 828-4155  
EMAIL: CFSEARCH@BELLSOUTH.NET

**LANDSCAPE ARCHITECTURE:**

FUSTER DESIGN ASSOC.  
7500 S.W. 88TH COURT  
MIAMI, FLORIDA 33143  
TEL (305) 279-2202 FAX (305) 279-2804



TOTAL GROSS ACREAGE:	483,806 S.F. OR 11.11 ACRES	100%
COVERAGE BLDG. @ GROUND LEVEL:	189,133 S.F. OR 4.34 ACRES	39%
PRIVATE ROADS & PARKING AREAS:	56,546 SF OR 1.3 ACRES	12%
COMMON OPEN SPACE:	182,056 SF OR 4.18 ACRES	38%
PRIVATE OPEN SPACE:	14,890 SF OR .34 ACRES	3%
WATER BODIES:	0 SF	
PUBLIC FACILITIES:	21,522 SF OR .50 ACRES	4%
PUBLIC ROADS:	19,860 S.F. OR .451 ACRES	4%
<b>TOTAL:</b>	<b>483,806 SF 11.11 ACRES</b>	

**PARKING SPACES**

**REQUIRED:**

1 BEDROOM 1.5 X 212 =	318 SPACES
2 BEDROOM 1.75 X 372 =	651 SPACES
3 BEDROOM 2.00 X 56 =	112 SPACES
<b>TOTAL</b>	<b>1081 SPACES</b>

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GARAGE LEVEL 1	100 SPACES
LEVELS 2-5	704 SPACES
LEVEL 6	196 SPACES
TOWNHOUSE GARAGES	56 SPACES
<b>TOTAL</b>	<b>1081 SPACES*</b>

\* includes 22 handicapped parking spaces

**BUILDING MIX**

TYPE	HEIGHT	STORIES
TOWER 1	66'-0"	6
TOWER 2	66'-0"	6
TOWER 3	66'-0"	6

**INDEX OF SHEETS**

- A-0 TITLE SHEET/PROJECT DATA
- A-1 GROUND FLOOR PLAN 1:30 SCALE
- A-2 2nd - 5th LEVEL FLOOR PLAN 1:30 SCALE
- A-3 6th LEVEL FLOOR PLAN 1:30 SCALE
- A-4 7th LEVEL FLOOR PLAN 1:30 SCALE
- A-5 8th LEVEL FLOOR PLAN 1:30 SCALE
- A-6 ELEVATION
- A-7 ELEVATION
- A-8 ELEVATION
- A-9 BUILDING SECTION 1:30 SCALE
- A-10 RENDERING NO SCALE
- A-11 EXISTING SITE CONDITIONS

**UNIT MIX - PROJECT TOTAL**

1 BED	2 BED	3 BED	36 TOWNH	TOTAL
216	378	89	89	640
33%	59%	14%	4%	

UNIT TYPE	UNIT S.F.	1st	2nd-5th	6th	7th	8th	TOTAL UNITS
A1	796	80	200-800	80	18	10	168
A2	976	-	400-15	4	4	4	88
A3	1080	4	400-15	4	4	4	32
<b>TOTAL</b>							
B1	1080	-	400-15	-	-	-	18
B2	1104	20	300-150	80	34	34	208
B3	1200	18	120-60	18	18	18	90
B4	1270	4	400-15	4	4	4	32
<b>TOTAL</b>							
C1	1480	-	400-15	4	4	4	32
<b>TOTAL</b>							
T11	1000	88	-	-	-	-	88
<b>TOTAL</b>							

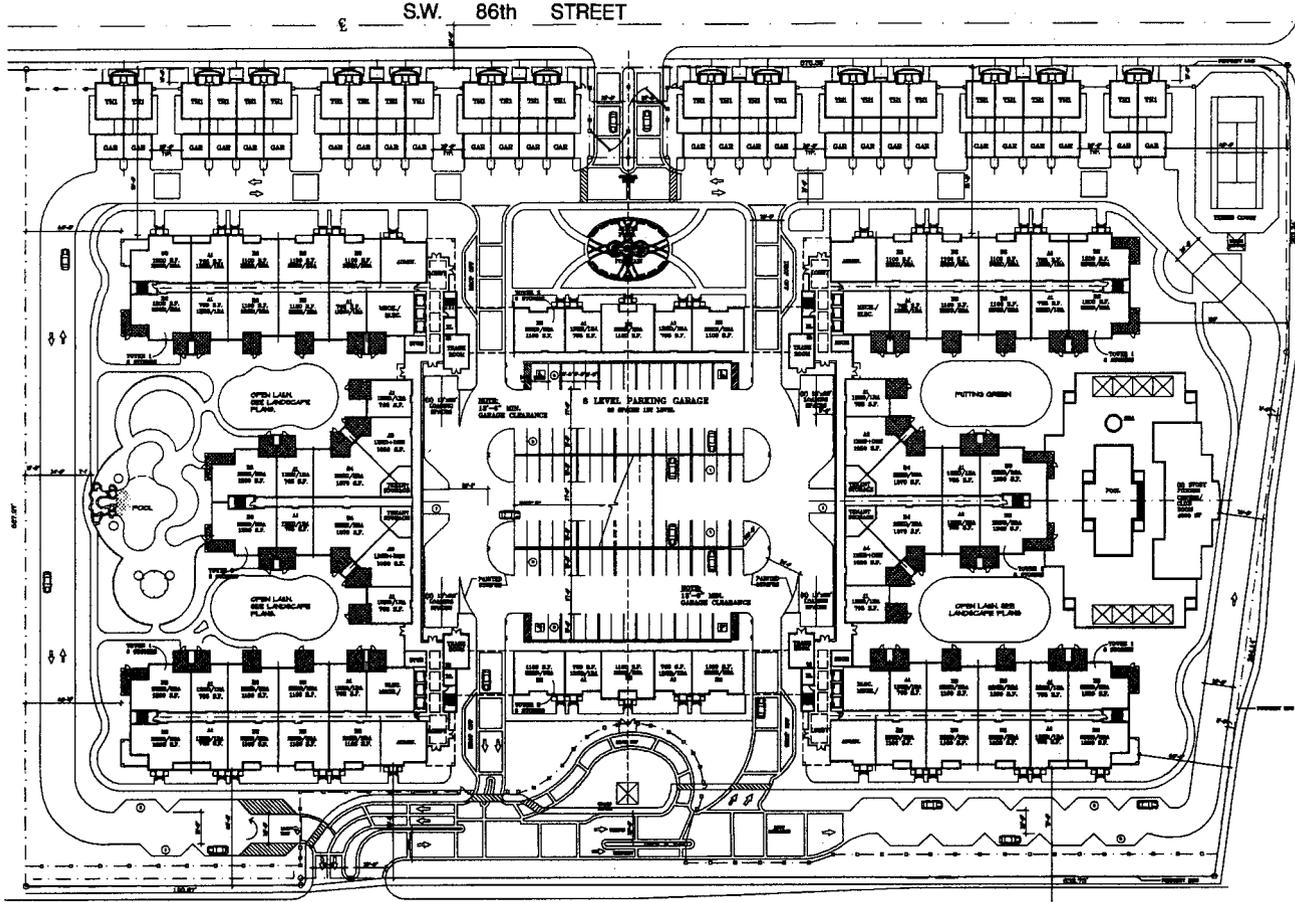
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DEPT. OF PLANNING & ZONING  
ZONING EVALUATION SECTION  
BY \_\_\_\_\_

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

PRELIMINARY DESIGN FOR  
H + H DEVELOPMENT  
DADE COUNTY, FLORIDA  
A.0

3/6





S.W. 86th STREET

PALMETTO EXWY. (S.R. No. 826)

S.W. 88th STREET S.R. 94 West Bound

NOTE:  
PAVEMENT PATTERNS AND TRAFFIC  
SIGNS TO BE INCLUDED AS PART OF A  
TRAFFIC STUDY. STUDY TO BE  
SUBMITTED TO PUBLIC WORKS DEPT.  
FOR APPROVAL.

NEED  
MODIFICATION  
REQUIRED.



1ST LEVEL PLAN  
1:40' SCALE

PRELIMINARY DESIGN FOR  
HIGH DEVELOPMENT  
DADE COUNTY, FLORIDA

**A1**

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
9085 S.W. 155th Street Miami Lakes, Florida 33016 305-826-9999

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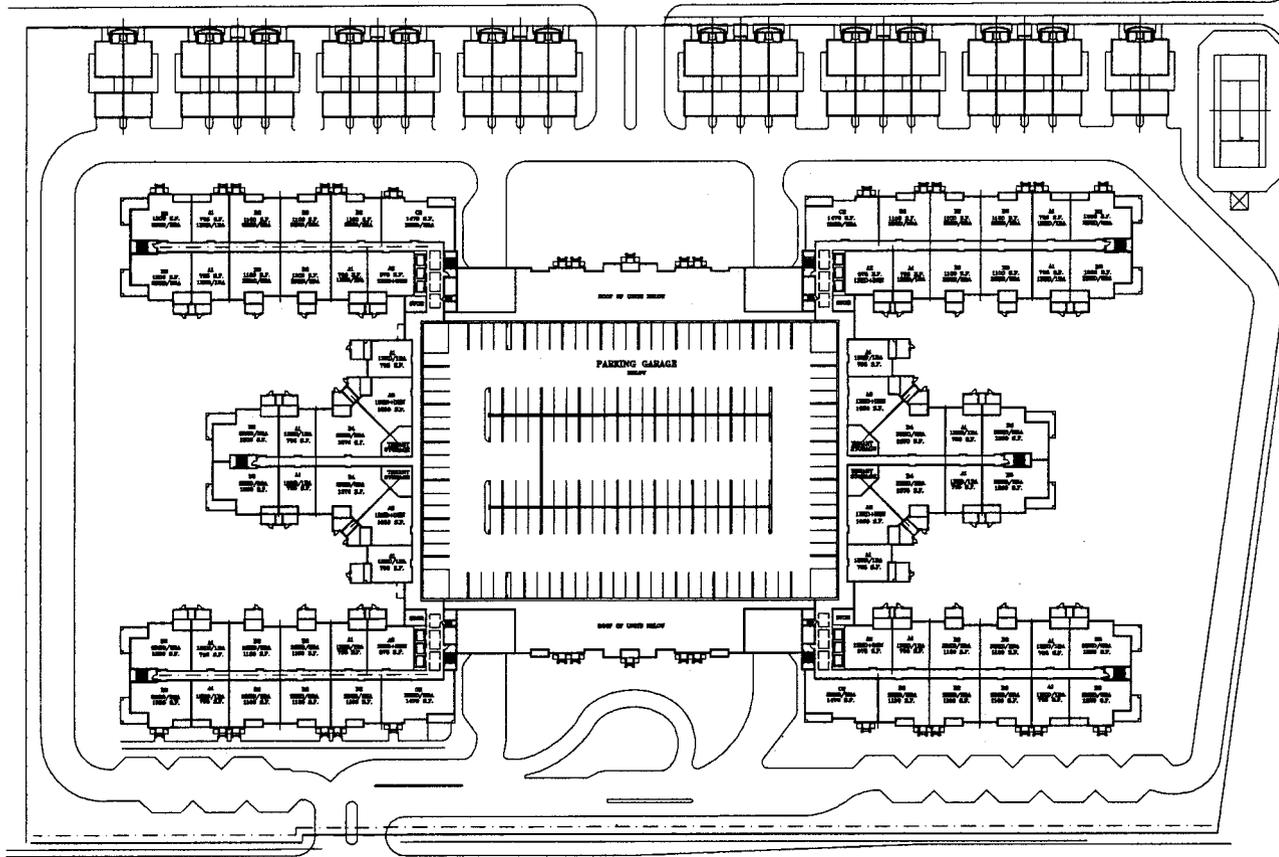
38







S.W. 86th STREET



S.W. 88th STREET (S.R. 94) West Bound



8th LEVEL PLAN

1:40' SCALE

PRELIMINARY DESIGN FOR  
**HIGH DEVELOPMENT**  
 DALLAS COUNTY, FLORIDA

A5

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

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42



PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20" SCALE

- ELEVATION KEY NOTES
1. TEXTURED STUCCO FINISH
  2. SMOOTH STUCCO FINISH
  3. ALUMINUM AWNING (ESP FIN.)
  4. DECORATIVE LIGHT FIXTURE
  5. ALUMINUM RAILING (ESP FIN.)
  6. ALUMINUM TRELLIS (ESP FIN.)
  7. FABRIC AWNING
  8. CONCRETE SILL
  9. RAISED STUCCO BAND
  10. ALUM FRAME (ESP FIN.)  
W/BLUE/GREEN TINTED GLASS
  11. ALUMINUM SHUTTER (ESP FIN.)



PARTIAL BLDG. ELEVATION (NORTH/SOUTH)  
1:20" SCALE

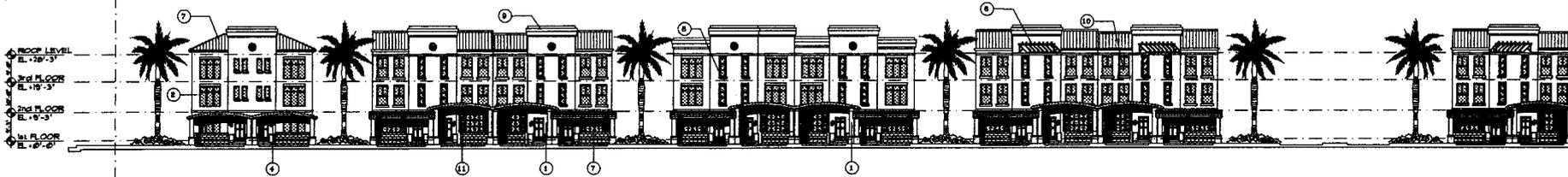
COHEN - FREEDMAN - ENCINOSA & ASSOC.  
 Architects, PA  
 8000 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

PRELIMINARY DESIGN FOR  
 HIGH DEVELOPMENT  
 COUNTY, FLORIDA

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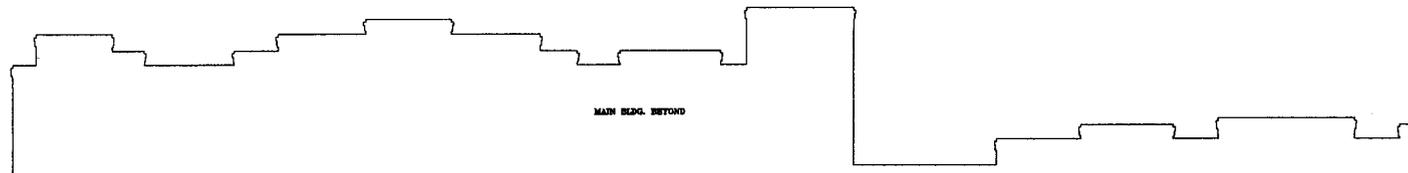


**PARTIAL TOWNHOME ELEVATION**

1:20' SCALE

**ELEVATION KEY NOTES**

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. STANDING SEAM MET. ROOF      |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM. FRAME (ESP FIN.)      |
| 5. ALUMINUM RAILING (ESP FIN.) | W/B/LU/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |



**PARTIAL TOWNHOME ELEVATION**

1:20' SCALE

**ELEVATION KEY NOTES**

- |                                |                                 |
|--------------------------------|---------------------------------|
| 1. TEXTURED STUCCO FINISH      | 7. FABRIC AWNING                |
| 2. SMOOTH STUCCO FINISH        | 8. CONCRETE SILL                |
| 3. ALUMINUM AWNING (ESP FIN.)  | 9. RAISED STUCCO BAND           |
| 4. DECORATIVE LIGHT FIXTURE    | 10. ALUM. FRAME (ESP FIN.)      |
| 5. ALUMINUM RAILING (ESP FIN.) | W/B/LU/GREEN TINTED GLASS       |
| 6. ALUMINUM TRELLIS (ESP FIN.) | 11. ALUMINUM SHUTTER (ESP FIN.) |

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

PRELIMINARY DESIGN FOR  
**HIGH DEVELOPMENT**  
 D. COUNTY, FLORIDA

A.7

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44



PARTIAL BLDG. ELEVATION (EAST/WEST)  
1:20' SCALE



(EAST/WEST)  
1:20' SCALE

PARTIAL BLDG. ELEVATION (EAST/WEST)  
1:20' SCALE

COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
W. 155th Street Miami Lakes, Florida 33016 905-826-3999

PRELIMINARY DESIGN FOR:  
H + H DEVELOPMENT  
COUNTY, FLORIDA

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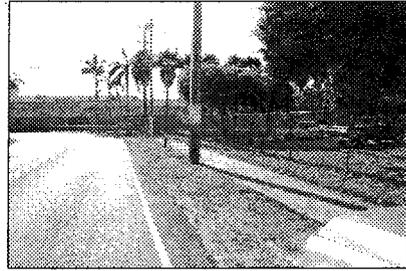
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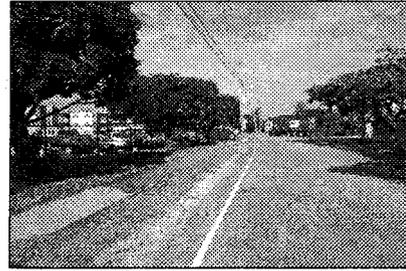




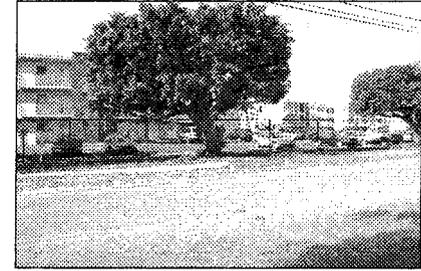
ADJACENT SITE NORTH OF  
86TH STREET



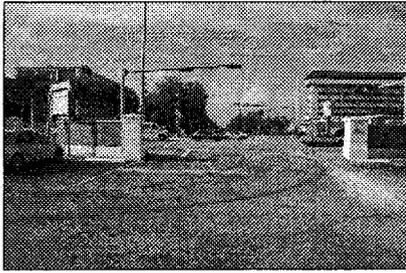
VIEW LOOKING EAST TOWARDS  
PALMETTO EXPRESSWAY



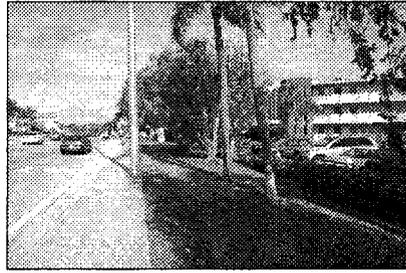
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86TH STREET



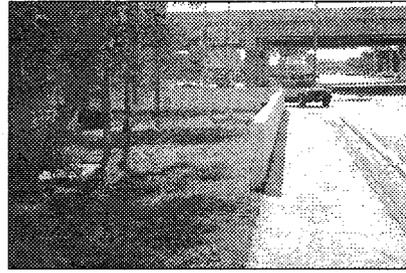
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EXISTING SITE



VIEW LOOKING SOUTH FROM  
KENDALL DRIVE EXIT



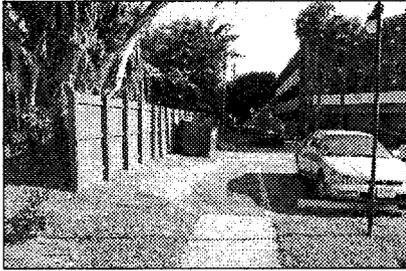
KENDALL DRIVE LOOKING  
WEST



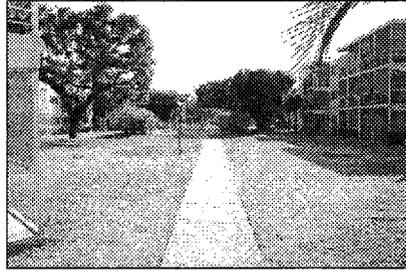
KENDALL DRIVE LOOKING  
EAST



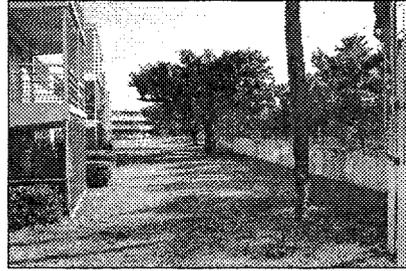
MEDICAL CENTER ADJACENT  
TO EXISTING SITE



VIEW LOOKING NORTH AT  
WEST PROPERTY LINE



COURT YARD OF EXISTING  
APARTMENTS ON SITE



VIEW LOOKING NORTH AT  
PALMETTO EXPRESSWAY



EXISTING SITE LOOKING  
WEST ON KENDALL DRIVE

PRELIMINARY DESIGN FOR  
HIGH DEVELOPMENT  
DADE COUNTY, FLORIDA

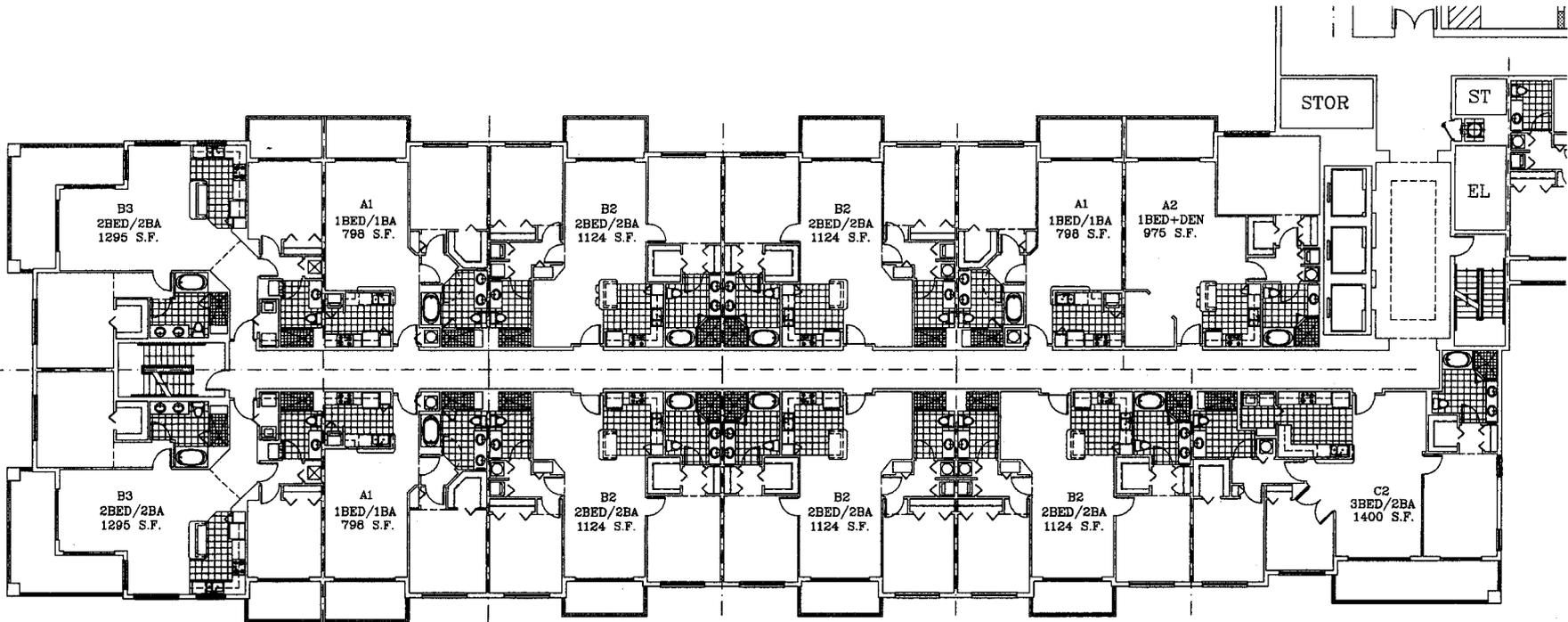
COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
800 S.W. 155th Street Miami Lakes, Florida 33016 305-926-3999

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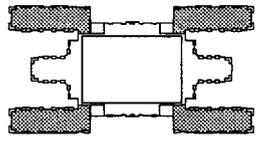
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### TYPICAL LEVEL PLAN

1/8" SCALE



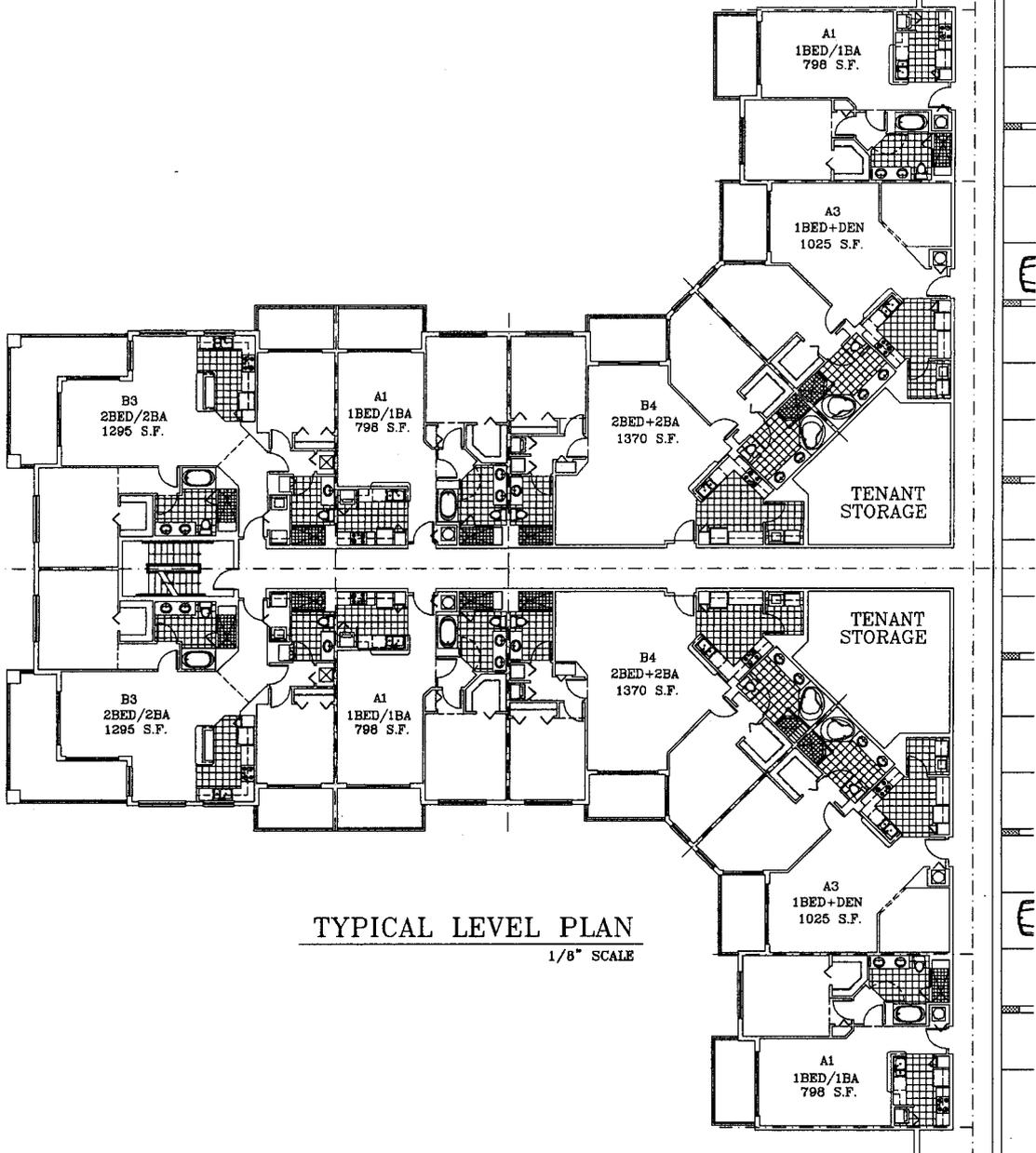
KEY PLAN  
N.T.S.

PRELIMINARY DESIGN FOR  
HIGH DEVELOPMENT  
DADE COUNTY, FLORIDA

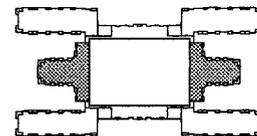
COHEN · FREEDMAN · ENCINOSA & ASSOC.  
Architects, PA  
8085 N.W. 155th Street Miami Lakes, Florida 33016 305-826-3999

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TYPICAL LEVEL PLAN  
1/8" SCALE



KEY PLAN  
N.T.S.

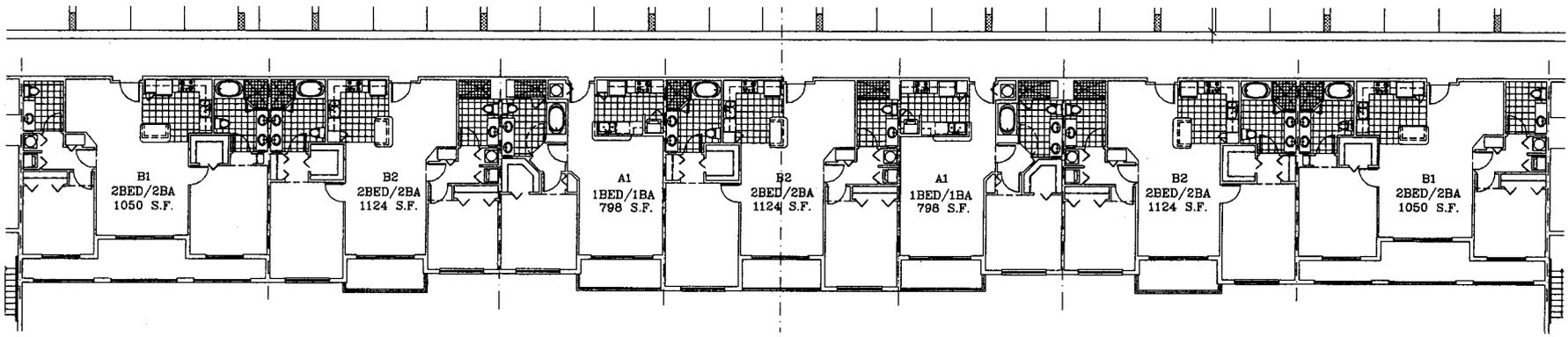
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H + H DEVELOPMENT  
DUNEDIN, FLORIDA

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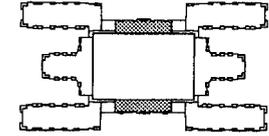
COHEN · FREEDMAN · ENCINOSA · & ASSOC.  
Architects, PA  
801 ... 155th Street Miami Lakes, Florida 33016 305-826-3999

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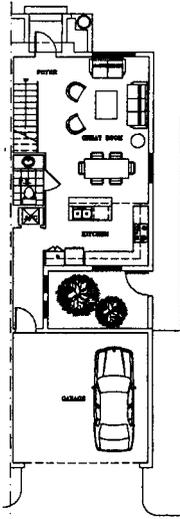
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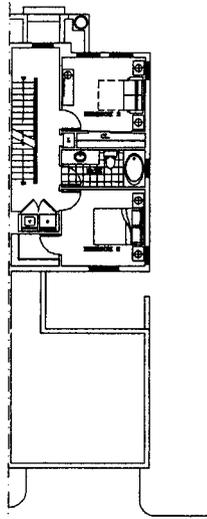
TYPICAL LEVEL PLAN  
1/8" SCALE



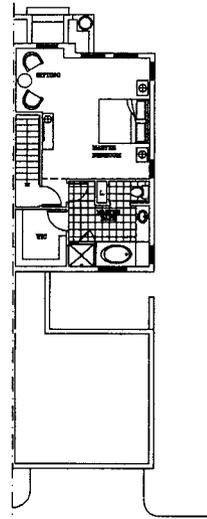
KEY PLAN  
N.T.S.



1ST LEVEL PLAN  
046 R.F. 1/8" SCALE



2ND LEVEL PLAN  
046 R.F. 1/8" SCALE



3RD LEVEL PLAN  
046 R.F. 1/8" SCALE

TOTAL A/C 1785 S.F.

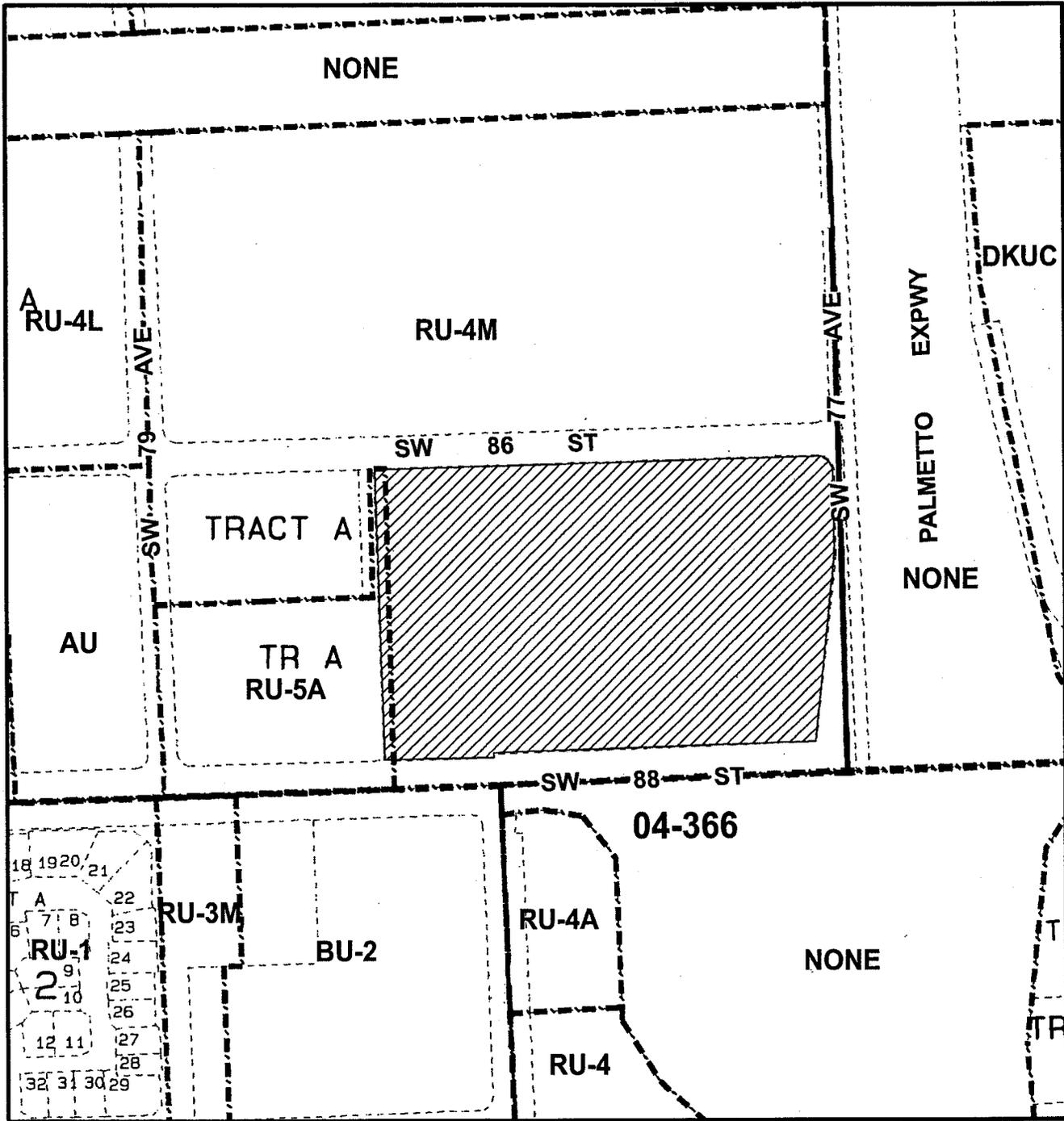
TYPICAL TOWNHOUSE PLAN  
1/8" SCALE

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50







**MIAMI-DADE COUNTY  
HEARING MAP**

Section: 34 Township: 54 Range: 40  
 Process Number: 04-366  
 Applicant: DADELAND BREEZEZ APARTMENTS, INC  
 District Number: 07  
 Zoning Board: C12  
 Drafter ALFREDO  
 Scale: 1:300'



SUBJECT PROPERTY





MIAMI-DADE COUNTY  
**AERIAL**

Section: 34 Township: 54 Range: 40  
Process Number: 04-366  
Applicant: DADELAND BREEZEZ APARTMENTS, INC  
District Number: 07  
Zoning Board: C12  
Drafter ALFREDO  
Scale: NTS

SCALE  
0 NTS N

  
 SUBJECT PROPERTY

APPLICATION NO. Z04-366  
DADELAND BREEZE APARTMENTS LLC

Respectfully Submitted,

DIC Executive Council  
February 02, 2005

Pedro G. Hernandez, P.E.  
Assistant County Manager

Absent

Herminio Lorenzo, Fire Chief  
Miami-Dade Fire Rescue Department

Absent

Irma San Roman, Deputy Director  
Metropolitan Planning Organization Secretariat



AYE

Diane O'Quinn Williams, Director  
Department of Planning and Zoning



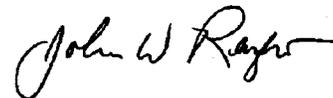
AYE

Aristides Rivera, P.E., P.L.S., Director  
Public Works Department



AYE

John W. Renfrow, P.E., Director  
Department of Environmental Resources Mgmt



AYE

Jorge S. Rodriguez, P.E., Assistant Director  
Miami-Dade Water and Sewer Department



AYE

# TEAM METRO

## ENFORCEMENT HISTORY

DADELAND BREEZE APARTMENTS  
LLC

NORTHWEST CORNER OF SW 77  
AVE & SW 88 ST AKA 7701 N.  
KENDALL DR

---

**APPLICANT**

---

**ADDRESS**

---

Z2004000366

---

**HEARING NUMBER**

### CURRENT ENFORCEMENT HISTORY:

02/25/2005 Inspection conducted  
02/25/2005 No current violations

L. Cuellar



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

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

NAME AND ADDRESS (if applicable) \_\_\_\_\_ Percentage of Interest \_\_\_\_\_

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

**RECEIVED**  
AUG 18 2004

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

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

BY \_\_\_\_\_

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

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

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

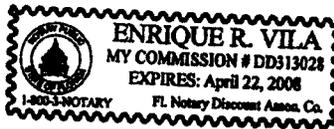
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

**Dadeland Breezes Apartments, LLC**

Signature: By: \_\_\_\_\_  
(Applicant)

Sworn to and subscribed before me this 18 day of August, 2004. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

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



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

\*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 Police Department

## Address Query for Events occurring at 7701 N. Kendall For Thru

Miami-Dade Police Department

Crime Information Warehouse

43

Detail Filter: Dis.Complaint Date >= "2003-05-20" and Dis.Complaint Date < "2005-05-21" and Dis.Police District Code in ( "A", "B", "C", "D", "E", "H", "I", "J", "K", "L", "M", "N", "P", "Q", "R", "ZZ" ) and Dis.Incident Address contains "7701 N. Kendall" and Dis.Reporting Agency Code = substring ( "030", 1, 3 ) and Common and Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" )

Incident Address	Dis	Grid	A O P	Complaint Date	Day of Wk	Call Rcvd Time	Complaint Name	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit	Event Number	Rp Wr YN

*D*



# Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: ( Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate ) and ( Dis.Grid in ( "1705", "1795" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) or ( 'ALL' in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) ) ) and Common

2003      2004

Grid	Signal Code	Signal Description	2003	2004
1795	13	SPECIAL INFORMATION/ASSIGNMENT	39	27
	14	CONDUCT INVESTIGATION	103	80
	15	MEET AN OFFICER	341	314
	16	D.U.I.	4	1
	17	TRAFFIC ACCIDENT	18	15
	18	HIT AND RUN	5	5
	19	TRAFFIC STOP	23	25
	20	TRAFFIC DETAIL	3	8
	21	LOST OR STOLEN TAG	8	5
	22	AUTO THEFT	11	9
	25	BURGLAR ALARM RINGING	84	91
	26	BURGLARY	31	39
	27	LARCENY	11	6
	28	VANDALISM	8	10
	32	ASSAULT	24	31
	33	SEX OFFENSE	3	1
	34	DISTURBANCE	146	113
	36	MISSING PERSON	7	5
	37	SUSPICIOUS VEHICLE	10	12
	38	SUSPICIOUS PERSON	8	10
39	PRISONER	3	4	
41	SICK OR INJURED PERSON	35	39	
43	BAKER ACT	2	2	
44	ATTEMPTED SUICIDE	0	1	
45	DEAD ON ARRIVAL	5	3	
47	BOMB OR EXPLOSIVE ALERT	0	1	

44



# Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: ( Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate ) and ( Dis.Grid in ( "1705" "1795" ) ) and ( ( Dis.Signal Code in ( "13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55" ) or ( ALL in ( "13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55" ) ) ) and Common

**2003                      2004**

Grid	Signal Code	Signal Description		
1795	49	FIRE	8	6
	52	NARCOTICS INVESTIGATION	2	5
	53	ABDUCTION	1	0
	54	FRAUD	5	11
<b>Total Signals for Grid 1795 :</b>			<b>948</b>	<b>879</b>

45



**MIAMI-DADE POLICE DEPARTMENT**  
**Zoning Hearing Report Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**For 2003 and 2004**



Miami-Dade Police Department

Grid(s): 1705, 1795

2003    2004

Grid 1795					
<b>Part I</b>					
130A		AGGRAVATED ASSAULT		8	6
2200		BURGLARY		11	16
110C		FONDLING		1	0
2400		MOTOR VEHICLE THEFT		7	6
230A		POCKET PICKING		1	1
110A		RAPE		1	0
1200		ROBBERY		1	0
230C		SHOPLIFTING		19	39
230G		SHOPLIFTING ALL OTHERS		15	13
230F		SHOPLIFTING FROM A MOTOR VEHICLE		15	14
<b>Part I TOTAL</b>				<b>79</b>	<b>95</b>
<b>Part II</b>					
2700		EMBEZZLEMENT		3	0
260A		FRAUD CON/SWINDLE/FALSE PRET.		1	1
260B		FRAUD CREDIT CARD/ATM		3	5
260D		IMPERSONATION		5	13
1000		KIDNAPPING - ABDUCTION		1	0
350A		NARCOTIC BUY/SELL/POSS/IMPORT/MA		2	3
130B		SIMPLE ASSAULT		7	11
<b>Part II TOTAL</b>				<b>22</b>	<b>33</b>
<b>Grid 1795 TOTAL</b>				<b>101</b>	<b>128</b>

Date: September 1, 2005

# Memorandum



To: Roosevelt Bradley, Director  
Miami-Dade Transit

From: *Diane O'Quinn Williams*  
Diane O'Quinn Williams, Director  
Department of Planning and Zoning

Subject: Blanket Concurrency Approval for Mass Transit

The blanket level of service/concurrency authorization for mass transit issued by your office last year expires on September 30, 2005. Please issue another blanket concurrency authorization effective for one year if there is sufficient surplus capacity to sustain projected development for one year.

The authorization must be issued prior to September 30, 2005, so that we may continue reviewing concurrency applications on your behalf, otherwise, we will have to refer all zoning and permit applications to your department of concurrency review. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you need further information on this matter, please contact Helen A. Brown, Concurrency Administrator, at (305) 375-2589.

DO'QW:hab

cc: A. Torres  
L. Itzkoff  
L. Talleda  
M. T. Fojo  
H. Brown

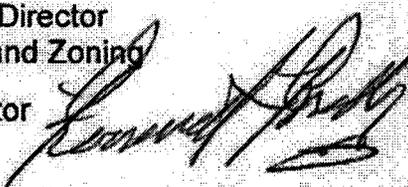
**RECEIVED**  
SEP 07 2005  
DIRECTOR  
MIAMI-DADE TRANSIT

# Memorandum



**Date:** September 30, 2005

**To:** Diane O'Quinn Williams, Director  
Department of Planning and Zoning

**From:** Roosevelt Bradley, Director  
Miami-Dade Transit 

**Subject:** FY-06 Blanket Concurrency Approval for Transit

---

This memo serves as a blanket authorization for the Department of Planning and Zoning to continue to approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues with the development process for the North Corridor transit project along NW 27<sup>th</sup> Avenue from 62<sup>nd</sup> Street to the Broward County Line. Please ask your staff to continue to signal any application whose address is on NW 27<sup>th</sup> Avenue, between these two points, so that they may be reviewed by MDT Staff.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period of October 1, 2005 to September 30, 2006, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at (305) 375-1193. Your continued cooperation on these important matters is greatly appreciated.

**Cc:** Albert Hernandez, Deputy Director  
MDT Planning and Engineering  
Mario G. Garcia, Chief  
MDT Systems Planning Division  
Helen A. Brown, Concurrency Administrator  
Department of Planning and Zoning



**MEMORANDUM**  
**BOARD OF COUNTY COMMISSIONERS**  
**COMMISSIONER CARLOS A. GIMENEZ**  
**DISTRICT 7**  
**Memorandum**

TO: Honorable Joe A. Martinez      DATE: June 13, 2005  
 Chairman  
 Board of County Commissioners

FROM: Carlos A. Gimenez      SUBJECT: Request to defer  
 Commissioner      District 7 items on 6-23-05 Zoning Meeting

As you are aware, I am currently out of the country and will be unable to attend the June 23, 2005 zoning meeting. As such, I would like to request deferral of any items pertaining to District 7 from the June 23, 2005 meeting. I would ask that these items be deferred to the next regularly schedule zoning meeting.

Thank you for your consideration.

- c: George Burgess, County Manager
- Bill Johnson, Assistant County Manager
- Diane O'Quinn Williams, Director, Dept. Planning & Zoning

**RECEIVED**  
 JUN 16 2005  
 MIAMI-DADE COUNTY  
 DIRECTOR'S OFFICE  
 DEPT. OF PLANNING & ZONING

**RECEIVED**  
 JUN 15 2005

**RECEIVED**  
 JUN 15 2005

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** January 18, 2005

**To:** Diane O'Quinn Williams, Director  
Department of Planning and Zoning

**From:** Roosevelt Bradley, Director  
Miami-Dade Transit 

**Subject:** FY05 Blanket Concurrency Approval for Transit

---

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service Standards (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues with the development process for the North Corridor transit project along NW 27<sup>th</sup> Avenue from 62<sup>nd</sup> Street to the Broward County line. Please, ask your staff to continue to signal any application whose address is on NW 27<sup>th</sup> Avenue, between these two points, so that they may be reviewed by MDT staff.

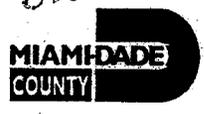
This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2004 to September 30, 2005, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

cc: George Navarrete  
Mario G. Garcia

✓ H. Brown

# Memorandum



**Date:** December 2, 2004

**To:** Dianne O'Quinn-Williams, Director  
Department of Planning and Zoning

**From:** Vivian Donnell Rodriguez, Director  
Park and Recreation Department *DM*

**Subject:** Update for Blanket Concurrency Approval

**RECEIVED**  
DEC 14 2004

MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE  
DEPT. OF PLANNING & ZONING

This memorandum updates the blanket concurrency approval memo of September 18, 2003. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2005. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z  
W. Howard Gregg, Asst. Director for Planning & Development, PARD  
Barbara Falsey, Chief, Planning and Research Division, PARD

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** April 21, 2005

**To:** Alberto J. Torres, Assistant Director for Zoning  
Department of Planning and Zoning

**From:** Manuel C. Mena, Chief  
MDFR Fire Prevention Division

**Subject:** Concurrency Approval

---

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File



# MEMORANDUM

*Original to Helen Brown  
to Al Jones*

**TO:** Diane O'Quinn Williams  
Director  
Department of Planning and Zoning

**DATE:** September 12, 2003  
**SUBJECT:** Solid Waste Disposal  
Concurrency Determination

**FROM:** Andrew Wilfork  
Director  
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

## Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager  
Victoria Garland, Acting Deputy Director, DSWM  
Vicente Castro, Assistant Director for Technical Services, DSWM  
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM  
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

**RECEIVED**  
SEP 18 2003

ZONING SERVICES DIVISION, COUNTY OF MIAMI-DADE  
DEPT. OF PLANNING & ZONING

BY \_\_\_\_\_

**Department of Solid Waste Management (DSWM)**  
**Solid Waste Facility Capacity Analysis**  
**Fiscal Year 2002-2003**

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	Total
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill	Tonnage	SOUTH DADE Garbage	NORTH DADE Trash	WMI Garbage & Trash	Trash	
					[1]	[2]			[3]	[4]	[5]	[6]	[7]	[8]	[1]-[8]
2003 *	1,837,000	936,000	196,000	17,000	119,000	804,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2006 ***	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
2007	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
2008	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
2009	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
2011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
<b>RESOURCES RECOVERY</b>		<b>GARBAGE</b>	<b>TRASH</b>	<b>TIRES</b>	<b>TOTAL</b>										
* TOTAL @ 1.84M		853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)										
** TOTAL @ 1.72M		853,000	69,000	14,000	270,000 (RTI)										
*** TOTAL @ 1.71M		853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)										
*** TOTAL @ 1.71M		853,000	69,000	14,000	270,000 (RTI)										
<b>TOTAL WASTE STREAM PERCENTAGES @ 1.84 MILLIONS TONS</b>															
GARBAGE 54.3%		997,000													
TRASH 44.4%		816,000													
SPECIAL (includes Tires) 1.3%		24,000													
TOTAL		1,837,000													

<b>REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR</b>						
Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	WMI **** Disposed		
Base Capacity	207,000	4,352,000	3,130,000	146,000		
2003	61,000	3,942,000	2,797,000	100,000		
2004	0	3,668,500	2,402,000	188,000		
2005	0	3,395,000	2,007,000	249,000		
2006	0	3,131,500	1,612,000	249,000		
2007	0	2,868,000	1,217,000	249,000		
2008	0	2,604,500	822,000	249,000		
2009	0	2,341,000	427,000	249,000		
2010	0	2,077,500	32,000	249,000		
2011	0	1,702,000	0	500,000		
2012	0	1,294,500	0	500,000		
2013	0	887,000	0	500,000		
2014	0	479,500	0	500,000		
2015	0	72,000	0	500,000		
2016	0	0	0	0		
2017	0	0	0	0		
2018	0	0	0	0		
Total Remaining Years	0	12	6			

\* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).  
 \*\* South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.  
 \*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.  
 \*\*\*\* Maximum Contractual Tonnage per year to WMI is 500,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After WMI disposal contract ends tonnage goes to South Dade Landfill.  
 All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

2004 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Local Open Space	Surplus (Deficit) Acres	Level of Service
					Park Acres	School field Acres	1/2 Private Acres			
1	332,396	29,396	361,792	994.92	1,044.49	491.02	85.32	1,620.83	625.91	1.629
2	520,177	23,003	543,180	1,493.75	1,476.12	461.33	139.79	2,077.24	583.49	1.390
3	141,699	38,253	179,952	494.86	578.93	177.20	6.90	763.03	268.17	1.541
TOT:	994,272	90,652	1,084,924	2,983.53	3,099.54	1,129.55	232.01	4,461.10	1,477.57	1.520