



**CITY OF MIAMI GARDENS  
ZONING AGENDA**

**Meeting Date: July 7, 2010**  
1515 NW 167<sup>th</sup> St., Bldg. 5, Suite 200,  
Miami Gardens, Florida 33169  
Phone: (305) 622-8000 Fax: (305) 622-8001  
Website: [www.miamigardens-fl.gov](http://www.miamigardens-fl.gov)  
Time: 7:00 p.m.

Mayor Shirley Gibson  
Vice Mayor Aaron Campbell Jr.  
Councilwoman Barbara Watson  
Councilman André Williams  
Councilman Melvin L. Bratton  
Councilwoman Sharon Pritchett  
Councilman Oliver G. Gilbert III  
City Manager Dr. Danny O. Crew  
City Attorney Sonja K. Dickens  
City Clerk Ronetta Taylor, MMC

**City of Miami Gardens Ordinance No. 2007-09-115, requires all lobbyists before engaging in any lobbying activities to register with the City Clerk and pay an annual fee of \$250.00. This applies to all persons who are retained (whether paid or not) to represent a business entity or organization to influence “City” action. “City” action is broadly described to include the ranking and selection of professional consultants, and virtually all-legislative, quasi-judicial and administrative action. All not-for-profit organizations, local chamber and merchant groups, homeowner associations, or trade associations and unions must also register however an annual fee is not required.**

- 1. CALL TO ORDER/ROLL CALL OF MEMBERS:**
- 2. INVOCATION:**
- 3. PLEDGE OF ALLEGIANCE:**
- 4. APPROVAL OF MINUTES:**  
4-A) June 2, 2010 – Regular Zoning Minutes
- 5. AGENDA ORDER OF BUSINESS  
(ADDITIONS/DELETIONS/AMENDMENTS) BUSINESS (Items shall be pulled  
from the Consent Agenda at this time):**

**6. PRESENTATION(S)**

None

**7. CONSENT AGENDA**

None

**8. FIRST READING (ORDINANCE)/PUBLIC HEARING(S)**

**8-A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS (LDRs) AS ADOPTED BY ORDINANCE NO. 2010-10-218; AMENDING SECTION 2-60, "DEVELOPMENT REVIEW COMMITTEE"; AMENDING SECTION 2-80, "GRANTING OF VARIANCES AND WAIVERS"; AMENDING SECTION 2-230, "VESTED RIGHTS"; AMENDING SECTION 7-110 "DESIGN STANDARDS"; AMENDING SECTION 9-20 "USES PERMITTED WITH EXTRA REQUIREMENTS"; AMENDING SECTION 10-10 "ACCESSORY STRUCTURES"; AMENDING SECTION 10-20, "ACCESSORY USE TABLE"; AMENDING SECTION 10-30, "ADDITIONAL STANDARDS; AMENDING ARTICLE XI, "TABLE 1 DEVELOPMENT STANDARDS"; AMENDING SECTION 12-160 "COMMERCIAL, RECREATIONAL, BOAT AND VESSEL VEHICLE PARKING IN RESIDENTIALLY ZONED PROPERTY; AMENDING SECTION 12-170, "COMMERCIAL, RECREATIONAL, BOAT AND VESSEL PARKING IN INDUSTRIAL ZONE PROPERTY RESTRICTIONS; AMENDING SECTION 14-10 "IN GENERAL"; AMENDING 14-20, "LANDSCAPE PERMIT REQUIRED"; AMENDING SECTION 14-60, "LANDSCAPE, BUFFERING MINIMUM STANDARDS; AMENDING SECTION 14-70, "EXTRA STANDARDS, EXCEPTIONS; AMENDING SECTION 17-60, "SIGNS PERMITTED WITHOUT SIGN PERMIT"; AMENDING APPENDIX A, "MASTER USE LIST DEFINITIONS"; MORE PARTICULARLY DESCRIBED HERETO AS EXHIBIT "A;" PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.(SPONSORED BY THE CITY MANAGER)**

**8-B) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY FLORIDA MEMORIAL UNIVERSITY, INC., FOR THE REZONING OF THE PROPERTY GENERALLY LOCATED AT 42ND AVENUE AND N.W. 156TH STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A," ATTACHED HERETO, FROM R-2, DUPLEX RESIDENTIAL AND R-15, MULTIPLE FAMILY RESIDENTIAL TO PD, PLANNED DEVELOPMENT; PROVIDING FOR A DECLARATION OF RESTRICTIVE COVENANTS;**

**PROVIDING FOR THE ADOPTION OF REPRESENTATIONS;  
REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A  
SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.  
(SPONSORED BY THE CITY MANAGER)**

**9. ORDINANCE(S) SECOND READING/PUBLIC HEARING(S)**

None

**10. RESOLUTION(S)/PUBLIC HEARING(S):**

None

**11. CITY MANAGER'S REPORT**

**11-A) Status Report Regarding Proposed Amendment to Interlocal Agreement for  
Public School Facility Planning**

**12. ADJOURNMENT**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT RONETTA TAYLOR, CITY CLERK (305) 622-8003, NOT LATER THAN 48 HOURS PRIOR TO SUCH PROCEEDING. TDD NUMBER 1-800-955-8771.

ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM MAY CONTACT RONETTA TAYLOR, MMC, CITY CLERK (305) 622-8003.

ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF MIAMI GARDENS WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

**Please turn-off all beepers and cellular telephones to avoid interrupting  
the council meeting.**



## City of Miami Gardens Agenda Memo

<b>Council Meeting Date:</b>	July 7, 2010		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
					X		
<b>Fiscal Impact:</b>	Yes	No	<b>Ordinance Reading:</b>		<b>1st Reading</b>		<b>Final Reading</b>
					X		
		x	<b>Public Hearing:</b>		<b>Yes</b>	<b>No</b>	<b>Yes</b> <b>No</b>
					X		
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b>		<b>Yes</b>		<b>No</b>
					X		
<b>Contract/P.O. Required:</b>	Yes	No	<b>RFP/RFQ/Bid #:</b>				
		X					
<b>Sponsor Name</b>	Dr. Danny Crew, City Manager		<b>Department:</b>		Planning and Zoning		

### Short Title:

#### ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS (LDRs) AS ADOPTED BY ORDINANCE NO. 2010-10-218; AMENDING SECTION 2-60, "DEVELOPMENT REVIEW COMMITTEE"; AMENDING SECTION 2-80, "GRANTING OF VARIANCES AND WAIVERS"; AMENDING SECTION 2-230, "VESTED RIGHTS"; AMENDING SECTION 7-110 "DESIGN STANDARDS"; AMENDING SECTION 9-20 "USES PERMITTED WITH EXTRA REQUIREMENTS"; AMENDING SECTION 10-10 "ACCESSORY STRUCTURES"; AMENDING SECTION 10-20, "ACCESSORY USE TABLE"; AMENDING SECTION 10-30, "ADDITIONAL STANDARDS; AMENDING ARTICLE XI, "TABLE 1 DEVELOPMENT STANDARDS"; AMENDING SECTION 12-160 " COMMERCIAL, RECREATIONAL, BOAT AND VESSEL VEHICLE PARKING IN RESIDENTIALLY ZONED PROPERTY; AMENDING SECTION 12-170, "COMMERCIAL, RECREATIONAL, BOAT AND VESSEL PARKING IN INDUSTRIAL ZONE PROPERTY RESTRICTIONS; AMENDING SECTION 14-10 "IN GENERAL"; AMENDING 14-20, "LANDSCAPE PERMIT REQUIRED"; AMENDING SECTION 14-60, "LANDSCAPE, BUFFERING MINIMUM STANDARDS; AMENDING SECTION 14-70, "EXTRA STANDARDS, EXCEPTIONS; AMENDING SECTION 17-60, "SIGNS PERMITTED WITHOUT SIGN PERMIT"; AMENDING APPENDIX A, "MASTER USE LIST DEFINITIONS"; MORE PARTICULARLY DESCRIBED HERETO AS EXHIBIT "A;" PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

### Staff Summary:

#### Background

At the meeting on April 7, 2010 the City Council adopted the Land Development Regulations (LDRs) with direction to staff to return in ninety (90) days with recommendations to address concerns raised during the public hearing

**ITEM 8-A) ORDINANCE**

**FIRST READING**

**Amending the Land Development Regulations**

portion of the meeting by numerous attorneys and property owners. Staff summarized those issues raised and distributed the summary to the concerned parties on May 7, 2010 requesting for any additional comments or concerns to be submitted to staff for consideration. No additional concerns or issues were submitted for consideration and staff responded on June 7, 2010 to the concerned parties with the anticipated recommendations for amendments (see attached CITY RESPONSE TO SPECIFIC AMENDMENTS PROPOSED AT THE MEETING APRIL 7, 2010 dated June 4, 2010).

### **Current Situation**

After consideration and evaluation of the concerns and comments of the interested parties the specifics of the recommended amendments are depicted in Exhibit "A". The attached Executive Summary (Exhibit "B") provides justification and details of the recommendations. In general, amendments are recommended to the five (5) year requirement for compliance with the new landscape requirements for the industrial zoned properties, which reduces the number of required shade trees from 28 per net acre to 22 per net acre, and removing the requirement of landscape islands in the off-street parking areas, with such reductions limited to existing industrial developments. In addition, the City Attorney's recommended amendments on the criteria on granting variances and waivers have been incorporated, as well as several non-substantive amendments to address minor issues and clarifications.

### **Proposed Action:**

City Staff recommends Council approval of the Ordinance amending the Land Development Regulations.

### **Attachments:**

- Exhibit "A", Proposed Amendments to the Land Development Regulations
- Exhibit "B," Executive Summary of Proposed Amendments
- Exhibit "C," CITY RESPONSE TO SPECIFIC AMENDMENTS PROPOSED AT THE MEETING APRIL 7, 2010 dated June 4, 2010

ORDINANCE NO. 2010\_\_\_\_\_

1  
2  
3 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI  
4 GARDENS, FLORIDA AMENDING THE CITY'S LAND DEVELOPMENT  
5 REGULATIONS (LDRs) AS ADOPTED BY ORDINANCE NO. 2010-10-  
6 218; AMENDING SECTION 2-60, "DEVELOPMENT REVIEW  
7 COMMITTEE"; AMENDING SECTION 2-80, "GRANTING OF  
8 VARIANCES AND WAIVERS"; AMENDING SECTION 2-230, "VESTED  
9 RIGHTS"; AMENDING SECTION 7-110 "DESIGN STANDARDS";  
10 AMENDING SECTION 9-20 "USES PERMITTED WITH EXTRA  
11 REQUIREMENTS"; AMENDING SECTION 10-10 "ACCESSORY  
12 STRUCTURES"; AMENDING SECTION 10-20, "ACCESSORY USE  
13 TABLE"; AMENDING SECTION 10-30, "ADDITIONAL STANDARDS;  
14 AMENDING ARTICLE XI, "TABLE 1 DEVELOPMENT STANDARDS";  
15 AMENDING SECTION 12-160 " COMMERCIAL, RECREATIONAL, BOAT  
16 AND VESSEL VEHICLE PARKING IN RESIDENTIALLY ZONED  
17 PROPERTY; AMENDING SECTION 12-170, "COMMERCIAL,  
18 RECREATIONAL, BOAT AND VESSEL PARKING IN INDUSTRIAL ZONE  
19 PROPERTY RESTRICTIONS; AMENDING SECTION 14-10 "IN  
20 GENERAL"; AMENDING 14-20, "LANDSCAPE PERMIT REQUIRED";  
21 AMENDING SECTION 14-60, "LANDSCAPE, BUFFERING MINIMUM  
22 STANDARDS; AMENDING SECTION 14-70, "EXTRA STANDARDS,  
23 EXCEPTIONS; AMENDING SECTION 17-60, "SIGNS PERMITTED  
24 WITHOUT SIGN PERMIT"; AMENDING APPENDIX A, "MASTER USE  
25 LIST DEFINITIONS"; MORE PARTICULARLY DESCRIBED HERETO AS  
26 EXHIBIT "A;" PROVIDING FOR THE ADOPTION OF  
27 REPRESENTATIONS; REPEALING ALL ORDINANCES AND  
28 RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE;  
29 PROVIDING FOR AN EFFECTIVE DATE.  
30

31 WHEREAS, the City recently adopted Land Development Regulations to  
32 ensure that future development and redevelopment within the City of Miami  
33 Gardens is architecturally and aesthetically pleasing and in line with the policies  
34 adopted by the City's Comprehensive Development Master Plan (CDMP), as well  
35 as to promote public health, safety and welfare, and

36 WHEREAS, at the City Council meeting of April 7, 2010, staff was directed  
37 to return within ninety (90) days with recommendations to address some of the  
38 concerns raised during the meeting, and

1           WHEREAS, staff is proposing certain amendments to address some of the  
2 comments made at the April 7, 2010 meeting, as well as other staff-driven  
3 amendments,

4           NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
5 CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

6           Section 1.   ADOPTION OF REPRESENTATIONS:   The foregoing  
7 Whereas paragraphs are hereby ratified and confirmed as being true, and the same  
8 are hereby made a specific part of this Ordinance.

9           Section 2.   ADOPTION OF AMENDMENTS TO LAND DEVELOPMENT  
10 REGULATIONS: The City Council of the City of Miami Gardens hereby adopts  
11 those certain Amendments to the Land Development Regulations attached hereto  
12 as Exhibit "A" and incorporated herein by reference.

13          Section 3.   CONFLICT: All Ordinances or Code provisions in conflict  
14 herewith are hereby repealed.

15          Section 4.   SEVERABILITY: If any section, subsection, sentence,  
16 clause, phrase or portion of this Ordinance is for any reason held invalid or  
17 unconstitutional by any court of competent jurisdiction, such portion shall be  
18 deemed a separate, distinct and independent provision and such holding shall  
19 not affect the validity of the remaining portions of this Ordinance.

20          Section 5.   INCLUSION IN THE CODE:   It is the intention of the  
21 City Council of the City of Miami Gardens that the provisions of this Ordinance  
22 shall become and be made a part of the Code of Ordinances of the City of Miami  
23 Gardens, that the Sections of this Ordinance may be remembered or re-lettered

1 or the word Ordinance may be changed to Chapter, Section, Article or any other  
2 such word or phrase, the use of which shall accomplish the intentions herein  
3 expressed, provided however, that Section 1 hereof of the provisions  
4 contemplated thereby shall not be codified.

5 Section 6. EFFECTIVE DATE: This Ordinance shall become effective  
6 immediately upon its final passage.

7 PASSED ON FIRST READING ON THE \_\_\_\_ DAY OF \_\_\_\_\_,  
8 2010.

9 PASSED ON SECOND READING ON THE \_\_\_\_ DAY OF  
10 \_\_\_\_\_, 2010.

11 PASSED ON FINAL READING ON THE \_\_\_\_Day of  
12 \_\_\_\_\_2010

13 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF  
14 MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF  
15 \_\_\_\_\_, 2010.

16  
17 \_\_\_\_\_  
18 SHIRLEY GIBSON, MAYOR

19  
20  
21  
22 **ATTEST:**

23  
24  
25 \_\_\_\_\_  
26 RONETTA TAYLOR, MMC, CITY CLERK

27  
28 PREPARED BY: SONJA KNIGHTON DICKENS, CITY ATTORNEY

29  
30 SPONSORED BY: DANNY CREW, CITY MANAGER  
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Moved by: \_\_\_\_\_  
Second by: \_\_\_\_\_

10 **VOTE:** \_\_\_\_\_

11			
12	Mayor Shirley Gibson	_____ (Yes)	_____ (No)
13	Vice Mayor Aaron Campbell	_____ (Yes)	_____ (No)
14	Councilman Melvin L. Bratton	_____ (Yes)	_____ (No)
15	Councilman Oliver Gilbert, III	_____ (Yes)	_____ (No)
16	Councilman Andre' Williams	_____ (Yes)	_____ (No)
17	Councilwoman Sharon Pritchett	_____ (Yes)	_____ (No)
18	Councilwoman Barbara Watson	_____ (Yes)	_____ (No)

## Exhibit "A"

### Land Development Regulations Amendments

**Section 14-10. In general.**

- (A) *Applicability; and compliance of non-conforming developments.* The landscaping and buffering requirements of this article shall apply to all development within the city. Non-conforming developments shall be subject to compliance as follows:
- (1) Non-conforming development that become non-conforming as for the landscaping and buffering regulations of this Article as of the effective date of the adoption of this article may maintain legally non-conforming status for a period of five (5) years, at which time all landscaping and buffering requirements not in compliance with this Article shall be a violation of this Code, with the exception of the following:
- E. Industrial developments in the I-1, and I-2 districts legally existing at the adoption of this LDRs shall comply with all landscaping and buffering requirements of this article, except that the total number of shade trees as required in section 14-60 Table 1, Landscape and Buffering Standards Generalized Table Developments shall be twenty two (22) shade trees per net acre. Additionally, such developments shall not be required to comply with the landscape islands in off-street parking areas requirement.

**Section 14-60. Landscape, buffering minimum standards.**

**TABLE 1: MINIMUM LANDSCAPE AND BUFFERING STANDARDS GENERALIZED TABLE**

Zoning district/ landscape requirement	R-1	R-2	R-15 R-25 R-50	NC	PCD *	OF	I-1***	I-2***	PD **	AU	GOV
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\*\*\* denotes exceptions in the I-1, I-2 zoning districts as set forth in section 14-10(B)(1)(E)

**Section 2-60. Development review committee (DRC).**

- (C) *Applicability, Duties and Responsibilities.* The Development Review Committee shall have the following duties and responsibilities:
- (7) Review and approve all plans for development in GP, Government Properties District ~~except for facilities owned by the City of Miami Gardens, in which case the DRC will make recommendations to the city council.~~

**Section 2-80. Granting of variances and waivers.**

- (H) *Criteria for granting variances.* Upon appeal or direct application in specific cases to hear and grant applications for non-use variances and waivers of this chapter, when authorized, the Zoning Appeals Board may grant approval, approval with conditions of

~~the application upon showing by the applicant that the non-use variance or waiver that all the following have been met: maintains the basic intent and purpose of the zoning, subdivision and other regulations set forth in this chapter, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of hardship to the land is required.~~

1. The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the regulations were carried out literally.
2. The conditions upon which the request for a variance is based are unique to the parcel and would not be generally applicable to other property within the vicinity.
3. The alleged difficulty or hardship was not deliberately created to establish a use or structure which is not otherwise consistent with this Code.
4. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.
5. The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.
6. The variance request is the minimum variance that will make possible the reasonable use of the land, building, or structure;
7. The granting of the variance request will be in harmony with the general intent and purpose of these regulations and the comprehensive plan;
8. Nonconforming use of neighboring lands, structures, or buildings in the same zoning district, and the permitted use of lands, structures, or buildings in other zoning districts, shall not be considered grounds for the authorization of a variance; and
9. Financial hardship is not the only evidence of a hardship considered in the authorization of a variance.

## **Section 2-230. Vested rights**

- (A) *Exceptions for vested rights determination.* Nothing in this chapter shall be construed or applied to abrogate the vested right of a property owner to complete development where it is determined that the property owner demonstrates each of the following:
- (1) The provisions of these LDRs, and any amendments hereto, shall not affect development which has obtained a final development order from the City after January 1, 2009, but before adoption hereof of the LDRs and is otherwise exempted in accordance with the provisions of paragraph (C);
  - (2) That the property is a single-family residential lot, duplex, or townhouse unit that has been granted a non-use variance or waiver of the Code.

## Section 7-110. Design standards.

### (J) Vacation and abandonment of rights-of-ways, alleys, and/or platted easements, and non-platted easements.

1. Procedure. The vacation and abandonment of any rights-of-way, alleys and/or platted easements, and the reversion thereof to abutting property owners shall be accomplished only through the platting procedure as set forth in section 7-10.
2. Non-platted easements. Vacation and abandonment of non-platted easements shall only be required to comply with requirements set forth in subsection (3)(e) below and subject to the review criteria set forth in subsection (4) below. Approval of such vacation and abandonment of non-platted easements shall be by resolution of the City Council.
3. Requirements. All tentative plats involving vacation and abandonment shall be reviewed for compliance with all technical requirements of this section, and including the following criteria:
  - (a) No tentative plat will be considered which includes only rights-of-way or easements to be vacated and closed. The properties on each side of the rights-of-way or easements to be vacated and closed shall be included in the plat, and all abutting property owners shall join in the plat and the disposition of the rights-of-way or easements shown.
  - (b) Vacation and abandonment of half the width of the right-of-way or easement shall not be permitted.
  - (c) Where the subdivider requests the vacation and abandonment of a portion of the right-of-way connecting two streets, the subdivider shall provide a cul-de-sac specified in section 7-110 (B) "Design standards." The cul-de-sac shall be located fully within the property being platted. All property owners abutting the right-of-way between the two streets shall join in the abandonment of the plat and shall disclaim all right, title and interest in the portion of the right-of-way being abandoned.
  - (d) Where the subdivider requests the vacation and abandonment of a portion of an alley, the subdivider shall provide on his/her property, suitable access from the closed end of the alley to the nearest public street, or streets, as may required. All property owners abutting the alley shall join in the plat.
  - (e) Written consent to vacate and close the platted private easement(s), platted public easement(s) and/or platted emergency access easement(s) of the holder(s) of the easement(s), and for non-platted easements, (ii) written releases from all benefited specified individuals or public or private entities, or a certification that no such benefited individuals or public or private entities exist within the easement(s), and (iii) recommendations of approval from the police, public works, fire-rescue, planning and zoning, and building departments. The written consent that must be obtained from the holders of the easements, must specify that the holders of the easements consents to the vacation of the easements, must specify whether the holders of the easements have granted any type of interest in the easements to a third party, and must specify the third party's identity. In the event that a third party does have an interest in the easements, the applicant must also obtain the third party's written approval to vacate and close the easements. In addition, the applicant must submit an ownership and encumbrance search report prepared by a title company of the area encompassed by the easements that is to be vacated.

4. Criteria for review. Further consideration for vacations and abandonment. In addition to review for technical compliance, the Development Review Committee (DRC) shall also consider the request for vacation and abandonment with respect to the following:

- (a) Whether it is in the public interest to vacate or abandon the right-of-way or easement?
- (b) Whether the right-of-way or easement is being used including use by public service vehicles such as trash and garbage trucks, police, fire and/or other emergency vehicles?
- (c) The adverse effect on the ability to provide police, fire or emergency services
- (d) Whether the vacation or abandonment negatively affects pedestrian and vehicular circulation in the area?

**Section 9-20. Uses permitted with extra requirements.**

- (A) Places of assembly. Places of assembly are subject to the following standards:
  - (1) Minimum lot area: one-half (0.5) net acre.
  - (2) Minimum spacing of principal building from residentially zoned property: fifty (50) feet; seventy-five (75) feet spacing from a residential building.
  
- (OO) Liquor package store. Shall comply with all licensing, spacing and other regulations set forth in Article V for sale of alcoholic beverages.

**Section 10-10. Accessory uses and structures.**

- (E) Dimensional requirements. All accessory uses, buildings and structures, shall comply with dimensional standards as set forth in Article XI, Table 1, and elsewhere for accessory structures. Where the accessory structure dimensional requirements are found to be non-applicable, the dimensional requirements of the principal structure shall apply.

**Section 10-20. Accessory use table.**

The following accessory use table shall be used to determine the required zoning district of which a use may be established. Unless otherwise stated, setback and spacing regulations shall comply with Article II. Additional standards shall be complied with for the establishment of the accessory use.

Zoning district/ accessory use and structures	R-1	R-2	R-15 R-25 R-50	NC	PCD	OF	I-1	I-2	PD	AU	GP
<u>Awnings, canopies, carports, roof overhangs, balconies, architectural structures</u>	P	P	P	P	P	P	P	P	P	P	n/a

## Section 10-30. Additional standards.

The following standards shall be complied with for the establishment of the accessory use and structure:

- (R) *Unattached garages, ~~carports~~*. May be provided as accessory to principal use meeting the all accessory structure requirements of the underlying zoning district.
- (T) *Outdoor storage commercial, industrial, non-residential uses*. Outdoor storage of merchandise in all commercial, industrial and non residential uses shall be subject to the following standards, unless the use is specifically regulated in the applicable district or additional standard of this section.
  - (1) Outdoor storage of merchandise shall be permitted only when incidental to the use located on the premises.
  - (2) The storage area shall not be located in any of the required setbacks or yards.
  - (3) The stored merchandise shall be within an area surrounded by walls, fence or buildings, meeting the approval of the Administrative Official, and shall not protrude above the height of the enclosing walls or buildings.
  - (4) Outdoor storage of material used for ~~road~~ construction when:
    - A. The storage of construction materials and equipment is for use on property with an active building permit. ~~lot is directly adjacent to the roadway under construction;~~
    - B. The material is stored for no longer than ninety (90) days unless approved by the Administrative Official for a period not to exceed an additional ninety (90) days;
  - ~~(5) Incidental outdoor storage. Incidental outdoor storage where permitted, of merchandise in all commercial, industrial and non residential districts shall be subject to the following standards, unless the use is specifically regulated in another district or section:~~
    - ~~A. Outdoor storage of merchandise shall be permitted only when incidental to the use located on the premises.~~
    - ~~B. The storage area shall not be located in any of the required setbacks or yards.~~
    - ~~C. The stored merchandise shall be within an area surrounded by walls or buildings, and shall not protrude above the height of the enclosing walls or buildings.~~
  - ~~(6) Outdoor storage of material used for road construction when:~~
    - ~~A. The lot is directly adjacent to the roadway under construction;~~
    - ~~B. The material is stored for no longer than ninety (90) days unless approved by the Administrative Official for a period not to exceed an additional ninety (90) days;~~
    - ~~C. The lot meets the requirements of Natural Resource Protection Regulations.~~
- (FF) *Awnings, canopies, carports, roof overhangs, balconies, architectural structures*. The following minimum standards shall apply:
  - (a) *Awnings*. On residential buildings thereof awnings shall not encroach more than five and half (5.5) feet into the required yard setback area, and shall not protrude closer than two (2.0) feet from any property line. On non-residential

buildings awnings shall not encroach more than nine (9) feet into the required yard setback area, and shall not protrude closer than two (2.0) feet from any property line.

- (b) Canopies. Canopies shall be permitted to encroach into the required yard setback area providing they are no closer than two (2.0) feet from any property line.
- (c) Carports. When attached to the principal structure and constructed of a
- (d) masonry material, carports shall maintain the same yard setbacks as required for the principal structure. When detached and constructed of fabric, aluminum or other non-masonry material carports shall maintain a minimum yard area setback as set forth in Article XI, Table 1.
- (e) Roof overhangs and balconies. On all buildings, roof overhangs and balconies shall not encroach more than four (4.0) feet into the required yard setback area, and shall not protrude closer than two (2.0) feet from any property line.
- (f) Architectural features. On single family residential, duplex, or townhouse unit lots, architectural features shall not encroach into the required yard setback areas more than seventy five percent (75%) of the required yard setback areas. Such features shall not exceed more twenty percent (20%) of the building height.

## Article XI Development Standards Generalized Table of Development Standards

**Table 1: Development Standards.** The following are generalized development standards categorized by standards and by zoning districts. These standards are minimum requirements, unless otherwise regulated in this Section that all development shall comply with.

	Zoning Districts			
	R-1, Single-Family (See Figures 11-1, 11-2 for illustrations)	R-2, Two-Family R-15, Multiple-Family R-25, Multiple-Family R-50, Multiple-Family	R-15, Multiple-Family R-25, Multiple-Family R-50, Multiple-Family	
	Single Family Detached	Two Family	Townhouse	Multiple Family
<b>Lot and Density Parameters</b>				
Lot frontage, Minimum (corner lots and townhome end lots)	8275 ft	92 ft	28.6 ft.- 37 ft based upon required end unit setback	100 ft
Interior Side Setback (minimum)	7.5 ft min. or 10% of lot width whichever is greater, but not less than 5.0 ft.	5 ft	15 ft.	15 ft.
Spacing Between Principal Buildings (minimum)	Not applicable (only 1 dwelling per lot)	Not applicable (only 1 dwelling per lot)	15 ft 20 ft. without openings; 30 ft. with openings	15 ft.- ft 20 ft. without openings; 30 ft. with openings
Spacing Between Principal Buildings (minimum)	Not applicable (only 1 dwelling per lot)	Not applicable (only 1 dwelling per lot)	15 ft 20 ft. without openings; 30 ft. with openings	15 ft.- ft 20 ft. without openings; 30 ft. with openings
<b>Accessory Building Setbacks and Spacing</b>				
Front Setback (minimum)	75 ft	75 ft	75 ft	25 ft

Interior Side Setback (minimum)	7.5 ft or 10% of lot width, but not less than 5.0'	5 ft	5 ft	15 ft
<b>Swimming Pool Setbacks</b>				
Front yard setback	75 ft.	75 ft.	75 ft.	25 ft.
<b>Zoning Districts</b>				
	NC, Neighborhood Commercial	I-1, Industrial (Light)	I-2, Industrial (Heavy)	PCD, Planned Corridor Development
	OF, Office			
<b>Lot and Density Parameters</b>				
Lot area (net), Minimum	5,000 sf.	10,000 sf.	10,000 sf.	45,000 <del>10,000</del> sf.
<b>Principal Building Setbacks and Spacing</b>				
Interior Side Setback (minimum)	25ft – NC -when abutting residential use 10 ft. – NC -when abutting non-residential use 7.5 ft – OF	0 ft	0 ft	10 ft by right 0 ft with incentive bonus

**Section 12-160. Commercial, recreational, boat vessel vehicle parking in residentially zoned properties restricted.**

- (E) ~~Only commercial vehicles shall not may be parked or stored in a front yard or setback unless only if the surface consists of a smooth nondusting surface including concrete, paver-blocks, turfstone, asphalt, tile and brick and complies with the standards specified by the city engineering and public works department. All other vehicles shall not may be parked or stored in a side or rear setback or yard unless on a grass surface. the surface thereof consists of grass or other nondusting surface as specified in this .~~

**Section 12-170. Temporary commercial, recreational, boat and vessel vehicle parking in industrially zoned properties restricted.**

- (A) The temporary parking of commercial vehicles in industrially zoned areas shall be permitted subject to compliance with the following:
1. The vehicle shall have a valid motor vehicle, truck registration, Heavy Truck or any and all other required motor vehicle registration with the State;
  2. The vehicle shall be operable;
  3. The vehicle shall be parked in a designated and paved private parking space;
  4. The vehicle shall not encroach on rights-of-way, sidewalk or landscaped areas;
  5. A valid overnight parking permit from the City shall be obtained for such vehicle

**Section 17-60. Signs Permitted Without Sign Permit.**

- (14) ~~Spot/Search light signs. Spot light signs, subject to compliance with provisions set forth in this Article.~~

## APPENDIX A MASTER USE LIST AND USE DEFINITIONS

Including activities customary to the use.

Uses not specifically listed as permitted, or found to be similar or customary with permitted uses shall be prohibited.

This use list shall include all those related uses, but shall be limited to the list of related uses. In the determination of uses not specifically listed, the Administrative Official shall make the determination as to the appropriate category or deem the use prohibited.

The following definitions are provided for convenience. In case of conflict with the definitions in [section 9-20](#), [section 9-20](#) shall prevail.

USE	RELATED USES	DEFINITION
<u>Place of assembly</u>	<u>Auction House</u> <u>Banquet Hall</u> <u>Funeral Homes</u> <u>Places of religious assembly</u> <u>Private club, not public</u> <u>Theater, (movie, performing arts)</u> <u>Meeting Halls</u> <u>Fraternal Lodges</u> <u>Museums</u> <u>Libraries</u> <u>Art galleries</u> <u>Theaters</u> <u>Concert halls</u> <u>Planetariums</u>	<u>Any place where people collectively gather for a communal purpose. Public assemblies shall include all of the related uses on the left. Places of public assembly shall not include public schools, restaurants, or public facilities operated by a governmental entity.</u>



## Exhibit "B"

### City of Miami Gardens Executive Summary of Proposed Amendments to Land Development Regulations: First Reading – July 7, 2010

**Changes Made Prior to Adoption** - Prior to the April 7 adoption of the Land Development Regulations (LDRs), the following amendments were made in response to concerns by property owners and their representatives:

- **Buffering Knee Wall Landscape Feature:** Limited the buffering knee wall requirement to parking areas abutting major, minor, and collector roadways, not required where parking areas abut local streets.
- **Single Family Residence Landscape:** Exempted single family residences, duplexes, townhouses to conform to new landscape and irrigation requirements in five (5) years, as required for all other properties.
- **Modification of Conditions:** Added provisions to modify conditions of previously approved Declarations of Restrictive Covenants, and to release Covenants in the event that vested rights is not obtained.
- **Previous Approvals:** Clarified that previous approvals remain in full force adoption.
- **Clarify Purpose and Intent:** Clarified the "purpose and intent" sections for vested rights and non-conforming uses to ascertain that landscaping are only vested or remain legally non-conforming for five (5) years after adoption.
- **Clarify Development Approval:** Clarified that the expiry of a development approval, if not acted upon, after three (3) years does not include re-zoning or land use amendments.
- **Conflicting Regulations:** Clarified the repeal of existing and conflicting regulations.
- **Vested Rights:** Clarified vested rights provisions.

**Adoption Hearing** - On April 7, 2010 the City Council adopted the Land Development Regulations (LDRs) with the understanding that additional recommendations made to Council by businesses and their representatives would be reviewed by staff and brought back for action in ninety (90) days. In general, the LDRs would be a working document and may need periodic amendments to address and respond to varying situations and imperfections.

- On May 7, 2010 staff provided a summary of the concerns and issues previously raised and solicited interested parties to submit additional concerns or issues not previously raised.
- No new concerns or issues were submitted to staff.
- A summary of issues and staff's proposed actions on the amendments was provided to interested parties on June 7, 2010. (See attached.)

**Recommended Amendments:** The following amendments are recommended by staff:

- **Reduce shade tree requirement for existing industrial developments for compliance in five (5) years:** Reduce the required number of shade trees in the I-1, light industrial, and I-2, heavy industrial districts from twenty eight (28) per net acre to twenty two (22) per net acre for existing industrial developments to be in compliance in five (5) years. The adopted twenty eight (28) trees per net acre remains in effect for all new industrial developments.

**Justification:**

- The adopted twenty eight (28) shade trees per net acre is consistent with the requirements adopted for the City's commercial and multi-family zoning districts and consistent with Miami-Dade County's requirement for multi-family and planned developments; the twenty eight (28) trees represented a increase of six (6) per net acre from the Miami Dade County's requirement of twenty two (22) shade trees per net acre which is applied to commercial and one of the industrial zoning districts;

- the twenty eight (28) shade trees is the requirement under the Miami-Dade County Code for many of the multi-family and planned area development zoning districts. The intent was to apply a consistent requirement for industrial districts as for the commercial, multi-family and planned developments given that the LDRs is intended to allow additional commercial uses and similar planned development uses in the industrial areas; hence the twenty eight (28) shade trees per net acre was applied across the board to the City's commercial, multi-family, and industrial zoning districts for consistency and with keeping with the intent and purpose to improve the landscaping within the City.
- The concern raised of applying the requirement of twenty eight (28) shade trees to the industrial properties was evaluated on the following basis:
  - The Miami-Dade County requirements for what is now the City's I-1, light industrial district was fifteen (15) shade trees per net acre, and for what is now the City's I-2, heavy industrial district was twenty two (22) shade trees per net acre; hence the reduction of the required shade trees from twenty eight (28) to twenty two (22) would be consistent with the requirement applied prior to the adoption of the LDRs.
  - Industrial buildings and parking areas may have a lot coverage of up to 80%; hence have less open space for landscaping than other zoning districts;
  - The City's industrial districts are predominantly built out with existing buildings and parking improvements developed under the Miami-Dade County regulations creating certain physical hardships for the placement of additional trees;
  - A comparison of the estimated total tree requirements per net acre for industrial zoning districts,(including shade trees, street trees, and other required trees) of other municipal regulations are as follows:
    - Miramar – 32 trees (58 trees with required access ways and pedestrian strips)
    - Coral Springs – 31 trees
    - Pembroke Pines – 21 trees
    - Miami-Dade County – 20 to 27 trees depending on industrial zoning classification
  - At the recommended 22 shade trees per net acre the City's total tree requirement would be 27 trees (including street trees) based on a similar comparison to other municipalities; as currently adopted the 28 shade trees per net acre requirement would require similarly 33 total trees (including street trees).
  - The estimated 27 trees required per net acre should not be a hardship since it is consistent with previous Miami-Dade County regulations; while maintaining the intent and purpose of the landscape regulations in the industrial areas of the City.
- **Eliminate Landscape Island Requirement in Industrial Areas:** Omit the landscape island requirement and related required shade trees in the parking areas in the I-1, and I-2 districts for existing industrial developments for compliance in five (5) years.
  - **Justification:**
    - Consideration was given to the daily operation of industrial properties which include large tractor trailer traffic maneuvering on and about the properties. The adopted requirement to provide landscaped islands and shade trees may create some physical hardships for maintaining turning radii for trucks considering that the requirement would require a retrofit of existing parking areas with islands, curbing , and shade trees.
    - Considering that the industrial properties are predominantly built out with existing buildings and parking improvements and considering much of the industrial properties are not on major corridors of the City, the omittance of the landscape island will not have a detrimental impact on the City's intent and purpose of its' landscape requirements.
- **Antenna/FCC:** The proposed amendments are not incorporated at this time. Additional review is needed of the recommended changes for clarification and consistency; amendments will be made in the future.
- **Other amendments:** Other amendments are recommended to several sections of the LDRs for clarification purposes; to address certain development situations inherited from the historical use of the Miami-Dade County code; and for improvements in the administration of the LDRs and applying the regulations.



## EXHIBIT "C"

### CITY RESPONSE TO SPECIFIC AMENDMENTS PROPOSED AT THE MEETING APRIL 7, 2010

June 4, 2010

The following list includes specific amendments recommended by interested persons who attended the Land Development Regulations (LDRs) adoption hearing on April 7, 2010 meeting. The City Staff's proposed direction on each of the proposals is provided in underlined format.

#### 1. Landscape and Shade Trees in Industrial Areas:

##### ○ Trees: Staff recommends:

- That shade trees for I-1 and I-2 industrial zones be reduced from the 28 to 22 trees per net acre.
- That such trees not be required in landscape islands/parking areas.
- 22 shade trees is consistent with the Miami-Dade County requirement for the IU-C zoning district.
- The origination and justification for 28 trees per acre was based on extending the existing Miami-Dade County requirement for commercial areas and the City's commitment to improving landscape throughout the city.

##### ○ Knee Wall: Staff removed the requirements for the buffering knee wall along non-major roadways prior to adoption.

##### ○ Street Trees: No changes recommended for number or types of street trees.

#### 2. **Antenna/FCC:** Incorporate recent and updated amendments made by the FCC and other regulations for wireless communication antennas.

##### ○ Recommended changes are under review for consistency; amendments will be made.

#### 3. **Vested Rights:** All previous approvals by the City and County prior to adoption of the LDRs shall be vested; that no evidence or establishment of vested rights criteria shall be required.

##### ○ No changes recommended relative previous approvals.

#### 4. **Expansion of Non-Conforming Uses:** Allow them to expand under the existing Miami-Dade Chapter 33 regulations if the expansion is less than 25% of the gross floor area.

##### ○ No changes recommended.

#### 5. **Non-conforming Use Compliance with new Landscape Requirements:** Proposed as a percentage of any expansion. i.e. No expansion, no compliance required; 25% expansion, 25% of trees on other types of landscape materials shall be required; 50% expansion, 50% of trees and other landscape materials shall be required; over 50% expansion, 100% of trees and landscape materials shall be required.

##### ○ No changes recommended.

#### 6. **Vehicles as Outdoor Storage:** Amend LDR to exclude new and used vehicles for sale as "outdoor storage".

##### ○ No changes recommended; not necessary since the display of vehicles for sale outdoors is a "customary and incidental" activity and use of a new or used car dealership and not considered "outdoor storage".

#### 7. **Knee Wall for Vehicle Sales:** Remove buffering knee wall requirement adjacent to new or used vehicles for sale in display areas.

- No changes recommended; parking areas/display areas more than 25.0' from the roadway will not require the knee wall (as amended prior to adoption in response to comments.)
- 8. **Hedge/Vehicle Sales/Display:** Remove the continuous hedge requirement adjacent to new or used vehicles for sale display.
  - No changes recommended. Hedges were already required under Miami-Dade Code.
- 9. **Lehman Parcel:** Change the zoning designation of the Lehman's parcel from PD, where the auto sales becomes a non-conforming use, to PCD.
  - The property owner must request the rezoning.
- 10. **5 Year Landscape Requirement:** Remove the five (5) year requirement that all properties have to be in compliance with the City's new landscape regulations.
  - No changes recommended.
  - Staff amended the regulations prior to adoption to exclude the requirement for single family, duplex, and townhouse uses.
- 11. **Bifurcate the five (5) year landscape compliance requirement** until such time the requirements can be reviewed and recommendations for amendments be made to Council.
  - No changes recommended
- 12. **Warnings:** Allow code enforcement to give a warning before issuing violations.
  - No changes recommended; warning notices and violations are regulated by the Code Compliance regulations.
- 13. **Rock Materials:** Allow them in swale areas.
  - No changes recommended.



1515 N.W. 167<sup>TH</sup> STREET, BUILDING 5 SUITE 200  
MIAMI GARDENS, FLORIDA 33169

**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 7, 2010		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
					X		
<b>Fiscal Impact:</b>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		X		X			
			<b>Public Hearing:</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
			X				
<b>Funding Source:</b>			<b>Advertising Requirement:</b>	<b>Yes</b>		<b>No</b>	
				X			
<b>Contract/P.O. Required:</b>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	N/A			
<b>Sponsor Name</b>	City Manager		<b>Department:</b>	Planning and Zoning			

**Short Title:**

ORDINANCE No. 2010-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY FLORIDA MEMORIAL UNIVERSITY, INC., FOR THE REZONING OF THE PROPERTY GENERALLY LOCATED AT 42ND AVENUE AND N.W. 156TH STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A," ATTACHED HERETO, FROM R-2, DUPLEX RESIDENTIAL AND R-15, MULTIPLE FAMILY RESIDENTIAL TO PD, PLANNED DEVELOPMENT; PROVIDING FOR A DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**ITEM 8-B) ORDINANCE  
FIRST READING  
Applicaiont of Florida Memorial University**

## **Staff Summary: Application No. PH 2010-000050**

The Applicant, Florida Memorial University, Inc, requests to rezone from R-2, Duplex Residential and R-15, Multiple Family Residential, to PD, Planned Development pursuant to a Comprehensive Campus Master Plan and supporting documents. The rezoning request has been concluded to be consistent with specific policies contained in the Future Land Use Element of the City's Comprehensive Development Master Plan and maintains the basic intent and purpose of the PD, Planned Development Zoning District contained in the City's Land Development Regulations.

## **Proposed Action:**

Staff recommends approval of the Ordinance to rezone from R-2, Duplex and R-15, Multiple Family Residential to PD, Planned Development subject to the conditions and stipulations outlined in Exhibit "B," Staff Recommendation.

## **Attachment:**

EXHIBIT "A" LEGAL DESCRIPTION  
EXHIBIT "C" DECLARATION OF RESTRICTIVE COVENANTS  
EXHIBIT "B" STAFF RECOMMENDATION

**ORDINANCE**

ORDINANCE NO. 2010\_\_\_\_\_

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY FLORIDA MEMORIAL UNIVERSITY, INC., FOR THE REZONING OF THE PROPERTY GENERALLY LOCATED AT 42ND AVENUE AND N.W. 156TH STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A," ATTACHED HERETO, FROM R-2, DUPLEX RESIDENTIAL AND R-15, MULTIPLE FAMILY RESIDENTIAL TO PD, PLANNED DEVELOPMENT; PROVIDING FOR A DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Memorial University, Inc. ("Applicant"), has filed an application with the City requesting a rezoning from R-2, Duplex Residential and R-15, Multiple Family Residential to PD, Planned Development for property generally located at 42nd Avenue and N.W. 156th Street, more particularly described on Exhibit "A" attached hereto ("Property"), and

WHEREAS, public hearings were held on this matter on July 7th and September 1st, and

WHEREAS, City Council considered the testimony of the Applicant, if any, and

WHEREAS, City Council also considered the testimony of the City's Planning and Zoning staff and well as the Staff Report attached hereto as Exhibit "B" and incorporated herein by reference, and

WHEREAS, City staff recommends approval of the Application, and

WHEREAS, City Council has reviewed the Application and approves same subject to the recording of a Declaration of Restrictive Covenants, and

1           WHEREAS, City staff has determined that the rezoning is consistent with the  
2 City's Comprehensive Development Master Plan,

3           NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
4 CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

5           Section 1.   ADOPTION OF REPRESENTATIONS:   The foregoing  
6 Whereas paragraphs are hereby ratified and confirmed as being true, and the same  
7 are hereby made a specific part of this Ordinance.

8           Section 2.   APPROVAL:   The City Council of the City of Miami Gardens  
9 hereby approves the Application submitted by Florida Memorial University, Inc. for  
10 the rezoning of property generally located at 42nd Avenue and N.W. 156th Street,  
11 more particularly described on Exhibit "A" attached hereto from R-2, Duplex  
12 Residential and R-15, Multiple Family Residential to PD, Planned Development.

13           Section 3.   APPROVAL OF DECLARATION OF RESTRICTIVE  
14 COVENANTS:   The City Council of the City of Miami Gardens hereby approves  
15 the Declaration of Restrictive Covenants attached hereto as Exhibit "C."

16           Section 4.   CONFLICT:   All ordinances or code provisions in conflict  
17 herewith are hereby repealed.

18           Section 5.   SEVERABILITY:   If any section, subsection, sentence,  
19 clause, phrase or portion of this Ordinance is for any reason held invalid or  
20 unconstitutional by any court of competent jurisdiction, such portion shall be  
21 deemed a separate, distinct and independent provision and such holding shall  
22 not affect the validity of the remaining portions of this Ordinance.

1 Section 6. EFFECTIVE DATE: This Ordinance shall become effective  
2 immediately upon its final passage.

3 PASSED ON FIRST READING ON THE \_\_\_\_\_ DAY OF  
4 \_\_\_\_\_, 2010.

5 PASSED ON SECOND READING ON THE \_\_\_\_\_ DAY OF  
6 \_\_\_\_\_, 2010.

7 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF  
8 MIAMI GARDENS AT ITS ZONING MEETING HELD ON THE \_\_\_\_\_ DAY OF  
9 \_\_\_\_\_, 2010.

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SHIRLEY GIBSON, MAYOR

**ATTEST:**

\_\_\_\_\_  
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA K. DICKENS, CITY ATTORNEY

SPONSORED BY: DANNY CREW, CITY MANAGER

Moved by: \_\_\_\_\_

Second by: \_\_\_\_\_

**VOTE:** \_\_\_\_\_

Mayor Shirley Gibson	_____ (Yes)	_____ (No)
Vice Mayor Aaron Campbell	_____ (Yes)	_____ (No)

- |   |                               |           |          |
|---|-------------------------------|-----------|----------|
| 1 | Councilman Melvin L. Bratton  | ____(Yes) | ____(No) |
| 2 | Councilman Oliver Gilbert III | ____(Yes) | ____(No) |
| 3 | Councilman Andre' Williams    | ____(Yes) | ____(No) |
| 4 | Councilwoman Sharon Pritchett | ____(Yes) | ____(No) |
| 5 | Councilwoman Barbara Watson   | ____(Yes) | ____(No) |

**EXHIBIT "A"  
LEGAL DESCRIPTION**

## EXHIBIT "A" LEGAL DESCRIPTION

### GENERAL LEGAL DESCRIPTION:

#### PARCEL 1:

A Portion of Tracts 43 thru 45, 52, 53, 54 thru 56, 73 thru 76, 77, and 84 thru 88 of "MIAMI GARDENS", in Section 17, Township 52 South, Range 41 East, according to the plat thereof, as recorded in Plat Book 2 at Page 96 of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

BEGIN 263.57 feet South of the Northeast corner of said Tract 56; thence run Southerly for a distance of 1,156.69 feet to a point; thence run Westerly for a distance of 1,532.88 feet to a point; thence run Northerly 1,536.16 feet to a point; thence run Easterly for a distance of 852.24 feet to a point; thence run Southerly for a distance of 379.49 feet to a point; thence run Easterly for a distance of 680.53 feet to the Point of Beginning; less the East 50 feet and the West 25 feet thereof for Right-of-Way.

AND

#### PARCEL 2:

Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block 7 of "Venetian Acres" according to the plat thereof, as recorded in Plat Book 44, at Page 92 of the Public Records of Dade County, Florida.

Containing 2,212,327 Square Feet or 50.79 Acres, more or less, by calculations.

Property Address:

4255 NW. 156th Street, Miami Gardens, Florida, 33054

Folio No.: 34-2117-001-0010

Folio No.: 34-2117-002-1370

Folio No.: 34-2117-002-1420

**EXHIBIT "C"  
DECLARATION OF  
RESTRICTIVE COVENANTS**

Return to: (enclose self-addressed stamped envelope)

**Name: Ronetta Taylor, City Clerk**  
1515 N.W. 167<sup>th</sup> Street  
Building 5, Suite 200  
Miami Gardens, Florida 33169

**This Instrument Prepared by:**

Sonja K. Dickens, Esquire  
1515 N.W. 167<sup>th</sup> Street  
Building 5, Suite 200  
Miami Gardens, Florida 33169

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**DECLARATION OF RESTRICTIONS**

WHEREAS, Florida Memorial University, Inc. ("Applicant"), owns certain property located at 42nd Avenue and N.W. 156th Street ("Property"), more particularly described on Exhibit "A," attached hereto, and

WHEREAS, the Applicant filed an Application with the City of Miami Gardens to rezone the area from R-2, Duplex Residential and R-15, Multiple Family Residential to PD, Planned Development.

IN ORDER TO ASSURE the City of Miami Gardens that the representations made by the Applicant will be abided by, the Applicant, subject only to conditions contained herein, freely, voluntarily and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Site Plan.** That the approval is based upon all surveys, master plans and related documents submitted hereto by the Applicant including but not limited to the Comprehensive Campus Master Plan, by Nayarko Architectural Group, May 2010; Parking Study, by Traftech Engineering, dated May 25, 2010; Comprehensive Campus Master Plan, Florida Memorial University, Survey – 5 Sheets, MP-01, Zoning Information, Aerial Photograph, MP-02, Planned Development District (PD) Master Plan, by Nyarko Architectural Group, Inc., Florida Memorial University Living and Learning Resident Hall, R.J. Heisenbottle Architects, April 16, 2010; Map of

Boundary for Florida Memorial College, Hadone Surveyors, May 24, 2010.

2. **Platting**: Pursuant to subdivisions standards set forth in Article VII of the City's Land Development Regulations, platting is required. The Planning and Zoning Department will not approve building permits until a T-Plat has been approved and the CO will not be approved until the final plat is recorded.
3. **Landscape**: Prior to the removal of trees, a tree removal permit is required from the Miami Gardens Planning and Zoning Department (Section 14-90 of the Miami Gardens LDRs) and from the Miami-Dade Department of Environmental Resources Management (DERM) (Section 24-60 of the Miami-Dade County Code).
4. **Landscape Plan Required Prior to Building Permit**: Pursuant to Section 14-30 and prior to the issuance of a building permit, a landscape permit shall be submitted for review and approval to ensure that the landscape plans are substantially in compliance with those submitted with this public hearing application.
5. **Commencement of Construction**: Construction shall commence within thirty-six (36) months from date of approval in accordance to section 2-140 of the City's Land Development Regulations.
6. **Parking**: Based on analysis, findings and comments from the Parking Analysis by TrafTech and Corradino Group, on-site parking needs to insure a reasonable distribution of parking throughout the site for students, faculty and visitors. As such, Florida Memorial University shall develop a Campus Parking Management Plan to be submitted, reviewed and approved by the City of Miami Gardens. The Campus Parking Management Plan shall include signage, permitting and other reasonable methods and techniques to insure reasonable distribution of parking. The Management Plan shall also include enforcement mechanisms to insure the Plan's implementation. The Parking Management Plan shall be completed and ready to implement prior to obtaining a Temporary Certificate of Occupancy for the proposed dormitories.
7. **Development Review Committee (DRC) Approval Required for Future Development Phases**: DRC approval will be required for each development phase of the master plan; amendments to the master plan that are deemed to be substantially different from the approved master plan will require approval by the City Council.
8. **Finished Floor Elevation**: Finished floor elevation shall conform to Miami-Dade County Flood Criteria.
9. **Signage**: Signage shall require a separate Sign Plan Application.
10. **Declaration of Restrictive Covenants**: The Applicant shall proffer a Declaration

of Restrictive Covenants containing, but not limited to, the conditions contained herein.

11. **City Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of the City, 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.
12. **Covenant Running With The Land.** This Declaration on the part of the Applicant shall constitute a covenant running with the land and shall remain in full force and effect and be binding upon the Applicant, and his heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the public welfare.
13. **Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming from the date this Declaration is recorded. This Declaration shall be in effect for a period of thirty (30) years from the date of recordation in the public records of Miami-Dade County, Florida, after which time it shall be automatically extended for periods of ten (10) years. This Declaration may be modified, amended or released as to the Property or any portion thereof by a written instrument executed by the then Applicant(s) of the Property, and applicable mortgagees, if any, provided that same is approved by the City Council after public hearing. In such event, the Mayor or City Manager shall execute a written instrument suitable for recordation acknowledging such modification, amendment or release.
14. **Modification, Amendment, Release.** This Declaration of Restrictions 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 all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the City, or other procedure permitted under the City's Code, whichever by law has jurisdiction over such matters, after public hearing.
15. **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 judge to be reasonable for attorney fees. This enforcement provision shall be in addition to any other remedies available at law or in equity. Jurisdiction shall be proper in Miami-Dade County.
16. **Authorization for Miami Gardens to Withhold Permits and Inspections.** In the

event the terms of this Declaration are not complied with, in addition to any other remedies available, the City is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration is complied with.

17. **Executed Copy to be provided to the City. Executed Copy to be provided to the City Clerk.** The Applicant shall be fully responsible for providing to the City Clerk an original and fully executed copy of the Declaration of Restrictions within thirty (30) days of the approval of this request by the City Council, unless an appeal is filed or otherwise the Director, for good cause shown, grants a time extension. If this is not accomplished, the approval shall become null and void. If circumstances prevent the Applicant from complying with this timeframe condition, the Applicant may request, in writing, an extension of said thirty-day timeframe in writing to the Development Services Director, who is authorized to take such action upon the request to approve, disapprove or approve with conditions such request.
18. **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.
19. **Recording.** The City, at Applicant's expense following the approval of the same by the City of Miami Gardens, shall file this Declaration of record in the Public Records of Miami-Dade County, Florida.
20. **Acceptance of Declaration.** Applicant acknowledges that acceptance of this Declaration does not obligate the City in any manner, nor does it entitle Applicant to a favorable recommendation or approval of any application, zoning or otherwise, and the City Council retains its full power and authority to deny each such application in whole or in part, and to decline to accept any conveyance.
21. **Applicant.** The term Applicant shall include the Applicant, and its heirs, successors and assigns.
22. **Waiver.** Each and every covenant and agreement contained herein shall be for any and all purposes hereof construed as separate and independent and the breach of any covenant by any party shall not release or discharge such party from its obligations hereunder. No delay or omission by any party to exercise its rights accruing upon any noncompliance or failure of performance by any party shall impair any such right or be construed to be a waiver thereof. A waiver by any party hereto of any of the covenants, conditions or agreements to be performed by any other party shall not be construed to be a waiver of any succeeding breach or of any other covenants, conditions or agreements contained herein.

23. **Severability**. All rights, powers and remedies provided herein may be exercised only to the extent that the exercise thereof does not violate any then applicable law and shall be limited to the extent necessary to render the real covenants herein valid and enforceable. If any term, provision, covenant or agreement contained herein or the application thereof to any person, entity or circumstance shall be held to be invalid, illegal or unenforceable, the validity of the remaining terms, provisions, covenants or agreements or the application of such term, provision, covenant or agreement to persons, entities or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby.
24. **Entire Agreement**. This Agreement and the exhibits attached hereto contain the entire agreement between the parties hereto with respect to the subject matter hereof. This Agreement and exhibits supersede any prior correspondence, memoranda or agreements in total hereto.
25. **Counterparts**. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same document.

**(SIGNATURE PAGE TO FOLLOW)**

**IN WITNESS WHEREOF**, Applicant has executed this Declaration.

Florida Memorial University, Inc.

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

\_\_\_\_\_

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

BY ITS:  
PRESIDENT

\_\_\_\_\_  
Signature

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

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

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

\_\_\_\_\_  
Date

**ACCEPTANCE**

The City of Miami Gardens, hereby accepts this Declaration of Restrictions hereby made by \_\_\_\_\_.

CITY OF MIAMI GARDENS, FLORIDA

Attest:

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Danny Crew

Date: \_\_\_\_\_

**EXHIBIT "B"**  
**STAFF RECOMMENDATION**

STAFF RECOMMENDATION  
PH-2010-000050

APPLICATION INFORMATION

Applicant: Florida Memorial University, Inc.  
Property Location: 15800 NW 42<sup>nd</sup> Avenue  
Property Size: 54 acres  
Future Land Use: Commerce  
Existing Zoning: R-2, Duplex, R-15 Multiple Family  
Requested Action(s):  
1. Rezone from R-2, Duplex Residential and R-15, Multiple Family Residential to PD, Planned Development

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**RECOMMENDATION:**

Recommend approval of the Ordinance to rezone from R-2, Duplex and R-15, Multiple Family Residential to PD, Planned Development subject to the following conditions:

1. That the approval is based upon all surveys, master plans and related documents submitted hereto by the Applicant including but not limited to the Comprehensive Campus Master Plan, by Nayarko Architectural Group, May 2010; Parking Study, by TraffTech Engineering, dated May 25, 2010; Comprehensive Camus Master Plan, Florida Memorial University, Survey - 5 Sheets, MP-01, Zoning Information, Aerial Photograph, MP-02, Planned Development District (PD) Master Plan, by Nyarko Architectural Group, Inc., Florida Memorial University Living and Learning Resident Hall, R.J. Heisenbottle Architects, April 16, 2010; Map of Boundary for Florida Memorial College, Hadone Surveyors, May 24, 2010.
2. Platting: Pursuant to subdivisions standards set forth in Article VII of the City's Land Development Regulations, platting is required. The Planning and Zoning Department will not approve building permits until a T-Plat has been approved and the CO will not be approved until the final plat is recorded.
3. Landscape: Prior to the removal of trees, a tree removal permit is required from the Miami Gardens Planning and Zoning Department (Section 14-90 of the Miami Gardens LDRs) and from the Miami-Dade Department of Environmental Resources Management (DERM) (Section 24-60 of the Miami-Dade County Code).
4. Landscape Plan Required Prior to Building Permit: Pursuant to Section 14-30 and prior to the issuance of a building permit, a landscape permit shall be submitted for review and approval to ensure that the landscape plans are substantially in compliance with those submitted with this public hearing application.
5. Commencement of Construction: Construction shall commence within thirty-six (36) months from date of approval in accordance to section 2-140 of the City's Land Development Regulations.

6. **Parking:** Based on analysis, findings and comments from the Parking Analysis by TrafTech and Corradino Group, on-site parking needs to insure a reasonable distribution of parking throughout the site for students, faculty and visitors. As such, Florida Memorial University shall develop a Campus Parking Management Plan to be submitted, reviewed and approved by the City of Miami Gardens. The Campus Parking Management Plan shall include signage, permitting and other reasonable methods and techniques to insure reasonable distribution of parking. The Management Plan shall also include enforcement mechanisms to insure the Plan's implementation. The Parking Management Plan shall be completed and ready to implement prior to obtaining a Temporary Certificate of Occupancy for the proposed dormitories.
7. **Development Review Committee (DRC) approval required for future development phases:** DRC approval will be required for each development phase of the master plan; amendments to the master plan that are deemed to be substantially different from the approved master plan will require approval by the City Council.
8. **Prior to construction of any phase of development,** a pre-construction meeting of the main contractor, sub-contractors and the engineer of record is required prior to commencement of work, including but not limited to building, paving and drainage work.
9. **Finished floor elevation shall conform to Miami-Dade County Flood Criteria.**
10. **Signage shall require a separate Sign Plan Application.**
11. **Florida Memorial University shall contact the Miami Gardens Police Department to review the need for additional security personnel at least 90 days prior to the dormitories being occupied and shall implement reasonable recommendations of the Police Department.**
12. **The applicant shall proffer a Declaration of Restrictive Covenants containing, but not limited to, the conditions contained herein.**

## REVIEW AND ANALYSIS

### Neighborhood Land Use Characteristics

<b>Property</b>	<b>Future Land Use Designation</b>	<b>Zoning Classification</b>	<b>Existing Use</b>
<b>Site</b>	Planned Corridor Development	R-2, Two-Family Residential; R-15, Multiple Family Residential	University with classrooms, dormitories, offices, ballfields, and related uses
<b>North</b>	Planned Corridor Development	Government Property	Miami-Dade County School Bus Yard
<b>South</b>	Neighborhood	Government Property	Opa Locka Airport
<b>East</b>	Neighborhood	R-1, Single Family Residential	Single Family Dwellings
<b>West</b>	Neighborhood	R-2 Single Family/Duplex Residential	Single and Two Family Duplex Dwellings

## **Project Summary/Background**

- The Florida Memorial University Campus is located on the south side of the Palmetto Expressway/SR 826, between NW 42<sup>nd</sup> Avenue and NW 44<sup>th</sup> Court. It includes almost 55 acres. 903,000 square feet are projected for campus build-out.
- Survey and plans are attached as well as the Comprehensive Campus Master Plan and Parking Study, by Nayarko Architectural Group and TrafTech Engineering.
- The immediate proposed building expansion program includes four dormitory buildings, referred to as the “Living and Learning Residence Hall” and “proposed student housing development” or dormitories. The proposed buildings will be three (3) stories in height, similar to other existing campus buildings. There will be 275 sleeping rooms within 170 units.
- Existing buildings and uses include dormitories, classrooms, offices, sport fields, hospitality uses and other related activities.
- Additional projected buildings for the future include a Health and Science Annex, Classrooms, Offices/Administration, an Athletic Center and a 4 story parking garage.

## **Zoning History**

On April 11, 1966, the Metropolitan Dade County Zoning Appeals Board adopted Resolution No. 3-ZAB-117-66 denying a request by Florida Memorial College, Inc. to rezone the subject property from RU-1 (One-Family Residential) to RU-3 (Four-Unit Apartments). On May 5, 1966, the Board of County Commissioners reversed the Zoning Appeal Board decision and passed Resolution No. Z-67-66 approving the requested district boundary change. On October 9, 1967, the Metropolitan Dade County Zoning Appeals Board adopted Resolution No. 3-ZAB-396-67 to approve a non-use variance of height requirements to permit the erection of three 40-foot high dormitory buildings on the property. Later that year, on December 11, the same Zoning Appeal Board passed Resolution No. 3-ZAB-484-67 to approve an identical request. Finally, on July 15, 1981, the Zoning Appeal Board adopted Resolution No. 4-ZAB-220-81, approving certain special exceptions and variances to permit the erection of a multipurpose facility on the property.

## **Consistency with City of Miami Gardens Comprehensive Development Master Plan**

The subject property is designated Commerce on the Future Land Use Map of the Future Land Use Element of the City of Miami Gardens Comprehensive Development Master Plan (CDMP). The Commerce designation provides for, “existing and planned activity centers that are primarily located along the City’s three major arterial roadway corridors.”

“Policy 1.3.1: Commerce areas shall provide for a wide variety of uses that range from major educational institutions, civic and governmental centers to major retail services as well as single purpose industrial areas.”

Under Objective 1.5 for Special Areas, Policy 1.5.11: The Florida Memorial University Area states, in part, “. . . Florida Memorial University constitutes an important educational asset and should continue its expansion of new facilities and services.”

**Conclusion:** The requested rezoning of the Florida Memorial University campus provides a comprehensive expansion master plan that is consistent with the policies contained in the Future Land Use Element of the Comprehensive Development Master Plan.

### **Zoning Review and Analysis**

The applicant has submitted a Comprehensive Campus Master Plan and Parking Study, Nayarko Architectural Group and TrafTech Engineering which are attached as one document.

A. **Zoning Criteria** - Article XVI, Planned Development District (PD) of the City's Land Development Regulations provides PD standards and review criteria (Section 16-10. (C)) which are summarized as they apply to the proposed FMU PD Rezone Application:

1. Purpose and Intent. The proposed FMU PD Application fulfills the intent and purpose of PD Zoning because it permits the necessary educational facilities and related housing as an integral development.
2. Planning Studies. There are no special planning studies by the City related to the Florida Memorial University.
3. Exterior Spatial Relationships. The proposed and future buildings are similar in height and volume to the existing buildings already located on the site. The site provides logical transitions from adjoining existing development and future projected development as set forth on the FMU Master Plan.
4. Subtropical Characteristics. The architecture of the four proposed dormitory buildings provides defined outdoor Art Courts, courtyards and common areas that are appropriate to subtropical design elements in the South Florida area.
5. Energy Conservation. Energy conservation of future buildings shall comply with related conservation measures required by the Building Code.
6. Privacy. To the extent practical, the dormitories to be constructed in the immediate future are designed to provide privacy for the occupants, recognizing that dormitories are a form of communal living and by definition are not private in the manner of private residences.
7. Open Space. The FMU campus already provides a variety of open space environments with landscape and water features. The new dormitories will also have courtyards with distinctive architectural features. Per the Master Plan, 54% of the campus is retained as Common Open Space.
8. Landscape. Landscape will comply with the City's Zoning Code, Article XIV. Landscape buffers are evident in both existing perimeter landscape and buffer from adjacent neighborhoods as well as on the south side of the new dormitory area.
9. Location of Public and Semi-Public Uses. The FMU campus is an educational use with many activity areas that are accessible to both on-site and off-site students, faculty and visitors.
10. Circulation. The major concern regarding traffic circulation regards adequate parking for the campus and additional development such as the dormitories. A parking study provided in the application concludes that parking will be adequate upon the impact of the new dormitories. Each additional element of development on the campus will require additional parking analysis to determine adequacy.
11. Parking Areas. In general, existing and proposed parking areas are adequately spaced to be accessible for existing and proposed buildings.

12. Service Areas. The campus is generally well-screened from the adjacent neighborhoods.

**Conclusion** -The request for PD, Planned Development Zoning with the FMU Campus/PD Master Plan meets the basic intent and purpose of the zoning regulations.

## **B. Specific Conditions**

1. **Federal Aviation Administration Requirements** - Florida Memorial University is located within the flight path of the Opa-Locka Executive Airport. As such, a “Determination of No Hazard to Air Navigation” must be found to insure that proposed structures, specifically the four dormitory buildings, will not exceed obstruction standards. The necessary aviation safety study has been conducted and has found that the proposed buildings will not constitute a hazard to air navigation. See attached Federal Aviation Administration Letter dated July 23, 2009.
2. **Development Review Committee (DRC)** – Development Review Committee comments are attached. A summary if substantive comments relevant to the proposed PD Rezoning are provided as follows:
  - a. **Platting:** Pursuant to the subdivisions standards set forth in Article VII of the City’s Land Development Regulations, platting is required. The Planning and Zoning Department will not approve building permits until a T-Plat has been approved and the CO will not be approved until the final plat is recorded.
  - b. **Landscape:** Prior to the removal of trees, a tree removal permit is required from the Miami Gardens Planning and Zoning Department (Section 14-90 of the Miami Gardens LDRs) and from the Miami-Dade Department of Environmental Resources Management (DERM) (Section 24-60 of the Miami-Dade County Code).
  - c. **Landscape Plan Required Prior to Building Permit:** Pursuant to Section 14-30 and prior to the issuance of a building permit, a landscape permit is to be submitted for review and approval to ensure that the landscape plans are substantially in compliance with those submitted with this public hearing application.
  - d. **Commencement of Construction:** Construction shall commence within thirty-six (36) months from date of approval in accordance to section 2-140 of the City’s Land Development Regulations.
  - e. **Phasing schedule.** A development schedule is required indicating the phasing of the development with approximate dates of when construction of the proposed improvements and stages thereof can be expected to commence.
  - f. **Parking Analysis:** Parking facilities shall be provided in accordance with the Parking Analysis by TrafTech and comments by Corradino Group, attached. A Campus Parking Management Plan shall be developed and implemented prior to CO of the dormitories.
  - g. **DRC approval required:** DRC approval will be required for each development phase of the master plan; amendments to the master plan that are deemed to be substantially different from the approved master plan will require approval by the City Council.
  - h. **Finished floor elevation shall conform to Miami-Dade County Flood Criteria.**
  - i. **Signage shall require a separate Sign Plan Application.**

## **Anticipated Facilities Impact**

The Application provides a Utility Overview summarized as follows:

1. Water and Sewer Services are provided by Miami-Dade Water and Sewer and are located in proximity to the proposed dormitories for connection.
2. Electric Power is provided by Florida Power and Light. At the date of this writing, FMU was upgrading the Central Plant Building which contains the electrical service switchgear for chillers, etc., and is intended to provide for existing, proposed and future projected building development.
3. Natural Gas is provided by Florida Gas.

Transportation and circulation impact of the immediately anticipated dormitories will have insignificant impact on adjacent development because most of the students do not have automobiles. The entrances to the campus remain unchanged, the main one on NW 42<sup>nd</sup> Avenue and the other on the west side of the campus on NW 44<sup>th</sup> Court.

Parking has been analyzed for the entire campus, as existing, plus the additional dormitory rooms. See the attached Narrative which includes the TrafTech study of parking. Also see the attached comments from Corradino Group, the City's transportation consultants that reviewed the study. In summary, the parking provided for the campus, including the dormitory addition, is adequate in terms of the number of spaces. However, a campus parking management plan should be developed and implemented to insure proper distribution of parking throughout the campus. Future additional development will be required to analyze parking for each development increment. Corradino Group supports the recommended approval condition regarding the requirement for a campus parking management plan.

Miami-Dade County is projected to have solid waste disposal capacity for many years in the future.

In summary and subject to review by DERM and WASD, services and facilities are available to meet the impact of the proposed dormitory addition to the Florida Memorial University campus. On-site parking needs to be carefully managed to insure adequate on-site traffic circulation.

## **Public Notification/Comments**

In accordance with the Land Development Regulations, two (2) notifications of the applicant's requests were mailed to property owners within a one half mile radius of the subject site to provide them an opportunity to comment on the application. No comments were received from property owners within that radius. (See Mailed Notice Radius Map, attached).

### Attachments:

- Public Hearing Checklist
- Letter of Intent
- Hearing Map-Zoning
- Hearing Map-Aerial
- Mailed Notice Affidavit
- Mailed Notice Radius Map
- Resolution No. 3-ZAB-117-66
- Resolution No. Z-67-66

Resolution No. 3-ZAB-396-67

Resolution No. 3-ZAB-484-67

Resolution No. 4-ZAB-220-81

Comprehensive Campus Master Plan and Parking Study, Nayarko Architectural Group and TrafTech Engineering

Comments and Response to Parking Study by Corradino Group and TrafTech Engineering  
Submitted Plans and Survey

Federal Aviation Administration Letter dated July 23, 2009

Development Review Committee (DRC) Comments

Transmittal Notice

**PUBLIC HEARING CHECKLIST**

# The City Of Miami Gardens

## Development Services

### Public Hearing Departmental Checklist



<b>APPLICATION INFORMATION</b>		
Applicant Name: <i>Florida Memorial University, Inc.</i>		
Project Name: <i>Florida Memorial University</i>		
Project Location: <i>15800 NW 42nd Avenue</i>		
Process Number: <i>PH-2010-000050</i>	Public Hearing Scheduled Date: <i>July 7, 2010</i>	
Public Hearing Representative:		
<b>APPLICANT'S REQUEST</b>		
<input checked="" type="checkbox"/> District Boundary Change <input type="checkbox"/> Use Variance <input type="checkbox"/> Non-Use Variance <input type="checkbox"/> Unusual Use <input type="checkbox"/> Special Exception  <input type="checkbox"/> Small-Scale Amendment <input type="checkbox"/> Modification of Resolution <input type="checkbox"/> Modification of Declaration or Covenant		
<b>DEPARTMENT REVIEW</b>		
<b>Departmental procedures prior to public hearing</b>		
<b>Mandatory</b> <input checked="" type="checkbox"/> Completed Application <input checked="" type="checkbox"/> Letter of Intent <input checked="" type="checkbox"/> Legal Description (electronic) <input checked="" type="checkbox"/> Fees Collected <input checked="" type="checkbox"/> 2 Sets of Original Plans <input checked="" type="checkbox"/> 1 set of 8½ x 11 of Plans <input checked="" type="checkbox"/> Digital copies of plans <input checked="" type="checkbox"/> Survey	<input checked="" type="checkbox"/> Site Plan Review 1. Electronic Plans (.pdf & .dwg) 2. Site Plan 3. Floor Plan 4. Elevation Plan 5. Landscape Plan 6. Survey 7. Architectural Renderings	<b>If applicable</b> <input type="checkbox"/> School Checklist <input type="checkbox"/> School Board Report <input type="checkbox"/> Traffic Study <input type="checkbox"/> Economic Impact Analysis <input type="checkbox"/> Environmental Impact Statement <input type="checkbox"/> Neighborhood Outreach <input type="checkbox"/> Proffered Community Amenities <input type="checkbox"/> Liquor Survey

## ADMINISTRATIVE ACTIONS

<input type="checkbox"/> DIC Meeting (if applicable) <input checked="" type="checkbox"/> Radius Map <input checked="" type="checkbox"/> Zoning Map <input checked="" type="checkbox"/> Aerial Map <input checked="" type="checkbox"/> Site Visit Date: <u>6-23-10</u> By: <u>[Signature]</u> Title: <u>Director</u>	<input checked="" type="checkbox"/> Preliminary Notice <input checked="" type="checkbox"/> Final Notice <input type="checkbox"/> Layman's Notice <input checked="" type="checkbox"/> Full Legal Advertisement	<input checked="" type="checkbox"/> Posting Signs (Public Works) <input checked="" type="checkbox"/> Staff Recommendation <input checked="" type="checkbox"/> Notify Applicant <input type="checkbox"/> Proposed Resolution or Ordinance
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## RECOMMENDATION OUTLINE

<p><b>1. Summary</b></p> <p><b>2. City Council Action</b> – (2<sup>nd</sup> reading)</p> <p><b>3. Recommendation</b></p> <p><b>4. Review and Analysis</b></p> <ul style="list-style-type: none"> <li>• Neighborhood Land Use Characteristics</li> <li>• Zoning History                         <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> City <u>(none)</u></li> <li><input checked="" type="checkbox"/> County</li> </ul> </li> <li>• Land Use Analysis (consistency with CDMP)</li> <li>• Zoning Analysis (compliance with zoning code)</li> <li>• Concurrency Analysis (water &amp; sewer, traffic, schools and/or drainage/irrigation)</li> <li>• Code Enforcement Violation Notice                         <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes (attached)</li> <li><input type="checkbox"/> No</li> </ul> </li> </ul>	<p><b>5. Attachments</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Letter of Intent</li> <li><input checked="" type="checkbox"/> Zoning Map</li> <li><input type="checkbox"/> Aerial Map</li> <li><input checked="" type="checkbox"/> Radius Map</li> <li><input checked="" type="checkbox"/> Plans</li> <li><input type="checkbox"/> School Board Report (if any)</li> <li><input checked="" type="checkbox"/> Traffic Study (if any) <u>(Parking)</u></li> <li><input type="checkbox"/> Economic Analysis (if any)</li> <li><input type="checkbox"/> Environmental Impact Statement (if any)</li> <li><input type="checkbox"/> Historical Information - (if any)                         <ul style="list-style-type: none"> <li>• Declaration of Restriction</li> <li>• Unity of Title</li> <li>• Resolution</li> </ul> </li> <li><input checked="" type="checkbox"/> Proposed Resolution or Ordinance</li> <li><input checked="" type="checkbox"/> Proffered Declaration of Restrictions</li> </ul>
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## ZONING AGENDA DECISION

**Date:**

Action:  Introduction  Deferred  Rescheduled  Resolution  1<sup>st</sup> Reading  2<sup>nd</sup> Reading

Result:  Approved  Approved with Conditions  Denied

**Date:**

Action:  Introduction  Deferred  Rescheduled  Resolution  1<sup>st</sup> Reading  2<sup>nd</sup> Reading

Result:  Approved  Approved with Conditions  Denied

**Date:**

Action:  Introduction  Deferred  Rescheduled  Resolution  1<sup>st</sup> Reading  2<sup>nd</sup> Reading

Result:  Approved  Approved with Conditions  Denied

**Date:**

Action:  Introduction  Deferred  Rescheduled  Resolution  1<sup>st</sup> Reading  2<sup>nd</sup> Reading

Result:  Approved  Approved with Conditions  Denied

**LETTER OF INTENT**

WEISS SEROTA HELFMAN  
PASTORIZA COLE & BONISKE, P.L.

ATTORNEYS AT LAW

A PROFESSIONAL LIMITED LIABILITY COMPANY  
INCLUDING PROFESSIONAL ASSOCIATIONS

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BRETT J. SCHNEIDER  
LAURA K. WENDELL

LORI ADELSON\*  
LILLIAN M. ARANGO  
CARLA M. BARROW\*

June 8, 2010

Mr. Jay Marder  
Director  
Planning & Zoning Director  
Planning and Zoning Department  
1515 NW 167th Street, Building 4  
Miami Gardens, Florida 33169

RECEIVED JUN 10 2010

Re: Revised Letter of Intent; Applicant Florida Memorial University, Inc.; ±50 Acres; 15800 NW 42 Avenue, Miami Gardens, Florida

Dear Mr. Marder:

We represent Florida Memorial University, Inc. (the "Applicant") in connection with the attached application for public hearing for the Florida Memorial campus legally described in the attached Exhibit "A" (the "Property"). The application seeks to alter the zoning district classification of the Property to provide more flexibility for development of the university. The new zoning will enable review of the Comprehensive Campus Master Plan (the "Campus Plan") and a specific site plan for new dormitory buildings at the south end of the Property. The change to PD Planned Development zoning district and Campus Plan sought herein are the result of discussions with you and your staff and the valuable suggestions you shared with us.

The Property has served as the main campus for Florida Memorial since 1966. Most of the Property is zoned RU-3 which allows for the university use. The southern portion of the Property is zoned RU-2. The City's Comprehensive Development Master Plan (the "Master Plan") designates the property as "Commerce" and recognizes the campus as the "Florida Memorial University Area."

Mr. Jay Marder  
June 8, 2010  
Page 2

Since its inception in the 1960s, the University sought and obtained approval from Miami-Dade County to develop and enhance the post-secondary education facility together with accessory structures traditionally associated with a university, including dormitories, recreational facilities, school buildings, etc. The most recent approval occurred in the 1980s to allow dormitories.

In order to provide the flexibility necessary for a working university, both now and in the future, the University is proposing a change of zoning from the current mixed RU-2/RU-3 classification to PD Planned Development district. The University believes the PD zoning district is appropriate for the campus in that it will provide for a cooperative basis for addressing the current and future needs of the University with City staff in accord with the intent of the district as described in Section 16-10(A), especially innovative design, integration of housing types with student-oriented commercial, recreational, and educational facilities, and providing for the preservation of natural site features. It is the University's intent with the PD designation and the Campus Plan to provide the City and the surrounding community with a cohesive vision of the future for the University. In this regard, the Campus Plan depicts projected development through 2015, including both programmed and conceptual development priorities. Once plans for a given development priority become more concrete, specific site plans will be proposed to your Department

At this time, the University is seeking specific site plan approval of the dormitory expansion in the portion of the Property described in Exhibit "B" known as the "Living and Learning Resident Hall (the"Hall"). Dormitories are expressly permitted in the PD zoning district. Specifically, the University is proposing four (4) buildings, consisting of three stories, providing 166 dormitory units to house up to 356 students. The dormitory buildings also include an additional four units for the use of University staff. The new student units are intended to address a shortfall in student housing that has been observed over the last several years. It should be noted that having these students reside on campus, rather than at off-campus apartments, is integral to on-campus participation that is a hallmark of established university-level institutions. Furthermore, such presence allows for better safety of students and reduced traffic during AM and PM peak travel times. The City's parking requirements are exceeded even if the Hall is considered a stand-alone site.

In order to assist you with your review, we have analyzed the criteria required by your code for approval of the changes of zoning district boundary and special exception, as follows:

**Change of Zoning District Boundary**

*(1) The development permitted by the application, if granted, conforms to the City's Comprehensive Development Master Plan; is consistent with applicable area or neighborhood*

Mr. Jay Marder  
June 8, 2010  
Page 3

*studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;*

The proposed PD district is appropriate for the University, which is expressly recognized in the Future Land Use Map of the Master Plan, and is consistent with the "Commerce" land use designation.

*(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of the City, 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.*

The Campus Plan seeks to provide the City with a planning document depicting projected growth of the University and how it will respond to the surrounding community. Specifically, the PD District allows for flexibility in development and enhanced cooperation with planning and zoning staff to develop the best university possible. Furthermore, the dormitory facilities proposed at this time significantly minimize adverse impacts due to students living off-campus and the traffic impacts generated thereby, while still retaining their economic impact within the City. Finally, the PD District will permit for the protection of existing natural resources such as the campus lake.

*(3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of City of Miami Gardens, Florida;*

The PD designation which will allow for greater flexibility will encourage greater efficiency in the delivery of services to and from the University and the surrounding area, resulting in a favorable economic impact to the City. Short-term, the new construction of the dormitory facilities will employ local construction workers. Long-term, the expansion of dormitory facilities will ensure that more students live in the City and spend their money in the City, rather than in other areas outside of the City's jurisdictional boundaries, which will also have a favorable economic impact for the City.

*(4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;*

The PD District zoning will allow for greater efficiency in delivery of critical services and infrastructure to the Florida Memorial campus. New development means new facilities, which will include greater efficiency due to technological improvements not available

Mr. Jay Marder  
June 8, 2010  
Page 4

when the University was first built in 1966.

*(5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.*

Greater efficiency in roadway use will be an inevitable result of a better planned master campus. Additionally, the on-campus dormitories will reduce the impact of student driving by eliminating many trips from the surrounding roadway network.

We are confident that the proposal herein, will earn your recommendation of approval. We look forward to working with you over the next few weeks in preparing this application for hearing before the City Council.

Thank you for your consideration of this application. Please feel free to call me if you have any questions.

Very truly yours,

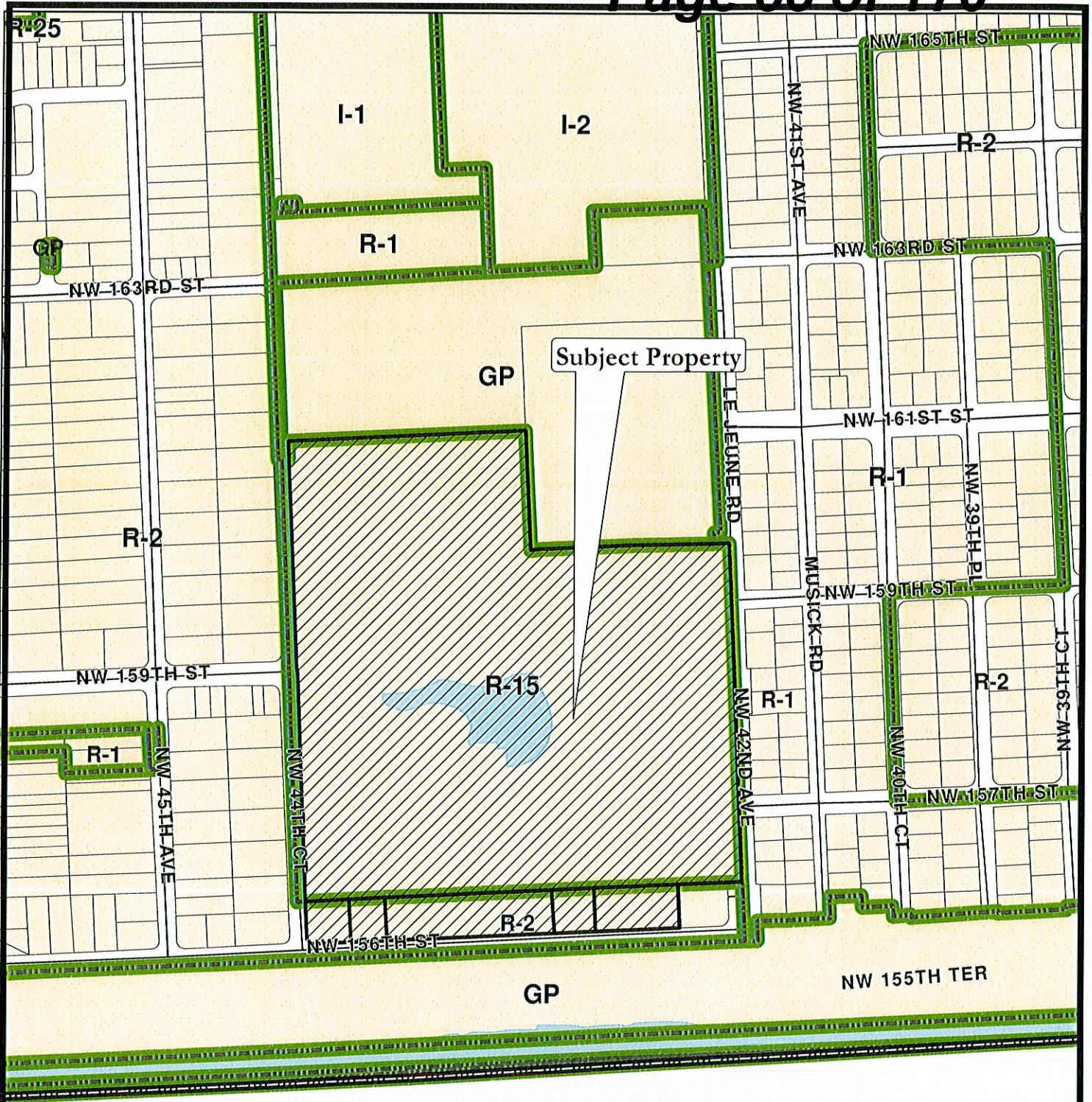


Tony Recio

TR/ms

FLORIDA MEMORIAL UNIVERSITY MASTER PLAN AND DORMITORIES  
PH-2010-000050  
PAGE 17 OF 31

**HEARING MAP-ZONING**



OPA-LOCKA AIRPORT

# HEARING MAP: ZONING



City of Miami Gardens  
 Planning & Zoning Department

Subject Property    Zoning: R-2, R-15

**Applicant:**  
 Florida Memorial University, Inc.

**Project Location:** 15800 NW 42nd Avenue



1 inch = 457 feet  
 June 2010

**HEARING MAP- AERIAL**



# HEARING MAP: AERIAL



City of Miami Gardens  
 Planning & Zoning Department

 Subject Property

Applicant:  
 Florida Memorial University, Inc.

Project Location:  
 15800 NW 42nd Avenue  
 Miami Gardens, FL 33054



1 inch = 333 feet

June 2010

FLORIDA MEMORIAL UNIVERSITY MASTER PLAN AND DORMITORIES  
PH-2010-000050  
PAGE 19 OF 31

**MAILED NOTICE AFFIDAVIT**



# The City of Miami Gardens

## Development Services Department

### AFFIDAVIT FOR MAILING OF NOTICES

Re: Hearing No.: PH-2010-000050

Applicant Name: Florida Memorial University, Inc.

I, as the undersigned individual, do hereby affirm by my signature and date that all of the property owners of record, as reflected on the Miami-Dade County Property Appraiser's tax roll as updated within

- 500'
- 1/2 mile
- 1 mile

minimum radius of the property described in the above-referenced file has been input into the computer system prior to the deadline for the mailing of notices.

Name (Print): BHAIRAVI PANDYA

Signature: B.A. Pandya  
(GIS Analyst)

Date: 6/24/2010

I, as the undersigned individual, do hereby affirm that on the dated referenced below, the notices corresponding to the property owners as hereby referenced were emailed and/or otherwise delivered to Post-It Inc. 1480 NE 129<sup>th</sup> Street North Miami, FL. 33161 info@postitinc.com for postmarking and mailing.

Name (Print): Wendy Gress

Signature: [Signature]  
(Zoning Technician)

Date: 6/24/10

I, as the undersigned individual, do hereby affirm that on the date referenced below, a notice for the aforementioned file was received from and postmarked date: 6/23/10 through the US Postal Service.

Name (Print): JAY MARDER

Signature: [Signature]  
(Zoning Administrator)

Date: 6/24/10

**MAILED NOTICE RADIUS MAP**



**RESOLUTION NO. 3-ZAB-117-66**

17-52-41  
11-43  
Item No. 66-66

RESOLUTION NO. 3-ZAB-117-66

The following resolution was offered by Mr. Gene Flinn,  
seconded by Mr. H. H. Wood, and upon poll of members present,  
the vote was as follows:

Neal Adams	abstain	Thomas B. Walker	aye
Gene Flinn	aye	H. H. Wood	aye
Frank P. Reynolds	aye	Andrew Lee	aye
Virginia Salley	aye		

WHEREAS, Florida Memorial College, Inc., has applied for a district boundary change from RU-1 (One-Family Residential) 12,500 c.f., to RU-3 (Four Unit Apartments),

ON A portion of Tracts 43 thru' 45 incl., Tracts 52, 54, 55, 56, 73, 77, Tracts 84 thru' 88 incl., and all of Tracts 53, 74, 75, 76, Miami Gardens Sub. of Section 17, Township 52 South, Range 41 East (PB 2, Pge. 96) and more particularly described as follows: Commence at the NE corner of Tract 56; th. run S. 0° 00' 18" E. along the E. line of said Tract 56 for a distance of 263.57'; th. run S. 89° 58' 40" W. along a line 263.57' S. of and parallel to the N. line of said Tract 56 for a distance of 35' to the POB; th. run S. 0° 00' 18" E. along a line 35' W. of and parallel to the E. line of said Tracts 56, 73, and 88, being the W. r/v line of NW 42 Ave. (LeJeune Rd.) for a distance of 1156.69' to a point 100' S. of the N. line of said Tract 88; th. run S. 89° 58' 42" W. along a line 100' S. of and parallel to the N. line of said Tracts 84 thru' 88 for a distance of 1497.88' to a point 117' E. of the W. line of Tract 77; th. run N. along a line 117' E. of and parallel to the W. line of said Tracts 77, 52, and 45 for a distance of 1536.16' to a point lying 544.01' S. of the N. line of said Tract 45; th. run N. 89° 58' 40" E. along a line lying 544.01' S. of the N. line of said Tracts 45, 44, 43 for a distance of 852.24' to a point lying 20.62' W. of the E. line of said Tract 43; th. run S. 0° 00' 11" E. along a line lying 20.62' W. of the E. line of said Tracts 43 and 54 for a distance of 379.49' to a point lying 263.57' S. of the N. line of said Tract 54; th. run N. 89° 58' 40" E. along a line lying 263.57' S. of the N. line of Tracts 54, 55, and 56 for a distance of 652.24' to the POB. From NW 42 Ave. (LeJeune Rd.) to NW 44 Ct., between 150' N. of NW 156St. and NW 161 St., Dade County, Florida, and

WHEREAS, an inspection of the subject property was made and a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, 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 would be incompatible with the neighborhood and area concerned and would be in conflict with the principles and intent of the plan for the development of Dade County, Florida;

17-52-41  
II.43  
Item No. 66-66

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested district boundary change be and the same is hereby recommended for denial without prejudice by the Board of County Commissioners of Dade County, Florida, to give applicant an opportunity to refile on the basis of a special exception and use variance in lieu of a zone change.

The Zoning Director is hereby directed to make the necessary notations upon the records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 11th day of April, 1966.

Heard 4/11/66  
No. 66-4-3  
4/12/66  
hf

April 12, 1966

Florida Memorial College, Inc.  
c/o Mr. Howard W. Nixon  
415 Seybold Building  
Miami, Florida

Re: Florida Memorial College, Inc.; request for district boundary  
change from R1-1 (12,500 s.f.) to R1-3; Sec. 17-52-41; Hrg. 66-4-3.

Enclosed herewith is a copy of Resolution No. 3-248-117-66,  
adopted by the Metropolitan Dade County Zoning Appeals Board, recommending  
denial of the requested district boundary change on the subject property.

You are hereby advised that said Zoning Appeals Board recommendation has  
already been scheduled for final action by the Board of County Commissioners,  
as was noted in the courtesy notice.

Very truly yours,

METROPOLITAN DADE COUNTY  
BUILDING AND ZONING DEPT.

Chester C. Czebrinski  
Assistant Director

CCC/ hf

Enclosure

P. S. Please note above-mentioned recommendation for denial is without  
prejudice, to give applicant an opportunity to refile on the basis  
of a special exception and use variance in lieu of a zone change.

cc: U.S. of America Dept. of Health, Education & Welfare  
c/o Regional Office, Room 404, 50 7th Street N.E.  
Atlanta, Georgia

bcc: Hrg. file  
Mr. Dayton

**RESOLUTION NO. Z-67-66**

RESOLUTION NO. E-67-66

The following resolution was offered by Commissioner

Thomas D. O'Malley, seconded by Commissioner

Harold A. Greene, and upon poll of members pre-

sent, the vote was as follows:

Joseph A. Boyd, Jr.	aye	Arthur H. Patten, Jr.	aye
Alexander S. Gordon	aye	Earl M. Starves	aye
Harold A. Greene	aye	Lewis B. Whitworth, Jr.	aye
R. Hardy Matheson	aye	Chuck Hall	absent
Thomas D. O'Malley	aye		

WHEREAS, Florida Memorial College, Inc. had applied for a district boundary change from RU-1 (One Family Residential) 12,500 c.f.) to RU-3 (Four Unit Apartment) on the following described property:

A portion of Tracts 43 through 45 inclusive, Tracts 52, 54, 55, 56, 73, 77; Tracts 84 through 88 inclusive, and all of Tracts 53, 74, 75, 76, Miami Gardens Sub. of Section 17-52-41E (PB 2, Page 96) and more particularly described as follows: Commence at the NE corner of Tract 56; th. run S. 0° 00' 18" E. along the E. line of said Tract 56 for a distance of 263.57'; th. run S. 89° 58' 40" W. along a line 263.57' S. of and parallel to the N. line of said Tract 56 for a distance of 35' to the point of beginning; th. run S. 0° 00' 18" E. along a line 35' W. of and parallel to the E. line of said Tracts 56, 73 and 88, being the W. right-of-way line of NW 42 Ave., (LeJeune Road) for a distance of 1156.69' to a point 100' S. of the N. line of said Tract 88; th. run S. 89° 58' 42" W. along a line 100' S. of and parallel to the N. line of said Tracts 84 through 88 for a distance of 1497.88' to a point 117' E. of the W. line of Tract 77; th. run N. along a line 117' E. of and parallel to the W. line of said Tracts 77, 52 and 45 for a distance of 1536.16' to a point lying 544.01' S. of the N. line of said Tract 45; th. run N. 89° 58' 40" E. along a line lying 544.01' S. of the N. line of said Tracts 45, 44, 43 for a distance of 852.24' to a point lying 20.62' W. of the E. line of said Tract 43; th. run S. 0° 00' 11" E. along a line lying 20.62' W. of the E. line of said Tracts 43 and 54 for a distance of 379.49' to a point lying 263.57' S. of the N. line of said Tract 54; th. run N. 89° 58' 40" along a line lying 263.57' S. of the N. line of Tracts 54, 55 and 56 for a distance of 652.24' to the point of beginning;

From NW 42 Avenue (LeJeune Road) to NW 44th Ct., between 150' N. of NW 156 St. and NW 161 St., Dade County, Florida, and

WHEREAS, an inspection of the subject property was made and a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held as required by law, and all interested parties concerned in the matter were heard, and upon due and proper consideration having been given to the matter, the Zoning Appeals Board was of the opinion that the requested district boundary change would be incompatible with the neighborhood and area con-

cerned and would be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and should be denied, but without prejudice in order to give the applicant an opportunity to refile on the basis of a special exception and use variance in lieu of a zone change, and

WHEREAS, 15-day notice of the time and place of the meeting of this Board was published as required by the Zoning Procedure Ordinance, and after reviewing the record and recommendation of the Zoning Appeals Board and after having given an opportunity for interested parties to be heard, and after due and proper consideration having been given to the matter, it appears to this Board that the requested district boundary change would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and should be approved;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary change to RU-3 be and the same is hereby approved and said property is hereby zoned accordingly.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 5th day of May, 1966.

Heard 4-11-66  
No. 66-4-3  
vd  
5/11/66

DADE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS  
E. B. LEATHERMAN, CLERK

By \_\_\_\_\_  
Deputy Clerk

**RESOLUTION NO. 3-ZAB-396-67**

17-52-41  
 II-43  
 Item No. 67-439

RESOLUTION NO. 3-ZAB-396-67

The following resolution was offered by Mr. Neal Adams,  
 seconded by Mr. H. H. Wood, and upon poll of members  
 present, the vote was as follows:

Neal Adams	aye	Virginia Salley	absent
Gene Flinn	aye	H. H. Wood	aye
John R. Harlow	aye	Andrew Lee	aye
Frank P. Reynolds	aye		

WHEREAS, Florida Memorial College, Inc. has applied for a  
 VARIANCE of height of buildings in an RU-3 (4-Unit Apartment) zone  
 to permit erection of 3 dormitory buildings, 3 stories, plus a pent-  
 house on each with an overall height of approximately 40' (2 stories,  
 35' in height permitted). All according to plans submitted with the  
 application and on file in the Zoning Department.

ON: A portion of Tracts 43 thru 45 incl., Tracts 52, 54, 55,  
 56, 73, 77, Tracts 84 thru 88 incl., and all of Tracts 53, 74,  
 75, 76, Miami Gardens Sub. of Section 17, Township 52 South,  
 Range 41 East (PB 2, Pgs. 96) and more particularly described  
 as follows: Commence at the NE corner of Tract 56; th. run S.  
 0° 00' 18" E. along the E. line of said Tract 56 for a distance  
 of 263.57'; th. run S. 89° 58' 40" W. along a line 263.57' S.  
 of and parallel to the N. line of said Tract 56 for a distance  
 of 35' to the point of beginning; th. run S. 0° 00' 18" E. along  
 a line 35' W. of and parallel to the E. line of said Tracts 56,  
 73 and 88, being the W. right-of-way line of NW 42 Ave. (Le  
 Jeune Rd.) for a distance of 1156.69' to a point 100' S. of  
 the N. line of said Tract 88; th. run S. 89° 58' 42" W. along  
 a line 100' S. of and parallel to the N. line of said Tracts  
 84 thru 88 a distance of 1497.88' to a point 117' E. of the W.  
 line of Tract 77; th. run N. along a line 117' E. of and par-  
 allel to the W. line of Tracts 77, 52, and 45 for a distance  
 of 1536.16' to a point lying 544.01' S. of the N. line of said  
 Tract 45; th. run N. 89° 58' 40" E. along a line lying 544.01'  
 S. of the N. line of said Tracts 45, 44, 43 for a distance of  
 852.24' to a point lying 20.62' W. of the E. line of said Tract  
 43; th. run S. 0° 00' 11" E. along a line lying 20.62' W. of  
 the E. line of said Tracts 43 and 54 for a distance of 379.49'  
 to a point lying 263.57' S. of the N. line of said Tract 54;  
 th. run N. 89° 58' 40" E. along a line lying 263.57' S. of the  
 N. line of Tracts 54, 55, and 56 for a distance of 652.24' to  
 the point of beginning. From NW 42 Ave. (LeJeune Rd.) to NW  
 44 Cb., between 150' N. of NW 156 St. and NW 161 St., Dade  
 County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County  
 Zoning Appeals Board was advertised and held, as required by law,  
 and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given  
 to the matter, it is the opinion of this Board that the requested  
 variance would be in harmony with the general purpose and intent of

the regulation and would conform with the requirements and  
 intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County

17-52-41  
II-43  
Item No. 67-439

Zoning Appeals Board that the requested variance be and the same hereby approved, subject to the following condition:

1. That dedication of right-of-way as may be deemed lacking desirable and necessary, in the opinion of the Director of Public Works and Zoning Director, shall be made; and improvement shall be made of such right-of-way as may be required by the Director of Public Works.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building & Zoning Department, and to issue all permits in accordance with the terms and conditions of this Resolution.

PASSED AND ADOPTED this 9th day of October, 1967.

Heard 10/9/67  
No. 67-10-7  
10/17/67  
ew

Florida Memorial College, Inc.  
c/o Martin Fine  
101 E. Flagler St.  
Miami, Florida

October 17, 1967

RE: Florida Memorial College, Inc.; request for variance of height of buildings. All according to plans submitted and on file. Sec. 17, Twp. 52S, Rge. 41E. Hrg. 67-10-7

Enclosed herewith is a copy of Resolution No. 3-ZAB-396-67, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application concerning the above subject matter.

If said approval was with conditions, please note same carefully inasmuch as strict compliance therewith will be required.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days), as has been provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificate of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits should be made with this department. The appeal period commences to run two days after the adoption date of the Resolution.

Very truly yours,

METROPOLITAN DADE COUNTY  
BUILDING AND ZONING DEPARTMENT

CCC/ew  
Enc.

Chester C. Czebrinski  
Assistant Director

bcc: Hrg. File ✓  
Tax Assessor's Office  
Public Works Dept.

**RESOLUTION NO. 3-ZAB-484-67**

17-52-41  
II-43  
Item No. 67-486

RESOLUTION NO. 3-ZAB-484-67

The following resolution was offered by Mr. Frank P. Reynolds, seconded by Mr. Neal Adams, and upon poll of members present, the vote was as follows:

Neal Adams	aye	Virginia Salley	aye
Gene Flinn	aye	H. H. Wood	absent
John R. Harlow	aye	Andrew Lee	aye
Frank P. Reynolds	aye		

WHEREAS, Florida Memorial College, Inc. has applied for a VARIANCE of height requirements as applied to buildings in an RU-3 (Four Unit Apartment) zone, to permit the erection of 3 dormitory buildings, each 3 stories plus a penthouse and with an overall height of approx. 40' (2 stories, 35' in height permitted). All according to plans submitted with the application and on file in the Zoning Dept.

ON: A portion of Tracts 43 thru 45 incl., Tracts 52, 54, 55, 56, 73, 77, Tracts 84 thru 88 incl., and all of Tracts 53, 74, 75, 76, Miami Gardens Sub. of Section 17, Township 52 South, Range 41 East (PB 2, Pge. 96) and more particularly described as follows: Commence at the NE corner of Tract 56; th. run S. 0° 00' 18" E. along the E. line of said Tract 56 for a distance of 263.57'; th. run S. 89° 58' 40" W. along a line 263.57' S. of and parallel to the N. line of said Tract 56 for a distance of 35' to the point of beginning; th. run S. 0° 00' 18" E. along a line 35' W. of and parallel to the E. line of said Tracts 56, 73 and 88, being the W. right-of-way line of NW 42 Ave. (LeJeune Rd.) for a distance of 1156.69' to a point 100' S. of the N. line of said Tract 88; th. run S. 89° 58' 42" W. along a line 100' S. of and parallel to the N. line of said Tract 84 thru 88 a distance of 1497.88' to a point 117' E. of the W. line of Tract 77; th. run N. along a line 117' E. of and parallel to the W. line of said Tracts 77, 52, and 45 for a distance of 1536.16' to a point lying 544.01' S. of the N. line of said Tract 45; th. run N. 89° 58' 40" E. along a line lying 544.01' S. of the N. line of said Tracts 45, 44, 43, for a distance of 852.24' to a point lying 20.62' W. of the E. line of said Tract 43; th. run S. 0° 00' 11" E. along a line lying 20.62' W. of the E. line of said Tracts 43 and 54 for a distance of 379.49' to a point lying 263.57' S. of the N. line of said Tract 54; th. run N. 89° 58' 40" E. along a line lying 263.57' S. of the N. line of Tracts 54, 55 and 56 for a distance of 652.24' to the point of beginning. From NW 42 Ave. (LeJeune Rd.) to NW 44 Ct.; between 150' N. of NW 156 St. and NW 161 St., Dade County, Florida; and

WHEREAS, an inspection of the subject property was made and a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested variance would be in harmony with the general purpose and intent of the regulation and would conform with the requirements and intent

of the Zoning Ordinance.

17-52-41  
II-43  
Item No. 67-486

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested variance be and the same is hereby approved.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 11th day of December, 1967.

Heard 12/11/67  
No. 67-12-5  
12/21/67  
ew

December 21, 1967

Florida Memorial College, Inc.  
c/o Martin Fine  
101 E. Flagler Street  
Miami, Florida

RE: Florida Memorial College, Inc.; request for variance of height requirements. All according to plans submitted and on file. Sec. 17, Twp. 52S, Rge. 41E. Hrg. 67-12-5

Enclosed herewith is a copy of Resolution No. 3-ZAB-484-67, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application concerning the above subject matter.

"If said approval was with conditions, please note same carefully inasmuch as strict compliance therewith will be required.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days), as has been provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificate of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits should be made with this department. The appeal period commences to run two days after the adoption date of the Resolution.

Very truly yours,

METROPOLITAN DADE COUNTY  
BUILDING AND ZONING DEPARTMENT

CCC/ew  
Enc.

Chester C. Czebrinski  
Assistant Director

bcc: Hrg. File ✓  
R. L. Bryan

**RESOLUTION NO. 4-ZAB-220-81**

17-52-41  
Item No. 81-319

RESOLUTION NO. 4-ZAB-220-81

The following resolution was offered by r. Peter Goldring seconded by Mrs. Margaret C. Nelson and upon poll of members present, the vote was as follows:

Thelma Damewood	absent	Miller J. Dawkins	nay
Lillian Dickmon	nay	R. Jolivette Frazier	aye
Peter Goldring	aye	Jose A. Losa	aye <i>ASSENT</i>
Margaret C. Nelson	aye	Murray Sisselman	<del>absent</del> <i>aye</i>
Edward G. Coll, Jr.	absent		

WHEREAS, FLORIDA MEMORIAL COLLEGE has applied for the following:

- (1) SPECIAL EXCEPTION to permit the construction of a proposed multi-purpose building, to wit: a chapel, classrooms, meeting hall and other related uses; including the following non-use variances:
  - a) lot area: provided 0.78 acre (2.50 acres required)
  - b) parking spaces: provided 0 spaces (72 spaces required)
- (2) SPECIAL EXCEPTION to permit the expansion of an existing college to include the aforementioned proposed multipurpose building.

Plans are on file and may be examined in the Zoning Department entitled "Proposed Chapel and Classrooms Florida Memorial College" prepared by Ferguson, Glasgow, Schuster, Inc. dated April 6, 1991 and consisting of 2 pages.

SUBJECT PROPERTY: PARCEL 1: Point of beginning on the east line 220' south of the northeast corner of Tract 3 of the revised plat of VENETIAN GARDENS SUBDIVISION, Plat book 31, Page 37, running thence W/ly and parallel with the north line of said Tract 3, 107.44', thence S/ly and parallel with the east line 80', thence E/ly and parallel with the north line 107.44' to the east line of said Tract 3, thence N/ly along the east line 80' to the Point of beginning. PARCELS 2 & 3: Point of beginning on the west line 280' north of the southwest corner of Tract 3 of the revised plat of VENETIAN GARDENS SUBDIVISION, Plat book 31, Page 36, running thence E/ly and parallel with the south line of Tract 3, 214.87' to the east line of said Tract 3; thence N/ly along the east line of said Tract 3, 80'; thence W/ly and parallel with the south line of said Tract 3, 214.87' to the west line of said Tract 3, thence S/ly along the west line of said Tract 3, 80' to the Point of beginning. PARCEL 4: The south 80' of the north 280' of the west 1/2 of Tract 3, of REVISED PLAT OF VENETIAN GARDENS SUBDIVISION, Plat book 31, Page 37.

LOCATION: The east side of N.W. 42 Avenue (Le Jeune Road) approximately 250' south of N.W. 159 Street, Dade County, Florida

SIZE OF PROPERTY: 160' X 214'

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exceptions would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance.

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board, that the requested special exceptions be and the same are hereby approved, subject to the following conditions:

17-52-41  
Item No. 81-319  
Page Two

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Chapel and Classrooms Florida Memorial College", prepared by Ferguson, Glasgow, Shuster, Inc., dated April 6, 1981 and consisting of two pages.
3. That the applicant submit to the Building and Zoning and Planning Departments for their review and approval a landscaping plan which indicates the type of plant material and size prior to the issuance of a building permit and to be installed prior to the issuance of a certificate of use and occupancy.
4. That the use be established and maintained in accordance with the approved plan.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits according to the conditions of this resolution.

PASSED AND ADOPTED this 15th day of July, 1981.

Heard 7/15/81  
Hearing No. 81-7-5  
7/27/81  
mo

**Federal Aviation Administration Letter dated July 23,  
2009**



Federal Aviation Administration  
Air Traffic Airspace Branch, ASW-520  
2601 Meacham Blvd.  
Fort Worth, TX 76137-0520

Issued Date: 07/23/2009

Dr. Harold Clarke  
Florida Memorial University  
4255 NW, 156th Street  
Miami Gardens, FL 33054

## **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Student Housing for Florida Memorial University
Location:	Miami Gardens, FL
Latitude:	25-55-01.05N NAD 83
Longitude:	80-16-11.84W
Heights:	49 feet above ground level (AGL) 56 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

### **See attachment for additional condition(s) or information.**

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 01/23/2011 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.**

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (202) 267-5235. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-ASO-2173-OE.

**Signature Control No: 627401-116829228**

( DNE )

Tracy Rosgen  
Technician

Attachment(s)  
Additional Information

We would like to bring to your attention that the proposed development could be near or inside of the 65 Day Night Level (DNL) noise contour line of the Opa-Locka Executive Airport (OPF). The proposed development could be subject to noise, perceived or actual, from aircraft operating into and out of the nearby airport. According to Federal Aviation Regulation (FAR) Part 150, Airport Noise Compatibility Planning, any development of residences, hotels, schools or hospitals inside of the 65 DNL noise contour would be considered a "NON-COMPATIBLE LAND USE" and would not be recommended. If you decide to proceed with the proposed development, it would be recommended that noise attenuation/insulation features be incorporated into the design and construction.

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## Form 7460-1 for ASN: 2009-ASO-2173-OE

Overview		
<b>Study (ASN):</b>	2009-ASO-2173-OE	<b>Received Date:</b> 04/01/2009
<b>Prior Study:</b>		<b>Entered Date:</b> 04/01/2009
<b>Status:</b>	Determined	<b>Completion Date:</b> 07/23/2009
<b>Letters:</b>	Determination	<b>Expiration Date:</b> 01/23/2011
<b>Supplemental Form 7460-2:</b> Please login to add a Supplemental Form 7460-2.		<b>Map:</b> <a href="#">View Map</a>

Sponsor Information	
<b>Sponsor:</b>	Florida Memorial University
<b>Attention Of:</b>	Dr. Harold Clarke
<b>Address:</b>	4255 NW, 156th Street
<b>Address2:</b>	
<b>City:</b>	Miami Gardens
<b>State:</b>	FL
<b>Postal Code:</b>	33054
<b>Country:</b>	US
<b>Phone:</b>	(305) 623-1452
<b>Fax:</b>	(305) 623-1454

Sponsor's Representative Information	
<b>Representative:</b>	STH Architectural Group, a Leo A Daly Comp
<b>Attention Of:</b>	Denise Bas
<b>Address:</b>	1400 Centrepark Blvd.
<b>Address2:</b>	Suite 500
<b>City:</b>	West Palm Beach
<b>State:</b>	FL
<b>Postal Code:</b>	33401
<b>Country:</b>	US
<b>Phone:</b>	561-688-2111 208
<b>Fax:</b>	561-697-8040

Construction Info	
<b>Notice Of:</b>	NONE
<b>Duration:</b>	PERM (Months: 0 Days: 0)
<b>Work Schedule:</b>	
<b>Date Built:</b>	

Structure Summary	
<b>Structure Type:</b>	Building
<b>Other Description:</b>	Studen Housing for Florida Memorial Univ
<b>NACG Number:</b>	
<b>FCC Number:</b>	

Structure Details	
<b>Latitude (NAD 83):</b>	25° 55' 01.05" N
<b>Longitude (NAD 83):</b>	80° 16' 11.84" W
<b>Horizontal Datum:</b>	NAD 83
<b>Survey Accuracy:</b>	4D
<b>Marking/Lighting:</b>	None
<b>Other Description:</b>	
<b>Name:</b>	
<b>City:</b>	Miami Gardens
<b>State:</b>	FL
<b>Nearest Airport:</b>	OPF
<b>Distance to Structure:</b>	4559.2 feet
<b>On Airport:</b>	No
<b>Direction to Structure:</b>	37.3°
<b>Description of Location:</b>	Florida Memorial University 4255 NW, 156th Street, Miami Gardens, Florida, 33054 The proposed site lies on the southernmost campus parcels directly above NW 156th Street between NW 44th Ct and NW 42nd Ave.
<b>Description of Proposal:</b>	The proposed four story building is designed to house 523 students in 254 dormitory rooms and it will sit 14' North of the required 25 foot setback from the south property line.

Height and Elevation		
	Proposed	DNE
<b>Site Elevation:</b>	7	
<b>Structure Height:</b>	49	0
<b>Total Height (AMSL):</b>	56	0

Frequencies				
Low Freq	High Freq	Unit	ERP	Unit

**Comprehensive Campus Master Plan and Parking  
Study,  
Nayarko Architectural Group and  
TrafTech Engineering**

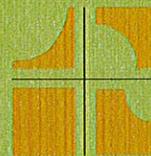


15800 N.W. 42<sup>ND</sup> AVE.  
MIAMI GARDENS, FLORIDA  
33054

COMPREHENSIVE CAMPUS MASTER PLAN - NARRATIVE



ARCHITECT



NYARKO ARCHITECTURAL GROUP

5931 N.W. 173 DRIVE, SUITE 2 MIAMI,  
FLORIDA 33015

EMAIL: [cn@nyarkoarchitects.com](mailto:cn@nyarkoarchitects.com)

Tel: 305-820-3555

MAY, 2010

COMPREHENSIVE CAMPUS MASTER PLAN

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 FLORIDA MEMORIAL UNIVERSITY MASTER PLAN ADMIN. PERSONNEL ----- 2  
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**FUTURE BUILDING DEVELOPMENTS (SUBJECT TO FUTURE SITE PLAN REVIEWS)**

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**PARKING ANALYSIS**

### INTRODUCTION

Florida Memorial University traces its origins back to 1879, to the Florida Baptist Institute in Live Oak, Florida, and the Florida Baptist Academy, founded in 1892. Decades later, after relocation to St. Augustine, the Academy was expanded to a four-year academic program. The institution's charter was amended, and the name Florida Memorial College was adopted in 1963. The College was relocated to Miami Gardens, Florida in 1968 and currently resides on an approximately fifty-six acre property just north of the Opa-Locka Airport. Florida Memorial University attained university status in 2002, and provides an extensive variety of accredited programs and degrees for both a national and international student population of 1737. The student body which is composed of both campus residents and commuters has enjoyed an annual growth of 5% estimated to continue through the year 2015.

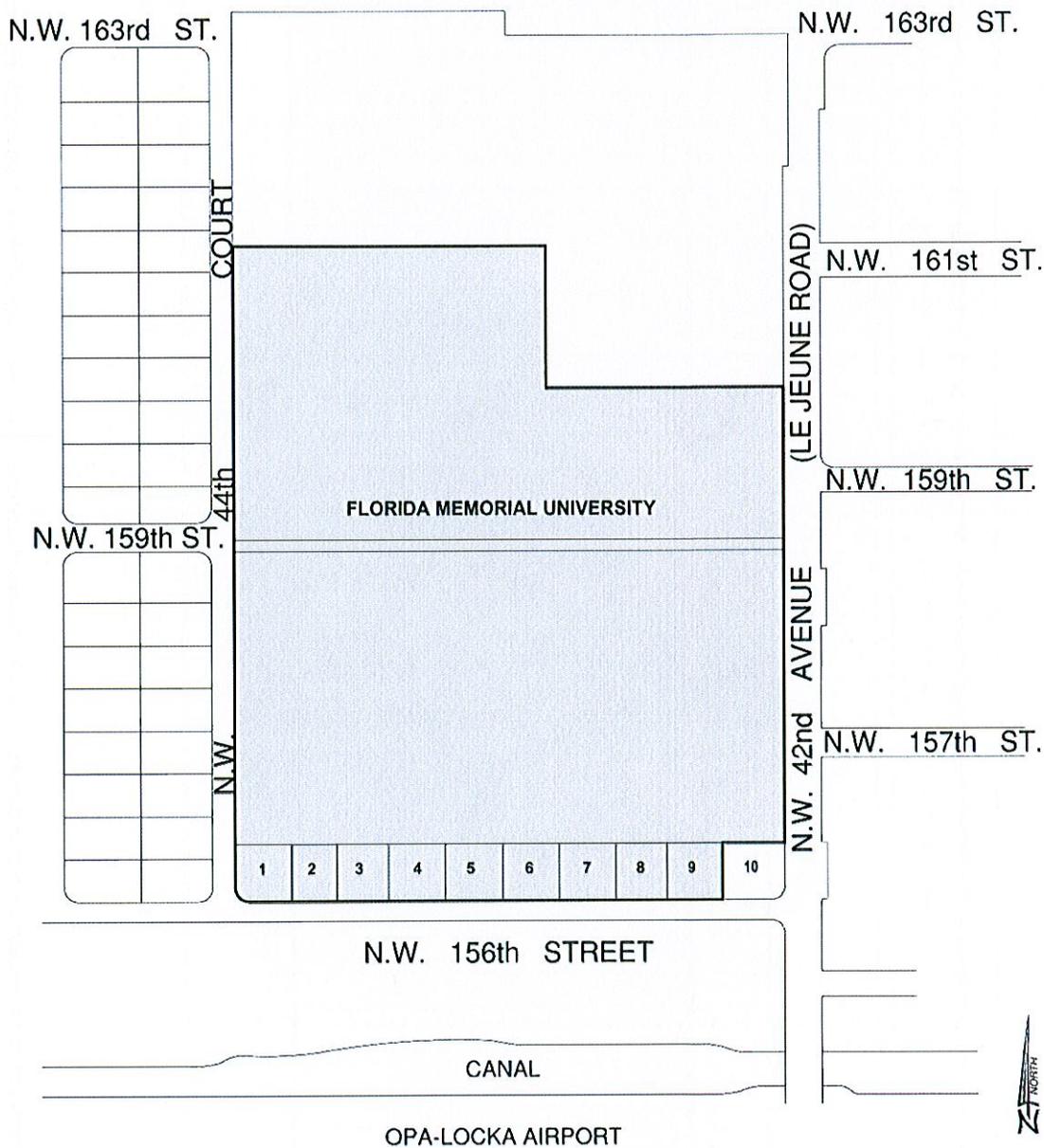
Florida Memorial University has embarked on an aggressive building construction program to better accommodate the rapidly expanding study body, faculty and staff population as well as to better provide state of the art facilities for their curriculum. The development of a campus Master Plan was viewed as an essential component to clearly describe the goals and aspirations of the University for Implementation. Subsequently, a Master Plan committee was established by the Facilities Department of the University to compose of architects, engineers, department chairpersons, faculty, the President's cabinet and contractors.

The campus property boundary is made up of two main parcels on land with zoning classification of RU-3 and RU-2. The university intends to re-plat the two parcels as one, with a zoning classification of a Planned Development District (PD). The proposed PD district is reflected in this Campus Master Plan. The development of the Master Plan is essentially composed of a comprehensive study of the institution's physical and environmental needs as well as the development of specific proposals for the proposed Students Housing Building, future facilities, improvements, and additions to existing structures as reflected in the Master Plan scheduled for implementation through the year 2015. The Master Plan also evaluates the parking requirements for the existing facilities and the proposed students' housing development.

These recommendations are included for review and approval as follows:

1. A Location Map showing the campus with surrounding development and proximity to major roadways, airport and significant landmarks; and data describing all current and proposed zoning designations.
2. An Existing Survey showing property boundaries and Legal Descriptions, existing infrastructure, parking and buildings.
3. A site Plan titled "Comprehensive Master Plan – May 2010 of the proposed Planned Development District (PD), showing Existing, Proposed, and Future Development Conditions.
4. Parking Analysis Report
5. Proposed Students Housing Data: Master Plan 2010 describes location, building square footage, as well as general occupancy description of the proposed Students Housing Building. This facility is taken into consideration in the current parking analysis
6. Future Building Program Data; Master Plan 2010 describes building square footages, as well as general occupancy description of the buildings. The future building programs are not considered in the current parking analysis, and they will be subject to separate site review at the future dates.
7. Proposed Students Housing Data: Master Plan 2010 describes location, building square footage, as well as general occupancy description of the proposed Students Housing Building. This facility is taken into consideration in the current parking analysis.
8. Overview of Campus Utilities.
9. Parking Analysis for the entire PD District of the campus

FLORIDA MEMORIAL UNIVERSITY



**CAMPUS LOCATION MAP**

FLORIDA MEMORIAL UNIVERSITY  
15800 N.W. 42<sup>ND</sup> AVENUE  
MIAMI GARDENS, FLORIDA 33054

**GENERAL LEGAL DESCRIPTION:**

**PARCEL 1:**

A Portion of Tracts 43 thru 45, 52, 53, 54 thru 56, 73 thru 76, 77, and 84 thru 88 of "MIAMI GARDENS", in Section 17, Township 52 South, Range 41 East, according to the plat thereof, as recorded in Plat Book 2 at Page 96 of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

BEGIN 263.57 feet South of the Northeast corner of said Tract 56; thence run Southerly for a distance of 1,156.69 feet to a point; thence run Westerly for a distance of 1,532.88 feet to a point; thence run Northerly 1,536.16 feet to a point; thence run Easterly for a distance of 852.24 feet to a point; thence run Southerly for a distance of 379.49 feet to a point; thence run Easterly for a distance of 680.53 feet to the Point of Beginning; less the East 50 feet and the West 25 feet thereof for Right-of-Way.

AND

**PARCEL 2:**

Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block 7 of "Venetian Acres" according to the plat thereof, as recorded in Plat Book 44, at Page 92 of the Public Records of Dade County, Florida.

Containing 2,212,327 Square Feet or 50.79 Acres, more or less, by calculations.

**Property Address:**

4255 NW. 156th Street, Miami Gardens, Florida, 33054

Folio No.: 34-2117-001-0010

Folio No.: 34-2117-002-1370

Folio No.: 34-2117-002-1420

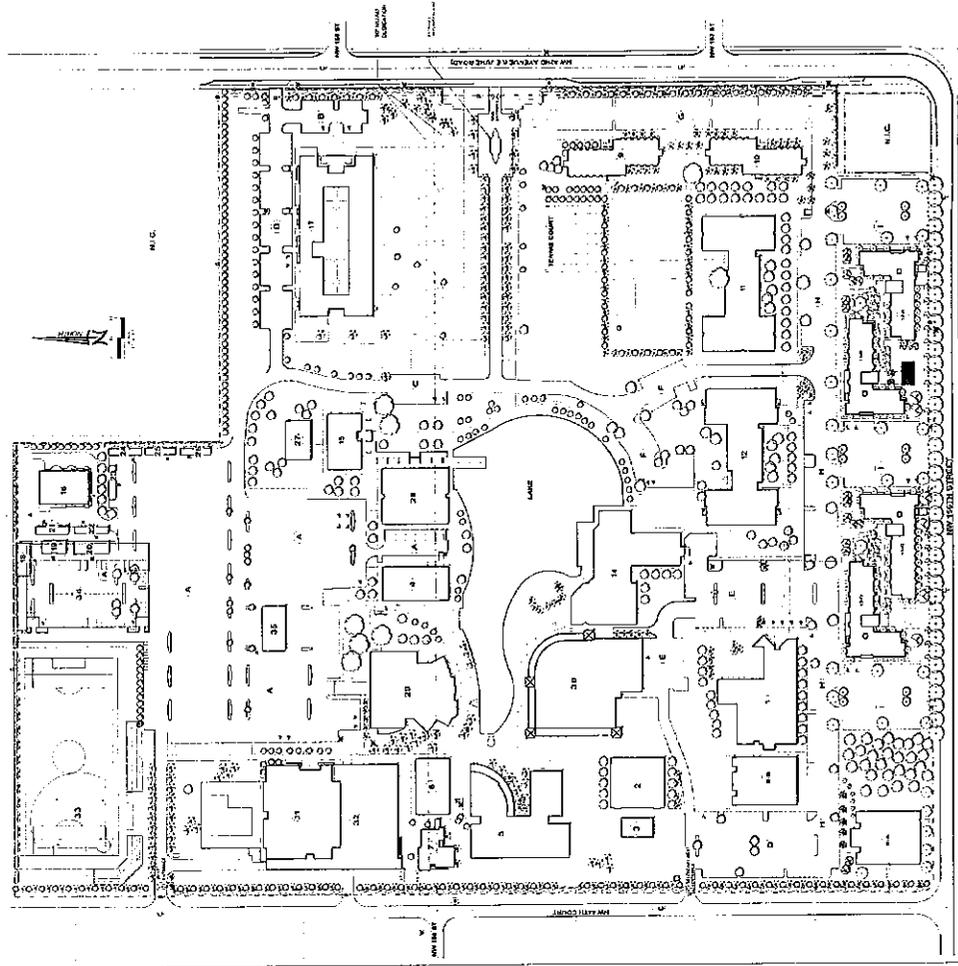
SURVEYS

For Boundary and Trees Survey (new Students Housing Site) refer to Surveys attached to large format plans, and prepared by:

HADONNE CORP. PROFESSIONAL LAND SURVEYORS  
AND MAPPERS  
7855 N.W. 12<sup>TH</sup> Street, Suite 202, Doral, Florida 33126

FLORIDA MEMORIAL UNIVERSITY

CAMPUS MASTER PLAN



PLANNED DEVELOPMENT (PD) DISTRICT MASTER PLAN  
DATE: 08/14/12  
SCALE: 1/8" = 1'-0"



CAMPUS BUILDINGS INVENTORY		NO. OF STORIES
NO.	DESCRIPTION	
1	ADMINISTRATIVE BUILDING	2
2	ADULT EDUCATION CENTER	1
3	ADULT EDUCATION CENTER	1
4	ADULT EDUCATION CENTER	1
5	ADULT EDUCATION CENTER	1
6	ADULT EDUCATION CENTER	1
7	ADULT EDUCATION CENTER	1
8	ADULT EDUCATION CENTER	1
9	ADULT EDUCATION CENTER	1
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31	ADULT EDUCATION CENTER	1
32	ADULT EDUCATION CENTER	1
33	ADULT EDUCATION CENTER	1
34	ADULT EDUCATION CENTER	1
35	ADULT EDUCATION CENTER	1

PD MASTER PLAN LEGEND

- 1. HIGH DENSITY DEVELOPMENT
- 2. MEDIUM DENSITY DEVELOPMENT
- 3. LOW DENSITY DEVELOPMENT
- 4. OPEN SPACE
- 5. PARKING
- 6. TRAIL
- 7. BIKEWAY
- 8. BICYCLEWAY
- 9. PEDESTRIANWAY
- 10. STREET LIGHTING
- 11. STREET FURNITURE
- 12. STREET SIGNAGE
- 13. STREET LIGHTING
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SITE PLAN LEGEND

- 1. EXISTING BUILDING
- 2. EXISTING PARKING
- 3. EXISTING TRAIL
- 4. EXISTING BIKEWAY
- 5. EXISTING PEDESTRIANWAY
- 6. EXISTING STREET LIGHTING
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- 35. EXISTING STREET LIGHTING

PARKING REQUIREMENTS

- 1. TOTAL PARKING SPACES: 100
- 2. TOTAL PARKING SPACES: 100
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- 35. TOTAL PARKING SPACES: 100

FLORIDA MEMORIAL UNIVERSITY

CAMPUS BUILDINGS TYPES INVENTORY

BUILDING TYPES	MARK	DESCRIPTION	TOTAL BUILD. AREA (S.F.)	No. of STORIES
EDUCATIONAL (Classrooms)	1	Existing William Lehman Aviation Center	57,665	3
	2	Existing James Weldon & J. Rosamond Johnson Fine Arts Building	8,526	1
	3	Existing Music Annex	2,109	1
	4	Existing Sarah A Blocker Hall	15,114	2
	5	Existing FMU Cooperative use Building	44,862	2
	6	Existing M. Athalie Range Science Building	12,648	2
	7	Carrie P. Meeck Health and Science Annex – <b>Future Projection</b>	7,975	2
	8A	Multi-disciplinary Classroom Building - <b>Future Projection</b>	23,480	2
	8B	Future Multi-disciplinary Classroom Building	20,536	2
RESIDENTIAL (Students Dormitories)	9	Existing J.T. Brown Residence Hall	26,241	3
	10	Existing A.B. Coleman Sr. Residence Hall	26,241	3
	11	Existing R. Ray Goode Residence Hall	23,942	1
	12	Existing Willie C. Robinson Residence Hall	47,884	2
	13-A	Proposed Student Housing Development	28,601	3
	13-B	Proposed Student Housing Development	30,070	3
	13-C	Proposed Student Housing Development	32,492	3
	13-D	Proposed Student Housing Development	30,070	3
EDUCATIONAL (Students Affairs Offices)	14	Existing J.C. Sams Student Union	23,817	1
	15	Existing Royal W. Puryear Administration Building	12,285	1
	16	Existing Andrew Anderson & Donald Bacon Service Center	5,406	1
	17	Existing Student Services Building	21,406	1
	18	Existing Alumni Affairs	1,446	1
	19	Existing Counseling Center	1,013	1
	20	Existing Human Resources	1,495	1
	21	Existing Health Center	837	1
	22	Existing Church Studies	728	1
	23	Existing Student Publication	718	1

FLORIDA MEMORIAL UNIVERSITY

	25	Existing Public Affairs & Government Affairs	659	
	24	Existing Urban Affairs	718	1
	27	Administration Building Addition - <b>Future Projection</b> (subject to future site plan approval)	6,856	2
EDUCATIONAL (Library)	28	Existing Nathan W. Collier Library	24,570	2
EDUCATIONAL (Performing Arts)	29	Existing Lou Rawls Center for the Performing Arts	19,375	1
EDUCATIONAL (Hospitality + Assembly Rooms)	30	Existing Albert E. & Sadie B. Smith Dining Hall / Conference Center Hospitality Services & Scheduling	19,998	1
EDUCATIONAL (Sports Facility)	31	Existing A.Chester Robinson Athletic Center	23,314	1
	32	Athletic Center Expansion - <b>Future Projection</b> (subject to future site plan approval)	52,215	2
	33	Multi-purpose Athletic Field - <b>Future Projection</b> (subject to future site plan approval)	116,511	1
PARKING GARAGE	34	4 story parking garage and 2 story office spaces, with parking for 300 cars - <b>Future Projection</b> (subject to future site plan approval)	126,290	4
UTILITY BUILDING (Mechanical Plant)	35	Existing Alice B. Coleman & Katherine S. Westfall Physical Plant ( <b>Accessory facility</b> )	3,414	1
<b>TOTAL</b>			903,022	

**SUMMARY**

Number of Building Types on Campus = 3

Maximum Stories of Principal Buildings Required in PD zone = 10

Provided maximum stories of Principal Buildings = 3 (including proposed students residence0

**PROPOSED BUILDING DEVELOPMENTS**

## PROPOSED LIVING AND LEARNING RESIDENCE HALL

The proposed Living and Learning Residence Hall is proposed to be constructed within two years on the south side of the campus. This facility will serve as additional residence hall for current students seeking to stay on campus. It will be a four (4) blocks, each with three (3) stories height, and shall accommodate 275 sleeping rooms within 170 units.

Additional parking to be generated by this dormitory has been accounted for within this master plan.

Refer to Master Plan for location and associated parking for this facility.

**FUTURE BUILDING DEVELOPMENTS**

(SUBJECT TO FUTURE SITE PLAN REVIEWS)

## FUTURE HEALTH & SCIENCE ANNEX

The Carrie P. Meek Health & Science Annex is proposed as a two (2) story structure which will be sited on the west side of the main campus. The proposed facility will include approximately 7,975 square feet of program accommodating the rapidly growing health & science curriculum with classrooms, staff room, research/storage room, biology lab & chemistry lab. The proposed building will also be connected to the existing health & science building thru a second story covered catwalk.

### PROPOSED BUILDING DATA

Description	Unit	Quantity
Total Classroom area	s.f.	1,682
Total staff area	s.f.	287
Total research/storage area	s.f.	287
Total lab area	s.f.	1,682
Total common area	s.f.	4037

### Outline of Program

**GROUND FLOOR:**

(2) Classrooms  
Staff room

**SECOND FLOOR:**

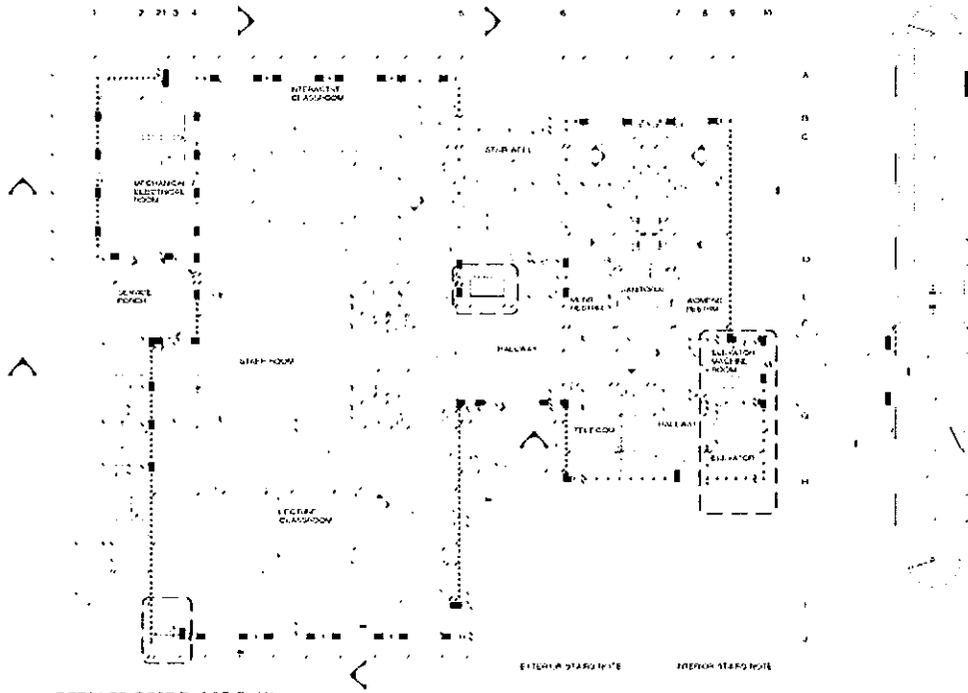
Biology lab  
Chemistry lab  
Research/Storage area

**ALL LEVELS**

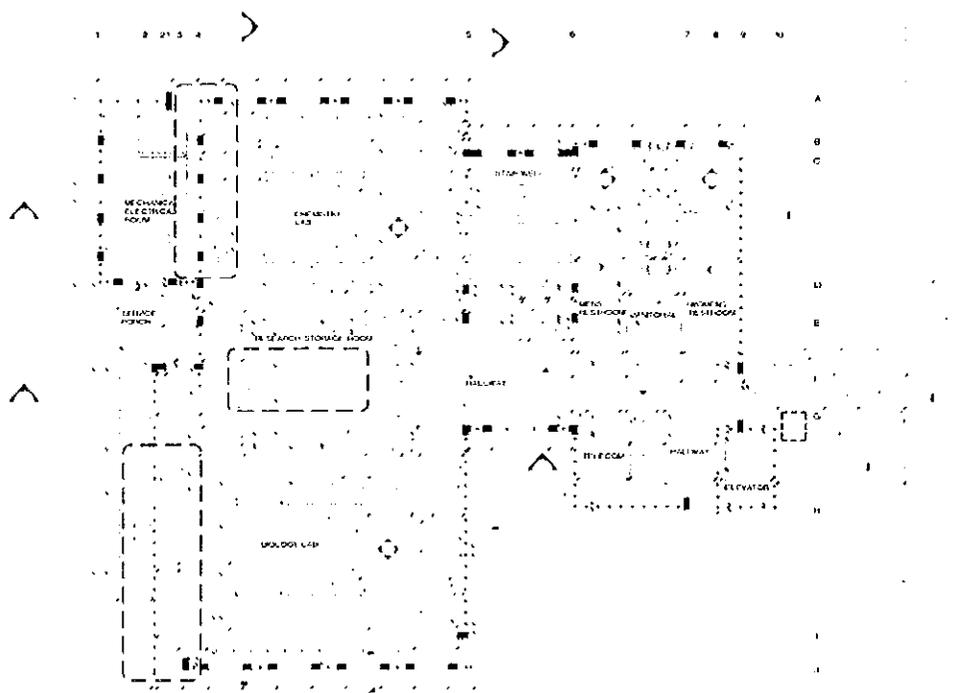
Circulation & stairs  
Lobby  
Restrooms  
Elevator  
Mechanical/Elect. room  
Telecom. Room

Schematic Layout

FUTURE HEALTH & SCIENCE HALL ANNEX



DETAILED FIRST FLOOR PLAN



DETAILED SECOND FLOOR PLAN

## FUTURE ADDITION TO A. CHESTER ROBINSON ATHLETIC CENTER

The existing Gymnasium expansion would essentially double the size of the existing complex providing a much needed second indoor basketball court and support facilities. The expansion would consist of a two-story structure. The first floor would consist of the additional basketball court, classrooms and laboratory space, administrative offices and restrooms amounting to approximately 23,600 sq. feet of new construction. The second floor would provide additional administration offices totaling 5,300 sq. feet of new program.

### PROPOSED BUILDING DATA

Description	Unit	Quantity
Total Classroom	s.f.	3,292.28
Total Non-Classroom	s.f.	3,585.46
Total Assembly Area	s.f.	0
Total Recreational Area	s.f.	45,337.26
Total Building floor Area	s.f.	52,215

### Outline of Program

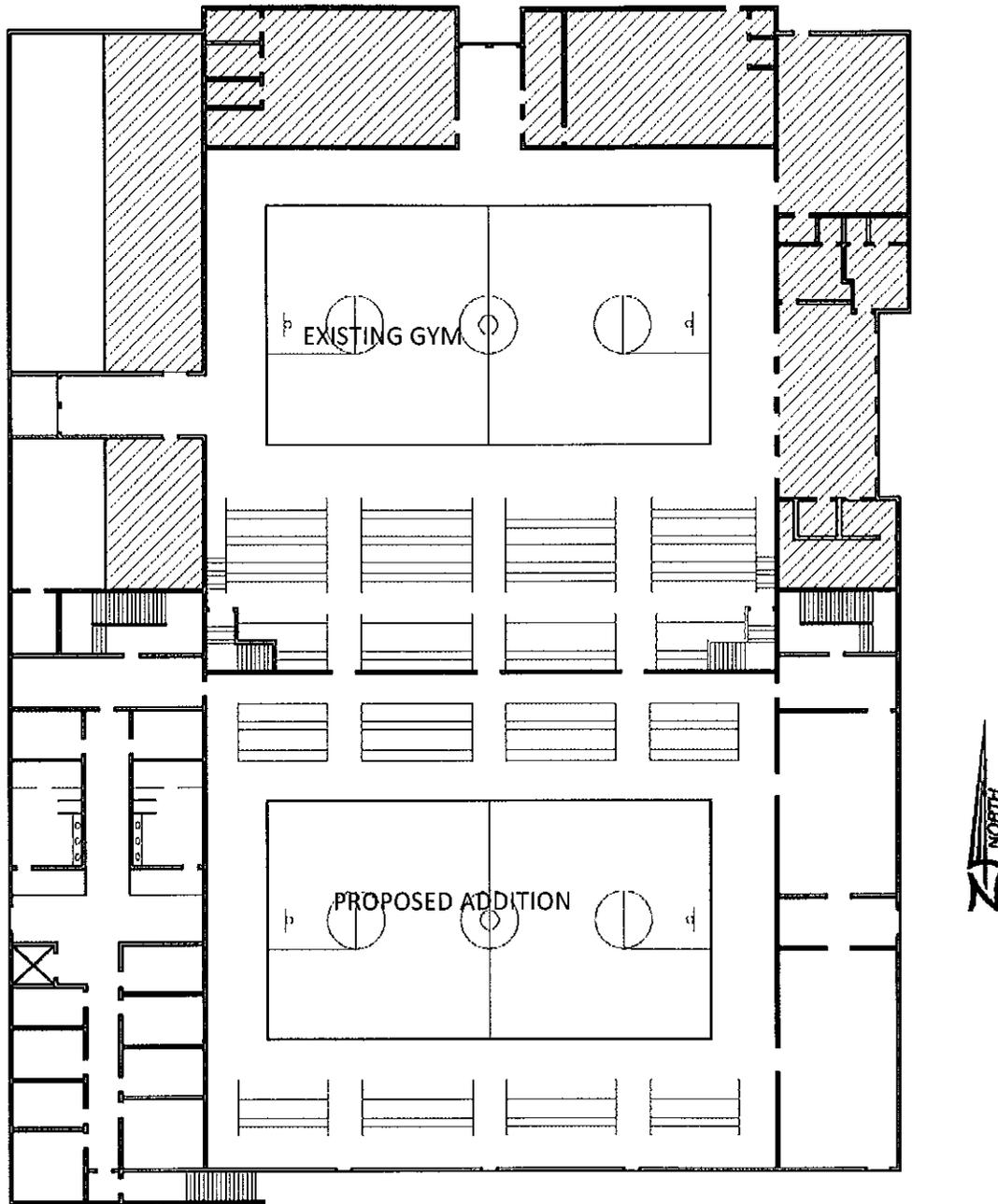
#### GROUND FLOOR:

- Expansion to Existing Weight Room
- Expansion to Existing Training Room
- Basketball Court
- (2) Physiology Labs

#### GROUND FLOOR & SECOND FLOOR:

(18) Offices for:

- Men's & Women's Athletics
- Physical Instructors
- Physical Education Majors
- Sports Information coordinator
- Secretary
- Physical Education Instructors
- Recreation / Intramural Director
- Coaches
- Mechanical rooms
- Storage Rooms
- Circulation
- Elevator



SCHEMATIC LAYOUT

**Future Addition to A. Chester Robinson Athletic Center**

## FUTURE ADMINISTRATION BUILDING

The future Administration Building is proposed as a two (2) story structure and connected to the Royal W. Puryear Administration Building by a covered walkway on the North side. The Future Facility will include approximately 20,536 square feet of Administration area which will contain offices, conference rooms, printing rooms, restrooms, and kitchenette.

### PROPOSED BUILDING DATA

Description	Unit	Quantity
Building Footprint	s.f.	10,268
Building floor area	s.f.	20,536

### Outline of Program

**GROUND FLOOR:**

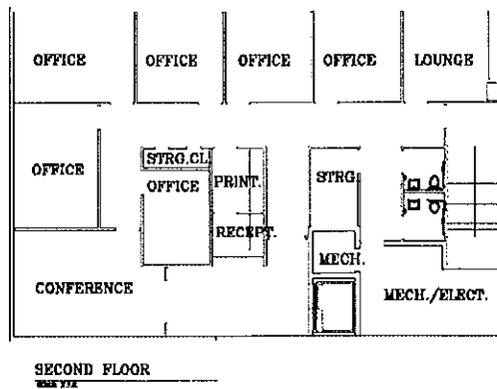
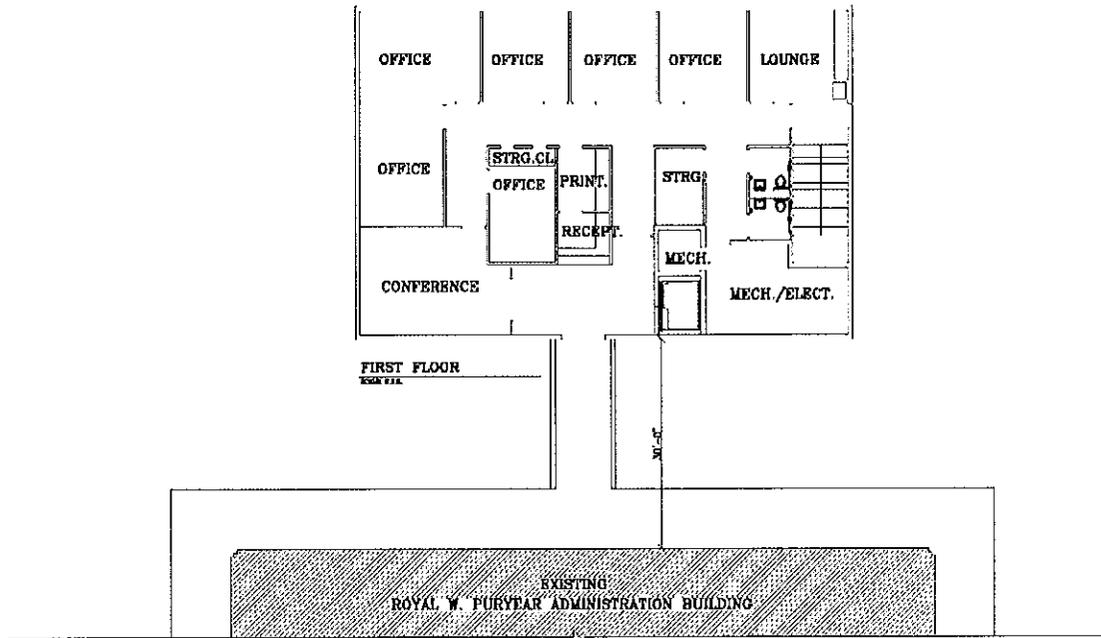
- (1) Directors office
- (4) Faculty offices
- Lobby
- Reception area
- Printing area
- Faculty kitchenette
- (2) Accessible Restroom
- Storage spaces

**SECOND FLOOR:**

- (1) Directors office
- (4) Faculty offices
- Lobby
- Reception area
- Printing area
- Faculty kitchenette
- (2) Accessible Restroom
- Storage spaces

**ALL LEVELS**

- \*Mechanical Rooms
- \*Circulation & Stairs
- \*Elevators



SCHEMATIC LAYOUT

Future Addition to Royal W. Puryear Administration Building

## FUTURE MULTI-DISCIPLINARY CLASSROOM BUILDING – A & B

The future multi-disciplinary classroom buildings A & B, will be sited on the southwest corner of the campus. These buildings will be two (2) stories in height and will bring a much needed program space including, classrooms, lecture rooms, computer rooms, and faculty offices.

### PROPOSED BUILDING DATA

Description	Unit	Quantity
Building A floor area	s.f.	23,480
Building B floor area	s.f.	20,536

### Outline of Program for Building A

#### GROUND FLOOR:

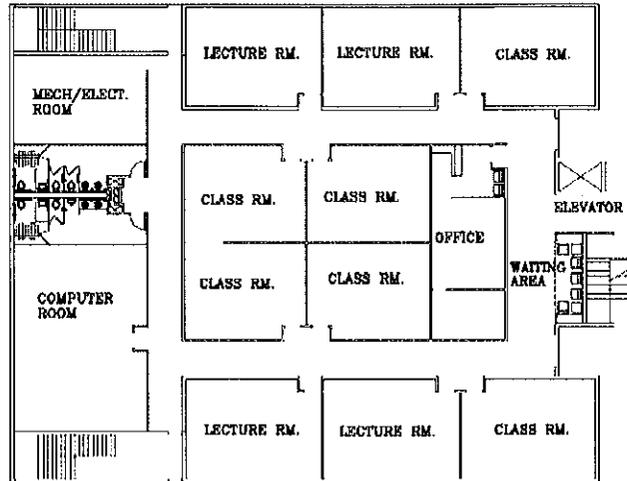
Faculty offices  
(6) Class rooms  
(4) Lecture rooms  
Computer lab  
Lobby  
(2) Restroom

#### SECOND FLOOR:

Faculty offices  
(6) Class rooms  
(4) Lecture rooms  
Computer lab  
Lobby  
(2) Restroom

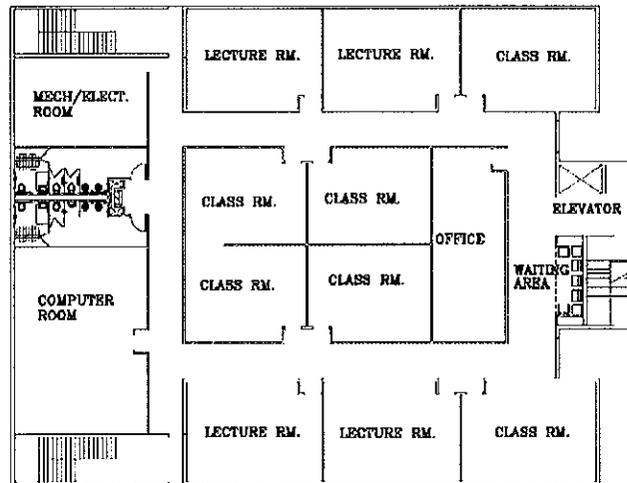
#### ALL LEVELS

\*Mechanical Rooms  
\*Circulation & Stairs  
\*Elevators



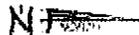
FIRST FLOOR PLAN

SCALE: N.T.S.



SECOND FLOOR PLAN

SCALE: N.T.S.



### SCHEMATIC LAYOUT

Future Multi-disciplinary classroom building

## FUTURE PARKING GARAGE

The future parking garage will be a four (4) story structure with a square footage of 125,826 and will contain approximately 320 parking spaces. The parking structure will also contain a two (2) story administration building

### PROPOSED BUILDING DATA

Description	Unit	Quantity
Parking garage floor area	s.f.	112,068
Administration Building floor area	s.f.	13,758
Total parking provided	units	320

### Outline of Program Administration Building Adjacent to Parking Garage

#### FIRST FLOOR

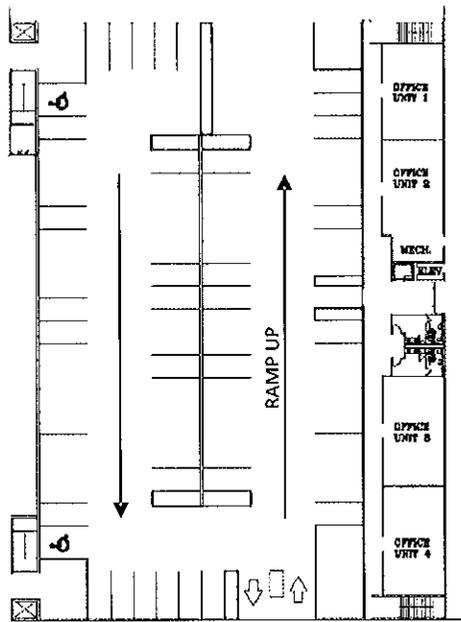
(4) Administration offices  
Each having  
Lobby  
Reception area  
Printing area  
Storage spaces

#### SECOND FLOOR

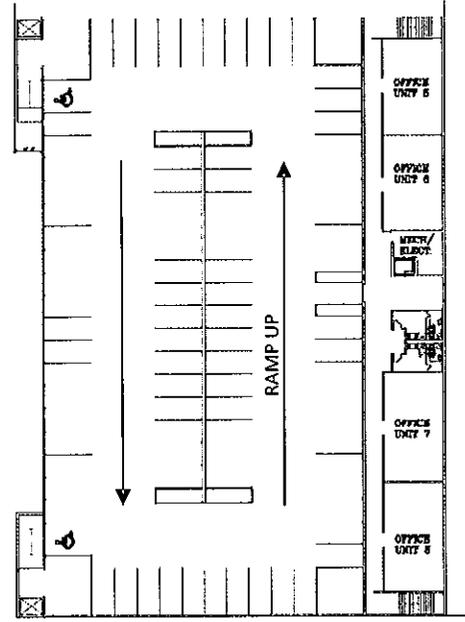
(4) Administration offices  
Each having  
Lobby  
Reception area  
Printing area  
Storage spaces

#### ALL LEVELS

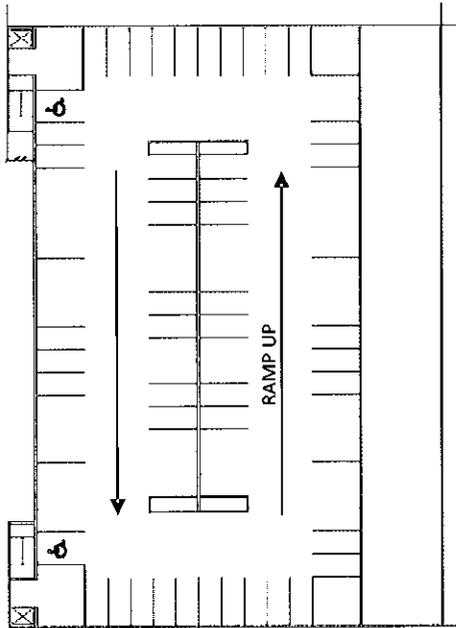
Mechanical Rooms  
Circulation & Stairs  
Elevators  
RESTROOMS



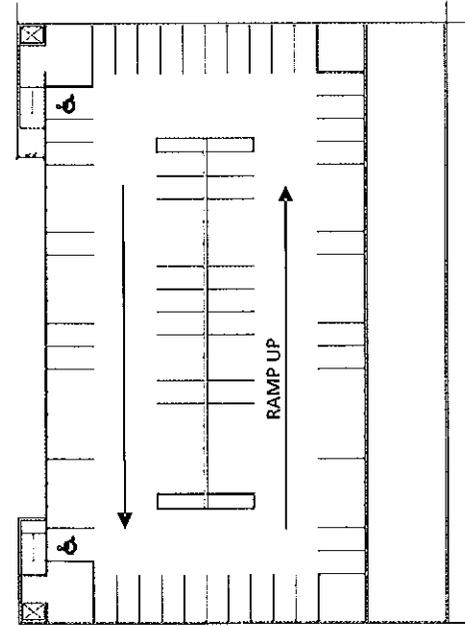
GROUND FLOOR  
SCALE: N.T.S.



SECOND FLOOR  
SCALE: N.T.S.



THIRD FLOOR  
SCALE: N.T.S.



FOURTH FLOOR  
SCALE: N.T.S.

SCHEMATIC LAYOUT

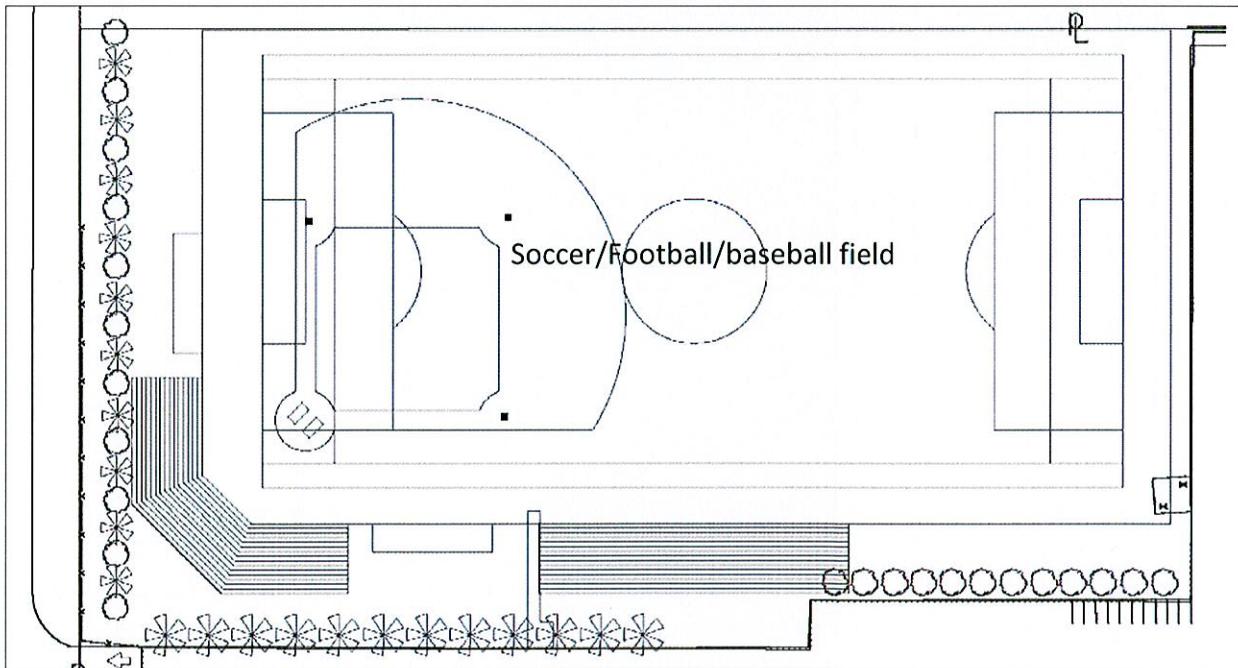
Future Parking Garage

FUTURE MULTI-PURPOSE ATHLETIC FIELD

The multi-purpose athletic field will be sited at the northwest corner of the main campus where the existing baseball field now stands. The athletic field will now not only include a college level baseball field, but also a college level football and soccer field with bleachers for approximately 2000 persons.

PROPOSED BUILDING DATA

Description	Unit	Quantity
Total Land Area	s.f.	116,153



SCHEMATIC LAYOUT

## UTILITY OVERVIEW

Florida Memorial University is in the process of up-grading the Central Plant Building which contains the Electrical Service Switchgear for the chillers and motor control centers for the associated cooling towers, chilled water and condenser water pumps. This upgrade will also replace the Electrical Transformer Vault and the Chiller System. It will provide the required Electrical and Mechanical Infrastructural upgrade for all campus existing, proposed and future projected building developments.

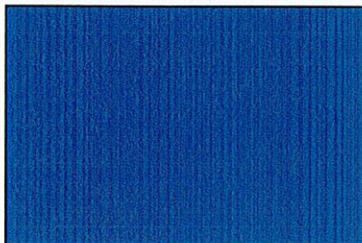
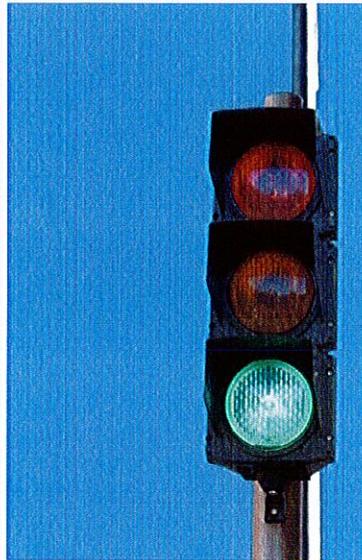
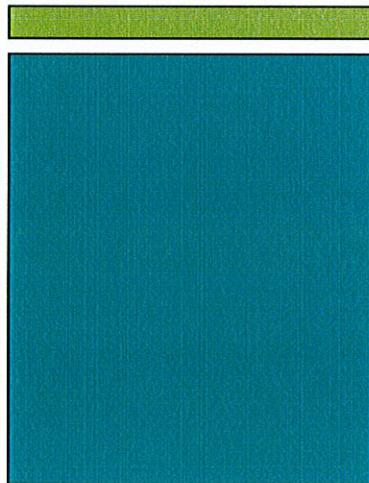
Adequate Water and Sewer Facilities are present in proximity to the site of the proposed Students Housing Building for connection.

The university receives utilities services from the following companies:

- Florida Power and Light ----- Electric Power
- Florida Gas ----- Natural Gas
- Water and Sanitary Connection Services ----- Miami-Dade Water and Sewer Department

**PARKING ANALYSIS**

parking study



prepared for:  
**Florida Memorial University**

**Traf Tech**  
ENGINEERING, INC.

May 2010

**Traf Tech**  
ENGINEERING, INC.

May 25, 2010

Mr. David Jaccarino  
Florida Memorial University  
15800 NW 42<sup>nd</sup> Avenue  
Miami Gardens, Florida 33054

**Re: Florida Memorial University – Parking Needs Study**

Dear Mr. Jaccarino:

Traf Tech Engineering, Inc. is pleased to provide you with the results of the parking study undertaken for the Florida Memorial University campus located in the City of Miami Gardens, Florida. The parking study addresses the parking requirements associated with the existing university as well as the proposed dormitories planned to be located within the south areas of the campus.

As documented in the parking study, the proposed 1,235 parking spaces within the university campus are more than adequate to comfortably accommodate the peak parking demands associated with the existing student population and the proposed 170 dormitory apartment units (275 sleeping rooms).

Sincerely,

**TRAF TECH ENGINEERING, INC.**



Joaquin E. Vargas, P.E.  
Senior Transportation Engineer

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## INTRODUCTION

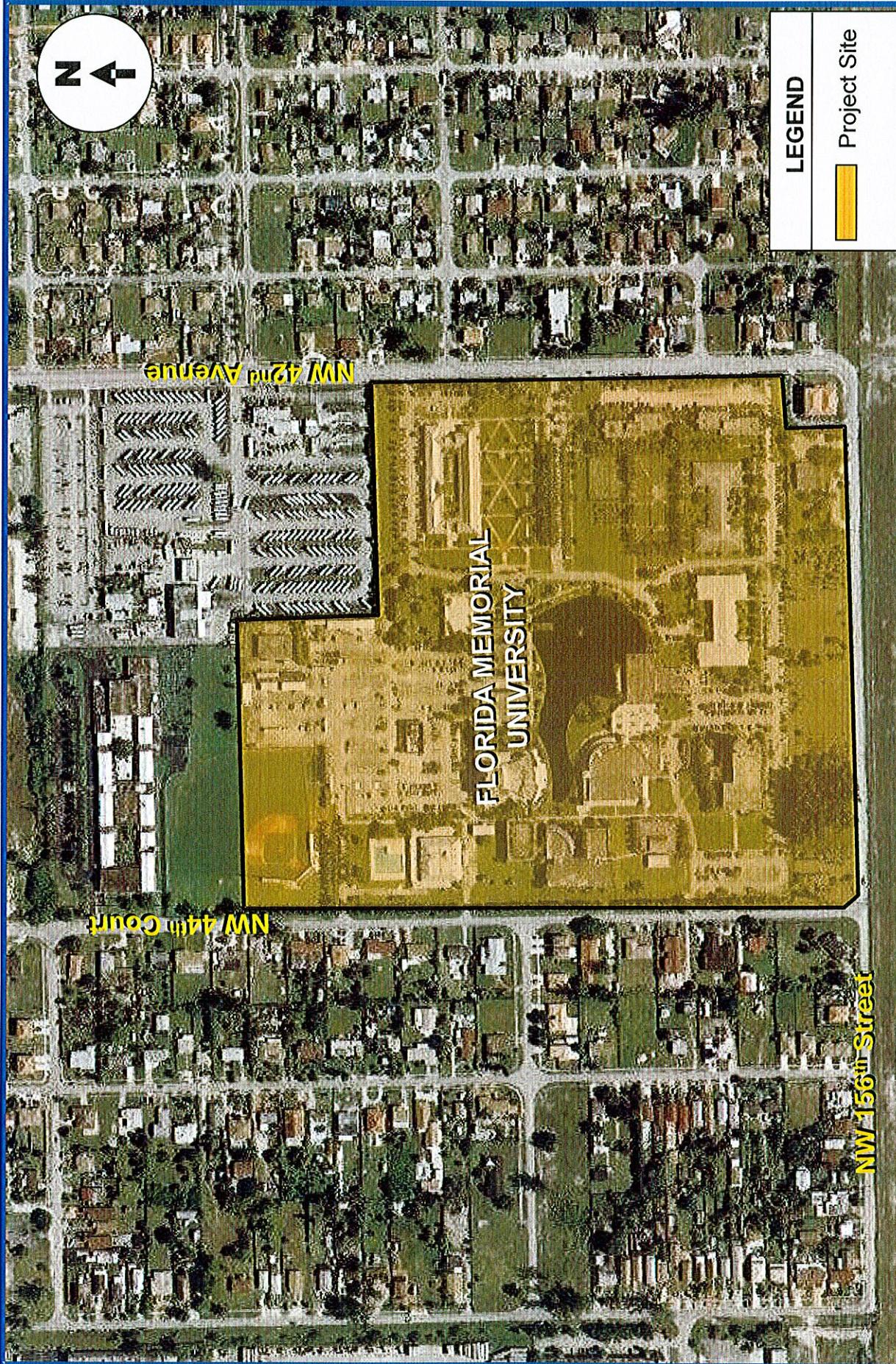
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Florida Memorial University is an educational institution located at 15800 NW 42<sup>nd</sup> Avenue in the City of Miami Gardens in north Miami-Dade County, Florida. The university campus is bounded by NW 42<sup>nd</sup> Avenue on the east, NW 44<sup>th</sup> Court on the west, and NW 156<sup>th</sup> Street on the south, as illustrated in Figure 1 on the following page. Florida Memorial's history and traditions reach back to 1879. The university offers 41 undergraduate degree programs and 4 master's curriculums.

Traf Tech Engineering, Inc. was retained by Nyarko Architectural Group, Inc. to conduct a parking study in order to determine the parking requirements of the existing university campus and the parking needs associated with proposed student dormitories planned to be located within the south areas of the school campus.

This study is divided into three (3) sections, as listed below:

1. Parking Inventory
2. Parking Requirements/Parking Needs
3. Conclusions



**FIGURE 1**  
Florida Memorial University  
Miami Gardens, Florida

**BOUNDARY OF  
FLORIDA MEMORIAL UNIVERSITY CAMPUS**

**PARKING INVENTORY**

**Existing Parking Supply within Florida Memorial University**

All parking spaces provided within the Florida Memorial University campus consists of surface parking lots (no parking garages, except the 4-story parking garage on the north side of the property line projected for the future, which is not part of this parking analysis). Table 1a presents the total number of parking spaces located within the campus. Eight (8) parking areas were established for purposes of this study, based on the location of the parking lots. Figure 2 illustrates the eight existing parking areas (labeled A through H) located within the university campus.

As indicated in Table 1a, approximately 961 automobile parking spaces and four shuttle bus parking stalls are provided within the Florida Memorial University campus.

<b>TABLE 1a Existing Parking Inventory Florida Memorial University</b>				
<b>Parking Lot</b>	<b>General Location</b>	<b>Parking Spaces</b>		<b>Total Parking Spaces</b>
		<b>Auto</b>	<b>Shuttle Bus</b>	
A	North	427	3	430
B	North-East	92	0	92
C	Near R. Puryear Bldg	10	1	11
D	South-West	89	0	89
E	Near Sams Student Bldg.	95	0	95
F	Near W. Robinson Bldg.	49	0	49
G <sup>1</sup>	South-East	-	-	-
H	South	199	0	199
<b>Total</b>	<b>-</b>	<b>961</b>	<b>4</b>	<b>965</b>

Source: Nyarko Architectural Group, Inc.

<sup>1</sup> Currently, this parking lot is unpaved. A new paved parking lot will be provided at this location with 98 parking stalls.

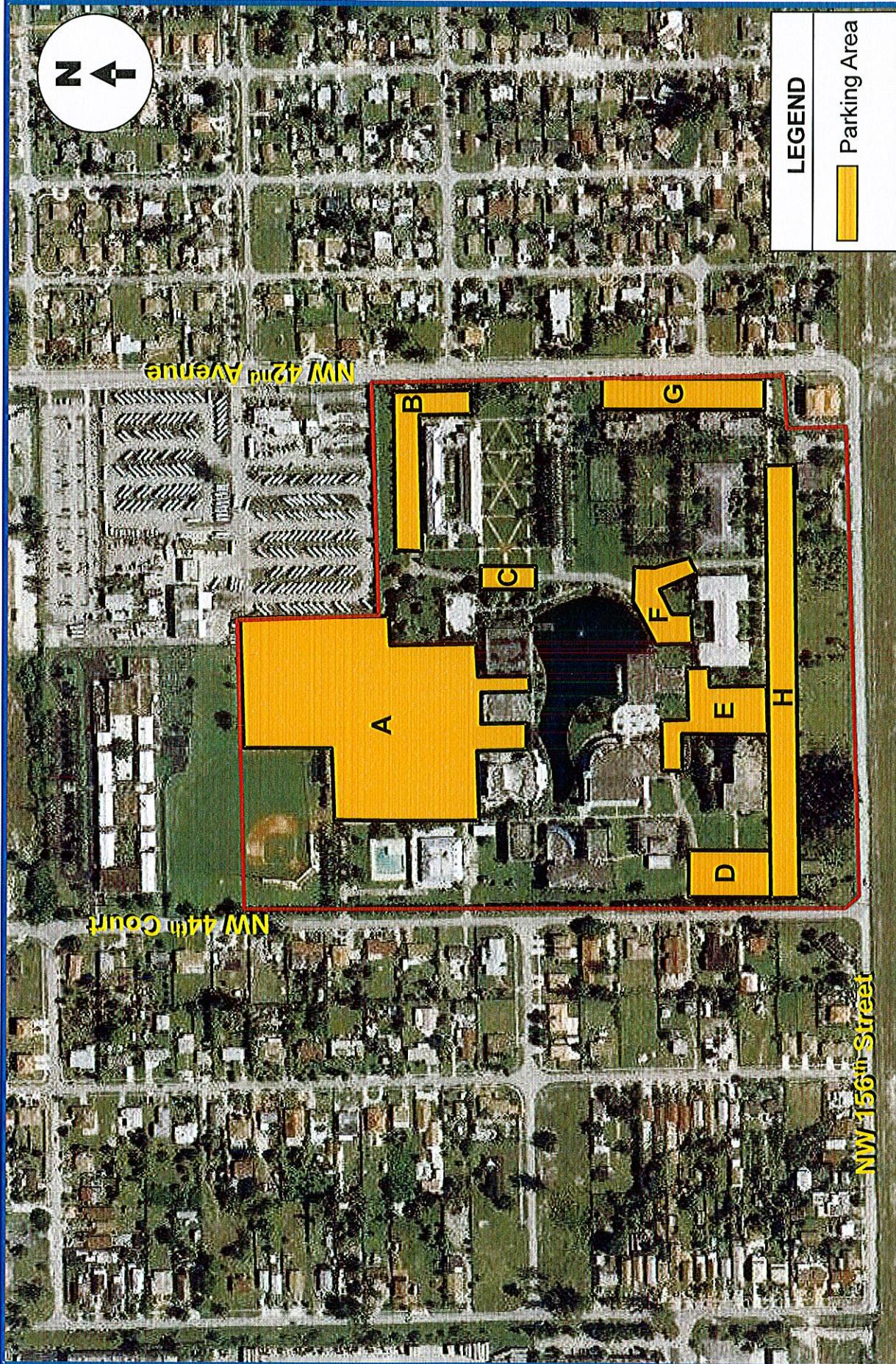
**Proposed Parking Supply within Florida Memorial University**

As shown in the Florida Memorial University Master Plan contained in Appendix A, the university campus will include 1,235 parking spaces (961 existing automobile parking stalls, minus 17 parking spaces within the existing south parking area (Lot H), plus four existing shuttle bus parking spaces, plus 287 new parking spaces (98 at the unpaved Parking Lot G and 189 adjacent to the new dormitory buildings)). The new dormitory units will include 170 apartments (275 sleeping rooms). Figure 1b shows the future parking inventory illustrated in the Master Plan contained in Appendix A.

TABLE 1b Future Parking Inventory Florida Memorial University				
Parking Lot	General Location	Parking Spaces		Total Parking Spaces
		Auto	Shuttle Bus	
A	North	427	3	430
B	North-East	92	0	92
C	Near R. Puryear Bldg	10	1	11
D	South-West	89	0	89
E	Near Sams Student Bldg.	95	0	95
F	Near W. Robinson Bldg.	49	0	49
G	South-East (New)	98	0	98
H	South	182	0	182
I	New (Next to Dorms.)	189	0	189
<b>Total</b>	-	<b>1,231</b>	<b>4</b>	<b>1,235</b>

Source: Nyarko Architectural Group, Inc.

NOTE: Pink shaded area indicates new paved parking lot



**FIGURE 2**  
Florida Memorial University  
Miami Gardens, Florida

**EXISTING PARKING AREAS WITHIN  
UNIVERSITY CAMPUS**

## PARKING REQUIREMENTS/PARKING NEEDS

The future parking needs for the Florida Memorial University campus was based on the Land Development Code of the City of Miami Gardens, the Institute of Transportation Engineers (ITE), and on a parking utilization study conducted at the subject educational institution.

### City of Miami Gardens Parking Requirements

According to the Land Development Code of the City of Miami Gardens, parking requirements for university campuses are based on a parking analysis. Additionally, on-campus dormitories require 2 parking stalls per 3 sleeping rooms. Therefore, since the proposed dormitories will include 275 sleeping rooms (170 apartment units), the parking needs associated with the proposed student facilities is 184 parking spaces.

### Institute of Transportation Engineers (ITE) Requirements

Table 2 presents the number of parking spaces required (excluding the dormitories<sup>2</sup>) based on parking generation rates published in the Institute of Transportation Engineer's (ITE) *Parking Generation* manual (second edition). The parking requirements for the dormitories were based on the Land Development Code of the City of Miami Gardens and are also included in Table 2.

TABLE 2 Parking Requirements for Florida Memorial University Based on Institute of Transportation Engineers and Miami Gardens			
Land Use	Unit	Parking Requirement	Required Parking Spaces
Existing University	2,077 <sup>3</sup> students/faculty/staff	0.3 spaces/person	623
Proposed Dormitories	275 sleeping rooms	2 spaces/3 rooms	184
<b>Total</b>	-	-	<b>807 spaces</b>

Source: ITE Parking Generation Manual (3<sup>rd</sup> Edition) and Miami Gardens

<sup>2</sup> ITE does not have parking generation data for university dormitories. The parking requirement of 0.3 spaces per person shown in Table 2 is based on ITE data.

<sup>3</sup> 1,737 students, 167 faculty, and 173 non-faculty personnel

As indicated in Table 2, Florida Memorial University requires approximately 807 parking spaces for the current land uses and intensities available within the campus plus the proposed 170 student-dormitory units (275 sleeping rooms). Since the university can accommodate approximately 1,235 vehicles on site, there will be a comfortable surplus of approximately 428 parking spaces after the student dormitories are built, based on ITE methodology.

## **Actual Parking Needs**

In order to determine the "actual" parking demand for Florida Memorial University, parking occupancy counts were conducted at each parking lot/parking area on Thursday, May 20, 2010. The parking counts were recorded in one-hour increments between the hours of 11:00 AM and 1:00 PM<sup>4</sup>. Table 3 presents the hourly distribution of occupied parking spaces at each parking lot/parking area located within the subject university campus. Based on a review of the parking occupancy counts recorded at the campus, the following conclusions are reached:

### Results of Thursday, May 20, 2010 Parking Counts

- The maximum number of vehicles parked on campus was 382 vehicles. The 382 vehicles were recorded at 11:00 AM. However, according to the university the current student enrollment is approximately 45% of the maximum student population anticipated during the fall semester. Therefore, the projected number of occupied parking spaces during the peak fall semester is approximately 850 parking spaces, which is consistent with the parking needs based on ITE methodology.
- Of the existing 965 parking spaces provided on campus, only 40% of the total parking spaces were occupied on May 20, 2010. However, during the peak fall semester the parking occupancy is projected to be approximately 88%.

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<sup>4</sup> Based on similar parking studies conducted by Traf Tech Engineering, Inc. at Barry University and at Nova Southeastern University, the peak parking accumulation on college campuses generally occurs between 11:00 AM and 1:00 PM.

TABLE 3 Results of Parking Utilization Study (Thursday, May 20, 2010) Florida Memorial University						
Parking Lot	11:00 AM		12:00 PM		1:00 PM	
	Cars	Buses	Cars	Buses	Cars	Buses
A	145	1	121	4	124	4
B	50	0	54	0	46	0
C	9	0	8	0	8	0
D	19	0	26	0	26	0
E	88	0	84	0	84	0
F	9	0	10	0	13	0
G	6	0	3	0	3	0
H	55	0	67	0	71	0
Total	381	1	373	4	375	4
	382		377		379	

Source: Traf Tech Engineering, Inc.

NOTES: The four buses recorded at 12:00 PM and 1:00 PM within Parking Lot A included one bus and 3 vans.

Parking Lot F had an area that was fenced off (no vehicles parked within the fenced-off area).

Even though Parking Lot G is unpaved, some vehicles parked within this area.

The number of cars recorded within Parking Lot H included one truck.

## CONCLUSIONS

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Florida Memorial University is an educational institution located at 15800 NW 42<sup>nd</sup> Avenue in the City of Miami Gardens in north Miami-Dade County, Florida. The university campus is bounded by NW 42<sup>nd</sup> Avenue on the east, NW 44<sup>th</sup> Court on the west, and NW 156<sup>th</sup> Street on the south.

Traf Tech Engineering, Inc. was retained by Nyarko Architectural Group, Inc. to conduct a parking study in order to determine the parking requirements of the existing university campus and the parking needs associated with proposed student dormitories planned to be located within the south areas of the school campus.

The conclusions of the parking study are presented below:

- Currently, there are 961 automobile parking spaces and four shuttle-bus parking stalls located within the Florida Memorial University campus.
- The maximum number of vehicles parked on campus on Thursday, May 20, 2010 was 382 vehicles. Since the current student enrollment is approximately 45% of the maximum student population anticipated during the fall semester, the projected number of occupied parking spaces during the peak fall semester is approximately 850 parking spaces, leaving over 100 unused parking spaces on campus.
- Based on ITE procedures and Miami Gardens parking requirements for university dormitories, a projected parking surplus of approximately 430 parking spaces will be available after the 170 student dormitories are built and occupied, and the two new parking lots are built.

Based on the results of this parking study, the proposed 1,235 parking spaces are more than adequate to comfortably accommodate the peak parking demands associated with the existing student population and the proposed 170 dormitory apartment units (275 sleeping rooms).

**Comments and Response to Parking Study by  
Corradino Group and  
TrafTech Engineering**

**The CORRADINO Group**

4055 NW 97 Avenue Doral, FL, 33156

Cyril Saiphoo, AICP  
Zoning Administrator  
Planning and Zoning Department  
City of Miami Gardens  
1515 N.W. 167 St. Building 5, Suite 200  
Miami Gardens, FL 33169

**Subject:** Florida Memorial University Parking Study Review

**Document Reviewed:** “Parking Study, prepared for: Florida Memorial University, prepared by: TrafTech Engineering, Inc., dated May 25, 2010, signed by Joaquin E. Vargas, P.E., Senior Transportation Engineer”

**Description of Review:** This review entails an analysis of the methodology, parking generation rates, a review of the site plan, number of students, and existing parking and future parking and provides recommendations as to additional information that should be provided to the City in order to complete the analysis.

**Recommendation:** Approval subject to satisfactorily addressing the comments below.

**1. Methodology**

The methodology used in this study is found to be accurate and without errors in the calculations. Therefore, the methodology is acceptable as written.

**2. Parking Generation Rates**

The study utilized the ITE Parking Generation Manual (3<sup>rd</sup> Edition), the Miami Gardens zoning code and the projected number of students to determine parking generation rates. The ITE land use code 550 was utilized, which has a parking demand range between 0.22 and 0.38 vehicles per school population (vpsp). The study has utilized the rate of the 33<sup>rd</sup> percentile (0.30 vpsp), versus the 85<sup>th</sup> percentile (0.38 vpsp). If the 85<sup>th</sup> percentile rate is applied, the demand would increase from 807 to 973 required parking spaces. The study, as written, does not include an explanation as to the use of the 33<sup>rd</sup> percentile rate.

**Comment:** Provide an explanation for the rationale to use the 33<sup>rd</sup> percentile parking generation rate.

**3. Review of the Site Plan**

Page 5 of the study includes an exhibit titled “Existing Parking Areas Within University Campus, Figure 2”. The exhibit labels the existing and future parking areas “A” through “H”. Based on this exhibit and the text of this report, it is not clear as to which parking areas are reserved for campus faculty and administrative staff and which are student parking lots.

**Comment:** Provide more specific definitions of parking areas.

**The CORRADINO Group**

4055 NW 97 Avenue Doral, FL, 33156

**4. Number of Students**

The study states that the information on the number of student was provided by the University. However, the study does not provide any details as to how this information was determined.

**Comment:** Provide information as to how the number of students is determined, such as actual classroom square footage, number of classes offered or maximum enrollment rates.

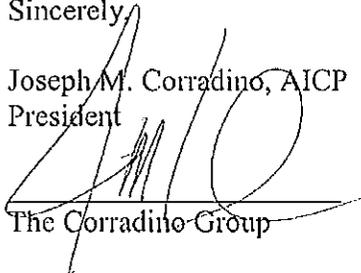
**5. Existing Parking and Future Parking**

The study provides the number of parking spaces located in each of the parking lots and the number of parking spaces currently occupied in each lot at the peak hour. It further states that the fall semester will be the full capacity of the students, unlike the current population, which is 45% of what the fall semester is. In the conclusion, the total number of parking spaces needed is projected to be 850. However, the analysis does not indicate which parking areas will be over capacity and which under-utilized. A straight-line projection indicates that parking lots "B", "C" and "E" are likely to be over capacity, while parking lots "A", "D", "F", "G" and "H" will all be under- utilized. Although the overall number of parking spaces is projected to be far exceeding the expected demand, the expected distribution could be better clarified for site planning purposes.

**Comment:** Provide an explanation as to how the University will direct students to park in certain lots (such as parking permits) to ensure a reasonable distribution of parking throughout the site.

Sincerely,

Joseph M. Corradino, AICP  
President

  
The Corradino Group

## **Traf Tech** ENGINEERING, INC.

June 8, 2010

Planning/Zoning Administrator  
Department of Development Services  
City of Miami Gardens  
1515 NW 167<sup>th</sup> Street, Building 5  
Miami Gardens, Florida 33169

Re: **Florida Memorial University – Parking Study  
Responses to Comments Provided by The Corradino Group**

In response to the comment-letter prepared by The Corradino Group in connection with the Florida Memorial University parking study, Traf Tech Engineering, Inc. is pleased to provide the following responses to the parking-related comments provided by the City's parking/traffic consultant.

**Comment: Provide an explanation for the rationale to use the 33<sup>rd</sup> percentile parking generation rate.**

Response: We concur with The Corradino Group in that ITE's average peak-period parking demand rate of 0.3 parking spaces used in the parking study only represents the 33<sup>rd</sup> percentile, which is likely on the low side. For this reason, the future parking needs of the University were recalculated using the high end of the parking range (0.38 parking spaces per school population) and the results indicate that after the 170 student dormitories are built and occupied, approximately 973 parking spaces would be required, based on ITE procedures. Since 1,235 parking spaces are proposed within the campus, a parking surplus is still anticipated for the subject university with the use of the more appropriate parking generation rate of 0.38 parking spaces per school population.

**Comment: Provide more specific definitions of parking areas.**

Response: According to information provided by the university, no parking restrictions have been established within the university campus. That is, students, faculty, non-faculty personnel, and visitors can park anywhere within the site.

**Comment:** Provide information as to how the number of students is determined, such as actual classroom square footage, number of classes offered or maximum enrollment rates.

Response: The number provided by Florida Memorial University regarding Current Student Body Count is based on actual enrollment of students for the current academic year.

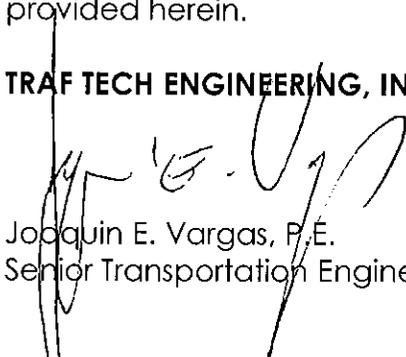
Additionally, the total square footage of classroom area is approximately 28,659 square feet. Six buildings are designated for educational purposes with 41 classrooms and five laboratories

**Comment:** Provide an explanation as to how the University will direct students to park in certain lots (such as parking permits) to ensure a reasonable distribution of parking throughout the site.

Response: As indicated previously, all parking areas are available to all users. The University does not have a parking permit program for its students. If desired, parking signs could be considered in order to provide a more efficient use of the smaller parking areas. For example, at the entrance to Parking Area B, signs indicating "Student Service Parking Area" could discourage other users from parking within this area. Similarly, signs indicating "J.T. Brown and A.B. Coleman Senior Resident Halls Parking Lot" could be placed at the entrance to Parking Area G.

Please give me a call if you have any questions regarding the information provided herein.

**TRAF TECH ENGINEERING, INC.**



Joaquin E. Vargas, P.E.  
Senior Transportation Engineer

Copies to: Mr. David Jaccarino – Florida Memorial University  
Mr. Charles O. Nyarko - Nyarko Architectural Group, Inc.

**Development Review Committee (DRC) Comments**

- **Planning and Zoning**
  - **Public Works**
    - **Building**
      - **Police**



## DEVELOPMENT REVIEW COMMITTEE (DRC) STAFF COMMENT SHEET

DEPARTMENT: PLANNING AND ZONING DEPARTMENT

CONTACT PERSON: Nixon Lebrun, AICP CFM  
Nlebrun@miamigardens-fl.gov  
305-622-8000 ext. 2676

DATE: June 1, 2010

DRC ITEM: Florida Memorial University Dormitories  
4255 N.W. 156<sup>th</sup> Street

---

### OUTSTANDING COMMENTS:

- 1. Platting:** Pursuant to the subdivisions standards set forth in Article VII of the City's Land Development Regulations, and in order to provide a readily accessible and easily understandable public record of the property's size and shape, and ensure that public services and infrastructures are available concurrent with the impacts of the proposed improvements, platting of the subject property is required. The Planning and Zoning Department will not approve building permits until a T-Plat has been approved and the CO will not be approved until the final plat is recorded.
- 2. Landscaping:** The landscape legend on the submitted landscape plans refer to Chapter 18-A of the Miami-Dade County Code. The City has adopted its own land development regulations, and the landscape plans shall be revised to comply with and cite the appropriate section(s) of Article XIV of the City's LDR. The LDR is available on the City's web site, first page, [www.miamigardens-fl.gov](http://www.miamigardens-fl.gov).
- 3. Landscaping:** The Existing Tree List of the submitted landscape plans displays a total of 164 existing trees proposed to be removed. Prior to the removal of these trees, a tree removal permit is required from both this Department as required by Section 14-90, and the Miami-Dade Department of Environmental Resources Management (DERM) as required by Section 24-60 of the Miami-Dade County Code.
- 4. Landscaping:** Pursuant to Section 14-30 and prior to the issuance of a building permit, a landscape permit is to be submitted for review and approval to ensure that the landscape plans are substantially in compliance with those submitted with this public hearing application, if approved.
- 5. Commencement of construction:** Construction shall commence within thirty-six (36) months from date of approval in accordance to section 2-140 of the City's Land Development Regulations.
- 6. Phasing schedule.** A development schedule is required indicating the phasing of the development with approximate dates of when construction of the proposed improvements and stages thereof can be expected to commence.
- 7. Parking & Traffic Analysis:** Comments are forthcoming.



8. **DRC approval required:** DRC approval will be required for each and all development phases of the master plan, and any amendments thereto that are deemed substantially not in compliance with the approved master plan will require approval by the City Council.

**RECOMMENDATION:**

- APPROVAL SUBJECT TO CONDITIONS LISTED BELOW  
 APPROVAL  
 RESUBMITTAL (SEE COMMENTS ABOVE)  
 DENIAL (SEE COMMENTS ABOVE)

**CONDITIONS:**

**DEVELOPMENT REVIEW COMMITTEE (DRC) CONTACT INFORMATION:**

For more information on your recommendation please contact the Staff member listed above directly OR contact Cyril Saiphoo, Zoning Administrator, Planning and Zoning Department, 1515 N.W. 167 Street, Building 5, Suite 200, Miami Gardens, FL, 33169, 305-622-8000 ext. 2255 or email at [csaiphoo@miamigardens-fl.gov](mailto:csaiphoo@miamigardens-fl.gov)



**DEVELOPMENT REVIEW COMMITTEE (DRC)  
STAFF COMMENT SHEET**

DEPARTMENT: PUBLIC WORKS DEPARTMENT

CONTACT PERSON: Mariana Pitiriciu, City Engineer  
mpitiriciu@miamigardens-fl.gov  
305-622-8000-Ext: 3120

DATE: June 1, 2010

DRC ITEM: DRC 2009-0001/FMU Dormitory  
15800 NW 42<sup>nd</sup> Avenue

---

**COMMENTS:**

1. No further comments related with parking. The parking study satisfied the parking issues discussed at the last Public Works review.
2. General comments to applicant concerning requirements for obtaining permits;
  - a. Public Works permit required for paving and drainage. Please contact Mariana Pitiriciu/City Engineer for permitting requirements;
  - b. Pre-submittal meeting with City Engineer is strongly recommended;
  - c. Pre-construction meeting to include sub-contractors, engineer of record is required prior to commencement paving and drainage work;

**RECOMMENDATION:**

- APPROVAL SUBJECT TO CONDITIONS LISTED BELOW
- APPROVAL
- RESUBMITTAL (SEE COMMENTS ABOVE)
- DENIAL (SEE COMMENTS ABOVE)

**DEVELOPMENT REVIEW COMMITTEE (DRC) CONTACT INFORMATION:**

For more information on your recommendation please contact the Staff member listed above directly OR contact Cyril Saiphoo, Zoning Administrator, Planning and Zoning Department, 1515 N.W. 167 Street, Building 5, Suite 200, Miami Gardens, FL, 33169, 305-622-8000 ext. 2255 or email at [csaiphoo@miamigardens-fl.gov](mailto:csaiphoo@miamigardens-fl.gov)



## DEVELOPMENT REVIEW COMMITTEE (DRC) STAFF COMMENT SHEET

DEPARTMENT: BUILDING SERVICES DIVISION

CONTACT PERSON: Shellie Ransom, Building Official  
sransom@miamigardens-fl.gov  
305-622-8054

DATE: June 1, 2010

DRC ITEM: DRC 2009-0001/FMU Dormitory  
15800 NW 42<sup>nd</sup> Avenue

---

### COMMENTS:

1. General comments to applicant concerning requirements for obtaining permits;
  - a. Building permit required prior to commencement of work on the property. Please contact the Building Division for permitting requirements;
  - b. Pre-submittal meeting with all plan reviewers is strongly recommended;
  - c. Pre-construction meeting to include sub-contractors is required prior to commencement on work on the property. Please contact the Building Division minimum 7 days prior to commencement of work to schedule pre-construction meeting;
  - d. C.O. will not be issued until all landscaping in accordance to the LDR and plans have been installed; Please contact Building Division for landscape permitting requirements;
  - e. Finished floor elevation shall conform to Miami-Dade County Flood Criteria.
  - f. Signage shall require separate permit. Please contact the Building Division for sign permitting requirements;
  - g. Due to the size of the project, a foundation permit may be applied for and issued contingent upon zoning/site plan approval. Please contact the Building Division for permit application;
2. general concerns about project;
  - a. Since property is adjacent to Opa-Locka airport, is FAA approval required?
3. additional questions;
  - a. How will the construction be phased?
  - b. Where is the construction staging area, and construction entrances?
4. additional documentation required for review;
  - a. Provide 2 complete sets of building plans with final submittal;
  - b. Provide 1 set of plans containing the following sheets for Public Works review:
    - i. Site plan
    - ii. Survey



- iii. Civil Engineering drawings (water and sewer, paving and drainage, erosion and sedimentation control )
- iv. Geotechnical report (when paving and drainage in involved)
- v. Drainage calculations (when paving and drainage in involved)

## **RECOMMENDATION:**

- APPROVAL SUBJECT TO CONDITIONS LISTED BELOW
- APPROVAL
- RESUBMITTAL (SEE COMMENTS ABOVE)
- DENIAL (SEE COMMENTS ABOVE)

## **CONDITIONS:**

1. Provide complete building plans with final submittal.

## **DEVELOPMENT REVIEW COMMITTEE (DRC) CONTACT INFORMATION:**

For more information on your recommendation please contact the Staff member listed above directly OR contact Cyril Saiphoo, Zoning Administrator, Planning and Zoning Department, 1515 N.W. 167 Street, Building 5, Suite 200, Miami Gardens, FL, 33169, 305-622-8000 ext. 2255 or email at [csaiphoo@miamigardens-fl.gov](mailto:csaiphoo@miamigardens-fl.gov)



**DEVELOPMENT REVIEW COMMITTEE (DRC)  
STAFF COMMENT SHEET**

DEPARTMENT: POLICE DEPARTMENT  
CONTACT PERSON: PAUL MILLER, DEPUTY CHIEF  
pmiller@miamigardens-fl.gov  
DATE: June 1, 2010  
DRC ITEM: Florida Memorial University  
15800 NW 42<sup>nd</sup> Avenue

---

**COMMENTS:**

1. General comments to applicant concerning requirements for obtaining permits;  
At this time from June 1<sup>st</sup>, 2009 to June 1<sup>st</sup>, 2010 the Miami Gardens Police Department had a total of 89 calls for service for the year at Florida Memorial University. The addition of sleeping rooms and increase in student body will most likely cause additional calls for service within the University and will also increase traffic in the area. Additional security personnel is suggested
2. General concerns about the project;
  - a. An increase in student population to an additional 170 dormitory apartment units (275 sleeping rooms) will increase the calls for service at the location.
  - b. Traffic in the area should increase slightly but is not a concern at this time.
3. Additional questions;
  - a. Will they be an increase in security personnel on campus?

**RECOMMENDATION:**

- APPROVAL SUBJECT TO CONDITIONS LISTED BELOW  
 APPROVAL  
 RESUBMITTAL (SEE COMMENTS ABOVE)  
 DENIAL (SEE COMMENTS ABOVE)

**CONDITIONS:**

**DEVELOPMENT REVIEW COMMITTEE (DRC) CONTACT INFORMATION:**

For more information on your recommendation please contact the Staff member listed above directly OR contact Cyril Saiphoo, Zoning Administrator, Planning and Zoning Department, 1515 N.W. 167 Street, Building 5, Suite 200, Miami Gardens, FL, 33169, 305-622-8000 ext. 2255 or email at [csaiphoo@miamigardens-fl.gov](mailto:csaiphoo@miamigardens-fl.gov)

**SUBMITTED PLANS AND SURVEY**



FLORIDA MEMORIAL UNIVERSITY  
LIVING AND LEARNING RESIDENT HALL

BUILDINGS 1 AND 2 NORTH ENTRANCE RENDERING

MAY 26, 2010

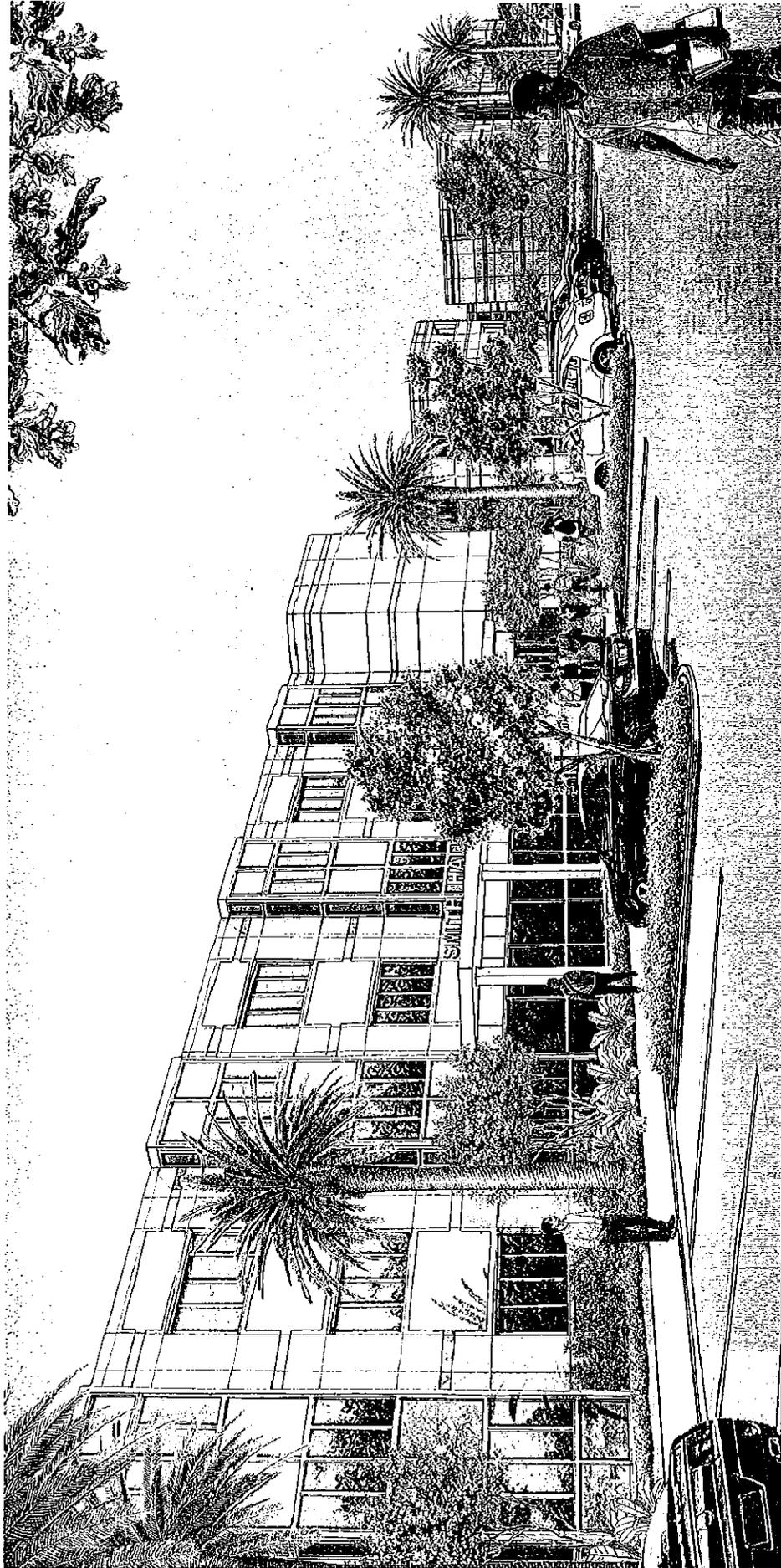


D. STEPHENSON  
CONSTRUCTION, INC.

6241 N. DIXIE HIGHWAY  
FORT LAUDERDALE, FL 33334  
TELEPHONE: 564.315-7020 FAX: 564.315-7030



RJ HEISENBOTTE  
ARCHITECTS  
2300 BONDIE DRIVE, SUITE 400  
CORAL GABLES, FL 33134 TELEPHONE:  
305.441.7000 FAX: 305.441.7000  
ALSO SEE OUR WEBSITE: RJHEISENBOTTE.COM



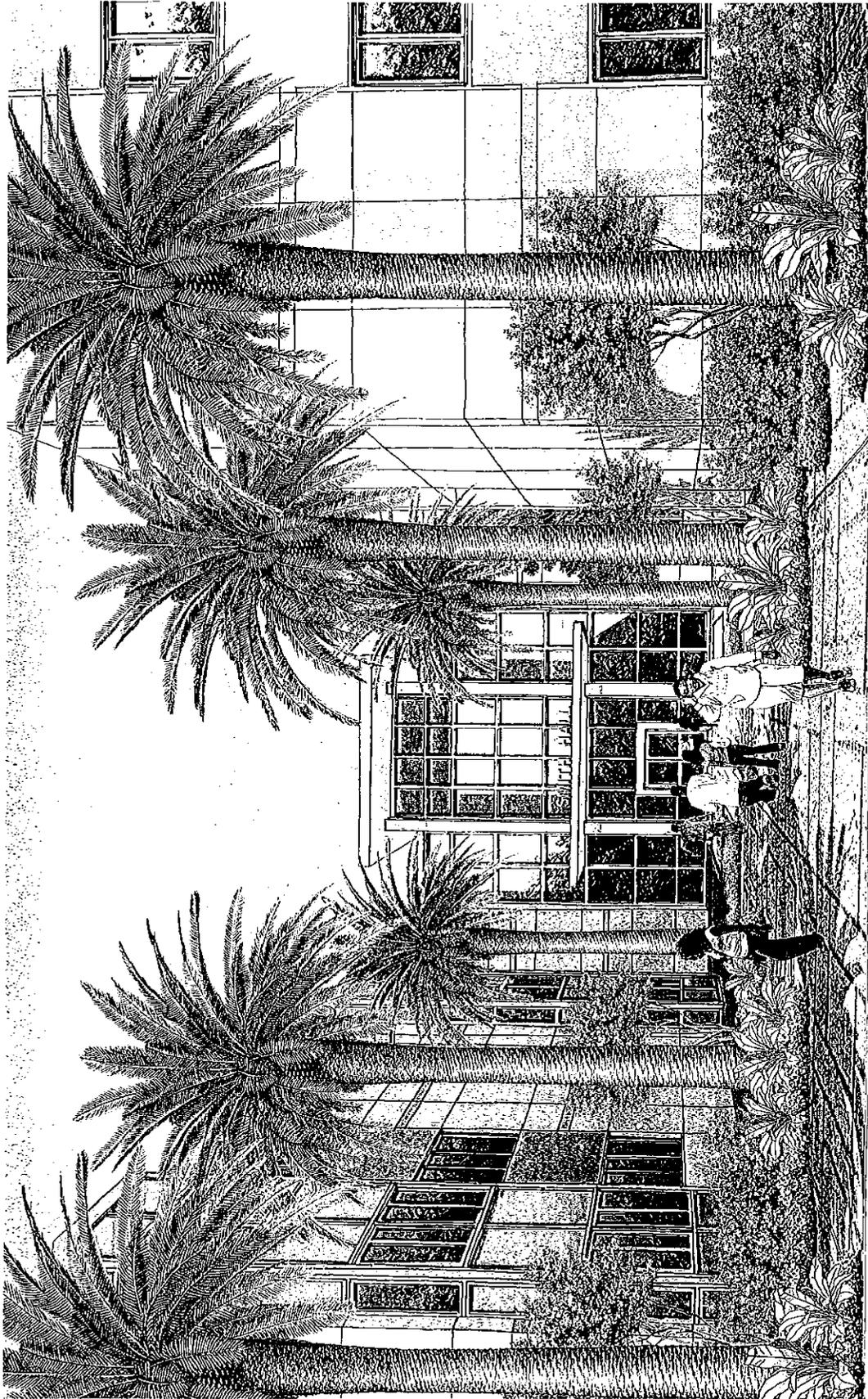
FLORIDA MEMORIAL UNIVERSITY  
 LIVING AND LEARNING RESIDENT HALL  
 BUILDINGS 3 AND 4 - NORTH ENTRANCE RENDERING  
 MAY 26, 2010

RJ HEISENBOTTE  
 ARCHITECTS  
 2180 PONCE DE LEON BLVD., SUITE 400  
 CORAL GABLES, FL 33134 TELEPHONE:  
 305.442.1111 FAX: 305.442.1112  
 REGISTRATION NUMBER: AR 020104

FLORIDA  
 MEMORIAL  
 UNIVERSITY  
 A PROMISE A FUTURE



D. STEPHENSON  
 CONSTRUCTION, INC.  
 6241 N. DIKE HIGHWAY  
 FORT LAUDERDALE, FL 33334  
 TELEPHONE: 564 315-7050 FAX: 564 315-7030

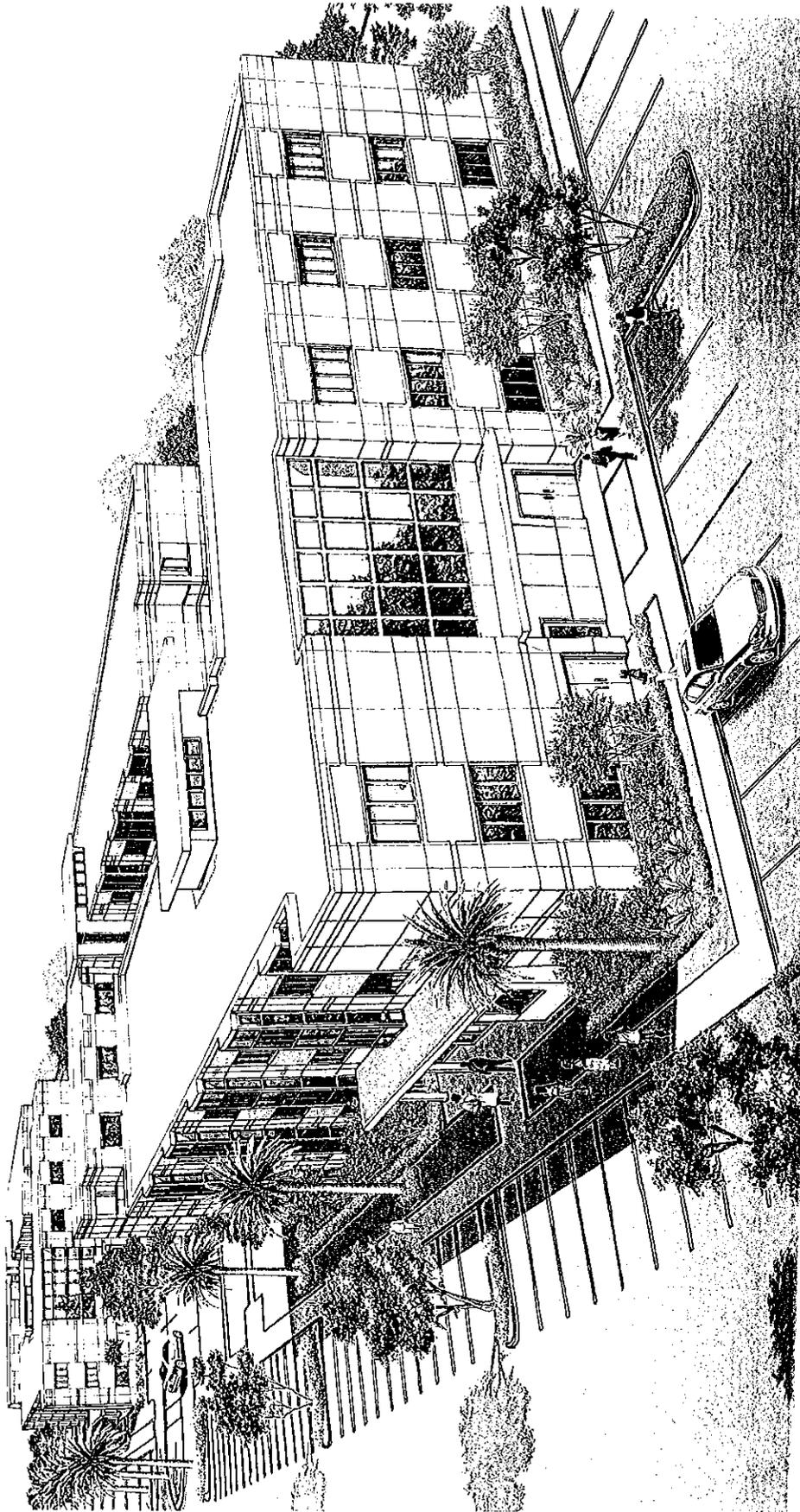


FLORIDA MEMORIAL UNIVERSITY  
LIVING AND LEARNING RESIDENT HALL  
BUILDINGS 3 AND 4 SOUTH ENTRANCE RENDERING  
MAY 26, 2010

RJ HEISENBOTTLE  
ARCHITECTS, P.C.  
2000 UNIVERSITY BLVD., SUITE 200  
CORAL GABLES, FL 33134 TELEPHONE:  
305.441.7799 FAX: 305.441.9775  
WWW.RJHEISENBOTTLE.COM



D. STEPHENSON  
CONSTRUCTION, INC.  
8541 N. DIXIE HWY. #200  
FORT LAUDERDALE, FL 33314  
TELEPHONE: 954.315-7020 FAX: 954.315-7030



FLORIDA MEMORIAL UNIVERSITY  
LIVING AND LEARNING RESIDENT HALL

BUILDING 4 AERIAL VIEW RENDERING

MAY 26, 2010

RJ HEISENBOTTLE  
ARCHITECTS  
209 W. COLLEGE BLVD., SUITE 400  
GAINESVILLE, FL 32601-1075  
PHONE: 352-339-4444 FAX: 352-339-4444  
FLORIDA LICENSE NUMBER: AR 010185



D. STEPHENSON  
CONSTRUCTION, INC.

6211 N. DIXIE HWY  
FORT LAUDERDALE, FL 33324  
TELEPHONE: 954-315-7000 FAX: 954-315-7030

**ZONING INFORMATION**

ZONING CLASSIFICATION: PLANNED DEVELOPMENT DISTRICT (PDD)  
IN CONSENSUITY WITH NEW COMPREHENSIVE MASTER PLAN

SITE NET AREA: 165,283 SQUARE FEET OR 3.79 ACRES  
SITE GROSS AREA: 190,187 SQUARE FEET OR 4.36 ACRES

COVERAGE OF BUILDINGS AT GROUND LEVEL: 41,242 SF  
PRIVATE ROADS AND PARKING AREAS: 52,483 SF / 1.205 ACRES

EDGE AREA RATIO:  
FLOOR AREA RATIO ALLOWED = 1.0 MAX.  
FLOOR AREA RATIO PROVIDED = 0.73

DENSITY:  
NUMBER OF UNITS: 170 UNITS  
DENSITY: 44.85 UNITS PER NET ACRE

**DEVELOPER REQUIREMENTS**

COMMON OPEN SPACE REQUIRED = FOR 41 OR MORE UNITS PER NET ACRE = 40%  
COMMON OPEN SPACE PROVIDED = 66,459 SF (1.53 ACRES) = 40.08%

PRIVATE OPEN SPACE PROVIDED = 1,711 SF (0.04 ACRES) = 1.04%

**SETBACKS**

FRONT: NOT APPLICABLE  
REAR: 25 FT.  
SIDE STREET: NOT APPLICABLE  
INTERIOR SIDE: 136 FT. (MIN.)  
BETWEEN BUILDINGS: 29 FT. (MIN.)

**SURFACE LABELATION**

IMPERVIOUS SURFACE AMOUNT: 106,495 SF  
PERVIOUS SURFACE AMOUNT: 55,002 SF

**BUILDING LABELATION**

NUMBER OF BUILDINGS: 4

LIVING UNITS: 4  
BUILDING 1: 28  
BUILDING 2: 44  
BUILDING 3: 44  
BUILDING 4: 44  
UNIT MIX: 84 - 1 BEDROOM UNITS (492)  
12 - 2 BEDROOM UNITS (420)  
12 - 4 BEDROOM UNITS (92)

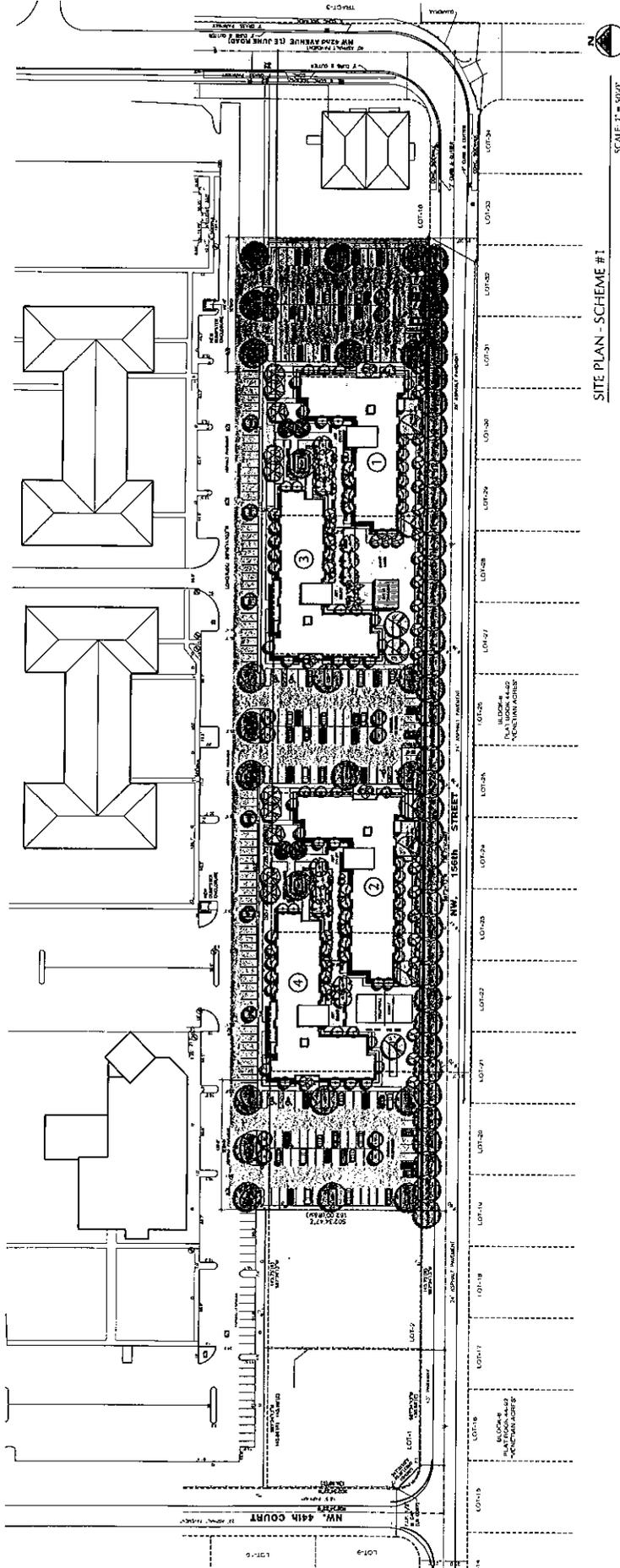
USAGE: STUDENT DORMITORY  
STUDENT DORMITORY  
STUDENT DORMITORY  
STUDENT DORMITORY

HEIGHT: 3 STORIES  
3 STORIES  
3 STORIES  
3 STORIES

SIZE: 28,601 CSF  
32,492 CSF  
30,070 CSF  
30,070 CSF

**LOADING REQUIREMENTS**

DORMITORIES:  
2 SPACES PER 3 SLEEPING ROOMS OR PARKING ANALYSIS  
275 SLEEPING ROOMS @ 2 CARS PER 3 SLEEPING ROOMS = 184 CARS REQUIRED  
PARKING PROVIDED:  
TOTAL NEW PARKING PROVIDED = 188 CARS (176 REGULAR + 8 P/C SPACES)



SITE PLAN - SCHEME #1



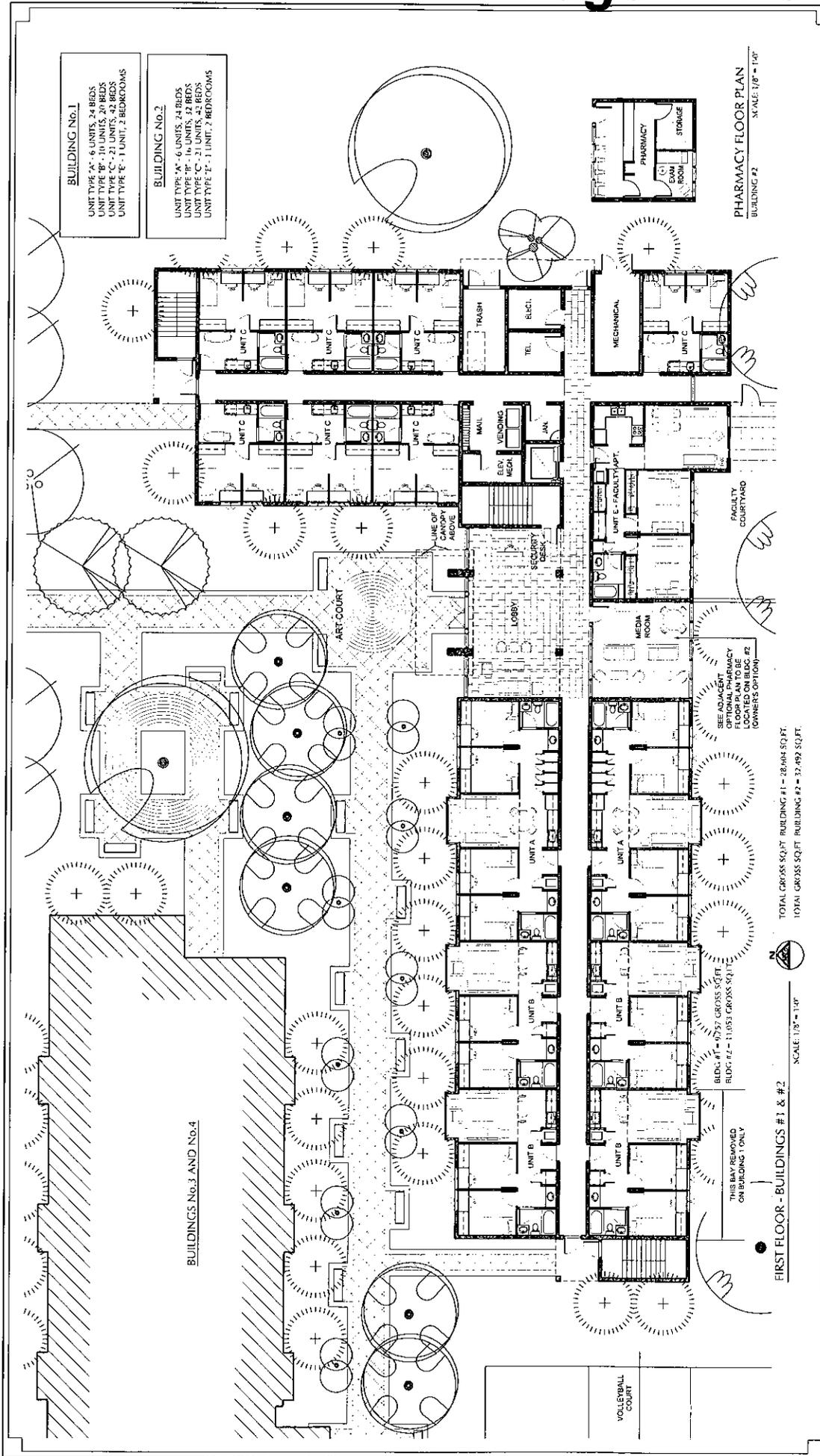
6241 N. DIXIE HIGHWAY  
FORT LAUDERDALE, FL 33134  
TELEPHONE: 954 315-7020 FAX: 954 315-7030

**FLORIDA MEMORIAL UNIVERSITY**  
LIVING AND LEARNING RESIDENT HALL

MAY 26, 2010



**RJ HEISENBOTTLE**  
ARCHITECTS  
7106 PONDICKEE BLVD., SUITE 400  
FORT LAUDERDALE, FL 33309  
PHONE: 352-466-1799 FAX: 352-466-2975  
REGISTRATION NUMBER: 44503085



**BUILDING No.1**  
 UNIT TYPE 'A' - 6 UNITS, 24 BEDS  
 UNIT TYPE 'B' - 10 UNITS, 20 BEDS  
 UNIT TYPE 'C' - 10 UNITS, 20 BEDS  
 UNIT TYPE 'E' - 1 UNIT, 2 BEDROOMS

**BUILDING No.2**  
 UNIT TYPE 'A' - 6 UNITS, 24 BEDS  
 UNIT TYPE 'B' - 16 UNITS, 32 BEDS  
 UNIT TYPE 'C' - 21 UNITS, 42 BEDS  
 UNIT TYPE 'E' - 1 UNIT, 2 BEDROOMS

**PHARMACY FLOOR PLAN**  
 BUILDING #2  
 SCALE: 1/8" = 1'-0"

TOTAL GROSS SQ.FT. BUILDING #1 - 28,004 SQ.FT.  
 TOTAL GROSS SQ.FT. BUILDING #2 - 32,492 SQ.FT.

SCALE: 1/8" = 1'-0"

FIRST FLOOR - BUILDINGS #1 & #2

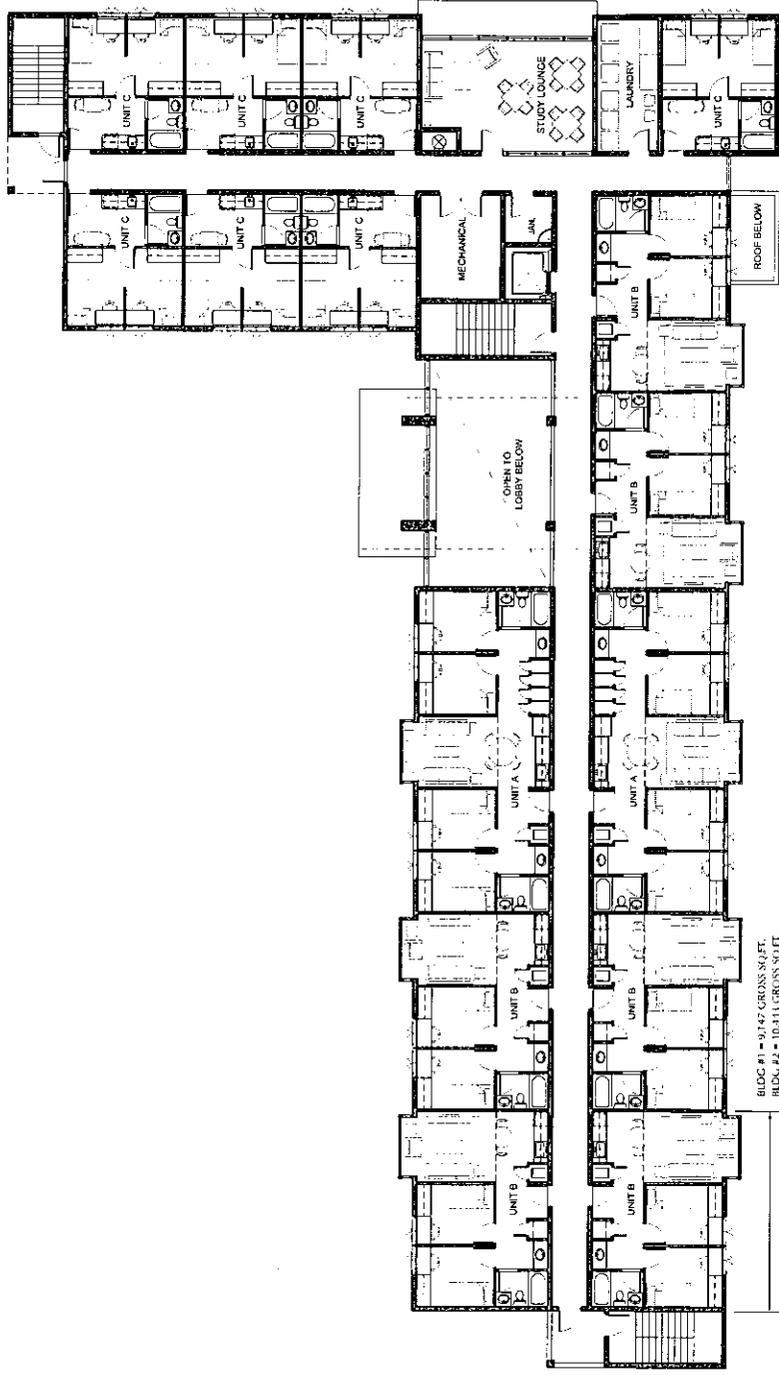
**RJ HEISENBOTTE**  
 ARCHITECTS  
 7109 PONCE DE LEON BLVD., SUITE 400  
 BOCA RATON, FLORIDA 33433  
 305-440-1700 FAX: 305-440-9273  
 REGISTRATION NUMBER: PA 001845

**FLORIDA MEMORIAL UNIVERSITY**  
 LIVING AND LEARNING RESIDENT HALL



**D. STEPHENSON**  
 CONSULTANTS, INC.  
 6241 N. DIXIE HIGHWAY  
 FORT LAUDERDALE, FLORIDA 33309  
 TELEPHONE: 352-313-7020 FAX: 352-315-7030

MAY 26, 2010



BLOC #1 = 9,147 GROSS SQ. FT.  
 BLOC #2 = 10,711 GROSS SQ. FT.

THIS BAY REMOVED  
 ON BUILDING 1 ONLY

SECOND FLOOR - BUILDINGS #1 & #2

SCALE: 1/8" = 1'-0"

FLORIDA MEMORIAL UNIVERSITY  
 LIVING AND LEARNING RESIDENT HALL

MAY 26, 2010

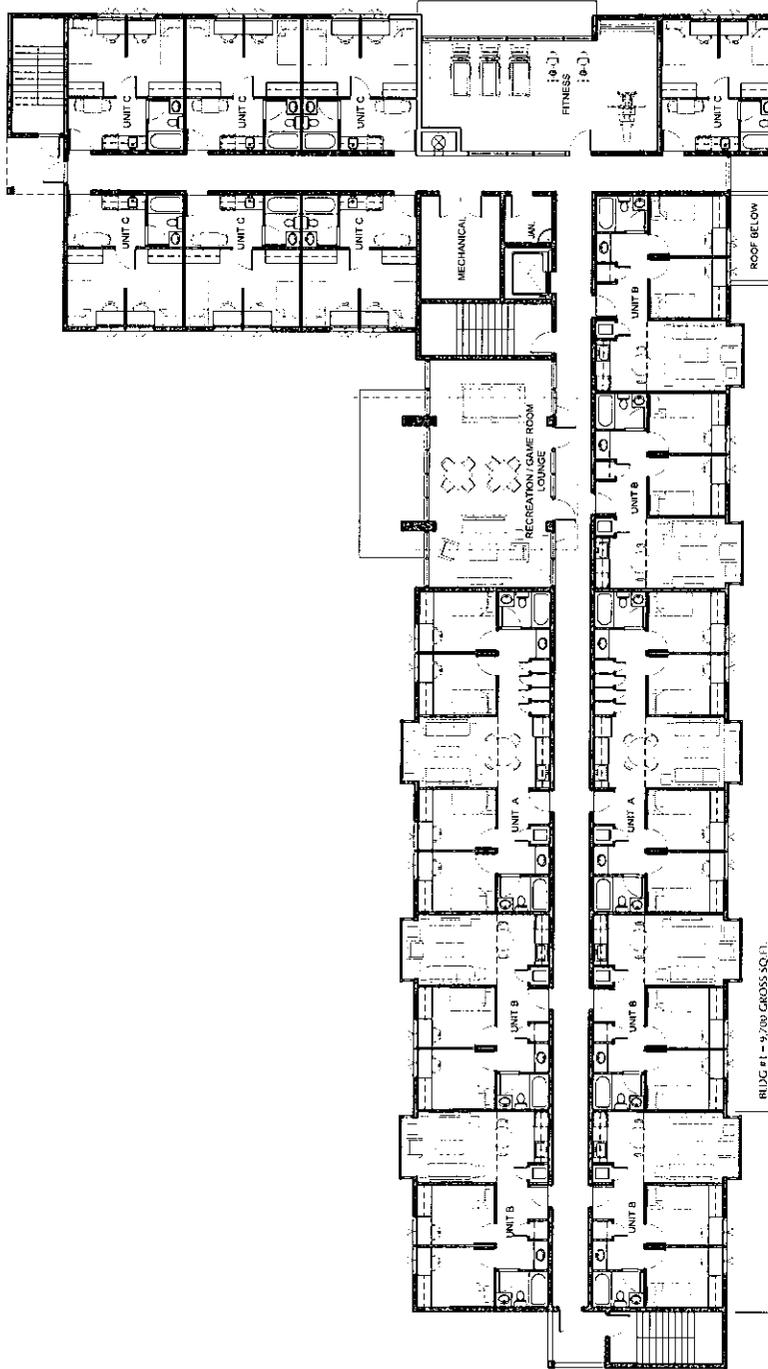


**D. STEPHENSON**  
 CONSULTANTS, INC.

6511 N. STATE HIGHWAY  
 6087 LAKE WALKER, CHICASSA  
 TELEPHONE: 954-315-7020 FAX: 954-315-7030



**RJ HEISENBOTTE**  
 ARCHITECTS, P.A.  
 2000 UNIVERSITY BLVD  
 CORAL GABLES, FL 33134 TELEPHONE:  
 305-446-7799 FAX: 305-446-8272 FLORIDA  
 REGISTRATION NUMBER: 04-000485



RUC #1 - 47,700 GROSS SQ. FT.  
 RUC #2 - 11,994 GROSS SQ. FT.

THIS BAY REMOVED  
 ON BUILDING 1 ONLY

THIRD FLOOR - BUILDINGS #1 & #2

SCALE: 1/8" = 1'-0"

FLORIDA MEMORIAL UNIVERSITY  
 LIVING AND LEARNING RESIDENT HALL

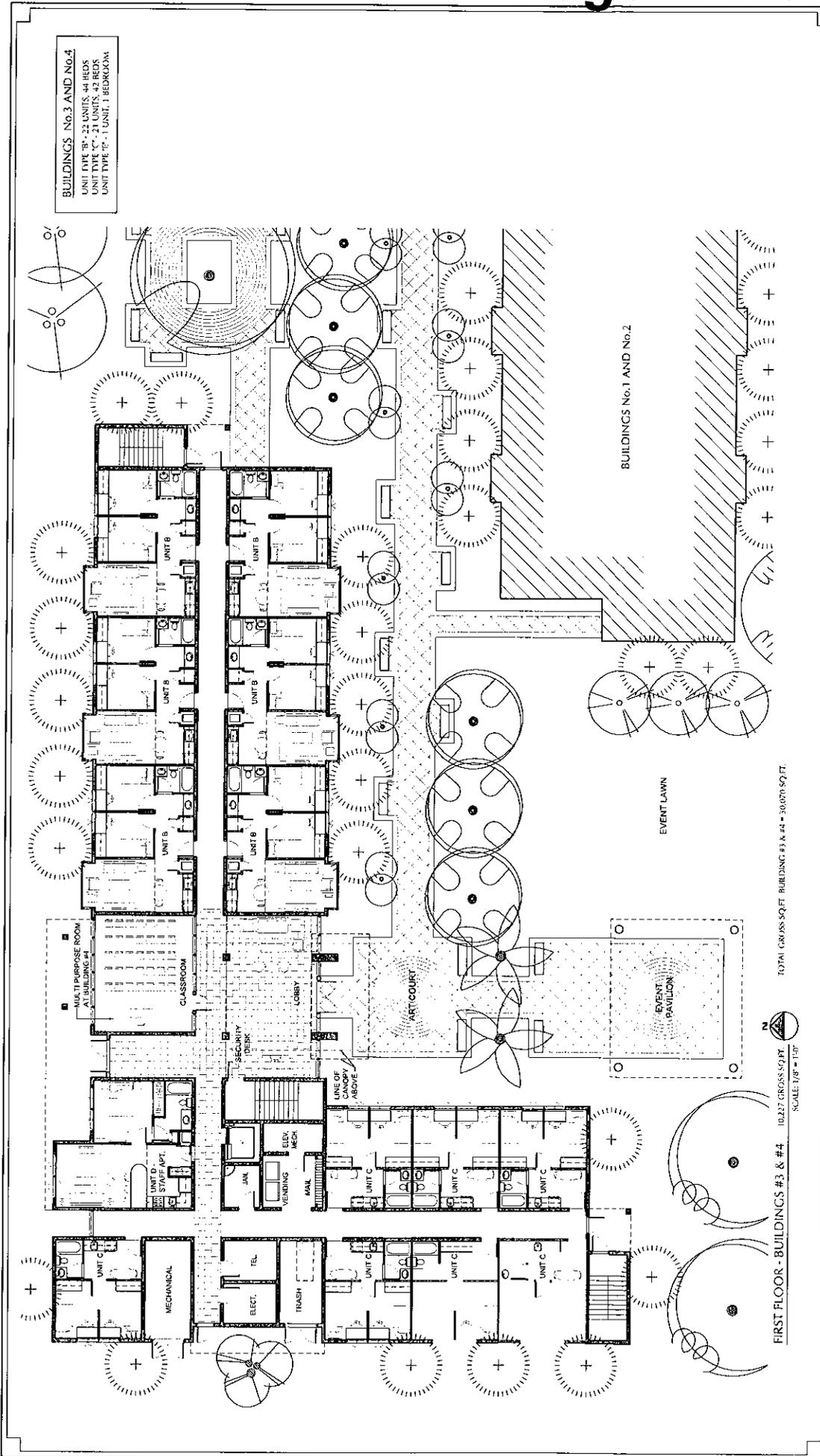
MAY 26, 2010

RJ HEISENBOTTE  
 ARCHITECTS  
 2102 POND DE LEON BLVD, SUITE 400  
 CORAL GABLES, FL 33134 TELEPHONE: 305-441-1100  
 REGISTRATION NUMBER: AR 07000



D. STEPHENSON  
 CONSTRUCTION, INC.

6241 N. DUNE HOLLOWAY  
 FORT LAUDERDALE, FL 33334  
 TELEPHONE: 354-315-7020 FAX: 354-315-7030



BUILDINGS No.3 AND No.4  
 UNIT TYPE 'B' - 22 UNITS, 44 BEDS  
 UNIT TYPE 'C' - 21 UNITS, 42 BEDS  
 UNIT TYPE 'D' - 1 UNIT, 1 BEDROOM

FIRST FLOOR - BUILDINGS #3 & #4 10,227 GROSS SQ.FT.  
 TOTAL GROSS SQ.FT. BUILDING #3 & #4 = 36,070 SQ.FT.  
 SCALE: 1/8" = 1'-0"

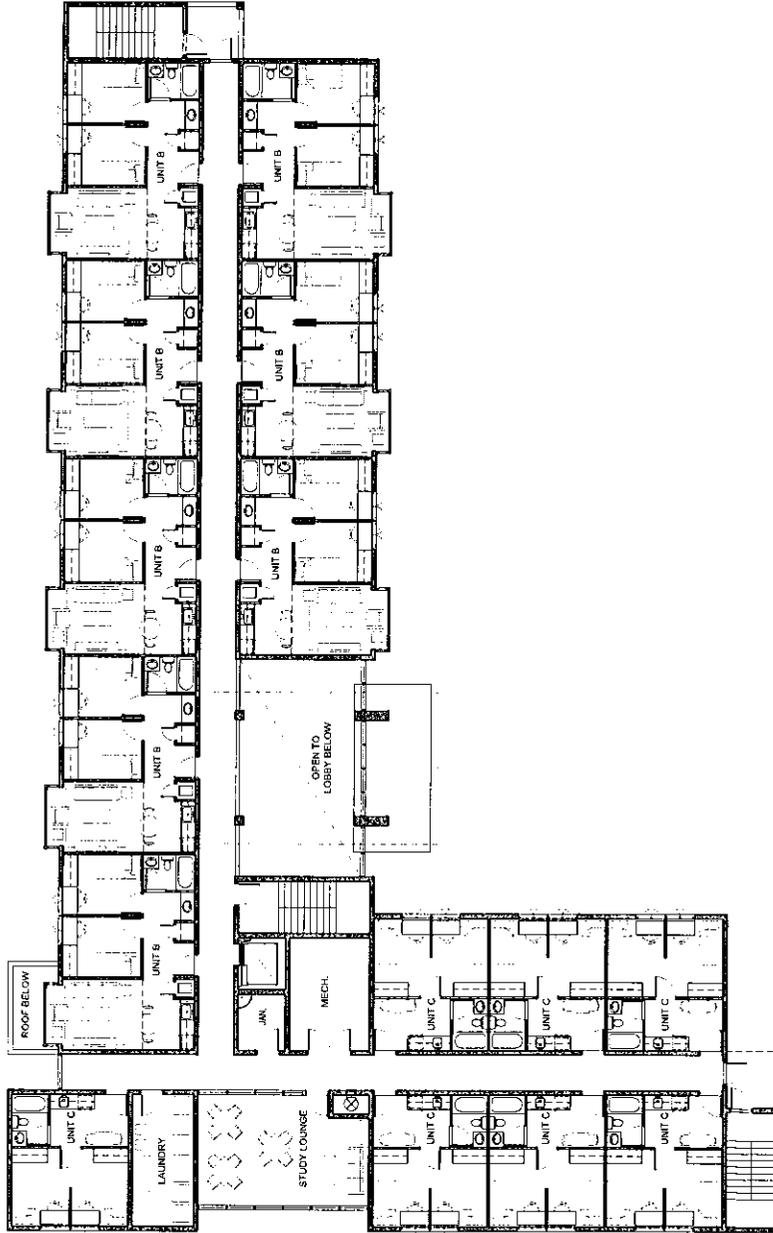


FLORIDA MEMORIAL UNIVERSITY  
 LIVING AND LEARNING RESIDENT HALL



D. STEPHENSON  
 CONSTRUCTION, INC.  
 6511 N. STATE HIGHWAY  
 FORT LAUDERDALE, FLORIDA 33314  
 TELEPHONE: 352-315-7020 FAX: 352-315-7030

MAY 26, 2010



SECOND FLOOR - BUILDINGS #3 & #4 9147 GROSS SQ. FT. SCALE 1/8" = 1'-0"

**RJ HEISENBOTTLE**  
 ARCHITECTS  
 2700 S.W. 15TH AVENUE, SUITE 400  
 MIAMI, FLORIDA 33134  
 TEL: 305-556-1100 FAX: 305-556-1101  
 WWW.RJHEISENBOTTLE.COM

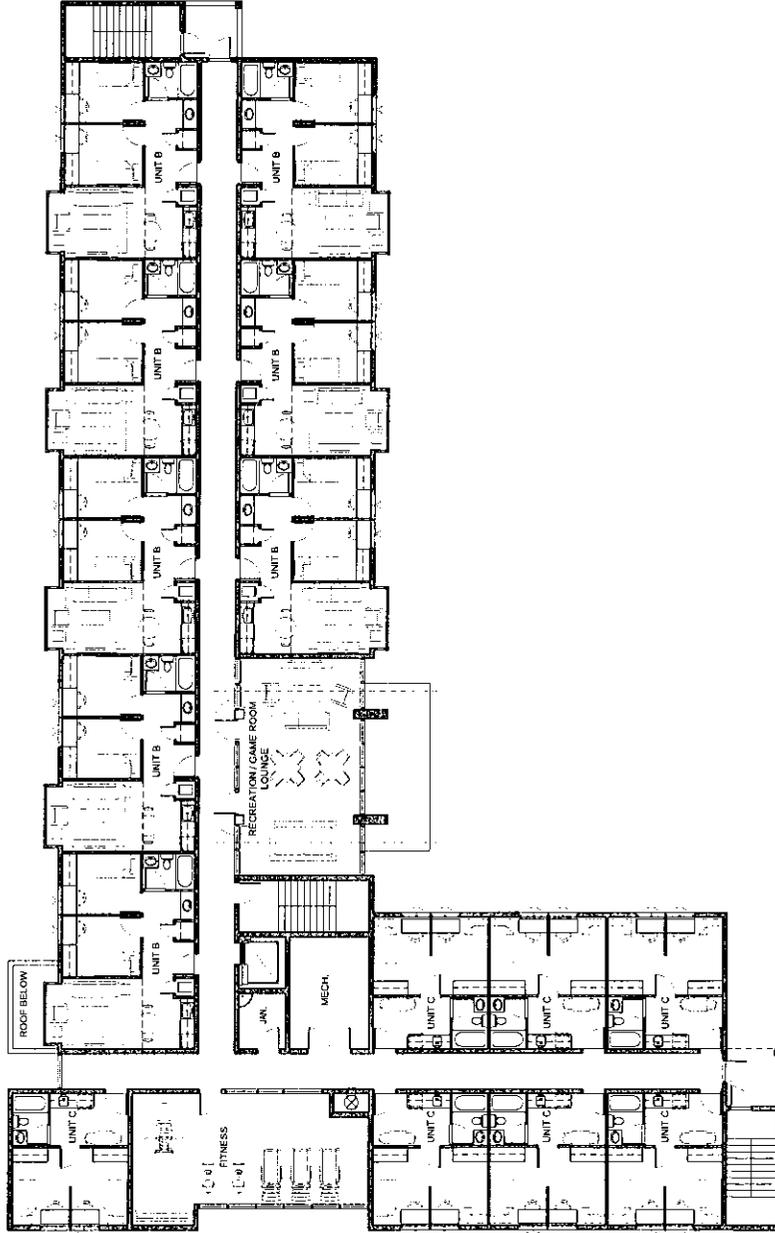


**FLORIDA MEMORIAL UNIVERSITY**  
 LIVING AND LEARNING RESIDENT HALL

MAY 26, 2010



**D. STEPHENSON**  
 CONSTRUCTION, INC.  
 6211 N. DIKE HIGHWAY  
 FORT LAUDERDALE, FL 33314  
 TELEPHONE: 854-315-7020 FAX: 854-315-7020



THIRD FLOOR - BUILDINGS #3 & #4  
10,196 SQUARE FEET  
SCALE 1/8" = 1'-0"

**RJ HEISENBOTTLE**  
ARCHITECTS  
2100 WOODS LANE, SUITE 400  
CORAL GABLES, FL 33134  
TELEPHONE: 305-446-7797  
FAX: 305-446-8975  
WWW.RJHEISENBOTTLE.COM

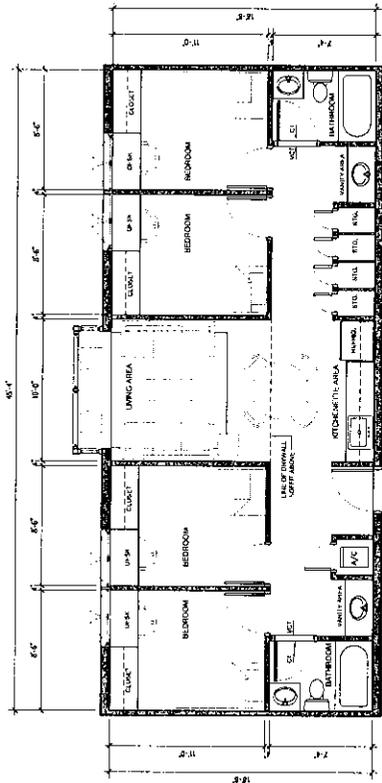


**FLORIDA MEMORIAL UNIVERSITY**  
LIVING AND LEARNING RESIDENT HALL

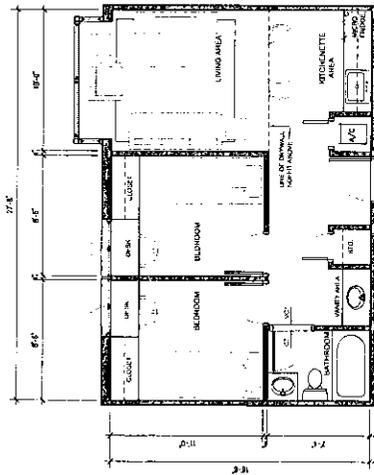
MAY 26, 2010



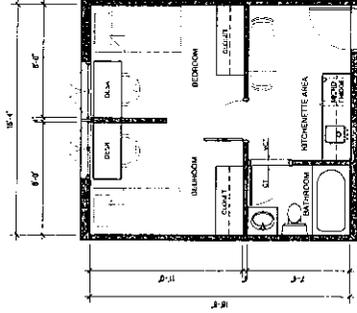
**D. STEPHENSON**  
CONSTRUCTION, INC.  
8241 N. DUNE HIGHWAY  
CORAL GABLES, FL 33154  
TELEPHONE: 305-435-7000 FAX: 305-435-7030



UNIT TYPE "A" FLOOR PLAN 903 NET SQ.FT. SCALE: 1/4" = 1'-0"



UNIT TYPE "B" FLOOR PLAN 555 NET SQ.FT. SCALE: 1/4" = 1'-0"



UNIT TYPE "C" FLOOR PLAN 495 NET SQ.FT. SCALE: 1/4" = 1'-0"



**D. STEPHENSON**  
CONSTRUCTION, INC.

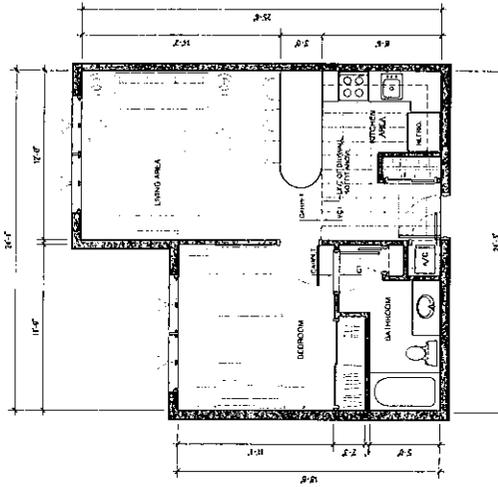
8241 N. DUNE HIGHWAY  
FORT LAUDERDALE, FLORIDA 33308  
TELEPHONE: 954-315-7000 FAX: 954-315-7030

FLORIDA MEMORIAL UNIVERSITY  
LIVING AND LEARNING RESIDENT HALL

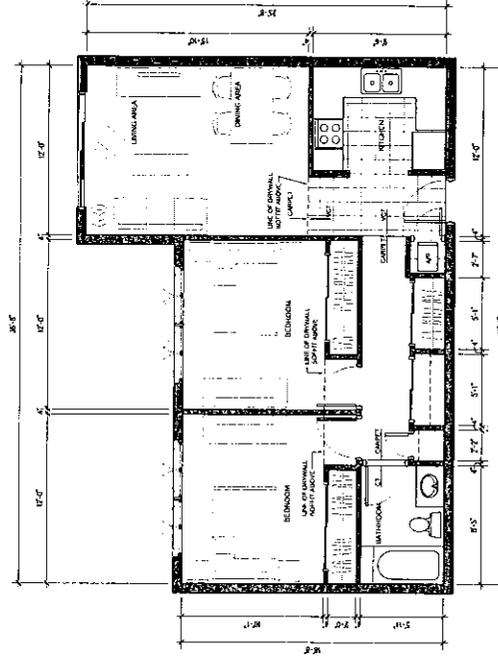
MAY 26, 2010



**RJ HEISENBOTTE**  
ARCHITECTS, P.A.  
7700 PONCE DE LEON BLVD., SUITE 400  
JACKSONVILLE, FLORIDA 32216  
PHONE: 904-799-7799 FAX: 904-799-7777  
REGISTRATION NUMBER: AR 30106



UNIT TYPE 'D' FLOOR PLAN 534 NET SQ. FT.  
SCALE: 1/4" = 1'-0"



UNIT TYPE 'E' FLOOR PLAN 768 NET SQ. FT.  
SCALE: 1/4" = 1'-0"



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CONSTRUCTION CO., INC.

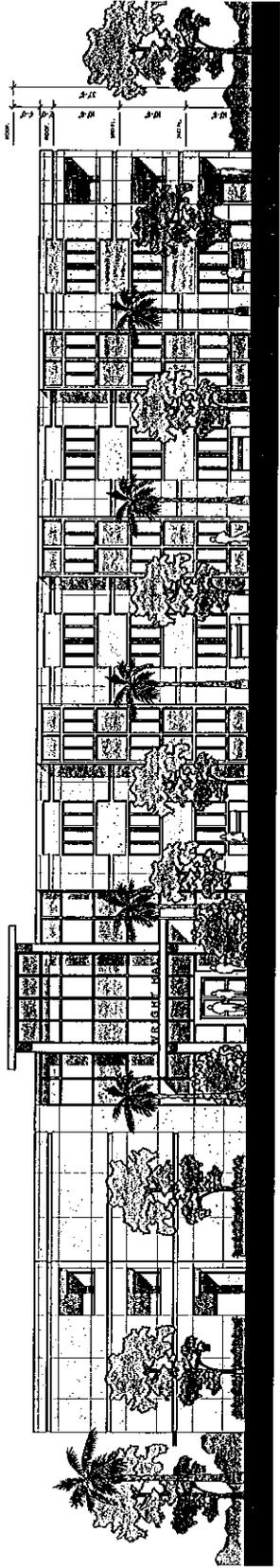
6511 N. STATE HIGHWAY  
FORT LAUDERDALE, FL 33314  
TELEPHONE: 954 315-7030 FAX: 954 315-7030

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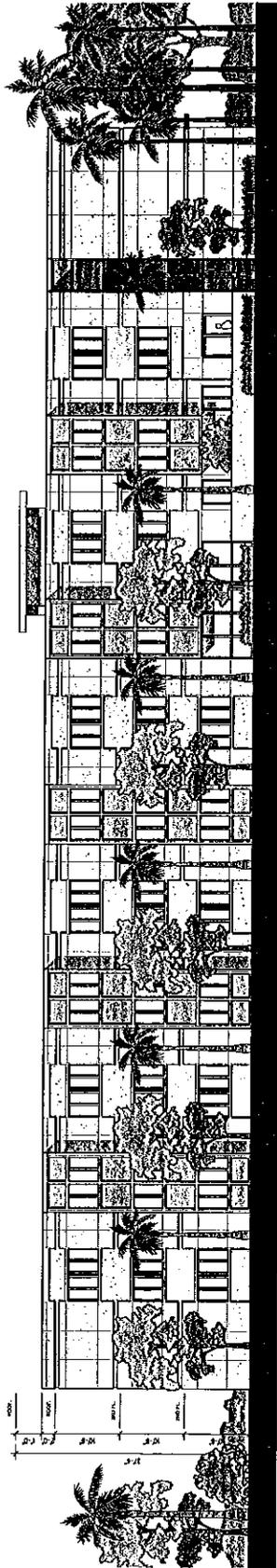


**RJ HEISENBOTTLE**  
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2000 UNIVERSITY BLVD., SUITE 200  
CORAL GABLES, FL 33134  
305-446-7799 FAX: 305-446-0278 T. COLBON  
ACQUISITION NUMBER: 04101000



NORTH ELEVATION - BUILDINGS #1 & #2

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION - BUILDINGS #1 & #2

SCALE: 1/8" = 1'-0"



**D. STEPHENSON**  
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FORT LAUDERDALE, FL 33354  
TELEPHONE: 954 315-7020 FAX: 954 315-7030

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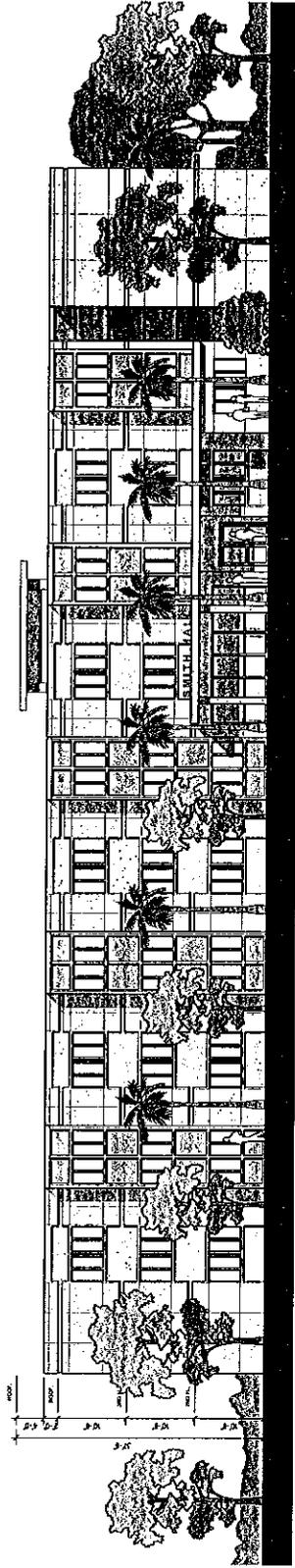
MAY 26, 2010



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ARCHITECTS

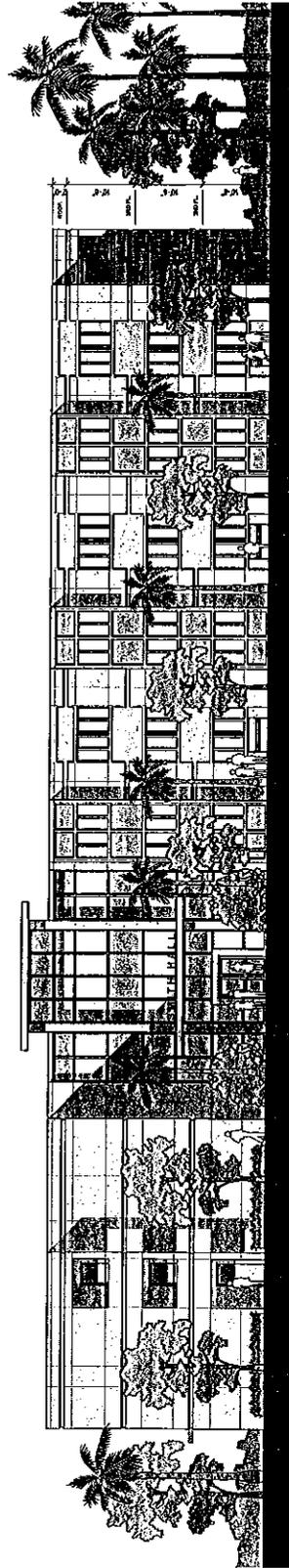
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CORAL GABLES, FL 33134 TELEPHONE:  
305-556-7800 FAX: 305-556-9333 FLORIDA  
REGISTERED PROFESSIONAL ARCHITECTS





NORTH ELEVATION - BUILDINGS #3 & #4

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION - BUILDINGS #3 & #4

SCALE: 1/8" = 1'-0"



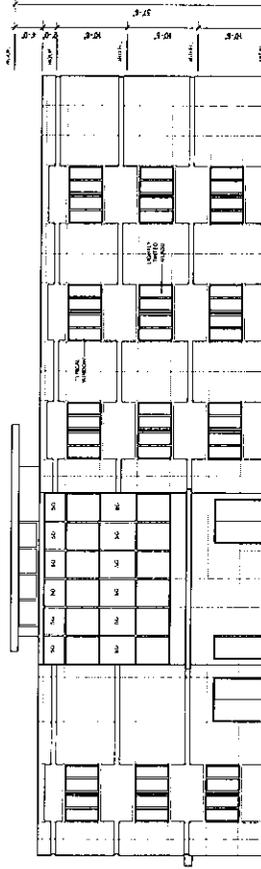
**D. STEPHENSON**  
CONSTRUCTION, INC.  
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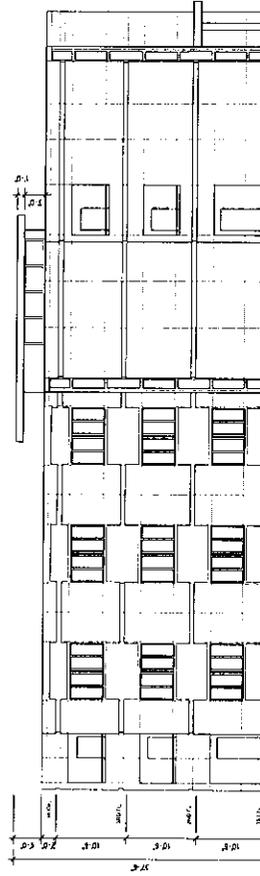


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2000 W. UNIVERSITY BLVD., SUITE 200  
CORAL GABLES, FL 33134  
TELEPHONE: 305-446-8272 FAX: 305-446-8273  
REGISTRATION NUMBER: 16080



EAST ELEVATION - BUILDINGS #3 & #4

SCALE: 1/8" = 1'-0"



WEST ELEVATION - BUILDINGS #3 & #4

SCALE: 1/8" = 1'-0"



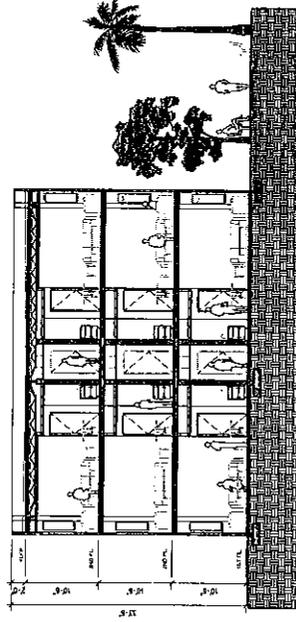
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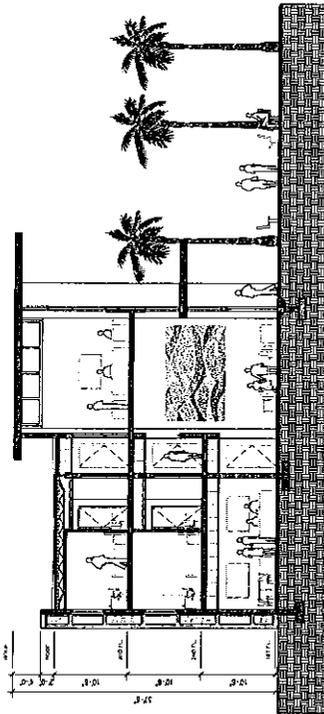


**RJ HEISENBOTTE**  
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 2000 W. W. LEON BLVD. SUITE 400  
 FORT LAUDERDALE, FL 33304  
 305-966-7799 FAX: 305-966-9270 FLORIDA  
 REGISTRATION NUMBER: 44181060



DORMITORY SECTION - BUILDINGS #1 & #2

SCALE: 1/8" = 1'-0"



ENTRANCE SECTION - BUILDINGS #1 & #2

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

**RJ HEISENBOTTE**  
 ARCHITECTS  
 2108 PONCE DE LEON BLVD., SUITE 400  
 MIAMI, FLORIDA 33133  
 PHONE: 305-371-7797 FAX: 305-345-2776 FLORIDA  
 REGISTRATION NUMBER: AR 00885



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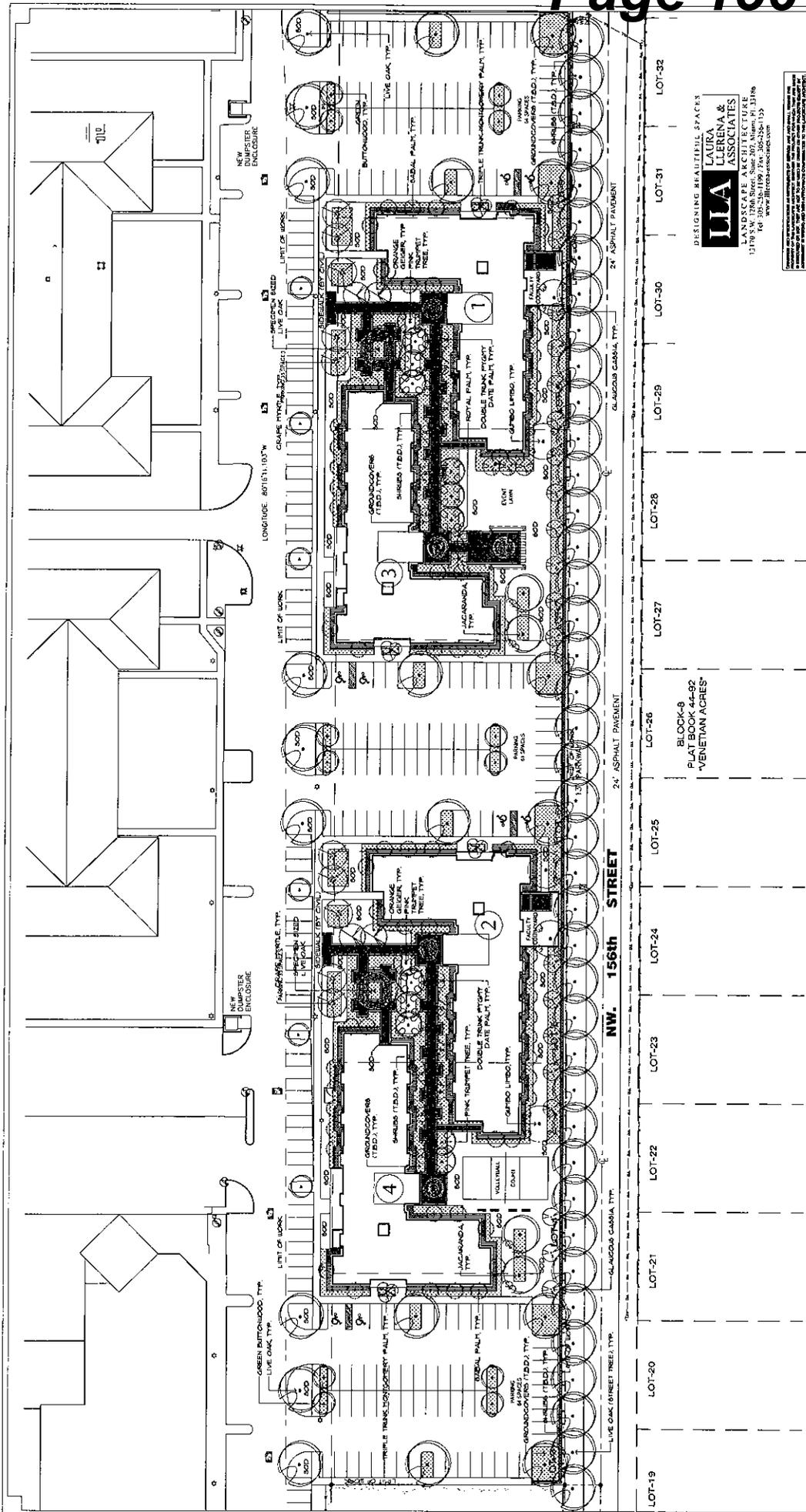
MAY 26, 2010



**D. STEPHENSON**  
 CONSTRUCTION, INC.  
 6541 N. PINE HURWAY  
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PRELIMINARY LANDSCAPE PLAN  
SCALE: 1" = 100'

DESIGNING RECREATIONAL SPACES  
**LLA** LANDSCAPE ARCHITECTURE ASSOCIATES  
LANDSCAPE ARCHITECTURE  
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Tel: 305.444.1199 Fax: 305.258-1135  
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TEL: 305.442.1111 FAX: 305.442.1112  
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APRIL 16, 2010

**D. STEPHENSON**  
CONSTRUCTION, INC.  
6241 N. DUNE HIGHWAY  
FORT LAUDERDALE, FL 33334  
TELEPHONE: 954-315-7020 FAX: 954-315-7030

BLOCK-8  
PLAT BOOK 44-92  
"VENETIAN ACRES"

NW 156th STREET

24' ASPHALT PAVEMENT

GLAUCOUS GABONIA, TYP.

GLAUCOUS GABONIA, TYP.

LIVE OAK (STREET TREE), TYP.

LIVE OAK, TYP.

GREEN BUTTWOOD, TYP.

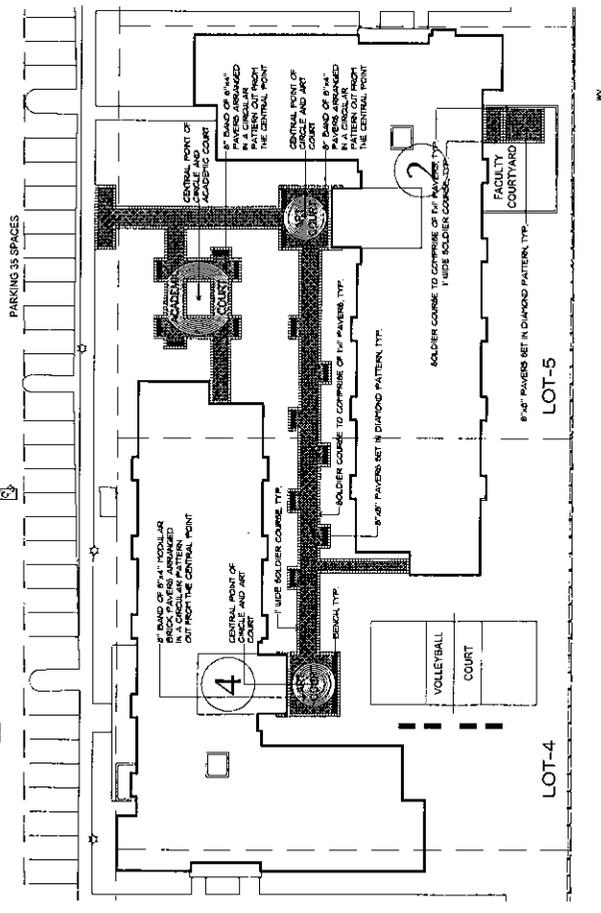
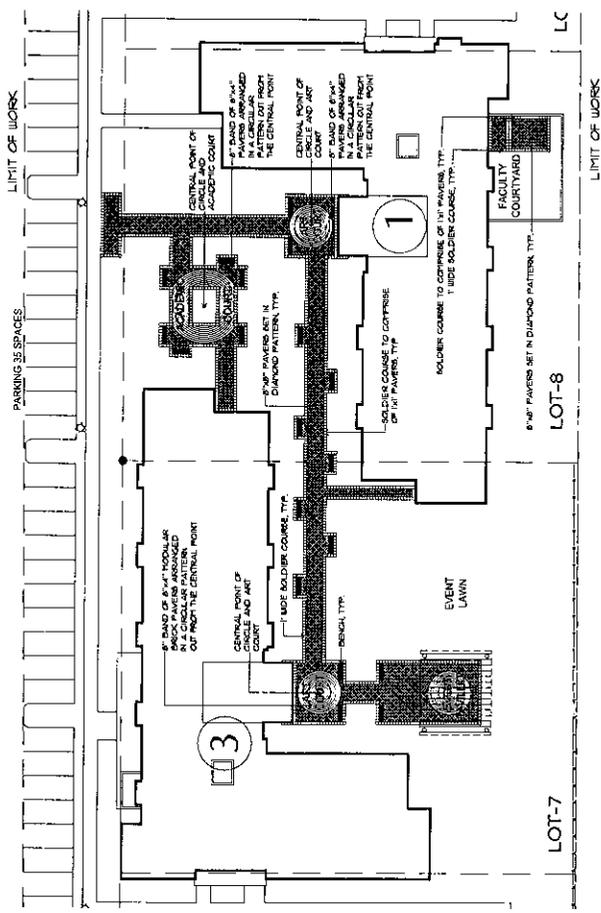
LIVE OAK, TYP.

TRIPLE TRANSLUCESCENT PALM, TYP.

ROYAL PALM, TYP.

SHREUBS (T.B.D.), TYP.





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PRELIMINARY HARDSCAPE PLAN  
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APRIL 16, 2010



**D.S. STEPHENSON CONSTRUCTION, INC.**  
 8241 N. Dixie Highway  
 Fort Lauderdale, FL 33322  
 TELEPHONE: 954-315-7000 FAX: 954-315-7050



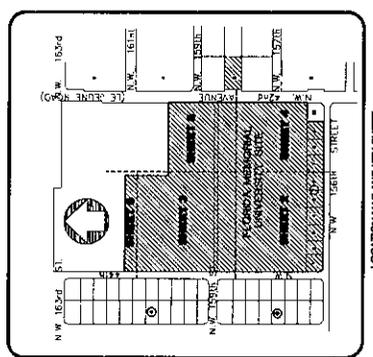
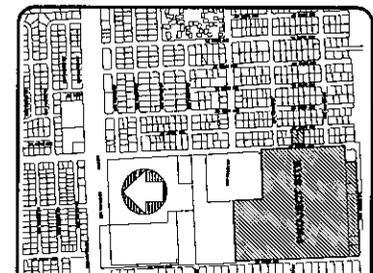
HADOME PROFESSIONAL LAND SURVEYORS AND MAPPERS INC. 7565 NW 12th Street, Suite 202, Doral, Florida 33126

Table with 2 columns: REVISIONS, and 1 column: DATE. Includes revision 1: 03-20-09 DMC 0004.

SEC. 17, TWP. 56 S., RGE. 41 E. MIAMI-DADE COUNTY, FLORIDA. A PORTION OF TRACTS 43 THROUGH 45, 52, 53, 54 THROUGH 56, 73 THROUGH 76, 77 AND 84 THROUGH 88 OF THE PLAT OF 'MIAMI GARDENS', IN TOWNSHIP 56 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, LOTS 1 THROUGH 8, IN BLOCK 7 OF 'VENETIAN ACRES', RECORDED IN PLAT BOOK 44, AT PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND A PORTION OF TRACT 3 OF 'REVISED FLAT OF VENETIAN GARDENS', RECORDED IN PLAT BOOK 31, PAGE 37, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

ALTA/ACSM LAND TITLE SURVEY

A PORTION OF TRACTS 43 THROUGH 45, 52, 53, 54 THROUGH 56, 73 THROUGH 76, 77 AND 84 THROUGH 88 OF THE PLAT OF 'MIAMI GARDENS', IN TOWNSHIP 56 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, LOTS 1 THROUGH 8, IN BLOCK 7 OF 'VENETIAN ACRES', RECORDED IN PLAT BOOK 44, AT PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND A PORTION OF TRACT 3 OF 'REVISED FLAT OF VENETIAN GARDENS', RECORDED IN PLAT BOOK 31, PAGE 37, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



Legend and Key Sheet. Includes symbols for various features like 'CONCRETE WITH ASPHALT DRIVE', 'WOOD TRAIL', 'CONCRETE DRIVE', 'ASPHALT DRIVE', etc.

BUFILE/NOTES: SECTION 17, TWP. 56 S., RGE. 41 E. MIAMI-DADE COUNTY, FLORIDA. A PORTION OF TRACTS 43 THROUGH 45, 52, 53, 54 THROUGH 56, 73 THROUGH 76, 77 AND 84 THROUGH 88 OF THE PLAT OF 'MIAMI GARDENS', IN TOWNSHIP 56 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, LOTS 1 THROUGH 8, IN BLOCK 7 OF 'VENETIAN ACRES', RECORDED IN PLAT BOOK 44, AT PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND A PORTION OF TRACT 3 OF 'REVISED FLAT OF VENETIAN GARDENS', RECORDED IN PLAT BOOK 31, PAGE 37, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

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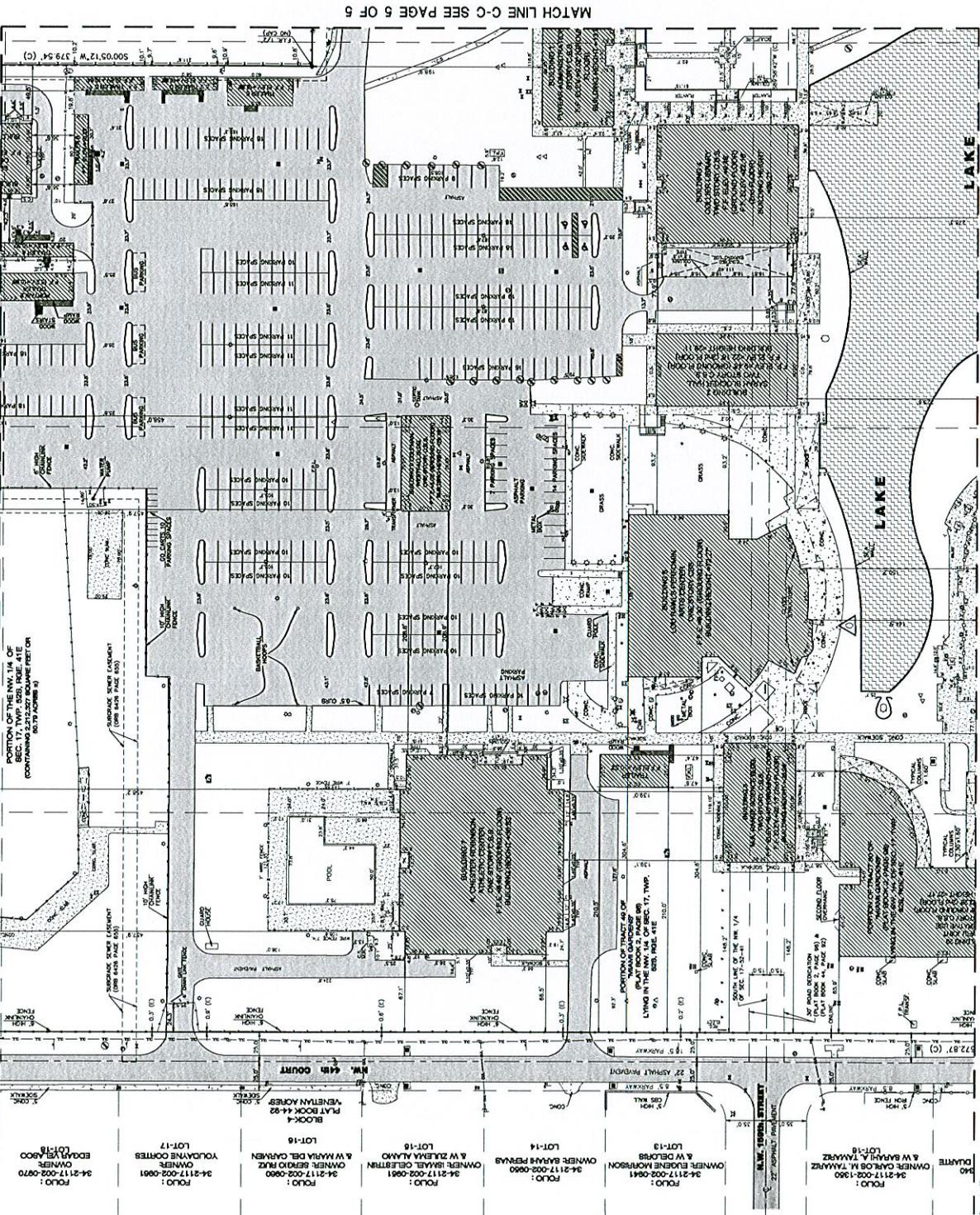
HADONNE L.S. 20877  
CORP.  
PROFESSIONAL LAND SURVEYORS AND MAPPERS  
7855 NW 12th Street, Suite 202, Doral, Florida 33126  
Phone: 305.266.1188 Fax: 305.207.6945 www.hadonne.com

REVISIONS	DATE	BY	DESCRIPTION
1	03-20-09	DWG	CONC
2	09-01-09	DRW	30000

SEC. 17, TWP. 52 S. R8E. 41 E.  
MIAMI-DADE COUNTY, FLORIDA.

ALTA/ACSM LAND TITLE SURVEY

MATCH LINE D-D SEE PAGE 5 OF 5



NOTICE:  
This Document is not full and complete without all pages. (Total of Five (5) pages)





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1. Article Addressed to: Florida Memorial University 15800 NW 42nd Avenue Miami Gardens, FL. 33054		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
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PS Form 3800, August 2006 See Reverse for Instructions	

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<p>1. Article Addressed to:</p> <p>Gilberto Pastoriza, Esq. 2525 Ponce de Leon Blvd Suite 700 Coral Gables, FL 33134</p>		<p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>	
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<p>PS Form 3800, August 2006 <span style="float: right;">See Reverse for Instructions</span></p>	



## City of Miami Gardens Agenda Cover Memo

<b>Council Meeting Date:</b>	July 7, 2010		<b>Item Type:</b> <i>(Enter X in box)</i>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
						X	
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	Yes	No	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		X	<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
						X	
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	Yes	No	<b>RFP/RFQ/Bid #:</b>	N/A			
		X					
<b>Sponsor:</b>	Danny Crew, City Manager		<b>Department:</b>	Planning and Zoning			

### Staff Summary: Status Report Regarding Proposed Amendments to Interlocal Agreement (ILA) for Public School Facility Planning

#### Background

- In 2007, City of Miami Gardens adopted the “Amended and Restated Interlocal Agreement (ILA)” a/k/a “Consensus Interlocal Agreement (ILA)” with Miami Dade County Public Schools.
- Consensus ILA was adopted by 25 out of 27 non-exempt municipalities.
- In 2008 Miami-Dade County adopted the “Bi-Lateral Interlocal Agreement (ILA)” with Miami-Dade Public Schools (City of Hialeah and Hialeah Gardens adopted the Bi-Lateral Agreement).
- Presentation on ILA amendments was given to City Council by Miami Dade Public Schools (MDPS) staff on January 6, 2010. It was explained that the “Favored Nations Clause”; in the ILA triggers the School Board to offer same terms contained in the Bi-lateral ILA to signatories of the Consensus ILA. This results in consideration of ILA amendment(s).

There are two types of ILA amendments for consideration-

- Sections 17 and 18 of the Consensus ILA trigger optional amendments to the Consensus ILA (City’s current ILA). Response to MDPS is requested by September 24, 2010.
- Section 16 and 19 of the Bi-Lateral ILA trigger the non-optional “Amendment 1”. This amendment addresses the issue on unanimous vote versus 2/3 majority vote of the local governments on all future amendments to the Consensus ILA (City’s current ILA). Response to MDPS is required by December 31, 2010.

**ITME 11-A) CITY MANAGER'S REPORT  
Proposed Amendment to Interlocal Agreement  
for Public School Facility Planning**

## Current Situation

- **Optional Amendments** – A local government may choose to adopt none, some, or all amendments. Optional amendments are entirely optional and will be supplementary amendments to the Consensus ILA (City's current ILA). Please see attached form.
  - 1) Optional amendments to be considered are: 1) Section 9.2 (a) Capacity Methodology and Formula for Availability; 2) 9.2 (b) level of Service Standard; 3) 9.2 (c) Concurrency Service Areas; 4) 9.2 (d) Student Generation multipliers; 5) 9.2 (f) Proportionate Share Mitigation (includes Charter School Criteria); 6) Section 9.3 Updates to Public School Concurrency; 7) Section 22 Taking and Vested Rights; 8) No optional amendments will be selected.
  - 2) Optional amendment related to Charter Schools- MDPS Staff Working Group (SWG) created a sub-committee to review and make recommendations on criteria for Charter Schools (mitigation option at sole option of the School Board). Miami Gardens will be represented as a member in this sub-committee. The committee will report recommendations to the SWG at its next meeting in October 2010.
  
- **Non-Optional "Amendment 1" (unanimity versus 2/3 vote)**
  - 1) MUST be considered by all local governments. Adds a new Section 21 to the Consensus ILA (City's current ILA).
  - 2) Local government may choose to keep the current unanimity vote OR decide to have the proposed 2/3 majority vote.
  - 3) Amendment for the proposed 2/3 majority vote must be unanimously approved by all municipalities in order for it to become effective. In that case, each local government will need to execute the amendment which shall not be effective until the amendment is fully executed by all applicable parties.
  - 4) If the amendment is not unanimously approved, the current requirement for unanimous vote while considering future amendments to ILA will remain in effect.
  
- **ILA Amendment Process**
  - a) Optional amendments package correspondence was sent by MDPS to all local governments in March 2010. Response regarding which optional amendments were to be considered by City was requested by September 24, 2010. Per April 29, 2010 SWG meeting if a local government opts to consider optional and non-optional amendments at the same time, staff may communicate to MDPS accordingly. There are no consequences to not meeting the deadline for optional amendments.
  - b) Staff has sent correspondence to MDPS advising that both optional amendments and non-optional Amendment 1 will be considered by the City Council at the same time.
  - 1) **Amendment 1 package correspondence will be sent by MDPS to all local governments by October 30, 2010.**
  - 2) From receipt of second package, staff has 60 days to present both optional amendments and non-optional Amendment 1 items to City Council for consideration. City Council will take action through Resolution.
  - 3) **Result must be transmitted back to MDPS by December 31, 2010.**

## Analysis

There is no impact on City of Miami Gardens operations.

<b>Proposed Action:</b>
-------------------------

This is an information item. Therefore no action is necessary or required at this time.

Attachment: Response Form for Optional Amendments from Miami-Dade Public Schools

## Response Form For Optional Amendments Presented for Consideration for Adoption as First Supplementary Agreement

( Please check the appropriate box(es) for the option(s) selected)

**1 Section 9.2 (a) Capacity Methodology and Formula for Availability**

Add to end of section the requirement to assess effects of geographic areas within one year

**2 Section 9.2 (b) Level of Service Standard**

- Add after paragraph 4 that MDCPS is to Submit Annual Reports by 9/30; and also revise the next paragraph to read that Amendments to LOS standards must follow the amendment provision of the Agreement

**3 Section 9.2 (c) Concurrency Service Areas**

Amend third paragraph to require that amendments to CSA are to be accomplished in accordance with amendment provision of the Agreement

**4 Section 9.2 (d) Student Generation Multipliers**

Amend first paragraph which amends process for developing Student Generation Multipliers and removes requirement of adoption into CDMP

**5 Section 9.2 (f) Proportionate Share Mitigation**

a) Amend paragraph before listing of options to reiterate that proportionate share mitigation must be approved by the School Board

b) Add Charter Schools as mitigation option No. 6, subject to conditions set forth therein

c) Add process to follow in the event there is lack of agreement on option to be used for mitigation and local governments accepting mitigation if the form of money

**6 Section 9.3 Updates to Public School Concurrency**

Amend paragraph two and events 1, 3 and 4, for amending the District Facilities Work Program. Also add to end of section language that explains the actions to be taken when the School Board closes an existing school, or delete, modify, or delay a school facility project planned in the first three years of the Work Plan

**7 Section 22 Taking and Vested Rights**

Add new section that reinforces the fact that nothing in the ILA shall be construed or applied to effect a permanent or temporary taking of private property in violation of the U.S. Constitution or Florida Constitution.

**No optional amendments will be selected for adoption**

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_  
(Print and sign name of authorized official)

Name of Municipality: \_\_\_\_\_



# SUMMARY OF ZONING DISTRICTS

## City of Miami Gardens, Florida

ZONING DISTRICT	DESCRIPTION
R-1	<b>Single-Family Dwelling Residential District:</b> single-family uses; 75 ft lot frontage; 7,500 sq ft lot area; 40% lot coverage; density up to 6 du/ac; 2 stories or 35 feet in height
R-2	<b>Two-Family Dwelling Residential District:</b> single- and two-family uses; 75 feet lot frontage; 7,500 sq ft lot area; 40% lot coverage; density up to 15 du/ac; 2 stories or 35 feet in height
R-15	<b>(Low) Multiple-Family Dwelling Residential District:</b> single-, two- and multi-family uses, select public and institutional uses; 100 ft lot frontage; 10,000 sq ft lot area; 60% lot coverage; density up to 15 du/ac; 3 stories or 40 feet in height
R-25	<b>(Medium) Multiple-Family Dwelling Residential District:</b> single-, two- and multi-family uses, select public and institutional uses; 100 ft lot frontage; 10,000 sq ft lot area; 60% lot coverage; density up to 25 du/ac; 4 stories or 50 feet
R-50	<b>(High) Multiple-Family Dwelling Residential District:</b> single-, two- and multi-family uses, select public and institutional uses, related essential services and facilities; 100 ft lot frontage; 10,000 sq ft lot area; 60% lot coverage; density up to 50 du/ac; 10 stories or 120 feet in height
NC	<b>Neighborhood Commercial District:</b> retail uses, select public and institutional uses, select recreation and entertainment uses, places of public assembly; 50 ft lot frontage; 5,000 sq ft lot area; FAR .50; 2 stories or 35 feet
PCD	<b>Planned Corridor Development District:</b> developments on major transportation corridors with multi-family, retail, mixed residential and commercial, select public and institutional, select recreation and entertainment, and public assembly uses; 150 ft lot frontage; 45,000 sq ft lot area; FAR .50 for single use and up to 3.0 for mixed use, density 16-26 du/ac by right or 55-150 du/ac with incentive bonus; 2-4 stories in height by right with corridor or 6-20 stories in height with bonus
PD	<b>Planned Development District:</b> master-planned projects with residential, commercial, mixed residential and commercial, public and institutional, and recreation and entertainment uses; 200 ft lot frontage; density 50 du/ac; FAR .50, 10 stories in height
OF	<b>Office District:</b> office uses, related supporting business uses, and limited public and institutional uses; 50 ft lot frontage; 5,000 sq ft lot area; FAR 50%; 2 stories or 35 feet in height
GP	<b>Government Properties District:</b> public and institutional uses
I-1	<b>Light Industrial District:</b> research, assembly, fabrication, manufacturing, repair, service, retail, entertainment, and places of public assembly, adult entertainment subject to public hearing approval; 125 ft lot frontage; 10,000 sq ft lot area; FAR .50; 55 feet in height
I-2	<b>Heavy Industrial District:</b> research, assembly, fabrication, manufacturing, repair, service, retail, entertainment, and places of public assembly; 125 ft lot frontage; 10,000 sq ft lot area; FAR .50; 55 feet in height
AU	<b>Agricultural and Utilities District:</b> agricultural, select public and institutional uses, select recreational uses, limited commercial and service uses, light industrial uses; 150 ft lot frontage; 43,560 sq ft lot area; 2 stories in height