

RESOLUTION No. 2009-177-1123-Z-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY JPM CENTRE OF MIAMI GARDENS DRIVE, FOR A SPECIAL EXCEPTION TO ALLOW RESIDENTIAL USES IN THE BU-1A BUSINESS LIMITED DISTRICT; APPROVAL OF A NON-USE VARIANCE TO ALLOW A BUILDING HEIGHT OF 64.5 FEET WHERE A MAXIMUM HEIGHT OF 45 FEET IS ALLOWED FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTHWEST 183RD STREET AND NORTHWEST 42ND AVENUE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR A DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

WHEREAS, JPM Centre of Miami Gardens Drive ("Applicant") has applied for special exception and variance relating to property generally located at the Northeast corner of 183rd Street and Northwest 42nd Avenue, more particularly described on Exhibit "A" attached hereto, and

WHEREAS, the Applicant seeks the following approval:

1. Special exception to allow a residential use in the BU-1A Business Limited District; and
2. Non-use variance to allow a building height of 64.5 feet where a maximum height of 45 feet is allowed, and

WHEREAS, the City Council held public hearings on the Application on September 2, 2009 and October 7, 2009, and

WHEREAS, the City's Planning and Zoning staff recommends the approval of the Application, and

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

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

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

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

Section 2. APPROVAL: The City Council of the City of Miami Gardens hereby approves the Application submitted by the applicant as follows:

1. Special exception to allow residential use in the BU-1A business limited district; and
2. Non-use variance to allow a building height of 64.5 feet where a maximum height of 45 feet is allowed, and
3. The approval contained herein shall expire at the end of twenty four (24) months. In the event, Applicant has not obtained a valid building permit for the development within such time or obtained or has obtained an extension of time from the City Council, the approval contained herein shall be considered null and void.

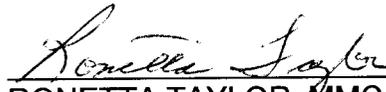
Section 3. DECLARATION OF RESTRICTIVE COVENANTS. The City Council of the City of Miami Gardens hereby accepts the Declaration of Restrictive Covenants, attached hereto as Exhibit "C." All proposed development shall be subject to a fully executed and recorded copy of the Declaration of Restrictive Covenants.

Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS
AT ITS ZONING MEETING HELD ON OCTOBER 7, 2009.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Vice Mayor Gilbert
SECONDED BY: Councilman Campbell

VOTE: 7-0

Mayor Shirley Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Oliver Gilbert, III	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> x </u> (Yes)	<u> </u> (No)



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

**City of Miami Gardens
 Agenda Cover Memo – Zoning
 JPM Centre at Miami Gardens Drive PH-2009-000031**

Council Meeting Date:	Zoning Meeting 10/07/2009	Item Type:	Resolution X	Ordinance	Declaration n/a
Fiscal Impact:	Yes	No	Ordinance Reading:	1 st Reading	2 nd Reading
		X	Public Hearing:	Yes X	No Yes No
Sponsor Name: City Manager	Department: Planning and Zoning	Advertising Requirement:	Yes X	No	

Short Title:

RESOLUTION No. 2009-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY JPM CENTRE OF MIAMI GARDENS DRIVE, FOR A SPECIAL EXCEPTION TO ALLOW RESIDENTIAL USES IN THE BU-1A BUSINESS LIMITED DISTRICT; APPROVAL OF A NON-USE VARIANCE TO ALLOW A BUILDING HEIGHT OF 64.5 FEET WHERE A MAXIMUM HEIGHT OF 45 FEET IS ALLOWED FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTHWEST 183RD STREET AND NORTHWEST 42ND AVENUE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR A DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

Staff Summary:

This Resolution was deferred from the September 2nd, 2009 meeting to allow for consideration after the second reading of the accompanying Ordinance at the October 7th, 2009 meeting.

**ITEM 10-A) RESOLUTION
 PUBLIC HEARING
 Approving the application submitted by
 JPM Centre of Miami Gardens Dr.**

The special exception for residential uses will allow the development of 21 dormitory units and 9 elderly multi-family residential units. The building height variance is to allow the development of a new approximately 100,000 square foot, 3,000 seat auditorium. The development also includes a 20,000 square foot natatorium and gymnasium, and maintaining the existing church building. The project is labeled as a Community Enrichment Center, for the purpose of housing and accommodating persons transitioning out of foster care and to provide housing for persons at risk as needed in the community. These requests are subject to the approval of the rezoning of property to BU-1A, being considered under a separate action.

Since the September 2nd, 2009 meeting staff has met with the applicant and have agreed to some minor changes to the conditions of the Declaration of Restrictive Covenants, except that Condition #5 remains unresolved. The current condition states:

5. **Landscape Plans Required.** Landscape plans shall include but no be limited to providing a dense landscape buffer to abutting residentially zoned property; stem wall and perimeter landscaping, to include but not be limited to Royal palm trees, spaced 25' O.C. with min. gray bark of 15 feet, adequate to shield parking areas from the ROWs; 10.0' wide sidewalk along perimeter of the property; pedestrian access to and from the property; said plans meeting the approval of the Development Services Director prior to issuance of building permit.

The applicant, based on letter dated September 17, 2009, (see attachment to Staff Recommendation) is requesting amendments to condition to read:

5. **Landscape Plans Required.** Landscape plans shall include but no be limited to providing a ~~dense landscape buffer to abutting residentially zoned property~~; stem wall and perimeter landscaping, to include but not be limited to Royal palm trees, spaced ~~25' O.C.~~ 45.0' O.C. with min. gray bark of 15 feet, adequate to shield parking areas from the ROWs; ~~10.0' wide sidewalk along perimeter of the property~~; pedestrian access to and from the property; said plans meeting the approval of the Development Services Director prior to issuance of building permit.

Recommendation:

Recommend approval of the Resolution subject to acceptance of Declaration of Restrictive Covenants. Recommend acceptance of the Declaration of Restrictive Covenants without the proposed amendments.

Attachments:

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

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel "A" : A portion of tract 121 Miami Gardens subdivision of section 5, township 52 south, range 41 east, as recorded in plat book 2, at page 96 of the public records of Dade County, Florida, being more particularly described as follows: Commence at the SW corner of the SE one-quarter (1/4) of said section 5, thence north 00 degrees 00 minutes 12 seconds west along the west line of the said SE one-quarter (1/4) ½ for 585.58 feet; thence north 89 degrees 57 minutes 21 seconds east for 50.00 feet to the point of beginning of a parcel hereinafter described; thence continued north 89 degrees 57 minutes 21 seconds east for 181.25 feet; thence south 00 degrees 02 minutes 41 seconds east for 212.25 feet, thence south 89 degrees 57 minutes 19 seconds west for 21.40 feet; thence south 00 degrees 00 minutes 12 seconds east for 173.28 feet; thence south 89 degrees 56 minutes 23 seconds west for 160.00 feet; thence north 00 degrees 00 minutes 12 seconds west, along a line 50 feet east of and parallel to the said west line of the said SE one-quarter (1/4) of section 5 for 385.57 feet to the point of beginning.

Together With: Folio #: 34-2105-001-0550

Portion of tracts 122-123 and 124 of Miami Gardens 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: Beginning 50 feet north and 645.61 feet east of the SW corner of the SE ¼ of the section, east 414 feet, north 535.29 feet, west 414 feet, south 536.77 feet, to the point of beginning.

Together With: Tract "A" of El Dorado Plaza, according to the plat thereof, recorded in plate book 99, at page 88 of the public records of Dade County Florida less and except:

A portion of tract "A" of the plat of El Dorado Plaza, as recorded in plat book 99, page 88 of the public records of Dade County, Florida, lying in the SE one-quarter (SE1/4) of section 5, township 52 south, range 41 east, Dade County, Florida and being more particularly described as follows:

Begin at the SW corner of said tract "A" of the plat of El Dorado Plaza; thence run N02°43'50"W, along the west line of said tract "A" a distance of 3.360 meters (11.02 feet) to the intersection with the north line of the south 3.360 meter (11.02 feet) of said tract "A" thence run N87°12'50"E along said north line a distance of 60.331 meters (197.94 feet); thence run S80°09'36"E a distance of 15.372 meters (50.43 feet) to the intersection with the south line of said tract "A" and the north right-of-way line of Miami Gardens Drive (N.W. 183rd Street/State Road 860) as shown on

the Florida Department of Transportation right of way maps for section 87503-2608, as recorded in road plat book 101 at page 95 of the public records of Dade County, Florida; thence run S87°12'50"W along last described line a distance of 75.334 meters of (247.16 feet) to the west line of said tract "A" and the point of beginning.

STAFF RECOMMENDATION
PH-2009-000031 JPM Centre of Miami Gardens Drive

APPLICATION INFORMATION

Applicant: JPM Centre of Miami Gardens Drive
Property Location: 4055 N.W. 183rd Street
Property Size: 11.80 acres
Current Use: Church Facilities and Unimproved Land
Future Land Use: Neighborhood
Existing Zoning: RU-4M, Modified Apartment House District, BU-1, Business Neighborhood
Requested Action(s):
1. A SPECIAL EXCEPTION to allow residential uses in the BU-1A, Business Limited District
2. NON-USE VARIANCE to allow a building height of 64.5' where a maximum building height of 45.0' is allowed.

RECOMMENDATION:

Recommend approval of the Resolution subject to the following conditions:

Submitted Plans. That in the approval of the plans submitted for building permit, the same be substantially in accordance with that submitted for hearing entitled "JPM Enrichment Center, Preliminary Bid Set" as prepared by Leo A. Daly, consisting of sheets A0.1 to A0.2, AH2.1 to 2.4, AH3.1 to 3.2, AA1.1.-1 to 1-4, AA3 1-1 to 1-2, AA3 1.1-1 to 1-2, AA3.2-1, AG1.2, AG3.2 dated Sept. 28, 2007.

Hours of Operation. Hours of operation of natatorium and gymnasium shall be limited from 6:00am to 10:00pm.

Use of property. The residential use of the property shall be limited to 12 dormitory units for the female housing building, 9 dormitory units for the male housing building; and 12 residential units for the elderly housing building; residential use shall be for the express purpose of housing persons transitioning from foster care and providing housing for persons at risk as needed in the community, and related uses.

Outdoor Activities. No outdoor activities or related outdoor activities shall be permitted without first making an application, on a form subscribed and approved by the City, and without all applicable fees paid to the City, for said event or activity.

CBS Wall required. That a 6.0' high CBS wall be installed along perimeter of property abutting residentially zoned property.

Landscape Plans required. Landscape plans shall include but not be limited to providing dense landscape buffer to abutting residentially zoned property; landscape adjacent to Miami Gardens Drive and NW 42nd Avenue shall include stem walls including but not be limited to Royal palm trees, spaced 25 on center with a minimum gray bark of 15 feet, adequate to shield parking areas from the right-of-ways; 10.0' wide sidewalk along property adjacent to Miami Gardens Drive including pressed pavement per City requirements; pedestrian access to and from the property; said plans meeting the approval of the Development Services Director prior to issuance of building permit.

Maintenance. That the Applicant shall be responsible for the maintenance and upkeep of the entire property. Maintenance obligations shall not be conveyed. All buildings shall be freshly painted every five (5) years or less.

DRC Comments. All City DRC comments shall be addressed or abated prior to issuance of building permit for the elderly building.

Platting required. Property shall be platted in accordance with Miami-Dade County Chapter 28, Subdivision Code, prior to issuance of building permit.

Parking areas paved. All parking areas shall be paved, striped, and adequate drainage and signage shall be provided meeting the approval of the Public Works Department prior to issuance of the first building C.O.

Expiration of Approval. That the approval shall be valid for a period of 24 months from date of approval, of which, if the applicant has not obtained a valid building permit for the development within such time or obtained an extension of time from the City Council as a modification of the Declaration of Restrictive Covenants, the approval shall be considered null and void. In the event it is determined the approval has expired, a application for approval of the development plans must be made and granted by the City Council prior to issuance of building permit for the development. This does not imply or preclude the issuance of a building permit for any permissible use providing all applicable zoning regulations for the district are complied with.

Declaration of Restrictive Covenants. That the applicant proffer a Declaration of Restrictive Covenants incorporating these conditions of the approval to be recorded in the Public Records of Miami-Dade County.

REVIEW AND ANALYSIS

Neighborhood Land Use Characteristics

Property	Future Land Use Designation	Zoning Classification	Existing Use
Site	Neighborhood	BU-1, Business Neighborhood, RU-4M, Modified Apartment	Church and Unimproved
North	Neighborhood	RU-1, Single-Family Residential Zone	Single-Family Dwellings

South	Neighborhood	RU-1, Single-Family Residential Zone	Single-Family Dwellings
East	Neighborhood	RU-1, Single-Family Residential Zone	Single-Family Dwellings
West	Neighborhood	RU-1, Single-Family Residential Zone	Single-Family Dwellings

The subject property is developed with the existing JPM church on the west portion and the east portion is vacant and unimproved.. The abutting and adjacent properties are developed with single family residential except for a small outparcel at the NE corner of N.W. 183rd Street and N.W. 42nd Avenue developed with a gasoline station.

Project Summary/Background/Zoning History

- The applicant has plans to develop a 3,000 seat auditorium, natatorium, gymnasium, and three residential housing buildings with nine (9) units to house young males, twelve (12) units to house young females, and twelve (12) units to house the elderly, for a total of thirty-three (33) units.
- The applicant has explained that the housing is to accommodate persons transitioning out of foster care, and to provide housing for persons at risk as may be needed in the community.
- The development will straddle the existing JPM site and will mainly be developed on the approximately 5.1 acre tract of land granted by Miami-Dade County to JPM for this development.
- The applicant has to first obtain a rezoning of the property to BU-1A in order to bring the entire property under one zoning classification which will allow the development as planned.
- The development plans have been reviewed by the City’s Development Review Committee (DRC) and comments have been provided to the applicant for compliance. (see attached). The comments and certain specific conditions have been imposed and subject to the acceptance of the Declaration of Restrictive Covenants.

Consistency with City of Miami Gardens Comprehensive Development Master Plan

The subject property is designated Neighborhood on the adopted 2006-2016 Land Use Plan (LUP) Map of the Future Land Use Element (FLUE) of the Comprehensive Development Master Plan (CDMP) of the City of Miami Gardens.

Policy 1.2 The “Neighborhood” Land Use Designation states:

“The Neighborhood land use designation applies to areas intended for low and medium density residential development with supporting commercial and office uses. The designation of Neighborhood is specifically intended to protect single family homes from encroachment or intrusion from incompatible uses.”

And:

Policy 1.2.1 states:

“Uses consistent with the Neighborhood land use designation shall primarily include low and low medium density residential uses. Medium and medium high densities, suburban commercial and office, and mixed-use planned uses may be permitted subject to the performance criteria set forth in this Plan.”

Policy 2.1.2 (c) Medium Density Residential states the performance criteria as follows:

- *“Medium Density Residential uses may occur in both Neighborhood and Commerce land use designations.”*
The subject property is designated Neighborhood.
- *“Medium density developments shall have direct access to at least one major roadway classified as a Collector or higher.”*
The subject property has direct access to N.W. 183rd Street designated as a Collector roadway.
- *“Medium Density Residential densities shall range from 16 to 25 dwelling units per gross acre.”*
The proposed overall density is 2.7 dwelling units per acre spread over the entire 11.80 acre property due to the low number of total units (30), however, in isolation of the area in which residential uses will occur the density is in range of 16 to a maximum of 25 dwelling units per acre.
- *“The housing types included in this category shall range from townhouses to low to medium rise apartments with surrounding open space.”*
The proposed housing type are dormitories and multi-family residential buildings three (3) story in height.
- *“Medium Density Residential development often serves as a transitional land use between Low Density Residential and other more intensive uses.”*
The medium density residential with a density of 2.8 units per acre is transitional to the single family residential neighborhoods abutting the property which have a greater density per acre.
- *“Medium Density Residential should generally be limited up to an average height of three (3) stories in the Neighborhood areas and up to an average height of four (4) stories in the Commerce Areas.”*
The proposed buildings are three (3) stories in height.
- *“Adequate separation and buffer treatment shall be provided to protect adjacent single family residential uses.”*
The development plans for the property will require a 6.0’ high CBS wall abutting all residentially zoned property and will require a minimum of 17.0% landscaped open space with heavy landscaping in order to provide adequate separation and buffer treatment from adjacent single family residential uses.

The proposed auditorium, natatorium and gymnasium building uses could be considered Public and Semi-Public uses in the CDMP.

Objective 2.2 Performance Criteria for Public and Semi-Public Uses states:

The Land Development Regulations/Zoning Code shall include performance criteria to ensure that public and semi-public uses, such as utilities, schools, parks, and other similar uses, occur in a manner that benefit the City residents and minimizes impacts on adjacent properties.

Moreover, Policy 2.2.1 *Public and Semi-Public Uses, In General* states:

“Public and semi-public uses and facilities include a range of unusual and special activities that shall be specifically identified and regulated through the City’s land development regulations.

- *Public/Semi-public uses are allowed in any of the future land use categories, subject to intensity, buffering, and location standards.*
- *The development intensity of public/semi-public uses shall not exceed a maximum of 0.5 floor area ratio.*
- *Public and semi-public uses include facilities such as elementary, middle, high schools, parks, houses of worship, hospitals, and utilities.”*

Conclusion: The proposed development of elderly housing, dormitories, auditorium, natatorium, and gymnasium are consistent uses with the Objectives and Policies of the CDMP in the Neighborhood designation.

Zoning Review and Analysis

Section 33-311(A)(3) of the Zoning Code states that the City Council has the authority to:

“(3) Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development. For purposes of public hearing, a site plan shall be considered one (1) special exception, and upon approval of a site plan by the Community

Zoning Appeals Board and/or the Board of County Commissioners, all non-use variances incorporated within and reflected upon the site plan shall be considered a part thereof, and official approval of the site plan shall constitute approval of all such non-use variances, unless otherwise so moved by the approving board."

Section 33-311(A)(4)(b) of the Zoning Code states that the City Council has the authority to:

"b) Non-use variances from other than airport regulations. Upon appeal or direct application in specific cases to hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations, the Board (following a public hearing) may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required. For the purpose of this subsection, the term "non-use variances" involves matters such as setback lines, frontage requirements, subdivision regulations, height limitations, lot size restrictions, yard requirements and other variances which have no relation to change of use of the property in question."

In reviewing the rezoning request consideration is given to the density and building heights permitted under the current zoning designation of RU-4M, and BU-1 versus the development plans proposed for the property. Under current zoning approximately 5.1 acres are zoned RU-4M allowing a 35.9 units per acre density for a total of 185 units with building heights of up to nine (9) stories or 100 feet. The BU-1 portion allows residential development at up to 50% of the allowable floor area with density capped as regulated by the CDMP, which in this case is up to a maximum of 25 units per acre for a total of 167 units with over 100,000 square feet of commercial and retail development. Overall, the site could be developed with up to 352 dwelling units with additional commercial and retail development of over 100,000 square feet. The proposed rezoning to BU-1A with the proposed development plans is for thirty three (33) residential units with a total 156,500 square feet of other uses, i.e., the new auditorium, natatorium, gymnasium, and the existing church, which overall is at an intensity far less than would be permitted under the existing zoning.

In addition, consideration is given to the location of the property at a major intersection of N.W. 183rd Street and N.W. 42nd Avenue, both of which are major arterial roadways adequate for commercial development consistent with the proposed BU-1A zoning. With adequate buffering and separation, commercial development or development consistent with the BU-1A zoning will have minimal intrusive impacts on the residential neighborhoods abutting to the north and east. A traffic analysis of the proposed use has concluded the use will not have any significant impacts on travel on the roadways or with access to the property.

Conclusion: Based on the above considerations, the special exception to allow residential uses and the non-use variance of building height are consistent with the findings necessary for granting approval of the special exception and non-use variance and therefore, consistent with the intent and purpose of the Zoning Code.

Anticipated Facilities Impact

General: Concurrency determinations are not finalized during the zoning approval process.

Water, Sewer, Drainage: Water, sewer, and drainage plans will be reviewed by the City's Public Works Department and will have to be permitted accordingly. Public Works' comments (see attached) outline specific conditions that must be met.

Traffic Circulation: A Traffic Impact Study was performed by the Richard Garcia and Associates (see attached) and was reviewed by the City's Traffic consultant and was found that development would not have any significant impact on the adjacent roadways. The Traffic Impact Study has been recommended for approval by the City's Traffic consultant (see attached).

Public Notification/Comments

In accordance with the zoning code, notification of the applicant's requests was mailed to property owners within a 500 foot 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
- Submitted Plans and Survey
- Traffic Impact Study
- City's Traffic Impact Study Review
- Development Review Committee Comments
- Applicant's Response to Conditions
- Transmittal Notice