



**Department of Regulatory and Economic Resources**

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**[miamidade.gov/economy](http://miamidade.gov/economy)**

August 8, 2018

Florida Department of Economic Opportunity  
Attn: Ray Eubanks, Plan Review Administrator  
Bureau of Community Planning  
Caldwell Building  
107 East Madison Street, MSC 160  
Tallahassee, FL 32399-6545

Subject: Expedited State Review of the Proposed Expedited Application No. CDMP20180005 to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida.

Dear Ray:

With this letter, I am officially transmitting one (1) standard application to amend the Comprehensive Development Master Plan (CDMP) for Miami-Dade County, Florida, for your review under the Expedited State Review Process, pursuant to Chapter 163.3184(3), Florida Statutes, (F.S.). The application transmitted herewith (Application No. CDMP20180005) is contained in the Initial Recommendations report attached as Exhibit 5.

One (1) application filed on April 17, 2018 by Orbe Services, Inc., to amend the CDMP was processed under the County's expedited CDMP amendment review process. Standard Application No. CDMP20180005 was the subject of a public hearing conducted by the Planning Advisory Board, acting as the Local Planning Agency, on July 11, 2018, and by the Miami-Dade Board of County Commissioners (Board) on July 25, 2018. The Board directed transmittal of standard Application No. CDMP20180005 at their public hearing.

The transmitted CDMP amendment application in this package will be scheduled for a subsequent public hearing and final action by the Board on September 27, 2018.

Summary of Proposed Amendment: The transmitted application seeking to amend the CDMP is summarized as follows:

Application No. CDMP20180005

Requested Amendment to the CDMP:

1. Redesignate the application site on the LUP map:  
From: "Industrial and Office"  
To: "Low Density Residential"
2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.

A copy of this transmittal letter, the proposed amendment package with support documents upon which the recommendation regarding the proposed amendment is based and other relevant items received by the Board, were submitted simultaneously to the other reviewing agencies

Ray Eubanks  
Florida Department of Economic Opportunity  
Page 2

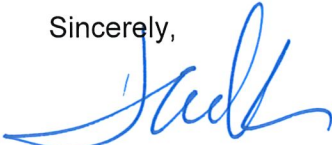
identified in the list of recipients for this correspondence. The proposed amendment application in this submittal is not located in any area of critical state concern.

A listing of the support documents and other required information regarding the proposed amendment application, including additional information received at the public hearing by the Board, is enclosed herein as "Attachment A." A copy of the County's CDMP and Adopted 2020 and 2030 LUP map, incorporating the previously adopted amendment, has previously been sent to each of the reviewing agencies listed in Chapter 163.3184(1), F.S. The County's CDMP, associated LUP map, and the Applications and Initial Recommendations report for the May 2017 Cycle Applications to Amend the CDMP can be found at: <http://www.miamidade.gov/planning/cdmp-amendment-cycles.asp>.

For additional information or clarification regarding this transmittal, please contact Jerry Bell, AICP, Assistant Director for Planning, Miami-Dade County Department of Regulatory and Economic Resources, Stephen P. Clark Center, 111 NW 1<sup>st</sup> Street, 12<sup>th</sup> Floor, Miami, Florida 33128, or by phone at (305) 375-2835, fax (305) 375-1091, or e-mail [Jerry.Bell@miamidade.gov](mailto:Jerry.Bell@miamidade.gov).

Thank you for your time and consideration.

Sincerely,



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

Enclosure: Attachment A

- c: Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council <sup>2</sup>  
Shereen Yee Fong, Transportation Planner IV, District Six, Florida Department of Transportation <sup>1</sup>  
Terry Manning, AICP, Policy and Planning Analyst, Water Supply Coordination Unit, South Florida Water Management District <sup>2</sup>  
Comprehensive Plan Review, Office of Policy and Budget, Florida Department of Agriculture and Consumer Services <sup>2</sup>  
Scott Sanders, Conservation Planning Services, Florida Fish and Wildlife Conservation Commission <sup>2</sup>  
Plan Review, Office of Intergovernmental Programs, Florida Department of Environmental Protection <sup>2</sup>  
Deena Woodward, Historic Preservation Planner, Bureau of Historic Preservation, Florida Department of State <sup>2</sup>  
Kylene Casey Educational Consultant-Growth Management Liaison, Office of Educational Facilities, Florida Department of Education <sup>2</sup>  
Larry Ventura, Chief, Environmental Flight, Homestead Air Reserve Base <sup>2</sup>

c: w/o attachments:

- Honorable Esteban Bovo, Jr., Chairman and Members, Board of County Commissioners  
Dennis Kerbel, Assistant County Attorney

## ATTACHMENT A

### List of Support Documents and Other Required/Additional Information or Items Received at the Board's Public Hearing for the Proposed Amendment Application

#### Miami-Dade County Application No. CDMP20180005 to Amend the CDMP

- Exhibit 1:** Resolution No. 822-18, adopted July 25, 2018, by Miami-Dade Board of County Commissioners' (Board); *contains transmittal instructions and action on Application No. CDMP20180005;*
- Exhibit 2:** Resolution of the Planning Advisory Board, Acting (PAB), as the Local Planning Agency, addressing Application No. CDMP20180005; *approved by the PAB July 11, 2018;*
- Exhibit 3:** Minutes of the Planning Advisory Board, Acting as the Local Planning Agency, addressing Application No. CDMP20180005 at their public hearing on July 11, 2018;
- Exhibit 4:** Declaration of Restrictions proffered by the applicant on May 24, 2018, in support of the application;
- Exhibit 5:** *"Initial Recommendations Application No. CDMP20180005 To Amend The Comprehensive Development Master Plan"* report, dated May 2018 (application summary page updated on July 2018). Contains all the requirements of Section 163.3184(3), F.S., for the Applications, as follows:
- The CDMP Land Use Plan Map amendment is separately packaged in the "Initial Recommendations Application No. CDMP20180005 To Amend the CDMP" report;
  - The future land use map amendment, color maps depicting the boundaries of the application site/area and its location in relation to its surrounding streets and thoroughfare network, and the present future land use map designation of the application site with abutting properties are contained and specified in the amendment Application No. CDMP20180005 package; and
  - Also, the existing land use map depicting the existing land uses of the subject application site and abutting properties, and size of the application site are contained and specified in the amendment Application No. CDMP20180005 package.



# Memorandum



**Date:** July 25, 2018

**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Gimenez", written over the printed name.

Agenda Item No. 4(C)

Resolution No. R-822-18

**Subject:** Resolution for Expedited Application No. CDMP20180005 to Amend the Comprehensive Development Master Plan

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The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda, which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in black ink, appearing to read "Osterholt", written over a horizontal line.

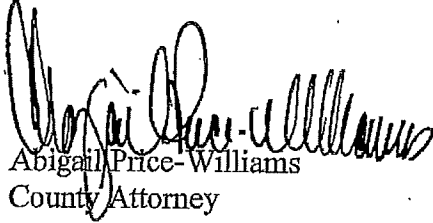
Jack Osterholt  
Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** July 25, 2018

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 4(C)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_\_, 3/5's \_\_\_\_\_, unanimous \_\_\_\_\_) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 4(C)  
7-25-18

RESOLUTION NO. R-822-18

RESOLUTION PERTAINING TO EXPEDITED APPLICATION NO. CDMP20180005 FILED IN APRIL 2018 BY ORBE SERVICES, INC., REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO EXPEDITED APPLICATION NO. CDMP20180005, LOCATED AT THE SOUTHWEST CORNER OF SW 136 STREET AND SW 157 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. CDMP20180005; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

**WHEREAS**, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of County Commissioners (“Board”) adopted the Miami-Dade County Comprehensive Development Master Plan (“CDMP”) in 1988; and

**WHEREAS**, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

**WHEREAS**, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, Miami-Dade County procedures provides for expedited processing of applications to amend the CDMP; and

**WHEREAS**, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources (“Department”) by private parties or by the County; and

**WHEREAS**, Application No. CDMP20180005 was filed by a private party on April 22, 2018 as an Expedited application to amend the CDMP and is contained in the document titled "Expedited Application No. CDMP20180005 to Amend the Comprehensive Development Master Plan," dated April 2018, and kept on file with and available upon request from the Department; and

**WHEREAS**, as required by Section 2-116.1, the Department issued its initial recommendations addressing the expedited standard Application No. CDMP20180005 in a report titled "Initial Recommendations Expedited Application No. CDMP20180005 to Amend the Comprehensive Development Master Plan" dated May 2018, and kept on file with and available upon request from the Department; and

**WHEREAS, WHEREAS**, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accordance with the applicable State and County procedures and has conducted a public hearing and issued a recommendation for the disposition of Application No. CDMP20180005; and

**WHEREAS**, the Department may issue final recommendations addressing Standard Expedited Application No. CDMP20180005 if transmitted to the reviewing agencies; and

**WHEREAS**, this Board desires to further evaluate, without prejudice, Application No. CDMP20180005, if hereby transmitted,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

**Section 2.** The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
CDMP2018 0005	<p>ORBE SERVICES, INC. / Juan Mayol, Jr., Esq. and Gloria M. Velazquez, Esq.</p> <p>Southwest corner of SW 136 Street and SW 157 Avenue / (±10.34 gross acres)</p> <p><u>Requested Amendment to the CDMP:</u></p> <ol style="list-style-type: none"> <li>Redesignate the application site on the LUP map: <ul style="list-style-type: none"> <li>From: "Industrial and Office"</li> <li>To: "Low Density Residential (6 to 13 dwelling units per gross acre"</li> </ul> </li> <li>Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.</li> </ol> <p>Standard Amendment</p>	<p>Transmit and Adopt with Acceptance of the Proffered Declaration of Restrictions</p>

**Section 3.** The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

**Section 4.** The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

**Section 5.** The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2018 to address the Expedited CDMP Amendment Application No. CDMP20180005.

The foregoing resolution was offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman	aye		
Audrey M. Edmonson, Vice Chairwoman	absent		
Daniella Levine Cava	nay	Jose "Pepe" Diaz	absent
Sally A. Heyman	aye	Eileen Higgins	aye
Barbara J. Jordan	absent	Joe A. Martinez	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		



RESOLUTION NO. 18-5

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD ACTING AS THE LOCAL PLANNING AGENCY ISSUING RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS REGARDING TRANSMITTAL TO THE STATE LAND PLANNING AGENCY OF THE STANDARD EXPEDITED APPLICATION NO. CDMP20180005 TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN, AND ADOPTING RECOMMENDATION AS TO SUBSEQUENT FINAL ACTION

**WHEREAS**, pursuant to Chapter 163, Part II, Florida Statutes (F.S.), the Comprehensive Development Master Plan (CDMP) for Miami-Dade County was adopted by the Miami-Dade Board of County Commissioners (Commission) in November 1988; and

**WHEREAS**, Section 2-116.1 of the Code of Miami-Dade County, Florida, provides procedures for amending the CDMP, which comply with the requirements of the Florida Statutes referenced above; and

**WHEREAS**, Expedited Application No. CDMP20180005 to amend the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map was filed by a private party in April 2018, and is contained in the document titled "Orbe Services, Inc. Application No. CDMP20180005," dated April 2018; and

**WHEREAS**, the Department has published its initial recommendations addressing the referenced CDMP amendment application in the report titled "Initial Recommendations Expedited Application No. CDMP20180005 to Amend the Comprehensive Development Master Plan," dated May 2018; and

**WHEREAS**, the affected Community Council has conducted an optional public hearing pursuant to Section 2-116.1 (3)(e), Code of Miami-Dade County, Florida, to address the CDMP

amendment application and because there was no quorum at the public hearing issued no recommendation to the Planning Advisory Board and the Commission; and

**WHEREAS**, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accord with the referenced State and County procedures, and has conducted a duly noticed public hearing to receive public comments and to address the referenced CDMP amendment application, the initial recommendation of the Department, and to address the final action to be taken on the CDMP amendment by the Commission; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD ACTING AS THE LOCAL PLANNING AGENCY:**

This Agency hereby makes the following recommendations to the Commission regarding transmittal to the reviewing agencies of standard amendment Application No. CDMP20180005; and recommendations regarding subsequent final actions by the Commission.

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	<ul style="list-style-type: none"> <li>• Transmittal Recommendation</li> <li>• Recommendation as to Subsequent Action</li> </ul>
CDMP2018 0005	Orbe Services, Inc. / Juan J. Mayol, Jr., Esq. & Gloria M. Velazquez, Esq.  Southwest corner of SW 136 Street and SW 157 Avenue / (±10.34 net acres)  <u>Requested Amendment to the CDMP:</u> 1. Redesignate the application site on the LUP map: From: "Industrial & Office " To: "Low Density Residential (2.5 to 6 dwelling units per gross acre)"  2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.	Transmit and Adopt with Acceptance of the Proffered Declaration of Restrictions
Standard Amendment		

The motion to recommend to Transmit and Adopt with the Proffered Declaration of Restrictions was moved by Board Member Rementeria. Board Member Marin seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Absent	Perley Richardson, Jr.	Yes
Jose Bared	Absent	William Riley	Absent
Horacio C. Huembes	Absent	Daniel B. Rogers	Absent
Raymond Marin	Yes	Robert Ruano	Yes
J. Wil Morris	Yes	Georgina Santiago	Absent
Tomas Rementeria	Yes	Jesus Vazquez	Absent

Peter DiPace, Vice Chair, Yes

Wayne Rinehart, Chair, Yes

The motion to Adopt the foregoing resolution was moved by Board Member DiPace. Board Member Marin seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Absent	Perley Richardson, Jr.	Yes
Jose Bared	Absent	William Riley	Absent
Horacio C. Huembes	Absent	Daniel B. Rogers	Absent
Raymond Marin	Yes	Robert Ruano	Yes
J. Wil Morris	Yes	Georgina Santiago	Absent
Tomas Rementeria	Yes	Jesus Vazquez	Absent

Peter DiPace, Vice Chair, Yes

Wayne Rinehart, Chair, Yes

The above actions were taken by the Planning Advisory Board, acting as the Local Planning Agency, at its public hearing on July 11, 2018, and are certified correct by Jack Osterholt, Executive Secretary to the Planning Advisory Board.

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



**MINUTES**

Miami-Dade County Planning Advisory Board  
 Acting as the Local Planning Agency  
 Public Hearing on the January 2018 Cycle Applications  
 And the Expedited Application No. CDMP20180005 to  
 Amend the Comprehensive Development Master Plan

Stephen P. Clark Center  
 111 NW 1 Street Commission Chambers  
 Miami, Florida 33128

**July 11, 2018**

**Planning Advisory Board Members**

Carla Ascencio-Savola	Absent	Perley Richardson, Jr.	Present
Jose Bared	Absent	William Riley	Absent
Horacio C. Huembes	Absent	Daniel Rogers	Absent
Raymond Marin	Present	Robert Ruano	Present
J. Wil Morris	Present	Georgina Santiago	Absent
Tomas Rementeria	Present	Jesus Vazquez	Absent

Peter DiPace, Vice Chair Present  
 Wayne Rinehart, Chair Present

Ivan Rodríguez, Miami-Dade Public Schools (non-voting) Present  
 Larry Ventura, Homestead Air Reserve Base (non-voting) Absent

**Department of Regulatory and Economic Resources (Department) Staff Present**

**Planning Division**

Jerry Bell, Assistant Director for Planning  
 Garrett Rowe, Chief, Metropolitan Planning  
 Helen Brown, CDMP Administration Section Supervisor, Metropolitan Planning  
 Manuel Armada, Chief, Planning Research Division  
 Robert Hesler, Section Supervisor, Planning Research Division  
 Mark Dorsey, Principal Planner, Metropolitan Planning  
 Rosa Davis, Principal Planner, Metropolitan Planning  
 Noel Stillings, Senior Planner, Metropolitan Planning  
 Juan Carlos Pelaez, Senior Planner, Metropolitan Planning  
 Christine Velazquez, Chief, DERM

**Other County Staff Present**

Eddie Kirtley, CAO  
 Lauren Morse, CAO  
 Stephanie Cornejo, PROS

## Opening Remarks

The public hearing began at 2:02 pm. Following roll call and the Pledge of Allegiance, Planning Advisory Board (PAB) Chair Wayne Rinehart introduced himself and the other PAB members present and welcomed the public to the hearing on the January 2018 Cycle Applications and the Orbe Expedited Application (CDMP20180005) to amend the Comprehensive Development Master Plan (CDMP). Chair Rinehart stated the purposes of the public hearing, and noted that Application No. 3 was withdrawn by the applicant by letter dated May 4, 2018. Chair Rinehart inquired if there was any audience members who wished to speak on any of the applications. Hearing none, he introduced Board member Marin who announced that today is his last meeting because he is resigning from the PAB effective tomorrow, and will run for the office of Mayor of North Miami Beach. Board member Marin declared that it was a pleasure working with the other PAB members and wished them the best.

Chair Rinehart stressed that he had no speaker cards, and prompted the representatives for the applications to start their presentations. Mr. Garrett Rowe, Chief of Metropolitan Planning, stated Staff had a PowerPoint presentation for each of the applications, and asked if it is the will of the board to forgo the Staff presentation and to proceed with each applicant's presentation. Upon conferring with the Board, Chair Rinehart affirmed that, and requested Staff to be prepared to answer any possible questions posed by the Board.

## JANUARY 2018 CYCLE APPLICATIONS

### Application No. 1

Mr. Bill Riley, legal representative for the Applicant, briefly described the application site's location along NW 57 Avenue and State Road 836, and south of Miami International Airport. He said the two properties were originally built in the 1950's, long before the CDMP was in effect. He said the property's land use designation is Office/Residential but is zoned IU-1 and IU-2; the current uses are not industrial but include an office building that caters to aircraft maintenance facilities, and a retail establishment which sells water sports and marine motor vehicles. Thus, over the past 50+ years the actual use of the property has been commercial and not industrial.

He identified the 94<sup>th</sup> Aero Squadron restaurant north of the site as one of the few commercial uses nearby. He said the area is adjacent to, but not a part of the Waterford at Blue Lagoon Corporate Office Park, commonly referred to as Blue Lagoon, and is substantially built out. He said that his client is asking for the property to be redeveloped and improved with a new retail use. He added that his client has submitted a covenant that would restrict over 40 uses typically allowed within the Business & Office designation. Mr. Riley identified ten (10) factors in support of the proposed land use change that were indicated in the staff's recommendation to adopt the application including: an insignificant demand for industrial land within Minor Statistical Area (MSA) 4.5; no impact on water and sewer capacity; no impacts to local parks given that residential uses will be prohibited; the Fire Rescue, Schools and Aviation departments had no objections; and the impact on roadways and transit impacts would be minimal. He concluded by stating that Community Council 8 recommended unanimously to adopt the application. The Chair opened the discussion for public comment, and there being no one in support or opposition to the application, the Chair closed the public hearing.

Board Member Ruano said a lot of residential building has occurred in the Blue Lagoon area and asked staff if, given the housing growth and the expansion of rail along State Road 836, if the County has a future master plan for the area. He said the area is ideal area for mixed-use



development rather than its current use. Mr. Rowe replied there are no specific plans for this area, other than what is in the CDMP and the existing land use designations; and there is no charrette planned for this area. Mr. Dorsey added that the Board of County Commissioners recently designated the Corporate Office Park a “Facility of Countywide Significance,” which protects the area from any future annexation by the City of Miami or any other incorporations. He also said the Department of Transportation and Public Works is currently working on the SMART Plan, and that State Road 836 is a designated “East-West corridor” in that plan, and they have asked the applicant to work with them in case a future (transit) stop is located in the vicinity.

The motion to recommend to Adopt as a Small-Scale Amendment with Acceptance of the Proffered Declaration of Restrictions was moved by Board Member Marin. Board Member Rementeria seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Absent	Perley Richardson, Jr.	Yes
Jose Bared	Absent	William Riley	Absent
Horacio C. Huembes	Absent	Daniel B. Rogers	Absent
Raymond Marin	Yes	Robert Ruano	Yes
J. Wil Morris	Yes	Georgina Santiago	Absent
Tomas Rementeria	Yes	Jesus Vazquez	Absent

Peter DiPace, Vice Chair, Yes  
 Wayne Rinehart, Chair, Yes

Application No. 2

Ms. Gloria Velazquez, legal representative for the Applicant, Kendall Office Center, LLC, delivered a presentation on the application. Ms. Velazquez highlighted the application is a request from “Office/Residential” to “Business and Office”, an approximate 8.3 acre site, and is a small scale application. She stated the site is currently developed with 72,854 square feet of offices and If the application is approved it could be developed with a maximum of 181,623 square feet of retail or with 108 townhomes. The applicant is interested in developing the site with retail and restaurant uses, that will serve the area, and the community is in favor of more retail and restaurant uses. County staff recommends that the application be transmitted and adopted based on the following reasons: the approval is consistent with the criteria for evaluating land use plan amendment applications as it will satisfy a deficiency of retail uses that will accommodate projected population and economic growth in the County; the impacts on county facilities and services is consistent with the adopted level of service standards, as no services operating below the adopted level-of-service standards; the requested use of “Business and Office’ is compatible with development of properties in the vicinity of the application; the application does not impact any historic or archaeological resources; and the application supports transit ridership and pedestrianism, as there are several Metrobus Routes serving the application site. Ms. Velazquez noted based on these reasons and based on staff recommendations that she requests that the application be approved. After Ms. Velazquez’ presentation, the hearing was opened for public comment. There being no comments, the public hearing was closed.

The motion to recommend to Adopt as a Small-Scale Amendment was moved by Board Member DiPace. Board Member Marin seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Absent	Perley Richardson, Jr.	Yes
Jose Bared	Absent	William Riley	Absent
Horacio C. Huembes	Absent	Daniel B. Rogers	Absent

Raymond Marin	Yes	Robert Ruano	Yes
J. Wil Morris	Yes	Georgina Santiago	Absent
Tomas Rementeria	Yes	Jesus Vazquez	Absent

Peter DiPace, Vice Chair, Yes  
Wayne Rinehart, Chair, Yes

Application No. 4

Mr. Pedro Gassant, the legal representative of the applicant, presented the application. He stated that the application sought to address two issues. The first issue was the need for housing, specifically for single family homes. He reviewed statistics regarding the limited supply of land available for single family homes and referenced the depletion of such housing in MSA 6.2, where the application site is located. The second issue addressed by the application related to the location of the application. According to Mr. Gassant, the requested “Low-Medium Density Residential” designation would serve to buffer the areas designated “Low Density Residential” from the “Business and Office” site located southeast of the site. He provided several examples showing how this land use pattern was consistent with other areas in the CDMP Land Use map. After Mr. Gassant’s presentation, the hearing was opened for public comment. There being no comments, the public hearing was closed.

The motion to recommend Transmit and Adopt was moved by Board Member Marin. Board Member Morris seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Absent	Perley Richardson, Jr.	Yes
Jose Bared	Absent	William Riley	Absent
Horacio C. Huembes	Absent	Daniel B. Rogers	Absent
Raymond Marin	Yes	Robert Ruano	Yes
J. Wil Morris	Yes	Georgina Santiago	Absent
Tomas Rementeria	Yes	Jesus Vazquez	Absent

Peter DiPace, Vice Chair, Yes  
Wayne Rinehart, Chair, Yes

Application No. 5

Mr. Garrett Rowe, Chief of the Metropolitan Planning, presented the application. He stated that the application is a staff text amendment to revise a requirement in the CDMP that governs how development should occur within the Ludlam Trail Corridor. He provided background information regarding the Ludlam Trail Corridor application. He further explained that the text in the CDMP as it exists today, requires that a final abandonment approval be obtained from the United States Surface Transportation Board prior to the first permit being issued for vertical development within the corridor. He stated that the application sought to revise that requirement, and provide that an “Interim Trail Use Agreement” may be used to satisfy the requirement. He provided details about the proposed text amendment and stated that staff is recommending to transmit and adopt the amendment. The primary reasons for the recommendation are that the application is in response to a resolution adopted by the Board on June 5<sup>th</sup> of this year which directed that the text be amended to provide for additional options to satisfy the abandonment approval requirement, and that the text as proposed would facilitate the accelerated provisions of the recreational trail. After Mr. Rowe’s presentation, the hearing was opened for public comment. There being no comments, the public hearing was closed.

Board Member Ruano inquired on the proposed CDMP text amendment on how does the vertical construction permit provision help the trail development. Mr. Rowe indicated that most of the

properties on the trail are owned by the Florida East Coast Industries (FECI), that they control an easement on the northern portion of the corridor and that they have received abandonment approval for that portion of the corridor south of SW 12<sup>th</sup> Street. He further indicated that they could seek building permits for other portions of the trail, but not by the current provision that requires the complete abandonment of the entire corridor. The building permits for vertical construction speaks to the development areas where they would want to build residential and non-residential developments. The CDMP text has a requirement that certain amounts of development can be accomplished within the corridor today but the full extent of development allowed by the CDMP plan text cannot be accomplished until the recreational trail is provided, or if an agreement is executed by the property owners in a form acceptable to the County that guarantees that the recreational trail will be provided. The text as it stands today, provides limitation. It is in the interest of the FECI to be able to construct the development that they need to provide the trail, they need the abandonment or some other mechanism that provides for the trail to be implemented throughout the entirety of the corridor. Mr. Ruano further inquired on the trail, is the development horizontal building permit as opposed to a vertical building permits. Mr. Rowe noted that vertical building permits are for development coming out of the ground, certain ground work can be done but a vertical building permit is required for construction of residential or non-residential development to occur.

The motion to recommend to Transmit and Adopt was moved by Board Member DiPace. Board Member Rementeria seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Absent	Perley Richardson, Jr.	Yes
Jose Bared	Absent	William Riley	Absent
Horacio C. Huembes	Absent	Daniel B. Rogers	Absent
Raymond Marin	Yes	Robert Ruano	Yes
J. Wil Morris	Yes	Georgina Santiago	Absent
Tomas Rementeria	Yes	Jesus Vazquez	Absent

Peter DiPace, Vice Chair, Yes  
Wayne Rinehart, Chair, Yes

**Overall Resolution for January 2018 Cycle Applications**

PAB member Marin made a motion to Adopt the preliminary votes for all the applications (January 2018 Application Nos. 1, 2, 4 and 5). PAB member Rementeria seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Absent	Perley Richardson, Jr.	Yes
Jose Bared	Absent	William Riley	Absent
Horacio C. Huembes	Absent	Daniel B. Rogers	Absent
Raymond Marin	Yes	Robert Ruano	Yes
J. Wil Morris	Yes	Georgina Santiago	Absent
Tomas Rementeria	Yes	Jesus Vazquez	Absent

Peter DiPace, Vice Chair, Yes  
Wayne Rinehart, Chair, Yes

**EXPEDITED APPLICATION NO. CDMP20180005 (ORBE)**

As directed by Chair Rinehart, Vice Chair DiPace called on the applicant to make a presentation for the Expedited Application No. CDMP20180005 (Orbe). Ms. Gloria Velazquez, the legal representative for the applicant, made a brief presentation regarding the application. She explained how the application was consistent with the various provisions of Policy LU-8E of the CDMP, which is the policy that establishes the criteria for evaluating Land Use Plan map amendments. After her presentation, she was asked to identify where the access to the community would be located. Ms. Velazquez explained that this information is not yet available. Such information would be provided through a site plan during the zoning approval process, which would be at a public hearing before the Community Council. After the presentation by Ms. Velazquez, the hearing was opened for public comment. There being no comment, the public hearing was closed.

The motion to recommend to Transmit and Adopt with the Proffered Declaration of Restrictions was moved by Board Member Rementeria. Board Member Marin seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Absent	Perley Richardson, Jr.	Yes
Jose Bared	Absent	William Riley	Absent
Horacio C. Huembes	Absent	Daniel B. Rogers	Absent
Raymond Marin	Yes	Robert Ruano	Yes
J. Wil Morris	Yes	Georgina Santiago	Absent
Tomas Rementeria	Yes	Jesus Vazquez	Absent

Peter DiPace, Vice Chair, Yes  
Wayne Rinehart, Chair, Yes

PAB member DiPace made a motion to Adopt the preliminary vote for the application (Expedited Application No. CDMP20180005 [Orbe]). Board member Marin seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Absent	Perley Richardson, Jr.	Yes
Jose Bared	Absent	William Riley	Absent
Horacio C. Huembes	Absent	Daniel B. Rogers	Absent
Raymond Marin	Yes	Robert Ruano	Yes
J. Wil Morris	Yes	Georgina Santiago	Absent
Tomas Rementeria	Yes	Jesus Vazquez	Absent

Peter DiPace, Vice Chair, Yes  
Wayne Rinehart, Chair, Yes

**New/Old Business**


Chair Rinehart informed the Board that PAB member Richard Tapia had resigned, in order to run for state representative. Mr. Rowe informed the Board that yesterday the Board of County Commissioners (BCC) adopted an ordinance that amends the County Code in terms of the PAB Chair and Vice Chair and explained those terms would now be six-month terms, with terms commencing every January and July. County Attorney Morse replied to Board member Ruano’s inquiry and explained that for each calendar year a member could only be either Chair or Vice Chair. Mr. Rowe explained that this change would be effective in January 2019, and that elections would be held in the months prior to those dates. Mr. Rowe stated that the BCC also mandated

sexual harassment training for all County boards, and that the PAB training would take place in the County commission chambers on October 29, 2018 at 9:30 am. Mr. Rowe also reminded PAB members that their financial disclosure is required to be filed each year in July, and that Staff would follow up with those members who may not have yet filed. Mr. Rowe reminded the Board the next PAB meeting is scheduled for September 24, 2018 at 2:00 pm.

**Adjournment**

Being no further business before the PAB, Chair Rinehart adjourned by meeting at 2:50 pm.

Respectfully submitted,

  
\_\_\_\_\_  
Jack Osterholt  
Executive Secretary

RECEIVED

2018 JUL 27 P 6: 35

RER-PLANNING DIVISION

This Instrument was Prepared by:

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

(Space Reserved for Clerk of the Court)

Tax Folio I.D. 30-5920-000-0060

---

**DECLARATION OF RESTRICTIONS**

**WHEREAS**, Century Homebuilders Group, LLC, a Florida corporation (the "Owner"), holds fee simple title to that certain parcel of land in Miami-Dade County, Florida, described in Exhibit "A", attached hereto, and hereinafter referred to as the "Property";

**WHEREAS**, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") as an expedited CDMP application on May 4, 2018 which amendment is identified as Application No. 201800005.

**WHEREAS**, the Application seeks to re-designate the Property from "Industrial and Office" to "Low Density Residential" ( $\pm 10.34$  gross acres) on the Miami-Dade CDMP Land Use Plan ("LUP") map.

**NOW, THEREFORE, IN ORDER TO ASSURE** Miami-Dade County, Florida (the "County") that the representations made by the Owner during the consideration of the Application will be abided by, the Owner freely, voluntarily and without duress, makes the following Declaration of Restrictions covering and running with the Property:



1. **Noise Level Reduction.** The Owner shall incorporate at least 25 decibel (db) Noise Level Reduction (NLR) into the design and construction of any dwelling unit on the Property.

2. **Avigation Easement.** The Owner reserves unto itself, its successors, and assigns, for the use and benefit of the public, and hereby grants and conveys to Miami-Dade County an easement and right-of-way for the free and unobstructed flight, and passage, operations and effects thereof of all types of aircraft ("aircraft" being defined for the purpose of this Avigation Easement as any contrivance now known or hereafter invented, used, or designated for navigation of, or flight in or through the air) by whomsoever owned or operated, in and through the airspace above and over the surface of the Property, including, but not limited to, the right to cause in such airspace above or in the vicinity of the surface of the Property such noise, vibration, odors, vapors, fumes, fuel particles (which are incident to normal operations of said aircraft), smoke, dust, fear, interference with sleep and communications and any and all other effects as may be alleged to be incident to or caused by the aircraft engines and the operation of aircraft for navigation of or flight or passage in and through said airspace, and for the use of said airspace by aircraft for approaching, landing upon, taking off from, maneuvering about or operating (which are incident to normal operations of said aircraft) on Kendall Tamiami Executive Airport ("KTEA") and for all other uses allowed or authorized at KTEA.

In furtherance of the easement and rights herein granted, the Owner expressly agrees for itself, its successors, and assigns to restrict the height of structures, objects of natural growth, and other obstructions on the Property to such a height so as to comply with Miami Dade Code Chapter 33, Article XL and Federal Aviation Regulations, Part 77 as currently in effect.

Additionally, the Owner, for itself, its successors, and assigns, covenants at all times hereafter, that it will not take any action, cause or allow any electronic, electromagnetic, smoke, vapor, fume, or light emissions, allow any obstruction to exist, or construct any structure on the Property which would conflict or interfere with or infringe the rights granted hereunder, including the full use and enjoyment of this Avigation Easement.

The Owner expressly agrees for itself, its successors, and assigns, to prevent any use of the Property described herein that would interfere with or adversely affect the operation or maintenance of KTEA, or otherwise constitute an airport hazard.

**3. Notice Requirements.**

A. The Owner shall include the following notice (the "Notice") in every contract for the initial sale of any dwelling unit within the Property:

THIS PROPERTY IS LOCATED IN CLOSE PROXIMITY TO THE KENDALL TAMiami EXECUTIVE AIRPORT ("KTEA"). SPECIFICALLY, PORTIONS OF THE PROPERTY ARE LOCATED WITHIN THE OUTER DISTRICT. AS SUCH, THE PROPERTY AND THE FUTURE RESIDENTS MAY EXPERIENCE FREQUENT AND DIRECT OVERFLIGHTS AT LOW ALTITUDES CREATING NOISE DURING DAYTIME AND NIGHTTIME HOURS.

THE UNDERSIGNED, ON BEHALF OF ITSELF AND ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, AGREES BY TAKING TITLE TO SAID PROPERTY, THAT THEY DO NOT OBJECT TO THE PRESENCE OF KTEA OR THE TWENTY-FOUR HOUR PER DAY OPERATION OF AIRCRAFT FROM ITS RUNWAYS AND TAXIWAYS, HOWEVER MANY AND IN WHATEVER CONFIGURATION THEY MAY BE, AND HEREBY WAIVES ANY RIGHT TO OBJECT TO OR CHALLENGE IN ANY FORUM THE CURRENT OR FUTURE 24 HOUR PER DAY OPERATION OF THE AIRPORT AND ANY IMPROVEMENTS THERETO, INCLUDING, WITHOUT LIMITATION, ALL EXISTING AND FUTURE RUNWAYS AND TAXIWAYS ON THE AIRPORT THE FUTURE EXPANSION OF THE RUNWAYS AT KTEA KNOWN AS RUNWAY 9 LEFT/27 RIGHT (9L/27R), RUNWAY 9 RIGHT/27

LEFT (9R/27L) RUNWAY 13/31 (13/31) AND ANY FUTURE ALTERATIONS, RE-ALIGNMENTS, OR RE-NUMBERING OF THE RUNWAYS AND TAXIWAYS DUE TO OPERATIONAL NEEDS OF THE AIRPORT OR MAGNETIC DEVIATIONS.

THE UNDERSIGNED, ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, ARE PROHIBITED FROM REQUESTING, SUPPORTING OR PARTICIPATING IN ANY EFFORT TO IMPOSE MANDATORY NOISE ABATEMENT PROCEDURES AT KTEA.

THIS COVENANT IS BINDING UPON ALL FUTURE OWNERS, LESSEES AND RESIDENTS HERE AND FOREVER THEREAFTER AND THAT NOTIFICATION OF SUCH IS REQUIRED PRIOR TO THE SALE OR LEASE OF THE PROPERTY.

B. The Owner shall cause every prospective, initial purchaser to acknowledge in writing receipt of the Notice, which acknowledgement may be included in the contract for sale and purchase for each dwelling unit or may be provided by separate instrument prior to or simultaneously with the execution of any such contract. The Notice shall also be prominently displayed in the sales office for the subdivision.

C. In addition to the restrictions and commitments contained in this Declaration, prior to the approval of a final plat for the Property, the Owner shall record a separate instrument in the Public Records of Miami-Dade County, which instrument shall run with title to the Property and be binding on the Owner's successors and assigns and shall provide the following restrictions:

THE PROPERTY IS LOCATED IN CLOSE PROXIMITY TO THE KENDALL TAMiami EXECUTIVE AIRPORT ("KTEA"). SPECIFICALLY, PORTIONS OF THE PROPERTY ARE LOCATED WITHIN THE OUTER DISTRICT. AS SUCH, THE PROPERTY AND THE FUTURE RESIDENTS MAY EXPERIENCE FREQUENT AND DIRECT OVERFLIGHTS AT LOW ALTITUDES CREATING NOISE DURING DAYTIME AND NIGHTTIME HOURS. FURTHER, THE OWNER, ON BEHALF OF ITSELF AND ITS SUCCESSORS AND ASSIGNS,

HEREBY WAIVES ANY OBJECTIONS TO ANY FUTURE EXPANSION OF THE RUNWAYS AT KTEA KNOWN AS RUNWAY 9 LEFT/27 RIGHT (9L/27R), RUNWAY 9 RIGHT/27 LEFT (9R/27L), RUNWAY 13/31 (13/31), AND ANY FUTURE ALTERATIONS, RE-ALIGNMENTS, OR RE-NUMBERING OF THE RUNWAYS AND TAXIWAYS DUE TO OPERATIONAL NEEDS OF THE AIRPORT OR MAGNETIC DEVIATIONS.

THE UNDERSIGNED, ON BEHALF OF ITSELF AND ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, AGREES BY TAKING TITLE TO SAID PROPERTY, THAT THEY DO NOT OBJECT TO THE PRESENCE OF KTEA OR THE TWENTY-FOUR HOUR PER DAY OPERATION OF AIRCRAFT FROM ITS RUNWAYS AND HEREBY WAIVES ANY RIGHT TO OBJECT TO OR CHALLENGE IN ANY FORUM THE CURRENT OR FUTURE 24 HOUR PER DAY OPERATION OF THE AIRPORT AND ANY IMPROVEMENTS THERETO, INCLUDING, WITHOUT LIMITATION, THE FUTURE EXPANSION OF THE RUNWAYS AT KTEA KNOWN AS RUNWAY 9 LEFT/27 RIGHT (9L/27R), RUNWAY 9 RIGHT/27 LEFT (9R/27L), RUNWAY 13/31 (13/31), AND ANY FUTURE ALTERATIONS, RE-ALIGNMENTS, OR RE-NUMBERING OF THE RUNWAYS AND TAXIWAYS DUE TO OPERATIONAL NEEDS OF THE AIRPORT OR MAGNETIC DEVIATIONS.

IT IS FURTHER AGREED THAT THE UNDERSIGNED, ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, WILL NEVER REQUEST, SUPPORT OR PARTICIPATE IN ANY EFFORT TO IMPOSE MANDATORY NOISE ABATEMENT PROCEDURES AT KTEA.

PURCHASER AGREES THAT THIS COVENANT IS ALSO BINDING UPON ALL FUTURE OWNERS, LESSEES AND RESIDENTS HERE AND FOREVER THEREAFTER AND THAT NOTIFICATION OF SUCH IS REQUIRED PRIOR TO THE SALE OR LEASE OF THE PROPERTY.

4. **Miscellaneous.**

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

the building and zoning regulations and the conditions herein agreed to are being complied with.

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

C. **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 fee simple owner(s) of the property covered by such modification, amendment or release, provided that the same is also approved by the Board of County Commissioners. Any such modification, amendment, or release shall be subject to the provisions governing amendments to comprehensive plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment, or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth

in Section 2-116.1 of the Code of Miami-Dade County, or successor regulation governing amendments to the CDMP. Notwithstanding anything in this paragraph, in the event that the Property is incorporated within a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration of Restrictions shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures.

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

E. **Authorization of Miami-Dade County (or successor municipal corporation) to Withhold Permits and Inspections.** In the event the terms of this Declaration of Restrictions are not being complied with, in addition to any other remedies available, the County (or any successor municipal corporation) is hereby authorized to withhold any further



permits, and refuse to make any inspections or grant any approvals, until such time as his Declaration of Restrictions is complied with.

F. **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.

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

H. **Covenant Running with the Land.** This Declaration of Restrictions shall constitute a covenant running with the land and shall be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the undersigned Owner and its successors and assigns unless and until the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, the then owner(s) of the Property and for the public welfare.

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

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

K. **Acceptance of Declaration.** Acceptance of this Declaration of Restrictions does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the County retains its full power and authority to, with respect to the Property, deny each such application in whole or in part and to decline to accept any conveyance.

L. **Owner.** The term "Owner" shall include the Owner and its successors and assigns.

**[Signature Page Follow]**

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**WITNESSES:**

Century Homebuilders Group, LLC,  
a Florida Corporation

\_\_\_\_\_  
Signature

By: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

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

\_\_\_\_\_  
Signature

Title: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

STATE OF FLORIDA            )  
  ) SS  
COUNTY OF MIAMI-DADE    )

The foregoing instrument was acknowledged before me by \_\_\_\_\_, as \_\_\_\_\_ of Century Homebuilders Group, LLC, a Florida corporation, and for the purposes stated herein on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_ as identification.

Witness my signature and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2018, in the County and State aforesaid.

My Commission Expires:

Notary Public

\_\_\_\_\_  
Printed Name

## EXHIBIT "A"

### LEGAL DESCRIPTION

#### **LEGAL DESCRIPTION:**

A portion of the East 1/2 of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwabke-Shiskin & Associates, Inc. Under File No. SD-136 A. J. and based on that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Dade County, Florida and being more particularly described as follows: Bounded on the East by the East line of said Section 20; Bounded on the North by the North line of said Section 20, based on a foresaid Agreed Final Judgment; Bounded on the West by the West line of the East 1/2 of the East 1/2 of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT"; and Bounded on the South by the North line of a 100.00 foot Right-of-Way for the Seaboard Airline Railroad, as built and in place.

#### **LESS:**

That portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwabke-Shiskin & Associates, Inc. Under File No. SD-136 A. J. and based on that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Miami-Dade County, Florida, lying North of the Seaboard Airline Railroad Company Right-of-Way and more particularly described as follows:

Begin at the agreed Northwest corner of the East 1/2 of the East 1/2 of said Section 20; according to said Agreed Final Judgment; thence run N86°20'38"E along the North line of said East 1/2 of the East 1/2 of said Section 20, according to said Agreed Final Judgment, for a distance of 568.85 feet; thence run S02°27'12"E, for a distance of 583.43 feet to a point on the North Right-of-Way line of said Seaboard Airline Railroad; thence run S88°08'59"W along said North Right-of-Way line for a distance of 568.76 feet to a point on the agreed West line of the East 1/2 of the East 1/2 of said Section 20; thence N02°27'12"W along said agreed West line of the East 1/2 of the East 1/2 of said Section 20; according to said Agreed Final Judgment for a distance of 565.60 feet to the Point of Beginning.

#### **LESS (RIGHT-OF-WAY DEEDS):**

The East 45.00 feet of a portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwabke-Shiskin & Associates, Inc. Under File No. SD-136 A. J. and based on that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Dade County, Florida and being more particularly described as follows: Bounded on the East by the East line of said Section 20; Bounded on the South by the North line of a 100.00 foot Right-of-way for the Seaboard Airline Railroad, as built and in place. Bounded on the West by a line 45.00 feet West of and parallel with the East line of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT"; and Bounded on the North by the North line of the East 1/2 of the East 1/2 of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT".

#### **LESS (RIGHT-OF-WAY DEEDS)**

##### **PARCEL 7**

A parcel of land being a portion of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast Corner of said Section 20; thence S86°20'39"W departing from the North Line of said Section 20, along the agreement line according to the Final Judgment recorded in Official Records Book 15074, at Page 1044, of the Public Records of Miami-Dade County, Florida, for 45.01 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence S86°20'39"W continuing along said agreement line for 810.10 feet to the Northeast corner of the real property described in Official Record Book 21635 Page 3911; thence S02°27'12"E for 40.01 feet; thence N86°20'39"E ALONG A LINE 40.00 feet south of and parallel with said agreement line for 784.61 feet to a point of curvature of a circular curve concave to the Southwest; thence Southeasterly along the arc of said curve to the right, having a radius of 25.00 feet through a central angle of 91°10'20" for an arc distance of 39.78 feet to a point of tangency with a line 45.00 feet westerly of and parallel with the East line of said Section 20; thence N02°29'01"W along said line parallel with the East line of said Section 20 for 65.53 feet to the POINT OF BEGINNING.

# **INITIAL RECOMMENDATIONS**

## **EXPEDITED APPLICATION NO. CDMP20180005 TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

**FOR MIAMI-DADE COUNTY, FLORIDA**



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INITIAL  
RECOMMENDATIONS

EXPEDITED  
APPLICATION CDMP20180005 TO AMEND THE  
COMPREHENSIVE DEVELOPMENT  
MASTER PLAN

May 2018

Miami-Dade County  
Department of Regulatory and Economic Resources  
Stephen P. Clark Center  
111 NW 1 Street, 12<sup>th</sup> Floor  
Miami, Florida 33128-1972  
(305) 375-2835

**Carlos A. Gimenez**  
*Mayor*  
**MIAMI-DADE BOARD OF COUNTY COMMISSIONERS**

**Esteban Bovo, Jr.**  
*Chairman*

**Audrey M. Edmonson**  
*Vice-Chair*

**Barbara J. Jordan**  
*District 1*

**Jean Monestime**  
*District 2*

**Audrey M. Edmonson**  
*District 3*

**Sally A. Heyman**  
*District 4*

**Vacant**  
*District 5*

**Rebeca Sosa**  
*District 6*

**Xavier L. Suarez**  
*District 7*

**Daniella Levine Cava**  
*District 8*

**Dennis C. Moss**  
*District 9*

**Sen. Javier D. Souto**  
*District 10*

**Joe A. Martinez**  
*District 11*

**Jose "Pepe" Diaz**  
*District 12*

**Esteban Bovo, Jr.**  
*District 13*

**Abigail Price-Williams**  
*County Attorney*

**Harvey Ruvin**  
*Clerk of Courts*

**MIAMI-DADE COUNTY PLANNING ADVISORY BOARD**

**Wayne Rinehart**  
*Chair*

**Peter DiPace**  
*Vice-Chair*

Carla Ascencio-Savola  
Jose Bared  
Horacio C. Huembes  
Tomas Rementeria  
Raymond Marin

Perley Richardson, Jr.  
William Riley  
Daniel B. Rogers  
Robert Ruano

Georgina Santiago  
J. Wil Morris  
Richard Tapia  
Jesus Vazquez

Ivan Rodriguez, School Board Representative, *Non-Voting Member*  
Larry Ventura, Homestead Air Reserve Base Representative, *Non-Voting Member*

**Jack Osterholt, Deputy Mayor/Director**  
*Executive Secretary*

Miami-Dade County provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability. "It is the policy of Miami-Dade County to comply with all of the requirements of the Americans with Disabilities Act."



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**Comprehensive Development Master Plan Amendment**

Orbe Services, LLC / Juan J. Mayol, Jr., Esq., Juan J. Mayol, Jr., Esq., & Gloria M. Velazquez, Esq.-----

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# INTRODUCTION

This report contains the initial recommendation of the Department of Regulatory and Economic Resources (Department) addressing Application No. CDMP20180005 filed on April 17, 2018 by Orbe Services, Inc., to amend the Comprehensive Development Master Plan (CDMP), under the expedited CDMP amendment review process. This application is a proposed standard amendment to the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map. A summary of this application is presented in the Summary of Recommendations matrix on Page vii.

## **Expedited Application Review Process and Schedule of Activities**

Following is a summary of the Plan review, amendment activities and schedule that will be followed by this expedited application to comply with the CDMP procedural requirements contained in Section 2-116.1, Code of Miami-Dade County and State law. The Schedule of Activities on page v lists the principal activities that will occur under this process and indicates the timeframes for those activities in accordance with the State requirements and the County Code. An expedited application may be filed at any time and follows a shorter time frame schedule than the regular cycle applications.

The CDMP amendment process involves two phases. The first phase occurs between the time applications are filed and the time Miami-Dade Board of County Commissioners (Board) conducts its first public hearing. At its first hearing, the Board will take action addressing transmittal of the standard application(s) to the State Land Planning Agency (SLPA) and other State and regional agencies (reviewing agencies) for review and comment, and/or adopt eligible small-scale LUP map amendments on an expedited schedule. During the first phase, affected and neighboring property owners are notified of the nearby LUP map amendment request(s). The Department issues its initial recommendation regarding the requested change, and submits the report to the Community Councils, the Planning Advisory Board (PAB) and the Board for their consideration during their public hearings.

Section 2-116.1 authorizes Community Councils to conduct public hearings and issue recommendations on applications that directly affect their areas. The Community Council public hearing for this CDMP amendment was held on May 31, 2018, prior to the PAB, acting as the County's Local Planning Agency, and the Board conduct their public hearings. The PAB will hold its public hearing on July 11, 2018, to receive comments and recommendations on the proposed amendment, and to formulate recommendations to the Board regarding transmittal of standard amendment Application No. CDMP20180005. The Board is currently scheduled to hold a public hearing on July 25, 2018, to consider transmittal of the standard amendment application. "Transmittal" of a proposed amendment to the reviewing agencies does not constitute adoption of the requested amendment.

The second phase of the amendment process begins after transmittal of the application(s) to the reviewing agencies. The CDMP amendment procedures in Section 2-116.1 of the County Code provide that the SLPA will be requested by the County to review and comment on all transmitted amendment proposals. The SLPA and other reviewing agencies are expected to return comments addressing the transmitted amendment proposal on or about September 2018, approximately 45 days after the transmittal hearing pursuant to Chapter 163.3184(3), Florida Statutes. Within 45 days after receiving comments from the reviewing agencies, or other time period determined by the Director of the Department, the Board will conduct a public hearing and take final action on

the transmitted application. During the review period by the reviewing agencies, the Department will also review comments received at the transmittal hearing and any additional submitted material and may issue a “Final Recommendations” report reflecting any new information prior to the final public hearing. Final action by the Board will be to adopt, adopt with change or not adopt the transmitted application.

Outside of this expedited CDMP amendment process, requests to amend the CDMP can be made by the Board under a special amendment process, applications undergoing regular CDMP cycle review, or by a party having an application undergoing the Development of Regional Impact (DRI) process requesting a concurrent amendment to the CDMP. Procedures for processing such special or DRI-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

### **Additional Information**

Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Regulatory and Economic Resources at 111 NW 1<sup>st</sup> Street, 12<sup>th</sup> Floor, Miami, Florida 33128-1972; telephone 305/375-2835.

Table 1  
Schedule of Activities  
Expedited Application No. CDMP20180005

Pre-application Conference	Prior to Filing Application
Completed Expedited Application Filed <i>Documents required upon filing an application</i> <ul style="list-style-type: none"> <li>• Any proposed modification(s) to a CDMP Declaration of Restrictions</li> <li>• Traffic Impact Study</li> <li>• Other necessary studies</li> </ul>	April 17, 2018
Deadline to Withdraw Application and Return of Full Fee	July 24, 2018
Application published by Department	May 1, 2018
Initial Recommendation(s) Report released by Department	May 2018 – <i>(linked to first advertisement date)</i>
Community Council(s) Public Hearing(s), if applicable	May 31, 2018
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Public Hearing on Transmittal of Expedited Standard Amendment requests to State Land Planning Agency (SLPA)	July 11, 2018 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Board of County Commissioners (Board) Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to SLPA	July 25, 2018 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to SLPA and other State Reviewing Agencies	August 2018 ** (Approximately 10 days after Board Transmittal Hearing)
Deadline for Filing Supplementary Reports by the Public	Thirty (30) days after Board transmittal hearing
Receipt of Comments from Reviewing Agencies	September 2018 ** (Approximately 30 days after Transmittal under the Expedited State Review process, or 60 days for State Coordinated Review process)
Final Recommendation(s) Report may be released by the Department	September 2018 **
Public Hearing and Final Action on Applications: Board	September 27, 2018 (No later than 45 days after receipt of comments from reviewing state agencies)

Notes: \*\* Estimated Date  
Dates are subject to change. All hearings will be noticed by newspaper advertisement.

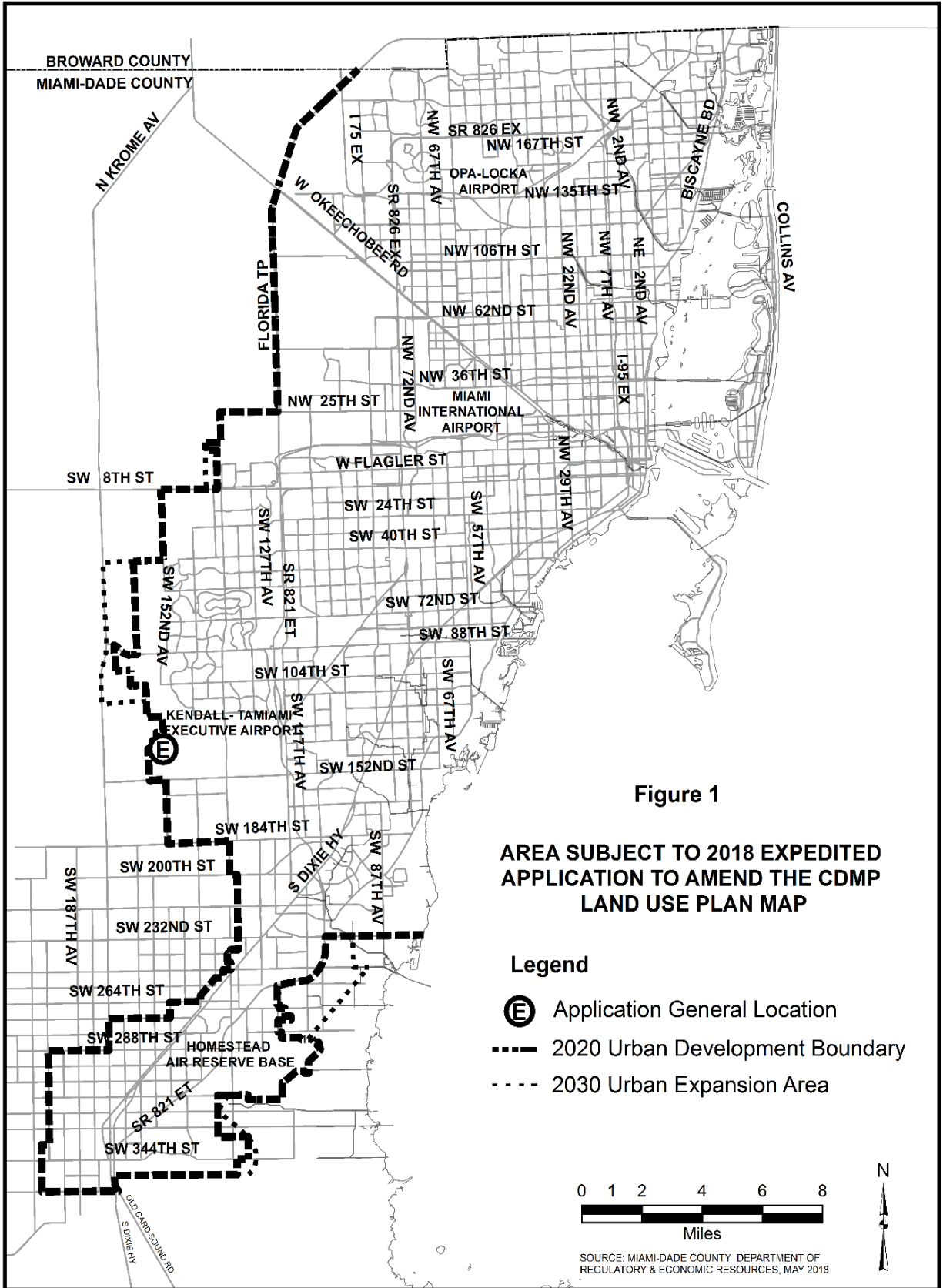
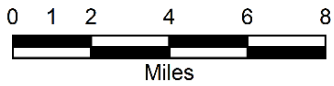


Figure 1

**AREA SUBJECT TO 2018 EXPEDITED APPLICATION TO AMEND THE CDMP LAND USE PLAN MAP**

**Legend**

- (E)** Application General Location
- - - -** 2020 Urban Development Boundary
- .....** 2030 Urban Expansion Area



SOURCE: MIAMI-DADE COUNTY DEPARTMENT OF REGULATORY & ECONOMIC RESOURCES, MAY 2018

**Summary of Recommendations**  
**Expedited Application to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida**  
**July 2018**

Application Number/ Type	Applicant/Applicant representative/ Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation July 11, 2018	BCC Action/ Recommendation July 25, 2018
CDMP20180005/ standard	<p>Orbe Services, Inc. / Juan J. Mayol, Jr., Esq. &amp; Gloria M. Velazquez, Esq.</p> <p>Southwest corner of SW 136 Street and SW 157 Avenue / (±10.34 net acres)</p> <p><u>Requested Amendment to the CDMP:</u></p> <p>1. Redesignate the application site on the LUP map: From: "Industrial &amp; Office " To: "Low Density Residential"</p> <p>2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.</p>	11/ Martinez	Transmit and Adopt with Acceptance of the Proffered Declaration of Restrictions	Kendall CC11 No Quorum (5-31-18)	Transmit and Adopt with Acceptance of the Proffered Declaration of Restrictions	Transmit and Adopt with Acceptance of the Proffered Declaration of Restrictions

Notes

BCC means Board of County Commissioners  
PAB means Planning Advisory Board

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**Orbe Services, Inc. (CDMP20180005)**  
**Commission District 11      Community Council 11**

**APPLICATION SUMMARY**

Applicant/Representative: Orbe Services, Inc./Juan J. Mayol, Jr., Esq., & Gloria M. Velazquez, Esq., Holland and Knight LLP

Location: Southwest corner of SW 136 Street and SW 157 Avenue

Total Acreage: ±10.34 Gross Acres/Net Acres

Current Land Use Plan Map Designation: "Industrial and Office"

Requested Land Use Plan Map Designation and other changes: 1. Redesignate the application site on the LUP map:  
From: "Industrial and Office"  
To: "Low Density Residential (2.5 to 6 dwelling units per gross acre)"

2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.

Amendment Type: Standard

Existing Zoning District/Site Condition: IU-1 and BU-1A/Vacant

**RECOMMENDATIONS**

Staff: **TRANSMIT AND ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (May 2018)**

West Kendall Community Council (11): **NO QUORUM (May 31, 2018)**

Planning Advisory Board (PAB) Acting as the Local Planning Agency: **TRANSMIT AND ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (July 11, 2018)**

Board of County Commissioners: **TRANSMIT AND ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (July 25, 2018)**

Final Action of Board of County Commissioners: **TO BE DETERMINED (September 27, 2018)**

Staff recommends to **TRANSMIT AND ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS** the proposed change to the Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map to redesignate the ±10.34-acre site from “Industrial and Office” to the “Low Density Residential” (2.5 to 6 dwelling units per gross acre) for the following reasons:

**Principal Reasons for Recommendation:**

1. The application proposes to change the “Industrial and Office” CDMP land use designation on a ±10.34 gross acre site to “Low Density Residential” in order to develop 62 single family residential units generally in accordance with the CDMP provisions for the “Industrial and Office” category. The “Industrial and Office” land use category text in the CDMP Land Use Element (on page I-39) provides for the retention of “Industrial and Office” designated land when such land is in a Minor Statistical Area (MSA) that has less than a 15-year supply of industrial land. In instances where there is less than a 15-year supply of industrial land, in order to be considered for approval for a non-industrial use, it must be demonstrated that such use will not adversely impact future industrial development. The subject property is located in MSA 6.2 that has approximately a 6-year supply of industrial land, where the supply of industrial designated land is projected to be depleted by the year 2024 (see Supply and Demand Analysis of page 12).

The application site is located south of the Miami Executive Airport (formerly the Kendall Tamiami Executive Airport). It is the only parcel designated “Industrial and Office” south of the airport and west of SW 157 Avenue between SW 136 Street to SW 152 Street. Except for Miami Executive Airport to the north, the adjacent lands to the west and south of application site are residentially designated on the and developed with residences and are residentially designated on the CDMP Adopted 2020 and 2030 Land Use Plan map. The vacant parcel to the east of the application site, at the southeast corner of SW 157 Avenue and SW 136 Street, is also residentially designated. Given the abutting and adjacent residential uses, the application site is less likely to be developed with industrial type uses and its conversion to residential use as proposed in the application would not negatively impact future industrial development on adjacent lands in the vicinity of the application site.

It should be noted that the residential parcel mentioned above and another parcel further to the east were subject to similar CDMP amendments to convert industrially designated land for residential purposes. These applications include Application No. 6 of the October 2017 CDMP Amendment Cycle and Application No. 2 of the May 2017 CDMP Amendment Cycle that were both approved by the Miami-Dade County Board of County Commissioners. Approval of the requested CDMP amendment to redesignate the application site to “Low Density Residential” would, in addition to not negatively impacting future industrial growth, would also be in keeping with recent trend for residential development in the vicinity of the application site.

2. CDMP Approval of the application would be generally consistent with the criteria for evaluating Land Use Plan map amendment applications pursuant to Policy LU-8E of the CDMP Land Use Element. Policy LU-8E requires LUP map amendment applications to be evaluated according to factors such as (i) the ability of the proposed amendment to satisfy a deficiency in the LUP map to accommodate projected population or economic growth of the County, (ii) impacts to County facilities and services, (iii) compatibility with abutting and nearby land uses, (iv) impacts to environmental and historical resources, and (v) the extent to which the

proposed land use would promote transit ridership and pedestrianism pursuant to Objective LU-7 and associated policies. Each factor is discussed below.

- i. *Need to Accommodate Economic or Population Growth:* Approval of the application would reduce vacant land zoned or designated for industrial uses in the subject MSA and would add 62 residential units to the residential land capacity in Minor Statistical Area (MSA) 6.2, where the application site is located. The residential land capacity in MSA 6.2 is projected to be depleted by the year 2020 for both single family and multifamily units (see Supply and Demand Analysis on page 12). The increase in the number of residential units would provide additional residential capacity in the subject MSA and be of benefit to the area.
- ii. *Public Facilities and Services:* Approval of the application would be generally consistent with the CDMP Capital Improvements Element Objective CIE-3 that requires CDMP land use decisions not to cause a violation in adopted level of standards for public facilities and services. The impacts that would be generated from the maximum development allowed on the application site, if the application is approved, would not cause a violation in the adopted level of service standards for public facilities and services. In some cases, such as with roadways, water, sewer, and fire rescue service, the projected impacts from the maximum residential development proposed in the application are less than the impacts that would be generated by the maximum development allowed under the site's current "Industrial and Office" designation. (See the "Water and Sewer", "Fire Rescue Service", and "Roadways" sections on the pages that follow.)
- iii. *Compatibility:* The development of the site, if the requested "Low Density Residential" designation is approved, would be compatible with the abutting and adjacent residential properties to the west, south and east of the application site and the Applicant has proffered a Declaration of Restrictions (covenant) that addresses compatibility with the Miami Executive Airport to the north across SW 136 Street. The Applicant's proffered covenant requires the incorporation of at least 25 decibel noise level reduction into the design and construction of the development; a commitment to providing an avigation easement to the County allowing flights over the property; and a commitment to providing notice to prospective buyers regarding proximity to the airport, its operations, and safety risks (see Appendix C: Proffered Declaration of Restrictions).
- iv. *Environmental and Historic Resources:* The subject application, if approved, would not impact any historic or archaeological resources on the site. However, the Miami-Dade County Division of Environmental Resources Management (DERM) identified tree resources on the property, including specimen tree resources (trees with a trunk diameter 18 inches or greater). In accordance with Policy CON-8A of the CDMP and Section 24-49.2(II) of the Miami-Dade County Code, specimen trees shall be preserved whenever reasonably possible.
- v. *Transit Ridership and Pedestrianism:* The proposed CDMP amendment application does not support transit ridership and pedestrianism pursuant to CDMP Land Use Element Policy LU-8E(v) (page I-16). The subject property is not directly served by any Metrobus Routes. The closest transit service to the site is approximately one mile away from the subject property by Metrobus Route 252, which provides limited stop service in the area and feeder service to Metrorail.

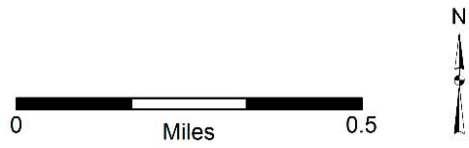


**ORBE SERVICES, INC. - CDMP20180005  
AERIAL PHOTO**

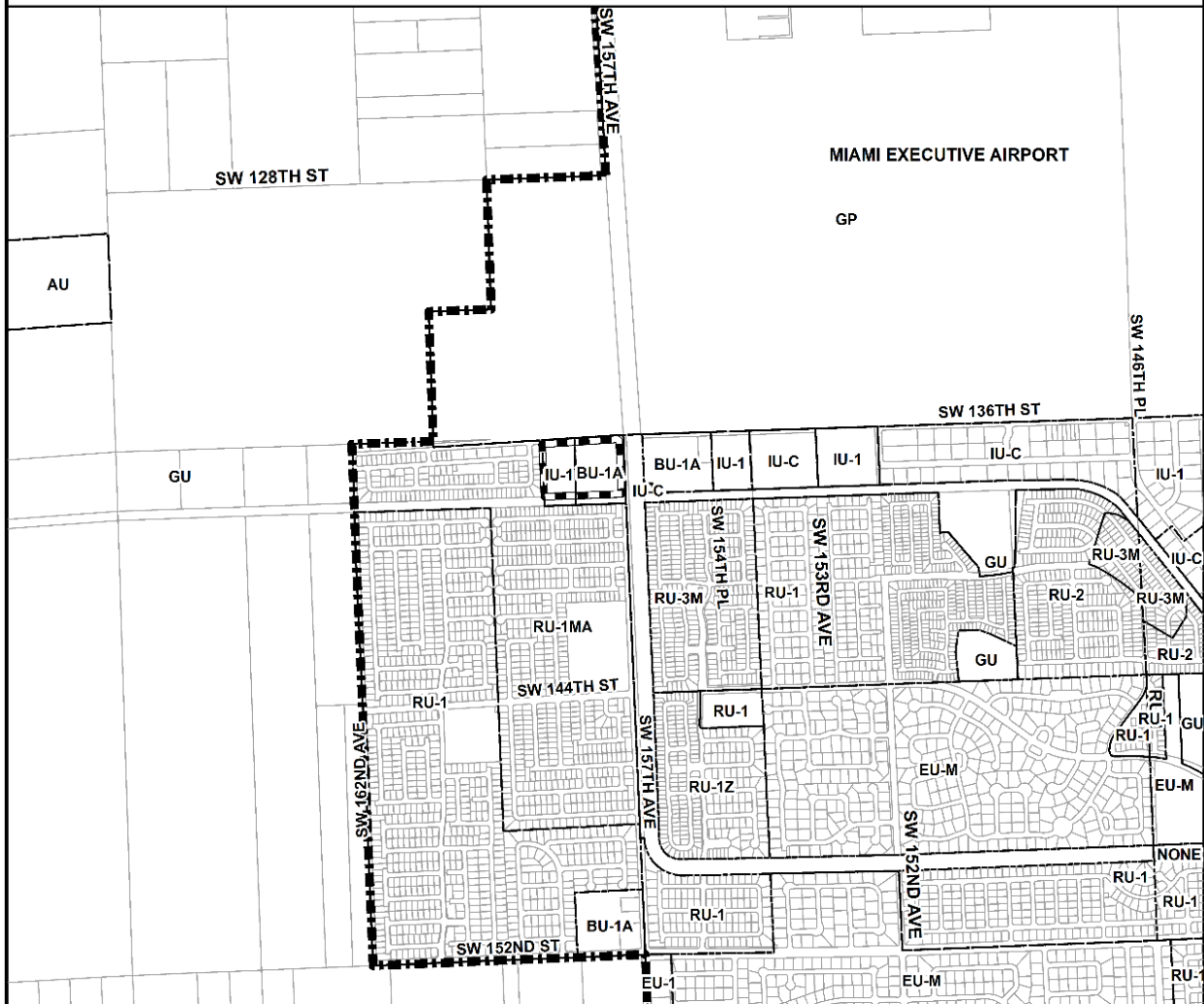


**APPLICATION AREA**

Source: Department of Regulatory and Economic Resources  
April 2018



# ORBE SERVICES, INC. - CDMP20180005 ZONING MAP



APPLICATION AREA

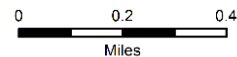


2020 URBAN DEVELOPMENT BOUNDARY

Source: Department of Regulatory and Economic Resources  
April 2018

### MIAMI-DADE COUNTY ZONING DISTRICTS

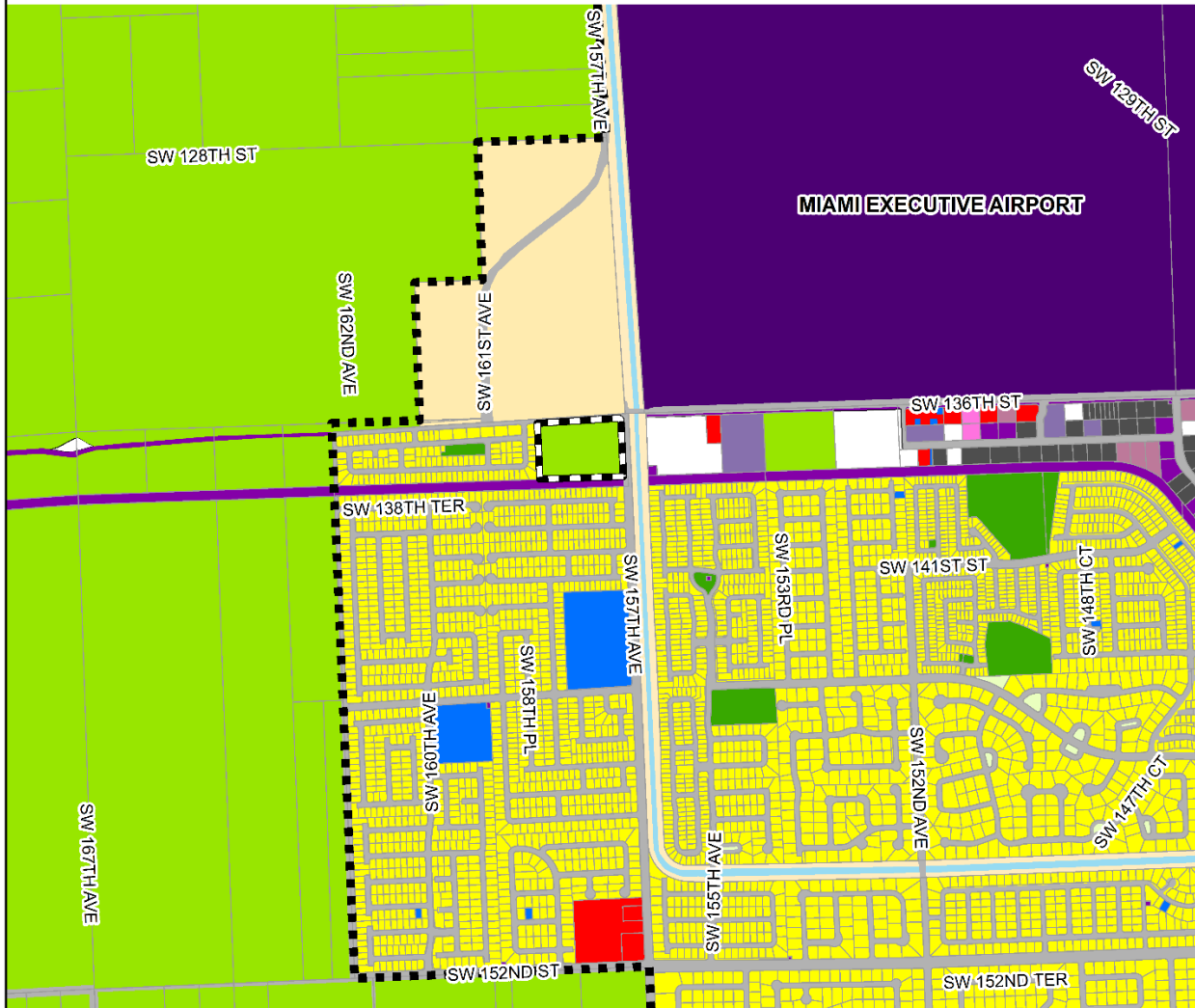
- AU AGRICULTURAL / RESIDENTIAL 5 ACRES GROSS
- BU-1A BUSINESS DISTRICTS, LIMITED
- EU-1 ESTATES, SINGLE-FAMILY, 1 ACRE OR MORE IN AREA
- EU-M ESTATES MODIFIED, SINGLE-FAMILY, MINIMUM LOT AREA 15,000 FT2 NET
- GP GOVERNMENT PROPERTY
- GU INTERIM DISTRICT - USES DEPEND ON CHARACTER OF NEIGHBORHOOD, OTHERWISE EU-2 STANDARDS APPLY
- IU-1 INDUSTRIAL DISTRICTS, LIGHT MANUFACTURING
- IU-C INDUSTRIAL DISTRICT, CONDITIONAL
- NONE NO ZONING DESIGNATED
- RU-1 SINGLE-FAMILY RESIDENTIAL DISTRICT 7,500 FT2 NET
- RU-1MA MODIFIED SINGLE-FAMILY RESIDENTIAL DISTRICT 5,000 FT2 NET
- RU-1Z SINGLE-FAMILY RESIDENTIAL, ZERO LOT LINE 4,500 FT2 NET
- RU-2 TWO-FAMILY RESIDENTIAL DISTRICT, 7,500 FT2 NET
- RU-3M MINIMUM APARTMENT HOUSE 12.9 UNITS/NET ACRE
























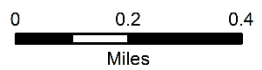
# ORBE SERVICES, INC. - CDMP20180005

## EXISTING LAND USE



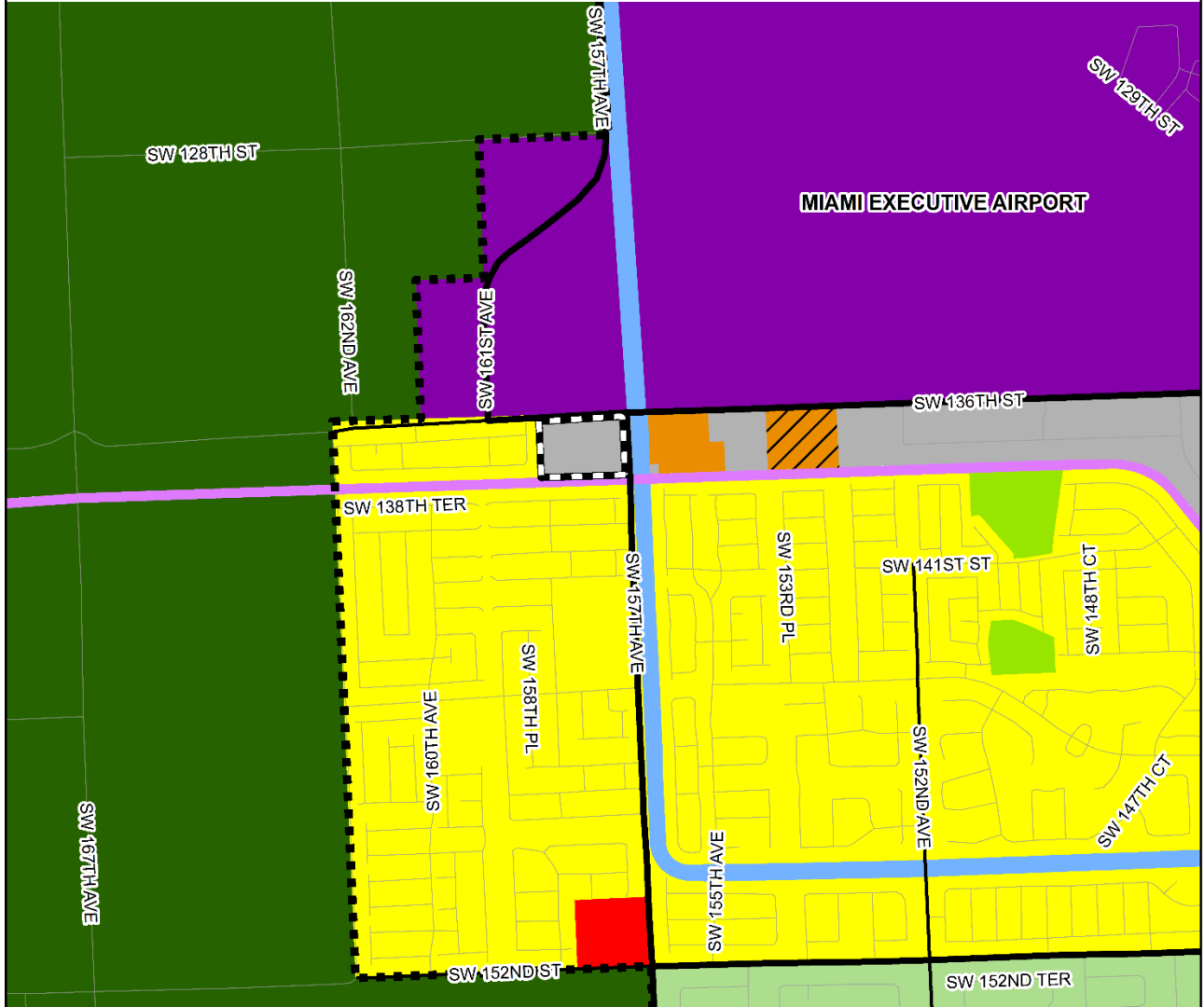
Source: Department of Regulatory and Economic Resources  
April 2018

- |  |  |
|--|--|
|  Application Area   |  Communications, Utilities, Terminals |
| <b>Existing Land Use</b>   |  Streets, Roads, Expressways, Ramps   |
|  Single-Family  |  Streets, Expressway R/W              |
|  Commercial, Shopping Centers, Stadiums                   |  Agriculture                          |
|  Office   |  Parks, Preserves, Conservation Areas |
|  Institutional  |  Vacant Government Owned, Unprotected |
|  Industrial   |  Vacant Privately Owned, Unprotected  |
|  Industrial Intensive, Office type of use                 |  Canal right-of-way                   |
|  Industrial intensive, Commercial Condominium type of use |  Inland Waters                        |
|  Airports, Ports  |  2020 Urban Development Boundary      |

















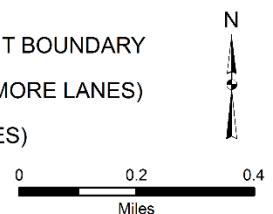
# ORBE SERVICES, INC. - CDMP20180005

## CDMP LAND USE



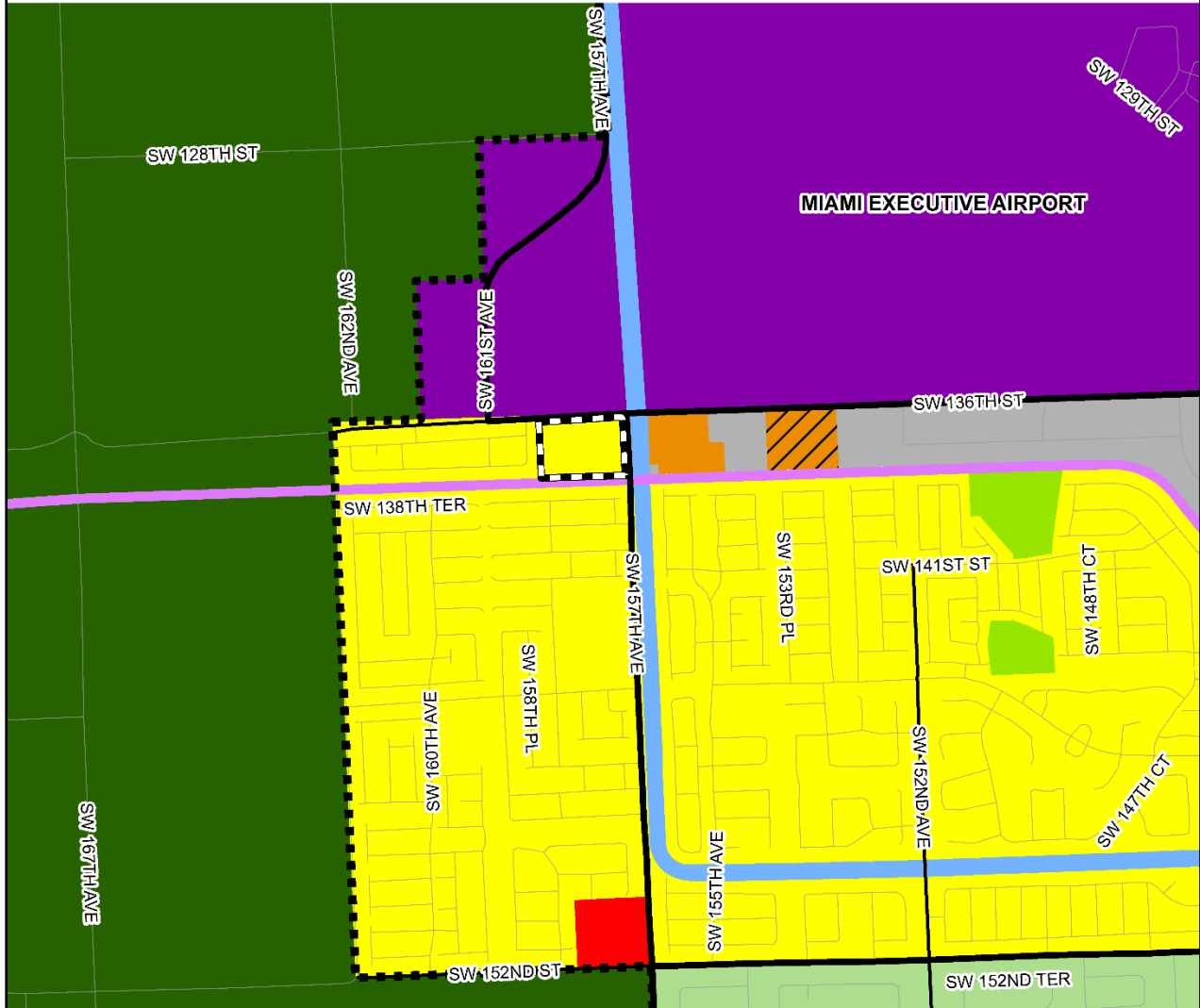
Source: Department of Regulatory and Economic Resources  
April 2018

- |   |                                      |   |                                  |
|---|--------------------------------------|---|----------------------------------|
|  | APPLICATION AREA                     |  | AGRICULTURE                      |
| <b>CDMP LAND USE</b>  |                                      |  | ENVIRONMENTALLY PROTECTED PARKS  |
|  | ESTATE DENSITY (EDR) 1-2.5 DU/AC     |  | WATER                            |
|  | LOW DENSITY (LDR) 2.5-6 DU/AC        |  | TERMINALS                        |
|  | MEDIUM DENSITY (MDR) 13-25 DU/AC     |  | 2020 URBAN DEVELOPMENT BOUNDARY  |
|  | MEDIUM DENSITY W/ DENSITY INCREASE 1 |  | MAJOR ROADWAYS (3 OR MORE LANES) |
|  | INDUSTRIAL AND OFFICE                |  | MINOR ROADWAYS (2 LANES)         |
|  | BUSINESS AND OFFICE                  |   |                                  |



















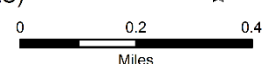
# ORBE SERVICES, INC. - CDMP20180005

## PROPOSED CDMP LAND USE



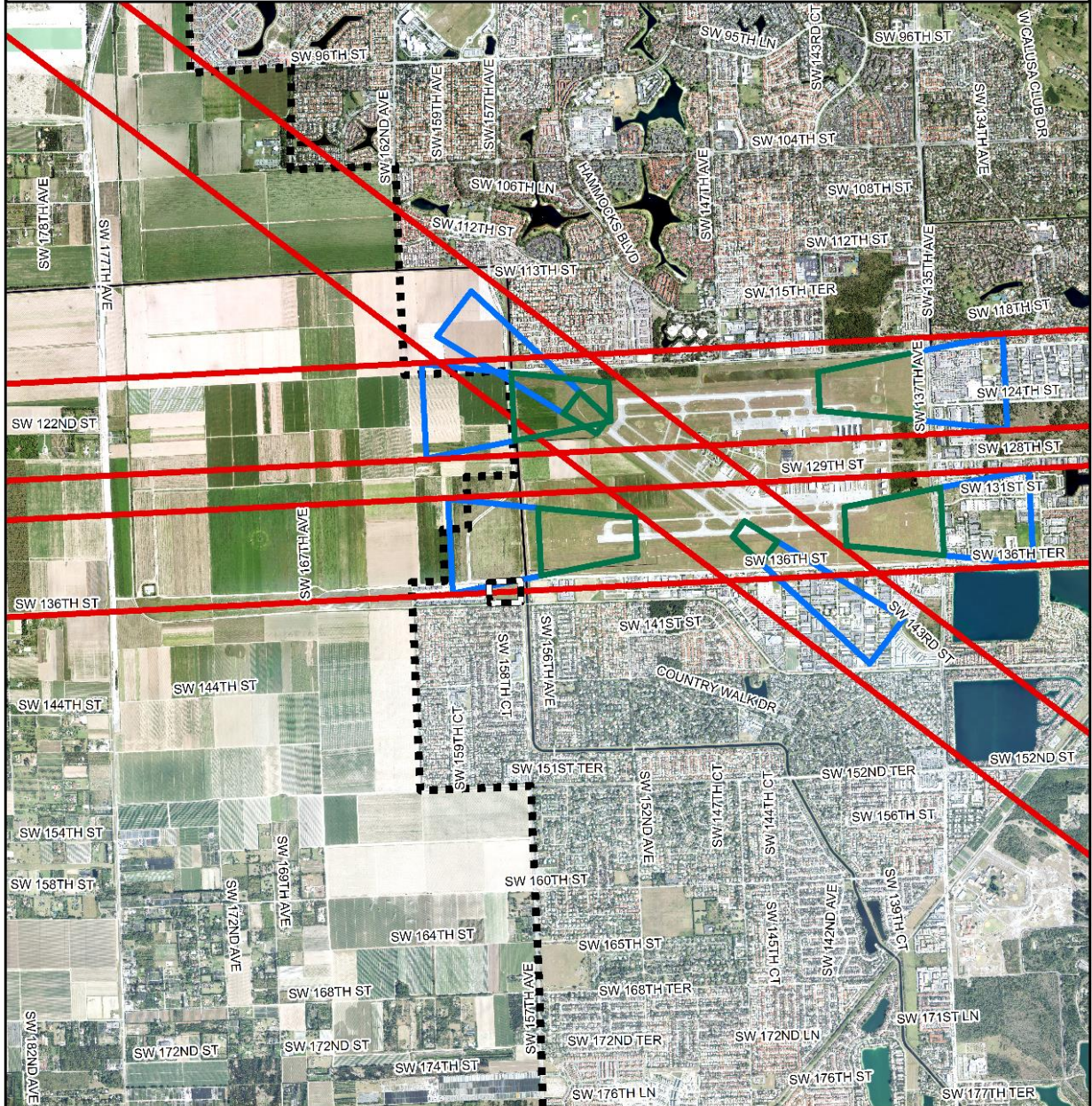
Source: Department of Regulatory and Economic Resources  
April 2018

 APPLICATION AREA	 AGRICULTURE
<b>CDMP LAND USE</b>	 ENVIRONMENTALLY PROTECTED PARKS
 ESTATE DENSITY (EDR) 1-2.5 DU/AC	 WATER
 LOW DENSITY (LDR) 2.5-6 DU/AC	 TRANSPORTATION (ROW, RAIL, METRO RAIL, ETC.)
 MEDIUM DENSITY (MDR) 13-25 DU/AC	 TERMINALS
 MEDIUM DENSITY W/ DENSITY INCREASE 1	 2020 URBAN DEVELOPMENT BOUNDARY
 INDUSTRIAL AND OFFICE	 MAJOR ROADWAYS (3 OR MORE LANES)
 BUSINESS AND OFFICE	 MINOR ROADWAYS (2 LANES)

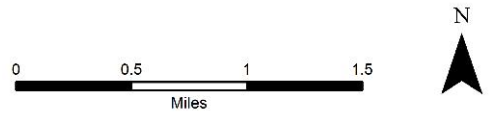


# ORBE SERVICES, INC. - CDMP20180005 MIAMI EXECUTIVE AIRPORT ZONING MAP



- APPLICATION AREA
- NO SCHOOL ZONE
- OUTER SAFETY ZONE
- INNER SAFETY ZONE
- 2020 URBAN DEVELOPMENT BOUNDARY

Source: Department of Regulatory and Economic Resources  
April 2018



# STAFF ANALYSIS

## Background

It should be noted that there have been two similar CDMP amendments recently approved in close proximity to and east of the current application site, across SW 157 Avenue. In both cases, the Miami-Dade County Board of County Commissioners (Board) approved the conversion of vacant industrially designated land to residential uses. These applications include Application No. 6 of the October 2017 CDMP Amendment Cycle and Application No. 2 of the May 2017 CDMP Amendment Cycle. Combined, both CDMP applications resulted in the conversion of ±18.32 gross acres of land of industrially designated land to residential uses.

## Application Site

### Location

The ±10.34-gross/net acre site is located south of the Miami Executive Airport (formerly the Kendall-Tamiami Executive Airport), on the south side of SW 136 Street, west of SW 157 Avenue, in unincorporated Miami-Dade County (see “Aerial Photo” on page 4).

### Existing Land Use

The application site is currently vacant. (See “Existing Land Use” map on page 6).

### CDMP Land Use Designation

The application site is designated “Industrial and Office” on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map, (see “CDMP Land Use” map on page 6-8). The “Industrial and Office” land use category allows manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings, and telecommunication facilities.

Specifically, the Applicant requests to redesignate the application site on the LUP map to “Low Density Residential” (see “Proposed CDMP Land Use” map on page 8). The “Low Density Residential” CDMP land use category would allow residential development at a density that ranges between 2.5 to 6 dwelling units per gross acre. Housing structures permitted under this designation include single family homes, cluster homes, and townhomes.

Under the current CDMP land use designation of “Industrial and Office”, the site could be developed with a maximum of 225,205 square feet of industrial uses, or with 93,654 square feet of industrial uses and 105,240 square feet of retail uses. Under the Applicant’s requested “Low Density Residential” designation, the application site could be developed with up to 62 single family residential units at a density of 2.5 to 6 dwelling units per gross acre.

### Zoning

Currently the application site is zoned BU-1A (Limited Business District) to the east and IU-1 (Light Industrial District) to the west (see “Zoning Map” on page 5). BU-1A permits retail and service convenience facilities, as well as specialized commercial facilities that serve the needs of adjacent or multiple residential neighborhoods. IU-1 allows light manufacturing, wholesale distribution facilities, warehousing, storage facilities, and office use.



In addition to the above mentioned zoning districts, the Miami-Dade Aviation Department (MDAD) has determined that the referenced property is either partially or fully impacted by the Outer Safety Zone (OSZ), the Outer District (OLZ), and the No School Zone (NSZ) (See “Miami Executive Airport” zoning map on page 9). Thereby, the application site is subject to the Land Use Zoning classifications that restrict uses in and adjacent to Miami Executive Airport, as defined in the Code of Miami-Dade County, Article XL Kendall-Tamiami Executive Airport Zoning, Section 33-395. However, MDAD noted that the County it is in the process of revising said requirements pursuant to Florida State Statute 333.03(2)(c). The proposed revisions would replace the existing OLZ boundaries, resulting in reduction of the land area encumbered by the OLZ. Notwithstanding the proposed revisions of the Code, the applicant has proffered a Declaration of Restrictions that proffers conditions addressing the site’s compatible with the airport.

The Declaration of Restrictions proffered by the Applicant commits to incorporate 25 decibel noise level reduction (NLR) into the design and construction of the proposed development, to provide an Avigation Easement, and to provide notice in residential purchase contracts regarding the proximity of the airport, its operations, and possible safety risks (see Appendix C: Proffered Declaration of Restrictions).

### Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938. According to County zoning records, the subject property was initially zoned GU (Interim District). Under the GU zoning district, the allowable uses depend on the character of the neighborhood; otherwise EU-2 standards apply.

On July 19, 2007, through Resolution No. CZAB11-32-07, the application site was rezoned to IU-1 and BU-1A zoning districts. The zoning approval included the acceptance of a Declaration of Restrictions which limited the commercial uses on the BU-1A portion of the property to uses that serve workers of the industrial and office area (such as banks, drug stores, etc.). It also prohibited adult entertainment, airplane hangars and other industrial uses on the IU-1 portion of the property.

In 2017, the subject property was subject to another application for a zoning district boundary change. The zoning application sought to change the zoning on the northern half of the property from BU-1A and IU-1 to BU-1A in order to permit a shopping center. On the southern half of the property, the applicant sought to change the zoning from BU1-A and IU-1 to IU-1 in order to permit a private school (Kindergarten through eighth grade) for 772 students. On April 25, 2017, the application was denied without prejudice through Resolution No. CZAB11-3-17. The denial of the zoning application was appealed to the Board of County Commissioners (Board) on July 20, 2017. Pursuant to Resolution No. Z-22-17, the Board vacated the decision of the Community Zoning Appeals Board 11 (CZAB11) and remanded the application back to CZAB11 for further consideration. The applicant subsequently submitted a revised zoning application reducing the number of students from 772 to 750 and increased the proposed commercial space. However, the application has been deferred indefinitely. No other district boundary change or variance has occurred on the application site to date.

## **Adjacent Land Use and Zoning**

### Existing Land Uses

North of the subject property, across SW 136 Street, is Miami Executive Airport. To the south, the application site abuts a 100-foot wide CSX railroad corridor. Further south, beyond the CSX corridor, the area is developed with single family homes. Directly abutting the property to the west

is a two-story single family development. To the west, across from SW 157 Avenue and north of the CSX corridor is vacant parcel, and further west is a Texaco gas station, and the Gateway Corporate Plaza warehouse park, which contains small businesses, including auto repair shops, restaurants, wholesale establishments, shipping companies, offices, and restaurants. Beyond the warehouse park, there are two vacant parcels and further west there is a cluster of industrial warehouse, wholesale, and light industrial establishments, as well as some scattered retail and office uses, that extend from SW 152 Avenue to approximately SW 136 Place.

#### Land Use Plan Map Designations

The Miami Executive Airport properties to the north of the application site are designated “Terminals” on the LUP map. South of the application site is the CSX railroad that is depicted as “Transportation”. The properties directly abutting the application site to the west are designated “Low Density Residential” (2.5 to 6 units per gross acre) on the LUP map. The area south of the subject property, beyond the CSX railroad corridor, is also designated “Low Density Residential”.

East of the application site, across SW 157 Avenue and north of the CSX railroad corridor, the land is primarily designated “Industrial and Office”, except for two parcels that were recently the subject to CDMP land use amendments. One parcel is located across from the application site on the southeast corner of SW 157 Avenue and SW 136 Street. This ±8.92-acre parcel was redesignated from “Industrial and Office” to “Medium Density Residential” (13 to 25 dwelling units per gross acre) through the approval of Application No. 2 of the May 2017 CDMP Amendment Cycle. The second site is further east. This industrially designated parcel was redesignated to “Medium Density Residential with One Density Increase (DI-1: 25 to 60 dwelling units per gross acre)” through Application No. 6 of the October 2017 Cycle. Given these CDMP amendments, the approval of the requested CDMP application to redesignate the subject property to residential uses would be consistent with recent Board actions.

#### Zoning

The airport properties adjacent to the north of the application site are zoned GP (Government Property). To the west, the subject property abuts a residential development zoned RU-1M(a) (Modified Single Family Residential District on 5,000 square foot net lots). The abutting CSX railroad corridor to the south of the site is zoned BU1-A and IU-1, similar to the application site. Further south, beyond the railroad corridor, there are single-family properties which are also zoned RU-1M(a). To the east of the subject property, on the southeast corner of SW 136 Street and SW 157 Avenue, the property is zoned BU-1A. However, this property has a pending zoning application for a district boundary change to RU-4L (Limited Apartment House District) (see “Zoning Map” on page 5). Except for the GP zoning of the adjacent airport to the north, the subject property is either adjacent to or abutting residentially zoned properties.

### **Supply and Demand Analysis**

The capacity of the CDMP Adopted 2020 and 2030 LUP map to accommodate population or economic growth is generally expressed in acres of vacant land zoned or designated for residential and non-residential development. In the context of this small-scale application, land capacity is analyzed at the localized or Minor Statistical Area (MSA) level.

#### Industrial

The analysis area for the CDMP application (MSA 6.2) contained 616.57 acres of in-use industrial uses in 2018 and an additional 116.90 acres of vacant land zoned or designated for industrial uses. The annual average absorption rate for the 2018-2030 period is 19.03 acres per year. At

the projected rate of absorption, the study area will deplete its supply of industrially zoned land by the year 2024 (see table below).

Analysis Area	Vacant Industrial Land 2018 (Acres)	Industrial Acres in Use 2018	Annual Absorption Rate 2018-2030 (Acres)	Projected Year of Depletion
<b>MSA 6.2</b>	<b>116.90</b>	<b>616.57</b>	<b>19.03</b>	<b>2024</b>

Source: Miami-Dade County, Regulatory and Economic Resources Department, Planning Division, Planning Research and Economic Analysis Section, May 2018.

Impact on the Supply of Industrial Land

While the re-designation of the subject property, approximately 10.34 gross acres, will not have a significant impact on the countywide supply of land available for industrial uses, it is much different when the analysis is focused on MSA 6.2 – specifically the strategic area around the Miami Executive Airport. The application site is adjacent to one of the few areas having a significant amount of industrial land and located adjacent to an airport (the Miami Executive Airport).

A vibrant industrial sector is essential to the economic well-being of Miami-Dade County and needed for the economic development of this specific area of the County. Once industrial land is removed from the inventory and used for other purposes, it will not revert industrial use. In the case of this application, land east of the site across SW 157 Avenue was redesignated from industrial to residential use, and the application site is now adjacent on three sides by either existing residential use or vacant land designated for residential use.

Residential

The combined vacant land for single-family and multi-family residential development in the analysis area (Minor Statistical Area 6.2) in 2018 was estimated to have a capacity for about 1,357 dwelling units, with about 81 percent of these units intended as multi-family. The annual average residential demand in this analysis area is projected to increase from 496 units per year in the 2018-2020 period to 523 units in the 2025-2030 period. An analysis of the residential capacity by type of dwelling units shows the depletion of single-family type units occurring in 2018 and for multi-family by 2030 (see table below). The supply of residential land for both single-family and multi-family units is projected to be depleted by 2020.

The table below addresses the residential land supply and demand in the analysis area without the effect of the projected CDMP amendment. The CDMP Application will not change, in a significant way, the potential supply of single-family type units.

Need for Increased Supply of Housing

The Department encourages and supports infill development, but only where it is appropriate and compatible with existing uses and where it does not contradict other CDMP policies. Residential supply is constantly evolving and can be impacted by a number of factors including redevelopment.

While it is evident that the supply of residential land in MSA 6.2 is expected to be depleted in 2018 for single-family type units, the depletion for multi-family is estimated to be depleted by 2030.

MSA 7.2, south of the proposed amendment, has a depletion date for single-family housing of 2022 and the depletion for multi-family to be beyond 2030.

Residential Land Supply/Demand Analysis  
2018 to 2030: Application 6 (MSA 6.2)

ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2018	259	1,098	1,357
DEMAND 2015-2020	407	89	496
CAPACITY IN 2020	0	920	365
DEMAND 2020-2025	414	90	504
CAPACITY IN 2025	0	470	0
DEMAND 2025-2030	429	94	523
CAPACITY IN 2030	0	0	0
<b>DEPLETION YEAR</b>	<b>2018</b>	<b>2030</b>	<b>2020</b>

Residential capacity is expressed in terms of housing units.  
Housing demand is an annual average figure based on population projections.  
Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Planning Research and Economic Analysis Section, May 2018.

**Environmental Conditions**

The following information pertains to the environmental conditions of the application site. All YES entries are further described below.

Flood Protection

Federal Flood Zone	AH
Stormwater Management Permit	DERM Surface Water Management Permit required
County Flood Criteria, National Geodetic Vertical Datum (NGVD) 6 feet	

Biological Conditions

Wetlands Permit Required	No
Native Wetland Communities	No
Specimen Trees	May contain
Endangered Species Habitat	No DERM records
Natural Forest Community	No

Other Considerations

Within Wellfield Protection Area	No
Contaminated Site	No DERM records

Pollution Remediation

There are no records of current contamination issues on the subject property. However, based on the past agricultural use of the property, DERM will require a Phase 1 and Phase 2 Environmental Site Assessment be conducted in accordance with ASTM standards prior to site development.

### Drainage and Flood Protection

For any new development within the subject property, storm water drainage systems are required to provide flood protection and storm water quality treatment. Miami-Dade County has been delegated the authority to issue Surface Water Management General Permits on behalf of the South Florida Water Management District (SFWMD) for developments that propose more than 2 acres of impervious surface.

The subject properties located within Special Flood Hazard Areas AH and X at elevation 9 or above in the FEMA Flood Insurance Rate Maps (FIRM). Any development will have to comply with the requirements of Chapter 11C of the Code for flood protection.

For construction of habitable structures within the subject application, the Lowest Floor Elevation requirement shall be the highest elevation in NGVD of the following references:

- Average crown of road fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- County Flood Criteria 6 feet NGVD, plus 8 inches for residential, or plus 4 inches for commercial.
- Elevation of the back of the sidewalk (if any) fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- The Base Flood Elevation for this area is found to be 9.0 feet N.G.V.D (taken from the Flood Insurance Rate Maps (FIRM) for Miami Dade County).
- The stage generated by retention on-site of the 100-year rainfall event according to stage-storage calculations must be equal or less than the Base Flood Elevation.
- The finish floor elevation must be at least a foot above the Base Flood Elevation or 100-Year 1-Day event for compliance with the New Florida Building Code.

For compliance with stormwater quality requirements, all stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event.

For compliance with stormwater quantity requirements designed to prevent flooding of adjacent properties, the site grading and development shall provide for the full on-site retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code and all State and Federal Criteria.

Any amendment to the Land Use Element that allows an increase in density or the reduction of permeable areas, may impact the Stormwater Management Level of Service (Drainage Element), and it should be considered for evaluation due to possible impacts.

### Natural Resources

The proposed development site may contain tree resources including specimen tree resources (trees with a trunk diameter at breast height of 18 inches or greater). Specimen trees are protected by Section 24-49.2(II) of the Code and Con-8A of the CDMP. DERM has no objection to the proposed changes provided this approval is conditioned that future site plan development preserves all specimen tree resources on site.

Site plan development must be consistent with the requirements to preserve specimen trees except in cases where DERM has determined that a specimen tree cannot be preserved pursuant to Section 24-49.2(4)(II)(2) of the Code. The approval of this land use application shall not be

construed as an approval to remove specimen trees due to a determination of unreasonable loss of usable space pursuant to Section 24-49.2(4)(II)(2)(b) of the Code.

In accordance with Section 24-49.9 of the Code and CON-8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species.

#### Endangered Species

The subject property is not designated critical habitat for endangered species however it is located near the eastern edge of Everglades National Park and contains open areas that may support federal or state-protected wildlife species, including but not limited to, the federally threatened wood stork, federally listed Eastern indigo snake, the Florida bonneted bat and the Florida burrowing owl. Any future development proposal shall be consistent with the requirements of Chapter 24 of the Code and the CDMP and shall consider the nesting, roosting or feeding habitats used by federal or State designated, endangered or threatened species as set forth in CDMP Conservation Element. Consultation with US Fish and Wildlife Service and any other necessary federal or state agencies is recommended before conducting any work or activities.

#### **Water and Sewer**

##### Water Treatment Plant Capacity

The County's adopted LOS standard for potable water treatment facilities requires that the regional water treatment system, consisting of MDWASD Hialeah Reverse Osmosis, Hialeah, Preston, and Alexander Orr District Treatment Plants, shall operate with a rated maximum daily capacity no less than two percent above the maximum daily flow for the preceding year and an average two percent above the average daily flow for the preceding five years. The water must also meet all applicable federal, state, and county primary drinking water standards.

The rated treatment capacity of the Miami-Dade Water and Sewer Department regional water treatment system is 449.74 million gallons per day (MGD). To maintain sufficient capacity in accordance with the level of service standard outlined in CDMP Policy WS-2A, the regional system shall operate with a rated maximum daily capacity no less than two percent above the maximum daily flow for the preceding year and an average two percent above the average daily flow for the preceding five years. Therefore, the total available water treatment plant capacity based on CDMP Policy WS-2A is 70.56 MGD. This is calculated using the available plant capacity (449.74 MGD), subtracting 102% of the maximum day flow (346.6 MGD) and subtracting the water that is reserved through development orders (32.58 MGD).

As noted in the "Estimated Water Demand/Sewer Flow for Proposed Development by Land Use Scenario" table below, the maximum water demand for industrial and retail development (Scenario 1) under the current CDMP Land Use designation is estimated at 12,865 gallons per day (gpd). The maximum water demand for residential development (Scenario 1) under the Requested CDMP Land Use designation is estimated at 11,160 gpd. This represents a decrease of up to 1,705 gpd over the demand under the current CDMP land use designations. A Water Supply Certification Letter will be required at the time of development, at which time the proposed project will be evaluated for water supply availability and a water supply reservation will be made.



Estimated Water Demand/Sewer Flow  
For Proposed Development by Land Use Scenario

Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier (Section 24-43.1 Miami-Dade Code)	Projected Water Demand (gpd)
<b>Current CDMP Potential</b>				
1	Industrial	93,654 sq. ft.	2.5 gpd/100 sq. ft.	2,341 gpd
1	Retail	105,240	10gpd/100 sq.ft.	10,524 gpd
<b>Total</b>				<b>12,865 gpd</b>
<b>Requested CDMP Designation</b>				
1	Townhomes	62 units	180gpd/unit	11,160 gpd

Source: Miami-Dade Water and Sewer Department; Department of Regulatory and Economic Resources, Planning Division; May 2018

Water Supply and Connectivity:

The site is located within the MDWASD franchised water service area. The source of potable water for this area is the Alexander-Orr Water Treatment Plant which is owned and operated by MDWASD. Currently, there is adequate treatment and water supply capacity for the proposed project consistent with Policy WS-2 A (1) of the County's CDMP. The plant is presently producing water that meets Federal, State, and County drinking water standards.

The proposed land use would be required to connect to public water pursuant to Chapter 24 of the Code. There is an existing 16-inch water main in SW 136<sup>th</sup> Street at the northwestern corner of the property to which the developer may connect and extend the same heading easterly in SW 136<sup>th</sup> Street to SW 157<sup>th</sup> Avenue, then, southerly in SW 157<sup>th</sup> Avenue to a point south of the southeastern corner of the property, interconnecting to an existing 16-inch water main at that location. If two or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection.

At this time, there is a planned project in close proximity to this application site with a WASD Agreement No. 23992 (Folio No. 3059210250010), for the construction of 156 townhomes replacing vacant land.

Sewer Treatment Plant Capacity

The County's adopted LOS standard for wastewater treatment and disposal requires that the regional wastewater treatment and disposal system, consisting of North, Central, and South District Wastewater Treatment Plants, operate with a capacity that is two percent above the average daily flow for the preceding five years and a physical capacity of no less than the annual average daily sewer flow. The wastewater effluent must also meet all applicable federal, state, and county standards and all treatment plants must maintain the capacity to treat peak flows without overflow.

The Miami-Dade County Water and Sewer Department regional wastewater treatment system capacity is the sum of the daily treatment capacity of the three wastewater treatment plants. The regional wastewater treatment system can treat up to 375.5 MGD. The Sanitary Sewer Level of Service (LOS) standard presented in the CDMP requires the regional system to have sufficient

capacity to treat 102% of the average daily sewage demand of the preceding 5 years. The available capacity is calculated by subtracting 102% of the annual average flow (310.69 MGD) for the preceding 5 years and the capacity reserved for development orders (39.71 MGD) from the system capacity (375.5 MGD). Therefore, the available wastewater treatment plant capacity is 25.1 MGD.

Sewer System Connectivity:

The application site is located within the MDWASD franchised sewer service area. The wastewater flows for this application will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. Currently, there is average wastewater treatment capacity for this application consistent with Policy WS-2A(2) of the CDMP.

The proposed land use would be required to connect to public sewer pursuant to Chapter 24 of the Code. The developer may connect to an existing 8-inch gravity sewer manhole No. 15 in an access easement within Folios No. 30-5920-011-0010 and 30-5920-011-0020 and extend the same at full depth easterly in an access easement within the property, as required to provide service.

The sanitary sewer flow in the area is directed to the South District Wastewater Treatment Plant, which is owned and operated by MDWAS and it is currently working within the mandated criteria set forth in the Consent Decree Case: NO. 1:12-cv-24400-FAM, effective Dec 6, 2013.

**Solid Waste**

The Miami-Dade County Department of Solid Waste Management (DSWM) oversees the proper collection and disposal of solid waste generated in the County through direct operations, contractual arrangements, and regulations. In addition, the Department directs the countywide effort to comply with State regulations concerning recycling, household chemical waste management and the closure and maintenance of solid waste sites no longer in use.

Level of Service Standard

CDMP Policy SW-2A establishes the adopted Level of Service (LOS) standard for the County's Solid Waste Management System. This CDMP policy requires the County to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long-term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five years. The DSWM assesses the solid waste capacity on a system-wide basis since it is not practical or necessary to make a determination concerning the adequacy of solid waste disposal capacity relative to individual applications. As of FY 2017-2018, the DSWM is in compliance with the Countywide Waste Management System's adopted LOS standard.

Application Impacts

The application requests redesignation of the site from "Industrial and Office" to "Low Density Residential." The "Low Density Residential" land use category allows a density of 2.5 to 6 dwelling units per acre, and the estimated potential development of the proposed land use designation is 62 single family attached residential units. If constructed, the proposed residential development would be located within the Department's waste collection service area and the waste collection fee would cover all associated costs.

The requested amendment will have no impact on Miami-Dade County’s solid waste collection and disposal services and facilities. Therefore, the DSWM has no objection to the proposed change.

**Parks**

The Miami-Dade County Parks, Recreation and Open Space Department has three Park Benefit Districts (PBDs). The subject application site is located inside Park Benefit District 2 (PBD-2), which generally encompasses the area of the County between SW 8 Street and SW 184 Street.

Level of Service Standard

CDMP Policy ROS-2A establishes the adopted minimum Level of Service (LOS) standard for the provision of recreation open space in the Miami-Dade County. This CDMP policy requires the County to provide a minimum of 2.75 acres of local recreation open space per 1,000 permanent residents in the unincorporated areas of the County and a County-provided, or an annexed or incorporated, local recreation open space of five acres or larger within a three-mile distance from residential development. The acreage/population measure of the LOS standard is calculated for each Park Benefit District. A Park Benefit District is considered below LOS standard if the projected deficiency of local recreation open space is greater than five acres. Currently, PBD-2 has a surplus capacity of 473.18 acres of parkland, when measured by the County’s concurrency LOS standard of 2.75 acres of local recreation open space per 1,000 permanent residents.

The “County Local Parks” table below lists the parks within a 3-mile radius of the application site; Sandpiper Park is the only park smaller than the required minimum provision of five-acres of local recreational open space.

County Local Parks  
Within a 3-Mile Radius of Application Site

Park Name	Acreage	Classification
Chuck Pezoldt Park	39.88	Community Park
Eureka Villas Park	5.30	Neighborhood Park
Forest Lakes Park	5.67	Neighborhood Park
Hammocks Community Park	21.51	Community Park
Kings Grant Park	6.42	Neighborhood Park
Kings Meadow Park	5.44	Neighborhood Park
Oak Creek Park	5.03	Neighborhood Park
Sandpiper Park	4.74	Neighborhood Park
Sugarwood Park	7.82	Neighborhood Park
Three Lakes Park	15.72	Single Purpose Park
Water Oaks Park	5.05	Neighborhood Park
Wild Lime Park	11.81	Community Park

Source: Miami-Dade County Parks, Recreation and Open Space Department, April 2018.

Application Impacts

The potential for residential development under the existing “Industrial and Office” land use designation does not generate a population and has no impact, based on the Level of Service standard for the provision of local recreational open space.

The potential for residential development under the proposed “Low Density Residential” land use designation is estimated at 62 single-family attached dwelling units with an estimated population up to 170 persons. The concurrency analysis for this scenario results in an impact of 0.47 acres based on the minimum Level of Service standard for the provision of local recreation open space and therefore meets concurrency.

## **Fire and Rescue Service**

The application area is currently served by Miami-Dade Fire Rescue (MDFR) Station No. 43 (Richmond) located at 13390 SW 152 Street. The station is equipped with a Rescue and Aerial totaling seven (7) firefighter/paramedics 24 hours a day, seven days a week. The average travel time to incidents in the vicinity of the application site exceeds 8:00 minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8 minutes at 90% of all incidents. Presently, travel time to incidents in the vicinity of the application site does not comply with the performance objective of national industry standards.

The MDFR Department has determined that the current “Industrial and Office” will allow a potential development which will generate 35 annual alarms. The proposed CDMP designation (Low Density Residential) will allow a proposed potential development which is anticipated to generate 17 annual alarms. The 17 annual alarms will result in a moderate to severe impact on existing fire rescue services. Under normal circumstances, 17 annual alarms would not have a severe impact to existing fire rescue services; however, this area has experienced a rise in residential and retail development, prompting the need for additional fire and medical services.

Although existing fire stations can respond to fire and medical emergencies in the area, in an effort to improve response time and conform to the performance objective of national industry standards, MDFR is searching for a parcel of land along Eureka Drive/SW 184 Street between SW 147 and SW 157 Avenues for the construction of planned Eureka Fire Station No. 71. The property search has been challenging due to the lack of adequately-sized parcels and properties for sale. MDFR anticipates that the additional number of alarms will be mitigated upon the completion of Station No. 71. Negotiations are currently underway between MDFR and a private land owner for a parcel of land along Eureka Drive at approximately SW 152 Avenue. Due to land purchase negotiations including the design, permitting, and construction process, completion of Station No. 71 is undetermined at this time.

### Level of Service Standard for Fire Flow and Application Impacts

CDMP Policy WS-2A establishes the County’s minimum Level of Service standard for potable water. This CDMP policy requires the County to deliver water at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi, unless otherwise approved by the Miami-Dade Fire Rescue Department. The required fire flow for the proposed CDMP designation (Low Density Residential) shall be 1,500 gallons per minute (GPM). Fire hydrants shall be spaced a minimum of 300’ from each other and shall deliver not less than 500 GPM. Presently, there are no fire flow deficiencies in the vicinity of the application.

## **Public Schools**

### Level of Service Standard

The adopted Level of Service (LOS) standard for all public schools in Miami-Dade County is 100% utilization of Florida Inventory of School Houses (FISH) capacity with relocatable classrooms

(CDMP Policy EDU-2A). This LOS standard, except for magnet schools, shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by Miami-Dade County Public Schools.

A planning level review, which is considered a preliminary school concurrency analysis, was conducted on this application based on the adopted LOS standard for public schools, the Interlocal Agreement (ILA) for Public Facility Planning between Miami-Dade County and Miami-Dade County Public Schools, and current available capacity and school attendance boundaries. If capacity is not available at the school of impact, the developments impact can be shifted to one or more contiguous CSA that have available capacity, located either in whole in part within the same Geographic Area, as defined in CDMP Policy EDU-2C.

Section 7.5 of the ILA provides for “Public Schools Planning Level Review” (Schools Planning Level Review), of CDMP amendments containing residential units. This type of review does not constitute a public school concurrency review and, therefore, no concurrency reservation is required. Section 7.5 further states that “...this section shall not be construed to obligate the County to deny or approve (or to preclude the County from approving or denying) an application.”

Application Impact

This application, if approved, may increase the student population of the schools serving the application site by an additional 22 students. This number includes a reduction of 25.28% to account for charter and magnet schools (schools of choice). Of the 22 students, 9 are expected to attend elementary schools, 6 are expected to attend middle schools and 7 are expected to attend senior high schools. The students will be assigned to those schools identified in the “Concurrency Service Area (CSA) Schools” table below. At this time, the schools have sufficient capacity available to serve the application.

**Concurrency Service Area (CSA) Schools**

Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
Norma Butler Bossard Elementary	-163	9	0	No	Current CSA/5 Year Plan
Jorge Mas Canosa Middle	198	6	6	Yes	Current CSA
Miami Southridge Senior	131	7	7	Yes	Current CSA
Adjacent Concurrency Service Area Schools					
Miami Heights Elementary	328	9	9	Yes	Adjacent CSA
Source: Miami-Dade County Public Schools, May 2018 Miami-Dade County Department of Regulatory and Economic Resources, May 2018					
Note: CSA means Concurrency Service Area					

Section 9 of the ILA discusses implementation of school concurrency, indicating the test for school concurrency is at the time of a final subdivision, site plan or functional equivalent, not at the time of CDMP amendment application for land use. Miami-Dade County Public Schools is required to maintain the adopted LOS standard throughout the five-year planning period. In the event that there is not sufficient capacity at the time of final subdivision, site plan or functional equivalent,

the ILA and the Educational Element of the CDMP describe a proportionate share mitigation process.

## **Aviation**

The Miami-Dade Aviation Department (MDAD) has determined that the application site is either partially or fully impacted by the following land use restrictive zones as defined in the Code of Miami-Dade County, Article XL Kendall-Tamiami Executive Airport Zoning, Section 33-395:

- Outer Safety Zone (OSZ) - Residential units are limited to less than two per acre. Educational facilities (excluding aviation schools) and places of public assembly are not permitted.
- Outer District (OLZ) - New residential construction and educational facilities excluding aviation, are required to incorporate at least a 25 db Noise Level Reduction into the design/construction of the structure.
- No School Zone (NSZ) - New educational facilities, excluding aviation schools, are not permitted within this land use classification.

MDAD is in the process of amending the Miami Executive Airport Zoning. One of the revisions involves replacing the existing OLZ boundary with the 65 db noise contour. This amendment, if approved by the Board of County Commissioners will result in a reduction of the overall land area encumbered by the OLZ. The justification on for allowing the OLZ to be recalculated is based upon State Statute 333.03 (2) (c) as follows: "Where an airport authority or other governing body operating a public-use airport has conducted a noise study in accordance with 14 C.F.R. part 150, or where a public-use airport owner has established noise contours pursuant to another public study approved by the Federal Aviation Administration, the prohibition of incompatible uses, as established in the noise study in 14 C.F.R. part 150, Appendix A or as a part of an alternative Federal Aviation Administration-approved public study, within the noise contours established by any of these studies, except if such uses are specifically contemplated by such study with appropriate mitigation or similar techniques described in the study."

Since the subject property is in close proximity to Miami Executive Airport, the applicant is required to coordinate with MDAD and the Federal Aviation Administration to review any proposed temporary and permanent structures for airspace impacts.

## **Roadways**

The application site is a ±10.34-acre property located on the southwest corner of SW 136 Street and SW 157 Avenue in unincorporated Miami-Dade County. The site is located just outside the boundary of Miami Executive Airport in the Southwest corner. Both SW 136 Street and SW 157 Avenue that run to the north and east of the application site are four-lane divided roadways. SW 136 Street provides access on the north side and SW 157 Avenue provides access on the east side of the application site. South of the site is SW 152 Street, a six-lane divided highway, which provides connection to Turnpike in the east.

Traffic conditions are evaluated by the level of service (LOS), which is represented by one of the letters "A" through "F", with A generally representing the most favorable driving conditions and F representing the least favorable.

Existing Conditions

Existing traffic conditions on major roadways adjacent to and in the vicinity of the application site, which are currently monitored by the State (Year 2017) and the County (Year 2017), are operating at acceptable levels of service. See “Traffic Impact Analysis on Roadways Serving the Amendment Site” Table below.

Trip Generation

The maximum development potential scenarios under each the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Industrial and Office” the application site is assumed to be developed with 93,654 sq. ft. of industrial uses and 105,240 sq. ft. of retail uses. Under the requested CDMP land use designation of “Low Density Residential (2.5-6 du/ac)”, the application site can be developed with 62 Single-Family attached residential units. The potential development under the current CDMP land use designation of “Industrial and Office” is expected to generate approximately 501 PM peak hour trips and under the requested CDMP land use designation of “Low Density Residential” it is expected to generate approximately 40 PM peak hour trips, or approximately 461 fewer PM peak hour trips than the current CDMP designation. See “Estimated PM Peak Hour Trip Generation” Table below.

Traffic Concurrency Evaluation (Concurrency)

An evaluation of peak-period traffic concurrency conditions as of May 2018, which considers reserved trips from approved development not yet constructed, programmed roadway capacity improvements listed in the first three years of the County’s adopted 2018 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the development scenarios assumed to be developed under the requested CDMP LUP map designation, determined that all roadways—adjacent to and in the vicinity of the application site—that were analyzed have available capacity to handle the additional traffic impacts that would be generated by the application. The “Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation” Table below shows that all roadways analyzed are projected to operate at acceptable levels of service.

Estimated PM Peak Hour Trip Generation  
By Current and Requested CDMP Land Use Designations

Expedited Application No. 1	Current CDMP Designation and Assumed Use/ Estimated No. Of Trips	Requested CDMP Designation and Assumed Use/ Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
Land Use	“Industrial and Office” <sup>1</sup>	“Low Density Residential” <sup>2</sup> (2.5-6 du/ac)	
Maximum Development Potential	93,654 sq. ft. Industrial and 105,240 sq. ft. Retail <sup>3</sup>	62 DU Single Family Attached	
Trips Generated	501	40	- 461

Source: Institute of Transportation Engineers (ITE), Trip Generation, 9th Edition, 2012; Miami-Dade County Department of Regulatory and Economic Resources, May 2018.

Notes:

- <sup>1</sup> – ITE Land Use Code used for Industrial is 110.
- <sup>2</sup> – ITE Land Use Code used for Low Density Residential is 220.
- <sup>3</sup> – ITE Land Use Code used for Retail is 820.

### Application Traffic Impact

The maximum development potential scenarios under each the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of "Industrial and Office" the application site is assumed to be developed with 93,654 sq. ft. of industrial uses and 105,240 sq. ft. of retail uses. Under the requested CDMP land use designation of "Low Density Residential (2.5-6 du/ac)", the application site can be developed with 62 Single-Family attached residential units. The potential development under the current CDMP land use designation of "Industrial and Office" is expected to generate approximately 501 PM peak hour trips and under the requested CDMP land use designation of "Low Density Residential" it is expected to generate approximately 40 PM peak hour trips or approximately 461 fewer PM peak hour trips than the current CDMP designation.

The existing traffic condition and concurrency analysis determined that all roadways adjacent to and in the vicinity of the application site analyzed have available capacity to handle the additional traffic impacts that would be generated by the application and are projected to operate at acceptable levels of service. See "Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation" Table below.

### Other Roadway Improvements

MDX is currently conducting a PD&E study for the western extension of SR 836 (Dolphin Expressway) from NW 137 Avenue to SW 136 Street.

### Applicant's Traffic Study

The applicant's transportation consultant, Langan Engineering and Environmental Services, Inc., prepared the *CDMP Amendment Traffic Impact Study* dated April 19th 2018. The Traffic Study analyzes the short term and long term traffic impacts that the proposed project on the southwest corner of SW 136 Street and SW 157 Avenue will have on the roadways adjacent to and in the vicinity of the application site. A copy of the Traffic Study's Executive Summary is included in Appendix. The complete Traffic Study is available online at the Department's website at [http://www.miamidade.gov/planning/library/reports/planning-documents/expedited\\_application-1-applicant-traffic-study.pdf](http://www.miamidade.gov/planning/library/reports/planning-documents/expedited_application-1-applicant-traffic-study.pdf). Planning staff conducted a separate traffic analysis for this project (shown above) taking into account the maximum development potential of 93,654 sq. ft. of industrial uses and 105,240 sq. ft. of retail uses that is allowed on this property for the existing land use. The traffic study submitted by the applicant assumes that the existing land use allows the site to be developed with 225,205 sq. ft. of industrial uses. Staff analysis and the applicant's analysis both assume that the proposed development potential of the application site is 62 residential units. Table 1 of the traffic study shows the existing traffic condition of the roadways surrounding the project site and Table 2 shows the trip generation analysis for the existing and proposed land use.



Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation  
Roadway Lanes, Existing and Concurrency PM Peak Period Operating Level of Service (LOS)

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Total Trips With D.O's Trips	Conc. LOS w/o Amend.	Amend. Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
<b>Requested CDMP Designation: "Low Density Residential" – 62 Single-Family attached residential units</b>													
9856	SW 157 Avenue	South of SW 152 Street	4 DV	D	3,222	1,918	C	7	1,925	C	7	1,932	C
9816	SW 137 Ave.	SW 136 St. to SW 152 St.	6 DV	E	5,390	4,008	C	168	4,176	C	7	4,183	C
9814	SW 137 Ave.	SW 120 St. to SW 136 St.	6 DV	E	5,390	4,273	C	190	4,463	C	23	4,486	C
F8679 <sup>1</sup>	SW 157 Ave.	SW 136 St. to SW 120 St.	4 DV	D	3,222	1,359	C	0	1,359	C	3	1,362	C

Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources and Florida Department of Transportation, May 2018.

Notes: DV= Divided Roadway; UD=Undivided Roadway.

\* County adopted roadway level of service standard applicable to the roadway segment: D (90% capacity); E (100% capacity); E+20% (120% capacity); E+50% (150% capacity) for roadways serviced with mass transit having 20 minutes or less headways in the Urban Infill Area (UIA).

<sup>1</sup> - Not a concurrency station hence there are no approved D.O trips.

**Table 1 - Existing Afternoon Peak-Hour Capacity Analysis Summary**

Roadway	From	To	Number of Lanes	LOS Capacity	Existing Volume	Existing LOS	Meets Capacity
SW 136 Street	SW 137 Avenue	SW 162 Avenue	4 LD	2,920	1,280	C	YES
SW 137 Avenue	SW 120 Street	SW 136 Street	6 LD	7,000	4,534	C	YES
SW 137 Avenue	SW 136 Street	SW 152 Street	6 LD	5,780	3,764	C	YES
SW 157 Avenue	SW 136 Street	SW 152 Street	4 LD	2,920	2,337	D	YES
SW 162 Avenue	SW 120 Street	SW 136 Street	4 LD	2,920	1,377	D	YES

\* Data Source: Adopted LOS and Capacity from FDOT 2012 Quality / LOS Handbook and Miami-Dade County Traffic Concurrence Database

**Table 2 - Trip Generation Estimates**

Use	Size	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour		
			In	Out	Total	In	Out	Total
<b>Current Land Use Designation</b> General Light Industrial	225,205 SF	1,580	155	21	176	20	145	165
<b>Proposed Land Use Designation</b> Single Family Detached Housing	62 DU	677	13	40	53	43	25	68
<b>Decreased Trips Due to Proposed Land Use Change*</b>		-903	-142	19	-123	23	-120	-97

\*Proposed Designation less Current Designation (A negative value indicates a decrease in trips).

The site is located on TAZ 1291, the cardinal trip distribution for this TAZ was obtained from the MPO's 2040 Cost Feasible Plan. Table 3 below shows the development's traffic distributions based on the cardinal distribution and Figure 4 on the pages that follow shows afternoon peak hour project traffic distributions on the surrounding impacted roadways.

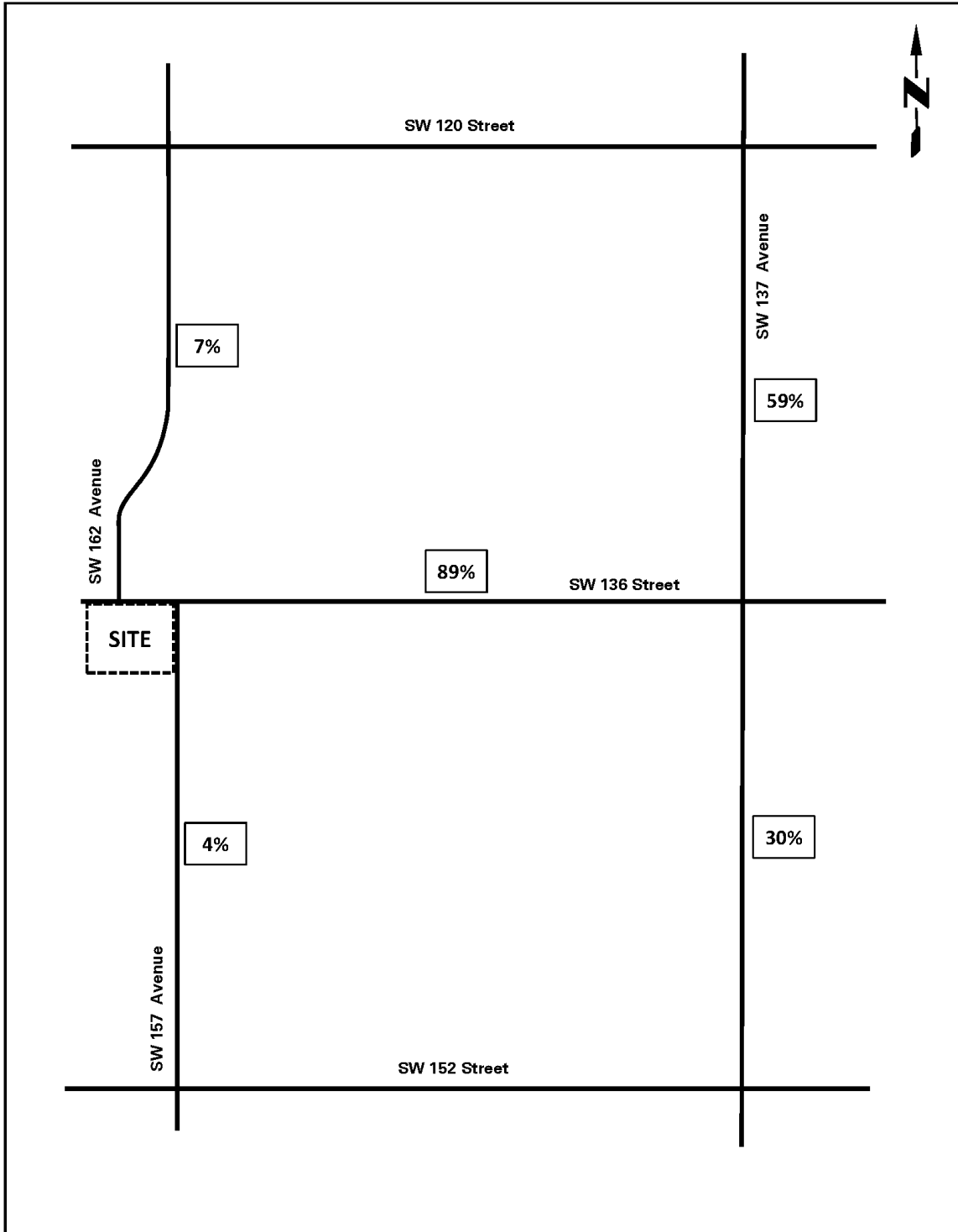
**Table 3 - Cardinal Distribution**

Year	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW
<b>2010</b>	29.70%	30.60%	17.00%	11.20%	3.90%	1.10%	0.00%	6.60%
<b>2040</b>	26.80%	27.70%	19.70%	13.30%	5.40%	0.50%	0.00%	6.60%
<b>2022</b>	<b>28.54%</b>	<b>29.44%</b>	<b>18.08%</b>	<b>12.04%</b>	<b>4.50%</b>	<b>0.86%</b>	<b>0.00%</b>	<b>6.60%</b>

The Traffic Study includes a Short Term (2020) analysis and a Long Term/Buildout (2022) analysis as required for CDMP amendment applications. The following five roadway segments were reviewed for short term and long term impacts.

1. SW 137 Avenue south of SW 120 Street.
2. SW 137 Avenue south of SW 136 Street.
3. SW 136 Street east of SW 157 Avenue.
4. SW 157 Avenue south of SW 136 Street.
5. SW 162 Avenue south of SW 120 Street.

See the applicant's Tables 4 & 6 on the pages that follow for the short term and long term roadway condition analysis.



 15150 NW 79 <sup>th</sup> Court, Suite 200, Miami Lakes, FL 33016 P: 786.264.7221 F: 786.264.7201 www.langan.com FL CERTIFICATE OF AUTHORIZATION No. 00006601	Project	Figure Title	Project No.	<b>FIGURE 4</b>	
	CENTURY ESTATES SOUTH CDMP		330038001		
	UNINCORPORATED		Date		4/19/2018
	MIAMI-DADE COUNTY FLORIDA		Scale		NTS

**Table 4 - Short Term 2020 (Concurrency) Afternoon Peak Hour Roadway Capacity Analysis Summary**

Count Station	Location	Facility Type	Adopted LOS	LOS Capacity	PHP Volume	2020 Volume	Development Order Trips	2020 Volume + D.O.'s	LOS without Project	Proposed Development		Total Volume With Project	Trips Remaining	LOS with Project	Meets Concurrency
										Project Assignment	Project Trips				
N/A**	SW 136 St e/o SW 157 Ave	4 LD	D	2,920	1,280	1,299	0	1,299	C	89%	61	1,360	1,560	D	YES
MD-9814*	SW 137 Ave s/o SW 120 St to SW 136 St	6 LD	E	7,000	4,354	4,442	193	4,635	D	59%	40	4,675	2,325	C	YES
MD-9816*	SW 137 Ave s/o SW 136 St to SW 152 St	6 LD	E	5,780	3,764	3,840	158	3,998	D	30%	20	4,018	1,762	C	YES
N/A**	SW 157 Ave s/o SW 136 St	4 LD	D	2,920	2,337	2,372	0	2,372	C	4%	3	2,375	545	D	YES
FDOT-8679***	SW 162 Ave s/o SW 120 St	4 LD	D	2,920	1,377	1,405	0	1,405	C	7%	5	1,410	1,510	D	YES

\* Data Source: Adopted LOS and Capacity from Miami-Dade County Traffic Concurrency Database

**Table 6 - Long Term 2022 Afternoon Peak Hour Roadway Capacity Analysis Summary**

Roadway	From	To	Facility Type	LOS Capacity	PHP Volume	2022 Volume	D.O. Trips	2022 Volume + D.O.'s	LOS without Project	Proposed Designation		Project Significance	Total Volume With Project	LOS with Project	Operates with Adopted LOS
										Project Assignment	Project Trips				
SW 136 Street	SW 137 Avenue	SW 162 Avenue	4 LD	2,920	1,280	1,312	0	1,312	C	89%	61	2.07%	1,373	D	YES
SW 137 Avenue	SW 120 Street	SW 136 Street	6 LD	7,000	4,534	4,672	193	4,865	D	59%	40	0.57%	4,905	C	YES
SW 137 Avenue	SW 136 Street	SW 152 Street	6 LD	5,780	3,764	3,878	158	4,036	C	30%	20	0.35%	4,056	C	YES
SW 157 Avenue	SW 136 Street	SW 152 Street	4 LD	2,920	2,337	2,396	0	2,396	C	4%	3	0.09%	2,399	D	YES
SW 162 Avenue	SW 120 Street	SW 136 Street	4 LD	2,920	1,377	1,419	0	1,419	C	7%	5	0.16%	1,424	D	YES

**Transit**

Existing Service

The application site is not directly served by any Metrobus Routes--the nearest transit service is Metrobus Route 252 (Coral Reef MAX) which is over a mile away. The nearest Metrobus stop for this route is located at the intersection of SW 144 Street and SW 152 Avenue. The service frequency of this Metrobus Route is shown in the “Metrobus Route Service Summary” table below.

Metrobus Route Service Summary						
Routes	Service Headways (in minutes)					Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8 pm)	Saturday	Sunday	
252	20	60	50	60	60	E/F

Source: 2017 *Transit Development Plan*, Miami-Dade Transit (August 2017 Line Up), March 2018.  
 Notes: E means Express or Limited-Stop Metrobus service; F means Metrobus feeder service to Metrorail.

Recent Service Improvements

As described in the 2017 *Transit Development Plan (TDP)*, the following service changes were implemented for Metrobus Route 252 (Coral Reef MAX) in 2017:

Route	Improvement/Adjustment
252 (Coral Reef MAX)	Restructure western end of route through the Country Walk subdivision. Peak frequency reduced from 15 to 20 minutes.

Future Service Improvements

There are no future service improvements planned for Metrobus Route 252 (Coral Reef MAX) in 2018.

Long-Term Vision: Major Transit Projects

There are no major transit projects planned for the future in the immediate vicinity of the application area.

Application Impacts

A preliminary analysis performed in the Traffic Analysis Zone (TAZ) 1291 where the subject application is located, indicates that if the application is approved, the expected incremental transit impacts generated by the requested land use amendment are minimal and can be handled by the existing transit service in the area.

Other Transit Considerations

Reference is made in the Application that if the existing Metrobus routes were extended westward then the application site would “potentially be served by transit” and to that end “bus stops and bus pull out lanes can be accommodated within the proposed development of the Property” (see Application, unnumbered page 6). No covenant has been proffered by the applicant proposing to accommodate such transit provisions. Also, the diagram of the current transit routes provided in the Application (Application, unnumbered page 7) is outdated and depicted the former westward portion of Route 252, which currently terminates in the west at SW 152 Avenue. Extension of public transit services is unlikely given DTPW’s 2017 discontinuance of the western portion of Route 252.

## **Consistency Review with CDMP Goals, Objectives, Policies, Concepts and Guidelines**

The proposed application will further the following goals, objectives, policies, concepts and guidelines of the CDMP:

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-1E. In Planning a designing all new residential development and redevelopment in the county, Miami-Dade County shall vigorously promote implementation of the "Guidelines for Urban Form" contained in the "Interpretation of The Land Use Plan Map" text adopted as an extension of these policies.
- LU-2A. All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provisions of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).
- LU-4A. When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare vibration, odor, runoff, access, traffic, parking height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.
- LU-8A. Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; s variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial, cultural, community, and senior centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource, degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.
- LU-10A. Miami-Dade County shall facilitate continuous urban development, infill, redevelopment of substandard or underdeveloped urban areas, moderate to high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. To facilitate and promote such development Miami-Dade County shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.
- CIE-3. CDMP land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels. .

# APPENDICES

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# **APPENDIX A**

## **Amendment Application**

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APPLICATION TO AMEND THE  
LAND USE PLAN MAP OF THE  
COMPREHENSIVE DEVELOPMENT MASTER PLAN

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RER-PLANNING DIVISION

1. APPLICANT

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By:



Juan J. Mayol, Jr., Esq.  
Gloria M. Velazquez, Esq.

March 29, 2018

Date

3. DESCRIPTION OF REQUESTED CHANGE

A. Changes to the Land Use Plan Map. Applicant requests a change to the Land Use Plan (LUP) map designation on the subject property from "Industrial and Office" to "Low Density Residential."

B. Description of the Subject Property (the "Property").

The Property contains approximately ±10.34 gross acres (±10.34 net acres) and is located on the southwest corner of the intersection of SW 136th Street and SW 157th Ave, in Section 20, Township 55 South, Range 39, all as more particularly described in Exhibit "A" to this application.

C. Gross and Net Acreage.

Application area: ±10.34 gross acres (±10.34 net acres)  
Acreage Owned by Applicant: ±10.34 acres

D. Requested Change.

1. Applicant requests that the Property be re-designated on the Land Use Plan map from "Industrial and Office" to "Low Density Residential."

4. REASONS FOR AMENDMENT

The Applicant is requesting the re-designation of the Property from "Industrial and Office" to "Low Density Residential." The Property consists of ±10.34 gross acres (±10.34 net acres) and is located on the southwest corner of the intersection of SW 136th Street and SW 157th Avenue. The Property is located in Minor Statistical Area (MSA) 6.2 which has experienced rapid growth over the last decade. In fact, the Property is one of the last vacant parcels left in this area of the County. The Applicant proposes to re-designate the Property to allow the future development of a residential community. Located at the intersection of two section line roads, the Property is ideally suited to provide additional housing supply inside of the County's Urban Development Boundary.

Under Policy LU-8E, applications seeking amendments to the CDMP must be evaluated for their consistency with the Goals, Objectives and Policies of all of the Elements of the CDMP, and in particular, the extent to which the proposed amendment would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii) Enhance or impede the provision of services at or above adopted LOS Standards;
- iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods;
- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

As discussed below, the proposed amendment would satisfy every applicable factor in the LU-8E review criteria.

I. THE APPROVAL OF THE APPLICATION WOULD HELP ACCOMMODATE PROJECTED POPULATION.

The Application proposes to change the "Industrial and Office" Land Use Plan map designation on the ±10.34 gross acre application site to facilitate the development of additional residential units on the Property. The Property is located in Minor Statistical Area (MSA) 6.2. The residential land capacity in MSA 6.2 is projected to be depleted by 2020, a mere two year supply. See Supply and Demand Analysis, July 2017 below prepared by Miami-Dade Regulatory and Economic Resources, Planning Division, Planning Research Section.

Residential Land Supply/Demand Analysis 2015 to 2030: (MSA 6.2)			
ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2017	335	1,197	1,532
DEMAND 2015-2020	407	89	496
CAPACITY IN 2020	0	841	0
DEMAND 2020-2025	414	90	504
CAPACITY IN 2025	0	391	0
DEMAND 2025-2030	429	94	523
CAPACITY IN 2030	0	0	0
<b>DEPLETION YEAR</b>	<b>2017</b>	<b>2030</b>	<b>2020</b>

Residential capacity is expressed in terms of housing units.  
Housing demand is an annual average figure based on population projections.  
Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Planning Research and Economic Analysis Section, July 2017

Approval of the Application would add 62 units to the housing supply in MSA 6.2. The approval of the Application would promote Policy LU-8F, which seeks to maintain within the Urban Development Boundary (UDB) enough developable land to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption).

Conversely, the approval of the Application will not adversely impact future industrial development. The CDMP Land Use Element text provides that when “Industrial and Office” designated land in a Minor Statistical Area with less than a 15-year supply of industrial land is subject to an application, in order to receive approval of a non-industrial use it must be demonstrated that such use will not adversely impact future industrial development. The application proposes non-industrial development on the subject property within MSA 6.2, which has approximately a 4 year supply of industrial land. However, approval of the application would not adversely impact future industrial development for the reasons discussed below.

While designated “Industrial and Office,” a portion of the Property has already been zoned commercial (BU-1A) pursuant to Resolution No. CZAB11-32-07. In essence, no real substantial depletion of industrial lands would occur in the instant case since the majority of the Property is already approved for non-industrial uses.

The property to the west of the Property is designated low density residential and zoned residential. A residential community has recently been built out. The entire area to the south of the Property has been developed as residential communities and it is unlikely that this ±10.34 acre site would ever be developed for industrial uses. The site to the east of the Property is designated medium density residential. See Property aerial below depicting the residential properties surrounding the subject site.



Additionally, as shown in the Miami-Dade County, Department of Regulatory and Economic Resources, Planning Division, Research Section, June 2015 table below, MSA 6.2 has ±135.30 acres of vacant industrially designated or zoned land and the countywide supply of industrial land is projected to be depleted beyond the year 2030.

Projected Absorption of Industrial Land Miami- Dade County, Florida 2015 - 2030				
Minor Statistical Area	Vacant Industrial Land 2015 (Acres)	Industrial Land in Use 2015 (Acres)	Average Annual Absorption Rate 2015-2030 (Acres)	Projected Year of Depletion
<u>South-Central Tier</u>				
5.3	12.40	50.90	0.00	--
5.4	0.50	159.70	0.00	--
5.5	0.00	88.00	1.36	2015
5.6	0.60	13.30	0.09	2022
5.7	0.00	2.10	0.17	2015
5.8	0.00	13.40	0.00	--
6.1	0.00	12.20	0.43	2015
6.2	135.30	627.40	21.81	2021
Subtotal	148.80	971.90	23.88	2021
<u>Countywide</u>				
Total	3,731.70	12,396.30	167.82	2030+

— Insignificant Demand  
 Source: Miami-Dade County, Department of Regulatory and Economic Resources, Planning Division, Research Section, June 2015.

Clearly, the approval of this application would not significantly affect the countywide supply of industrial land.



II. THE APPROVAL OF THE APPLICATION WILL ENHANCE THE PROVISION OF SERVICES AT OR ABOVE ADOPTED LEVEL OF SERVICE STANDARDS.

The impacts that would be generated from the maximum residential development allowed on the Property would not cause a violation in the level of service standards for public services and facilities. Should the re-designation be approved, there will be a significant reduction in number of vehicle trips. *See* attached Traffic Impact Study prepared by Langan Engineering & Environmental Services, dated January 28, 2018 attached as Exhibit “F”. Additionally, all required utilities are available to the Property or can be made available at the Applicant’s expense. Moreover, several public schools are located nearby.

III. THE APPROVAL OF THE APPLICATION AND THE PROPOSED RESIDENTIAL DEVELOPMENT OF THE PROPERTY WOULD BE COMPATIBLE WITH ABUTTING AND NEARBY USES AND WOULD NOT DEGRADE THE CHARACTER OF THE ESTABLISHED NEIGHBORHOOD.

The development of the Property under the “Low Density Residential” designation would be compatible with the existing and future development in the surrounding areas. As mentioned previously, the properties to the south are developed with residential communities, as are the properties to the west and soon to come communities to the east.



The proposed residential development of the Property will also be compatible with the on-going operations at the Kendall-Tamiami Executive Airport Zoning. Land use regulations are in place to ensure compatibility between the airport operations and surrounding areas. Specifically, the Property is located within the *Outer District (OLZ)* where “[n]ew residential construction and educational facilities excluding aviation, ... are required to incorporate at least a 25 db Noise Level Reduction (NLR) into the design/construction of the structure.” In addition, as discussed in comments previously provided by the Miami-Dade Aviation Department (MDAD), MDAD is currently rewriting this section of the County Code to adopt the DNL contours of the 2009 Kendall-

Tamiami Executive Airport Noise Mitigation Evaluation Report (“Noise Mitigation Report”) pursuant to Florida Statute 333.03(2)(C) and replace the existing mechanism to determine compatibility.

The Noise Mitigation Report places the noise contours of the Property below the 65 decibel (db) Day-Night Noise Level (DNL) contour. *See* Noise Mitigation Report exhibit labeled Exhibit 3-5 attached as Exhibit “G”. Further, the noise contour Table 3-4 of the Noise Mitigation Report, the airport specifically concluded that residential development is compatible with a noise contour that is 65 db or less. In fact, the report shows the Property is about 90-95% outside even the 65 db noise contour. *See* attached Exhibit “H”.

As in the case of previous approvals for residential development near the airport, the Applicant will submit a Declaration of Restrictions in support of its request, under the terms of which the Applicant will agree (a) to place the Property under an aviation easement, (b) to provide noise mitigation/attenuation in the design and construction of the units to reduce indoor noise levels by 25 decibels, and (c) to provide prospective occupants of the residential units mandatory disclosure regarding potential noise impacts and the frequency of operations at the airport. Moreover, the height of any residential structure on the Property will be well below any maximum height limitations in the airport land use regulations.

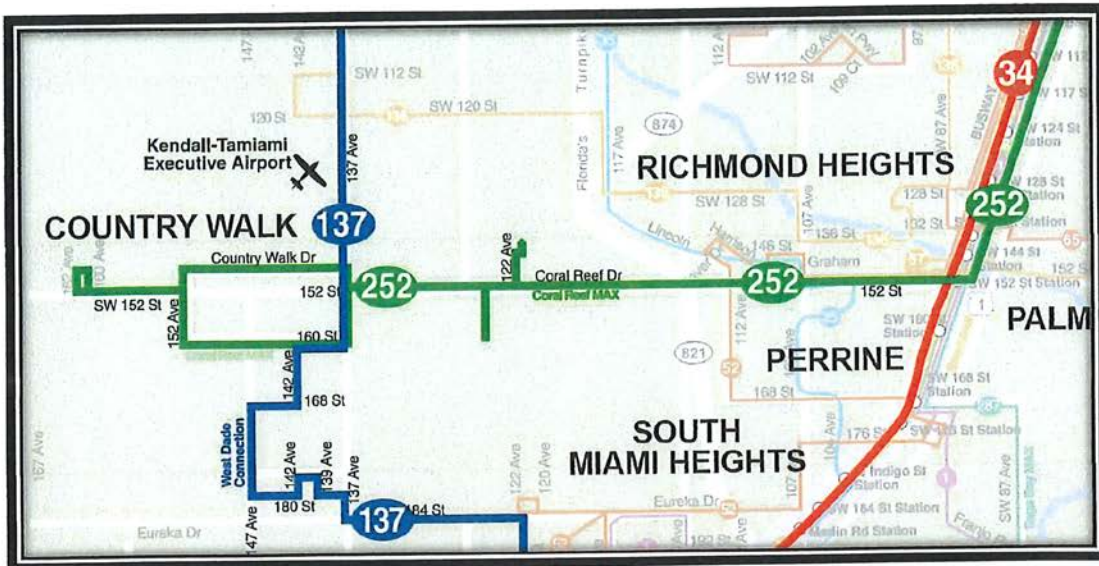
#### IV. THE APPROVAL OF THE APPLICATION WILL NOT DEGRADE ANY ENVIRONMENTAL OR HISTORICAL RESOURCES, FEATURES, OR SYSTEMS OF COUNTY SIGNIFICANCE.

The subject CDMP application, if approved, would not degrade environmental or historical resources, features or systems of County significance. A review of the zoning records for the previous commercial zoning application did not reveal the presence of any environmental or historical resources that would be impacted by the development of the Property.

#### V. THE APPROVAL OF THE APPLICATION COULD SUPPORT TRANSIT RIDERSHIP AND PEDESTRIANISM AS PROMOTED BY POLICY LU-7.

Development of the Property under the requested “Low Density Residential” land use category could support transit ridership. Currently, transit extends westward but not directly to the site. However, the site could potentially be served by either Metrobus Route 252 (Coral Reef Max) with limited-stop service or 137 (West Dade Connection) which provide local route services in the vicinity of the Property. Should the existing routes be extended to provide service to the newly developed residential areas west of SW 157<sup>th</sup> Avenue from SW 152<sup>nd</sup> Street to SW 136<sup>th</sup> Street, the Property would potentially be served by public transit. To facilitate the extension of service, bus stops and bus pull out lanes can be accommodated within the proposed development of the Property. *See* diagram below of current transit routes and aerial of residential communities that could support transit ridership.





Based on the foregoing, the Applicant believes that the approval of the Application would be a timely improvement to the Land Use Plan map and will help to expand the available housing supply in MSA 6.2.

Furthermore, the approval of the requested land use plan amendment would further implementation of the following CDMP objectives and policies:

**LAND USE OBJECTIVE 1:** The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

**LAND USE POLICY LU-1C:** Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

**LAND USE POLICY LU-1F:** To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.

**LAND USE OBJECTIVE LU-2:** Decisions regarding the location, extent and intensity of future land use in Miami-Dade County, and urban expansion in particular, will be based upon the physical and financial feasibility of providing, by the year 2020, all urbanized areas with services at levels of service (LOS) which meet or exceed the minimum standards adopted in the Capital Improvements Element, among other requirements set forth in this plan.

**LAND USE POLICY LU-2A:** All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE), except as otherwise provided in the “Concurrency Management Program” section of the CIE.

**LAND USE OBJECTIVE LU-8:** Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan Map consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan Map accommodates projected countywide growth.

**LAND USE POLICY LU-8A:** Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial, cultural, community, and senior centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.

**LAND USE POLICY LU-8F:** The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus ( a total 15-year Countywide supply beyond the date of EAR adoption). The estimation of this capacity shall include the capacity to develop and redevelop around transit stations at the densities recommended in policy LU-7F. The adequacy of non-residential land supplies shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the Countywide supply within the UDB. The adequacy of land supplies for neighborhood- and community-oriented business and office uses shall be determined on the basis

of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-Tiers and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities.

**LAND USE POLICY LU-9D:** Miami-Dade County shall continue to investigate, maintain and enhance methods, standards and regulatory approaches which facilitate sound, compatible mixing of uses in projects and communities.

**LAND USE OBJECTIVE LU-10:** Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multimodal transportation systems.

**LAND USE POLICY LU-10A:** Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, moderate to high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. To facilitate and promote such development Miami-Dade County shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.

**HOUSING GOAL 1:** Ensure the provision of housing that will be affordable to all current and future Miami-Dade County residents, regardless of household type or income.

**HOUSING POLICY HO-3I:** Encourage the development of residential housing units through infill and expansion of redevelopment opportunities in urbanized areas with existing infrastructure.

5. ADDITIONAL MATERIAL SUBMITTED

Additional items in support of this application may be submitted at a later date.

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "C"

Attachments: Legal Descriptions for the Property and Parcels - Exhibit "A"  
Location Map for Application - Exhibit "B"  
Disclosure of Interest Form - Exhibit "C"  
Aerial Photograph – Exhibit "D"  
Traffic Impact Study prepared by Langan Engineering & Environmental Services, dated January 28, 2018– Exhibit "E"  
Noise Mitigation Report Exhibit 3-4 - Exhibit "F"  
Noise Mitigation Report Noise Contour Table 3-5 – Exhibit "G"

EXHIBIT "A"

LEGAL DESCRIPTION FOR PROPERTY

**LEGAL DESCRIPTION:**

A portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwabke-Shiskin & Associates, Inc. Under File No. SD-136 A. J. and based on that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Dade County, Florida and being more particularly described as follows: Bounded on the East by the East line of said Section 20; Bounded on the North by the North line of Said Section 20, based on a foresaid Afreed Final Judgement; Bounded on the West by the West line of the East 1/2 of the East 1/2 of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT"; and Bounded on the South by the North line of a 100.00 foot Right-of-Way for the Seaboard Airline Railroad, asbuilt and in place.

**LESS:**

That portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwabke-Shiskin & Associates, Inc. Under File No. SD-136 A. J. and based on that certain "AGREED FINAL JUDGMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Miami-Dade County, Florida, lying North of the Seaboard Airline Railroad Company Right-of-Way and more particularly described as follows:

Begin at the agreed Northwest corner of the East 1/2 of the East 1/2 of said Section 20; according to said Agreed Final Judgment; thence run N86°20'38"E along the North line of said East 1/2 of the East 1/2 of said Section 20, according to said Agreed Final Judgment, for a distance of 568.85 feet; thence run S02°27'12"E, for a distance of 583.43 feet to a point on the North Right-of-Way line of said Seaboard Airline Railroad; thence run S88°08'59"W along said North Right-of-Way line for a distance of 568.76 feet to a point on the agreed West line of the East 1/2 of the East 1/2 of said Section 20; thence N02°27'12"W along said agreed West line of the East 1/2 of the East 1/2 of said Section 20; according to said Agreed Final Judgment for a distance of 565.60 feet to the Point of Beginning.

**LESS (RIGHT-OF-WAY DEEDS):**

The East 45.00 feet of a portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwabke-Shiskin & Associates, Inc. Under File No. SD-136 A. J. and based on that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Dade County, Florida and being more particularly described as follows: Bounded on the East by the East line of said Section 20; Bounded on the South by the North line of a 100.00 foot Right-of-way for the Seaboard Airline Railroad, asbuilt and in place. Bounded on the West by a line 45.00 feet West of and parallel with the East line of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT"; and Bounded on the North by the North line of the East 1/2 of the East 1/2 of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT".

**LESS (RIGHT-OF-WAY DEEDS)**

**PARCEL 7**

A parcel of land being a portion of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast Corner of said Section 20; thence S86°20'39"W departing from the North Line of said Section 20, along the agreement line according to the Final Judgment recorded in Official Records Book 15074, at Page 1044, of the Public Records of Miami-Dade County, Florida, for 45.01 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence S86°20'39"W continuing along said agreement line for 810.10 feet to the Northeast corner of the real property described in Official Record Book 21635 Page 3911; thence S02°27'12"E for 40.01 feet; thence N86°20'39"E ALONG A LINE 40.00 feet south of and parallel with said agreement line for 784.61 feet to a point of curvature of a circular curve concave to the Southwest; thence Southeasterly along the arc of said curve to the right, having a radius of 25.00 feet through a central angle of 91°10'20" for an arc distance of 39.78 feet to a point of tangency with a line 45.00 feet westerly of and parallel with the East line of said Section 20; thence N02°29'01"W along said line parallel with the East line of said Section 20 for 65.53 feet to the POINT OF BEGINNING.

#56350237\_v1



EXHIBIT "B"

**LOCATION MAP FOR APPLICATION TO AMEND  
THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

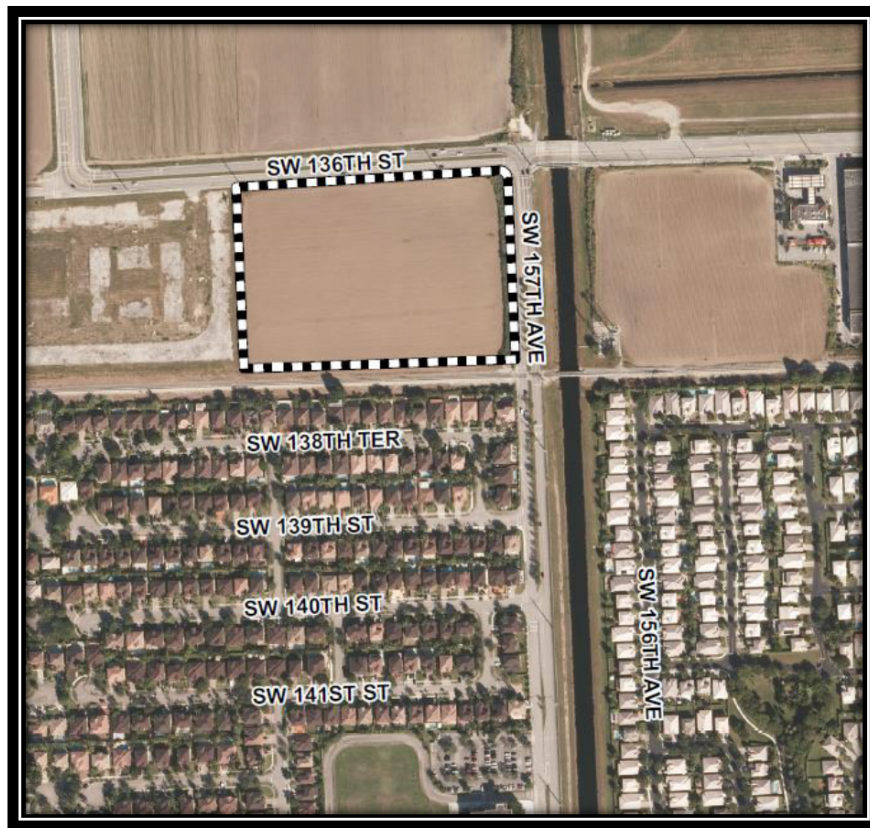
APPLICANTS / REPRESENTATIVE

Orbe Services, Inc. / Juan J. Mayol, Jr., Esq. and Gloria M. Velazquez, Esq.

DESCRIPTION OF SUBJECT AREA

The Property contains approximately ±10.34 gross acres (±10.34 net acres) and is located on the southwest corner of SW 136th Street and SW 157th Ave, in Section 21, Township 55 South, Range 39.

LOCATION MAP



Application area delineated above owned by Applicant.

1"=300'

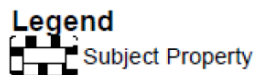


EXHIBIT "C"

**DISCLOSURE OF INTEREST**

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

**1. APPLICANT (S) NAME AND ADDRESS:**

**APPLICANT:**

Orbe Services, Inc.  
 1499 W Palmetto Rd # 204  
 Boca Raton, FL 33486  
 (561) 338-7480

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

**2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.**

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
Orbe Services, Inc.		30-5920-000-0060	+/- 10.34 net acres

**3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2, above.**

APPLICANT	OWNER	CONTRACTOR FOR PURCHASE	LESSEE	OTHER (Attach Explanation)
	X			

**4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.**

a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	%

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME Orbe Services, Inc.

NAME, ADDRESS, AND OFFICE ( if applicable)

PERCENTAGE OF STOCK

See attached.

- c. If the applicant is a TRUSTEE, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES NAME: \_\_\_\_\_

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: \_\_\_\_\_

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF INTEREST

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME AND ADDRESS

PERCENTAGE OF INTEREST

CENTURY HOMEBUILDERS GROUP, LLC, a Florida limited liability company

Sergio Pino and Tatiana Pino, Managers

100%, as husband and wife

1805 Ponce De Leon, Suite 100

Coral Gables, Florida 33134

Date of Contract: 3/15/18

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

**5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.**

- a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

**CORPORATION NAME:** \_\_\_\_\_



NAME, ADDRESS AND OFFICE (if applicable)

PERCENTAGE OF STOCK

---

If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEE'S NAME: \_\_\_\_\_

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- 
- c. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: \_\_\_\_\_

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF OWNERSHIP

- 
- d. If the owner is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME, ADDRESS AND OFFICE (if applicable)

PERCENTAGE OF INTEREST

Date of Contract \_\_\_\_\_

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

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Orbe Services, Inc.

By: Stephanie Andreoni  
Name: Stephanie Andreoni  
Title: ASSISTANT SECRETARY

Sworn to and subscribed before me

this 28<sup>th</sup> day of March 2018

My Commission Expires:

JULY 10, 2020

Notary Public - State of Florida  
Roxanne Lyle Peterkin  
Commission # GG 010105  
My Comm. Expires Jul 10, 2020

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

ROXANNE LYLE PETERKIN  
Notary Public - State of Florida  
Commission # GG 010105  
My Comm. Expires Jul 10, 2020

EXHIBIT "D"

AERIAL PHOTOGRAPH



±10.34 gross acres (±10.34 net acres); located on the southwest corner of SW 136th Street and SW 157th Ave, in Section 21, Township 55 South, Range 39.

EXHIBIT "E"

**TRAFFIC IMPACT STUDY**  
**Langan Engineering & Environmental Services**  
**January 28, 2018**

EXHIBIT "F"

**NOISE MITIGATION REPORT EXHIBIT 3-4**

**TABLE 3-4  
LAND USE COMPATIBILITY WITH YEARLY DAY-NIGHT AVERAGE SOUND LEVELS**

Land Use	Yearly Day-Night Noise Level (DNL) in decibels					
	Below 65	65-70	70-75	75-80	80-85	Over 85
<b>RESIDENTIAL</b>						
Residential, other than mobile homes and transient lodgings	Y	N(1)	N(1)	N	N	N
Mobile home parks	Y	N	N	N	N	N
Transient lodgings	Y	N(1)	N(1)	N(1)	N	N
<b>PUBLIC USE</b>						
Schools	Y	N(1)	N(1)	N	N	N
Hospitals and nursing homes	Y	25	30	N	N	N
Churches, auditoriums and concert halls	Y	25	30	N	N	N
Government services	Y	Y	25	30	N	N
Transportation	Y	Y	Y(2)	Y(3)	Y(4)	Y(4)
Parking	Y	Y	Y(2)	Y(3)	Y(4)	N
<b>COMMERCIAL USE</b>						
Offices, business and professional	Y	Y	25	30	N	N
Wholesale and retail - building materials, hardware and farm equipment	Y	Y	Y(2)	Y(3)	Y(4)	N
Retail trade - general	Y	Y	25	30	N	N
Utilities	Y	Y	Y(2)	Y(3)	Y(4)	N
Communication	Y	Y	25	30	N	N
<b>MANUFACTURING AND PRODUCTION</b>						
Manufacturing, general	Y	Y	Y(2)	Y(3)	Y(4)	N
Photographic and optical	Y	Y	25	30	N	N
Agriculture (except livestock) and forestry	Y	Y(8)	Y(7)	Y(8)	Y(8)	Y(8)
Livestock farming and breeding	Y	Y(8)	Y(7)	N	N	N
Mining and fishing, resource production and extraction	Y	Y	Y	Y	Y	Y
<b>RECREATIONAL</b>						
Outdoor sports arenas and spectator sports	Y	Y(5)	Y(5)	N	N	N
Outdoor music shells, amphitheatres	Y	N	N	N	N	N
Nature exhibits and zoos	Y	Y	N	N	N	N
Amusements, parks, resorts and camps	Y	Y	Y	N	N	N
Golf courses, riding stables and water recreation	Y	Y	25	30	N	N

Numbers in parenthesis refer to notes.

\* The designations contained in this table do not constitute a Federal determination that any use of land covered by the program is acceptable or unacceptable under Federal, State or local law. The responsibility for determining the acceptable and permissible land uses and the relationship between specific properties and specific noise contours rests with the local authorities. FAA determinations under Part 150 are not intended to substitute federally determined land uses for those determined to be appropriate by local authorities in response to locally determined needs and values in achieving noise compatible land uses.

**Key to Table 1**

SLUCM	Standard Land Use Coding Manual.
Y(Yes)	Land Use and related structures compatible without restrictions.
N(No)	Land Use and related structures are not compatible and should be prohibited.
NLR	Noise Level Reduction (outdoor to indoor) to be achieved through incorporation of noise attenuation into the design and construction of the structure.
25, 30 or 35	Land Use and related structures generally compatible; measures to achieve NLR of 25, 30 or 35 dB must be incorporated into design and construction of structure.

**Notes:**

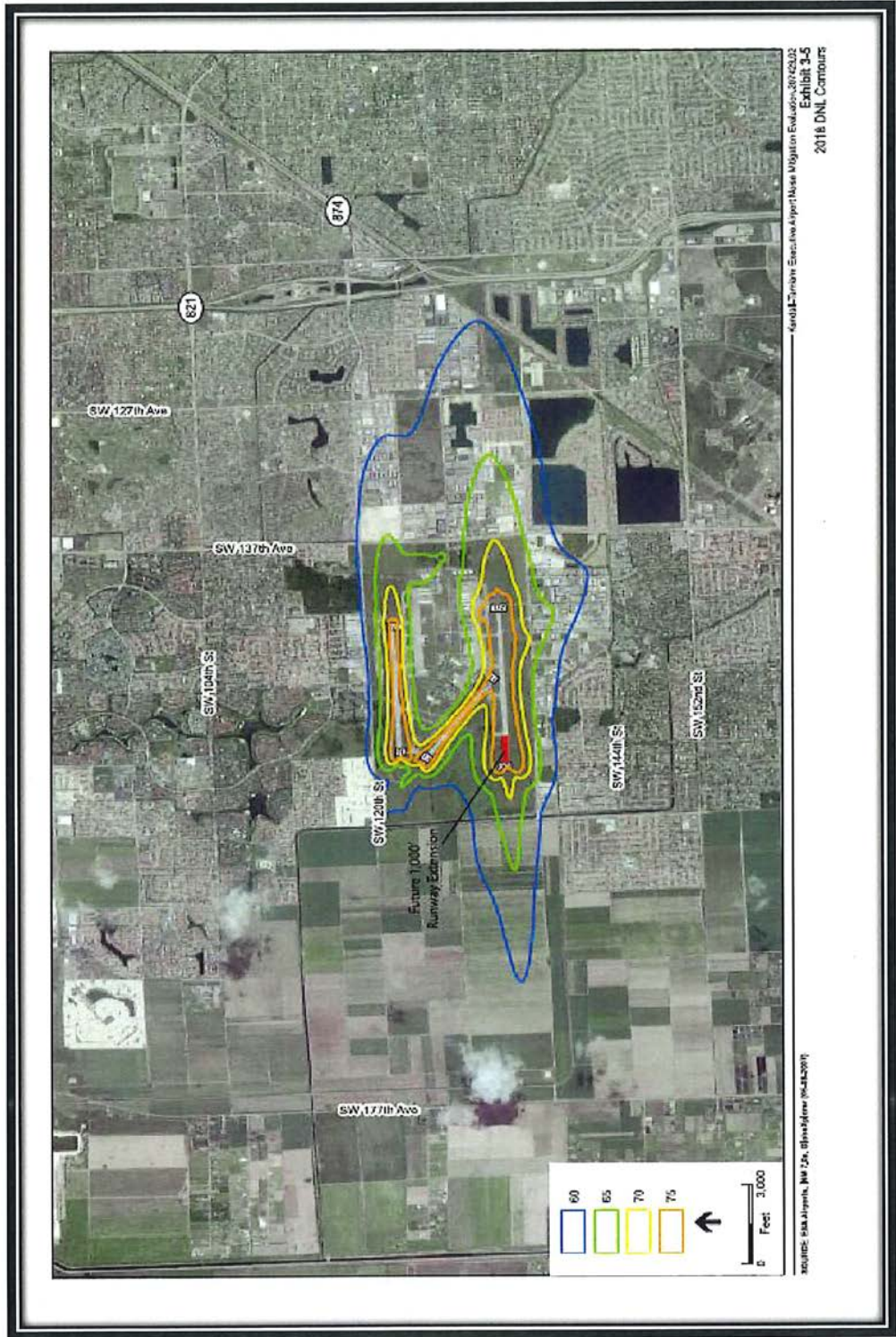
- Where the community determines that residential or school uses must be allowed, measures to achieve outdoor to indoor NLR of at least 25 dB to 30 dB should be incorporated into building codes and be considered in individual approvals. Normal residential construction can be expected to provide a NLR of 20 dB; thus, the reduction requirements are often stated as 5, 10, or 15 dB over standard construction and normally assume mechanical ventilation and close window year round. However, the use of NLR criteria will not eliminate outdoor noise problems.
- Measures to achieve NLR of 25 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where normal noise levels are low.
- Measures to achieve NLR of 30 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where normal noise levels are low.
- Measures to achieve NLR of 35 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where normal noise levels are low.
- Land use compatible provided that special sound reinforcement systems are installed.
- Residential buildings require an NLR of 25 dB.
- Residential buildings require an NLR of 30 dB.
- Residential buildings not permitted.

Source: FAA

EXHIBIT "G"

NOISE MITIGATION REPORT NOISE CONTOUR TABLE 3-5





#55098565\_v3



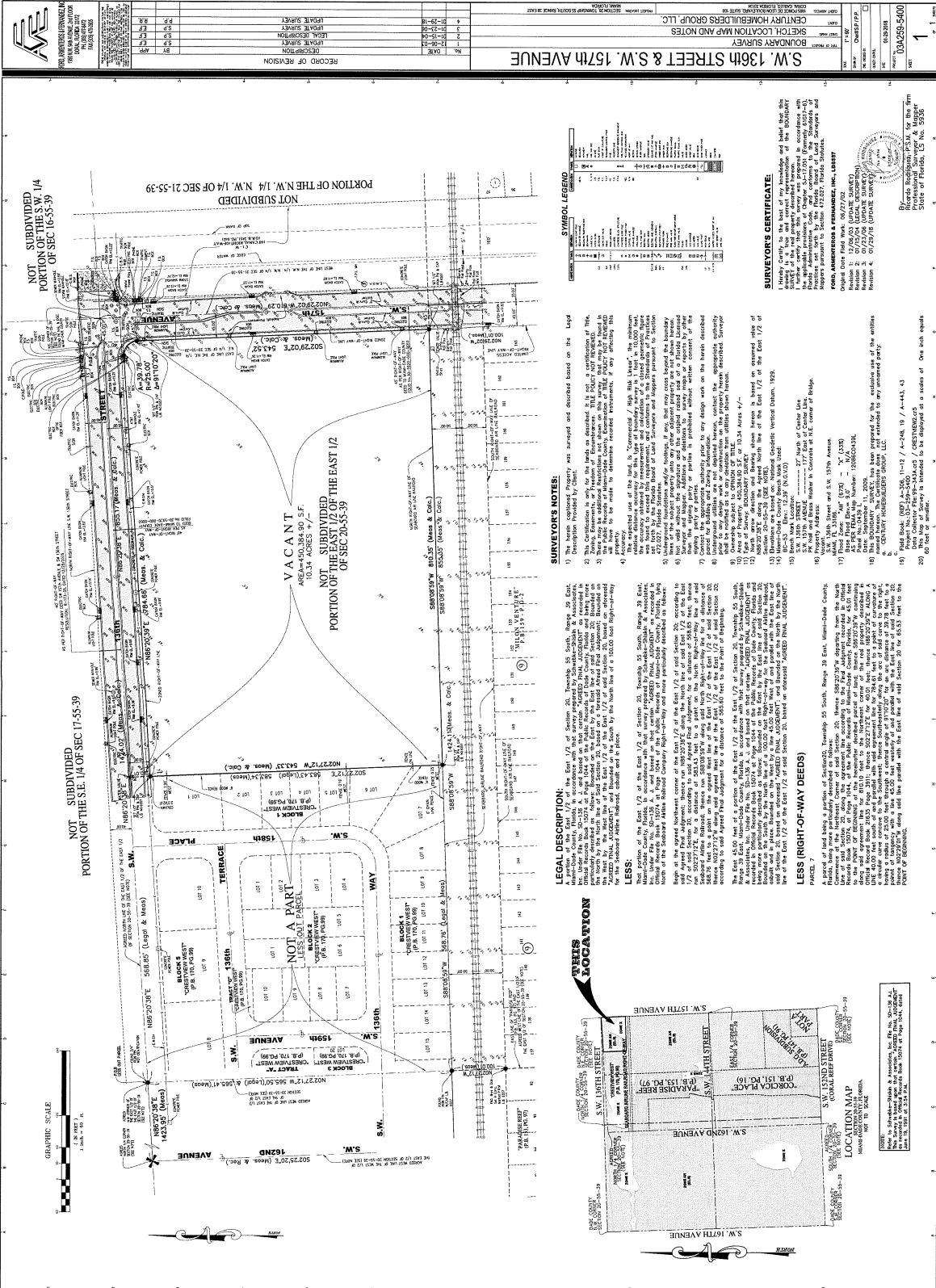
**SUPPLEMENTARY DISCLOSURE OF INTEREST**

**Interests in Orbe Services, Inc.**

	Percentage of Interest
Miacor Group Foundation 1499 W. Palmetto Park Road, Suite 204 Boca Raton, FL 33486	100%

**Interests in Miacor Group Foundation**

	Percentage of Interest
Gabriel Quintero 1499 W. Palmetto Park Road, Suite 204 Boca Raton, FL 33486	12.5%
Beatriz Iliana Quintero 1499 W. Palmetto Park Road, Suite 204 Boca Raton, FL 33486	12.5%
Natalia Quintero 1499 W. Palmetto Park Road, Suite 204 Boca Raton, FL 33486	12.5%
Federico Quintero 1499 W. Palmetto Park Road, Suite 204 Boca Raton, FL 33486	10%
Nora Quintero 1499 W. Palmetto Park Road, Suite 204 Boca Raton, FL 33486	10%
Juanita Quintero 1499 W. Palmetto Park Road, Suite 204 Boca Raton, FL 33486	10%
Emilio Esteban Quintero 1499 W. Palmetto Park Road, Suite 204 Boca Raton, FL 33486	10%
Alejandro Quintero 1499 W. Palmetto Park Road, Suite 204 Boca Raton, FL 33486	10%
Genoveba Quintero 1499 W. Palmetto Park Road, Suite 204 Boca Raton, FL 33486	12.5%



RECORD OF REVISION

No.	DATE	DESCRIPTION
1	03/20/20	PREPARED FOR PERMITS
2	07/29/20	ADJUSTED PER PERMITS
3	08/11/20	ADJUSTED PER PERMITS
4	08/11/20	ADJUSTED PER PERMITS
5	08/11/20	ADJUSTED PER PERMITS
6	08/11/20	ADJUSTED PER PERMITS
7	08/11/20	ADJUSTED PER PERMITS
8	08/11/20	ADJUSTED PER PERMITS
9	08/11/20	ADJUSTED PER PERMITS
10	08/11/20	ADJUSTED PER PERMITS

BOUNDARY SURVEY  
S.W. 136th STREET & S.W. 157th AVENUE  
SECTION LOCATION MAP AND NOTES  
CENTURY HOMESBUILDERS GROUP, LLC  
DATE: 08/26/20  
SCALE: 1" = 50'  
PROJECT NO.: 02A289-5400

**SURVEYOR'S CERTIFICATE:**  
I, the undersigned, [Name], a duly Licensed Professional Surveyor, State of Florida, License No. [Number], do hereby certify that the survey and plat was prepared in accordance with the Surveying and Mapping Act of 2002, Chapter 473, Part I, Florida Statutes, and I am a duly Licensed Professional Surveyor, State of Florida, License No. [Number].

**FOOTNOTES:**  
1) This is a Boundary Survey. The survey was prepared in accordance with the Surveying and Mapping Act of 2002, Chapter 473, Part I, Florida Statutes, and I am a duly Licensed Professional Surveyor, State of Florida, License No. [Number].

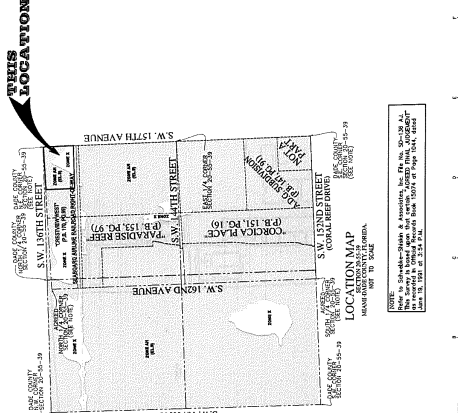
**SURVEYOR'S NOTES:**  
1) The herein captioned property was surveyed and described based on the Lot Description provided by client.  
2) This is a Boundary Survey. The survey was prepared in accordance with the Surveying and Mapping Act of 2002, Chapter 473, Part I, Florida Statutes, and I am a duly Licensed Professional Surveyor, State of Florida, License No. [Number].

**LEGAL DESCRIPTION:**  
A portion of the East 1/2 of the East 1/2 of Section 20, Township 25 South, Range 39 East, County of [Name], State of Florida, more particularly described as follows:  
[Detailed description of the surveyed parcel, including bearings, distances, and references to other sections.]

**LESS:**  
[Detailed description of the area being subtracted from the main parcel.]

**LESS (RIGHT-OF-WAY DEEDS):**  
[Detailed description of the area being subtracted for right-of-way deeds.]

**PARCELS:**  
[Detailed description of the individual parcels shown on the map.]



# **APPENDIX B**

## **Miami-Dade County Public Schools Analysis**

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# Miami-Dade County Public Schools

*giving our students the world*

**Superintendent of Schools**  
Alberto M. Carvalho

**Miami-Dade County School Board**

Perla Tabares Hantman, Chair  
Dr. Martin Karp, Vice Chair  
Dr. Dorothy Bendross-Mindingall  
Susie V. Castillo  
Dr. Lawrence S. Feldman  
Dr. Steve Gallon III  
Lubby Navarro  
Dr. Marta Pérez  
Mari Tere Rojas

May 22, 2018

**VIA ELECTRONIC MAIL**

Ms. Gloria M. Velazquez  
Holland & Knight LLP  
701 Brickell Avenue, Suite 3300  
Miami, Florida 33131  
[Gloria.Velazquez@hklaw.com](mailto:Gloria.Velazquez@hklaw.com)

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS  
ORBE SERVICES, INC., C/O GLORIA M. VELAZQUEZ, HOLL - CDMP20180005  
LOCATED AT SOUTHWEST CORNER OF SW 136 STREET AND SW 157 AVENUE  
PH3018051700325 - FOLIO No.: 3059200000060**

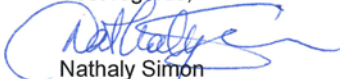
Dear Applicant:

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

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed development would yield a maximum residential density of 62 single-family attached units, which generate 22 students: 9 elementary, 6 middle and 7 senior high students. At this time, all school levels have sufficient capacity available to serve the application. However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. As such, this analysis does not constitute a Public School Concurrency approval.

Should you have any questions, please feel free to contact me at 305-995-7287.

Best regards,



Nathaly Simon  
Supervisor

NS:ns  
L-342

**Enclosure**

cc: Ms. Ana Rijo-Conde, AICP  
Mr. Michael A. Levine  
Mr. Ivan M. Rodriguez  
Miami-Dade County  
School Concurrency Master File

*Planning, Design & Sustainability*

*Ms. Ana Rijo-Conde, Deputy Chief Facilities & Eco-Sustainability Officer • 1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132*

*305-995-7285 • 305-995-4760 (FAX) • [arijo@dadeschools.net](mailto:arijo@dadeschools.net)*



## Concurrency Management System (CMS)

Miami Dade County Public Schools

### Miami-Dade County Public Schools

#### Concurrency Management System Preliminary Concurrency Analysis

MDCPS Application Number: PH3018051700325 Local Government (LG): Miami-Dade  
 Date Application Received: 5/17/2018 2:38:50 PM LG Application Number: CDMP20180005  
 Type of Application: Public Hearing Sub Type: Land Use

Applicant's Name: Orbe Services, Inc., c/o Gloria M. Velazquez, Holl  
 Address/Location: 701 Brickell Avenue  
 Master Folio Number: 3059200000060  
 Additional Folio Number(s):

PROPOSED # OF UNITS 62

SINGLE-FAMILY DETACHED UNITS: 0

SINGLE-FAMILY ATTACHED UNITS: 62

MULTIFAMILY UNITS: 0

#### CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
125	NORMA BUTLER BOSSARD ELEMENTARY	-163	9	0	NO	Current CSA
125	NORMA BUTLER BOSSARD ELEMENTARY	0	9	0	NO	Current CSA Five Year Plan
6771	JORGE MAS CANOSA MIDDLE	198	6	6	YES	Current CSA
7731	MIAMI SOUTHRIDGE SENIOR	131	7	7	YES	Current CSA

#### ADJACENT SERVICE AREA SCHOOLS

3261	MIAMI HEIGHTS ELEMENTARY	328	9	9	YES	Adjacent CSA
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\*An Impact reduction of 25.28% included for charter and magnet schools (Schools of Choice).

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

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

# **APPENDIX C**

## **Preferred Declaration of Restrictions**

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RECEIVED

2018 MAY 24 A 3:35

This Instrument was Prepared by:

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

(Space Reserved for Clerk of the Court)

Tax Folio I.D. 30-5920-000-0060

---

**DECLARATION OF RESTRICTIONS**

**WHEREAS**, Orbe Services, Inc., a Florida corporation (the "Owner"), holds fee simple title to that certain parcel of land in Miami-Dade County, Florida, described in Exhibit "A", attached hereto, and hereinafter referred to as the "Property";

**WHEREAS**, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") as an expedited CDMP application on May 4, 2018 which amendment is identified as Application No. \_\_\_\_\_.

**WHEREAS**, the Application seeks to re-designate the Property from "Industrial and Office" to "Low Density Residential" (±10.34 gross acres) on the Miami-Dade CDMP Land Use Plan ("LUP") map.

**NOW, THEREFORE, IN ORDER TO ASSURE** Miami-Dade County, Florida (the "County") that the representations made by the Owner during the consideration of the Application will be abided by, the Owner freely, voluntarily and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Noise Level Reduction.** The Owner shall incorporate at least 25 decibel (db) Noise Level Reduction (NLR) into the design and construction of any dwelling unit on the Property.

2. **Avigation Easement.** The Owner reserves unto itself, its successors, and assigns, for the use and benefit of the public, and hereby grants and conveys to Miami-Dade County an easement and right-of-way for the free and unobstructed flight, and passage, operations and effects thereof of all types of aircraft ("aircraft" being defined for the purpose of this Avigation Easement as any contrivance now known or hereafter invented, used, or designated for navigation of, or flight in or through the air) by whomsoever owned or operated, in and through the airspace above and over the surface of the Property, including, but not limited to, the right to cause in such airspace above or in the vicinity of the surface of the Property such noise, vibration, odors, vapors, fumes, fuel particles (which are incident to normal operations of said aircraft), smoke, dust, fear, interference with sleep and communications and any and all other effects as may be alleged to be incident to or caused by the aircraft engines and the operation of aircraft for navigation of or flight or passage in and through said airspace, and for the use of said airspace by aircraft for approaching, landing upon, taking off from, maneuvering about or operating (which are incident to normal operations of said aircraft) on Kendall Tamiami Executive Airport ("KTEA") and for all other uses allowed or authorized at KTEA.

In furtherance of the easement and rights herein granted, the Owner expressly agrees for itself, its successors, and assigns to restrict the height of structures, objects of natural growth, and other obstructions on the Property to such a height so as to comply with Miami Dade Code Chapter 33, Article XL and Federal Aviation Regulations, Part 77 as currently in effect.

Additionally, the Owner, for itself, its successors, and assigns, covenants at all times hereafter, that it will not take any action, cause or allow any electronic, electromagnetic, smoke, vapor, fume, or light emissions, allow any obstruction to exist, or construct any structure on the Property which would conflict or interfere with or infringe the rights granted hereunder, including the full use and enjoyment of this Avigation Easement.

The Owner expressly agrees for itself, its successors, and assigns, to prevent any use of the Property described herein that would interfere with or adversely affect the operation or maintenance of KTEA, or otherwise constitute an airport hazard.

**3. Notice Requirements.**

A. The Owner shall include the following notice (the "Notice") in every contract for the initial sale of any dwelling unit within the Property:

THIS PROPERTY IS LOCATED IN CLOSE PROXIMITY TO THE KENDALL TAMIAMI EXECUTIVE AIRPORT ("KTEA"). SPECIFICALLY, PORTIONS OF THE PROPERTY ARE LOCATED WITHIN THE OUTER DISTRICT. AS SUCH, THE PROPERTY AND THE FUTURE RESIDENTS MAY EXPERIENCE FREQUENT AND DIRECT OVERFLIGHTS AT LOW ALTITUDES CREATING NOISE DURING DAYTIME AND NIGHTTIME HOURS.

THE UNDERSIGNED, ON BEHALF OF ITSELF AND ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, AGREES BY TAKING TITLE TO SAID PROPERTY, THAT THEY DO NOT OBJECT TO THE PRESENCE OF KTEA OR THE TWENTY-FOUR HOUR PER DAY OPERATION OF AIRCRAFT FROM ITS RUNWAYS AND TAXIWAYS, HOWEVER MANY AND IN WHATEVER CONFIGURATION THEY MAY BE, AND HEREBY WAIVES ANY RIGHT TO OBJECT TO OR CHALLENGE IN ANY FORUM THE CURRENT OR FUTURE 24 HOUR PER DAY OPERATION OF THE AIRPORT AND ANY IMPROVEMENTS THERETO, INCLUDING, WITHOUT LIMITATION, ALL EXISTING AND FUTURE RUNWAYS AND TAXIWAYS ON THE AIRPORT THE FUTURE EXPANSION OF THE RUNWAYS AT KTEA KNOWN AS RUNWAY 9 LEFT/27 RIGHT (9L/27R), RUNWAY 9 RIGHT/27

LEFT (9R/27L) RUNWAY 13/31 (13/31) AND ANY FUTURE ALTERATIONS, RE-ALIGNMENTS, OR RE-NUMBERING OF THE RUNWAYS AND TAXIWAYS DUE TO OPERATIONAL NEEDS OF THE AIRPORT OR MAGNETIC DEVIATIONS.

THE UNDERSIGNED, ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, ARE PROHIBITED FROM REQUESTING, SUPPORTING OR PARTICIPATING IN ANY EFFORT TO IMPOSE MANDATORY NOISE ABATEMENT PROCEDURES AT KTEA.

THIS COVENANT IS BINDING UPON ALL FUTURE OWNERS, LESSEES AND RESIDENTS HERE AND FOREVER THEREAFTER AND THAT NOTIFICATION OF SUCH IS REQUIRED PRIOR TO THE SALE OR LEASE OF THE PROPERTY.

B. The Owner shall cause every prospective, initial purchaser to acknowledge in writing receipt of the Notice, which acknowledgement may be included in the contract for sale and purchase for each dwelling unit or may be provided by separate instrument prior to or simultaneously with the execution of any such contract. The Notice shall also be prominently displayed in the sales office for the subdivision.

C. In addition to the restrictions and commitments contained in this Declaration, prior to the approval of a final plat for the Property, the Owner shall record a separate instrument in the Public Records of Miami-Dade County, which instrument shall run with title to the Property and be binding on the Owner's successors and assigns and shall provide the following restrictions:

THE PROPERTY IS LOCATED IN CLOSE PROXIMITY TO THE KENDALL TAMiami EXECUTIVE AIRPORT ("KTEA"). SPECIFICALLY, PORTIONS OF THE PROPERTY ARE LOCATED WITHIN THE OUTER DISTRICT. AS SUCH, THE PROPERTY AND THE FUTURE RESIDENTS MAY EXPERIENCE FREQUENT AND DIRECT OVERFLIGHTS AT LOW ALTITUDES CREATING NOISE DURING DAYTIME AND NIGHTTIME HOURS. FURTHER, THE OWNER, ON BEHALF OF ITSELF AND ITS SUCCESSORS AND ASSIGNS,

HEREBY WAIVES ANY OBJECTIONS TO ANY FUTURE EXPANSION OF THE RUNWAYS AT KTEA KNOWN AS RUNWAY 9 LEFT/27 RIGHT (9L/27R), RUNWAY 9 RIGHT/27 LEFT (9R/27L), RUNWAY 13/31 (13/31), AND ANY FUTURE ALTERATIONS, RE-ALIGNMENTS, OR RE-NUMBERING OF THE RUNWAYS AND TAXIWAYS DUE TO OPERATIONAL NEEDS OF THE AIRPORT OR MAGNETIC DEVIATIONS.

THE UNDERSIGNED, ON BEHALF OF ITSELF AND ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, AGREES BY TAKING TITLE TO SAID PROPERTY, THAT THEY DO NOT OBJECT TO THE PRESENCE OF KTEA OR THE TWENTY-FOUR HOUR PER DAY OPERATION OF AIRCRAFT FROM ITS RUNWAYS AND HEREBY WAIVES ANY RIGHT TO OBJECT TO OR CHALLENGE IN ANY FORUM THE CURRENT OR FUTURE 24 HOUR PER DAY OPERATION OF THE AIRPORT AND ANY IMPROVEMENTS THERETO, INCLUDING, WITHOUT LIMITATION, THE FUTURE EXPANSION OF THE RUNWAYS AT KTEA KNOWN AS RUNWAY 9 LEFT/27 RIGHT (9L/27R), RUNWAY 9 RIGHT/27 LEFT (9R/27L), RUNWAY 13/31 (13/31), AND ANY FUTURE ALTERATIONS, RE-ALIGNMENTS, OR RE-NUMBERING OF THE RUNWAYS AND TAXIWAYS DUE TO OPERATIONAL NEEDS OF THE AIRPORT OR MAGNETIC DEVIATIONS.

IT IS FURTHER AGREED THAT THE UNDERSIGNED, ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, WILL NEVER REQUEST, SUPPORT OR PARTICIPATE IN ANY EFFORT TO IMPOSE MANDATORY NOISE ABATEMENT PROCEDURES AT KTEA.

PURCHASER AGREES THAT THIS COVENANT IS ALSO BINDING UPON ALL FUTURE OWNERS, LESSEES AND RESIDENTS HERE AND FOREVER THEREAFTER AND THAT NOTIFICATION OF SUCH IS REQUIRED PRIOR TO THE SALE OR LEASE OF THE PROPERTY.

4. **Miscellaneous.**

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

the building and zoning regulations and the conditions herein agreed to are being complied with.

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

C. **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 fee simple owner(s) of the property covered by such modification, amendment or release, provided that the same is also approved by the Board of County Commissioners. Any such modification, amendment, or release shall be subject to the provisions governing amendments to comprehensive plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment, or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth

in Section 2-116.1 of the Code of Miami-Dade County, or successor regulation governing amendments to the CDMP. Notwithstanding anything in this paragraph, in the event that the Property is incorporated within a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration of Restrictions shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures.

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

E. **Authorization of Miami-Dade County (or successor municipal corporation) to Withhold Permits and Inspections.** In the event the terms of this Declaration of Restrictions are not being complied with, in addition to any other remedies available, the County (or any successor municipal corporation) is hereby authorized to withhold any further



permits, and refuse to make any inspections or grant any approvals, until such time as his Declaration of Restrictions is complied with.

F. **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.

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

H. **Covenant Running with the Land.** This Declaration of Restrictions shall constitute a covenant running with the land and shall be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the undersigned Owner and its successors and assigns unless and until the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, the then owner(s) of the Property and for the public welfare.

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



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

K. **Acceptance of Declaration.** Acceptance of this Declaration of Restrictions does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the County retains its full power and authority to, with respect to the Property, deny each such application in whole or in part and to decline to accept any conveyance.

L. **Owner.** The term "Owner" shall include the Owner and its successors and assigns.

**[Signature Page Follow]**

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**WITNESSES:**

Orbe Services, Inc.,  
a Florida Corporation

\_\_\_\_\_  
Signature

By: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

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

Title: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

STATE OF FLORIDA            )  
  ) SS  
COUNTY OF MIAMI-DADE    )

The foregoing instrument was acknowledged before me by \_\_\_\_\_, as of Orbe Services, Inc., a Florida corporation, and for the purposes stated herein on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_ as identification.

Witness my signature and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2018, in the County and State aforesaid.

My Commission Expires:

Notary Public

\_\_\_\_\_  
Printed Name

## EXHIBIT "A"

### LEGAL DESCRIPTION

#### **LEGAL DESCRIPTION:**

A portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc. Under File No. SD-136 A. J. and based on that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Dade County, Florida and being more particularly described as follows: Bounded on the East by the East line of said Section 20; Bounded on the North by the North line of said Section 20, based on a foresaid Agreed Final Judgement; Bounded on the West by the West line of the East 1/2 of the East 1/2 of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT"; and Bounded on the South by the North line of a 100.00 foot Right-of-Way for the Seaboard Airline Railroad, asbuilt and in place.

#### **LESS:**

That portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc. Under File No. SD-136 A. J. and based on that certain "AGREED FINAL JUDGMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Miami-Dade County, Florida, lying North of the Seaboard Airline Railroad Company Right-of-Way and more particularly described as follows:

Begin at the agreed Northwest corner of the East 1/2 of the East 1/2 of said Section 20; according to said Agreed Final Judgment; thence run N86°20'38"E along the North line of said East 1/2 of the East 1/2 of said Section 20, according to said Agreed Final Judgment, for a distance of 568.85 feet; thence run S02°27'12"E, for a distance of 583.43 feet to a point on the North Right-of-Way line of said Seaboard Airline Railroad; thence run S88°08'59"W along said North Right-of-Way line for a distance of 568.76 feet to a point on the agreed West line of the East 1/2 of the East 1/2 of said Section 20; thence N02°27'12"W along said agreed West line of the East 1/2 of the East 1/2 of said Section 20; according to said Agreed Final Judgment for a distance of 565.60 feet to the Point of Beginning.

#### **LESS (RIGHT-OF-WAY DEEDS):**

The East 45.00 feet of a portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc. Under File No. SD-136 A. J. and based on that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Dade County, Florida and being more particularly described as follows: Bounded on the East by the East line of said Section 20; Bounded on the South by the North line of a 100.00 foot Right-of-way for the Seaboard Airline Railroad, asbuilt and in place. Bounded on the West by a line 45.00 feet West of and parallel with the East line of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT"; and Bounded on the North by the North line of the East 1/2 of the East 1/2 of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT".

#### **LESS (RIGHT-OF-WAY DEEDS)**

##### **PARCEL 7**

A parcel of land being a portion of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast Corner of said Section 20; thence S86°20'39"W departing from the North Line of said Section 20, along the agreement line according to the Final Judgment recorded in Official Records Book 15074, at Page 1044, of the Public Records of Miami-Dade County, Florida, for 45.01 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence S86°20'39"W continuing along said agreement line for 810.10 feet to the Northeast corner of the real property described in Official Record Book 21635 Page 3911; thence S02°27'12"E for 40.01 feet; thence N86°20'39"E ALONG A LINE 40.00 feet south of and parallel with said agreement line for 784.61 feet to a point of curvature of a circular curve concave to the Southwest; thence Southeasterly along the arc of said curve to the right, having a radius of 25.00 feet through a central angle of 91°10'20" for an arc distance of 39.78 feet to a point of tangency with a line 45.00 feet westerly of and parallel with the East line of said Section 20; thence N02°29'01"W along said line parallel with the East line of said Section 20 for 65.53 feet to the POINT OF BEGINNING.

#57807786\_v1

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# **APPENDIX D**

## **Traffic Impact Study**

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# CDMP AMENDMENT TRAFFIC IMPACT STUDY

For

**Century Estates South  
Miami-Dade County, Florida**

*Prepared For:*

**Century Homebuilders Group, LLC  
1805 Ponce De Leon, Suite 100  
Coral Gables, FL 33134**

*Prepared By:*

**Langan Engineering & Environmental Services, Inc.  
15150 NW 79 Court  
Miami Lakes, FL 33016  
FL Certificate of Authorization No: 6601**



---

**Eric Schwarz, P.E., LEED AP  
Principal/Vice President**

26 January 2018

**Revised: 19 April 2018**

**330038001**

**LANGAN**

---

15150 N.W. 79th Court, Suite 200    Miami Lakes, FL 33016    T: 786.264.7200    F: 786.264.7201    [www.langan.com](http://www.langan.com)  
New Jersey • New York • Virginia • California • Pennsylvania • Connecticut • Florida • Abu Dhabi • Athens • Doha • Dubai • Istanbul

## **EXECUTIVE SUMMARY**

Langan was retained by Century Homebuilders Group, LLC to prepare a traffic-impact analysis for a proposed change to the Miami-Dade County Comprehensive Development Master Plan for the Century Estates South development. The property owner is requesting a change in the CDMP land-use designation for the development property from Industrial Office to Low-Density Residential to allow residential development. The site is at the southwest corner of SW 136<sup>th</sup> Street and SW 157<sup>th</sup> Avenue in unincorporated Miami-Dade County. This traffic analysis shows that the proposed change to the CDMP land-use designation will not increase the potential traffic impacts of the property or cause the adjacent roadways to exceed their adopted Levels of Service. The proposed development will be built by 2022.

Langan prepared trip-generation estimates for the site under the current and proposed land-use designations by using equations from the Institute of Transportation Engineers *Trip Generation Manual*, 9<sup>th</sup> Edition. The maximum development of 225,205 square feet of general light industrial can be built under the current land-use designation and is expected to generate the following trips: 1,580 daily, 176 morning peak-hour, and 165 afternoon peak hour. The proposed land-use designation will allow 62 single-family homes to be built and will generate 677 daily, 53 and 68 morning and afternoon peak-hour trips, respectively. The number of trips generated by the site will be reduced by the proposed change in the land-use designation.

We prepared a 2020 short-term traffic analysis using the county's traffic concurrency management system. We found that changing the land-use designation to Low Density Residential will not cause the nearest traffic stations on SW 137<sup>th</sup> Avenue to exceed their adopted LOS. We prepared long-term afternoon peak-hour roadway-capacity for the build-out year (2022) and found that the roadways in the vicinity of the project will operate within their adopted LOS. None of the roadways that will be impacted by the development will be significantly impacted, so we analyzed four major roadways (SW 136<sup>th</sup> Street and SW 137<sup>th</sup>, 157<sup>th</sup> Avenue and 162<sup>nd</sup> avenues). We found that the proposed land-use change will not cause these roads to exceed their adopted afternoon peak-hour capacities.



## **INTRODUCTION**

Langan was retained by Century Homebuilders Group, LLC to prepare a traffic-impact analysis for a proposed change to the Miami-Dade County Comprehensive Development Master Plan for Century Estates South (development). The property owner will submit an application to request a change in the CDMP land-use designation for the development property from Industrial and Office (IO) to Low-Density Residential (LDR) to allow residential development. The site is at the southwest corner of SW 136<sup>th</sup> Street and SW 157<sup>th</sup> Avenue in unincorporated Miami-Dade County. This traffic analysis shows that the proposed change to the CDMP land-use designation will reduce the potential traffic impacts of the property and not cause the adjacent roadways to exceed their adopted LOS.

### **Project Description**

The proposed development will comprise 62 single-family homes and will be constructed on 10.34 acres of vacant land. The folio number of the subject property is 30-5920-000-0060. **Appendix A** contains the report figures, and **Figure 1** shows the site location. The adopted capacity for roadways impacted by this proposed development is LOS D for county roadways and LOS E for state urban minor arterial roadways because the site is between the Urban Infill Area and Urban Development Boundary.

### **Study Area**

We conducted capacity analyses on the following roadways:

- SW 136<sup>th</sup> Street between SW 137<sup>th</sup> and SW 162<sup>nd</sup> avenues
- SW 157<sup>th</sup> Avenue between SW 136<sup>th</sup> and SW 152<sup>nd</sup> streets
- SW 137<sup>th</sup> Avenue between SW 120<sup>th</sup> and SW 152<sup>nd</sup> streets
- SW 162<sup>nd</sup> Avenue between SW 120<sup>th</sup> and SW 136<sup>th</sup> streets

An inventory of the physical road conditions is presented in the section "Roadway Characteristics."

## EXISTING CONDITIONS

We used afternoon peak-hour data from the Miami-Dade County traffic-concurrency database, FDOT traffic online database and collected two-way traffic volumes on two roadways adjacent to the site on a typical weekday for 24 hours to analyze roadways in the vicinity of the project. We conducted two-way afternoon peak-hour analysis of the roadways in the vicinity of the subject parcel and found that they operate at LOS D or better. Capacity analysis provides an indication of the adequacy of intersection and roadway facilities to serve traffic demand. The evaluation criteria used to analyze the study the intersections is based on the *2010 Highway Capacity Manual* published by the Transportation Research Board. We used FDOT generalized service volumes from the *2012 FDOT Quality/Level of Service Handbook* and the Miami-Dade Traffic Concurrency Database to determine LOS values. **Appendix B** contains the data used in the analysis.

**Table 1 - Existing Afternoon Peak-Hour Capacity Analysis Summary**

Roadway	From	To	Number of Lanes	LOS Capacity	Existing Volume	Existing LOS	Meets Capacity
SW 136 Street	SW 137 Avenue	SW 162 Avenue	4 LD	2,920	1,280	C	YES
SW 137 Avenue	SW 120 Street	SW 136 Street	6 LD	7,000	4,534	C	YES
SW 137 Avenue	SW 136 Street	SW 152 Street	6 LD	5,780	3,764	C	YES
SW 157 Avenue	SW 136 Street	SW 152 Street	4 LD	2,920	2,337	D	YES
SW 162 Avenue	SW 120 Street	SW 136 Street	4 LD	2,920	1,377	D	YES

\* Data Source: Adopted LOS and Capacity from FDOT 2012 Quality / LOS Handbook and Miami-Dade County Traffic Concurrency Database

## Roadway Characteristics

Langan performed field visits to determine the conditions of the study roadways.

- SW 157<sup>th</sup> Avenue is a four-lane, divided, north-south arterial county-maintained roadway with a 35 MPH posted speed limit. The intersection of SW 157<sup>th</sup> Avenue and SW 136<sup>th</sup> Street is signalized.
- SW 137<sup>th</sup> Avenue is a six-lane, divided, north-south arterial roadway maintained by the Florida Department of Transportation. SW 137<sup>th</sup> Avenue has a posted speed limit of 40 MPH and is designated as state road 825.
- SW 136<sup>th</sup> Street is a four-lane, undivided, east-west county-maintained arterial roadway with a 35 MPH posted speed limit. SW 136<sup>th</sup> Street transitions to a two-lane undivided roadway west of SW 162<sup>nd</sup> Avenue.

- SW 162<sup>nd</sup> Avenue is a four-lane, divided, north-south arterial county-maintained roadway with a 40 MPH posted speed limit.

### **Traffic Volumes**

There are no traffic concurrency count stations within a mile of the site. We collected traffic volumes on Wednesday, May 17, 2017, on the two closest major roadways, SW 157<sup>th</sup> Avenue and SW 136<sup>th</sup> Street, using automatic traffic recorders. The data was collected during peak season, according to the FDOT peak-season data, so a peak-season adjustment factor was not applied to the volume data. **Figure 3** illustrates the existing weekday afternoon peak-hour traffic volumes. Appendix B contains the traffic data and the FDOT seasonal factors.

### **Transit Service**

The two closest transit routes to the site are Route 137 and Route 252. Route 137 (West Dade Connection) provides service from Cutler Bay, Sweetwater and Doral and has stops along SW 137<sup>th</sup> Avenue between SW 8<sup>th</sup> and 160<sup>th</sup> streets. The closest stop for Route 137 is two miles from the site at the corner of SW 137<sup>th</sup> Avenue and SW 136<sup>th</sup> Street.

Route 252 (Coral Reef Max) services the Country Walk neighborhood, Richmond Heights and Palmetto Estates. Route 252 runs along the busway from the Dadeland South Metrorail Station and SW 152<sup>nd</sup> Street and runs along SW 152<sup>nd</sup> Street from the busway to SW 162<sup>nd</sup> Avenue. The closest stop for Route 252 is 1.2 miles from the site at the corner of SW 152<sup>nd</sup> Street and SW 155<sup>th</sup> Avenue. **Figure 2** shows the transit routes, and Appendix B contains copies of the transit route maps.

## FUTURE CONDITIONS

This section of the report covers background traffic growth, site-generated trips, trip distribution, and future traffic volumes. We developed future traffic volumes by applying a compounded growth rate to the existing volumes. Site-generated trips were added to the 2020 no-build traffic volumes to develop 2020 build traffic volumes. The development should be constructed by the end of 2022.

### Planned Roadway Improvements

We reviewed the Miami-Dade County Transportation Improvement Program (2017 to 2022) and 2040 Long Range Transportation Plan and found there are no proposed roadway improvements within the study area.

### Site-Generated Trips

The county requires a comparison between the maximum trip-generation potential of the current and proposed land-use designations to determine the traffic impacts of the proposed land-use change. The change from the current land-use designation (IO) to the proposed land-use designation (LDR) will reduce the number of vehicle trips the site can generate. We prepared daily, morning peak-hour and afternoon peak-hour vehicle trip estimates for the site using the trip-generation equations from the 9<sup>th</sup> Edition of Institute of Transportation Engineers *Trip Generation Manual*. **Table 2** summarizes the trip-generation estimates for the site for the current and proposed land-use designations, and **Appendix C** contains the trip generation analysis. We applied a floor-to-area ratio of 0.5 to the site acreage (10.34) to calculate a maximum allowable development of 225,205 square feet of light industrial uses under the current land-use designation. The LDR designation allows 6 units per acre; therefore, the maximum allowable development for the site under the proposed land-use designation is 62 dwelling units. We prepared short-term and long-term analysis using the trips generated by 62 single-family homes.

**Table 2 - Trip Generation Estimates**

Use	Size	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour		
			In	Out	Total	In	Out	Total
<b>Current Land Use Designation</b> General Light Industrial	225,205 SF	1,680	155	21	176	20	145	165
<b>Proposed Land Use Designation</b> Single Family Detached Housing	62 DU	677	13	40	53	43	25	68
<b>Decreased Trips Due to Proposed Land Use Change*</b>		-903	-142	19	-123	23	-120	-97

\*Proposed Designation less Current Designation (A negative value indicates a decrease in trips).

Although CDMP analysis requires a comparison between the maximum allowable development permitted within the current and proposed future land-use designations, we prepared trip generation analysis for a development program that the county approved for a zone change that allowed business (BU-1A) and industrial uses (IU-1) on the property. The approved site plan and restrictive covenant limiting the development of the property are included in **Appendix D**. The development program under the approved site plan would have generated the following net-new trips: 7,224 daily, 242 morning peak-hour, and 433 afternoon peak-hour. The number of trips generated under the approved site plan is significantly higher than the light industrial land use under the current land-use designation. We used the light industrial land use to compare the trip generation of the current and proposed land-use designations to provide a more conservative analysis.

**Trip Distribution**

We determined the directional distribution of site-generated trips based on the cardinal distribution data for TAZ 1291 from the Miami-Dade County 2040 Transportation Model included in Appendix B, and the development’s access to the surrounding roadway network. We interpolated the 2010 and 2040 values of the cardinal distribution to estimate 2022 percentages. **Table 3** shows the development’s traffic distributions based on the cardinal distribution. **Figure 4** shows afternoon peak-hour project-traffic distributions for each of the study roadways. To develop the project-traffic assignments shown in **Figure 5**, we applied the traffic distributions to the trips that will be generated by the proposed land-use designation.

**Table 3 - Cardinal Distribution**

Year	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW
2010	29.70%	30.60%	17.00%	11.20%	3.90%	1.10%	0.00%	6.60%
2040	26.80%	27.70%	19.70%	13.30%	5.40%	0.50%	0.00%	6.60%
2022	<b>28.54%</b>	<b>29.44%</b>	<b>18.08%</b>	<b>12.04%</b>	<b>4.50%</b>	<b>0.86%</b>	<b>0.00%</b>	<b>6.60%</b>

**Short-Term Traffic Analysis**

We prepared a traffic concurrency analysis (short-term) and found that the proposed land-use designation will not cause the LOS of the nearest county stations to exceed their adopted LOS capacities. The county requires a traffic concurrency analysis of the roadways adjacent to the site and roadways where traffic generated by the proposed land-use amendment application will have a significant impact. A roadway is significantly impacted where the trips assigned to a roadway are five percent or more of the roadways adopted LOS capacity.

We used a 0.50 percent annual growth-rate factor to develop future background volumes based on FDOT historical traffic volumes. The growth-rate factor was applied to the existing traffic volumes to develop 2020 and 2022 future-traffic volumes. We added development order trips from the county's traffic-concurrency database to account for approved but unbuilt developments. Appendix B contains the data used to calculate the growth rate. **Table 4** summarizes the results of the short-term afternoon peak-hour capacity analysis.

**Table 4 - Short Term 2020 (Concurrency) Afternoon Peak Hour Roadway Capacity Analysis Summary**

Count Station	Location	Facility Type	Adopted LOS	LOS Capacity	PHP Volume	2020 Volume	Development Order Trips	2020 Volume + D.O.'s	LOS without Project	Proposed Development		Total Volume With Project	Trips Remaining	LOS with Project	Meets Concurrency
										Project Assignment	Project Trips				
N/A**	SW 136 St e/o SW 157 Ave	4 LD	D	2,920	1,280	1,299	0	1,299	C	89%	61	1,360	1,560	D	YES
MD-9814*	SW 137 Ave s/o SW 120 St to SW 136 St	6 LD	E	7,000	4,354	4,442	193	4,635	D	59%	40	4,675	2,325	C	YES
MD-9816*	SW 137 Ave s/o SW 136 St to SW 152 St	6 LD	E	5,780	3,764	3,840	158	3,998	D	30%	20	4,018	1,762	C	YES
N/A**	SW 157 Ave s/o SW 136 St	4 LD	D	2,920	2,337	2,372	0	2,372	C	4%	3	2,375	545	D	YES
FDOT-8679***	SW 162 Ave s/o SW 120 St	4 LD	D	2,920	1,377	1,405	0	1,405	C	7%	5	1,410	1,510	D	YES

\* Data Source: Adopted LOS and Capacity from Miami-Dade County Traffic Concurrency Database

\*\* Data Source: Langan 24 hr bidirectional count

\*\*\* Data Source: FDOT Traffic Online and capacity from FDOT 2012 Quality / LOS Handbook

## Long-Term Analysis

We prepared long-term afternoon peak-hour roadway-capacity analysis for the build-out year (2022) and found that the roadways in the vicinity of the project will operate at LOS D or better. None of the roadways that will be impacted by the development will be significantly impacted so we analyzed the four roadways that are expected to be most-impacted by the proposed land use designation change. A roadway is significantly impacted where the trips assigned to a roadway are five percent or more of the roadways' adopted LOS capacity. **Table 5** summarizes the results of the significance analysis for the proposed designation and shows that none of the roadways will be significantly impacted. **Table 6** summarizes the results of the long-term 2022 afternoon peak-hour capacity analysis and shows that none of the roadways will exceed their adopted LOS.

**Table 5 - Roadway Significance Analysis Summary**

Roadway	From	To	Number of Lanes	LOS Capacity	Project Distribution	Project Traffic	Percent Impact	≥ 5% YES/NO
SW 136 Street	SW 137 Avenue	SW 162 Avenue	4 LD	2,920	89%	61	2.07%	NO
SW 137 Avenue	SW 120 Street	SW 136 Street	6 LD	7,000	59%	40	0.57%	NO
SW 137 Avenue	SW 136 Street	SW 152 Street	6 LD	5,780	30%	20	0.35%	NO
SW 157 Avenue	SW 136 Street	SW 152 Street	4 LD	2,920	4%	3	0.09%	NO
SW 162 Avenue	SW 120 Street	SW 136 Street	4 LD	2,920	7%	5	0.16%	NO

\* Data Sources: Adopted LOS and Capacity from FDOT 2012 Quality / LOS Handbook and Miami-Dade County Traffic Concurrency Database



**Table 6 - Long Term 2022 Afternoon Peak Hour Roadway Capacity Analysis Summary**

Roadway	From	To	Facility Type	LOS Capacity	PHP Volume	2022 Volume	D.O. Trips	2022 Volume + D.O.'s	LOS without Project	Proposed Designation		Project Significance	Total Volume With Project	LOS with Project	Operates with Adopted LOS
										Project Assignment	Project Trips				
SW 136 Street	SW 137 Avenue	SW 162 Avenue	4 LD	2,920	1,280	1,312	0	1,312	C	89%	61	2.07%	1,373	D	YES
SW 137 Avenue	SW 120 Street	SW 136 Street	6 LD	7,000	4,534	4,672	193	4,865	D	59%	40	0.57%	4,905	C	YES
SW 137 Avenue	SW 136 Street	SW 152 Street	6 LD	5,780	3,764	3,878	158	4,036	C	30%	20	0.35%	4,056	C	YES
SW 157 Avenue	SW 136 Street	SW 152 Street	4 LD	2,920	2,337	2,396	0	2,396	C	4%	3	0.09%	2,399	D	YES
SW 162 Avenue	SW 120 Street	SW 136 Street	4 LD	2,920	1,377	1,419	0	1,419	C	7%	5	0.16%	1,424	D	YES

## **CONCLUSIONS**

We analyzed the traffic impacts for the proposed future land-use amendment for the subject property located in the southwest corner of SW 136<sup>th</sup> Street and SW 157<sup>th</sup> Avenue. The proposed amendment will change the future land-use designation from "Industrial and Office" to "Low Density Residential" designation. We determined that the proposed change in designation will reduce the number of trips generated by the site.

We performed an afternoon peak hour analysis for the proposed development and determined it will meet traffic concurrency for 2020. The peak-hour traffic impacts of the proposed development will not significantly impact any of the major roadways in the area. We prepared a 2022 afternoon peak-hour analysis for four major roadways that are expected to be most impacted by the proposed development and found that they are expected to operate within their adopted LOS.

We conclude, based on the analysis described above, that the road network can accommodate traffic from the proposed land-use change.

# **APPENDIX E**

## **Economic Study**

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# Miami Economic Associates, Inc.

March 23, 2018

Mr. Jack Osterholt  
Director  
Department of Regulatory and Economic Resources  
Miami-Dade County  
Miami, Florida

**Re: Application to Amend the Miami-Dade County CDMP  
Orbe Property**

Dear Mr. Osterholt:

Miami Economic Associates, Inc. (MEAI) has analyzed the above-referenced application to amend the Miami-Dade County Comprehensive Development Master Plan (CDMP) in order to evaluate whether its request to re-designate a parcel of land in southwestern Miami-Dade County from Industrial and Office to Low Density Residential should be approved. The Subject Property, which is comprised of 10.34 acres, is located on the southwest corner of the intersection of SW 136<sup>th</sup> Street and SW 157<sup>th</sup> Avenue. The application states that approval of the proposed amendment would enable the development of 62 single-family units. However, MEAI's analysis assumed, based on information provided by the Applicant, that the Subject Property would be developed with 59 single-family detached units which would range in size between 2,452 and 4,313 square feet and sell for an average price approximating \$512,000.

The application states that the requested amendment would fully comply with Land Use Policy LU – 8E since its approval would:

- Help accommodate projected population growth while not adversely impacting future industrial development;
- Not violate the level of service standards for public services and facilities;

Mr. Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
Miami-Dade County  
March 23, 2018  
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- Would provide for development that would be compatible with abutting and nearby uses and would not degrade the character of the established neighborhood;
- Would not degrade any environmental or historical resources, features, or systems of county significance; and
- Could support transit ridership and pedestrianism as promoted by Land Use Policy LU – 7 if existing bus routes were extended from SW 152<sup>nd</sup> Street to SW 136<sup>th</sup> Street to provide service to the newly developed residential areas west of SW 157<sup>th</sup> Avenue by taking advantage of bus stops and bus pull out lands that can be accommodated within the Subject Property.

The application cites other Goals, Objectives and Policies of the CDMP with which the requested re-designation of use complies, notably including Land Use Policy LU - 1C, LU - 8F and HO – 3I. The appendix to this report provides the language contained in each of the enumerated citations.

The analysis that MEAI performed focused specifically on: 1) the extent to which a need exists to increase the existing amount of future residential capacity within the Urban Development Boundary (UDB); 2) the extent to which development of the Subject Property would constitute infill development; 3) whether the development of residential units on the Subject Property would be compatible with the existing nearby development; and 4) whether the re-designation of the Subject Property from industrial to residential use would have a significant adverse impact on the County's ability to accommodate future industrial growth. We also estimated the economic and fiscal benefits that development of the proposed residential units would generate.

### **Summary of Findings**

MEAI believes that the above-referenced application to amend the CDMP should be approved based on the following findings of our analysis:

#### Need for an Increased Supply of Housing

Land Use Policy LU-8F mandates that the UDB "should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after the adoption of the most recent Evaluation and Appraisal (EAR) report plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption)". The last EAR was adopted in 2011, which means a capacity that can accommodate population growth through 2026 is required. An analysis prepared by the Planning Division of the Miami-Dade County Regulatory and Economic Resources Department in February, 2018, indicates that the County has sufficient supply to accommodate projected population growth until 2029, or three years beyond the required date. However, the following points should be noted with respect to that analysis:

- It is based on population projections that were prepared in 2012 that now appear to have been overly conservative with respect to population growth. In

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this regard, the County's 2012 projections anticipated that the population of Miami-Dade County in 2015 would approximate 2,607,000 people. However, the Bureau of Business and Economic Research (BBER) at the University of Florida, the State's official source for demographic data, estimates that the population in 2015 approximated 2,654,000 people, or 47,000 more. Further, BBER's estimate of the County's population in 2017 --- 2,743,095 residents -- - exceeds the number of residents that the County projected in 2012 for 2020.

- The County is currently in the process of preparing a new EAR which will likely be adopted by the Board of County Commissioners either in late 2018 or early 2019. At that point, the County will need adequate capacity to accommodate population growth through 2033 or 2034. The current supply would be insufficient to comply with Land Use Policy LU – 8F once the new EAR is adopted.

#### Infill Development

Land Use Policy LU-1C states in part that Miami-Dade County "shall give priority to infill development on vacant sites in urbanized area," which the Subject Property clearly is. Development has already taken place immediately to its north where Kendall-Tamiami Executive Airport is located, to its east where a variety of industrial and commercial uses extend from SW 137<sup>th</sup> Avenue to just east of SW 157<sup>th</sup> Avenue and to the south where there exist established residential neighborhoods. Further, the development of multi-family residential units were approved in October 2017 for the vacant property on the southeast corner of the SW 136<sup>th</sup> Street and SW 157<sup>th</sup> Avenue and another residential project, Serenity, is currently underway on a site immediately to the west of the Subject Property. Accordingly, the Subject Property is an infill site.

#### Compatibility

Land Use Policy LU-8E (iii) states that a factor that should be considered when evaluating an amendment to change the County's land use map is the compatibility of the proposed use with abutting and nearby land uses. As discussed in the preceding paragraph, there are existing residential neighborhoods to the south of the Subject Property. Those neighborhoods extend eastward from SW 157<sup>th</sup> Avenue for a distance of approximately one mile and westward from SW 157<sup>th</sup> Avenue to a point beyond the western boundary of the Subject Property. At a hearing before the Board of County Commissioners in October, 2017 when the site on the southeast corner of the SW 136<sup>th</sup> Street/SW 157<sup>th</sup> Avenue intersection was re-designated for residential use, residents of those residential neighborhoods indicated that they strongly preferred that residential uses rather than industrial uses be developed along SW 136<sup>th</sup> Street. As also discussed in the preceding paragraph, a new residential community is currently being constructed immediately to the west of the Subject Property on SW 136<sup>th</sup> Street directly across the streets from Kendall-Tamiami Executive Airport. The fact that those units as well as the one proposed in the southeast corner of SW 157<sup>th</sup> Avenue were approved by Miami-Dade County

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demonstrates that mechanisms do exist to buffer residential uses from the noise emitted by the Airport.

#### Impact on the Supply of Industrial Land

The CDMP Land Use Element text on page I-39 provides that when "Industrial and Office" designated land in a MSA with less than a 15-year supply of industrial land is the subject of an application, approval of a non-industrial use will require that it be demonstrated that the re-designation will not adversely impact future industrial development. The Subject Property has been designated for industrial use since before the CDMP was initially adopted in 1986. However, the majority of the Subject Property has been zoned commercial (BU-1A) pursuant to Resolution No. CZAB11-32-07. Accordingly, no substantial depletion of industrial land would occur in this instance since a significant portion of it is already approved for non-industrial uses.

Two additional points should be noted:

- The Subject Property as well as several other vacant properties along the south side of SW 136<sup>th</sup> Street between SW 137<sup>th</sup> Avenue and SW 157<sup>th</sup> Avenue have been designated Industrial and Office since the CDMP was initially formulated in the 1980's. The fact that land is still vacant in the area reflects the fact that the area is not a competitive industrial location due to its poor access from the regional highway network and the distance between the area and Miami International Airport and the Port of Miami.
- Significant amounts of the property developed along SW 136<sup>th</sup> Street between SW 137<sup>th</sup> Avenue and SW 157<sup>th</sup> Avenue is not in industrial and warehousing uses. Among the uses along SW 136<sup>th</sup> Street are a major automobile dealership (basically a retail use), two hotel facilities and the parking lot and other facilities associated with a mega-church. The existing structures most proximate to the Subject Property are occupied by several restaurants, automobile repair businesses, insurance and real estate brokerages, engineering and other consulting firms, doctors' offices, an adult care center, a jewelry store specializing in buying and selling gold, a computer tech firm, a basketball training facility and a dance company and companies involved in renting and selling party supplies.

#### Economic and Fiscal Benefits

Development of the proposed residential units on the Subject Property will be economically and fiscally beneficial to Miami-Dade County as discussed below:

##### Economic Benefits

- The primary non-recurring economic benefit will be the employment that the project will generate during the period in which the proposed units are being



constructed. Information provided to MEAI by the Applicant estimates that development of the proposed units on the Subject Property will cost approximately \$14.56 million in terms of hard costs for site work, unit construction and project landscaping and amenities. With the assistance of the Minnesota IMPLAN Input-Output Model, MEAI estimates the amount spent on hard costs will support 267 jobs inclusive of 155 direct construction jobs on-site, 56 jobs in businesses related to the construction sector (indirect jobs) and 56 jobs in businesses across the economy in which the direct and indirect workers spend their earnings (induced jobs). The earnings of the direct, indirect and induced workers throughout the construction period will approximate \$12.9 million.

- When the proposed units have been fully constructed and are occupied, their residents will provide support to retail businesses and restaurants in the area where the units are located. Based on accepted mortgage underwriting standards, MEAI estimates that the households occupying the units will have an aggregate annual income approximating \$75.0 million in 2018 Dollars and they will spend \$15.0 million annually on retail goods and in restaurants. The preponderance of those expenditures will occur within MSA 6.2.

#### Fiscal Benefits

- Prior to the period in which the 59 proposed single-family units are being constructed, general building permit fees will need to be paid in accordance with Miami-Dade County's building permit fees schedule in the amount of \$56,025. Additional building permit fees will also need to be paid by the plumbing, electrical, structural, mechanical, roofing and swimming pool contractors. However, insufficient information is currently available to estimate the amount of these trade-related building permit fees. There is also insufficient information available to estimate the water and sewer connection fees that will need to be paid. Finally, impact fees for roads, police, fire and parks will need to be paid to Miami-Dade County in the total amount of \$715,938 while school impact fees will need to be paid to the Miami-Dade Public School District in the amount of \$167,436.
- Once construction of the proposed units is completed, ad valorem taxes will need to be paid on an annual recurring basis to the various funds of Miami-Dade County and the Miami-Dade County Public School District as well as to the Children's Trust in the amounts shown in the table below. For the purpose of this analysis, it is assumed that all 59 units will qualify for a Homestead Exemption. The taxes estimated assume a taxable value of \$27.25 million for the various funds enumerated in the table below with the exception of those of the School Board. The taxable value assumed for School Board ad valorem taxes was \$28.73 million.

Mr. Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
 Miami-Dade County  
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Jurisdiction	Rate/\$1000 Taxable Value	Taxes
<b>Miami-Dade County</b>		
General Fund	4.6669	\$ 127,173
Debt Service Fund	0.4000	\$ 10,900
Fire Fund	2.4207	\$ 65,964
Fire Debt Service Fund	0.0075	\$ 204
Library Fund	0.2840	\$ 7,739
UMSA Fund	1.9283	\$ 52,546
Total		\$ 270,926
<b>Miami-Dade County Public Schools</b>		
Operating	6.7740	\$ 194,617
Debt Service	0.2200	\$ 6,321
Total		\$ 200,938
<b>Children's Trust</b>	0.4673	\$ 12,734

Source: Miami-Dade County Property Appraiser; Miami Economic Associates, Inc.

With respect to the table above, the following points are noted:

- In the current fiscal year, Miami-Dade County collected less than \$265 in ad valorem taxes for all its funds on the Subject Property while the Public School District collected less than \$190. Those amounts reflect the fact that the Subject Property currently receives an agricultural exemption.
- The ad valorem tax amounts that the proposed residential units will generate are likely to be greater than the amount that would be generated if the property were to be developed with an industrial and/or commercial use at some point in the future consistent with its current zoning.
- Development of the proposed residential units will also generate non-ad valorem revenues for the County on an annual recurring basis, most notably in the form of utility taxes and franchise fees and water and sewer service fees. Residential use generally generates greater revenues of these types than industrial and/or commercial use.

In summary, MEAI firmly believes that adoption of the above-referenced amendment to the CDMP to re-designate the Subject Property for Low Density Residential use is in the best interest of Miami-Dade County, hence merited.

Sincerely,  
 Miami Economic Associates, Inc.



Andrew Dolkart  
 President

Mr. Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
Miami-Dade County  
March 23, 2018  
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### **Appendix Relevant CDMP Citations**

**Land Use Policy LU – 1C:** Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized area, and redevelopment of substandard or underdeveloped environmentally suitable urban area contiguous to existing urban development where all the necessary urban services and facilities are projected to have capacity to accommodate additional demand.

**Land Use Policy LU – 8F (Partial):** The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide residential demand for a period for a period of 10 years after the adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption).

**Housing Policy HO – 3I:** Encourage the development of residential housing units through infill and expansion of redevelopment opportunities in urbanized areas with existing infrastructure.

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# **APPENDIX F**

## **Fiscal Impact Analysis**

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## **Fiscal Impacts On Infrastructure and Services**

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Expedited Application No. CDMP20180005 to amend the CDMP provided by County departments and agencies responsible for supplying and maintaining infrastructure and services relevant to the CDMP. The evaluation estimates the incremental and cumulative costs of the required infrastructure and service, and the extent to which the costs will be borne by the property owner(s) or will require general taxpayer support and includes an estimate of that support.

The agencies use various methodologies for their calculations. The agencies rely on a variety of sources for revenue, such as, property taxes, impact fees, connection fees, user fees, gas taxes, taxing districts, general fund contribution, federal and state grants, federal funds, etc. Certain variables, such as property use, location, number of dwelling units, and type of units were considered by the service agencies in developing their cost estimates.

### **Solid Waste Services**

The adopted level of service standard (LOS) for the County Waste Management System is as follows: to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five (5) years. As of FY 2017-18, the DSWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the applications reviewed here, which are not anticipated to have a negative impact on disposal service.

#### Residential Collection and Disposal Service

Should the requested amendment be adopted and the project constructed, the current collection fee would cover all associated costs for residential units constructed at the site. Therefore, the DSWM has no objection to the proposed changes.

#### Fiscal Impact – Waste Disposal Capacity and Service

The cost of providing disposal capacity for WCSA customers, municipalities and private haulers is paid for by System users. In FY 2017-18, the DSWM charges a contract disposal rate of \$61.01 per ton to DSWM Collections and those private haulers and municipalities with long-term disposal agreements. The short-term disposal rate is \$89.38 per ton in FY 2017-18.

These rates adjust annually with the Consumer Price Index, South Region. In addition, the DSWM charges a Disposal Facility Fee to private haulers equal to 15 percent of their annual gross receipts, which is used to ensure availability of disposal capacity in the System. Landfill closure, remediation and long-term care are funded by a portion of the Utility Service Fee charged to all customers of the County's Water and Sewer Department.

### **Water and Sewer**

The Miami-Dade County Water and Sewer Department (WASD) provides for the majority of water and sewer service needs throughout the county. The cost estimates provided herein are

preliminary and final project costs will vary from these estimates. The final costs for the project and resulting feasibility will depend on the actual labor and materials costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. The water impact fee was calculated at a rate of \$1.39 per gallon per day (gpd), and the sewer impact fee was calculated at a rate of \$5.60 per gpd. The annual operations and maintenance cost was based on \$1.41 per 1,000 gallons for water and \$2.06 per 1,000 gallons for sewer.

The applicant requests to redesignate a ±10.34 gross acre parcel to "Low Density Residential (2.5 to 6 DU/Ac.)" that would allow the application site to be developed with a maximum of 62 residential units. If the site is developed at maximum development, the water connection charge is estimated at \$15,512; the water service line and meter connection fees would cost \$1,300; the sewer connection charges are estimated at \$62,469; and the annual operating and maintenance costs would total \$14,156. In addition, the estimated cost of installing the required 1,525 linear feet of 16-inch water main to connect the proposed development to the County's regional water system is estimated at \$680,150. The estimated cost of installing the required 3,000 linear feet of 8-inch water main is estimated at \$975,000. Furthermore, the estimated cost of installing the required 3,000 linear feet of 8-inch gravity sewer main is estimated at \$891,000. The total potential cost for connecting the proposed development to the regional water and sewer system including an engineering fee of 13% plus all other WASD add-ons incorporated into the fee is estimated at \$2,546,150.

### **Drainage and Flood Protection**

The Miami-Dade County Division of Environmental and Resources Management (DERM) is responsible for the enforcement of current stormwater management and disposal regulations. These regulations require that all new development provide full on-site retention of the stormwater runoff generated by the development. The drainage systems serving new developments are not allowed to impact existing or proposed public stormwater disposal systems, or to impact adjacent properties. The County is not responsible for providing flood protection to private properties, although it is the County's responsibility to ensure and verify that said protection has been incorporated in the plans for each proposed development. The above noted determinations are predicated upon the provisions of Chapter 46, Section 4611.1 of the South Florida Building Code; Section 24-58.3(G) of the Code of Miami-Dade County, Florida; Chapter 40E-40 Florida Administrative Code, Basis of Review South Florida Water Management District (SFWMD); and Section D4 Part 2 of the Public Works Manual of Miami-Dade County. All these legal provisions emphasize the requirement for full on-site retention of stormwater as a post development condition for all proposed commercial, industrial, and residential subdivisions.

Additionally, DERM staff notes that new development, within the urbanized area of the County, is assessed a stormwater utility fee. This fee commensurate with the percentage of impervious area of each parcel of land, and is assessed pursuant to the requirements of Section 24-61, Article IV, of the Code of Miami-Dade County. Finally, according to the same Code Section, the proceedings may only be utilized for the maintenance and improvement of public storm drainage systems.

Based upon the above noted considerations, it is the opinion of DERM that Ordinance No. 01-163 will not change, reverse, or affect these factual requirements.



### **Public Schools**

The proposed amendment, if approved and the site developed with residences, could result in 50 additional students. The average cost for K-12 grade students amounts to \$9,337 per student. Of the 22 students, 9 will attend elementary schools, 6 will attend middle schools students and 7 will attend senior high schools. The total annual operating cost for additional students residing in this development, if approved, would total \$205,414. In the event that there is not sufficient capacity at the time of final subdivision, site plan or functional equivalent, the ILA and the Educational element of the CDMP describe a proportionate share mitigation process.

### **Fire Rescue**

The current CDMP designation of “Low Density Residential” will allow a potential development which will generate 35 annual alarms. The proposed CDMP designation of “Low Density Residential” will allow a proposed potential development which is anticipated to generate 17 annual alarms, less than the projected alarms that could be generated by the current industrial designation. The 17 annual alarms will result in a moderate to severe impact to existing fire rescue service. Under normal circumstances, 17 annual alarms would not have a severe impact on existing fire service. However, this area has experienced a rise in residential and retail developments prompting the need for additional fire and medical service.

Although existing fire stations can respond to fire and medical emergencies in the area, in an effort to improve response time and conform to the performance objective of national industry, Miami-Dade Fire Rescue (MDFR) is searching for a parcel of land along Eureka Drive (SW 184 Street) between SW 147<sup>th</sup> and 157<sup>th</sup> Avenue for the construction of planned Eureka Fire Station No. 71. Negotiations are currently underway between MDFR and a private land owner for a parcel of land along Eureka at approximately SW 152 Avenue. Due to land purchase negotiations including the design, permitting and construction process, completion of Station No. 71 is undetermined at this time.

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# **APPENDIX G**

## **Photos of Site and Surroundings**

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Northwest boundary of Application site from SW 136 Street facing residential . development to the south.



Residential development abutting the Application site to the west.



CSX railroad corridor abutting the Application site to the south, facing the airport to the north.



Vacant parcel adjacent to the Application site on the east, across SW 157 Avenue.