MEMORANDUM

Not On
Agenda Item No. 4(DD)

TO:	Honorable Chairperson Barbara Carey-Shuler, Ed. D. and Members, Board of County Commissioners	**DATE:**	March 16, 2004
FROM:	George M. Burgess County Manager	**SUBJECT:**	Resolution Accepting the Finding of Necessity Study for the 7th Avenue Corridor and Approving the Preparation of a Redevelopment Plan

RECOMMENDATION

It is recommended that the Board of County Commissioners accept the Finding of Necessity study, to declare that an area of approximately 112 acres (0.4 square mile strip) along the 7th Avenue Corridor meets the criteria for establishing a Community Redevelopment Area pursuant to Chapter 163, Part III, Florida Statutes. Such area is referred to as the Redevelopment Area and is generally bounded on the North by NW 119 Street, on the South by NW 79th Street, on the East by I-95 and on the West by NW 7th Avenue, in unincorporated Miami-Dade County.

It is also recommended that the Board authorize the competitive selection of a consultant in accordance with provisions of Administrative Order 3-38, to prepare a Community Redevelopment Plan for the geographic area of Miami-Dade County, Florida known as the 7th Avenue Corridor Community Redevelopment Area, and approve the use of the County's Unincorporated Municipal Service Area non-departmental allocation for management consulting services for the preparation of the redevelopment plan. It is recommended that the Redevelopment Plan examine funding mechanisms that could be used as alternatives to, or in conjunction with tax-increment financing as a vehicle to fund the redevelopment.

BACKGROUND

In 1969, the Florida Legislature enacted the Community Redevelopment Act of 1969, as it is presently contained in Part III of Chapter 163, Florida Statutes, as amended (the "Act"). The Act authorizes counties and municipalities in the State of Florida to create Community Redevelopment Agencies, to prepare redevelopment plans for certain defined areas within their boundaries designed as community development areas, within which community redevelopment projects may be undertaken to eliminate and prevent the development and spread of slum and blighted areas through the use of creative financing mechanisms. The Act also authorizes the County to delegate redevelopment powers at the discretion of the County, after a finding has been made determining that slum or blight exists within a defined area:

In order to implement the Act, the County must adopt a resolution finding that:

1. One or more slum or blighted areas exists within the proposed Redevelopment Area; and
2. That rehabilitation, conservation, or redevelopment, or a combination thereof, of the redevelopment Area is necessary in the interest of the public health, safety, morals or welfare of the residents of the County.

/

On May 5, 2003, the Board of County Commissioners directed the County Manager (Resolution No. R-524-03) to prepare a Finding of Necessity study for the 7th Avenue Corridor area as required by the Community Redevelopment Act of 1969. On October 30, 2003 Miami-Dade County Procurement Department issued a contract to Strategic Development Initiatives, Inc. (SDI) to prepare the aforementioned study. The study was submitted to OCED in November, 2003.

The study (see Exhibit A) examined conditions in the proposed Redevelopment Area and concluded that there exists slum and blight in the form of the following factors:

- Economic Disuse-Page 14
- General Conditions for CRA Eligibility-Page 16 thru 21
- Crime-Page 22 thru 26
- Socioeconomic Characteristics-Pages 27 thru 29

The Tax Increment Financing Coordinating Committee has reviewed the Finding of Necessity report and concurred with the finding of slum and blight. The TIFC Committee further recommended that prior to the creation of the CRA, a consultant be engaged to prepare a Redevelopment Plan and that the Redevelopment Plan include financing needs and financing mechanisms could be used as an alternative to, or in conjunction with Tax Increment Financing.

Assistant County Manager

attachment

MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners

DATE: March 16, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Not On Agenda Item No. 4(DD)

Please note any items checked.

✓ **"4-Day Rule" ("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**

____ **Bid waiver requiring County Manager's written recommendation**

____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

____ **Housekeeping item (no policy decision required)**

____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Not On
Agenda Item No. 4(DD)
3-16-04

RESOLUTION NO. _____

RESOLUTION DECLARING CERTAIN GEOGRAPHIC AREA OF MIAMI-DADE COUNTY, FLORIDA KNOWN AS THE 7TH AVENUE CORRIDOR AND DESCRIBED AS A PORTION OF MIAMI-DADE COUNTY, FLORIDA, BOUNDED ON THE EAST BY INTERSTATE 95 (I-95), BOUNDED ON THE SOUTH BY THE CITY OF MIAMI, BOUNDED ON THE WEST BY THE WESTERNMOST PROPERTY LINES OF ALL THOSE PARCELS OF LAND THAT ABUT THE WESTERLY RIGHT-OF-WAY LINE OF NW 7TH AVENUE FROM THE CITY OF MIAMI TO NW 119TH STREET, AND BOUNDED ON THE NORTH BY NW 119TH STREET TO BE A SLUM OR BLIGHTED AREA; DECLARING THAT REHABILITATION, CONSERVATION OR REDEVELOPMENT, OR COMBINATION OF EACH, OF AREA IS NECESSARY IN INTEREST OF PUBLIC HEALTH, SAFETY, MORALS OR WELFARE OF RESIDENTS OF MIAMI-DADE COUNTY, FLORIDA; DIRECTING THE COUNTY MANAGER TO COMPETITIVELY SELECT A CONSULTANT IN ACCORDANCE WITH PROVISIONS OF ADMINISTRATIVE ORDER 3-38, TO PREPARE A COMMUNITY REDEVELOPMENT PLAN FOR THE 7TH AVENUE CORRIDOR COMMUNITY REDEVELOPMENT AREA; REQUIRING THAT COMMUNITY REDEVELOPMENT PLAN INCLUDE ALTERNATIVE FUNDING MECHANISMS TO TAX INCREMENT FINANCING TO FUND REDEVELOPMENT COSTS; AND APPROVING EXPENDITURE OF FUNDS IN COUNTY'S UNINCORPORATED MUNICIPAL SERVICE AREA NON-DEPARTMENTAL ALLOCATION FOR MANAGEMENT CONSULTING SERVICES FUND FOR PREPARATION OF COMMUNITY REDEVELOPMENT PLAN

WHEREAS, on May 5, 2003 the Board of County Commissioners of Miami-Dade County, Florida (the "Board") adopted Resolution No. R-524-03 which resolution directed the County Manager to prepare a finding of necessity study for the 7th Avenue Corridor area, such geographic area being more particularly described in the attached Exhibit A and incorporated in this Resolution this reference (the "7th Avenue Corridor Community Redevelopment Area"); and

WHEREAS, Miami-Dade County, Florida (the "County") retained Strategic Development Initiatives, Inc. to prepare a finding of necessity study with respect to the 7th Avenue Corridor Community Redevelopment Area, which finding of necessity for the 7th Avenue Corridor Community Redevelopment Area, dated November 2003, is attached as Exhibit B to this resolution and is incorporated in this Resolution by this reference (the "Finding of Necessity Report"); and

WHEREAS, the Board concurs with the Finding of Necessity Report and finds that one or more slum or blighted areas, as defined in Chapter 163, Part III , Florida Statutes ("Act"), exist in the 7th Avenue Corridor Community Redevelopment Area; and

WHEREAS, the Board finds that the rehabilitation, conservation, or redevelopment, or a combination of each, of the 7th Avenue Corridor Community Redevelopment Area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the County; and

WHEREAS, the Board finds that there is a need for preparation of a Community Redevelopment Plan for the 7th Avenue Corridor Community Redevelopment Area; and

WHEREAS, the Board desires to authorize the County Manager to select a consultant to prepare a Community Redevelopment Plan for the 7th Avenue Corridor Community Redevelopment Area (the "Plan"); and

WHEREAS, the Board desires to require the consultant to prepare the Plan in accordance with the Act in the event the County elects to establish a community redevelopment agency and to include any other funding mechanisms as an alternative to the use of tax increment financing to pay the redevelopment costs; and

WHEREAS, the Board desires to approve the expenditure of monies on deposit in the County's "Unincorporated Municipal Service Area non-departmental allocation for management consulting services fund" to pay the cost of preparing the redevelopment plan,

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

Section 1. The foregoing recitations are deemed true and correct and are incorporated as part of this resolution.

Section 2. The Board accepts results in the Finding of Necessity attached as Exhibit A that slum or blight exists in the 7th Avenue Corridor Community Redevelopment Area that is more fully described in Exhibit B.

Section 3. The rehabilitation, conservation or redevelopment, or a combination of each , of the 7th Avenue Corridor Community Redevelopment Area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the 7th Avenue Corridor Community Redevelopment Area and of the County.

Section 4. The Board finds that there is a need for the preparation of a community redevelopment plan to evaluate the mechanisms and methods available to remedy the slum or blight in the 7th Avenue Corridor Community Redevelopment Area.

Section 5. The Board authorizes the County Manager to competitively select a consultant to prepare a community redevelopment plan for the 7th Avenue Corridor Community Redevelopment Area ("the Plan") that requires the consultant to prepare the Plan in accordance with the Act in the event the County elects to establish a community redevelopment agency once

the Plan is complete and to include any other funding mechanisms as an alternative to the use of tax increment financing to pay the redevelopment costs.

Section 6. The Board approves the expenditure of monies on deposit in the County's "Unincorporated Municipal Service Area non-departmental allocation for management consulting services Fund" to pay the cost of preparing the redevelopment plan.

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

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of March, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI - DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as to form and legal sufficiency. _____
Gerald T. Heffernan

By:_____
Deputy Clerk

EXHIBIT A

NW 7th Avenue Community Redevelopment Area

Legal Description

A portion of Miami-Dade County Florida, bounded on the East by Interstate 95 (I-95); bounded on the South by the City of Miami; bounded on the West by the Westernmost property lines of all those parcels of land that abut the Westerly right-of-way line of NW 7th Avenue from the City of Miami to NW 119th Street; and bounded on the North by NW 119th Street; said portion being more particularly described in six parts as follows:

That part of said Section 36, Township 52 South, Range 41 East, lying Westerly of the Limited Access Right-of-Way of I-95;

-AND-

That part of said Section 1, Township 53 South, Range 41 East, lying Westerly of the Limited Access Right-of-Way of I-95;

-AND-

That part of the Northwest 1/4 of said Section 12, Township 53 South, Range 41 East, lying West of the Limited Access Right-of-Way of I-95 and lying North of the City of Miami municipal boundary as shown on the plat of FRANCINE HEIGHTS FIRST ADDITION recorded in Plat Book 90 at Page 86 of the Public Records of Miami-Dade County, Florida;

-AND-

That part of NW 7th Avenue lying in Section 35, Township 52 South, Range 41 East, together with all those parcels of land immediately abutting said NW 7th Avenue in said Section 35;

-AND-

That part of NW 7th Avenue lying in Section 2, Township 53 South, Range 41 East, together with all those parcels of land immediately abutting said NW 7th Avenue in said Section 2;

-AND-

That part of NW 7th Avenue in the Northeast 1/4 of said Section 11, Township 53 South, Range 41 East, lying North of the City of Miami municipal boundary as shown on the aforementioned plat of FRANCINE HEIGHT FIRST ADDITION, together with all those parcels of land immediately abutting said NW 7th Avenue in said Northeast 1/4 of said Section 11 that lie North of the North line of Lot 3, Block 2 of the AMENDED PLAT OF HOMECREST recorded in Plat Book 9 at Page 84 of the Public Records of Miami-Dade County, Florida.

MIAMI-DADE COUNTY
7TH AVENUE CORRIDOR
FINDING OF NECESSITY

NOVEMBER 2003

Prepared for Miami-Dade County by
Don DeLaney
SDI, Inc.

9

FINDING OF NECESSITY
MIAMI-DADE COUNTY
7TH AVENUE CORRIDOR
COMMUNITY REDEVELOPMENT AREA

November 2003

ACKNOWLEDGEMENTS

MIAMI-DADE COUNTY
BOARD OF COMMISSIONERS

District 1	Betty T. Ferguson
District 2	Dorrin D. Rolle
District 3	Barbara Carey-Shuler, Ed.D. CHAIRPERSON
District 4	Sally A. Heyman
District 5	Bruno A. Barreiro
District 6	Rebeca Sosa
District 7	Jimmy L. Morales
District 8	Katy Sorenson VICE CHAIRPERSON
District 9	Dennis C. Moss
District 10	Javier D. Souto
District 11	Joe A. Martinez
District 12	Jose "Pepe" Diaz
District 13	Natacha Seijas

PREPARED BY: Don DeLaney, President
Strategic Development Initiatives, Inc.

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- Deterioration of Site or Other Improvements
- Inadequate and Outdated Building Density Patterns
- Residential and Commercial Vacancy Rates

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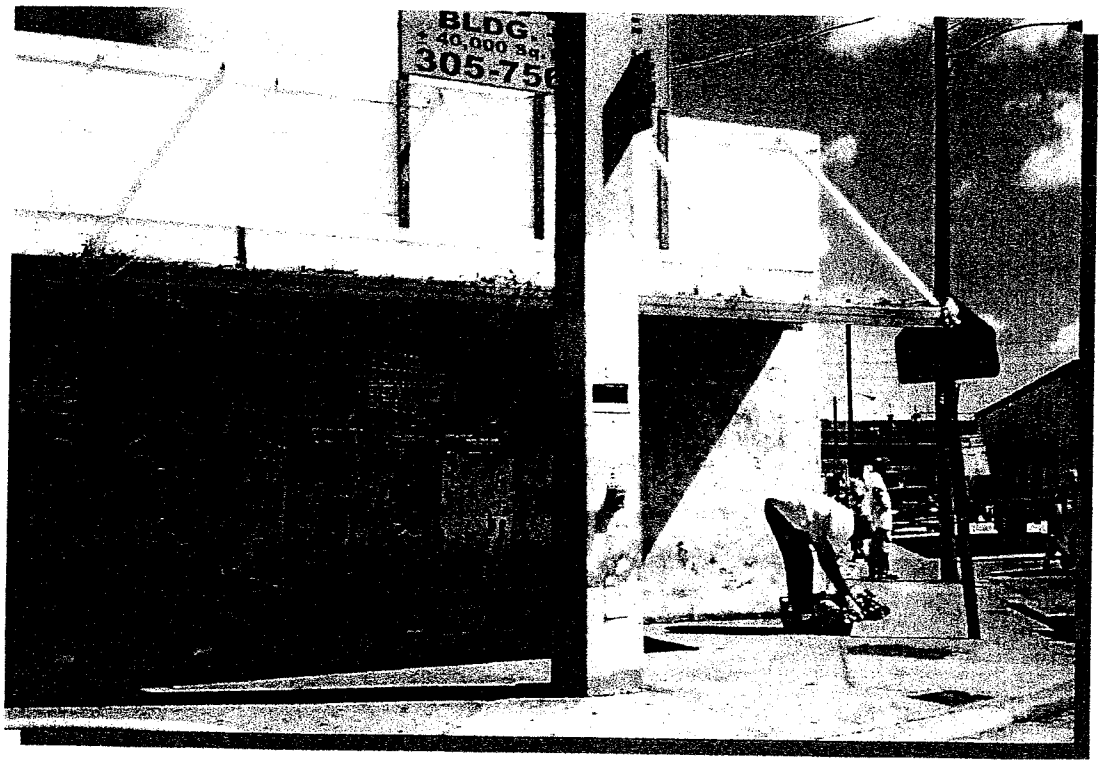
SECTION 1:

EXECUTIVE SUMMARY

This Finding of Necessity study for the proposed 7th Avenue Corridor Community Redevelopment Area was conducted in October and November 2003 in accordance with Chapter 163 Part III, *Florida Statutes*. The study finds the existence of deterrents to sound future growth and development as defined in Chapter 163.355 F.S.. The approximately 0.4 square mile strip runs along NW 7th Avenue between NW 79th Street and NW 119th Street in unincorporated Miami-Dade County. Although the area is primarily commercial, the corridor fronts a residential area that is greatly affected by the slum and blight conditions existing in this deteriorating commercial corridor.

Below is a photograph that was taken during field research. **The location is the corner of NW 7th Avenue and NW 79th Street and represents an area of Miami-Dade County that is struggling to survive.**



A "slum area" as defined in Chapter 163.340 F.S. means an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements which are impaired by dilapidation, deterioration, age, or obsolescence and exhibiting one of more of the following factors:

(a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;

(b) High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or

(c) The existence of conditions that endanger life or property by fire or other causes.

The statute defines a "blighted area" as an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:

(a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;

(b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

(d) Unsanitary or unsafe conditions;

(e) Deterioration of site or other improvements;

(f) Inadequate and outdated building density patterns;

(g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;

(h) Tax or special assessment delinquency exceeding the fair value of the land;

(i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;

(j) Incidence of crime in the area higher than in the remainder of the county or municipality;

(k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;

(l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;

(m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or

(n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

The study focused primarily on the following conditions:

Economic Disuse:

Comparison between the County and the proposed redevelopment area of Aggregate Assessed Values of Real Property for a five-year period.

General Conditions Required for CRA Eligibility:

Faulty Lot Layout
Unsanitary or Unsafe Conditions
Deterioration of Site or Other Improvements
Inadequate and Outdated Building Density Patterns
Commercial Vacancy Rates

Crime: Incidence of Crime

The subject underutilized commercial strip shows numerous indicators of slum and blight conditions that contribute to the economic decline of an area. The visual signs include run-down and boarded-up commercial buildings, several vacant buildings with "for lease" signs posted, high fences with barbed wire across the top used to deter crime, trash accumulation, and structural dilapidation and disrepair. Police calls are far higher than the rate countywide. The tax delinquency rate in 2002 was 14% within the 7th Avenue Corridor area while the tax delinquency rate countywide was less than 6%.

As much as the visual indicators depict a community in need of redevelopment, these statistics tell us about the lives of the people who live in the surrounding community and present a compelling justification for creating a Community Redevelopment Area and a Tax-Increment Mechanism to stimulate the positive economic growth of the area.

The 7th Avenue Corridor runs along the edge of five census tracts. The proposed CRA area itself has only a population of approximately 198 people. However, the population living within these five census tracts would benefit from job creation and other economic tools created by the CRA. To demonstrate the impact redevelopment could have on the surrounding area the five census tracts were included. The 2000 census data reveals a **poverty level of 31.16 percent compared to 18% for Miami-Dade County as a whole**. The per capita income within the subject area is approximately $7,000 lower than the countywide number of $18,500. The unemployment rate in the subject area is 12.70 percent while the rest of the County was almost a third lower according to the 2000 U. S. Census.

The area's proximity to Interstate 95 contributes to its potential for commercial development. A portion of the corridor is currently being utilized by automobile dealerships on a relatively small scale; however, the automotive area is flanked by a

deteriorating commercial district on either side. The subject area exhibits unsafe and unsanitary conditions that are injurious to the public health, safety, morals, and welfare of residents. The dilapidated and vacant buildings coupled with a high tax delinquency rate further burdens County resources due to a decreased tax base and reduced tax revenues.

Based upon the findings of this study, the 7th Avenue Corridor is clearly in need of specific actions to reverse the trend of economic and socioeconomic decline. The characteristics and indicators of slum and blighted conditions documented in this finding far exceed the standards established in the governing statute for a defensible finding of necessity. This warrants the creation of a community redevelopment agency with the powers and funding mechanisms established under Chapter 163, Part III, F. S.

SECTION 2: MAPS AND LEGAL DESCRIPTION

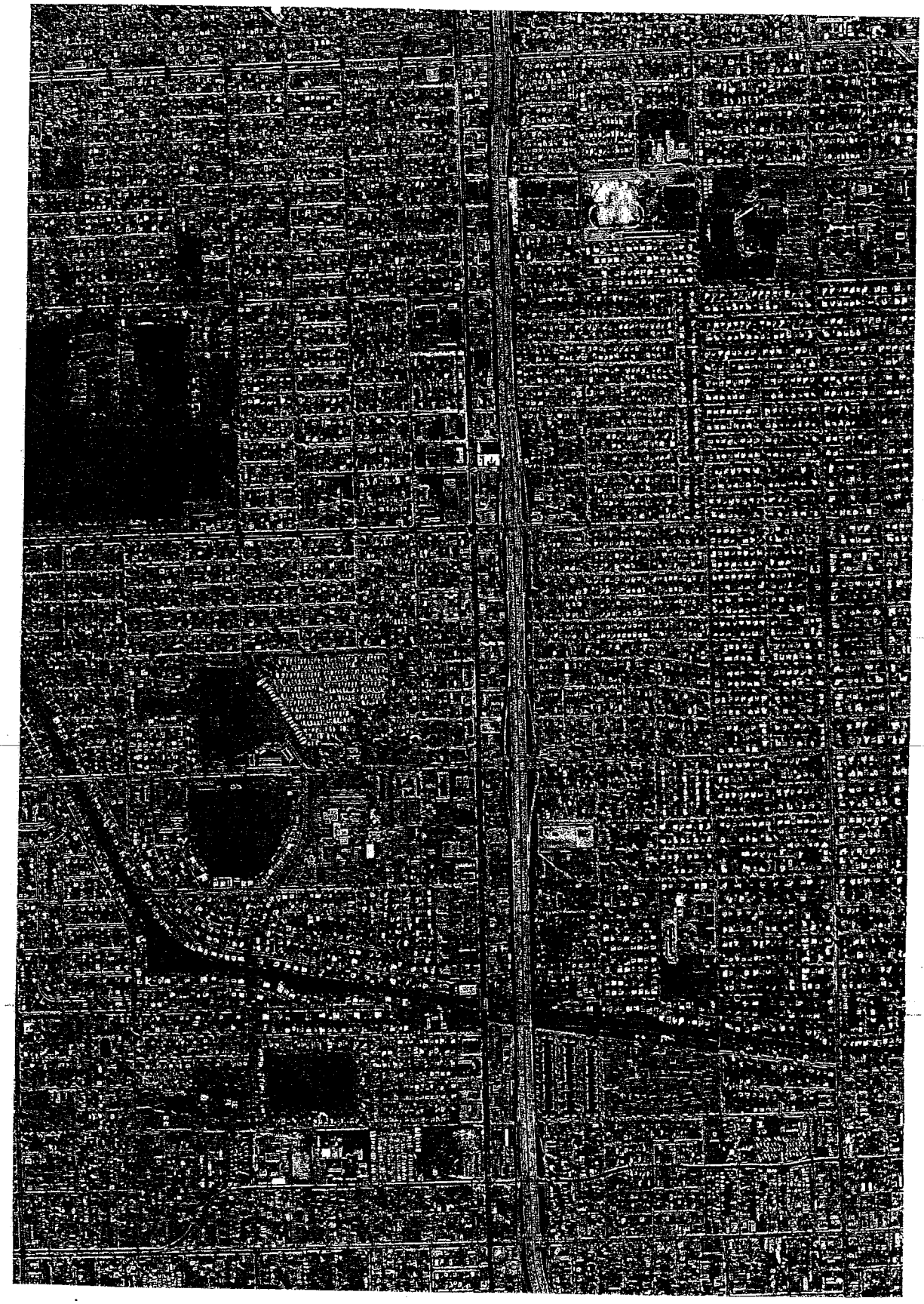
1.MAP OF 7TH AVENUE CORRIDOR COMMUNITY REDEVELOPMENT AREA

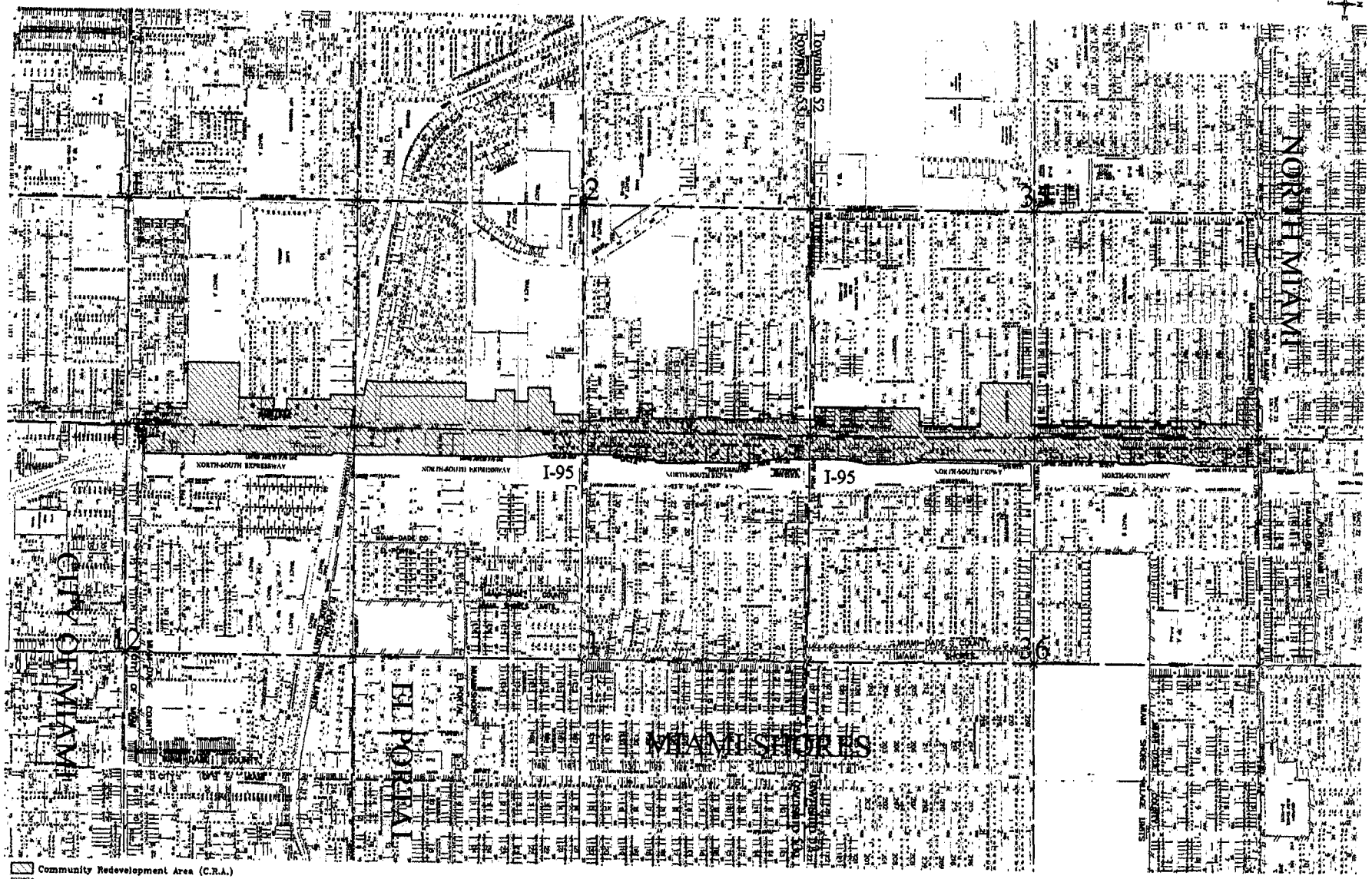
2. MAP OF MIAMI DADE COUNTY

3. SECTION OF LAND USE MAP SHOWING THE 7TH AVENUE CORRIDOR CRA AREA (AND LEGEND)

(SEE FOLLOWING PAGES)

7th Avenue Corridor





Community Redevelopment Area (C.R.A.)
Municipalities

NOT A SURVEY

C.R.A. MAP	MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION	MIAMI-DADE	PRELIM W. Sutton 11-13-03	SUBMITTED BY DATE	NW 7th AVENUE COMMUNITY REDEVELOPMENT AREA	MAPS PREPARED BY MIAMI-DADE COUNTY RIGHT OF WAY DIVISION	FIELD BOOK NO.'S N/A
			FINAL	APPROVED BY DATE	NW 79th St. to NW 119th St.	Based on Miami-Dade County GIS	SCALE: 1" = 500'
			CHECKED			PROJECT	SHEET 1 OF 1

Plot w/o C:\Projects\Tow Rndm\R02.dwg 11-10-2003

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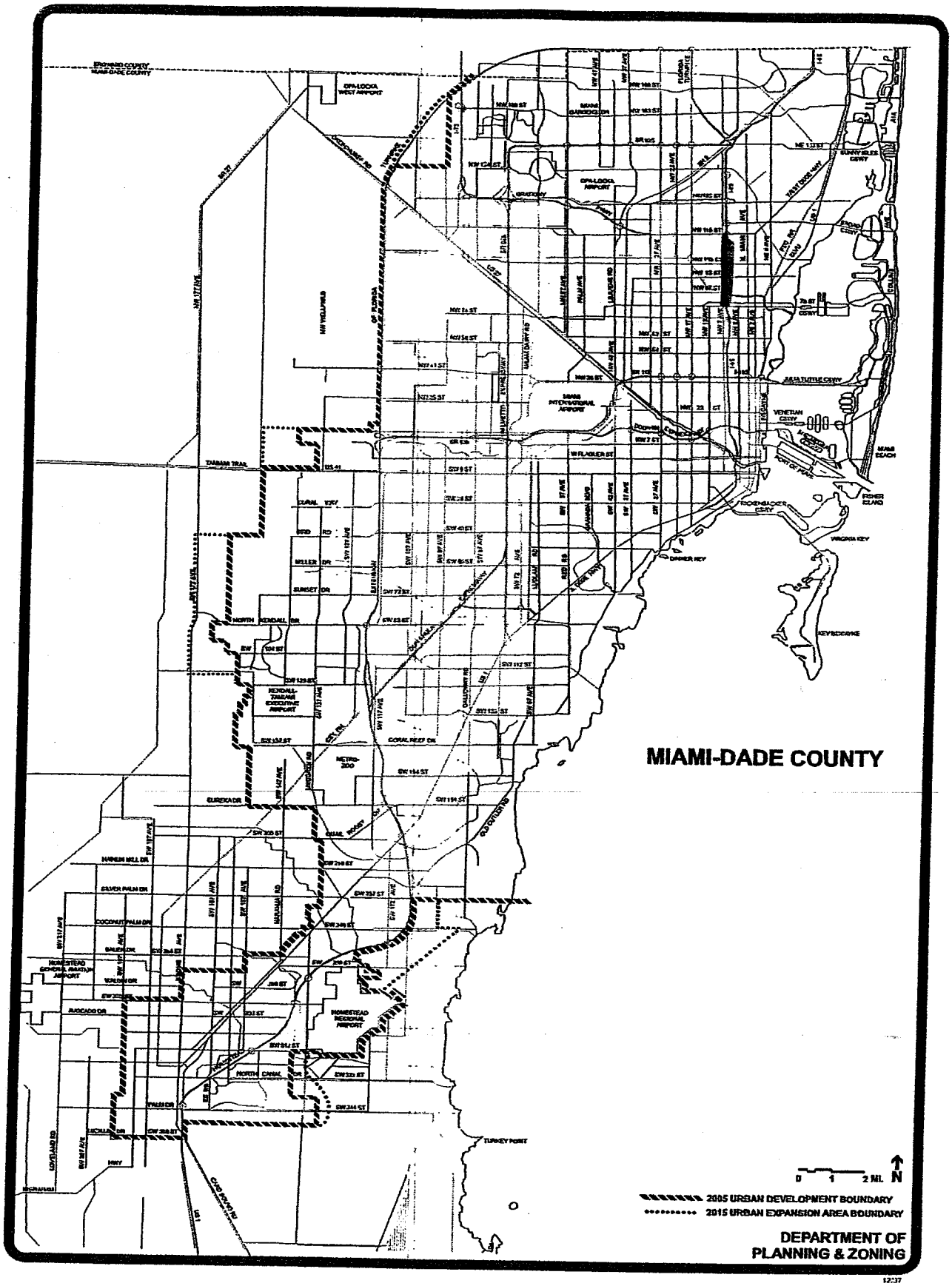

MIAMI-DADE COUNTY
2005 URBAN DEVELOPMENT BOUNDARY
2015 URBAN EXPANSION AREA BOUNDARY
DEPARTMENT OF PLANNING & ZONING
0 1 2 MI.
N

SR 826
NORTH MIAMI
NE 10 AVE
NE 12 AVE
OPA-LOCKA
GRATIGNY
PKWY
HIALEAH
NW 42 AVE
NW 32 AVE
NE 6 AVE

ADOPTED 2005 AND 2015 LAND USE PLAN * FOR MIAMI-DADE COUNTY, FLORIDA

RESIDENTIAL COMMUNITIES

ESTATE DENSITY	1 TO 2.5	DWELLING UNITS PER GROSS ACRE
LOW DENSITY	2.5 TO 6	DWELLING UNITS PER GROSS ACRE
LOW-MEDIUM DENSITY	5 TO 13	DWELLING UNITS PER GROSS ACRE
MEDIUM DENSITY	13 TO 25	DWELLING UNITS PER GROSS ACRE
MEDIUM-HIGH DENSITY	25 TO 60	DWELLING UNITS PER GROSS ACRE
HIGH DENSITY	50 TO 125	DWELLING UNITS PER GROSS ACRE

(D I- 1) One Density Increase With Urban Design

(D I- 2) Two Density Increase With Urban Design

INDUSTRIAL AND OFFICE

RESTRICTED INDUSTRIAL AND OFFICE

BUSINESS AND OFFICE

OFFICE / RESIDENTIAL

INSTITUTIONAL AND PUBLIC FACILITY

PARKS AND RECREATION

AGRICULTURE

OPEN LAND

ENVIRONMENTAL PROTECTION

ENVIRONMENTALLY PROTECTED PARKS

TRANSPORTATION

TERMINALS

EXPRESSWAYS

MAJOR ROADWAYS (3 OR MORE LANES)

MINOR ROADWAYS (2 LANES)

● ● ○ ○ EXISTING / FUTURE RAPID TRANSIT

URBAN CENTERS

REGIONAL

METROPOLITAN

COMMUNITY

LEGAL DESCRIPTION PREPARED BY MIAMI-DADE COUNTY

(SEE FOLLOWING PAGE)

NW 7th Avenue Community Redevelopment Area

Legal Description

A portion of Miami-Dade County Florida, bounded on the East by Interstate 95 (I-95); bounded on the South by the City of Miami; bounded on the West by the Westernmost property lines of all those parcels of land that abut the Westerly right-of-way line of NW 7th Avenue from the City of Miami to NW 119th Street; and bounded on the North by NW 119th Street; said portion being more particularly described in six parts as follows:

That part of said Section 36, Township 52 South, Range 41 East, lying Westerly of the Limited Access Right-of-Way of I-95;

-AND-

That part of said Section 1, Township 53 South, Range 41 East, lying Westerly of the Limited Access Right-of-Way of I-95;

-AND-

That part of the Northwest 1/4 of said Section 12, Township 53 South, Range 41 East, lying West of the Limited Access Right-of-Way of I-95 and lying North of the City of Miami municipal boundary as shown on the plat of FRANCINE HEIGHTS FIRST ADDITION recorded in Plat Book 90 at Page 86 of the Public Records of Miami-Dade County, Florida;

-AND-

That part of NW 7th Avenue lying in Section 35, Township 52 South, Range 41 East, together with all those parcels of land immediately abutting said NW 7th Avenue in said Section 35;

-AND-

That part of NW 7th Avenue lying in Section 2, Township 53 South, Range 41 East, together with all those parcels of land immediately abutting said NW 7th Avenue in said Section 2;

-AND-

That part of NW 7th Avenue in the Northeast 1/4 of said Section 11, Township 53 South, Range 41 East, lying North of the City of Miami municipal boundary as shown on the aforementioned plat of FRANCINE HEIGHT FIRST ADDITION, together with all those parcels of land immediately abutting said NW 7th Avenue in said Northeast 1/4 of said Section 11 that lie North of the North line of Lot 3, Block 2 of the AMENDED PLAT OF HOMECREST recorded in Plat Book 9 at Page 84 of the Public Records of Miami-Dade County, Florida.

SECTION 3:
FINDING OF NECESSITY STUDY METHODOLOGY

The methodology for data collection, evaluation, and analysis was developed utilizing a breakdown of the criteria used to determine the existence of blight as described in the *Florida Statutes*. This Finding of Necessity utilizes the requirements of Chapter 163.340 and 163.355, (as amended) with regard to the threshold requirements that became effective July 1, 2002.

Each of the statutory criteria was examined to determine the information required to prove the presence or absence and extent of a specific condition. For those conditions considered to be applicable to the study area, a more detailed analysis was undertaken. After preliminary data collection and analysis, the Finding of Necessity study ultimately focused upon four major conditions which meet the criteria in Chapter 163, Part III, *Florida Statutes*. They include:

- **ECONOMIC DISUSE**
- **GENERAL CONDITIONS REQUIRED FOR CRA ELIGIBILITY**
- **CRIME**
- **SOCIOECONOMIC CHARACTERISTICS OF THE SURROUNDING AREA**

In addition to general socioeconomic, planning, and demographic data, each of these blight indicators was analyzed with specific data, and a detailed discussion of each of the blight indicators can be found in the subsequent sections of the Finding of Necessity study.

THE COMMUNITY REDEVELOPMENT ACT OF 1969

The Community Redevelopment Act of 1969, Chapter 163 Part III, *Florida Statutes*, (The "Act") authorizes local governments to establish community redevelopment agencies to improve slum and blighted areas within their jurisdictions. The Act sets forth the legal process by which local governments may establish community redevelopment agencies, and it provides financing and regulatory tools to accomplish the goal of improving slums and blighted areas.

Sections 163.335 and 163.355 F.S. require local governments to adopt by resolution a finding that one or more slum or blighted areas exist within their jurisdictions and that the rehabilitation, conservation, or redevelopment (or a combination thereof) of such areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the area. The purpose of this study is to provide information to the Miami-Dade County Board of Commissioners that will serve as a factual basis for finding that the area proposed for inclusion in the 7th Avenue Corridor Community Redevelopment Area meets the statutory criteria for slum and blight as defined in Chapter 163.340 F.S..

SECTION 4:

DETERRENTS TO SOUND FUTURE GROWTH AND DEVELOPMENT

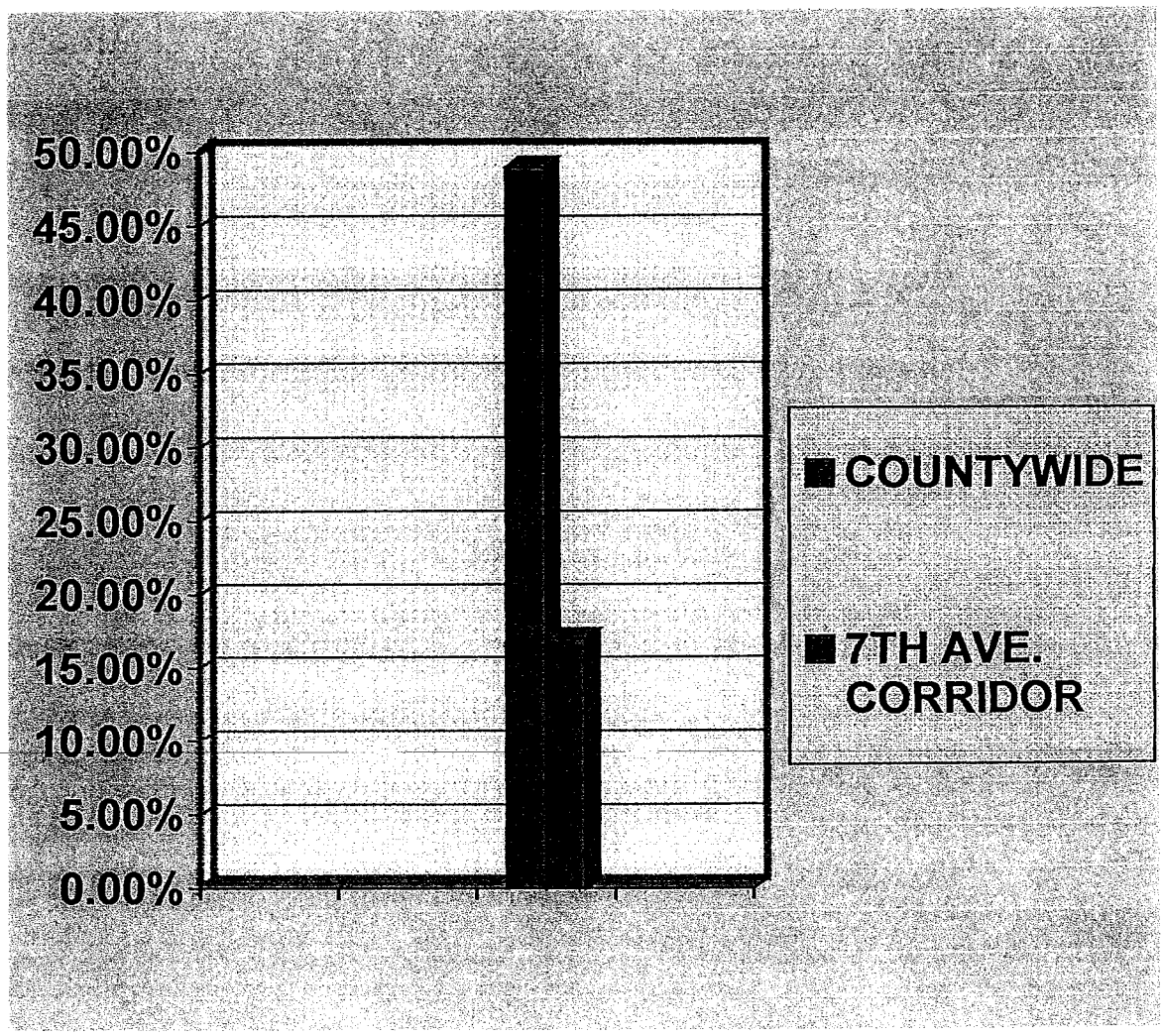
The conditions found in the 7th Avenue Corridor community redevelopment area, as described in this report, are characteristic of several of the conditions of slum and blight as previously listed. The study provides factual data as evidence of these conditions such that it is clearly shown that their existence hinders opportunities for sound future growth and development.

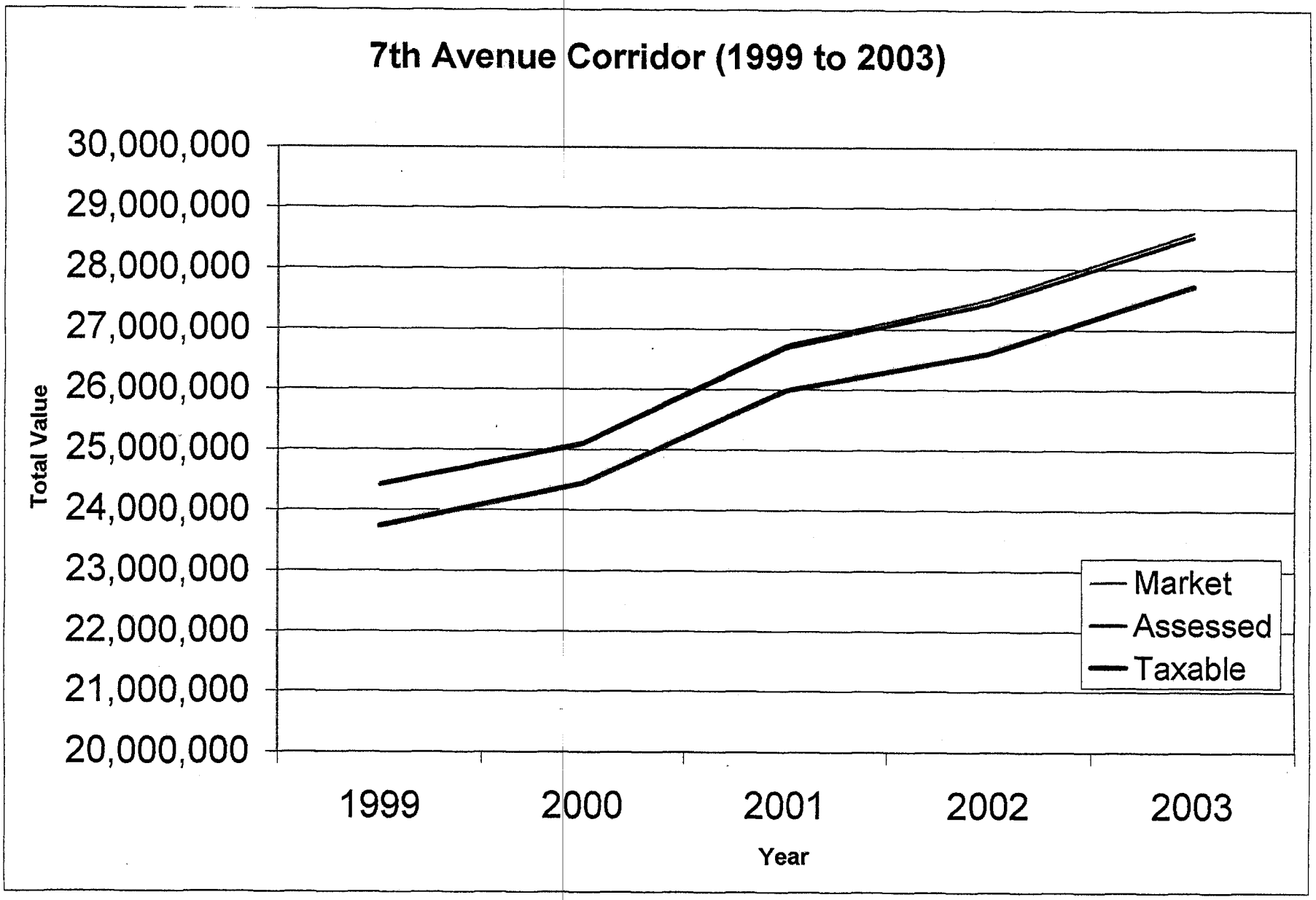
The purpose of the Community Redevelopment Act is to provide local governments the ability to combat and correct deteriorating urban conditions. This report has identified conditions in the study area that are consistent with the definition of blight contained in the Florida Statutes. In addition to the physical condition of the study area, several other factors combine to limit the 7th Avenue Corridor area's ability to grow and prosper. The formulation of a redevelopment plan, using the tools made available in the statutes, is the most appropriate means of overcoming these obstacles to economic development.

A field survey was conducted during October 2003 to evaluate and assess the conditions of properties and infrastructure and to develop a photographic inventory of deteriorating sites. Criteria utilized in the field research included the physical condition of structures, infrastructure, landscaping, and other improvements as well as vacant parcels and buildings that may be subject to further deterioration.

The following factors are considered deterrents to sound future growth and development of the study area:

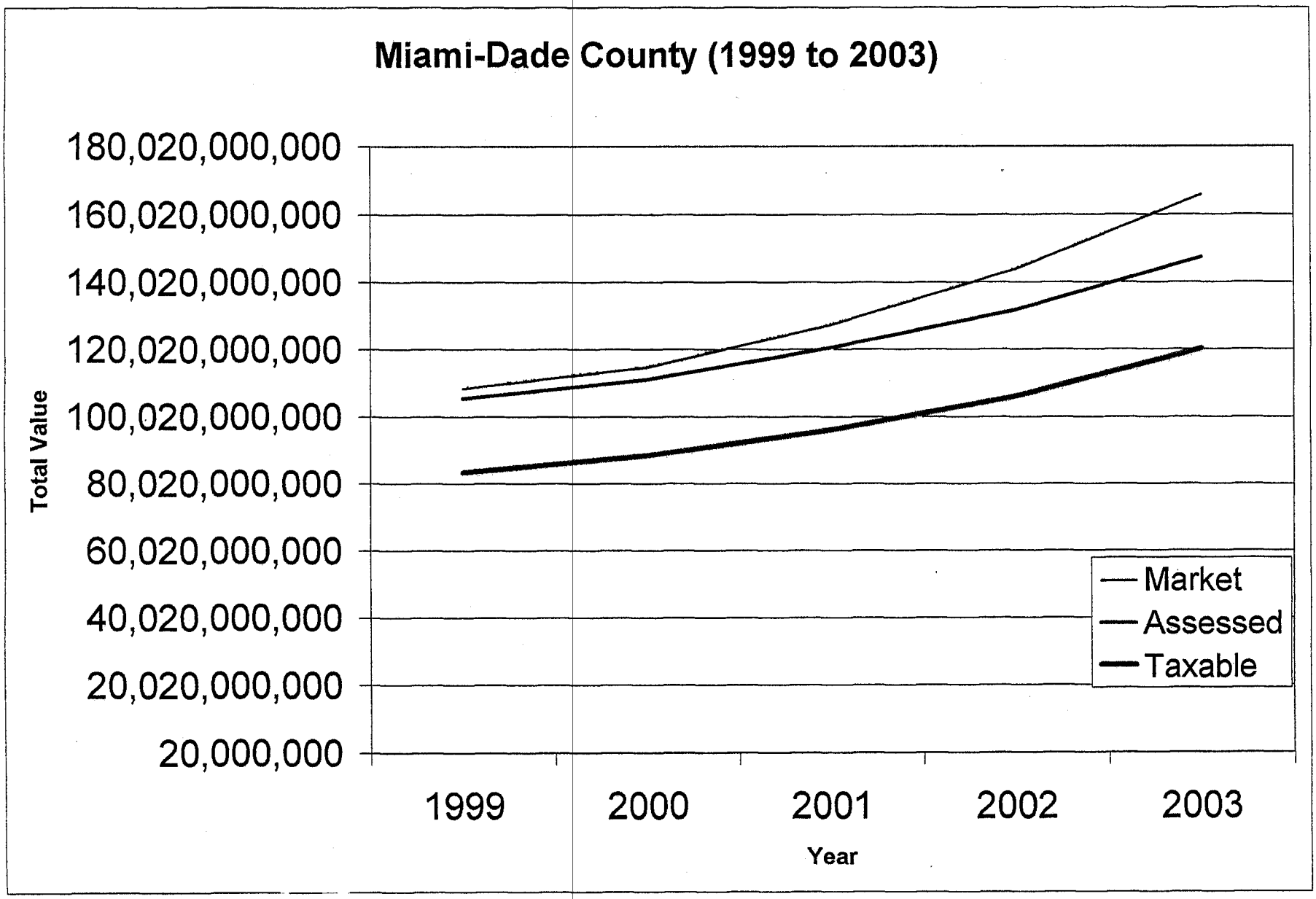
FIVE-YEAR COMPARISON OF INCREASE IN ASSESSED MARKET VALUE OF PROPERTIES COUNTYWIDE AND IN 7TH AVENUE CORRIDOR





Corridor Values Chart 1

30



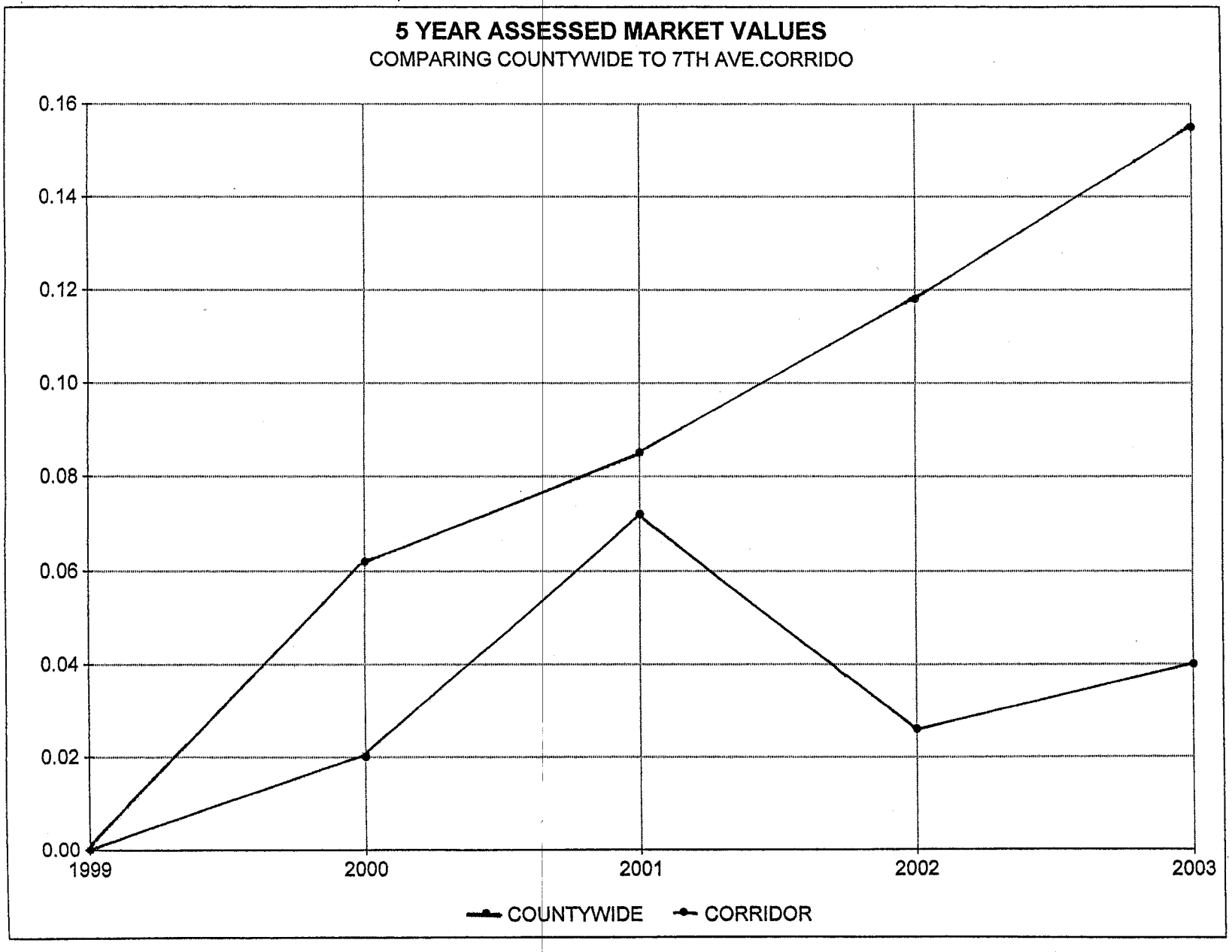
Miami Dade County Values Chart

Comparison of Assessed Market Values

YEAR	MIAMI-DADE COUNTY TOTAL ASSESSED MARKET VALUE (Millions)	ANNUAL PERCENTAGE Increase	7TH AVENUE CORRIDOR TOTAL ASSESSED MARKET VALUE (Millions)	ANNUAL PERCENTAGE Increase
1999	$110,000	N/A	$24.5	N/A
2000	$117,000	6.3%	$25.0	2.0%
2001	$127,000	8.5%	$26.8	7.2%
2002	$142,000	11.8%	$27.5	2.6%
2003	$164,000	15.5%	$28.5	4.0%

ALL NUMBERS ARE REFLECTED IN MILLIONS

The comparative growth between the countywide assessed market value for Miami-Dade County and that of the 7th Avenue Corridor area is illustrated in the following graph.


5 YEAR ASSESSED MARKET VALUES
COMPARING COUNTYWIDE TO 7TH AVE.CORRIDO
0.16
0.14
0.12
0.10
0.08
0.06
0.04
0.02
0.00
1999
2000
2001
2002
2003
COUNTYWIDE
CORRIDOR

4.1 ECONOMIC DISUSE

A. AGGREGATE ASSESSMENT VALUES OF REAL PROPERTY

Within the proposed 7th Avenue Corridor Community Redevelopment Area, there is a total area of approximately 0.4 square miles with 155 separate property folios. During the past five years (1999-2003) assessed market values for properties in all of Miami-Dade County increased by approximately 49%; however, the assessed market values for the properties within the proposed 7th Avenue Corridor CRA area increased by only 17%. The field survey conducted in October 2003 documented numerous deteriorating or deteriorated structures and a high vacancy rate for commercial properties.

Areas with property values that fail to keep pace with the overall County's growth rate, coupled with a higher demand for police, code enforcement, fire, and other public services consume an excessive proportion of revenues.

Utilizing the assessed market property values established by the Miami-Dade County Property Appraiser's Office, a statistical comparison was conducted between all of Miami-Dade County and the properties within the boundaries of the proposed 7th Avenue Corridor CRA area. This comparison covers the five-year period as required by Section 163.340(8)(b) *Florida Statutes.*

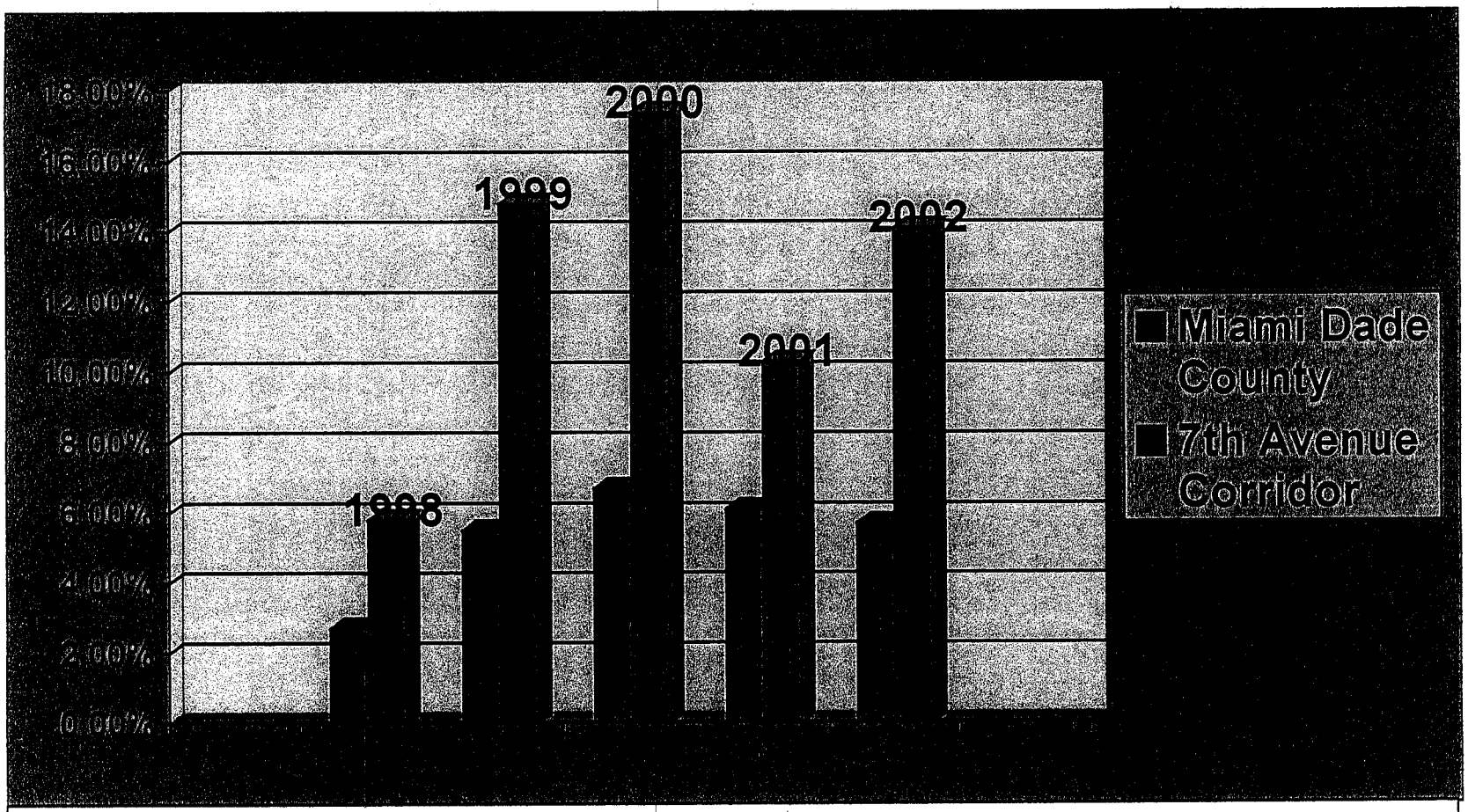
SEE CHARTS ON FOLLOWING PAGES

B. TAX DELINQUENCY RATES:

Another indicator of a declining economic environment is the high rate of tax delinquency. **Over the five-year period of 1998 through 2002, the average countywide property tax delinquency rate was 5.34%. However, the properties within the 7th Avenue Corridor area averaged a delinquency rate of 12.48%, more than twice that of the countywide rate. The tax delinquency rate in 2002 was 14.1% for the 155 properties within the study area.**

SEE CHART ON FOLLOWING PAGES

TAX DELINQUENCY RATE (1998-2002)
COMPARING ALL OF UNINCORPORATED MIAMI-DADE COUNTY TO 7TH AVENUE CORRIDOR



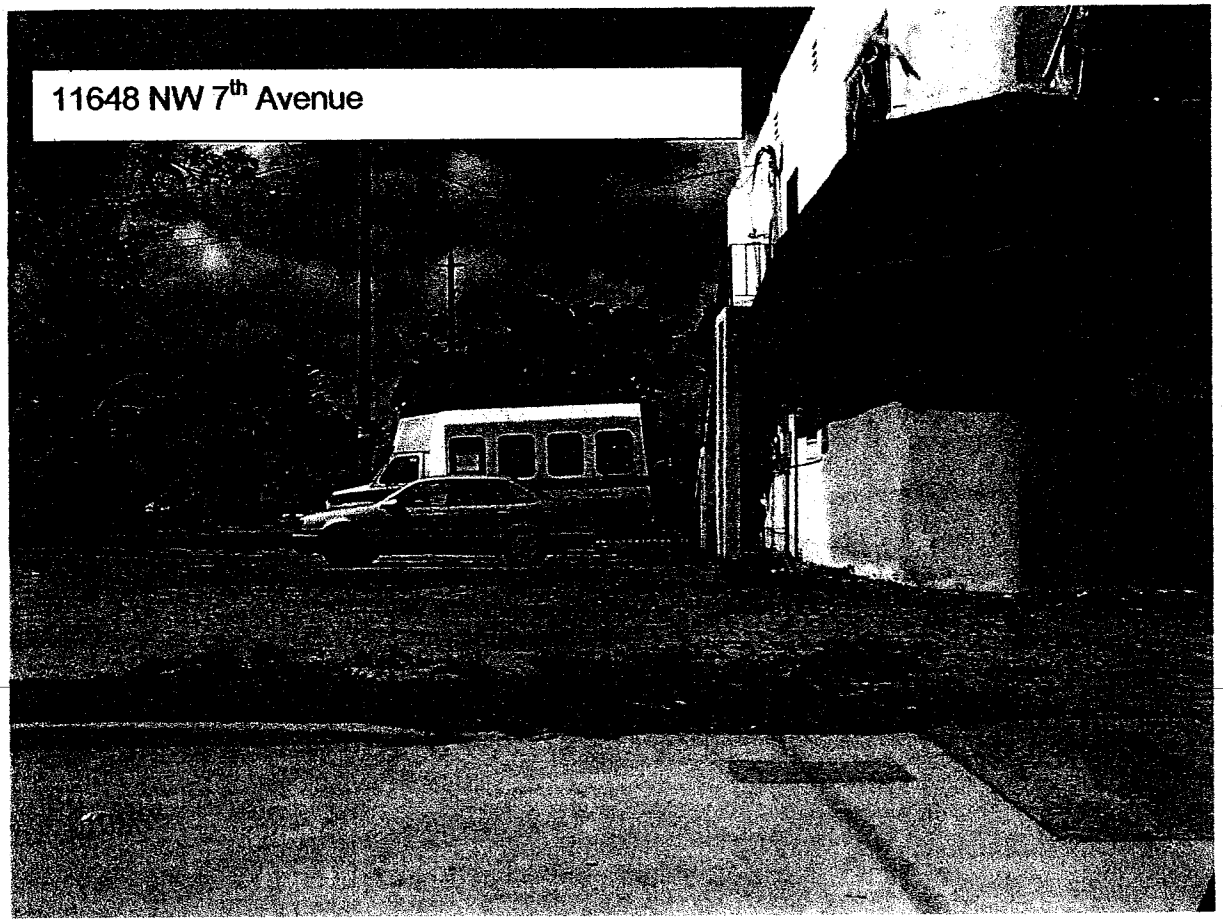
Tax Collection Year	Delinquent 7th Avenue Corridor Folios	Total Delinquent Folios	Unincorporated Delinquent Folios	Total Folios on Tax Collection Roll	Folios in 7th Avenue Corridor Area
1998	9	19103	10423	691628	155
1999	23	38170	20469	710291	155
2000	27	48184	25422	714348	155
2001	16	44651	25158	729627	155
2002	22	42350	23443	736630	155

Source: Miami-Dade County Tax Collector's Office

Miami-Dade County 7th Avenue Corridor FON – Tax Delinquency Chart

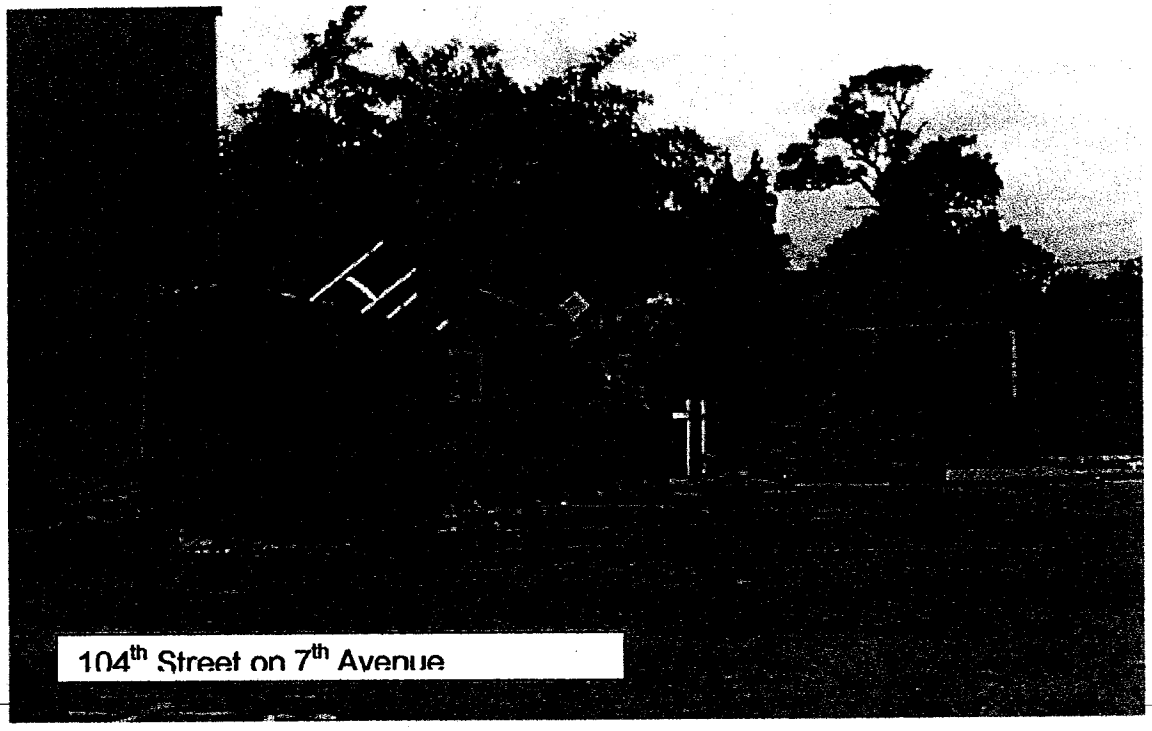
4.2 General Conditions Required for CRA Eligibility:

Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness



Unsanitary or Unsafe Conditions

Properties within the study area exhibit a high degree of unsanitary or unsafe conditions. This finding is documented by County data relating to police calls and code violations as well as photographic documentation.

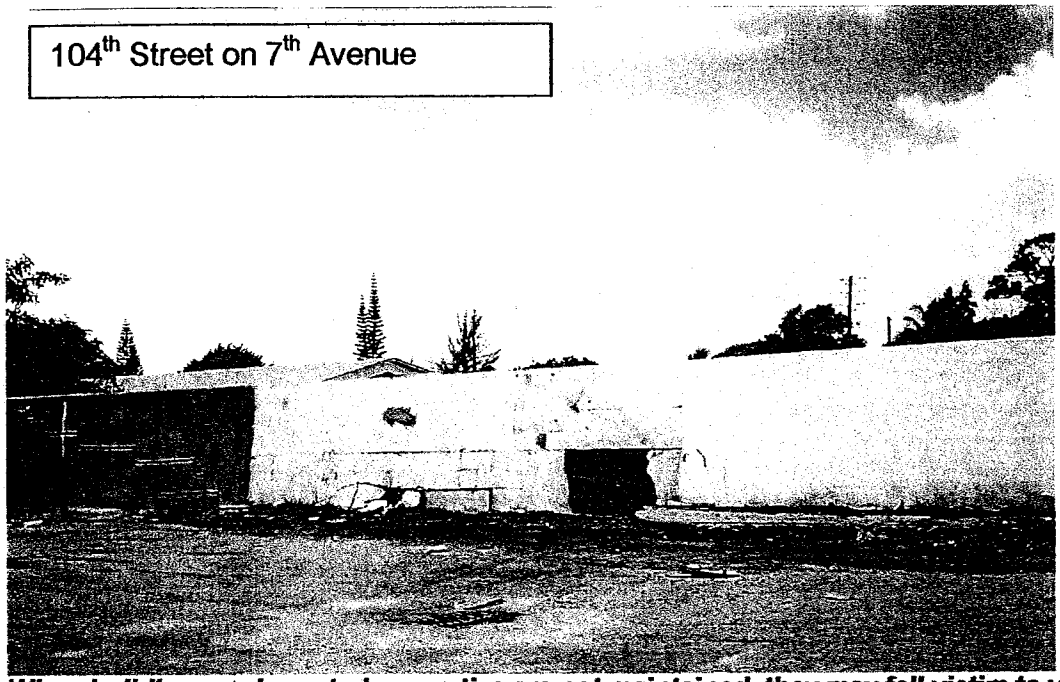


This photograph depicts excessive trash accumulation which could be injurious to public health, a cracked concrete wall that poses a potential safety hazard, and a deteriorated parking surface.

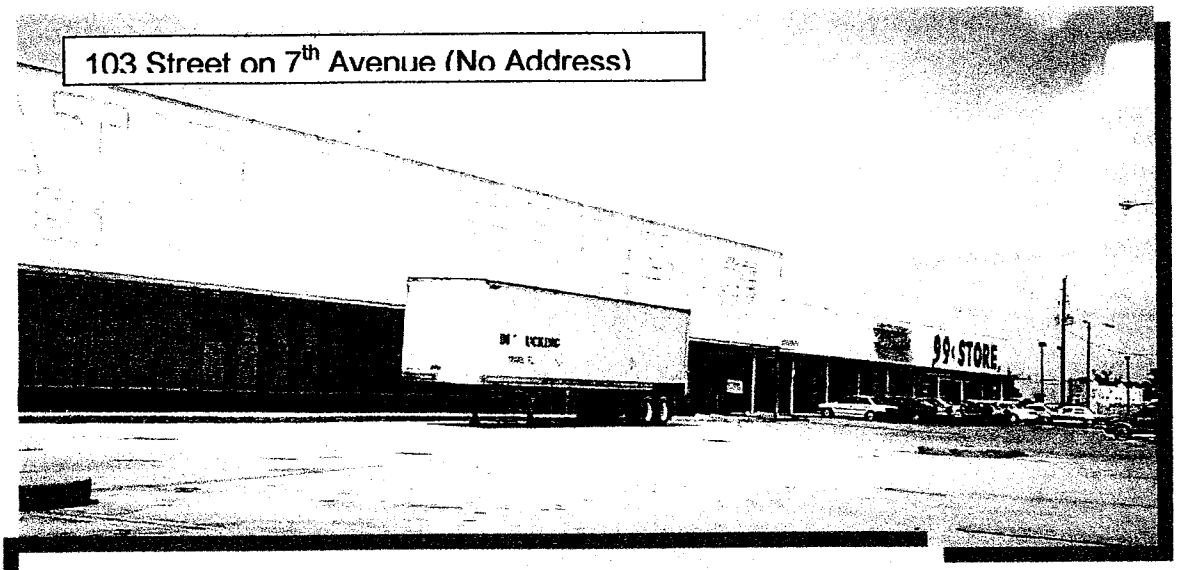
Deterioration of Site or Other Improvements

A high number of structures within the proposed redevelopment area show signs of deterioration.

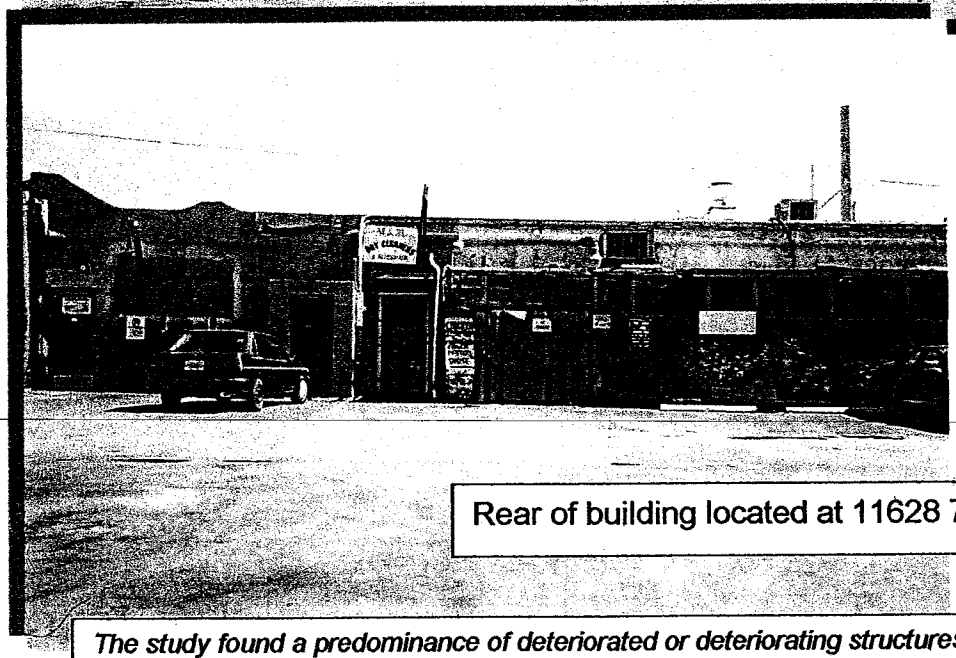
104th Street on 7th Avenue



When buildings and vacated properties are not maintained, they may fall victim to vandalism. The resulting deterioration further contributes to decline of the area and a deterrent to potential future business development. The resulting reduction in tax revenue and the added disproportionate cost for police, fire, and other services places a burden on public resources.



103 Street on 7th Avenue (No Address)

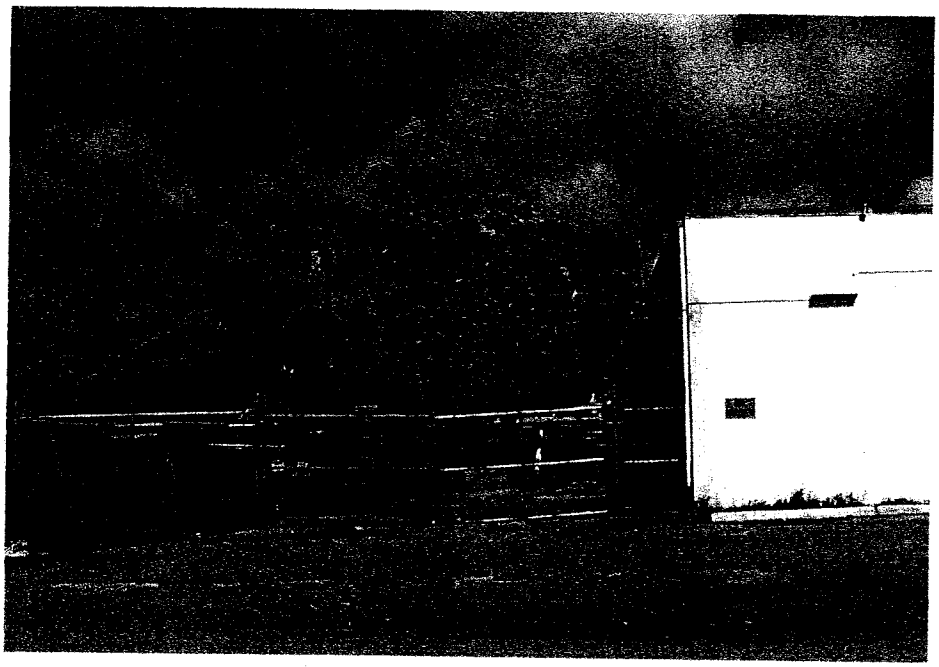


Rear of building located at 11628 7th Avenue

The study found a predominance of deteriorated or deteriorating structures with features that lead to economic distress.

The photograph above shows numerous signs of site deterioration.

The photograph below is an example of visual blight. Additionally, this building and a substantial number of other properties within the area displayed" for lease" signs indicating a higher commercial vacancy rate than in the remainder of the County.



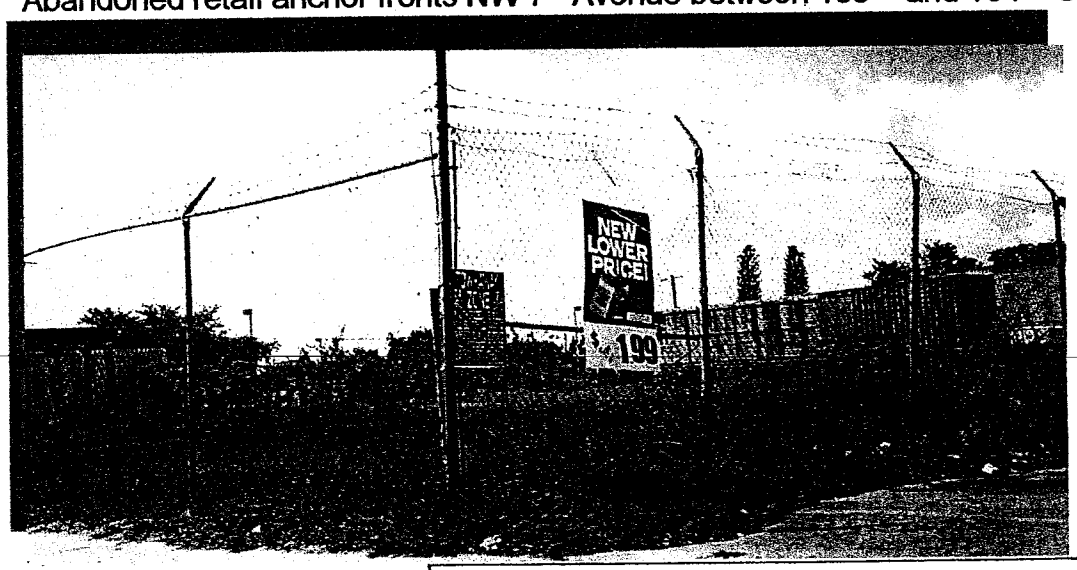
7th Avenue at 96th Street

Commercial Vacancy Rates

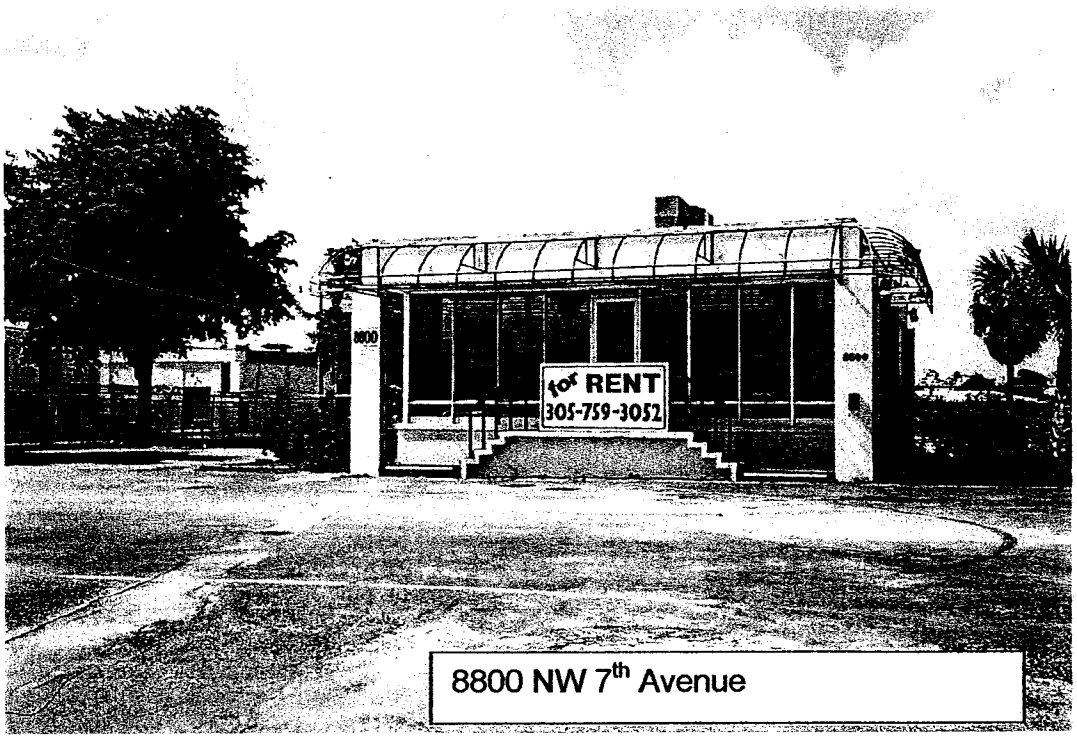
Throughout the proposed redevelopment area, the study found a predominance of vacant buildings and vacant lots. This degree of economic blight poses a threat to the efforts of the viable businesses that exist within the area. As mentioned earlier in this report, there are several automobile dealerships along the corridor. There is also a relatively new Walgreen's drug store. However, businesses find it difficult to draw customers into an area that exhibits visual signs of blight and has high crime rates.

This large vacant building stands in the center of a shopping center. Small businesses are operating on either side of the vacant building, but conditions such as this increase the likelihood of criminal activity. Customers may be reluctant to patronize businesses in locations like this.

Abandoned retail anchor fronts NW 7th Avenue between 103rd and 104th Streets



Property located directly on NW 7th Avenue and north of Little River Drive



Numerous commercial buildings are empty and for rent or lease.

Another example of vacant commercial property on NW 7th Avenue at Little River Drive.

4.3 CRIME

INCIDENCE OF CRIME

The Miami-Dade County Police Department utilizes grids to identify sub-areas within the County for response and statistical collection. The County is divided into approximately 3,000 of these grids. The 7th Avenue Corridor proposed redevelopment area lies within grid numbers 0592, 0682, 0683, 0741, and 0798. (see map on the following page).

In the year 2002 the Miami-Dade County Police Department records show that they responded to a total of 1,294,594 calls. Of those, 18,396 calls were within the five-grid area that encompasses the proposed 7th Avenue Corridor redevelopment area.

For purposes of establishing a statistical comparison between the overall number of police calls for the total unincorporated area covered by Miami-Dade County Police and the number of calls within the area inclusive of the 7th Avenue Corridor, the following formula was utilized.

SEE FOLLOWING PAGE

COUNTYWIDE:

$$\frac{\text{1,035,550 Total Population}}{\text{3,000 Total Grids}} = \text{345.18 Average Population Per Grid}$$

$$\frac{\text{1,294,594 Total Police Calls}}{\text{1,035,550 Total Population}} = \text{1.25 Police Calls Per Person/ 125 Calls Per 100 Population}$$

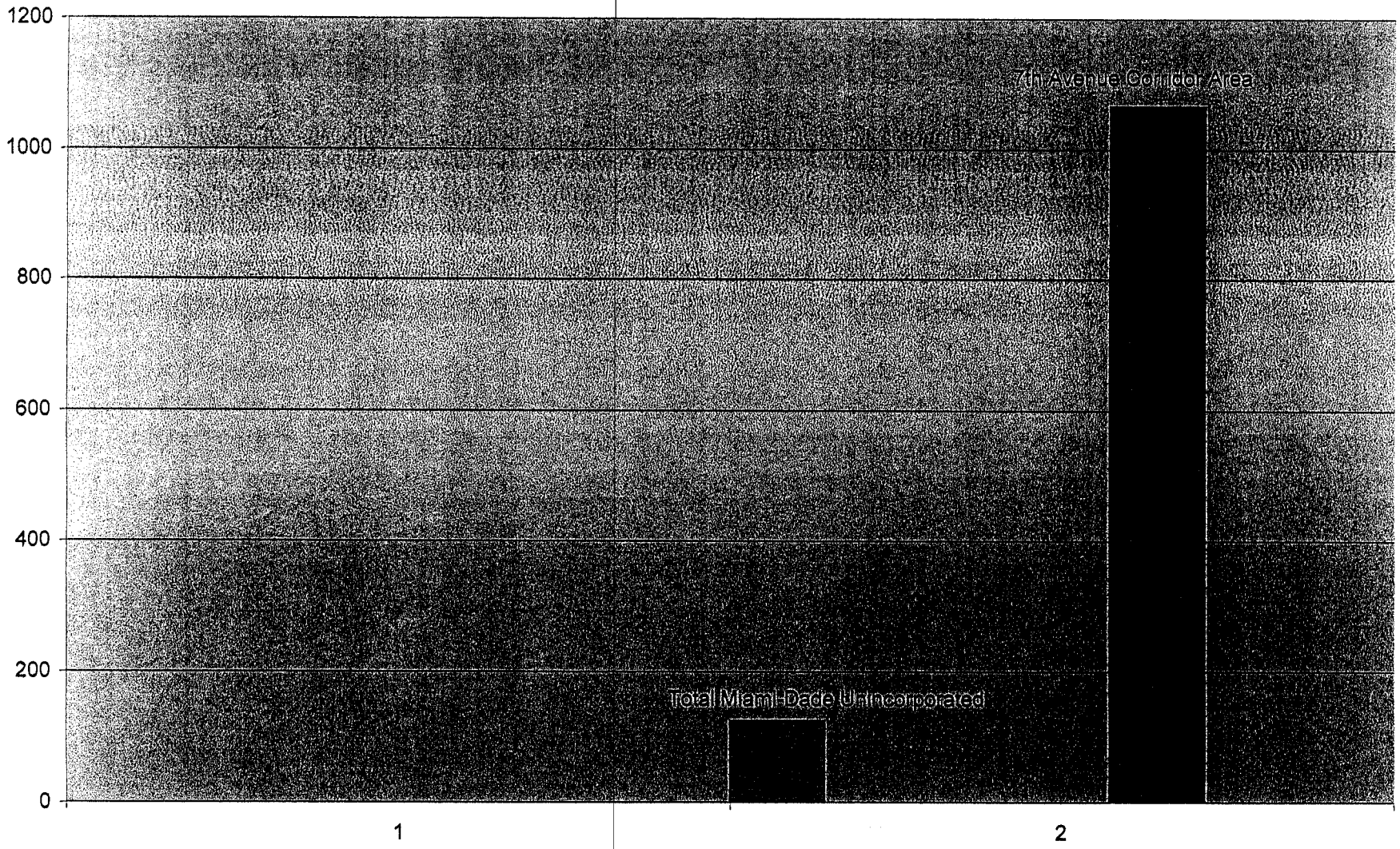
7TH AVENUE CORRIDOR AREA (5-GRID AREA)

~~345.18 Average per grid population X 5 Grids = 1,726 Area Population~~

$$\frac{\text{1,896 Police Calls}}{\text{1,726 Area Population}} = \text{10.65 Police Calls Per Person/ 1,065 Calls Per 100 Population}$$

These comparisons are shown on the chart on the following page.

Comparison of Police Calls Per 100 Population

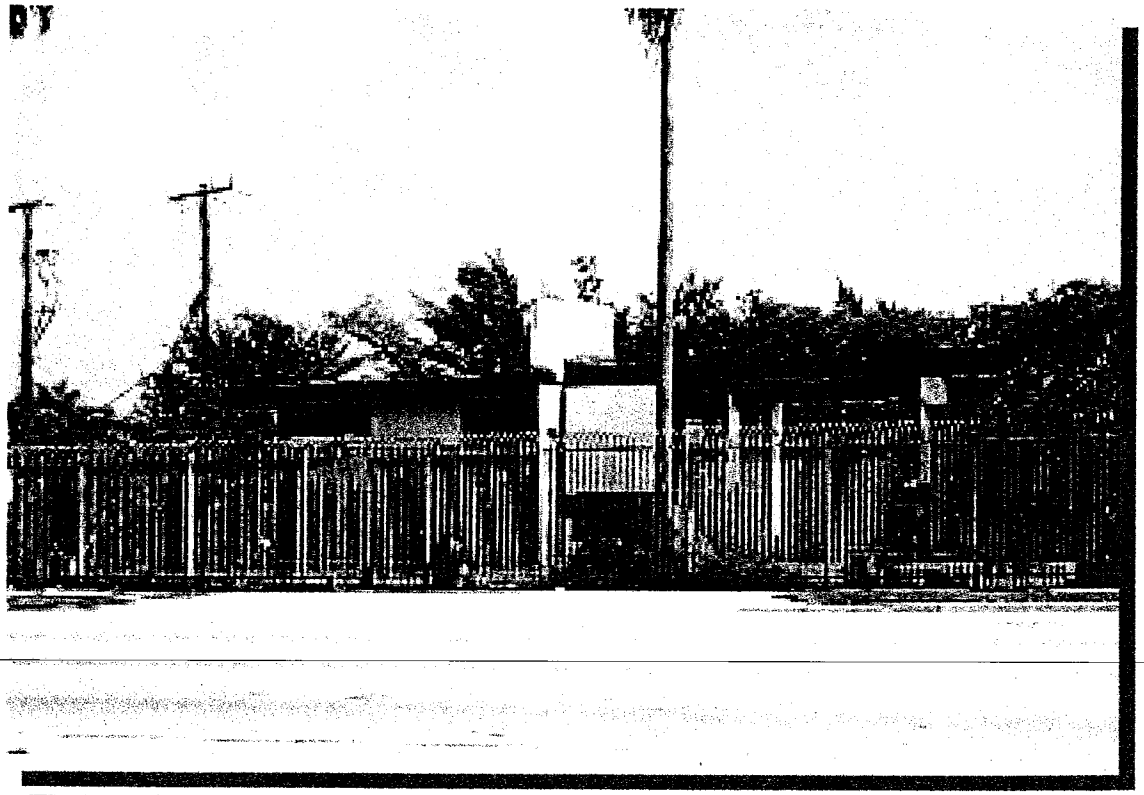


46

The proposed 7th Avenue Corridor Community Redevelopment Area lies within Miami-Dade County Police grids 0592,0682, 0683,0741, and 0798

Factors that contribute to high crime rates are apparent within and around the 7th Avenue Corridor. Fieldwork within the area provides visual documentation of some of these contributing conditions. Those conditions include:

- ❑ Vacant, dilapidating, and boarded-up structures;

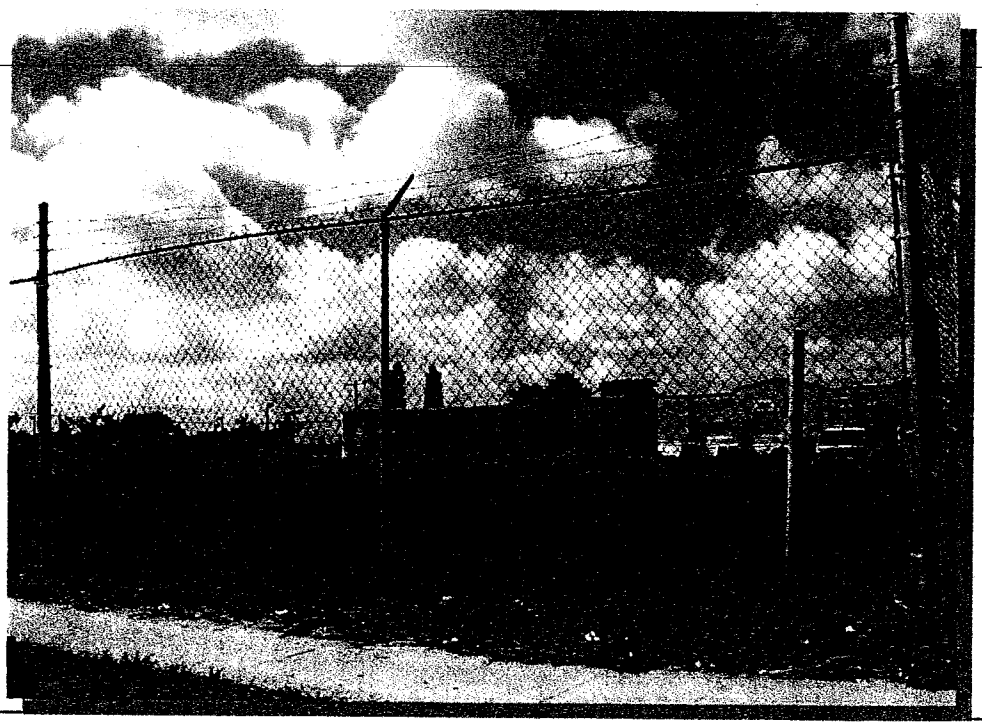


An example of one of the many vacant business properties on NW 7th Avenue within the proposed CRA area. This property is on the east side at approximately NW 95th St.

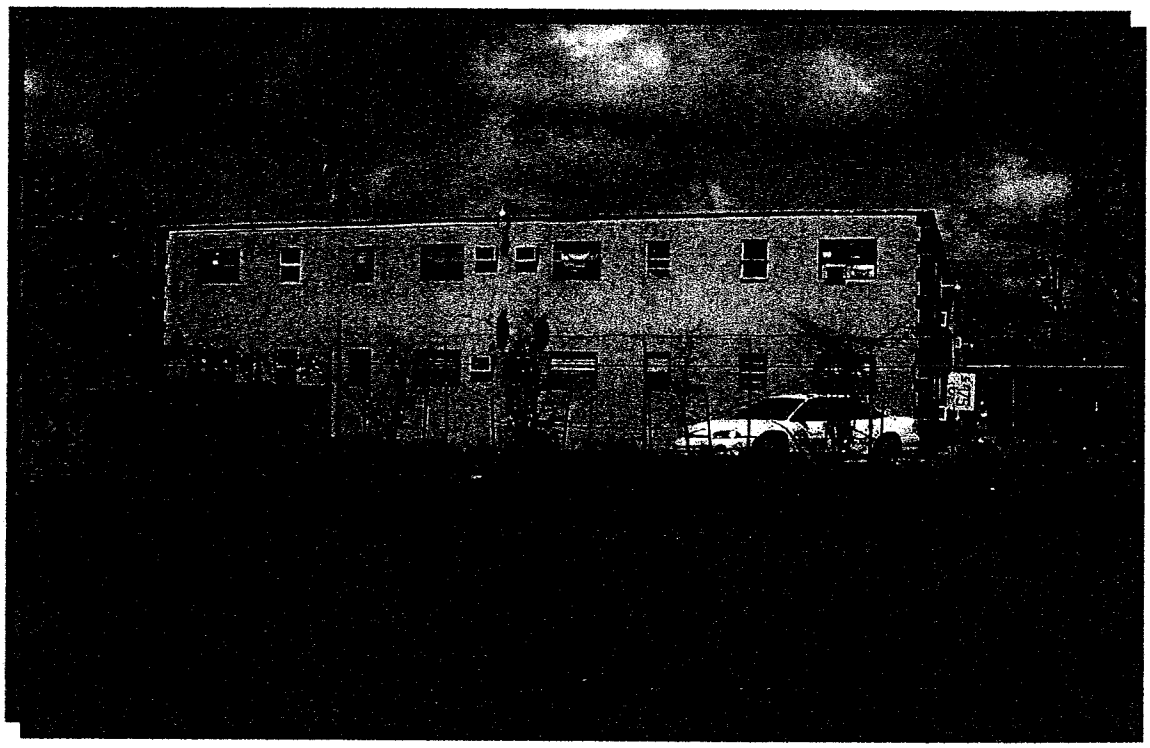
7th Avenue at 104th Street

- Broken and falling concrete walls that not only represent deteriorating conditions but also pose a potential safety issue.

- High chain-link fences topped with barbed wire used as a deterrent to crime.



- Overgrown lots and fences covered with graffiti surround this residential building one-half block west of 7th Avenue at NW 80th Street.



In addition to the conditions that can be documented visually within the proposed 7th Avenue Corridor CRA area, the latest U. S. Census (2000) provides a statistical depiction of families without resources. The poverty rate is more than 31 percent in the subject area compared to 18% countywide. The countywide unemployment rate in 2000 was 8.70%, but in the subject area the rate was almost 13 percent, and is likely higher in 2003 with the nationwide economic decline and job loss. The 2000 per capita income (an average of the 5 census tracts that the 7th Avenue Corridor lies within) was just over $11,000 compared to the countywide per capita income of approximately $18,000. These economic conditions can contribute to high crime rates.

SECTION 5: SOCIOECONOMIC CHARACTERISTICS OF THE SURROUNDING AREA

The economic condition for those living in the community surrounding the 7th Avenue Corridor is significantly lower than for those in Miami-Dade County overall. The narrow strip along Northwest 7th Avenue from Northwest 119th Street to Northwest 79th Street lies within five census tracts (4.06, 4.07, 4.08, 10.02, and 10.05). The census data used in this report is an average of the aggregate totals of these five census tracts. The proposed 7th Avenue Corridor Redevelopment Area is primarily commercial, however, there are approximately 35,000 people residing within the five census tracts that include the subject area. The socioeconomic characteristics of these residents can be significantly improved by positive commercial growth along the 7th Avenue Corridor. This study, therefore, utilizes all of the five census tracts to compile the supportive data in this section. The purpose of this section is to statistically demonstrate the need for redevelopment to improve the economic conditions for the citizens in the surrounding community affected by the proposed redevelopment area.

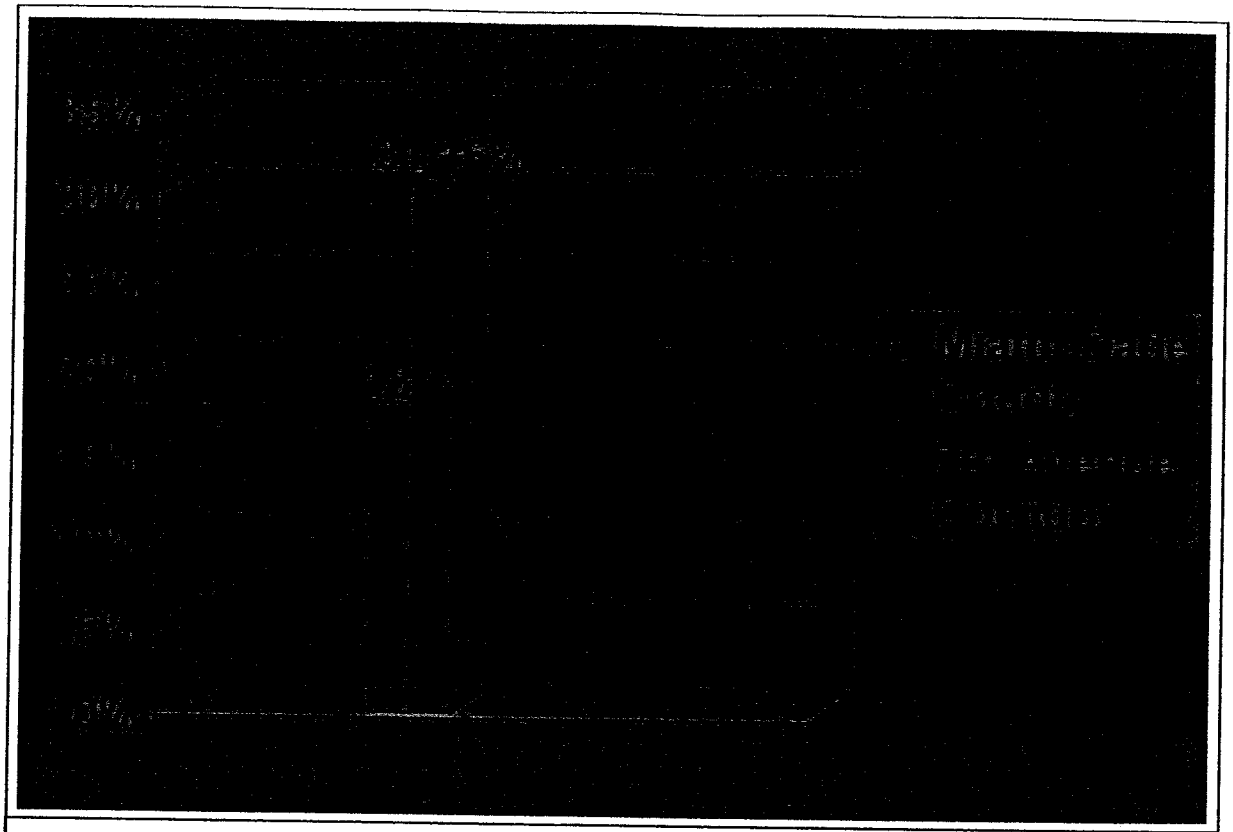
There are few jobs within the area. As referenced in the previous section, the unemployment rate in 2000 within the subject area was almost 13 percent compared to 8.7% countywide. The per capita income was approximately $11,000 compared to approximately $18,000 countywide. The poverty rate in the area was 31.16 percent while the countywide rate was 18%.

Cluster of homes just west of 7th Avenue at 103rd reflect the community's struggle with high poverty rates.

The assessed market value of property within the 7th Avenue Corridor area increased only 17% while countywide the increase was 49% over the past five years

The charts on the following pages document the per capita income, poverty level, and unemployment rate of those living within the 7th Avenue Corridor area compared to Miami-Dade County as a whole.

PERCENTAGE OF INDIVIDUALS BELOW POVERTY LEVEL
MIAMI-DADE COUNTY VS. 7TH AVENUE CORRIDOR STUDY AREA



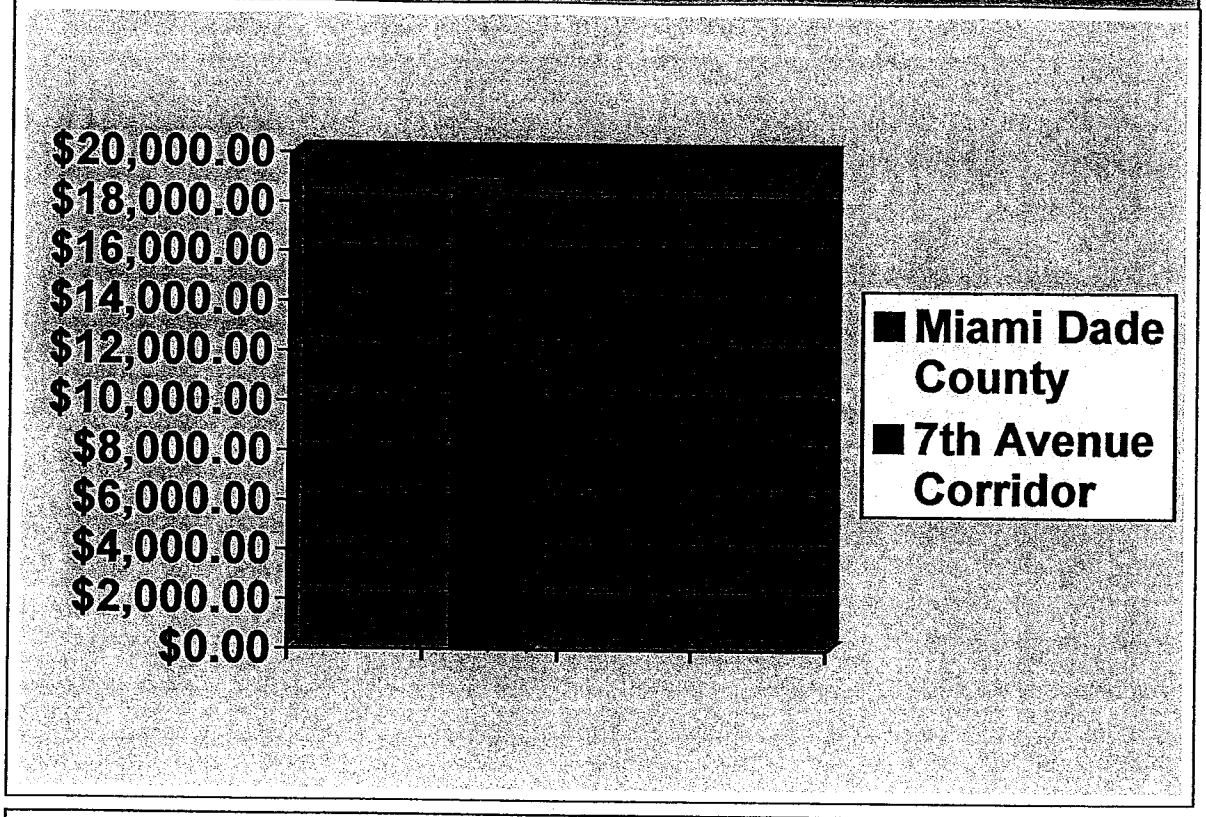
Source: United States Census 2000

2003 HHS POVERTY GUIDELINES

Filing Unit	Annual Poverty Guidelines
1	$8,980.00
2	$12,120.00
3	$15,260.00
4	$18,400.00
5	$21,540.00
6	$24,680.00
7	$27,820.00
8	$30,960,00

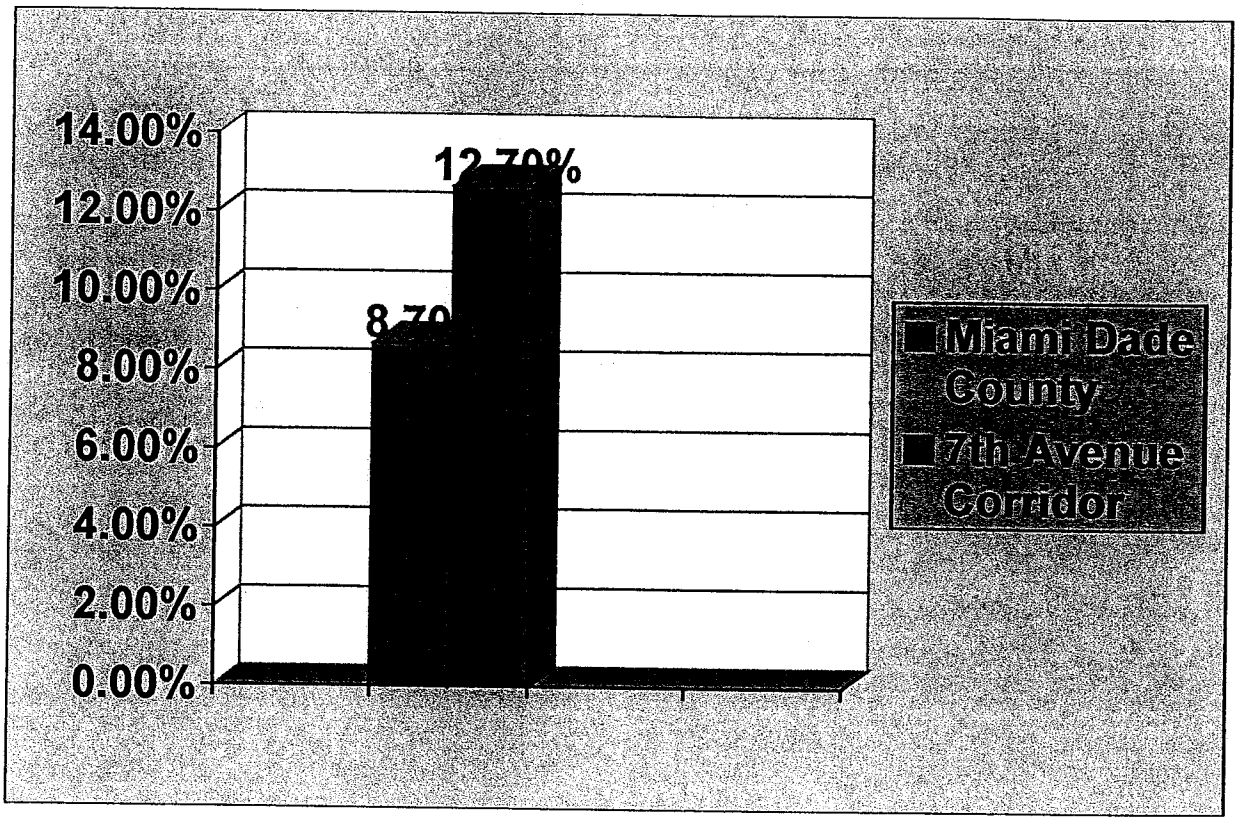
Source: Federal Register, Vol 68, February 7, 2003, pp. 6456-6458. Department of Health and Human Services: Annual Update of the HHS Poverty Guidelines.

COMPARISON OF PER CAPITA INCOME
MIAMI-DADE COUNTY VS. 7TH AVENUE CORRIDOR STUDY AREA



Source: United States Census 2000

PERCENTAGE UNEMPLOYMENT (CIVILIAN LABOR FORCE) MIAMI-DADE COUNTY VS. 7TH AVENUE CORRIDOR STUDY AREA



Source: United States Census 2000

SECTION 6:

High Cost of Redevelopment without Government Incentives

The 7th Avenue Corridor development raises unique challenges for making the improvements necessary to create a viable commercial corridor. Although the location is easily accessible to commercial traffic, the vacant and dilapidated structures and high crime rates create an environment not conducive to future commercial growth.

The location is adjacent to Interstate 95 which contributes to its desirability for commercial development. A portion of the corridor is currently being utilized by automobile dealerships on a relatively small scale. A deteriorating commercial district, however, flanks this portion of the corridor on either side.

The success or failure of the limited number of businesses operating within the corridor may hinge on whether the deterioration of the area continues or is revitalized by a major redevelopment initiative. The creation of a Community Redevelopment Agency Area along with a tax-increment mechanism could be the catalyst to attract a major developer. The tax-increment from that development could then be used to create improvements within the area that would have a positive impact on the economic health of the area. The creation of new businesses would create jobs for those who live in and around the area and can help alleviate the extremely high poverty rate.

It will be difficult to impossible for these things to happen without government incentives that can be created and utilized by a Community Redevelopment Agency.

SECTION 7: CONCLUSION AND RECOMMENDATIONS

CONCLUSION

This assessment of need study has been based on the requirements contained in Chapter 163 Part III of the *Florida Statutes*. While the study has to some extent relied on empirical observations of the parcels contained in the study area, the determination, measurement, and classification of the empirical criteria have been applied in a consistent manner throughout the process. Other conditions have been identified using various government documentation. This report utilized approximately numerous source documents prepared by various agencies as listed below. Combined, the information overwhelmingly supports the finding that evidence of blighted conditions exist in the area proposed for inclusion in a future redevelopment plan.

RECOMMENDATIONS

1) Create a Community Redevelopment Agency

SDI recommends that Miami-Dade County create a Community Redevelopment Agency for the 7th Avenue Corridor Area. This recommendation is based on the conditions documented in this Finding of Necessity. The Agency would lead in the preparation of a Redevelopment Plan, establishment of priorities and implementation of the Plan utilizing Tax-Increment Financing revenues and other funding sources available for redevelopment of the 7th Avenue Corridor CRA Area.

2) Prepare a Redevelopment Plan

Based upon the results of this inventory and analysis, a redevelopment plan should be prepared for this area in accordance with the provisions of the Community Redevelopment Act. This presents the best opportunity to accomplish many long-range goals that will benefit the community and improve the quality of life for the

people who reside in this area. The redevelopment plan can provide a strategy for funding capital improvements and economic incentives that will attract private sector investment and ensure that infrastructure is in place to support future growth and development. It will also provide focus and oversight of the land development process while improving the appearance and marketability of the area.

3) Establish a Redevelopment Trust Fund

Program funding and accounting is administered through a Redevelopment Trust Fund which is created by ordinance of the governing authority. Subsequent to adoption of the Redevelopment Plan, the Trust Fund is established which, according to statute, provides for the collection of tax increment revenues to finance capital improvements identified in the Plan. Upon adoption, the ordinance freezes the tax base and thereby establishes the base valuation of the properties located within the boundaries of the redevelopment district. Thereafter, all taxes assessed by qualified taxing authorities on future increases in the value of properties contained in the district are diverted to the Redevelopment Trust Fund. All taxes assessed on the value of property determined prior to adoption of the ordinance continue to generate revenues for local taxing authorities. Community Redevelopment Agencies are not considered to be Special Tax Districts as they do not have the authority to levy ad valorem taxes.

4) Interlocal Agreement or Contract Between Miami-Dade County and 7th Avenue Corridor CRA

Through its CRA, the County should negotiate an interlocal agreement or contract to utilize the existing capacities of the District to carry out the portions of the Redevelopment Plan that relate to the District's legal responsibilities, specifying the scope of services, funding amounts, and schedule and should address accountability for performance.

Miami-Dade County should provide oversight and management in regard to all statutory responsibilities of the CRA such as establishing an audit trail, submission of the required annual report to the State Auditor General's Office and the County Commission, and management of contracts.

APPENDIX

RESEARCH BIBLIOGRAPHY

1. Miami-Dade County Property Appraiser's Office, data regarding property assessment history
2. Miami-Dade County Team Metro, data on code enforcement violations
3. Miami-Dade County Police Department, data on crime rates
4. U. S. Census Bureau, socio economic characteristics
5. Comprehensive Plan EAR Report; Future Land Use Element: January 1996
6. Miami-Dade County Comprehensive Plan EAR Report; Housing Element: January 1996
7. Miami-Dade County Comprehensive Plan EAR Report; Potable Water Sub-Element: January
8. Miami-Dade County Comprehensive Plan EAR Report; Capital Improvement Element: January 1996
9. Miami-Dade County Comprehensive Plan EAR Report; Conservation/Coastal Element: January 1996
10. Miami-Dade County Comprehensive Plan EAR Report; Recreation and Open Space Element: January 1996
11. Miami-Dade County Comprehensive Plan EAR Report; Stormwater Management Sub-Element: January 1996
12. Miami-Dade County Comprehensive Plan EAR Report; Traffic Circulation Element: January 1996
13. Miami-Dade County Comprehensive Plan EAR Report; Solid Waste Sub-Element: January 1996
14. Miami-Dade County Comprehensive Plan EAR Report; Sanitary Sewer Sub-Element: January 1996
15. Miami-Dade County Comprehensive Plan Amendment Goals, Objectives and Policies: May 2001

Legal Case History

As explained in key court cases concerning particular circumstances of a blight study, a finding of necessity will be upheld if there is "competent substantial evidence" presented on the record upon which the governing body's decision was based. In addition, Chapter 163, *Florida Statutes* was amended in the 2002 legislative session to define a local government's adoption of a Finding of Necessity as a "legislative finding." The legislative intent of this action was to reduce the viability of the courts considering a challenge to a Finding of Necessity that meets the minimal statutory requirement. The Florida Supreme Court has defined the term "competent substantial evidence" as follows:

> *"Substantial evidence has been described as such evidence as will establish a substantial basis of fact from which the fact at issue can be reasonably inferred We have stated it to be such relevant evidence as a reasonable mind would accept as adequate to support a conclusion... We are of the view .... that the evidence relied upon to sustain the ultimate finding should be sufficiently relevant to sustain the ultimate finding and should be sufficiently relevant and material that a reasonable mind would accept it as adequate to the conclusion reached. To this extent the 'substantial' should also be competent'."*

Presence of Blight

As described in previous sections of this report, there is substantial evidence of the presence of blighted conditions in the study area. Those conditions are:

Economic Disuse:

Lower Rate of Increase in Aggregate Assessed Values of Real Property

General Conditions Required for CRA Eligibility:

Faulty Lot Layout
Unsanitary or Unsafe Conditions
Deterioration of Site or Other Improvements
Inadequate and Outdated Building Density Patterns

Residential and Commercial Vacancy Rates

Crime: Incidence of Crime