



**MEMORANDUM**  
Harvey Ruvin  
Clerk of the Circuit and County Courts  
Clerk of the Board of County Commissioners  
Miami-Dade County, Florida  
(305) 375-5126  
(305) 375-2484 FAX  
www.miami-dadeclerk.com

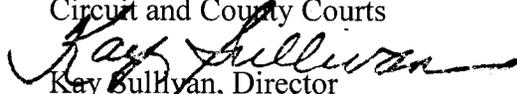
**Agenda Item No. 14 (B) 4**

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TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. DATE: September 9, 2004  
and Members, Board of County Commissioners

FROM: Honorable Harvey Ruvin, Clerk  
Circuit and County Courts

SUBJECT: Proposed Boundary Change  
to the Town of Medley  
South Areas I, II and III

  
Kay Sullivan, Director  
Clerk of the Board Division

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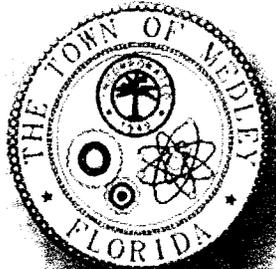
Pursuant to the provisions of Chapter 20-5 of the Code of Miami-Dade County, the Clerk of the Board has received a petition requesting a boundary change to the Town of Medley South Areas I, II and III. (See Exhibit A in the application for the legal description).

Following consideration by the County Commission, the Code provides that this request be forwarded to the Planning Advisory Board for review, study and recommendation.

Attachment  
KMS/kk

# **TOWN OF MEDLEY SOUTH ANNEXATION**

## **APPLICATION FOR ANNEXATION OF SOUTH AREAS I, II and III**



**For submittal to:  
Miami-Dade County**

**MAYOR: JACK MORROW  
VICE MAYOR: MARY TANNER  
COUNCIL: EUGENIO ADVINCULA  
CARLOS BENEDETTO  
MARGARITA DE JESUS**

**PREPARED BY:  
TOWN ATTORNEY: MELVIN WOLFE  
ASSISTANT TO THE MAYOR: RAMON RODRIGUEZ  
EMPLOYEE ANNEXATION LIAISON: SGT. MERLE BOYER**

**March 24, 2004**

CLERK OF THE BOARD  
2004 AUG -6 PM 2:34  
CLERK, CIVIL & COUNTY COURTS  
MIAMI, FLORIDA

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urban services, such as police protection, utilities, code enforcement, building and zoning, permitting and inspection services to South Areas I, II and III as future development and redevelopment occurs. It is important to note that annexation will also make local government officials and services much closer and more accessible to the property owners of these areas. This includes expedited permitting which saves private developers time and money, and places newly redeveloped and renovated properties on the tax role much faster not only to the financial benefit of the Town of Medley but very importantly, Miami-Dade County.

During the processing of its annexation application in year 2000, Medley voluntarily deferred over 60% of its land request to provide the Doral MAC (now City of Doral) and major landowners opportunities to assess their options. Specifically Section 8, Township 53 South, Range 40 East, which had been part of Medley's year 2000 annexation application was granted to Doral during the political process preceding the formal incorporation of the City. During the intervening two (2) years since the deferral, the need for Medley's community and tax base growth has not decreased. The approval of South Areas I, II and III will help to partially fill the void left by prior annexation initiative deferrals and to "square off" the Town's existing boundaries.

In summary, South Areas I, II and III will provide future land for the long-term growth of Medley, significant job creation, and increase the tax base of the Town and Miami-Dade County for operations and infrastructure improvements in the future. Landowners in the Areas will have much greater and closer access to local government officials and services provided by Medley, as well as, benefit from future infrastructure improvements sponsored by the Town.

This report has been prepared consistent with the requirements of Chapter 20, Article I, Section 20-3 of the Miami-Dade County Code in order to document the key characteristics and impacts of the proposed annexation by the Town of Medley.

boundaries of the lands that the Town of Medley desires to annex and accordingly a special referendum will not be required regarding the proposed annexation; and,

**WHEREAS**, the Town Council of the Town of Medley as its governing body is aware of, and intends to address, the concerns of the Board of County Commissioners regarding the fiscal impact of the annexation by the proposed annexation on the remaining unincorporated areas of Miami-Dade County and intends to properly address such issues by negotiating in good faith and entering into an equitable agreement with the County to mitigate such fiscal impact; and,

**WHEREAS**, it is in the best interests of the Town of Medley to accomplish such annexation.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MEDLEY, FLORIDA:**

**SECTION ONE:** The above recitals are true and correct and are incorporated herein by reference.

**SECTION TWO:** That the Town of Medley shall address the currently existing concerns of the Board of County Commissioners regarding the fiscal impact that the annexation by the Town of Medley will have on the remaining unincorporated areas of Miami-Dade County, Florida by negotiating in good faith and entering into an equitable agreement with the County to mitigate such fiscal impact including within such agreement a reimbursement to the County's Stormwater Utility of the prorata share of Stormwater Utility Bond expense that the areas annexed into the Town cover in proportion to the entire area covered by such bonding.

**SECTION THREE:** That the Town of Medley hereby requests the Board of County Commissioners of Miami-Dade County Florida, pursuant to Section 5.04 of the Charter of

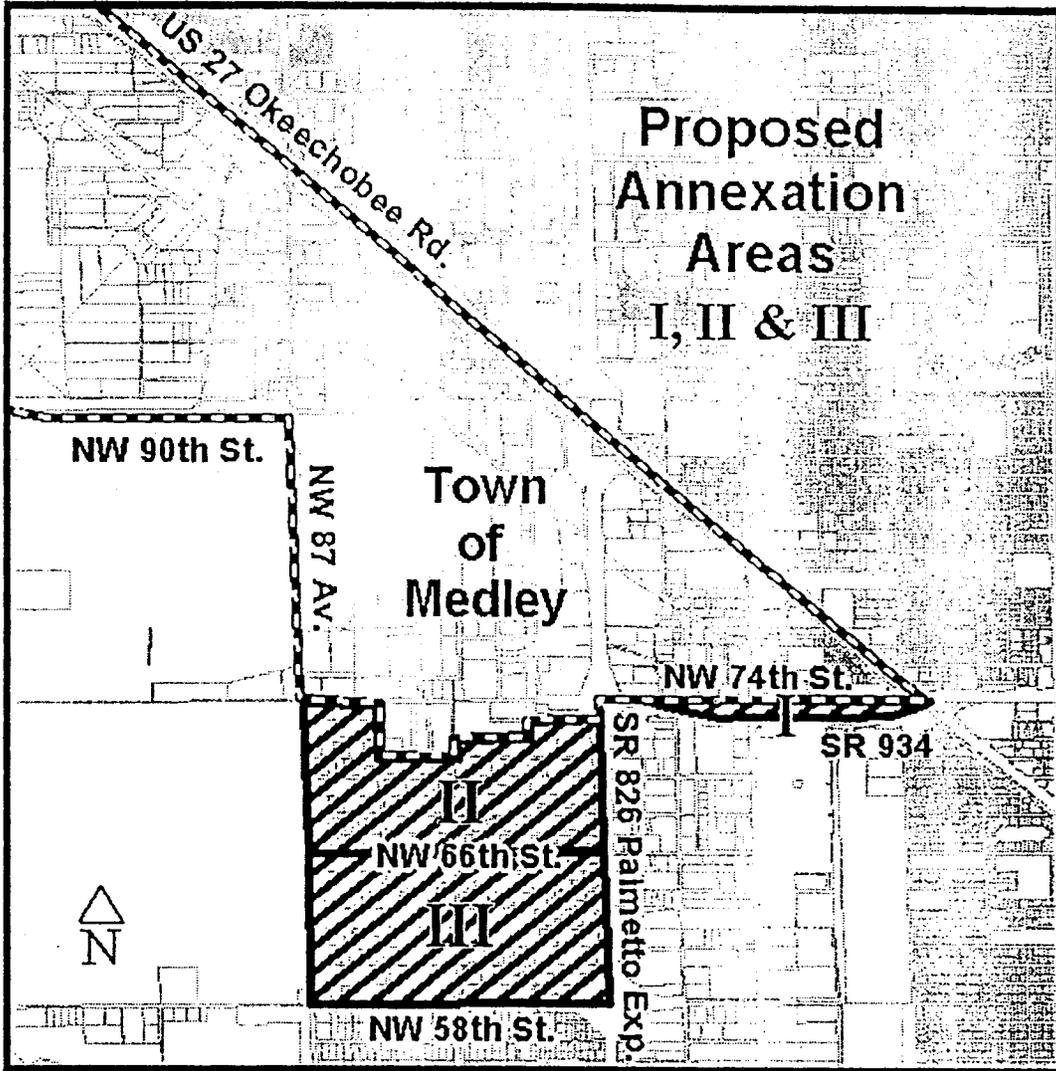


EXHIBIT "A"

7331 Northwest 74th Street  
Medley, Florida 33166-2488



Town Clerk  
Herlina Taboada  
(305) 887-9541, Ext. 112  
Fax: (305) 884-4827

*"The Perfect Location for Industrial Development"*

**CERTIFICATION**

I HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT  
COPY OF RESOLUTION C-865, AS PASSED AND ADOPTED BY THE  
TOWN COUNCIL OF THE TOWN OF MEDLEY, FLORIDA, ON THE 24<sup>th</sup>  
DAY OF March, 2004.

TOWN OF MEDLEY, FLORIDA

BY: Herlina Taboada  
HERLINA TABOADA, TOWN CLERK

DATE: 3-24-04

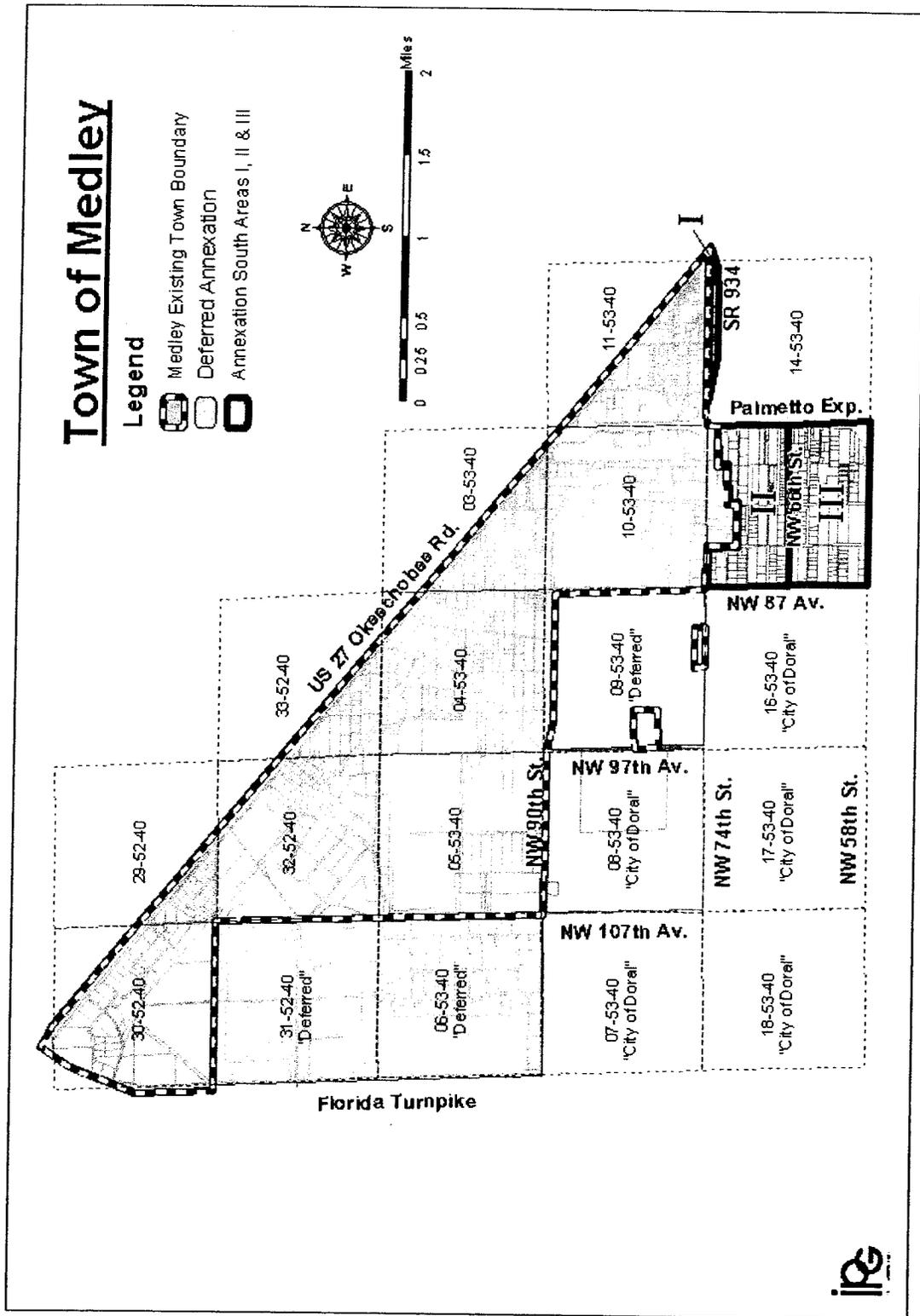


Figure 1. Location Map of Medley South Annexation Areas I, II & III



### III. Grounds for the Proposed Boundary Changes

South Areas I, II and III are located south of the present Medley municipal boundary. Combined they are approximately 576 acres size and generally developed. The existing land use mix in the Areas is shown in Table 1.

**Table 1  
Existing Land Use Annexation  
South Areas I, II and III**

Land Use Type	Acres	% of Total Area
Industrial/Office/ Institutional	539	94.0
Residential	2	0.1
Vacant Land	35	5.9
<b>Total</b>	<b>576</b>	<b>100%</b>

\* Estimated.

**Area I** is a narrow 27-acre piece of land located between NW 74th Street and SR 936 (Hialeah Expressway). Public and commercial uses dominate this area. Due to its narrow configuration, it is relatively difficult to utilize for extensive private development in the future. It is important to note that this strip of land is located literally right in front of Medley's Town Hall. Approximately 25% of this area is owned by Miami-Dade County. *The Town of Medley currently provides policing and community services in this area.*

**Area II** is 228 acres in size and is situated south of the Town's boundary between the Palmetto Expressway and NW 87th Avenue, and extending down to NW 66th Street. This area is commercially developed with some industrial uses intermixed. It is important to note that current Town boundaries extend south of NW 74th Street in this area. *Medley also provides police services in this area.*

**Area III** is 320 acres in size and is located south of NW 66th Street, also between the Palmetto Expressway and NW 87th Avenue. It extends south to NW 58th Street. In addition, it is predominantly developed with commercial and industrial uses.

No other municipality is presently able to provide municipal services cost-efficiently and at adopted levels-of-service to Areas I, II and III, nor is it anticipated that they will be able to do so within a reasonable time period. There are a number of additional reasonable grounds for the inclusion of subject Areas into the Town of Medley. These points are discussed below.

#### **Land Use and Zoning**

The proposed future land use in South Areas I, II and III would be consistent with the Industrial and Office designation shown on the County's Adopted 2000 and 2010 Land Use Plan. As previously noted, Section 62 of the Town Code specifies that current land

thus provide additional riders for the MetroRail and MetroBus systems, to the benefit of both the County and the Town.

The Town is also planning its own circulating mini-bus to enable commuters and those with access to Metrorail to reach the employment centers in and around Medley.

### **Proximity of Governmental Services**

Property owners in South Areas I, II and III will also benefit from close proximity to the Town's general government activities and services including Town Council meetings, elected officials, administrative personnel, and building review and permitting. These proposed annexation areas are appropriate to become a natural extension of the Town's industrial and commercial development pattern in the south portions of Medley. The Areas are most closely linked to, and influenced by, private development, public utility, and road construction occurring in Medley. Major public utility and transportation boundaries encompass South Areas I, II and III that make jurisdictional responsibility and service provision by the Town logical. The Miami-Dade County Solid Waste Incinerator and Recycling Facility is located west of the South Areas forming a significant barrier between them, and residential and industrial areas to the west.

Thus, it is apparent that the annexation of South Areas I, II and III into the municipal boundaries of Medley is both appropriate and justified due to the potential enhancement of the tax base of Medley and Miami-Dade County, and cost-efficient provision of public services to the Areas. For the reasons stated above, it is incumbent upon Miami-Dade County to approve the annexation of Annexation South Areas I, II and III into the municipal limits of the Town of Medley.

#### **4. Sanitary Sewer Facilities**

Medley also provides central sanitary sewer services to Area I. Areas II and III are currently served by the Miami-Dade County Water and Sewer Department (WASD) and this will continue. The Town built and maintains the gravity and force main collection system in Area I, and purchases wastewater treatment capacity from Miami-Dade County. Sewage collected from the Town is treated at the Miami-Dade County Regional Treatment Facilities. Properties in South Areas II and III are provided sanitary sewer services by the County. Medley can provide extension of sanitary sewer services into these areas if desired by the WASD, however it is more probable that sanitary sewer will continue to be supplied by the WASD in Areas II and III.

#### **5. Solid Waste Removal and Disposal**

Currently Medley provides garbage and trash pickup for all Town residents. Garbage is collected twice a week and trash once a week. It is expected that solid waste removal services will continue to be contracted on an individual business basis with qualified commercial haulers. Disposal facilities are currently located at the Medley landfill. Solid waste from Annexation South Areas I, II and III would be disposed of in appropriate regional facilities by the private garbage and trash haulers.

#### **6. Road Construction and Maintenance**

Medley maintains all streets within its jurisdiction with the exception of State and County roadways. Many minor arterials and collector streets are constructed and improved by the private sector as development occurs with maintenance responsibility transferring to the Town once improvements are completed. It is expected that future roads and streets in South Areas I, II and III would be constructed/improved by private development and thereafter maintained by Medley. Existing roads and streets will be maintained by Medley's Public Works Department.

#### **7. Parks and Recreation**

The current and proposed land use for the subject Areas is Industrial and Office. If annexation is approved, the Town will keep this same land use pattern in place. There are 17 voters in the area, thus a moderate residential need for park and recreation facilities is present. In addition, office and industrial workers may also utilize park facilities at lunchtime and immediately following work. The Town has the following park facilities near the proposed Annexation South Areas I, II and III:

- Town of Medley Park. Includes swimming pool, "kiddie" park area with specialized equipment, and barbeque and square dance pavilion.
- Teenage Game Room.
- Daniel Meehan Softball Field. Available for daily use for boys and girls intramural softball activities.

considered by the Town council and, if approved, transmitted to the Florida Department of Community Affairs (FDCA) for review and an eventual compliance finding, pursuant to Florida Statutes.

If the South Areas I, II and III annexation is approved, a Comprehensive Plan Amendment will be initiated to formally add the new area to the Future Land Use Map (FLUM), include any capital improvements necessary to maintain level-of-service standards, ensure that all environmental goals, objectives, and policies are met, and modify other Plan Elements as appropriate.

Medley will be better able to provide effective and coordinated future comprehensive planning for the areas. This is due to the fact that South Areas I, II and III will become an integral component of a planned future land use pattern emanating outward from the nearby Medley town center rather than remaining as another generic industrial area on the distant periphery of Miami-Dade County's future development boundary.

#### **11. Site Planning and Zoning Administration**

Medley maintains a Town Zoning Code (Chapter 62 of the Code of Ordinances) consistent with the adopted Comprehensive Plan. Current County zoning in South Areas I, II and III is IU-3, Heavy Industrial District (see Figure 4). The City intends to zone the subject areas as M-1 Light Manufacturing Industrial (see Figure 5) which is generally consistent with the current County zoning and existing development pattern in the Areas.

All site plans for proposed development are reviewed for consistency with the Comprehensive Plan and Zoning Code by Town staff. Site plans are reviewed by staff and the Town Council. Site plans which meet all Town planning and zoning requirements are recommended by the Town Council to the Chief Building Official for administrative approval.

The Town staff reviews all requests for rezonings, variances and special use permits, and submits recommendations related to these matters to the Town Council for final action. If annexation is approved, South Areas I, II and III will receive the site planning and zoning administration services of Medley which are considerably more accessible to the property owners of the South Areas than similar County services, saving those owners valuable time and money.

#### **12. Building Permitting and Inspections**

The Town maintains departments which process building permits, conducts building inspections, and issues citations for Town and Building Code violations. All building review and inspection services are provided by Town staff, except for reviews by the County's Department of Environmental Resources Management and Fire Department. Town building services would be much closer (within ½ mile) to the property owners of South Areas I, II and III than similar services now provided by Miami-Dade County. All applicable federal, state, regional, and county stormwater management and environmental permits are required to be obtained prior to the issuance of any specific Town building permit.

**V. Timetable to Supply Services**

<u>Service</u>	<u>Timetable</u>
1. Police Protection .....	Immediate
2. Fire Protection/Emergency Medical .....	As required by future development
3. Water Supply and Distribution .....	As required by future development
4. Sanitary Sewer Facilities.....	As required by future development
5. Solid Waste Removal.....	As required by future development
6. Road Construction and Maintenance .....	As required by future development
7. Parks and Recreation.....	As required by future development
8. Electric Service and Street Lighting .....	As required by future development
9. Stormwater Management .....	As required by future development
10. Comprehensive/Environmental Planning .....	Immediate
11. Site Planning and Zoning Administration.....	Immediate
12. Building Permitting and Inspections.....	Immediate
13. General Government.....	Immediate

**7. Parks and Recreation**

No new park and recreation facilities will be needed to serve the industrial and commercial land uses proposed for the subject Areas. However, the Town is planning to build a new passive park, as well as expand the Town of Medley Park, near South Areas I, II and III.

**8. Electric Service and Street Lighting**

Electric service and street lighting will be funded by Florida Power and Light through user fees as future development occurs.

**9. Stormwater Management**

Local drainage improvements in the proposed areas will be funded by the private sector as future development occurs and maintenance of those facilities will be implemented through the Medley Stormwater Utility. Regional stormwater management improvements, if necessary to serve future development in South Areas I, II and III, would be funded by the South Florida Water Management District.

**10. Comprehensive Planning**

Comprehensive planning services in Medley are paid from the General Fund. Planning for the proposed areas would be funded from property tax revenues.

**11. Site Planning and Zoning Administration**

Site planning and zoning administration are funded by fees collected from private developers as they submit project applications. This same source would be used to pay for site planning and zoning administration as future development occurs in proposed South Areas I, II and III.

**12. Building Permitting and Inspections**

Building permitting and inspections are paid for by fees collected from private developers as project applications are submitted. This same source would be used to pay for building permitting and inspections as future development occurs in South Areas I, II and III.

**13. General Government**

General government services in Medley are funded from the General Fund. For the proposed Annexation South Areas I, II and III, these services would be funded from increased property tax revenues.

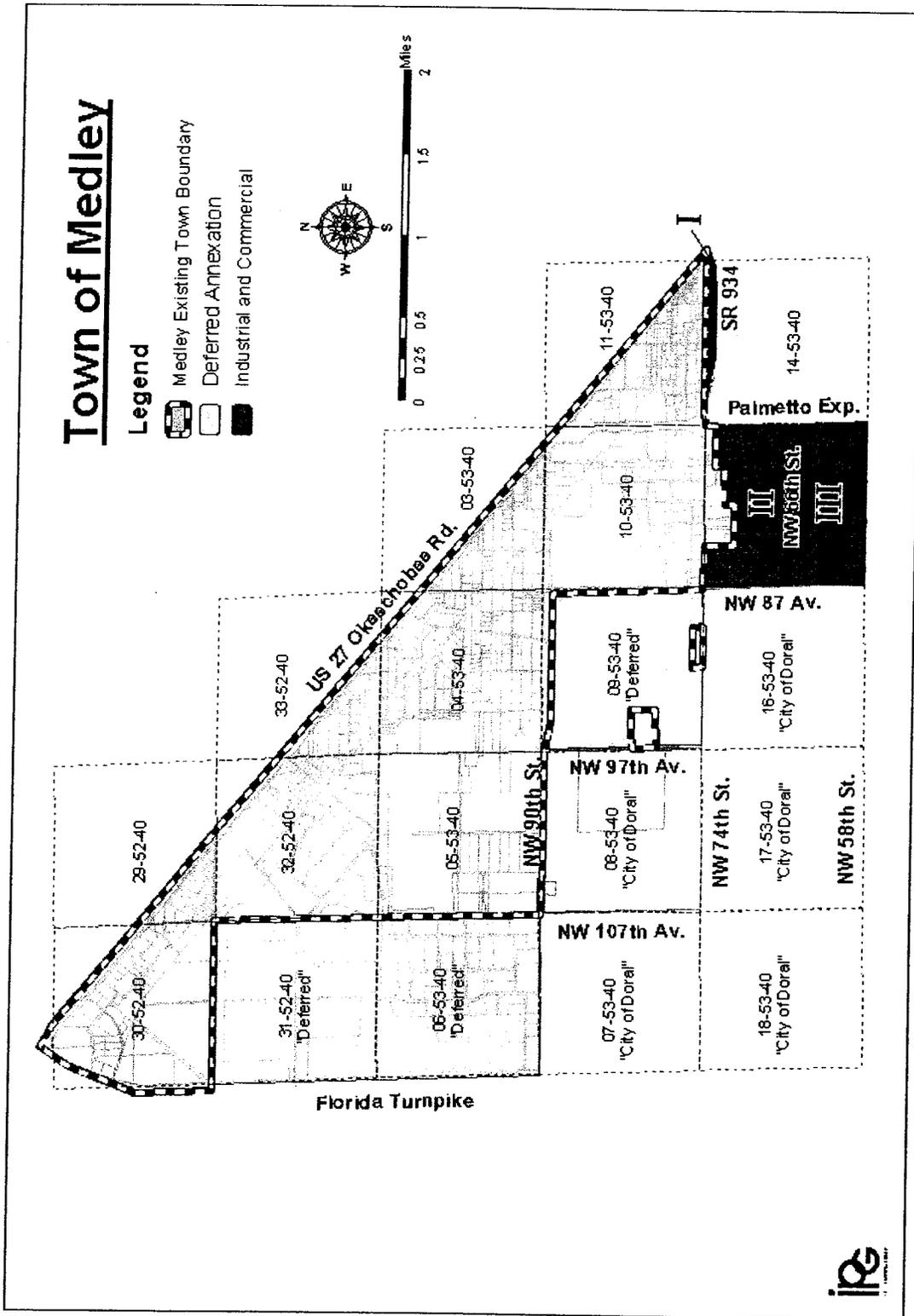


Figure 3. Proposed Town of Medley Future Land Use Map of Medley South Areas I, II & III

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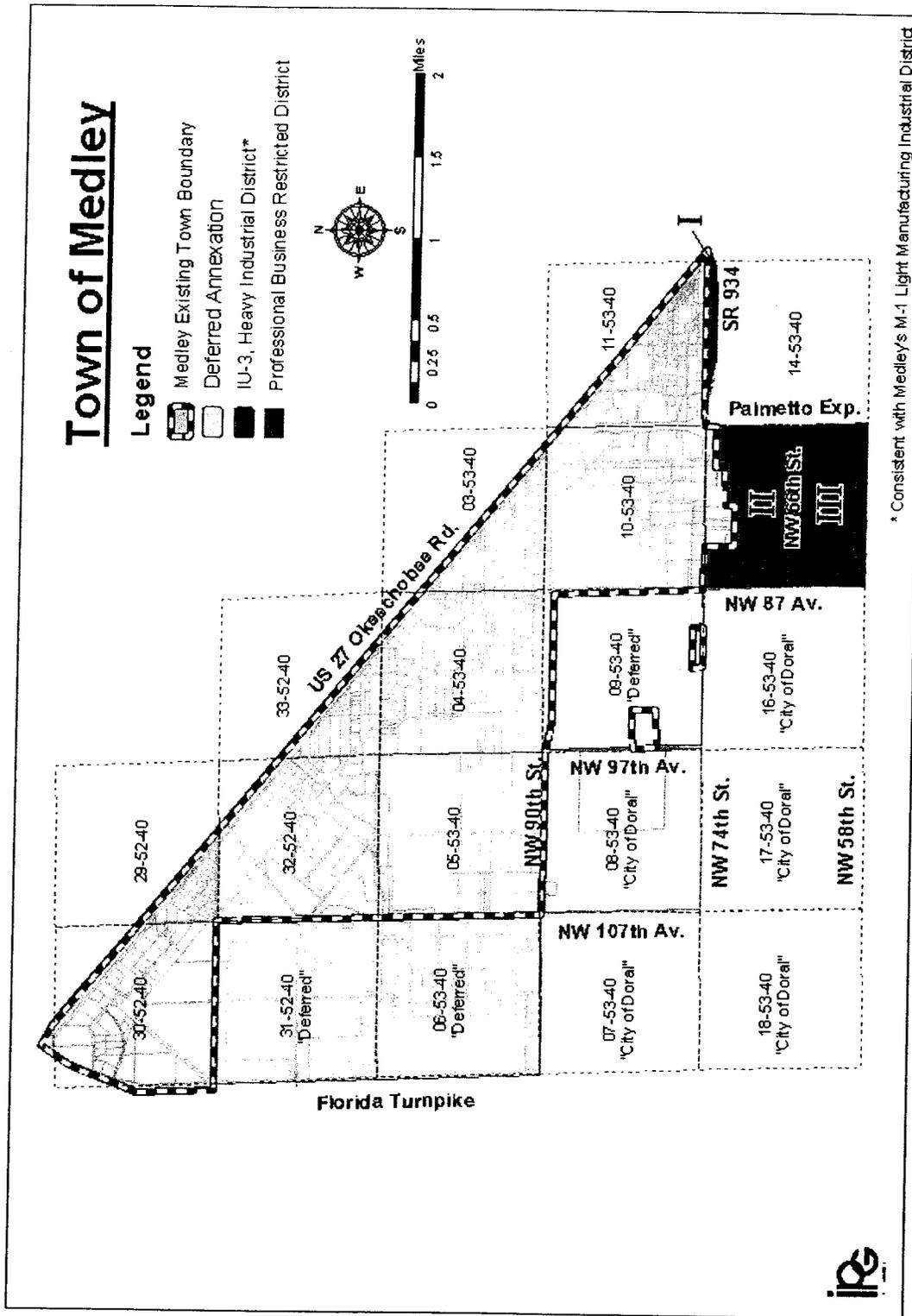


Figure 5. Proposed Town of Medley Zoning Map of Medley South Areas I, II & III

**X. County Planning Director's Certification of Residential Lands**

[To be provided following submittal of annexation application to Miami-Dade County.]

## XII. Certificate of Public Hearing Notice Publication

7331 Northwest 74th Street  
Medley, Florida 33166-2488



Town Clerk  
Herlina Taboada  
(305) 887-9541, Ext. 112  
Fax: (305) 884-4827

*"The Perfect Location for Industrial Development"*

March 8, 2004

RE: ANNEXATION OF LANDS BY THE TOWN OF MEDLEY

**NOTICE OF PUBLIC HEARING  
AND  
NOTICE OF PROPOSED ANNEXATION**

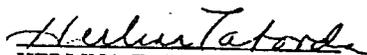
Dear Property Owner:

The Town of Medley proposes to change (expand) its municipal boundaries by annexing certain lands. A formal proposal will be submitted to the Miami-Dade County Government by the Town of Medley to annex certain lands on or before April 1, 2004.

Attached please find a copy of a Notice of Public Hearing including a description and map of the lands the Town proposes to annex into the municipal limits of the Town of Medley. The map also indicates the Town's current boundaries that are contiguous to the proposed new Medley South Annexation boundaries. If the proposal is approved by the Miami-Dade County Government the lands described in the attached Notice would be annexed into the Town of Medley.

The Code of Miami-Dade County requires that all property owners in the annexation area and within 600 feet of the annexed area be given Notice of the proposal.

Sincerely,

  
HERLINA TABOADA, TOWN  
CLERK

Encls.

All interested parties are encouraged to attend this meeting and be heard. For further information contact Herlina Taboada, Town Clerk at (305) 887-9541, extension 112.

The legal descriptions of the lands to be annexed is as follows:

**South Area I:** Start at the intersection of State Road 826 (Palmetto Expressway) and NW 74th Street; proceed East along the North right-of-way line of NW 74th Street to its intersection with the Miami Canal; then proceed generally Southeast along the centerline of the Miami Canal to its intersection with the North bridge right-of-way line for State Road 934 (Hialeah Expressway); then proceed generally West along the North right-of-way line of State Road 934 to its intersection with the South right-of-way line of NW 74th Street; then proceed West along the South right-of-way line of NW 74th Street to the point of beginning. Containing 27.5 acres more or less located within Section 14 Township 53 South Range 40 East, Miami-Dade County, Florida.

**South Area II:** Begin at the intersection of the West right-of-way line for NW 87<sup>th</sup> Avenue and the centerline for NW 74th Street; thence proceed Easterly along the centerline of NW 74th Street to its intersection with NW 84th Avenue; thence proceed Southerly along the centerline of NW 84th Avenue to a point along NW 84th Avenue which coincides with the centerline of the right-of-way for NW 71st Street; thence Easterly along NW 71st Street to its intersection with the centerline of NW 82nd Avenue, thence North along the centerline of NW 82nd Avenue to a point along NW 82nd Avenue which coincides the centerline of the right-of-way for NW 72nd Street; thence Easterly along NW 72nd Street to its intersection with the centerline of NW 79th Avenue; thence North along the centerline of NW 79th Avenue to a point along NW 79th Avenue which coincides the centerline of the right-of-way for NW 73rd Street; thence Easterly along NW 73rd Street to its intersection with the West right-of-way line of State Road 826 (Palmetto Expressway); thence South along the West right-of-way line of State Road 826 to its intersection with the South right-of-way line for NW 66th Street; thence proceed West along the South right-of-way line for NW 66th Street to its intersection with NW 87th Avenue; thence proceed North along the west right-of-way line for NW 87th Avenue to the point of beginning. Containing 228 acres more or less located in Section 15 Township 53 South Range 40 East Miami-Dade County, Florida.

**South Area III:** Begin at the intersection of the West right-of-way line for NW 87th Avenue and the South right-of-way line for NW 66th Street; thence Easterly along the South right-of-way line for NW 66th Street to the West right-of-way line for State Road 826 (Palmetto Expressway); proceed South along the West right-of-way line for State Road 826 (Palmetto Expressway) to its intersection with the centerline of NW 58th Street; proceed Westerly along the centerline of NW 58th Street to its intersection with NW 87th Avenue; thence proceed Northerly along the West right-of-way line for NW 87th Avenue to the point of

The Miami Herald

el Nuevo Herald

Published Daily

MIAM, FLORIDA

STATE OF FLORIDA  
COUNTY OF DADE

Before the undersigned authority personally appeared:

FRANK TOMASINO

Who on oath that he is

ADVERTISING OFFICE MANAGER

Of the Miami Herald Publishing Company, a daily newspaper at Miami in Dade County, Florida; that the advertisement for:

*The City of Medley*

was published in said newspaper in the issue of:

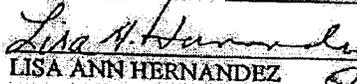
*Local Section, Thursday March 11<sup>th</sup>, 2004 pg. 23A*

Affiant further says that the Miami Herald is a newspaper published at Miami, in the said Dade County, Florida, and that the said newspaper has heretofore been continuously published in said Dade County, Florida, each day and has been entered as second class mail matter at the post office in Miami, in said Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement.

  
FRANK TOMASINO

Sworn to and subscribed before me

This 11<sup>th</sup> day of March A.D. 2004

  
LISA ANN HERNANDEZ

 Lisa Ann Hernandez  
Commission # DD 000617  
Expires Feb. 11, 2005  
Bonded thru  
Atlantic Bonding Co., Inc.

900 West 49th Street, Suite 500, Hialeah, Florida 33012

*22*