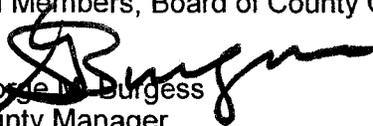


# Memorandum



**Date:** December 20, 2005

**To:** Honorable Chairman Joe A. Martinez  
And Members, Board of County Commissioners

**From:**   
George W. Burgess  
County Manager

**Subject:** Governmental Facilities Hearing Application GF05-05  
Local 6C Park for the Park and Recreation Department

Agenda Item No. 5(E)

## RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached resolution designating a 10-acre parcel of land located on the southwest corner of SW 157<sup>th</sup> Avenue and theoretical SW 20<sup>th</sup> Street as a future park site, in compliance with Section 33-303 of the Code of Miami-Dade County. This item was prepared by General Services Administration at the request of the Miami-Dade Park and Recreation Department and is recommended for approval. There is a companion item on this agenda requesting approval of the Contract for Sale and Purchase of the 10-acre parcel.

**LOCATION:** Southwest Corner of SW 157<sup>th</sup> Avenue and theoretical SW 20<sup>th</sup> Street, in southwest Miami-Dade County, Florida.

**COMMISSION DISTRICT:** 11

**BACKGROUND:** The Miami-Dade Park and Recreation Department is in need of acquiring additional park land to meet the recreational needs of this rapidly developing area in the western part of Miami-Dade County. This 10-acre parcel has been identified as a suitable location for a future park site. The Parks and Recreation Department intends to develop a general park plan for a neighborhood park with public and community input, once the site has been acquired.

Although this parcel lies outside of the Urban Development Boundary (UDB), there is residential development immediately to the east of the property which will benefit from the park, once it is developed. According to Miami-Dade County's Comprehensive Development Master Plan (CDMP) (Recreation and Open Space Element Policy 5Biv.), "In areas outside the Urban Development Boundary (UDB) but inside the Urban Expansion Area (UEA) or contiguous to the UDB, the County may acquire and "bank" land for future use as recreation open space" The proposed 10-acre park site meets this criteria since it is contiguous to the UDB.

PROPERTY  
DESCRIPTION:

This undeveloped property is located west of SW 157<sup>th</sup> Avenue, south of theoretical SW 20<sup>th</sup> Street and is comprised of maleluca trees and freshwater wetland. The South Florida Water Management District (SFWMD) Bird Drive Basin borders the property to the north, south, and west. The park site is located adjacent to existing and proposed residential housing. The eastern property line follows the 2005 and 2015 Urban Development Boundary (UDB). Since the site lies in the Bird Drive Basin, a portion of the site will be reserved as a stormwater drainage and storage area.

JUSTIFICATION:

Previous attempts by the Park and Recreation Department to purchase property in the area, within the Urban Development Boundary (UDB) proved unsuccessful due to high property values, unwilling sellers, and minimal options as a result of increased residential development. The purchase and use of this site as a park will allow for a buffer between the residential area to the east and the undeveloped water recharge lands to the west, outside of the UDB.

DEVELOPMENT:

The park will include a walking trail, children's playgrounds, parking, open play fields, and access to an existing trail system on adjacent South Florida Water Management District (SFWMD) lands. The site will serve as a buffer between the residential area to the east and the undeveloped lands to the west, which are part of the Comprehensive Everglades Restoration Plan (CERP). Currently, it is anticipated that only one access road will be constructed into the site. More active recreational activities, including access to picnic areas, playground and open space areas, will be available on the eastern edge of the park, while stormwater drainage and management could occur on the western side of the property. No ballfields, lighting, or restrooms are currently intended for the park. A general plan for development of the park will be formalized once the site is acquired. The Park and Recreation Department will solicit input from the surrounding community during the final planning and design stages of the park.

FUNDING SOURCES:

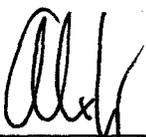
At present, there are no funds available for development of the park. The parcel is being acquired or "banked" for future use. The funding for the acquisition of the site is provided by Impact Fees.

SITE REVIEW  
COMMITTEE:

The Committee's task is to review projects subject to Section 33-303 of the Code of Miami-Dade County with regard to the public need for the proposed facility, its impact upon the surrounding community, and other similar considerations. The Committee reviewed this project on July 13, 2005. The Park and Recreation Department subsequently addressed the issues raised during the review process, ultimately satisfying all requirements of the Committee and receiving unanimous approval in September, 2005.

**COMMUNITY COUNCIL:** The project was presented to Community Council #10 on July 6, 2005. The council members were supportive of the project and recommended approval for future development. The Council members also expressed interest in reviewing the final plan prior to it being submitted to the Board for approval.

**PUBLIC HEARING:** Section 33-303 of the Code of Miami-Dade County provides that, prior to the construction or operation of a facility in the unincorporated areas of Miami-Dade, a favorable public hearing before the Board of County Commissioners is required. The Board may only authorize use, construction and operation of such facilities after considering, among other factors, the public need for the facility, the type of function involved, existing land use patterns in that area and the nature of the impact of the facility on surrounding property. The attached report from the Miami-Dade County Site Review Committee addresses these factors. At this time the Park and Recreation Department is solely requesting approval of the proposed use in order to acquire the property. The Park and Recreation Department will request approval of the final development plan through an additional governmental facility hearing once the final plan is completed.

  
\_\_\_\_\_  
Assistant County Manager

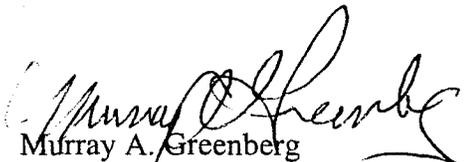


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** December 20, 2005

**FROM:**   
Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 5(E)

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 \_\_\_\_\_

Agenda Item No. 5(E)  
12-20-05

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DESIGNATING A 10-ACRE VACANT PARCEL OF LAND LOCATED AT THE SOUTHWEST CORNER OF SW 157<sup>TH</sup> AVENUE AND THEORETICAL SW 20<sup>TH</sup> STREET AS A FUTURE PARK SITE IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference, and has conducted a public hearing in compliance with the provisions of Section 33-303 of the Code of Miami-Dade County, Florida,

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

Section 1. This Board hereby determines that the designation of a vacant 10-acre parcel of land, located at the southwest corner of SW 157<sup>th</sup> Avenue and theoretical SW 20<sup>th</sup> Street, and more specifically described as follows:

TRACT 49, MIAMI EVERGLADES LAND COMPANY SUBDIVISION OF SECTION 8, TOWNSHIP 54 SOUTH, RANGE 39 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 3, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA,

as a future park site is necessary to provide for and protect the public health, safety and welfare of the citizens residents of Miami-Dade County, Florida and in so finding, has considered, among other factors, the type of function involved, the public need therefore, the land use pattern in the area, and the nature of the impact on the surrounding property.

5

Section 2. This Board approves the recommendations in the attached memorandum and authorizes the County Manager to take appropriate action to accomplish them.

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:

- |                      |                               |
|----------------------|-------------------------------|
|                      | Joe A. Martinez, Chairman     |
|                      | Dennis C. Moss, Vice-Chairman |
| Bruno A. Barreiro    | Dr. Barbara Carey-Shuler      |
| Jose "Pepe" Diaz     | Carlos A. Gimenez             |
| Sally A. Heyman      | Barbara J. Jordan             |
| Dorin D. Rolle       | Natacha Seijas                |
| Katy Sorenson        | Rebeca Sosa                   |
| Sen. Javier D. Souto |                               |

The Chairperson thereupon declared the resolution duly passed and adopted this 20<sup>th</sup> day of December, 2005. 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

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

Approved by County Attorney as  
to form and legal sufficiency.

CAK

Craig H. Coller

**Date:** August 22, 2005

**To:** George M. Burgess  
County Manager

**From:** Miami-Dade County  
Site Review Committee

**Subject:** Governmental Facilities Hearing for Local 6C Park  
GF05-05

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## **RECOMMENDATION**

It is recommended that the Board of County Commissioners approve the attached resolution designating a 10-acre parcel of land located at the southwest corner of SW 157<sup>th</sup> Avenue and theoretical SW 20<sup>th</sup> Street as a future park site. This application was reviewed by the Site Review Committee. Miami-Dade County Site Review Committee's task is to review projects subject to Section 33-303 of the Code of Miami-Dade County with regard to the public need for the facility, its impact upon the surrounding community, and other similar considerations. There is a companion item on this agenda requesting approval of the Contract for Sale and Purchase of the 10-acre parcel.

## **BACKGROUND**

The Miami-Dade Park and Recreation Department is in need of acquiring additional park land to meet the recreational needs of this rapidly developing area in the western part of Miami-Dade County. This 10-acre parcel has been identified as a suitable location for a future park site. The Parks and Recreation Department intends to develop a general park plan for a neighborhood park with public and community input, once the site has been acquired.

Although this parcel lies outside of the Urban Development Boundary (UDB), there is residential development immediately to the east of the property, which will benefit from the park, once it is developed. According to Miami-Dade County's Comprehensive Development Master Plan (CDMP) (Recreation and Open Space Element Policy 5Biv.), "In areas outside the Urban Development Boundary (UDB) but inside the Urban Expansion Area (UEA) or contiguous to the UDB, the County may acquire and "bank" land for future use as recreation open space" The proposed 10-acre park site meets this criteria since it is contiguous to the UDB.

## **PROJECT DESCRIPTION**

This undeveloped property is located west of SW 157<sup>th</sup> Avenue, south of theoretical SW 20<sup>th</sup> Street and is comprised of maleluca trees and freshwater wetland. The South Florida Water Management District (SFWMD) Bird Drive Basin borders the property to the north, south, and west. The park site is located adjacent to existing and proposed residential housing. The eastern property line follows the 2005 and 2015 Urban Development Boundary (UDB). Since the site lies in the Bird Drive Basin, a portion of the site will be reserved as a stormwater drainage and storage area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP)**

The Comprehensive Development Master Plan (CDMP) Adopted 2005 and 2015 Land Use Plan (LUP) map designates the subject property for Open Land, and specifically Open Land Subarea 3 (Tamiami-Bird Canal Basins). The site is located west of SW 157<sup>th</sup> Avenue and between SW 20<sup>th</sup> Street and SW 24<sup>th</sup> Street and is currently vacant. The LUP map depicts all surrounding land on the west side of SW 157<sup>th</sup> Avenue, comprising the Bird Drive Basin that is included as an area for Comprehensive Everglades Restoration Plan activities, as Open Land, and land to the east that is inside the Urban Development Boundary (UDB) as Low Density Residential Communities (2.5 to 6.0 dwelling units per gross acre).

Uses which can be considered for approval in Open Land Subarea 3 include rural residences at a maximum density of 1 dwelling unit per 5 acres, **compatible** institutional uses, **public facilities**, utility and communications facilities, seasonal agricultural use, **recreational use**, or limestone quarrying and ancillary uses. Uses that could compromise groundwater quality shall not occur in this area. Any land alteration and development in the Bird Drive or North Trail basins shall conform to the wetland basin plans adopted for those basins pursuant to policies of the CDMP.

Recreational use as intended, with trails, picnic and open space area, is a permissible public facility use within Open Land Subarea 3. The use of a park at this location would not negatively impact the vacant parcels found to the north, south and west and the activities associated with this neighborhood park will not aurally impact residences to the east. The park would also serve the recreational needs of the surrounding community.

The application would permit the Park and Recreation Department to “bank” land in a residentially developing area. According to the CDMP’s Recreation and Open Space Element Policy 5Biv.), “the County may acquire and ‘bank’ land for future use as recreation open space” in areas outside the UDB but inside the Urban Expansion Area or contiguous to the UDB. The proposed park site is contiguous to the UDB.

<u>EXISTING LAND USE PATTERN</u>	<u>LAND USE PLAN DESIGNATION</u>
<u>Subject Property:</u> GU; vacant land	Open Land Subarea 3
<u>Surrounding Properties:</u> NORTH: GU; vacant land	Open Land Subarea 3
SOUTH: GU; vacant land	Open Land Subarea 3
EAST: RU-1M(a) & RU-1M(b), Townhouses/Single-family residences	Low Density Residential, 2.5 to 6 dua (dwelling units per acre)
WEST: GU; vacant land	Open Land Subarea 3

**IMPACT OF FACILITY ON SURROUNDING LAND USE**

The proposed future neighborhood park will offer passive open space for the recreational needs of the nearby community. Park attendees will be able to use SW 157<sup>th</sup> Avenue to reach SW 20<sup>th</sup> Street where an entrance to the park is planned. In addition, when completed, the extension of SW 157<sup>th</sup> Avenue south to SW 42<sup>nd</sup> Street will provide park users with an alternative entrance to the park from the South. This neighborhood park will serve the passive recreational needs of the

entire community. The park will provide a walking trail, picnic areas, children's playground, parking, open play fields, and access to an existing trail system on adjacent SFWMD lands.

**STAFF RECOMMENDATIONS:**

The **Department of Planning and Zoning** recommends that this application be approved as presented with no conditions noted.

The **Public Works Department – Land Development Division** has reviewed the application and imposes the following condition:

The property must be platted before development. The Governmental Facility process does not exempt the property for compliance with the Subdivision Code requirements.

The **Public Works Department – Right-of Way Division** has reviewed the application and imposes the following condition:

1. A 40-foot dedication along SW 157<sup>th</sup> Avenue is needed. The Park and Recreation Department will be responsible for building the improvements to that portion of the land.

The **Public Works Department – Traffic & Highway Engineering** has reviewed the application and makes the following comments and recommendations regarding the project:

1. Currently, the Public Works Department (PWD) has no proposed roadway project adjacent to the proposed park site in the 2006 Transportation Improvement Program. However, the 2030 Long Range Transportation Plan does include, as a priority III (*Priority III: planned to be funded between 2016 and 2020*), a project along SW 157<sup>th</sup> Avenue from SW 42<sup>nd</sup> Street to SW 8<sup>th</sup> Street (new four lanes). This roadway project will require a Comprehensive Development Master Plan Amendment.
2. As no site plan was available for the park site at the time of review, this project will need to be resubmitted to the Site Review Committee for site plan development review at a later date. Also, please be advised that a PWD permit will be required for the project. Please contact the PWD Permit Section at (305) 375-2142 for more information. At any time, should you have questions of the PWD requirements, please do not hesitate to contact Mr. Gaspar Miranda, P.E., Chief, Highway Division at (305) 375-2130.

The **Fire Rescue Department** recommends approval of the application and further states that fire services available are within the project area as follows:

1. The closest Miami-Dade Fire Rescue Station to this project is Station # 37 West Bird, located at 4200 SW 142<sup>nd</sup> Avenue. This station is equipped with an Advanced Life Support Engine. The Department can provide a response time from our station to the hospital of approximately four (4) to five (5) minutes. An alternate station to respond would be Station #58 Tamiami, located at 12701 SW 6<sup>th</sup> Street. This station is also equipped with an Advanced Life Support Engine. The Trail Station # 61 is a future planned station to be located on SW 152<sup>nd</sup> Avenue and SW 10<sup>th</sup> Street. The estimated completion date for on-line service is early 2007.
2. This project must comply with Uniform Fire Safety Rules and Standards. All future site plans must be reviewed for department approval by the Fire and Water Engineering Bureau located at 11805 SW 26th Street at (786) 315-2771 or (786) 315-2775.

The **Miami-Dade Water & Sewer Department (MDWASD)** recommends the application based upon the following condition:

The property is located outside the Urban Development Boundary (UDB). Therefore, the MDWASD cannot provide service.

The **Office of ADA Coordination** has reviewed the application and has no objections to the proposed request.

The **General Services Administration CMRS Division** has reviewed the application and recommends approval of the use as presented to the Site Review Committee.

The **Department of Environmental Resources Management (DERM)** has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Wellfield Protection:

The subject property is located within the West Wellfield interim protection area. The West Wellfield is located between SW 72<sup>nd</sup> Street and Coral Way along theoretical SW 172<sup>nd</sup> Avenue. The Board of County Commissioners approved a Wellfield protection ordinance for this Wellfield. This ordinance provides for stringent Wellfield protection measures that restrict development within the wellfield protection area.

Since the subject request involves a non-residential land use or a zoning category which permits a variety of non-residential land uses, the owner of the property shall submit a properly executed covenant in accordance with Section 24-43(5) of the Code which provides that hazardous materials shall not be used, generated, handled, discharged, disposed or stored on the subject property.

However, since the subject request is for a land acquisition and banking, the covenant will not be required at this time. The applicant is advised that prior to DERM approval of any development orders, the owner of the property shall be required to submit a properly executed covenant in accordance with Code requirements.

Potable Water Supply and Wastewater Disposal:

Public water can be made available to the subject property. Any development of the property requiring sanitary facilities shall be connected to the public water supply system and sanitary sewer system, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be

contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with the Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Storm Water Management:

The Subject property is located within the Bird Drive Basin. Cut and fill criteria as well as drainage restrictions are in effect within this basin. Any development on this property shall be required to set aside surface water management areas that shall comply with basin requirements. Calculations that demonstrate that the proposed stormwater management areas meet the basin's requirements shall be required prior to the approval by DERM of additional development orders for this property.

A Surface Water Management Individual Permit from the South Florida Water Management District shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All storm water shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands:

The subject property lies outside of the Urban Development Boundary Line (UDB) in an area conceptually identified in the Comprehensive Everglades Restoration Plan (CERP) as the Bird Drive Recharge area. The conceptual objectives of the project are to recharge groundwater and reduce seepage from Everglades National Park by increasing water table elevations east of Krome Avenue. The site could provide storage for peak flows during flood or extreme storm events, to help protect developed areas to the east. The final design is expected to also focus on preserving and enhancing high quality wetland habitats within the basin. Pumps, water control structures, canals, and above ground storage, with water levels fluctuating to as much as four feet above grade are proposed for this basin in the conceptual CERP report. As a result, the State has been actively purchasing hundreds of acres within the basin. Although it is not possible to determine at this time to what extent these CERP concepts will be implemented, acquisition for restoration or mitigation purposes would be more consistent with other ongoing public land acquisition in the area. Development of an active park at the proposed location may limit the design options and success of the CERP projects, or be incompatible with other water management and restoration activities that could occur in the vicinity.

Permits for dredging, filling, or other work in this area will require permits from federal, state and local environmental regulatory agencies. The subject property is located within the Bird Drive Wetland Basin, and is a jurisdictional wetland as defined by Chapter 24-5 of the Code. Therefore, a Class IV Wetland Permit and compliance with the North Trail/Bird Drive Everglades Basin

Ordinance, including plans for mitigation, tree island preservation and fill encroachment/stormwater management criteria will be required before any work can be done on the subject property. These criteria require on-site stormwater management and a mitigation contribution to fund off-site mitigation to compensate for wetland values lost as a result of the proposed project. The Wetlands Resources Section of DERM (305) 372-6585 may be contacted for further information concerning the Miami-Dade County wetland permitting requirements.

The applicant is advised that permits from the Army Corps of Engineers (USACOE) (305-526-7181), the State of Florida Department of Environmental Protection (FDEP) (561-681-6600), and the South Florida Water Management District (SFWMD) (1-800-432-2045), may also be required for the proposed project. It is the applicant's responsibility to contact these agencies. Although it is not possible to speculate about the likelihood of obtaining any of the above permits without a complete application, because of the general context and CERP-setting, it is likely that this would be a challenging process. No other development has been permitted outside the UDB in this area. In other areas of strategic importance to CERP, some permits have been issued, but with unique conditions including flowage easements, or other elements to assure compatibility with regional restoration goals.

Tree Preservation:

The subject property revealed the presence of tree resources; however, the property is located in a designated wetland basin and will be regulated through a Class IV Wetland Permit. Section 24-48 requires the preservation of all tree islands.

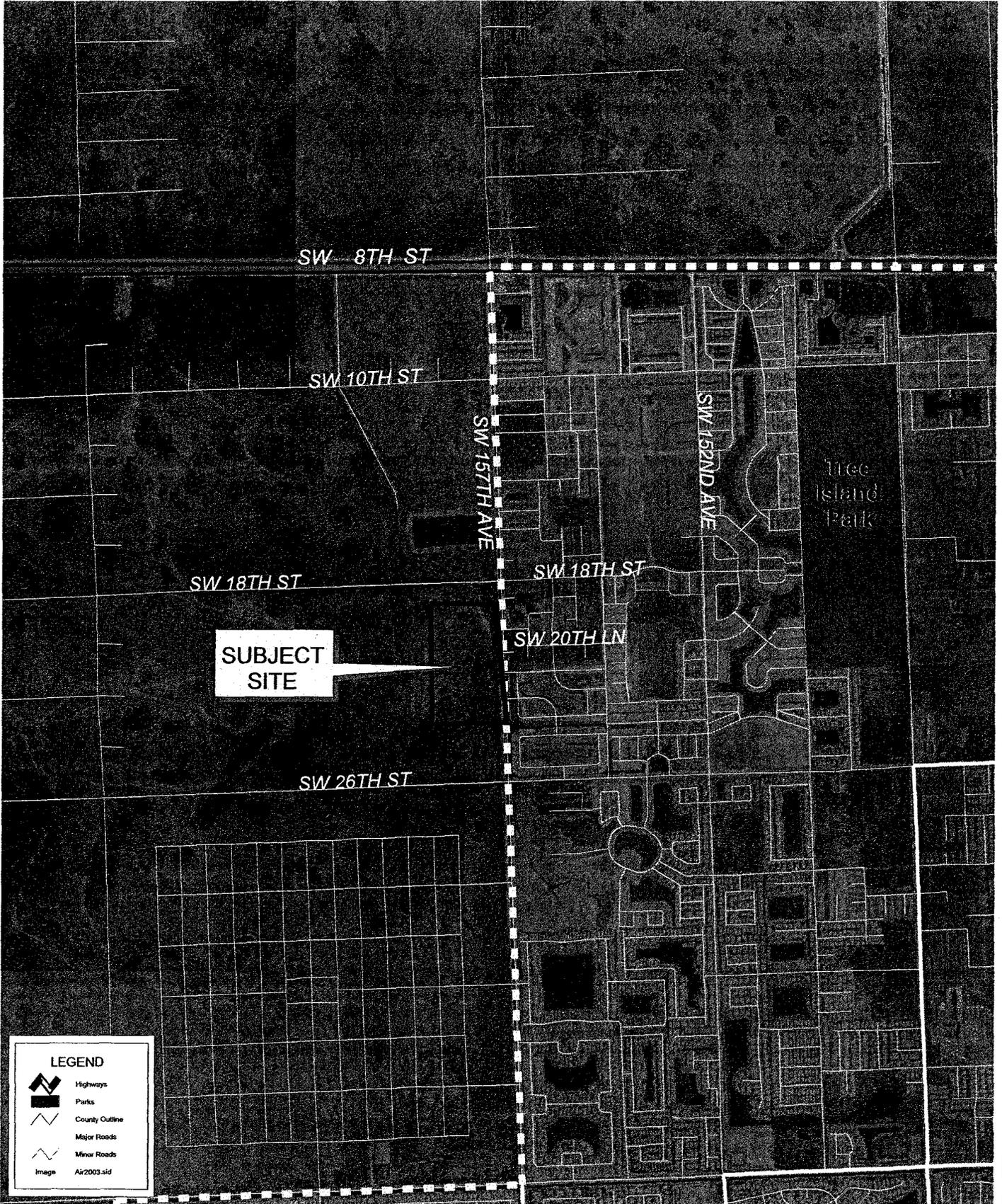
Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development, as specified in the adopted CDMP for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.



MIAMI DADE COUNTY  
PARK AND RECREATION DEPARTMENT  
LOCAL 6- PARKLAND ACQUISITION



**LEGEND**

- Highways
- Parks
- County Outline
- Major Roads
- Minor Roads
- Image

Air2003.sid

MIAMI-DADE COUNTY SITE REVIEW COMMITTEE

APPLICATION 05-05

LOCAL 6C PARK FOR MIAMI-DADE PARK AND RECREATION DEPARTMENT

Fernando, Alonso Chief  
Right-of-Way Division  
Public Works Department

Esther Calas, Director  
Public Works Department

for Diane O'Quinn Williams, Director  
Department of Planning and Zoning

for Mirtha Paez  
Capital Improvement and Planning  
Fire and Rescue Department

Jose Gonzalez, P.E., Assistant Director  
Department of Environmental  
Resources Management

Phillip Torres, P.E., Chief  
Plans Review Section  
Department of Water & Sewer

Wendi J. Norris, Interim Director  
General Services Administration