

Memorandum



Date: January 23, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in blue ink, appearing to read "Carlos A. Gimenez", written over the printed name of the sender.

Supplement to
Agenda Item No. 4(F)

Subject: Supplemental Information on Expedited Application No. CDMP20190008 to Amend the Comprehensive Development Master Plan

The following supplemental information is provided to the Board of County Commissioners regarding expedited Application No. CDMP20190008 to amend the Comprehensive Development Master Plan (CDMP). The information includes: the Mayor's Memorandum on expedited Application No. CDMP20190008 to amend the CDMP (Exhibit 1), the Initial Recommendation report for expedited Application No. CDMP20190008 (Exhibit 2), and Additional Items (Exhibit 3) received by the Department of Regulatory and Economic Resources addressing expedited Application No. CDMP20190008 after the publication of the Initial Recommendation report.

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

Jack Osterholt
Deputy Mayor

Date: January 23, 2020

Exhibit 1

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor



Subject: Report on Expedited Application Nos. CDMP20190006, CDMP20190007, and CDMP20190008 to Amend the Comprehensive Development Master Plan

Recommendation

It is recommended that the Board of County Commissioners (Board) take action on Application Nos. CDMP20190006, CDMP20190007, and CDMP20190008 to amend the Comprehensive Development Master Plan (CDMP). The Board is scheduled to take transmittal action on standard expedited Application Nos. CDMP20190006, CDMP20190007, and CDMP20190008 as indicated in the table below and further detailed in this memorandum.

APPLICATION NUMBER	ITEMS FOR CONSIDERATION BY THE BOARD
Application No. CDMP20190006 (Standard Application)	Item No. 4B – Resolution for transmittal to the State Land Planning Agency. Item No. 4B1 - Ordinance (First Reading)
Application No. CDMP20190007 (Standard Application)	Item No. 4C – Resolution for transmittal to the State Land Planning Agency. Item No. 4C1 - Ordinance (First Reading)
Application No. CDMP20190008 (Standard Application)	Item No. 4D – Resolution for transmittal to the State Land Planning Agency. Item No. 4D1 - Ordinance (First Reading)

Expedited Standard Applications

Background

Three standard applications (Application Nos. CDMP20190006, CDMP20190007, and CDMP20190008) were filed by private parties on April 4, 2019, April 25, 2019, and May 10, 2019, respectively, for processing as expedited applications to amend the CDMP. A description of the expedited standard applications, the recommendations of the Department, the affected community councils and the Local Planning Agency are provided in Attachment A to this memorandum.

At the conclusion of the public hearing for the expedited standard applications, the Board will take action on separate resolutions issuing transmittal instructions for the expedited standard applications to the State Land Planning Agency and other reviewing agencies. The resolutions (Agenda Item No. 4B, 4C, and 4D) will also incorporate a request for the reviewing agencies to review and return their comments on the transmitted applications before the Board takes final action. After adoption of the transmittal resolutions, the Board will be requested to approve, on first reading, three ordinances for the transmitted applications (Agenda Item No. 4B1, 4C1, and 4D1) that will be used at a later date to take final action on the pending expedited standard applications. A subsequent public hearing, currently scheduled in or about September 2019, will be held for the Board to take final action on the expedited standard applications that were transmitted to the State Land Planning Agency and other reviewing agencies.

Scope

The CDMP is a broad-based Countywide policy-planning document created to: guide future growth and development, ensure the adequate provision of public facilities and services for existing and future populations in Miami-Dade County, and maintain or improve the quality of the natural and man-made environment in the County. While the adopted text of the CDMP generally applies Countywide, some text amendment applications and individual, site-specific Land Use Plan map amendment applications may have localized impact on one or more Commission Districts. For example, Application No. CDMP20190006 is located within District 11, which is represented by Commissioner Joe A. Martinez; and Application Nos. CDMP20190007 and CDMP20190008 are located within District 9, which is represented by Commissioner Dennis C. Moss.

Fiscal Impact/Funding Source

There are no direct fiscal impact associated with Application Nos. CDMP20190006, CDMP20190007, and CDMP20190008. However, the development allowed by these CDMP amendment Applications may have varying impacts on County services. The impacts associated with these applications are discussed in the "Initial Recommendations, Application No. CDMP20190006 to Amend the Comprehensive Development Master Plan," dated June 2019; "Initial Recommendations, Application No. CDMP20190007 to Amend the Comprehensive Development Master Plan," dated June 2019; and "Initial Recommendations, Application No. CDMP20190008 to Amend the Comprehensive Development Master Plan," dated June 2019. These documents are kept on file with and available from the Department of Regulatory and Economic Resources, and can be accessed at the following link: <http://www.miamidade.gov/planning/cdmp-amendment-cycles.asp>.

Social Equity Statement

The recommendations of the Director on the expedited Application Nos. CDMP20190006, CDMP20190007, and CDMP20190008 as contained in the documents titled "Initial Recommendations, Application No. CDMP20190006 to Amend the Comprehensive Development Master Plan," dated June 2019; "Initial Recommendations, Application No. CDMP20190007 to Amend the Comprehensive Development Master Plan," dated June 2019; and "Initial Recommendations, Application No. CDMP20190008 to Amend the Comprehensive Development Master Plan," dated June 2019, which were prepared in accordance with Section 2-116.1 of the Code of Miami-Dade County, include among other things, a compatibility analysis and conclusion that satisfies the requirements of Ordinance No. 15-83, regarding social equity, to the extent applicable to these applications.

Track Record/Monitor

Amendments to the CDMP do not involve the monitoring of contracts.



Jack Osterholt
Deputy Mayor

Summary of Recommendations
 Expedited Standard Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
 June 2019

Application Number/Type	Applicant/Applicant representative/ Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation July 8, 2019	BCC Action July 25, 2019
CDMP 20190006/ Standard	Century Homebuilders Group, LLC / Juan J. Mayol, Jr., Esq., & Gloria M. Velazquez, Esq. Southwest corner of SW 136 Street and SW 157 Avenue / (±10.34 acres) <u>Requested Amendment to the CDMP:</u> Redesignate the application site on the LUP map: From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)" To: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)"	11/ Martinez	Transmit and Adopt	No Quorum June 18, 2019	Transmit and Adopt	To Be Determined
CDMP 20190007/ Standard	MAC Thirteen, LLC / Juan J. Mayol, Jr., Esq., & Gloria M. Velazquez, Esq. West side of SW 132 Avenue between SW 284 Street and SW 288 Street / (±44.32 acres) <u>Requested Amendment to the CDMP:</u> Redesignate the application site on the LUP map: From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)" To: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)" and "Medium Density Residential (13 to 25 dwelling units per gross acre.)"	9/ Moss	Transmit	Transmit with the proffered Declaration of Restrictions [with the condition that the declaration of restrictions proffered by the applicant include the notice requirements requested by Homestead Air Reserve Base (HARB)] (Reso. No. 15-4-19) July 2, 2019	Transmit with Change [Change is to "Low Medium Density Residential (6-13 du/ac)" on the entire application site]	To Be Determined

Application Number/Type	Applicant/Applicant representative/ Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation July 8, 2019	BCC Action July 25, 2019
CDMP 20190008/ Standard	<p>TREO Southwest, LLC / Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., & James R. Williams, Esq.</p> <p>Southeast corner of SW 344 Street and SW 192 Avenue / (±19.89 acres)</p> <p><u>Requested Amendment to the CDMP:</u></p> <ol style="list-style-type: none"> Redesignate the application site on the LUP map: <p>From: "Low Density Residential (2.5 to 6 dwelling units per gross acre) – with One Density Increase (DI-1)"</p> <p>To: "Medium Density Residential (13 to 25 dwelling units per gross acre)"</p> <ol style="list-style-type: none"> Release of the Declaration of Restrictions recorded in Official Records Book 25853 at Pages 4432-4446 of the Public Records of Miami-Dade County, Florida, as it applies to the subject property; and Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners. 	9/ Moss	<p>Transmit and Adopt with Change and with Acceptance of the Proffered Declaration of Restrictions</p> <p>[change is to redesignate application site to "Low-Medium Density with One Density Increase]</p>	No Recommendation [motion failed due to a tie vote) July 2, 2019	Transmit and Deny	To be Determined

TREO Southwest, LLC (CDMP20190008)

Commission District 9 Community Council 15

APPLICATION SUMMARY

Applicant/Representative:	TREO Southwest, LLC / Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., & James R. Williams, Esq.
Location:	Southeast corner of SW 344 Street and SW 192 Avenue
Total Acreage:	± 19.89 gross acres
Current Land Use Plan Map Designation:	"Low Density Residential (2.5 to 6 dwelling units per gross acre) with One Density Increase (DI-1)"
Requested Land Use Plan Map Designation:	<ol style="list-style-type: none"> 1. "Medium Density Residential (13 to 25 dwelling units per gross acre)" 2. Release of the Declaration of Restrictions recorded in Official Records Book 25853 at Pages 4432-4446 of the Public Records of Miami-Dade County, Florida, as it applies to the subject property; and 3. Add the proffered Declaration of Restrictions to the Restricted Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners.
Amendment Type:	Standard
Existing Zoning District/Site Condition:	AU (Agriculture) / Row and field cropland

RECOMMENDATIONS

Staff:	TRANSMIT AND ADOPT WITH CHANGE AND WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS [change is to redesignate site to "Low-Medium Density Residential (6 - 13 dwelling units per gross acre) With One Density Increase (DI-1)]" (June 2019)
South Bay Community Council (CC15):	NO RECOMMENDATION [motions failed due to tie votes.] (July 2, 2019)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	TRANSMIT AND DENY (July 8, 2019)
Transmittal Action of Board of County Commissioners:	TO BE DETERMINED (July 25, 2019)
Final Action of Board of County Commissioners:	TO BE DETERMINED (September 2019)

Staff recommends to **TRANSMIT AND ADOPT WITH CHANGE AND WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS** the proposed change to the Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map to redesignate the ±19.89-acre site from “Low Density Residential (2.5 to 6 dwelling units per gross acre) With One Density Increase (DI-1)” to “Medium Density Residential (13 to 25 dwelling units per gross acre)” and release of the existing covenant for the following reasons:

Principal Reasons for Recommendation:

1. Approval of the application would promote infill residential development at a higher density than currently allowed on the application site consistent with Objective LU-1, Policy LU-1C and Policy LU-10A of the CDMP Land Use Element. These provisions of the CDMP require the County to give priority to infill development on vacant land or underdeveloped environmentally suitable urban areas contiguous to existing urban development, where urban services and facilities have the capacities to accommodate additional demand. The application site is a farmed property within the County’s urban area and as discussed in Principal Reason No. 3(ii) below, existing public services and facilities have adequate capacities to accommodate the impacts that would be generated if the application is approved and developed as proposed by the applicant.

Under the current CDMP land use designation of “Low Density Residential (2.5 to 6 dwelling units per gross acre) with One Density Increase” the site could be developed with a maximum of 258 residential units. However, the application site is encumbered by an existing Declaration of Restrictions (covenant) that limits residential development on the application site to 10 units per acre for a maximum allowed 198 units residential. The existing covenant was accepted in 2007 (herein the 2007 Covenant) by the Board of County Commissioners upon adoption of then CDMP amendment Application No. 15 that changed the site’s designation from “Low Density Residential” to “Low Density Residential” with the One Density Increase (DI-1) overlay (see ‘Background’ on page 11). The Applicant’s requested release of the 2007 Covenant and “Medium Density Residential” CDMP land use designation or staff’s recommended “Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase (DI-1)”, discussed in Principal Reason No. 2 below, would allow the site to be developed with a maximum of 497 residential units. However, the applicant has proffered a new covenant that would limit residential development on the application site to 327 units.

2. Staff recommends that the application site be redesignated to “Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase (DI-1)” rather than the requested “Medium Density Residential (13 to 25 dwelling units per gross acre)”. The CDMP Land Use Element provides that a property with the DI-1 overlay designation may be developed at one density category higher than the underlying Land Use Plan map designation only when sound urban design principles are incorporated into the design of the proposed development; otherwise the maximum density of the underlying land use designation would apply. Therefore, if approved with the proffered covenant, the site would be developable with a maximum of 258 residential units at a density up to 13 units per acre if sound urban design principles are not incorporated into the design of the project, but, would be developable with up to the proposed 327 units with the incorporation of sound urban design principles into the design of development on the property. The sound urban design principles of the DI-1 overlay designation require landscaping, buffers, height transitions, and other provisions intended to make the development compatible with the surrounding development. The applicant has agreed to staff’s recommended change and has included in the proffered covenant a commitment to incorporating sound urban design principles in the design of the proposed

development as a condition for obtaining any density above 13 units per acre on the application site.

2. The applicant's proffered covenant includes a commitment that 10% of the total number of units developed on the site will be made affordable to households earning between 60% and 140% of the Area Median Income (AMI) of Miami-Dade County, in accordance with the 2007 Covenant. This provision would further Land Use Element Policy LU-12E and Housing Element Objective HO-6, as well as Policy HO-3I, which seek to increase workforce housing opportunities and infill development. Workforce housing is defined as housing that is affordable to families whose incomes are within 60% to 140% of the County's area median income.

Under the property's current land use designation and the 2007 Covenant, up to 19 workforce housing units would be provided on the site and if the application is approved with the proffered covenant, as recommended, up to 32 workforce housing units would be provided.

3. CDMP Approval of the application would be generally consistent with the criteria for evaluating Land Use Plan map amendment applications pursuant to Policy LU-8E of the CDMP Land Use Element. Policy LU-8E requires LUP map amendment applications to be evaluated according to factors such as (i) the ability of the proposed amendment to satisfy a deficiency in the LUP map to accommodate projected population or economic growth of the County, (ii) impacts to County facilities and services, (iii) compatibility with abutting and nearby land uses, (iv) impacts to environmental and historical resources, and (v) the extent to which the proposed land use would promote transit ridership and pedestrianism pursuant to Objective LU-7 and associated policies. Each factor is discussed below.

- i. *Need to Accommodate Economic or Population Growth:* Approval of the application would increase the supply of multifamily units by 327 units as proffered in the applicant's Declaration of Restrictions; thereby increasing the supply of multifamily housing by approximately 1.2 years in Minor Statistical Area (MSA) 7.5 where the application site is located. The residential land capacity in MSA 7.5 for single-family type units is projected to be depleted beyond 2030; for multi-family in 2024; and for both single-family and multifamily units beyond 2030 (see "Supply and Demand Analysis" on page 14). The increase in the number of residential units would provide additional residential capacity in the subject MSA and be of benefit to the area.
- ii. *Public Facilities and Services:* Approval of the application would be generally consistent with the CDMP Capital Improvements Element Objective CIE-3 that requires CDMP land use decisions not to cause a violation in adopted level of standards for public facilities and services. Except for fire services and schools, the impacts that would be generated from the maximum development allowed on the application site, if the application is approved, would not cause a violation in the adopted level of service standards for water, sewer, parks, solid waste, and roadways.

It should be noted, however, that Miami-Dade's Fire Rescue Department (MDFR) has indicated that travel time to incidents in the vicinity of the application site does not conform to the national industry standards, and plans to construct a new fire station along SW 344 Street at approximately SW 187 Avenue (Florida City Fire Station No. 72). The new fire station will provide adequate fire and emergency service to the area while relieving existing fire stations located to the east of the application site. The applicant's proffered Declaration of Restrictions stipulated that, in anticipation of the new Fire Rescue station,

the owner agrees not to seek a building permit to build any more than 198 dwelling units on the property until such time as MDR has received a building permit for the construction of the new Fire Rescue station. The owner further agrees not to seek a Certificate of Occupancy for any more than 198 dwelling units on the property until such time the new Fire Rescue station is built and in service.

In addition, Miami-Dade County Public Schools indicates in its Preliminary Concurrency Analysis review that if the application is approved and the site developed in its entirety with the maximum potential of 327 residential units, as proffered in the applicant's Declaration of Restrictions, there would be a shortfall of elementary school seats. Miami-Dade County Public Schools further indicates that final determination of Public School Concurrency and capacity reservation will be made during final plat approval, site planning, or a functional equivalent. If at that time there is insufficient school capacity, the development impacts would be mitigated through proportionate share mitigation, as required pursuant to CDMP Educational Element Policy EDU-2C and the Interlocal Agreement for Public Facility Planning between Miami-Dade County and Miami-Dade County Public Schools (see "Public Schools" section on page 25 of this report and "Appendix C: Miami-Dade County Public Schools Analysis" on Appendices Page 63.)

- iii. *Compatibility:* The development of the site, if the "Low-Medium Density Residential with One Density Increase" CDMP land use designation is approved, would generally be compatible with the CDMP residentially designated properties abutting and adjacent to the east, south, and west of the application site. Furthermore, approval of the application would be consistent with Policy ICE-1F of the Intergovernmental Coordination Element of the CDMP, which states, "Miami-Dade County shall consider compatibility with adopted land use plans of adjacent municipalities as a factor in reviewing proposed changes to the Land Use Plan map or to a municipal plan." The proposed CDMP land use designation of "Low-Medium Density Residential with One Density Increase" would be compatible with the future land use designations of properties within the City of Florida City located adjacent to the north, beyond the commercially designated area, and to the northeast of the application site. These areas are designated "Medium Density Residential" by Miami-Dade County.

In addition, it should be noted that the proposed residential development would be compatible with the following existing apartment complexes located north of the application site within the City of Florida City: the Cameron Creek 148-unit apartment complex, located at NW 17 Avenue and 3 Terrace, which is built on 10 acres at a density of approximately 15 dwelling units per acre; the 190-unit Princeton Manor apartments complex located northeast of the application site, at SW 336 street and SW 187 Avenue, built on ±7.17 acres at approximately 26 units per acre; and the 28-unit condominium complex located at SW 342 Street and SW 187 Avenue, built on ±1.87 acres at approximately 15 units per acre.

- iv. *Environmental and Historic Resources:* The subject application, if approved, would not impact any historic or archaeological resources on the site, but may impact an environmental resource. The application site is located within the 100- and 210-day travel time contour of the Florida Keys Aqueduct Authority (FKAA) wellfield protection area, which prohibits land uses that use, handle, generate, dispose of or store hazardous materials and hazardous waste, and restricts sewage loading. The proposed development would not comply with sewage loading restrictions in Chapter 24 of the Code, if served by an onsite septic tank. At the request of the Division of Environmental

Resources Management (DERM) and the Water and Sewer Department (WASD), therefore, the applicant has agreed to proffer several conditions committing to connect to the public water and sanitary sewer system. These conditions ensure that the proposed development complies with sewage loading and other regulatory requirements to maintain water quality (see "Wellfield Protection" section on page 18, "Sewer System Connectivity" section on page 21 and "Appendix B: Proffered Declaration of Restrictions" on Appendices Page 49 of this report).

- v. *Transit Ridership and Pedestrianism:* The proposed CDMP amendment application could support transit ridership and pedestrianism. Metrobus Routes 35/35A and 344 provide local route service in the vicinity of the application site, with the closest Metrobus stops for these two routes approximately 0.4 mile from the application site, at the intersection of SW 344 Street and SW 187 Avenue, or less than a five-minute walk from the site. In an effort to improve transit service in the future, the applicant has committed in the proffered Declaration of Restrictions to allow encroachments onto the application site to provide for a bus pull-out bay and bus shelter. Given that the closest bus stops are currently less than a five-minute walk from the subject site and that the applicant has made commitments to provide a bus shelter or bus pull-out bay along the property, the site could be made to support transit service.

TREO SOUTHWEST, LLC. - CDMP20190008 AERIAL PHOTO



UNINCORPORATED MIAMI-DADE

FLORIDA CITY

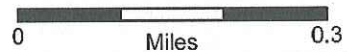


APPLICATION AREA

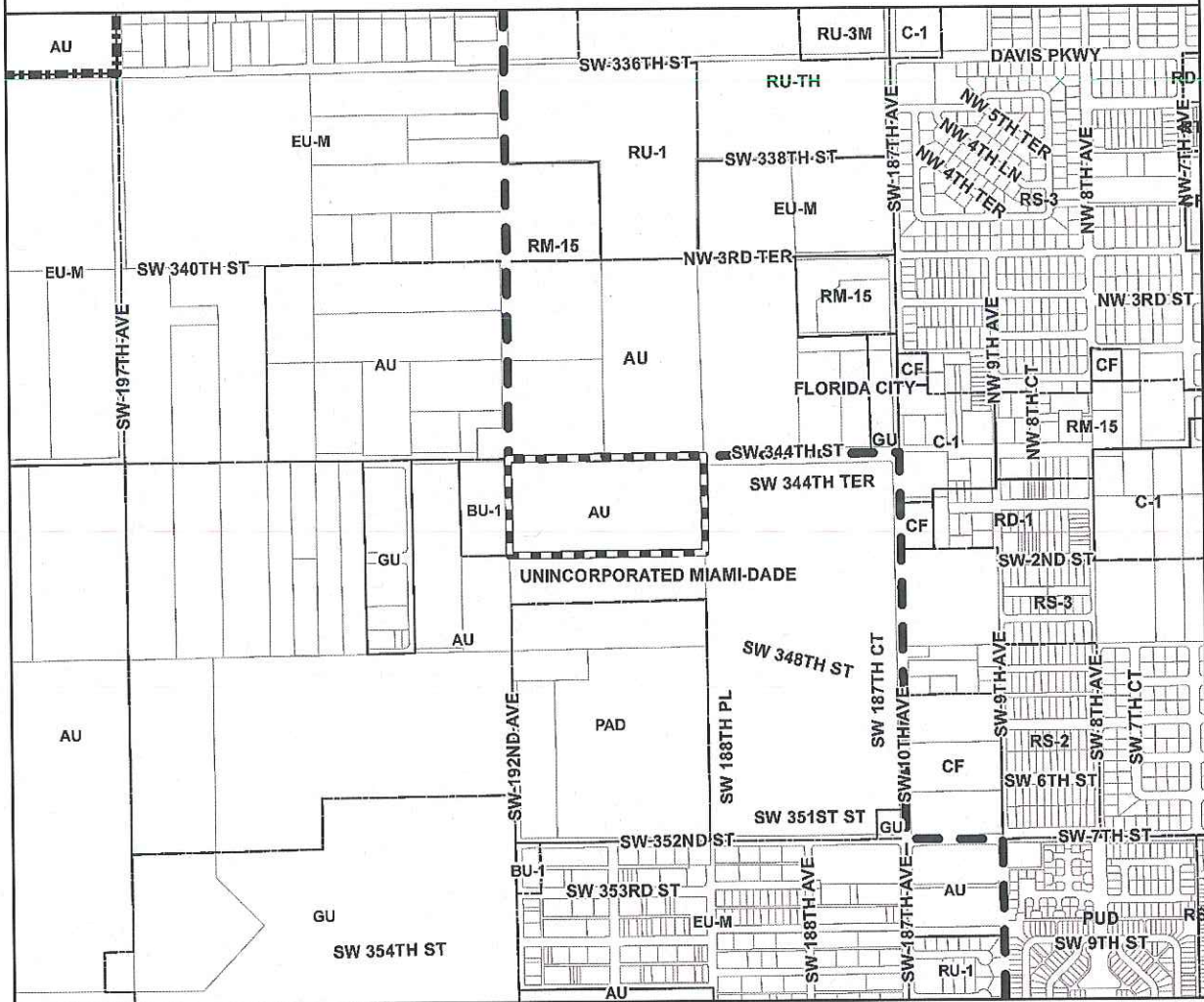


MUNICIPAL BOUNDARY

Source: Department of Regulatory and Economic Resources
May 2019

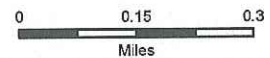


TREO SOUTHWEST, LLC. - CDMP20190008 ZONING MAP



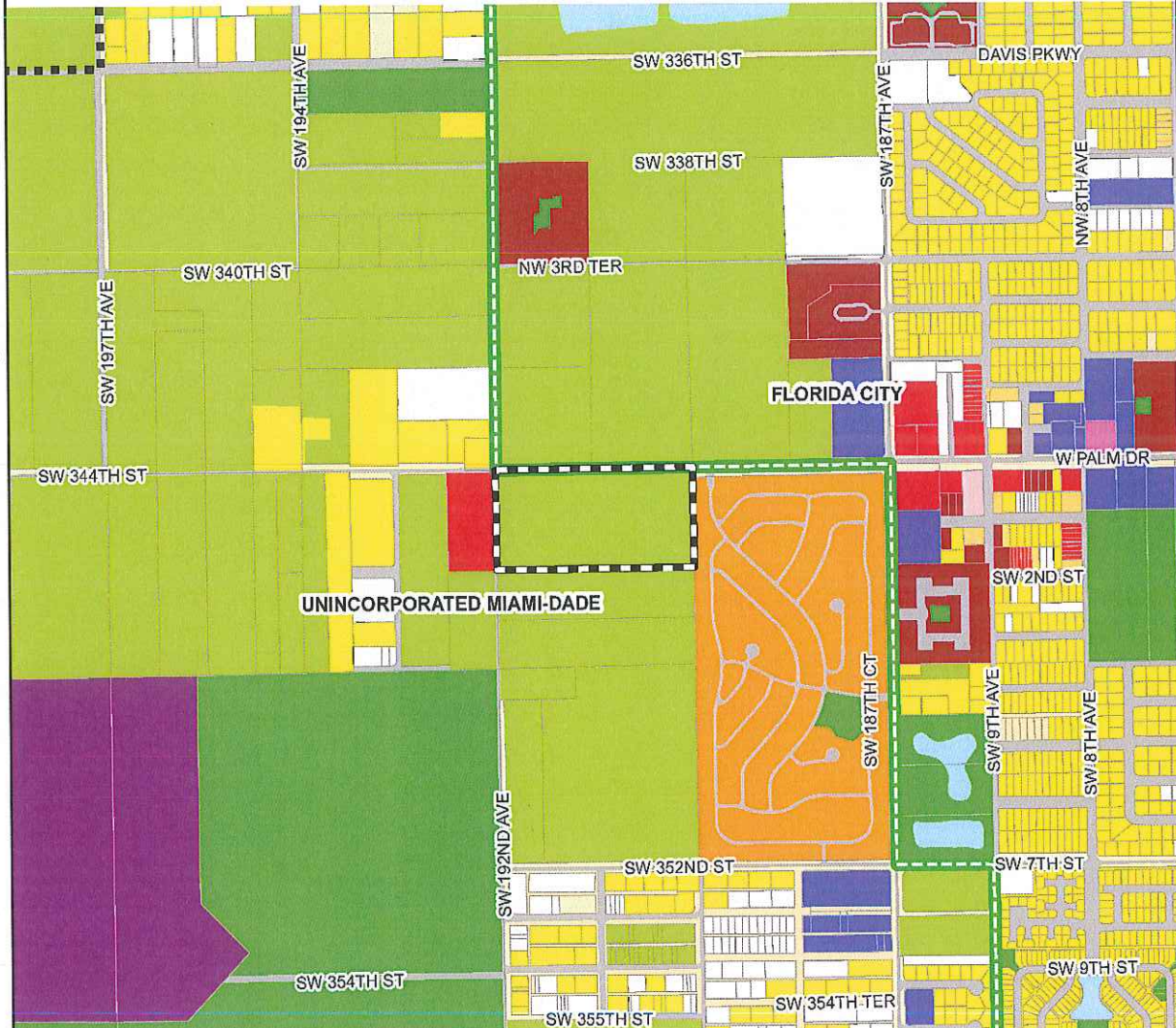
Source: Department of Regulatory and Economic Resources
May 2019

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| APPLICATION AREA | EU-M ESTATE MODIFIED |
| MUNICIPAL BOUNDARY | GU GENERAL USE (INTERIM) |
| MIAMI-DADE COUNTY ZONING DISTRICTS | |
| AU AGRICULTURAL / RESIDENTIAL 5 ACRES | PUD PLANNED UNIT DEVELOPMENT DISTRICT |
| BU-1 BUSINESS DISTRICTS, NEIGHBORHOOD | RD-1 RESIDENTIAL DUPLEX DISTRICT 1 |
| EU-M ESTATES MODIFIED, SINGLE-FAMILY | RM-15 RESIDENTIAL MULTI-FAMILY DISTRICT |
| GU INTERIM DISTRICT | RS-1 RESIDENTIAL ESTATE DISTRICT |
| PAD PLANNED AREA DEVELOPMENT | RS-2 RESIDENTIAL SEMI-ESTATE DISTRICT |
| RU-1 SINGLE-FAMILY RESIDENTIAL DISTRICT | RS-3 RESIDENTIAL SINGLE-FAMILY DISTRICT 3 |
| MUNICIPALITIES ZONING DISTRICTS | |
| AU AGRICULTURAL | RT RESIDENTIAL MOBILE HOME/ RECREATION VEHICLE DISTRICT |
| C-1 NEIGHBORHOOD COMMERCIAL DISTRICT | RU-1 SINGLE FAMILY RESIDENTIAL |
| CF COMMUNITY FACILITY DISTRICT | RU-3M MINIMUM APARTMENT HOUSE 12.9 UNITS/ NET |
| | RU-TH TOWNHOUSE |
| | 2020 URBAN DEVELOPMENT BOUNDARY |



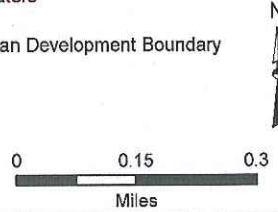
TREO SOUTHWEST, LLC. - CDMP20190008

EXISTING LAND USE



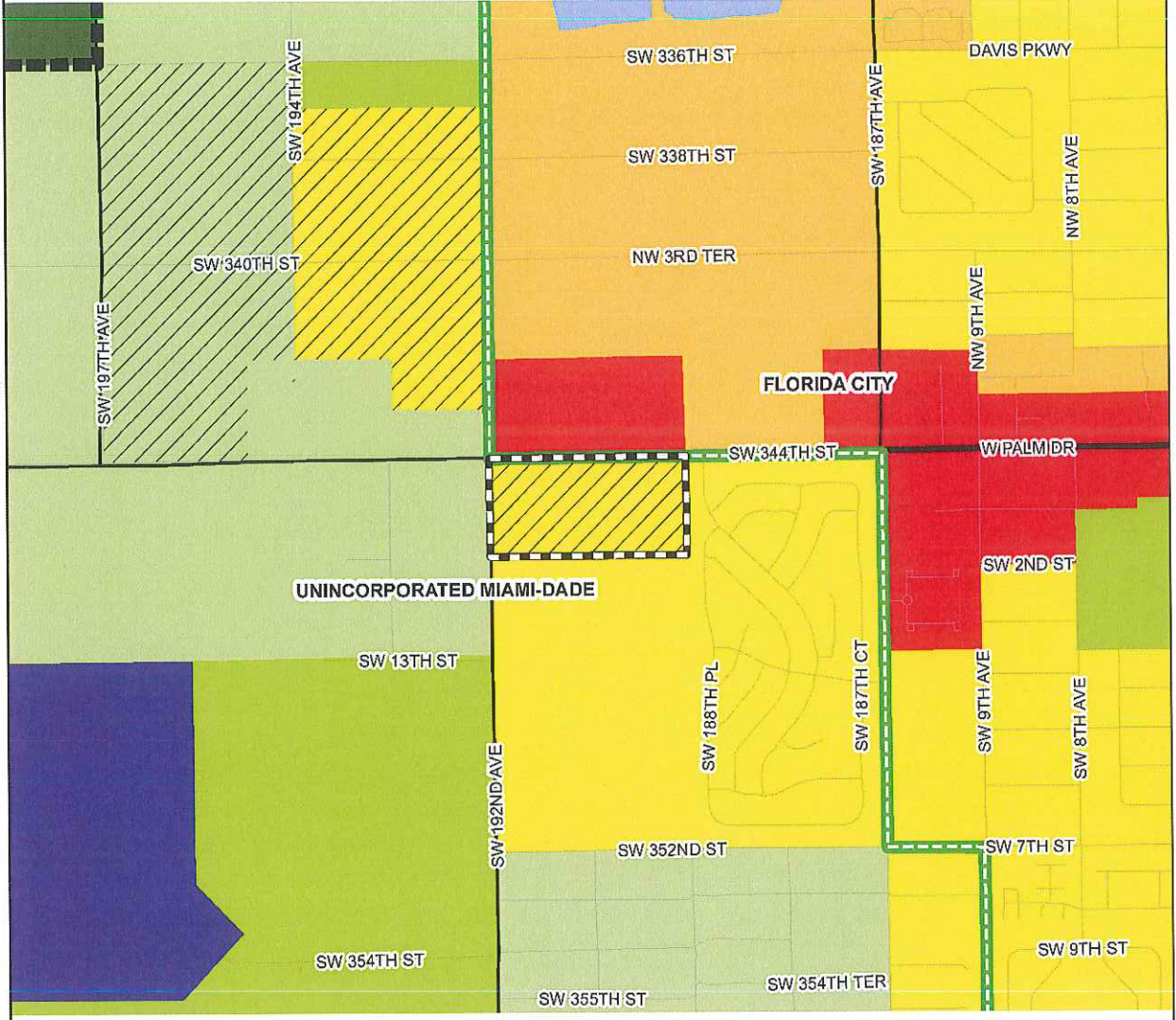
Source: Department of Regulatory and Economic Resources
May 2019

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| Application Area | Transient-Residential (Hotels, Motels) | Parks, Preserves, Conservation Areas |
| Municipal Boundary | Commercial, Shopping Centers, Stadiums | Vacant Government Owned, Unprotected |
| Existing Land Use | Office | Vacant, Protected, Privately Owned |
| Single-Family | Institutional | Vacant Privately Owned, Unprotected |
| Two-Family Duplexes | Communications, Utilities, Terminals | Inland Waters |
| Mobile Home Parks | Streets, Roads, Expressways, Ramps | 2020 Urban Development Boundary |
| Townhouses | Streets, Expressway R/W | |
| Low-Density Multi-Family | Agriculture | |


















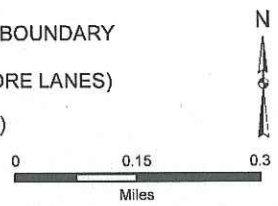
TREO SOUTHWEST, LLC. - CDMP20190008

CDMP LAND USE

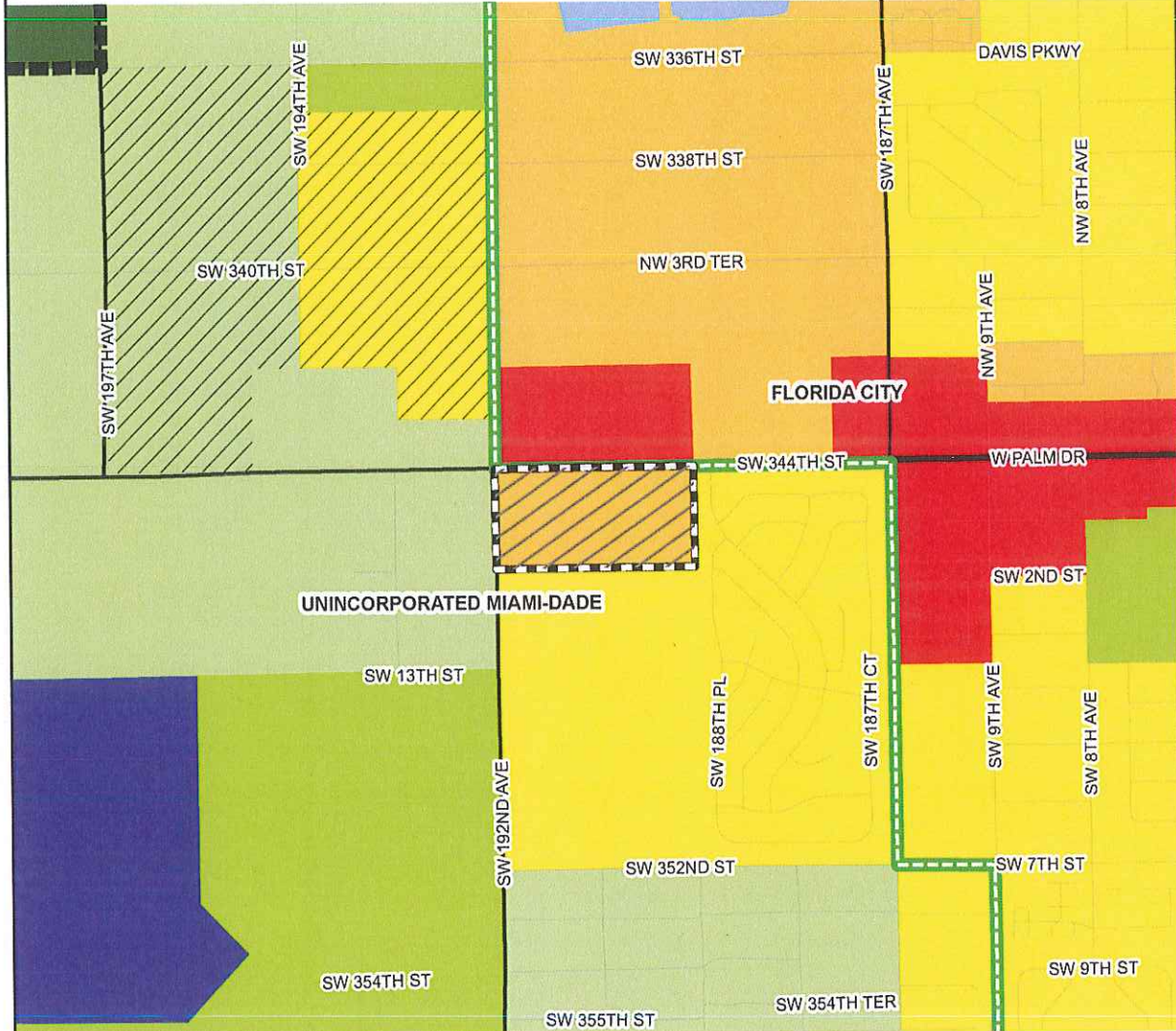


Source: Department of Regulatory and Economic Resources
May 2019

















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|  | APPLICATION AREA |  | BUSINESS AND OFFICE |
|  | MUNICIPAL BOUNDARY |  | INSTITUTIONS, UTILITIES AND COMMUNICATION |
| CDMP LAND USE | | | |
|  | ESTATE DENSITY (EDR) 1-2.5 DU/AC |  | AGRICULTURE |
|  | ESTATE DENSITY W/ DENSITY INCREASE 1 |  | ENVIRONMENTALLY PROTECTED PARKS |
|  | LOW DENSITY (LDR) 2.5-6 DU/AC |  | WATER |
|  | LOW DENSITY W/ DENSITY INCREASE 1 |  | 2020 URBAN DEVELOPMENT BOUNDARY |
|  | LOW-MEDIUM DENSITY (LMDR) 6-13 DU/AC |  | MAJOR ROADWAYS (3 OR MORE LANES) |
| | |  | MINOR ROADWAYS (2 LANES) |

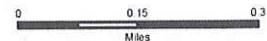


TREO SOUTHWEST, LLC - CDMP20190008 PROPOSED CDMP LAND USE



Source: Department of Regulatory and Economic Resources
May 2019

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|---|--|---|---|
|  | APPLICATION AREA |  | BUSINESS AND OFFICE |
|  | MUNICIPAL BOUNDARY |  | INSTITUTIONS, UTILITIES AND COMMUNICATION |
| CDMP LAND USE | |  | AGRICULTURE |
|  | ESTATE DENSITY (EDR) 1-2.5 DU/AC |  | ENVIRONMENTALLY PROTECTED PARKS |
|  | ESTATE DENSITY W/ DENSITY INCREASE 1 |  | WATER |
|  | LOW DENSITY (LDR) 2.5-6 DU/AC |  | 2020 URBAN DEVELOPMENT BOUNDARY |
|  | LOW DENSITY W/ DENSITY INCREASE 1 |  | MAJOR ROADWAYS (3 OR MORE LANES) |
|  | LOW-MEDIUM DENSITY (LMDR) 6-13 DU/AC |  | MINOR ROADWAYS (2 LANES) |
|  | LOW MEDIUM DENSITY W/ DENSITY INCREASE 1 | | |



STAFF ANALYSIS

Application Site

Background

The application site was the subject of Application No. 15 filed in the April 2006 Cycle to amend the Comprehensive Development Master Plan (CDMP). Subsequently, on March 28, 2007, the Miami-Dade Board of County Commissioners (Board) adopted the application through Ordinance No. 07-52 with acceptance of the then proffered Declaration of Restrictions (the 2007 covenant), approving the applicant's request to change the CDMP land use designation on the application site from "Low Density Residential (2.5 to 6 dwelling units per gross acre)" to "Low Density Residential with One Density Increase (DI-1)". The application site is, therefore, subject to the 2007 covenant recorded on August 14, 2007, in the Official Records of Miami-Dade County Book No. 25853 Pages 4432-4446.

The applicant seeks to release of the 2007 covenant. The 2007 covenant provides for the following: 1) residential density to be no greater than 10 dwelling units per gross acre; 2) a minimum of 10% of the total residential units be set aside for sale or rent as Workforce Housing Units; 3) the owner of the property shall coordinate with Miami-Dade Transit and allow encroachments on to the property to provide for a bus pull out bay and bus shelter; 4) the owner shall not seek a certificate of completion for any residential units in excess of 124 units until the owner connects to a water distribution main or the approval of the expansion of the water and sewer service area of the City of Florida City to include the property; and 5) following receipt of a request by the appropriate governmental entity, the owner shall dedicate, at no cost to said governmental entity, the additional zoned right-of-way along the property's frontage as may be required to allow the improvement of SW 344 street as a 4 lane divided arterial roadway. In place of this covenant, the applicant is proffering a new Declaration of Restrictions described in detail below.

Location

The ±19.89-gross acre site is located at the southeast corner of SW 344 Street and SW 192 Avenue, in unincorporated Miami-Dade County. To the north of the application site, across SW 344 Street, is the western limits of the City of Florida City (see "Aerial Photo" on page 6).

Existing Land Use

The application site is currently being used for row crops (see "Appendix F: Photos of Site and Surroundings" on Appendix Page 91).

Land Use Plan Map Designation

The application site is currently designated "Low Density Residential (2.5 to 6 dwelling units per gross acre) with One Density Increase (DI-1)" on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map (see "CDMP Land Use" map on page 9). The CDMP Land Use Element text "Density Increase with Urban Design" provides that property with the One Density Increase (DI-1) overlay designation may be developed at one density category higher than the underlying residential density, only if the development incorporates sound design principles (CDMP page I-30). These sound urban design principles are as adopted by County ordinance, contained in the County's Urban Design Manual endorsed by Resolution R-1360-98, or addressed in the urban design concerns contained in another binding instrument approved by action of Miami-Dade Board of County Commissioners (BCC), such as the 2007 covenant. Therefore, through applying sound urban design principles to the proposed development, the application site could be developed at the density of the "Low-Medium Density (6 to 13 dwelling units per gross acre)" land

use category. The types of housing typically found in areas designated at this residential density include single-family homes, townhouses and low-rise apartments.

Under the current CDMP land use designation of "Low Density Residential (2.5 to 6 dwelling units per gross acre) With One Density Increase (DI-1)" the site could be developed with a maximum of 258 residential units. However, the application site is encumbered by the 2007 covenant that limits residential development on the application site to 10 dwelling units per acre. Therefore, the site may currently be developed with a maximum of 198 residential units.

The Applicant requests to redesignate the application site on the LUP map to "Low-Medium Density Residential with One Density Increase," which would allow residential densities from 13 to 25 dwelling units per gross acre, if urban design principles are applied to the proposed development. The type of housing structures typically allowed in this CDMP land use category includes: townhouses, low-rise and medium-rise apartments. Under the requested CDMP land use designation of "Low-Medium Density Residential with One Density Increase", the application site could be developed with a maximum of 497 multifamily units. If the sound urban design principles are not applied, then the property would be developed with a maximum of 258 residential units. However, the applicant proffered a new Declaration of Restrictions limiting residential development on the application site to 327 multifamily units at a density of 16.4 units per acre (see "Appendix B: Proffered Declaration of Restrictions" on Appendix Page 49).

It must be noted that the actual densities or intensities of development approvable on a given site may be significantly lower than the maximum, where necessary, to conform to an overriding CDMP policy, or to ensure compatibility of the proposed development with its surrounding land uses. Therefore, the total permissible development may be significantly less than the maximum allowed under the CDMP due to land use compatibility and other site-related considerations.

Proffered Declaration of Restrictions

As discussed previously, the application has proffered a new Declaration of Restrictions, which provides for the following: 1) the proposed development on the application site shall be limited to no more than 327 dwelling units; 2) ten percent of the total number of dwelling units shall be affordable to households earning an income between 60% and 140% of the Area Median Income of Miami-Dade County; 3) the owner shall allow encroachments onto the application site to provide for a bus pull-out bay and bus shelter; 4) the owner acknowledges and agrees that any development on the application site shall connect to the public water and public sewer system of Miami-Dade County. The owner agrees to coordinate with the Water and Sewer Department and with the County's Division of Environmental Resources Management to ensure the provision of water and sewer service to the application site; 5) in anticipation of the new Fire Rescue station, the owner agrees not to seek a building permit to build any more than 198 dwelling units on the application site until such time as the Fire Rescue Department has received a building permit for the construction of the new Fire Rescue station. Furthermore, the owner agrees not to seek a Certificate of Occupancy for any more than 198 dwelling units on the application site until the new Fire Rescue station is placed in service; and 6) any zoning application seeking the DI-1 Overlay, shall utilize the Miami-Dade County's Urban Design Manual as a guideline for the property's development (see "Appendix B: Proffered Declaration of Restrictions" on Appendix Page 49).

Zoning

The application site is currently zoned AU (Agriculture District). See "Zoning Map" on page 7. The AU Zoning District permits one residential dwelling unit on 5 gross acre lots.

Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938. According to County zoning records, the subject property was initially zoned AU (Agriculture). An application for a zoning district boundary change from AU to RU-3M was filed on August 22, 2007; however, that application was abandoned by the applicant (see Process No. Z2007000300). No further applications requesting a zoning hearing has been filed to date for the application site.

Adjacent Land Use and Zoning

Existing Land Uses

Adjacent to the north of the application site, within the City of Florida City, are undeveloped properties that are being used for agriculture. Further north, on NW 17 Avenue and 3 Terrace, is the Cameron Creek 148 units multifamily development, which was built in 2001 on approximately 10 acres at a density of approximately 15 dwelling units per acre. To the northeast of the application site is the 190 units Princeton Manor apartment complex located at SW 336 Street and SW 187 Avenue, built on ± 7.17 acres at approximately 26 units per acre; and the 28 units condominium complex located at SW 342 Street and SW 187 Avenue, built on ± 1.87 acres at approximately 15 units per acre. Adjacent to the west of the application site, beyond SW 192 Avenue, is the Robert's Fruit Stand. South of the application site, the property is used for agriculture. To the southwest of the site, is the Navy Wells Pineland Preserve, which is a County designated Natural Forest Community (NFC). Adjacent to the east of the application site is the Goldcoaster RV Resort and Manufactured Home Community. This mobile home community is built on ± 81.35 acres and developed with 547 units at an approximate density of 7 units per acre. This development predates the CDMP, and was permitted by an Unusual Use Permit obtained in November 1969 through Resolution No. 4-ZAB-617-69.

Land Use Plan Map Designations

The properties located to the north of the application site that are being used for agriculture, including the properties further north where the Cameron Creek apartments is located, are designated "Commercial" and "Medium Density Residential" by the City of Florida City and depicted as "Business and Office" and "Medium Density Residential" on the LUP map. Properties to the northeast of the application site, where the Princeton Manor apartment complex and a condominium complex are located, are designated "Medium Density Residential" by the municipality and depicted as "Medium Density Residential" on the LUP map. The properties located to the east and south of the application site are within the unincorporated area of Miami-Dade County and are designated "Low Density Residential" on the LUP map. Further east, also within the City of Florida City, is a commercial node at the intersection of SW 344 Street and SW 187 Avenue. Properties along this intersection are designated "Commercial" by the municipality and depicted as "Business and Office" on the LUP map. To the west of the application site, across SW 192 Avenue, at the location of the Robert is Here Fruit Stand, are properties designated "Estate Density Residential" on the LUP map. The Navy Wells Pineland Preserve, located to the southwest of the site are designated "Environmentally Protected Parks" on the LUP map.

Zoning

Properties adjacent to the south, east and north of the application site are zoned AU (Agriculture). To the north and northeast of the application site, the Cameron Creek and Princeton Manor apartment complexes, located within the City of Florida City, are zoned RM-15; which permits multifamily residential uses. The Property adjacent to the west of the site, across SW 192 Avenue, where the Robert Fruit Stand is located is zoned BU-1 (Neighborhood Business). The BU-1 Zoning District permits retail and service convenience facilities, which satisfy the essential and frequent needs of the adjacent residential neighborhood. Further south of the site, are properties

zoned PAD (Planned Area Development), which permits mixed residential uses and provide for commercial, recreational and educational facilities conveniently located in relation to housing. To the southwest of the area zoned PAD, west of SW 192 Avenue and south of theoretical SW 352 Street, are properties zoned GU, where land uses depend on character of the surrounding neighborhood, otherwise EU-2 (Estates, Single -family 5 acres gross) standards apply. See “Zoning Map” on page 7.

Supply and Demand Analysis

The capacity of the LUP map to accommodate population or economic growth is generally expressed in acres of vacant land zoned or designated for residential and non-residential development. In the context of this application, land capacity is analyzed at the localized or Minor Statistical Area (MSA) level. The application site is located in MSA 7.5.

The combined vacant land for single-family and multi-family residential development in the Minor Statistical Area 7.5 in 2019 was estimated to have a capacity for about 7,675 dwelling units, with about 81 percent of these units intended as single-family. The annual average residential demand in MSA 7.5 is projected to increase from 501 units per year in the 2019-2020 period to 1,279 units in the 2025-2030 period. An analysis of the residential capacity by type of dwelling units shows the depletion of multi-family type units occurring in 2024 and for single-family beyond 2030 (see “Residential Land Supply/Demand Analysis” table below). The supply of residential land for both single-family and multi-family units is projected to be depleted beyond 2030. If approved, the application would increase the supply of multifamily housing by approximately 1.2 years.

Residential Land Supply/Demand Analysis
2019 to 2030: MSA 7.5

ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2019	6,219	3,456	7,675
DEMAND 2019-2020	268	233	501
CAPACITY IN 2020	5,951	1,223	7,174
DEMAND 2020-2025	301	262	563
CAPACITY IN 2025	4,446	0	4,359
DEMAND 2025-2030	329	287	616
CAPACITY IN 2030	2,801	0	1,278
DEPLETION YEAR	2030+	2024	2030+

Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Planning Research and Economic Analysis Section, May 2019

Notes

Residential capacity is expressed in terms of housing units.
Housing demand is an annual average figure based on population projections.

Applicant’s Housing Affordability Analysis

The applicant presented data related to housing affordability and workforce housing as part of the CDMP amendment application. While staff agrees that housing-affordability is a major issue facing Miami-Dade County, several statements were made in the CDMP application that need clarification. The following is staff’s review of the data and analysis that was provided.

The applicant defines the housing affordability problem in Miami-Dade County in terms of average housing cost. However, averages are not reliable in such analysis due to large differences in average housing cost across the County. These differences serve to skew the data results. It is more accurate to utilize median housing costs for such an analysis.

Staff also agrees, as stated in the CDMP application, that “cost burden” is a serious issue for Miami-Dade County. Cost burden is defined as a household that pays more than 30% of the household income for housing. However, “cost burden” is not shared equally by households across income categories. The following table breaks down “cost-burdened” households by income and shows the household income of the cost-burdened as a percentage of Area Median Income (AMI) for a family of 4 in Miami-Dade County. As a reference, the income thresholds for a family of four is also provided.

	Household Income	% of AMI	Number Cost-Burdened Households	Percent	Cumulative Percent
Owner-occupied housing units	Less than \$10,000:	11.8%	14,815	10.3%	10.3%
	\$10,000 to \$19,999:	23.6%	28,344	19.8%	30.1%
	\$20,000 to \$34,999:	41.3%	20,648	14.4%	44.5%
	\$35,000 to \$49,999:	59.0%	27,787	19.4%	63.9%
	\$50,000 to \$74,999:	88.6%	28,773	20.1%	84.0%
	\$75,000 to \$99,999:	118.1%	11,068	7.7%	91.8%
	\$100,000 or more:		11,813	8.2%	100.0%
Renter-occupied housing units	Less than \$10,000:	11.8%	35,628	12.0%	12.0%
	\$10,000 to \$19,999:	23.6%	52,747	17.8%	29.8%
	\$20,000 to \$34,999:	41.3%	77,277	26.0%	55.8%
	\$35,000 to \$49,999:	59.0%	52,437	17.7%	73.5%
	\$50,000 to \$74,999:	88.6%	70,467	23.7%	97.2%
	\$75,000 or more:		8,362	2.8%	100.0%

Source: Miami-Dade County Department of Regulatory and Economic Resources, Planning Division, Planning Research and Economic Analysis Section, June 2019

Income Thresholds (Family of Four)	
30% of AMI	\$25,750
50% of AMI	\$42,350
80% of AMI	\$67,750
140% of AMI	\$118,550
AMI for family of 4	\$84,690

There are two other factors that should be considered regarding cost burden:

- a) Cost burden is determined not only by the rising costs of housing, but also lack of income. If incomes do not grow, remain low, or even fall, then the construction of additional units will not have its expected impact on rents.

- b) Another factor that affects cost burden is transportation. Public transportation to areas of the county where land values, and therefore housing values are naturally lower, will become more affordable at least in the short run.

In addition to the above, the applicant states that adding more residential units will “allow for a more affordable market and allow for a more diverse group of people to own or rent”. However, this claim does not reflect the data presented herein. Additional units may or may not improve affordability. More specifically, units targeting 140% of AMI threshold are unlikely to help the overall market for three reasons:

- a) If new units cause the values of older units to be depressed (filtering) at all, this process could take many years, and this filtering is uncertain because of the following.
- b) If even slight filtering does occur in a market as dynamic as South Florida’s, the additional demand for housing from new immigrants (domestic or international), would drive the prices back up.
- c) Gentrification around the area of new development could result in price increases, especially in areas close to the new development.

In conclusion, while the final analysis may be in favor of this application, the general description of Miami-Dade County housing depicted in the CDMP application is not accurate.

Environmental Conditions

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

Flood Protection

Federal Flood Zone	AH
Stormwater Management Permit	DERM Surface Water Management Permit required
County Flood Criteria, National Geodetic Vertical Datum (NGVD)	7 feet

Biological Conditions

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

Other Considerations

Within Wellfield Protection Area	Yes – Florida Keys Aqueduct Authority-Basic
Contaminated Site	No DERM records on site; however former agricultural use

Environmental Monitoring and Restoration

The Division of Environmental Resources Management (DERM) from the Department of Regulatory and Economic Resources does not have records of current contamination issues on the subject site. However, based on the current/past agricultural use of the site, DERM requires that a Phase 1 and Phase 2 Environmental Site Assessment prepared in accordance with ASTM International (formerly the American Society for Testing Materials) standards be conducted at the site prior to the final plat and site development. DERM review and approval of said documents shall be required. Further, all construction plans (inclusive of drainage) and dewatering plans shall

require the review and approval from the Environmental Monitoring and Restoration Division of DERM as it relates to environmental contamination issues.

In the event of contamination discovery, if any portion of the site is sold, transferred or dedicated (including for public right-of-way) it shall be identified, and the receiving entity must be made aware of the contamination and accept any conveyance. If soil contamination, groundwater contamination, solid waste and/or methane will be addressed via a No Further Action with Conditions, each individual property owner will have to execute a restrictive covenant and each receiving entity must accept all applicable restrictions and responsibilities that are required following transfer of ownership. Please note that nothing stated herein may be interpreted to limit or restrict an engineer's or other professional's responsibility to prepare plans accurately and completely for proposed rights-of-way as well as any other projects or plans.

For proposed dedications, any soil, groundwater or surface water contaminants or solid waste and/or methane must be disclosed to the receiving County or Municipality applicable department at the earliest stage possible; the presence of any such contamination and/or solid waste and/or methane impacts or a delay in disclosure of such contamination or impacts could result in the County declining to accept the proposed dedication, the need for the developer to reconfigure or change previously approved site plans, or other changes to the proposed development.

Drainage and Flood Protection

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

The subject property is located within Special Flood Hazard Area AH at elevation 9 feet N.G.V.D or above the flood plain as determined in the FEMA Flood Insurance Rate Maps (FIRM). The county flood criterion is at elevation +7.0 feet N.G.V.D. Development will have to comply with the requirements of Chapter 11C of the Code for flood protection.

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

- Average crown of road fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- County Flood Criterion +7.0 feet NGVD, plus 8 inches for residential, or plus 4 inches for commercial.
- Elevation of the back of the sidewalk (if any) fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- The Base Flood Elevation for this area is found to be 9.0 feet N.G.V.D (taken from the FIRM for Miami Dade County).
- The stage generated by retention on-site of the 100-year rainfall event according to stage-storage calculations must be equal or less than the Base Flood Elevation.

For compliance with stormwater quality requirements, all stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event. For compliance with stormwater quantity requirements designed to prevent flooding of adjacent properties, the site grading and development shall provide for the full

on-site retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code and all State and Federal Criteria.

Water Management

The proposed amendment will allow an increase in density, or the reduction of permeable areas. DERM approval of future development orders will be evaluated to determine that the overall development will not create adverse impacts to the Stormwater Management Level of Service (Drainage Element).

Endangered Species

The subject property and adjacent properties are not located within a federally designated critical habitat area. DERM is not aware of any documented threatened and endangered species on this or adjacent properties.

Wellfield Protection

The application site is located within the Florida Keys Aqueduct Authority (FKAA) wellfield protection area. More specifically, the site is situated within the 100- and 210-day travel time contour of said wellfield. This wellfield is the primary source of potable water for the Florida Keys. In 1984, Miami-Dade County Board of County Commissioners passed Resolution R-1532-84 for the purpose of approving a cooperative agreement between Miami-Dade County and the FKAA for wellfield protection services. As a result, Chapter 24 of the Miami-Dade County Code was amended to include the Florida Keys Aqueduct Authority wellfield protection map and allowed DERM to enforce wellfield protection restrictions within this designated wellfield protection area.

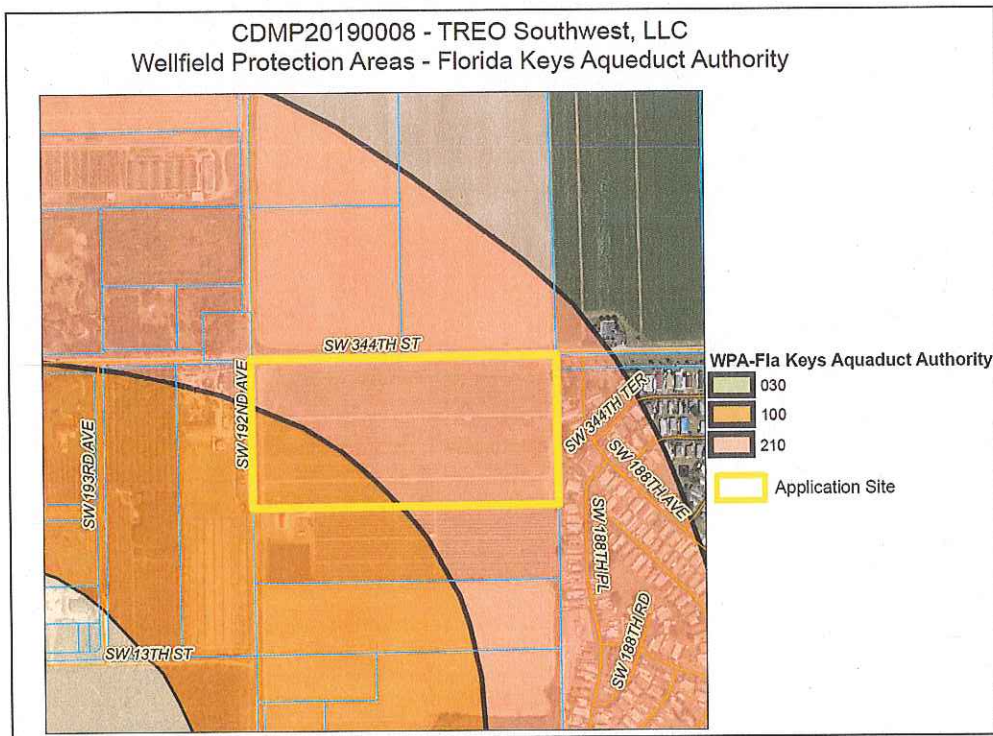
Section 24-43 of the Code is intended *"...to safeguard the public health, safety and welfare by providing scientifically established standards for land uses within the cones of influence thereby protecting potable water supply wells from contamination."*

Since the establishment of wellfield protection by the Board of County Commissioners, the Board has adopted ordinances that establish wellfield protection zones in response to the documented association between land use and groundwater contamination. These ordinances prohibit land uses that use, handle, generate, dispose of or store hazardous materials and hazardous waste within wellfield protection areas. These ordinances also establish restrictions for land use and sewage loading intended to ensure pristine water quality within the wellfields by excluding land uses that could compromise groundwater quality and pose a threat to drinking water resources.

The current application, if approved, would allow for a substantial increase in the allowable number of dwelling units (up to 497) on the subject property within this wellfield protection area. The applicant has proffered a Declaration of Restrictions that limits development to 327 units, acknowledges that the property is within WASD's service area, and agrees that any development on the property shall connect to the public water and public sanitary sewer system of the county. The applicant further agrees to coordinate with WASD and with the Division of Environmental Resources Management to ensure the provision of water and sewer service for the application site (see Appendix B: "Proffered Declaration of Restrictions").

Additionally, the Land Use and Conservation Elements of the Miami-Dade County Comprehensive Development Master Plan (CDMP) addresses land uses within wellfield protection areas. CDMP Objective CON-3A states, in part, that "No new facilities that use, handle, generate, transport, or dispose of hazardous wastes shall be permitted within wellfield protection areas." DERM notes that the proposed development is not currently within feasible distance to connect to public sanitary sewers, thus, would not comply with sewage loading restrictions

contained in Chapter 24 of the Code, if served by onsite septic tanks. In order for the proposed development to comply with Chapter 24 requirements, DERM and the WASD have requested that the applicant include in the proffered Declaration of Restrictions several conditions committing to connect to the public water and sanitary sewer system (see “Sewer System Connectivity” section on page 21). These conditions ensure that the proposed development complies with sewage loading and other regulatory requirements needed to maintain water quality within the wellfield. The applicant has proffered such conditions and is working with WASD and DERM to finalize the commitments (see “Appendix B: Proffered Declaration of Restrictions”).



Water and Sewer

Water Treatment Plant Capacity

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

The rated treatment capacity of the Miami-Dade Water and Sewer Department regional water treatment system is 449.74 million gallons per day (MGD). To maintain sufficient capacity in accordance with the level of service standard outlined in CDMP Policy WS-2A, the regional system shall operate with a rated maximum daily capacity no less than two percent above the maximum daily flow for the preceding year and an average two percent above the average daily flow for the preceding five years. Therefore, the total available water treatment plant capacity based on CDMP Policy WS-2A is 74.6 MGD. This is calculated using the available plant capacity (449.74 MGD), subtracting 102% of the maximum day flow (350.05 MGD) and subtracting the water that is reserved through development orders (25.09 MGD).

As noted in the “Estimated Water Demand/Sewer Flow for Proposed Development by Land Use Scenario” table below, the maximum water demand for townhome residential development (Scenario 1) under the current CDMP Land Use designation is estimated at 32,670 gallons per day (gpd). The maximum water demand for multi-family residential development (Scenario 1) under the requested CDMP Land Use designation, without the proffered covenant, is estimated at 67,095 gpd. This represents an increase of up to 34,425 gpd over the demand under the current CDMP land use designations. A Water Supply Certification Letter will be required at the time of development, at which time the proposed project will be evaluated for water supply availability and a water supply reservation will be made.

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

Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier (Section 24-43.1 Miami- Dade Code)	Projected Water Demand (gpd)
Current CDMP Potential				
1	Townhouse	198 units	165 gpd/unit	32,670 gpd
Requested CDMP Designation				
1	Multi-family	497 units	135 gpd/unit	67,095 gpd

Source: Miami-Dade Water and Sewer Department; Department of Regulatory and Economic Resources, Planning Division; June 2019

Water Supply and Connectivity:

The proposed development is located within the WASD’s water service area. The water supply will be provided by the South Dade System. Currently, there is adequate treatment and water supply capacity for the proposed project consistent with Policy WS-2 A (1) of the CDMP. The plant is presently producing water that meets federal, state, and County drinking water standards.

Based on the requested land use and development that would be allowed under this land use, connection to the public water supply system would be required pursuant to Chapter 24 of the Code. The developer may connect to an existing 16-inch water main at the intersection SW 192 Avenue and SW 344 Street and extend the same 16-inch water main heading easterly along SW 344 Street to SW 187 Avenue and then southerly along SW 187 Avenue to a point north of SW 352 Street, interconnecting to an existing 16-inch water main at that location. Any public water main extension within the property shall be 8-inch minimum diameter. If two (2) or more fire services are to be connected to a public water main, then the water system shall be looped with two (2) points of connection. Final points of connection and capacity approval will be issued at the time the WASD Agreement is offered.

Sewer Treatment Plant Capacity

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

The Miami-Dade County Water and Sewer Department regional wastewater treatment system capacity is the sum of the daily treatment capacity of the three wastewater treatment plants. The

regional wastewater treatment system can treat up to 375.5 MGD. The Sanitary Sewer Level of Service (LOS) standard presented in the CDMP requires the regional system to have sufficient capacity to treat 102% of the average daily sewage demand of the preceding 5 years. The available capacity is calculated by subtracting 102% of the annual average flow for the preceding 5 years (309.21 MGD) and the capacity reserved for development orders (42.47 MGD) from the system capacity (375.5 MGD). Therefore, the available wastewater treatment plant capacity is 23.82 MGD.

Sewer System Connectivity

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

Based on the requested land use and development that would be allowed under this land use, and the location of the site within the basic protection area of the FCAA wellfield protection area, connection to the public sanitary sewer system is required. The developer may connect to an existing 8-inch sewer force main (ES-4597-1) in SW 352 Street at SW 189 Avenue and extend an 8-inch sewer force main westerly in SW 352 Street to SW 192 Avenue, and then, northerly in SW 192 Avenue, as required to provide service. A new Public Pump Station will be required. Final points of connection and capacity approval will be issued at the time the WASD Agreement is offered.

It is advised that the new Public Pump Station site dimensions are 45-ft. by 65-ft., and must be deeded to the WASD, and must be shown on plat, having direct access to either dedicated public right-of-way or to ingress-egress paved access and utility easement with a minimum width of 20-ft. Additionally, the developer shall connect to the aforementioned proposed Public Pump Station, and extend an 8-inch minimum, gravity sewer mains at full depth in public right-of-way as required to provide service to all of the properties within the proposed development. If Unity of Title does not apply, then any other gravity sewer within the property shall be public and 8-inch minimum diameter. Existing and new pump stations and the South District Wastewater Treatment Plant are required to comply with the mandated criteria set forth in the Consent Decree Case: N0. 1:12-cv-24400-FAM, at the time of approval of final development orders.

The application includes a WASD Water and Sewer Availability Form issued February 16, 2017 for a different development which outlines specific requirements from WASD, including but not limited to, those for public sewer service on the subject property in order for development to occur. The applicant states that this letter addresses any concerns about sewer connection associated with future development; however, DERM notes the following:

- The WASD letter is associated with a past development request under the current land use designation, not the proposed designation, which will allow for much higher density; and
- The WASD letter clearly states *"Nothing contained in this letter provides the developer with any vested rights to receive water and/or sewer service"*.

DERM notes that the development that would be allowed by the proposed amendment on the subject property is not currently within feasible distance to connect to public sanitary sewers. However, the proposed development would not comply with sewage loading restrictions contained in Chapter 24 of the Code if served by onsite septic tanks (see "Wellfield Protection" section on page 18). In order for the proposed development to comply with the aforementioned

requirements of Chapter 24, the following language should be included in the proposed Declaration of Restrictions:

1. The property is within WASD's established utility service area and is subject to all local, State, and Federal water and sewer regulations, WASD rules and regulations, Implementing Orders, and WASD connection charges and fees in effect upon execution of a WASD Service Agreement or issuance of verification form or other similar written County approval, as applicable, at the time of development of the property or portion thereof.
2. The owner(s) and developer(s) hereby acknowledge and agree that any development of the subject property shall connect to the public water and public sanitary sewer system. The right to connect the property to the County's sewage system is subject to the terms, covenant, and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, the State of Florida, and/or any other governmental entity, including but not limited to, the Consent Decree, in *United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County*, Case No. 1:12-cv-24400-FAM (S.D. Fla) (the "Consent Decree"), as well as all other current, subsequent, or future enforcement and regulatory actions and proceedings.
3. The Owners shall coordinate with WASD and DERM to ensure the provision of water and sewer service to the property and shall enter into a Service Agreement with WASD for Water and Sanitary Sewer Facilities for affected portions of the property prior to final plat approval for that portion of the property. Availability of potable water supply capacity shall be determined at the time of such Service Agreement or issuance of Verification Form or other similar written approval, as applicable, at the time of development of the property or portion thereof.

The owners shall be responsible for obtaining sanitary sewer pump station capacity from the County, pursuant to the Code and consistent with the Consent Decree. This shall be done at the time of obtaining a building permit for the property or portion thereof, if not earlier. Owners acknowledge and agree that the lack of adequate public sanitary sewer pump station capacity may limit the ability of development or facilities within the property to connect to the public sanitary sewer system, and that nothing in this agreement vests or shall be interpreted to vest such public sanitary sewer pump station capacity. Owners shall be solely responsible for any private on-site sewer pump stations that may be needed for the development. The applicant has addressed the commitments discussed above in the proffered Declaration of Restrictions and is working with DERM and WASD to finalize the proffers.

Parks

The Miami-Dade County Parks, Recreation and Open Space Department has three Park Benefit Districts (PBDs). The application site is located inside Park Benefit District 3 (PBD-3).

Level of Service Standard

CDMP Policy ROS-2A establishes the adopted minimum Level of Service (LOS) standard for the provision of recreation open space in the Miami-Dade County. This CDMP policy requires the County to provide a minimum of 2.75 acres of local recreation open space per 1,000 permanent residents in the unincorporated areas of the County and a County-provided, or an annexed or incorporated, local recreation open space of five acres or larger within a three-mile distance from residential development. The acreage/population measure of the LOS standard is calculated for each Park Benefit District. A Park Benefit District is considered below LOS standard if the projected deficiency of local recreation open space is greater than five acres. Currently, PBD-3

has a surplus capacity of 165.95 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

The “County Local Parks” table below lists the parks within a 3-mile radius of the application site. Both parks are larger than the required minimum provision of five-acres of local recreational open space.

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

Park Name	Address	Classification	Acreage	Type
Cinco de Mayo Park	19351 SW 384TH ST	Community park	9.54	Local
Plaza Licenciado Benito Juarez	19825 SW 376TH ST	Community park	10.34	Local

Source: Miami-Dade County Parks, Recreation and Open Space Department, March 2019.

Application Impacts

The potential residential development under the “Medium Density Residential” CDMP land use is 497 multi-family dwelling units, without the proffered covenant. The estimated population for the proposed potential development is 1,049. The concurrency analysis for this scenario results in an impact of 2.88 acres based on the minimum Level of Service standard for the provision of local recreation open space.

The potential development on the site would be limited to a maximum of 327 multi-family residential dwelling units, which would result in an estimated population of 697. The concurrency analysis for this scenario would result in an impact of 1.92 acres based on the minimum Level of Service standard for the provision of local recreation open space. As stated above, there is a surplus capacity of 165.95 acres of local recreation open space within the overall area of PBD 3, and the application, if approved, is projected to lower this surplus capacity to 164.03 acres. Therefore, this application meets PBD concurrency.

Fire and Rescue Service

The application area is currently served by Miami-Dade Fire Rescue (MDFR) Station No. 65 (East Homestead) located at 1350 SE 24 Street. The station is equipped with a Rescue and Aerial totaling seven (7) firefighter/paramedics, 24 hours a day, seven days a week. The average travel time to incidents in the vicinity of the application site is estimated at approximately 6 minutes and 00 seconds to 10:00 minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8 minutes at 90% of all incidents. Presently, travel time to incidents in the vicinity of the application site does not conform to performance objective of national industry.

In an effort to enhance emergency response time to the vicinity, MDFR plans to construct a new fire station along SW 344 Street at approximately SW 187 Avenue (Florida City Fire Station No. 72). The new fire station will provide adequate fire and emergency service to the area while relieving existing fire stations to the east of the property. As a result of inadequate response time and lack of conformance to the performance objectives of national industry, MDFR is requesting that no building permits be granted until the construction of the fire station is underway and that no certificate of occupancy be granted until the fire station is operational.

Level of Service Standard for Fire Flow and Application Impacts

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

The applicant's proffered Declaration of Restrictions stipulated that, in anticipation of the new Fire Rescue Station, the owner agrees not to seek a building permit to build any more than 198 dwelling units on the property until such time as MDFR has received a building permit for the construction of the new Fire Rescue station. The owner further agrees not to seek a Certificate of Occupancy for any more than 198 dwelling units on the property until such time the new Fire Rescue station is placed in service.

The MDFR Department has determined that the current CDMP designation ("Low Density Residential") will allow a potential development which will generate 55 annual alarms. The proposed CDMP land use designation would allow a proposed potential development which is anticipated to generate 139 annual alarms. The 139 annual alarms will result in a severe impact to existing fire rescue service.

Solid Waste

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

Level of Service Standard

CDMP Policy SW-2A establishes the adopted Level of Service (LOS) standard for the County's Solid Waste Management System. This CDMP policy requires the County to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long-term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five years. The DSWM assesses the solid waste capacity on a system-wide basis since it is not practical or necessary to make a determination concerning the adequacy of solid waste disposal capacity relative to individual applications. As of FY 2018-2019, the DSWM is in compliance with the Countywide Waste Management System's adopted LOS standard.

Application Impacts

Should the proposed amendment to the Land Use Map be approved, multi-family housing subsequently developed on the property would meet the definition of a multi-family establishment as defined in Chapter 15 of the Code of Miami-Dade County. The DSWM does not actively compete for multi-family waste collection service at this time. Waste collection and recycling services would, therefore, most likely be provided by a private hauler. The requested amendment will have no impact relative to Solid Waste Collection and Disposal services and facilities. Therefore, the DSWM has no objection to the proposed land use change.

Public Schools

Level of Service Standard

The adopted Level of Service (LOS) standard for all public schools in Miami-Dade County is 100% utilization of Florida Inventory of School Houses (FISH) capacity with relocatable classrooms (CDMP Policy EDU-2A). This LOS standard, except for magnet schools, shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by Miami-Dade County Public Schools.

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

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

Application Impact

This application, if approved, may increase the student population of the schools serving the application site by an additional 108 students. This number includes a reduction of 26.55% to account for charter and magnet schools (schools of choice). Of the 108 students, 65 are expected to attend elementary schools, 23 are expected to attend middle schools and 20 are expected to attend senior high schools. The students will be assigned to those schools identified in the “Concurrency Service Area (CSA) Schools” table below. At this time, the middle and senior high school levels have sufficient capacity available to serve the application. However, the elementary school level does not have sufficient capacity available to serve the application. A final determination of public school concurrency and capacity reservation will be made at the time of approval of final plat, site plan or functional equivalent.

Concurrency Service Area (CSA) Schools

Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
Florida City Elementary	-15	65	0	NO	Current CSA
Florida City Elementary	0	65	0	NO	Current CSA Five Year Plan
Homestead Middle	0	23	0	NO	Current CSA
Homestead Middle	0	23	0	NO	Current CSA
Homestead Senior	44	20	20	YES	Current CSA
Adjacent Concurrency Service Area Schools					
Laura C. Saunders Elementary	51	65	51	NO	Adjacent CSA

Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
Gateway Environmental K-8 Learning Center (Elem Comp)	-30	14	0	NO	Adjacent CSA
West Homestead K-8 Center (Elem Comp)	-46	14	0	NO	Adjacent CSA
Campbell Drive K-8 Center (Elem Comp)	-86	14	0	NO	Adjacent CSA
Laura C. Saunders Elementary	0	14	0	NO	Adjacent CSA Five Year Plan
Gateway Environmental K-8 Learning Center (Elem Comp)	0	14	0	NO	Adjacent CSA Five Year Plan
West Homestead K-8 Center (Elem Comp)	0	14	0	NO	Adjacent CSA Five Year Plan
Campbell Drive K-8 Center (Elem Comp)	0	14	0	NO	Adjacent CSA Five Year Plan
Redland Middle	103	23	22	YES	Adjacent CSA

Source: Miami-Dade County Public Schools, June 2019

Miami-Dade County Department of Regulatory and Economic Resources, June 2019

Note: CSA means Concurrency Service Area

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

Aviation

Miami-Dade County Aviation Department (MDAD) does not object to the proposed CDMP amendment provided that all uses comply with federal, state and local aviation regulations, including Chapter 33 of the Code of Miami-Dade County as it pertains to airport zoning.

Police

Current data of police staffing, population, and crimes/calls for service by the Miami-Dade Police Department was examined to project any increase in calls for service. The Miami-Dade Police Department determined that existing staffing should accommodate any increase in the volume of calls for service, and that should demand for police services increase beyond current levels, additional sworn personnel, support staff, and equipment may be required. The Miami-Dade Police Department will further review and comment on development of the site during the permitting process.

Roadways

The application site is a ±19.89-acre parcel located on the southeast corner of SW 192 Avenue and SW 344 Street in unincorporated Miami-Dade County. SW 344 Street provides access on the north side and SW 192 Avenue provides access on the west side of the application site. The major roadways that would cater to the mobility needs of this project are shown below:

1. SW 344 Street/Palm Drive west of SW 192 Avenue is county-maintained and east of SW 192 Avenue is a state-maintained roadway. It has four lanes east of SW 182 Avenue and two lanes west of SW 182 Avenue with a posted speed limit of 40 mph.
2. SW 192 Avenue north of SW 344 Street is city-maintained and south of SW 344 Street is a state-maintained roadway. It is a two-lane roadway with a posted speed limit of 45 mph.
3. SW 187 Avenue is a county maintained two-lane undivided roadway with posted speed limit of 30 mph.
4. Krome Avenue south of SW 320 Street is county-maintained, north of SW 320 Street is city-maintained and north of SW 312 Street is a state-maintained roadway. It is a two-lane principal arterial roadway with a posted speed limit of 30 mph.
5. US-1/South Dixie Highway is a state-maintained four-lane divided principal arterial roadway with posted speed limit of 45 mph.

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

Existing Conditions

Existing traffic conditions on major roadways adjacent to and in the vicinity of the application site, which are currently monitored by the State (Year 2018) and the County (Year 2018), are operating at acceptable levels of service. See "Traffic Impact Analysis on Roadways Serving the Amendment Site" table below.

Trip Generation

The maximum development potential scenarios under each the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of "Low Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase (DI-1)" the application site is assumed to be developed with 198 Single-Family attached residential units. Under the staff recommended CDMP land use designation of staff recommended "Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase", the application site can be developed with 497 Multi-Family residential units but the applicant has proffered a covenant to restrict the proposed development to 327 Multi-Family residential units. The potential development under the current CDMP land use designation of "Low Density Residential with One Density Increase" is expected to generate approximately 108 PM peak hour trips and under the staff recommended CDMP land use designation of "Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase" it is expected to generate approximately 138 PM peak hour trips or approximately 30 more PM peak hour trips than the current CDMP designation. See "Estimated PM Peak Hour Trip Generation" table below.

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

Expedited Application	Current CDMP Designation and Assumed Use/ Estimated No. Of Trips	Requested CDMP Designation and Assumed Use/ Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
Land Use	“Low Density Residential with one density increase DI-1” ¹ (6-13 du/ac)	“Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase” ² (13-25 du/ac)	
Maximum Development Potential	198 DU Single Family Attached	327 DU Multi-Family	
Trips Generated	108	138	+ 30

Source: Institute of Transportation Engineers (ITE), Trip Generation, 10th Edition, 2017; Miami-Dade County Department of Regulatory and Economic Resources, April 2019.

Notes:

¹ – ITE Land Use Code used for Low Density Residential is 220.

² – ITE Land Use Code used for Medium Density Residential is 221.

Short Term Traffic Evaluation (Concurrency)

An evaluation of peak-period traffic concurrency conditions as of April 2019, which considers reserved trips from approved development not yet constructed, programmed roadway capacity improvements listed in the first three years of the County’s adopted 2019 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the development scenarios assumed to be developed under the requested CDMP LUP map designation, determined that all roadways—adjacent to and in the vicinity of the application site—that were analyzed have available capacity to handle the additional traffic impacts that would be generated by the application. The “Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation” table below shows that all roadways analyzed are projected to operate at acceptable levels of service.

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

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Total Trips With D.O's Trips	Conc. LOS w/o Amend.	Amendment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
Requested CDMP Designation: "Medium Density Residential" – 327 Multi-Family units													
F8510	SW 187 Avenue	South of Arthur Vining Davis Parkway	2 DV	D	1,197	630	D	0	630	D	46	676	D
F0084	SW 344 Street/ Palm Drive	West of SW 2 Avenue	4 DV	EE	3,648	1,877	D	27	1,904	D	71	1,975	D
9957	SW 344 Street/ Palm Drive ¹	West of SW 182 Avenue	2 DV	D	1,440	1,387	D	32	1,419	D	4	1,423	D
F0151	SR9336/ Ingraham Hwy	East of Everglades Park Entrance	2 DV	D	1,600	126	C	1	127	C	17	144	C
F0131	Krome Avenue/ SW 177 Avenue	South of SE 8 Street/ SW 328 Street	2 DV	E	1,410	1,394	E	0	1,394	E	10	1,404	E
F0544	US1/ SR 5 ²	North of SE 8 Street/SW 328 Street	4 DV	EE	4,296	2,359	C	9	2,368	C	34	2,402	C
F543	US1/ SR 5	South of SW 344 Street	4 DV	EE	4,296	2,274	C	2	2,276	C	13	2,289	C

Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources and Florida Department of Transportation, May 2019.

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

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

¹ – SW 344 Street/Palm Drive is a State Road with speed limit of 40 mph

² – US1/SR5 is a State Road with speed limit of 45 mph

Application Traffic Impact

The maximum development potential scenarios under each the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Low Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase (DI-1)” the application site is assumed to be developed with 198 single-family attached residential units. Under the staff recommended CDMP land use designation of “Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase”, the application site can be developed with 497 multi-family residential units but the applicant has proffered a covenant to restrict the proposed development to 327 multi-family residential units. The potential development under the current CDMP land use designation of “Low Density Residential with One Density Increase” is expected to generate approximately 108 PM peak hour trips and under the staff recommended CDMP land use designation of “Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase” it is expected to generate approximately 138 PM peak hour trips or approximately 30 more PM peak hour trips than the current CDMP designation.

The existing traffic condition and concurrency analysis determined that all roadways adjacent to and in the vicinity of the application site analyzed have available capacity to handle the additional traffic impacts that would be generated by this application site and are projected to operate at acceptable levels of service.

Applicant’s Traffic Study

The applicant’s transportation consultant, Langan Engineering and Environmental Services, Inc., prepared the CDMP Amendment Traffic Impact Study, dated April 12, 2019. The Traffic Study analyzes the short term and long term traffic impacts that the proposed project on the southeast corner of SW 344 Street and SW 192 Avenue will have on the roadways adjacent to and in the vicinity of the application site. A copy of the Traffic Study’s Executive Summary is included in Appendix. The complete Traffic Study is available online at the Department’s website at http://www.miamidade.gov/planning/library/reports/planning-documents/expedited_application-1-applicant-traffic-study.pdf. The traffic study submitted by the applicant assumes that the existing land use allows the site to be developed with 199 single-family attached units. Staff analysis and the applicant’s analysis both assume that the proposed development potential of the application site is 327 multi-family residential units. Table 1 of the traffic study shows the existing traffic condition of the roadways surrounding the project site and Table 2 shows the trip generation analysis for the existing and proposed land use.

Table 2 - Trip Generation Estimates¹

Use	Size	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak		
			In	Out	Total	In	Out	Total
Proposed Land Use Designation with Restrictive Covenant								
Multifamily Housing (Mid-Rise)	327 DU	1,780	28	81	109	84	54	138
Net New Trips for 2022 Analysis		1,780	28	81	109	84	54	138
Maximum Potential Development under Current Land Use Designation³								
Multifamily Housing (Low-Rise)	199 DU	1,464	21	71	92	69	40	109
Net New Trips for 2040 Analysis²		316	7	10	17	15	14	29

Notes:

1. Based on ITE Trip Generation Manual 10th Edition
2. Proposed Land Use Designation less Current Land Use Designation
3. Current Land Use Designation limited to 10 units/gross-acre

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

Roadway	From	To	Number of Lanes	Adopted LOS ¹	LOS Capacity ¹	Existing Volume	Existing LOS	Meets Capacity
SW 344th Street / SR-9336	SW 199 Avenue	SW 182 Avenue	2L	D	1,440	1,290	C	YES
	SW 182 Avenue	SW 2 Avenue	4L	D	2,920	1,877	D	YES
	SW 2 Avenue	US-1	4L	D	2,920	1,685 ³	D	YES
SW 192nd Avenue /Ingraham Highway / SR-9336	SW 344 Street	SW 360 Street	2L	D	1,600	126	C	YES
SW 187th Avenue	SW 352 Street	SW 344 Street	2L	D	1,197	477 ²	C	YES
	SW 344 Street	SW 328 Street	2L	D	1,197	711 ²	D	YES
SW 177th Avenue/ Krome Avenue / SR-997	US-1	SW 344 Street	2L	D	1,330	285	C	YES
	SW 344 Street	SW 328 Street	2L	D	1,330	1,221 ³	D	YES
US-1	SW 352 Street	SW 344 Street	4L	D	3,580	2,274	C	YES
	SW 344 Street	SW 328 Street	4L	EE	4,296	2,359	D	YES

Notes:

1. Adopted LOS and Capacity from FDOT 2012 Quality / LOS Handbook & County Traffic Concurrency Database
2. PHP Volume based on FDOT Daily Data (0.09 K-Factor).
3. PHP Volume based on FDOT Synopsis (highest volume of 3 data sets)

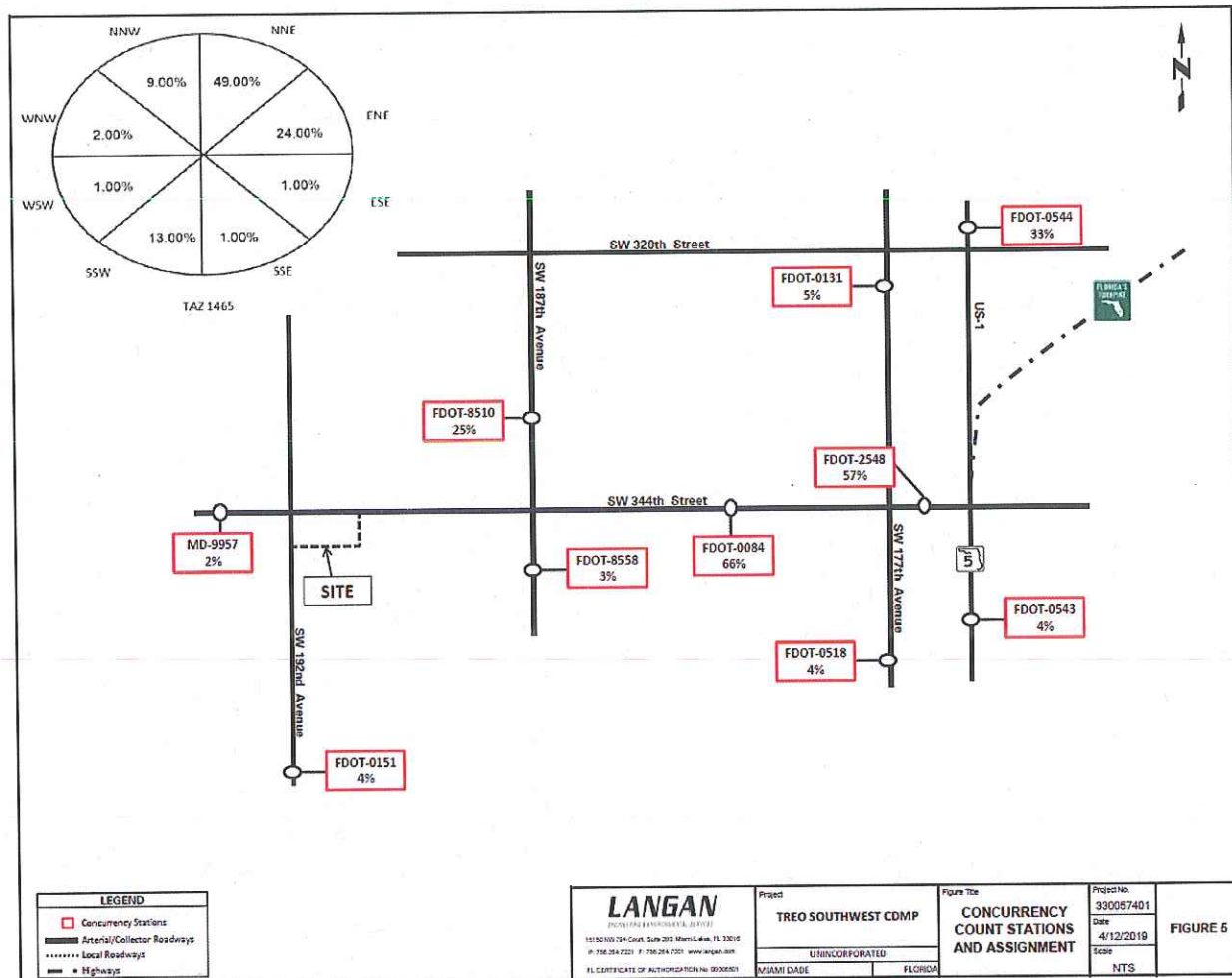
The existing roadway condition analysis in Table 1 shows that all roadways surrounding the application site meet the County’s adopted level of service standards. The traffic counts data collected in 2018 and was obtained from the Florida Department of Transportation (FDOT) and Miami Dade County Traffic Concurrency Database. Trip Generation analysis in Table 2 shows that the development potential based on the existing and future land use is 199 multi-family units and 327 multi-family units respectively. The proposed land use would generate 138 PM Peak Hour Trips and the existing land use would generate 109 PM Peak Hour Trips, which is 29 more PM Peak Hour Trips than the existing potential.

The site is located on TAZ 1465, the cardinal trip distribution for this TAZ was obtained from Miami-Dade County Transportation Planning Organization’s travel demand model called as Southeast Florida Regional Planning Model (SERPM). Table 3 below shows the cardinal distribution for TAZ 1465 for the years 2010 and 2040, the cardinal distribution for the year 2022 was generated by interpolating the distribution percentages of the years 2010 and 2040.

Table 3 - Cardinal Distribution

Year	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW
2010	51.10%	21.40%	0.80%	1.30%	14.20%	0.70%	1.50%	8.90%
2040	44.60%	29.50%	2.10%	1.30%	8.80%	1.00%	2.60%	10.30%
2022	48.93%	24.10%	1.23%	1.30%	12.40%	0.80%	1.87%	9.37%

The cardinal distribution for 2022 shown in Table 3 above was utilized to assign the trips generated by this project on the surrounding roadways. Figure 5 below shows afternoon peak hour project traffic distributions on the surrounding impacted roadways.



The Traffic Study includes a Short Term (2022) analysis and a Long Term (2040) analysis as required for CDMP amendment applications. Table 4 below shows the short-term (2022) analysis of the project traffic impacts on the surrounding roadways. The short-term analysis shows that all the surrounding roadways will meet the County's adopted level of service conditions.

The applicant's traffic study also included a 2040 Long Term analysis to determine the future long-term traffic impacts on the surrounding roadways. The 2040 traffic volumes were obtained from the Southeast Florida Regional Planning Model (SERPM7) and the project trips were added to the model volumes to determine the long-term impact on the surrounding roadway segments. Table 6 below shows the long-term (2040) analysis of the traffic impacts this project will have on the surrounding roadways. The long-term analysis shows that all the surrounding roadways will meet the County's adopted level of service standards. The short-term and long-term analysis indicate that all impacted roadways surrounding this application site will meet the County's Adopted Level of Service standards, hence staff agrees with the conclusions of this traffic study.

Table 4 - Short Term 2022 (Concurrency) Afternoon Peak-Hour Roadway Capacity Analysis Summary

Count Station	Location	Facility Type	Adopted LOS ¹	LOS Capacity ¹	PHP Volume	2020 Volume	Development Order Trips	2020 Volume + D.O.'s	Available Trips	LOS without Project	Proposed Development		Total Volume With	Trips Remaining	LOS with Project	Meets Concurrency
											Project Assignment	Project Trips				
MD-9957	SW 344th Street w/o SW 182nd Avenue	2L	D	1,440	1,290	1,361	32	1,393	47	D	2%	3	1,396	44	D	YES
FDOT-0084	SW344th Street w/o SW 2nd Avenue	4L	D	2,920	1,877	1,981	29	2,010	910	D	66%	91	2,101	819	D	YES
FDOT-2548	SW 344th Street e/o SR-997/ Krome Avenue	4L	D	2,920	1,685 ³	1,778	0	1,778	1,142	D	57%	79	1,857	1,063	D	YES
FDOT-0151	SR-9336/ Ingraham Highway	2L	D	1,600	126	133	1	134	1,466	C	4%	6	140	1,460	C	YES
FDOT-8558	SW 187th Avenue n/o SW 348th Street	2L	D	1,197	477 ²	503	0	503	694	C	3%	4	507	690	C	YES
FDOT-8510	SW 187th Avenue s/o Arthur Vining Davis	2L	D	1,197	711 ²	750	0	750	447	D	25%	35	785	412	D	YES
FDOT-518	SR-997/ Krome Avenue / n/o SR-5/US-1	2L	D	1,330	285	301	0	301	1,029	D	4%	6	307	1,023	D	YES
FDOT-131	SR-997/ Krome Avenue s/o SE 8th Street	2L	D	1,330	1,221 ³	1,289	0	1,289	41	F	5%	7	1,296	34	D	YES
FDOT-543	SR-5/US-1 s/o SW 344th Street	4L	D	3,580	2,274	2,400	2	2,402	1,178	C	4%	6	2,408	1,172	C	YES
FDOT-544	SR-55/US-1 n/o SW 328th Street	4L	EE	4,296	2,359	2,489	0	2,489	1,807	C	33%	46	2,535	1,761	C	YES

Notes:
 1- Data Source: Adopted LOS and Capacity from FDOT 2012 Quality / LOS Handbook and Miami-Dade County Traffic Concurrency Database.
 2- PHP Volume based on FDOT Daily Data (0.09 K-Factor).
 3- PHP Volume based on FDOT Synopsis (highest volume of 3 data sets)

Table 6 - Long Term 2040 Afternoon Peak-Hour Roadway Capacity Analysis Summary

Roadway	From	To	Facility Type ¹	LOS Capacity ²	2040 Volumes ³	LOS without Project	Proposed Designation		Project Significance	Total Volume With Project	LOS with Project	Operates within Adopted LOS
							Project Assignment	Project Trips				
SW 344th Street / 9336	SR-199 Avenue	SW 182 Avenue	2L	1,440	239	C	2%	1	0.07%	240	C	YES
	SR-182 Avenue	SW 2 Avenue	4L	2,920	1,166	C	66%	19	0.65%	1,185	C	YES
	SW 2 Avenue	US-1	4L	2,920	2,438	D	57%	17	0.58%	2,455	D	YES
SW 192nd Avenue /Ingraham Highway / SR-9336	SW 344 Street	SW 360 Street	2L	1,600	909	C	4%	1	0.06%	910	C	YES
SW 187th Avenue	SW 352 Street	SW 344 Street	2L	1,197	931	D	3%	1	0.08%	932	D	YES
	SW 344 Street	SW 328 Street	2L	1,197	950	D	25%	7	0.58%	957	D	YES
SW 177th Avenue/ Krome Avenue / SR-997	US-1	SW 344 Street	2L	1,330	608	C	4%	1	0.08%	609	C	YES
	SW 344 Street	SW 328 Street	2L	1,330	616	C	5%	1	0.08%	617	C	YES
US-1	SW 352 Street	SW 344 Street	4L	3,580	2,345	C	4%	1	0.03%	2,346	C	YES
	SW 344 Street	SW 328 Street	4L	4,296	3,634	D	33%	10	0.23%	3,644	D	YES

Notes:
 1 Data Source: Adopted LOS and Capacity from MPO 2040 Cost Feasible Network
 2 Data Source: Adopted LOS and Capacity from FDOT 2012 Quality / LOS Handbook based on 2040 Cost Feasible Network
 3 2040 Volumes based on Daily SERPM Model Volumes (0.09 K-Factor)

Transit

Existing Service

Metrobus Routes 35/35A and 344 provide local bus service in the vicinity of the application site. The closest Metrobus stops for these two routes are approximately 0.4 mile from the application site, at the intersection of SW 344 Street and SW 187 Avenue. The service frequencies of these bus routes are shown in the “Metrobus Route Service Summary” table below.

Metrobus Route Service Summary

Routes	Service Headways (in minutes)					Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8 pm)	Saturday	Sunday	
35 Florida City via Homestead Hospital (35)	40	40	40	60	60	L
35 Florida City via Krome Avenue (35A)	40	40	40	60	60	L
344	60	60	n/a	n/a	n/a	L

Source: Draft 2018 *Transit Development Plan*, Miami-Dade Transit (December 2018 Line Up), June 2019.

Notes: L means Metrobus Local route service

Future Transportation/Transit Improvements

No service improvements are either programmed or identified within one-half mile of application site. The application site is located within one mile of the park-and-ride/transit terminal located at the South Dade Transitway and SW 344 Street. The facility is the end-of-line terminal for the South Corridor, which is one of the six rapid transit corridors in the Strategic Miami Area Rapid Transit (SMART) plan. The locally preferred alternative for the South Corridor is Bus Rapid Transit (BRT). The Request for Qualifications (RFQ) for the South Corridor BRT project has been advertised, and the project is anticipated to be completed in 2022.

DTPW Comments/Recommendations

The Miami-Dade Transit Division of the Department of Transportation and Public Works (DTPW), has reviewed the application and has found that the combined population and employment at buildout of the proposed development program does not exceed the 10,000/square mile density threshold associated with the adopted Mass Transit Level of Service (LOS) standard contained in CDMP Policy MT-1A. Therefore, DTPW has no objections to this application.

CDMP Policy MT-1A recognizes that continued growth of the Miami-Dade transit network depends upon transit supportive development and facilities incorporated into development plan which support transit accessibility.

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

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

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-1F. To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.
- LU-8A. Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial, cultural, community, and senior centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.
- LU-8F. The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption). The estimation of this capacity shall include the capacity to develop and redevelop around transit stations at the densities recommended in policy LU-7F. The adequacy of non-residential land supplies shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the Countywide supply within the UDB. The adequacy of land supplies for neighborhood- and community-oriented business and office uses shall be determined on the basis of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-Tiers and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities.
- LU-10A. Miami-Dade County shall facilitate continuous urban development, infill, redevelopment of substandard or underdeveloped urban areas, moderate to high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy

conservation. To facilitate and promote such development Miami-Dade County shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.

- CIE-3. CDMP land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels.

APPENDICES

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APPENDIX A

Amendment Application

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

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RER-PLANNING DIVISION

1. APPLICANT

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By:


James R. Williams, Jr., Esq.

4/22/2019
Date

3. DESCRIPTION OF REQUESTED CHANGE

- A. Changes to the Land Use Plan Map. Applicant requests a change to the Land Use Plan (LUP) map designation on the subject property from "Low Density With One Density Increase" to "Medium Density".
- B. Description of the Subject Properties (the "Property").

The Property consists of one (1) single parcel which is depicted on the Location Map attached as **Exhibit "A"**. The Property is approximately ±19.89 gross acres and is located on the southeast corner of SW 344th Street and SW 192nd Avenue in Miami Dade County, Florida, as more particularly described in the legal description attached to this application as **Exhibit "B"**, and further identified by Miami-Dade County Folio Number 30-7826-000-0010.

C. Gross and Net Acreage.

Application area: ±19.89 gross acres (±17.73 net acres)
Acreage Owned by Applicant: ±19.89 gross acres

D. Requested Change.

1. Applicant requests that the Property be re-designated on the Land Use Plan map from "Low Density With One Density Increase" to "Medium Density".
2. Applicant requests the deletion of the Declaration of Restrictions recorded in the Official Records of Miami-Dade County in Official Records Book 25853, at pages 4432 – 4446, and requests the acceptance of the proposed Declaration of Restrictions.

4. REASONS FOR AMENDMENT

The Applicant is requesting the re-designation of the Property from "Low Density With One Density Increase" to "Medium Density". The Property consists of ±19.89 gross acres (±17.73 net acres) and is located on the southeast corner of SW 344th Street, a section line road, and SW 192nd Avenue, a half section line road. The area to the east of the Property has experienced rapid development over the last decade. The Applicant proposes to re-designate the Property to allow for the future development of a multi-family residential community. The location at this section is ideally suited to provide additional housing supply inside the County's Urban Development Boundary.

A. Needed Increase of Residential Supply.

The re-designation will help to satisfy an urgent need for additional housing inventory in Miami-Dade County. According to the 2010 Evaluation and Appraisal Report, adopted March 23, 2011 (the "2010 EAR"), "[r]esidential supply and demand analysis is done to determine the adequacy of the existing capacities to accommodate projected growth." See 2010 EAR, at 1.1-32. Unfortunately, the residential supply analysis presented in the 2010 EAR presents a dire picture of the availability of single family and multifamily residences in Miami-Dade County. Specifically, the report notes that by 2016 the County—as a whole—will have no more land available for the development of single family residences. It also notes that depletion for multifamily residences will occur by the year 2026, just seven (7) years from now, even though demand for such homes will remain significant. These residential supply numbers are very distressing, more so, when viewed in conjunction with the CDMP Land Use Policy LU-8F, which states,

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

the type of use, as well as the Countywide supply within the UDB. The adequacy of land supplies for neighborhood- and community-oriented business and office uses shall be determined on the basis of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-Tiers and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities.

Table 1.1-7 shows that the projected demand for single-family and multi-family housing countywide and compares this with the existing residential land supply within the year 2010 UDB. Currently sufficient capacity exists within the UDB to accommodate projected demand through the year 2021. The single-family supply is projected to be exhausted by 2016; the multi-family in 2026.

Table 1.1-7
Residential Land Supply/Demand Analysis
Miami-Dade County by Tier and Subtier, 2010 to 2030

Analysis Done Separately for Each Type, i.e. No Shifting of Demand between Single & Multifamily Type	Structure Type		
	Single Family	Multi-Family	Both Types
Capacity in 2C10	43,543	92,186	135,729
Annual Demand in 2010-2015	6,293	5,125	11,418
Capacity in 2C15	12,078	66,561	78,639
Annual Demand 2015-2020	6,602	5,448	12,050
Capacity in 2C20	0	39,321	18,389
Annual Demand 2020-2025	6,492	5,726	12,218
Capacity in 2C25	0	10,691	0
Annual Demand 2025-2030	6,809	5,275	12,084
Capacity in 2C30	0	0	0
Depletion Year	2016	2026	2021

Source: Miami-Dade County Department of Planning and Zoning, Research Section, 2011.

Tables 1.1-8 through 1.1-11 show similar data for the four tiers used for the residential supply/demand analysis. These tiers are further broken down by subtier into eastern and western halves.

The County's analysis is severely troubling and leads to several unsettling implications. First, as the population of Miami-Dade County grows, more and more individuals will be cut-off from having the opportunity to acquire residential units, as they will be rapidly becoming unavailable. Second, the lack of available housing inventory will only increase the housing affordability issues that plague the County. This is not mere speculation; the County's own data already demonstrates that between 2010 and 2015, the median home price grew by 44.2 percent, which ranked the County with the second largest median home price increase in the nation for large counties. See Miami-Dade County Profiles American Community Survey, September 2016, at 8. Third, the housing affordability problems will only exacerbate traffic congestion by incentivizing people who work in Miami-Dade to find affordable single family or multifamily housing options further from employment opportunities.

These implications are further aggravated by the continued rapid population growth in Miami-Dade County. For example, the United States Census bureau estimates that the population

of Miami-Dade County grew from 2,498,018 in 2010 to 2,751,796 in 2017. See <https://www.census.gov/quickfacts/table/PST045216/12086> (last visited March 4, 2019). This amounts to a growth of 253,778 over a seven (7) year span and an increase of 36,254 persons per year.

Additionally, the Property is located in Minor Statistical Area (MSA) 7.5. The multi-family land capacity in MSA 7.5 is projected to be completely depleted by 2025. See Supply and Demand Analysis, 2018, prepared by Miami-Dade Regulatory and Economic Resources, Planning Division, Planning Research Section. Approval of the application would lead to a much needed increase of multi-family units being added to the County, but more specifically MSA 7.5. This Property is situated in one of the last remaining MSA's that still contains large vacant properties available to fill this need. Unlike many MSA's throughout the County, MSA 7.5 has not been completely built out.

Residential Land Supply/Demand Analysis
2018 to 2030: MSA 7.5

ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2018	6,216	1,456	7,672
DEMAND 2018-2020	268	233	501
CAPACITY IN 2020	5,680	990	6,670
DEMAND 2020-2025	301	262	563
CAPACITY IN 2025	4,175	0	3,855
DEMAND 2025-2030	329	287	616
CAPACITY IN 2030	2,530	0	775
DEPLETION YEAR	2030+	2023	2031

Residential capacity is expressed in terms of housing units.

Housing demand is an annual average figure based on population projections.

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

The County is faced with a continuously significant increasing of population, while its residential land supply is rapidly decreasing. The rapidly growing population requires the County to increase density within the UDB in order to accommodate the County's continued population growth. Given the rapidly growing population and increasing affordability problem facing the County, there is an immediate need to increase density in areas within the UDB making this Property an ideal candidate.

B. Needed Affordability & Workforce Housing.

Working families in Miami-Dade County are facing significant impediments to being able to afford rental units. For example, the U.S. Census Bureau concludes that Miami-Dade County's average rent continues to increase. See FIU Metropolitan Center, Miami-Dade County Prosperity Initiatives Feasibility Study, at 36. Notably, the average apartment rent in the County has increased from \$ 1,515 in 2009 to \$2,501 in 2015; amounting to a 65 percent increase in rental rates. See *id.* As a result, Miami-Dade County's housing market dynamics are substantially problematic for households at the lower to middle income ranges. See *id.* The continued increase in housing

prices—combined with shrinking household earnings—have resulted in Miami-Dade households paying an increasing share of their income for housing. See *id.*

The U.S. Department of Housing and Urban Development (HUD) notes that a household is cost-burdened if it pays more than 30% of its total income on housing costs. See *id.* **In 2014, 61% of renter households** and over 42% of owner households in Miami-Dade County were cost-burdened, **making the County the third least affordable housing market in the U.S.** See *id.* Moreover, the County's share of "severely cost-burdened households" – those paying more than 50 percent of income on housing—has increased by 11.6 percent in Miami-Dade County since 2009. See *id.*

In addition, if household transportation costs are considered along with housing costs, Miami-Dade County is quickly becoming one of the least affordable markets in the U.S. See *id.* at 36-37. Pursuant to the Center for Neighborhood Technology Housing and Transportation Cost Index (H+T Index), the average amount of household income spent on housing and transportation for all households in Miami-Dade County is 62 percent of annual income. See *id.* The standard threshold for affordability pursuant to the H+T Index is that household and transportation costs should not exceed 45 percent of annual income. See *id.* Notably, over 85 percent of all households in Miami Dade County pay more than 45 percent of their housing and transportation – this is one of the highest ratios in the U.S. -- demonstrating a severe affordability problem in Miami-Dade County. See *id.*

These data show that the County desperately needs an increase of more residential units. The more residential units that come online will allow for a more affordable market and allow for a more diverse group of people to own or rent. Multifamily developments such as this, are often much cheaper to buy or rent when compared to single family residential prices. Thus, these multifamily developments make much more sense for those who are either starting families, careers, or are in school, or for those who are transitioning to retirement or needing to downsize. It simply allows for a much more diverse group of buyers and renters.

Additionally, the Applicant is proffering a modified covenant which will continue to set aside 10% of the completed residential units to workforce housing. This contribution of workforce housing will provide assistance to the County overall in order to ensure that it can remain competitive with other jurisdictions in attracting employers and workers to continue to enhance the local economy. The lack of workforce housing has a well-documented and well-noted detrimental effect on the County's ability to attract and retain workers. The dynamics of the lack of workforce housing creates a detrimental rippling effect that causes workers to move to more affordable jurisdictions thereby incentivizing large scale employers to follow; further exacerbating the problems of housing affordability and wage stagnation and adversely impacting industrial development. The additional need for workforce housing strongly favors re-designating the Property from "Low Density With One Density Increase" to "Medium Density".

C. Property is Ideally Located for Such Land Use Re-designation.

Moreover, the Property's close proximity to several religious facilities and schools, present the opportunity to increase density in an area where residents will have access to quality of life activities such as religious engagement and education. Also in close proximity is a United

States Postal Service Center. The Property sits southwest to the Loren Roberts Park, a Youth Activity Center, and a Florida City Community Center. The Property also sits just east to a well-known fruit stand called, "Robert Is Here Fruit Stand". "Robert Is Here Fruit Stand" is a fruit stand and petting zoo that is frequently visited by both locals and tourists. The Property's location in connection to the fruit stand would allow residents of the project the ability to walk over and purchase fresh fruits, vegetables, and other produce and supplies. Residents of the development will be able to benefit from having these facilities and areas in such close proximity to the Property.

The Property is also fortunate enough to be within an approximate six minute walking distance to two bus stops located to the east of the Property. These two bus stops are located on the northeast and southeast corners of SW 187 Avenue (Redland Road) along SW 344 Street (West Palm Drive). Each of these bus stop locations consist of a shaded, partially enclosed, two bench structure meant to keep transit riders out of the sun and able to sit down. Currently, the each of these stops are serviced by bus route 35/35A and bus route 344. Bus Route 35A spans from SW 104 Street and SW 109 Court to SW 344 Street and SW 187 Ave. Bus route 344 spans from SW 312 Street and SW 177 Avenue to SW 344 Street and SW 187 Avenue, with select trips continuing as far as SW 380 Terrace and SW 193 Avenue. These conveniently located bus stops provide an opportunity to allow for more transit ridership.

A Park-and-Ride Facility is located approximately 1.2 miles from the Property on the northeast corner of SW 344 Street (West Palm Drive) and NW 3 Avenue. This Park-and-Ride allows transit riders easy and quick access to several different bus routes. According to the Miami-Dade County, Department of Transportation and Public Works, 2019-2028 Transit Development Plan, two new express bus routes are being planned to be added, as part of the Strategic Miami Area Rapid Transit (SMART) Plan. The goal of the SMART Plan is to improve transportation mobility in Miami-Dade County. As such, new transportation methods, routes, and vehicles are being developed to achieve this goal, thus the planned creation of the two new express bus routes.

The first future planned express bus route, referred to as the "South Miami-Dade Express", will provide express bus service from the SW 344th Street Park-and-Ride along the Transitway to the Dadeland North Metrorail Station, as well as, from the SW 288 St/HEFT to the Dadeland North Metrorail Station. Headways will be 10 minutes during peak hours and 30 minutes between 9:30am and 3:00pm. This is expected to be implemented sometime in 2019. The second future planned express bus route, referred to as the "Florida's Turnpike Express (South)", will provide express bus service from the SW 344th Street Park-and-Ride along the Turnpike to Panther and Dolphin Stations. Headways will be 10 minutes during peak hours and 30 minutes during off-peak hours. This route is expected to come online sometime in the year 2020. Currently, the Park-and-Ride is a convenient option that many people take as an alternative to driving themselves. With the upcoming implementation of the two express bus routes, more people will likely choose taking mass transit in the area than driving, reducing congestion in the surrounding area. Such development should be encouraged in area's such as these that would be adding to transient ridership.

D. Declaration of Restrictions

A Declaration of Restrictions in favor of Miami-Dade County was recorded in the Official Records of Miami-Dade County in Official Records Book 25853, at pages 4432 – 4446 (the

“Original Declaration”), which placed certain conditions and limitations on the Property in conjunction to the Comprehensive Development Master Plan amendment Application No. 15 in the April 2006 Cycle (**Exhibit “F”**). The Applicant seeks to delete this Original Declaration and proffer a new Declaration of Restrictions (the “Proposed Declaration”), (**Exhibit “G”**).

The Proposed Declaration will limit the development of the Property to no more than three hundred and twenty-seven (327) residential dwelling units. Ten percent (10%) of the total units built will be made affordable to households between sixty percent (60%) and one-hundred forty percent (140%) of the Area Median Income of Miami-Dade County. The maximum density allowed, per gross acre of land designated “Medium Density”, is twenty-five (25) residential dwelling units. Accordingly, without a density limitation on the Property the Applicant could develop, as of right, up to four hundred and ninety-five (495) residential dwelling units on the Property, without any units being made affordable to households between sixty percent (60%) and one-hundred forty percent (140%) of the Area Median Income of Miami-Dade County.

The Proposed Declaration will also allow Miami-Dade Transit to encroach onto the Property, as necessary, to provide for a bus pull-out bay and bus shelter. Additionally, the Proposed Declaration will not include certain restrictions and conditions previously provided in the Original Declaration. This is due to the fact that many no longer apply or have been satisfied. For instance, the Original Declaration provided a condition that the owner(s) of the Property had to connect, at their own expense, to a water distribution main or receive the approval of the expansion of the water and sewer service area of the City of Florida City to include in the Property. This was a condition to develop residential dwelling units in excess of one hundred and twenty-four (124) dwelling units. This condition is no longer applicable because the Applicant requested and received a Water and Sewer Availability Letter dated February 16, 2017, from Miami-Dade County’s Water and Sewer Department, which stated that there is now the ability for the Property to be connected to both the water and sewer mains, and that it will in fact be required for development to occur (**Exhibit “H”**).

Conclusion.

The re-designation of the Property from "Low Density With One Density Increase" to "Medium Density" meets the criteria contained in Land Use Policy LU-8E of the County’s Comprehensive Development Master Plan. Specifically, LU-8E states that requests to amend the County’s CDMP Land Use Plan map shall be evaluated to determine if the request would:

- i. Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii. Enhance or impede provision of services at or above adopted LOS Standards;
- iii. Be compatible with abutting and nearby land uses and protect the character of established neighborhoods; and

iv. Enhance or degrade environmental or historical resources, features or systems of County significance; and

v. If located in a planned Urban Center, or within ¼ mile of an existing or planned transit station, executive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

In summary, re-designating the Property's land use from "Low Density With One Density Increase" to "Medium Density" will be compatible with the surrounding area and ideal for this Property. The residential density allowed by the proposed land use amendment will help to alleviate the rapidly depleting multi-family inventory in the County. In addition, this proposed amendment will help to increase the availability of more housing options in the area. Finally, the Property's close proximity and availability to the surrounding schools, religious facilities, parks, and transient ridership locations, would enhance the opportunities for pedestrianism and will help to alleviate the traffic impact of the development. In sum, this location is strategically located to achieve the goals and policies of the CDMP and will significantly help to address the dire need for more housing inventory in the County.

The requested change is also consistent with several other of the Miami-Dade County CDMP's Goals, Objectives and Policies, including the following Objectives and Policies:

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

LAND USE OBJECTIVE LU-4: Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.

LAND USE POLICY LU-4D: Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements

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

LAND USE POLICY LU-8A: Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial, cultural, community, and senior centers; character of existing adjacent or surrounding

neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.

LAND USE POLICY LU-8F: The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption). The estimation of this capacity shall include the capacity to develop and redevelop around transit stations at the densities recommended in policy LU-7F. The adequacy of non-residential land supplies shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the Countywide supply within the UDB. The adequacy of land supplies for neighborhood- and community-oriented business and office uses shall be determined on the basis of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-Tiers and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities.

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

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

HOUSING OBJECTIVE HO-8: Bring about housing design and development alternatives that are aesthetically pleasing, encourage energy efficiency and enhance the overall health, safety and general welfare of County residents.

HOUSING POLICY HO-8A: Ensure that growth management, housing design, and development alternatives form an integral part of a community of functional neighborhoods and town centers that promote community identity, and enhance the overall quality of life.

HOUSING POLICY HO-8B: Continue supporting development of innovative and cost-efficient housing construction techniques, materials and manufacturing methods

It is for these reasons that we request an expedited standard scale land use change of these parcels from "Low Density With One Density Increase" to "Medium Density".

5. LOCATION MAP FOR APPLICATION

Attached as Exhibit "A"

Attached as Exhibit "B"

7. COMPLETE DISCLOSURE OF INTEREST FORM

Attached as Exhibit "C"

8. AERIAL PHOTOGRAPH

Attached as Exhibit "D"

9. SUPPLEMENTAL DISCLOSURE FORM

Attached as Exhibit "E"

10. ORIGINAL DECLARATION OF RESTRICTIONS

Attached as Exhibit "F"

11. PROPOSED DECLARATION OF RESTRICTIONS

Attached as Exhibit "G"

12. WATER AND SEWER AVAILABILITY LETTER

Attached as Exhibit "H"

13. SURVEY

Attached as Exhibit "I"

14. TRAFFIC STUDY

Attached as Exhibit "J"

EXHIBIT "A"

LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANTS / REPRESENTATIVE

TREO Southwest, LLC

Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Gloria Velazquez, Esq., and James Williams Jr., Esq.

DESCRIPTION OF SUBJECT AREA

The Property is approximately ±19.89 gross acres and is located at the southeast corner of SW 344th Street and SW 192nd Avenue in Miami Dade County, Florida, more particularly described in the legal description attached to this application as **Exhibit "B"**, and further defined by Miami-Dade County Folio Number 30-7826-000-0010.

LOCATION MAP



Application area delineated above owned by Applicant.

1"=300'

Legend
Subject Property



EXHIBIT "B"

LEGAL DESCRIPTION & FOLIO NUMBER

The North ½ of the N. W. ¼ of N.E. ¼ of Section 26, Township 57 South, Range 38 East,
lying and being in Miami-Dade County, Florida

Folio No. 30-7826-000-0010

EXHIBIT "C"
DISCLOSURE OF INTEREST

DISCLOSURE OF INTEREST

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

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: TREO Southwest, LLC
2950 SW 27th Avenue, Suite 100
Miami, Florida 33133

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

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

	APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A	TREO Southwest, LLC	TREO Southwest, LLC	30-7826-000-0010	± 19.8

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

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
A	TREO Southwest, LLC			
		X		

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

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

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

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

CORPORATION NAME: TREO Southwest, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
See attached Exhibit "C".	

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

TRUSTEES NAME: _____

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

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

PARTNERSHIP NAME: _____

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF INTEREST

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

NAME AND ADDRESS

PERCENTAGE OF INTEREST

Date of Contract: _____

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

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

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

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

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

CORPORATION NAME: _____

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

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

the individual(s) (natural persons) having the ultimate ownership interest in the
aforementioned entity].

TRUSTEE'S NAME: _____

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

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

PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>

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

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF INTEREST

Date of Contract: _____

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

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

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

Applicant's Signatures and Printed Names

TREO Southwest, LLC, a Florida limited liability company

By: _____

Name: OTTO V. POLDET-MURIEL

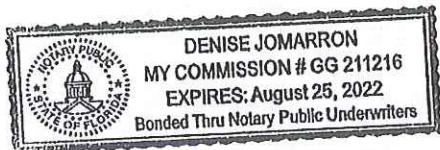
Title: MANAGER

Sworn to and subscribed before me

this 18th day of April, 2019

[Signature]

Notary Public, State of Florida at Large (SEAL)



My Commission Expires:

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

EXHIBIT "E"

SEE ATTACHED SUPPLEMENTAL DISCLOSURE FORM

<u>Entity/ Individual:</u>	<u>Interest in Treo Southwest, LLC</u>
<u>K Family MHP, Homestead, LLC</u> 18851NE 29 Avenue Suite 303 Aventura, Fl 33180	60%
<u>Breakdown:</u> Raphael Klein – 50% Eva Klein – 50%	
<u>TTG Holdings, LLC.</u> 2950 SW 27 th Avenue Suite 100 Miami, Fl 33133	20%
<u>Breakdown:</u> Otto Boudet and Mariana Boudet, husband and wife – 25% Rolando Delgado and Julissa Caso Delgado, husband and wife – 25% Eduardo Garcia and Aradelys Garcia, husband and wife – 25% Carlos Ortega and Ivette Ortega, husband and wife – 25%	
Century Homebuilders Group, LLC 1805 Ponce de Leon Blvd. Suite 100 Coral Gables, Fl 33134	10.67%
<u>Breakdown:</u> Sergio Pino – 50% Tatiana Pino – 50 %	
Orlando Gomez Enterprises, LLC 5901 NW 74 Avenue Miami, Fl 33166	5.33%
<u>Breakdown:</u> Eduardo J. Garcia – 100%	

Mamita & Papa Legacy, LLC
9454 SW 77 Avenue S-2
Miami, Fl 33156

2.67%

Breakdown:

Yolanda Valdes – 50%
Arnaldo Valdes – 50%

Rolando Delgado & Miriam Delgado
4701 University Drive
Coral Gables, Fl 33146

0.67%

Rodolfo Suarez & Norma Suarez
8105 SW 86 Terrace
Miami, Fl 33143

0.67%

EXHIBIT "F"

SEE ATTACHED ORIGINAL DECLARATION OF RESTRICTIONS



CFN 2007R0802057
 OR Bk 25253 Pgs 4432 - 4446 (15pgs)
 RECORDED 08/14/2007 10:05:32
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

This Instrument was Prepared by:

Name: Juan J. Mayol, Jr., Esq.
 Address: Holland & Knight LLP
 701 Brickell Avenue
 Suite 3000
 Miami, Florida 33131

(Space Reserved for Clerk of the Court)

A/3

DECLARATION OF RESTRICTIONS

WHEREAS, Palm & Tower Investors, L.L.C., a Florida limited liability company (the "Owner"), holds fee simple title to that certain parcel of land in Miami-Dade County, Florida, described in Exhibit "A", attached hereto, and hereinafter referred to as the "Property";

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan that is pending as Application No. 15 in the April 2006 Cycle (the "Application");

WHEREAS, the Application seeks to re-designate the Property from "Low Density Residential" to "Low-Medium Density Residential" on the Miami-Dade County Comprehensive Development Master Plan ("CDMP") Future Land Use Plan Map ("LUP");

WHEREAS, the Owner has agreed that the CDMP designation for the Property shall be Low-Density Residential with a DI-1 density increase with urban design.

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

1. **Density Limitation.** The Property shall be developed at a density no greater than ten (10) residential dwelling units per gross acre.

2. Workforce Housing.

(a) *Commitment.* A minimum of ten percent (10%) of the proposed residential dwelling units on the Property shall be set aside for sale or rent as Workforce Housing Units ("WHU").

(b) *Definition.* A "Workforce Housing Unit" shall consist of residential dwelling units that are made available for sale or rent by the Owner to persons with a median family income that is 65% to 140% of the median family income in Miami-Dade County, as published annually by the U.S. Department of Housing and Urban Development (a "Qualified Purchaser").

(c) *Process.* Prior to obtaining the initial building permit for the construction of any residential dwelling unit (other than model homes) for the Property, the Owner shall submit a declaration of restrictions, in a form acceptable to the County, setting forth restrictions on the resale of such residential dwelling units consistent with the intent of maintaining such residential dwelling units as Workforce Housing Units for a period of twenty (20) years from the date of its initial sale. The Owner further agrees to grant to the County the right of first refusal to purchase any WHU in which a Qualified Purchaser cannot be located within two hundred and ten (210) days from the date the WHU is offered for sale, which right of first refusal must be exercised by the County within thirty (30) days of the County's receipt of notification that a Qualified Purchaser cannot be located as provided for herein. In the event a qualified purchaser cannot be located and the County does not exercise its right of first refusal, then the Owner may sell the WHU at market rate.

3. Transit Improvements. In an effort to accommodate public transportation in the area, the Owner shall coordinate with Miami-Dade Transit and allow encroachments onto the Property, as necessary, to provide for a bus pull-out bay and bus shelter. The Owner's obligation under this Paragraph shall expire upon the approval of a final plat for the Property.

Notwithstanding the approval of a final plat, the Owner shall cooperate with the County to allow the installation of a bus pull-out bay and/or shelter if said installation can be accomplished without altering the approved final plat for the Property.

4. Water Conservation Requirements. In an effort to conserve water, the Owner hereby agrees to develop the Property and construct the proposed residential dwelling units so as to satisfy the requirements necessary to achieve (but shall not be required to obtain certification as) a "Florida Water Star" rating in accordance with the "Florida Water Star Basic Qualification Checklist", a copy of which is attached to this Declaration as Exhibit "B".

5. Water Treatment Capacity. The Owner shall not seek a certificate of completion for any residential dwelling units in excess of one hundred and twenty-four (124) dwelling units until (i) the Owner, at its own cost and expense, connects to a water distribution main from the South Miami Heights Water Treatment Plant (or any other similar plant with sufficient water treatment capacity to provide service to the contemplated development on the Property) at such point of connection as may be designated by the Department of Water and Sewer or (ii) the approval of the expansion of the water and sewer service area of the City of Florida City to include the Property.

6. Dedication of Right-of-Way along S.W. 344th Street. Following receipt of a request by the appropriate governmental entity, the Owner shall promptly dedicate, at no cost to said governmental entity, the additional zoned right-of-way along the Property's frontage as may be required to allow the improvement of S.W. 344th Street as a four (4) lane, divided arterial roadway.

7. Miscellaneous.

A. Covenant Running with the Land. This Declaration of Restrictions on the part of Owner shall constitute a covenant running with the land and shall be recorded by the

Owner, at Owner's expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon Owner and their heirs, successors, and assigns until such time as the same is modified or released with the approval of the County. These restrictions, during their lifetime, shall be for the benefit of, and limitation upon, all present and future owners of the Property and for the public welfare.

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

C. Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended, or released as to the land herein described, or any portion thereof, by a written instrument executed by the fee simple owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulation governing amendments to the Miami-Dade comprehensive plan. Notwithstanding anything in this paragraph, in the event that the Property is incorporated within

a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration of Restrictions shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. Should this Declaration of Restrictions be so modified, amended or released, the Director of the Planning and Zoning Department or the executive officer of the successor of said Department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

D. **Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, the covenants. This enforcement provision shall be in addition to any other remedies available at law, in equity, or both.

E. **Election of Remedies.** All rights, remedies, and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

F. **Severability.** Invalidation of any one of these covenants by judgment of Court shall not affect any of the other provisions which shall remain in full force and effect.

G. **Recording.** This Declaration of Restrictions shall be filed of record in the public records of Miami-Dade County, Florida at the cost of Owner's following the adoption of

the Application. This Declaration of Restrictions shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration of Restrictions shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration of Restrictions is null and void and of no further effect.

[Signature Pages Follow]


**JOINDER BY MORTGAGEE
CORPORATION**


The undersigned, Premier American Bank, Mortgagee under that certain Mortgage from Palm & Tower Investors, LLC, a limited liability company and recorded in Official Records Book 24492, Page 0465, in the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Declaration of Restrictions, does hereby consent to the execution of this Declaration of Restrictions by Palm & Tower Investors, LLC, a limited liability company, and agree that in the event Mortgagee or any other party shall obtain title to the property through foreclosure or deed-in-lieu of foreclosure, this Declaration of Restrictions shall be binding upon the entity obtaining title as the then owner of such property.

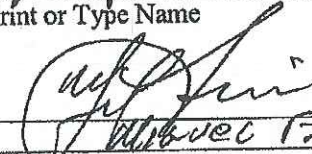
IN WITNESS WHEREOF, these presents have been executed this 28 day of March, 2007.

WITNESSES:

Premier American Bank


Joseph G Goldstein
Print or Type Name

By: 
Title: VICE-PRESIDENT
Print name: JUAN CARLOS LOPEZ
Address: 5301 BLUE LAGOON PARK
MIAMI, FL 33155


Miguel Preire
Print or Type Name

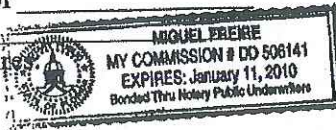
(Corporate Seal)

STATE OF FLORIDA)
) SS
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 28 day of March, 2007 by JUAN CARLOS LOPEZ, of Premier American Bank, on behalf of the corporation. He/She is personally known to me or has produced A Drivers license as identification and did/did not take an oath.

L 200-423-78-015-0

Notary Public -State of _____
Print Name _____
My Commission Expires _____



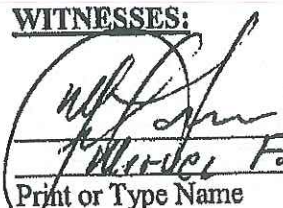
4189672_v1

JOINDER BY MORTGAGEE CORPORATION

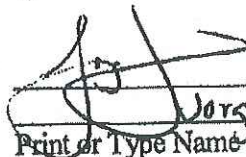
The undersigned, Lime Grove Realty, Inc., a Florida corporation and Mortgagee under that certain Mortgage from Q2 Florida City IV, LLC, a Florida limited liability company, recorded in Official Records Book 23931, Page 2407, in the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Declaration of Restrictions, does hereby consent to the execution of this Declaration of Restrictions by Q2 Florida City IV, LLC, a Florida limited liability company, and agree that in the event Mortgagee or any other party shall obtain title to the property through foreclosure or deed-in-lieu of foreclosure, this Declaration of Restrictions shall be binding upon the entity obtaining title as the then owner of such property.

IN WITNESS WHEREOF, these presents have been executed this 29 day of March, 2007.

WITNESSES:

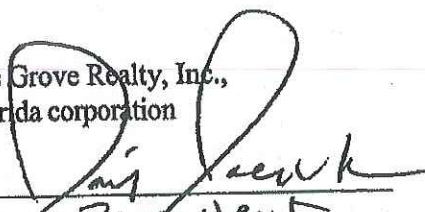


 Miguel Freire
 Print or Type Name



 Jorge A. Lima
 Print or Type Name

Lime Grove Realty, Inc.,
 a Florida corporation

By: 
 Title: President
 Print name: Ron Jacobson
 Address: 31 STAR ISLAND DR.
Miami Beach, FL.
33139

(Corporate Seal)

STATE OF FLORIDA)
) SS
 COUNTY OF _____)

The foregoing instrument was acknowledged before me this 29 day of March, 2007 by Ron Jacobson of Lime Grove Realty, on behalf of the corporation. He/She is personally known to me or has produced _____, as identification and ~~did~~ did not take an oath.



 Notary Public - State of _____
 Print Name _____
 My Commission Expires: _____

4402675_v1

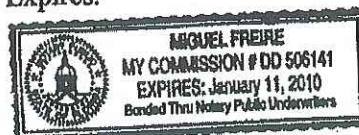


Exhibit "A"

LEGAL DESCRIPTION:

THE N $\frac{1}{2}$ OF THE NW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION
26-57-38; MIAMI-DADE COUNTY, FLORIDA.

Exhibit "B"



Florida Water StarSM
Basic Qualification Checklist

This program for new residential construction is intended to provide water-efficient housing options and help prevent water leaks. Florida Water StarSM is service marked by the St. Johns River Water Management District.

New Home Requirements

To achieve a Florida Water StarSM rating for new residential homes:

- 1) All prerequisites must be met and validated
- 2) Points must be achieved in all categories (irrigation, landscape and indoors)
- 3) Total points must accumulate to a minimum total of 75 points

In order to obtain a Florida Water StarSM rating, the home must contain sufficient efficient features such that the total score on the checklist is equal to or greater than 75, out of a total possible 100 points.

Homebuilder Information

* Name: _____
* Company: _____
* Address: _____
* City/County: _____
* Area Code/Phone: _____
Fax: _____
E-mail: _____

Home Information

Owner Name: _____
* Address: _____
* City/County: _____
Owner Area Code/Phone: _____
Owner Fax: _____
Owner E-mail: _____
Address 2: _____
Area Code/Phone: _____

of intended occupants: _____

* All fields must be completed.



Outdoors

Prerequisites

- Must meet all local and/or county codes.
- Submit landscape and irrigation design drawings prior to start of construction. Drawings shall be clearly readable, to reasonable scale, and include date, scale and legend. Irrigation designs shall specify — at a minimum — water source, meter size, design operating pressure and flow rate per zone, average application rate per zone (converting gallons per minute [gpm] to inches per hour), schedules by zone, and location and size of pipes and valves. List make, model and specification of controllers, sprinklers, and backflow prevention devices. Show elevation, electrical supply, roadways, sidewalks, structures, and other relevant site conditions.
- Irrigation systems must meet minimum design standards for automatic in-ground systems as listed below:
 - Piping system shall be free from leakage. Pipes shall be sized for appropriate gpm so velocities don't exceed 5 fps (feet per second)
 - A functioning rain sensor device shall be installed in an operable location
 - Separate irrigation zones exist for turf and landscape beds
 - Precipitation rates are matched in each zone
 - Turf zone head spacing shall not exceed 45 percent of the sprinkler's diameter of coverage for square spacing, and 50 percent of coverage for triangular spacing
 - Rotor heads and fixed pattern spray sprinklers are installed on separate zones
 - Pressure-compensating spray heads or pressure-compensating valves are installed for spray zones
 - Irrigation in planting beds should be micro-irrigation or sprays that deliver water directly to root zones rather than wetting the entire area, or hose bibs are provided for manual irrigation
 - Pop-up rotors and spray heads rise above the grass height: 4 inches for St. Augustine, zoysia and bahia; 3 inches for lower-growing species such as centipede, Bermuda and seashore paspalum
 - Narrow areas (4 feet or less) are not irrigated unless micro-irrigation is used
 - Emitters are located at least 2 feet from the house so that the structure is not wetted
 - System ensures correct spray patterns and minimizes over spray on impermeable surfaces
 - Automatic irrigation controller includes a battery backup or non-volatile memory to maintain schedule settings
 - Written operating information provided to home buyer is affixed to the controller, including irrigation schedule, controller handbook and diagram of zones
 - The controller is reset for maintenance schedule after establishment and before closing, and/or instructions are affixed on controller for home buyer to change by a certain date
 - Irrigation controller is programmed with seasonal variations based on historical rates, with a total application not to exceed 21 gallons per square foot.



Irrigation	Points	Points Earned
No automatic in-ground irrigation system installed, if combined with site-appropriate landscape	35	
Required — Minimum design standards for automatic in-ground irrigation system	15	
High-flow irrigation (rated in gpm) covering no more than 50 percent of the landscape areas	8	
Weather-based controller	11	
Soil moisture sensor(s)	8 (for each)	
Control timer to include a minimum of three scheduling programs	4	
Check valves installed on heads in low-lying areas and in areas with poor drainage	6	
Leak detection shut-off system	6	
Total	50 (+)	

Landscape

Preservation of site vegetation	Points	Points Earned
Three or more trees greater than 4 inches dbh (diameter at breast height) preserved on lot	4	
10 percent of a lot's native shrubs and ground covers preserved	5	
Greater than 20 percent of site's native shrubs and ground covers preserved (not including permitted wetlands)	7	
Installed landscape		
Plants and turf planted no closer than 2 feet from foundation	3	
Plants grouped with similar moisture and maintenance requirements	8	
Plant selections compatible with growing conditions	8	
Totals	35	



Indoors

Prerequisites

- All armored/metal hoses from service to appliances
- Mold-resistant materials at tub/shower enclosures
- Must meet all requirements specified in Florida Building Code

Water heater	Points	Points Earned
Equipped with leak detection shut-off valve	5	
Located within 30 feet of end use	2	
Centrally located	2	
Kitchen and bathroom faucets		
Faucet aerators or laminar flow	3	
Showers equipped with only one showerhead	6	
Toilets		
All toilets — MaP Rating of 250 gm or greater	6	
Add three points for each high-efficiency toilet (HET) (1.0–1.1 gpf), or dual flush (MaP Rating of 250 gpm or greater)	9	
Clothes and dish washers		
Manual water shut-off valves	2	
Equipped with leak detection shut-off valve	2	
ENERGY STAR® dishwasher using 6 gallons per cycle or less	5	
ENERGY STAR® washing machine with water factor less than 9.5	4	
Total	40	

Point Summary	Category Point Totals
Irrigation	
Landscape	
Indoors	
Total	



Primary Certifying Agent Information

- * Name: _____
- * Company: _____
- * Address: _____
- * City/County/Zip Code: _____
- * E-mail: _____
- * Area Code/Phone: _____
- * Fax: _____

By signing below, we acknowledge that each of the measures intended to qualify the home for the Florida Water StarSM rating have been incorporated into the home's construction.

Homebuilder Signature _____

Contact Information: _____

Irrigation Validating Agent Signature: _____

Contact Information: _____

Landscape Validating Agent Signature: _____

Contact Information: _____

Plumbing Validating Agent Signature: _____

Contact Information: _____

* All fields must be completed.

EXHIBIT "A"

LEGAL DESCRIPTION

The North ½ of the N. W. ¼ of N.E. ¼ of Section 26, Township 57 South, Range 38 East,
lying and being in Miami-Dade County, Florida

DRAFT

EXHIBIT "H"

SEE ATTACHED WATER AND SEWER AVAILABILITY LETTER



miamidade.gov

Water and Sewer
PO Box 330316 • 3071 SW 38 Avenue
Miami, Florida 33233-0316
T 305-665-7471

February 16, 2017

Frontera Investments, LLC
P.O. Box 65-1187
Miami, FL 33265-1187

Re: Water and Sewer Availability for (17-346401) for "20 Acres", construction and connection of 220 townhomes, S.W. 192 Avenue at S.W. 344 Street, Miami, Florida, Folio #30-7826-000-0010.

Ladies and Gentlemen:

This letter is in response to your inquiry regarding water and sewer availability to the above-referenced property for the construction and connection of two hundred twenty (220) townhouses.

The developer shall connect to existing sixteen (16) inch water main located in S.W. 192 Avenue at S.W. 352 Street, and install a twelve (12) inch water main northerly in S.W. 192 Avenue to S.W. 344 Street, then extend a sixteen (16) inch water main easterly in S.W. 344 Street to S.W. 187 Avenue, then southerly in S.W. 187 Avenue to a point north of S.W. 352 Street, interconnecting to existing sixteen (16) inch water main at that location. Any public water main extension within the property shall be eight (8) inches minimum in diameter. If two (2) or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection.

For sewer service, the developer shall install a public pump station. The developer shall connect to an existing eight (8) inch sewer main located in S.W. 352 Street, and extend an eight (8) inch sewer force main westerly in S.W. 352 Street to S.W. 192 Avenue, then northerly in S.W. 192 Avenue as required to provide service to the new public pump station. Additionally, the developer shall connect the aforementioned proposed public pump station and extend eight (8) inch minimum gravity sewer mains at full depth in public tight-of-way as required to provide service to all properties within the proposed development. If Unity of Title does not apply, then any gravity sewer within the property shall be public and eight (8) inch minimum in diameter. Other points of connection may be established subject to approval of the Department.

The developer is responsible for obtaining access to the water and sewer systems, either by right-of-way dedication and/or easement. The County's obligations to provide water and sewer service is conditioned upon conveyance of easements to the County for sewer facilities to be installed on property that is not part of the developer's property. The easements must be conveyed to the County in accordance with a Developer Agreement with the Department. Furthermore, it shall be the developer's sole responsibility to obtain and secure conveyance of said easements to the County. The conveyance of aforesaid easements by the developer to the County is a precedent to any duty of the County to provide water and sewer service to the developer's property.

Construction connection charges and connection charges shall be determined once the developer enters into an agreement for water and sewer service, provided the Department is able to offer those services at the time of the developer's request. Information concerning the estimated cost of facilities must be obtained from a consulting engineer. All costs of engineering and construction will be the responsibility of the developer. Easements must be provided covering any on-site facilities that will be owned and operated by the Department.

Please be advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Decree entered on April 9, 2014, in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

This letter is for informational purposes only and conditions remain in effect for thirty (30) days from the date of this letter. Nothing contained in this letter provides the developer with any vested rights to receive water and/or sewer service. The availability of water and/or sewer service is subject to the approval of all applicable governmental agencies having jurisdiction over these matters. When development plans for the subject property are finalized, and upon the developer's request, we will be pleased to prepare an agreement for service, provided the Department is able to offer those services at the time of the developer's request. The agreement will detail requirements for off-site and on-site facilities, if any, points of connection, connection charges, capacity reservation and all other terms and conditions necessary for service in accordance with the Department's rules and regulations.

If we can be of further assistance in this matter, please contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "Douglas Pile", is written over a circular stamp or seal. The signature is somewhat stylized and overlaps the stamp.

Douglas Pile, Esq.
New Business Contract Officer

20 ACRES LOA 17-346401

WATER: The developer shall connect to an existing sixteen (16)-in. w.m. (E-13824-5) in S.W. 192 Ave. at S.W. 352 St., and extend a twelve (12)-in. w.m. northerly in S.W. 192 Ave. to S.W. 344 St., then, extend a sixteen (16)-in. w.m. easterly in S.W. 344 St. to S.W. 187 Ave., and then, extend the same (16-in. w.m.) southerly in S.W. 187 Ave. to a point N/O S.W. 352 St., interconnecting to an existing sixteen (16)-in. w.m. (E-1532-1) at that location.

Oversizing credit applies from an eight (8)-in. w.m. to a twelve (12)-in. w.m. in S.W. 192 Ave. (Half Section line), approximately 2,600 ft.; and from an eight (8)-in. w.m. to a sixteen (16)-in. w.m. in S.W. 344 St. and S.W. 187 Ave. (Section lines), approximately 4,600 ft.

The developer is responsible for obtaining access to the existing water system either by R/W dedication and/or easement.

Any public w.m. extension within the property shall be eight (8)-in. minimum diameter. If two (2) or more fire hydrants are to be connected to a public w.m. extension, then the water system shall be looped with two (2) P.O.C.

SEWER: A new public P.S. will be required. Connect to an existing eight force main (ES-4597-1) in S.W. 352 St. at S.W. 189 Ave., and extend an eight (8)-in. force main westerly in S.W. 352 St. to S.W. 192 Ave., and then, northerly in S.W. 192 Ave., as required to provide service to the new public P.S.

Please be advised that the new public P.S. site dimensions are 45-ft.x65-ft., shall be deeded to the M-DWASD, and must be shown on plat, having direct access to either dedicated public (Right of Way) R/W or to ingress-egress paved access and utility easement with a minimum width of 20-ft.

Additionally, the developer shall connect to the aforementioned proposed public P.S., and extend eight (8)-in. minimum gravity sewer mains AT FULL DEPTH in public R/W as required to provide service to all of the properties within the proposed development.

If UNITY OF TITLE does not apply, then any gravity sewer within the properties shall be public and eight (8)-in. minimum diameter.

The developer is responsible for obtaining access to the existing sewer system either by R/W dedication and/or easement.

Note: At the time this project applies for an Agreement, a force main pressure analysis will be provided. The size of the proposed force main may change, according to the force main pressures and recommendations provided by Master Planning Section.

PUMP STATION:

PUMP STATION No.	Proposed Public P.S.
Projected N.A.P.O.T.	N/A
STATION STATUS	N/A

PREPARED BY: Andrea I. Etcheverry Date: 02/06/17
 REVIEWED BY: Marla T. Capote Date: 2/7/17

APPENDIX B

Proffered Declaration of Restrictions

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This instrument was prepared by:

Name: **James R. Williams Jr., Esq.**
Address: **Holland & Knight LLP**
701 Brickell Avenue, Suite 3300
Miami, Florida 33131

RECEIVED

2019 JUN 14 P 7:59

PLANNING DIVISION

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

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

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP"), as an expedited standard CDMP application in April 2019, and said amendment is identified as Application No. CDMP20190008 (the "Application");

WHEREAS, the Application seeks to re-designate the Property from "Low Density With One Density Increase" to "Low-Medium Density With One Density Increase" on the Land Use Plan map of Miami-Dade's CDMP;

WHEREAS, a Declaration of Restrictions in favor of Miami-Dade County, Florida, was recorded in the Miami-Dade County Official Records Book 25853, at pages 4432 – 4446 (the "Original Declaration"), placing certain conditions and limitations on the Property in conjunction to the Comprehensive Development Master Plan amendment Application No. 15 in the April 2006 Cycle;

WHEREAS, pursuant to the terms of the Original Declaration, the terms of the Original Declaration may be modified, amended, or released as to the land herein described, or any portion

thereof, by a written instrument executed by the fee simple owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners,

WHEREAS, many provisions pertaining to the Original Declaration are no longer necessary;

WHEREAS, the Owner will be bound by this Declaration of Restrictions, incorporating the relevant and applicable prior conditions and restrictions originally set forth in the Original Declaration;

WHEREAS, the Owner and Miami-Dade County desire that the covenants herein replace and supersede those of the Original Declaration;

WHEREAS, in consideration of the premises and virtues of the provisions therein, said Original Declaration is hereby released and declared of no further legal effect and are null and void as to the Property, and the Clerk of the Circuit Court of Miami-Dade County, Florida is hereby directed to note the same upon the records;

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

1. **Density Limitation.** The proposed development of the Property shall be limited to no more than three hundred and twenty-seven (327) dwelling units. Ten percent (10%) of the total number of dwelling units developed on the Property shall be made affordable to households with an income between sixty percent (60%) and one-hundred forty percent (140%) of the Area Median Income for Miami-Dade County.

2. **Transit Improvements.** In an effort to accommodate public transportation in the area, the Owner shall coordinate with the County's Department of Transportation and Public Works to allow encroachments onto the Property, as necessary, to provide for a bus pull-out bay and bus shelter. The Owner's obligations under this Paragraph shall expire upon the approval of a final plat for the Property. Notwithstanding the approval of a final plat, the Owner shall cooperate with the County to allow the installation of a bus pull-out bay and/or shelter if said installation can be accomplished without altering the approved final plat for the Property.

3. **Connection to Public Water and Sewer Service.**

A. The Owner acknowledges that the Property is located within the established utility service area of the Miami-Dade Water and Sewer Department ("MDWASD") and is subject to all local, State, and Federal water and sewer regulations, including MDWASD's rules and regulations, implementing orders, and MDWASD's connection charges and fees in effect at the time of the execution of a MDWASD service agreement or the issuance of a verification form or other similar written County approval, as applicable, at the time of the development of the Property or portion thereof.

B. The Owner hereby acknowledge and agrees that any development of the Property shall connect to the public water and public sanitary sewer system. The right to connect the Property to the County's sewage system is subject to the terms, covenants, and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, the State of Florida, and/or any other governmental entity, including but not limited to, the Consent Decree in *United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County*, Case No. 1:12-cv-

24400-FAM (S.D. Fla) (the "Consent Decree"), as well as all other current, subsequent, or future enforcement and regulatory actions and proceedings.

C. The Owner shall coordinate with MDWASD and with the County's Division of Environmental Resources Management (DERM) to ensure the provision of water and sewer service to the Property, and shall enter into a Service Agreement with MDWASD for Water and Sanitary Sewer Facilities for the Property prior to the approval of a final plat for the Property. The availability of potable water supply capacity shall be determined at the time of such Service Agreement or the issuance of a verification form or other similar written approval, as applicable, at the time of the development of the Property or portion thereof.

D. The Owner shall be responsible for obtaining sanitary sewer pump station capacity from MDWASD pursuant to the applicable Miami-Dade Code requirements and consistent with the Consent Decree, prior to the issuance of a building permit for the development of any dwelling units on the Property or portion thereof. The Owner acknowledges and agrees that the lack of adequate public sanitary sewer pump station capacity may limit the ability to connect the development of the Property to public sanitary sewer system, and that nothing in this Declaration shall vest or shall be interpreted to vest the development of the Property for such public sanitary sewer pump station capacity. The Owner shall be solely responsible for any private on-site sewer pump stations that may be needed for the development of the Property.

4. **Miami-Dade County Fire Rescue Restriction.** The Owner acknowledges that the County's Fire and Rescue Department (MDFRD) is currently seeking approvals for the construction of a new fire and rescue station (the "New Fire Station") on that certain parcel of land identified by the Property Appraiser's Office by Folio No. 16-7823-000-0023 (the "New Fire Station Site"). The Owner further acknowledges that MDFRD anticipates that the New Fire

Station will be operational by September 30, 2022. The current land use designation on the Property, as further restricted by the Original Declaration, would restrict the development of the Property to 198 dwelling units. In anticipation of the New Fire Station, the Owner agrees not to seek a building permit to build any more than 198 dwelling units on the Property until such time as MDFRD has received a building permit for the construction of the New Fire Station on the New Fire Station Site or on such alternative site as MDFRD may select. Further, the Owner agrees not to seek a certificate of occupancy for any more than 198 dwelling units on the Property until such time as the New Fire Station on the New Fire Station Site or on such alternative site as MDFRD may select is placed in service.

5. **Project Design.** Any zoning application seeking to benefit from the density increase provided by the "DI-1 Overlay" shall utilize the Miami-Dade County's Urban Design Manual, endorsed by Resolution R-1360-98 of the Board of County Commissioners, as a guideline for the Property's development, and at a minimum, shall incorporate the following design principles:

a. Buildings shall be compatible with surrounding development or made compatible through the use of, among other methods: landscaping; buffers such as walls and fences; architectural styles that complement surrounding development; and building height transitions.

b. Buildings shall be built close to the sidewalk to create a public space in the street corridor that is comfortable, interesting, and safe for pedestrians. The Owner shall seek, if necessary, variances of the County's zoning regulations to accommodate this requirement. If any variances necessary to meet this requirement are not approved by the County at the time the Property or any portion thereof is subject to a district boundary

change to accommodate the density increase provided by the “DI-1 Overlay,” the Owner shall develop buildings as reasonably close as possible to the minimum setback permitted by the County’s zoning standards. Nothing contained in this section 1(b) shall serve to limit or prohibit parking in driveways or garages in front of any buildings.

c. The front of buildings shall provide a door serving as the primary entrance and address the street by incorporating such features as porches, stoops, covered entrances or similar elements. The residential units shall connect to the adjoining (and proposed) street sidewalk network.

d. Fences and walls along street frontages shall be of a height that does not impede pedestrian visibility of a building’s front elevation from the street.

e. In lieu of a decorative masonry wall, along the Property’s frontage with SW 344th Street (except for any points of egress and ingress), the Owner agrees to install a combination of fence, columns and landscaping, in compliance with Chapter 28 of the County Code, to provide privacy to the residents of the Property and to screen to the maximum extent practicable any off-street parking areas.

f. Buildings shall have abundant windows and doors at street level and incorporate a variety of architectural features and treatments on all facades such as, but not limited to: balconies, porches, enclosed entrances; a variety of materials such as stone, metal, stucco, concrete and brick; modulation and articulation of building surfaces; and changes in roof levels.

g. Uniform street furniture and lighting standards shall be provided throughout the Property.

6. **Miscellaneous.**

A. **Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

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

C. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the

successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

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

E. **County Inspections.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

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

any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

G. Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

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

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

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

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

L. **Owner.** The term Owner shall include all heirs, assigns, and successors in interest.

[Signature Page Follow]

LAND & KNIGHT DRAFT: 6.14.19

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this ____ day
of _____, 20__.

WITNESSES:

TREO SOUTHWEST, LLC,
a Florida limited liability company

Signature

Printed Name

By: _____
Name: _____
Title: _____

Signature

Printed Name

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

The foregoing instrument was acknowledged before me by _____, as
_____ of TREO Southwest, LLC, a Florida limited liability company, and for
the purposes stated herein on behalf of the corporation. He is personally known to me or has
produced _____ as identification.

Witness my signature and official seal this _____ day of _____, 2019, in
the County and State aforesaid.

My Commission Expires:

Notary Public

Printed Name

EXHIBIT "A"

LEGAL DESCRIPTION

The North ½ of the N. W. ¼ of N.E. ¼ of Section 26, Township 57 South, Range 38 East,
lying and being in Miami-Dade County, Florida

HOLLAND & KNIGHT DRAFT: 6.14.15

APPENDIX C

Miami-Dade County Public Schools Analysis

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Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board

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

June 13, 2019

VIA ELECTRONIC MAIL

Ms. Gloria M. Velazquez
Holland & Knight
701 Brickell Avenue, Suite 3300
Miami, Florida 33131
gloria.velazquez@hkclaw.com

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
TREC SOUTHWEST – CDMP20190008 - LOCATED AT SW CORNER OF SW 192 AVENUE
PH3019061000293 - FOLIO No.: 307826000010**

Dear Applicant:

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

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed development would yield a maximum residential density of 327 multifamily units, which generate 108 students; 65 elementary, 23 middle and 20 senior high students. At this time, the middle and senior high school levels have sufficient capacity available to serve the application. However, the elementary school level **does not** have sufficient capacity available to serve the application. A final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent, notwithstanding any additional information that may surface after further departmental research. As such, this analysis does not constitute a Public School Concurrency approval.

Should you have any questions, please feel free to contact me at 305-995-4501.

Best regards,

Ivan M. Rodriguez, R.A.
Director

IMR:ir

Enclosure
L-389

cc: Mr. Victor Alonso, R.A.
Ms. Nathaly Simon
Miami-Dade County
School Concurrency Master File

Planning, Design & Sustainability
Ms. Ana Rijo-Conde, Deputy Chief Facilities & Eco-Sustainability Officer
1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132
305-995-7285 • 305-995-4760 (FAX) • arijo@dadeschools.net



Concurrency Management System (CMS)

Miami-Dade County Public Schools

Miami-Dade County Public Schools

Concurrency Management System Preliminary Concurrency Analysis

MDCPS Application Number: **PH3019061000293** Local Government (LG): **Miami-Dade**
 Date Application Received: **6/10/2019 1:37:49 PM** LG Application Number: **CDMP20190008**
 Type of Application: **Public Hearing** Sub Type: **Land Use**
 Applicant's Name: **TREO Southwest**
 Address/Location: **701 Brickell Avenue, Suite 3300, Miami, FL 33131**
 Master Folio Number: **3078260000010**
 Additional Folio Number(s):

PROPOSED # OF UNITS **327**
 SINGLE-FAMILY DETACHED UNITS: **0**
 SINGLE-FAMILY ATTACHED UNITS: **0**
 MULTIFAMILY UNITS: **327**

CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
2001	FLORIDA CITY ELEMENTARY	-15	65	0	NO	Current CSA
2001	FLORIDA CITY ELEMENTARY	0	65	0	NO	Current CSA Five Year Plan
6251	HOMESTEAD MIDDLE	0	23	0	NO	Current CSA
6251	HOMESTEAD MIDDLE	0	23	0	NO	Current CSA Five Year Plan
7151	HOMESTEAD SENIOR	44	20	20	YES	Current CSA

ADJACENT SERVICE AREA SCHOOLS

2941	LAURA C SAUNDERS ELEMENTARY	51	65	51	NO	Adjacent CSA
4031	GATEWAY ENVIRONMENTAL K-8 LEARNING CENTER (ELEM COMP)	-30	14	0	NO	Adjacent CSA
5791	WEST HOMESTEAD K-8 CENTER (ELEM COMP)	-46	14	0	NO	Adjacent CSA
651	CAMPBELL DRIVE K-8 CENTER (ELEM COMP)	-86	14	0	NO	Adjacent CSA
2941	LAURA C SAUNDERS ELEMENTARY	0	14	0	NO	Adjacent CSA Five Year Plan
4031	GATEWAY ENVIRONMENTAL K-8 LEARNING CENTER (ELEM COMP)	0	14	0	NO	Adjacent CSA Five Year Plan
5791	WEST HOMESTEAD K-8 CENTER (ELEM COMP)	0	14	0	NO	Adjacent CSA Five Year Plan
651	CAMPBELL DRIVE K-8 CENTER (ELEM COMP)	0	14	0	NO	Adjacent CSA Five Year Plan
6761	REDLAND MIDDLE	103	23	23	YES	Adjacent CSA

*An Impact reduction of **26.55%** included for charter and magnet schools (Schools of Choice).

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

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7285 / concurrency@dadeschools.net

APPENDIX D

Traffic Impact Study

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CDMP AMENDMENT TRAFFIC IMPACT STUDY

For

**TREO Southwest
Miami-Dade County, Florida**

Prepared For:

**TREO Group, LLC
2950 SW 27th Avenue, Suite 100
Miami, FL 33133**

Prepared By:

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



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

12 April 2019

LANGAN

330057401

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

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 - Table 5 - Roadway Significance Analysis Summary
 - Table 6 - Long Term 2040 Afternoon Peak Hour Roadway Capacity Analysis Summary
-

Appendices

- Appendix A - Figures
- Appendix B - Site Data
- Appendix C - Traffic, TAZ, Transit Data & MDC, FDOT Tables
- Appendix D - Trip Generation Tables and ITE Excerpts

EXECUTIVE SUMMARY

Langan Engineering and Environmental Services, Inc. was retained by TREO Group, LLC to prepare a traffic-impact analysis for a proposed change to the Miami-Dade County Comprehensive Development Master Plan (CDMP) for one land parcel within the Urban Development Boundary of Miami-Dade County. The 19.9 gross-acre vacant site is on the southeast corner of SW 344th Street and SW 192nd Avenue in unincorporated Miami-Dade County. The property owner requests a change in the CDMP future land-use designation from "Low Density with Density Increase 1" to "Medium Density".

The owner will proffer a restrictive covenant that will limit the development of the property to 327 multifamily residential dwelling units. The maximum development potential of the property is limited to ten units per gross-acre. The traffic analysis shows that none of the major roadways will be significantly impacted by the proposed CDMP future land-use designation change but we analyzed ten roadway segments that included the following roadways: SW 344th Street; SW 192nd, SW 187th and SW 177th avenues; US-1/South Dixie Highway; and SR-9336/Ingraham Highway. We prepared roadway-capacity analyses for the 2022 (short-term) and 2040 (long-term) conditions and found that all the roadways will operate within their adopted Level of Service (LOS) with the proposed land-use designation's impacts.

The maximum development potential under the current future land-use designation (199 multifamily low-rise dwelling units) and the covenant-restricted development under the proposed future land-use designation (327 multifamily mid-rise dwelling units) will generate 109 and 138 afternoon net-new peak-hour trips, respectively.

INTRODUCTION

Langan was retained by TREO Group, LLC to prepare a traffic-impact analysis for TREO Southwest for a proposed change to the Miami-Dade County Comprehensive Development Master Plan for one land parcel within the Urban Development Boundary of Miami-Dade County. The 19.9 gross-acre vacant site comprises one parcel on the southeast corner of SW 344th Street and SW 192nd Avenue in unincorporated Miami-Dade County. The property owner requests a change in the CDMP future land-use designation from "Low Density with Density Increase 1" to "Medium Density". **Appendix A** contains the report figures, and **Figure 1** shows the site location and proposed future land-use designation.

The owner will proffer a restrictive covenant that will limit the development of the property to 327 multifamily residential units. The maximum development potential of the property is limited to 10 units per gross-acre. The traffic analysis shows that the proposed CDMP future land-use designation change for the property will meet traffic concurrency requirements for the short-term (2022) analysis and will not cause the adjacent roadways to exceed their adopted LOS. The long-term (2040) analysis shows that none of the roadways analyzed will be significantly impacted by the covenant restricted proposed land-use change and shows that all roadways segments analyzed are expected to operate within their adopted LOS with the impacts of the covenant restricted proposed land-use designation change in 2040. We based the study methodology on the traffic-impact study guidelines from the January 2019 CDMP application instructions. We prepared an afternoon peak-hour analysis for the following conditions: existing (2017); short-term (2022); and long-term (2040).

The maximum development potential under the current future land-use designation "Low Density with Density Increase 1" is 6 to 13 dwelling units per net acre. The maximum development criterion for the proposed land-use designation is 13 to 25 dwelling units per gross acre for medium density designation.

Project Description

The proposed future land-use designation comprises 19.9 gross-acres of vacant land. The folio number of the property is 30-7826-000-0010. The maximum development potential of the property under the current future land-use designation is restricted by a covenant that limits the maximum development potential to 10 units per gross-acre. The proposed amendment will designate the property as "Medium Density" and the owner will proffer a restrictive covenant that will limit the maximum development potential of the property to 327 multifamily residential units. **Appendix B** contains the area calculation sheet that includes the folio number, net area and gross area for the property and shows the calculations of the maximum development

potential for the current and proposed future land-use designations. Appendix B also includes the property survey and property appraiser information. **Figure 2** shows the current future land-use designation. The proposed future land-use designation is shown in **Figure 3**. The adopted capacity for roadways impacted by the proposed development is LOS D for county roadways and LOS E for state urban minor arterial roadways.

Study Area

We conducted capacity analyses for the following roadways:

- SW 344th Street between SW 199th Avenue and US-1.
- SW 192nd Avenue between SW 344th and SW 360th streets.
- SW 187th Avenue between SW 352nd and SW 328th streets.
- SW 177th Avenue between US-1 and SW 328th Street.
- US-1 between SW 352nd and SW 328th streets.

Roadway Characteristics

We visited the site and found the following roadway-network conditions:

- SW 344th Street is a four-lane, divided, east-west, county-maintained minor arterial roadway with a posted speed limit of 40 MPH. SW 344th Street transitions into a two-lane undivided roadway west of SW 182nd Avenue.
- SW 192nd Avenue is a two-lane, undivided, north-south, county-maintained major collector roadway with a posted speed limit of 45 MPH. SW 192nd Avenue becomes SR-9336/ Ingraham Highway south of SW 344th Street.
- SW 187th Avenue is a two-lane, undivided, north-south, county-maintained major collector roadway with a posted speed limit of 30 MPH.
- Krome Avenue (SW 177th Avenue) is a two-lane, undivided, north-south, state-maintained principal arterial roadway with a posted speed limit of 30 MPH.
- US-1/South Dixie Highway is a four-lane, divided, north-south, state-maintained principal arterial roadway with a posted speed limit of 45 MPH.

EXISTING CONDITIONS

We used afternoon peak-hour data from the Miami-Dade County traffic-concurrency database and FDOT to analyze roadways near the property. We conducted two-way afternoon peak-hour capacity analyses of the roadways and found that they operate within their adopted LOS.

Table 1 summarizes the results of the existing afternoon peak-hour capacity analyses. Capacity analysis provides an indication of the adequacy of intersection and roadway facilities to serve traffic demand. The evaluation criteria used to analyze the study intersections is based on the *2010 Highway Capacity Manual* published by the Transportation Research Board. We used FDOT generalized service volumes from the *2012 FDOT Quality/Level of Service Handbook and Miami-Dade County Traffic Concurrency Database* to determine LOS values.

Appendix C contains the data used in the analyses.

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

Roadway	From	To	Number of Lanes	Adopted LOS ¹	LOS Capacity ¹	Existing Volume	Existing LOS	Meets Capacity
SW 344th Street / SR-9336	SW 199 Avenue	SW 182 Avenue	2L	D	1,440	1,290	C	YES
	SW 182 Avenue	SW 2 Avenue	4L	D	2,920	1,877	D	YES
	SW 2 Avenue	US-1	4L	D	2,920	1,685 ³	D	YES
SW 192nd Avenue /Ingraham Highway / SR-9336	SW 344 Street	SW 360 Street	2L	D	1,600	126	C	YES
SW 187th Avenue	SW 352 Street	SW 344 Street	2L	D	1,197	477 ²	C	YES
	SW 344 Street	SW 328 Street	2L	D	1,197	711 ²	D	YES
SW 177th Avenue/ Krome Avenue / SR-997	US-1	SW 344 Street	2L	D	1,330	285	C	YES
	SW 344 Street	SW 328 Street	2L	D	1,330	1,221 ³	D	YES
US-1	SW 352 Street	SW 344 Street	4L	D	3,580	2,274	C	YES
	SW 344 Street	SW 328 Street	4L	EE	4,296	2,359	D	YES

Notes:

1. Adopted LOS and Capacity from FDOT 2012 Quality / LOS Handbook & County Traffic Concurrency Database
2. PHP Volume based on FDOT Daily Data (0.09 K-Factor).
3. PHP Volume based on FDOT Synopsis (highest volume of 3 data sets)

Transit Service

The closest transit routes to the site are Route 35 and Route 344 which provide north-south service from Kendall to Florida City with stops along SW 344th Street and SW 192nd and SW 177th avenues. The closest transit stop is on SW 344th Street and is less than a half mile from the site. **Figure 4** shows the transit route and Appendix C contains a copy of the transit route maps.

FUTURE CONDITIONS

This section of the report covers background traffic growth, site-generated trips, trip distribution and future traffic volumes. We developed 2022 future traffic volumes by applying a compounded growth rate to the existing volumes. Site-generated trips were added to the 2022 (short-term horizon) volumes. We developed 2040 (long-term horizon) volumes by converting the daily volumes from the county's 2040 SERPM model to peak-hour volumes using an FDOT k-factor and added site-generated trips. 2040 SERPM volumes were provided by the county's Transportation Planning Organization. Traffic volumes from the 2040 SERPM account for land-development potential of all property within the county based on their current future land-use designations.

Planned Roadway Improvements

We reviewed the TPO's 2019 Transportation Improvement Program (2019 through 2023), the county's Long Range Transportation Plan (2040), the FDOT Five Year Work Program (2019 through 2023) and the Metropolitan Planning Organization (MPO) 2040 Cost Feasible Network and found that there are no planned roadway improvements in the vicinity of the property.

Site-Generated Trips

The county requires a comparison between the maximum trip-generation potential of the current and proposed future land-use designations to determine the traffic impacts of the proposed future land-use change. **Table 2** summarizes the trip-generation estimates for the property and compares the maximum development potential under the current and the covenant-restricted development under the proposed future land-use designations.

Table 2 - Trip Generation Estimates¹

Use	Size	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak		
			In	Out	Total	In	Out	Total
Proposed Land Use Designation with Restrictive Covenant								
Multifamily Housing (Mid-Rise)	327 DU	1,780	28	81	109	84	54	138
Net New Trips for 2022 Analysis		1,780	28	81	109	84	54	138
Maximum Potential Development under Current Land Use Designation³								
Multifamily Housing (Low-Rise)	199 DU	1,464	21	71	92	69	40	109
Net New Trips for 2040 Analysis²		316	7	10	17	15	14	29

Notes:

1. Based on ITE Trip Generation Manual 10th Edition
2. Proposed Land Use Designation less Current Land Use Designation
3. Current Land Use Designation limited to 10 units/gross-acre

The maximum potential development under the current future land-use designation is 199 multifamily dwelling units. The owner will proffer a restrictive covenant that will limit the development of the property to 327 multifamily dwelling units which is lower compared to the maximum development potential under the proposed land-use designation (497 multifamily

dwelling units). We calculated the maximum development potential under the current future land-use designation by multiplying the gross acreage by the allowable density under the current covenant (10 units per gross acre). The covenant-restricted development under the proposed future land-use designation will generate 316 daily, 17 morning peak-hour and 29 afternoon peak-hour more net-new trips than the maximum development potential under the current future land-use designation. We prepared daily, morning peak-hour and afternoon peak-hour vehicle trip estimates for the current and proposed land-use designations using the trip-generation equations from the 10th Edition of Institute of Transportation Engineers *Trip Generation Manual*. **Appendix D** contains the trip-generation tables and excerpts from the ITE manual.

Trip Distribution

We determined the directional distribution of site-generated trips based on the cardinal-distribution data for TAZ 1465 from the Miami-Dade County 2040 Transportation Model and the development’s access to the surrounding roadway network. We interpolated the 2010 and 2040 values of the cardinal distribution to estimate 2022 percentages. **Table 3** shows the traffic distributions for the property based on the cardinal distributions. **Figure 5** shows the afternoon peak-hour project-traffic distributions for each of the study roadways and the traffic-concurrency stations impacted by the site.

Table 3 - Cardinal Distribution

Year	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW
2010	51.10%	21.40%	0.80%	1.30%	14.20%	0.70%	1.50%	8.90%
2040	44.60%	29.50%	2.10%	1.30%	8.80%	1.00%	2.60%	10.30%
2022	48.93%	24.10%	1.23%	1.30%	12.40%	0.80%	1.87%	9.37%

Short-Term Analysis

We prepared a 2022 short-term (traffic-concurrency) afternoon peak-hour roadway-capacity analysis and found that the proposed future land-use designation will not cause the LOS of the nearest county traffic-count stations to exceed their adopted LOS capacities. We used a 1.08 percent annual growth-rate factor to develop future background volumes based on FDOT historical traffic volumes. The growth-rate factor was applied to the existing traffic volumes to develop 2022 future-traffic volumes. We added development-order trips from the county's traffic-concurrency database to account for approved but unbuilt developments. Figure 5 shows the traffic-concurrency stations impacted by the proposed development. Appendix C contains the data used to calculate the growth rate. **Table 4** summarizes the results of the short-term afternoon peak-hour capacity analyses.

Table 4 - Short Term 2022 (Concurrency) Afternoon Peak-Hour Roadway Capacity Analysis Summary

Count Station	Location	Facility Type	Adopted LOS ¹	LOS Capacity ¹	PHP Volume	2020 Volume	Development Order Trips	2020 Volume + D.O.'s	Available Trips	LOS without Project	Proposed Project Assignment	Development Project Trips	Total Volume With	Trips Remaining	LOS with Project	Meets Concurrency
MD-9957	SW 344th Street w/o SW 162nd Avenue	2L	D	1,440	1,290	1,361	32	1,393	47	D	2%	3	1,396	44	D	YES
FDOT-0084	SW344th Street w/o SW 2nd Avenue	4L	D	2,920	1,877	1,961	29	2,010	910	D	66%	91	2,101	819	D	YES
FDOT-2546	SW 344th Street e/o SR-997/ Krome Avenue	4L	D	2,920	1,685 ³	1,778	0	1,778	1,142	D	57%	79	1,857	1,063	D	YES
FDOT-0151	SR-9336/ Ingraham Highway	2L	D	1,600	126	133	1	134	1,466	C	4%	6	140	1,460	C	YES
FDOT-8558	SW 187th Avenue n/o SW 345th Street	2L	D	1,197	477 ²	503	0	503	694	C	3%	4	507	690	C	YES
FDOT-8510	SW 187th Avenue s/o Arthur Vining Davis	2L	D	1,197	711 ²	750	0	750	447	D	25%	35	785	412	D	YES
FDOT-518	SR-997/ Krome Avenue / n/o SR-5/US-1	2L	D	1,330	285	301	0	301	1,029	D	4%	6	307	1,023	D	YES
FDOT-131	SR-997/ Krome Avenue s/o SE 8th Street	2L	D	1,330	1,221 ³	1,269	0	1,269	41	F	5%	7	1,296	34	D	YES
FDOT-543	SR-5/US-1 s/o SW 344th Street	4L	D	3,580	2,274	2,400	2	2,402	1,178	C	4%	6	2,408	1,172	C	YES
FDOT-544	SR-55/US-1 n/o SW 326th Street	4L	EE	4,296	2,359	2,489	0	2,489	1,807	C	33%	46	2,535	1,761	C	YES

Notes:

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

2- PHP Volume based on FDOT Daily Data (0.09 K-Factor)

3- PHP Volume based on FDOT Synopsis (highest volume of 3 data sets)

Long-Term Analysis

We prepared long-term (2040) afternoon peak-hour roadway-capacity analysis and found that none of the roadway segments analyzed will be significantly impacted by the proposed land-use designation change. The analysis shows that all of the analyzed roadways are expected to operate within their adopted LOS in 2040 with the impacts of the covenant-restricted development under the proposed land-use designation. We calculated the difference in afternoon peak-hour trips (29) between the covenant-restricted development potential under the proposed future land-use designation and maximum allowable development under the current future land-use designation to analyze 2040 conditions.

We analyzed 10 roadway segments that are expected to be most impacted by the proposed future land-use designation even though none of the roadway segments are expected to be significantly impacted by the proposed development. A roadway is significantly impacted when the trips assigned to a roadway are five percent or more of its adopted LOS capacity. All of the analyzed roadways will be impacted at a level of significance of 0.65 percent or less, well below the five percent significance threshold whereby roadway analysis is required. **Table 5** summarizes the results of the significance analysis. **Table 6** summarizes the results of the long-term 2040 afternoon peak-hour capacity analyses.

Table 5 - Roadway Significance Analysis Summary

Roadway	From	To	Number of Lanes	LOS Capacity *	Project Distribution	Project Traffic	Percent Impact	≥ 5% YES/NO
SW 344th Street / SR-9336	SW 199 Avenue	SW 182 Avenue	2L	1,440	2%	1	0.07%	NO
	SW 182 Avenue	SW 2 Avenue	4L	2,920	66%	19	0.65%	NO
	SW 2 Avenue	US-1	4L	2,920	57%	17	0.58%	NO
SW 192nd Avenue /Ingraham Highway / SR-9336	SW 344 Street	SW 360 Street	2L	1,600	4%	1	0.06%	NO
SW 187th Avenue	SW 352 Street	SW 344 Street	2L	1,197	3%	1	0.08%	NO
	SW 344 Street	SW 328 Street	2L	1,197	25%	7	0.58%	NO
SW 177th Avenue/ Krome Avenue / SR-997	US-1	SW 344 Street	2L	1,330	4%	1	0.08%	NO
	SW 344 Street	SW 328 Street	2L	1,330	5%	1	0.08%	NO
US-1	SW 352 Street	SW 344 Street	4L	3,580	4%	1	0.03%	NO
	SW 344 Street	SW 328 Street	4L	4,296	33%	10	0.23%	NO

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

Table 6 - Long Term 2040 Afternoon Peak-Hour Roadway Capacity Analysis Summary

Roadway	From	To	Facility Type ¹	LOS Capacity ²	2040 Volumes ³	LOS without Project	Proposed Designation		Project Significance	Total Volume With Project	LOS with Project	Operates within Adopted LOS
							Project Assignment	Project Trips				
SW 344th Street / SR-9336	SW 199 Avenue	SW 182 Avenue	2L	1,440	239	C	2%	1	0.07%	240	C	YES
	SW 182 Avenue	SW 2 Avenue	4L	2,920	1,166	C	66%	19	0.65%	1,185	C	YES
	SW 2 Avenue	US-1	4L	2,920	2,438	D	57%	17	0.58%	2,455	D	YES
SW 192nd Avenue /Ingraham Highway / SR-9336	SW 344 Street	SW 360 Street	2L	1,600	909	C	4%	1	0.06%	910	C	YES
SW 187th Avenue	SW 352 Street	SW 344 Street	2L	1,197	931	D	3%	1	0.08%	932	D	YES
	SW 344 Street	SW 328 Street	2L	1,197	950	D	25%	7	0.58%	957	D	YES
SW 177th Avenue/ Krome Avenue / SR-997	US-1	SW 344 Street	2L	1,330	608	C	4%	1	0.08%	609	C	YES
	SW 344 Street	SW 328 Street	2L	1,330	616	C	5%	1	0.08%	617	C	YES
US-1	SW 352 Street	SW 344 Street	4L	3,580	2,345	C	4%	1	0.03%	2,346	C	YES
	SW 344 Street	SW 328 Street	4L	4,296	3,634	D	33%	10	0.23%	3,644	D	YES

Notes:

- 1. Data Source: Adopted LOS and Capacity from MPO 2040 Cost Feasible Network
- 2. Data Source: Adopted LOS and Capacity from FDOT 2012 Quality / LOS Handbook based on 2040 Cost Feasible Network
- 3. 2040 Volumes based on Daily SERPM Model Volumes (0.09 K-Factor)

CONCLUSIONS

We analyzed the traffic impacts for a proposed future land-use amendment for TREO Southwest and found that all of the analyzed roadways will operate at their adopted LOS with the impacts of this project in 2022 and 2040 based on a maximum development of 327 multifamily residential dwelling units (covenant restricted). The proposed amendment will change the future land-use designation of the subject property (19.9 gross-acres) from "Low Density with Density Increase 1" to "Medium Density". The owner will proffer a restrictive covenant that will limit the development of the property to 327 multifamily residential units. We performed short-term (2022) and long-term (2040) afternoon peak-hour analyses for the proposed future land-use designations and determined that the proposed land-use designation change will not significantly impact the analyzed roadways.

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APPENDIX E

Fiscal Impact Analysis

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Fiscal Impacts On Infrastructure and Services

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. CDMP20190008 to amend the CDMP from County departments and agencies responsible for supplying and maintaining infrastructure and services relevant to the CDMP. The evaluation estimates the incremental and cumulative costs of the required infrastructure and service, and the extent to which the costs will be borne by the property owner(s) or will require general taxpayer support and includes an estimate of that support.

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

Solid Waste Services

The adopted level of service standard (LOS) for the County Waste Management System is as follows: to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five (5) years. As of FY 2018-19, the Department of Solid Waste Management (DSWM) is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the applications reviewed here, which are not anticipated to have a negative impact on disposal service.

Should the proposed amendment to the Land Use Map be approved, multi-family housing subsequently developed on the property would meet the definition of a multi-family establishment as defined in Chapter 15 of the Code of Miami-Dade County. The DSWM does not actively compete for multi-family waste collection service at this time. Waste collection and recycling services would, therefore, most likely be provided by a private hauler. The requested amendment will have no impact relative to Solid Waste Collection and Disposal services and facilities. Therefore, the DSWM has no objection to the proposed changes.

Water and Sewer

The Miami-Dade County Water and Sewer Department (WASD) provides for the majority of water and sewer service needs throughout the county. The cost estimates provided herein are preliminary and final project costs will vary from these estimates. The final costs for the project and resulting feasibility will depend on the actual labor and materials costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. The water impact fee was calculated at a rate of \$1.39 per gallon per day (gpd), and the sewer impact fee was calculated at a rate of \$5.60 per gpd. The annual operations and maintenance cost was based on \$1.4899 per 1,000 gallons for water and \$2.2725 per 1,000 gallons for sewer.

The applicant requests to redesignate a ±19.89 net acre parcel from “Low Density Residential (2.5 to 6 dwelling units per gross acre)” to “Medium Density Residential (13 to 25 dwelling units per gross acre.)”. However, staff recommends that the site be redesignated to “Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase (DI-1),” which would allow the application site to be developed with a maximum of 497 multi-family units. In addition, the applicant proffered a Declaration of Restrictions limiting residential development on the application site to 327 units. If the site is developed with the maximum multi-family residential development, without the proffered covenant, the water connection charge is estimated at \$93,262; the water service line and meter connection fees would cost \$1,300; the sewer connection charges are estimated at \$375,732; and the annual operating and maintenance costs would total \$92,140. In addition, the estimated cost of installing the required 60 linear feet of 8-inch water main to connect the proposed development to the County’s regional water system is estimated at \$19,500. The estimated cost of installing the required 4,700 linear feet of 16-inch water main is estimated at \$2,096,200. Also, the estimated cost of installing the required 3,800 linear feet of 8-inch force main to connect the proposed development to the County’s regional sewer system is estimated at \$944,984. Furthermore, the estimated cost of installing one required public pump station is estimated at \$1,000,000. The total cost for connecting the proposed development to the regional water and sewer system including an engineering fee of 13% plus all other WASD add-ons incorporated into the fee is estimated at \$3,060,684.

Drainage and Flood Protection

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

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

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

Public Schools

This application, if approved, may increase the student population of the schools serving the application site by an additional 108 students. This number includes a reduction of 26.55% to account for charter and magnet schools (schools of choice). The average cost for K-12 grade students amounts to \$9,337 per student. Of the 108 students, 65 are expected to attend elementary schools, 23 are expected to attend middle schools and 20 are expected to attend senior high schools. The total annual operating cost for additional students residing in this development, if approved, would total \$1,008,396. The students will be assigned to those schools identified in the "Concurrency Service Area (CSA) Schools" table (see page 25 of this report). At this time, the middle and senior high school levels have sufficient capacity available to serve the application. However, the elementary school level does not have sufficient capacity available to serve the application.

Miami-Dade County Public Schools further indicates that final determination of Public School Concurrency and capacity reservation will be made during final plat approval, site planning, or a functional equivalent. If at that time there is insufficient school capacity the development impacts would be mitigated through proportionate share mitigation, as required pursuant to CDMP Educational Element Policy EDU-2C and the "Interlocal Agreement for Public Facility Planning between Miami-Dade County and Miami-Dade County Public Schools" (see "Public Schools" section on page 24 of this report).

Fire Rescue

The MDR Department has determined that the current CDMP designation ("Low Density Residential") will allow a potential development which will generate 55 annual alarms. The proposed CDMP land use designation would allow a proposed potential development which is anticipated to generate 139 annual alarms. The 139 annual alarms will result in a severe impact to existing fire rescue service.

In an effort to enhance emergency response time to the vicinity, MDR plans to construct a new fire station along SW 344 Street at approximately SW 187 Avenue (Florida City Fire Station No. 72). The new fire station will provide adequate fire and emergency service to the area while relieving existing fire stations to the east of the property.

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APPENDIX F

Photos of Site and Surroundings

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Eastern view of application site from SW 192 Avenue



Property adjacent to north of application site



Robert is Here Fruit Stand adjacent to west of application site



Mobile home park adjacent to east of application site



Cameron Creek townhome community north of application site at NW 17 Avenue and 3 Terrace within the City of Florida City



Shopping center east of site at SW 187 Avenue and SW 344 Street

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**ADDITIONAL ITEMS
EXPEDITED APPLICATION
NO. CDMP20190008 - TREO Southwest, LLC
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**
(Consisting of materials received and actions occurring after
publication of the *Initial Recommendations Report*)

ITEM	PAGE
CDMP20190008 – TREO Southwest, LLC	
Resolution of the Planning Advisory Board, adopted July 8, 2019;	A-1
Minutes of the Planning Advisory Board from July 8, 2019;	A-7
Declaration of Restrictions (Covenant) received July 9, 2019	A-13
Applicant’s PowerPoint Presentation submitted July 8, 2019	A-27
Samples (two) of 166 petitions submitted by the applicant on July 8, 2019, with 164 in support and 2 in opposition (106 previously submitted on July 2, 2019, of which 104 were in support and two in opposition)	A-41
Saltwater Intrusion Maps submitted on July 2, 2019 by Diane Lockwood, League of Women Voters, in opposition	A-43

RESOLUTION NO. 19-20

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD ACTING AS THE LOCAL PLANNING AGENCY ISSUING RECOMMENDATIONS TO THE BOARD OF COUNTY COMMISSIONERS REGARDING TRANSMITTAL TO THE STATE LAND PLANNING AGENCY OF THE STANDARD EXPEDITED APPLICATION NOS. CDMP20190006, CDMP20190007, AND CDMP20190008 TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN, AND ADOPTING RECOMMENDATIONS AS TO SUBSEQUENT FINAL ACTION.

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

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

WHEREAS, three (3) expedited applications (Application Nos. CDMP20190006, CDMP20190007, and CDMP20190008) to amend the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map were filed by private parties on April 4, 2019, April 25, 2019 and May 10, 2019, respectively, and are contained in the documents titled "Expedited Application No. CDMP20190006 to Amend the Comprehensive Development Master Plan," dated April 2019; "Expedited Application No. CDMP20190007 to Amend the Comprehensive Development Master Plan," dated April 2019; and "Expedited Application No. CDMP20190008 to Amend the Comprehensive Development Master Plan," dated May 2019; and

WHEREAS, the Department has published its initial recommendations addressing the subject expedited applications in the reports titled "Initial Recommendation Expedited Application No. CDMP20190006 to Amend the Comprehensive Development Master Plan," dated June 2019; "Initial Recommendation Expedited Application No. CDMP20190007 to Amend the

Comprehensive Development Master Plan," dated June 2019; and "Initial Recommendation Expedited Application No. CDMP20190008 to Amend the Comprehensive Development Master Plan," dated June 2019; and

WHEREAS, affected Community Councils have conducted optional public hearings pursuant to Section 2-116.1 (3)(e), Code of Miami-Dade County, Florida, to address the CDMP amendment applications that would directly impact their respective council areas and those Community Councils who had quorum issued recommendations to the Planning Advisory Board and the Commission; and

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

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

This Agency hereby makes the following recommendations to the Commission regarding transmittal to the reviewing agencies of standard Expedited Application Nos. CDMP20190006, CDMP20190007 and CDMP20190008; and recommendation regarding subsequent final action by the Commission.

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	Recommended Action on Standard Amendment
CDMP 20190006	Century Homebuilders Group, LLC / Juan J. Mayol, Jr., Esq., & Gloria Velazquez, Esq. Southwest corner of SW 136 Street and SW 157 Avenue / (±10.34 net acres) <u>Requested Amendment to the CDMP:</u> Redesignate the application site on the LUP map: From: “Low Density Residential (2.5 to 6 dwelling units per gross acre)” To: “Low-Medium Density Residential (6 to 13 dwelling units per gross acre)”	Transmit and Adopt

Standard Amendment

The motion to Transmit and Adopt was moved by Board Member Alonso. Board Member Ascencio-Savola seconded the motion. The motion passed unanimously 10 to 0 as follows:

Carla Ascencio-Savola	Yes	J. Wil Morris	Yes
Lynette Cardoch	Yes	Perley Richardson, Jr.	Yes
Carlos Diaz-Padron	Absent	William Riley	Yes
Eric Fresco	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Robert Ruano	Yes
Jason Loeb	Absent	Jesus Vazquez	Absent

Robert Alonso, Vice Chair, Yes

Wayne Rinehart, Chair, Yes

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	Recommended Action on Standard Amendment
CDMP 20190007	Mac Thirteen, LLC / Juan J. Mayol, Jr., Esq., and Gloria Velazquez, Esq. West side of SW 132 Avenue between SW 284 Street and SW 288 Street / (±44.32 net acres) <u>Requested Amendment to the CDMP:</u> Redesignate the application site on the LUP map: From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)" To: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)" and "Medium Density Residential (13 to 25 dwelling units per gross acre)"	Transmit with Change <i>[Change is to "Low Medium Density Residential (6-13 du/ac)" on the entire application site]</i>
<u>Standard Amendment</u>		

The motion to Transmit with Change to "Low-Medium Density Residential (6-13 du/ac) on the entire application site" was moved by Board Member Ascencio-Savola. Board Member J. Wil Morris seconded the motion. The motion passed unanimously 10 to 0 as follows:

Carla Ascencio-Savola	Yes	J. Wil Morris	Yes
Lynette Cardoch	Yes	Perley Richardson, Jr.	Yes
Carlos Diaz-Padron	Absent	William Riley	Yes
Eric Fresco	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Robert Ruano	Yes
Jason Loeb	Absent	Jesus Vazquez	Absent

Robert Alonso, Vice Chair, Yes
 Wayne Rinehart, Chair, Yes

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	Recommended Action on Standard Amendment
CDMP 20190008	TREO Southwest, LLC / Juan J. Mayol, Jr., Esq. and Hugo P. Arza, Esq. P Southwest corner of SW 344 Street and SW 192 Avenue / (±19.89 Gross Acres) <u>Requested Amendment to the CDMP:</u> 1. Redesignate the application site on the LUP map: From: “Low Density Residential (2.5 to 6 dwelling units per gross acre) with One Density Increase [DI-1]” To: “Medium Density Residential (13 to 25 dwelling units per gross acre)” 2. Release of the Declaration of Restrictions recorded in Official Records Book 25853 at Pages 4432-4446 of the Public Records of Miami-Dade County, Florida, as it applies to the subject property. 3. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.	Transmit and Deny
Standard Amendment		

The motion to Transmit and Deny was moved by Board Member Ascencia-Savola. Board Member Richardson seconded the motion. The motion passed 8 to 2 as follows:

Carla Ascencio-Savola	Yes	J. Wil Morris	Yes
Lynette Cardoch	Yes	Perley Richardson, Jr.	Yes
Carlos Diaz-Padron	Absent	William Riley	Yes
Eric Fresco	No	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Robert Ruano	Yes
Jason Loeb	Absent	Jesus Vazquez	Absent

Robert Alonso, Vice Chair, Yes
 Wayne Rinehart, Chair, No

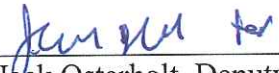
The motion to Adopt the foregoing resolution was moved by Board Member Alonso. Board Member Rogers seconded the motion. The motion passed unanimously 10 to 0 as follows:

Carla Ascencio-Savola	Yes	J. Wil Morris	Yes
Lynette Cardoch	Yes	Perley Richardson, Jr.	Yes
Carlos Diaz-Padron	Absent	William Riley	Yes
Eric Fresco	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Robert Ruano	Yes
Jason Loeb	Absent	Jesus Vazquez	Absent

Robert Alonso, Vice Chair, Yes

Wayne Rinehart, Chair, Yes

The above actions were taken by the Planning Advisory Board, acting as the Local Planning Agency, at its public hearing on July 8, 2019, and are certified correct by Jack Osterholt, Executive Secretary to the Planning Advisory Board.



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

MINUTES

Miami-Dade County Planning Advisory Board
Acting as the Local Planning Agency
Public Hearing on Expedited Application
Nos. CDMP20190006, CDMP20190007 and CDMP20190008
Applications To Amend the Comprehensive Development Master Plan

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

July 8, 2019

Planning Advisory Board Members

Carla Ascencio-Savola	Present	J. Wil Morris	Present
Lynette Cardoch	Present	Perley Richardson, Jr.	Present
Carlos Diaz-Padron	Absent	William Riley	Present*
Eric Fresco	Present*	Daniel Rogers	Present
Horacio C. Huembes	Absent	Robert Ruano	Present
Jason Loeb	Absent	Jesus Vazquez	Absent

Robert Alonso, Vice Chair, Present
Wayne Rinehart, Chair, Present

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

* Present after roll call

Department of Regulatory and Economic Resources (Department) Staff Present

Jerry Bell, Assistant Director, Dept. of Regulatory and Economic Resources (RER)
Garett Rowe, Chief, Metropolitan Planning Section, Planning Division, RER
Christine Velazquez, Chief, Office of Code Coordination & Public Hearing, DERM
Manny Armada, Chief, Planning Research Division
Robert Hesler, Planning Section Supervisor, Planning Research Division
Helen Brown, Planning Section Supervisor, Metropolitan Planning
Rosa Davis, Planning Section Supervisor, Metropolitan Planning
Vinod Sandasamy, Transportaion Section Supervisor, Metropolitan Planning
Mark Dorsey, Principal Planner, Metropolitan Planning
Rommel Vargas, Senior Planner, Metropolitan Planning
Noel Stillings, Senior Planner, Metropolitan Planning
J.C. Pelaez, Senior Planner, Metropolitan Planning

Other County Staff Present

Maria Valdes, WASD
Lauren Morse, CAO
Jorge Fernandez, Office of Management and Budget
Stephanie Cornejo, PROS
Sgt. Hedrick, MDPD

I. CALL TO ORDER AND OPENING REMARKS

Planning Advisory Board (PAB) Chair Rinehard opened the public hearing at 2:03 PM and welcomed the public to the hearing on Expedited Applications Nos. CDMP20190006, CDMP20190007 and CDMP20190008. Chair Rinehard recognized School Board Representative and Board member Nathaly Simon in attendance for her first PAB meeting. Following the roll call and pledge of allegiance, Chair Rinehart reviewed the procedures and purpose of the public hearing.

II. CHAIR'S REPORT

Chair Rinehart introduced the first discussion item on the agenda, noting that it was requested by Board member Rogers.

Discussion Item Regarding Annexation Requests and Commercial Property Owners

Office of Management and Budget Staff Jorge Fernandez introduced himself and referred to his memo dated July 8, 2019 that was passed out to the PAB. Mr. Fernandez reviewed his memo and stated that Section 171.0413 of the Florida Statutes contained provisions for annexation of commercial areas that do not have electors. However, Mr. Fernandez explained that the County has Home Rule authority through the Home Rule Charter and thus was not subject to the provisions of that referenced Florida Statute. Mr. Fernandez stated that a report on annexations and incorporations prepared by PMG Associates, Inc. (PMG) was presented to the Board of County Commissioners (BCC) in 2015. He explained that one of the recommendations of the PMG Report was to address this issue of commercial property owners having a vote, but that the BCC had not adopted any recommendations addressing commercial properties.

Discussion Item Regarding Terms for PAB Chair and Vice Chair

Garett Rowe, CDMP Section Supervisor, explained the materials in the PAB package included language regarding the proposed change for PAB Chair and Vice Chair terms, as voted by the PAB at their June 3, 2019 meeting. Board member Ascencio-Savola stated that there should be an option for either a year term or for six meetings. Board member Morris stressed that the terms should be for a minimum of six meetings or a year, whichever is greater, and the PAB agreed to that language.

III. PRESENTATIONS ON EXPEDITED APPLICATIONS

Expedited Application No. CDMP20190006

Mr. Rommel Vargas, Senior Planner, gave a brief overview of standard Expedited Application No. CDMP20190006, Century Homebuilders Group, LLC. Mr. Vargas explained that the application is seeking to redesignate the ±10.34-acre site from "Low Density Residential (2.5 to 6 dwelling units per gross acre)" to "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)", with the intent to develop the property with a maximum of 134 residential units. He further explained that the proposed CDMP land use designation is consistent with CDMP policies related to urban growth and development and that approval of the application would not cause a violation of level of service standards for public services and facilities. Mr. Vargas noted that the Department of Regulatory and Economic Resources is recommending to Transmit and Adopt this standard application. The West Kendall Community Council (CC11) did not have a quorum at the its June 18, 2019 public hearing, therefore no recommendation from that board.

Ms. Gloria Velazquez, the applicant's legal representative, provided a brief presentation of the application and of the proposed development. She stated the reasons for the applicant's land use

request and the type of housing the applicant plans to develop on the site. She concluded by requesting the board for a positive recommendation. PAB Chair Mr. Rinehart opened the public hearing for public comment and having no one wishing to speak, he closed the public hearing. Mr. Rinehart continued by opening the hearing to the board members for discussion. There was no discussion on the item from the board members.

Board member Alonso made a motion to Transmit and Adopt the application. Board Member Ascencio-Savola seconded the motion. The motion passed unanimously 10 to 0 as follows:

Carla Ascencio-Savola	Yes	J. Wil Morris	Yes
Lynette Cardoch	Yes	Perley Richardson, Jr.	Yes
Carlos Diaz-Padron	absent	William Riley	Yes
Eric Fresco	Yes	Daniel Rogers	Yes
Horacio C. Huembes	absent	Robert Ruano	Yes
Jason Loeb	absent	Jesus Vazquez	absent

Robert Alonso, Vice Chair, Yes
Wayne Rinehart, Chair, Yes

Expedited Application No. CDMP20190007

Mr. Mark Dorsey, Principal Planner, gave a brief overview of standard Expedited Application No. CDMP20190007, MAC Thirteen LLC. He described the application’s location and stated that the application seeks to change the land use designation on the ±44.32-acre site, a former mobile home park, from “Low Density Residential” (2.5 to 6.0 DU/Ac)” to “Low-Medium Density Residential” (6.0 to 13 DU/Ac) and “Medium Density Residential” (13 to 25 DU/Ac)”, with the intent to develop the property with a maximum of 863 residential units.

Mr. Dorsey explained the Department’s recommendation to Transmit was due to the fact that the applicant was in negotiations to relocate the remaining 23 mobile home residents; he said the applicant would elaborate on this issue in their presentation. He also stated that the applicant has since proffered a Declaration of Restrictions to the Homestead Air Reserve Base (HARB) that would require notice to potential buyers that the property is near HARB, and that homeowner’s would not object to the 24-hour operations of aircraft or petition against the operation of aircraft noise. He indicated that the application is consistent with several CDMP and the projected impacts generated by the proposed development would not cause a violation of the adopted level of service standards for public services and facilities. Mr. Dorsey also noted that the South Bay Community Council (CC15) made a recommendation to Transmit with the condition that the Declaration of Restrictions proffered by the applicant include the notice requirements requested by HARB.

Mr. Hugo Arza, legal representative of the Applicant, provided further details on the application and its merits, and reiterated that the applicant has reached a settlement with the remaining 23 mobile home owners.

Ms. Sarah Hayenga, Community Planning Liaison Support HARB representative, presented a letter from the Department of the Air Force, Air Force Reserve Command, dated July 8, 2019, to the Board which stated that HARB has reviewed and accepted the applicant’s Declaration of Restrictions, proffered in favor of HARB, as requested by CC15 at its June 28, 2019 meeting. Four residents spoke in favor of the application; two residents, although not opposed to the application, expressed concerns about traffic and density. The PAB members expressed similar concerns regarding traffic and density.

The motion to Transmit with Change to designate the entire property as "Low-Medium Density Residential (6-13 du/ac)" was moved by Board Member Ascencio-Savola. Board Member J. Wil Morris seconded the motion. The motion passed unanimously 10 to 0 as follows:

Carla Ascencio-Savola	Yes	J. Wil Morris	Yes
Lynette Cardoch	Yes	Perley Richardson, Jr.	Yes
Carlos Diaz-Padron	Absent	William Riley	Yes
Eric Fresco	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Robert Ruano	Yes
Jason Loeb	Absent	Jesus Vazquez	Absent

Robert Alonso, Vice Chair, Yes
 Wayne Rinehart, Chair, Yes

Expedited Application No. CDMP20190008

Mr. Rommel Vargas, Senior Planner, gave a brief presentation on standard Expedited Application No. CDMP20190008, TREO Southwest, LLC. He described the application's location and stated that the application seeks to change the CDMP land use designation on the ±19.89-acre site from "Low Density Residential (2.5 to 6 dwelling units per gross acre) with One Density Increase (DI-1)" to "Medium Density Residential (13 to 25 dwelling units per gross acre)". He added that the applicant proffered a Declaration of Restrictions limiting residential development on the site to 327 units. Mr. Vargas explained that staff recommended redesignation of the site to "Low-Medium Density Residential with One Density Increase (DI-1)" in order to ensure the proposed development is compatible with adjacent uses. He indicated that the application is consistent with CDMP policies related to urban growth and development. Mr. Vargas stated that projected impacts generated from the maximum development allowed by the proposed land use designation would not cause a violation of the adopted level of service standards for public services and facilities. He added that the application site is within a wellfield protection area; therefore, the application site is subject to land use restrictions imposed by Chapter 24 of the County Code. He added that at the request of WASD and DERM, the applicant has included several conditions into the proffered covenant committing to connecting to the County's public water and sanitary sewer system. Mr. Vargas explained that these conditions are to ensure that the proposed development on the site complies with sewage loading and other regulatory requirements to maintain water quality in the wellfield. Mr. Vargas further stated that the applicant commits to provide for a bus pull-out bay and bus shelter, therefore, the site could be made to support transit service. Mr. Vargas noted that there was no recommendation from the South Bay Community Council (CC15), as two motions failed due to tie votes.

Mr. Alan Krischer, legal representative of the Applicant, provided further details on the application and its merits. He explained to the board that the issues regarding water and sewer and fire rescue services are being finalized in a Declaration of Restrictions and that hopefully he will have a final draft prior to the Board of County Commissioners public hearing on the application.

Six members of the public spoke in favor of the application and six members of the public spoke against the application. One member submitted several letters in support of the application.

Members of the board discussed some issues of the application including, Fire Rescue service that is necessary for the area. Staff informed the board that the Fire Rescue Department has agreed to accept a small parcel on the application site to place a temporary Fire Rescue station

facility. Members of the Board expressed concerns that agricultural land is being depleted in the County. Mr. Rowe indicated that the CDMP discourages new agricultural uses within the Urban Development Boundary (UDB), that all lands within the UDB have urban land use designations, except the Horse Country area that is designated Agriculture on the CDMP Adopted 2020 and 2030 Land Use Plan map and that land within an urban land use designation is anticipated to be developed over time. He added that the Department is in the process of updating a 2002 study on agricultural uses. Board members expressed concerns on this application regarding mass transit availability, school capacity and affordable housing.

The motion to Transmit and Deny was moved by Board Member Ascencia-Savola. Board Member Richardson seconded the motion. The motion passed 8 to 2 as follows:

Carla Ascencio-Savola	Yes	J. Wil Morris	Yes
Lynette Cardoch	Yes	Perley Richardson, Jr.	Yes
Carlos Diaz-Padron	Absent	William Riley	Yes
Eric Fresco	No	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Robert Ruano	Yes
Jason Loeb	Absent	Jesus Vazquez	Absent

Robert Alonso, Vice Chair, Yes
Wayne Rinehart, Chair, No

Overall Resolution

The motion to Adopt the foregoing resolution was moved by Board Member Alonso. Board Member Loeb seconded the motion. The motion passed 10 to 0 unanimously as follows:

Carla Ascencio-Savola	Yes	J. Wil Morris	Yes
Lynette Cardoch	Yes	Perley Richardson, Jr.	Yes
Carlos Diaz-Padron	Absent	William Riley	Yes
Eric Fresco	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Robert Ruano	Yes
Jason Loeb	Absent	Jesus Vazquez	Absent

Robert Alonso, Vice Chair, Yes
Wayne Rinehart, Chair, Yes

IV. Staff Announcements

Mr. Rowe reminded the PAB that their required financial disclosure statements were due, and that Staff would be following up with those who had not yet filed. He announced that the next PAB meeting is scheduled for September 18, 2019 at 2:00 PM in the Commission Chambers.

V. New and/or Old Business

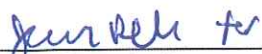
Board member Rogers stated that he would like to see something presented to the PAB that they could vote on, similar to the Florida Statutes provision regarding annexation and commercial

property owners. Mr. Rowe agreed, and mentioned that Staff would work with Board member Rogers to address his concern and come up with some language.

Adjournment

Being no further business before the PAB, Chair Rinehart adjourned the meeting at 4:02 PM.

Respectfully submitted,



Jack Osterholt
Executive Secretary

This instrument was prepared by:

Name: **James R. Williams Jr., Esq.**
Address: **Holland & Knight LLP**
701 Brickell Avenue, Suite 3300
Miami, Florida 33131

RECEIVED

2019 JUL -9 A 10: 58

RER-PLANNING DIVISION

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

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

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP"), as an expedited standard CDMP application in April 2019, and said amendment is identified as Application No. CDMP20190008 (the "Application");

WHEREAS, the Application seeks to re-designate the Property from "Low Density With One Density Increase" to "Low-Medium Density With One Density Increase" on the Land Use Plan map of Miami-Dade's CDMP;

WHEREAS, a Declaration of Restrictions in favor of Miami-Dade County, Florida, was recorded in the Miami-Dade County Official Records Book 25853, at pages 4432 – 4446 (the "Original Declaration"), placing certain conditions and limitations on the Property in conjunction with the Comprehensive Development Master Plan amendment Application No. 15 in the April 2006 Cycle;

WHEREAS, pursuant to the terms of the Original Declaration, the Original Declaration may be modified, amended, or released by a written instrument executed by the fee simple

owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners,

WHEREAS, the Owner will be bound by this Declaration of Restrictions, incorporating the relevant and applicable prior conditions and restrictions originally set forth in the Original Declaration;

WHEREAS, the Owner and Miami-Dade County desire that the covenants herein replace and supersede those of the Original Declaration; and

WHEREAS, in consideration of the premises and virtues of the provisions therein, said Original Declaration is hereby released and declared of no further legal effect and are null and void as to the Property, and the Clerk of the Circuit Court of Miami-Dade County, Florida is hereby directed to note the same upon the records.

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

1. **Density Limitation**. The proposed development of the Property shall be limited to no more than three hundred and twenty-seven (327) dwelling units. Ten percent (10%) of the total number of dwelling units developed on the Property shall be made affordable to households with an income between sixty percent (60%) and one-hundred forty percent (140%) of the then current Area Median Income for Miami-Dade County.

2. **Transit Improvements**. In an effort to accommodate public transportation in the area, the Owner shall coordinate with the County's Department of Transportation and Public

Works to allow encroachments onto the Property, as necessary, to provide for a bus pull-out bay and bus shelter. The Owner's obligations under this Paragraph shall expire upon the approval of a final plat for the Property. Notwithstanding the approval of a final plat, the Owner shall cooperate with the County to allow the installation of a bus pull-out bay and/or shelter if said installation can be accomplished without altering the approved final plat for the Property.

3. **Connection to Public Water and Sewer Service.**

A. The Owner acknowledges that the Property is located within the established utility service area of the Miami-Dade Water and Sewer Department ("MDWASD") and is subject to all local, State, and Federal water and sewer regulations, including MDWASD's rules and regulations, implementing orders, and MDWASD's connection charges and fees in effect at the time of the execution of a MDWASD service agreement or the issuance of a verification form or other similar written County approval, as applicable, at the time of the development of the Property or portion thereof.

B. The Owner hereby acknowledges and agrees that any permanent development of the Property shall connect to the public water and public sanitary sewer system. The right to connect the Property to the County's sewage system is subject to the terms, covenants, and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, the State of Florida, and/or any other governmental entity, including but not limited to, the Consent Decree in *United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County*, Case No. 1:12-cv-24400-FAM (S.D. Fla) (the "Consent Decree"), as well as all other current, subsequent, or future enforcement and regulatory actions and proceedings.

C. The Owner shall coordinate with MDWASD and with the County's Division of Environmental Resources Management ("DERM") to ensure the provision of water and sewer service to the Property, and shall enter into a Service Agreement with MDWASD for Water and Sanitary Sewer Facilities for the Property prior to the approval of a final plat for the Property. The availability of potable water supply capacity shall be determined at the time of such Service Agreement or the issuance of a verification form or other similar written approval, as applicable, at the time of the development of the Property or portion thereof.

D. The Owner shall be responsible for obtaining sanitary sewer pump station capacity from MDWASD pursuant to the applicable Miami-Dade Code requirements and consistent with the Consent Decree, prior to the issuance of a building permit for the development of any dwelling units on the Property or portion thereof. Additionally, a new public sanitary sewer pump station shall be required. The Owner shall agree to provide an area measuring 45 feet by 65 feet for a public sanitary sewer pump station to be located on the Property. This aforementioned area for the public sanitary sewer pump station shall be deeded to the MDWASD, as well as being shown on the plat, having direct access to either dedicated public right of way(s) or to an ingress-egress paved access and utility easement with a minimum width of 20 feet.

The Owner acknowledges and agrees that the lack of adequate public sanitary sewer pump station capacity may limit the ability to connect the development of the Property to public sanitary sewer system, and that nothing in this Declaration shall vest or shall be interpreted to vest the development of the Property for such public sanitary sewer pump station capacity.

4. **Miami-Dade County Fire Rescue Restriction.** The Owner acknowledges that the County's Fire and Rescue Department ("MDFRD") has secured zoning approvals from the City of Florida City for the construction of a new fire and rescue station (the "New Station") on that

certain parcel of land identified by the Property Appraiser's Office by Folio No. 16-7823-000-0023 (the "New Fire Station Site"). The Owner further acknowledges that MDFRD anticipates that the New Fire Station will be operational by September 30, 2022. In anticipation of the construction of the New Fire Station, the Owner agrees to set aside an area consisting of no less than 18,000 square feet on the southwest corner of the Property (or such other location within the Property as may be acceptable to MDFRD and the Owner) for the installation and operation by MDFRD of a temporary fire station (the "Temporary Fire Station"). Prior to the issuance of a building permit for the construction of any dwelling units on the Property, the Owner shall deliver the Temporary Fire Station Site to MDFRD in "pad ready condition" in accordance with MDFRD's compaction requirements for a temporary fire station. For purposes of this paragraph, the term "pad ready" shall mean that the pad for the Temporary Fire Station shall be filled to an elevation of at least twelve inches (12") above the crown of the adjacent road, compacted and stabilized to 3,000 pounds per square foot ("psf") of pressure, with all utilities to the site (water, sewer, electrical, telephone and cable) ready for connection and of sufficient quality and quantity to support the Temporary Fire Station. The Owner shall provide engineering certification attesting to the compacting and stabilization to 3,000 psf and that the fill and subsoil are clean and free of hazardous materials. The access roads and driveways on the Temporary Fire Station Site shall be designed in a manner to support a minimum of 32 tons of weights and shall be provided with a surface suitable for all weather driving conditions. The Owner shall provide MDFRD either an environmental assessment by a reputable environmental firm or a certification by DERM that environmental requirements have been met and that the Temporary Fire Station Site is free of hazardous materials and/or gases that would prevent the intended use of the Temporary Fire Station Site for a Temporary Fire Station. Alternatively, notwithstanding anything in this

Declaration to the contrary, the Temporary Fire Station may be served by an alternative waste disposal system approved by DERM and the State Department of Health or such other temporary system as may be approved by the County's Environmental Quality Control Board. The Owner shall make the Fire Station Site available to MDFRD until the earlier of (a) the completion of the New Station; or (b) a period of five (5) years from the date on which the Temporary Fire Station Site is delivered to MDFRD. The Owner agrees that there shall be no cost to the County for the Temporary Fire Station Site and that the Owner shall incur all costs related to the preparation of the Temporary Fire Station Site in accordance with the aforementioned site preparation requirements. MDFRD shall incur all costs related to the installation of the Temporary Fire Station, including but not limited the temporary double wide trailer that will serve as the Temporary Fire Station as well as the canopy that will be installed to shelter the emergency unit.

5. **Project Design.** Any zoning application seeking to benefit from the density increase provided by the "DI-1 Overlay" shall utilize the Miami-Dade County's Urban Design Manual, endorsed by Resolution R-1360-98 of the Board of County Commissioners, as a guideline for the Property's development, and at a minimum, shall incorporate the following design principles:

a. Buildings shall be compatible with surrounding development or made compatible through the use of, among other methods: landscaping; buffers such as walls and fences; architectural styles that complement surrounding development; and building height transitions.

b. Buildings shall be built close to the sidewalk to create a public space in the street corridor that is comfortable, interesting, and safe for pedestrians. The Owner shall seek, if necessary, variances of the County's zoning regulations to accommodate the

requirements of this subparagraph. If any variances necessary to meet the requirements of this subparagraph are not approved by the County at the time the Property or any portion thereof is subject to a district boundary change to accommodate the density increase provided by the “DI-1 Overlay,” the Owner shall develop buildings as reasonably close as possible to the minimum setback permitted by the County’s zoning standards. Nothing contained in this section 1(b) shall serve to limit or prohibit parking in driveways or garages in front of any buildings.

c. The front of buildings shall provide a door serving as the primary entrance and address the street by incorporating such features as porches, stoops, covered entrances or similar elements. The residential units shall connect to the adjoining (and proposed) street sidewalk network.

d. Fences and walls along street frontages shall be of a height that does not impede pedestrian visibility of a building’s front elevation from the street.

e. In lieu of a decorative masonry wall, along the Property’s frontage with SW 344th Street (except for any points of egress and ingress), the Owner agrees to install a combination of fence, columns and landscaping, in compliance with Chapter 28 of the County Code, to provide privacy to the residents of the Property and to screen to the maximum extent practicable any off-street parking areas.

f. Buildings shall have abundant windows and doors at street level and incorporate a variety of architectural features and treatments on all facades such as, but not limited to: balconies, porches, enclosed entrances; a variety of materials such as stone, metal, stucco, concrete and brick; modulation and articulation of building surfaces; and changes in roof levels.

g. Uniform street furniture and lighting standards shall be provided throughout the Property.

6. **Dedication of Right-of-Way Along SW 344th Street.** Following the receipt of a request by Miami-Dade County, the Owner shall promptly dedicate, at no cost to Miami-Dade County, the zoned right-of-way for SW 344th Street along the Property's frontage to allow for the improvement of SW 344th Street as a four (4) lane, divided arterial roadway.

7. **Miscellaneous.**

A. **Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

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

C. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director

or executive officer, by his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

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

E. County Inspections. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

F. Authorization for Miami-Dade County (or successor municipality) to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County (or successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

G. Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

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

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

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

K. **Acceptance of Declaration.** The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County

Commissioners retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.

L. Owner. The term Owner shall include all heirs, assigns, and successors in interest.

[Signature Page Follow]

HOLLAND & KNIGHT DRAFT: 7.08.19

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this _____ day
of _____, 20__.

WITNESSES:

TREO SOUTHWEST, LLC,
a Florida limited liability company

Signature

Printed Name

By: _____
Name: _____
Title: _____

Signature

Printed Name

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

The foregoing instrument was acknowledged before me by _____, as
_____ of TREO Southwest, LLC, a Florida limited liability company, and for
the purposes stated herein on behalf of the corporation. He is personally known to me or has
produced _____ as identification.

Witness my signature and official seal this _____ day of _____, 2019, in
the County and State aforesaid.

My Commission Expires:

Notary Public

Printed Name

EXHIBIT "A"

LEGAL DESCRIPTION

The North $\frac{1}{2}$ of the N. W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ of Section 26, Township 57 South, Range 38 East, lying and being in Miami-Dade County, Florida

HOLLAND & KNIGHT DRAFT: 7.08.19

Treo Southwest, LLC

Miami-Dade County, Florida

Expedited Application

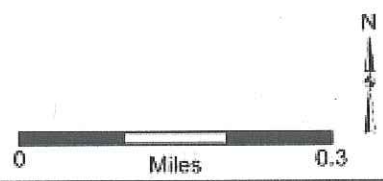
CDMP20190008

TREO SOUTHWEST, LLC. - CDMP20190008 AERIAL PHOTO

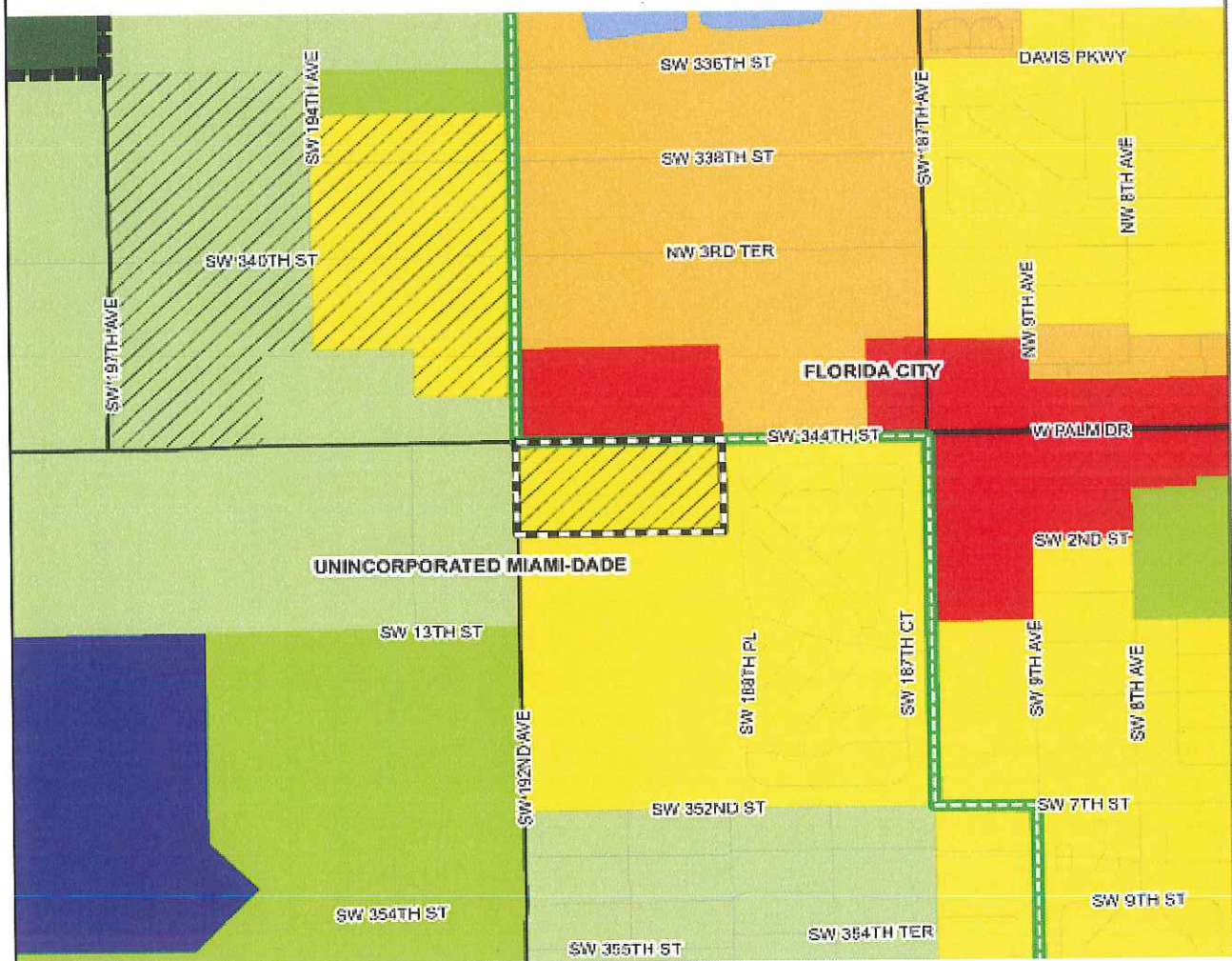


 APPLICATION AREA
 MUNICIPAL BOUNDARY
















Source: Department of Regulatory and Economic Resources
May 2019

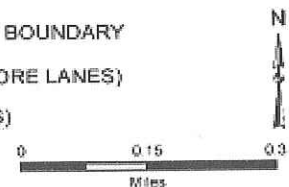


TREO SOUTHWEST, LLC. - CDMP20190008 CDMP LAND USE

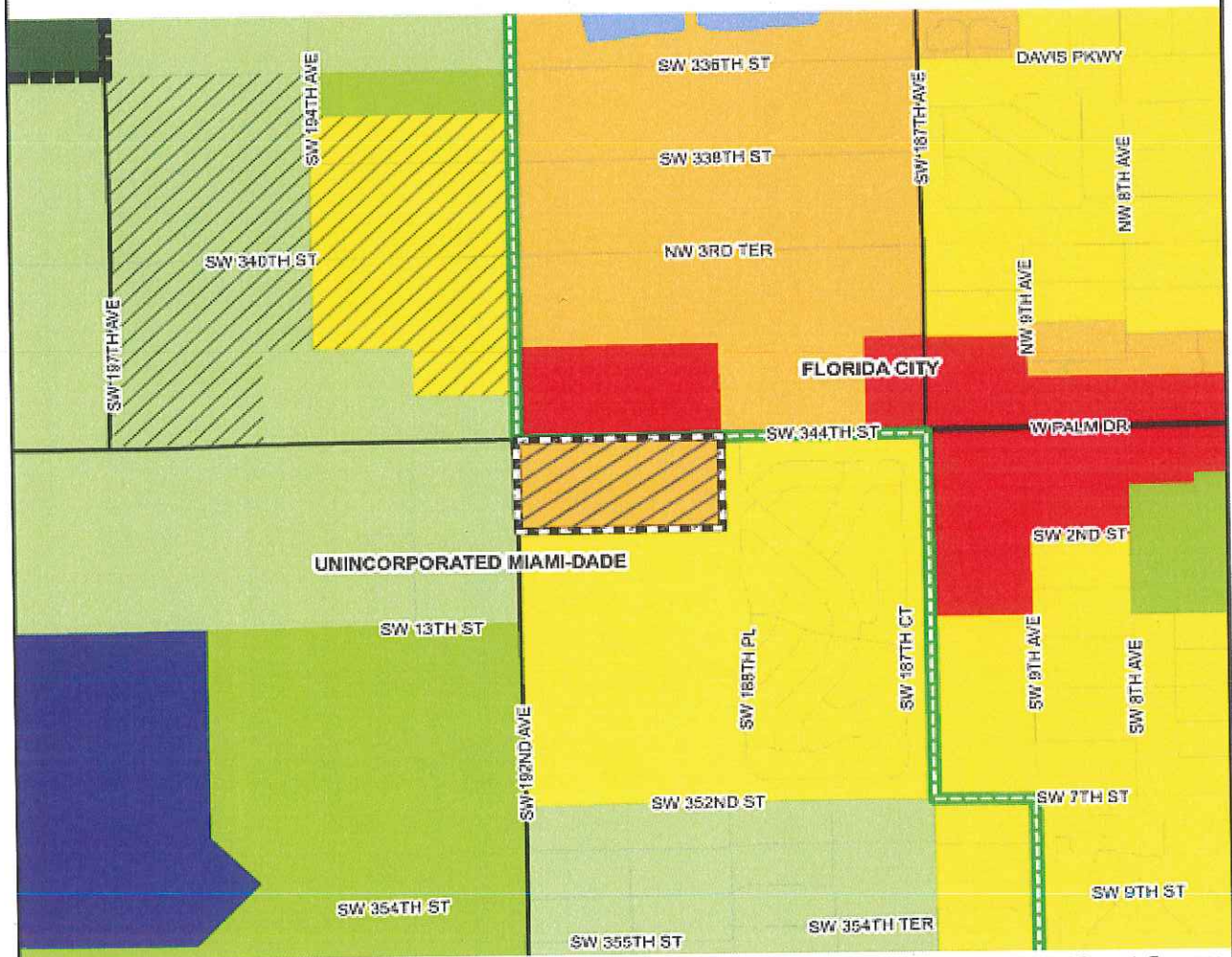


Source: Department of Regulatory and Economic Resources
May 2019

















- | | | | |
|---|--------------------------------------|---|---|
|  | APPLICATION AREA |  | BUSINESS AND OFFICE |
|  | MUNICIPAL BOUNDARY |  | INSTITUTIONS, UTILITIES AND COMMUNICATION |
| CDMP LAND USE | |  | AGRICULTURE |
|  | ESTATE DENSITY (EDR) 1-2.5 DU/AC |  | ENVIRONMENTALLY PROTECTED PARKS |
|  | ESTATE DENSITY W/ DENSITY INCREASE 1 |  | WATER |
|  | LOW DENSITY (LDR) 2.5-6 DU/AC |  | 2020 URBAN DEVELOPMENT BOUNDARY |
|  | LOW DENSITY W/ DENSITY INCREASE 1 |  | MAJOR ROADWAYS (3 OR MORE LANES) |
|  | LOW-MEDIUM DENSITY (LMDR) 6-13 DU/AC |  | MINOR ROADWAYS (2 LANES) |

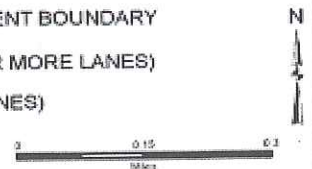


**TREO SOUTHWEST, LLC - CDMP20190008
PROPOSED CDMP LAND USE**



Source: Department of Regulatory and Economic Resources
May 2019

- | | | | |
|---|--|---|---|
|  | APPLICATION AREA |  | BUSINESS AND OFFICE |
|  | MUNICIPAL BOUNDARY |  | INSTITUTIONS, UTILITIES AND COMMUNICATION |
| CDMP LAND USE | |  | AGRICULTURE |
|  | ESTATE DENSITY (EDR) 1-2.5 DU/AC |  | ENVIRONMENTALLY PROTECTED PARKS |
|  | ESTATE DENSITY W/ DENSITY INCREASE 1 |  | WATER |
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|  | LOW-MEDIUM DENSITY (LMDR) 6-13 DU/AC |  | MINOR ROADWAYS (2 LANES) |
|  | LOW MEDIUM DENSITY W/ DENSITY INCREASE 1 | | |



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

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

Miami-Dade County Population Growth Rate



U.S. Census Studied Years
→Population Growth Rate

Between 2010 & 2017 Miami-Dade County had an Average Population Growth Increase, **PER YEAR**, of 36,254 People.

**Residential Land Supply/Demand Analysis
2018 to 2030: MSA 7.5**

ANALYSIS DONE SEPARATELY FOR EACH
TYPE, I.E. NO SHIFTING OF DEMAND
BETWEEN SINGLE & MULTI-FAMILY TYPE

	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2018	6,216	1,456	7,672
DEMAND 2018-2020	268	233	501
CAPACITY IN 2020	5,680	990	6,670
DEMAND 2020-2025	301	262	563
CAPACITY IN 2025	4,175	0	3,855
DEMAND 2025-2030	329	287	616
CAPACITY IN 2030	2,530	0	775
DEPLETION YEAR	2030+	2023	2031

Residential capacity is expressed in terms of housing units.

Housing demand is an annual average figure based on population projections.

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

The Nation's Least Affordable Housing Markets, 2014

Percentage of Households Paying 30 Percent or More of Annual Income for Housing

County	Total Housing Units	Cost Burdened Owner Households	Cost Burdened Renter Households	Total Cost Burdened Households	% Cost Burdened Households
Bronx County, New York	518,149	41.7%	57.7%	262,312	54.6%
Passaic County, New Jersey	176,210	45.9%	58.2%	83,542	51.5%
Miami-Dade County, Florida	994,596	42.9%	61.6%	427,758	51.3%
Franklin city, Virginia	3,878	35.8%	62.4%	1,820	50.8%
Dukes County, Massachusetts	17,347	53.6%	39.5%	2,951	50.5%
Kings County, New York	1,012,536	44.8%	52.6%	465,164	50.3%
Los Angeles County, California	3,462,075	41.7%	57.0%	1,616,829	49.9%
Essex County, New Jersey	313,452	45.1%	53.6%	138,101	49.7%
Monroe County, Florida	52,861	41.2%	60.8%	13,901	48.9%
Queens County, New York	841,367	42.2%	53.6%	379,081	48.6%
Atlantic County, New Jersey	127,104	43.6%	57.0%	48,496	47.9%
Santa Cruz County, California	104,871	39.0%	59.4%	44,774	47.5%
Lake County, California	35,576	38.5%	62.0%	12,650	47.3%
Norfolk city, Virginia	95,699	36.4%	54.9%	40,469	46.8%
Broward County, Florida	812,817	40.8%	57.5%	311,972	46.7%

Source: U.S. Census Bureau, 2010-2014 American Community Survey 5-Year Estimates

Urban Development Boundary

The Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur. Development orders permitting urban development will generally be approved within the UDB at some time through the year 2015 provided that level-of-service standards for necessary public facilities will be met. Adequate countywide development capacity will be maintained within the UDB by increasing development densities or intensities inside the UDB, or by expanding the UDB, when the need for such change is determined to be necessary through the Plan review and amendment process.

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

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Total Trips With D.O's Trips	Conc. LOS w/o Amend.	Amendment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
Requested CDMP Designation: "Medium Density Residential" - 327 Multi-Family units													
F8510	SW 187 Avenue	South of Arthur Vining Davis Parkway	2 DV	D	1,197	630	D	0	630	D	46	676	D
F0084	SW 344 Street/ Palm Drive	West of SW 2 Avenue	4 DV	EE	3,648	1,877	D	27	1,904	D	71	1975	D
9957	SW 344 Street/ Palm Drive ¹	West of SW 182 Avenue	2 DV	D	1,440	1,387	D	32	1419	D	4	1423	D
F0151	SR9336/ Ingraham Hwy	East of Everglades Park Entrance	2 DV	D	1,600	126	C	1	127	C	17	144	C
F0131	Krome Avenue/ SW 177 Avenue	South of SE 8 Street/ SW 328 Street	2 DV	E	1,410	1,394	E	0	1394	E	10	1404	E
F0544	US1/ SR 5 ²	North of SE 8 Street/SW 328 Street	4 DV	EE	4,296	2,359	C	9	2,368	C	34	2,402	C
F543	US1/ SR 5	South of SW 344 Street	4 DV	EE	4,296	2,274	C	2	2,276	C	13	2,289	C

Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources and Florida Department of Transportation, May 2019.

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

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

¹ - SW 344 Street/Palm Drive is a State Road with speed limit of 40 mph

² - US1/SR5 is a State Road with speed limit of 45 mph

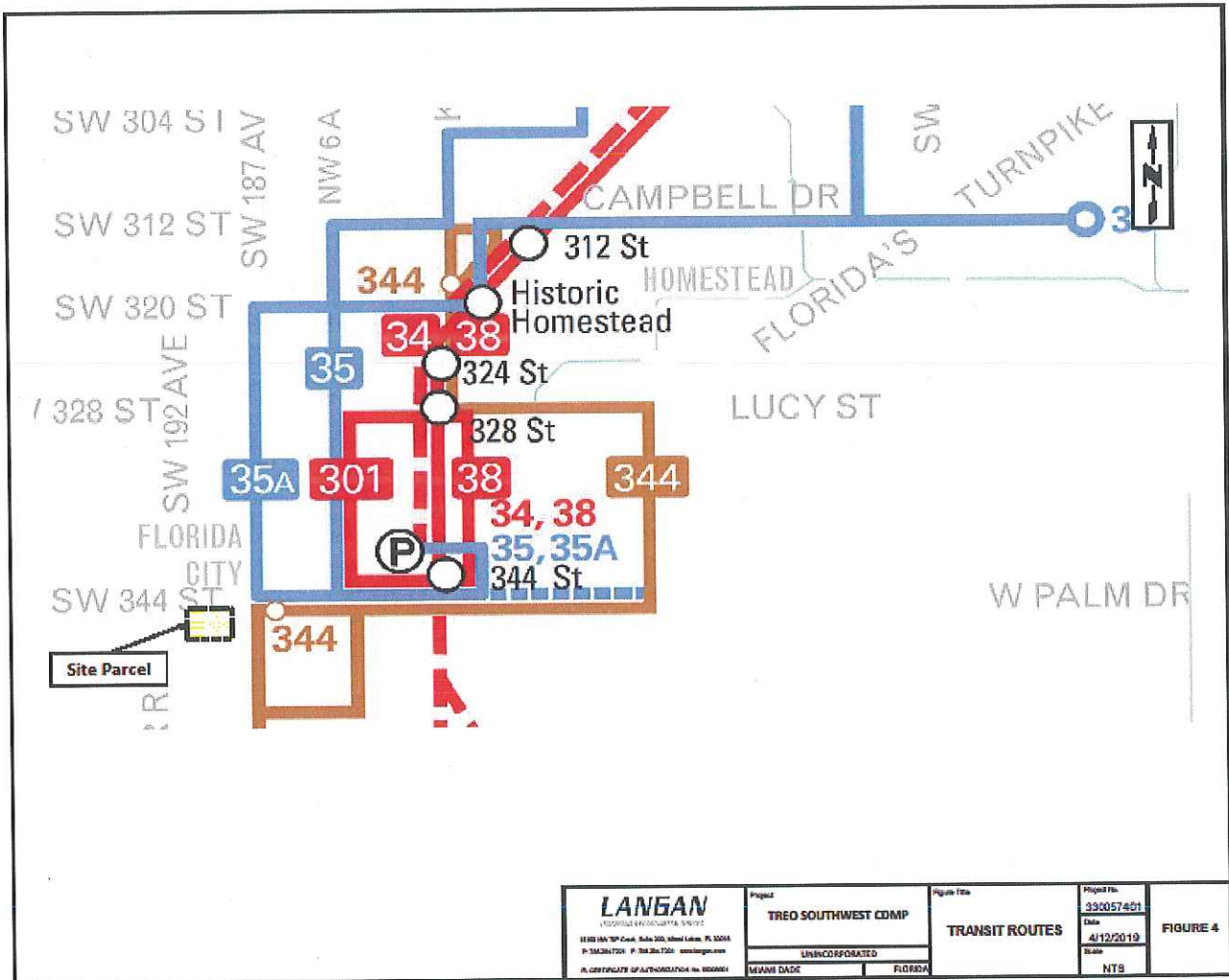


Exhibit #2
CCIS 7/2/19
Applicatens
CDMP 20190004



I SUPPORT TREO SOUTHWEST-CDMP APPLICATION

Dear members of CZAB 15, The Planning Advisory Board, and The Board of County Commissioners,

The project listed above is a positive and appropriate use of the +-19.89 acres located at the southeast corner of SW 344th street and SW 192nd avenue. This land use amendment will allow a quality and upscale residential community to be developed in an area with room for positive growth. The townhomes proposed are a compatible fit with the surrounding area. The development of this project will enhance the property values by adding new, modern, quality residential homes.




The applicant has agreed to continue to work with us, as affected neighbors, when this returns for a zoning application with specific site plan details.

not support construction

Please vote in support to approve the change to the master plan for TREO SOUTHWEST, LLC.

we need more farms

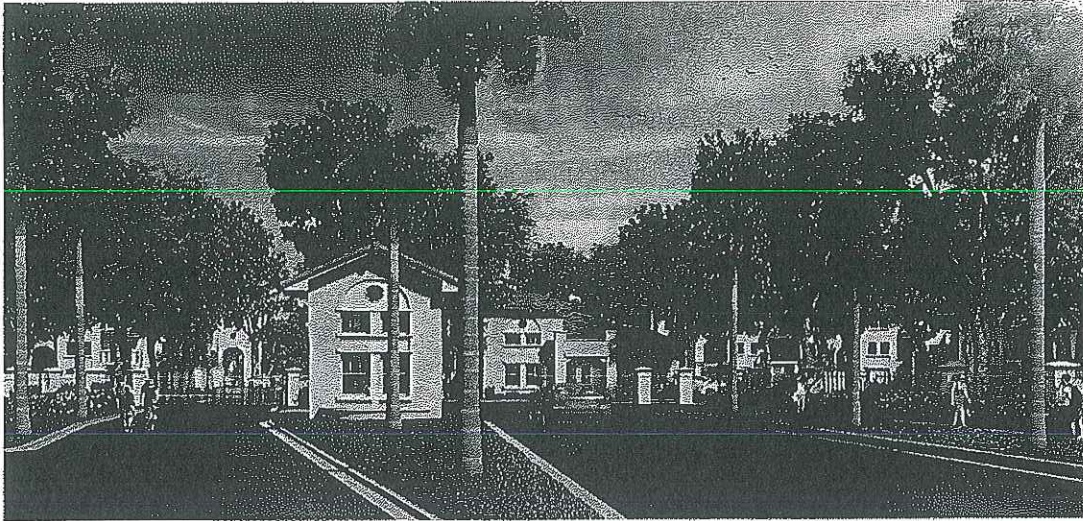
SIGNATURE: 

PRINT NAME: Omar Pederos

ADDRESS: 746 SW 7th Florida City

PHONE/EMAIL(Optional for update purposes): _____

BUSINESS NAME(If applicable): _____



I SUPPORT TREO SOUTHWEST-CDMP APPLICATION

Dear members of CZAB 15, The Planning Advisory Board, and The Board of County Commissioners,

The project listed above is a positive and appropriate use of the +-19.89 acres located at the southeast corner of SW 344th street and SW 192nd avenue. This land use amendment will allow a quality and upscale residential community to be developed in an area with room for positive growth. The townhomes proposed are a compatible fit with the surrounding area. The development of this project will enhance the property values by adding new, modern, quality residential homes.



The applicant has agreed to continue to work with us, as affected neighbors, when this returns for a zoning application with specific site plan details.

Please vote in support to approve the change to the master plan for TREO SOUTHWEST, LLC.

SIGNATURE: 

PRINT NAME: Pedro Olmeta

ADDRESS: 34755 SW 187 St Homestead Fl. 33034

PHONE/EMAIL(Optional for update purposes): 786 217 3371

BUSINESS NAME(If applicable): _____

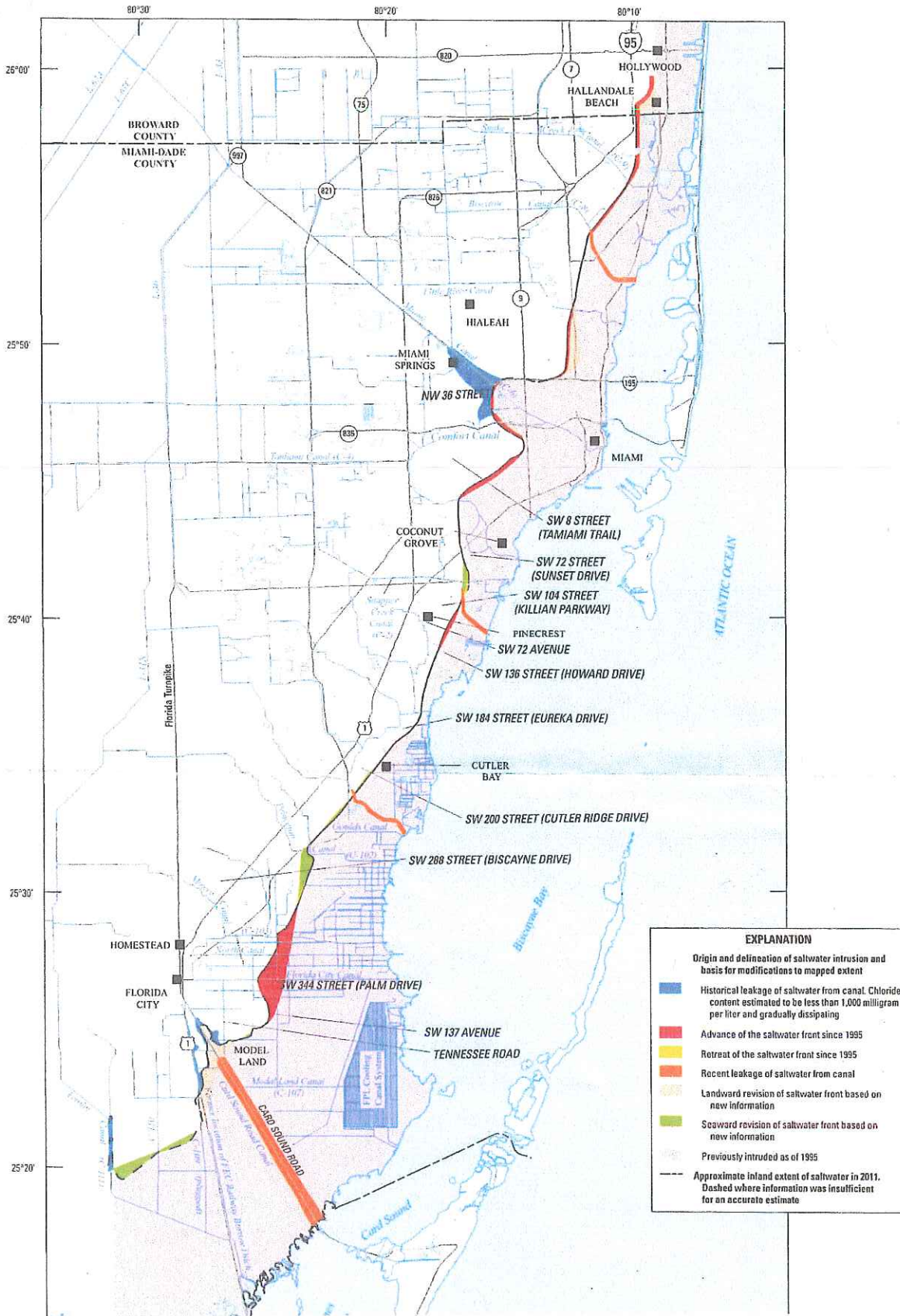


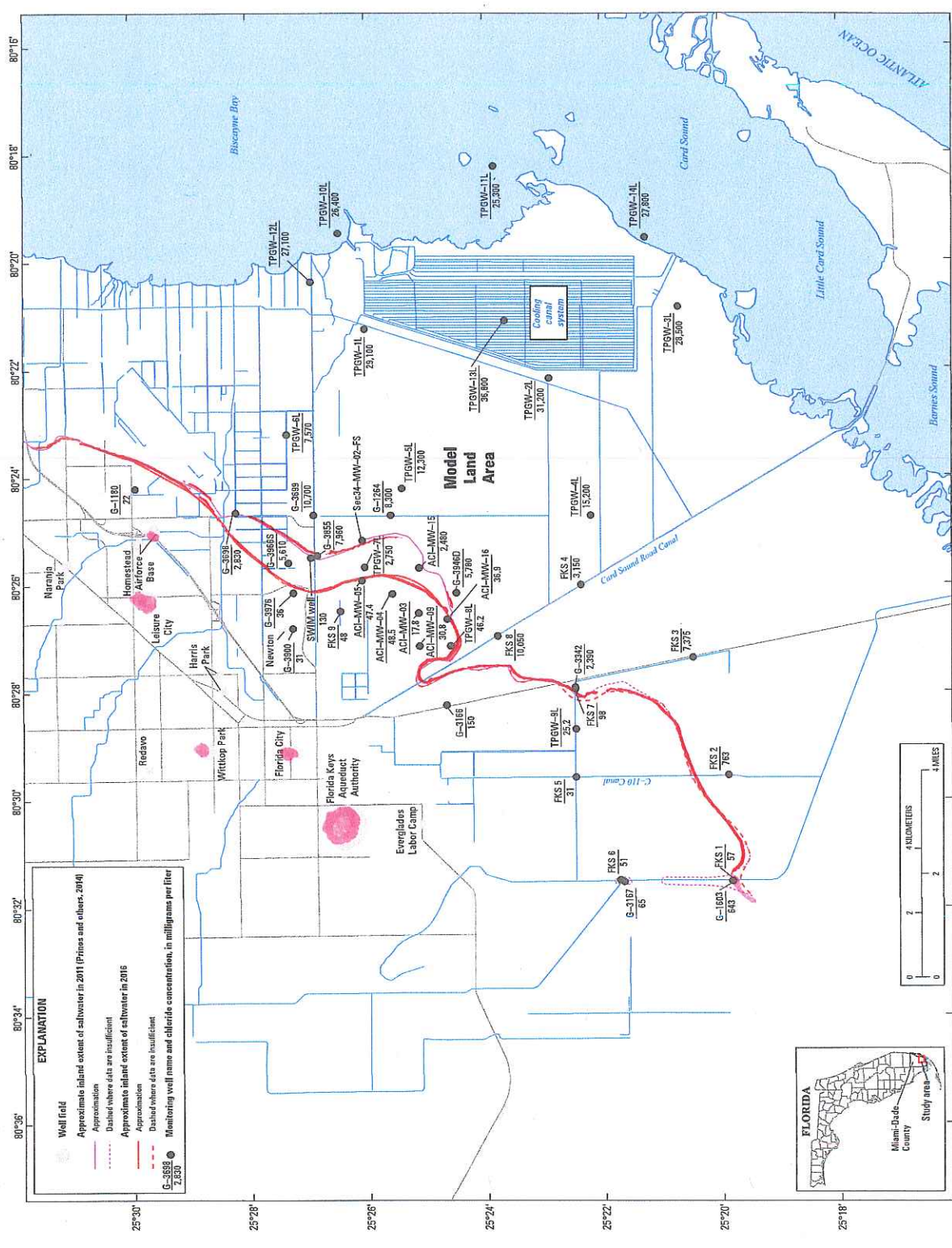
Exhibit #4
 CC 15 7/2/19
 COM P 2019
 0008



U.S. Department of the Interior
 U.S. Geological Survey

Prepared in cooperation with
 Miami-Dade County

Scientific Investigations Map 3380
 Sheet 1 of 1



EXPLANATION	
	Well field
	Approximate inland extent of saltwater in 2011 (Princes and others, 2014)
	Dashed where data are insufficient
	Approximate inland extent of saltwater in 2016
	Dashed where data are insufficient
	Monitoring well name and chloride concentration, in milligrams per liter
	G-3858 2,830

For more information on the USGS—Florida Field Office for science about the Earth, an internet and filing resources, please visit us at www.usgs.gov, or call 1-800-368-5842 or 1-800-354-6301.

Areas of trade, law, or professional names for descriptive purposes only and does not imply endorsement or approval by the U.S. Government.

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Department of the Interior, U.S. Geological Survey, Reston, Virginia 2019.

Map 3380-1 (2019) (Scale 1:50,000)

Map 3380-1 (2019) (Scale 1:50,000)

Map of the Approximate Inland Extent of Saltwater at the Base of the Biscayne Aquifer in the Model Land Area of Miami-Dade County, Florida, 2016