

**Date:** November 16, 2023

**To:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

Supplement  
Agenda Item No. 3(B)

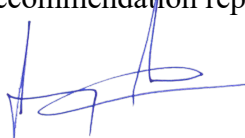
**From:** Daniella Levine Cava  
Mayor



**Subject:** Supplemental Information on May 2022 Cycle Application  
No. CDMP20220015 to Amend the Comprehensive Development Master Plan

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The following supplemental information is provided to the Board of County Commissioners regarding May 2022 Cycle Application No. CDMP20220015 to amend the Comprehensive Development Master Plan (CDMP). The information includes: (Exhibit 1) the Initial Recommendation report; and (Exhibit 2) Additional Items addressing the Application received by the Department of Regulatory and Economic Resources not included in the Initial Recommendation report.



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Jimmy Morales  
Chief Operations Officer

# Application No. CDMP20220015

## Hartford Plaza, LLC

**Commission District 9      Community Council 15**

### APPLICATION SUMMARY

Applicant/Representative:	Hartford Plaza, LLC/Ben Fernandez, Esq. & Emily Balter, Esq.
Location:	North side of SW 268 Street between SW 127 Place and SW 127 Avenue
Total Acreage:	±4.8 Gross Acres/ ±4.5 Net Acres
Current Land Use Plan Map Designation:	“Business and Office”
Requested Land Use Plan Map Designation and Other Changes:	<ol style="list-style-type: none"> <li>1. Redesignate the application site to: <ul style="list-style-type: none"> <li>“Low-Medium Density Residential with One Density Increase”</li> </ul> </li> <li>2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners.</li> </ol>
Amendment Type:	Small-Scale (Being Processed Concurrently with Zoning Application No. Z2022000132)
Existing Zoning District/Site Condition:	BU-1A (Business Districts, Limited) / Vacant

### RECOMMENDATIONS

Staff:	<b>ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS</b> (October 2022)
South Bay Community Council (15):	<b>NO QUORUM</b> (October 12, 2022)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	<b>ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS</b> <i>[with the recommendation that the covenant be revised to require the workforce housing units to be built on the application site, notwithstanding the alternatives provided by the County’s Workforce Housing program such as a contribution in lieu of constructing the workforce housing units].</i> (October 17, 2022)
Final Action of Board of County Commissioners:	<b>TO BE DETERMINED</b> (November 16, 2023)

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Staff recommends to **ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2030 and 2040 Land Use Plan (LUP) map to re-designate the ±4.8 gross acre/±4.5 net acre application site from “Business and Office” to “Low-Medium Density Residential with One Density Increase” for the following reasons:

**Principal Reasons for Recommendation:**

1. The redesignation of the application site is consistent with Objective LU-1, Policies LU-1C, and LU-10A of the CDMP Land Use Element. These provisions of the CDMP require the County to give priority to infill development on vacant sites within the urban area and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development, where urban services and facilities have the capacities to accommodate additional demand. As discussed in Principal Reason No. 3(ii) below, existing public facilities have adequate capacities to accommodate the impacts that would be generated by development on the subject property if the application is approved. This site is surrounded on all sides by existing development, yet it is a vacant ±4.5-acre lot.

The applicant requests a CDMP land use designation change from “Business and Office” to “Low-Medium Density Residential with One Density Increase.” Under the current land use designation, the site could be developed with a maximum intensity of 78,408 square feet of retail area or up to 62 residential units. Under the requested “Low-Medium Density Residential with One Density Increase” designation, the site could be developed with up to 120 multi-family residential units if sound urban design principles are incorporated into the design of the development, in accordance with the proffered declaration of restrictions (covenant). Should the site be developed without the sound urban design principles, then the maximum density would be 13 dwelling units per gross acre, or a maximum 62 dwelling units, equivalent to what would be allowed under the current “Business and Office” land use category.

2. Approval of the application would be consistent with the criteria set forth in CDMP Land Use Element Policy LU-8A by accommodating residential development in a suitable location and at a density range that reflects recent trends in location and design of residential units. The policy promotes density patterns reflective of the Guidelines for Urban Form and calls for 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.

This site serves as a buffer between a single family neighborhood to its north and west and the higher intensity commercial use, a gas station and convenience store, to its southeast. The site is also compatible with the townhome and multi-family housing complex across SW 268 Street to the site’s south and single-family housing to the east across SW 127 Avenue. The site is adjacent to the ±212-acre Homstead Air Reserve Park that is less than a block southeast of the site, and is within 500 feet of sheltered bus stops for Metrobus Routes 35 and 35A that provide 20-minute headway service. The site is generally at the intersection of Major Roadways (SW 268 Street and SW 127 Avenue) and a section line road (SW 127 Avenue), and the Guidelines for Urban Form identifies properties along Major Roadways and at intersections of section line roads for higher intensity and density development.

3. Approval of the application would be consistent with the criteria set forth in CDMP Land Use Element Policy LU-8E for evaluating Land Use Plan map amendment applications. Policy LU-8E requires LUP map amendment application evaluations to consider factors such as:

- (i) the proposed amendment's ability to "[s]atisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;"
- (ii) whether the proposed amendment would "[e]nhance or impede provision of [public] services [or facilities] at or above adopted LOS Standards;"
- (iii) whether the proposed amendment would "[b]e compatible with abutting and nearby land uses";
- (iv) whether the proposed amendment would "[e]nhance or degrade environmental or historical resources;"
- (v) whether the proposed amendment would "[e]nhance or degrade systems important to the County as a whole"; and
- (vi) whether the proposed amendment would "promote transit ridership and pedestrianism" pursuant to Objective LU-7 and associated policies. Each factor is discussed below:

*i. Need to Accommodate Population or Economic Growth:* The application, if approved, would not significantly impact the supply of commercial land but could provide additional residential land that may be of benefit to the analysis area (Minor Statistical Area 7.4 or MSA 7.4) where the site is located. The analysis of commercial land shows that MSA 7.4 contained 411.40 acres of in-use commercial uses in 2021 and an additional 144.37 acres of vacant land zoned or designated for business uses. At the annual average absorption rate of 4.83 acres per year the MSA is projected to be depleted of commercial land beyond 2040. The application proposes to remove ±4.5 net acres of commercial land which, if approved, would reduce the commercial land supply by one year, but the depletion year would remain beyond 2040 (see "Supply and Demand Analysis" on page 12).

The combined vacant land for single-family and multi-family residential development in the MSA 7.4 in 2022 was estimated to have a capacity for about 9,423 dwelling units, with about 78.7 percent of these units intended as multi-family. The annual average residential demand in this MSA is projected to go from 656 units per year in the 2020-2025 period to 452 units in the 2035-2040 period. Analysis of the residential capacity by type of dwelling units shows the depletion of single-family type units occurring in 2026 and for multi-family beyond 2040. This application, if approved would increase the supply of multi-family by 120 dwelling units and increase the overall residential land capacity by approximately three months of supply.

*ii. Public Facilities and Services:* Approval of the application is generally consistent with the CDMP Capital Improvements Element Objective CIE-3 that requires CDMP land use decisions not to cause a violation in the adopted level of service (LOS) standards for public facilities and services. Except for schools, as discussed below, the impacts that would be generated from the maximum development of 120 multi-family residential units on the site, if the application is approved, would not cause a violation in the level of service standards for public services and facilities.

It should be noted that the 2045 (long-term) roadway capacity analysis found that the segments of SW 137 Avenue from US-1 to SW 268 Street and from SW 268 Street to SW 288 Street, approximately one mile from the site, are expected to operate in violation of their adopted Level of Service (LOS) standard with or without the impacts of this proposed land-use designation change. These roadway segments will not be significantly impacted by the proposed land-use designation change as the projected traffic impact is less than one percent of the maximum service capacity volume for the roadway segments. Therefore, no traffic mitigation is required. Furthermore, if the application is approved and the site developed with 120 multifamily as proposed, the

site would generate approximately 196 fewer peak hour trips than would be generated if developed with retail uses under the current land use designation.

The 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 120 residential units, there would be a shortfall of approximately 18 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 discussion on page 15-26 and Appendix D: Miami-Dade County Public Schools Analysis on Appendices page 43.)

- iii. Compatibility:* The proposed development of the site, if the application is approved with acceptance of the proffered Declaration of Restrictions (covenant), would be generally compatible with the existing uses and land use designations of the abutting and adjacent properties. This request seeks a one density increase with sound urban design, and specific language for design improvements is included in the proffered covenant to ensure architectural style, height, and site layout are compatible with adjacent single-family properties to the north and west, abutting the site. The proffered covenant would require that taller buildings be positioned away from the single-family housing.
- iv. Environmental and Historic Resources:* The subject application, if approved, would not impact any historic or archaeological resources, but could impact environmental resources.

The Department's Division of Environment Resources Management (DERM) noted that based on current and past agricultural use of the site, a Phase 1 and Phase 2 Environmental Site Assessment needs to be conducted at the site prior to the submittal of site development plans. DERM also indicated that a Surface Water Management General Permit 13-04637-P is in effect for the area associated with the proposed amendment. Therefore, any new development or redevelopment within the area shall require a new permit or modification to Permit 13-04637-P for the construction and operation of the required surface water management system.

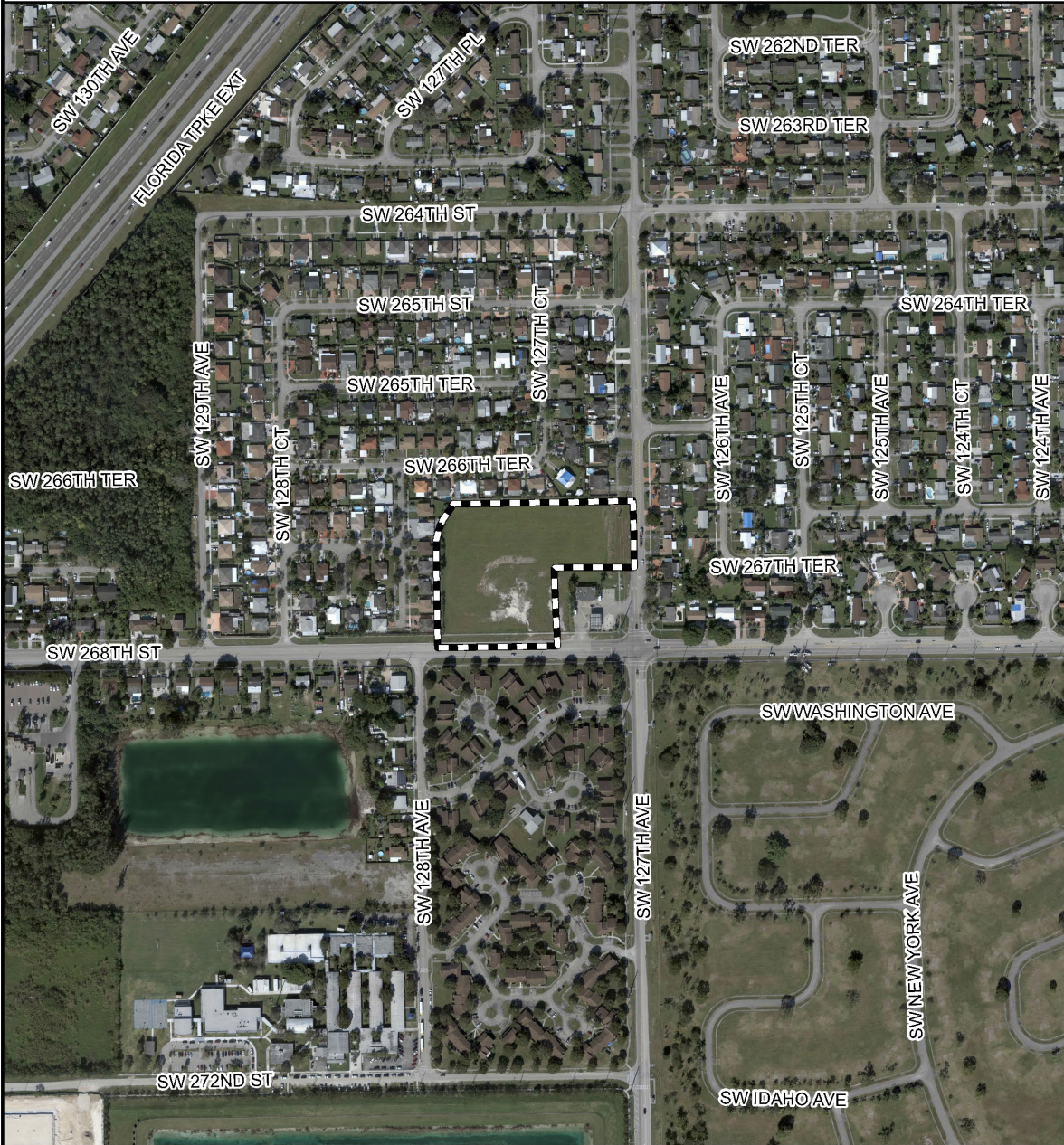
- v. Enhance or Degrade Countywide Systems:* Approval of the application and development of the site with up to 120 residential units would not degrade any countywide system. All countywide systems have sufficient capacity to absorb the impacts that would be generated by development of the site with the proposed use.

According to DERM, the property is served by sewer pump station 30-1017 that is not operating in compliance with its mandated criteria set forth in Consent Decree Case: N0. 1:12-cv-24400-FAM, effective December 6, 2013 and is thereby under moratorium status. Pursuant to section 24.42.3 of the Code, any future construction within the application area must comply with mandated criteria set forth in the referenced Consent Decree with the goal of eliminating all sanitary sewer overflows.

- vi. Transit Ridership and Pedestrianism:* Approval of the application and development of the site with up to 120 residential units would support transit ridership and

pedestrianism. This site is adjacent to a commercial use, which future residents would be able to access on foot to serve basic convenience shopping needs, and the site is within half-a block of a public park. It is also within 500 feet of sheltered bus stops for Route 35 and 35a, with 20-minute service headways. Therefore, the application, if approved, could support transit ridership and pedestrianism. However, the Miami-Dade County Parks, Recreation and Open Space (PROS) Department recommends adding shade trees along walking paths and private and public sidewalks to provide a more shaded and walkable area per the County's Great Streets Vision laid out in the Miami-Dade County Open Space Master Plan.

# HARTFORD PLAZA, LLC. - APP. NO. CDMP20220015 AERIAL PHOTO



APPLICATION AREA

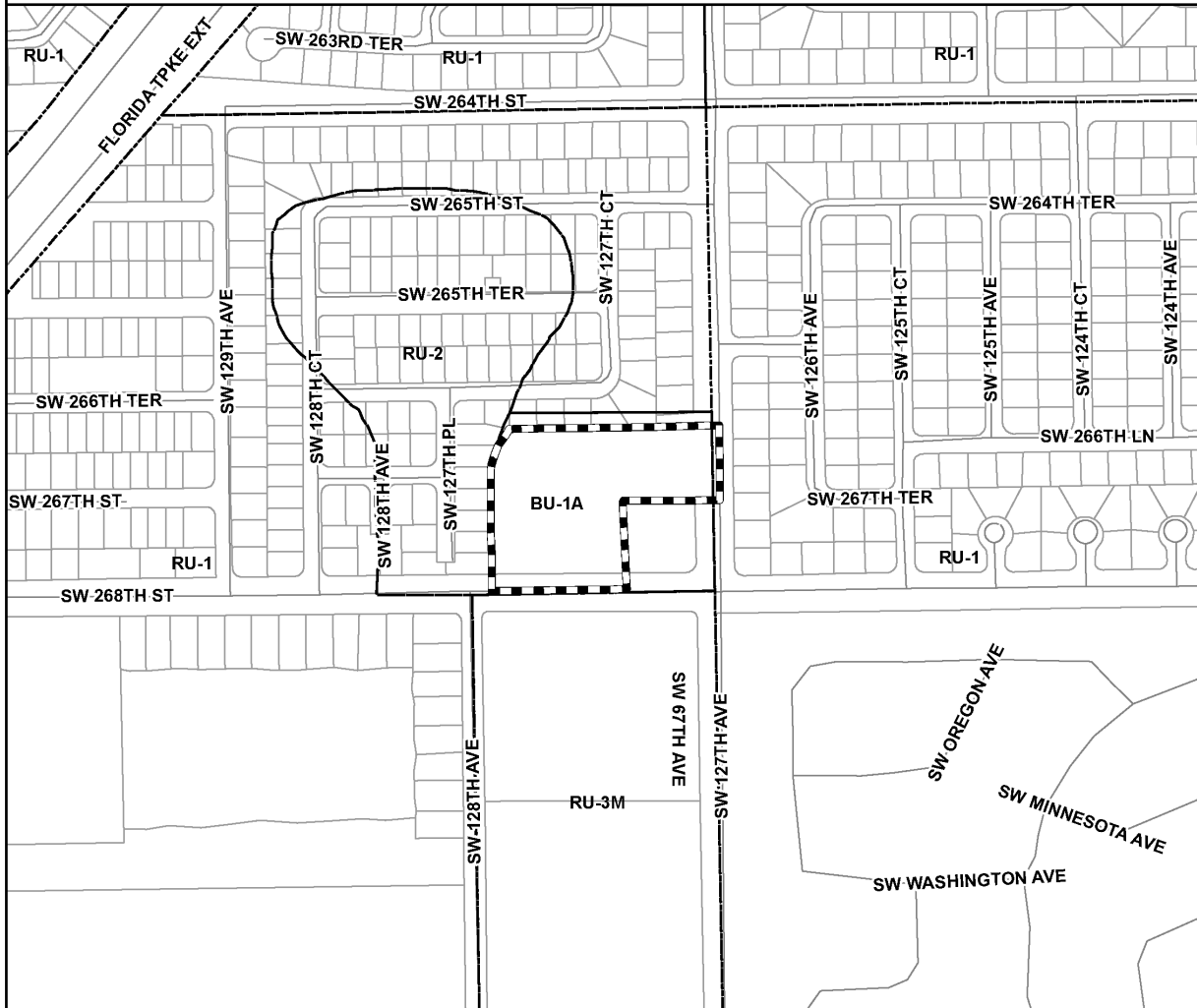
Source: Department of Regulatory and Economic Resources  
July 2022



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# HARTFORD PLAZA, LLC. - APP. NO. CDMP20220015





## ZONING MAP

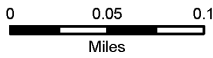


Source: Department of Regulatory and Economic Resources  
August 2022

 APPLICATION AREA

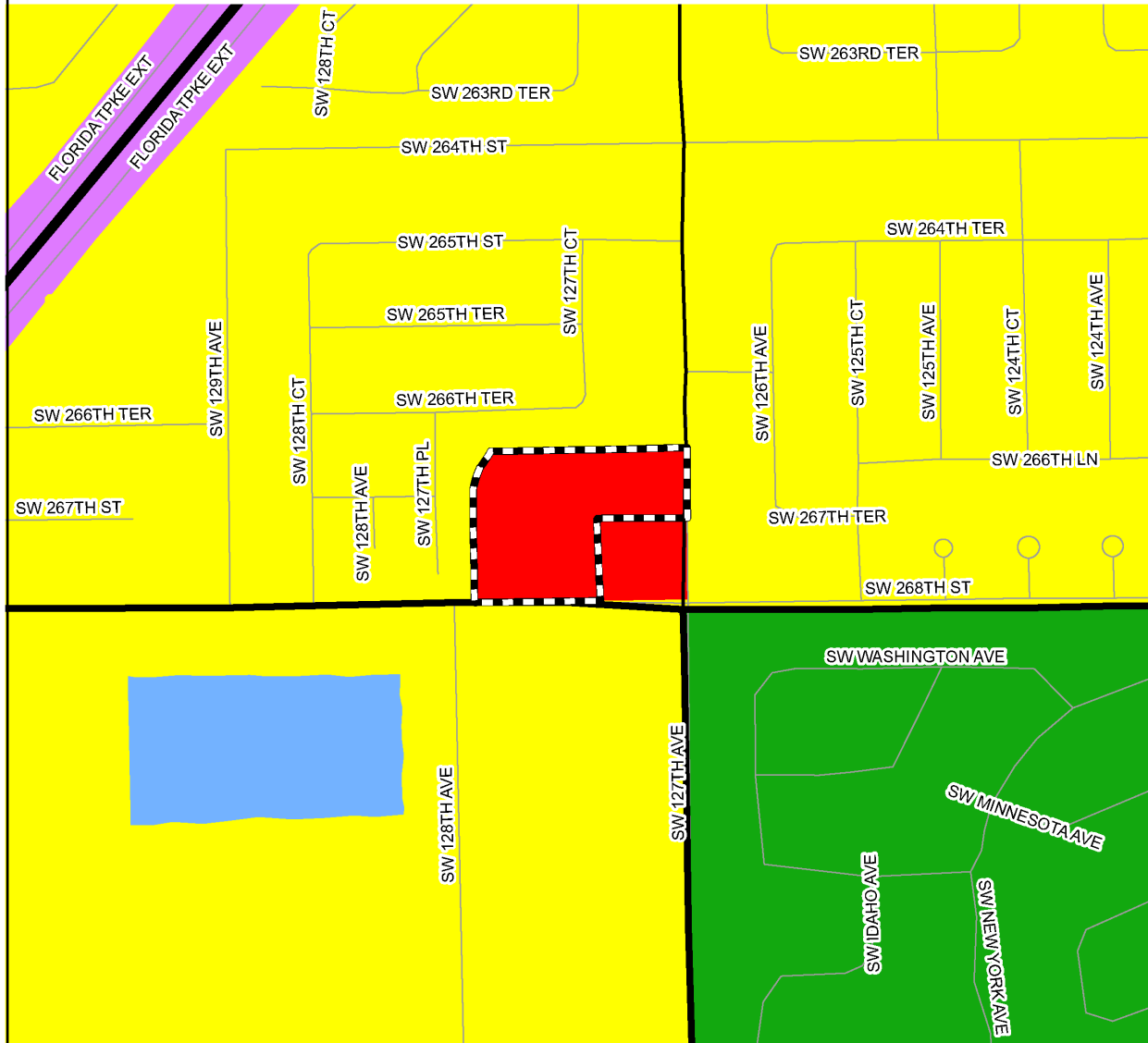
**MIAMI-DADE COUNTY ZONING DISTRICTS**

-  BU-1A BUSINESS DISTRICTS, LIMITED
-  RU-1 SINGLE-FAMILY RESIDENTIAL DISTRICT 7,500 FT2 NET
-  RU-2 TWO-FAMILY RESIDENTIAL DISTRICT, 7,500 FT2 NET
-  RU-3M MINIMUM APARTMENT HOUSE 12.9 UNITS/NET ACRE












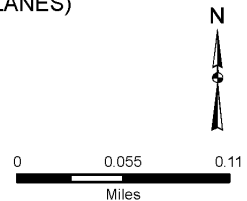
# HARTFORD PLAZA, LLC. - APP. NO. CDMP20220015

## CDMP LAND USE



Source: Department of Regulatory and Economic Resources  
July 2022

- |   |   |
|---|---|
|  APPLICATION AREA              |  TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.) |
|  LOW DENSITY (LDR) 2.5-6 DU/AC |  EXPRESSWAYS                                 |
|  BUSINESS AND OFFICE           |  MAJOR ROADWAYS (3 OR MORE LANES)            |
|  PARKS AND RECREATION          |  MINOR ROADWAYS (2 LANES)                    |
|  WATER                         |   |
















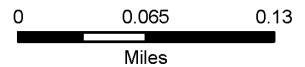
# HARTFORD PLAZA, LLC. - APP. NO. CDMP20220015

## EXISTING LAND USE



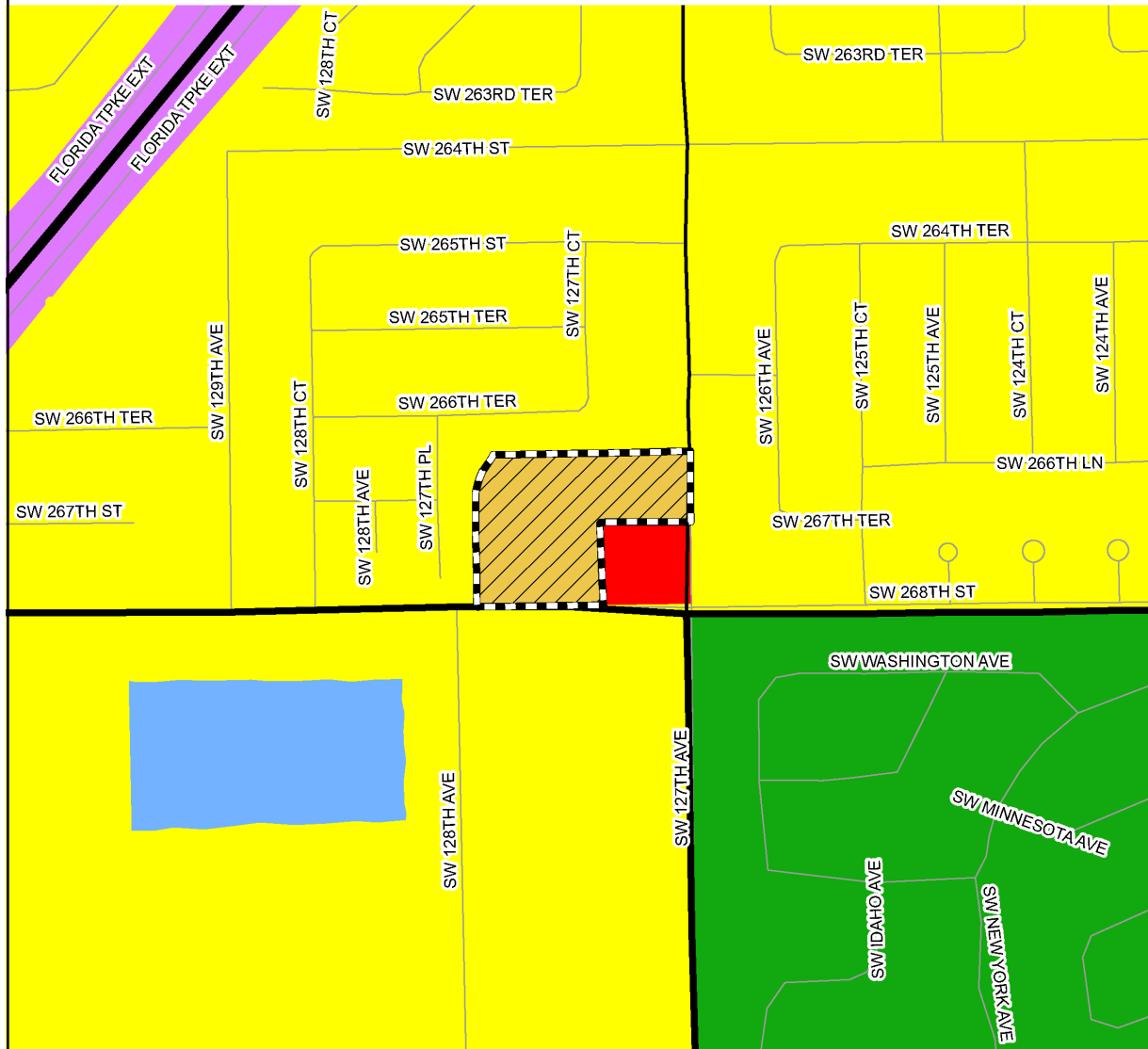
Source: Department of Regulatory and Economic Resources  
August 2022

- |  |  |
|--|--|
|  Application Area                       |  Streets, Roads, Expressways, Ramps   |
|  Single-Family                          |  Streets, Expressway R/W              |
|  Low-Density Multi-Family               |  Parks, Preserves, Conservation Areas |
|  Residential-Government Owned Housing   |  Vacant, Protected, Privately Owned   |
|  Commercial, Shopping Centers, Stadiums |  Vacant Privately Owned, Unprotected  |
|  Institutional                          |  Inland Waters                        |
|  Communications, Utilities, Terminals   |  |













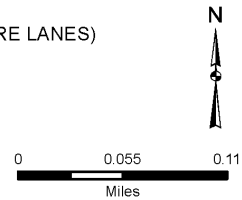
# HARTFORD PLAZA, LLC. - APP. NO. CDMP20220015

## PROPOSED CDMP LAND USE



Source: Department of Regulatory and Economic Resources  
July 2022

- |   |  |   |   |
|---|--|---|---|
|  | APPLICATION AREA                         |  | WATER                                       |
| <b>CDMP LAND USE</b>  |  |  | TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.) |
|  | LOW DENSITY (LDR) 2.5-6 DU/AC            |  | EXPRESSWAYS                                 |
|  | LOW-MEDIUM DENSITY W/ DENSITY INCREASE 1 |  | MAJOR ROADWAYS (3 OR MORE LANES)            |
|  | BUSINESS AND OFFICE                      |  | MINOR ROADWAYS (2 LANES)                    |
|  | PARKS AND RECREATION                     |   |   |



# STAFF ANALYSIS

## Application Site

### Location

The application site is ±4.8 gross/±4.5 net acres and is an “L-shaped” parcel located on the north side of SW 268 Street between SW 127 Place and SW 127 Avenue in unincorporated Miami-Dade County (see “Aerial Photo” on page 6). The property also has frontage on SW 127 Avenue, as it wraps around the west and north sides of a gas station/food market, which is at the corner of SW 268 Street and SW 127 Avenue.

### Existing Land Use

The application site is currently vacant and unfenced property with a berm near its eastern boundary fronting SW 127 Avenue. (See “Existing Land Use” map on page 9; and Appendix H: Photos of Site and Surroundings on Appendices page 57).

### Land Use Plan Map Designation

The CDMP Adopted 2030 and 2040 Land Use Plan (LUP) map designates the application site as “Business and Office” (see “CDMP Land Use” map on page 8) CDMP land use category, which allows commercial uses at an intensity of up to 78,408 square feet of retail area and residential densities up to 13 dwelling units per gross acre. This density category is generally characterized by single-family attached housing such as duplex units, cluster housing, or townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded. Under its current “Business and Office” land use designation, the application site could be developed with 62 single-family attached residential units.

The application requests re-designation of the application site on the LUP map to “Low-Medium Density Residential with One Density Increase” (see Proposed CDMP Land Use map on page 10). This CDMP land use category with the DI-1 density overlay allows 13 to 25 dwelling units per gross acre with sound urban design principles integrated into the design and construction of the proposed development. Under the proposed CDMP land use designation, the property could be developed with a maximum of 120 multi-family residential units. Without the incorporation of sound urban design principles, the maximum density would be 13 dwelling units per gross acre, or a maximum of 62 attached dwelling units, the same as would be permitted under the current “Business and Office” land use designation.

The applicant has proffered a declaration of restrictions committing to the implementation of sound urban design standards in the development of the application site (see Declaration of Restrictions discussed below) for any development on the site that seeks to access the one density increase allowance of the DI-1 density overlay.

### Declaration of Restrictions

The Applicant has proffered a Declaration of Restrictions (covenant) committing to water conservation measures and that any development application seeking to access 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 and certain specifically listed urban design principles that will be incorporated into any future site development.

The covenant includes requirements that the height and bulk of buildings be compatible with the adjoining single-family neighborhoods by positioning taller buildings away from nearby dwellings. It also requires abundant window area on all building facades, not just the front façade. Porches, balconies, and/or bay windows are also required for a majority of the dwelling

units, and surface parking shall be screened from public rights of way by buildings. Overall, the covenant requires compliance with the Miami-Dade County Urban Design Manual including sustainable green building practices. The applicant also committed that ten percent of the housing units would be reserved as Workforce Housing affordable to households with incomes up to 140 percent of Area Median Income.

### Zoning

The application site is currently zoned BU-1A (Business Districts, limited). See “Zoning” map on page 6.

This application is being processed concurrently with Zoning application Z2022000132, pursuant to Section 2-116.1(5)(e) of the Code of Miami-Dade County. Zoning application Z2021000232 seeks a district boundary change from BU-1A (Business Districts, limited) to RU-4M (Modified Apartment House District).

### Zoning History

Miami-Dade County zoning regulations were first created in 1938, and the County’s earliest zoning records for this site indicate that it was originally zoned AU (Agricultural Use) by 1955. It had become zoned RU-TH by 1974 based on a map in existence by that date, it but was rezoned to its current designation as BU-1A in 1979 by Resolution No. Z-281-79.

## **Adjacent Land Use and Zoning**

### Adjacent Existing Land Uses

The properties abutting to the north and west are developed with single-family residences. The properties to the east, across SW 127 Avenue, are also developed with single-family residences. The property to the south, across SW 268 Street, is developed with a townhome and multi-family residential complex that the Miami-Dade Housing Authority owns and that was constructed in 1980. There is a property abutting to the southeast that is developed with a gas station and food market that was constructed in 1984. Further southeast, at the southeast corner of SW 127 Avenue and SW 268 Street, is the ±212-acre Homestead Air Reserve Park.

### Adjacent Land Use Plan Map Designations

With the exception of the lot abutting to the southeast of this site and Homestead Air Reserve Park, all surrounding areas are designated “Low Density Residential” (2.5 to 6 dwelling units per gross acre) on the CDMP Adopted 2030 and 2040 LUP map. The lot abutting to the southeast is designated “Business and Office” And the park is designated “Parks and Recreation”.

### Adjacent Zoning

The properties abutting to the north are zoned RU-1. The properties abutting to the west are zoned RU-2. The properties to the east and the park to the southeast, across SW 127 Avenue, are zoned RU-1. The property to the south, across SW 268 Street, is zoned RU-3M. The gas station property abutting to the southeast is zoned BU-1A.

## **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 standard application, land capacity is analyzed at the localized or Minor Statistical Area (MSA) level.

The applicant is requesting a change from “Business and Office” to “Low-Medium Density Residential with one Density Increase.” If the proposed application were to be approved, it would remove 4.8 vacant acres from the vacant commercial land inventory of MSA 7.4. The

Analysis Area for Application CDMP202200015 (MSA 7.4) contains 411.40 acres of in-use commercial uses in 2022 and an additional 144.37 acres of vacant land zoned or designated for business uses. The annual average absorption rate for the 2020-2040 period is 4.83 acres per year. If this application were to be approved, given the current demand/supply conditions, it would decrease the depletion year for Commercial land for approximately one year, but the depletion year for the MSA would still be beyond the year 2040.

Projected Absorption of Land for Commercial Uses  
Indicated Year of Depletion and Related Data  
Application CDMP202200015 Analysis Area (MSA 7.4)

Analysis Area	Vacant Commercial Land 2022 (Acres)	Commercial Acres in Use 2022	Annual Absorption Rate 2022-2040 (Acres)	Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
					2030	2040
MSA 7.4	144.37	411.40	4.83	2040+	4.7	4.1

Source: Miami-Dade County, Regulatory and Economic Resources Department, Planning Division, Planning Research and Economic Analysis Section, August 2022.

Residential

The combined vacant land for single-family and multi-family residential development in the Analysis Area (Minor Statistical Area 7.4) in 2022 was estimated to have a capacity for about 9,423 dwelling units, with about 78.7 percent of these units intended as multi-family. The annual average residential demand in this Analysis Area is projected to go from 656 units per year in the 2020-2025 period to 452 units in the 2035-2040 period. An analysis of the residential capacity by type of dwelling units shows the depletion of single-family type units occurring in 2026 and for multi-family beyond 2040. This application, if approved would increase the supply of multi-family by 120 dwelling units. This would extend the depletion of residential units, already beyond 2040, by approximately three months.

Table 2A  
Residential Land Supply/Demand Analysis  
2020 to 2040: Application CDMP202200015 (MSA 7.4)

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 2022	2,010	7,413	9,423
DEMAND 2020-2025	476	180	656
CAPACITY IN 2025	582	6,873	7,455
DEMAND 2025-2030	351	132	483
CAPACITY IN 2030	0	6,213	5,040
DEMAND 2030-2035	327	124	451
CAPACITY IN 2035	0	5,593	2,785
DEMAND 2035-2040	328	124	452
CAPACITY IN 2040	0	4,973	525
DEPLETION YEAR	2026	2040+	2040+

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, August 2022.

Housing Market Analysis

The applicant’s 4.8-acre site would permit the development of 120 multifamily units compared to a maximum of 62 attached single-family units, contrary to what the application states, or up to 196 workers under the current land use. The proposed units would all be market-rate units.

The following analysis explores the current housing market conditions in the area of this application.

The Department of Housing and Urban Development estimates HUD Area Median Family Income (HAMFI) for all counties. The 2022 HAMFI for Miami-Dade County is \$68,300. This number is derived from the median family income from the American Community Survey 2019 1-year Estimate for Miami-Dade County, and adjusted for inflation, family size and housing costs in the county relative to national and state costs (see table below).

**2022 HUD Income Limits for a Family of 4 for Workforce Housing in HUD Income Thresholds**

Income Limit Category as a Share of AMI (68,300)	2022 Income Thresholds
Less than 60% of AMI	<= \$58,500
60% to 80% of AMI	\$58,500 to \$78,000
80% to 100% of AMI	\$78,000 to \$97,500
100% to 120% of AMI	\$97,500 to \$117,000
120% to 140% of AMI	\$117,000 to \$136,500
Greater than 140% of AMI	> \$136,500

The table below shows the breakdown of households in Miami-Dade County and MSA 7.4 that fall within the income limit categories and housing cost burden by these categories based on

data from the 2020 American Community Survey (ACS) 5-year estimates and from the most recently available HUD Comprehensive Housing Affordability Strategy (CHAS) data for the period 2014-2018.

**2022 Miami-Dade County & Market Area Households by Workforce Housing & HAMFI Income Limits**

Income Range; Upper Limit (Family of 4)	Miami-Dade				MSA 7.4			
	Households	% of Total	Percent Cost Burdened (All Households)		Households	% of Total	Percent Cost Burdened (All Households)	
<b>Low/Very Low (Less than 60%; \$58,500)</b>	472,948	52.4%	<b>Less than 80% of HAMFI: Cost Burden</b>	29.1%	14,716	56.0%	<b>Less than 80% of HAMFI: Cost Burden</b>	29.7%
<b>Low (60% to 80%; \$78,000)</b>	113,914	12.6%	Severely Cost Burdened	46.4%	4,390	16.7%	Severely Cost Burdened	45.9%
<b>Moderate (80% to 100%; \$97,500)</b>	80,282	8.9%	<b>80% to 120% of HAMFI: Cost Burden</b>	28.2%	2,619	10.0%	<b>80% to 120% of HAMFI: Cost Burden</b>	23.3%
<b>Moderate (100% to 120%; \$117,000)</b>	49,050	5.4%	Severely Cost Burdened	5.6%	1,368	5.2%	Severely Cost Burdened	7.7%
<b>Workforce (120% to 140%; \$136,500)</b>	44,462	4.9%	<b>Greater than 120% of HAMFI: Cost Burden</b>	7.8%	1,184	4.5%	<b>Greater than 120% of HAMFI: Cost Burden</b>	10.0%
<b>Greater than 140%</b>	141,543	15.7%	Severely Cost Burdened	1.3%	1,983	7.6%	Severely Cost Burdened	1.5%
	<b>902,200</b>	<b>100%</b>			<b>26,261</b>	<b>100%</b>		

*Data Source: 2020 American Community Survey, 5-year Estimates, 2014-2018 HUD CHAS Data.*

Countywide 65% of households fell into the range below 80% of HAMFI, with household incomes less than or equal to \$78,000. Just 15.7% of households earned more than 140% of HAMFI, or more than \$136,500. In the application market area, MSA 7.4, 73% of all households fell below 80% of HAMFI, and 12% had incomes greater than 140% of HAMFI. Therefore, the first conclusion that can be drawn from the data is the need for housing that is more affordable for workforce and low-income households. Ninety-two percent of households in the market area have incomes less than or equal to 140% of HAMFI which equals \$136,500.

The table above also illustrates the financial implication of the household income distribution and for whom there exists a housing affordability crisis. Data from HUD, 2014-2018 Consolidated Plan/CHAS data, identifies the extent to which households were cost burdened by income levels. A household is cost-burdened if they are spending more than 30% of their income on housing costs, and severely cost-burdened if they are spending more than 50% on housing costs.

The CHAS data, a special tabulation of ACS data done by the Census Bureau for HUD, does not perfectly match the workforce housing threshold of 140% of HAMFI. However, for households in the market area with incomes greater than 120% of HAMFI (\$117,000), only 11.5% were cost burdened and 1.5% were severely cost burdened. At the other extreme, 75.6% of households with incomes less than 80% of HAMFI (low and very-low income, \$78,000) were cost burdened, with nearly half, 46%, severely cost burdened. Thirty-one percent of moderate-income households (80% to 120% of HAMFI) were cost burdened.

The cost-burden situation is worse in the market area for renter households. In MSA 7.4, 78.5% of renter households with incomes less than 80% of HAMFI were cost burdened. Above 120% of HAMFI, no renter households in the market area, were cost burdened. In the moderate range, 80% to 120% of HAMFI, 23% were cost burdened.

**Cost-Burden Renter Households by Income for Miami-Dade County and the Designated Market Area**

HUD Income Categories	Rate of Cost Burden	Applicant Market Area	Miami-Dade
<b>Less than or equal to 80% of HAMFI (\$78,000)</b>	Less than or equal to 30%	21.5%	17.9%
	Greater than 30%	78.5%	82.1%
	Greater than 30% but Less than or equal to 50%	36.7%	31.0%
	Greater than 50%	41.9%	51.1%
<b>Greater than 80% but less than 120% of HAMFI (\$117,000)</b>	Less than or equal to 30%	77.0%	64.3%
	Greater than 30%	23.0%	35.7%
	Greater than 30% but Less than or equal to 50%	23.0%	31.7%
	Greater than 50%	0.0%	4.0%
<b>Greater than 120% of HAMFI (\$117,000)</b>	Less than or equal to 30%	100.0%	90.9%
	Greater than 30%	0.0%	9.1%
	Greater than 30% but Less than or equal to 50%	0.0%	8.5%
	Greater than 50%	0.0%	0.6%
<b>Total:</b>		<b>11,645</b>	<b>405,702</b>

Rising rents and home prices in Miami-Dade County, is a challenge for some, while for many in the lower income ranges, which account for a majority of all households, it is a crisis. The market area for the application would greatly benefit from workforce and affordable housing.

**Environmental Conditions**

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

Flood Protection

Federal Flood Zone	X
Stormwater Management Permit	DERM
County Flood Criterion (National Geodetic Vertical Datum)	5.5 feet

Biological Conditions

Wetlands Permit Required	If jurisdictional wetlands are found
Native Wetland Communities	No
Specimen Trees	No
Endangered Species Habitat	No records
Natural Forest Community	No

Other Considerations

Within Wellfield Protection Area	No
Contaminated Site	No

Natural Resources

Any approval of this CDMP application is not an authorization to remove and/or relocate tree resources that are subject to the tree preservation and protection provisions of the Code without a Miami-Dade County Tree Permit. The applicant is advised to contact the Tree and Forest Resources Section of DERM at (305)372-6574 or [tfrs@miamidade.gov](mailto:tfrs@miamidade.gov).

All prohibited species listed in Section 24-49.9 that exist within the areas associated with the subject text plan amendment shall be removed prior to development or redevelopment and any

developed parcels shall be maintained to prevent the growth or accumulation of prohibited species in accordance with Section 24-49.9 of the Code.

#### Environmental Monitoring and Restoration

DERM 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 standards be conducted at the site prior to site development and prior to the submittal of site development plans through the building department review process. 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 (EMRD) as it relates to environmental contamination issues. Be advised that the EMRD review of this application does not constitute an approval of any site plans, drainage plans, or development plans that may be included as part of this application.

Any contaminated portion of the site that is proposed to be sold, transferred or dedicated (including, but not limited to, for public right-of-way) to any public entity shall be identified on the tentative and final plat plans for this development. If any contaminated portion of the site is proposed to be sold, transferred or dedicated to the County, please note that all soil, groundwater or surface water contaminants, solid waste, and methane must be disclosed to the applicable County department at the earliest stage possible. The applicable County departments would include all departments that would receive or manage the proposed property, and for example, would include PROS for a park and DTPW for road right-of-way. Please note that the presence of any such contamination, solid waste, or methane or a delay by the applicant in disclosing such contamination or impacts to the applicable County departments could result in the county declining to accept the proposed dedication. This may in turn result in the need for the developer to reconfigure or change previously approved site plans, or make other changes to the proposed development, which may require approval after public hearing.

If an applicant elects to address soil contamination, groundwater contamination, solid waste and methane via a No Further Action with Conditions, each individual property owner will be required to execute a restrictive covenant. 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.

#### Drainage and Flood Protection

The proposed amendment may lead to development that would alter the amount of impervious surface and thus impact groundwater recharge. DERM will evaluate future development orders to ensure that the overall development will not create adverse impacts to the Stormwater Management Level of Service Standard contained in Policy 5A of the Conservation, Aquifer Recharge and Drainage Element.

Any proposed drainage/water management system shall comply with regulations from all the permitting agencies having jurisdiction.

#### Relevant Chapter 24 Provisions regarding stormwater management

Any construction activities that require dewatering will require a Class V permit, according to Section 24-48.1(1)(e) of the Code. Class V permits are required for any dewatering of groundwater, surface water, or water that has entered an underground facility, excavation, or trench.

The Surface Water Management General Permit 13-04637-P is in effect for the area associated with the proposed amendment. Therefore, any new development or redevelopment within the

area shall require a DERM Surface Water Management General Permit (SWMGP) 13-04637-P modification or a new SWMGP permit for the construction and operation of the required surface water management system.

For compliance with Miami-Dade County stormwater disposal requirements, all stormwater shall be retained on-site utilizing a properly designed seepage or infiltration drainage system. Any grading and drainage improvements within the parcels will require review and approval by DERM. The road drainage systems shall provide service that complies with the minimum requirements outlined in the Miami-Dade County Public Works Manual.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties. Any proposed development shall comply with county and federal flood criteria requirements.

## **Water and Sewer**

### Potable Water Service

Application CDMP20220015 is located within the Miami-Dade Water and Sewer Department (MDWASD) franchised water service area. Pursuant to Section-24-43.1(3) of the Code, the proposed development would be required to connect to the public water system.

The source of potable water for this area is Alexander Orr Water Treatment Plant (WTP), which is owned and operated by MDWASD. Currently, there is adequate treatment and water supply capacity at the WTP, consistent with Policy WS-2 A (1) of the CDMP. The WTP is presently producing water that meets federal, state, and County drinking water standards.

The future development associated with the subject CDMP application will be required to obtain a Water Supply Certification from WASD to assure that adequate water supply is available as required by policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit. The Certification Letter will be issued at the time an Agreement, Verification Form or Ordinance Letter is offered or during the Plat process prior to the final Development Order.

There is a 10-inch water main abutting the subject site along SW 268<sup>th</sup> Street and along SW 127<sup>th</sup> Avenue, which may serve as a connection point to provide service to the proposed development. Any water main extension within the property shall be minimum 8-inch in diameter. If two or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection. *Final points of connections and capacity approval to connect to the water system will be provided at the time the WASD Developer Agreement is offered.*

At this time, there are two WASD Agreements in close proximity to this application site. WASD Agreement No. 30499 located north of SW 268<sup>th</sup> Street and east of the Florida Turnpike for the construction of 43 single family residences replacing vacant land., and WASD Agreement No. 30768 located at SW 272<sup>nd</sup> Street and SW 132<sup>nd</sup> Avenue for the construction of 1,012,289 sq. ft. of warehouse.

### Water Demand/Sewer Flow Analysis

As noted in the "Estimated Water Demand/Sewer Flow for Proposed Development by Land Use Scenario" table below, the maximum water demand under the current CDMP Land Use designation of "Business and Office" is estimated to be 10,230 gallons per day (gpd), as shown under Scenario 2. The maximum water demand under the requested CDMP Land Use

Designation of “Low-Medium Density Residential with One Density Increase” would be 16,200 gpd, as shown under Scenario 3, which represents a potential increase of approximately 5,970 gpd for water and sewer service.

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

Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier (Section 24-43.1 Miami- Dade Code)	Projected Water Demand (gpd)
<b>Current CDMP Potential – “Business and Office”</b>				
1	Retail	74,408 ft. sq.	10 gpd/100 sq. ft.	7,441 gpd
<b>OR</b>				
2	Single Family Attached (Townhomes)	62	165 gpd/unit	10,230 gpd
<b>Requested CDMP Designation – “Low-Medium Density Residential with One Density Increase”</b>				
3	Multifamily	120	135 gpd/unit	16,200 gpd

Source: Miami-Dade Water and Sewer Department; Department of Regulatory and Economic Resources, Planning Division; August 2022

Sewer Treatment Plant Capacity

Based on the requested land use and development that would be allowed under this land use amendment, connection to the public sanitary sewer system would be required pursuant to Section-24-43.1(3) of the Code. The wastewater flows for this application would be transmitted to the South District Wastewater Treatment Plant for treatment and disposal. This treatment plant is currently operating under a permit from the Florida Department of Environmental Protection. Currently and there is adequate wastewater treatment capacity for this application consistent with Policy WS-2A (2) of the CDMP. This facility is currently working within the mandated criteria set forth in Consent Decree Case: NO. 1:12-cv-24400-FAM, effective Dec 6, 2013. Any future construction within the application area must comply with mandated criteria set forth in the referenced Consent Decree with the goal of eliminating all Sanitary Sewer Overflows and prohibited bypasses.

Sewer System Infrastructure

According to DERM records, the property is located within an MDWASD sanitary sewer basin served by sewer pump station 30-1017. Flow from this pump station is directed to the South District Wastewater Treatment Plant. These structures are owned and operated by MDWASD.

Currently, pump station 30-1017 is not operating in compliance and is under moratorium status (FN). Pursuant to section 24.42.3 of the Code, a pump station is placed under FN moratorium status when a utility has implemented and completed a corrective action plan, but the sewer pump station continues to operate more than the mandated criteria (10 hours). DERM will reevaluate the moratorium status when the pump station is operating in compliance. In accordance with the Consent Decree (Case: NO. 1:12-cv-24400-FAM, effective December 6, 2013) between the Environmental Protection Agency and Miami Dade County, DERM cannot authorize sanitary sewer flow via Sewer Capacity Certification, nor approve building permits that would authorize sanitary sewer flow, nor approve certificates of use that would authorize sanitary sewer flow into pump station 30-1017, until DERM has determined that the pump station is operating in compliance.

All wastewater collection and/or transmission systems serving more than one parcel shall be public. Private systems will be limited to one building on one parcel connecting directly to a public system without traversing other parcels. If a private sanitary sewer pump station is required, the station shall be designed pursuant to Section 24-42.2 of the Code and Chapter 62-604, Florida Administrative Code.

All public wastewater collection and transmission systems shall be protected from flood waters and inflow by having all mechanical and electrical equipment and all system openings placed above the Base Flood Elevation plus applicable freeboard and sea level rise. Freeboard and sea level rise are independent and cumulative (e.g., for a BFE of 8 feet with 24-inch freeboard and 24-inch Sea Level Rise requirements, all openings shall be above 12 feet). Openings include, but are not limited to, all manholes, pump station wet wells, and system vents. When the required minimum elevations (BFE + Freeboard +Sea Level Rise) cannot be attained for system openings (e.g., manholes, wet wells), openings shall be elevated to be protected from a 10-yr storm and include water-tight and bolted covers/hatches. The entire assembly, structure, ring, frame, etc., shall be Water-Tight to sustain as a minimum, a water column pressure equivalent to the difference between opening elevation and minimum required elevation (BFE + Freeboard +Sea Level Rise). Freeboard shall be no less than 12-inches for substantial systems and 24-inches for essential systems. Sea Level Rise shall be, at a minimum, IPCC Median at 50 years. For example, for a BFE of 8 feet, an essential system manhole opening shall be set at or above 8 feet + 24- inches + 21-inches or 11–feet 9-inches or include a water-tight bolted cover. Essential systems are those that serve essential facilities (e.g., hospitals) or are required to include an emergency generator. All other systems are classified as substantial.

#### Sewer System Connectivity

There is an 8-inch sanitary gravity sewer system located at SW 127<sup>th</sup> Avenue, approximately 50-feet north from of the northeast corner of the subject site (MH #-9, Per As-Built ES-6260-2), to where the developer may connect and extend the same 8-inch gravity sewer southerly along SW 127<sup>th</sup> Avenue, as required to serve the proposed development, provided there is sufficient depth and that there are no obstacles which would preclude construction of the sewer system. In addition, if connection to the gravity sewer is not feasible, there is an existing 16-inch force main along SW 127<sup>th</sup> Avenue, abutting the eastern portion of the subject site. *A private pump station will be required. Final points of connection and capacity approval to connect to the sewer system will be provided at the time the applicant requests connection to the sewer infrastructure.*

## **Resilience**

#### Vulnerability to current and future flooding

The existing grade at the application site ranges from about 6.5 to 8.0 feet NAVD88. The current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) shows the site as being in the X-Zone which is considered relatively low risk. However, the County's FEMA flood zone maps are in the process of being updated and the Preliminary Flood Zone at this site is shown as being within the Special Flood Hazard Area (Zone AE) with a Base Flood Elevation (BFE) of 10.0 feet NAVD88 (Figure 1). While maps being updated are not yet in effect, the recent information about the site's flood risk should be considered as part of site or building design and may be applicable at the time of permitting. In addition, the recently updated County Flood Criteria along with other floodplain management regulations must be adhered to.

This region of the County experienced major storm surge during Hurricane Andrew (1992) with flood depths ranging from 10 to 15 or more feet. Historic and ongoing sea level rise since then have increased the flood risk associated with hurricanes and is expected to increase over the coming decades.

Additionally, elevating one area on fill to reduce flood risks may increase flooding risks for adjacent areas if the run-off is not carefully managed. Typically, a development would be required (or designed) to maintain a certain volume of stormwater on site; however, if there were a strong storm in excess of that design level the additional water would run off site. If adjacent or downstream areas are at a lower elevation, they may experience increased flooding or water quality impacts. Given this information, it would be prudent to ensure that the design of a development and its supporting infrastructure at this site consider the more recent available information regarding current and future groundwater and flood risk throughout the project's lifetime to avoid future damage to property and infrastructure. If properly designed, this site should have a relatively lower risk of flooding than other areas in the County.

#### Greenhouse gas emissions

From its closest point, the site is located approximately 2.1 miles to the proposed South Corridor Bus Rapid Transit (BRT) station at the intersection of SW 272 Street and Epmore Drive. Locating new residential developments away from existing major transit corridors will increase the transportation emissions to move goods and people. Depending on how these trips compare to existing traffic patterns this could increase greenhouse gas emissions and decrease local air quality. By comparison, transit-oriented development and infill development reduce vehicle miles travels and supports transit systems. Demand for energy, transportation, food, goods and services drives global anthropogenic emissions of greenhouse gases (GHGs). Households in the United States alone are directly or indirectly responsible for about 20% of annual global GHG emissions and there is widespread evidence that suburbanization leads to higher carbon footprints than development in cities' urban core. Compared to high-density centers, suburban areas have larger homes and buildings, longer distances between services, fewer public transportation options, features which lead to a more carbon-intensive lifestyle.

#### Energy and Water Efficiency

According to the 2019 Miami-Dade County Greenhouse Gas Inventory, energy use in buildings is the source of 40% of Community-scale greenhouse gas (GHG) emissions. Further, Land Use Element Objective LU-10 of the Comprehensive Development Master Plan (CDMP) directs the County to achieve a "countywide reduction in greenhouse gas emissions by 80% from the baseline year of 2008 to 2050 and work to achieve zero emissions for countywide energy sources" and encourages the County to support "development patterns that reduce emissions and promote energy efficiency." Strategies that can promote home energy conservation include efficient building envelope, cooling and ventilation, and lighting systems, the use of Energy Star certified products and high-efficiency appliances, and the use of LEED or similar green building certifications. In addition to reducing the sources of emissions, development may also maximize carbon and water sequestration benefits through relevant landscape design decisions that can include maximizing tree canopy cover using "right tree, right place" approach, nature-based stormwater capture and infiltration solutions, or remediation/mitigation of lost habitat or undeveloped land uses. The application does not clearly identify any specific measures to

support emissions reduction but does commit in the proffered covenant to energy and water efficiency measures.

The Office of Resilience encourages the applicant to adopt the strategies described above when designing the site identified in this application. These measures also improve health, increase the affordability of water and electric utilities, increase home values, lower maintenance costs, and generally improve owner satisfaction.

#### Urban Heat Island Effect

As stated in section LU-10I of the CDMP, Miami-Dade County shall consider strategies to reduce the urban heat island effect which may include requirements for high albedo surfaces, porous pavement, tree canopy, and a cool roof. Expanding development will increase the maximum and minimum areas temperatures as vegetation is replaced by asphalt and concrete. Displacing trees and vegetation minimizes natural cooling effects of shading and evaporation of water from soil and leaves (evapotranspiration). Waste heat from buildings air conditioning and vehicles will also contribute to increasing heat in the surrounding area. This will further elevating issues of extreme urban heat and urban heat island effects in the area. As stated in section LU-10I of the CDMP, Miami-Dade County shall consider strategies to reduce the urban heat island effect which may include requirements for high albedo surfaces, porous pavement, cool roof, and tree canopy.

The Office of Resilience recommends that the applicant clearly identify and address how the proposed development will mitigate the increase of heat. At this stage, the subject application does not offer any strategy to reduce the urban heat island effect.

#### **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. Since the DSWM assesses capacity on a system-wide basis, it is not practical or necessary to make determinations concerning the adequacy of solid waste disposal capacity on a case-by-case basis. Instead, the DSWM issues a periodic assessment of the County's status in terms of 'concurrency,' the ability to maintain the adopted LOS system-wide. As of FY 2021-2022, the DSWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, and the application is not anticipated to have a negative impact on disposal service.

#### Application Impacts

The application proposes to change the land use designation from "Business and Office" to "Low-Medium Density Residential with One Density Increase" (13 to 25 dwelling units per acre). Adoption of this amendment will likely result in the development of 120 multi-family units. The proposed amendment will have no impacts or associated costs relative to Department of Solid Waste Management (DSWM) collection services, disposal services or solid waste facilities. Accordingly, the DSWM has no objection to the proposed amendment.

## Parks

The Miami-Dade County Parks, Recreation and Open Space Department has three Park Benefit Districts (PBDs). The subject application site is located inside Park Benefit District 3 (PBD-3), which generally encompasses the area south of SW 184 Street.

### Level of Service Standard

CDMP Policy ROS-2A establishes the adopted minimum Level of Service (LOS) standard for the provision of recreation open space in the Miami-Dade County. This CDMP policy requires the County to provide a minimum of 2.75 acres of local recreation open space per 1,000 permanent residents in the unincorporated areas of the County and a County-provided, or an annexed or incorporated, local recreation open space of five acres or larger within a three-mile distance from residential development. The acreage/population measure of the LOS standard is calculated for each Park Benefit District. A Park Benefit District is considered below LOS standard if the projected deficiency of local recreation open space is greater than five acres. Currently, PBD-3 has a surplus capacity of 196.76 acres of parkland, when measured by the County's concurrency LOS standard of 2.75 acres of local recreation open space per 1,000 permanent residents.

The "County Local Parks" table below lists the parks within a 3-mile radius of the application site; eight (8) of the twenty (20) parks: Goulds Wayside Park, Naranja Lakes Park, and Silver Palms Parks 1 through 6 are less than the required minimum provision of five (5) acres of local recreational open space.

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

Park Name	Acreage	Classification
Debbie Curtain Park	9.78	Neighborhood Park
Goulds Wayside Park	2.68	Neighborhood Park
Kevin Broils Park	5.19	Neighborhood Park
Live Like Bella Park	8.30	Community Park
Local Park SW 128 Av/SW 232 St	5.00	Neighborhood Park
Modello Park	8.23	Community Park
Naranja Park	12.70	Community Park
Naranja Lakes Park	1.55	Neighborhood Park
Pine Island Lake Park	17.45	Neighborhood Park
Princetonian Park	6.54	Neighborhood Park
Royal Colonial Park	26.27	Community Park
Sharman Park	6.71	Community Park
Silver Palms Park 1	1.05	Neighborhood Park
Silver Palms Park 2	1.30	Neighborhood Park
Silver Palms Park 3	0.81	Neighborhood Park
Silver Palms Park 4	1.09	Neighborhood Park
Silver Palms Park 5	0.83	Neighborhood Park
Silver Palms Park 6	1.93	Neighborhood Park

Silver Palms Park 7	6.20	Neighborhood Park
William Randolph Community Park	10.57	Neighborhood Park

Source: Miami-Dade County Parks, Recreation and Open Space Department, August 2022.

Application Impacts

The existing “Business and Office” designation would permit as many as 62 single-family attached residential units and an anticipated population of 210. The concurrency analysis for this scenario results in an impact of 0.58 acres based on the minimum Level of Service standard for the provision of local recreational open space in the Recreational and Open Space Element.

The proposed “Low-Medium Density Residential with One Density Increase” designation would permit a maximum of 120 multi-family residential units and an anticipated population of 306. The concurrency analysis for this scenario results in an impact of 0.84 acres based on the minimum Level of Service standard for the provision of local recreational open space in the Recreational and Open Space Element.

PROS recommends adding shade trees along walking paths and private and public sidewalks to provide a more shaded and walkable area per our Great Streets Vision laid out in the Miami-Dade County OSMP. These recommendations are based on the following Recreation and Open Space policies and objectives in the CDMP:

Objective ROS-1:

Provide a comprehensive system of public and private sites for recreation, including but not limited to public spaces, natural preserve and cultural areas, greenways, trails, playgrounds, parkways, beaches and public access to beaches, open space, waterways, and other recreational facilities and programs serving the entire County; and local parks and recreation programs adequately meeting the needs of Miami-Dade County’s unincorporated population.

Policy ROS-3B:

The County shall improve and promote non-motorized access to existing park and recreation open spaces by implementing the North Miami-Dade Greenways Master Plan and South Miami-Dade Greenway Network, as well as improved sidewalks and trails, to improve connectivity between parks and residences, schools, activity centers, and transportation nodes.

Objective ROS-8:

The Miami-Dade County Parks and Open Space System Master Plan, through a 50-year planning horizon, shall guide the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities.

**Fire and Rescue Service**

The property is served by Miami-Dade Fire Rescue Department Station No. 5 (Princeton) located at 13150 SW 238 Street. The station is equipped with an Engine and Rescue 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 6:30 minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8 minutes at 90% of all incidents. Travel time to incidents in the vicinity of the application site complies with the performance objective of national industry standards. There

are no planned services in the vicinity of the Property. Presently, fire and rescue services in the vicinity of the Property is adequate.

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

CDMP Policy WS-2A establishes the County's minimum Level of Service standard for potable water. This CDMP policy requires the County to deliver water at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi, unless otherwise approved by the Miami-Dade Fire Rescue Department. The required fire flow for the proposed CDMP designation (Low-Medium Density Residential) shall be 1,500 gallons per minute (GPM). Fire hydrants shall be spaced a minimum of 300 feet from each other and shall deliver not less than 500 GPM. Presently, there are no fire flow deficiencies in the vicinity of the application. The Miami-Dade Fire Rescue Department has no objection to Application No. 20220015.

The MDRFR has determined that the current CDMP designation (Business and Office) would allow a potential development that could generate 20 annual alarms. The proposed CDMP designation (Low-Medium Density Residential with One Density Increase) would allow a proposed development that could generate 40 annual alarms. The 40 annual alarms would result in a moderate impact to existing fire rescue services. Presently, fire and rescue services in the vicinity of the subject property is adequate.

Based on the current call volume for Station No. 5 and existing stations within proximity of the Property, all stations combined are capable of mitigating the additional number of alarms. Additional stations include Station No. 70 (Coconut Palm) located at 11451 SW 248 Street, and Station No. 6 (Modello) located at 15890 SW 288 Street.

### **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 36 students. This number includes a reduction of 31.81% to account for charter and magnet schools (schools of choice). Of the 36 students, 18 are

expected to attend elementary schools, 8 are expected to attend middle schools, and 10 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 high schools have sufficient capacity available to serve the application, but the elementary school level does not have sufficient capacity available to serve the application.

**Concurrency Service Area (CSA) Schools**

Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
Coconut Palm K-8 Academy (Elem Comp)	0	18	0	NO	Current CSA
Coconut Palm K-8 Academy (Elem Comp)	0	18	0	NO	Current CSA Five Year Plan
Redland Middle	32	8	8	YES	Current CSA
Homestead Senior	71	10	10	YES	Current CSA
Adjacent Service Area Schools					
Mandarin Lakes K-8 Academy (Elem Comp)	7	18	7	NO	Adjacent CSA
Caribbean K-8 Center (Elem Comp)	2	11	2	NO	Adjacent CSA
Dr. William A. Chapman Elementary	0	9	0	NO	Adjacent CSA
Redland Elementary	-35	9	0	NO	Adjacent CSA
Mandarin Lakes K-8 Academy (Elem Comp)	0	9	0	NO	Adjacent CSA Five Year Plan
Caribbean K-8 Center (Elem Comp)	0	9	0	NO	Adjacent CSA Five Year Plan
Dr. William A. Chapman Elementary	0	1	0	NO	Adjacent CSA Five Year Plan
Redland Elementary	0	1	0	NO	Adjacent CSA Five Year Plan

Source: Miami-Dade County Public Schools, August 2022  
 Miami-Dade County Department of Regulatory and Economic Resources, August 2022  
 Note: CSA means Concurrency Service Area

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

**Aviation**

The application site is located outside of Miami-Dade County Aviation Department’s (MDAD) GIS “Aviation Zone.” MDAD advises that all uses on the site are required to comply with federal,

state and local aviation regulations, including Chapter 33, Zoning, of the Code of Miami-Dade County as it pertains to airport zoning.

## **Roadways**

The application site is ±4.8-acre property located on the northside SW 268 Street between SW 127 Place and SW 127 Avenue in unincorporated Miami-Dade County. The site has two accesses from SW 127 Avenue and SW 268 Street/Moody Drive. The major roadways surrounding this property that would cater to the mobility needs of this project are shown below:

1. SW 268 Street/Moody Drive from South Dixie Highway to SW 112 Avenue is a four-lane divided county-maintained roadway with posted speed limit of 40 mph.
2. SW 127 Avenue from SW 264 Street to SW 280 Street is a two-lane undivided county-maintained roadway with posted speed limit of 30 mph.
3. SW 248 Street/Coconut Palm Drive from South Dixie Highway to SW 112 Avenue is a two-lane undivided roadway and from SW 112 Avenue to SW 103 Avenue it is a separated four-lane divided county-maintained roadway with posted speed limit of 40 mph.
4. SW 288 Street/Biscayne Drive east of Florida's Turnpike is a four-lane divided County maintained roadway with posted speed limit of 40 mph. It has an interchange with Florida's Turnpike.
5. Florida's Turnpike north and south of SW 268 Street is a four-lane expressway with a posted speed limit of 65 mph.
6. US-1 Highway north and south of SW 268 Street is a State maintained four-lane divided roadway with posted speed limit of 45 mph.
7. SW 112 Avenue/Allapattah Road from SW 280 Street to SW 268 Street is a two-lane undivided roadway and from SW 268 Street to Florida's Turnpike is a four-lane undivided roadway with posted speed limit of 40/45 mph. SW 112 Avenue south of Florida's Turnpike is a county-maintained roadway and north of Florida's Turnpike it is a state-maintained roadway, it has an interchange with Florida's Turnpike.
8. SW 232 Street/Silver Palm Drive from SW 124 Court to SW 117 Avenue is a two-lane undivided roadway; from SW 117 Avenue to SW 113 Place, it is a four-lane divided roadway with posted speed limit of 30 mph.
9. SW 137 Avenue/Tallahassee Road from Florida's Turnpike to US-1 is a four-lane undivided county-maintained roadway with posted speed limit of 40 mph.

The project site is located near US-1 and Florida's Turnpike which would provide connectivity to other regions within the County and outside the County.

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 2021) and the County (Year 2021), 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 "Business and Office" the application site is assumed to be developed with 78,408 square feet of retail uses. Under the requested CDMP land use designation of "Low

Medium Density Residential with one density increase” the application site is assumed to be developed with 120 multi-family units. The potential development of 78,408 square feet of retail uses under the current CDMP land use designation is expected to generate approximately 268 PM peak hour trips and the potential development of 120 multi-family units under the requested CDMP land use designation is expected to generate approximately 72 PM peak hour trips or approximately 196 lesser 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

Application# CDMP20220015	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	“Business and Office”	“Low Medium Density Residential with one density increase”	
Maximum Development Potential	78,408 square feet Retail Uses <sup>1</sup>	120 Multi-Family Units <sup>2</sup>	
Gross Trips Generated	407	72	
Pass by Trips	139	-	
Net Trips Generated	268	72	-196

Source: Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021; Miami-Dade County Department of Regulatory and Economic Resources.

Notes: <sup>1</sup> – ITE Land Use Code used for Retail is 821 (Shopping Plaza 40k – 150k square feet.).  
<sup>2</sup> – ITE Land Use Code used for Multi-Family is 220 (Multi-Family Housing Low Rise).

**Short Term Traffic Evaluation**

An evaluation of peak-period traffic concurrency conditions as of July 2022, 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 2021 *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	% Impact	Total Trips With Amend.	Concurrency LOS with Amend.
<b>Requested CDMP Designation: 120 Multi Family Units generating 72 PM peak hour trips.</b>														
F 0050	SW 112 Ave.	south of SW 248 St.	4 DV	E	3,580	2,474	C	292	2,766	C	8	0.22%	2,774	C
9738	SW 112 Ave.	north of SW 268 St.	4 DV	C	3,420	1,690	C	1	1,691	C	41	1.20%	1,732	C
87 8372 <sup>(1)</sup>	SW 127 Ave.	north of SW 288 St.	4 DV	D	3,222	936	C	0	936	C	8	0.25%	944	C
9822	SW 137 Ave.	south of US 1	4 DV	D	3,222	549	C	472	1,021	D	4	0.33%	1,025	C
9824	SW 137 Ave.	north of SW 288 St.	4 DV	D	3,222	2,415	C	155	2,570	C	7	0.22%	2,577	C
9919	SW 264 Street	West of SW 147 Ave.	2 DV	C	1,359	491	C	229	720	C	2	0.15%	722	C
9924	SW 268 Street	west of SW 142 Ave.	4 DV	D	3,222	743	C	374	1,117	C	7	0.22%	1,124	C
9922	SW 268 Street	west of SW 127 Ave.	4 DV	D	3,222	1,026	C	372	1,398	C	23	0.71%	1,421	C
87 8120 <sup>(1)</sup>	SW 268 Street	west of SW 127 Ave.	4 DV	D	3,222	1,176	C	0	1,176	C	49	1.52%	1,225	C
Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources and Florida Department of Transportation, December 2019.														
Notes: DV= Divided Roadway; UD=Undivided Roadway. <sup>1</sup> – Class III roadway; <sup>2</sup> – Class I roadway * County adopted roadway level of service standard applicable to the roadway segment: D (90% capacity); E (100% capacity); E+20% (120% capacity for roadways serviced with mass transit having 20 minutes or less headways in the Urban Infill Area (UIA)); E+50% (150% capacity for locations with extraordinary transit service)														

MD C031

Application 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 “Business and Office” the application site is assumed to be developed with 78,408 square feet of retail uses which would generate approximately 268 PM peak hour trips. Under the requested CDMP land use designation of “Low Medium Density Residential with one density increase” the application site is assumed to be developed with 120 multi-family units which would generate approximately 72 PM peak hour trips. The requested change in CDMP land use designation is expected to generate approximately 196 fewer PM peak hour trips than the current CDMP designation.

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

Applicant’s Traffic Study

The applicant’s transportation consultant, Langan Engineering and Environmental Services, Inc., prepared the *CDMP Amendment Traffic Impact Study* updated on August 15, 2022. 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 <https://energov.miamidade.gov/>. The Traffic Study analyzes the existing, short term and long-term traffic impacts that the proposed project will have on the roadways adjacent to and in the vicinity of the application site.

The trip generation analysis for the existing and proposed land use is shown in Table 2 of the traffic study. The PM Peak Hour trip generation for the existing development potential of 78,408 square feet of retail uses would be 244 trips. The trip generation from the proposed development potential of 120 multi-family units would be 47 PM Peak Hour trips or approximately 197 less PM peak hour trips than the current CDMP designation. See applicant’s Table 2 below for trip generation analysis.

**Table 2 - Trip Generation Estimates<sup>1</sup>**

Use	Size	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour		
			In	Out	Total	In	Out	Total
<b>Maximum Potential Development under Proposed Land Use Designation</b>								
Multifamily Housing (Mid-Rise)	120 DU	526	9	32	41	29	18	47
<b>Maximum Potential Development under Current Land Use Designation</b>								
Retail Uses	78,408 SF	5,294	84	52	136	118	126	244
<b>Net New Trips for 2045 Analysis<sup>2</sup></b>		<b>-4,768</b>	<b>-75</b>	<b>-20</b>	<b>-95</b>	<b>-89</b>	<b>-108</b>	<b>-197</b>

Notes:

1.- Based on ITE Trip Generation Manual 11th Edition

2.- Proposed Land Use Designation less Current Land Use Designation

The site is located on Traffic Analysis Zone (TAZ) 1398, the cardinal trip distribution for this TAZ was obtained from the MPO’s 2045 Cost Feasible Plan. The Miami-Dade TPO publishes trip distribution data for the years 2015 and 2045 for each TAZ within Miami-Dade County, this data

is interpolated to get the 2024 trip distribution for the concurrency analysis. Using the cardinal distribution, the project traffic was distributed on the surrounding roadway network. See applicant's Table 3 below for trip distribution analysis.

**Table 3 - Cardinal Distribution**

Year	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW
2015	44.70%	2.10%	0.80%	4.60%	11.00%	19.30%	6.80%	10.80%
2045	47.80%	2.90%	0.30%	2.20%	11.10%	19.40%	3.80%	12.40%
2024	<b>45.63%</b>	<b>2.34%</b>	<b>0.65%</b>	<b>3.88%</b>	<b>11.03%</b>	<b>19.33%</b>	<b>5.90%</b>	<b>11.28%</b>

The applicant's traffic study reviewed the existing traffic conditions on the surrounding roadway network using the County's and FDOT's 2021 traffic count data. Twelve surrounding roadway segments were analyzed for afternoon peak hour capacity conditions, and it was determined that all roadways are functioning at an acceptable level of service. See the applicant's Table 1 below for the existing roadway condition analysis.

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

Roadway	From	To	Number of Lanes	Adopted LOS <sup>1</sup>	LOS Capacity <sup>1</sup>	Existing Volume	Existing LOS	Meets Capacity
SW 112 Avenue	SW 232 Street	Turnpike On Ramp	4 L	E	3,580	1,888	C	YES
	Turnpike On Ramp	SW 288 Street	4 L	C	3,420	1,729	C	YES
SW 127 Avenue	SW 280 Street	SW 288 Street	4 L	D	3,222	180 <sup>2</sup>	C	YES
SW 137 Avenue	US 1	SW 268 Street	4 L	D	3,222	512	C	YES
	SW 268 Street	SW 288 Street	4 L	D	3,222	1,949	C	YES
SW 264 Street	SW 149 Avenue	US 1	2 L	C	1,359	409	C	YES
SW 268 Street	US 1	SW 137 Avenue	4 L	D	3,222	1,042	C	YES
	SW 137 Avenue	SW 127 Avenue	4 L	D	3,222	1,119	C	YES
	SW 137 Avenue	SW 122 Avenue	4 L	D	3,222	891 <sup>2</sup>	C	YES
	SW 122 Avenue	SW 112 Avenue	4 L	D	3,222	1,296 <sup>2</sup>	C	YES
SW 280 Street	US 1	SW 137 Avenue	4 L	D	2,628	535	C	YES
SW 288 Street	Florida Turnpike	SW 127 Avenue	4 L	D	2,628	1,891	D	YES

**Notes:**

1. - Adopted LOS and Capacity from FDOT 2020 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 Highest Volume from Synopsis Data.

The applicant's traffic study included a 2024 short term roadway impact analysis, which included reserved trips from approved development not yet constructed, a 2.06 percent annual growth-rate factor based on FDOT historical traffic volumes to account for future background volumes, programmed roadway capacity improvements listed in the first three years of the County's adopted 2021 Transportation Improvement Program (TIP), and the PM peak hour trips estimated to be generated by the proposed development. The concurrency analysis determined that all roadways impacted by the proposed development, will have sufficient capacity to handle the additional traffic impacts that would be generated by this project. See the applicant's Table 4 below for the short-term roadway impact analysis.

The applicant's traffic study also included a 2045 Long Term analysis to determine the future long-term traffic impacts on the surrounding roadways. The proposed development potential would generate less traffic than the existing development potential. Even though the traffic impacts are lesser with this proposal, still a long-term analysis was conducted using the 2045 traffic volumes obtained from the Southeast Florida Regional Planning Model (SERPM8) and the project trips were added to the model volumes to determine the impact on the surrounding roadway segments. The long-term analysis determined that two roadway segments shown below are projected to operate below the County's adopted level of service standards.

1. SW 137 Avenue from US-1 to SW 268 Street would operate at LOS 'F' but the adopted LOS is 'D'.
2. SW 137 Avenue from SW 268 to SW 288 Street would operate at LOS 'F' but the adopted LOS is 'D'.

The two roadways that are projected to fail in 2045, fails even without impacts from this project. Also, the traffic impact from this project on the two roadway segments are insignificant as the percentage impact is less than five percent. See the applicant's Table 6 below for the 2045 Long Term analysis.

The applicant's traffic study assessed the impacts of the proposed CDMP amendment on the roadway segments surrounding the application site. The traffic analysis was prepared for existing traffic conditions, short-term concurrency (year 2024) and long-term (year 2045) traffic impacts. The results indicate that the impacted roadway segments are expected to operate at adopted levels of service or better for existing and for short-term traffic conditions. Even though the traffic impacts are lesser with this proposal compared to the development potential allowed for the existing land use, still a long-term analysis was conducted to understand the traffic situation in the long term. Two roadway segments are projected to operate below the County's adopted level of service standards for long term traffic conditions, but the project traffic impact would be insignificant on these roadways. Hence, staff find this project to be consistent with the traffic requirements of the CDMP and agrees with the conclusions of this traffic study.

**Table 4 - Short Term 2024 (Concurrency) Afternoon Peak-Hour Roadway Capacity Analysis Summary**

Count Station	Location	Facility Type	Adopted LOS <sup>1</sup>	LOS Capacity <sup>1</sup>	PHP Volume	2024 Volume	Development Order Trips	2024 Volume + D.O.'s	Available Trips	LOS without Project	Proposed Development		LOS with Project	Meets Concurrency		
											Project Assignment	Project Trips				
FDOT-0050	SW 112 Avenue s/o SW 248 Street	4 L	E	3,580	1,888	2,007	772	2,779	801	C	11%	5	2,784	796	C	YES
MDC-9738	SW 112 Avenue n/o SW 268 Street	4 L	C	3,420	1,729	1,838	1	1,839	1,581	C	57%	27	1,866	1,554	C	YES
FDOT-8372 <sup>2</sup>	SW 127 Avenue n/o SW 288 Street	4 L	D	3,222	180	191	0	191	3,031	C	11%	5	196	3,026	C	YES
MD-9822	SW 137 Avenue s/o US 1	4 L	D	3,222	512	544	462	1,006	2,216	C	6%	3	1,009	2,213	C	YES
MD-9824	SW 137 Avenue n/o SW 288 Street	4 L	D	3,222	1,949	2,072	162	2,234	988	C	10%	5	2,239	983	C	YES
MD-9919	SW 264 Street w/o US 1	2 L	C	1,359	409	435	203	638	721	D	3%	1	639	720	D	YES
MD-9924	SW 248 Street w/o SW 137 Avenue	4 L	D	3,222	1,042	1,108	361	1,469	1,753	C	10%	5	1,474	1,748	C	YES
MD-9922	SW 248 Street w/o SW 127 Avenue	4 L	D	3,222	1,119	1,189	389	1,578	1,644	C	32%	15	1,593	1,629	C	YES
FDOT-8120	SW 248 Street w/o SW 127 Avenue	4 L	D	3,222	891	947	0	947	2,275	C	68%	32	979	2,243	C	YES
FDOT-8104	SW 248 Street e/o SW 127 Avenue	4 L	D	3,222	1,296	1,378	0	1,378	1,844	C	57%	27	1,405	1,817	C	YES
MD-9926	SW 280 Street e/o US 1	4 L	D	2,628	535	569	411	980	1,648	C	3%	1	981	1,647	C	YES
MD-9928	SW 288 Street w/o SW 137 Avenue	4 L	D	2,628	1,891	2,010	298	2,308	320	D	21%	10	2,318	310	D	YES

**Notes:**

- 1 - Adopted LOS and Capacity from FDOT 2020 Quality/LOS Handbook and Miami-Dade County Traffic Concurrency Database
- 2 - PHP Volume based on FDOT Daily Data (0.89 K-Factor)
- 3 - PHP Volume based on FDOT Highest Volume from Synopsis Data

**Table 6 - Long Term 2045 Afternoon Peak-Hour Roadway Capacity Analysis Summary**

Roadway	From	To	Facility Type <sup>1</sup>	LOS Capacity <sup>1</sup>	2045 Volumes <sup>2</sup>	LOS without Project	Proposed Designation		Total Volume With Project	Project Significance	LOS with Project	Operates within Adopted LOS
							Project Assignment	Project Trips				
SW 112 Avenue	SW 232 Street	Turnpike On Ramp	4 L	3,580	1,152	C	11%	5	1,157	0.14%	C	YES
	Turnpike On Ramp	SW 288 Street	4 L	3,420	1,341	C	57%	27	1,368	0.79%	C	YES
SW 127 Avenue	SW 280 Street	SW 288 Street	4 L	3,222	1,044	C	11%	5	1,049	0.16%	C	YES
	US 1	SW 268 Street	4 L	3,222	3,357	F	6%	3	3,360	0.09%	F	NO
SW 137 Avenue	SW 268 Street	SW 288 Street	4 L	3,222	3,456	F	10%	5	3,461	0.16%	F	NO
	SW 149 Avenue	US 1	2 L	1,359	441	C	3%	1	442	0.07%	C	YES
SW 268 Street	US 1	SW 137 Avenue	4 L	3,222	837	C	10%	5	842	0.16%	C	YES
	SW 137 Avenue	SW 127 Avenue	4 L	3,222	1,242	C	32%	15	1,257	0.47%	C	YES
	SW 137 Avenue	SW 122 Avenue	4 L	3,222	1,224	C	68%	32	1,256	0.99%	C	YES
	SW 122 Avenue	SW 112 Avenue	4 L	3,222	1,296	C	57%	27	1,323	0.84%	C	YES
	US 1	SW 137 Avenue	4 L	2,628	1,467	D	3%	1	1,468	0.04%	D	YES
SW 280 Street	Florida Turnpike	SW 127 Avenue	4 L	2,628	1,071	C	21%	10	1,081	0.38%	C	YES

**Notes:**

- 1. - Adopted LOS and Capacity from MPO 2045 Cost Feasible Network
- 2. - 2045 Volumes based on Daily SERPM Model Volumes (0.09 K-Factor).

## Transit

### Existing Service

The application site is served by Metrobus Route 35/35A at a southbound bus stop ±500 feet south (a 2-minute walk) of the intersection of SW 268 Street and SW 127 Avenue using the existing sidewalk network. The service frequency of this Metrobus Route is shown in the “Metrobus Route Service Summary” table below.

Routes	Metrobus Route Service Summary					Type of Service
	Service Headways (in minutes)					
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8 pm)	Saturday	Sunday	
35/35A	20	20	40	60	60	L

Source: 2021 *Transit Development Plan*, Department of Transportation and Public Works, Miami-Dade Transit Division, (December 2020 Line Up), August 2022.

Notes: L means Metrobus local route service.

While the service above is in place, the operation of the system at the time of the review is scaled back to meet the current demands, due to the COVID-19 pandemic.

### Recent Service Improvements

According to the *2021 Transit Development Plan (TDP)*, there are no recent services changes planned for the referenced route. The stop nearest to the application site and mentioned in the “Existing Service” section will continue to be served by Metrobus service as a part of the Better Bus Network. The Board of County Commissioners (BCC) adopted the Better Bus Project in October 2021 and is expected to be implemented in Spring 2023.

### Future Transportation/Transit Needs and Planned Improvements

The *TDP* identifies the following five (5) projects: three (3) unfunded and (2) funded, follows:

1. *Unfunded*: The Florida’s Turnpike Express (South) Bus Express Rapid Transit (BERT) project will provide Express Bus service from the SW 344 Street Park-and-Ride/Transit Terminal Facility along the HEFT to the Panther and Dolphin Stations.
2. *Unfunded*: The South Dade Park-and-Ride project would embrace the purchase of land for the construction of a Park-and-Ride facility, located at SW 288 Street and the HEFT, ±1.75 miles away from the application site.
3. *Unfunded*: The South Miami-Dade Express (BERT) project will provide Express Bus service from the SW 344 Street Park-and-Ride on the Transitway to the Dadeland North Metrorail Station as well as from the planned Park-and-Ride at ±SW 288 Street and the HEFT, to the Dadeland North Metrorail Station.
4. *Funded*: The South Dade Transitway project will implement Gold Standard Bus Rapid Transit (BRT) along the Transitway from the SW 344 Street Park-and-Ride to the Dadeland South Metrorail Station.
5. *Funded*: The TOD Master Plan for the South Corridor project will plan along the SMART Plan’s South Corridor to boost smart economic development and mobility through mixed-use development around transit stations.

The Miami-Dade Transit Division, Department of Transportation and Public (DTPW) encourages the developer to support and enhance pedestrian and bicyclist connections to the bus stops; and to incorporate pedestrian accessibility into residential neighborhood design to enable safe

pedestrian access to neighboring properties, adjacent transit stops, and planned future rapid transit stations. DTPW notes that the existing total combined resident and work force population below the Mass Transit Policy MT-1A of 10,000 persons. Additional residents will be provided with transit service having 20-minute headways. According to the applicant's traffic impact study, the proposed application would create a net decrease in trips, which can be absorbed by Metrobus Route 35.

### **Other Planning Considerations**

This site is vacant and had never been developed. Staff considered the value of this site's potential to be used for retail and considered the average annual daily traffic requirements of typical retail uses that could locate at this site if it were to remain designated Business and Office. The roadway segment of SW 268 Street in front of this site has Average Annual Daily Traffic (AADT) volumes of 8,900 to 11,300 vehicles during the years 2012 through 2020, and SW 127 Avenue has AADT volumes of 1,000 to 3,200 vehicles for the same period. Based on publicly available real estate requirement information for sampled retail businesses, many require typical AADT volumes of above 20,000 vehicles of traffic passing the site. For example, Aldi requires a minimum of 20,000 vehicles, Starbucks requires 25,000 vehicles, Target or Walmart require a minimum of 40,000 vehicles, and typical locations for CVS or Walgreens are at intersections where the average volume is in excess of 30,000 vehicles for each street. These volumes are higher than provided by the streets at this location.

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

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

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-1E. In planning and designing all new residential development and redevelopment in the county, Miami-Dade County shall vigorously promote implementation of the "Guidelines for Urban Form" contained in the "Interpretation of The Land Use Plan Map" text adopted as an extension of these policies.
- LU-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-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.
- 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-8E. Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated for consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, 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; and
- v) Enhance or degrade systems important to the County as a whole including regional drainage, emergency management, transit service, roadways, facilities of countywide significance, and water quality; and
- vi) 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.

LU-9G. Miami-Dade County shall review and revise its development regulations to promote building designs in multi-family residential zoning districts which are more compatible with, and sensitive to, surrounding neighborhoods, and to establish minimum densities for development in multifamily residential zoning districts.

LU-9J. Miami-Dade County shall continue to use the design guidelines established in its urban design manual as additional criteria for use in the review of all applications for new residential, commercial and industrial development in unincorporated Miami-Dade County and shall consider the inclusion of such guidelines into its land development regulations.

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.

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.

CHD-2B. Encourage well-designed infill and redevelopment to reduce vehicle miles traveled, improve air quality, and support an outdoor environment that is suitable for safe physical activity.

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# APPENDICES

	Appendices Page
Appendix A: Amendment Application-----	3
Appendix B: Concurrent Zoning Application No. Z2021000232 Letter of Intent (May 31, 2022) -----	25
Appendix C: Applicant’s Proffered Declaration of Restrictions (August 24, 2022) -----	33
Appendix D: Miami-Dade County Public Schools Analysis-----	43
Appendix E: Traffic Impact Study, Excerpt* -----	47
Appendix F: Fiscal Impact Analysis-----	51
Appendix G: Photos of Site and Surroundings -----	57

Documents related to the application, including third party correspondence, are available online at:

- <https://www.miamidade.gov/planning/cdmp-amendment-cycles.asp#may2022>
- or
- [https://energov.miamidade.gov/EnerGov\\_Prod/SelfService/#/plan/75460e9e-aed0-4f63-8b88-9d173931a370](https://energov.miamidade.gov/EnerGov_Prod/SelfService/#/plan/75460e9e-aed0-4f63-8b88-9d173931a370)

\*Excerpted pages are enclosed herein. The complete report is accessible at the links listed above.

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# **APPENDIX A**

## **Amendment Application**

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**SMALL-SCALE AMENDMENT REQUEST TO THE  
LAND USE PLAN MAP  
MAY 2022 AMENDMENT CYCLE  
MIAMI-DADE COUNTY  
COMPREHENSIVE DEVELOPMENT MASTER PLAN  
CONCURRENT DISTRICT BOUNDARY CHANGE**

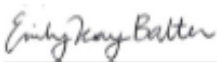
**1. APPLICANT**

HARTFORD PLAZA LLC  
13501 SW 268 ST  
NARANJA, FL 33032  
(786) 282-5839  
jimmy@diazsupermarket.net

**2. APPLICANT'S REPRESENTATIVES**

Ben Fernandez, Esq.  
Emily K. Balter, Esq.  
Bercow Radell Fernandez Larkin & Tapanes, PLLC  
200 South Biscayne Boulevard, Suite 300  
Miami, Florida 33131  
(305) 374-5300  
bfernandez@brzoninglaw.com  
ebalter@brzoninglaw.com

By:  Date: May 31, 2022  
Ben Fernandez, Esq.

By:  Date: May 31, 2022  
Emily K. Balter, Esq.

**3. DESCRIPTION OF REQUESTED CHANGES**

A. The Applicant respectfully requests the following change:

Small-Scale Amendment to the Comprehensive Development Master Plan ("CDMP") Future Land Use Map ("FLUM") designation (item A.1 in the fee schedule).

Current Land Use Designation: Business & Office

Proposed Land Use Designation: Low-Medium Density Residential with One Density Increase

B. Description of the Subject Property

The Application Area is approximately 4.8 gross acres (4.5 net acres) located north of SW 268 Street and west of SW 127 Avenue in Section 35, Township 56, Range 39 (the "Property"). The Property is more particularly described in Exhibit A, attached to this Application.

C. Gross and Net Acreage

Application Area: Approximately 4.8 gross acres (4.5 net acres)

Acreage Owned by Applicant: Applicant owns the entire Property, 4.8 gross acres (4.5 net acres)

D. Requested Change

1. Applicant requests that the Application Area be re-designated on the FLUM from "Business & Office" to "Low-Medium Density Residential with One Density Increase."
2. Applicant requests that this Application be processed as a Small-Scale Amendment.
3. Applicant requests that this Application be processed concurrently with a District Boundary Change from "BU-1A" to "RU-4M".

4. **REASONS FOR AMENDMENT**

The Applicant is requesting the re-designation of the Property from "Business & Office" to "Low-Medium Density Residential with One Density Increase." The Property consists of approximately 4.8 gross acres (4.5 net acres), and is located just west of section line road, SW 127 Avenue and north of major roadway, SW 268 Street. The Property is entirely idle, vacant land and has been vacant for decades. The re-designation of the Property to "Low-Medium Density Residential with One Density Increase" would allow the Applicant to provide an additional 120 multi-family residential units in idle, vacant land within the Application Area. The Applicant's goal is to develop a residential community with sound urban design that will be a transition to the commercial use at the intersection of SW 127 Avenue and SW 268 Street, the parks and civic uses south of SW 268 Street, and the surrounding single-family homes. The Property is ideally suited to provide additional housing supply inside of the County's Urban Development Boundary ("UDB").

Policy LU-8E of the CDMP indicates that applications requesting amendments to the CDMP FLUM must be evaluated to consider consistency with

the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, 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; and
- v) Enhance or degrade systems important to the County as a whole including regional drainage, emergency management, transit service, roadways, facilities of countywide significance, and water quality; and
- vi) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

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

*Plan Map Deficiency.* The Application proposes to amend the FLUM in order to infill idle, vacant land within the UDB. The Property is located in Minor Statistical Area ("MSA") 7.4. The County projects that the MSA will deplete its supply of single-family zoned land by 2023, multi-family zoned beyond 2030, and both types of residential by 2027. See *below* Residential Land Supply/Demand Analysis 2019 to 2030: Application CDMP 2019007 (MSA 7.4), prepared by Miami-Dade County Regulatory & Economic Resources Dept., Planning Division Research & Economic Analysis Section (May 2019). Further, the proposed influx of multi-family housing is not at the cost of existing single-family designated land. The Property is designated Business & Office, which would not contribute to the single-family housing supply, but the proposed Low-Medium Density Residential with One Density Increase will significantly contribute to the overall housing supply in MSA 7.4.

Approval of this Application would allow 120 multi-family residential units to be added to the housing supply on SW 268 Street of MSA 7.4. Additionally, approval of this application would promote Policy LU-8F, which provides that the within the UDB should contain developable land having capacity to sustain projected countywide residential demand for a period of ten (10) years.

Development of the Property would maximize the use of the currently underutilized land with sound urban design principles, as well as accommodate

the growing population of the County and the need to preserve property values within this established residential corridor.

Residential Land Supply/Demand Analysis  
2019 to 2030: **Application CDMP 2019007 (MSA 7.4)**

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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	3,014	5,847	8,861
DEMAND 2019-2020	632	282	934
CAPACITY IN 2020	2,382	5,565	7,947
DEMAND 2020-2025	714	320	1,034
CAPACITY IN 2025	0	3,965	2,777
DEMAND 2025-2030	822	367	1,189
CAPACITY IN 2030	0	2,123	0
<b>DEPLETION YEAR</b>	<b>2023</b>	<b>2030+</b>	<b>2027</b>

Residential capacity is expressed in terms of housing units.  
Housing demand is an annual average figure based on population projections.  
Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Planning Research and Economic Analysis Section, May 2019.

*Infrastructure.* Approval of this application will not result in a deficiency in the LOS standards. Further, the Applicant will work with other Departments and agencies to address any potential concerns.

*Compatibility.* The development of the Property under the “Low-Medium Density Residential with One Density Increase” designation would be compatible with abutting and nearby land uses and serve as a transitional designation at the intersection of a section line road and a major roadway. The Application Area is served by established public parks, public schools, retail amenities and employment opportunities. The existing land uses surrounding the Property are “Business and Office,” “Low Density Residential,” and “Parks & Recreation.” Re-designation of the Property to “Low-Medium Density Residential with One Density Increase” will help transition the existing land uses and would further Policy LU-1F by creating a variety of housing types and opportunities in the community.

*Historical and Environmental Resources.* There are no historically or archeologically significant resources located on the Property. It has sat as idle, vacant land for decades. The Applicant will work with other Departments and agencies to address any potential concerns.

*Transit.* The location of the Property, north of SW 268 Street and west of SW 127 Avenue, is in the vicinity of public transit services such as Metro Bus Route 35 / 35A, which has connections to Bus Routes 1, 31, 34 Express, 38 Busway MAX, 52, 56, 71, 104, 136, 137 West Dade Connection, 204 Killian KAT, 252 Coral Reef MAX, 301 Dade-Monroe Expressway, 302 Card Sound Express,

and 344. Metro Bus Route 35 / 35A has peak period headways of twenty (20) minutes or less and access to the 344 Street Park & Ride, Homestead Hospital, and Southland Mall. The Property's proximity to various public transit opportunities would encourage transit ridership and pedestrianism as indicated in the policies under Objective LU-7.

Based on the foregoing, the approval of this mixed-income, urban infill project is necessary in order to contribute a minimum of 120 units to the depleting housing supply of MSA 7.4 and minimize urban sprawl outside of the UDB with sound urban design. The approved development will be served by existing infrastructure and public-private investments, such as parks, schools, transit, retail amenities and employment opportunities.

Consistency with CDMP Objectives and Policies. The Application will further several goals, objectives, policies, concepts and guidelines of the CDMP. Approval of this application promotes or is consistent with the following Objectives and Policies of the CDMP Land Use Element:

- 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.*

The Application proposes to increase the density of the Property from thirteen (13) dwelling units per acres to twenty-five (25) dwelling units per acre with no commercial uses. The surrounding community contains a variety of uses and housing types including: business, schools, recreation, multi-family residential, and single-family residential. The re-designation would allow for a well-designed transition between the "Business and Office" to the east and the residential designations to the north and west. Additionally, pursuant to the above referenced data from the County, the residential land capacity in MSA 7.4 will be depleted within the next five (5) years, and this project would contribute an additional at least 120 multi-family residential units necessary to maintain affordability in the area.

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

Approval of this Application would permit infill of an idle, vacant land in a currently urbanized area to accommodate existing and projected demand for mixed income housing opportunities. The Property currently contains

underdeveloped, environmentally suitable land that is contiguous to an existing urban development and within an established mixed use transportation corridor where urban services and public-private investments abound.

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

The proposed Amendment will permit the development of additional mixed income multi-family residential units. The Property will consist of approximately 120 residential units. The additional units will promote housing diversity and availability in the area.

- 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.*

Approval of the Application will allow for a mixed income, multi-family residential development that supports the recent trends in the shaping of the community in accordance with the Guidelines for Urban Form. The mixed use nature of the SW 127 Avenue and SW 268 Street, highlighted by retail amenities and employment opportunities will positively contribute to the quality of life of the residents. The Property is served by adequate mass transit, and the pedestrian circulation surrounding the Property will be constructed with well-lit sidewalks and shaded paths. The road system surrounding the Property is a continuous, uninterrupted, network that serves as a physical link between the neighborhoods and provides multiple points of access for pedestrian and vehicular traffic. Additionally, the Property is within walking distance from a county-owned parks and services. The Property is located along a major section line road, and is therefore suitable for higher residential densities.

Approval of this application promotes or is consistent with the following Objectives of the CDMP Transportation Element:

- Policy TE-1A. *As provided in this section and the Mass Transit Subelement, the County shall promote mass transit alternatives to the personal automobile, such as rapid transit (i.e. heavy rail, light rail, and bus rapid transit, premium transit (enhanced and/or express bus)), local route bus and paratransit service.*

Approval of this Application would promote ridership of the County's mass transit alternatives because it abuts a major section line road. As previously stated, the Property is located within walking distance from multiple standard bus stops, along SW 268 Street and SW 127 Avenue, that are served by route 35/35A, with connections to Bus Routes 1, 31, 34 Express, 38 Busway MAX, 52, 56, 71, 104, 136, 137 West Dade Connection, 204 Killian KAT, 252 Coral Reef MAX, 301 Dade-Monroe Expressway, 302 Card Sound Express, and 344. Access will promote mass transit alternatives.

- Policy TC-1I. *The County will continue to investigate, develop and implement parking management strategies to promote the land use and transportation objectives of the CDMP to reduce the use of Single Occupant Vehicles (SOVs) and highway congestion and encourage the use of transit and ridesharing. Additionally, parking requirements in the County's zoning regulations will be reviewed to encourage shared and possible on-street parking in planned Urban Centers, and to moderate parking requirements where transit service exists, and where developments contain complementary use mixes.*

The mixed income of future residents and proximity to public transportation services, will promote less SOV use and encourage ridership of the existing public transit system.

- Policy TC-5C. *The County shall discourage through traffic in neighborhoods by adequately accommodating through traffic demands on arterial roadways.*

The Property has existing access from SW 127 Avenue and SW 268 Street. The dual access from these streets will discourage through traffic in neighborhoods and provide sufficient accommodations for ingress and egress from multiple roadways, therefore, lessening the demand on either roadway.

Approval of this application promotes or is consistent with the following Objectives of the CDMP Housing Element:

- 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.*

The Property is currently idle, vacant land not contributing any benefits to the surrounding area. The Amendment will permit the Applicant to accommodate an additional 120 multi-family residential units. The multi-family residential units would contribute to the supply of mixed income housing in the County. The Property will maintain a significant landscape open space.

Approval of this application promotes or is consistent with the following Objective of the CDMP Water, Sewer, and Solid Waste Element:

- Objective WS-1. *In order to serve those areas where growth is encouraged and to discourage urban sprawl, the County shall plan and provide for potable water supply, and sanitary sewage disposal on the countywide basis in concert and in conformance with the future land use element of the comprehensive plan.*

The Property is located within the UDB of the adopted FLUM, therefore, the proposed amendment does not encourage urban sprawl. Additionally, the necessary potable water supply and sanitary sewage disposal will be available for the slight increase in density.

Approval of this application promotes or is consistent with the following Objective of the CDMP Recreational and Open Space Element:

- Objective ROS-2. *Require the availability of adequate local recreation open space as a condition for the approval of residential development orders, and maintain an adequate inventory of recreational areas and facilities through 2017.*

The Property is in close proximity to multiple County Parks and proposed Greenway Segments. For example, just south of the Property on SW 268 Street is Pine Island Lake Park and Homestead Air Reserve Park. North of the Property is Kevin Broils Park, as well as the Princeton Trail, and west of the Property is Naranja Park and the Tallahassee Connector Trail. Therefore, there is more than an adequate inventory of recreational areas and facilities in close proximity to the Property.

**5. LOCATION MAP FOR APPLICATION**

See attached Exhibit B, Location Map.

**6. ADDITIONAL MATERIAL SUBMITTED**

- 1) See attached Exhibit C, Survey of the Property.
- 2) See attached Exhibit D, Traffic Impact Study.

**7. LEGAL DESCRIPTION**

See attached Exhibit A, Legal Description.

**8. COMPLETE DISCLOSURE OF INTEREST FORM**

See attached Exhibit E, Disclosure of Interest.

Exhibit A

**Legal Description**

FOLIO No.: 30-6935-000-0020

A PARCEL OF LAND LYING IN THE N.E. 1/4 OF SECTION 35, TOWNSHIP 56 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE S01°03'14"E, ALONG THE EAST LINE OF SAID N.E. 1/4, A DISTANCE OF 873.30 FEET TO THE POINT OF BEGINNING; THENCE S89°08'03"W ALONG THE MOST SOUTHERLY BOUNDARY LINE OF "NAROCA ESTATES SECTION ONE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 138, PAGE 41, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, ALSO THE SOUTH LINE OF "NAROCA ESTATES SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 146, PAGE 8 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, A DISTANCE OF 556.68 FEET TO A POINT ON A 310.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTH EAST, SAID POINT LYING N60°46'12"W OF THE CENTER OF SAID CURVE; THENCE RUN IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH CENTRAL ANGLE OF 30°05'45", AN ARC DISTANCE OF 162.83 FEET TO THE POINT OF A CURVATURE, THE LAST DESCRIBED CIRCULAR CURVE BEING THE EASTERLY BOUNDARY OF "NAROCA ESTATES SECTION THREE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 149, PAGE 84, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE S00°51'57"E, ALONG THE EAST LINE OF SAID "NAROCA ESTATES SECTION THREE", A DISTANCE OF 265.04 FEET; THENCE N89°08'03"E, ALONG THE NORTH RIGHT-OF-WAY LINE OF S.W. 268th STREET (MOODY DRIVE) A DISTANCE OF 599.85 FEET; THENCE N01°03'14"W, ALONG THE EAST LINE OF SAID N.E. 1/4, A DISTANCE OF 420.49 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THE NORTH 200 FEET OF THE EAST 200 FEET OF THE N.E. 1/4 OF THE N.E. 1/4 OF SECTION 35, TOWNSHIP 56 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.

Exhibit B

**EXHIBIT B**  
**Location Map for Small-Scale Application**  
**to Amend the Comprehensive Development Master Plan**

APPLICANT / REPRESENTATIVE

Hartford Plaza, LLC/ Ben Fernandez, Esq., Emily Balter Esq.

DESCRIPTION OF SUBJECT AREA

Subject Property consists of 4.8 gross acres (4.5 net acres) located in Section 35, Townshi 56, Range 39. Site is located on the west side of SW 127 Avenue and north of SW 268 Stre  
The Applicant owns the entire Application Area.



**LEGEND**



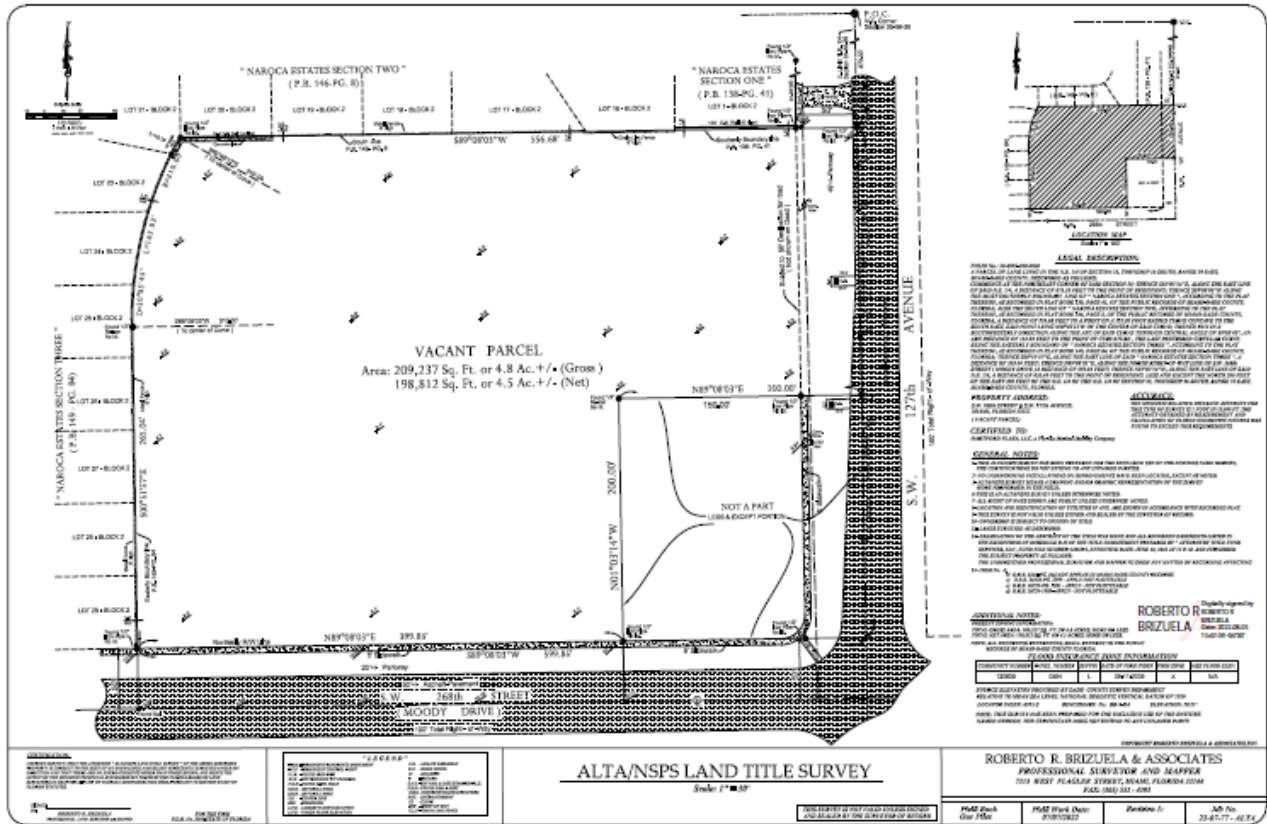
-  Application Area
-  Area owned by Applicant

Exhibit C



**Exhibit D**

Traffic Study – Access “Hartford Plaza\_ Exhibit D Traffic Study V2.pdf” at this link:

[https://energov.miamidade.gov/EnerGov\\_Prod/SelfService/#/plan/75460e9e-aed0-4f63-8b88-9d173931a370?tab=attachments:~:text=Hartford%20Plaza Exhibit%20D%20Traffic%20Study%20V2.pdf](https://energov.miamidade.gov/EnerGov_Prod/SelfService/#/plan/75460e9e-aed0-4f63-8b88-9d173931a370?tab=attachments:~:text=Hartford%20Plaza%20Exhibit%20D%20Traffic%20Study%20V2.pdf)

**Exhibit E**

**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: Hartford Plaza, LLC, 13501 SW 268TH STREET, Miami, FL 33032

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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 and indicate those properties 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	X	30-6935-000-0020	4.8 (gross)

**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	X			

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

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

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

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

**CORPORATION NAME:** Hartford Plaza, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Jimmy Diaz</u>	<u>100%</u>
<u>13501 SW 268 STREET</u>	
<u>Miami, FL 33032</u>	

- 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:**   N/A  

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

- 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:**   N/A  

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



- 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:** Hartford Plaza, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Jimmy Diaz	100%
13501 SW 268 STREET	
Miami, FL 33032	

- 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:** N/A

<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:** N/A

<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.]

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

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 Signature and Printed Name  
(Complete one signature page per applicant)

Signature [Handwritten Signature]

Printed Name Jimmy Diaz on behalf of Hartford Plaza, LLC

as Manager

State of Florida  
County of Miami-Dade

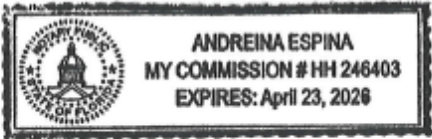
Sworn to (or affirmed) and subscribed before me by means of (how the individual appeared check one): (how the individual appeared check one):

physical presence  online notarization this 31 day of May, 2022.  
(date) (month)(year)

by Jimmy Diaz  
(name of individual swearing or affirming)

as Manager for Hartford Plaza, LLC  
(type of authority, e.g., Officer, Attorney-in Fact) (Name of party on behalf of whom executed)

Individual identified by:  personal knowledge  satisfactory evidence \_\_\_\_\_  
(type)

 <p>(affix Florida Notary Seal above)</p>	<p><u>[Handwritten Signature]</u> (Signature of Notary Public)</p> <p><u>Andreina Espina</u> (typed, printed, or stamped name of Notary Public)</p>
--	---

My Commission Expires: 04/23/2026

# **APPENDIX B**

**Concurrent Zoning Application No. Z2022000132 Letter of Intent (May 31, 2022)**

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200 S. Biscayne Boulevard  
Suite 300, Miami, FL 33131

[www.brzoninglaw.com](http://www.brzoninglaw.com)

305.377.6235 office

305.377.6222 fax

[BFernandez@brzoninglaw.com](mailto:BFernandez@brzoninglaw.com)

RECEIVED

MIAMI-DADE COUNTY  
PROCESS NO: Z22-132  
DATE: JUN 6 2022  
BY: GONGOL

May 31, 2022

**VIA ELECTRONIC SUBMITTAL**

Nathan Kogon, Assistant Director for Development  
Services  
Department of Regulatory and Economic Resources  
Miami-Dade County  
111 Northwest 1st Street, 11th Floor  
Miami, Florida 33128

Re: Proposed District Boundary Change for the Property  
Identified by Folio No. 30-6935-000-0020 in  
Unincorporated Miami-Dade County

Dear Mr. Kogon:

Our firm represents Hartford Plaza LLC (the "Applicant") owner of the property located north of SW 268 Street and west of SW 127 Avenue (the "Property") in unincorporated Miami-Dade County (the "County"). This letter shall serve as the Applicant's letter of intent to support the Applicant's proposed district boundary change from "BU-1A – Limited Business District" to "RU-4M – Modified Apartment House District" and concurrent processing with a companion, small-scale, May 2022 Cycle CDMP Amendment Application pursuant to County Code of Ordinances Section 2-116.1(5)(e).

Property Description. The Property is an L-shaped tract of vacant land bounded by SW 268 Street on the south and west of SW 127 Avenue. The Miami-Dade County Property Appraiser's Office identifies the Property with Folio No. 30-6935-000-0020. See Exhibit A, Property Appraiser Summary Report. According to a boundary survey prepared by Roberto R. Brizuela & Associates dated May 13, 2022, the Property is 198,812 square feet (4.5 net acres) in size and consists of vacant unimproved land. See, Figure 1, Location Map below.

**RECEIVED**  
 Nathan Kogon, Assistant Director  
 MIAMI-DADE COUNTY  
 PROCESSING  
 DATE: JUN 6 2022  
 BY: GONGOL

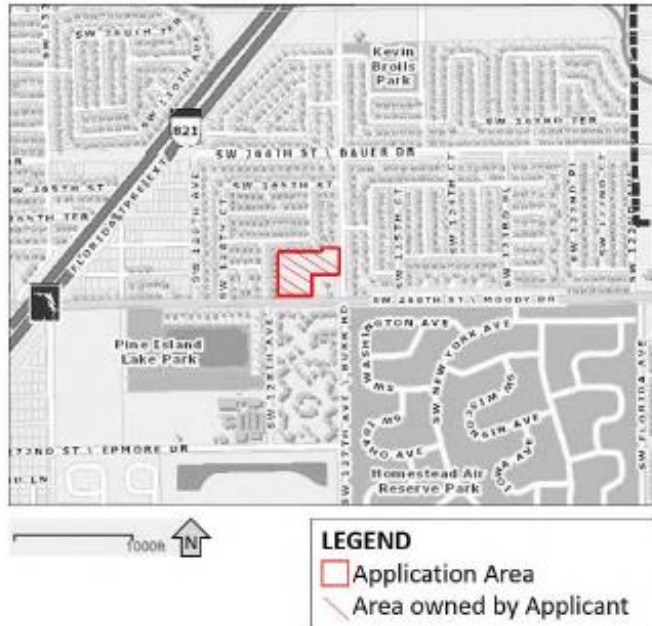


Figure 1: Location Map

The Future Land Use Map (“FLUM”) of the County’s Comprehensive Development Master Plan (“CDMP”) provides that the Property is designated “Business & Office,” which permits a maximum density of thirteen (13) dwelling units per acre based on the adjacent “Low Density Residential” designations. The adjacent lands to the west and north are developed with primarily single-family residential homes and at the northwest corner of SW 268 Street and SW 127 Avenue is an existing gas station. Additionally, the County’s Land Management GIS provides that the Property is zoned BU-1A. The area to the west of the Property is zoned RU-2, north and east of the Property is zoned RU-1, and south of the Property is zoned BU-1A and RU-3M. See, Figure 2, Zoning Map Excerpt below. In general, the area surrounding the Property is a growing residential community due to the availability of residentially developable land, large parks and open space, and the presence of necessary infrastructure and services.

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 Nathan Kogon, Assistant Director  
 MIAMI-DADE COUNTY  
 PROCESSING  
 DATE: JUN 6 2022  
 BY: GONGOL



**Figure 2: Excerpt of Zoning Map**

**Request.** In order to develop this vacant land, the Applicant respectfully requests a zoning district boundary change from BU-1A to RU-4M.

**District Boundary Change.** The requested boundary change to RU-4M will allow development of the Property consistent with the goals and objectives of the CDMP and the existing surrounding development. Specifically, objectives LU-1, LU-1C, LU-10A, of the CDMP Land Use Element require the County to prioritize infill development and redevelopment of substandard or underdeveloped environmentally suitable areas within the Urban Development Boundary ("UDB"). The Property consists of unimproved land located within the UDB that is surrounded by existing residential development, which indicates that the area consists of environmentally suitable land for residential development, and that there are adequate services and infrastructure available to support residential uses. Thus, granting the requested district boundary change would promote infill development at an underutilized site in furtherance of the goals and objectives of the CDMP.

Further, approval of the requested district boundary will provide a harmonious transition from the variety of residential zoning districts and the BU-1A zoning at the intersection of SW 268 Street and SW 127 Avenue. The Property's existing BU-1A zoning is incompatible with the adjacent residentially-zoned properties, as the uses permitted in

RECEIVED  
Nathan Kogon, Assistant Director  
MIAMI-DADE COUNTY  
PROCESSING: Z22-132  
DATE: JUN 6 2022  
BY: GONGOL

the BU-1A District, such as auditoriums, automobile related sales and storage, entertainment uses such as bowling alleys, pubs, bars, restaurants, and dancing halls, various retail including supermarkets and home improvement stores, medical observation dormitories, can be noxious and conflict with residential uses.

Ultimately, approval of the requested district boundary change is consistent with the concurrent CDMP Amendment Application, consistent with the established development trend in the area, and will facilitate the continued establishment of a budding residential community.

Conclusion. In light of the above, we believe the requested boundary change is an appropriate and logical request that advances the policies of the CDMP. The requested boundary change activates suitable vacant land within the UDB and encourages the continued establishment of the existing residential neighborhood. Accordingly, we respectfully request your favorable review and recommendation with respect to the requested district boundary change and process with the companion CDMP Amendment Application.

Should you have any questions, concerns, or would like additional information regarding this application, please feel free to contact me at (305) 377-6235.

Sincerely,



Ben Fernandez

Enclosures

CC: Jimmy Diaz  
Emily K. Balter, Esq.



**EXHIBIT A**  
**OFFICE OF THE PROPERTY APPRAISER**

**RECEIVED**  
MIAMI-DADE COUNTY  
PROCESS NO: Z22-132  
DATE: JUN 6 2022  
BY: GONGOL

**Summary Report**

Generated On : 5/31/2022

Property Information	
Folio:	30-6935-000-0020
Property Address:	
Owner	HARTFORD PLAZA LLC
Mailing Address	13501 SW 268 ST NARANJA, FL 33032 USA
PA Primary Zone	6200 COMMERCIAL - ARTERIAL
Primary Land Use	1081 VACANT LAND - COMMERCIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	209,959 Sq.Ft
Year Built	0



Assessment Information			
Year	2021	2020	2019
Land Value	\$1,826,643	\$1,826,643	\$1,826,643
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$1,826,643	\$1,826,643	\$1,826,643
Assessed Value	\$1,826,643	\$1,826,643	\$1,826,643

Taxable Value Information			
	2021	2020	2019
<b>County</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,826,643	\$1,826,643	\$1,826,643
<b>School Board</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,826,643	\$1,826,643	\$1,826,643
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
<b>Regional</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,826,643	\$1,826,643	\$1,826,643

Benefits Information				
Benefit	Type	2021	2020	2019
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description
35 56 39 4.82 AC
BEG 873.30FTS OF NE COR OF NE1/4
OF NE1/4 TH W556.66FT SELY AD
162.63FT S265.04FT E596.73FT
N419.14FT TO POB LESS N200FT OF

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
11/01/2007	\$0	26074-3704	Sales which are disqualified as a result of examination of the deed
05/01/2002	\$180,000	20471-0516	Sales which are qualified
10/01/1991	\$0	00000-00000	Sales which are disqualified as a result of examination of the deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/discclaimer.asp>

Version:

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# **APPENDIX C**

## **Applicant's Proffered Declaration of Restrictions (August 24, 2022)**

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This instrument was prepared by:

Name: Ben Fernandez, Esq.  
Address: Bercow Radell Fernandez Larkin & Tapanes  
          PLLC  
          200 S. Biscayne Boulevard, Suite 300  
          Miami, FL 33131

Folio: 30-6935-000-0020

(Space reserved for Clerk)

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**DECLARATION OF RESTRICTIONS**

WHEREAS, the undersigned HARTFORD PLAZA, LLC (hereinafter referred to as the “Owner”) holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit A, attached hereto, and hereinafter called the “Property,” which is supported by the Opinion of Title; and

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the “CDMP”) in the May 2022 Cycle and said amendment is identified as Application No. CDMP20220015 (the “Application”); and

WHEREAS, the Application seeks to re-designate the Property from “Business & Office” to “Low-Medium Density Residential with One Density Increase” on the Miami-Dade County CDMP adopted Land Use Plan (“LUP”) map.

NOW, THEREFORE, in order to assure Miami-Dade 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:

**Project Design.** Any development application seeking to use the density increase provided by the “DI-1 Overlay” shall utilize the Miami-Dade County’s Urban Design Manual (Manual) endorsed by Resolution R-1360-98 as a guideline for the Property’s development and will incorporate the following design principles outlined below:

1. Buildings shall be designed using architectural styles and designs of high quality consistent with the Manual. Height and bulk of buildings shall be compatible with the single-family properties abutting this site such that the tallest buildings are to be positioned away from those properties.
2. For this project and any future project at this site, the development pattern, circulation areas, open spaces, building architecture, utilities and services, and landscaping shall strictly adhere to the urban design principles described in Volumes 1&2 of the Miami-Dade County Urban Design Manual including well-defined open spaces, defined block edges, interconnected pedestrian and vehicle circulation network, human scale, focal points, architecture with abundant and well-positioned fenestration, walkability, and sustainability.

Declaration of Restrictions

Page 2

(Space reserved for Clerk)

3. There shall be a limitation on the amount of opaque or blank building walls to the maximum extent feasible. All facades shall have extensive use of transparent glazing with minimal tinting.
4. Uniform street furniture and lighting standards shall be provided throughout the Property.
5. Pedestrian crosswalks shall be clearly delineated on any proposed private roads or drive aisles within the Property and designed with consideration to the special needs of the physically disabled.
6. Buildings along the streets shall be built with pedestrian-scale setbacks to the public sidewalk edge in a manner that frames the adjacent streets to create a public space in the street corridor that is comfortable, interesting, and safe for pedestrians in accordance with the Miami-Dade County Urban Design Manual. The Owner may, but will not be mandated, to seek variances of the County's zoning regulations to accommodate this requirement.
7. Architectural elements of the buildings and along any façade facing a street, parking area, walkway, or open space shall have human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. It shall have porches, balconies, and/or bay windows serving commonly used rooms at all or the majority of the dwelling units in the project.
8. On-site parking, wherever practicable, shall not be located between the street and main building walls. This shall not prevent the use of on-street parking, if approved by the County. Any surface parking shall be screened from public rights-of-way to the greatest extent possible with occupied buildings. Buildings, not fences or walls, shall be the defining area.
9. A private, recreational-type amenity area shall be incorporated for the benefit of the residents.
10. This project shall adhere to the Miami-Dade County Urban Design Manual and its guidelines and standards for all other elements of the development project not specifically referenced herein.

**Water Saving Measures.** The Owner shall incorporate the following measures, where practicable, into the design, construction and operation of any development on the Property:

- Minimizing irrigation requirements by utilizing and maintaining native landscaping for the greatest drought resistance.
- Installing water efficient appliances and equipment in initial construction.
- Using the appropriate method to control erosion during construction.

**Declaration of Restrictions**  
**Page 3**

(Space reserved for Clerk)

- Using water capture systems for irrigation.
- Installing and managing irrigation systems to provide high level efficiency.
- Designing and constructing buildings on the Property with minimal impacts to the site topography.

**Miscellaneous.**

**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.

**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.

**Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the then owner(s) of the property, including joinders of all mortgagees, 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 of Restrictions  
Page 4

(Space reserved for Clerk

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.

**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.

**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.

**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.

**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.

**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.

**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.

**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

**Declaration of Restrictions**  
**Page 5**

(Space reserved for Clerk)

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.

**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.

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

[Execution Pages Follow]

Declaration of Restrictions  
Page 6

(Space reserved for Clerk)

IN WITNESS WHEREOF, the undersigned has executed this Declaration of Restrictions as of this \_\_\_\_ day of August, 2022.

WITNESSES:

**HARTFORD PLAZA, LLC**  
a Florida Limited Liability Company

\_\_\_\_\_  
Signature

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

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

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

\_\_\_\_\_  
Signature

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

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

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

The foregoing instrument was acknowledged before me by means of physical presence  or online notarization  by \_\_\_\_\_, as \_\_\_\_\_ of HARTFORD PLAZA, LLC, on behalf of said company. He is personally known to me or has produced \_\_\_\_\_, as identification.

Witness my signature and official seal this \_\_\_\_ day of August, 2022, in the County and State aforesaid.

(SEAL)

\_\_\_\_\_  
NOTARY SIGNATURE  
Betty Llerena  
Notary Public, State of Florida  
HH 221018

My Commission expires: March 5, 2026

Declaration of Restrictions  
Page 7

(Space reserved for Clerk)

**EXHIBIT A**  
**Legal Description**

FOLIO No.: 30-6935-000-0020

A PARCEL OF LAND LYING IN THE N.E. 1/4 OF SECTION 35, TOWNSHIP 56 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE S01°03'14"E, ALONG THE EAST LINE OF SAID N.E. 1/4, A DISTANCE OF 873.30 FEET TO THE POINT OF BEGINNING; THENCE S89°08'03"W ALONG THE MOST SOUTHERLY BOUNDARY LINE OF "NAROCA ESTATES SECTION ONE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 138, PAGE 41, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, ALSO THE SOUTH LINE OF "NAROCA ESTATES SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 146, PAGE 8 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, A DISTANCE OF 556.68 FEET TO A POINT ON A 310.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTH EAST, SAID POINT LYING N60°46'12"W OF THE CENTER OF SAID CURVE; THENCE RUN IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH CENTRAL ANGLE OF 30°05'45", AN ARC DISTANCE OF 162.83 FEET TO THE POINT OF A CURVATURE, THE LAST DESCRIBED CIRCULAR CURVE BEING THE EASTERLY BOUNDARY OF "NAROCA ESTATES SECTION THREE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 149, PAGE 84, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE S00°51'57"E, ALONG THE EAST LINE OF SAID "NAROCA ESTATES SECTION THREE", A DISTANCE OF 265.04 FEET; THENCE N89°08'03"E, ALONG THE NORTH RIGHT-OF-WAY LINE OF S.W. 268th STREET (MOODY DRIVE) A DISTANCE OF 599.85 FEET; THENCE N01°03'14"W, ALONG THE EAST LINE OF SAID N.E. 1/4, A DISTANCE OF 420.49 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THE NORTH 200 FEET OF THE EAST 200 FEET OF THE N.E. 1/4 OF THE N.E. 1/4 OF SECTION 35, TOWNSHIP 56 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.

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# **APPENDIX D**

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

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# Miami-Dade County Public Schools

*giving our students the world*

**Superintendent of Schools**  
Dr. Jose L. Dotres

**Miami-Dade County School Board**  
Perla Tabares Hantman, Chair  
Dr. Steve Gallon III, Vice Chair  
Lucia Baez-Geller  
Dr. Dorothy Bendross-Mindingall  
Christi Fraga  
Dr. Lubby Navarro  
Dr. Marta Pérez  
Mari Tere Rojas  
Luisa Santos

August 31, 2022

**VIA ELECTRONIC MAIL**

Emily Balter, Esquire  
Bercow Radell Fernandez Larking & Tapanes  
200 S Biscayne Boulevard, Suite 300  
Miami, FL 33131  
[ebalter@brzoninglaw.com](mailto:ebalter@brzoninglaw.com)

**RE: PUBLIC SCHOOL CONCURRENCY ANALYSIS FOR HARTFORD PLAZA - CDM20220015  
LOCATED AT SW 268 STREET BETWEEN SW 127 PLACE & SW 127 AVENUE  
PH3022072700375 – FOLIO NO.: 3069350000020**

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 120 residential units, which generate 36 students, 18 at the elementary, 8 at the middle and 10 at the senior high school level. At this time, the middle and 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 305-995-7285.

Best regards,

Ivan M. Rodriguez, R.A.  
Director

Enclosure  
L-047

cc: Ms. Nathaly Simon  
Miami-Dade County  
School Concurrency Master File

*Governmental Affairs & Land Use*  
Ms. Nathaly Simon, Design and Planning Officer • 1450 N.E. 2nd Avenue • Suite 525 • Miami, FL 33132  
305-995-7285 • 305-995-4760 (FAX) • [nsimon1@dadeschools.net](mailto:nsimon1@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: **PH3022072700375** Local Government (LG): **Miami-Dade**  
 Date Application Received: **7/27/2022 2:26:20 PM** LG Application Number: **CDMP20220015**  
 Type of Application: **Public Hearing** Sub Type: **Land Use**  
 Applicant's Name: **Hartford Plaza**  
 Address/Location: **SW 268 St bet SW 127 Pl & SW 127 Ave**  
 Master Folio Number: **3069350000020**  
 Additional Folio Number(s):

PROPOSED # OF UNITS **120**  
 SINGLE-FAMILY DETACHED UNITS: **0**  
 SINGLE-FAMILY ATTACHED UNITS: **0**  
 MULTIFAMILY UNITS: **120**



CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
3621	COCONUT PALM K-8 ACADEMY (ELEM COMP)	0	18	0	NO	Current CSA
3621	COCONUT PALM K-8 ACADEMY (ELEM COMP)	0	18	0	NO	Current CSA Five Year Plan
6761	REDLAND MIDDLE	32	8	8	YES	Current CSA
7151	HOMESTEAD SENIOR	71	10	10	YES	Current CSA
ADJACENT SERVICE AREA SCHOOLS						
73	MANDARIN LAKES K-8 ACADEMY (ELEM COMP)	7	18	7	NO	Adjacent CSA
661	CARIBBEAN K-8 CENTER (ELEM COMP)	2	11	2	NO	Adjacent CSA
771	DR WILLIAM A CHAPMAN ELEMENTARY	0	9	0	NO	Adjacent CSA
4581	REDLAND ELEMENTARY	-35	9	0	NO	Adjacent CSA
73	MANDARIN LAKES K-8 ACADEMY (ELEM COMP)	0	9	0	NO	Adjacent CSA Five Year Plan
661	CARIBBEAN K-8 CENTER (ELEM COMP)	8	9	8	NO	Adjacent CSA Five Year Plan
771	DR WILLIAM A CHAPMAN ELEMENTARY	0	1	0	NO	Adjacent CSA Five Year Plan
4581	REDLAND ELEMENTARY	0	1	0	NO	Adjacent CSA Five Year Plan

\*An Impact reduction of **31.81%** 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 E

## **Applicant's Transportation Analysis (Executive Summary)**

Traffic Study – Access “Hartford Plaza\_ Exhibit D Traffic Study V2.pdf” at this link:

[https://energov.miamidade.gov/EnerGov\\_Prod/SelfService/#/plan/75460e9e-aed0-4f63-8b88-9d173931a370?tab=attachments:~:text=Hartford%20Plaza\\_ Exhibit%20D%20Traffic%20Study%20V2.pdf](https://energov.miamidade.gov/EnerGov_Prod/SelfService/#/plan/75460e9e-aed0-4f63-8b88-9d173931a370?tab=attachments:~:text=Hartford%20Plaza_ Exhibit%20D%20Traffic%20Study%20V2.pdf)

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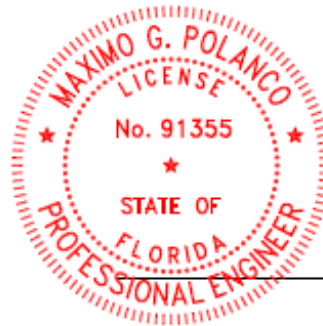
# CDMP AMENDMENT TRAFFIC IMPACT STUDY

For

**SW 268 Street CDMP  
Miami-Dade County, Florida**

*Prepared For:*  
**Hartford Plaza, LLC  
13501 SW 268th Street  
Naranja, FL 33032**

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



Maximo G Polanco



This item has been digitally signed and sealed by Maximo Polanco, PE on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

**Maximo G. Polanco, P.E.  
P.E. License No. 91355**

A handwritten signature in blue ink, appearing to read "E. Schwarz".

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

27 May 2022

# LANGAN

**330111501**

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

## **EXECUTIVE SUMMARY**

Langan Engineering and Environmental Services, Inc. was retained by Hartford Plaza, 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 subject property comprises 4.80 gross-acres (4.56 net-acres) at the northwest corner of SW 268<sup>th</sup> Street and SW 127<sup>th</sup> Avenue in unincorporated Miami-Dade County. The property owner requests a change in the CDMP future land-use designation from "Business and Office "to "Medium Density".

The traffic analysis shows that the proposed land use change will generate less traffic than the existing land use. In addition, the analysis shows that none of roadway segments will be significantly impacted by the proposed CDMP future land-use designation change but we analyzed 12 roadway segments that included the following roadways: SW 112<sup>th</sup>, SW 127<sup>th</sup>, SW 137<sup>th</sup> avenues; and SW 264<sup>th</sup>, SW 268<sup>th</sup>, SW 280<sup>th</sup> and SW 288<sup>th</sup> streets. We prepared roadway-capacity analyses for the 2024 (short-term) conditions and found that all roadways will operate within their adopted Level of Service (LOS) with and without the proposed land-use designation's impacts. We prepared 2045 (long-term) roadway capacity analysis and found that two roadway segments are expected to operate beyond their adopted LOS with and without the impacts of the proposed land-use designation change in 2045. None of the roadway segments that are expected to operate beyond their adopted LOS during the 2045 conditions will be significantly impacted by the proposed land-use designation change.

The maximum development potential under the current future land-use designation (99,406 square feet of office uses) and proposed future land-use designation (120 multifamily housing mid-rise) will generate 165 and 47 afternoon net-new peak-hour trips, respectively. The proposed land-use designation will generate less peak-hour trips than the current land-use designation.

# **APPENDIX F**

## **Fiscal Impact Analysis**

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

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. CDMP20220015 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 2021-22 the DSWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the applications reviewed here, which are not anticipated to have a negative impact on disposal service.

The application proposes to change the land use designation from "Business and Office" to "Medium Density Residential with One Density Increase." Adoption of this amendment will likely result in development of 120 multi-family units. The DSWM offers waste collection services to residential units, while permitted haulers are hired by most commercial and multi-family establishments throughout Miami-Dade County. Private haulers apply for and are issued permits and vehicle decals in order to haul solid waste on County roads.

#### Fiscal Impact for Provision of Solid Waste Services - Concurrency

Since the DSWM assesses capacity on a system-wide basis, it is not practical or necessary to make determinations concerning the adequacy of solid waste disposal capacity on a case-by-case basis. Instead, the DSWM issues a periodic assessment of the County's status in terms of 'concurrency,' the ability to maintain the adopted LOS system-wide.

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

The cost of providing disposal capacity for WCSA customers, municipalities and private haulers is paid for by System users. In FY 2021-22, the DSWM charges a contract disposal rate of \$66.12 per ton while the non-contract disposal rate is \$97.77 per ton.

These rates adjust annually with the Consumer Price Index, South Region. In addition, the DSWM charges a Disposal Facility Fee to private haulers equal to 15 percent of their annual gross receipts, which is used to ensure availability of disposal capacity in the System. Landfill closure, remediation

and long-term care are funded by a portion charged to all customers of the County's Water and Sewer Department.

### **Water and Sewer**

The Miami-Dade County Water and Sewer Department (WASD) provides for the majority of water and sewer service needs throughout the county. The cost estimates provided herein are preliminary and final project costs will vary from these estimates. The final costs for the project and resulting feasibility will depend on the actual labor and materials costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. The water connection charge was calculated at a rate of \$1.39 per gallon per day (gpd), and the sewer connection charge was calculated at a rate of \$5.60 per gpd. The annual Operations and Maintenance (O&M) cost was based on \$1.6872/1000 gallons for the water and \$2.5500/1000 gallons for the sewer. The connection charges were based on providing a 1-inch service line and meter.

The applicant requests to redesignate the ±4.8gross/±4.5 net acre application site from "Business & Office" to "Low-Medium Density Residential with One Density Increase" that would allow the application site to be developed with 120 Multifamily Residential Units (Apartments). If the site is developed at maximum residential use, the water connection charge is estimated at \$22,518; the water service line and meter connection fees would cost \$1,300; the sewer connection charges are estimated at \$90,720; and the annual operating and maintenance costs would total \$25,055. In addition, the estimated cost of installing the required 730 linear feet of 8-inch water main to connect the proposed development to the County's regional water system is estimated at \$262,019. Furthermore, the estimated cost of installing the required 280 linear feet of 8-inch gravity sewer main is estimated at \$79,066 along with 40 linear feet of 8-inch force main is estimated at \$15,043. The total potential cost for connecting the proposed development to the regional water and sewer system including an engineering fee of 13% plus all other WASD add-ons incorporated into the fee is estimated at \$356,129.

### **Drainage and Flood Protection**

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

Additionally, DERM staff notes that new development, within the urbanized area of the County, is assessed a stormwater utility fee. This fee commensurate with the percentage of impervious area of each parcel of land, and is assessed pursuant to the requirements of Section 24-61, Article IV,

of the Code of Miami-Dade County. Finally, according to the same Code Section, the proceedings may only be utilized for the maintenance and improvement of public storm drainage systems.

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

### **Public Schools**

The Planning Level review for the requested CDMP land use designation of “Low-Medium Density Residential with One Density Increase” would result in a residential scenario (utilizing the student generation multipliers) with an impact of 36 students. Applicable schools have available capacity at this time; however, final determination of capacity will be made at the time of the final plat, site plan or functional equivalent. In accordance with Miami-Dade County’s Interlocal Agreement for Public Schools Facilities (ILA), the application complies with level of service standards at this time.

The average cost for K-12 grade students amounts to \$9,337 per student. Of the 36 students, 18 will attend elementary schools, 8 will attend middle schools, and 10 will attend senior high schools. The total annual operating cost for additional students residing in this development, if approved, would total \$336,132.

### **Fire Rescue**

The Miami-Dade Fire Rescue Department (MDFR) has determined that the current CDMP land use designation of “Business & Office” will allow a potential development which will generate 20 annual alarms. The proposed CDMP land use designation of “Low-Medium Density Residential with One Density Increase” will allow a proposed potential development which is anticipated to generate 40 annual alarms. The 40 annual alarms will result in a moderate impact to existing fire rescue service. Presently, fire and rescue service in the vicinity of the Property is adequate.

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# **APPENDIX G**

## **Photos of Site and Surroundings**

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Application site, viewed from SW 268 Street/Moody Drive looking northeast with surrounding gas station in background.



Applicant site, viewed from SW 127 Avenue/Burr Road looking northwest, with surrounding single-family dwellings in background.



Surrounding buildings to southeast (gas station) and south (multi-family) of site along SW 268 Street/Mood Drive



Surrounding building to site's southeast (gas station) with site in background beyond, looking northwest from intersection of SW 268 Street/Moody Drive and SW 127 Avenue/Burr Road



Surrounding single-family dwellings north of site along SW 127 Avenue/Burr Road



Homestead Air Reserve Park located southeast of applicant site at corner of SW 268 Street/Moody Drive and SW 127 Avenue/Burr Road

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**ADDITIONAL ITEMS**  
**MAY 2022 CYCLE APPLICATION NO. CDMP20220015**  
**TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**  
(Consisting of materials submitted after the publication of the Initial Recommendations Report)

<b>ITEMS</b>	<b>PAGE NO.</b>
Updated Declaration of Restrictions, received October 11, 2022	A-1
Planning Advisory Board Resolution from public hearing held on October 17, 2022	A-9
Planning Advisory Board Minutes from public hearing held on October 17, 2022	A-15

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A-1

RER - Planning Division  
Received Oct. 11 2022

This instrument was prepared by:

Name: Ben Fernandez, Esq.  
Address: Bercow Radell Fernandez, Larkin, & Tapanes,  
PLLC  
200 S. Biscayne Boulevard, Suite 300  
Miami, FL 33131

Folio: 30-6935-000-0020

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**DECLARATION OF RESTRICTIONS**

WHEREAS, the undersigned HARTFORD PLAZA, LLC (hereinafter referred to as the “Owner”) holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit A, attached hereto, and hereinafter called the “Property,” which is supported by the Opinion of Title; and

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the “CDMP”) in the May 2022 Cycle and said amendment is identified as Application No. CDMP20220015 (the “Application”); and

WHEREAS, the Application seeks to re-designate the Property from “Business & Office” to “Low-Medium Density Residential with One Density Increase” on the Miami-Dade County CDMP adopted Land Use Plan (“LUP”) map.

NOW, THEREFORE, in order to assure Miami-Dade 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:

**Project Design.** Any development application seeking to use the density increase provided by the “DI-1 Overlay” shall utilize the Miami-Dade County’s Urban Design Manual (Manual) endorsed by Resolution R-1360-98 as a guideline for the Property’s development and will incorporate the following design principles outlined below:

1. Buildings shall be designed using architectural styles and designs of high quality consistent with the Manual. Height and bulk of buildings shall be compatible with the single-family properties abutting this site such that the tallest buildings are to be positioned away from those properties.
2. For this project and any future project at this site, the development pattern, circulation areas, open spaces, building architecture, utilities and services, and landscaping shall strictly adhere to the urban design principles described in Volumes 1&2 of the Miami-Dade County Urban Design Manual including well-defined open spaces, defined block edges, interconnected pedestrian and vehicle circulation network, human scale, focal points, architecture with abundant and well-positioned fenestration, walkability, and sustainability.



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3. There shall be a limitation on the amount of opaque or blank building walls to the maximum extent feasible. All facades shall have extensive use of transparent glazing with minimal tinting.
4. Uniform street furniture and lighting standards shall be provided throughout the Property.
5. Pedestrian crosswalks shall be clearly delineated on any proposed private roads or drive aisles within the Property and designed with consideration to the special needs of the physically disabled.
6. Buildings along the streets shall be built with pedestrian-scale setbacks to the public sidewalk edge in a manner that frames the adjacent streets to create a public space in the street corridor that is comfortable, interesting, and safe for pedestrians in accordance with the Miami-Dade County Urban Design Manual. The Owner may, but will not be mandated, to seek variances of the County's zoning regulations to accommodate this requirement.
7. Architectural elements of the buildings and along any façade facing a street, parking area, walkway, or open space shall have human scale, abundant windows and doors, and design variations at short internals to create interest for the passing pedestrian. It shall have porches, balconies, and/or bay windows serving commonly used rooms at all or the majority of the dwelling units in the project.
8. On-site parking, wherever practicable, shall not located between the street and main building walls. This shall not prevent the use of on-street parking, if approved by the County. Any surface parking shall be screened from public rights-of-way to the greatest extent possible with occupied buildings. Buildings, not fences or walls, shall be the defining area.
9. A private, recreational-type amenity area shall be incorporated for the benefit of the residents.
10. This project shall adhere to the Miami-Dade County Urban Design Manual and its guidelines and standards for all other elements of the development project not specifically referenced herein.

**Water Saving Measures.** The Owner shall incorporate the following measures, where practicable, into the design, construction and operation of any development on the Property:

- Minimizing irrigation requirements by utilizing and maintaining native landscaping for the greatest drought resistance.
- Installing water efficient appliances and equipment in initial construction.
- Using the appropriate method to control erosion during construction.



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A-3

**Declaration of Restrictions**

Page 3

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- Using water capture systems for irrigation.
- Installing and managing irrigation systems to provide high level efficiency.
- Designing and constructing buildings on the Property with minimal impacts to the site topography.

**Workforce Housing.** If residential development is proposed, the Owner shall voluntarily develop ten percent (10%) of the total units as workforce housing units on the Property. Workforce housing shall be deemed to be the sale or rental of property for persons within the income range of 60% to 140% of the area median income for Miami-Dade County as published annually by the U.S. Department of Housing and Urban Development. The Owner may satisfy the requirements of its share by providing a monetary contribution to the Affordable Housing Trust Fund, established in Chapter 17, Article VIII of the Miami-Dade County Code of Ordinances, in lieu of construction of the required on-site workforce housing units. The amount of such required monetary contribution shall be as established in Section 33-193.9 of the Miami-Dade County Code of Ordinances.

The Owner reserves the right to develop workforce housing units in a number in excess of its pro-rata per acre share and that required by any workforce housing ordinance. Notwithstanding anything to the contrary in this Declaration of Restrictions, the Owner may utilize any residential density bonuses granted by Miami-Dade County, or successor municipality, for the development of workforce housing on the Property, including any bonuses recognized by the CDMP. The maximum density of residential development on the Property shall be limited by the CDMP or successor comprehensive plan.

The Owner shall, prior to obtaining the initial building permit for a residential structure on the Property, identify those units within such structure, if any, that satisfy this workforce housing requirement. A declaration of restrictive covenants, in form acceptable to the County, shall be recorded in the public records of Miami-Dade County, Florida stating that the unit is a workforce housing unit and shall remain as such for a period of thirty (30) years or any other period required by an ordinance passed by Miami-Dade County or a successor municipality, if applicable, from the time of the unit's first occupancy.

**Miscellaneous.**

**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.



A-4

**Declaration of Restrictions**

Page 4

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**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.

**Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the then owner(s) of the property, including jointers of all mortgagees, 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.

**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.

**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



A-5

Declaration of Restrictions

Page 5

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premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

**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.

**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.

**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.

**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.

**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.

**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.

MDC111



A-6

**Declaration of Restrictions**

**Page 6**

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

[Execution Pages Follow]

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A-7

Declaration of Restrictions

Page 7

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IN WITNESS WHEREOF, the undersigned has executed this Declaration of Restrictions as of this 11th day of October, 2022.

WITNESSES:

HARTFORD PLAZA, LLC
a Florida Limited Liability Company

DocuSigned by: Yeidy Montesino
Signature
Yeidy Montesino

DocuSigned by: Jimmy Diaz
By: JIMMY DIAZ
Name: JIMMY DIAZ

DocuSigned by: Andreina Espina
Signature
Andreina Espina
Printed Name

Title: President

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

The foregoing instrument was acknowledged before me by means of physical presence [ ] or online notarization [X] by JIMMY DIAZ, as President of HARTFORD PLAZA, LLC, on behalf of said company. He is personally known to me or has produced \_\_\_\_\_, as identification.

Witness my signature and official seal this 11th day of October, 2022, in the County and State aforesaid.

(SEAL)



NOTARY SIGNATURE
Betty Llerena
Notary Public, State of Florida
HH 221018

My Commission expires: March 5, 2026



**A-8**

**Declaration of Restrictions**

**Page 8**

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**EXHIBIT A  
Legal Description**

FOLIO No.: 30-6935-000-0020

A PARCEL OF LAND LYING IN THE N.E. 1/4 OF SECTION 35, TOWNSHIP 56 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE S01°03'14"E, ALONG THE EAST LINE OF SAID N.E. 1/4, A DISTANCE OF 873.30 FEET TO THE POINT OF BEGINNING; THENCE S89°08'03"W ALONG THE MOST SOUTHERLY BOUNDARY LINE OF "NAROCA ESTATES SECTION ONE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 138, PAGE 41, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, ALSO THE SOUTH LINE OF "NAROCA ESTATES SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 146, PAGE 8 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, A DISTANCE OF 556.68 FEET TO A POINT ON A 310.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTH EAST, SAID POINT LYING N60°46'12"W OF THE CENTER OF SAID CURVE; THENCE RUN IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH CENTRAL ANGLE OF 30°05'45", AN ARC DISTANCE OF 162.83 FEET TO THE POINT OF A CURVATURE, THE LAST DESCRIBED CIRCULAR CURVE BEING THE EASTERLY BOUNDARY OF "NAROCA ESTATES SECTION THREE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 149, PAGE 84, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE S00°51'57"E, ALONG THE EAST LINE OF SAID "NAROCA ESTATES SECTION THREE", A DISTANCE OF 265.04 FEET; THENCE N89°08'03"E, ALONG THE NORTH RIGHT-OF-WAY LINE OF S.W. 268th STREET (MOODY DRIVE) A DISTANCE OF 599.85 FEET; THENCE N01°03'14"W, ALONG THE EAST LINE OF SAID N.E. 1/4, A DISTANCE OF 420.49 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THE NORTH 200 FEET OF THE EAST 200 FEET OF THE N.E. 1/4 OF THE N.E. 1/4 OF SECTION 35, TOWNSHIP 56 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.

DB85439F-AD1F-4256-9766-C2396833A5CA --- 2022/10/11 10:52:03 -8:00



RESOLUTION NO. 22-10

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD ACTING AS THE LOCAL PLANNING AGENCY ISSUING RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS TRANSMITTAL TO THE STATE LAND PLANNING AGENCY OF MAY 2022 CYCLE SMALL-SCALE APPLICATION NOS. CDMP20220012, CDMP20220014 AND CDMP20220015 TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

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

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

**WHEREAS**, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in chapter 163, Part II, Florida Statutes, including the process for adoption of small-scale comprehensive plan amendments (“small-scale amendments”) set forth in section 163.3187, Florida Statutes; and

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

**WHEREAS**, Miami-Dade County's procedures classify applications as either standard or small-scale amendment applications, set forth the processes for adoption of small scale and standard amendments, and require any application seeking adoption as a small-scale amendment to clearly state such request in the application; and

**WHEREAS**, Miami-Dade County's procedures provide that applications may be filed for processing in the January, May, or October CDMP amendment cycles or filed at any time for out-of-cycle processing; and

**WHEREAS**, Application Nos. CDMP20220012, CDMP20220014 and CDMP20220015 to amend the CDMP Adopted 2030 and 2040 Land Use Plan (LUP) map were filed by private parties in the May 2022 Applications to amend the CDMP ("May 2022 CDMP Amendment Cycle") and are contained in the document titled "May 2022 Applications to Amend the Comprehensive Development Master Plan," dated June 2022, and kept on file with and available upon request from the Department; and

**WHEREAS**, Applications Nos. CDMP20220012, CDMP20220014 and CDMP20220015 are eligible and have requested adoption as small-scale amendments; and

**WHEREAS**, Application Nos. CDMP20220014 and CDMP20220015 have requested to be processed concurrently with Zoning Application No. Z2022000131 and Zoning Application No. Z2022000132, respectively; and

**WHEREAS**, the Department has published its initial recommendation addressing the May 2022 CDMP Amendment Cycle Applications in the report titled "Initial Recommendation May 2022 CDMP Amendment Cycle Applications to Amend the Comprehensive Development Master Plan" dated October 2022; and

**WHEREAS**, due to lack of quorum, none of the directly impacted Community Councils were able to conduct their optional public hearings to address the disposition of the Applications; and

**WHEREAS**, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accord with the referenced State and County procedures, and has conducted a duly noticed public hearing to receive public comments and to address the referenced CDMP amendment

application, the initial recommendation of the Department, and to address the final action to be taken on the CDMP amendment by the Commission; and

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

This Agency hereby makes the following recommendations to the Commission regarding the adoption of small-scale application Nos. CDMP20220012, CDMP20220014, and CDMP20220015 and recommendation regarding subsequent final action by the Commission.

Application Number	Applicant/Representative Location (Size) Requested Small-Scale Amendment to the CDMP	• Recommended Action on Small-Scale Amendment
CDMP 20220012	Prestige CityView III LLC / Alessandria San Roman, Esq. and Pedro Gassant, Esq., Holland & Knight LLP / Generally located south of theoretical NE 121 Street and between NE 14 Avenue and the FEC Railway / ±3.80 net/gross acres  <u>Requested Amendment to the CDMP:</u> 1. Redesignate the application site on the LUP Map: From: “Industrial and Office” To: “High Density Residential (60 to 125 dwelling units per gross acre)  2. Add the proffered Declaration of Restrictions to the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners.  Small-scale Amendment	Adopt with Change as recommended by Staff  [Change is to redesignate the site from “Industrial and Office” to “Medium-High Density Residential” (25 to 60 units per acre) rather than the requested “High Density Residential” (60 to 125 units per acre)]

The motion to Adopt with Change, as recommended by Staff was moved by Board Member Gadinsky. Board Member Rodriguez seconded the motion. The motion passed unanimously 9 to 0 as follows:

Carla Ascencio-Savola	Yes	Michael Montiel	Absent
Lynette Cardoch	Yes	J. Wil Morris	Absent
Carlos Diaz-Padron	Yes	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Yes
Seth Gadinsky	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Mikhaile Solomon	Yes
Steven “Max” Losner	Yes	Jesus Vazquez	Absent

Vacant, Vice Chair  
 Wayne Rinehart, Chair, Yes

Application Number	Applicant/Representative Location (Size) Requested Small-Scale Amendment to the CDMP	• Recommended Action on Small-Scale Amendment
CDMP 20220014	<p>BISLOT, LLC / Graham Penn, Esq., &amp; Robert Alexander, Esq., Bercow Radell Fernandez Larkin &amp; Tapanes, P.A. / East side of East Harriet Tubman Highway (formerly known as Dixie Highway) and north of NE 108 Street / ±1.9 gross/net acres</p> <p><u>Requested Amendment to the CDMP</u></p> <ol style="list-style-type: none"> <li>1. Redesignate the application site on the LUP map:                      From: “Business and Office” (±0.71 acres), “Low-Medium Density Residential” (6 to 13 dwelling units per gross acre; ±0.55 acres), and “Medium Density Residential” (13 to 25 dwelling units per gross acre; ±0.65 acres)                       To: “Business and Office” (±0.71 acres), “Medium-High Density Residential” (25 to 60 dwelling units per gross acre; ±0.79 acres), and “Low-Medium Density Residential” (±0.40 acres)</li> <li>2. Release of existing CDMP Declaration of Restrictions recorded in Official Records Book 24792, Page 2338 in the Public Records of Miami-Dade County, Florida and add an Amended and Restated Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners.</li> </ol> <p>Pursuant to Section 2-116.1 of the Code of Miami-Dade County, this application is being processed concurrently with Zoning Application No. Z2021000131.</p>	<p>Adopt with acceptance of the proffered Declaration of Restrictions</p>
Small-Scale Amendment		

The motion to Adopt with acceptance of the proffered Declaration of Restrictions was moved by Board Member Gadinsky. Board Member Ascencio-Savola seconded the motion. The motion passed unanimously 9 to 0 as follows:

Carla Ascencio-Savola	Yes	Michael Montiel	Absent
Lynette Cardoch	Yes	J. Wil Morris	Absent
Carlos Diaz-Padron	Yes	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Yes
Seth Gadinsky	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Mikhaile Solomon	Yes
Steven “Max” Losner	Yes	Jesus Vazquez	Absent

Vacant, Vice Chair  
 Wayne Rinehart, Chair, Yes

Application Number	Applicant/Representative Location (Size) Requested Small-Scale Amendment to the CDMP	Recommended Action on Small-Scale Amendment
CDMP 20220015	Hartford Plaza, LLC / Ben Fernandez, Esq. and Emily Balter, Esq., Bercow Radell Fernandez Larkin & Tapanes, P.A. / Generally located on the north side of SW 268 Street between SW 127 Place and SW 127 Avenue / ±4.8 gross acres / ±4.5 net acres  <u>Requested Amendment to the CDMP:</u> 1. Redesignate the application site on the LUP Map: From: “Business and Office To: “Low-Medium Density Residential with One Density Increase  2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners.  Pursuant to Section 2-116.1 of the Code of Miami-Dade County, this application is being processed concurrently with Zoning Application No. Z2022000132.  Small-scale Amendment	• Adopt with acceptance of the proffered Declaration of Restrictions  [with the recommendation that the covenant be revised to require the workforce housing units to be built on the application site, notwithstanding the alternatives provided by the County’s Workforce Housing program such as a contribution in lieu of constructing the workforce housing units].

The motion to Adopt with acceptance of the proffered Declaration of Restrictions, with the recommendation that the covenant be revised to require the workforce housing units to be built on the application site, notwithstanding the alternatives provided by the County’s Workforce Housing

program including a contribution in lieu of constructing the workforce housing units. Board Member Rodriguez seconded the motion. The motion passed unanimously 9 to 0 as follows:

Carla Ascencio-Savola	Yes	Michael Montiel	Absent
Lynette Cardoch	Yes	J. Wil Morris	Absent
Carlos Diaz-Padron	Yes	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Yes
Seth Gadinsky	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Mikhaile Solomon	Yes
Steven "Max" Losner	Yes	Jesus Vazquez	Absent

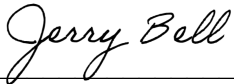
Vacant, Vice Chair  
 Wayne Rinehart, Chair, Yes

The motion to adopt the foregoing resolution was moved by Board Member Ascencio-Savola. Board Member Losner seconded the motion. The motion passed unanimously 9 to 0 as follows:

Carla Ascencio-Savola	Yes	Michael Montiel	Absent
Lynette Cardoch	Yes	J. Wil Morris	Absent
Carlos Diaz-Padron	Yes	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Yes
Seth Gadinsky	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Mikhaile Solomon	Yes
Steven "Max" Losner	Yes	Jesus Vazquez	Absent

Vacant, Vice Chair  
 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 October 17, 2022, and are certified correct by Lourdes Gomez, Executive Secretary to the Planning Advisory Board.

 for  
 \_\_\_\_\_  
 Lourdes Gomez, AICP, Director  
 Department of Regulatory and Economic  
 Resources

**MINUTES**

Miami-Dade County Planning Advisory Board  
Acting As the Local Planning Agency  
Public Hearing on October 2021 Cycle Application No. CDMP20210013;  
January 2022 Cycle Application No. CDMP20220001;  
May 2022 Cycle Application Nos. CDMP20220012, CDMP20220014 and CDMP20220015  
to Amend the Comprehensive Development Master Plan  
In-Person Hearing

**October 17, 2022, 10:00 AM**

**Planning Advisory Board Members**

Carla Ascencio-Savola	Present	Michael Montiel	Absent
Lynette Cardoch	Present	J. Wil Morris	Absent
Carlos Diaz-Padron*	Present*	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Present
Seth Gadinsky	Present	Daniel Rogers	Present
Horacio C. Huembes	Absent	Mikhaile Solomon*	Present
Steven "Max" Losner	Present	Jesus Vazquez	Absent

Vacant, Vice Chair  
Wayne Rinehart, Chair, Present

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

\* Present after roll call

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

Planning Division

- Jerry Bell, Assistant Director, Planning Division
- Garett Rowe, Chief, Metropolitan Planning Section, Planning Division
- Manny Armada, Chief, Planning Research Section, Planning Division
- Robert Hesler, Planning Section Supervisor, Planning Research Section, Planning Division
- Rosa Davis, Planning Section Supervisor, Metropolitan Planning
- Vinod Sandasamy, Transportation Section Supervisor, Metropolitan Planning
- Glenn Amoruso, Planning Development Manager
- Alex Dambauch, Planning Development Manager
- Noel Stillings, Principal Planner, Metropolitan Planning
- Mark Dorsey, Principal Planner, Metropolitan Planning
- Rommel Vargas, Senior Planner, Metropolitan Planning
- Cindy Dwyer, Senior Planner, Metropolitan Planning
- Juan Carlos Pelaez, Senior Planner, Metropolitan Planning
- Abby Diaz, Administrative Secretary, Metropolitan Planning

**Other County Staff Present**

- CJ Wahl, Assistant County Attorney, County Attorney's Office
- Christine Velazquez, Assistant Division Chief, Code Coordination & Environmental

Initiatives Division, Department of Environmental Resources Management  
Francisco Arbelaez, Principal Planner, Miami Dade Transit Division, Department of  
Transportation and Public Works  
Carlos Lopez, Park Planner II, Miami-Dade County Parks, Recreation and Open  
Spaces Department

## **CALL TO ORDER AND OPENING STATEMENTS**

The Planning Advisory Board (PAB) public hearing opened at 10:05 AM. PAB Chair Rinehart introduced himself and asked staff to conduct a roll call. Ms. Noel Stillings, Principal Planner, conducted a roll call and determined there was a quorum present.

### **PAB Chair's Introductory Remarks and Chair's Report**

Following the Pledge of Allegiance, PAB Chair Rinehart welcomed the public to the hearing on the October 2021 Cycle Application No. CDMP20210013; January 2022 Cycle Application No. CDMP20220001; May 2022 Cycle Application Nos. CDMP20220012, CDMP20220014 and CDMP20220015 to Amend the Comprehensive Development Master Plan (CDMP). PAB Chair Rinehart reviewed the procedures and purpose of the public hearing, and stated he did not have a Chair's Report for the hearing.

### **Deferral of Out-of-Cycle Application No. CDMP20220008**

PAB Chair Rinehart announced he had received a letter requesting a deferral on Out-of-Cycle Application No. CDMP20220008 scheduled on the PAB agenda. Upon Chair Rinehart's request, Ms. Emily Balter, legal representative for the application, requested that the application be heard at November's PAB meeting, in order for additional time to address Staff comments on the application. Upon being put to a vote, the PAB voted to defer Out-of-Cycle Application No. CDMP20220008 to the November PAB meeting.

### **Opening Statement by County Staff**

Mr. Garrett Rowe, Chief of Metropolitan Planning, introduced himself and requested Staff to present the first application on the PAB agenda.

## **OCTOBER 2021 CYCLE APPLICATIONS**

### **Application No. CDMP20210013**

Ms. Rosa Davis, Planning Section Supervisor, presented the application. She described the site as a ±1.72-acre property located on the north side of SW 122 Street, adjacent to the west side of the South Dade Transitway. Ms. Davis explained that the applicant is requesting to release an existing CDMP 2015 Declaration of Restrictions and replace with an Amended and Restated Covenant. She also stated that application is being processed concurrently with Zoning Application No. Z2022000148. Ms. Davis further noted that the site is currently designated "Low-Medium Density" (6-13 du/ac), which would allow a maximum development of 22 residential units. However, the 2015 Covenant limits development on the site to 12 residential units, restricting the development to six residential buildings. It also calls for preservation of tree specimens and traffic calming measure on SW 84 Avenue and SW 122 Street.

Ms. Davis noted that the applicant is proposing to release the existing covenant to remove the development limits and allow development at 13 units per acre (permitting 22 residential units) or a 228-bed Adult Living Facility (ALF). The proffered covenant also reiterates the 2015 commitments to preserve tree specimens and provide traffic calming measure on SW 84 Avenue and SW 122 Street. In addition, the proffered covenant commits to providing a connection to the South Dade Trail and to connecting to water and sewer.

Ms. Davis explained that an ALF is considered a residential use and that the site is located within ¼ mile of the South Dade Transitway SMART Plan Corridor, which allows vertical or horizontal mixed-use at a density of 60 units per acre (with a maximum FAR of 2.0). For ALFs, the CDMP considers 2.5 occupants to be equivalent to 1 dwelling unit. Therefore, at an allowable density of 60 units per acre, the site may be developed with 258 beds. However, Ms. Davis explained the applicant proffered a revised covenant limiting the site from 258 beds to 228 beds.

Staff is recommending that the application be Adopted with acceptance of the proffered restated and amended Declaration of Restrictions, as the application is generally consistent with the CDMP and public services and facilities have sufficient capacity to serve the proposed project. However, Ms. Davis acknowledged that the public has demonstrated concern that the application will further aggravate existing traffic conditions (particularly as it relates to a nearby school). Additional information regarding traffic during school drop-off and pick-up hours and the proposed traffic calming condition has been requested.

Following the presentation by Ms. Davis, Ms. Melissa Tapanes, the applicant's legal representative, provided information on the proposed project. She reviewed the context of the area and noted commercial uses in the vicinity. She noted the 2015 CDMP covenant that the application seeks to release and stated that conditions have changed since 2015, including the implementation of the SMART Plan Corridor policies. She shared the request under the proposed new Declaration of Restrictions to build a 228 bed ALF. Ms. Tapanes stated the proposed application is consistent with CDMP Policy LU-8E.

Ms. Tapanes explained that on behalf of the applicant four virtual neighborhood outreach meetings were held. She noted that neighbors raised concerns about impacts to Fire Rescue services, traffic, compatibility, and the architecture of the proposed facility. In response, Ms. Tapanes shared information from Miami-Dade Fire Rescue noting the project would not have a significant impact to their services. She additionally shared information on traffic calming, signal optimization and improvements at SW 87 Avenue and SW 124 Street to address traffic concerns. She explained that the architectural style of the building had been redesigned to appear more residential in nature. She further noted that the project had been reduced from 258 beds to 228 beds, reduced to three stories, and reduced in square footage. Ms. Tapanes shared that employee shifts would be staggered outside of non-peak traffic hours, and that the use would be restricted through the Zoning covenant to an elderly ALF only and no drug rehabilitation treatment. Ms. Tapanes reviewed the content in the proposed CDMP covenants. She discussed preservation of specimen trees, connection to public water and sewer, access to the South Dade Transitway and reasonable efforts to connect to the South Dade Trail.

Following Ms. Tapanes' presentation, four members of the public spoke in opposition to the project. They stated that they did not receive notification of the public hearing and that the proposed development would exacerbate traffic in an area that is already challenged due to the neighborhood school. They also expressed concern regarding greater impact on Fire Rescue than anticipated, and that the project is still not compatible with the residential nature of the

neighborhood, despite changes the applicant made to the project in response to initial neighbor concerns. Speakers referenced another proposed Assisted Living Facility to the north of this application site and an approved townhome project directly to the north, adjacent to the application site, that will have an impact on the neighborhood.

Following the public hearing, the PAB Board members discussed the application and asked questions regarding mail notice to residents, outreach to the neighborhood, and traffic conditions. Staff noted that a courtesy notice was mailed to residents and that information regarding the PAB and BCC hearings was announced and made available to those that attended the scheduled Community Council meeting, even though the hearing as not officially held due to lack of quorum. Staff also noted that the applicant had provided the required traffic study and that it was deemed sufficient. No additional information has been provided.

A motion to recommend that the Board of County Commissioners defer the application was moved by Board Member Rogers in order to give more time to address the concerns regarding the application. Board Member Ascencio-Savola seconded the motion, but upon being informed by Staff that public notification would be an issue, given that the date for the BCC hearing has not been determined, Board Member Ascencio-Savola retracted her second to the motion. As no PAB member seconded the motion, the motion to recommend that the BCC defer the application failed.

A second motion to recommend that the Board of County Commissioners Deny the application, until sufficient community engagement is made regarding the traffic issues, was moved by Board Member Rogers. Board Member Solomon seconded the motion. The motion failed 3 to 6 as follows:

	Yes	Michael Montiel	Absent
Carla Ascencio-Savola			
Lynette Cardoch	No	J. Wil Morris	Absent
Carlos Diaz-Padron	No	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	No
Seth Gadinsky	No	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Mikhaile Solomon	Yes
Steven "Max" Losner	No	Jesus Vazquez	Absent

Vacant, Vice Chair  
Wayne Rinehart, Chair, No

A third motion to Adopt with acceptance of the proffered Declaration of Restrictions was moved by Board Member Losner. Board Member Gadinsky seconded the motion. The motion passed 6 to 3 as follows:

Carla Ascencio-Savola	No	Michael Montiel	Absent
Lynette Cardoch	Yes	J. Wil Morris	Absent
Carlos Diaz-Padron	Yes	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Yes
Seth Gadinsky	Yes	Daniel Rogers	No
Horacio C. Huembes	Absent	Mikhaile Solomon	No
Steven "Max" Losner	Yes	Jesus Vazquez	Absent

Vacant, Vice Chair  
Wayne Rinehart, Chair, Yes

**JANUARY 2022 CYCLE APPLICATION**

**Application No. CDMP20210001**

Ms. Cindy Dwyer, Senior Planner, gave a brief overview of the application. She explained that Application No. CDMP20220001 was filed by Lakeside, LLC and 128<sup>th</sup> Street Lake, LLC and that the applicant is requesting a CDMP land use change from “Industrial and Office” to “Medium Density Residential.” The ±8.4 acre site consists of ±7.14 acres of lake and ±1.28 acres of vacant land. The site could currently be developed with approximately 183,000 feet of industrial uses, while the proposed change to “Medium Density Residential” would allow a maximum of 220 multi-family units to be developed. The Staff recommendation is to Adopt, as the application supports CDMP infill policies, would provide additional residential capacity, would not cause a violation of Level of Service standards, and is generally compatible with the surrounding development.

After Ms. Dwyer’s presentation, Mr. Sergio Purrinos, the applicants’ legal representative, provided further details on the application and indicated that a Lake Fill permit application had been applied for several months prior. Mr. Purrinos provided graphics showing how the development surrounding the application site is compatible with the proposed land use change and expressed his agreement with the Staff recommendation of adoption.

Following the presentations, the Chair opened the floor for public comment. No members of the public came forth to speak on this item and the public hearing was closed.

The motion to Adopt was moved by Board Member Gadinsky. Board Member Cardoch seconded the motion. The motion passed unanimously 9 to 0 as follows:

Carla Ascencio-Savola	Yes	Michael Montiel	Absent
Lynette Cardoch	Yes	J. Wil Morris	Absent
Carlos Diaz-Padron	Yes	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Yes
Seth Gadinsky	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Mikhaile Solomon	Yes
Steven “Max” Losner	Yes	Jesus Vazquez	Absent

Vacant, Vice Chair  
Wayne Rinehart, Chair, Yes

**MAY 2022 CYCLE APPLICATIONS**

**Application No. CDMP20220012**

Ms. Noel Stillings, Principal Planner, delivered a presentation on the May 2022 Cycle small-scale Application No. CDMP20220012, filed by Prestige CityView III, LLC. The ±3.80 acre application site is located south of theoretical NE 121 Street and between NE 14 Avenue and the Florida East Coast (FEC) Railway. Adjacent north of the application site are properties within the City of North Miami. Adjacent west of the application site is the Florida East Coast (FEC) Railway, a railway corridor designated the “Northeast Corridor” of the County’s SMART plan. Ms. Stillings discussed how under its current “Industrial and Office” land use designation, the application site could be developed with up to 82,764 square feet of industrial uses. She pointed out the requested change to the most intense residential land use category, “High Density Residential” would allow up to 60 to 125 dwelling units per acre (du/ac) at 475 multifamily units, however the applicant proffered a

covenant that limited development to 305 multifamily units and 29,786 square feet of retail uses. Ms. Stillings noted that the “High Density Residential” designation is only found in a few dense areas such as Brickell, and with connections to MetroMover and Metrorail public transit. Staff analysis revealed no “High Density Residential” land uses within three (3) miles of the application site. However, the City of North Miami is planning a future transit station to the north of the application site, on NE 123 Street/NE 125 Street.

Ms. Stillings reviewed the application site’s surrounding land uses that consists primarily of industrial uses and low- to mid-rise apartments. However, the site is within ¼ mile of Northeast SMART Corridor, which allows 60 units per acre for mixed use projects. As such, Ms. Stillings noted that the Staff recommended change to the application is to redesignate the site to the less intense “Medium-High Density Residential” designation at 25 to 60 units per acre, which would be more compatible with the surrounding community and consistent with the maximum density of 60 units per acre allowed under the SMART Plan mixed use provisions. If redesignated to “Medium-High Density Residential” and combined with the CDMP 25% Density Bonus for Workforce Housing, the site could be developed with 29,786 square feet and 302 residential units- only three units less than the 305 units proposed. Ms. Stillings explained that due to these reasons, the Staff recommendation on this application is to “Adopt with Change”, with the change being to redesignate the site to the less intense “Medium-High Density Residential” (25-60 du/ac) rather than the requested “High Density Residential” (60-125 du/ac).

Ms. San Roman, legal representative for the applicant, gave a presentation describing the merits of the application, citing the County’s growing population and lack of affordable housing. She noted the application site is located adjacent to the FEC Railway, and is being studied as a future rail station at NE 123/125 Street. She also explained that the applicant will develop the parcel north of the site, zoned by the City of North Miami as a transit station overlay district that allows up to 200 feet in height and zero setbacks.

PAB members questioned the applicant in regards to Staff’s recommended change to “Medium Density Residential” and the lack of commitment to provide workforce or affordable housing. Ms. San Roman acknowledged for the adjacent parcel in North Miami they committed to provide approximately 10% affordable and/or workforce housing as part of the City’s code requirements. PAB member Gadinsky observed the referenced train station was not built, yet the commitments were made to the City for workforce and/or affordable housing. Given the proposed density, he noted that the applicant should include similar commitments for this project.

Chair Rinehart opened and closed the public comment, as there were no members of the public present to speak. He then requested a motion.

A motion to Deny was made by Board member Gadinsky. As there was no second on the motion, Chair Rinehart asked for another motion. After some discussion, Ms. San Roman noted that the applicant would commit to proffering workforce and/or affordable housing.

The motion to Adopt with Change, as recommended by Staff was moved by Board Member Gadinsky. Board Member Rodriguez seconded the motion. The motion passed unanimously 9 to 0 as follows:

Carla Ascencio-Savola	Yes	Michael Montiel	Absent
Lynette Cardoch	Yes	J. Wil Morris	Absent
Carlos Diaz-Padron	Yes	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Yes
Seth Gadinsky	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Mikhaile Solomon	Yes
Steven "Max" Losner	Yes	Jesus Vazquez	Absent

Vacant, Vice Chair  
Wayne Rinehart, Chair, Yes

**Application No. CDMP20220014**

Rommel Vargas, Senior Planner, gave a brief overview of the application. He explained that Application No. CDMP20220014 was a ±1.9-acre site located at the northeast corner of East Dixie Highway and NE 108 Street. He stated that the application was filed by BISLOT, LLC and that development of the site is governed by an existing CDMP Declaration of Restrictions. Under the current land use designations of "Business and Office" , "Low-Medium Density Residential" (6 to 13 dwelling units per gross acre), and "Medium Density Residential" (13 to 25 dwelling units per gross acre), the property could be developed with a mix of 12,197 sq ft of retail, 16 multifamily units, and 8 single-family attached units OR with 58 multifamily units and 8 single-family attached units, for a total 66 units, if developed as residential project only. Mr. Vargas explained that the existing covenant only commits to setting aside 10% of the units for workforce housing and to water conservation efforts.

Mr. Vargas further explained that the applicant is requesting the site be redesignated to "Business and Office", "Medium-High Density Residential" (25 to 60 dwelling units per gross acre), and "Low-Medium Density Residential" and that the existing CDMP Declaration of Restrictions be released and replaced by a revised and restated CDMP Declaration of Restrictions (Covenant). The proffered Covenant seeks to limit residential development on the application site to 177 units, and continues to commit to set-aside 10% of the units for workforce housing. Mr. Vargas added that County agencies did not raise any issues, except that DERM found tree resources on the site that must be protected according to County Code. Furthermore, the Office of Historic preservation indicated that there are structures on the site that were built in the 1930's and 1940's and thereby meet the 50-year or older benchmark for historic resource eligibility.

Mr. Vargas explained that Staff's recommendation on the application is to Adopt with acceptance of the proffered declaration of restrictions. He noted that approval of the application would be consistent with CDMP policies and objective that require the County to give priority to infill sites where urban services and facilities have the capacities to accommodate additional demand. Mr. Vargas informed the Board that the Biscayne Shores Community Council that was to address the application did not have sufficient membership to achieve quorum; therefore, there is no recommendation from the community council on the application.

After Mr. Vargas's presentation, Mr. Graham Penn, the legal representative of the applicant, provided further details on the application and the proposed development. He discussed the various access points to the application site and the existing commercial and residential developments surrounding the site. Mr. Graham discussed the provisions of the proffered covenant, noting that residential development will be limited to a maximum of 177 units with 10%

of the units intended for workforce housing. He emphasized that the proposed multifamily development is compatible with the existing uses in the area.

The PAB Chair opened the public hearing, but there being no one present, the public hearing was closed. The Board had no discussion on the application.

The motion to Adopt with Acceptance of the Proffered Declaration of Restrictions was moved by Board Member Gadinsky. Board Member Ascencio-Savola seconded the motion. The motion passed unanimously 9 to 0 as follows:

Carla Ascencio-Savola	Yes	Michael Montiel	Absent
Lynette Cardoch	Yes	J. Wil Morris	Absent
Carlos Diaz-Padron	Yes	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Yes
Seth Gadinsky	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Mikhaile Solomon	Yes
Steven "Max" Losner	Yes	Jesus Vazquez	Absent

Vacant, Vice Chair  
Wayne Rinehart, Chair, Yes

**Application No. CDMP20220015**

Mr. Alex Dambach, AICP, Planning Development Manager, gave a brief overview of the application. He explained that Hartford Plaza, LLC filed Application No. CDMP20220015 to request a small-scale amendment to the Land Use Plan Map to change the designation of a vacant site located at the north side of SW 268 Street between SW 127 Place and SW 127 Avenue from "Business and Office" to "Low-Medium Density Residential with One Density Increase." His presentation described the application's compliance with Objective LU-1 and with Policies LU-1C, LU-8A, LU-8E, and LU-10A, and he went over the amendment's relation to the Guidelines for Urban Form. No County agencies raised issues with the application, but he explained that a development project resulting from this application may require a developer to provide a proportionate share mitigation for schools at the time of site plan review. He also explained the proffered Declaration of Restrictions that includes urban design provisions and workforce housing. He referenced that there was no quorum for Community Council Number 15's hearing and that Staff recommends approval.

After Mr. Dambach's presentation, Mr. Daniel Fernandez, the legal representative for the applicant, provided further detail on the application including its proximity to area parks. Following the presentations, the Chair opened the public hearing, but because no one was present, the public hearing was closed.

After the close of the public hearing, PAB members spoke generally in support of the application and how it would help address the need for housing in the area. Board Member Seth Gadinsky asked Mr. Fernandez to revise the commitment in the proffered Declaration of Restrictions regarding workforce housing, requiring the workforce housing to be built on site. The commitment in the proffered covenant would allow the applicant the alternatives permitted in the County's Workforce Housing Program, including a monetary contribution in lieu of constructing the units or building the units at an alternate location. The applicant's representative agreed to a commitment to provide the housing on site.

The motion to Adopt with acceptance of the proffered Declaration of Restrictions, with the recommendation that the covenant be revised to require the workforce housing units to be built on the application site, notwithstanding the alternatives provided by the County’s Workforce Housing program including a contribution in lieu of constructing the workforce housing units. Board Member Rodriguez seconded the motion. The motion passed unanimously 9 to 0 as follows:

Carla Ascencio-Savola	Yes	Michael Montiel	Absent
Lynette Cardoch	Yes	J. Wil Morris	Absent
Carlos Diaz-Padron	Yes	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Yes
Seth Gadinsky	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Mikhaile Solomon	Yes
Steven “Max” Losner	Yes	Jesus Vazquez	Absent

Vacant, Vice Chair  
Wayne Rinehart, Chair, Yes

**OVERALL RESOLUTION**

The motion to adopt the foregoing resolution was moved by Board Member Ascencio-Savola. Board Member Losner seconded the motion. The motion passed unanimously 9 to 0 as follows:

Carla Ascencio-Savola	Yes	Michael Montiel	Absent
Lynette Cardoch	Yes	J. Wil Morris	Absent
Carlos Diaz-Padron	Yes	William Riley	Absent
Eric Fresco	Absent	Mercedes Rodriguez	Yes
Seth Gadinsky	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Mikhaile Solomon	Yes
Steven “Max” Losner	Yes	Jesus Vazquez	Absent

Vacant, Vice Chair  
Wayne Rinehart, Chair, Yes

**STAFF ANNOUNCEMENTS**

Ms. Stillings announced that the next PAB meeting is scheduled for Monday, November 14, 2022 at 2:00 pm.

**ADJOURNMENT**

Being no further business before the PAB, Chair Rinehart adjourned the meeting at 12:32 pm.

Respectfully submitted,  
*Jerry Bell* for  
\_\_\_\_\_  
Lourdes Gomez, AICP, Director  
Department of Regulatory and  
Economic Resources

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