





CDMP MEETING  
Board of County Commissioners  
November 20, 2008

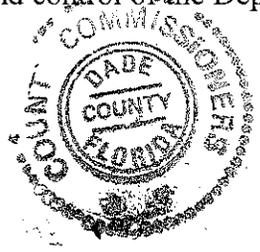
Prepared by: Nelson Diaz

EXHIBITS LIST

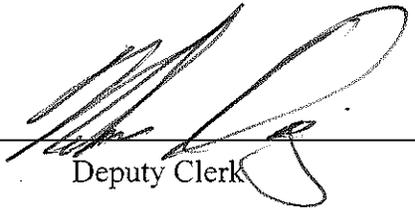
NO.	DATE	ITEM #	DESCRIPTION
1	11/20/2008	4-1	<u>APRIL 2008 CYCLE APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN</u> -Thick binder booklet containing photographs and maps titled <u>ALFREDO GARCIA MENOCAI</u> .
2	11/20/2008	4-2	-Map depicting square footage of lots
3	11/20/2008	4-3	-Letter from Jane Marie Hundertmark-Real Estate Officer- from Miami-Dade County General Service Administration to Marcos Centurion & Alfredo Garcia Menocal.
4	11/20/2008	4-4	-Letter from Miles E. Moss- President from the Kendall Federation of Homeowners Association
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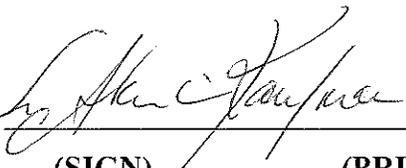
The foregoing exhibits were submitted for the record on November 20, 2008 and transferred to the care, custody, and control of the Department of Planning & Zoning on November 25, 2008.

ATTEST:



HARVEY RUVIN, Clerk  
Clerk of Circuit and County Courts  
Miami-Dade County, Florida

  
Deputy Clerk

RECEIVED BY:  11/25/08  
(SIGN) (PRINT) (DATE)  
LYNNE AKULIN KAUFMAN

- Application No. 1 was withdrawn
- Application Nos. 2 and 3 were adopted as small-scale amendments and transmitted to the Florida Department of Community Affairs
- **Only Application Nos. 4 and 5 (standard amendments) are in this report for your review**

# **INITIAL RECOMMENDATIONS**

## **OCTOBER 2007 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

**FOR MIAMI-DADE COUNTY, FLORIDA**



<h1 style="margin: 0;">Application No. 4</h1> <h2 style="margin: 0;">Commission District 8    Community Council 12</h2>
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**APPLICATION SUMMARY**

Applicant/Representative:	Alfredo Garcia Menocal/Stanley B. Price, Esq.
Location:	Northeast corner of SW 117 Avenue and SW 95 Street
Total Acreage:	±2.5 Gross Acres (±2.1 Net Acres)
Current Land Use Plan Map Designation:	Estate Density: 1-2.5 dwelling units per gross acre (du/ac)
Requested Land Use Plan Map Designation:	Office/Residential
Amendment Type:	Small-Scale
Existing Zoning/Site Condition:	AU, existing single family home built in 1966; unoccupied and in bad condition (needs renovations)

**RECOMMENDATIONS**

Staff:	<b>DENY</b> (February 25, 2008)
Kendall Community Council (CC12):	<b>DENY</b> (March 19, 2008)
Planning Advisory Board (PAB) acting as Local Planning Agency:	<b>DENY</b> (April 28, 2008)
Board of County Commissioners:	<b>DENIED As a Small-Scale Amendment and TRANSMIT As a Standard Amendment with No Recommendation</b> (May 29, 2007)
Final Recommendation of PAB acting as Local Planning Agency:	<b>TO BE DETERMINED</b>
Final Action of Board of County Commissioners:	<b>TO BE DETERMINED</b>

Staff recommends: **DENIAL** of the proposed small-scale amendment to redesignate the subject property from "Estate Density Residential Communities" (1-2.5 du/gross acre) to "Office/Residential" on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) based on the staff analysis as summarized in the Principal Reasons for Recommendations below:

**Principal Reasons for Recommendations:**

1. The amendment proposes to redesignate the 2.5 gross acre property at the northeast corner of SW 117 Avenue and SW 95 Street from "Estate Density Residential Communities" (1-2.5 du/gross acre) to "Office/Residential" on the Land Use Plan (LUP) map of the CDMP. The "Office/Residential" designation may allow offices, hotels, motels, institutional uses, limited commercial development, mixed-use development and residential development at a greater density than permitted on adjacent property. However, the applicant has proffered a declaration of restrictions or covenant limiting development on the property to professional offices (excluding medical) not exceeding 2 stories or residential development with 6 dwelling units or 7 units if severable use rights (SUR) are purchased from another property and transferred to this property. The applicant in the covenant is limiting residential development on the site to what is already allowed by the existing land use designation of "Estate Density Residential Communities." The only difference with a redesignation to "Office/Residential" is that office development could occur on the subject property.

The proposed amendment to redesignate the subject property from Estate Density (1-2.5 du/ac) to Office/Residential would not be compatible with the current LUP map designations of the surrounding areas or the existing development pattern. The areas to the north, east and south are designated on the LUP map as "Estate Density Residential Communities." The area to the west is designated as "Low-Medium Density Residential Communities" (6-13 du/gross acre).

The existing development pattern in all directions from the application site is that of a largely residential community. The areas to the north, east and south primarily consists of single-family detached homes largely on one-acre lots in the South Miami Gardens Heights Subdivision and on unsubdivided parcels ranging from 18,000 square feet to 1.25 acres. A few agricultural activities such as nurseries are also located to the east, which are permitted uses since the area is zoned agricultural. Directly south of the site across SW 95 Street is a religious facility (Jehovah's Witnesses Kingdom Hall). Neighborhood or community serving institutional uses such as churches are allowable uses in an area designated as "Estate Density Residential Communities." To the northwest of the application site is the Poinciana at Kendall Subdivision, which contains one and two story detached single-family homes on zero-lot-line properties. The Glen

homes. Redesignating the subject property to Office/Residential at this time would be premature, incompatible and it would set a precedent in an area along the east side of SW 117 Avenue that is basically residential in character.

2. The applicant has stated in the application that it is consistent with the Guidelines of Urban Form in the CDMP. The applicant is requesting a redesignation from "Estate Density Residential Communities" to "Office/Residential" for a 2.5 acre-gross acre parcel at the northeast corner of SW 117 Avenue, a section-line road and SW 95 Street, a road that the applicant states is a half section-line road. If it existed, SW 96 Street would be the half-section road in this area. SW 95 Street is a local road that extends slightly more than a mile from the Glen Cove West Subdivision west of SW 117 Avenue to SW 107 Avenue.

The applicant stated that the intersection of a half-section-line road with a section-line road is where transitional uses such as commercial, office and multi-family residential uses should occur at these intersections. However, the Guidelines of Urban Form does not provide any guidance for what is appropriate urban development at this type of intersection. The type of intersection where the Guidelines provides for these uses is at the intersection of two section-line roadways.

The guideline that is most appropriate to the applicant's property is Guideline No. 6, which states that transitional areas along section line roads are authorized for higher residential densities and public and semi-public uses. This guideline also states that when these areas are served by adequate mass transit these areas are more suitable for office uses. A branch of Metrobus Route 56 serves SW 117 Avenue with a current peak-hour headway of 60 minutes, which is not adequate to support office development. The 2007 Transit Development Program does show that the peak hour headway will be improved during the next 5 years to 30 minutes. However, a peak-hour headway of 20 minutes or less is needed to encourage a strip of office development.

3. The CDMP in very limited situations does encourage office uses in areas designated as "Residential Communities" without requiring a redesignation to "Office/Residential" (See pages I-35 and I-36 in the Adopted Components of the CDMP). However, these are properties smaller than five acres where office, commercial or industrial development already lawfully exists on the same block face or are properties along a major roadway such as SW 117 Avenue that are one acre or less in size and are not in areas designated as "Estate Density" or front an area with this designation.

The application site does not meet any the above criteria for office development in a residential area. The application site does not have any existing office, commercial or industrial development on the same block. This application site of 2.1 net acres or 2.5 gross acres is in an area designated as "Estate Density

Residential Communities” and exceeds the one acre size limit for properties along a major roadway.

4. Policy LU-8E of the Land Use Element of the CDMP requires that applications requesting amendments to the Adopted 2015 and 2025 CDMP Land Use Plan map be evaluated according to factors such as the proposed application’s ability to satisfy a deficiency in the LUP map to accommodate projected population or economic growth in the County, impacts to County services, compatibility with abutting and nearby land uses, impacts to environmental and historical resources, and the extent to which the proposed CDMP land use amendment would promote public transit ridership and pedestrianism.

- The application site is located in Minor Statistical Area (MSA) 5.5, which has a projected depletion year of 2011 for commercial and office land supply.
- As stated in Reason No.1, there are compatibility problems with the proposed application site.
- The application would have minimal or no impacts on public facilities services such as potable water, sanitary sewer, parks, fire, roadways, transit and schools based on the data and analysis submitted by various County Departments.
- The application site has limited impacts to environmental resources and no impacts on any historic resources. The application site is located within the Alexander Orr, Snapper Creek and Southwest average day pumpage wellfield protection area. Section 24-43(5) of the Code prohibits the approval of any building permits, certificates of use and occupancy, municipal occupational licenses, platting actions or zoning actions for any non-residential land use, which generates, uses, handles, disposes of, discharges or stores hazardous wastes on property located within the average pumpage wellfield protection area of Alexander Orr, Snapper Creek and Southwest wellfield complex. Section 24-43(4) of the Code regulates the disposal of wastewater and stormwater on properties located within this wellfield protection area.
- The application fully satisfies some of the evaluation factors of Policy LU-8E such as public services and historic resources. The application could address in three years a potential deficiency in land for commercial and office needs. Mitigation will be needed to address environmental concerns. However, the application does not satisfy the key factor of compatibility.

# STAFF ANALYSIS

## Introduction/Background

. Although the current designation allows up to 2.5 du/ac, the applicant was not able to rezone the property from the current AU to EU-M (Single family Modified Estate Districts – 15,000 square feet) when he applied for rezoning in September 2006. The appeal was also denied.

## Application Site

The application site encompasses approximately 2.5 gross acres located at the northeast corner of SW 117 Avenue and SW 95 Street in the Kendall area of the County. The site is currently accessible from SW 95 Street and contains one unoccupied single family home, which is not in good condition. (See Appendix A: Map Series). The nearest recent CDMP plan amendment in the immediate vicinity of the application site is Application No. 7 in the April 2004 Amendment Cycle, which redesignated a parcel on the southwest corner of SW 117 avenue and SW 104 Street from "Low-Medium Density Residential Communities" (6 to 13.5 dwelling units per gross acre) to "Business and Office."

The applicant is requesting a redesignation on the Land Use Plan (LUP) map of a 2.5-acre site from "Estate Density" (1 to 2.5 dwelling units per gross acre or 1-2.5 du/ac) to "Office/Residential" land use category. Under this current designation, the property could potentially be developed with 6 single-family detached dwelling units. Under the proposed designation of "Office/Residential", the site could potentially be developed under three scenarios: one, with 45,738 square feet (sf) of offices and 155 employees; two, 6 du with a projected population of 18 people; and three, 15 du with a projected population of 46 people. Without the proffered covenant, Scenario 3 will be possible because of the provisions in the proposed designation that residential density may be approved up to one density category higher than that allowed in the adjacent residentially designated area on the same side of the abutting principal roadway (*i.e.*, 6 du/ac for the Low-Density designated area south of the application site and along SW 117 Avenue) or up to the density of existing adjoining or adjacent residential development, or zoning if the adjacent or adjoining land is undeveloped whichever is higher.

The current zoning of the application site is AU (Agricultural), which allows only one residential home per 5 gross acres. The 2.5-acre parcel contains one single family home because it is a "grandfathered" property under zoning.

## Adjacent Land Use and Zoning

The adopted Land Use Plan map of the CDMP shows that the areas surrounding the application site to the east of SW 117 Avenue are designated "Estate Density Residential Communities" and the area to the west is designated "Low-medium

Residential Communities". The existing development pattern in all directions from the application site is that of a largely residential community. The areas to the north, east and south primarily consists of single-family detached homes largely on one-acre lots in the South Miami Gardens Heights Subdivision and on unsubdivided parcels ranging from 18,000 square feet to 1.25 acres. A few agricultural activities such as nurseries are also located to the east, which are permitted uses since the area is zoned agricultural. Directly south of the site across SW 95 Street is a religious facility (Jehovah's Witnesses Kingdom Hall). Neighborhood or community serving institutional uses such as churches are allowable uses in an area designated as "Estate Density Residential Communities." To the northwest of the application site is the Poinciana at Kendall Subdivision, which contains one and two story detached single-family homes on zero-lot-line properties. Also west and south of the site is the Glen Cove West and Glen Cove subdivisions with estate housing on 9,000 to 15,000-square foot lots with RU-1 or EU-S zoning (Single-family Suburban Estate dwellings on 25,000 gross square foot lots).

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

An application filed to rezone this property from AU to EU-M (single-family modified estate district allowing a lot size of 15,000 sf) was denied on April 4, 2006 by Community Zoning Appeals Board No. 12 (Resolution No. CZAB 12-10-06). The zoning application would have resulted in four (4) single-family lots built around a cul-du-sac. An appeal filed to overturn the denial was denied on September 14, 2006 by Board of County Commissioners (Resolution No. Z-33-06).. No other zoning history is available for this site.

### **Declaration of Restrictions**

The application is accompanied by a draft Declaration of Restrictions (covenant) in which the applicant is proposing the development and use of the site to be restricted to 2-story or 35-foot high "professional offices (excluding medical offices) with buffers consisting of 5-foot masonry and/or concrete walls or wood fence to protect the abutting residential homes or residentially zoned properties. The applicant is further requesting in the covenant under the residential development option, to be allowed to develop the application site at the maximum density permissible in the Estate Density designation, which will result in a total of six (6) dwelling units or seven (7) units as provided for in Section 33B-45 (development of severable use rights) of the County Code. This code is implemented when development rights from another property are transferred to a particular property.

### **Supply and Demand**

#### Residential Land Analysis

The combined vacant land for single-family and multi-family residential development in the analysis area, Minor Statistical Area (MSA) 5.5, in 2007 was estimated to have a

capacity for about 2,936 dwelling units, with about 94 percent of these units intended as multi-family. The annual average residential demand in this Analysis Area is projected to increase from 346 units per year in the 2007-2010 period to 403 units in the 2020-2025 period. An analysis of the residential capacity by type of dwelling units shows absorption of single-family units occurring in 2007 and for multi-family beyond 2025 (See Table below). The supply of residential land for both single-family and multi-family units is projected to be depleted by the year 2015.

The table below addresses the residential land supply and demand in the Analysis Area without the effect of the projected CDMP amendment. This is a small-scale amendment requesting a change from Estate Density to Office/Residential for approximately 2.5 gross acres. With the proffered covenant, there will be no increase in residential demand even under the residential development option as contained in the application. Approval of the proposed amendment with acceptance of the proffered covenant will not increase the number of residential units above what is currently allowed on this parcel. Recognizing that the site currently has one unit, the residential supply will not significantly increase with the approval of this application.

**Residential Land Supply/Demand Analysis  
2007 to 2025**

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 2007	169	2,767	2,936
DEMAND 2007-2010	306	40	346
CAPACITY IN 2010	0	2,642	1,898
DEMAND 2010-2015	311	41	352
CAPACITY IN 2015	0	2,442	138
DEMAND 2015-2020	275	36	311
CAPACITY IN 2020	0	2,262	0
DEMAND 2020-2025	356	47	403
CAPACITY IN 2025	0	2,027	0
<b>DEPLETION YEAR</b>	<b>2007</b>	<b>&gt;2025</b>	<b>2015</b>

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

Source: Miami-Dade Department of Planning and Zoning, Planning Research Section, 2008.

**Commercial Land Analysis**

The Analysis Area for this application contains 10.0 acres of vacant land zoned or designated for commercial uses in the year 2007. The average annual absorption rate projected for the 2003-2025 period is 3.02 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercial zoned or designated land by 2011. At the same time, its commercial acres per thousand persons ratio is above the County average for both 2015 and 2025 (See Table below).

Projected Absorption of Land for Commercial Uses  
Indicated Year of Depletion and Related Data  
Application 4 Analysis Area

Analysis Area	Vacant Commercial Land 2007 (Acres)	Commercial Acres in Use 2007	Annual Absorption Rate 2003-2025 (Acres)	Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
					2015	2025
MSA 5.5						
<b>Total</b>	<b>10.0</b>	<b>561.1</b>	<b>3.02</b>	<b>2011</b>	<b>6.3</b>	<b>5.7</b>

Source: Miami-Dade Department of Planning & Zoning, Planning Research Section, 2008.

### Environmental Conditions

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

#### Flood Protection

County Flood Criteria (NGVD)	+8.0 feet
Stormwater Management Drainage Basin	Surface water management permit C-100
Federal Flood Zone	X – Outside of the 100-year floodplain, No base elevations
Hurricane Evacuation Zone	NO

#### Biological Conditions

Wetlands Permits Required	NO
Native Wetland Communities	NO
Specimen Trees	YES
Natural Forest Communities	NO
Endangered Species Habitat	NO

#### Other Considerations

Within Wellfield Protection Area	YES
Archaeological/Historical Resources	NO

#### Drainage and Flood Protection:

A retention/detention system adequately designed to contain the run-off generated by a 5-year storm event onsite is required for this application. According to DERM an off-site discharge of stormwater from any proposed development on the subject property shall not be acceptable. A Surface Water Management Permit and any others required by local or state agencies must be obtained prior to any development of the site.

### Specimen Trees:

Section 24-49 of the County Code provides for the preservation and protection of tree resources. Since the application contains tree resources, the applicant is required to obtain a Miami-Dade County Tree Removal Permit prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

### Wellfield Protection Area:

The application site is located within the average day protection area of the Alexander Orr, Snapper Creek and Southwest Wellfield. Section 24-43(5) of the Code prohibits the approval of any building permits, certificates of use and occupancy, municipal occupational licenses, platting actions or zoning actions for any non-residential land use, which generates, uses, handles, disposes of, discharges or stores hazardous wastes on property located within the average pumpage wellfield protection area of Alexander Orr, Snapper Creek and Southwest wellfield complex. Section 24-43(4) of the Code regulates the disposal of wastewater and stormwater on properties located within this wellfield protection area.

## **Water and Sewer**

### Water Supply

The Biscayne Aquifer is the primary water supply source for the millions of people living in South Florida. However, overuse of this aquifer has resulted in lowered water levels in the Everglades, which is inconsistent with the goals of the Comprehensive Everglades Restoration Project (CERP). To aid in the CERP effort, the South Florida Water Management District (SFWMD) in 2005, promulgated new rules that prohibited future withdrawals from the Biscayne Aquifer to accommodate future development. The SFWMD requires that all future development be linked to new water supply sources, either through alternative water supply or reuse projects.

On November 15, 2007, the Governing Board of the South Florida Water Management District (SFWMD) approved Miami-Dade Water and Sewer Department's (WASD) 20-year water consumptive use permit (CUP). WASD's implementation of a number of alternative water supply and reuse projects is an essential component of the water CUP. As stated above, all future growth in the County must rely on water from alternative sources or Biscayne water, which has been replenished by reused or reclaimed water. In April 2007, the Board of County Commissioners (Board) adopted alternative water supply and reuse projects into the Capital Improvements Element of the CDMP in the amount of \$1.6 billion dollars. This commitment by the Board fully funds the projects, which are outlined in the Lower East Coast Regional Water Supply Plan and the CUP. A summary of these projects can be found in the April 2007 Cycle Applications to Amend the CDMP Application No. 16 (Water Supply Facilities Workplan). Figure 5-1 included in Final Water Supply Facilities Work Plan, included as Appendix A, indicates that the County, through water conservation and alternative water supply and reuse projects, will maintain a yearly surplus of water (over and above the base water allocation from the Biscayne Aquifer) to accommodate the normal expected growth of the County.

The assessment of available water supply, as it relates to comprehensive plan amendments, is difficult given that no specific timing of the development. Therefore, to determine if adequate water supply will be available for the proposed amendment, an assumption of four years from final comprehensive plan amendment approval is made. This timeframe allows for rezoning of the property, platting of property, permitting and construction.

The water demand from this Application is estimated at 5,250 gallons per day (gpd). This represents an increase of 3,150 gpd above what would be estimated if the site were fully developed under its current designation. The Table 5-2 - Finished Water Demand by Source (Application 16 filed in the April 2007 CDMP Amendment Cycle) of the Water Supply Facilities Work Plan indicates that there will be no water deficit after the normal growth of the County is accommodated through the year 2030.

It should be noted that WASD is developing an allocation system to track water demands from platted and permitted development. This system will correspond to the system used by DERM to track sewer flows to pump stations and wastewater treatment facilities. The water allocation system requires all development within the WASD utility service area to obtain a letter from WASD stating that adequate water supply capacity is available for the proposed project prior to approval of development orders. WASD's water allocation system is anticipated to be operational in mid to late 2008.

#### Potable Water Facilities

The County's adopted level of service (LOS) standard for water treatment requires that The regional treatment system operate with a rated maximum daily capacity of no less than 2 percent above the maximum daily flow for the preceding year, and an average daily capacity 2 percent above the average daily system demand for the preceding 5 years. The water treatment plant servicing the application site area is WASD's Alexander Orr Water Treatment Plant. Based on 12-month data provide by DERM, the water treatment plant currently has a rated treatment capacity of 214.7 mgd and a maximum plant production of 196.2 mgd. As a result, this treatment plant has 18.5 mgd or 8.6% of treatment plant capacity remaining. Additionally, this plant has a 12-month average day demand of 163.7 mgd, which is well within 2 percent of the plant's 203.1 mgd permitted annual average withdrawal, and therefore meets the LOS standard for water treatment facilities.

Potable water service is provided to the site by an existing 16-inch water main along SW 117 Avenue that is owned and operated by WASD. The proposed land use, if fully developed, would allow approximately 15 single family detached units with an estimated water demand of 5,250 gallons per day (gpd). This water demand is approximately 3,150 gpd above what could currently be built on the site. The Applicant has proffered a covenant for this site that restricts the use to non-medical offices or estate density housing. Development under this restrictive covenant of non-medical offices would yield a water demand of 4,574 gpd with an increase in water demand of 2,474 gpd. The demands of either 5,250 gpd or 4,574 gpd would only minimally decrease the 18.5 mgd

treatment plant capacity; therefore, the treatment plant capacity would continue to meet the LOS standard for water treatment plant facilities.

### Wastewater Facilities

The County's adopted level of service (LOS) standard for wastewater treatment and disposal requires that the regional wastewater treatment and disposal system operate with a capacity that is two percent above the average daily per capita flow for the preceding five years and a physical capacity of no less than the annual average daily sewer flow. The wastewater effluent must also meet all applicable federal, state, and county standards and all treatment plants must maintain the capacity to treat peak flows without overflow. Ultimate disposal of sewage flows from the application site is the South District Wastewater Treatment Facility, which has a design capacity of 112.5 mgd and an 12-month average flow (ending November 2007) of 96.08 mgd or 85.7% of the plant's design capacity.

Based upon the residential development scenario of 15 single family dwelling units, it is estimated that this site will generate sewage flows of 5,250 gpd. Based on the scenario of non-medical office development as per the proffered covenant, a flow of 4,574 gpd is estimated. Neither of these estimated flows will have not have a significant impact on the treatment plant's design capacity and will not cause the adopted LOS standard to be exceeded.

The application site is currently being served by public sanitary sewer facilities. The closest public sanitary sewer line to the subject property is an existing 8-inch gravity main located 125 feet west of the site along SW 117 Avenue. Data provided by DERM indicates two pump stations, numbers 30-0525, 30-0536 and 30-0559, would be impacted by sewage flows from the application site. According to DERM, these pump stations are operating within mandated criteria set forth in the Florida Department of Environmental Protection consent decree.

### **Solid Waste**

The application site is located inside the Department of Solid Waste Management (DSWM) waste service area for garbage and trash collections. The adopted LOS standard for the County Solid Waste Management System is to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long-term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five years. The DSWM routinely maintains 5-years of committed capacity for its waste flows. A review of the application by the DSWM indicates that development of this site will have minimal impact on the current capacity and will not cause the LOS standard for solid waste to be exceeded.

The closest DSWM facility serving this site is the Sunset Kendall Trash and Recycling Center located at 8000 SW 20 107 Street, which is approximately two miles southeast of the subject property. Under the DSWM's current policy, County collection operations,

only residential customers paying the annual waste collection fee and/or the Trash and Recycling Center fee are allowed the use of this type of facility. The DSWM has indicated that the request will have minimal impact on collection services and that the DSWM is capable of providing the necessary disposal service for this application.

**Parks**

The LOS standard for the provision of recreation open space provides for 2.75 acres of local recreation open space per 1,000 permanent residents in unincorporated areas; and adds that the county must provide open space of five acres or larger within three miles from a residential area. The subject property is located within Park Benefit District (PBD) 2, which has a surplus capacity of 651 acres of local recreation open space. Under a residential development scenario and based upon the level of service standard of 2.75 acres per 1,000 persons, this site could yield 15 single family residential dwelling units for a potential residential population of 46 persons, thus requiring an estimated total of 0.13 acres of park land  $[(2.75/1000)=0.00275 * \text{number of projected population increase}]$ . PBD 2 surplus capacity is sufficient to meet the estimated 0.13 acres of park land necessary to meet the adopted recreation open space LOS standard for the application site.

As noted in the table below, there are 19 neighborhood parks, 14 community parks, three (3) single purpose parks and four (4) mini parks within a two-mile radius of this application site. At least, ten of these parks namely: Kendale Soccer, Winston Linear, Kendall Indian Hammock and Snapper Creek parks to the north; Kendall park to the east; Devon Aire, Arvida, Rock Ridge and Sabal Chase parks to the south; and Calusa Club Estates park to the west are County local parks within a two-mile radius of the application.

**COUNTY LOCAL PARKS WITHIN A 3.5 MILE RADIUS OF APPLICATION #4**

<b>PARK NAME</b>	<b>CLASS</b>	<b>Acres</b>
Arvida Park	NEIGHBORHOOD PARK	8.0
Bent Tree Park	NEIGHBORHOOD PARK	6.0
Briar Bay Park	NEIGHBORHOOD PARK	5.0
Calusa Club Estates Park	NEIGHBORHOOD PARK	7.0
Cherry Grove Park	NEIGHBORHOOD PARK	2.0
Continental Park	COMMUNITY PARK	18.0
Deerwood Bonita Lakes Park	COMMUNITY PARK	11.0
Devon Aire Park	COMMUNITY PARK	13.0
Hammocks Community Park	COMMUNITY PARK	15.0
Kendale Lakes Park	COMMUNITY PARK	16.0
KENDALE LAKES SP TAX DIST LOT 1	MINI-PARK	0.0
KENDALE LAKES SP TAX DIST LOT 38	MINI-PARK	0.0
KENDALE LAKES SP TAX DIST TRACT A3a	MINI-PARK	0.0
Kendale Park	NEIGHBORHOOD PARK	4.0
Kendall Green Park	NEIGHBORHOOD PARK	27.0
Kendall Indian Hammocks Park	COMMUNITY PARK	117.0
Kendall Soccer Park	SINGLE PURPOSE PARK	42.0

**COUNTY LOCAL PARKS WITHIN A 3.5 MILE RADIUS OF APPLICATION #4**

<b>PARK NAME</b>	<b>CLASS</b>	<b>Acres</b>
Kendalwood Park	NEIGHBORHOOD PARK	3.0
Kings Meadow Park	NEIGHBORHOOD PARK	6.0
K-Land	COMMUNITY PARK	23.0
McMillan Park	SINGLE PURPOSE PARK	13.0
Miller Drive Park	COMMUNITY PARK	4.0
Millers Pond Park	COMMUNITY PARK	13.0
Richmond Triangle Park	MINI-PARK	1.0
Rock Ridge Park	NEIGHBORHOOD PARK	5.0
Ron Ehmann Park	COMMUNITY PARK	15.0
Royale Green Park	NEIGHBORHOOD PARK	3.0
Sabal Chase Park	NEIGHBORHOOD PARK	12.0
Sgt. Joseph Delancy Park	COMMUNITY PARK	11.0
Snapper Creek Park	NEIGHBORHOOD PARK	6.0
Sugarwood Park	NEIGHBORHOOD PARK	8.0
Sunset Park	NEIGHBORHOOD PARK	3.0
Three Lakes Park	SINGLE PURPOSE PARK	15.0
Tropical Estates Park	COMMUNITY PARK	9.0
Walter A.White Park	NEIGHBORHOOD PARK	2.0
Water Oaks Park	NEIGHBORHOOD PARK	5.0
West Kendale Lakes Park	NEIGHBORHOOD PARK	5.0
WESTWIND LAKES SP TX DIST TR FP2	NEIGHBORHOOD PARK	3.0
Westwood Park	COMMUNITY PARK	6.0
Wild Lime Park	COMMUNITY PARK	12.0
		474.0

Source: Miami Dade Parks and Recreation Department, 2007

**Fire and Rescue Service**

Miami-Dade Fire Rescue Station 9, located at 7777 SW 117 Avenue, currently serves the subject property. The station is equipped with an Advanced Life Support (ALS) Engine and Rescue unit, and is staffed with seven firefighters/paramedics day around the clock everyday. Currently, there are no planned fire station facilities near the subject application site.

According to 2007 Fire Rescue data, average travel time to incidents in the vicinity of the application site is approximately 6 minutes and 34 seconds for life threatening emergencies and 4 minutes and 48 seconds for structure fires. These average travel times are within an acceptable range for response times according to the National Fire Prevention Code.

The current CDMP designation will allow a potential development, which will generate a total of 1.68 annual alarms, while potential development under the requested CDMP designation is anticipated to generate 10.06 total annual alarms. This increase will have a minimal impact on the existing fire rescue services.

The required fire flow for the proposed CDMP designation is 2,000 gallons per minute (gpm) at 20 pounds per square inch (psi) residual on the system. Additionally, each fire hydrant shall deliver no less than 750 gpm. Fire flows in this area must meet the required pressures; however, testing of the water lines that will service this site will be performed at the development stage.

### Public Schools

Miami-Dade County anticipates adopting a concurrency level of service (LOS) standard for public school facilities in the near future. At the time of review of this application a concurrency LOS standard for public schools has not been adopted. The evaluation of development based on a concurrency methodology may differ from the current method of assessing the development impact on public schools. The current methodology requires collaboration with the Miami-Dade County School Board if the proposed development results in an increase of FISH utilization in excess of 115% at any of the schools of impact. The evaluation of this application on the surrounding schools is presented below.

School	2007 Enrollment*			% FISH Utilization	
	Current	With Application	FISH Capacity**	Current	With Application
William Lehman Elementary	728	730	935	78	78
Arvida Middle	1,364	1,365	1,118	114	114
Miami Killian Senior High	3,410	3,411	3,097	102	102

Source: Miami-Dade County Public Schools, July, 2007

\* Enrollment as of: October 15, 2007

\*\* FISH Capacity includes the total of permanent student stations and portable student stations

Students generated by this application will attend those schools identified in the above table. This table also identifies the school's enrollment as of October 2007, the school's Florida Inventory of School Houses (FISH) Capacity, which includes permanent and relocatable student stations, and the school's FISH utilization percentage.

This application, if approved, will neither increase nor decrease the potential student population of the schools serving the application site. No additional students from the site will attend the William Lehman Elementary, Arvida Middle and Miami Killian Senior High schools.

One (1) additional relief school – State School YYY1 Senior High School (Miami Killian and Miami Palmetto Senior High School Relief) has been planned, and under design for

the application area. This relief school is projected to be occupied in 2009 as currently proposed in the 5-Year Capital Plan for this application site.

## **Roadways**

### Existing Conditions

Primary access to the subject application site is from SW 117 Avenue, a four-lane divided section line roadway, which provides connections to SW 88 Street/Kendall Drive (SR 94) and SW 104 Street.

SW 117 Avenue, between SW 88 and SW 104 Streets and from SW 104 to SW 136 Streets, is operating at the CDMP-adopted Level of Service (LOS) D standard applicable to these roadway segments; SW 88 Street, between SW 107 Avenue and the Homestead Extension of the Florida Turnpike (HEFT) and from the HEFT to SW 127 Avenue, is also operating at LOS D, above the CDMP-adopted LOS E+20% standard applicable to these roadway segments; and SW 104 Street, between SW 107 and SW 117 Avenues and from SW 117 to SW 127 Avenues, is operating at LOS D and E+14%, respectively, above the CDMP-adopted LOS E+20% standard applicable to these roadway segments.

The LOS 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.

### Application Impact

Table 1, Estimated Peak Hour Trip Generation Table, below, identifies the estimated number of PM peak hour trips expected to be generated by the potential development that could occur under the requested CDMP land use designation (Office/Residential), and compares them to the number of trips that would be generated by the potential development that could occur under the current CDMP land use designation (Estate Density Residential).

Three development scenarios under the requested land use designation were analyzed for traffic impact, including one scenario based on the proffered declarations of restrictions. Scenario 1 considers the application site developed with 9 single family detached dwelling units, Scenario 2 considers the application site developed with 45,738 sq. ft. of office use, and Scenario 3 considers the application site developed with 15 single family detached dwelling units. Scenario 1 shows the subject site developed with residential use as restricted by the proffered declaration of restrictions. This scenario would generate the same number of PM peak hour trips (9 trips) as the current CDMP land use designation; Scenario 2 shows that if the site were developed with office use, it would generate approximately 59 more PM peak hour trips than the current CDMP designation; and Scenario 3 shows that if the site were developed with residential use at the maximum density allowed under the requested designation, it would generate approximately 10 more PM peak hour trips than the current CDMP designation. See Table 1 below.

Table 1  
Estimated Peak Hour Trip Generation  
By Current CDMP and Requested Use Designations

Application Number	Assumed Use For Current CDMP Designation/ Estimated No. Of Trips	Assumed Use For Requested CDMP Designation/ Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
4 (Scenario 1)	Estate Density Residential (1 to 2.5 DUs/Acre) 6 Single Family detached Units	Office/Residential 6 Single Family detached Units *	
	9	9	+0
4 (Scenario 2)	Estate Density Residential (1 to 2.5 DUs/Acre) 6 Single Family Attached Units	Office/Residential 45,738 sq. ft. Office	
	9	68	+59
4 (Scenario 3)	Estate Density Residential (1 to 2.5 DUs/Acre) 6 Single Family Attached Units	Office/Residential 15 Single Family detached Units	
	9	19	+10

Source: Institute of Transportation Engineers, Trip Generation, 7th Edition, 2003; Miami-Dade County Public Works Department, February 2008.

\* Residential development under the requested land use designation limited by proffered declarations of restrictions

### Traffic Concurrency Evaluation

An evaluation of peak-period traffic concurrency conditions as of January 30, 2008, which considers reserved trips from approved developments not yet constructed and any programmed roadway capacity improvements, predicts a deterioration in the LOS of SW 88 Street, between SW 107 Avenue and the HEFT and from LOS D to LOS E; and SW 104 Street, between SW 107 and SW 117 Avenues and from SW 117 to SW 127 Avenues from LOS D and E+14% to LOS E and E+17%, respectively, but still above the adopted LOS (E+20%) standard applicable to these roadway segments. No changes to the LOS of SW 117 Avenue between SW 88 and SW 104 Streets and from SW 104 to SW 136 Streets are projected. The County's 2008 Transportation Improvement Program (TIP) for fiscal years 2007-2012 does not list any roadway capacity improvements for these roadways.

Table 2, the Traffic Impact Analysis on Roadways Serving the Amendment Site, below, summarizes in tabular form the traffic concurrency analysis. The roadways serving the application site will continue to operate within the adopted LOS standards with and without the impacts of this application.

**Table No. 2**  
**Traffic Impact Analysis on Roadways Serving the Amendment Site**  
**Roadway Lanes, Existing and Concurrency Peak Period Operating Level of Service (LOS)**

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std. <sup>1</sup>	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Conc. LOS w/o Amend.	Amendment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
Scenario 1 <sup>2</sup>												
62	SW 88 St. (Kendall Dr.)	SW 127 Ave. to HEFT	8 DV	E+20%	7272	5442	D	857	E+4%	1	6300	E+4% (06)
592	SW 88 St. (Kendall Dr.)	SW 107 Ave. to HEFT	6 DV	E+20%	5904	4200	D	291	D	2	4493	D (06)
9716	SW 104 Street	SW 107 Ave. to SW 117 Ave.	6 DV	E+20%	6312	4469	D	216	E	1	4686	E (07)
9718	SW 104 Street	SW 117 Ave. to SW 127 Ave.	6 DV	E+20%	5376	5093	E+14%	147	E+17%	1	5241	E+17% (07)
9748	SW 117 Ave	SW 88 St. to SW 104 St.	4 DV	D	3870	2773	D	128	D	5	2906	D (07)
9750	SW 117 Ave	SW 104 St. to SW 136 St.	4 DV	D	4040	3542	D	171	D	2	3715	D (07)
Scenario 2 <sup>3</sup>												
62	SW 88 St. (Kendall Dr.)	SW 127 Ave. to HEFT	8 DV	E+20%	7272	5442	D	857	E+4%	7	6306	E+4% (06)
592	SW 88 St. (Kendall Dr.)	SW 107 Ave. to HEFT	6 DV	E+20%	5904	4200	D	291	D	15	4506	D (06)
9716	SW 104 Street	SW 107 Ave. to SW 117 Ave.	6 DV	E+20%	6312	4469	D	216	E	6	4691	E (07)
9718	SW 104 Street	SW 117 Ave. to SW 127 Ave.	6 DV	E+20%	5376	5093	E+14%	147	E+17%	5	5245	E+17% (07)
9748	SW 117 Ave	SW 88 St. to SW 104 St.	4 DV	D	3870	2773	D	128	D	43	2944	D (07)
9750	SW 117 Ave	SW 104 St. to SW 136 St.	4 DV	D	4040	3542	D	171	D	14	3727	D (07)
Scenario 3 <sup>4</sup>												
62	SW 88 St. (Kendall Dr.)	SW 127 Ave. to HEFT	8 DV	E+20%	7272	5442	D	857	E+4%	2	6301	E+4% (06)
592	SW 88 St. (Kendall Dr.)	SW 107 Ave. to HEFT	6 DV	E+20%	5904	4200	D	291	D	4	4495	D (06)
9716	SW 104 Street	SW 107 Ave. to SW 117 Ave.	6 DV	E+20%	6312	4469	D	216	E	2	4687	E (07)
9718	SW 104 Street	SW 117 Ave. to SW 127 Ave.	6 DV	E+20%	5376	5093	E+14%	147	E+17%	1	5241	E+17% (07)
9748	SW 117 Ave	SW 88 St. to SW 104 St.	4 DV	D	3870	2773	D	128	D	12	2913	D (07)
9750	SW 117 Ave	SW 104 St. to SW 136 St.	4 DV	D	4040	3542	D	171	D	4	3717	D (07)

Source: Miami-Dade County Department of Planning and Zoning; Miami-Dade Public Works Department and Florida Department of Transportation, February 2008.

Notes: <sup>1</sup>County adopted roadway level of service standard applicable to the roadway segment

DV= Divided Roadway

<sup>2</sup> Scenario 1 assumes Application site developed with 6 single-family detached dwelling units under the current land use designation.

<sup>3</sup> Scenario 2 assumes Application site developed with 45,738 square feet of office space under the requested land use designation.

<sup>4</sup> Scenario 3 assumes Application site developed with 15 single-family detached dwelling units under the requested land use designation.

## Transit

### Existing Service

A branch of Metrobus Route 56 services the application site. Metrobus Route 56 is operated, west of SW 107 Avenue, as a two-branched route that merges at the intersection of SW 56 Street (Miller Drive) and SW 107 Avenue and continue for the remaining alignment east of SW 107 Avenue. The two branches maintain 60-minute Peak and Off-Peak headways, but after merging at SW 107 Avenue along SW 56 Street give the remaining alignment, east of SW 107 Avenue, a 30-minute headway. The branch of Metrobus Route 56 that serves the application site travels along SW 107 Avenue south to SW 72 Street/Sunset Drive then west along Sunset Drive to SW 117 Avenue and southward past the application site. Table 3, below, summarizes the service information for this branch of the route.

Table 3  
Metrobus Route Service

Route	Headways (in minutes)				Stop Locations	Type of Service
	Peak	Off-Peak	Sat	Sun		
56	60	60	N/A	N/A	SW 117 Ave. and SW 95 St.	F/L – Dadeland South

Source: 2007 Transit Development Program, Miami-Dade Transit, May 2006.

Note: F= Feeder route to Metrorail; L = Local route

### Future Service

Miami-Dade Transit's 2007 Five-Year Transit Development Program (TDP) and the People's Transportation Plan (PTP) list the planned improvements to the existing bus route. Table 4, below, shows the service improvements programmed for the existing Metrobus Route 56.

Table 4  
Metrobus Routes Service

Route No.	Improvement Description
56	Improve peak headway from 30 to 15 minutes (peak headway for each branch will be improved from 60 to 30 minutes)
56	Introduce weekend service (on both branches)

Source: 2007 Transit Development Program, Miami-Dade Transit.

### Application Impacts

An analysis was performed in Traffic Analysis Zone (TAZ) 1173 where Application No. 4 is located. The analysis indicates that the transit impact that will be generated by this application will be minimal and, therefore, can be handled by the existing transit service in the area.

## **Other Planning Considerations**

Appropriate Guidelines of Urban Form should be considered for this site. Below are the applicable guidelines as listed in the CDMP.

Guideline No.1- The section line roads should form the physical boundaries of neighborhoods.

Guideline No. 6- Areas located along section line roads between transition areas are also authorized for eligible higher residential densities, public and semi-public uses. When section line roads are served by adequate mass transit, these areas are more suitable for office uses than such properties not served by adequate transit.

Guideline No. 10- The walling off of neighborhoods from arterial roadways should be avoided by alternatives such as placement of other compatible uses being along the periphery of suburban neighborhoods. These uses include public and semi-public uses, higher density residential building types, and office uses, where any of such uses are otherwise permitted by this category and justified. If lower density residential uses are to be located on an arterial, the building lots should be provided with ample setbacks, side yards and block ends should face the arterial, frontage roads may be utilized, or landscaping should be used in lieu of continuous walls.

### **Consistency with CDMP Goals, Objectives, Policies and Concepts:**

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

**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.

**POLICY LU-8B:** Distribution of neighborhood or community serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic, and physical considerations.

The proposed application will impede the following goals, objectives policies and concepts of the CDMP.

**POLICY LU-4A.** When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

**POLICY LU-4C.** Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.

# APPENDICES

Appendix A Map Series

Appendix B Amendment Application

Appendix C Applicant's Traffic Study

Appendix D Miami-Dade County Public Schools Analysis

Appendix E Fiscal Impact Analysis

Appendix F Declaration of Restrictions

Appendix G Photos of Application Site

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# APPENDIX A

Map Series

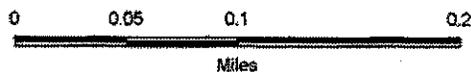
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AERIAL PHOTO: APPLICATION NO. 4



APPLICATION AREA

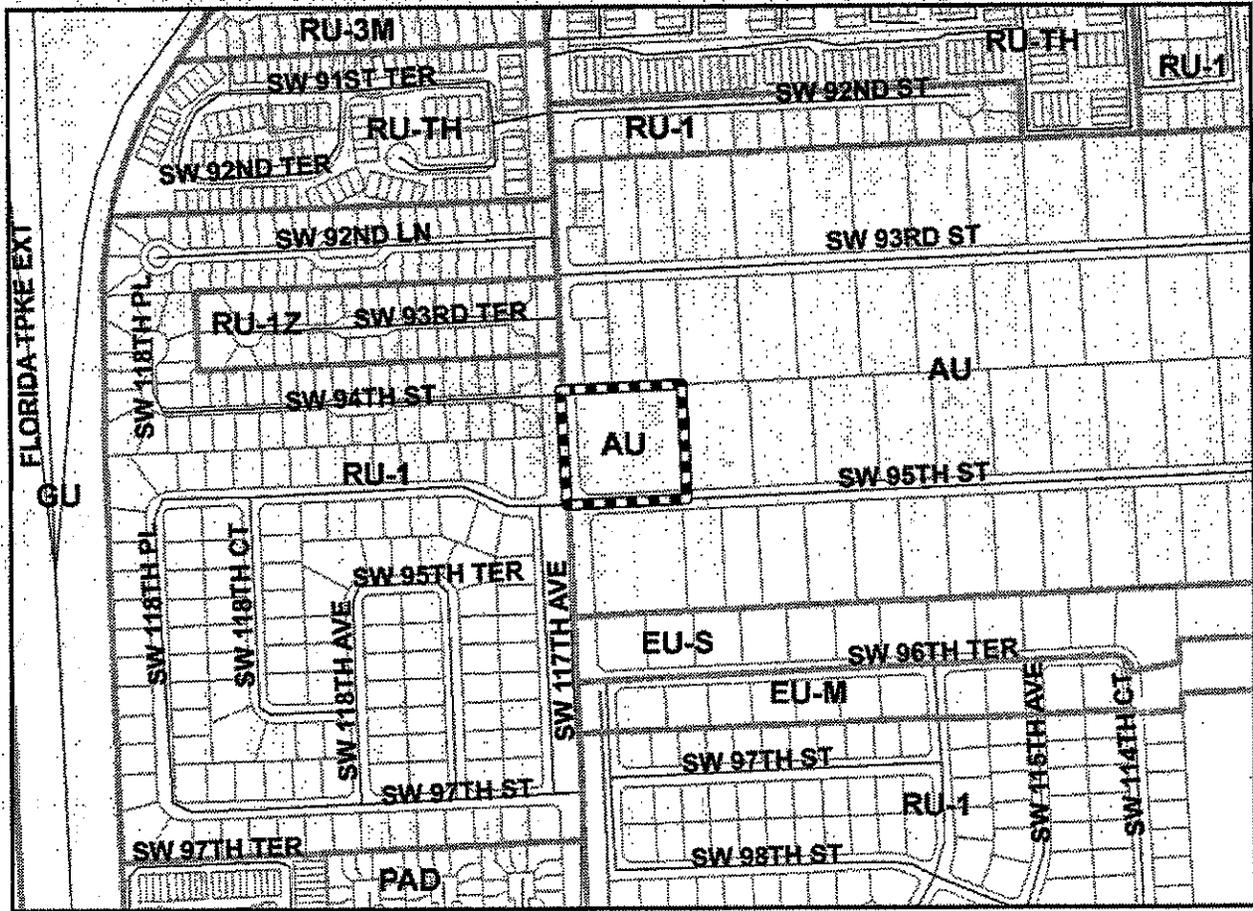
2007 AERIAL



SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, NOVEMBER 2007



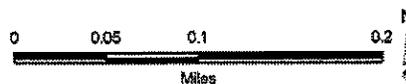
**APPLICATION NO. 4  
CURRENT ZONING MAP**



APPLICATION AREA

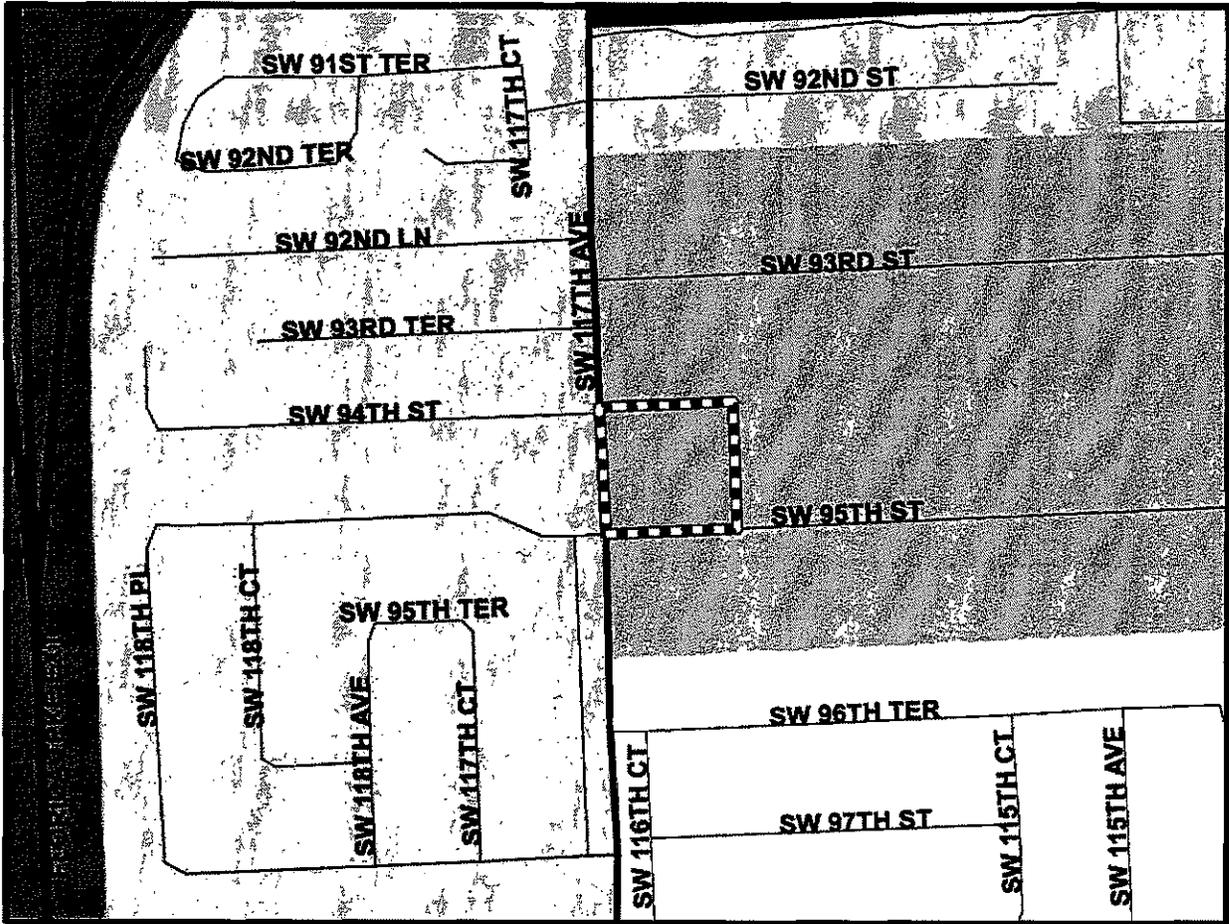
**MIAMI-DADE ZONING DISTRICTS**

- GU INTERIM DISTRICT - USES DEPEND ON CHARACTER OF NEIGHBORHOOD, OTHERWISE EU-2 STANDARDS APPLY
- AU AGRICULTURAL DISTRICT - RESIDENTIAL ON 5 ACRE GROSS LOT
- EU-S SINGLE-FAMILY SUBURBAN ESTATE DISTRICT ON 25,000 SQ. FT. GROSS LOT
- EU-M SINGLE-FAMILY MODIFIED ESTATE DISTRICT ON 15,000 SQ. FT. NET LOT
- RU-1 SINGLE-FAMILY RESIDENCE ON 7,500 SQ. FT. NET LOT
- RU-1Z SINGLE-FAMILY ZERO LOT LINE DEVELOPMENT RESIDENTIAL DISTRICT ON 4,500 SQ. FT. NET LOT
- RU-TH TOWNHOUSE DISTRICT - 8.5 UNITS/ACRE
- RU-3M MINIMUM APARTMENT HOUSE DISTRICT - 12.9 UNITS/ACRE
- PAD PLANNED AREA DEVELOPMENT DISTRICT - 20 ACRES MINIMUM, MIXED RESIDENTIAL AND CONVENIENCE RETAIL SERVICES. DENSITY DEPENDS ON MASTER PLAN, NEIGHBORHOOD STUDIES, AND NEIGHBORHOOD DEVELOPMENT.



SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, JANUARY 2008

**APPLICATION NO. 4  
CDMP LAND USE PLAN**



**LEGEND**



APPLICATION AREA

**CDMP LAND USE**

RESIDENTIAL COMMUNITIES



ESTATE DENSITY RESIDENTIAL (EDR) 1 TO 2.5 DU/AC



LOW DENSITY RESIDENTIAL (LDR) 2.5 TO 6 DU/AC



LOW-MEDIUM DENSITY RESIDENTIAL (LMDR) 6 TO 13 DU/AC



BUSINESS AND OFFICE



OFFICE/RESIDENTIAL



TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)



EXPRESSWAYS



MAJOR ROADWAYS (3 OR MORE LANES)

0 0.025 0.05 0.1 0.15

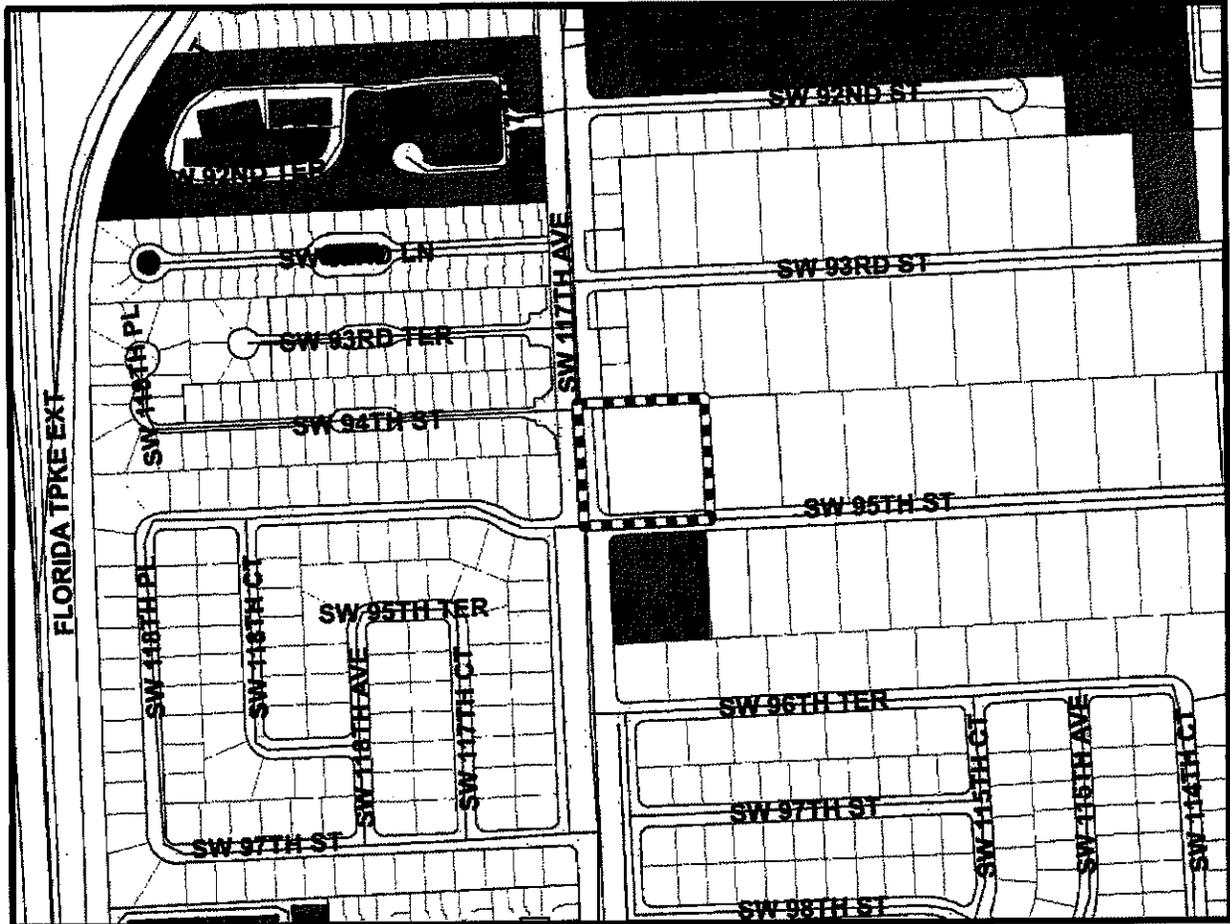


Miles

SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, JANUARY 2008



# APPLICATION NO. 4 EXISTING LAND USE

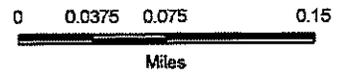


## LEGEND

 APPLICATION AREA

### EXISTING LAND USE

-  SINGLE-FAMILY
-  TOWNHOUSES
-  INSTITUTIONAL
-  STREETS, ROADS, EXPRESSWAYS, RAMPS
-  STREETS, EXPRESSWAY R/W
-  AGRICULTURE
-  PARKS, PRESERVES, CONSERVATION AREAS,  
AND RECREATIONAL FACILITIES
-  VACANT - UNPROTECTED



SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF  
PLANNING AND ZONING, JANUARY 2008



# APPENDIX B

Amendment Application

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**APPLICATION TO AMEND THE  
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

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**1. APPLICANT**

Alfredo Garcia Menocal  
730 N.W. 107 Avenue, Suite 115  
Miami, Florida 33172-3104

**2. APPLICANTS' REPRESENTATIVE**

Stanley B. Price, Esquire  
Bilzin Sumberg Baena Price & Axelrod, LLC  
200 South Biscayne Boulevard, Suite 2500  
Miami, Florida 33131  
Telephone: (305) 374-7580  
FAX (305) 351-2250

PLANNING & ZONING  
METROPOLITAN PLANNING SECT

2001 OCT 31 P 1:34

By:

  
Stanley B. Price

Date

10/31/07

**3. DESCRIPTION OF REQUESTED CHANGE**

A. A change to the Land Use Element, Land Use Plan map (Item A.1 in the fee schedule) is requested.

B. Description of the subject property

The property comprises 2.5± gross acres located at the northeast corner of SW 117th Avenue and SW 95th Street lying in Section 6, Township 55, Range 40, Miami-Dade County, more particularly described that legal description attached hereto and incorporated herein as Exhibit "A" (hereinafter the "Property").

C. Gross and Net Acreage

Application area: 2.5 ± gross acres  
Acreage owned by applicant: 2.1 ± net acres

D. Requested Change

- (1) It is requested that the application area be re-designated on the Land Use Plan Map from Estate Density Residential to Office/Residential.
- (2) It is requested that this application be processed as a "Small-Scale" Amendment under the expedited procedures.

4. **REASON FOR AMENDMENT**

The applicant seeks to change the Property's land use designation from Estate Density Residential to Office / Residential (the "Amendment"). The purpose of the Amendment, as set forth in the attached Declaration of Restrictions, is to permit an opportunity to redevelop the Property with a low-rise professional office building through the zoning review process. Pursuant to Policy LU-8E of the Land Use Element to the Miami-Dade County Comprehensive Development Master Plan (CDMP), applications requesting amendments to the Land Use Plan map shall 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) be compatible with abutting and nearby land uses and protect the character of established neighborhoods; (ii) satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the county; (iii) enhance or impede provision of services at or above adopted LOS standards; and (iv) enhance or degrade environmental or historical resources, features or systems of county significance. Based on the following evidence, we submit that the Amendment is consistency with the Goals, Objectives and Policies of the CDMP and the foregoing evaluation criteria.

To insure compatibility is promoted and maintained among land uses countywide, the CDMP incorporates Guidelines for Urban Form (the "Guidelines"). In pertinent part, the Guidelines promote the following planning concepts:

1. Section line roads should form the physical boundaries of neighborhoods;
2. The walling off of neighborhoods from arterial roadways should be avoided by alternatives such as placement of other compatible uses being along the periphery of suburban neighborhoods. These uses include public and semi-public uses, higher density residential building types, and office uses...; and
3. When section line roads are served by adequate mass transit, these areas are more suitable for office uses than such properties not served by adequate transit.

The Property is situated at the northeast corner of a section line road, SW 117th Avenue, and a half section line road, SW 95th Street. The Guidelines encourage the placement of transitional uses, including commercial, office, and multifamily residential uses, on property located at the intersection of a section line and half section line road. Where the abutting arterial road is serviced by the mass transit system, office uses are preferred.

The Amendment proposes to follow the planning principles set forth in the Guidelines with conditions, which are set forth in the attached Declaration of Restrictions, to insure compatibility with established uses within the subject area. SW 117th Avenue is supported daily with Metrobus services along Route 56 and, as such, is a preferred location for transitional office uses. The Property is also located within close proximity to several transit centers and less than a half mile south of Kendall Drive, one of the largest future rapid transit corridors in Miami-Dade County. Based in part on the availability of these services and the directives contained in the Guidelines, the Applicant has limited the Amendment to include non-medical professional offices as a permissible use of the Property.<sup>1</sup>

The Applicant's proposal is compatible with existing development in the surrounding area. To south of the Property, across SW 95th Street, is the Kingdom Hall of Jehovah's Witness, a religious facility situated on a site that is nearly identical to the Property. Both the Property and the Kingdom Hall site share frontage along SW 117th Avenue and both extend nearly the same depth along SW 95th Street. Passage of the Amendment will serve to continue the existing depth of the non-residential ribbon established within the subject area. To the north and east of the Property are single-family homes and vacant land. To insure that the future use of the Property is compatible with these abutting properties, the Applicant has conditioned the Amendment to non-medical professional office uses with building heights not to exceed two (2) stories or thirty-five (35) feet above finished grade. Additionally, the Declaration of Restrictions provides that prior to the issuance of a certificate of occupancy for any professional office building on the Property, a decorative wall of masonry, reinforced concrete, precast concrete, or wood fence or other like material that will be compatible with the main structure, five (5) feet in height, shall be erected along all interior property lines abutting residentially zoned property.

The Amendment is also consistent with development trends within Section 6, Township 55, Range 40. In accordance with the Guidelines, recent development patterns in the subject section have focused on accommodating area services by placing transitional uses at the periphery of the established residential communities, along section line roads. As an example, in 2004 a professional office center was developed at the southeast corner of SW 107th Avenue, a section line road, and SW 95th Street, the same half section line road were the subject property is located. Several other professional office centers, religious facilities, and neighborhood servicing uses can be found along the periphery of this section. Passage of the Amendment will serve to continue this development trend.

Passage of the Amendment will also satisfy a deficiency in the Plan map to accommodate the county's projected economic growth. The Property is located in the South-Central Planning Tier. According to the county's Projected Absorption of Commercial Land

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<sup>1</sup> The applicant does not seek to increase the Property's residential development potential. As set forth in the Declaration of Restrictions, any future residential development of the Property will remain limited to the permitted density levels established in by the Property's existing Estate Density Residential land use category.

study, the South-Central Tier has the lowest volume of commercial land available in the county with a deficiency that ranges between 217.9 to 721.2 acres. Based on current absorption rates, the pool of available commercial land in the subject region (Minor Statistical Area 5.5) will be depleted in four years. Passage of the Amendment will serve to prolong this fast approaching depletion year and provide the region with an opportunity for additional professional office space allowing individuals to live, work, and receive professional services in one area.

Lastly, the Property is located in a heavily urbanized area serviced by existing public utilities and infrastructure. The small-scale development program proposed by the Amendment, coupled with the Declaration of Restrictions, will have a *de minimus* impact on existing services and will not impede the provision of services within the area. Also, the Amendment does not propose the introduction of hazardous uses or materials to the subject area and will not serve to degrade environmental or historical resources.

**5. ADDITIONAL MATERIAL SUBMITTED**

- Exhibit "A" -- Property Legal Description
- Exhibit "B" -- Location Map
- Exhibit "C" -- Disclosure of Interest Form
- Exhibit "D" -- Declaration of Restrictions
- Exhibit "E" -- Aerial Photograph

**6. COMPLETE DISCLOSURE FORMS**

Attached as Exhibit "C"

EXHIBIT "A"

LEGAL DESCRIPTION

The Northwest 1/4, of the Southwest 1/4, of the Southwest 1/4, of the Northwest 1/4, of Section 6, Township 55 South, Range 40 East, LESS the West 35.00' feet thereof, and LESS the South 25.00' feet thereof, and bounded by a 25' foot radius arc concave to the Northeast, said arc being tangent to both of the last described portions being excepted herefrom, as set forth in Right-of-Way Deed to Miami-Dade County, Filed in O.R. Book 14641, Page 1873, as being described as follows:

The area bounded by the East line of the West 35.00' feet, of the N.W. 1/4, of the S.W. 1/4, of the S.W. 1/4, of the N.W. 1/4, of Section 6, Township 55 South, Range 40 East, Miami-Dade County, Florida and bounded by the North line of the South 25.00' feet, of the N.W. 1/4, of the S.W. 1/4, of the S.W. 1/4, of the N.W. 1/4, of said Section 6, and bounded by a 25.00' foot radius arc concave to the Northeast, said arc being tangent to both of the last described lines.

Containing: 92,105.2 Square Feet or 2.1 Acres, more or less.

Property Address: 71605 S.W. 95th Street, Miami Florida, 33176.



LOCATION MAP FOR APPLICATION TO  
AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

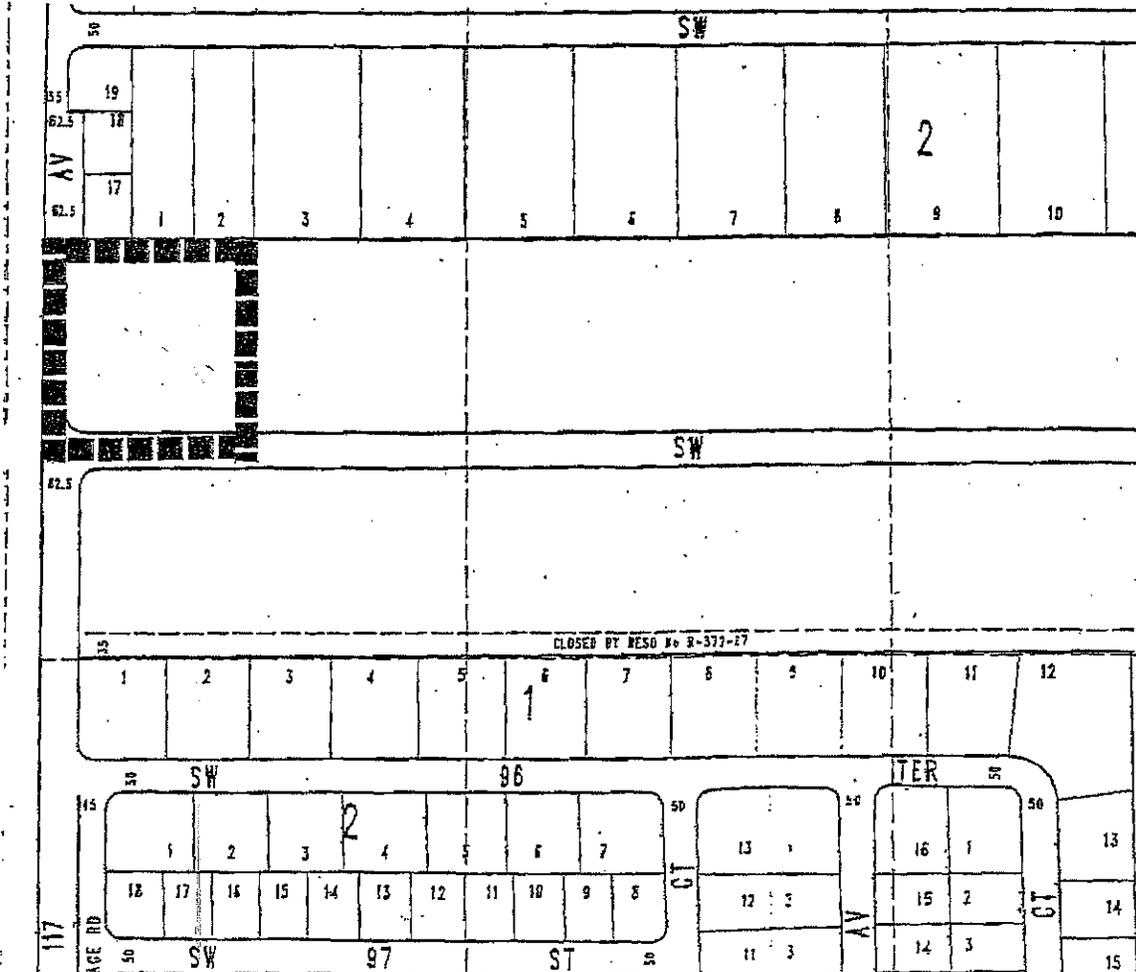
APPLICANT/REPRESENTATIVE

Stanley B. Price, Esquire  
Bilzin Sumberg Baena Price & Axelrod, LLC  
200 South Biscayne Boulevard, Suite 2500  
Miami, Florida 33131

DESCRIPTION OF SUBJECT AREA

The Property comprises 2.5± gross acres located at the northeast corner of SW 117th Avenue and SW 95th Street lying in Section 6, Township 55, Range 40, Miami-Dade County, more particularly described that legal description attached hereto and incorporated herein as Exhibit "A".

Folio # 30-5006-000-0911



# **APPENDIX C**

## **Applicant's Traffic Study**

**(A Traffic Study is not required for small-scale applications)**

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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  
Rudolph F. Crew, Ed.D.

2008 FEB -4 A 9 02

PLANNING AND ZONING January 30, 2008  
METROPLANNING AND PLANNING SECT.

RECEIVED  
FEB - 1 2008

Miami-Dade County School Board  
Augustin J. Barrera, Chair  
Rocio Tabares Hantman, Vice Chair  
Renier Diaz de la Portilla  
Evelyn Langlieb Greer  
Robert "Tee" Holloway  
Asst. Director Planning  
Dr. Martin Karp  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

Mr. Subrata Basu, AIA, AICP, Interim Director  
Miami-Dade County Department of Planning and Zoning  
111 NW 1 Street, 11<sup>th</sup> Floor  
Miami, Florida 33128

**Re: Land Use Amendments - October 2007 Cycle - Applications No. 1-4**

Dear Mr. Basu:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced applications. Please note that land use amendments 1 and 2 will not generate additional student impact to the District; and the schools impacted by land use amendments 3 and 4 do not meet the review threshold. As such, no dialogue between the applicant and the School District is required.

Although existing requirements are not triggered, the application may be subject to school concurrency requirements, as mandated by 2005 Growth Management Legislation. Pursuant to Sections 163.3177 and 1013.33 of the Florida Statutes, all new residential applications will be tested for school concurrency at Final Subdivision, Site Plan (or functional equivalent), effective at the time school concurrency is fully implemented.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Ivan M. Rodriguez, R.A.  
Director II

IMR:ir  
L 368

Attachment

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albuerna

Facilities Planning

Ana Rijo-Conde, AICP, Planning Officer • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132  
305-995-7285 • FAX 305-995-4760 • arijo@dadeschools.net

**SCHOOL IMPACT REVIEW ANALYSIS**

January 29, 2008

**APPLICATION:** No. 4, Alfredo Garcia Menocal  
**REQUEST:** Change Land Use from Estate Density (1-2.5 DU/Ac) to Office/Residential (Small Scale Amendment)  
**ACRES:** ± 2.5 Gross acres  
**LOCATION:** Northeast corner of SW 117 Avenue and SW 95 Street  
**MSA/  
MULTIPLIER:** 5.5 / .44 Single Family Detached

<b>NUMBER OF UNITS:</b>	9 additional units	Proposed Land Use 15 SF Detached	Existing Land Use 6 SF Detached
-----------------------------	--------------------	-------------------------------------	------------------------------------

**ESTIMATED STUDENT  
POPULATION:** 4  
**ELEMENTARY:** 2  
**MIDDLE:** 1  
**SENIOR HIGH:** 1

**SCHOOLS SERVING AREA OF APPLICATION**

**ELEMENTARY:** William Lehman Elementary – 10990 SW 113 Place  
**MIDDLE:** Arvida Middle – 10900 SW 127 Avenue  
**SENIOR HIGH:** Miami Killian Senior High - 10655 SW 97 Avenue

All schools are located in Regional Center V.

\*Based on Census 2000 information provided by Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by Information Technology Services, as of October 2007:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
William H. Lehman Elementary	728	935	78%	0	78%
	730 *		78%		78%
Arvida Middle	1,364	1,118	122%	79	114%
	1,365		122%		114%
Miami Killian Senior	3,410	3,097	110%	238	102%
	3,411 *		110%		102%

\*Student population increase as a result of the proposed development

\*\*Estimated number of students (cumulative) based on zoning/land use log (2001- present) and assuming all approved developments are built; also assumes none of the prior cumulative students are figured in current population.

Notes:

- 1) Figures above reflect the impact of the class size amendment.
- 2) Pursuant to the Interlocal Agreement, none of the impacted schools meet the review threshold.

**PLANNED RELIEF SCHOOLS IN THE AREA**

**Projects in Planning, Design or Construction**

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
State School YYY1 - Sr. High School (Miami Killian and Miami Palmetto Sr. High School Relief) (1600 student stations)	Design	2009 School Opening

**Proposed Relief Schools**

<u>School</u>	<u>Funding year</u>
N/A	

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating costs for additional students residing in this development, if approved, would total \$26,196.

**CAPITAL COSTS:** Based on the State's January 2008 student station cost factors\*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	Does not meet review threshold
MIDDLE	Does not meet review threshold
SENIOR HIGH	Does not meet review threshold
<b>Total Potential Capital Cost</b>	<b>\$0</b>

\*Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

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# APPENDIX E

## Fiscal Impact Analysis

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## **Fiscal Impact Analysis**

On October 23, 2001, the Board of County Commissioners adopted Ordinance 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. 4 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 impact the costs of the required infrastructure and service, and the extent to which the costs will be borne by the property owners or will require general taxpayer support and includes an estimate of that support.

The agencies use various methodologies to make 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 are considered by the service agencies in developing their cost estimates.

### **Solid Waste Services**

#### **Concurrency**

Since the DSWM assesses capacity system-wide based, in part, on existing waste delivery commitments from both the private and public sectors, it is not possible to make determinations concerning the adequacy of solid waste disposal facilities relative to each individual application. Instead, the DSWM issues a periodic assessment of the County's status in terms of 'concurrency' – that is, the ability to maintain a minimum of five (5) years of waste disposal capacity system-wide. The County is committed to maintaining this level in compliance with Chapter 163, Part II F.S. and currently exceeds that standard by nearly four (4) years.

#### **Residential Collection and Disposal Service**

The incremental cost of adding a residential unit to the DSWM Service Area, which includes the disposal cost of waste, is offset by the annual fee charges to the user. Currently, that fee is \$439 per residential unit. For a residential dumpster, the current fee is \$339. The average residential unit currently generates approximately 3.0 tons of waste annually, which includes garbage, trash and recycled waste.

As reported in March 2007 to the State of Florida, Department of Environmental Protection, for the fiscal year ending September 30, 2006, the full cost per unit of providing waste Collection Service was \$437 including disposal and other Collections services such as, illegal dumping clean-up and code enforcement.

#### **Waste Disposal Capacity and Service**

The incremental and cumulative cost of providing disposal capacity for DSWM Collections, private haulers and municipalities are paid for by the users. The DSWM charges a disposal tipping fee at a contract rate of \$57.56 per ton to DSWM Collections and to those private

haulers and municipalities with long term disposal agreements with the Department. For non-contract haulers, the rate is \$75.89. These rates adjust annually with the Consumer Price Index, South. In addition, the DSWM charges a Disposal Facility Fee to private haulers equal to 15 percent of their annual gross receipts, which is targeted to ensure capacity in operations. Landfill closure is funded by a portion of the Utility Service Fee charged to all retail and wholesale customers of the County's Water and Sewer Department.

## **Water and Sewer**

The Miami-Dade County Water and Sewer Department provides for the majority of water and sewer service 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 actual labor and material costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. Assuming Application No. 4 is developed with 15 multi-family residential units, the developer would pay \$7,298 for water impact fee, \$29,400 for sewer impact fee, \$1,300 for connection fee<sup>1</sup>, and \$4,872 for annual operating and maintenance costs based on approved figures through September 30, 2007.

The estimated cost for water and sewer infrastructure in the public right-of-way is \$18,349. This includes a 12-inch water main for the potable water system and an 8-inch force main for the sanitary sewer line.

## **Flood Protection**

The Department of Environmental Resources Management (DERM) is restricted to 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 based 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

---

<sup>1</sup> Connection fee is based on a 1" service line and 1" meter. (New \$100 service meter installation fee with approved 2005-2006 budget.)

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.

### **Fire Rescue**

Awaiting information from Miami-Dade Fire and Rescue Department.

### **Public Schools**

According to the review report from the Miami-Dade County School Board, dated January 30, 2008, Application No. 4 will not impact the School District.

### **Mass Transit**

A Trip generation analysis was not performed for this application because of its size as a small-scale amendment.

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# APPENDIX F

## Declaration of Restrictions

A draft covenant has been proffered for the subject property with the application as of December 5, 2007.

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PLANNING & ZONING  
METROPOLITAN PLANNING SECT

Stanley B. Price, Esquire  
Direct Dial: (305) 350-2374  
Direct Facsimile: (305) 351-2204  
E-mail: [sprice@bilzin.com](mailto:sprice@bilzin.com)

March 14, 2008

**VIA HAND DELIVERY**

Mr. Patrick Moore, Senior Planner  
Miami-Dade County Dept. Planning & Zoning  
111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor, Suite 224  
Miami, FL 33128

***Re: CDMP Application No. 4 (October 2007 Cycle)***

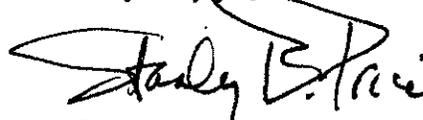
Dear Mr. Moore:

As part of our neighborhood outreach efforts associated with the above-referenced application, a few community residents have requested modifications to our proffered Declaration of Restrictions. We have agreed to those modifications and revised our Declaration of Restrictions accordingly.

A revised draft of the Declaration of Restrictions reflecting those modifications is attached. Please incorporate the attachment into the file for CDMP Application No. 4.

As always, if you have any questions regarding the foregoing or the attachment, please do not hesitate to contact me at (305) 375-6139.

Very truly yours,



Stanley B. Price

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**DRAFT**

2008 MAR 14 P 12:43

PLANNING & ZONING  
METROPOLITAN PLANNING SECT

This instrument prepared by:  
Stanley B. Price, Esquire  
Bilzin Sumberg Baena Price & Axelrod LLP  
200 South Biscayne Boulevard  
Miami, Florida 33131-2336

Oct. 2007 cycle - Application 4

(Space Above For Recorder's Use Only)

**DECLARATION OF RESTRICTIONS**

WHEREAS, the undersigned owner ("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 attorney's opinion, and

WHEREAS, in October 2007 Owner filed an application (the "Application"), as part of the October 2007 Comprehensive Development Master Plan ("CDMP") amendment cycle, to amend the Property's designation on the future land use plan map of the Miami-Dade County CDMP from Estate Density Residential to Office / Residential, which Application has been designated as "Application 4" for the October 2007 CDMP amendment cycle; and

WHEREAS, in conjunction with the Application, the Owner wishes to voluntarily restrict the uses that are permitted on the Property.

IN ORDER TO ASSURE the County that the representations made by the Owner during consideration of the Application will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

1. **Use Restrictions.** The Property shall be limited to the following uses.
  - (A) Professional offices residential in appearance, excluding medical offices, with building heights not exceeding two (2) stories or thirty-five (35) feet above finished grade. Prior to the issuance of a certificate of occupancy for any professional office building on the Property, a decorative wall of masonry or reinforced concrete compatible with the main structure, six (6) feet in height, shall be erected along all interior property lines abutting residentially zoned property.
  - (B) Residential uses not to exceed the maximum development density permitted in the Estate Density land use category and Section 33B-45, Miami-Dade County Code.

2. **County Inspection.** 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.

3. **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 his 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. Owner, and his heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

4. **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.

5. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the land covered by the proposed amendment, modification or release, provided that the same is also approved by the Board of County Commissioners. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in Section 2-116.1 of the Code of Miami Dade County, or successor regulation governing amendments to the Miami Dade comprehensive plan. Notwithstanding anything in this paragraph, in the event that the Property is incorporated within a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. Should this Declaration be so modified, amended or released, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith

(Public Hearing)

Section-Township-Range: 6-55-40

Folio number: 30-5006-000-0911

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execute a written instrument effectuating and acknowledging such modification, amendment or release.

6. **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.

7. **Authorization for Miami-Dade County (or successor municipal corporation) 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 any successor municipal corporation) 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.

8. **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.

9. **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or any successor municipal corporation), and inspections made and approval of occupancy given by the County (or any successor municipal corporation), 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.

10. **Covenant Running with the Land.** This Declaration shall constitute a covenant running with the land and shall be recorded, at the Owners' 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 his heirs, successors and assigns, including the Applicant, unless and until the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, the then owner(s) of the real property and for the public welfare.

11. **Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions that 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.

12. **Recordation and Effective Date.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at Owner's cost following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal

(Public Hearing)

Section-Township-Range: 6-55-40

Folio number: 30-5006-000-0911

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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 Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

13. **Acceptance of Declaration of Restrictive Covenants.** Approval of the Application and acceptance of the Declaration of Restrictive Covenants does not entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part. The term "Owner" shall include the undersigned, his heirs, successors and assigns.

14. **Owner.** The term Owner shall include the Owner, and his heirs, successors and assigns.

**[Execution Pages Follow]**

Declaration of Restrictions

Signed, witnessed, executed and acknowledged this \_\_\_ day of \_\_\_\_\_, 2008.

Witnesses:

\_\_\_\_\_

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

\_\_\_\_\_

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

**DRAFT**

By: \_\_\_\_\_  
Alfredo Garcia Menocal

Address: \_\_\_\_\_

\_\_\_\_\_

STATE OF FLORIDA ) ss:  
COUNTY OF MIAMI-DADE )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2008 by ALFREDO GARCIA MENOCA, who is personally known to me or produced a valid driver's license as identification.

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

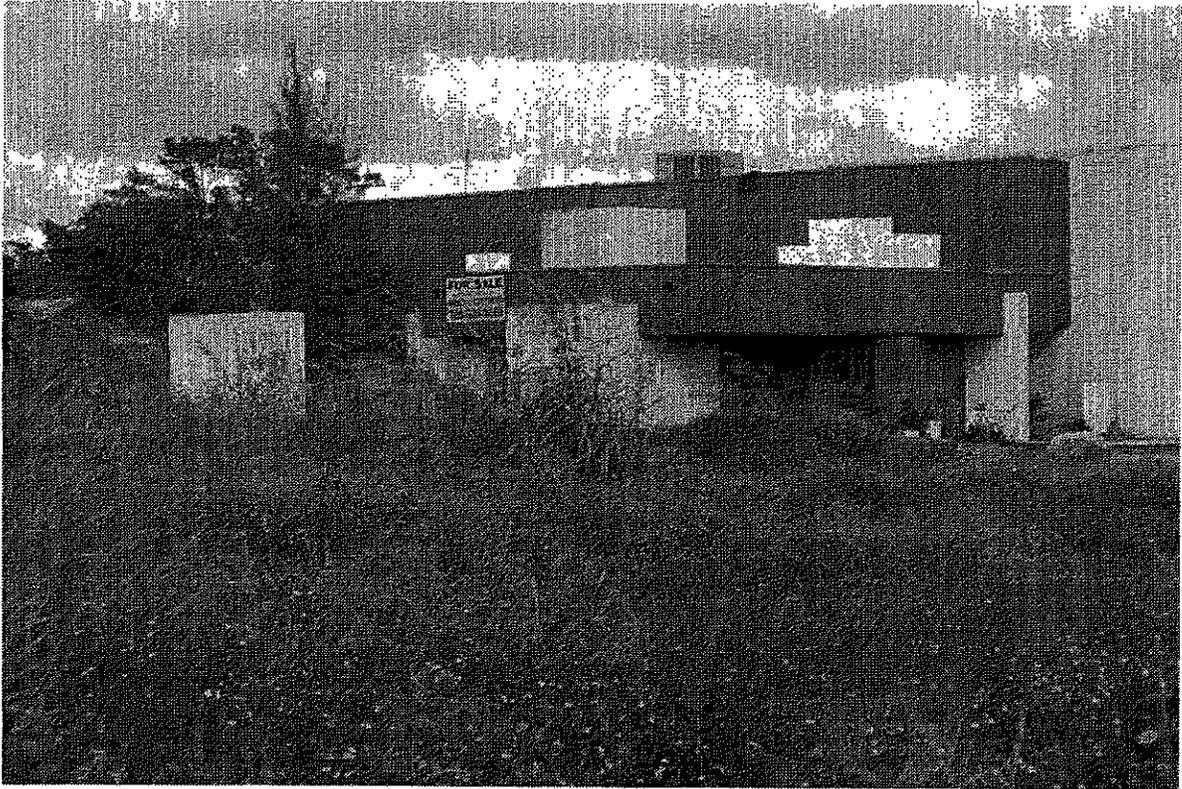
Serial No. (None, if blank): \_\_\_\_\_

(Public Hearing)

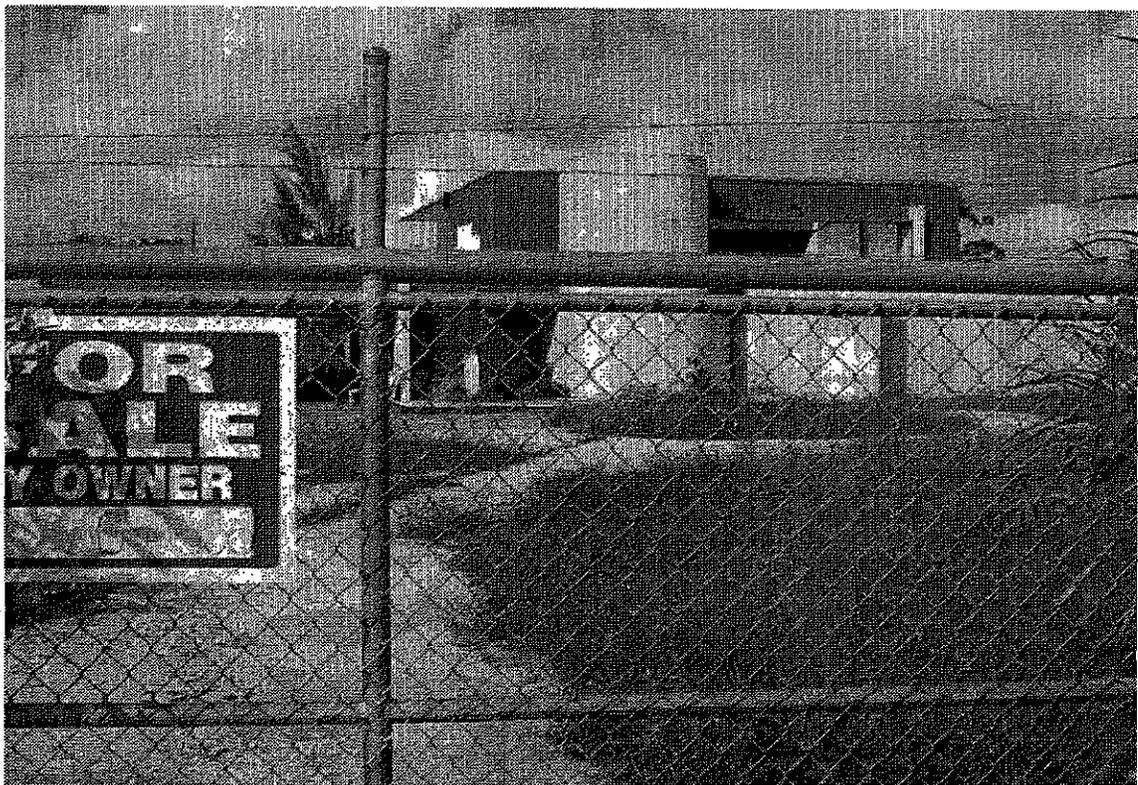
# **APPENDIX G**

Photos of Application Site

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Western View of the Site from SW 117<sup>th</sup> Avenue



Entrance View of the Site (From SW 95<sup>th</sup> Street on the South)



Religious Facility South of Property Across SW 95<sup>th</sup> Street



Residential Neighborhood West of Site Across SW 117<sup>th</sup> Avenue



Typical Single-Family Home in the Established Neighborhood

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# Application No. 5

## TEXT AMENDMENT

### APPLICATION SUMMARY

Applicant/Representative: Miami-Dade County Department of Planning and Zoning / Subrata Basu AIA, AICP, Interim Director

Element(s) to be Amended LAND USE ELEMENT

Requested Text Changes In the Land Use Element, replace the "Population Estimates and Projections" map (Figure 6) with a new map/figure that has been updated and contains revised estimates and projections. Figure 6 (last amended in October, 2004) is located on page I-71 of the Land Use Element in the "Adopted Components of the Comprehensive Development Master Plan for Miami-Dade County, Florida, October 2006 Edition."

Amendment Type: Standard Text Amendment

### RECOMMENDATIONS

Staff: **ADOPT and TRANSMIT** (February 25, 2008)

Community Council: **NOT APPLICABLE**

Planning Advisory Board (PAB) acting as Local Planning Agency: **ADOPT and TRANSMIT** (April 28, 2008)

Board of County Commissioners: **TRANSMIT with Recommendation to ADOPT** (May 29, 2008)

Final Recommendation of PAB acting as Local Planning Agency: **TO BE DETERMINED** (September 15, 2008)

Final Action of Board of County Commissioners: **TO BE DETERMINED** (October 2, 2008)

Staff recommends: **ADOPT AND TRANSMIT** the proposed text amendment for the following reasons:

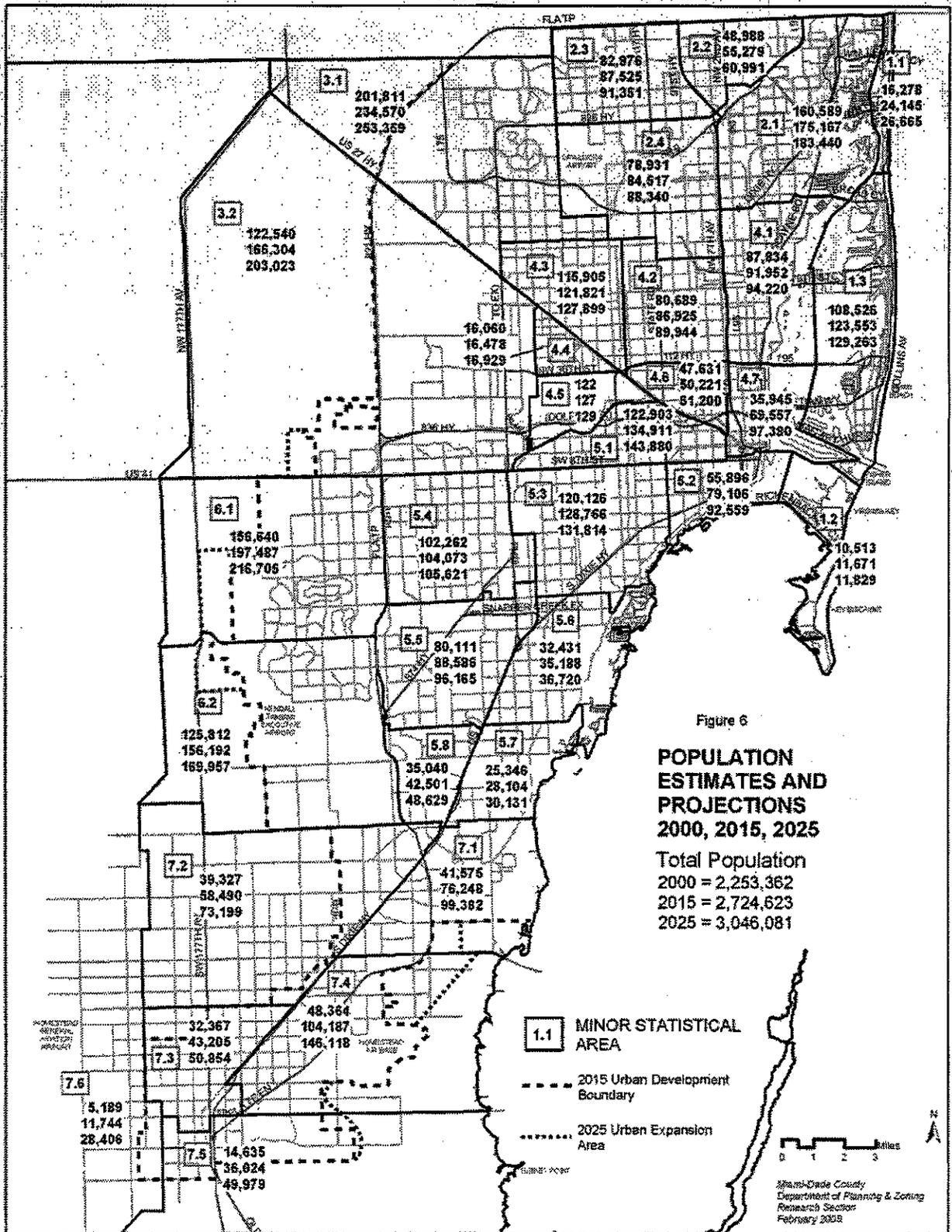
Factors that determine population growth and the distribution thereof have undergone significant change since the last projection series was done in 2004. Adopting this current set of projections will provide an improved input to the growth management component of the CDMP.

Specifically, the population projections proposed in this amendment include revisions to the countywide figures and to the subarea distribution of future population. These revisions were the result of the need to reflect the substantial level of residential redevelopment activity over the past four years, as well as other changes. In addition, the basis for revisions in the projected population distribution include updated housing counts, changes in the inventory of vacant land, and cumulative changes to zoning and/or LUP map of the CDMP.

The revised projections reflect new, year-2006 existing residential units, 2007 residential development and redevelopment capacity estimates, including updated estimates of capacity both inside and outside the Urban Development Boundary.

**Requested Text Amendment:**

In the Land Use Element, replace the "Population Estimates and Projections" map (Figure 6) with a new map (presented on the following page) that has been updated and contains revised estimates and projections. Figure 6 (last amended in October, 2004) is located on page I-71 of the Land Use Element in the Adopted Components of the Comprehensive Development Master Plan for Miami-Dade County, Florida, October 2006 Edition.



## Staff Analysis:

Periodically, the Department of Planning and Zoning revises the estimates and projections of resident population countywide and by subarea. The population estimates and projections are a fundamental growth management component of the Comprehensive Development Master Plan (CDMP) used both for land use planning and to coordinate the planning of public facilities and services with the Land Use Plan (LUP) map. The basis for revisions in the projected distribution typically include: modification of the countywide population projections, updated housing counts, changes in development capacity of the CDMP LUP that result from cumulative changes to zoning and/or LUP map of the CDMP and identified redevelopment trends.

The current projections were part of the EAR-based amendments (October 2004 cycle) that were adopted on December 12, 2005. The population projections proposed in this amendment include revisions to the countywide figures and to the subarea distribution of future population. These revisions were the result of the need to reflect the level of residential redevelopment activity over the past four years, as well as other changes both small and large.

The revised projections reflect new, year-2006 existing residential units, 2007 residential development and redevelopment capacity estimates, including updated estimates of capacity both inside and outside the Urban Development Boundary.

The proposed countywide population for the year 2005 is 1,367 persons higher than the previous projection of 2,402,105. The projected countywide population for the year 2015 is proposed to be increased by about 21,500 persons, or 0.8 percent, to 2,724,623. The population projection for 2025 is 3,046,881 or 0.9 percent higher than the previous projections.

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

The following CDMP goals, objectives, policies, concepts and guidelines will be enhanced if the proposed designation is approved:

**POLICY LU-5A.** The textual material titled "Interpretation of the Land Use Plan Map" contained in this Element establishes standards for allowable land uses, and densities or intensities of use for each land use category identified on the adopted Land Use Plan (LUP) map, and is declared to be an integral part of these adopted Land Use Policies.

POLICY LU-5B. All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

POLICY LU-5C. All planning activities pertaining to development and redevelopment and the provision of public services and facilities in Miami-Dade County shall be consistent with the "Population Estimates and Projections" contained in this Element, and with the locations and extent of future land uses as identified by the LUP map and its interpretive text. Plans for providing public facilities and services in Miami-Dade County shall be updated by the responsible service providers as soon as possible after the filing of applications to amend the CDMP population projections, and the corresponding elements of the CDMP shall be updated in association with the updating of the facility/service plans.

POLICY LU-5D. When estimates of current population are periodically updated by the Miami-Dade County Department of Planning and Zoning or U.S. Census Bureau, and when revised projections of future population or population distributions are officially filed by the Department as applications to amend the CDMP, these new estimates and projections may be used for planning in Miami-Dade County in lieu of previously published population estimates and the population projections currently adopted in the CDMP.

None of the current CDMP goals, objectives, concepts and guidelines will be impeded with the approval of the proposed text amendment.

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# APPENDIX

Minor Statistical Area Population Projections  
Miami-Dade County 1990 to 2030

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# **Minor Statistical Area Population Projections**

## **Miami-Dade County 1990 to 2030**

Planning Research Section  
Miami-Dade Department of Planning and Zoning  
111 NW First Street, Suite 1220  
Miami, FL 33128-1972

January 2008

## Introduction

The changing pace and patterns of urban development in Miami-Dade County require that the population projections – Countywide and by subarea – be updated on a regular basis. This report presents the most recent small-area update completed in January 2008. It will be filed as an amendment to the Comprehensive Development Master Plan. These projections modify and replace those published in the Adopted 2003 Evaluation and Appraisal Report for the Comprehensive Development Master Plan (October 2003).

The projections are for the permanent resident population of Miami-Dade. Tourists, other visitors, and part-time seasonal residents are excluded. Table 1 shows the projected population by five-year intervals out to the year 2030. Comparable data since 1990 is also presented. The 32 Minor Statistical Areas are groupings of census tracts useful for planning purposes (see Figure 1).

These area-specific projections are consistent with the revised County projections published in November 2004 to and include more recent data.<sup>1</sup>

The projections were derived from a set of **logistic** or **growth curves** based on mathematical equations, which describe typical population growth over time. These equations define elongated S-curves that reflect standard characteristics of growth over time, notably the rapid escalation of growth that typically occurs in the early years followed by a gradual slowing of growth as areas fill up and residential capacity is approached. This is the same method used in previous projections.

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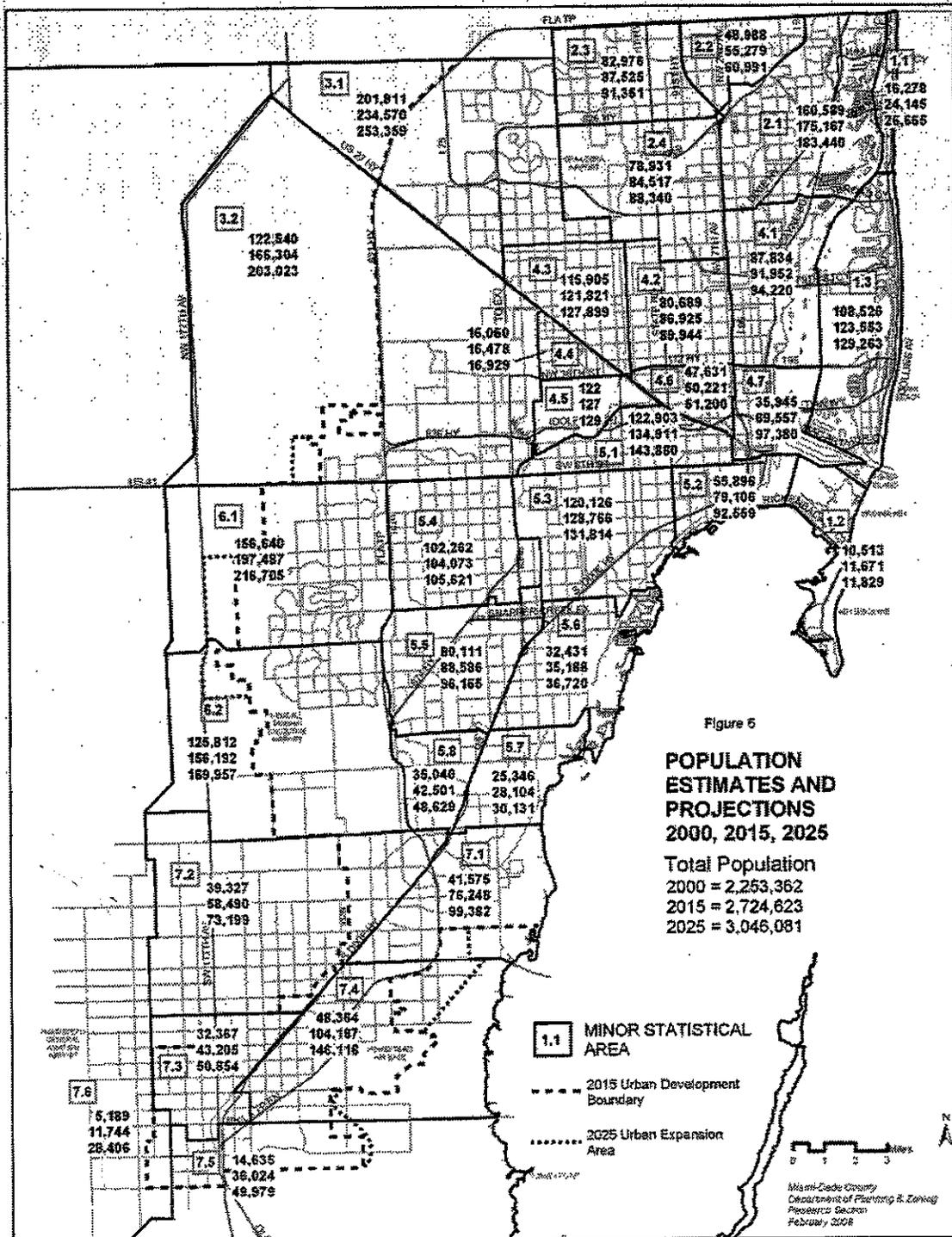
<sup>1</sup> The long-range (2025) projection figure, increased modestly from 3,019,785 persons to 3,046,081.

**Table 1**  
**Proposed Population Projections, 1990 to 2030**  
**Miami-Dade County by Minor Statistical Area**

<b>Area</b>	<b>1990</b>	<b>2000</b>	<b>2006</b>	<b>2010</b>	<b>2015</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>Capacity</b>
1.1	12,546	16,278	21,781	22,692	24,145	25,551	26,665	28,126	26,665
1.2	8,854	10,513	11,392	11,503	11,671	11,809	11,829	12,024	11,829
1.3	110,126	108,526	118,734	121,101	123,553	126,030	129,263	131,261	130,840
2.1	129,542	160,589	167,574	170,401	175,167	179,735	183,440	188,063	183,440
2.2	41,795	48,988	50,483	52,596	55,279	57,988	60,991	63,436	61,621
2.3	77,397	82,976	84,577	85,818	87,525	89,269	91,351	92,820	92,005
2.4	75,900	78,931	81,508	82,838	84,517	86,232	88,340	89,771	89,122
3.1	131,084	201,811	213,482	221,495	234,570	246,662	253,359	267,659	253,359
3.2	82,657	122,540	135,543	148,154	166,304	184,698	203,023	220,202	203,128
4.1	91,146	87,834	89,408	90,992	91,952	92,816	94,220	94,669	95,446
4.2	83,779	80,689	82,925	85,516	86,925	88,133	89,944	90,665	91,394
4.3	106,641	115,905	117,058	119,050	121,821	124,639	127,899	130,320	128,764
4.4	15,480	16,060	16,161	16,293	16,478	16,671	16,929	17,076	17,053
4.5	105	122	122	125	127	128	129	130	159
4.6	44,930	47,631	49,367	49,650	50,221	50,764	51,200	51,740	51,200
4.7	36,432	35,945	43,106	56,836	69,557	82,509	97,380	109,940	100,994
5.1	117,989	122,903	127,018	130,940	134,911	138,893	143,880	147,247	146,029
5.2	53,742	55,896	66,863	72,931	79,106	85,319	92,559	98,240	94,770
5.3	118,198	120,126	126,796	127,501	128,766	130,099	131,814	132,837	132,476
5.4	97,439	102,262	103,099	103,349	104,073	104,804	105,621	106,178	105,653
5.5	74,262	80,111	82,055	85,148	88,586	92,052	96,165	99,209	97,544
5.6	30,072	32,431	34,014	34,496	35,188	35,894	36,720	37,319	36,947
5.7	22,727	25,346	26,424	27,178	28,104	29,042	30,131	30,953	30,447
5.8	33,358	35,040	36,273	39,696	42,501	45,235	48,629	51,034	50,112
6.1	110,762	156,640	177,233	184,938	197,487	209,307	216,705	230,187	216,705
6.2	67,648	125,812	137,515	144,679	156,192	166,390	169,957	183,222	169,957
7.1	33,467	41,575	56,610	65,414	76,248	87,443	99,382	110,042	100,790
7.2	36,214	39,327	44,920	51,734	58,490	65,324	73,199	79,606	75,352
7.3	31,173	32,367	35,823	39,703	43,205	46,680	50,854	54,004	52,382
7.4	46,921	48,364	67,549	84,984	104,187	124,182	146,118	165,537	149,476
7.5	10,425	14,635	24,139	28,792	36,024	43,572	49,979	57,846	49,979
7.6	4,283	5,189	5,966	7,344	11,744	17,569	28,406	34,924	39,092
<b>Total</b>	<b>1,937,094</b>	<b>2,253,362</b>	<b>2,435,517</b>	<b>2,563,885</b>	<b>2,724,623</b>	<b>2,885,439</b>	<b>3,046,081</b>	<b>3,206,287</b>	<b>3,084,730</b>

Source: Miami-Dade County, Department of Planning and Zoning, Research Section, 2008.

Note: Capacity includes capacity outside the Urban Development Boundary.



## **Logistic Curves**

A logistic curve was developed for each Minor Statistical Area based on the historic growth patterns and the estimated residential capacity of each Area. The curve mathematically describes the common phenomenon of rapidly escalating growth in the early stages of development, followed by the gradual slowing of growth as residential limits are approached and there is little remaining room left for further development. Three points in time and an estimate of the residential capacity define the curve.

The logistic curves were based on three equidistant points in time sufficiently far apart to show the rise and fall of population growth rates in most Areas. The year 2006 was chosen as the middle point because that was the date of the most recent housing and population estimates. New units reported by the Property Appraiser for the 2000 to 2006 period were added to the Census 2000 housing counts. This resulted in an estimate for January 2007. The year 2025 was chosen as the third point in time. The first point in time was 1987, a year chosen to match the 19-year time span between points two and three. The three points, 1987, 2006, and 2025, span a 38-year period.

The data for 1987 were estimated on the basis of an interpolation of 1980 and 1990 census data. Census 2000 and post-census estimates of housing and population provided the data for 2005. The preliminary data for 2025 were mathematically derived from population capacity estimates combined with the data for 1987 and 2006.

The logistic curves, by definition, fit exactly on the 1987, 2006, and 2025 points, and approach, but never quite reach, capacity. As the limits of growth are approached, the lack of residential capacity begins to dampen the projected population increase. This slowing of growth is already evident in the urbanized eastern portion of the County and will become more apparent in the western and southern areas as the remaining vacant land there is depleted.

## **Residential Capacity**

The residential capacity estimates are an important component of these projections for two reasons: (1) they were used to help establish the 2025 population projection figure for each area; and (2) they served to reduce and eventually stop population growth in areas that were close to their capacity. The following paragraphs provide additional detail about the measurement of residential capacity and how housing capacity figures were converted to population figures.

The reference date for the estimate of residential capacity is 2006. Residential capacity is an estimate of the total number of units that can be placed on the land, given current land use and zoning designations. The estimate is composed of two elements: units available at the end of 2006, and units that could be accommodated on vacant, developable residential land. The estimates of the capacity of vacant land are made separately for land inside and outside the Urban Development Boundary.

***Inside the UDB.*** The residential capacity of land inside the boundary is based on a 2006 inventory of vacant land within the 2015 Urban Development Boundary. Capacity increases or decreases resulting from Comprehensive Development Master Plan amendments through that date are included. In addition to the capacity of vacant residential land an allowance was made for (1) *redevelopment in charrette areas* in which new zoning designations are in place (2) *intensive redevelopment* under way in other areas, and (3) the *increased density* of some new development in south Miami-Dade.

1. *Redevelopment in Charrette Areas.* The County has undertaken eight charrette studies that resulted in a change in zoning to mixed use categories with greater residential density. This runs the gamut from Metropolitan Urban Centers such as Downtown Kendall to community urban centers such as Goulds. All charrette areas have the new zoning except Leisure City, where the changes are in process. With the exception of Downtown Kendall and Ojus, all charrette areas are in South Dade along the U.S. 1 Corridor. In total, this results in an increased capacity of about 34,500 units.
2. *Intensive Redevelopment.* Miami-Dade County has undergone a level of redevelopment activity that could not have been forecast. As such, the residential capacity figures had to undergo major overhaul. While in the previous report four Minor Statistical Areas (MSA) had capacity increases due to redevelopment of 3,000 residential units each, today there are nine such areas. Adjustments were made to the residential capacity of all areas where major redevelopment activity is underway. The four MSAs with largest additions to residential capacity are highlighted below.
  - Downtown Miami (Minor Statistical Area 4.7) has and is undergoing a residential renaissance of unparalleled magnitude. In this area alone, capacity was increased by 38,000 units.
  - The Brickell area, (Minor Statistical Area 5.2) that includes Miami's financial district, is also experiencing a huge surge in high-density residential redevelopment. In this area capacity was increased by 19,000 units.
  - The area in the City of Miami west and south of downtown (Minor Statistical Area 5.1), in particular along the Miami River, has undergone significant residential redevelopment activity. In this MSA, capacity was increased by 11,000 units.
  - The Sunny Isles Beach area (Minor Statistical Area 1.1) is and has been experiencing substantial redevelopment of high-density residential units replacing existing low-density hotel/motel units. Here, capacity has increased by 9,500 units.

3. **Increased Density.** In south Miami-Dade County (Minor Statistical Area 7.4) there has been a continued surge in new residential development. It is clear that some of what is being built and planned for is at densities higher than those anticipated. Accordingly, 3,000 units were added to the residential capacity in the area.

There have been, of course, other areas in the County where residential development has proceeded at higher densities than previously indicated in the 2004 projections. The Doral area, (Minor Statistical Area 3.2) is a case in point. While much of the residential development has involved building on existing capacity of vacant lands, another component is due to land use changes that led to a more intensive development. In total, capacity in Doral increased by 12,000 units.

**Outside the UDB.** In addition to the land within the Urban Development Boundary, an allowance is made for future development outside the boundary. The logistic curves incorporate the population of the County at its ultimate build out. The capacity for future development outside the boundary is estimated at about 19,000 units. In general, the housing capacity was estimated at 4.5 dwelling units per gross acre in the Urban Expansion Area and 1.87 units per acre in that portion of the Urban Expansion Area near the west well fields. Capacity outside the Urban Expansion Area was estimated at one unit per five acres in one-third of those open land and agricultural areas where future development was not precluded. The Lake Belt Area and environmentally sensitive and endangered lands in South Miami-Dade are examples of areas where residential development was precluded.

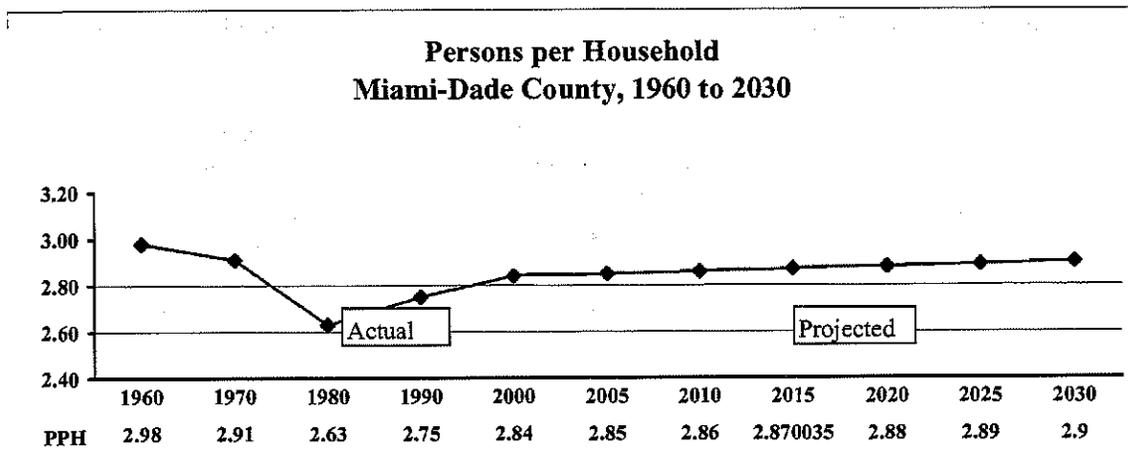
**Capacity Change.** Future rezoning at higher densities or the inclusion of additional land within the Urban Development Boundary would add to the County's residential capacity. Development at lower-than-permitted densities or a contraction of the Urban Development Boundary would reduce capacity. Future environmental concerns arising, for example, from the Comprehensive Everglades Restoration Plan or the South Miami-Dade Watershed Study, might further restrict capacity. In summary, the residential capacity of the County is likely to change over time and the ultimate residential capacity is not known with certainty.

Changes in capacity affect the projections in different ways. In areas that are at or near capacity, e.g. the Sunny Isles, Miami Beach, or Key Biscayne areas, any change in capacity has an immediate affect on the rate of growth even in the short-term. In areas with a large remaining capacity the rate of growth is influenced more by past growth and less by future capacity or changes in that capacity.

**Converting Housing Capacity to Population Estimates.** The housing capacity estimates were converted to population capacity based on projected average household size figures and vacancy rates for each Minor Statistical Area derived from the 2000 census.

- **Average Household Size.** A modest (2.0 percent) increase in household size was projected from 2.84 persons per household Countywide in 2000 to 2.9 persons per household at buildout. This is in accordance with the persons per household assumption in the previous projection. Buildout occurs in or about the year 2026 and this implies an average increase of less than 1.0 percent in household size in each of the next three

decades. This was lower than the 3.3 percent increase in household size recorded in the 1990s, when household size increased from 2.75 to 2.84 persons per household. The comparable figure for the decade of the 1980s was 4.6 percent but in the 1960s and 1970s household size declined by an average of about 6 percent per decade. The slight increase in projected household size is based on the projected continued immigration of Hispanics and Blacks of working age whose family size tends to be larger than that of the NonHispanic White and Other populations.



- Residential vacancy rates.** The reported residential vacancy rates from the 2000 census (8.9 percent Countywide) were left unchanged. This was in line with the assumption of the previous projection series. As an historical note, in the 1990s, vacancy rates declined by about 13 percent, but almost doubled (from 5.7 to 10.2 percent) in the 1970s and 1980s.

### Estimating and Adjusting the Growth Curve

The projections for the year 2025, the third point in time in the projection series, were unknown at the outset. The data for 1987 and 2006 were combined with the residential capacity estimates to generate estimates for these figures. Then the data for the three years were used to create the logistic curves that provided the preliminary figures for each area for each projection year. These preliminary projections were then adjusted to match the County total in each year.<sup>2</sup>

In each projection year, the population projections for each of the 32 Minor Statistical Areas were summed and compared with the independently projected County total for that year. The two sets of figures were different and the difference increased over time, as shown below (Table 2). This was to be expected because the countywide projections, unlike the Area-specific figures, did not incorporate any residential capacity constraints.

<sup>2</sup> The appendix shows examples of logistic curves and the five-year population projections derived from the curve.

**Table 2**

<b>Inflation Factors for Population Projections 2008</b>			
<b>Year</b>	<b>Final</b>	<b>Preliminary</b>	<b>Final/Prel.</b>
2000	2,253,362	2,253,362	1.000
2010	2,563,885	2,625,049	0.977
2015	2,724,623	2,737,429	0.995
2020	2,885,439	2,824,606	1.022
2025	3,046,081	2,891,016	1.054
2030	3,206,287	2,942,135	1.090

Source: Miami-Dade County, Department of Planning and Zoning, Research Section 2008.

The increasing size of the adjustment over time was a direct result of the method used. The population capacity for each Area was used as an asymptote in the development of the logistic curve and the growth rates tapered off as these asymptotes were approached.

The first step, then, was to adjust each of the Area-specific figures so that they summed to the independent County projections as noted above. The adjustment was made to each Area's growth increment since 2006. In addition, remaining capacity for those MSAs below capacity was factored into the equation. The growth increment and overall remaining capacity was factored in on a proportional basis. The capacity for each Area was inflated so that the resulting sum of the Areas equaled the countywide total. This technique minimized the adjustments in older and more stable neighborhoods. With little or no growth, the adjustments in these Areas were minor. They were, in general, larger in the faster growing suburban Areas.

After this adjustment, the projected population of eight Areas exceeded capacity in 2025. They were Minor Statistical Areas 1.1, 1.2, 2.1, 3.1, 4.6, 6.1, 6.2, and 7.5. The growth of each MSA was capped at capacity and the overage population (23,613 persons) was distributed across all the other Areas in proportion to each Area's share of the remaining capacity.

By the year 2030, the projected population Countywide exceeded the residential capacity of the County by 121,557 persons, or about 4 percent. It is assumed that those MSAs with available capacity would exhaust that capacity. Further, that in other MSAs capacity would increase due to a decrease in vacancy rates and a possible increase in household size.

## Results

The projections are presented in terms of the annual average change in each time period in Table 3.<sup>3</sup> Like the previous projection series, the new figures show continued growth in almost all parts of the County, but especially in the developing fringe Areas and in the broad Downtown Miami area that is undergoing a renaissance in residential redevelopment. There are four fast-growing suburban Minor Statistical Areas (3.1, 3.2, 6.1, 6.2), although the population growth in MSAs 6.1 and 6.2 slows significantly after 2020. In particular, MSA 3.2 (Doral) has grown very rapidly since 1990 and is expected to continue this trend through 2025. In addition, Minor Statistical Areas 4.7 (Downtown Miami) and 5.2 (the Brickell area) have grown quite rapidly since 2000 and will continue to steadily grow through 2025. In the 2006-2010 period all of these Areas are projected to account for more than 40 percent of the County's growth. Specifically, for MSA 3.2 and 4.7 their share of the population growth is expected to remain steady in the foreseeable future, given the significant amounts of available residential capacity and the exhaustion of land in many other areas.

The growth of South Miami-Dade is projected to increase. This region (Areas 7.1 through 7.6) accounts for 33 percent of the county's growth in the 2006-2010 period and is expected to increase to about 39 percent in the 2020 to 2025 period. In particular, MSAs 7.1 and 7.4 account for the bulk of this growth. The growth is related to the availability of developable land in this region relative to the lack of available land for additional single-family homes in the rest of the county.

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<sup>3</sup> The projections are presented in Table 1 above (see p 2).

**Table 3**  
**Annual Average Change**  
**Population Projections 1990-2030**  
**Miami-Dade County by Minor Statistical Area**

Area	1990-2000	2000-2006	2006-2010	2010-2015	2015-2020	2020-2025	2025-2030
1.1	373	917	228	291	281	223	292
1.2	166	146	28	34	27	4	39
1.3	-160	1,701	592	491	495	647	400
2.1	3,105	1,164	707	953	914	741	924
2.2	719	249	528	537	542	601	489
2.3	558	267	310	341	349	416	294
2.4	303	430	333	336	343	422	286
3.1	7,073	1,945	2,003	2,615	2,418	1,339	2,860
3.2	3,988	2,167	3,153	3,630	3,679	3,665	3,436
4.1	-331	262	396	192	173	281	90
4.2	-309	373	648	282	242	362	144
4.3	926	192	498	554	564	652	484
4.4	58	17	33	37	39	52	29
4.5	2	0	1	0	0	0	0
4.6	270	289	71	114	109	87	108
4.7	-49	1,193	3,433	2,544	2,591	2,974	2,512
5.1	491	686	981	794	796	997	673
5.2	215	1,828	1,517	1,235	1,243	1,448	1,136
5.3	193	1,112	176	253	267	343	205
5.4	482	140	62	145	146	163	111
5.5	585	324	773	688	693	822	609
5.6	236	264	120	138	141	165	120
5.7	262	180	188	185	188	218	164
5.8	168	206	856	561	547	679	481
6.1	4,588	3,432	1,926	2,510	2,364	1,480	2,696
6.2	5,816	1,950	1,791	2,303	2,040	713	2,653
7.1	811	2,506	2,201	2,167	2,239	2,388	2,132
7.2	311	932	1,703	1,351	1,367	1,575	1,281
7.3	119	576	970	700	695	835	630
7.4	144	3,197	4,359	3,841	3,999	4,387	3,884
7.5	421	1,584	1,163	1,446	1,510	1,281	1,574
7.6	91	129	344	880	1,165	2,167	1,304
<b>Total</b>	<b>31,627</b>	<b>30,359</b>	<b>32,092</b>	<b>32,148</b>	<b>32,163</b>	<b>32,128</b>	<b>32,041</b>

The *proposed projections differ from the currently adopted set* for three reasons:

- Differences in the base year data (2004 estimates versus the 2006 figures),
- Differences in countywide projections which were updated to incorporate the most recent population component data, and
- Differences in remaining residential capacity figures.

The following paragraphs discuss some of the changes focusing on the planning horizons, 2015 and 2025.

*In 2015*, there are nine Minor Statistical Areas where the new figures are higher than the old by at least 5 percent and another six where the new figures are lower than the old by at least 5 percent.

- Minor Statistical Areas 3.1 (Miami Beach) is an Area where the proposed projection is 5 percent higher than the previous 2004 projection. This is a result of increased residential redevelopment activity.
- Minor Statistical Areas 2.1 (Aventura, North Miami Beach, North Miami) and 3.1 (Northwest Dade) shows a 5 and 10 percent decrease, respectively, from the 2004 projections. This appears to be the result of limited capacity and higher estimation of capacity in the previous series.
- Minor Statistical Areas 4.6 (west of Downtown Miami) and 5.7 (Palmetto Bay) are Areas where the proposed projections are 7 percent and 5 percent, respectively, lower than the 2004 projection figures. The lower projections here are related to the shortage of residential capacity in this region.
- Minor Statistical Areas 4.7 (Downtown Miami) and 5.2 (the Brickell area) are Areas where the proposed projections are 22 percent and 16 percent, respectively, higher than the 2004 projection figures. The higher projections here are related to the significantly increased residential capacity in this region resulting the recent surge in high-density residential development.
- Minor Statistical Areas 5.8 (Perrine) has a proposed projection 11 percent higher than the 2004 projection. This is a direct result of the implementation of higher density zoning resulting from a charrette study of this area.
- Minor Statistical Areas 6.1 and 6.2, suburban areas in the Kendall region, have proposed projections are 8 percent and 11 percent, respectively, lower than the 2004 projection figures. The lower projections here are related to the growing shortage of residential capacity in this region.
- Minor Statistical Areas 7.1, 7.2, 7.3, 7.4, and 7.5 in South Dade region, all show a proposed projection significantly higher than the 2004 projection figure. In particular, MSAs 7.1 (Cutler Bay), (7.3 (Homestead and Florida City), 7.4 (adjacent

to the Homestead Air Base), and 7.5 have projections that are respectively 33 percent, 13 percent, 33 percent, and 24 percent higher than in the previous series. This is a product of the recent surge in new residential development here, the addition of capacity to reflect the higher densities of some new developments, and the greater capacity resulting from implementation of new zoning based on charrettes in this region.

- Minor Statistical Area 7.2 (the Redlands) has a proposed projection that is 14 percent higher than the previous projection series. This is a result a somewhat more rapid residential development in the period 2004-2015 than was previously foreseen.
- Minor Statistical Area 7.6, west of the City of Homestead, shows a 2015 population projection about 64 percent higher than the 2004 projection figure. This is a product of the higher residential capacity resulting from improvements in determining capacity in this region.

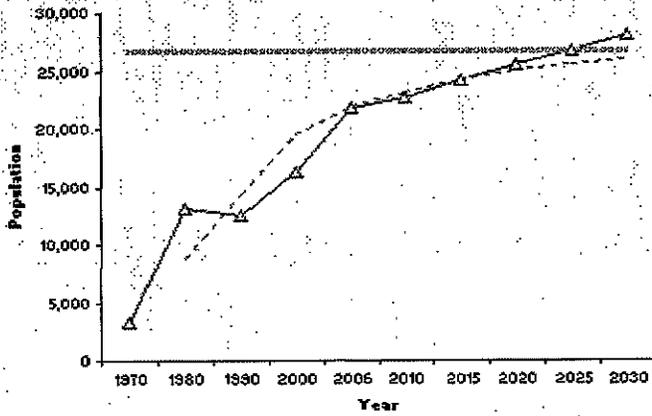
***In 2025***, there are ten Minor Statistical Areas where the new figures are higher than the old by at least 5 percent and another nine where the new figures are lower than the old by at least 5 percent.

- Minor Statistical Areas 1.1 (Sunny Isles Beach) and 1.3 (Miami Beach) are Areas where the proposed projections for 2025 are, respectively, 10 percent and 7 percent higher than the 2004 projection figures. The Sunny Isles Beach area is experiencing significant redevelopment at high densities, as well as the Miami Beach area to a lesser extent.
- Minor Statistical Areas 2.2 (Andover, Norland, and Ives Estates) is urban area in North Miami-Dade whose residential capacity has increased due to higher intensity land use in parts of this area. The proposed projections for 2025 are 11 percent higher than the 2004 projection figures.
- Minor Statistical Area 3.2 (the Doral area) is an Area with a great deal of residential capacity and is undergoing a high level of redevelopment activity. The proposed projection for 2025 is 19 percent higher than the 2004 projection figures.
- Minor Statistical Areas 4.2 (Liberty City area), 4.3 (Hialeah), and 4.6 (Allapattah and Melrose) are urban areas north and west of Downtown Miami with little residential capacity remaining and where there has been limited growth over the past twenty years. The proposed projections for 2025 are 11 percent, 5 percent, and 20 percent, respectively, lower than the 2004 projection figures.
- Minor Statistical Areas 4.7 (Downtown Miami) and 5.2 (Brickell) are Areas where the proposed projections for 2025 are 43 percent and 7 percent higher than the 2004 projection figures. The higher projections here are related to the increased residential capacity as a consequence of the recent surge in high-density residential redevelopment in the Downtown/Brickell area.

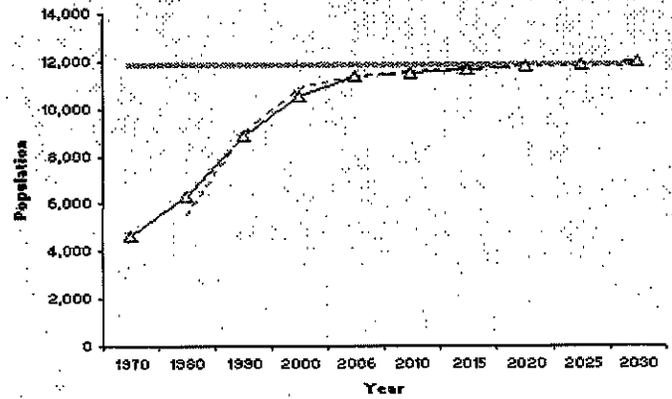
- Minor Statistical Area 5.1 (west of Downtown Miami) is undergoing redevelopment activity. The proposed projections for 2025 for this Area are 8 percent higher than the 2004 projection figures.
- Minor Statistical Areas 5.3 (the Coral Gables area), 5.6 (the Pinecrest area), and 5.7 (Palmetto Bay) are urban areas in which the proposed residential capacity figures are lower than those used in 2004. All of these Areas have very limited residential capacity. The proposed projections for 2025 are respectively 5, 7, and 5 percent lower than the 2004 projection figures.
- Minor Statistical Areas 5.8 (Perrine) is an area where the proposed projections for 2025 are 9 percent higher than the 2004 projection figures. As was the case in the 2015 comparison, this resulted from new zoning classifications that increased the capacity of this area.
- Minor Statistical Areas 7.1 (the Cutler Bay area), 7.4 (adjacent to the Homestead Air Base), and 7.6 (west of Homestead), show a 2025 population projections that are 17, 7, and 39 percent, respectively, higher than the 2004 projection figures for each. The changes in MSAs 7.1 and 7.4 are a product of the recent increase in new residential development and the addition of capacity to reflect the higher densities of some new developments. The high percentage change in Area 7.6 is a result of improvements in the determination of capacity in this large rural area of the County.
- Minor Statistical Areas 7.3 and 7.5 (inclusive of the Cities of Homestead and Florida City and the surrounding area) show 2025 population projections, which are 14 percent and 23 percent, respectively lower than the comparable 2004 figures. These decreases are a product of a higher rate of depletion of capacity in these Areas prior to 2025 and lower overall capacity.

# APPENDIX

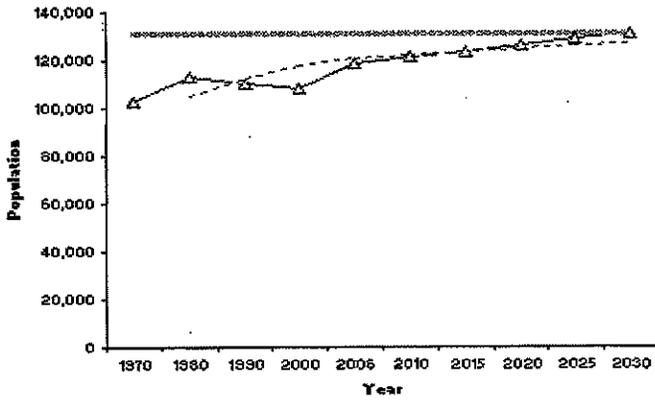
Population Change in Minor Statistical Area 1.1



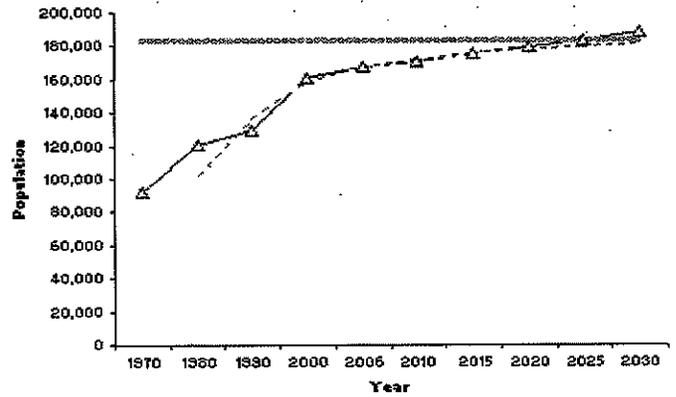
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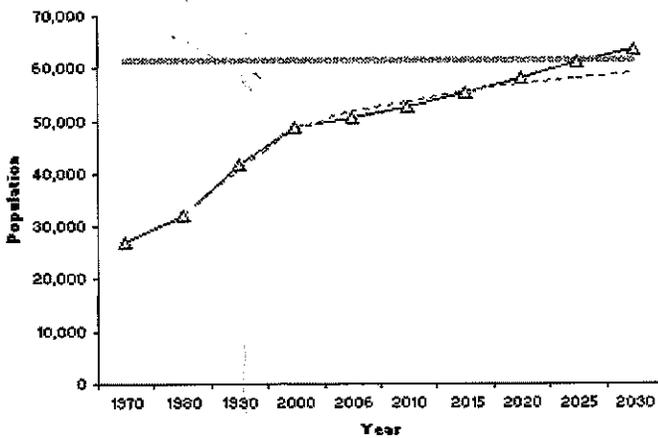
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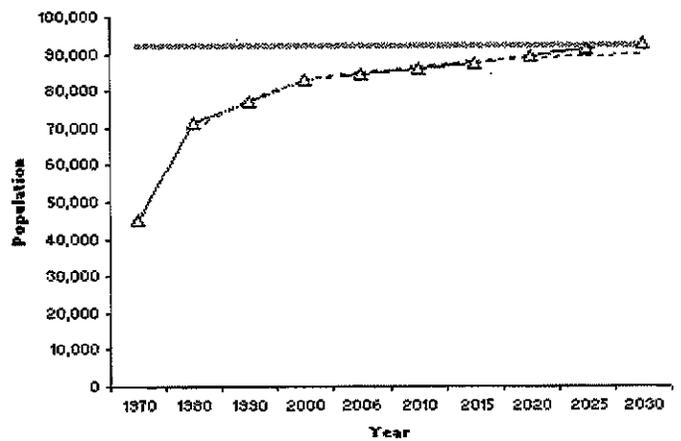
Population Change in Minor Statistical Area 2.1



Population Change in Minor Statistical Area 2.2



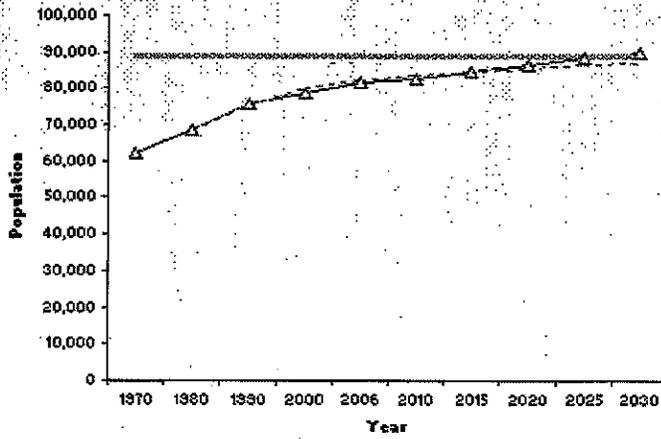
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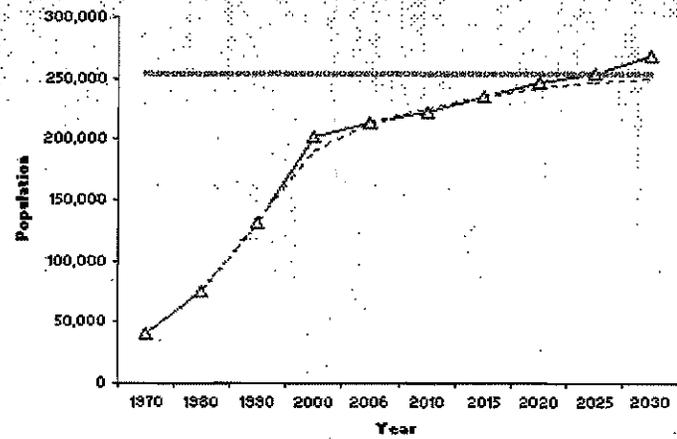
—△— Actual & Projected      ..... Capacity      - - - - - Trend Line

Population Projections by Minor Statistical Area

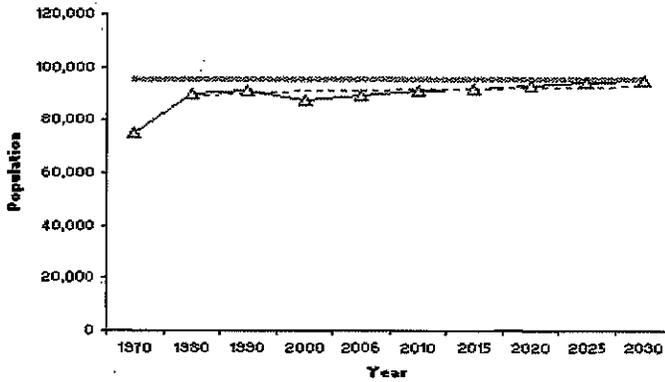
Population Change in Minor Statistical Area 2.4



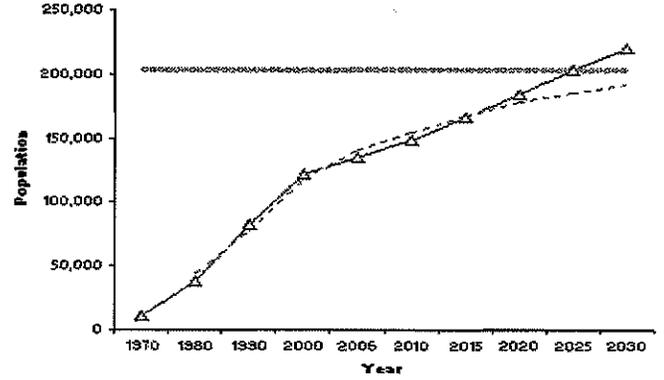
Population Change in Minor Statistical Area 3.1



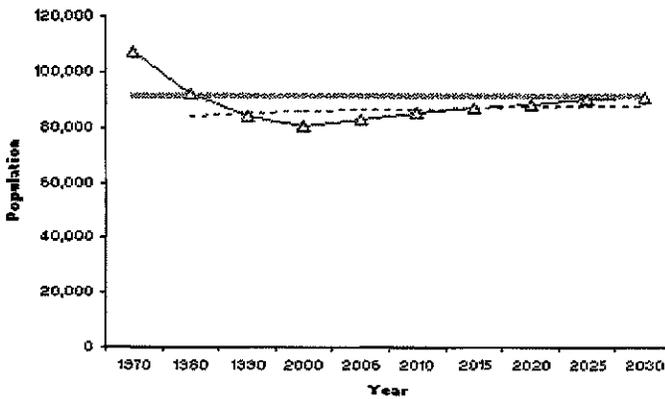
Population Change in Minor Statistical Area 4.1



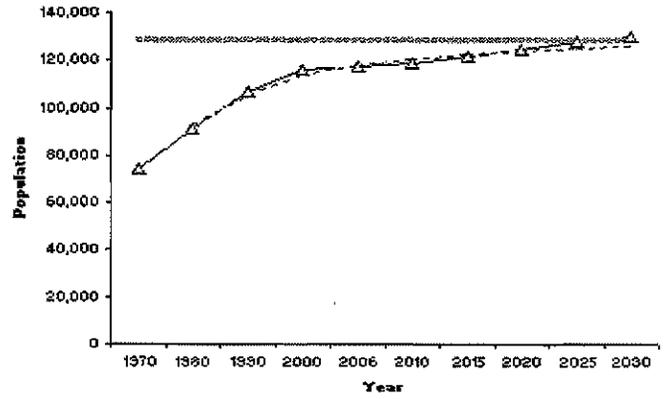
Population Change in Minor Statistical Area 3.2



Population Change in Minor Statistical Area 4.2

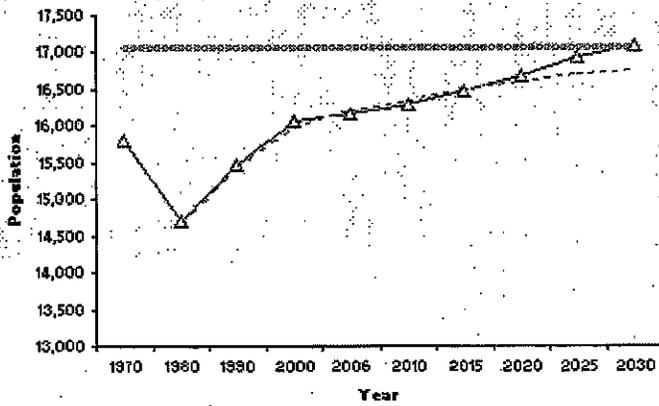


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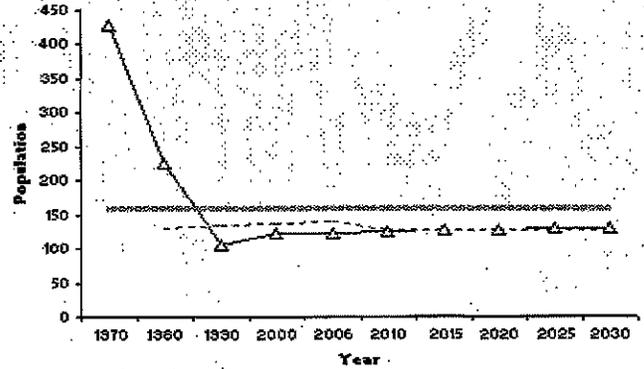


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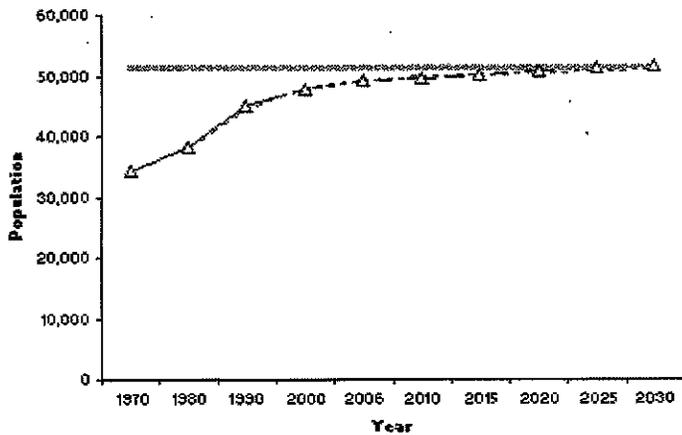
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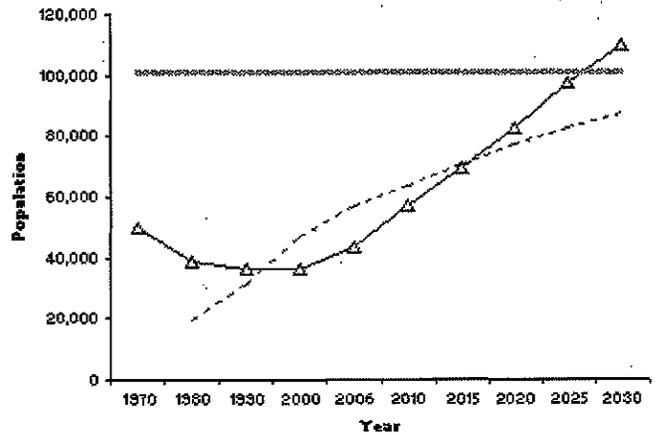
**Population Change in Minor Statistical Area 4.5**



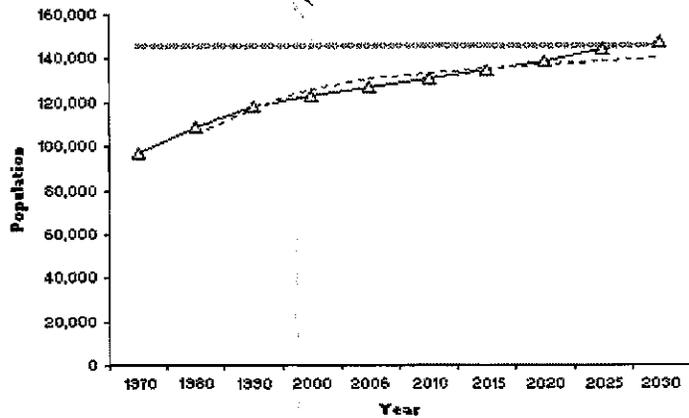
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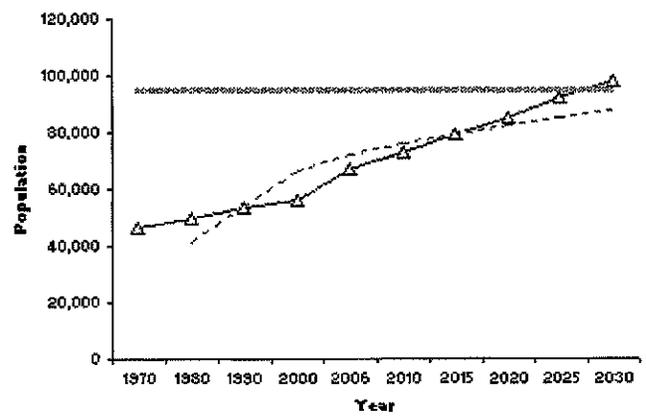
**Population Change in Minor Statistical Area 4.7**



**Population Change in Minor Statistical Area 5.1**

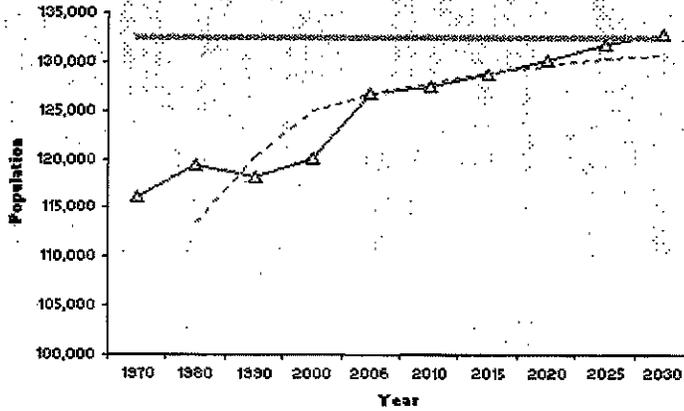


**Population Change in Minor Statistical Area 5.2**

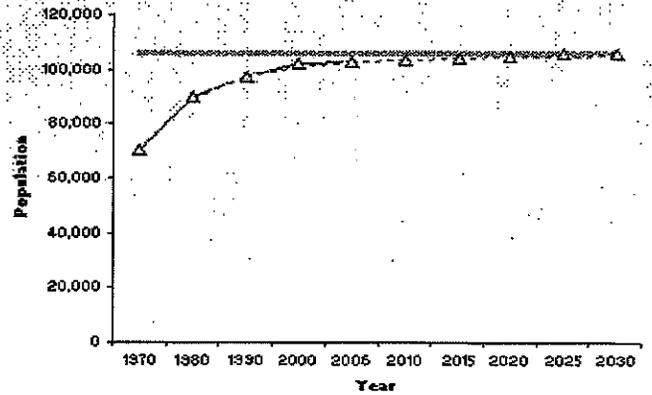


—▲— Actual & Projected      ..... Capacity      ..... Trend Line

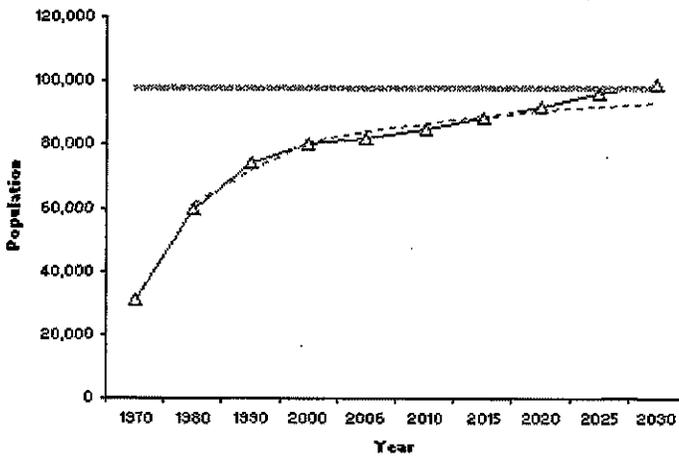
Population Change in Minor Statistical Area 5.3



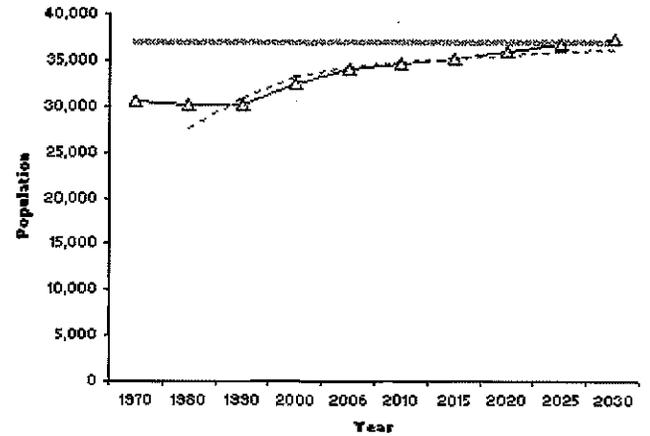
Population Change in Minor Statistical Area 5.4



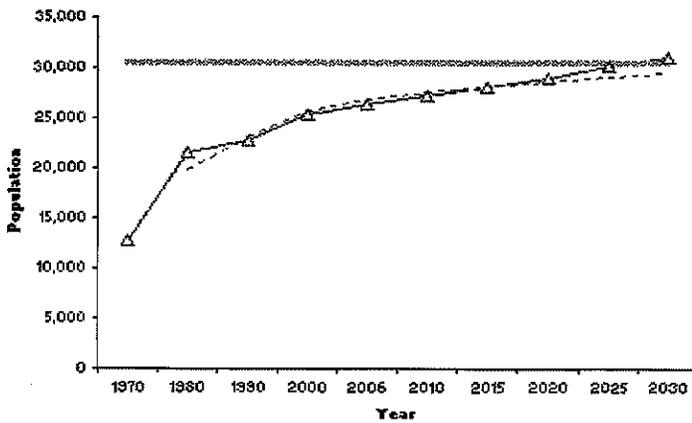
Population Change in Minor Statistical Area 5.5



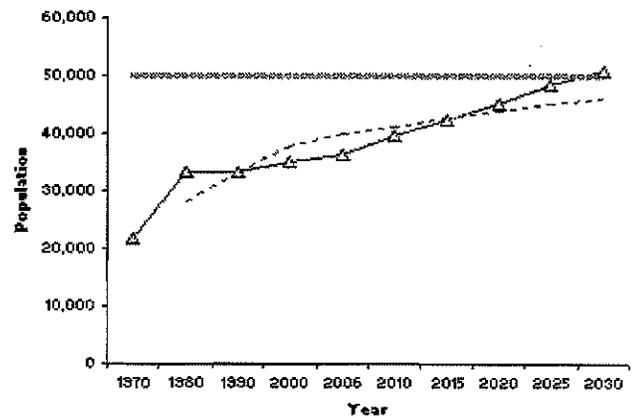
Population Change in Minor Statistical Area 5.6



Population Change in Minor Statistical Area 5.7

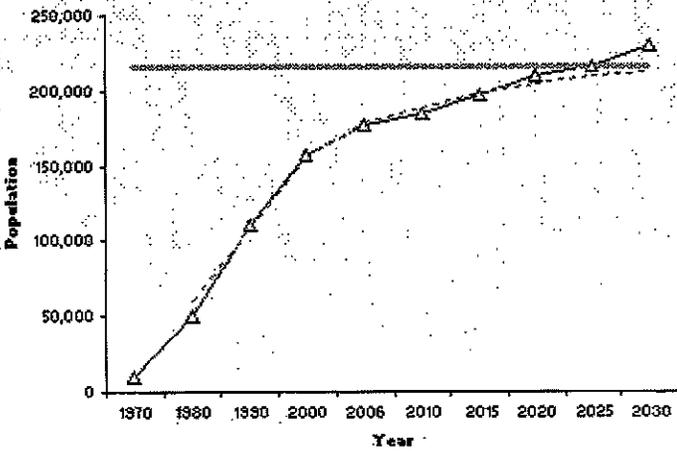


Population Change in Minor Statistical Area 5.8

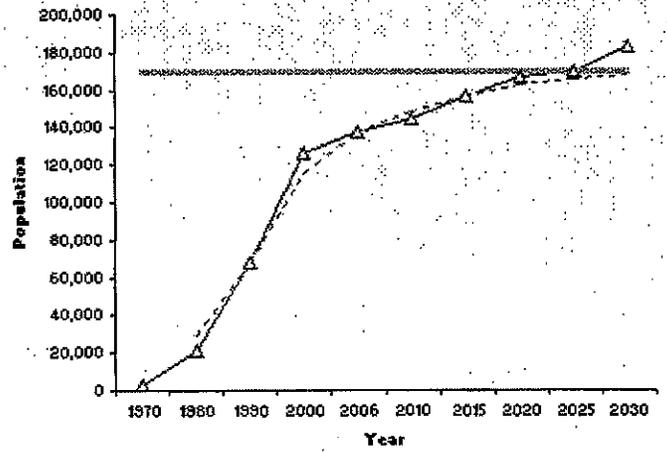


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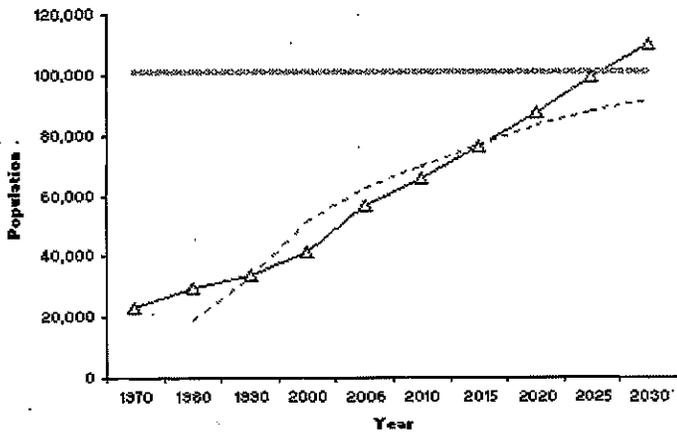
Population Change in Minor Statistical Area 6.1



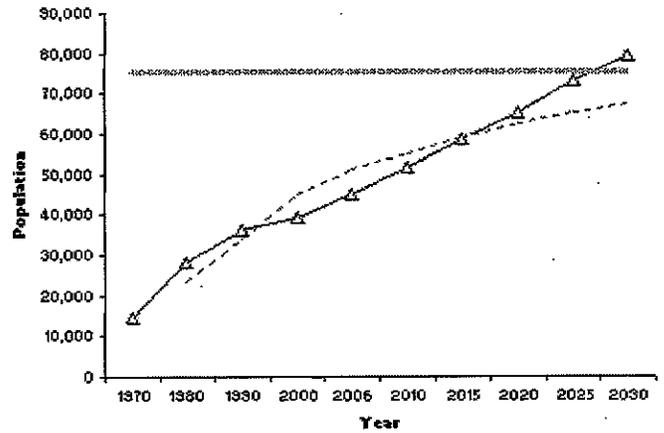
Population Change in Minor Statistical Area 6.2



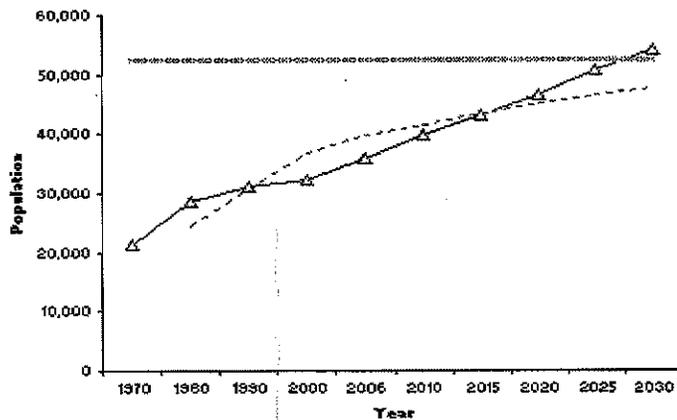
Population Change in Minor Statistical Area 7.1



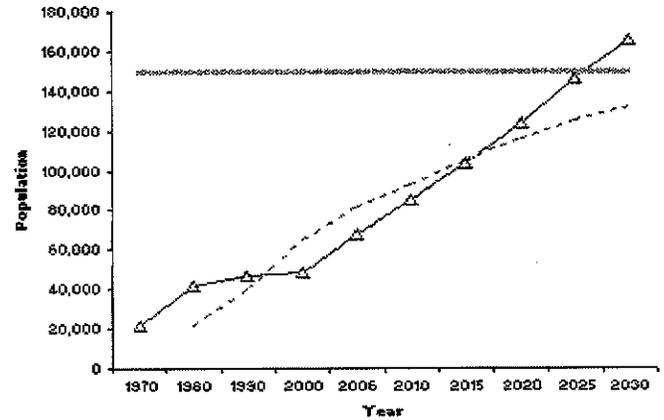
Population Change in Minor Statistical Area 7.2



Population Change in Minor Statistical Area 7.3

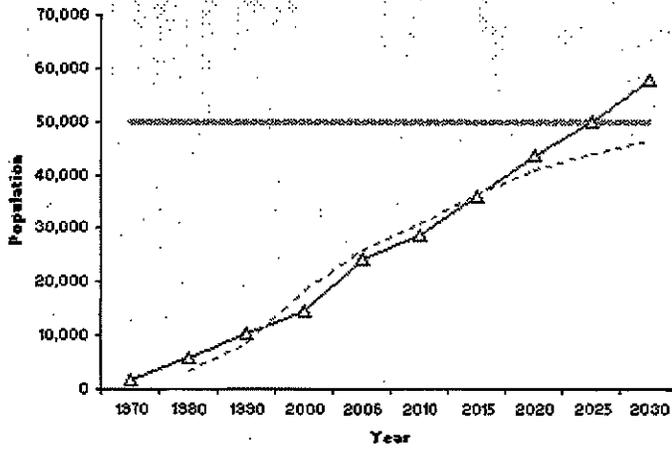


Population Change in Minor Statistical Area 7.4

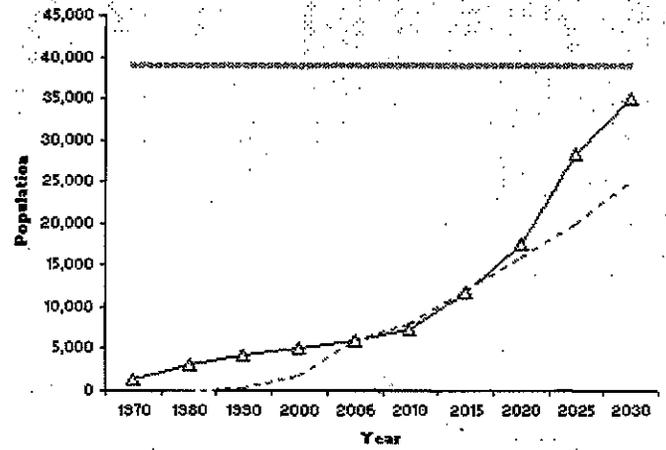


—▲— Actual & Projected      - - - Capacity      ····· Trend Line

Population Change in Minor Statistical Area 7.5



Population Change in Minor Statistical Area 7.6



—▲— Actual & Projected      ..... Capacity      - - - - - Trend Line

**Summary of Recommendations Matrix by DP&Z, Community Councils, PAB and BCC  
On the Proposed October 2007 Applications to Amend the CDMP  
May 29, 2008**

Application Number/ Type of Application	Applicant, Location, Requested Designation and Size	BCC District/ Commissioner	DPZ Initial Recommendation February 25, 2008	Community Council Recommendation, with Resolution No. & date	Local Planning Agency Recommendation April 28, 2008	Board of County Commissioners Recommendation May 29, 2008
1 Small-Scale LUP Map	209th Street Associates, LLC/Juan J. Mayol, Esq. and Tracy Slavens, Esq.  Northwest corner of NE 209 Street and NE 26 Court; 1.12 gross acres  From: Low-Medium Density Residential (6-13 DU/Ac) To: Office/Residential	4/ Heyman	Adopt	Northeast Community Council (CC2)  WITHDRAWN (By Applicant's letter dated March 17, 2008)	Withdrawn	Withdrawal Accepted by the Board
2 Small-Scale LUP Map	Aventura Commons, II, LLC/Juan J. Mayol, Esq. and Tracy Slavens, Esq.  An area between NE 205 and NE 206 Streets on the east side of NE 26 Avenue; 2.98 gross acres  From: Low-Medium Density Residential (6-13 DU/Ac) To: Office/Residential	4/ Heyman	Deny	Northeast Community Council (CC2)  Adopt (March 19, 2008)	Adopt	Adopt
3 Small-Scale LUP Map	Urban League of Greater Miami/Jeffrey Bercow Esq. & Matthew Amster, Esq.  An area between NW 51 and NW 53 Streets and between NW 23 Court and NW 24 Avenue; 5.5 gross acres  From: Medium Density Residential (13-25 DU/Ac) To: Medium-High Density Residential (25-60 DU/Ac)	3/ Edmonson	Adopt with Acceptance Of Proffered Covenant (Originally recommended Deny but revised to Adopt with Acceptance Of Proffered Covenant at the LPA Hearing on April 28, 2008)	North Central Community Council (CC8)  Adopt with Acceptance of Proffered Covenant (March 26, 2008)	Adopt With Acceptance Of Proffered Covenant	Adopt With Acceptance Of Proffered Covenant
4 Small-Scale LUP Map	Alfredo Garcia Menocal/Stanley B. Price, Esq.  Northeast corner of SW 117 Avenue and SW 95 Street; 2.5 gross acres  From: Estate Density (1-2.5 DU/Ac) To: Office/Residential	8/ Sorenson	Deny	Kendall Community Council (12)  Deny (March 19, 2008)	Deny	Denied As a Small-Scale Amendment and Transmit As a Standard Amendment with No Recommendation
5 Standard Text	Updates to Population Estimates and Projections	Countywide	Adopt and Transmit	NA	Adopt and Transmit	Transmit with Recommendation to Adopt

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# **INITIAL RECOMMENDATIONS**

## **OCTOBER 2007 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

**FOR MIAMI-DADE COUNTY, FLORIDA**



**INITIAL  
RECOMMENDATIONS**

**OCTOBER 2007 APPLICATIONS TO AMEND THE  
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

**February 25, 2008**

**Miami-Dade County Department of Planning and Zoning  
1110 Stephen P. Clark Center  
111 NW 1 Street  
Miami, Florida 33128-1972  
(305) 375-2835**

**Carlos Alvarez**

*Mayor*

**BOARD OF COUNTY COMMISSIONERS**

**Bruno A. Barreiro**

*Chairman*

**Barbara J. Jordan**

*Vice Chairwoman*

**Barbara J. Jordan**

*District 1*

**Dorrin D. Rolle**

*District 2*

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*District 3*

**Sally A. Heyman**

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**Bruno A. Barreiro**

*District 5*

**Rebeca Sosa**

*District 6*

**Carlos A. Gimenez**

*District 7*

**Katy Sorenson**

*District 8*

**Dennis C. Moss**

*District 9*

**Senator Javier D. Souto**

*District 10*

**Joe A. Martinez**

*District 11*

**José "Pepe" Diaz**

*District 12*

**Natacha Seijas**

*District 13*

**George M. Burgess**

*County Manager*

**R. A. Cuevas, Jr.**

*County Attorney*

**Harvey Ruvin**

*Clerk of the Courts*

**MIAMI-DADE COUNTY PLANNING ADVISORY BOARD**

**Georgina Santiago**

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Pamela Gray

Rolando Iglesias

Eddy Joachin

Daniel Kaplan

Douglas A. Krueger

Serafin Leal

Al Maloof

William W. Riley

Wayne Rinehart

Christi Sherouse

Jay Sosna

Ivan Rodriguez, School Board Representative, *Non-Voting Member*

Larry Ventura, Homestead Air Reserve Base Representative, *Non-Voting Member*

**Subrata Basu, AIA, AICP**

*Executive Secretary*

Miami-Dade County provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability. "It is the policy of Miami-Dade County to comply with all of the requirements of the Americans with Disabilities Act."

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# INTRODUCTION

This report presents the Department of Planning and Zoning's initial recommendations addressing applications to amend the Comprehensive Development Master Plan (CDMP), which were filed for consideration during the October 2007 Plan Amendment Review Cycle. A total of five (5) applications were filed during this amendment cycle: four (4) map changes by private parties (Application Nos. 1 through 4) and one text (1) by the Miami-Dade County Department of Planning and Zoning (DP&Z) (Application No. 5). The report contains the recommendations for these 5 applications and the necessary background information and analyses on which the recommendations are based.

## **Application Review Process and Schedule of Activities**

Following is a summary of the Plan review, amendment activities and schedule that will be followed by this cycle to comply with the CDMP procedural requirements contained in Section 2-116.1, Code of Miami-Dade County and State law. The Schedule of Activities lists the principal activities that will occur under this process and presents the timeframes for those activities in accordance with the State requirements and the County Code. The Development Impacts table contains a summary of the general information and development impacts associated with each Land Use Plan (LUP) map amendment application based on maximum potential land use development under the allowable possible scenarios for both the current and proposed CDMP designation. The table also summarizes the impacts based on the specific requests from the applicants especially on those applications with proffered Declaration of Restrictions (covenant).

For this amendment cycle, the application filing period was from October 1 through October 31, 2007. Miami-Dade County's adopted procedures allow for the filing of requests to amend all provisions of the CDMP during this time period except for changes to the Urban Development Boundary (UDB) at this time.

The CDMP amendment process involves two phases. The first phase occurs between the time applications are filed and the time the Board of County Commissioners (Board) conducts its first hearing and takes action to transmit applications to the Florida Department of Community Affairs (DCA) and other associated State agencies for possible review and comment, and/or adoption of eligible small-scale LUP map amendments on an expedited schedule. During the first phase, affected and neighboring property owners are notified of nearby LUP map amendment requests. Section 2-116.1 authorizes Community Councils to conduct public hearings and issue recommendations on applications that directly affect their areas. These hearings must be held before the Planning Advisory Board (PAB), acting as the County's "Local Planning Agency" and the Board.

The DP&Z will submit its initial recommendations to the PAB regarding each requested change, no later than February 25, 2008. Each Community Council in which a proposed amendment to the LUP map is located is scheduled to hold a public hearing to discuss the LUP map application(s) and may formulate recommendation(s) regarding the request(s) in March 2008.

The PAB is scheduled to hold a public hearing on April 28, 2008 to receive comments and recommendations on the proposed amendments, formulate recommendations to the Board regarding adoption of any requested small-scale amendments, transmittal of recommendations to the DCA of all other requested amendments and any small-scale requests that the PAB recommends to be considered further through the regular procedure. The Board is currently scheduled to hold a public hearing on May 29, 2008 to consider taking final action on the requested "small-scale" amendments, and to consider transmittal of the other requested amendment to DCA as well as any of the requested "small-scale" amendments that the Board elects to consider further through the regular procedure. DCA does not review adopted small-scale Land Use Plan map amendments for policy conformance or issue a Notice of Intent addressing compliance. Unless there is a citizen challenge, adopted small-scale amendments will become effective 31 days after adoption by the Board.

"Transmittal" of a proposed amendment to the State for initial review does not constitute adoption of requested amendments. A second phase of the review addressing the standard applications not adopted as small-scale amendments, begins after transmittal of the applications to the DCA and associated State agencies. The CDMP amendment procedures in Section 2-116.1 of the County Code provide that the DCA will be requested by the County to review and comment on all transmitted amendment proposals. The DCA is expected to return comments addressing all transmitted amendment proposals in August 2008, within approximately 75 days of the transmittal date. The PAB will then conduct its final public hearing(s) within 30 days after receiving comments from the DCA. No later than after 60 days of receiving comments from the DCA, the Board could conduct a public hearing and take final action on the applications. During the DCA review period, the DP&Z will also review comments received at the transmittal hearings and any additional submitted material and may issue a "Revised Recommendations" report reflecting any new information prior to the final public hearings. Final action by the Board will be to adopt, adopt with change, or not adopt each of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be requested by the Board under a special amendment process, or by a party having an application undergoing the Development of Regional Impact (DRI) process requesting a concurrent amendment to the CDMP. Procedures for processing such special or DRI-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

## **Small-Scale Amendments**

A procedure is provided for the expedited processing of "Small-Scale" amendments as defined in Section 163.3187(1)(c), F.S. This procedure authorizes the Board to take final action on small-scale requests to amend the Land Use Plan Map at its May 29, 2008 public hearing. An amendment application is eligible for expedited processing as "small-scale" amendment under the following conditions:

1. The proposed amendment involves a land use of 10 acres or less and;
2. The cumulative effect of all adopted small-scale amendments shall not exceed a total of 120 acres annually in designated urban areas such as redevelopment and downtown revitalization areas, urban infill areas, transportation concurrency exception areas, and regional and urban activity centers, however, a 60-acre annual limitation applies to areas outside these specifically designated urban areas.
3. If the proposed amendment involves a residential land use, the use has a density limitation of 10 units per acre or less, unless the amendment is in a specifically designated urban area listed above;
4. The proposed amendment does not involve the same property more than once a year;
5. The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months;
6. The proposed amendment does not involve a text change to the plan, but only the future land use map;
7. The proposed amendment is not in an area of critical state concern; and
8. The proposal involves the construction of affordable housing units, meeting the affordability criteria of Section 420.0004(3), Florida Statutes, on property which will be the subject of a restricted land use agreement or extended use agreement recorded in conjunction with the issuance of tax exempt bond financing or allocation of federal tax credits through the Florida Housing Finance Corporation or a local housing finance authority authorized by the Division of Bond Finance of the State Board of Administration.

At the May 29, 2008 public hearing, the Board could elect to adopt or not adopt small-scale amendments; if it does not adopt a small-scale amendment, the Board may elect to transmit it to DCA for review along with the other non-small-scale amendment request and take final action in October 2008, after State-agency review. Of course, failure to adopt as a small-scale amendment or to transmit effectively denies approval of the application.

## **Additional Information**

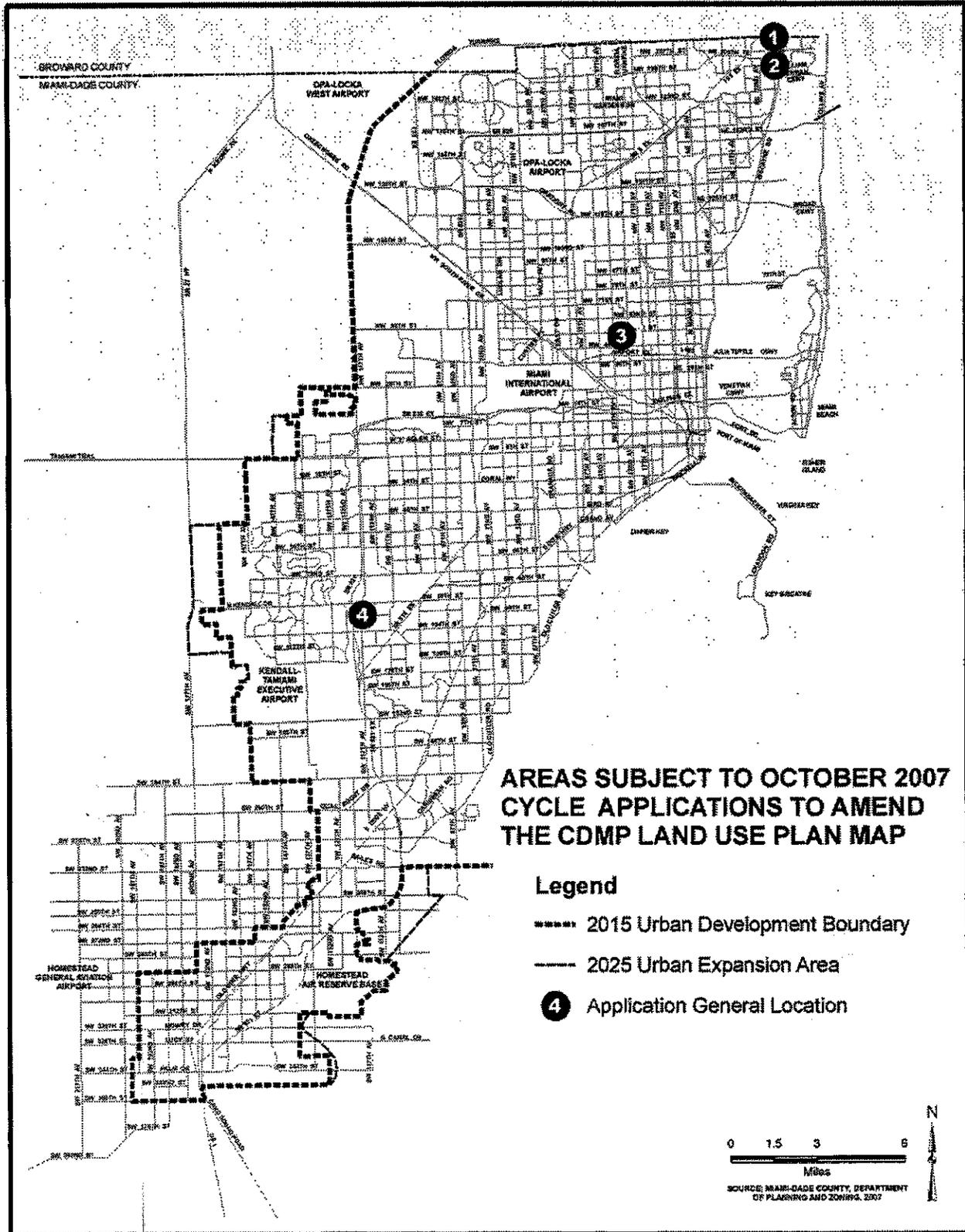
Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1220; Miami, Florida 33128-1972; telephone 305/375-2835.

**SCHEDULE OF ACTIVITIES  
OCTOBER 2007-2008 CDMP AMENDMENT CYCLE**

Pre-application Conference for the Private Sector	September 1- September 30, 2007
Application Filing Period	October 1- October 31, 2007
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicants of deficiencies.	November 7, 2007
Deadline for Resubmittal of unclear or Incomplete Applications	Seventh business day after notice of deficiency (November 16, 2007)
Applications Report published by DP&Z	December 5, 2007
Deadline for Submittal of Technical Reports	December 29, 2007
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	January 28, 2008
Initial Recommendations Report released by DP&Z	February 25, 2008
Community Council(s) Public Hearing(s)	See specific dates below
Northeast Community Council (2) Application Nos. 1 and 2	7:00 pm, Wednesday, March 19, 2008 Highland Oaks Park 20300 NE 24 Avenue
North Central Council (8) Application No. 3	6:00 p.m., Wednesday, March 26, 2008 Dr. Martin Luther King, Jr. Office Bldg 2525 NW 62 Street
Kendall Community Council (12) Application No. 4	6:30 p.m., Wednesday, March 19, 2008 Kendall Branch Library 9101 SW 97 Avenue
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	2:00 p.m., Monday, April 28, 2008* County Commission Chamber 111 NW 1st Street
Board of County Commissioners, Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	9:30 a.m., Thursday, May 29, 2008* County Commission Chamber 111 NW 1 Street
Transmittal to DCA for comment	June, 2008**
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Objections, Recommendations and Comments (ORC) report	August, 2008** (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	September 15, 2008* (Within 30 days after DCA ORC report received)
Public Hearing and Final Action on Applications: Board of County Commissioners	October 2, 2008* (No later than 60 days after receipt of DCA ORC report)

**Note:** \* Date is subject to change. All hearings will be noticed by newspaper advertisement.  
\*\* Estimated Date

# General Location Map of Proposed Land Use Plan Map Amendment Areas



**DEVELOPMENT IMPACTS  
OCTOBER 2007/2008 CYCLE APPLICATIONS TO AMEND THE CDMP  
MIAMI-DADE COUNTY**

Application #	1	2	3	4
Type	Small-Scale	Small-Scale	Small-Scale	Small-Scale
MSA	2.1	2.1	4.2	5.5
TAZ (2000)	72	72	444	1173
S-T-R	34-51-42	34-51-42	22-53-41	06-55-40
Gross/Net Acres	1.12 / 0.85	2.98 / 2.23	5.50 / 4.536	2.5 / 2.1
Existing Zoning	RU-2	RU-2	RU-2	AU
Existing Uses	1. Two family (duplexes); 2. Vacant	1. Single family; 2. Two family (duplexes); and 3. Vacant	1. Vacant; and 2. Two family (duplexes)	1. Single family
Current CDMP Designation	"Low-Medium Density (6 to 13 DU/gross acre)"	"Low-Medium Density (6 to 13 DU/gross acre)"	"Medium Density (13 to 25 DU/gross acre)"	"Estate Density (1 to 2.5 DU/gross acre)"
Current Potential Development	58,544.64 sq. ft., Offices, 198 employees <sup>1</sup> OR 14 d.u. SF attached, 39 Pop	116,566.6 sq. ft., Offices, 395 employees <sup>1</sup> OR 38 d.u. SF attached, 105 Pop	137 d.u. MF, 311 Pop	6 d.u. SF detached, 18 Pop
Est. Students	0 OR 7	0 OR 20	59	3
Proposed CDMP Designation	"Office/Residential"	"Office/Residential"	"Medium-High Density (25 to 60 DU/gross acre)"	"Office/Residential"
Proposed Potential Development	18,513 sq. ft., Offices, 63 employees OR 28 d.u. MF, 46 Pop	48,569 sq. ft., Offices, 165 employees OR 74 d.u. MF, 121 Pop	330 d.u. MF, 749 Pop OR 280 d.u. MF, 636 Pop***	45,738 sq. ft., Offices, 155 employees OR 7 d.u. SF attached, 22 Pop* OR 15 d.u. SF detached, 46 Pop**
Est. Students	0 OR 5	0 OR 13	142 OR 120	0 OR 2 OR 7
Change Current to Proposed	-Residential +Office/Residential	-Residential +Office/Residential	No Change	-Residential +Office/Residential

Source: Miami-Dade Department of Planning and Zoning, Metropolitan Planning Section, November 2007

**Factors Utilized**

Floor Area Ratio: Business 0.4; Industrial 0.5; Office 0.5  
 Employment: Office 3.39/1,000 sq. ft.  
 Retail 1/400 sq. Ft.  
 Industrial 1.28/1,000 sq. ft.  
 Population/DU: MSA data for S.F. & M.F./DU.  
 Students: MSA data for S.F. & M.F./DU.

**Source**

Miami-Dade County Zoning Code, DP&Z  
 ITE 5th Edition (Office 100,000 sq. ft. or less)  
 Retail Trade Survey, DDA  
 ITE 5th Edition (Warehouse)  
 U.S. Census 2000  
 U.S. Census 2000

**NOTES**

(OR) indicates additional development scenarios  
 Residential impacts calculated using gross acreage; non-residential impacts calculated using net acreage  
 \*Development allowed as per severable use right, County Code Section No. 33B-45(g)(5)  
 \*\*Maximum development scenario without proffered covenant  
 \*\*\*Development scenario with proffered covenant

**Summary of Recommendations Matrix by DP&Z, Community Councils, PAB and BCC  
On the Proposed October 2007 Applications to Amend the CDMP  
May 29, 2008**

Application Number/ Type of Application	Applicant, Location, Requested Designation and Size	BCC District/ Commissioner	DPZ Initial Recommendation February 25, 2008	Community Council Recommendation, with Resolution No. & date	Local Planning Agency Recommendation April 28, 2008	Board of County Commissioners Recommendation May 29, 2008
1 Small-Scale LUP Map	209th Street Associates, LLC/Juan J. Mayol, Esq. and Tracy Slavens, Esq.  Northwest corner of NE 209 Street and NE 26 Court; 1.12 gross acres From: Low-Medium Density Residential (6-13 DU/Ac) To: Office/Residential	4/ Heyman	Adopt	Northeast Community Council (CC2)  WITHDRAWN (By Applicant's letter dated March 17, 2008)	Withdrawn	Withdrawal Accepted by the Board
2 LUP Map	Aventura Commons, II, LLC/Juan J. Mayol, Esq. and Tracy Slavens, Esq.  An area between NE 205 and NE 206 Streets on the east side of NE 26 Avenue; 2.98 gross acres From: Low-Medium Density Residential (6-13 DU/Ac) To: Office/Residential	4/ Heyman	Deny	Northeast Community Council (CC2)  Adopt (March 19, 2008)	Adopt	Adopt
3 LUP Map	Urban League of Greater Miami/Jeffrey Bercow Esq. & Matthew Amster, Esq.  An area between NW 51 and NW 53 Streets and between NW 23 Court and NW 24 Avenue; 5.5 gross acres From: Medium Density Residential (13-25 DU/Ac) To: Medium-High Density Residential (25-60 DU/Ac)	3/ Edmonson	Adopt with Acceptance Of Proffered Covenant (Originally recommended Deny but revised to Adopt with Acceptance Of Proffered Covenant at the LPA Hearing on April 28, 2008)	North Central Community Council (CC8)  Adopt with Acceptance of Proffered Covenant (March 26, 2008)	Adopt With Acceptance Of Proffered Covenant	Adopt With Acceptance Of Proffered Covenant
4 Small-Scale LUP Map	Alfredo Garcia Menocal/Stanley B. Price, Esq.  Northeast corner of SW 117 Avenue and SW 95 Street; 2.5 gross acres From: Estate Density (1-2.5 DU/Ac) To: Office/Residential	8/ Sorenson	Deny	Kendall Community Council (12)  Deny (March 19, 2008)	Deny	Denied As a Small-Scale Amendment and Transmit As a Standard Amendment with No Recommendation
5 Standard Text	Updates to Population Estimates and Projections	Countywide	Adopt and Transmit	NA	Adopt and Transmit	Transmit with Recommendation to Adopt

October 2007 Cycle





# AGAINST

## Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 11-20-08 BCC Mtg. Date \_\_\_\_\_ Agenda Item # COM 0 Application N° 4

Subject: \_\_\_\_\_

Name: Enrique Alford

Address: 11811 SW 97th Ave FC 33186.

**Lobbyist Information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: \_\_\_\_\_ No: (X)

If yes, please list name: \_\_\_\_\_  
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: \_\_\_\_\_ No: \_\_\_\_\_

# AGAINST

## Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 11/20/08 BCC Mtg. Date 11/20/08 Agenda Item # 4

Subject: Against petition

Name: Angel Usategui

Address: 10850 SW 97 St Miami, FL 33176

**Lobbyist Information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: \_\_\_\_\_ No:

If yes, please list name: \_\_\_\_\_  
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: \_\_\_\_\_ No: \_\_\_\_\_



























**FOR**

**Speaker's Card**

(For Appearance Before the Board of County Commission)

Today's Date 11/20/08 BCC Mtg. Date \_\_\_\_\_ Agenda Item # EDMP 4

Subject: \_\_\_\_\_

Name: Antonio M. Samiello

Address: 10805 SW 95 St

**Lobbyist Information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: \_\_\_\_\_ No:

If yes, please list name: \_\_\_\_\_

Organization

Firm

Client

Have you registered with the Clerk of the Board? Yes:  No: \_\_\_\_\_



