

Application No. 1

Commission District 12 Community Council 5

APPLICATION SUMMARY

Applicant/Representative:	Turnberry/Doral Development, Limited Partnership/Jeffrey Bercow, Esq., Michael Marrero, Esq.
Location:	West of the Homestead Extension of the Florida Turnpike (HEFT/SR-821) on the north and south sides of NW 41 Street
Total Acreage:	±96.79 Gross Acres (±81.31 Net Acres)
Current Land Use Plan Map Designations:	Open Land
Requested Land Use Plan Map Designation and Other Changes:	<ol style="list-style-type: none">1. Expand the 2015 Urban Development Boundary (UDB) to include the application site2. Redesignate to Business and Office3. Amend Policy LU-8G(i) in the CDMP Land Use Element to allow the site to be considered for inclusion within the UDB4. Revise the Restrictions Table in the Land Use Element on page I-74.1 of the CDMP to include the proffered Declaration of Restrictions, if accepted by the Board of County Commissioners5. On September 11, 2013, the Applicant submitted an additional request to Amend Policy CON-3E in the CDMP Conservation, Aquifer Recharge and Drainage Element to allow for urban land uses on the site.
Amendment Type:	Standard
Existing Zoning/Site Condition:	GU (Interim)/Predominantly Vacant with wetlands

RECOMMENDATIONS

Staff:	DENY AND DO NOT TRANSMIT (September 13, 2013)
Country Club of Miami Community Council (5):	TRANSMIT WITH THE PROFFERED DECLARATION OF RESTRICTIONS AND DENY (September 26, 2013)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	To Be Determined (October 21, 2013)
Board of County Commissioners:	To Be Determined (November 20, 2013)
Final Action of Board of County Commissioners:	To Be Determined (March 2014)

Staff recommends to **DENY AND DO NOT TRANSMIT** the proposed standard amendment to the Comprehensive Development Master Plan (CDMP) text and Adopted 2015 and 2025 Land Use Plan (LUP) map. The proposed amendment seeks to expand the 2015 Urban Development Boundary (UDB) to include the ±96.79 gross acre subject property, redesignate the property from “Open Land” to “Business and Office”, amend Land Use Element Policy LU-8G, and add the proffered Declaration of Restriction to the Land Use Element. Staff’s recommendation on the application is based on the following reasons:

Principal Reasons for Recommendation

1. The application proposes changes to the CDMP and development that are contrary to and inconsistent with the provisions of the CDMP for determining when to add lands to the 2015 Urban Development Boundary (UDB). The proposed amendment seeks to facilitate the development of approximately 850,000 square feet of urban development, which may include a ±4.5-acre waterpark on land currently located outside the UDB (proposed development discussed under application Background on page 1-13). The CDMP Land Use Element Policy LU-8G requires that before considering expansion of the UDB it must first be demonstrated that there is a need to add land to the UDB, in accordance with Policy LU-8F. Land Use Element Policy LU-8F requires the UDB to contain adequate developable land having the capacity to accommodate the County’s projected economic growth. The adequacy of commercial land supply within the UDB is to be determined by countywide supply as well as by Minor Statistical Areas (MSAs) and combinations thereof. The Supply and Demand Analysis, contained herein on page 1-15, demonstrates that there is adequate commercial land within the UDB to sustain economic growth beyond the year 2030 both countywide and in MSA 3.2 (where the application site is located), and through to year 2028 for a combination of five adjacent MSA’s.

Contrary to the requirements of Policies LU-8G and LU-8F discussed above, the Applicant inaccurately and inappropriately cites the findings of the Retail/Entertainment District Assessment report (the RED report) as evidence of need to expand the UDB. The RED report was prepared by Lambert Advisory in response to the Miami-Dade Board of County Commissioners Resolution No. 1233-10, adopted in December 2010, directing the County to study the feasibility of a Retail/Entertainment District in the County, specifically in the area west of Miami International Airport, east of the Turnpike, north of State Road 836, and south of NW 41 Street (see Appendix J).

The RED report concluded that the study area, inside the UDB, is one of the strongest major retail nodes in the County; the area has the most hotel rooms of any submarket in the County and the highest room occupancy rate; that the County should consider developing a series of workshops focusing on planning for potential Retail Entertainment Districts elsewhere in the County; that the area between the Dolphin and International Malls has the potential to support additional entertainment venues in the form of restaurants, clubs and potentially a ride, water feature and themed experience; among others. The RED report also identified areas that are appropriate for Retail/Entertainment District type development such as the County’s planned Zoo Miami Entertainment Area. A key finding of the RED report is that the study area, inside the UDB, can accommodate between 380,000 to 480,000 square feet of additional retail space by 2016 provided an appropriate mix of entertainment and retail type tenants not already represented in the area are identified and secured. Regarding the establishment of new retail centers in the area, the RED study states:

Existing Traffic Conditions
Roadway Lanes and Peak Period Level of Service (LOS)

Roadway	Location/Link	Lanes	LOS Std.	LOS
NW/SW 97 Avenue	NW 41 St. to NW 25 St.	4 DV	D	C (2011)
	NW 25 St. to NW 12 St.	4 DV	D	B (2011)
	SW 8 St. to SW 24 St.	2 UD	D	D (2011)
	SW 24 St. to SW 40 St.	2 DV	D	D (2011)
NW/SW 87 Avenue	NW 74 St. to NW 58 St.	4 DV	D	C (2012)
	NW 58 St. to NW 36 St.	4 DV	D	C (2011)
	NW 36 St. to NW 25 St.	6 DV	E	D (2011)
	NW 25 St. to NW 12 St.	6 DV	D	D (2011)
	SR 836 to Flagler St.	6 DV	E	C (2012)
	Flagler St. to SW 8 St.	4 DV	E	C (2012)
	SW 8 St. to SW 24 St.	4 DV	E	C (2012)
	SW 24 St. to SW 40 St.	4 DV	E	C (2012)
SR 826/Palmetto Expressway	Okeechobee Rd. to NW 74 St.	10 LA	D	C (2011)
	NW 74 St. to NW 58 St.	10 LA	D	D (2012)
	NW 58 St. to NW 36 St.	10 LA	D	C (2012)
	NW 36 St. to SR 836	10 UC	D	C (2012)
	SR 836 to Flagler St.	10 UC	D	C (2012)
	Flagler St. to SW 8 St.	10 UC	D	C (2012)
	SW 8 St. to SW 24 St.	10 LA	D	C (2012)
	SW 24 St. to SW 40 St.	10 LA	D	C (2012)

Source: Miami-Dade County Department of Regulatory and Economic Resources, Miami-Dade Public Works and Waste Management Department; and Florida Department of Transportation, July 2013.

Notes: () identifies the year traffic count was taken or the LOS traffic analysis revised.

DV= Divided Roadway; UD= Undivided Roadway; LA= Limited Access; UC= Under Construction

LOS Std. = the adopted minimum acceptable peak period Level of Service standard for all State and County roadways.

Trip Generation

Two potential development scenarios were analyzed for traffic impacts under the requested CDMP land use designation of "Business and Office." Scenario 1 assumes the application site developed with the maximum potential development of 1,416,745 sq. ft. of retail space. Scenario 2 assumes the application site developed with 850,000 sq. ft. of development including a ±4.5-acre water park. Scenario 1 is estimated to generate approximately 3,057 more PM peak hour vehicles trips than the potential development (17 single-family dwelling units) that may occur under the current CDMP land use designation of "Open Land." Scenario 2 is estimated to generate approximately 2,332 more PM peak hour vehicle trips than the potential development that may occur under the current CDMP land use designation. See "Estimated Peak Hour Trip Generation" table below.

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

Application Number	Current CDMP Designation and Assumed Use/ Estimated No. Of Trips	Requested CDMP Designation and Assumed Use/ Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
1 Scenario 1	“Open Land (1 DU/5 ac)” 17 SF detached /	“Business and Office” 1,416,745 sq. ft. retail /	
	21	3,078	+ 3,057
1 Scenario 2	“Open Land (1 DU/5 ac)” 17 SF detached /	“Business and Office” 850,000 sq. ft. retail and water park	
	21	2,353	2,332

Source: Institute of Transportation Engineers, Trip Generation, 7th Edition, 2003; Miami-Dade County Public Works and Waste Management Department, July 2013.

Notes: Scenario 1 assumes the application site developed with the maximum potential development (1,416,745 sq. ft. of retail uses) that may occur under the requested CDMP land use designation of “Business and Office”. Scenario 2 assumes the application site developed with 850,000 sq. ft. of development including a ± 4.5-acre Water Park as limited by the proffered declaration of restrictions submitted by the applicant. The Declaration of Restrictions prohibits residential development on the application site.

Traffic Concurrency Evaluation

An evaluation of peak-period traffic concurrency conditions as of July 2013, which considers reserved trips from approved development not yet constructed, programmed roadway capacity improvements listed in the first three years of the County’s adopted 2014 Transportation Improvement Program (TIP), and the application’s traffic impacts, does project substantial changes in the concurrency LOS of the roadways analyzed. The analyses indicate that if the application sites were developed with the maximum potential development (1,416,745 sq. ft. of retail uses) that may occur under the requested “Business and Office” land use designation, the roadway segments of NW 41 Street between NW 127 Avenue and the HEFT and from the HEFT to NW 107 Avenue are projected to operate at LOS F in violation of their adopted LOS D standard. However, if the application sites were developed with the 850,000 sq. ft. of retail uses and the water park, as proposed by the applicant, only the roadway segment of NW 41 Street between NW 127 Avenue and the HEFT, in front of the application sites, is projected to operate at LOS F. NW 41 Street between NW 127 Avenue and the HEFT is a two-lane facility and it will have to be widened to four lanes in order for this facility to be able to accommodate the application’s traffic impacts. On September 11, 2013, the Applicant submitted a Declaration of Restrictions committing to improve NW 41st Street from its existing condition to a full four-lane divided roadway from the Homestead Extension of the Florida Turnpike to NW 122nd Avenue. The other roadway analyzed was the HEFT. The concurrency analysis indicates that the HEFT has enough capacity to handle the additional traffic that will be generated by this application. See “Traffic Impact Analysis” table below.

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.*	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 "Business and Office" (1,416,745 sq. ft. retail)												
2269	HEFT/SR 821	NW 74 St. to NW 41 St.	8 LA	D	13,390	8,772	C	0	C	460	9,232	C
0267	HEFT/SR 821	NW 41 St. to NW 12 St.	8 LA	D	13,390	10,851	C	0	C	770	11,621	D
	NW 41 St.	NW 127 Ave. to HEFT	2 UD	D	1,330	NA	NA	0	NA	3,078	3,078	F
9442	NW 41 Street	HEFT to NW 107 Ave.	6 DV	D	4460	2,844	D	0	D	1848	4,692	F
Scenario 2 "Business and Office" (850,000 sq. ft. retail & 4.5-Acre Water Park)												
2269	HEFT/SR 821	NW 74 St. to NW 41 St.	8 LA	D	13,390	8,772	C	0	C	352	9,124	C
0267	HEFT/SR 821	NW 41 St. to NW 12 St.	8 LA	D	13,390	10,851	C	0	C	588	11,439	D
	NW 41 St.	NW 127 Ave. to HEFT	2 UD	D	1,330	NA	NA	0	NA	3,078	3,078	F
9442	NW 41 Street	HEFT to NW 107 Ave.	6 DV	D	4,460	2,844	D	0	D	1,413	4,257	D

Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources, Miami-Dade County Public Works and Waste Management Department and Florida Department of Transportation, July 2013.

Notes: DV= Divided Roadway; UD=Undivided Roadway; LA=Limited Access

*County adopted roadway level of service standard applicable to the roadway segment: D (90% capacity); E (100% capacity); E+20% (120% capacity) for roadways serviced with mass transit having 20 minutes or less headways between the Urban Development Boundary (UDB) and the Urban Infill Area (UIA); E+50% (150% capacity) for roadways serviced with extraordinary mass transit inside the UIA. () Indicates the year traffic count was taken and/or Level of Service updated.

Scenario 1 assumes the application site developed with 1,416,745 sq. ft. of retail space.

Scenario 2 assumes application site developed pursuant to applicant's proffered Declaration of Restrictions for a maximum 850,000 sq. ft. of development including a ±4.5 ac. water park.

Future Conditions

The MPO's adopted 2014 Transportation Improvement Program lists the following roadway capacity improvement projects for construction in fiscal years 2013-2018 in the vicinity of the application site (see table below).

Programmed Road Capacity Improvements
Fiscal Years 2013/2014 – 2017/2018

Roadway	From	To	Type of Improvement	Fiscal Year
NW 74 Street	HEFT	SR 826	New 6 lanes	2013/14–2015/16
NW 74 Street	NW 87 Ave.	SR 826	Add lanes and reconstruct	2013-2014
SW 177 Ave./Krome Ave.	MP 2.754.	SW 8 St.	Widen from 2 to 4 lanes	2017/2018
SW 177 Ave./Krome Ave.	SW 8 St.	SW 88 St.	Widen from 2 to 4 lanes	2014/2015
SW 42 Street	SW 162 Ave.	SW 157 Ave.	Widen from 2 to 4 lanes	2014/2015
SW 147 Avenue	SW 10 St.	SW 18 St.	Widen to 4 lanes	UC
SW 147 Avenue	SW 18 St.	SW 22 Terr.	New 2 lanes	UC
SW 137 Avenue	SW 24 St.	SW 8 St.	Widen to 6 lanes	2013/14–2014/15
HEFT/SR 821	SR 836	Bird Road	Widen from 8 to 10 lanes	2014/2015
HEFT/SR 821	Bird Road	SW 72 Street	Widen from 6 to 10 lanes	2013/2014
SW 107 Avenue	W. Flagler St.	SW 5 St.	Add lanes	2013/14–2014/15
SW 107 Avenue	SW 1100 Block	SW 4 Street	Add lanes	2015/2016
NW 97 Avenue	NW 74 St.	NW 58 St.	New and Widen to 4 lanes	2014/2015
SR 826/SR 836 Interchange	SW 8 Street	SW 25 Street	Interchange improvement and add lanes	2013/14–2016/17
NW 87 Ave.	NW 87 Ave. NW 103 St.	NW 57 Ave. NW 74 St.	New road construction	2015/16–2016/17

Source: 2014 Transportation Improvement Program, Miami-Dade County Metropolitan Planning Organization, May 23, 2013.
Notes: UC means under construction.

The MPO's adopted 2035 Miami-Dade Long Range Transportation Plan (LRTP), Cost Feasible Plan, lists the following roadway capacity improvement projects for construction in the next 22 years (see table below).

Planned Roadway Capacity Improvements
Fiscal Years 2013/2014 through 2034/2035

Roadway	From	To	Type of Improvement	Priority
NW 33 Street	NW 97 Ave.	NW 87 Ave.	Widen from 2 to 4 lanes	I
SR 836	NW 137 Ave.	I-95	Toll system conversion to open road tolling	I
SW 162 Ave.	SW 47 St./	SW 48 Terr.	Widen 162 Ave. from 2 to 4 lanes	I
SW 47 St.	SW 160 Ave.	SW 162 Ct.	Widen 47 St. from 2 to 3 lanes	I
SW 157 Ave.	SW 52 St.	SW 54 Terr.	Widen from 2 to 4 lanes	I
SW 147 Avenue	SW 22 Terr.	SW 10 St.	Widen from 2 to 4 lanes	I
HEFT	US-1	I-595	Toll system conversion to all electronic tolling	I
SR 874/Don Shula Expy.	SR 826	SW 88 St.	Modification of SR 874 mainline roadway	I
NW 87 Avenue	NW 74 St.	NW 58 St.	New road construction	I
NW 87 Avenue	NW 58 St.	NW 36 St.	Widen from 4 to 6 lanes	II

Planned Roadway Capacity Improvements
Fiscal Years 2013/2014 through 2034/2035

Roadway	From	To	Type of Improvement	Priority
NW 107 Avenue	NW 41 St.	NW 25 St.	Widen from 4 to 6 lanes	II
SW 157 Ave.	SW 42 St.	SW 8 St.	New 4 lanes/Widen to 4 lanes	IV
NW 97 Avenue	NW 74 St.	NW 58 St.	New 4 lanes/Widen to 4 lanes	IV
NW 82 Avenue	NW 12 St.	NW 8 St.	New 4 lanes	IV

Source: Miami-Dade 2035 Long Range Transportation Plan, Metropolitan Planning Organization for the Miami Urbanized Area, October 2009.

Notes: Priority I – Project improvements to be funded by 2014; Priority II – Project improvements planned to be funded between 2015 and 2020; Priority III – Project improvements planned to be funded between 2021 and 2025; and Priority IV – Projects planned to be funded between 2026 and 2035.

Application Impact

The “Estimated Peak Hour Trip Generation” table above identifies the estimated number of PM peak hour vehicle trips to be generated by the two development scenarios analyzed, including the maximum potential development of 1,416,745 sq. ft. of retail space (Scenario 1), and 850,000 sq. ft. of development including retail and a ±4.5-acre Water Park (Scenario 2) as proposed by the proffered declaration of restrictions. Scenario 1 is estimated to generate approximately 3,057 more PM peak hour vehicles trips than the potential development (17 single-family detached dwelling units) that may occur under the current CDMP land use designation of “Open Land.” Scenario 2 is estimated to approximately 2,332 more PM peak hour vehicle trips than the potential development that may occur under the current CDMP land use designation. See “Estimated Peak Hour Trip Generation” table.

Applicant’s Transportation Analysis

The applicant submitted a transportation analysis report entitled “*CDMP Transportation Analysis May 2013 CDMP Amendment Application No. 1*” prepared by Cathy Sweetapple & Associates Transportation and Mobility Planning and dated July 2013. The Transportation Analysis report is based on the assumption that the application sites will be developed with 850,000 sq. ft. of retail uses and a ±4.5-acre water park indicated in the declaration of restrictions proffered by the applicant. The transportation analysis provides a short-term (Year 2018) Traffic Concurrency Analysis, and a Long Term (Year 2025) Transportation Infrastructure Analysis. Trip generation was estimated using the ITE Trip Generation, 9th Edition, 2012. The report concludes that the Traffic Concurrency Analysis presented in Table 4A of the report, which identifies each roadway directly accessed and secondary roads in the vicinity of the application site, shows that there is available capacity to absorb the traffic impact that will be generated by the application, and that the roadways analyzed were found to operate at acceptable levels of service during the PM peak hour period.

The Year 2018 Short-term (Concurrency) traffic impact analysis presented in Table 4A of the report identifies the traffic impacting those roadways directly accessed and the secondary roads impacted by the application’s traffic. The report concludes that existing roadway infrastructure has adequate capacity to handle the additional traffic volume to be generated by the application. However, NW 41 Street west of the HEFT is currently a two-lane facility with a peak hour two-way capacity of approximately 1,330 vehicles per hour. A minimum of a four-lane roadway facility will be needed to handle the 2,353 PM peak hour vehicles trips that will be generated by this application.

The Year 2025 Long Term traffic evaluation included a comprehensive network analysis of the transportation infrastructure within the study area surrounding the application site, evaluation of

existing peak hour period traffic conditions, evaluation of Year 2025 future background and committed development traffic conditions (without the amendment), and an evaluation of the Year 2025 total traffic conditions with the impacts of the amendment application. The study area includes the arterial and collector roadway network extending to Okeechobee Road to the north, SR 826/Palmetto Expressway to the east, SW 42/40 Street to the south, and SW 177 Avenue /Krome Avenue to the west. The Year 2025 network analysis incorporates the future transportation improvements funded in the 2014 Transportation Improvements Program (TIP) and in Priorities I, II and III from the 2035 Long Range Transportation Plan. The transportation analysis also provides a year 2025 level of service analysis along with a significance determination analysis.

The Level of Service and Significance analyses identified eight (8) roadway segments significantly impacted but were found to operate within the adopted LOS standards through the year 2025 –both without and with the application’s traffic impacts. The roadway segments identified as significantly impacted (≥ 5.0 percent of the adopted maximum service volume) are: the HEFT between NW 41 Street and NW 12 Street; and portions of NW 41 Street between the HEFT and NW 87 Avenue. However, the significantly impacted segments were found to operate below the adopted LOS D standard through the year 2025. A copy of the applicant’s “CDMP Amendment Transportation Analysis” is provided in Appendix C of this report.

Miami-Dade County Public Works and Waste Management Department (PWWM) and Department of Regulatory and Economic Resources (RER) staff reviewed the Transportation Analysis report submitted by the applicant and have some issues with the analysis provided. Support documentations should be provided to verify the use of 84.5 spaces per acre for the proposed water park trip generation. There is a significant discrepancy between the traffic concurrency distribution (Figure 3G) and the Year 2025 long term traffic distribution (figure 4C) for the roadways adjacent to the application site. The traffic distribution for both analyses should be the same or similar. Traffic is expected to grow at a rate of 1.9% for NW 107 Avenue between NW 41 Street and NW 25 Street, as compared to the area growth of 1.0% (p. 34, Table 5D of the report). Therefore, it is suggested that the planned capacity improvement for this roadway segment be assigned a higher priority so that the roadway capacity is available before opening of this project should the application be approved. Traffic count station data shows that traffic volumes are high for traffic count stations 9512 (NW 107 Avenue) and 9442 (NW 41 Street) in peak directions. The directional distribution factors “D” for these stations have values higher than 0.7; therefore, peak hour directional analysis should be performed for at least these two stations. In order to evaluate detailed impacts of project traffic, it is recommended that PM peak hour level of service analyses be performed at the following intersections: NW 41 Street and NW 115, NW 114, NW 102, and NW 107 Avenues; NW 107 Avenue and NW 33 and NW 58 Streets; and the on and off ramps with the HEFT along NW 41 Street. It is also recommended that roadway improvements along NW 41 Street west of the HEFT be shown and listed. County staff will discuss these issues and work with the transportation consultant to bring the issues to a satisfactory resolution.

Transit

Existing Service

The closest Metrobus route to the application site and surrounding areas is Metrobus Route 60. The service frequencies (headways) of this route are shown in the “Metrobus Route Service Summary” table below.

Metrobus Route Service Summary

Route	Service Headways (in minutes)						Proximity to Bus Stop (miles)	Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (Midday)	Evenings (After 8 pm)	Overnight	Saturday	Sunday			
36	60	60	n/a	n/a	n/a	n/a	0.29	0.22	L

Source: 2013 Transit Development Plan, Miami-Dade Transit (June 2013 Line Up)

Notes: 'L' means Metrobus local route service

'F' means Metrobus feeder service to Metrorail

'E' means Express or Limited-Stop Metrobus service

Future Conditions

The 2023 Recommended Service Plan within the 2013 Transit Development Plan does not identify any improvements to existing transit service within the next ten years, or any new Metrobus routes being implemented in the immediate vicinity of the application site for the next ten years.

Major Transit Projects

There are no future major transit projects within the vicinity of this application site.

Application Impacts

A preliminary analysis was performed in the Traffic Analysis Zone (TAZ) where the application site is located. The application site is located in TAZs 669 and 670 and, if granted, the expected transit impact will be handled by the existing transit services in the area.

Other Planning Considerations

Urban Sprawl

The Miami-Dade County Strategic Plan and the CDMP call for the promotion of urban infill and redevelopment while discouraging urban sprawl. In addition, Chapter 163.3177(6)9, Florida Statutes (F.S.), requires Future Land Use Elements and Future Land Use Element amendments to discourage urban sprawl. The statute provides 13 indicators of the proliferation of urban sprawl and 8 indicators of discouragement of urban sprawl. The Statute further provides that a Future Land Use Element or plan amendment shall be deemed to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves 4 or more of the following 8 indicators for the discouragement of urban sprawl:

1. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
2. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
3. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
4. Promotes conservation of water and energy.
5. Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

6. Preserves open space and natural lands and provides for public open space and recreation needs.
7. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
8. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in Section 163.3164 F.S.

The application has not demonstrated that it achieves any of the 8 indicators for the discouragement of urban sprawl. Alternatively, staff's review has found that it meets 7 of the indicators which demonstrate that the proposed development results in the proliferation of urban sprawl. Pursuant to Chapter 163.3177(6)9, F.S., the proposed amendment does not discourage urban sprawl, but instead, would result in the proliferation of urban sprawl if approved. Therefore, approval of the application would be in contravention of the statutory requirement to discourage urban sprawl.

These indicators include the promotion of single use development, promotion of urban development in an isolated pattern emanating from existing urban development, failure to protect and conserve natural resources, failure to provide clear separation of rural and urban areas, discourages urban infill and redevelopment, and fails to encourage a functional mix of uses. Following are the 13 indicators of the proliferation of urban sprawl:

1. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
2. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
3. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
4. Fails to provide a clear separation between rural and urban uses.
5. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
6. Fails to encourage a functional mix of uses.
7. Results in poor accessibility among linked or related land uses.
8. Results in the loss of significant amounts of functional open space.
9. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
10. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
11. Fails to maximize use of existing public facilities and services.

12. Fails to maximize use of future public facilities and services.
13. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

These indicators include the promotion of single use development, promotion of urban development in an isolated pattern emanating from existing urban development, failure to protect and conserve natural resources, failure to provide clear separation of rural and urban areas, discourages urban infill and redevelopment, and fails to encourage a functional mix of uses. The indicators for the proliferation of urban sprawl are provided in italics below and briefly discussed in relation to the application. The application meets 7 of the indicators that demonstrate the proliferation of urban sprawl as detailed below:

1. *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development:* The application site is currently located outside of the UDB which is intended to distinguish the areas of the County where urban development may occur from areas where it should not occur. In the vicinity of the application site, the UDB follows the Homestead Extension of the Florida Turnpike which provides a clear separation between the urban area to the east and the rural area to the west. While the application site is located immediately west of the urbanized portion of the County, it is physically separated from the urbanized area by the Turnpike. The application proposes an intrusion of unwarranted urban development into the unurbanized Northwest Wellfield Protection Area adjacent to ongoing rockmining activities, and there is no demonstrated need for the proposed development. The proposed development is inappropriately based on the RED report (Discussed in principal Reason No. 1 on page 1-2 and in the Economic Analysis on page 1-16). The RED report analyzed Retail/Entertainment Districts and identified locations inside the currently urbanized area of the County where such Retail/Entertainment Districts could be developed. The study did not identify a need to expand the UDB to facilitate Retail/Entertainment Districts in the County. As indicated in the Economic Analysis section of this report, there is sufficient commercial land within the UDB to sustain economic growth beyond the year 2030 both countywide and within MSA 3.2 (where the application site is located). Existing commercial land inside the UDB would be more suitable for the proposed use.
2. *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems:* The application proposes an intrusion of unwarranted urban development into the unurbanized portion of the Northwest Wellfield Protection Area. The application would result in the loss of rural open space that is located within the Northwest Wellfield Protection Area and serves the important function of wellfield recharge. The CDMP interpretive text for the Wellfield Areas sets out the importance of managing land uses and activities near and upgradient from wellfields since these activities may directly impact the quality of water ultimately withdrawn from wells. The Wellfield Areas text also recognizes that if these regional wellfields become contaminated, there are no alternative sites for the construction of comparable high-capacity wellfields. Since the land around the Northwest Wellfield is largely undeveloped

with urban uses, it provides an opportunity to maintain pristine water quality in this important wellfield area. The application would result in the proliferation of urban land uses into the Northwest Wellfield which is inconsistent with the CDMP policies that seek to protect the wellfield (as discussed in the Wellfield Protection Section of this report) as well as resulting in urban sprawl.

3. *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments:* The CDMP text states that adherence to the UDB is critical in achieving the desired pattern of development in the County. The proposed application, by locating outside of the current UDB, would promote discontinuous, scattered development beyond the urban fringe which is inconsistent with CDMP Policy LU-10 and results in the proliferation of urban sprawl. Although the application site is located immediately west of the urbanized area, it is separated from the urbanized area by the Homestead Extension of the Florida Turnpike. This would result in an isolated development pattern that would not functionally relate to the adjacent development to the east and is, therefore, inconsistent with CDMP Policy LU-1G and results in the proliferation of urban sprawl.
4. *Fails to provide a clear separation between rural and urban uses:* The UDB is intended to distinguish the areas of the County where urban development may occur from areas where it should not occur. In the vicinity of the application site, the UDB follows the Homestead Extension of the Florida Turnpike which provides a clear separation between the urban area to the east and the rural area to the west. Amendment of the UDB to incorporate land west of the Turnpike would erode the clear delineation provided by the current boundary.
5. *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities:* The UDB is critical in achieving the desired pattern of development in the County including the promotion of infill development. The proposed application, by locating outside of the current UDB, would promote discontinuous, scattered development beyond the urban fringe which is inconsistent with CDMP policies that promote infill development.
6. *Results in poor accessibility among linked or related land uses.* The proposed application, by locating outside of the current UDB, would promote discontinuous, scattered development beyond the urban fringe which is inconsistent with CDMP Policy LU-10 and this sprawl indicator. Although the application site is located immediately west of the urbanized area, it is separated from the urbanized area by the Homestead Extension of the Florida Turnpike. This would result in an isolated development pattern that does not functionally relate to the adjacent development to the east and is, therefore, inconsistent with CDMP Policy LU-1G and results in the proliferation of urban sprawl. Additionally, the application is stated to satisfy a demand for Retail/Entertainment District type development as described in the RED report. However, a key recommendation of the RED report for the potential Retail/Entertainment District analyzed is that the district be developed to create a quality pedestrian experience supported by mass transit. The development proposed in this application will not accomplish the quality pedestrian experience referenced in the RED report due to the fact the application site is separated from the RED report study area by the Turnpike and the site is divided by NW 41 Street, which is also a primary travel corridor for truck traffic from the adjacent rockmining area.
7. *Results in the loss of significant amounts of functional open space.* The application would result in the loss of rural open space that is located within the Northwest Wellfield

Protection Area and serves the important function of wellfield recharge. The CDMP interpretive text for the Wellfield Areas sets out the importance of managing land uses and activities near and upgradient from wellfields since these activities may directly impact the quality of water ultimately withdrawn from wells. The Wellfield Areas text also recognizes that if these regional wellfields become contaminated, there are no alternative sites for the construction of comparable high-capacity wellfields. Since the land around the Northwest Wellfield is largely undeveloped with urban uses, it provides an opportunity to maintain pristine water quality in this important wellfield area. The application would result in the proliferation of urban land uses into the Northwest Wellfield which is inconsistent with the CDMP policies that seek to protect the wellfield (as discussed in the Wellfield Protection Section of this report) as well as this sprawl indicator.

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

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

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-1O. Miami-Dade County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agriculture Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.
- LU-1S. The Comprehensive Development Master Plan (CDMP) shall be consistent with the Miami-Dade County Strategic Plan adopted by the County Commission on June 3, 2003 by Resolution R-664-03. The Miami-Dade County Strategic Plan includes Countywide community goals, strategies and key outcomes for Miami-Dade County government. Key outcomes of the Strategic Plan that are relevant to the Land Use element of the CDMP include increased urban infill development and decreased urban sprawl, protection of viable agriculture and environmentally-sensitive land, improved community design, reduced flooding, improved infrastructure and redevelopment to attract businesses to underserved and distressed areas, available and high quality green space throughout the County, and more integrated land-use development to decrease dependence on automobiles.
- LU-2A. All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE),

except as otherwise provided in the “Concurrency Management Program” section of the CIE.

- LU-3B. All significant natural resources and systems shall be protected from incompatible land use including Biscayne Bay, future coastal and inland wetlands, future potable water-supply wellfield areas identified in the Land Use Element or in adopted wellfield protection plans, and forested portions of Environmentally Sensitive Natural Forest Communities as identified in the Natural Forest Inventory, as may be amended from time to time.
- 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.
- LU-4B. Uses designated on the LUP map and interpretive text, which generate or cause to generate significant noise, dust, odor, vibration, or truck or rail traffic shall be protected from damaging encroachment by future approval of new incompatible uses such as residential uses.
- LU-8D. The maintenance of internal consistency among all Elements of the CDMP shall be a prime consideration in evaluating all requests for amendment to any Element of the Plan. Among other considerations, the LUP map shall not be amended to provide for additional urban expansion unless traffic circulation, mass transit, water, sewer, solid waste, drainage and park and recreation facilities necessary to serve the area are included in the plan and the associated funding programs are demonstrated to be viable.
- LU-8F. The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption). The estimation of this capacity shall include the capacity to develop and redevelop around transit stations at the densities recommended in policy LU-7F. The adequacy of non-residential land supplies shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the Countywide supply within the UDB. The adequacy of land supplies for neighborhood- and community-oriented business and office uses shall be determined on the basis of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-Tiers and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities.
- LU-8G. When considering land areas to add to the UDB, after demonstrating that a need exists, in accordance with foregoing Policy LU-8F:
 - i) The following areas shall not be considered:
 - a) The Northwest Wellfield Protection Area located west of the Turnpike Extension between Okeechobee Road and NW 25 Street and the West

Wellfield Protection Area west of SW 157 Avenue between SW 8 Street and SW 42 Street;

- b) Water Conservation Areas, Biscayne Aquifer Recharge Areas, and Everglades Buffer Areas designated by the South Florida Water Management District;
 - c) The Redland area south of Eureka Drive; and
- ii) The following areas shall be avoided:
- a) Future Wetlands delineated in the Conservation and Land Use Element;
 - b) Land designated Agriculture on the Land Use Plan map;
 - c) Category 1 hurricane evacuation areas east of the Atlantic Coastal Ridge;
 - d) Comprehensive Everglades Restoration Plan project footprints delineated in Tentatively Selected Plans and/or Project Implementation Reports; and
- iii) The following areas shall be given priority for inclusion, subject to conformance with Policy LU-8F and the foregoing provision of this policy:
- a) Land within Planning Analysis Tiers having the earliest projected supply depletion year;
 - b) Land contiguous to the UDB;
 - c) Locations within one mile of a planned urban center or extraordinary transit service; and
 - d) Locations having projected surplus service capacity where necessary facilities and services can be readily extended.
- iv) Notwithstanding Policy LU-8G (iii), other land may be included to expand an existing unique regional facility, defined as an existing public facility or attraction of regional prominence that has been constructed on publicly owned land with significant public funding and intergovernmental coordination, if it satisfies all of the following criteria:
- a) The land is within the UEA, is contiguous to the UDB, and is contiguous to a unique regional facility;
 - b) The use of the land will be limited to the expansion of the unique regional facility, together with ancillary uses; and
 - c) The expansion will have a positive economic impact, including increased economic development and tourism.

LU-9B. Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate:

- i) Land use consistent with the CDMP Land Use Element and CDMP Level of Service Standards;
- ii) Subdivision of land;
- iii) Protection of potable water wellfields;

- iv) Areas subject to seasonal or periodic flooding;
- v) Stormwater management;
- vi) Protection of environmentally sensitive lands;
- vii) Signage; and
- viii) On-site traffic flow and parking to ensure safety and convenience and that no avoidable off-site traffic flow impediments are caused by development. The provisions of Policy TC-3A of the Traffic Circulation Subelement, which address access management, shall apply.

Concept No. 1: Control the extent and phasing of urban development in order to coordinate development with the programmed provision of public services.

CON-2. Protect ground and surface water resources from degradation, provide for effective surveillance for pollution and clean up polluted areas to meet all applicable federal, state and County ground and surface water quality standards.

CON-2A. The basin stormwater master plans produced by Miami-Dade County pursuant to Objective CON-5 will establish priority listings of stormwater/drainage improvements to correct existing system deficiencies and problems and to provide for future development. At a minimum, these lists shall include:

- 5. Drainage/stormwater sewer systems within wellfield protection areas;
- 6. Drainage/stormwater sewer systems in industrial and heavy business areas and areas with large concentrations of small hazardous waste generators;
- 7. Basins and sub-basins that fail to meet the target criteria for the twelve NPDES priority pollutants listed in Policy CON- 5A.

CON-3. Regulations within wellfield protection areas shall be strictly enforced. The recommendations of the NW Wellfield Protection Plan shall continue to be fully implemented, as are recommendations that evolve from the West Wellfield and South Dade Wellfield planning processes.

CON-3A. No new facilities that use, handle, generate, transport or dispose of hazardous wastes shall be permitted within wellfield protection areas, and all existing facilities that use, handle, generate, transport or dispose of more than the maximum allowable quantity of hazardous wastes (as specified in Chapter 24-43 of the Code of Miami-Dade County, as may be amended from time to time) within wellfield protection areas shall be required to take substantial measures such as secondary containment and improved operating procedures to ensure environmentally safe operations.

CON-3B. The water management systems that recharge regional wellfields shall be protected and enhanced.

CON-3E. The area west of the Turnpike, east of the Dade-Broward Levee, north of NW 12th Street and south of Okeechobee Road shall be reserved for limestone mining and approved ancillary uses as provided for in Chapters 24 and 33 of the Miami-Dade County Code and the entire area west of the Turnpike, north of NW 25th Street and south of Okeechobee Road shall remain unurbanized.

- CON-4A. The aquifer-recharge values of wetland areas shall be maintained and, where feasible, enhanced or restored. There shall be no further positive drainage of wetlands to accommodate urban development or agricultural uses.
- CON-5G. Miami-Dade County shall actively encourage the creation of buffers between water impoundment areas and development in order to increase the level of flood protection that is provided to developed areas.
- CON-6. Soils and mineral resources in Miami-Dade County shall be conserved and appropriately utilized in keeping with their intrinsic values.
- CON-6A. Areas of highest suitability for mineral extraction in Miami-Dade County shall be reserved for that use and shall be protected from premature encroachment by incompatible uses.
- WS-1D. The County shall protect the integrity of groundwater within wellfield protection areas by strict adherence to the Wellfield Protection Ordinances, by rigorous enforcement of sanitary sewer requirements, hazardous waste prohibitions, land use restrictions, and all other applicable regulations, and by supporting system improvements which are designed to protect or enhance the raw water supply. Existing and future wellfields of exceptional quality, such as the Northwest Wellfield, shall be particularly addressed in the regulations to prevent degradation of water quality.
- WS-6. Miami-Dade County shall undertake timely efforts to expand traditional sources of raw water and develop new alternative raw water sources and projects to meet the County's water supply needs.
- WS-6B. Miami-Dade County shall take the steps necessary to assure that all viable potable water wellfields in the County remain available for use and possible future expansion. Such steps may include, but shall not be limited to, the renewal of withdrawal permits and the extension of the County's wellfield protection measures.
- WS-6D. In the development of its future potable water supplies, Miami-Dade County shall, to the maximum extent feasible, utilize methods which preserve the integrity of the Biscayne Aquifer, protect the quality of surface water and related ecosystems, consider and are compatible with the South Florida Water Management District's Lower East Coast Regional Water Supply Plan and the current Water Use Permit, and comply with the land use and environmental protection policies of the Miami-Dade County CDMP, the Strategic Regional Policy Plan for South Florida, and the State Comprehensive Plan.
- CIE-3. CDMP land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels.
- CIE-5D. Appropriate mechanisms will be developed by Miami-Dade County in order to assure that adequate water supplies are available to all water users of the Miami-Dade County Water and Sewer Department. Furthermore, the Miami-Dade Water and Sewer Department shall be responsible for monitoring the availability of water

supplies for all water users of the Miami-Dade County Water and Sewer Department and for implementing a system that links water supplies to the permitting of new development.

ICE-4E. Miami-Dade County shall promote better coordination of land use, natural resources and water supply planning, with special attention to approaches involving the management of the ecosystem.

APPENDICES

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APPENDIX A

Amendment Application

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**STANDARD AMENDMENT REQUEST
TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
MAY 2013 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

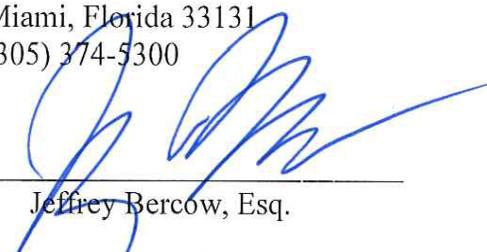
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PLANNING & ZONING
METROPOLITAN PLANNING SECT

1. APPLICANT

Turnberry/Doral Development, Limited Partnership
19501 Biscayne Blvd., Suite 400
Aventura, Florida 33180

2. APPLICANT'S REPRESENTATIVES

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By: 

Jeffrey Bercow, Esq.

Date: May 31, 2013

By: 

Michael J. Marrero, Esq.

Date: May 31, 2013

3. DESCRIPTION OF REQUESTED CHANGES

An amendment to the Comprehensive Development Master Plan Land Use Plan Map is requested.

- A. A change to the Land Use Element, Land Use Plan Map (item A. 1 in the fee schedule) is requested.
- B. Description of Application Area

The Application Area consists of approximately 81.31 net acres of land (96.79 gross acres), designated as Open Land and located in Sections 24 and 25, Township 53 South, and Range 39 East in unincorporated Miami-Dade County (the "Property"). The Applicant proposes to redesignate the Property, and expand the Urban Development Boundary to include the same.

C. Acreage

Application Area: 96.79 Gross Acres; 81.31 Net Acres

Acreage owned by Applicant: 63.64 acres

D. Requested Changes

- 1) It is requested that the Urban Development Boundary (UDB) be expanded to include the Property.
- 2) It is requested that the Property be redesignated on the Land Use Plan Map from Open Land to Business & Office.
- 3) It is requested that the text of the Comprehensive Plan be amended to include the underlined language below, so that UDB expansion in the Northwest Wellfield may be considered, as follows:

LU-8G. When considering land areas to add to the UDB, after demonstrating that a need exists, in accordance with foregoing Policy LU-8F:

- i) The following areas shall not be considered:
 - a) The Northwest Wellfield Protection Area located west of the Turnpike Extension between Okeechobee Road and NW 25 Street, except for parcels abutting the Homestead Extension of the Florida Turnpike and abutting 41st Street, and the West Wellfield Protection Area west of SW 157 Avenue between SW 8 Street and SW 42 Street;
 - b) Water Conservation Areas, Biscayne Aquifer Recharge Areas, and Everglades Buffer Areas designated by the South Florida Water Management District;
 - c) The Redland area south of Eureka Drive; and

4. REASONS FOR AMENDMENT

The Property. The Property consists of two rectangular shaped parcels situated on the north and south sides of NW 41st Street just west of the Homestead Extension of the Florida Turnpike, at approximately NW 117th Avenue, currently designated as Open Land Subarea 2 (Northwest Wellfield) on the Future Land Use Map (FLUM). The Property is zoned GU and, since it is outside of the UDB with no established development trend, it allows one dwelling unit per five acres, unless an unusual use has been approved. Based upon the Property's proximity to major transportation corridors within Miami-Dade County, this is a substandard use of the Property.

The Project. Several factors, including (1) the location of the Property with such a high residential and workforce population nearby, (2) its proximity to several major roadways and (3) the size of the Property – all work together to make this an ideal location for a Retail/Entertainment project. The Applicant is working to create Doral Crossings, which will be planned as a true Retail/Entertainment destination for the many residents of the immediate areas, as well as residents throughout the County and beyond. Preliminary plans for the project include a water ski area, a water park component with slides and other activities, approximately 600,000 square feet of retail floor area designed around a centrally located pedestrian shopping boulevard, an IMAX theater, and approximately 50,000 square feet of food, beverage and entertainment component. While an infill project could attempt to address the needs for such a retail/entertainment destination, it would be constrained by existing development and parcel size limitations. On the other hand, the Property includes over 80 acres of available land which will allow for a cohesive project combining many types of retail and entertainment components that collectively would generate natural synergy.

It should be noted that the County Commission directed staff to conduct a feasibility study regarding a retail/entertainment center within this area, specifically between NW 41st Street and the Dolphin Expressway, and just east of NW 117th Avenue. In its Retail and Entertainment District (RED) Study, which was published in March 2012, staff concluded that the retail demand in Miami-Dade County is growing from 94.5 million square feet to 112.1 million square feet in 2016. One of the principal drivers of this demand is international visitors, which account for two thirds of visitor shopping expenditures. In fact, visitors to the County spend substantially more per day than almost any other tourist destination including New York City, Honolulu, Las Vegas and Los Angeles.

The RED study area is particularly strong in this regard because of its central location and access to major roadways – including the Homestead Extension of the Florida Turnpike, the Dolphin Expressway (836) and the Palmetto Expressway (826). The study concludes that the area is well positioned to attract a variety of retailers, restaurants, clubs, entertainment centers and hotels. This area could support approximately 500,000 square feet of retail within the next five years. The study further suggests that “[t]he County and municipalities should advocate with the Beacon Council and State of Florida economic development entities to classify and recognize large scale retail development as a primary industry which is helping drive the local economy.” Therefore, the location of the Property, just adjacent to the RED study area, is the perfect location for the Doral Crossings project. In fact, Doral Crossings would have all the benefits identified in the RED assessment but not its principal problem – traffic congestion.

The RED report highlighted the area's attraction for retail development:

The study area is one of the strongest major retail nodes in the County largely as a result of the investment made by two major malls, the area's central location, and terrific access.

Even though the study area is an ideal location for retail development, the RED report also pointed out that Miami-Dade is lacking in a variety of options for family entertainment, and this plays itself out in visitor expenditure on entertainment and length-of-stay. The lack of family entertainment product translates into a lack of opportunity to capture local expenditure as well. The report also pointed out that many retail centers in the county offer similar attributes to other major malls anywhere in the country, but "do not capitalize on the natural ambiance and energy that Miami has to offer."

As a result, incentive is lacking for visitors to Miami, particularly the cruise market, to prolong their stay in the area. For example, while the malls benefit from the visitor market, with the exception of South Beach (mostly oriented to adults), "Greater Miami does not have a destination for retail or entertainment that convinces visitors to extend their stay and have a unique experience." The report concludes that "it is apparent the market does not have a large scale family entertainment destination (even by traditional standards), the challenge comes in defining what the new concept is (or will become) and developing an innovative destination to successfully capitalize on the budding concept." The Applicant has accepted this challenge by planning Doral Crossings as a creative response to the lack of family oriented retail entertainment destinations in Miami-Dade County.

Consistency with CDMP Objectives and Policies. This application addresses several policies and objectives within the Land Use Element of the CDMP.

- **LU-8E. Applications requesting amendments to the CDMP 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) **Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;**
 - (ii) **Enhance or impede provision of services at or above adopted LOS Standards;**
 - (iii) **Be compatible with abutting and nearby land use and protect the character of established neighborhoods; and**
 - (iv) **Enhance or degrade environmental or historical resources, features or systems of County significance; and**
 - (v) **If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes would be use that**

promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

CDMP Land Use Element Policy LU-8E provides evaluation criteria for applications seeking amendments to the CDMP Future Land Use Map. Approval of this application will accommodate additional economic growth in the County, will not impede the provision of services at or above adopted LOS standards, will be compatible with abutting and nearby land uses and protect the existing character of the area, and will not degrade environmental or historical resources.

Land Supply. Because of the limited availability of large potential retail development sites within this area, this application presents a unique opportunity to introduce a true retail entertainment destination consistent with the goals and findings of the RED Study. The Applicant is proposing not only a large regional retail destination, but will include several entertainment destination components that will attract tourists, and serve the greater Doral area and visitors from throughout Miami-Dade County.

The Property is located in MSA 3.2, the only area of the County in which portions of three major highways are located and the single largest employment center in the County. As a result of its highway access, MSA 3.2 is also the location of several retail uses that draw from a regional market, including International Mall and Dolphin Mall, as well as the multiple auto dealerships that operate along NW 12th Street east of International Mall. These facilities derive their primary market support from within MSA 3.2 as well as the portion of MSA 3.1 west of the Palmetto and MSA 6.1. Both of the latter two areas are undersupplied in terms of land designated in a manner that allows retail uses.

The primary market area for this area of the County had a population of more than 650,000 people in 2010, or more than 25 percent of the County's total population. It is projected to grow by 90,000 in the 2010 – 2030 time period, which is greater than the total current population of 22 of the County's 32 MSA's. According to the most current data provided by County staff, MSAs 3.1 and 3.2 have approximately 827 acres of vacant commercial acreage, which at the current pace of absorption would not be fully depleted until 2030. However, a substantial portion of those 827 acres are designated either Industrial and Office, or Office Residential, and not Business and Office. Thus those lands cannot be developed with retail uses, as proposed by the Applicant. A number of those Business and Office parcels do not front on major roadways, making it more likely that they will be developed with office rather than retail uses.

Within the market area of MSA 3.1 and 3.2, there are only 13 vacant parcels that are greater than ten acres in size. However, most of these sites are undergoing development or are in various stages of pre-development planning. There are three remaining sites that are neither under development nor otherwise being planned for development. However, each of those sites has significant disadvantages as a location for the type of development that Applicant is proposing, such as size, lack of major roadway access, location, development order limitations, and the like.

Compatibility. Applicant will address compatibility issues during the site plan approval process for the Doral Crossings project. The commercial uses proposed for the Property are certainly compatible with surrounding uses. The Doral Crossings project will be a welcome addition for

the residential uses nearby, and will be compatible with nearby institutional and industrial uses. Furthermore, its proximity to major roadways will enhance the accessibility to the site.

Infrastructure. The Applicant understands that both water and sewer connections are available adjacent to the site. As to potable water, the Planning Considerations Reports for the April and October 2012 Cycles state that all of the County's water treatment plants are currently operating within the LOS standards. This application should not have a significant impact. The same report addresses sewer capacity but warns that since some areas are at or close to capacity, DERM addresses the availability of water and sewer service on a case by case basis. Although the Applicant does not anticipate that the approval of this application will result in a deficiency in the LOS, the Applicant will work with DERM to address any potential concerns.

The roadway network is particularly well developed around the Application Area. While the Property currently sits just outside the UDB, it abuts the Homestead Extension of the Florida Turnpike (HEFT) and NW 41st Street, and is minutes away from the Dolphin and Palmetto Expressways. NW 41st Street is an improved two-lane roadway from the HEFT to just west of NW 147th Avenue; east of the HEFT NW41st Street/Doral Boulevard is a divided six (6) lane roadway. Immediately west of the portion of the Property located on the north side of NW 41st street, NW 122nd Avenue has been improved as a two (2) lane roadway from NW 41st Street to NW 58th Street. South of NW 41st Street, the construction of NW 122nd Avenue between NW 25th Street and NW 41st Street is a development order condition of the Beacon Lakes DRI. Completion of this portion of the area roadway network will provide for convenient access to and from Doral Crossings.

Historical and Environmental Resources. There are no historically or archeologically significant structures on the Property. Therefore, this application will have no impact on the County's historical resources. As to the environmental considerations, the Applicant has retained an environmental engineer, as well as a hydrologist, to ensure that Doral Crossings will not have a negative impact on the County's drinking water and will comply with all applicable environmental regulations. In particular, Applicant and its consultant will address during the CDMP amendment process such environmental issues, as wetlands, wildlife, vegetation, and water. After any approval of the application, Applicant and its consultant will apply for and obtain any and all necessary environmental permits prior to commencing site development.

- **LU-8F. The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide residential demand for a period of ten years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total of 15-year Countywide supply beyond the date of EAR adoption). The estimation of this capacity shall include the capacity to develop and redevelop around transit stations at the densities recommended in policy LU-7F. The adequacy of non-residential land supplies shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the Countywide supply within the UDB. The adequacy of land supplies for neighborhood- and community-oriented business and office uses shall be determined on the basis of localized subarea**

geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-tiers and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities.

CDMP Land Use Element Policy LU-8F provides that the adequacy of non-residential land supplies shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the Countywide supply within the UDB. The Application Area is adjacent to the developed City of Doral to the east, and includes a significant number of dwelling units within the immediate vicinity. The City of Doral alone has over 45,000 residents and the City of Sweetwater has over 14,000 residents. Furthermore, Doral is a major employment center and has an average daytime workforce of approximately 150,000 persons. While there is some available commercial land in this area of Miami-Dade County, there is a deficiency of large parcels needed for a well-planned, regional retail entertainment destination with proximity to major roadways.

The Property is located in Minor Statistical Area (MSA) 3.2, which is the only area in Miami-Dade County in which portions of 3 major highways are located – the Florida Turnpike, the Dolphin (836) Expressway and the Palmetto (826) Expressway. The only area comparable in terms of having a significant market for retail goods comprised of both residents and a large workforce is downtown Miami. However, while residents and workers in the eastern area of Miami-Dade County can enjoy Midtown Miami, Lincoln Road and South Beach, and other emerging developments – there is no comparable development in the greater Doral area. Applicant seeks to address that need for the residents and employees of the western portion of Miami-Dade County with its proposed Doral Crossings retail entertainment destination to be located on the Property.

- **LU-8G. When considering land areas to add to the UDB, after demonstrating that a need exists , in accordance with foregoing Policy LU-8F:**
 - i) **The following areas shall not be considered:**
 - a) **The Northwest Wellfield Protection Area located west of the Turnpike Extension between Okeechobee Road and NW 25 Street and the West Wellfield Protection Area west of SW 157 Avenue between SW 8 Street and SW 42 Street;**
 - b) **Water Conservation Areas, Biscayne Aquifer Recharge Areas, and Everglades Buffer Areas designated by the South Florida Water Management District;**
 - c) **The Redland area south of Eureka Drive; and**

While the Property is located within the Northwest Wellfield Protection Area, this Application seeks an amendment to the text of the comprehensive plan which would permit expansion into the Northwest Wellfield Protection Area. The amendment to the text will provide a limited exception to this policy where the land is located adjacent to the HEFT, which will provide

superior access to the property, and to NW 41st Street. The HEFT is the most heavily traveled segment of the Florida Turnpike, with more than 178,000 daily vehicle trips at its busiest location, which happens to be along the Application Area, between the Southwest 8th Street exist and the Dolphin Expressway (836). Just west of the Property, 41st Street is a paved road with water and sewer infrastructure. Furthermore, the Applicant has retained a hydrologist to assure that the Applicant's development will not have any adverse impact on the County's drinking water supply and other natural resources.

The Property is not in a Water Conservation Area, Biscayne Aquifer Recharge Area or Everglades Buffer Area. In addition, the Application Area is not located in the Redland area south of Eureka Drive. Therefore, if the proposed text change is adopted, the Property may be considered for inclusion with the UDB.

- ii) **The following areas shall be avoided:**
 - a) **Future Wetlands delineated in the Conversation and Land Use Element;**
 - b) **Land designated Agriculture on the Land Use Plan map;**
 - c) **Category 1 hurricane evacuation areas east of the Atlantic Coastal Ridge;**
 - d) **Comprehensive Everglades Restoration Plan project footprints delineated in Tentatively Selected Plans and/or Project Implementation Reports;**

The Property is not delineated as Future Wetlands in the Conservation and Land Use Element, or located within the Category 1 hurricane evacuation area or a Comprehensive Everglades Restoration Plan project footprint. Therefore, the Property may be included in the UDB.

- iii) **The following areas shall be given priority for inclusion, subject to conformance with Policy LU-8F and the forgoing provision of this policy:**
 - a) **Land within Planning Analysis Tiers having the earliest projected supply depletion year;**
 - b) **Land contiguous to the UDB;**
 - c) **Locations within one mile of a planned urban center or extraordinary transit service; and**
 - d) **Locations having projected surplus service capacity where necessary facilities and services can be readily extended.**

CDMP Land Use Element Policy LU-8G (iii) gives priority for certain lands to be included within the UDB. One of the factors under this policy is land contiguous to the UDB. The Property is contiguous to existing urban development where all necessary urban services exist, located on the eastern side of the Florida Turnpike Extension.

Another factor is that the location should have projected surplus service capacity where necessary facilities and services may be readily extended. Not only is NW 41st Street a paved section line road that bisects the Property, but water and sewer infrastructure is located under the road right-of-way. Once the UDB is expanded to include the Property, not only will the Applicant be allowed to connect its proposed project with the County's facilities, but the Northwest Wellfield regulations will require such connection. In addition, NW 122nd Avenue connects NW 41st and NW 58th Streets on the west side of the Property, and will connect NW 41st and 25th Streets in the near future.

The Property is directly west of the City of Doral and is west and southwest of a residential area located north of NW 41st Street and east of the HEFT. While these residential units will certainly benefit from the proximity of commercial development to the west, Doral Crossings will attract residents from throughout Miami-Dade County. The Property is also immediately west of several institutional and industrial uses, including the Miami-Dade College (MDC) West Campus which could benefit from the proximity of a developed commercial center. In fact, an existing bus route could serve the area for transit purposes (Metro Dade Bus Route 36) since it currently extends west because of the MDC West Campus location.

While the Property is within unincorporated Miami-Dade County, it shares a great deal of its character with the City of Doral. As a result, it is important to consider the City when analyzing the potential uses for the Property, which is connected to the city by 41st Street / Doral Boulevard, Doral's "main street." Doral is one of the fastest growing cities in Florida, not only as a result of its residential population but just as importantly, its growing business community which brings a strong and vibrant daily workforce to the immediate area.

This CDMP policy gives priority for expansion to the UDB where the land is contiguous to the UDB, and where there is a projected service capacity or where the necessary facilities and services may be readily extended. This application satisfies these criteria.

- **LU-1G. Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.**

CDMP Land Use Element Policy LU-1G encourages business developments to be placed in clusters or nodes at the intersections of major roadways. The Property abuts the Florida

Turnpike to the east, and is bisected by NW 41st Street, both major roadways. The intersection of these roadways essentially creates an activity node where commercial development should be encouraged, consistent with the CDMP's Guidelines for Urban Form. The Property's proximity to the Turnpike makes it particularly suitable as a retail/entertainment destination, since existing roadways will provide easy access to the site. Additionally, the Property is in MSA 3.2, which also includes the Dolphin Expressway and the Palmetto Expressway. To the extent that any roadway deficiencies are identified, the Applicant will work with the County to address any deficiency by appropriate mitigation measures which will be incorporated in the declaration of restrictions to be proffered to the Board of County Commissioners.

- **LU-1B. Major centers of activity, industrial complexes, regional shopping centers, large-scale office centers and other concentrations of significant employment shall be the structuring elements of the metropolitan area and shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.**

The size of the Property will dictate the scale of the proposed development, which will satisfy a deficiency in the County, i.e. well-planned commercial projects attracting regional users. As noted earlier, the Property is within the largest employment center in the County, only rivaled by downtown Miami. The daytime workforce of the City of Doral alone is 150,000 persons.

This policy encourages major centers of activity, including regional shopping centers, to be sited at locations with good countywide, multi-modal accessibility. The proximity of the Property to the Florida Turnpike and other major roadways like the Dolphin Expressway, Palmetto Expressway and 41st Street, makes this an ideal location for a major retail entertainment center. The area also is already served by at least one bus route because of its proximity to the MDC West Campus.

- **LU-10. Miami-Dade County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agriculture Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.**

CDMP Land Use Element Policy LU-10 requires the County to "prevent discontinuous, scattered development at the urban fringe." The Property is surrounded by lands to the north, west and south that either have been or are under excavation; it is also contiguous with existing development on the opposite side of the HEFT. A well-planned commercial project would further enhance the uses to the east of the Property.

- **LU-2A. All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Services (LOS) standards specified in the Capital Improvements Element (CIE).**

The expansion proposed in the instant application, subject to the proffered declaration of restrictions, is expected to have no significant impact on public infrastructure. Because of the

location of the South Florida Reception Center Correctional Facility, west of the Property on 41st Street, a water main and sewer force main already exist and extend west of the site. The Applicant has begun discussions with the Miami-Dade Water and Sewer Department to ensure that it will be able to connect to these lines after approval of this Application.

- **LU-8A. Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resources degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.**

CDMP Land Use Element Policy LU-8A requires the County to strive to accommodate proximity and accessibility to employment, commercial and cultural centers, as well as create amenities. This proposed expansion of the UDB serves as an accessible employment and commercial center immediately adjacent to an existing residential area. Furthermore, the proximity to the HEFT makes it an ideal location for expansion.

5. ADDITIONAL MATERIAL SUBMITTED

- 1) Aerial Photograph
- 2) Section Map

The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

6. **COMPLETE DISCLOSURE FORMS:** See attached.

DISCLOSURE OF INTEREST

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

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Turnberry/Doral Development, Limited Partnership

APPLICANT B: Turnberry/Doral Development, Limited Partnership

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

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

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

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>ACRES IN SIZE (net)</u>
A	YES	30-3925-000-0010	63.64
B	NO	30-3924-001-0105	
Portions of 30-3924-001-0100, 30-3924-001-0103 and 30-3924-001-0106			17.67

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR</u> (Attach <u>FOR PURCHASE</u>)	<u>OTHER</u> <u>Explanation)</u>
A	X			
B			X	

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

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

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

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (5), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]**

CORPORATION NAME: N/A

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENT AGE OF STOCK</u>
N/A	

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

TRUSTEES

NAME: N/A

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

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (5) trust (5) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].**

PARTNERSHIP NAME: Turnberry/Doral Development, Limited Partnership

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENT AGE OF INTEREST</u>
<u>See Exhibit A</u>	

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

<u>NAME AND ADDRESS</u>	<u>PERCENT AGE OF INTEREST</u>
<u>N/A</u>	

Date of Contract: _____

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

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

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

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

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

CORPORATION NAME: 41st Street Development Corporation

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
See Exhibit B	

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

TRUSTEE'S
NAME: _____

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENT AGE OF INTEREST</u>
N/A	

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

PARTNERSHIP NAME:

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENT AGE OF OWNERSHIP</u>
N/A	

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

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
Turnberry/Doral Development Corp, Limited Partnership	100%

Date of Contract: May 30, 2013

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

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

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

Applicant's Signatures and Printed Names

JONATHAN KURRY
AS AUTHORIZED SIGNATORY

Sworn to and subscribed before me
this 31 day of May, 20 13.

Notary Public, State of Florida at Large (SEAL)
My Commission Expires:

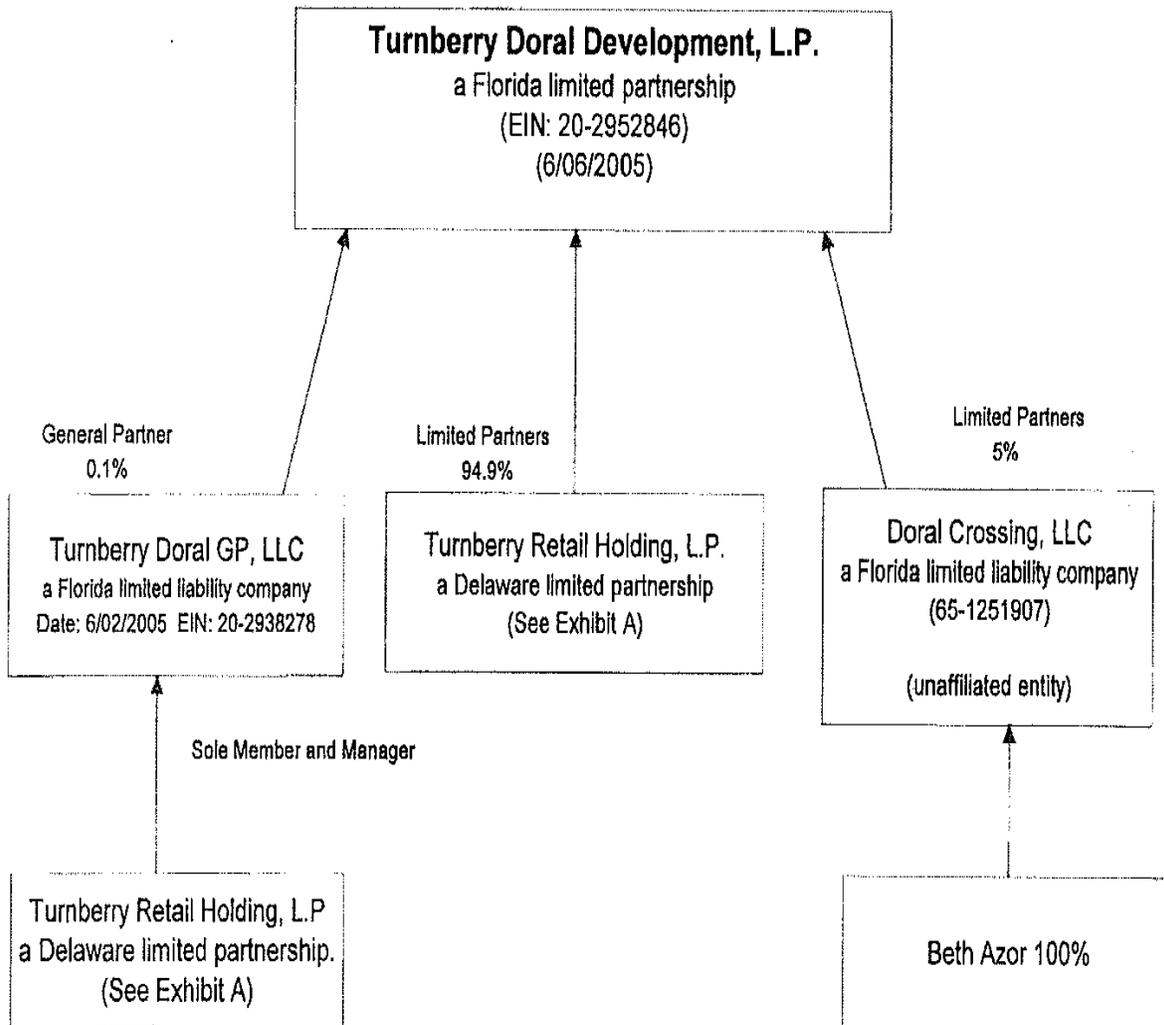


Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests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

EXHIBIT A



2013



TURNBERRY RETAIL HOLDING, L.P.

2013

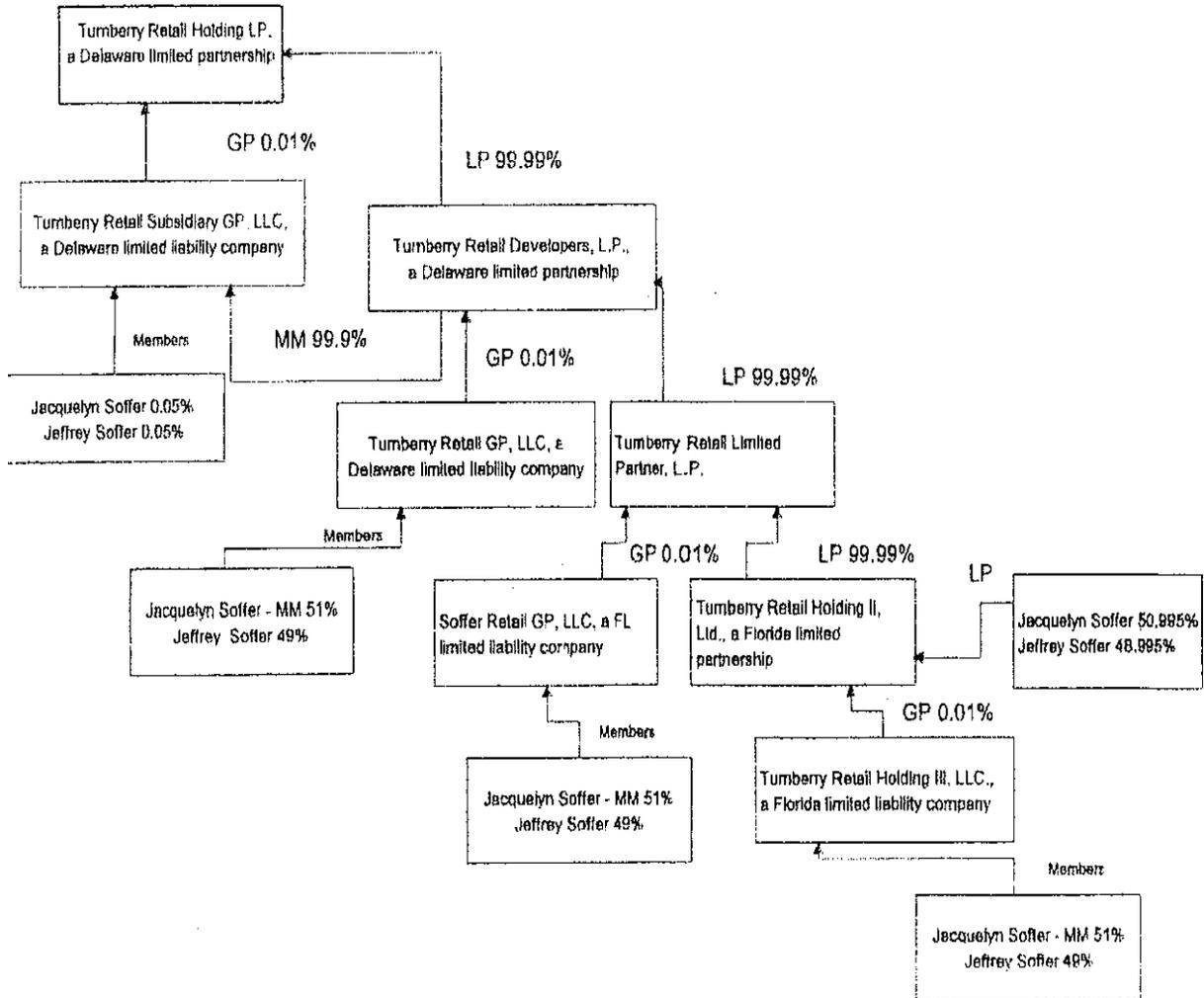
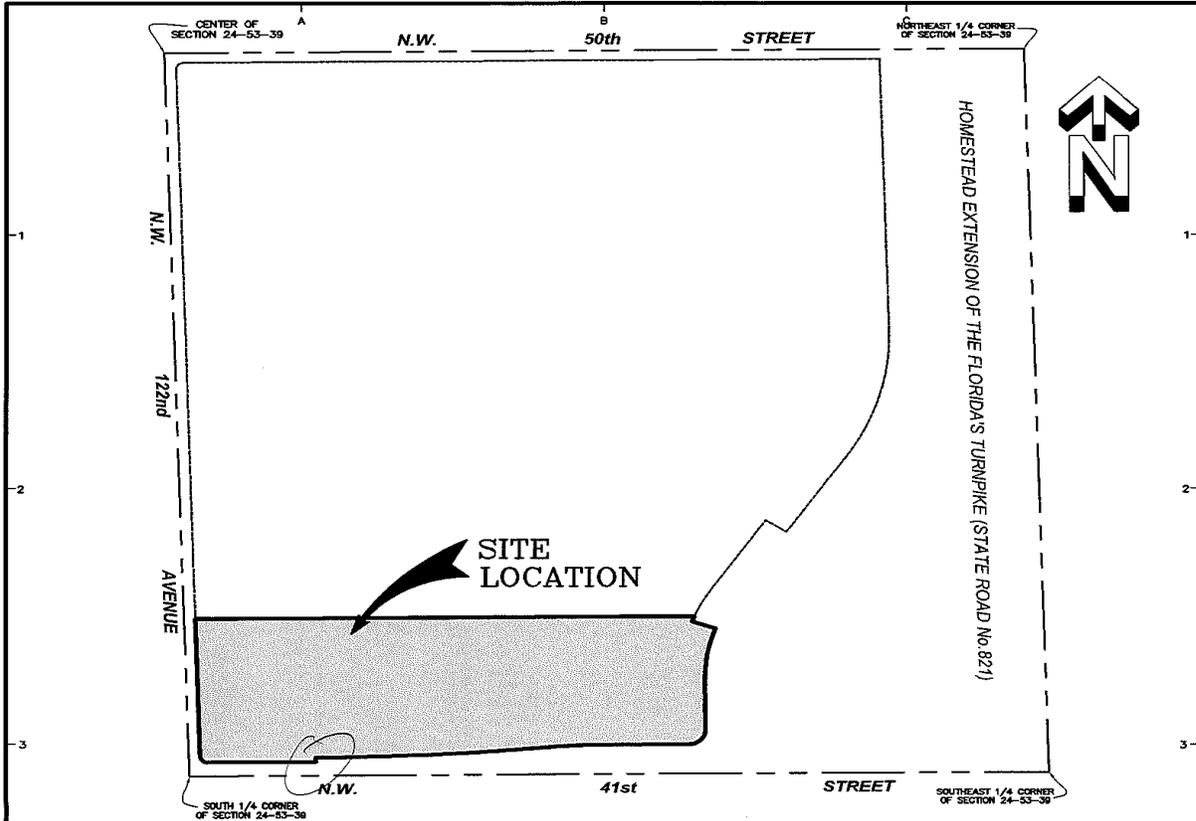


Exhibit B

41st Street Development Corporation

- Juan M. Delgado
60 Edgewater Drive, Apt. 9D
Coral Gables, FL 33133
60% (Sixty Percent)
- Jesus Hill
19611 West Lake Drive
Miami FL 33015
20% (Twenty Percent)
- Alicia & Nirma Pina as tenants by the entireties
7081 Torphin Place
Miami Lakes, FL 33014
10% (Ten Percent)
- Alicia & Nirma Pina as Custodians for Christopher Pina
7081 Torphin Place
Miami Lakes, FL 33014
4% (Four Percent)
- Alicia & Nirma Pina as Custodians for David A. Pina
7081 Torphin Place
Miami Lakes, FL 33014
3% (Three Percent)
- Alicia & Nirma Pina as Custodians for Christy M. Pina
7081 Torphin Place
Miami Lakes, FL 33014
3% (Three Percent)



LOCATION MAP
SECTION 24, TOWNSHIP 53 SOUTH, RANGE 39 EAST
MIAMI-DADE COUNTY, FLORIDA.
(NOT TO SCALE)

SURVEYOR'S NOTES:

- 1) -This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) -Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 3) -There may be additional Restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will be made to determine recorded instruments, if any affecting this property.
- 4) -North Arrow direction and Bearings shown hereon are based on Township 53 South, assumed value of $N01^{\circ}43'47''W$ along the West Line of Southwest 1/4 of Section 24, Township 53 South, Range 39 East, as shown hereon.
- 5) -The Sketch and Legal Description shown herein is based on the information provided by the Client.
- 6) -No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.

SURVEYOR'S CERTIFICATE:

I Hereby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION of the real property described hereon. I further certify that this sketch was prepared in accordance with the applicable provisions of Chapter 5J-17 (Formerly Chapter 61G17-6), Florida Administrative Code.
Ford, Armenteros & Manucy, Inc. L.B. 6557
Date: MAY 16th, 2013.

Ricardo Rodriguez, P.S.M.
Professional Surveyor and Mapper
State of Florida, Registration No.5936

Q:\FORD COMPANIES\ENGINEERING AND SURVEYING\SURVEY\SKETCH AND LEGAL\12A076-1000 LAS HACIENDAS\12A076-1000 LAS HACIENDAS FRONT PARCEL

41 STREET DEVELOPMENT CORP - FRONT PARCELS



FORD, ARMENTEROS & MANUCY, INC.
1950 N.W. 94th AVENUE, 2nd FLOOR
DORAL, FLORIDA 33172
PH. (305) 477-6472
FAX (305) 470-2805

TYPE OF PROJECT: SKETCH AND LEGAL DESCRIPTION	
SHEET NAME: LOCATION MAP AND SURVEYOR'S NOTES	
PREPARED FOR: 41ST STREET DEVELOPMENT CORP	
DRAWN BY: E.REYES	DATE: MAY 16th, 2013.
DWG. CHECKED BY:	SCALE: AS SHOWN
CHECKED BY:	PROJECT No: 12A076-1000
SHEET: 1	
of 3 SHEETS	

LEGAL DESCRIPTION:

A portion of the SE ¼ of Section 24, Township 53 South, Range 39 East, Miami-Dade County, Florida, and being more particularly described as follows:

Commencing at the South ¼ corner of Section 24-53-39, thence along the West line of the Southeast ¼ N01°43'47"W a distance of 73.60 feet, thence N88°16'17"E for a distance of 35.00 feet to the POINT OF BEGINNING of the herein described parcel. Thence along a line 35.00 feet East and parallel to the West line of the Southeast ¼ N01°43'47"W a distance of 500.52 feet; thence N89°39'23"E a distance of 1533.59 feet to a point on the West line of the Florida Turnpike; said point also being on the arc of a circular curve to the left, a radial line from this point bears S67°28'16"E; thence Southwesterly along the arc of said curve, having a radius of 576.79 feet through a central angle of 02°00'07" for an arc distance of 20.15 feet to a point of non-tangency; thence S71°03'50"E a distance of 77.06 feet to a point of tangent curve having a chord bearing of S10°12'01"W a radius of 500.00 feet, and a central angle of 21°08'51"; thence proceed Southwesterly along the arc of said curve, a distance of 184.56 feet to the end of said curve; thence S00°22'25"E a distance of 190.93 feet to a point of tangent curve having a chord bearing of S44°37'35"W, a radius of 50.00 feet, and a central angle of 90°00'00"; thence proceed Southwesterly along the arc of said curve a distance of 78.54 feet to the end of said curve; thence S89°37'35"W a distance of 235.47 feet to the point of tangent curve having a chord bearing of S87°02'41"W, a radius of 2500.00 feet, and a central angle of 05°09'48"; thence proceed Southwesterly along the arc of said curve, a distance of 225.29 feet to a point of reverse curvature of a curve having a chord bearing of S87°02'41"W, a radius of 7621.24 feet, and a central angle of 05°09'48"; thence proceed Southwesterly along the arc of said curve, a distance of 686.80 feet to the end of said curve; thence S00°22'25"E a distance of 17.41 feet to a point 50.00 feet North of the South line of the Southeast ¼ of Section 24-53-39; thence along said line of 50.00 feet North to the South line of the Southeast ¼ of said Section 24-53-39, S89°37'35"W a distance of 331.95 feet to a point of tangent curve having a chord bearing of N46°03'06"W, a radius of 25.00 feet, and a central angle of 88°38'37"; thence proceed Northwesterly along the arc of said curve, a distance of 38.68 feet to the end of said curve and also being the POINT OF BEGINNING of the herein described parcel.

Containing 769,960.49 Square Feet or 17.67 Acres more or less.

LEGEND
 CH - CHORD BEARING
 P.O.C. - POINT OF COMMENCE
 P.O.B. - POINT OF BEGINNING
 P.B. - PLAT BOOK
 PG. - PAGE

G:\FORD COMPANIES\ENGINEERING AND SURVEYING\SURVEY\SKETCH AND LEGAL\12A076-1000 LAS HACIENDAS\12A076-1000 LAS HACIENDAS FRONT PARCEL

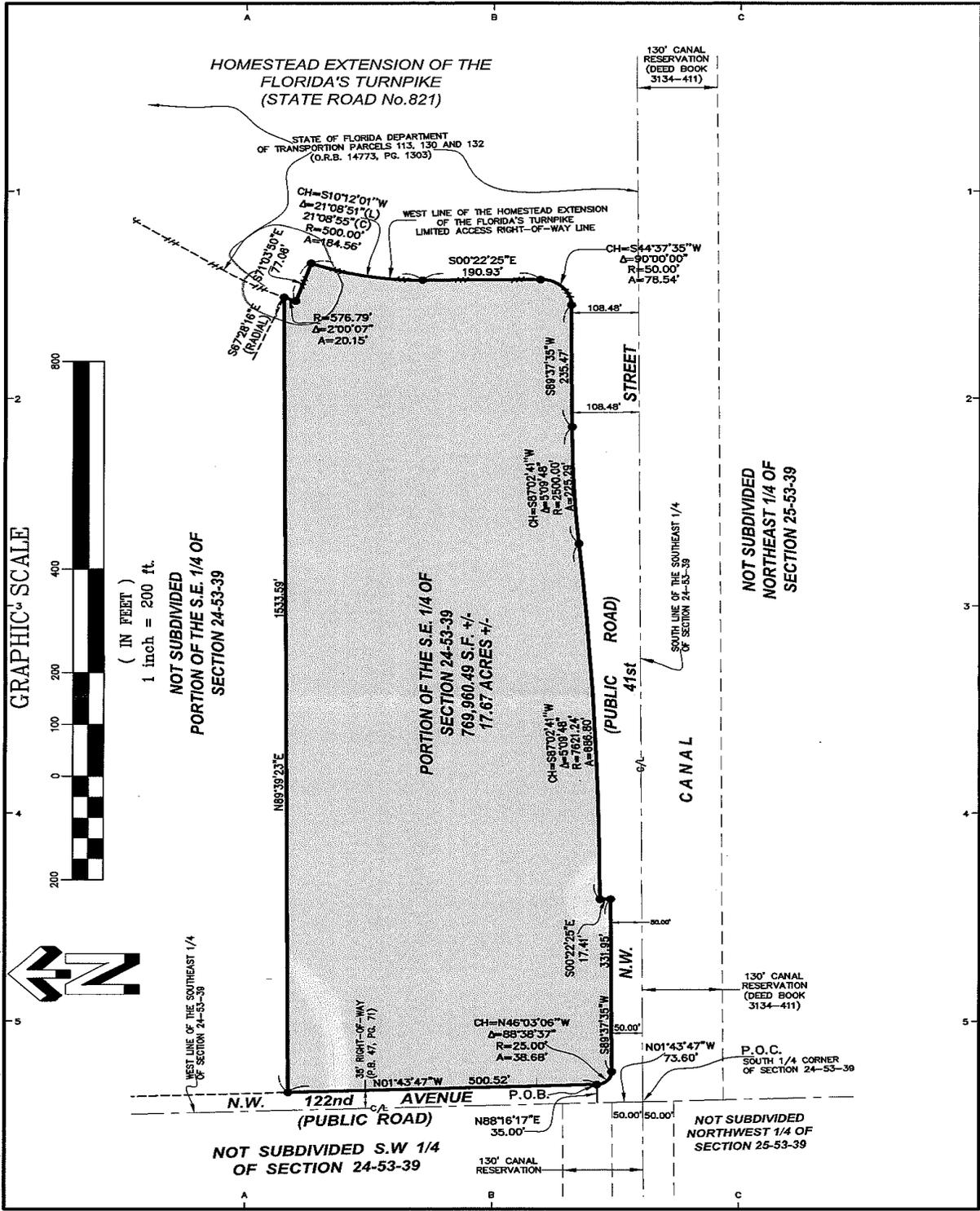
41 STREET DEVELOPMENT CORP - FRONT PARCELS



FORD, ARMENTEROS & MANUCY, INC.
 1950 N.W. 94th AVENUE, 2nd FLOOR
 DORAL, FLORIDA 33172
 PH. (305) 477-6472
 FAX (305) 470-2805

TYPE OF PROJECT: SKETCH AND LEGAL DESCRIPTION		SHEET: 2	
SHEET NAME: LEGAL DESCRIPTION TO ACCOMPANY SKETCH		OF 3 SHEETS	
PREPARED FOR: 41ST STREET DEVELOPMENT CORP			
DRAWN BY: E.REYES	DATE: MAY 16th, 2013.	SHEET: 2	
DWG. CHECKED BY:	SCALE: N/A		
CHECKED BY:	PROJECT No: 12A076-1000		

© FORD COMPANIES ENGINEERING AND SURVEYING (SURVEY SKETCH AND LEGAL DESCRIPTION) 12A076-1000 LAS HACIENDAS 12A076-1000 LAS HACIENDAS FRONT PARCEL

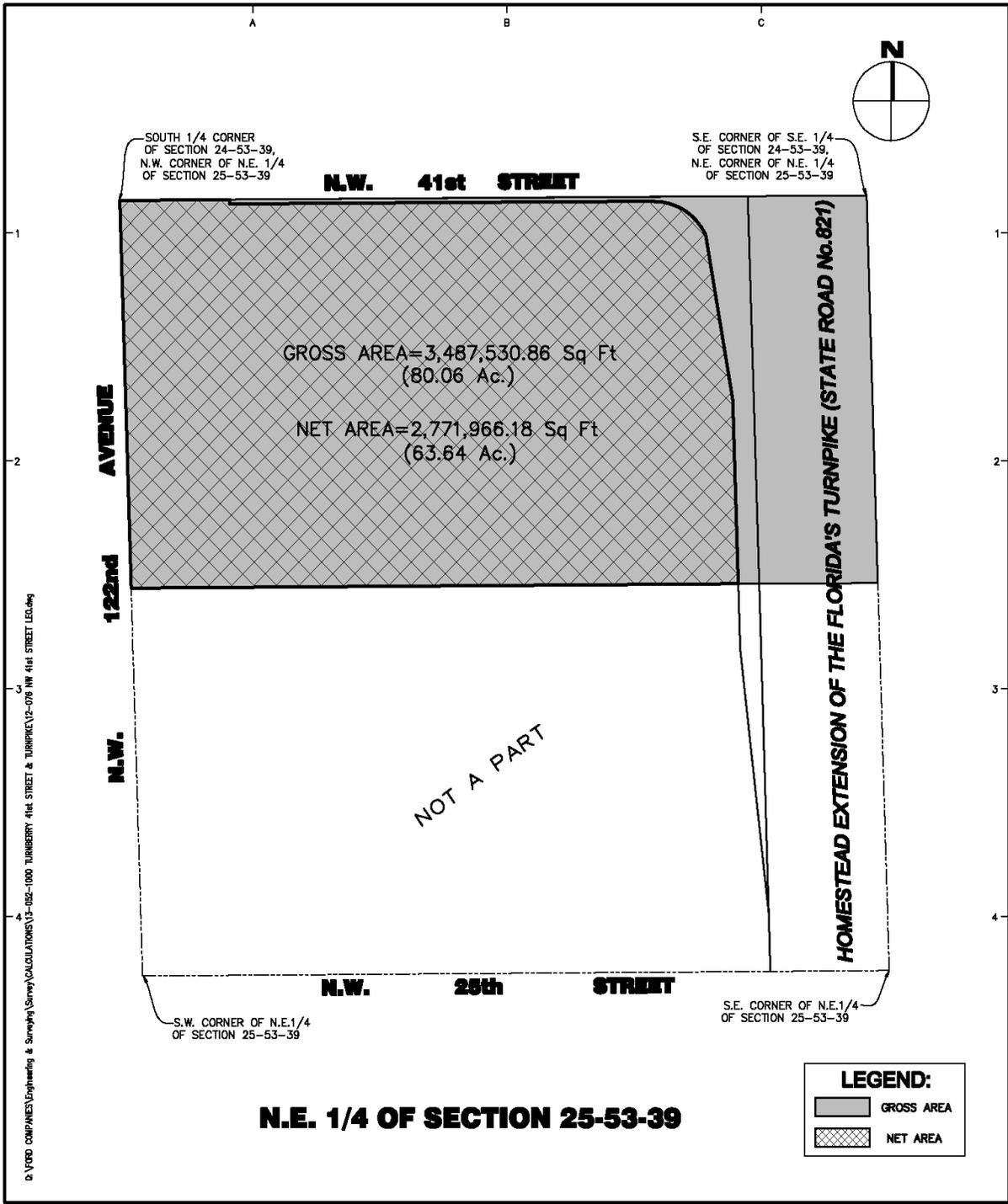


41 STREET DEVELOPMENT CORP - FRONT PARCELS



FORD, ARMENTEROS & MANUCY, INC.
 1950 N.W. 94th AVENUE, 2nd FLOOR
 DORAL, FLORIDA 33172
 PH. (305) 477-6472
 FAX (305) 470-2805

TYPE OF PROJECT:		SKETCH AND LEGAL DESCRIPTION	
SHEET NAME:		SKETCH TO ACCOMPANY LEGAL DESCRIPTION	
PREPARED FOR:			
41ST STREET DEVELOPMENT CORP			
DRAWN BY:	E. REYES	DATE:	MAY 16th, 2013.
CHK. CHECKED BY:		SCALE:	AS SHOWN
CHECKED BY:		PROJECT No:	12A076-1000
			3
			OF 3 SHEETS



C:\PVED COMPANIES\Engineering & Surveying\Survey\CALCULATIONS\13-02-1000 TURNBERRY 41st STREET & TURNPIKE\13-076 NW 41st STREET LEG.dwg

TURNBERRY - 41st STREET & FLORIDA TURNPIKE			
	FORD, ARMENTEROS & FERNANDEZ, INC.		
	1950 N.W. 94th AVENUE, 2nd FLOOR		
	DORAL, FLORIDA 33172		
	PH. (305) 477-6472 FAX (305) 470-2805		
TYPE OF PROJECT:	SKETCH		
SHEET NAME:	A PORTION OF SECTION 25-53-39		
PREPARED FOR:	BERCOW & RADELL, P.A.		
DRAWN BY:	DATE:	SCALE:	SHEET:
LD.	06-31-2013	NA	1
DWG. CHECKED BY:	PROJECT No:		
	13-022	of 1 SHEETS	

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APPENDIX B

Miami-Dade County Public Schools Analysis

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Public Schools

The applicant has proffered a covenant that prohibits residential development on the application site. Should the application be approved with acceptance of the covenant, Miami-Dade County Public Schools would not be impacted by the application as proposed.

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APPENDIX C

Applicant's Traffic Study Executive Summary

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**May 2013 CDMP Amendment Application No. 1
CDMP Amendment Transportation Analysis**

Executive Summary

This proposed change to the Miami-Dade County CDMP has been submitted by Turnberry/Doral Development, Limited Partnership for 96.79 gross acres (81.31 net acres), for two parcels located in Sections 24 and 25, Township 53, Range 39 which are separated by NW 41 Street and which are bounded by the HEFT on the east and theoretical NW 122 Avenue on the west. This proposed change seeks to redesignate the property from “Open Land” to “Business and Office” and to expand the Urban Development Boundary to include this property. The Applicant has proposed a Declaration of Restrictions to limit site development to no more than 850,000 square feet of retail, entertainment, service and business uses inclusive of a 4.5 acre water park. The net external PM peak hour trips are outlined below.

Net External Trip Generation Summary – PM Peak Hour – Retail and Entertainment Uses and a Water Park								
Parcel	Timeframe	ITE LUC	Scale of Development	Gross Trips	Pass-by	Net External Trips	Trips In	Trips Out
North Parcel	PM Peak Hour	820	200,000 SF	953	238	715	343	372
South Parcel	PM Peak Hour	820/414	600,000 SF + Water Park	2,096	458	1,638	757	881
Total				3,049	696	2,353	1,100	1,253

Vehicular Access

The two parcels are situated in the NW and SW quadrants of the interchange of an Urban Principal Arterial (NW 41 Street) and an Urban Principal Arterial Freeway (HEFT) and thus are well served by the existing arterial roadway network.

Transit Access

MDT Route 36 and the Doral Trolley Routes 2 and 3 provide weekday and Saturday transit service at 60 minute headways at NW 41 Street at NW 115 Avenue providing access to the Miami-Dade College West Campus and placing existing transit service within ¼ mile of the Amendment Site.

Traffic Concurrency Standards

Pursuant to the Miami-Dade County Concurrency Management System, all study area traffic count stations on roadways adjacent to the Amendment Site have been found to operate at acceptable levels of service during the peak hour period for the Year 2018 Short Term Planning Horizon, accounting for existing traffic, previously approved committed development traffic, plus the traffic from the Amendment Site. Available capacity and acceptable levels of service are maintained for the adjacent count stations and the study area roadway segments, meeting the traffic concurrency standards from the Miami-Dade County CDMP.

Year 2025 Traffic Conditions

An evaluation the Year 2025 traffic conditions has been completed to determine the adequacy of the roadway infrastructure to meet the adopted LOS standards through the Year 2025 Long Term Planning Horizon. Year 2025 traffic conditions incorporate expanded transportation infrastructure for roads under construction, the funded transportation improvements from TIP 2014, Priority II and III planned transportation improvements from the LRTP 2035, future background traffic conditions reflecting growth in background traffic and traffic from approved committed developments, and the traffic impact from the Amendment site.

- A year 2025 level of service analysis has been provided for the Long Term Planning Horizon along with a significance determination analysis that identifies 8 roadway segments where Amendment traffic was found to exceed 5.0% of the maximum service volume at the adopted level of service standard.
- Each of these 8 significantly impacted study area roadway segments were found to operate within adopted LOS standards through the Year 2025 – both without and with the traffic from the proposed Amendment site.

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APPENDIX D

Doral Crossing Site Assessment

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PLANNING & ZONING
METROPOLITAN PLANNING SECT

Doral Crossing

Site Assessment for Property at N.W. 41st Street and Florida Turnpike

Prepared by:

EAS Engineering, Inc.
55 Almeria Avenue
Coral Gables, Florida 33134

June 26, 2013

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INTRODUCTION

The subject property consists of two parcels of land located immediately west of the Homestead Extension of the Florida Turnpike. The north parcel is located north of N.W. 41st Street in Section 24, Township 53 South, Range 39 East, Miami-Dade County, Florida (Figure 1). The second parcel is located south of N.W. 41st Street, in Section 25, Township 53 South, Range 39 East, Miami-Dade County, Florida (Figure 1). This property is being considered for development.

This report presents the results of a site assessment and wetland delineation conducted by EAS Engineering on May 31, 2013

WETLAND DELINEATION

The distinction between uplands and wetlands is based on three criteria:

Vegetation can be classified into different categories based on its ability to thrive in water or in wet soil. The classes (for the State of Florida) include:

- Obligate (OBL) plants thrive only in wet (anaerobic) soils or in water
- Facultative-Wet (FACW) plants are more likely to be found in wet soils, but can also be found in dry sites
- Facultative (FAC) plants can thrive in either wet or dry conditions.
- Upland (UPL) plants cannot thrive in wet soil. They are associated with dry soils only.

Soils can be divided into:

- Hydric soils, which are flooded or saturated long enough to produce anaerobic conditions that favor the growth of hydrophytic vegetation.
- Non-hydric soils are all other soils. They are aerobic and infrequently flooded.

Wetland Hydrology refers to the characteristics of soils that are flooded or saturated long enough to produce anaerobic conditions. A number of “hydrologic indicators” have been identified to help one identify soils that have been flooded, even if they are dry at the time of inspection. Examples include:

- Drift lines
- Water marks on tree trunks
- Buttressed tree trunks
- Algal mats
- Adventitious roots
- Vegetated tussocks or hummocks
- Evidence of aquatic fauna (crayfish burrows, cast skins of insect larvae)

The State of Florida requires that two of these three characteristics be present for a determination that a wetland condition exists. Miami-Dade County uses the same wetland definition as the State. The Corps of Engineers requires that all three characteristics be demonstrated.

HISTORIC INFORMATION SOURCES

Lakebelt Vegetation Map:

The subject properties were included in the Lakebelt Vegetation Mapping Study that EAS Engineering conducted for Miami-Dade County in 1996. Figure 2 shows the mapped cover types on the subject site, which were based on 1992 aerial photographs. The cover types in the vicinity of this project included:

AG	Agriculture
C	Canals
D	Disturbed Areas
DM	Dense Melaleuca Forest
DV	Developed Areas
FPL	FPL Right-of-Way
L	Lakes
LP	Lake Perimeter
P75	Prairie with 50% to 75% Melaleuca
W	Other Water

These cover types do not denote whether the lands are uplands or wetlands, but they do provide an indication of the likelihood that they contain wetlands. Agricultural lands, for example, could include both uplands and wetlands. Prairie with Melaleuca and Dense Melaleuca normally a wetland cover types. Disturbed Areas are not necessarily uplands, but Developed Areas and Lake Perimeter usually are uplands. The FPL Right-of-Way was wetland throughout most of its length in the Lakebelt.

National Wetland Inventory:

Another good source of historic information is the National Wetland Inventory, published in 1991 and based on 1984 aerial photography (Figure 3). The lake in the southern property is designated as "PUBHx" (Palustrine, Unconsolidated Bottom, Permanently Flooded, Excavated). All of the remaining land in both parcels is designated as fresh water wetlands with emergent and scrub/shrub vegetation (PEM1/SS3A – Palustrine, Emergent, Persistent/Scrub Shrub, Broad-Leaved Evergreen, Temporarily Flooded). The quarry to the north of the northern parcel is designated as Lake (LIUBHx – Lacustrine, Limnetic, Unconsolidated Bottom, Permanently Flooded, Excavated). All of these designations are wetland designations. The National Wetland Inventory did not designate any upland property on either parcel.

SITE ASSESSMENT

Current Use of the Sites:

North Parcel

The parcel north of NW 41st St. is mostly filled upland south of an existing quarry. The subject parcel was previously used to process recycled mulch. That operation has shut down and the site has now been densely overgrown with vegetation. It does not appear that this property is currently being used for anything. The eastern half of the fill pad is elevated about ten feet higher than the adjacent grade. Tall berms exist along the south edge of the quarry and along NW 41st Street. The quarry edge is a steep drop, with no littoral or wetland edge on the south side.

South Parcel

Most of the south site is currently being used for pasture. An entrance road on NW 41st Street (Figure 1) leads to a gravel covered parking area that provides access to a trailer and an array of pens in which are kept pigs, chickens, pea fowl and goats. Farther to the south along this road is a small nursery, behind which are more pens occupied by dogs. Past the nursery, the road ends at a gate leading to the pasture.

There is a lake on the eastern side of the property. An animal pen occupies the western edge of this lake, and a large, open, mulched area is located southwest of the lake.

Soils:

North Parcel

The Miami-Dade County Soil Survey (Figure 4) designates the entire area between the quarry and N.W. 41st Street as “udorthents-water complex”. This is not a hydric soil.

South Parcel

The Miami-Dade County Soil Survey shows an area of “udorthents-water complex” in the area around the lake in the northeast corner (not hydric). This is the developed portion of the property. Except for two marshes extending to the northeast and southeast of the lake and some low-lying Brazilian Pepper, this area is upland in characteristic. The rest of the site, currently being used as a pasture, consists of Lauderhill Muck, depressional, and Dania Muck, depressional, both of which are hydric soils.

Vegetation:

North Parcel

The eastern half of the fill pad is elevated about ten feet higher than the adjacent grade. It is overgrown with dense Ragweed (*Ambrosia artemisiifolia*, UPL) and Burma Reed (*Neyraudia reynaudiana*, FAC). The western half of the fill pad has developed wetland communities in low-lying depressions (Figure 5). These areas had standing water during our inspection (It was raining) and algal mats were evident (an indicator of wetland hydrology). The following wetland species were also noted in these low-lying wetland areas:

Lance-Leaf Arrowhead (<i>Sagittaria lancifolia</i>)	OBL
Barnyard Grass (<i>Echinochloa crusgalli</i>)	FACW
Marsh Fleabane (<i>Pluchea rosea</i>)	FACW
Water-Primrose (<i>Ludwigia octovalvis</i>)	FACW
Smooth Water-Hyssop (<i>Bacopa monnieri</i>)	OBL
Flat Sedge (<i>Cyperus odoratus</i>)	FACW
Switchgrass (<i>Panicum virgatum</i>)	FACW
Torpedo Grass (<i>Panicum repens</i>)	FACW (exotic)
Coastal Spikerush (<i>Eleocharis cellulosa</i>)	OBL
White-Top Sedge (<i>Rhychospora colorata</i>)	OBL
Loosestrife (<i>Lythrum alatum</i>)	OBL
Bristly Foxtail (<i>Setaria geniculata</i>)	OBL

These wetland areas are numerous, of varying sizes and have indistinct edges, so mapping them would be difficult.

The eastern end of this parcel is a forested area dominated by Australian Pine, Brazilian Pepper, Oyster plants (*Rhoeo spathacea*) and Neyraudia, all of which are exotic species. There is, however, wetland vegetation growing in the understory, particularly in low-lying depressions, including:

Torpedo Grass (<i>Panicum repens</i>)	FACW (exotic)
Sawgrass (<i>Cladium jamaicense</i>)	OBL
White-Top Sedge (<i>Rhychospora colorata</i>)	OBL
Coinwort (<i>Centella asiatica</i>)	FACW
Marsh Fleabane (<i>Pluchea rosea</i>)	FACW
Mistflower (<i>Conoclinium coelestinum</i>)	FAC

South Parcel

The south parcel has a complex mix of cover types in the northeastern corner, dominated by nurseries, animal pens and overgrown areas, but the rest of the site consists only of pasture and

stands of dense *Melaleuca quinquenervia*, both of which are wetlands (Figure 5).

Pasture:

The majority of the property consists of open pasture. A herd of cows and some pigs were seen grazing in the pasture. The pasture is dominated by an unidentified pasture grass (Bahia?), but there was enough wetland vegetation to satisfy the criteria for a wetland, including:

Smooth Water-Hyssop (<i>Bacopa monnieri</i>)	OBL
Crinum Lilly (<i>Crinum americanum</i>)	OBL
Coinwort (<i>Centella asiatica</i>)	FACW
White Top Sedge (<i>Rhynchospora colorata</i>)	FACW
Water Pennywort (<i>Hydrocotyl sp.</i>)	FACW
Marsh Fleabane (<i>Pluchea rosea</i>)	FACW
Smartweed (<i>Polygonum sp.</i>)	OBL
Dog Fennel (<i>Eupatorium capillifolium</i>)	FACW
Frog-Fruit (<i>Phyla nodiflora</i>)	FAC
Pond Apple (<i>Annona glabra</i>)	OBL

Lake:

The other wetland type on this property includes the large pond surrounded on the north and south by tall mounds of fill that are dominated by Brazilian Pepper and Australian Pines, and a shallow eastern extension of the pond to within a few feet of the fence marking the eastern property line. The surrounding wetlands extend to the eastern fence line and end at a northern fence. The property to the north of that fence was inaccessible, but appeared to be upland, dominated by Brazilian Pepper. A small wedge of upland was marked in the SE corner of the property, apparently fill associated with construction of the adjacent toll booth.

Developed Site:

The vegetation throughout most of the disturbed/developed part of the property in the northeast corner of the property is upland or facultative, some of which appears to have been planted for landscaping purposes and includes:

<i>Sambucus canadensis</i>	Elderberry	FAC
<i>Wedelia trilobata</i>	Creeping Oxeye	FAC (exotic)
<i>Ricinus communis</i>	Castor Bean	UPL (exotic)
<i>Bougainvillea</i>	Bougainvillea	UPL
<i>Ficus sp.</i>	Fig	FAC-UPL
<i>Schinus terebinthifolius</i>	Brazilian Pepper	FAC
<i>Casuarina equisetifolia</i>	Australian Pine	FAC

Wetland Jurisdiction:

Requests for jurisdictional determinations (JD's) were sent to the Army Corps of Engineers by EAS Engineering in 2006. These JD's were requested for both the south site and the entire north site (not just the small parcel purchased for this project). The entire south site was determined to be Corps jurisdictional and most of the area north of the quarry in the north site was determined to be jurisdictional wetlands. The small parcel north of NW 41st Street was not determined to be jurisdictional at that time. EAS Engineering appealed the JD's on the grounds that they were isolated wetlands, but the appeal was denied in 2008. Those JD's expired in May, 2013.

Miami-Dade County DERM concluded in 2002 that the fill around the quarry at the north site was grandfathered, so it was not considered jurisdictional wetlands by DERM at that time. EAS Engineering's recent site inspection indicates, however, that since the muck screening facility has ceased operation, several low areas are now retaining storm water and are reverting to a wetland character.

EAS Engineering inspected the south site with Miami-Dade County DERM in 2006. DERM agreed with EAS's wetland determination, but noted that the mulch pile adjacent to the lake could be a violation because it was deposited relatively recently and there was no permit on file.

Permitting Considerations

Environmental resource permits will have to be obtained from the Army Corps of Engineers, the South Florida Water Management District and Miami-Dade County Department of Regulatory and Economic Resources (RER) for any work in the wetlands identified on these properties. These agencies require a sequential approach when working in wetlands. The sequence, in order, is:

Avoidance If possible, the developer is expected to avoid wetland impacts altogether by limiting the development to upland property only.

Minimization If avoidance is not possible, the developer is expected to minimize wetland impacts.

Mitigation If wetland impacts are unavoidable and if they have been minimized to the satisfaction of the agencies, then mitigation is considered.

The Army Corps of Engineers public notice presented in Appendix B discusses this sequence of avoidance, minimization and mitigation and served notice to developers that projects outside the UDB can be expected to be reviewed unfavorably by the Corps of Engineers.

Avoidance:

The proposed project will be a retail/entertainment destination with a regional draw. The search

for a site for this project focused on Minor Statistical Areas (MSA) No. 3.1 and 3.2 (Figure 9) because this area is adjacent to Miami International Airport and includes four major expressways, namely, the Homestead Extension of the Florida Turnpike, I-75, the Dolphin Expressway (S.R. 836) and the Palmetto Expressway (S.R. 826). Three factors were critical in selecting a site for this project:

1. Size
2. Proximity to Major Highways
3. Proximity to High Residential and Workforce Population

Minor Statistical Areas 3.1 and 3.2 cover 146 square miles, approximately 73 square miles of which lie within the existing Urban Development Boundary. It is the only area of the county in which portions of three major highways are located and the single largest employment center in the county. It is also the location of several retail uses that draw from a regional market, including International Mall and Dolphin Mall, as well as multiple auto dealerships.

The proposed project must have a Business and Office land use designation on the county's Land Use Map. There are only 13 vacant parcels in MSA's 3.1 and 3.2 with this designation that are greater than ten (10) acres in size. Most of those sites, however, are undergoing development or are in various stages of pre-development planning. Of these, only three vacant sites greater than ten (10) acres will be available by the end of the year. Those sites were examined and were rejected for a number of reasons, for example, one was a Development of Regional Impact and its development order limited retail development to 100-150 thousand square feet, another site was too far from the nearest highway, and the third site included an existing lake that limited development.

The subject property is ideal for this project and it appears to be the Least Environmentally Damaging Practicable Alternative (LEDPA). It is immediately adjacent to the existing Urban Development Boundary where all necessary urban services exist and it is connected to the City of Doral by N.W. 41st Street/Doral Boulevard, which is Doral's "main street". Doral is one of the fastest growing cities in Florida, not only as a result of its residential population, but just as importantly, its growing business community, which brings a strong and vibrant daily workforce to the immediate area.

Minimization:

The ±80 available acres on the subject parcels are barely sufficient to accommodate all of the proposed development. Setting aside any of this acreage to preserve wetlands would make the project economically unviable. Moreover, the existing wetlands are of marginal quality because they have been severely disturbed by past land uses (cattle grazing on the south site and quarry operations on the north site).

Mitigation:

There are opportunities for on-site mitigation, since the existing wetlands are heavily disturbed, and have a lot of exotic vegetation. On-site mitigation, however, would require that the proposed development be reduced in scope to accommodate the mitigation.

If there is insufficient land available for on-site mitigation, then off-site mitigation will be required. This would most likely require purchase of fresh water mitigation credits from FPL's Everglades Mitigation Bank. A WATER (Wetland Assessment Technique for Environmental Reviews) model must be conducted to calculate the number of mitigation credits required to offset environmental impacts. Fresh water mitigation credits currently cost \$85,000 per credit.

Cut and Fill Approval:

This project is located in the Area B drainage basin. The cut and fill criteria for this basin (Appendix C; Chapter 24-48.3(6) of the Miami-Dade County Code) will have to be met by providing sufficient areas of lake and retention/detention areas to retain all storm water runoff for a 100 year, 3 day storm event.

Wellfield Protection:

The subject properties are located within the protection zone for the Northwest Wellfield (Figure 6). Miami-Dade County has a wellfield protection ordinance that prohibits certain land uses that could endanger the county's water supply. A list of allowable land uses in wellfield protection areas is presented in Appendix D. This project will have to comply with those guidelines.

Potential for Existing Wetland Violations:

EAS Engineering examined the county's files regarding the muck screening operation at the north site, and that violation appears to have been resolved satisfactorily. There is some question as to whether any of the fill in the northeast corner of the south site is a wetland violation. Should any environmental violations be identified, they would have to be resolved by the property owner before any new permits would be issued.

Endangered Species:

The US Fish and Wildlife Service (USFWS) reviews permit applications for potential impacts to the Florida Panther. The USFWS has established two contiguous geographic zones that aid them in this review (Figure 7). The Primary Zone is occupied and supports the only known breeding population of panthers. The Secondary Zone is used to a lesser extent, but is important to the long-term viability of the panther. Panthers use these lands in a much lower density than in the Primary Zone. The subject property is five miles east of the closest Secondary Zone boundary and eight miles from the closest Primary Zone boundary.

The USFWS will also review permit applications for potential impacts to Wood Storks. Figure 8 shows the locations of wood stork nests in Miami-Dade County. The subject parcel is approximately six miles east of the nearest wood stork nest. The Florida Fish and Wildlife Conservation Commission considers the area within 18.6 miles (30 km) of a nesting colony as the Core Foraging Area for wood storks. The subject properties lie within the core foraging areas of at least nine existing wood stork nests. Potential wood stork impacts may increase the amount of mitigation required.

CERP Compatability:

Regulatory agencies review pending applications to ensure that they are compatible with the Comprehensive Everglades Restoration Plan (CERP). The subject property is not within the boundary of any CERP component (Figure 10). The nearest CERP components are the Central Lakebelt Storage Area, located about 4.4 miles to the north, and the Bird Drive Recharge Area, located about 4.7 miles to the south. CERP compatibility should not be an issue for this application.

Tree Preservation:

There are no known trees on the subject property that will require special permitting or preservation. Almost all of the trees are exotic species.

Pollution Remediation:

There is no known site contamination that will require remediation. Should any such contamination be discovered during site work, it will have to be dealt with appropriately.

Doral Crossing

Figure 1



Aerial_Fig1.pdf



0 0.025 0.05 0.1 Miles

2012 Aerial Photo

EAS ENGINEERING, INC.

Doral Crossing Lakebelt Vegetation

Figure 2



LakebeltVeg_Fig2.pdf



0 200 400 800 Feet

EAS Engineering, Inc.

Doral Crossing
National Wetland Inventory

Figure 3



EAS ENGINEERING, INC.

APPENDIX E

Applicant's Economic Analysis Report

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PLANNING & ZONING
METROPOLITAN PLANNING SECT

June 27, 2013

Mr. Jack Osterholt
Director,
Department of Regulatory and Economic Resources
Miami, FL 33128

**Re: Application to Amend the CDMP Amendment
Property abutting the west side of the Homestead Extension of the Florida
Turnpike (HEFT) at NW 41 Street**

Dear Mr. Osterholt:

Miami Economic Associates, Inc. (MEAI) has performed an analysis with respect to the above-captioned application to amend the Miami-Dade County Comprehensive Development Master Plan (CDMP), which was filed on behalf of Turnberry/Doral Development, Limited Partnership. The proposed amendment, if adopted, would: 1) expand the County's Urban Development Boundary (UDB) to include approximately 81.3 net acres of land situated at the location indicated above (the "subject property"); 2) re-designate the subject property from Open Land to Business and Office; and 3) amend the text of Land Use Policy 8F to allow for expansion of the UDB into Northwest Wellfield Protection Area for property located adjacent to the HEFT and NW 41st Street. The amendment is being proposed to facilitate the development of a major retail/entertainment project comprised of retail space inclusive of designer boutiques, restaurants, an IMAX theater and a water park. Our analysis evaluated the following:

- Whether the need exists for additional commercially-designated land in the portion of the County in which the subject property is located; and
- The extent to which re-designation of the property would produce economic and fiscal benefits for Miami-Dade County and/or its residents.

The materials that follow, which are organized as shown below, summarize the findings of our analysis.

Section	Page
Summary of Findings	2
Needs Analysis	2
Economic and Fiscal Benefits Analysis	6
Closing	9

6861 S.W. 89th Terrace Miami, Florida 33156

Mr. Jack Osterholt, Director
Department of Regulatory and Economic Resources
Miami-Dade County
June 27, 2013
Page 2

Summary of Findings

MEAI believes that the proposed amendment as described in the introductory paragraph of this letter report should be adopted. We base this belief on the findings of our analysis presented below.

Needs Analysis

- The purpose of the proposed amendment to the CDMP with respect to the subject property is to facilitate the development of a major retail/entertainment project comprised of retail space inclusive of designer boutiques, restaurants, an IMAX theater and a water park. The proposed project in concept is based on the findings of Lambert Advisory, an economic consulting firm that was retained by the Miami-Dade County Planning Department to implement a 2009 resolution of the Board of County Commissioners which called for a study of the opportunity to designate and promote a Retail/Entertainment District (RED) in the area west of Miami International Airport. In a document entitled *Miami Dade-County Retail/Entertainment District Assessment* in 2011, Lambert Advisory concluded the following:
 - Retail demand will be a bright spot over the next five years in the Miami-Dade economy. Demand is estimated to grow from 94.5 million square feet of retail space in 2011 to 112.1 million in 2016. The 2016 estimated demand for 112.1 million square feet of space is greater than the estimated 107.2 million square feet of existing retail space. Additionally, the estimated demand for an additional 17.6 million square feet of space between 2011 and 2016 is in excess of the amount which can be absorbed by well-located vacant retail space in the County.
 - Visitors to Miami spend substantially more on shopping per person per day than in almost any other major tourist destination in the country including New York City, Honolulu, Las Vegas, and Los Angeles.
 - Miami-Dade is lacking in its variety of options for family entertainment, and this plays itself out in visitor expenditures on entertainment and potentially length-of-stay. Beyond visitors, the lack of product translates into a lack of opportunity to capture local expenditures as well, particularly as it relates to family entertainment.
 - The study area is one of the strongest major retail nodes in the County largely as a result of the investment made by two major mall developers, the area's central location, and terrific access due to its proximity to three major highways.
 - Population within a 20 minute drive time of the study area is in excess of 1.8 million residents with an average household income of \$61,500;

Miami Economic Associates, Inc. 6861 S.W. 89th Terrace Miami, Florida 33156
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- As it relates to visitors, the Miami International Airport hotel submarket in which the RED Study Area is located has the most rooms of any submarket in the County and has the highest occupancy. In 2010, the submarket had over 11,000 hotel rooms and nearly 80 percent occupancy for a total of more than 3.0 million visitor-nights in the area. The area is a hub for international visitors.
- The area is well positioned to attract retailers that have yet to stake out a presence in the area as well as restaurants and clubs to secure the large population and visitor base, as well as one more stand-alone entertainment activity center, such as a ride or water themed venue that will enhance the area's draw.
- One of the principal challenges in the area is traffic congestion. Expansion or construction of any substantial new retail in the area is only going to exacerbate the problem.
- The retail/entertainment project currently envisioned by the Applicant on the subject property would be comprised of: 1) approximately 611,000 square feet of retail space inclusive of boutique shops; 2) an entertainment zone on 8 acres that would contain a 20,000 square foot IMAX theater, 50,000 square feet of restaurant space and a 4.5 acre water park with various rides; and 3) the necessary at grade parking to support the retail and entertainment uses proposed. The Applicant believes --- and MEAI concurs --- that a project of this size, which will fully utilize the subject property's 81.3 net acres, is required to create the critical mass required to capitalize on the regional market opportunity outlined in the report issued by Lambert Advisory. We also concur with the Applicant that the parking needs to be at grade in order for the proposed project to achieve financial feasibility.
- The RED study area that Lambert Advisory considered is in the area which the Miami-Dade County Planning Department defines as MSA 3.2. The area extends from SW 8th Street north to Okeechobee Road and from a line that parallels the west boundary of the Airport west to Krome Avenue (177th Avenue). However, significant portions of MSA 3.2 are located outside the UDB.

Data contained Appendix B, which was entitled *Planning Considerations* (Appendix B), to the initial recommendations report that the Miami-Dade County Department of Regulatory and Economic Resources (the Department) issued with respect to the 2013 EAR-based applications to amend the CDMP shows that MSA 3.2 contained 1,847.6 acres of commercially-designated land in 2012 inclusive of 377.1 vacant acres. It further indicated that the ratio of commercially-designated acreage to population in 2020 would approximate 11 acres/1,000 residents, or more than twice the countywide ratio. It should be noted that this ratio does not take into account the demand for retail goods within MSA 3.2 by the area's workforce during business hours or visitors staying in the area's hotels. It also does not recognize the following attributes that affect the use of commercially-designated land in MSA 3.2:

- MSA 3.2 is the only one of Miami-Dade County's 32 MSA's that is traversed by three major highways, which are as follows: 1) the HEFT; 2) State Road 836; and 3) the Palmetto Expressway (State Road 826). By virtue of MSA 3.2's exceptional highway accessibility, its proximity to Miami International, and the fact, as determined by Lambert Advisory, that it is within a 20-minute drive time of 1.8 million, or nearly 75 percent, of Miami-Dade County residents, it has emerged as the County's largest employment center, with approximately 150,000 people --- perhaps more --- employed within it. As also pointed out by Lambert Advisory, the area also accounts for more than 3.0 million visitor-nights annually in its more than 11,000 hotel rooms.
- Over 36 percent of the 1,470.5 developed commercial acres in MSA 3.2 in 2012 were occupied by office buildings, the preponderance of which were tenanted by entities not involved in activities that are not typically defined as community-serving. There is no other MSA, with the possible exception of MSA 5.2 which contains Downtown Miami, in which office use represents such a high proportion of its commercial development. Further, there are many small vacant parcels in the area bounded by NW 25th Street on the north, NW 107th Avenue on the east, NW 12th Street on the south and HEFT on the west that are designated for Industrial and Office Use but considered by the Planning Department as the future sites for office use, hence considered commercial acreage.
- MSA 3.2 is the only MSA within Miami-Dade County with three regional malls, which are as follows: 1) International Mall; 2) Dolphin Mall; and 3) Mall of the Americas. While the market areas of these projects somewhat different in terms of their configuration and Dolphin Mall draws from a wider area than the other two, all three draw their primary market support from not only MSA 3.2 but also MSA's 4.4, 5.3, 5.4 and 6.1 and secondary market support from MSA's 4.2, 4.6, 5.1 and 6.2 to varying degrees. The three malls in combination and the retail space that was constructed immediately adjacent to them to capitalize on their regional drawing power occupy more than 360 acres.
- Not included in the estimate of the acreage occupied by the malls and the retail space that was constructed immediately adjacent to them are nearly 50 acres of land occupied by automobile dealerships in the vicinity of Mall of the Americas and International Mall. These dealerships have also located in MSA 3.2 to capitalize on the regional drawing power of the malls as well as MSA 3.2's exceptional highway accessibility.

It is further noted that other portions of MSA 3.2, most notably the area the area north of NW 54th Street between the Palmetto Expressway and NW 97th Avenue, have a number of companies involved in truck and heavy equipment sales and repairs. The properties occupied by these entities are classified

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commercial by the County's Planning Department; however, the focus on the businesses that occupy them is to serve other businesses not individual consumers. As such, the activities of these businesses are distinctly different from the gas stations and repair shops that occupy commercially-designated land in most of the County's other MSA's.

Based on the information presented above, MEAI believes that MSA 3.2 needs to be considered as a unique environment relative to the other MSA's with respect to commercial development.

- The subject property is not located within the RED study area considered by Lambert Advisory because it is currently situated outside the UDB. It is, however, immediately adjacent to the study area, being separated from it by the right-of-way of the HEFT. Further, it is already accessible from HEFT by at an interchange at NW 41st Street, which allows vehicles to travel west to rock mining operations as well as County and State correctional facilities. It is also noted that construction of NW 122nd Avenue along the western boundary of the subject property is already scheduled to occur. However, the primary attribute of the subject property is that it is the only property available in the vicinity of the RED study area is that is of sufficient size to accommodate the proposed retail/entertainment project and with highway accessibility which is not part of the inventory of vacant industrially-designated land that the County needs for future industrial uses.
- As discussed above, at the time the 2010 EAR was prepared, MSA 3.2 contained 476.9 acres of vacant commercially-designated land, portions of which are more likely to be developed with office rather than retail uses due to parcel size and lack of frontage on major traffic arteries. With respect to vacant land within MSA 3.2 that is likely to be used for commercial use, MEAI was only able to identify three sites of that are even 30 acres, including the following:
 - A site approximately 38.5 acres in size which is located on the northwest corner of W. Flagler Street and NW 102nd Avenue. Development of this property, which is the subject of another amendment in the April 2013 Cycle of proposed CDMP amendments, is expected to commence before the end of the current calendar year with a retail center anchored by Target. Given the size of the site, it could not accommodate a project the size envisioned of the retail/entertainment complex. Further, such use would not be compatible with the primarily residential area in which it is situated. Finally, this property lacks the highway access that the proposed retail/entertainment project requires and Flagler Street would likely not be able to handle the traffic it would generate.
 - A site of approximately 45.6 acres which is located in the southwest corner of the Beacon Lakes Industrial Park at NW 137th Avenue and NW 14th Street. At this location, it is just east of the UDB. This property is immediately adjacent to a highway, State Road 836; however, it is at the western end of that

roadway as it is currently configured and the exit there would likely need to be modified to better facilitate northbound traffic. More importantly, the property is not of sufficient size to create the critical mass that would be required by the proposed retail/entertainment project to attract the regional market it seeks to penetrate. Having a critical mass at this location would be particularly vital because the site is miles away from the 11,000 hotel rooms that comprise the MIA lodging submarket in an area that tourists would only rarely have reason to visit otherwise.

- A site of 55 acres, which is located in the northwest corner of the intersection of NW 107th Avenue and NW 12th Street, immediately north of and at an exit from State Road 836. The site, which is already smaller than necessary to accommodate the retail/entertainment project the Applicant is proposing may be further limited in terms of its utility by an existing body of water at its center. As discussed above, Lambert Advisory indicated that one of the challenges that will confront development of a Retail/Entertainment District in the study area it considered would be traffic congestion. That could be a particularly difficult issue at this location given that this site is situated between two existing regional retail facilities, International Mall and Dolphin Mall. It should also be noted that this site was the subject of an amendment to the CDMP in the April 2007 Cycle at which time it was designated for Business and Office use to allow for the development of mixed-use project that could include up to 1,000 residential units. Accordingly, use of this site for a retail/entertainment project of the type described above would potentially reduce the County's residential capacity.
- Based on the preceding information, MEAI believes that the Board of County Commissioners should adopt the proposed amendment if it continues to support creation of a RED west of Miami International Airport. The subject property is the only site available on which that can occur both in terms and accessibility, thereby achieving both market and financial feasibility. It is also the only site on which it can be accomplished without reducing the remaining inventory of vacant land to accommodate future industrial uses.

Economic and Fiscal Benefits

- Adoption of the proposed amendment with regard to the subject property would not only facilitate development of a major retail/entertainment project consistent with the findings of the Lambert Advisory report, it would also generate economic and fiscal benefits for Miami-Dade County and/or its residents. The bulleted paragraphs that follow describe the most significant of these benefits:
 - The term "economic benefits" refers to the positive impact that a project such as the retail/entertainment development that the Applicant is proposing would have on the overall economy of Miami-Dade County. Development of the proposed project is expected to cost \$262.9 million in terms of the hard cost

of construction and will provide a basis for approximately 2,090 man-years of direct construction employment during the development period as well as approximately 1,850 indirect and induced jobs¹.

It is anticipated once the proposed retail facility is completed, the permanent workforce on-site would total 1,352 people on a full-time equivalent basis, who will earn an average of between \$20,000 and \$25,000 annually.² Finally, it is estimated that the operations of the proposed retail facility would provide support for approximately 1,500 indirect and induced jobs.³

- The term “fiscal benefits” refers to the positive impacts that a project such as the proposed retail facility would have on the finances of Miami-Dade County and the other governmental jurisdictions in which it would be located. MEAI estimates that during the development period of the proposed commercial facility, impact fees in an amount greater than \$7,072,775 will be paid for roads, police and fire and general building permit fees in the amount greater than \$77,865 will be paid. It should be noted that these estimates do not include the impact fees and building permit fees that will be paid for the IMAX theater and the water park. They also do not include the fees that will be paid by the various trades involved in the construction, which cannot currently be estimated because the construction plans for the project have not been finalized.⁴

When construction is completed, the proposed retail/entertainment project will generate ad valorem taxes for Miami-Dade County on an annual recurring basis in the amount of \$2,680,291 and for the Miami-Dade County Public School District in the amount of \$2,244,239. The amount the County will collect will be more than \$2.2 million more than it will collect this year. It will also generate occupational license fees and utility taxes and franchise fees on an annual recurring basis for Miami-Dade County.⁵

¹ The estimate of direct construction employment assumes that 45 percent of the moneys expended on hard construction would be spent on labor that the average worker on a non-residential construction project would earn approximately \$56,900. The estimate of average earnings is based on the QCEW reports compiled by the Florida Department of Economic Opportunity for 2012.

² The estimate of employment assumes 2 FTE per 1,000 square of retail and restaurant space. It also assumes 50 people on a full time equivalent basis are employed to operate the IMAX theater and water park and for property operations and maintenance. The estimate of earnings is based on the QCEW reports compiled by the Florida Department of Economic Opportunity for 2012.

³ The estimates of indirect and induced employment were developed using the Regional Input-Output (I-O) Modeling System (RIMS) developed by the U.S. Commerce Department

⁴ The fees estimated above are based on the current fee schedules of Miami-Dade County.

⁵ The amount of revenues that will be generated in the form of occupational license fee and utility taxes and franchise fees cannot be estimated at this time based on the information that is currently available. To estimate the occupational fees that will be collected on a recurring annual basis would require knowing number and mix of tenants by type of retailer and the size of each. To estimate utility taxes and franchise would require knowing the extent to the levels of usage of water, electricity and telecommunications services of the prospective tenants of the proposed retail facility

The Applicant recognizes that it will be responsible for payment of the costs associated with any improvements required to County infrastructure at the time of development although it may seek to have such expenditures, when appropriate, credited against impact fees it is obligated to pay. It is expected that once construction has been completed, the amount paid in ad valorem taxes will more than cover the incremental costs, if any, associated with providing the project with County services, which would primarily be police and fire protection. It is, therefore, anticipated that the proposed project would be at least revenue neutral, potentially revenue positive. We base this conclusion on the following considerations.

- While the subject parcel is currently located outside the UDB, it is highly proximate to areas that are being provided with police and fire service including the area immediately east the HEFT right-of-way and the area west of the HEFT right-of-way that is bounded by that roadway and NW 137th Avenue on the east and west, respectively, and by NW 25th Street and NW 12th Street on the north and south, respectively. The proposed retail/rentertainment project is substantial size; however, it is dwarfed by the quantities of development found in the nearby areas just mentioned, particularly in the area east of the HEFT. It is also believed that County police and fire services would be provided to the County and State corrections facilities located west of the subject property, if required.
- The cost of police and investigative services is primarily paid for out of ad valorem tax collections made by the County for its General Fund and its UMSA Fund. Review of the County's 2012-13 Budget shows that only about 40 percent of the tax revenues collected for the General and UMSA funds would be used to pay for police and investigative services. The remainder of the funds collected in the two funds identified were expected to be used either for governmental activities that are not likely to increase because of the proposed commercial project such as general administration or not be impacted by it such as parks. Further, portions of the amounts spent on police and investigative services were expended on the operations of specialized police units such as the organized crime and domestic violence units that are not likely to be expanded because of the proposed project.⁶
- The cost of providing fire services is paid for out of the ad valorem tax collections made by the County for its Fire-Rescue Fund. Review of the County's 2012-13 Budget shows that the County expected that the ad valorem tax revenues collected in that fund would exceed the

⁶ In calculating the percentage of ad valorem revenues spent for police and investigative services, MEAI did not include the amounts spent on departmental administration and support services. We do not believe that those costs are likely to increase because of the proposed project.

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amount to be expended on suppression and rescue activities with the surplus being used to fund activities that would likely not increase directly as a result of the proposed commercial project.

Closing

MEAI believes that the proposed amendment to the CDMP regarding the subject property should be adopted. We base this belief on the following factors:

- The subject property is the only site within the vicinity of the area that the County seek to develop a RED that is appropriate for that use in terms of size and accessibility; and
- The proposed retail/entertainment project will provide a significant number of jobs on both a non-recurring basis during the development period and on a permanent basis thereafter. It will also generate significant revenues for Miami-Dade County on both a non-recurring and recurring basis and is likely to be at least revenue neutral, potentially revenue positive.

Sincerely,
Miami Economic Associates, Inc.



Andrew Dolkart
President

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APPENDIX F

Hydrologic Analysis

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HYDROLOGIC ASSOCIATES U.S.A., INC.

ENVIRONMENTAL CONSULTANTS • HYDROGEOLOGIC TESTING
WELL DRILLING SERVICES • PETROLEUM CONTRACTOR

HYDROLOGIC ANALYSIS

for

Doral Crossings

at

NORTHWEST 41ST STREET

and

**Homestead Extension of the Florida Turnpike
(Snapper Creek Extension Canal)**

Prepared for

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Prepared by

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 - 12.- - Map showing location of the Lake Belt area and wellfield protection overlays

EXECUTIVE SUMMARY

Hydrologic Associates U.S.A., Inc. (HAI) was retained by Turnberry Doral Development LP to complete a detailed hydrologic analysis of its property located at theoretical NW 41st Street and immediately west of the Homestead Extension of the Florida Turnpike (Snapper Creek Extension Canal) in Miami-Dade County, Florida. The purpose of this analysis was to document the preliminary hydrologic situation within and adjacent to the subject property and relate these findings to the Miami-Dade County's existing Northwest Wellfield protection overlay. The analysis was completed by determining current and historic hydrologic conditions, documenting groundwater flow and travel time by use of empirical data and mathematical models, and completing a detailed review of the wellfield protection overlay to determine the validity of Miami-Dade County's assumptions and conclusions for regulatory purposes.

Implementation of hydraulic improvements to recharge canals around the Northwest Wellfield was completed in the early 1990's. Phase I of the improvements was designed to provide recharge water to the Snapper Creek Extension Canal along the northern and eastern edge of the wellfield. This recharge water is discharged from the Levee 30 Borrow Canal through a county water management structure and transported along the northern edge of the wellfield by the Northwest Wellfield Recharge canal. The county design criteria for the control elevation of the stage in the Snapper Creek Extension Canal is 3.5 feet above sea level. Phase II of the hydraulic improvements include the widening and deepening of Snapper Creek Extension Canal southward to NW 58th Street and the construction of a water control structure at the southern terminus of the canal at NW 12th Street. Phase III implementation of the recharge enhancement included the improvement to the Dade-Broward Levee Canal along the western edge of the wellfield. This final phase has yet to be completed.

Miami-Dade County evaluated and adopted the Northwest Wellfield protection overlay in the mid-1980's to limit certain land use and material handling within the cone of influence of the wellfield. The overlay boundaries were derived from a computer model

designed to simulate groundwater flow in the wellfield area. The current overlay boundary places the Doral Crossings property within the protection area for the wellfield. The primary purpose of HAI's analyses were to determine the relation of Doral Crossings to the wellfield protection boundaries and evaluate current hydrologic conditions as they relate to the wellfield recharge area.

Four major hydrologic changes have occurred in the Northwest Wellfield area. First, the construction of Levee 30 in 1952 cut off flow from the Everglades to the west. Second, after the extreme drought in 1971, an automatic water control structure was constructed in the Tamiami Canal, at NW 37th Avenue. Third, in 1978 the South Dade Conveyance system became operational and finally in 1984 the Northwest Wellfield became operational. All available data from continuous water-level recording stations and discharge stations were analyzed for their period of record to determine groundwater flow direction and gradients, water availability for recharge to the Northwest Wellfield and location of groundwater divides.

Pumpage at the Northwest Wellfield over the last five years has gradually been reduced to an average monthly pumpage of approximately 44 MGD (million Gallons per Day). The range in monthly pumpage varied from a low of 33 MGD to a high of 84 MGD and is dependent on hydrologic conditions and seasonal consumptive use.

Average monthly groundwater levels along NW 41st Street are analyzed to determine groundwater flow direction near the subject development site. Since 2004, the groundwater gradient along NW 41st Street has been from west to east --- away from the Northwest Wellfield. Analysis of US Geological survey water level data indicate that there is a groundwater divide during the wetter months between the Snapper Creek Extension Canal and the Northwest Wellfield, whereas in the drier months the canal serves as a source of recharge to the wellfield. The county now maintains the Snapper Creek Extension Canal at 3.0 feet throughout most of the year through controlled eastward discharge at Northwest 25th Street thus providing continuous controlled drainage of the development site through induced groundwater flow.

The following is a summary of the major deficiencies in Dade County Northwest Wellfield model, used for the wellfield protection overlay.

1. Water levels predicted by the model are lower than observed field data in vicinity of the pumping wells. This would tend to increase the size of the protection area.
2. Grid spacing is too large to accurately predict the location of the 0.1 foot drawdown line (maximum protection line).

The Miami-Dade County wellfield protection model was reviewed to determine the accuracy of the Wellfield protection overlay.

3. The model code does not handle multiple sources of recharge to a node. Only the last value input will be used, i.e. if a block has canal recharge input last, all previous inputs such as rainfall and E.T. will be overwritten.
4. The model lacks computer code calculate travel times. Travel times were hand calculated.
5. Leakages input into the model for Snapper Creek Canal are low compared to actual field measurement values. Increasing the leakage to field measurement values had minimal effect on water levels.

These deficiencies all tend to over-predict the size of the cone-of-influence of the wellfield. Wellfield pumpage used in the protection overlay was 235 MGD or over five times what the actual average monthly pumpage which occurred in 2012.

Snapper Creek Extension Canal functions as an effective ground water divide down to a stage of 2.6 feet; below this stage the divide will vary depending on regional ground water levels. Regardless of the stage in Snapper Creek, as long as the regional ground water levels are lower to the east and west of the canal, it will function as a groundwater divide. A worst case condition was evaluated with rainfall volumes lower than ever recorded in the last 40 years and the stage in Snapper Creek held 1.0 foot above sea level. Under this worst case condition, the Doral Crossings property would be in a two to three year travel time zone.

INTRODUCTION

Turnberry Doral Development LP would like full use of their approximately 81 acre parcels (figures 1 and 2) for development of approximately 850,000 square feet of office space and retail complex. Development of this property could potentially be in a sensitive area of the County because of water-related issues. The maximum day protection overlay boundary for the Northwest Wellfield includes the subject property. This overlay, which would restrict certain uses based on groundwater travel time to the well heads, is shown on figure 3. This overlay was developed and promulgated in the early 1980's based on mathematical modeling, assumed hydraulic improvements, assumed water level conditions, maximum pumpage, and historic drought conditions.

Hydrologic Associates USA, Inc. (HAI) of Miami, Florida was retained by Turnberry Doral Development LP to evaluate the hydrologic situation in the area of their proposed development site to determine if the overlay boundaries from mathematical simulations used by the County are technically valid, and analyze current hydrologic conditions. Turnberry Doral Development LP would like the highest and best use of their property while conforming to the permitting rules and restrictions placed on them by regulatory agencies. To obtain maximum use of the property, they must determine how their property conforms to these rules and restrictions, and relate these uses to the current and proposed hydrologic regime near the property.

PURPOSE AND SCOPE OF WORK

The purpose of this report is to document the hydrologic situation in and around the Turnberry Doral Development LP property referred to as Doral Crossings and relate these findings to Miami-Dade County's existing Northwest Wellfield protection overlay. Also included in this report is an analysis of the groundwater simulation model developed by Camp Dresser & McKee (CDM) that Miami-Dade County personnel used to determine the overlay boundaries, including deficiencies, technical accuracy, and potential improvements to the model.

The scope of work includes analysis of historic hydrologic conditions (water levels, canal discharge, rainfall and wellfield pumpage), comparison of recently collected data with historic conditions, analysis of the groundwater simulation model used by Miami-Dade, and a comparison of present hydrologic conditions with those the county consider a "worst case" condition. Groundwater models completed by CH2M Hill (1996) and the US Geological Survey (2013) are evaluated and compared to the CDM model used for wellfield protection overlay. The focus of all these analyses is to provide Turnberry Doral Partners LP personnel and advisors with technical information on which to base development decisions.

GEOLOGY AND GROUNDWATER HYDROLOGY

Please note: the section on “Geology” has been adapted from several previous works, including Parker and others (1955), Causauras (1987), Labowski (1988), and Reese and Cunningham (2000), as well as unpublished HAI files on core data in the vicinity of the current project. The section on “Groundwater Hydrology” has been adapted from Fish and Stewart (1991).

Geology—In the vicinity of the study site, geology generally consists of a surficial layer of oolitic limestone (Miami Oolite) ranging from 5 to less than 10 ft, underlain by a thin indurated freshwater limestone layer known as the Q₄ layer. The Q₄ layer is noted in Miami-Dade County for the lowest hydraulic conductivity of the lithologic materials that comprise the Biscayne aquifer. This layer also marks the top of the Fort Thompson Formation.

The Q₄ layer is underlain by lithologies that comprise the most productive layers of the aquifer. These lithologies include cavity-riddled arenaceous and/or fossiliferous (in some parts, coquinoïd) marine limestone, and calcareous sandstones, also of marine origin. These beds are referable to the Fort Thompson and Anastasia Formations. Interbedded in these sequences are thin fresh or brackish water limestones of the Fort Thompson Formation, which have in some portions of Miami-Dade County been shown to be of lower hydraulic conductivity than the productive limestones and sandstones of the aquifer.

The Biscayne aquifer in the vicinity of the study site is approximately 75 to 80 ft thick. The Biscayne is underlain by low hydraulic conductivity beds referable to the Tamiami Formation. Below these confining beds lies the Grey Limestone aquifer. The Grey Limestone aquifer is approximately 26 ft thick in the NW Wellfield area in Miami-Dade County (Reese and Cunningham, 2000).

Groundwater Hydrology—Hydraulic testing at U.S. Geological Survey test well G-3298 (located north of the study site, adjacent to the Florida Turnpike) as conducted and reported in Fish and Stewart (1991) show a surficial aquifer that is approximately 100 ft thick, with nearly the entire aquifer section showing hydraulic conductivities of 1,000 ft/day or greater. The Grey Limestone aquifer is shown as approximately 30 ft thick, with hydraulic conductivities of 100 to 1,000 ft/day.

APPENDIX G

Water, Sewer and Storm Water Evaluation

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PLANNING & ZONING
METROPOLITAN PLANNING SECT

**Doral Crossings
Evaluation of Water Service, Sanitary Sewer Service and
Stormwater
Miami-Dade County, Florida**

June 28, 2013

**Prepared by:
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Exhibits:

- Exhibit “A” – Miami-Dade County Property Information
- Exhibit “B” – Location Map
- Exhibit “C” – Aerial View of Property
- Exhibit “D” – WASD Water Atlas
- Exhibit “E” – WASD Sewer Atlas
- Exhibit “F” – WASD Schedule of Daily Rated Gallonage for Various Occupancies
- Exhibit “G” – Cut & Fill Basin Map
- Exhibit “H” – FEMA Flood Insurance Rate Map
- Exhibit “I” – Dade County Flood Criteria
- Exhibit “J” – Well Field Cone of Influence Map

I. Scope of Report

The scope of this report is limited to the following:

- Potable Water Availability
- Sanitary Sewer Availability
- DERM Cut and Fill requirements/Drainage/Stormwater

II. Property Description

The project is approximately 79 acres in size and is located in Sections 24 and 25, Township 53, Range 39, in Unincorporated Miami-Dade County, Florida.

The project is divided by NW 41st Street into northern and southern parcels. Both parcels are bordered on the east by the Homestead Extension of the Florida Turnpike (HEFT) and by theoretical NW 122nd Avenue on the west (See Exhibits A, B and C). The northern parcel has an existing rock pit to the north, and is approximately 15 acres in size. The southern parcel is approximately 64 acres and has an existing rock pit bordering it to the south. The property is located outside of the Urban Development Boundary (UDB) and is currently not zoned. However, the Miami-Dade County Land Use Map designates the property as Open Land.

Currently the property is undeveloped. The proposed use of the property is for a Retail and Entertainment District.

III. Water

The property is currently located outside of the UDB. In the past, WASD has taken the position that if a property is brought within the UDB, WASD would provide water service if sufficient capacity is available.

The closest available point of connection for potable water is an existing 20-inch diameter water main located along NW 41st Street fronting both parcels (See Exhibit D). However, according to the WASD Water Atlas no connection is allowed to this water main, since it is reserved for the sole use of the State of Florida Reception & Correctional Center, located west of the subject property. We are in the process of confirming with WASD whether the property will be able to connect to the existing water main.

If the existing 20-inch main along NW 41st Street is unavailable, the next closest point of connection would be an existing water main located just east of the Turnpike, on NW 41st Street. A less desirable option would be an existing water main on NW 25th Street. This option would require right-of-way dedications along theoretical NW 122nd Avenue, as well as a canal crossing north of NW 25th Street.

WASD will determine the final point of water connection(s) in their Water and Sewer Agreement.

IV. Sewer

The property is currently located outside of the UDB. In the past WASD has taken the position that if the property is brought within the UDB, WASD would provide sewer service if sufficient capacity is available

There are no existing gravity sewer connections available, so one or two pump stations will be required (See Exhibit E). WASD typically requires that the first development in a quarter section of land provide a public pump station that is designed to handle the sewage flow from the remainder of the quarter section. This could result in dedicating a typical 45' x 65' pump station site in one or both parcels, unless WASD can be convinced to allow both parcels (north and south of NW 41st Street) to be served by the same station. There is a maximum depth limitation to WASD stations. As such, the feasibility of serving both parcels with one station has to be explored further. The WASD

pump stations will likely be large due to the existing high pressures in WASD's system, and could include a generator building, and emergency generator.

Because of the existing land use designations, zoning and character of the area, it is possible that WASD may not require a public pump station and instead, allow the use of a private sewage pump station(s). If a private station is used, then the sewer infrastructure would also be private.

If private sewage pump stations are used, it would require approval from the Miami-Dade County Department of Public Works and Waste Management (PWWM) to cross the NW 41st Street public right-of-way with a private sewer main.

The closest available point of connection for sewer is an existing 12-inch diameter force main located along NW 41st Street fronting both parcels. However, according to the WASD Sewer Atlas no connection is allowed to this force main, since it is reserved for the sole use of the State of Florida Reception & Correctional Center located west of the subject property. We are in the process of confirming with WASD whether the property will be able to connect to the existing force main.

If the existing 12-inch sewage force main along NW 41st Street is unavailable, the next closest point of connection would be an existing sewage force main located just east of the Turnpike, on NW 41 Street. A second but less desirable option would be an existing sewage force main on NW 25th Street. This option would also require right-of-way dedications along theoretical NW 122nd Avenue, and a canal crossing north of NW 25th Street.

The final point of sewer connection will be determined by WASD in their Water and Sewer Agreement.

V. Estimated Water Demand and Sewage Flows

Based on WASD's Schedule of Daily Rated Gallonage for Various Uses, the preliminary estimated water demand and sewage disposal for the Entertainment Retail Center is approximately 113,100 Gallons Per Day (GPD) Average Daily Flow (See Exhibit F). Water connection charges are currently assessed at \$1.39 per gallon and sewer connection charges are currently assessed at \$5.60 per gallon. This is determined by the WASD Rules and Regulations and is subject to change.

It is possible that an additional "Doral Basin Special Sewer Connection Charge" of up to \$10 per gallon per day could also be assessed to the project. It is our understanding that the ordinance for this special basin is in the process of being submitted to and reviewed by the Miami-Dade County Board of County Commissioners.

VI. Stormwater/Drainage

Since the property contains wetlands, the property will require an Individual Environmental Resource Permit (ERP) from the South Florida Water Management District (SFWMD). Additionally, a Class IV Permit and Cut & Fill Approval from the Miami-Dade County Department of Regulatory and Economic Resources (RER fka DERM) will be required. Even though the property is not located in a Cut and Fill Basin, in the past, RER has required properties outside of the UDB to comply with Cut & Fill requirements (See Exhibit G). This requires setting aside a percentage of the site for stormwater retention. This typically falls in the range of 18% to 30% for a site plan that is intensive with respect to building footprint and pavement. The amount of retention area, dry or wet (lake), will be determined by the characteristics of the site plan, pervious/impervious areas and the proposed grading.

According to the FEMA Federal Insurance Rate Map (FIRM), the property is located in Flood Zones X and AH with a Base Flood Elevation of 7.0 (See Exhibit H). The existing lake on site has an AE 7 Flood Zone as well. This is typically the minimum finished floor elevation for any habitable structures.

In this instance, the finished floor elevation will be set to the highest of the three following criteria:

1. FIRM Base Flood Elevation (+7.0 NGVD)
2. The stage for the 100 year –3day storm event.
3. 4-inches above the adjacent crown of road elevation or Flood Criteria elevation.

In addition, a perimeter berm will be required to contain the 100 year – 3day storm event on the site. The top of berm elevation will be set at or above the stage elevation for this storm.

The minimum crown elevation of any proposed roads must be at or above the Miami-Dade County Flood Criteria which is at elevation +7.50 NGVD (See Exhibit I).

It is anticipated that the drainage system will consist of a series of interconnected French Drains, with overflows via outfall structures to the existing lake bordering the north parcel. This will require approval from the PWWM for the crossing of NW 41st Street with a private storm water line(s).

Stormwater inlets cannot be set at an elevation that is more than 6-inches below the adjacent crown of road elevation or Flood Criteria.

VII. Fill

The property will have to be filled to the Miami-Dade County Flood Criteria elevation or the average adjacent crown of road elevation, whichever is higher. In this case, although the Flood Criteria elevation (+7.5) and the adjacent average Crown of road elevation (+7.75) are similar, the site will have to be filled to a minimum elevation of + 7.75 NGVD. A topographical survey should be prepared to determine the current elevations of the properties.

VIII. Well Field Cone of Influence

The property is located within the Average Day Cone of the Northwest Well Field (See Exhibit J). As a result of the site being located within this area, the material for the gravity sewer lines will have to be PVC C-900, a higher standard material than if the property was not located within the cone. The goal is to minimize the leakage of sewage from these lines. The Cone of Influence also has other implications with respect to the use of hazardous materials, disposal of wastes, and restricts certain uses for the property. Retail usage is typically a permitted use within the limits of the cone on which this property is located.

APPENDIX H

Fiscal Impacts Analysis

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Fiscal Impacts On Infrastructure and Services

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. 1 of the May 2013 Cycle of Applications to amend the CDMP from County departments and agencies responsible for supplying and maintaining infrastructure and services relevant to the CDMP. The evaluation estimates the incremental and cumulative costs of the required infrastructure and service, and the extent to which the costs will be borne by the property owner(s) or will require general taxpayer support and includes an estimate of that support.

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

Solid Waste Services

Concurrency

Since the Public Works and Waste Management Department (PWWM) assesses solid waste disposal capacity on a system-wide basis, in part, on existing waste delivery commitments from both the private and public sectors, it is not possible or necessary to make determinations concerning the adequacy of solid waste disposal facilities relative to each individual application. Instead, the PWWM issues a periodic assessment of the County's status in terms of 'concurrency'; that 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. As of FY 2012-13, the PWWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the application reviewed here, which is not anticipated to have a negative impact on disposal service.

Residential Collection and Disposal Service

Currently, the household waste collection fee is \$439 per residential unit, which also covers costs for waste disposal, bulky waste pick up, illegal dumping clean up, trash and recycling center operations, curbside recycling and code enforcement. The redesignation of the application site to "Business and Office" will likely result in development of the subject property with commercial establishments. The PWWM does not actively compete for non-residential waste collection at this time to include; multi-family, commercial, business, office, and industrial services. Waste collection services will most likely be provided by a private waste hauler. The requested amendment will have no impact or any associated costs; therefore PWWM has no objection to the proposed land use change.

Waste Disposal Capacity and Service (WCSA)

The cost of providing disposal capacity for WCSA customers, municipalities and private haulers is paid for by System users. For FY 2012-13, the PWWM charges a contract disposal rate of

\$63.65 per ton to PWWM Collections and those private haulers and municipalities with long term disposal agreements. The short-term disposal rate is \$83.92 per ton for FY 2012-13.

These rates adjust annually with the Consumer Price Index, South Region. In addition, the PWWM charges a Disposal Facility Fee to private haulers equal to 15 percent of their annual gross receipts, which is used to ensure availability of disposal capacity in the System. Landfill closure, remediation and long-term care are funded by a portion of the Utility Service Fee charged to all 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 will depend on the actual labor and materials costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. The water impact fee was calculated at a rate of \$1.39 per gallon per day (gpd), and the sewer impact fee was calculated at a rate of \$5.60 per gpd. The annual operations and maintenance cost was based on \$1.2948 per 1,000 gallons for water and \$1.4764 per 1,000 gallons for sewer.

The applicant requests the application site be redesignated on the CDMP Adopted 2015-2025 Land Use Plan (LUP) map from "Open Land" to "Business and Office"; expand the 2015 Urban Development Boundary (UDB) to include the application site; and revise the Restrictions Table in the Land Use Element to include the proffered Declaration of Restrictions, if accepted by the Board of County Commissioners. On June 28, 2013, the applicant proffered a Draft Declaration of Restrictions restricting development on the application site to 850,000 sq. ft. of commercial and office uses. If the application site is developed with the maximum potential commercial development of 850,000 sq. ft., including a 78,408 sq. ft. recreational water park, water connection charges/impact fees are estimated at \$129,049 and sewer connection charges/impact fees are estimated at \$519,908. Total annual operating and maintenance costs for providing water and sewer service to the application site is estimated at \$93,907. There is an additional \$652,671 connection charge for the Doral Basin Sanitary Sewer Construction.

Additionally, the estimated cost of installing the required 245 linear feet of 12-inch water main to connect to the County's regional water system is estimated at \$44,100. The estimated cost to install the required 110 linear feet of 8-inch sanitary sewer force main to connect to the regional sewer system is \$17,050. The estimated cost to install a required private pump station is \$250,000. The total potential cost for connecting to the regional water and sewer system, including engineering fees (10%) and contingency fees (15%), is estimated at \$393,605.

It is important to note that on August 29, 2013, the applicant proffered a revised Declaration of Restrictions maintaining the development restriction of 850,000 sq. ft. of commercial and office uses but adding the residential development shall be prohibited on the application site.

Flood Protection

The Regulatory and Economic Resources Department (Department) 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 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; 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, Department staff notes that new development, within the urbanized area of the County, is assessed a stormwater utility fee. This fee is commensurate with the percentage of impervious area of each parcel of land, and is assessed pursuant to the requirements of Section 24-61, Article IV, of the Code of Miami-Dade County. Finally, according to the same Code Section, the proceedings may only be utilized for the maintenance and improvement of public storm drainage systems. Based upon the above noted considerations, it is the opinion of the Department that Ordinance No. 01-163 will not change, reverse, or affect these factual requirements.

Public Schools

On August 29, 2013, the applicant proffered a revised Declaration of Restrictions, which among other provisions, prohibits residential development on the application site. Therefore, the proposed CDMP amendment, if approved with the proffered Declaration of Restrictions, would not fiscally impact Miami-Dade County Public Schools.

Fire Rescue

This information is pending.

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APPENDIX I

Proffered Declaration of Restrictions

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PLANNING & ZONING
METROPOLITAN PLANNING SECT

This instrument was prepared by:

Name: Michael J. Marrero, Esq.
Address: Bercow Radell, & Fernandez, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, FL 33131

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DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owners hold the fee simple title to approximately 81.31 acres of land in Miami-Dade County, Florida, described in Exhibit "A," attached to this Declaration (the "Property"), which statement as to title is supported by the attorney's opinions attached to this Declaration as Exhibit "B";

WHEREAS, the Property is the Application Area that is the subject of a Comprehensive Development Master Plan ("CDMP") Amendment Application No. 1 of the May 2013 Amendment Cycle;

WHEREAS, the Owner has sought a Land Use Plan amendment to change the designation of the Application Area from "Open Land" to "Business and Office," in addition to including the Property within the Urban Development Boundary;

NOW THEREFORE, in order to assure the Miami-Dade County (the "County") that the representations made by the Owner during the consideration of the Application will be abided by the Owner, its successors and assigns, freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

Permitted Uses. The Property shall only be used for uses that are consistent with the Business and Office land use designation, including but not limited to retail, restaurant and other commercial uses. Development of the Property shall not exceed a total of 850,000 square feet of total development, which may include retail, restaurant, entertainment, service and office uses. Furthermore, the Property shall not be rezoned to BU-3, IU-1, IU-2, IU-3 or IU-C zoning

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districts. The foregoing limitations shall include the approximately 4.5 acres within the Property that is intended to be used as a recreational water park. No residential uses will be permitted on the Property.

Wellfield Protection. In order to assure Miami-Dade County that the development and use of the Property will not have an adverse environmental impact on the groundwater quality in the Northwest Wellfield protection area, the plan of development to be proposed by the Owner shall be consistent with the following factors:

1. The land use will not be detrimental to the public health, welfare and safety and will not create a nuisance and will not materially increase the level of water pollution within the Northwest Wellfield protection area, and all such uses will be served by public water and public sanitary sewers;
2. Except for pre-packaged hazardous materials, the use, generation, handling, disposal of, discharge or storage of hazardous materials shall be prohibited within the Northwest Wellfield protection area;
3. The only liquid waste (excluding stormwater) which will be generated, disposed of, discharged, or stored within the Northwest Wellfield protection shall be domestic sewage discharged to a public sanitary sewer;
4. Stormwater runoff shall be retained in accordance with the approved surface water management plan;
5. Prior to physical development of the Property, or any portion thereof, the Owner shall obtain (a) construction surface water management permit(s) (Environmental Resource Permit/ "ERP") from the South Florida Water Management District (SFWMD) or its successor agency for construction and operation of a required surface water management system, and (b) approval of a master paving and drainage plan(s).
6. Owner shall comply with appropriate Cut and Fill criteria for stormwater retention areas promulgated by the Environmental Resources Management (ERM) Division of the Department of Regulatory and Economic Resources (RER)
7. Owner agrees as follows:

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A. Hazardous materials, shall not be used, generated, handled, disposed of, discharged or stored on that portion of the Property within the Northwest Wellfield protection area unless a variance is granted by the Environmental Quality Control Board, pursuant to Chapter 24 of the Code of Miami-Dade County, and if so granted; said hazardous materials or hazardous wastes may be used, handled, generated, disposed of, discharged or stored on the Property only to the extent permitted by any such variance from the Environmental Quality Control Board of Miami-Dade County.

B. Fuels and lubricants required for rockmining operations (lake excavations, concrete batch plants, rock crushing and aggregate plants); and electrical transformers serving non-residential land uses, shall not be prohibited when the following water pollution prevention and abatement measures and practices will be provided.

- (i) Monitoring and detection of water pollution caused by hazardous materials, and
- (ii) Secondary containment of water pollution caused by hazardous materials, and
- (iii) Inventory control and record-keeping of hazardous materials, and
- (iv) Stormwater management of water pollution caused by hazardous materials, and
- (v) Protection and security of facilities utilized for the generation, storage, usage, handling, disposal or discharge of hazardous materials.

Said water pollution prevention and abatement measures and practices shall be subject to the approval of the Director of the Department of Environmental Resources Management or his designees.

C. The use, handling or storage of factory pre-packaged products intended primarily for domestic use or consumption determined by the Director of the

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Department of Environmental Resources Management or his designee to be hazardous materials shall not be prohibited, provided however, that:

- (i) The use, handling or storage of said factory pre-packaged products occurs only within a building, and
- (ii) The non-residential land use is an office building use (or equivalent municipal land use) or a business district use (or equivalent municipal land use) engaged exclusively in retail sales of factory pre-packaged products intended primarily for domestic use or consumption, and
- (iii) The non-residential land use is served or is to be served by an operable public water main and an operable public sanitary sewer, and
- (iv) Said building is located more than thirty (30) days travel time from any public utility potable water supply well.

D. Prior to the entry into a landlord-tenant relationship with respect to the Property, the undersigned agree(s) to notify in writing all proposed tenants of the property of the existence and contents of this Covenant.

Environmental Permits. Prior to the start of any site work, all required environmental wetlands permits (County, State and federal) will be obtained. Owner agrees that County environmental permits shall require that Owner provide appropriate onsite or offsite mitigation to compensate for all direct impacts to jurisdictional wetlands as a result of the development of the Property as described herein.

Drainage/Stormwater. Prior to physical development of the Property, or any portion thereof, the Owner shall obtain (a) construction surface water management permit(s) (Environmental Resource Permit/ "ERP") from the State of Florida, or the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources (RER) or its successor agency, as applicable, for construction and operation of a required surface water management system; (b) approval of a master paving and drainage plan(s) ; and (c) DERM review of cut and fill calculations, to be approved prior to site

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plan approval. Any drainage plan for the Property shall be designed to provide on-site retention of 100-year 3-day storm (zero discharge).

Transit Improvements. The Owner commits to work with the Miami-Dade County Transit Department and the City of Doral to incorporate a transit stop and/or other transit facilities at the site.

Roadway Improvements.

(a) Owner agrees to improve NW 41st Street from its existing condition to a full four-lane divided roadway section (approximately 80 feet of right-of-way) from the Homestead Extension of the Florida Turnpike to NW 122nd Avenue. Additionally, connections to 41st Street from both the north and south parcels of the Property shall be located outside the Homestead Extension of the Florida Turnpike limited access right-of-way limits, unless a waiver of this requirement is obtained.

(b) The Beacon Lakes project (as approved by Miami-Dade County Resolution Z-11-02 and further modified by Resolutions Z-20-08 and Z-21-08) is required to construct NW 122nd Avenue, from NW 25th Street to NW 41st Street, as a two-lane roadway. Owner agrees to construct the required additional two lanes for NW 122nd Avenue, for a standard half-section line road, provided that Beacon Lakes has constructed NW 122 Avenue as required; and, provided further, that (i) all required right-of-way is available and dedicated, and (ii) Owner has obtained approval for the construction of the additional two lanes as a contribution in lieu of roadway impact fee, pursuant to Chapter 33E-10 of the County Code.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and

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assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

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

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the fee simple title to the Property, or any portion thereof, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality that amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications 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 the provisions of the municipality's ordinances that apply to the adoption of district boundary changes. Should this Declaration be so modified, amended, or released, the Director of the Department of Planning and Zoning or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her office, shall

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

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

Authorization for Miami-Dade County 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 is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

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

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

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

Recordation and Effective Date. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval

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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 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.

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

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

[Execution Pages Follow]

APPENDIX J

Retail/Entertainment District Assessment Report (Excerpt)

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Miami-Dade County Retail/Entertainment District Assessment

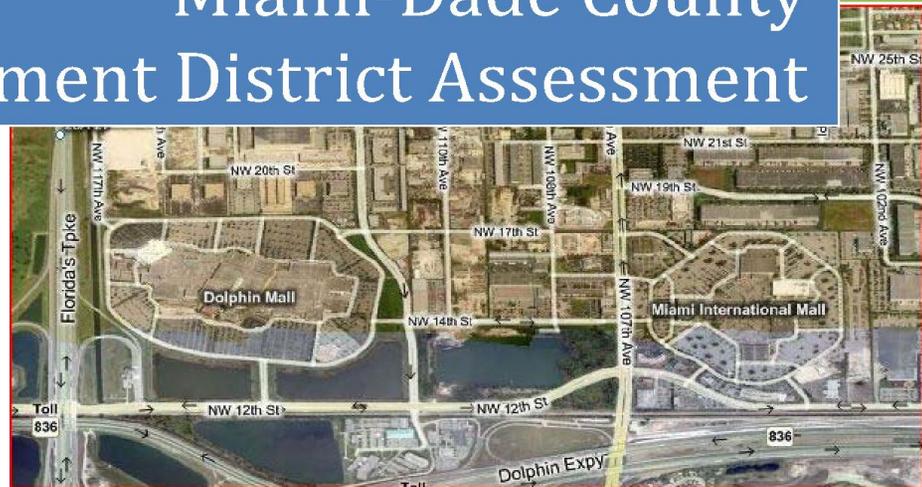




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Addendum D: Future of Retail/Entertainment Roundtable Expert Presentations

 Jack Illes

 Thomas Gilmore

 Dr. Denis Laming



EXECUTIVE SUMMARY

Miami-Dade County Board of County Commission Resolution 871-09 called for a study of the opportunity to designate and promote a Retail/Entertainment District (RED) within the County. The six objectives of the study are:

- To determine market viability of a RED within Miami-Dade County;
- To determine the market viability of the RED specifically in an area west of Miami International Airport (MIA) which had been designated by the County as the principal location for the district;
- To recommend changes in land use regulations to accommodate the RED in the identified area which generally lies between the Dolphin and International Malls;
- To assess the improvements needed to transportation associated with the RED with particular focus on the area between the Dolphin and International Malls.
- To identify the positive or negative market and economic implications to other major retail centers of the development of the RED; and,
- To identify how government may play a broader role than only amending land use regulations to serve as a catalyst for the development of the RED.

As a subset of the overall study, Lambert Advisory (Lambert) was engaged by Miami-Dade County (County) to develop an assessment of the future market opportunity associated with a RED within the County. Specifically, Lambert was engaged to:

- Determine the base demand for a RED in relation to existing and proposed supply of quality competitive space and entertainment venues at a regional and countywide level;
- Attempt to define, along with experts empanelled for the study, what a “Retail/Entertainment District” might be in the context of the South Florida market and looking forward over the next ten years given the evolution in the entertainment arena as a result of the ubiquity of gaming, video, and high quality entertainment at home and via the internet; and,
- Determining the market viability of a Retail/Entertainment District in a specified area west of MIA and generally lying between the Dolphin and International malls.

Our analysis herein, and summarized below, provides the findings associated with our scope of work. In summary, our analysis does indicate that it would be prudent to further define the physical and transportation needs to support and enhance the existing and targeted new retail/entertainment development opportunities in the west Miami-Dade RED Study Area, to broaden the notion of establishing “a single” RED to a “series of” RED’s in several areas of the County, and to explore the County playing a more active role in promoting the RED concept through focused planning, infrastructure and investment given the importance of retail and entertainment as it relates to international tourism and expenditure in Miami-Dade County. However, as detailed below, the analysis indicates that the creation of and success of the Districts are unlikely to take the form of a traditional fortress like mall with traditional mall tenants, but rather become areas where a mix of retailers not currently in the market will be complimented by new hotels, restaurants, clubs and activities. We believe these areas centered around traditional malls will only strengthen the draw and attraction of Miami for visitors and locals alike, particularly if venues are developed which allow for cutting edge entertainment to be modified over time.

Key findings of our analysis are as follows.



Overall Market for a Retail/Entertainment District

Our conclusions from our analysis of the overall county/region wide market associated with the demand for a new or expanded Retail/Entertainment District include the following:

- Retail demand will be a bright spots over the next five years in the Miami-Dade economy. We estimate demand to grow from 94.5 million square feet of retail space in 2011 to 112.1 million in 2016. The 2016 estimated demand for 112.1 million square feet of space is greater than the estimated 107.2 million square feet of existing retail space. Additionally, the estimated demand for an additional 17.6 million square feet of space between 2011 and 2016 is in excess of the amount which can be absorbed by well located vacant retail space in the County. As a result, we estimate that substantial new retail space will need to be built in the County over the next five years to keep pace with demand.
- There are three principal drivers of retail demand in the County: residents, visitors and non-resident workers with residents and visitors accounting for over 99 percent of retail sales. What is extraordinary, both in terms of existing demand, and in terms of growth, is the importance of overnight visitors, and primarily international overnight visitors to the Miami-Dade retail market. Data from the Greater Miami Convention & Visitors Bureau suggests that international visitors account for two-thirds of all visitor shopping expenditures in the County, and we estimate that visitors will be responsible for nearly half of the total increase in retail space demanded over the next five years.

We estimate retail demand in Miami-Dade to grow from 94.5 million square feet in 2011 to 112.1 million in 2016. The 2016 estimated demand is nearly 5.0 million square feet above existing supply.

Miami-Dade is certainly lacking in its variety of options for family entertainment and this plays itself out in expenditure on entertainment and potentially length-of-stay among visitors.

- As the data in this report indicates, visitors to Miami spend substantially more on shopping per person per day than in almost any other major tourist destination in the country including New York City, Honolulu, Las Vegas, and Los Angeles.

- In contrast to these other markets, visitors to Miami, particularly those from Latin America, which make up two-thirds of all international visitors, are doing their day-to-day clothing, furniture, electronics, and other non-perishable purchases in Miami given the lack of quality and variety in the visitors' home markets. This is unlike European visitors to New York or Japanese visitors to Honolulu who have high quality and diversified shopping options at home. Many Latin American visitors to Greater Miami act more like the cross border travelers to the US along the Mexican or Canadian borders although Miami has a substantially more affluent Latin American shopper profile, especially when compared to shoppers from Mexico who shop in border cities in Texas, Arizona, and California.

- Large scale entertainment, as a standalone business from retail, does not generate the degree of expenditure in Miami-Dade as it does in other visitor markets. While difficult to compete with a Las Vegas or Orlando, Miami-Dade is certainly lacking in a variety of options for family entertainment, and this plays itself out in visitor expenditure on entertainment and potentially length-of-stay. Beyond visitors, the lack of product translates into a lack of opportunity to capture local expenditure as well, particularly as it relates to family entertainment. The water park proposal at Zoo Miami, expansion of the children's museum, and



construction of a new science museum among other family entertainment activities should all help expand this market over the next five years to the extent that they are well implemented and come on-line in short order. However, one of the key aspects of this analysis is to define what is an entertainment district today and how does it relate to retail, if at all. This is discussed in more detail in the Future of Retail/Entertainment Roundtable Section;

- Large scale mall type retail continues to be concentrated in the northern and central portions of the County, and we expect that this concentration will continue with the market focusing on infill development or expansion of existing centers as opposed to a single new suburban style mall in the central or northern areas of the County. The recent announcements around a major new retail development in the Brickell area, Miami Herald site redevelopment, repositioning of the Design District, proposed expansion of Midtown, and the continued focus on the Biscayne Landing site in North Miami all speak to the focus on infill sites given the lack of suburban large scale developable parcels north of Kendall Drive. One area which will increasingly be underserved when the housing market recovers and the area begins to grow again is the southern area of the County (south of Kendall Drive). We expect that existing centers will be able to be repositioned and improved over the next decade in the southern portion of the County and focused new development; particularly in centers where retail, entertainment, and eating and drinking are integrated are likely to be developed on a modest scale.
- While the demand for retail locally is quite strong, there is a systemic problem in the retail industry which slows the expansion of new large mall development in any mature market in the US similar to Miami no matter the strength of the market. The increasingly limited number of quality mall type tenants has plagued the shopping center industry for over a decade now. There are only so many Banana Republic's, Macy's or Apple stores which can be located in a 10 or 15 mile radius even when there is

a distinction between full priced and discount stores. The number of strong national brand name retailers has actually decreased over the past few years, and the existing malls have a built in advantage to be able to attract strong retailers who are not yet in the market (i.e., H & M). As a result, no matter how strong the demand, it is increasingly difficult to develop a retail center today beyond several hundred thousand square feet often anchored by big box stores unless the center is being built in a chronically underserved high density area of the County such as Downtown and Midtown Miami.

Overall (all categories) international visitor expenditure in Greater Miami surged 15.1% annually from \$4.2 billion in 2003 to \$11.2 billion in 2009. International visitors accounted for two-thirds of all visitor expenditure in 2009.

We estimate that by 2016, total retail related (food and beverage, shopping, entertainment) expenditure for both domestic and international visitors will exceed \$14.5 billion; the majority of which (\$11.0 billion) will come from international visitors

Future of Retail/Entertainment Roundtable

The future of retail and entertainment roundtable was held between March 28, 2011 and March 29, 2011 with three leading experts of entertainment and retail projects throughout the world: Tom Gilmore of Madison Marquette, Jack Illes of Urban California, and Denis Laming of Laming Architects. The principal goal of the roundtable was to attempt to define what a cutting edge Retail/Entertainment District might look like over the next decade. Detailed presentations of each of these experts are attached as Addendum D, with the primary conclusions from the Roundtable as follows:

- While entertainment venues (movie theatres, bowling, clubs) support large retail development and retail and restaurants supports major entertainment venues, a clear conclusion of the roundtable was that either retail or entertainment are almost always the dominant driver of a project and the other a supporting actor. There is no reason to believe that this relationship will not continue in the future as the business models and investors are quite different between the two activities and while the two can co-exist side-by-side they often have a different revenue and investor profile which keeps either retail or entertainment as the principal revenue generator;
- One of the key underlying themes of the discussion as it related to retail was the need to keep it interesting, exciting and authentic. One way this is increasingly being accomplished is by focusing on restaurants,

clubs and other food and beverage establishments to set the tone of a project. This is largely a result of the much greater high quality variety and innovation found in the restaurant and club business compared to traditional mall retail stores. Likewise, integrating retail districts into existing urban spaces, which although often restricting the size of a development, provides an authenticity and sense of place which is difficult to create in greenfield markets;

A clear conclusion of the roundtable was that either retail or entertainment (not both) are almost always the dominant driver of a project.

The days of pure mid-scale entertainment venues (i.e. JazzLand in New Orleans) is waning given the quality entertainment experience families now have at home or in small scale venues.

- The days of pure mid-scale entertainment venues (i.e. JazzLand in New Orleans) is waning given the quality of the experience provided at home or in small scale venues, which are improving at a rapid pace. While potential patrons cannot experience a roller coaster ride at home, these type of entertainment venues have proved difficult to profit from except on a very large scale in a US context (i.e. Disney, Universal Studios) and with very substantial investment. They are not easy to replicate and by their nature are very limited in number, although there appears to continue to be a need for a major water park given the size of the overall Miami market. At the same time, people continue to want to congregate and do things together at a community setting and entertainment is moving into two key directions at this level. First it must have an education component. Given the cost of the investment and price of ticket, parents are expecting more for their money today and are looking for their children to be educated while they are entertained. Second, technology is advancing so rapidly that the spaces which accommodate entertainment venues must be flexible in order to be able to adapt and stay relevant...the black box.

In this regard, the building itself and quality of the architecture and scale are increasingly important in the sense that whatever is



inside is due to change while the physical structure and development plan will set the stage over the long term for whatever happens inside;

- The area between the Dolphin and International malls has potential to support additional entertainment venues in the form of restaurants, clubs and potentially a ride, water feature, or themed experience; however, this will be strengthened through the further development and potential co-development of more hotel rooms in the area to both serve the entertainment and existing malls. Additionally, any future planning with the existing malls in the area should try to make transit and pedestrian connections from the malls through any new development in between. This may help alleviate traffic, and to the extent that there is a real differentiation of experience and offerings in the area, potentially lengthen the stay of visitors, which is of broad benefit to the community and in many cases the new and existing businesses in the area. One existing gap in the retail market which was noted in this area was in the home goods and furniture category. It was felt by the panelists given the mix of visitors and reasonably affluent residents in the area, that once the local housing market recovers, there is an opportunity to attract a handful of these retailers to the area.

The study area is one of the strongest major retail nodes in the County largely as a result of the investment made by two major malls, the area's central location, and terrific access.

RED Study Area

Key conclusions associated with the RED Study Area are as follows:

- The study area is one of the strongest major retail nodes in the County largely as a result of the investment made by two major mall developers, the area's central location, and terrific access.
- Population within a 20 minute drive time of the study area is in excess of 1.8 million residents with an average household income of \$61,500;
- As it relates to visitors, the MIA hotel submarket in which the RED Study Area is located has the most rooms of any submarket in the County and has the highest occupancy. In 2010, the submarket had over 11,000 hotel rooms and nearly 80 percent occupancy for a total 3.0 million visitor nights in the area. The area is a hub for international visitors.
- The area is well positioned to attract furniture and home goods retailers that have yet to stake out a presence in the area as well as restaurants and clubs to secure the large population and visitor base, as well as one more stand alone entertainment activity center, such as a ride or water themed venue that will enhance the area's draw.
- One of the principal challenges in the area is traffic congestion. Expansion or construction of any substantial new retail in the area is only going to exacerbate the problem. A traffic analysis should be completed which would indicate methods the county could employ to alleviate the congestion in the short term and the extent different build out scenarios on available sites would impact overall traffic with and without various traffic and intra-area transit improvements;

- A second challenge as it relates to new retail in the area is the challenge of identifying new retailers who are not already present in the market. The suggestions of the Future of Retail/Entertainment Roundtable regarding the opportunity to develop additional retail and entertainment venues in the RED Study Area as noted above addresses this challenge to some extent. However, we do not believe there is an inherent opportunity for developing another large fortress mall in the area specifically because there are few “missing” tenants. While our experience is that it is nearly impossible, and may be counterproductive for government, to successfully manage the competitive retail market through regulatory constraints on the type of tenants which are to be located in any certain center despite a very strong retail market, the development of another fortress like mega-mall in the area would impact the existing malls given that the exercise may end up moving tenants like chess pieces from parcel A to parcel B to parcel C. If a broad number of new tenants are identified which are not currently in the market (and beyond the furniture, house goods, and restaurant/entertainment venues noted above) are identified and can be lured to Miami, the study area presents a tremendous market opportunity for new strong retailers who are not yet here;

We do not believe there is an inherent opportunity for developing another large fortress mall in the RED Study Area specifically because there are few mall-type tenants who do not already have a presence in the area.

However, we estimate that the RED Study Area could support the addition of between 380,000 and 480,000 square feet of retail space between now and 2016, primarily in eating and drinking, entertainment, and home goods categories as the housing market recovers.

- New hotel development should be encouraged in the area. All signs are that the MIA submarket will continue to strengthen and as our market analysis has shown, shopping is a key activity for tourists in Miami-Dade County. Any investment in hospitality and family oriented hotels will only further enhance retail expenditure and future investment.

- Currently, the study area contains 4 percent of total retail space in the County. Taking into account a 5 percent frictional vacancy factor countywide and given the strength of the area as a retail activity center to potentially attract modestly more than its fair share of demand, we estimate that the study area could support the addition of between 380,000 and 480,000 square feet of retail space between now and 2016. Importantly and has been highlighted in this report, this assumes that an appropriate mix of retail tenants and entertainment venues can be identified and secured that are differentiated from the existing centers in the area.

In addition, given that IKEA is not yet present in Miami-Dade County and give the Study Area’s central location and proximity to both the Airport and Port, it is well positioned to attract an IKEA, which has a unique regional and indeed international draw. If IKEA were to identify a reasonable property (valued and located) in the RED Study Area, we believe this one retailer could be supported in addition to the demand range noted above. Currently, and with the exception of the Dominican Republic, there are no IKEA stores located in Latin America or the Caribbean. While styles and local quality offerings in Latin America and the Caribbean may be in contrast

to the Scandinavian design ascetic of IKEA, the store has such a large following throughout the world even a very tiny percentage of the Caribbean and Latin American households will drive substantial sales in a Miami location. A typical IKEA ranges between 300,000 and 350,000 square feet; however, stores have been built as small as 185,000 square feet (Pittsburgh, PA) and as large as 450,000 square feet (Chicago, IL metro area).

Other Conclusions and Recommendations

Other conclusions and recommendations which were not directly called for in our scope of services but we believe are important to convey as a result of our work and finds from this project include the following:

- Given the strong market demand which exists, it would be prudent to engage a traffic consultant and to develop a master plan for the RED Study Area to establish the need for any regulatory amendments, establish the cost and scope of transportation improvements that will allow the area to continue to develop while mitigating traffic congestion, and define the extent to which City and County government can serve as a catalyst for area improvements. We do believe that there are several options to develop additional retail, particularly in the furniture and household goods categories, hospitality product which would support retail in the area, and restaurant, clubs, and even family entertainment oriented product in the area which could be differentiated from what already exists and will only add to the area's attraction as a retail/entertainment draw;

Any Investment in hospitality and family oriented hotels will only further enhance retail expenditure and future investment

County and city government may have a role to play in this process more than planning alone. As this report shows, retail, unlike for most other major cities throughout the US, is of net positive benefit to the local economy given that visitors drive a large portion of retail expenditure in Miami

- County and city government may have a role to play in this process more than planning alone. As this report shows, retail, unlike for most other major cities throughout the United States, is of net positive benefit to the local economy given that visitors drive a large proportion of retail expenditure in Miami. As a result, the industry is worthy of focus in promotion and investment in infrastructure to support retail development in key districts by government. To be perfectly clear, had we been asked to provide similar analysis by – say – the City of Indianapolis or City of Jacksonville, where the health and growth in retail development almost entirely depends upon the investment in other industries and population growth in the community, we would not be making this recommendation. However, all of the data collected and developed for this study indicates that shopping is an important and even principal draw for many visitors to Miami and therefore it is an economic driver in its own right.
 - While the RED Study Area west of MIA and between the Dolphin and International malls has many elements which support the RED concept, there are other areas of the county where support for this type of district could be warranted. This extends beyond the investment and activity which is occurring in redeveloping areas within the City of Miami and other older eastern urban communities. The effort the County is putting into the development of the Zoo Miami property around entertainment and retail, the concept of developing entertainment and retail within the parking lots of Sun Life Stadium, the development or revitalization of properties including the Southland Mall as the housing market recovers, all lend themselves to being modest to major entertainment/retail



districts if well planned and provided with adequate access infrastructure and focus.

- Additionally, and given the importance of retail to the local economy, we recommend that the municipalities and the County focus effort and resources on the following:
 - As it relates to the RED Study Area and cities of Sweetwater, Doral, and Miami-Dade County, beyond the transportation analysis noted above and the continued encouragement of a transit link with a major station to be located between the Dolphin and International Malls, any further development of the area between the malls and effective link is also going to require a street which has retail on both sides of the road thereby creating an vehicular as well as pedestrian experience. This would require either encouraging the replatting of the parcels to the north of NW 14th Street and eventual vacating of streets to make these parcels deeper thereby more amenable to retail development, and streetscaping on NW 14th Street, or insuring that whatever is developed south and facing NW 14th Street is consistent with a quality pedestrian experience. If this cannot be accomplished due to the industrial nature of the area north of NW 14th Street then the two sided vehicular/pedestrian experience will have to occur internally within what is commonly known as the Balzebre property.
 - Even if the pedestrian experience is improved between the International and Dolphin Malls the large surface parking lots at both malls eliminates any positive experience a pedestrian would have walking from one property to another or between properties despite the fact that the distances from property line to property line is approximately half of a mile. The municipalities and

County through their approval processes going forward should encourage the malls to strengthen the pedestrian linkages to the property line of the malls either through walkway improvements or by adding more retail/entertainment in a linear fashion which would link to or near too the edge of the property. This should be further explored in a physical planning effort.

- If a broader regional transit link is not forthcoming in the short term, an internal circulating shuttle service should be provided linking the two existing malls and then linking each of the malls to any quality retail, entertainment, and hospitality development which occurs between the malls. In this regard, visitors can park once and visit multiple properties without adding trips to the roadway network.
- The County and municipalities should advocate with the Beacon Council and State of Florida economic development entities to classify and recognize large scale retail development as a primary industry which is helping drive the local economy.
- The County should develop a series of workshops focusing on planning for RED districts elsewhere in the County. This would include south Dade including the Southland Mall area, Homestead, Zoo Miami, NW area of the County, and Coconut Grove. The core of Miami, South Beach, and Aventura already enjoy a vibrancy and momentum which should be supported but does not require the focus on overall planning which several of these newer districts could benefit from.

APPENDIX K

Photos of Site and Surroundings

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Southeast view of portion application site north of NW 41 Street



Application site frontage along NW 41 Street viewed westward from the Turnpike



Portion of application site on south side of NW 41 Street



Residential development east of application site and turnpike along NW 41 Street

APPENDIX L

**Division of Environmental Resources Management Memo Addressing
Application No. 1**

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Memorandum **MIAMI-DADE COUNTY**

2013 SEP 10 P 3: 11

PLANNING & ZONING
METROPOLITAN PLANNING SECT

Date: September 9, 2013

To: Mark Woerner, Assistant Director of Planning
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E., Senior Division Chief
Department of Regulatory and Economic Resources



Subject: DERM Evaluation of Application No. 1 Comprehensive Development Master Plan (CDMP) Filed During the May 2013 Cycle

Based upon your request, the Division of Environmental Resources Management (DERM) has reviewed Application No. 1 filed to amend the CDMP during the May 2103 cycle for compliance with the requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). DERM recommends denial of the application based on the following:

APPLICANT:	Turnberry/Doral Development, Limited Partnership
Location:	NW and SW corners of NW 41 st Street and the Homestead Extension of the Florida Turnpike (HEFT)
Acres (Gross):	±96.79 gross Acres
Acres (Net):	±81.31 Acres
Existing Land Use:	Pasture; Rock Mining
Current CDMP Land Use Designation:	Open land
Proposed CDMP Land Use Designation:	Business and Office

Environmental Conditions:

Flood Protection

Federal Flood Zone	AH-7 and X-99
Stormwater Management Permit	Surface Water Management General Permit and Cut and Fill Approval required
County Flood Criteria, National Geodetic Vertical Datum (NGVD)	+7.5 feet

Biological Conditions

Wetlands Permit Required	Yes
Native Wetland Communities	Yes
Specimen Trees	May contain
Endangered Species Habitat	May contain – needs to be documented
Natural Forest Community	No

Other Considerations

Within Wellfield Protection Area	Northwest Wellfield
Hazardous Waste	No – not permitted in the Northwest Wellfield
Contaminated Site	No – hazardous materials/hazardous waste not permitted within the Northwest Wellfield

Proposed Water and Wastewater Demand:

Retail 611,000 sf = 61,100 GPD
Imax Theater 300 Seats = 900 GPD
Restaurant 50,000 sf = 50,000 GPD
Water Park 196,020 sf = 19,602 GPD

Total demand = 131,602 GPD

Potable Water Supply

The property is located outside the Urban Development Boundary (UDB). However, a 20-inch water main crosses the site along NW 41st Street. Said main is owned and operated by Miami Dade Water and Sewer Department (MDWASD).

The source for this water supply is the Hialeah-Preston Water Treatment Plant, which is owned and operated by MDWASD, and has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.

Wastewater Facilities

The property is located outside the UDB. However, a 12-inch force main crosses the site along NW 41st Street. Said main directs the flow to pump station 30-0187 and then to the Central District Wastewater Treatment Plant. The aforementioned sanitary sewer pump stations as well as the Central District Wastewater Treatment Plant are owned and operated by MDWASD. The aforesaid pump station, is currently working within the mandated criteria set forth in the First and Second Partial Consent Decree. At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

Wellfield Protection

The application site is located within the Northwest Wellfield Protection Area. The Northwest Wellfield represents the largest source of drinking water for the citizens of Miami-Dade County and is one of the county's most pristine wellfield protection areas. The source of water for this wellfield, as well as the other wellfields in the County, is the Biscayne Aquifer. The Biscayne Aquifer is a highly transmissive unconfined aquifer vulnerable to contamination.

The Miami-Dade County wellfield protection program was initiated as a result of Miami Dade County and the US Environmental Protection Agency collaboration that revealed the county drinking water wells had trace levels of industrial contaminants. Groundwater contamination

from industrial land uses had been significant enough to shut down several wellfields including the Medley and East Drive Wellfields. As a result, in December 1985, the Board of County Commissioners adopted the Northwest Wellfield Protection Plan by Resolution No. R-1541-85. The plan identified land use restrictions and canal improvements intended to provide long term protection of water quality in the Northwest Wellfield. The plan has been implemented through ordinances and through the Comprehensive Development Master Plan which identifies the County's policies and objectives necessary to continue protection of the Northwest Wellfield. County ordinances established stringent land use protections and regulatory boundaries for the Northwest Wellfield to protect existing and future production wells. Due to the established association between land use and groundwater contamination, the Board of County Commissioners adopted ordinances which prohibited BU-3, IU-1, IU-2, IU-3 and IU-C zoning classifications within the Northwest Wellfield. Allowable uses west of the Turnpike were limited to limestone quarrying, low density residential, agricultural and institutional uses. This supported prior action by the County that repealed industrial zoning in this area because it was deemed incompatible to allow urban development in the wellfield. The land use protections were intended to ensure that the area remained predominantly undeveloped, and to maintain pristine water quality within this wellfield by excluding land uses that could compromise groundwater quality and pose a threat to the drinking water resources.

Policy LU-3B of the Land Use Element recognizes the importance of wellfield protection and establishes that future potable water supply wellfield protection areas or adopted wellfield protection plans shall be protected from incompatible land uses. This policy provides for the County to evaluate if proposed development would be compatible with the Northwest Wellfield protection area. The applicant has proffered a Declaration of Restrictions to address incompatible uses within the Northwest Wellfield protection area. Specifically, it states that the "Property shall only be used for uses that are consistent with the Business and Office land use designation including but not limited to retail, restaurant, and other commercial uses". Retail, restaurant and other commercial uses could be approved within the Northwest Wellfield Protection area provided those land uses were served by public water and public sanitary sewers and do not use, generate, handle, dispose of, discharge or store hazardous materials. Further, the Declaration includes a proposed water park which could be approved provided the water park would be served by public water and public sanitary sewers and would not use, generate, handle, dispose of, discharge or store hazardous materials. . Proposed land uses not compatible with the Northwest Wellfield protection area can only be approved if a variance is granted by the Environmental Quality Control Board.

Policy CON-3A of the Conservation Elements states "No new facilities that use, handle, generate, transport or dispose of hazardous wastes shall be permitted within wellfield protection areas...". The proposed Business and Office land use designation could allow zoning classifications that are inconsistent with CON-3A by allowing land uses that could use, handle, generate or dispose of hazardous materials and contradict the prohibitions in Section 24-43 of the Code. In addition, the proposed water park is a use that could handle, generate or dispose of hazardous materials and hazardous wastes. Pursuant to Section 24-43 of the Code, the Northwest Wellfield has a complete prohibition of hazardous materials and hazardous wastes for any allowable land use. The applicant has proffered in a Declaration of Restrictions that the owner of the property will consider land uses not detrimental to the public health, welfare and safety and will not create a nuisance and will not materially increase the level of water pollution within the Northwest Wellfield protection area". The Declaration also agrees to record a covenant in accordance with the requirements of the Code to prohibit hazardous materials on

hazardous materials or hazardous wastes within the Northwest Wellfield may only be approved if a variance is granted by the Environmental Quality Control Board.

Policy CON-3E of the Conservation Element states "the area west of the Turnpike, east of the Dade-Broward Levee, north of NW 12th Street and south of Okeechobee Road shall be reserved for limestone mining and approved ancillary uses as provided for in Chapter 24 of the Code and the entire area west of the Turnpike, north of NW 25th Street and south of Okeechobee Road shall remain unurbanized". This policy recognizes the need to limit incompatible land uses in the Northwest Wellfield through risk avoidance as well as the alignment of the UDB to maintain this area undeveloped. The applicant states "*the commercial uses proposed for the Property are certainly compatible with the surrounding uses*". It should be noted the area west of the Turnpike is primarily rockmining operations. These operations are subject to extensive monitoring by DERM to ensure the groundwater quality in the Northwest Wellfield protection area. this area is undeveloped. The applicant has not demonstrated how the proposed development would be consistent with this policy to keep this area unurbanized.

The following provides a response to the major findings of the Hydrologic Analysis for Doral Crossing dated July 2013, prepared by Hydrologic Associates USA, Inc. (HAI), and submitted by the applicant in support of the application:

1. The report provides that the groundwater model utilized to develop the Northwest Wellfield protection zones contained a number of deficiencies that resulted in over prediction of the area to be protected. The following is noted with respect to HAI's evaluation:
 - a. The commentary on the deficiencies of the previous Camp Dresser & McKee model is not relevant, since Miami-Dade County is currently revising the Northwest Wellfield protection boundaries utilizing the groundwater modeling conducted by the United States Geological Survey on behalf of Miami-Dade County and published in June 2013.
 - b. The modeled drawdown provided in the above referenced United States Geological Survey report places the Doral Crossing site within the 1/4 foot drawdown of the Northwest Wellfield protection area; therefore, the property will remain within the Northwest Wellfield protection area and would be subject to land use and zoning restrictions pursuant to the Code.
 - c. The analysis provided by HAI uses data, information and references that are outdated. A listing of some more current scientific work with respect to the Northwest Wellfield and the Lake Belt region of Miami-Dade County is provided as Attachment A.
2. The report argues that current wellfield pumpage from the Northwest Wellfield is less than 20% of maximum capacity. The implication is that the areal extent of the withdrawal area of the production wells would be significantly retracted if the wellfield was modeled based on the reduced pumpage. However, as public policy, Miami-Dade County wellfield protection boundaries are based on design capacity, not on short-term pumpage. This public policy preserves the ability to ensure an adequate supply of drinking water to Miami-Dade County's residents in emergency situations. As an example, in the event that a wellfield in the County is partially or completely nonoperational (i.e., contamination issues, infrastructure problems, etc.), withdrawal

from other wellfields will be temporarily increased to compensate for the difference in the drinking water supply demand while the issue is being addressed. Additionally, the threat of saltwater intrusion to the County's drinking water supply requires the flexibility to increase the groundwater withdrawal rate from any of the wellfields in the event of a partial or complete shutdown. Saltwater intrusion within a wellfield will result in a permanent shutdown of affected production wells. Under this scenario, increased withdrawal from one or more of the other wellfields would be required to address the resulting deficit. Based on the location and size, the Northwest Wellfield is the least vulnerable to salt water intrusion and as such must be maintained at design capacity since in an extreme situation it could become the county's main source of drinking water.

3. The report presents extensive discussion on the canal structures, water control structures and strategies implemented within the Northwest Wellfield area of the County with particular focus on the Snapper Creek Extension Canal (SCEC). Although the regional groundwater flow outside of the wellfield areas of the County is generally easterly or southeasterly, the SCEC was constructed as a recharge structure along the eastern reach of the Northwest Wellfield Protection Area and limits eastward expansion of the wellfield's cone of depression. By design, the recharge structure creates a gradient towards the wellfield when the production wells are being pumped.
4. The report utilizes water level elevations from monitoring locations serving the Beacon Lakes development, located to the south of the site, to conclude that notwithstanding the recharge structure, measured groundwater elevations in the vicinity of the site indicate a more regional west to east flow away from the production wells. As illustrated by the 1 Estimation of Capture Zones and Drawdown at the Northwest and West Wellfields, Miami Dade County, Florida, Using an Unconstrained Monte Carlo Analysis: Recent (2004) and Proposed Conditions, USGS Open File Report 2013-1086 comments below, the monitoring locations and data used in HAI's evaluation are inappropriate for drawing conclusions about this site.
 - a. The evaluation inappropriately compared data from a water level monitoring well and a canal stage level to determine groundwater flow direction.
 - b. The use of average daily water levels to calculate overall groundwater gradient is inappropriate for south Florida due to the seasonality (wet and dry) of the data.
 - c. The evaluation does not account for the large surface water bodies (quarry lakes) located between the two monitoring locations utilized in the evaluation. These lakes extend deep into the Biscayne Aquifer, and will have an affect on hydrology.
5. The results of groundwater monitoring for the Beacon Lakes development are cited to support that the proposed development will have little or no impact on the Northwest Wellfield. However, current absence of groundwater contamination cannot be used as a predictor of future conditions. Contamination is typically episodic; once a contaminant has been released onto the ground or in the subsurface, it can interact with flows in the subsurface. The local gradients may change based on stresses, seasonal recharge, etc. which can change the transport directions and rates. Shapiro et al (2008) concluded that short-term contamination incidents can lead to long-term degradation of the water quality.

With the increasing concerns for sea level rise and resulting salt water intrusion, it is imperative that the water resources of the Northwest Wellfield continue to be afforded the highest level of protection since it represents the County's largest and most westward located wellfield and as such will become the counties main source of potable water in the event that the coastal wellfields are compromised by salt water intrusion.

Based on the County's need to provide long term protection of the largest pristine public water supply, to ensure adequate supply of drinking water for the residents of Miami-Dade County, and the flexibility to increase groundwater withdrawals for planned and unforeseen reasons, DERM recommends the proposed amendments should not be approved.

Drainage and Flood Protection

The application area does not have adequate level of service for flood protection and therefore any development of the site will require compliance with the fill encroachment and water management criteria by providing on site retention of 100-year 3-day storm (zero discharge) which shall not exceed the floodplain defined by the County Flood Criteria plus 8 inches.

Stormwater Management

Based on the information provided for this application, the total impervious area will change from 0.01% to 75.5% approximately. The Base Flood Elevation will likely change after construction. The new development would need to apply for a Conditional Letter of Map Revision (CLOMR), issued by FEMA, to reflect the flood plain change in the newly developed area.

Tree Preservation

Any non-wetland tree resources on the site will require a Miami-Dade County Tree Removal/Relocation Permit prior to removal and/or relocation. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code. The applicant is advised to contact the Tree Permitting Program at (305)372-6600, voice option #2, for information regarding tree permitting requirements.

Natural Resources

The applicant acknowledges that the application area contains wetlands (Page 6 of the Site Assessment) and that these wetlands may provide habitat for threatened or endangered species (Page 9 and Figure 8 of the Site Assessment). The applicant may be required to provide additional information demonstrating that the proposed project has no adverse environmental impact on wetlands that provide habitat for threatened or endangered species. The application area is in an area designated "Future Wetlands" in the CDMP. There are several objectives and policies in the CDMP that provide for protection of wellfields, designated "Future Wetlands", and habitat for threatened or endangered species when considering development applications.

Objective LU-3 of the CDMP provides for the protection of natural resources and systems by recognizing and responding to constraints posed by soils, topography, water table level, vegetation type, wildlife habitat, and hazards such as flooding. Policy CON-5F requires that cut and fill criteria be developed and applied to this area to protect against flooding and ensure recharge of groundwater.

The application states that the application area is not located within a Water Conservation Area, Biscayne Aquifer Recharge area or Everglades Buffer Area. In fact, the application area appears to be located in a Biscayne Aquifer recharge area, as depicted in Land Use Element Figure 17. This figure depicts water resources, including Aquifer Recharge Areas that "include the Everglades, Everglades buffer areas and other areas which are poorly drained by the canal system and which provide prolonged recharge of the Biscayne Aquifer after rainfall events". The recharge areas depicted in the figure are consistently located in the low-lying lands of the western and southern portions of the County. The low-lying area west of the Florida Turnpike where the project is proposed appears to be designated in Figure 17 as both Wellfield Protection and Aquifer Recharge. Unaltered soils west of the Turnpike are composed primarily of poorly drained mucks and peats, as depicted in the generalized soil map for the county (Figure 16 of the CDMP Land Use Element), consistent with the description of Aquifer Recharge Areas. The applicant acknowledges that unaltered soils on the site consist of Dania and Lauderdale depressional mucks (Page 3 of the Site Assessment) that are described by the USDA Natural Resources Conservation Service as "very poorly drained". Land Use Element Policy LU-8G(i) clearly states that these areas "...shall not be considered" for addition to the UDB. The proposed application is inconsistent with this policy.

Nevertheless, in order to address the prohibition in Policy LU-8G(i), the applicant is requesting to add language which will provide an exception for "...parcels abutting the Homestead Extension of the Florida Turnpike (HEFT) and abutting NW 41 Street...". However, this language would allow all parcels along the HEFT and NW 41 Street outside the UDB to be considered for addition to the UDB. This could result in a significant negative cumulative effect on wetlands and other natural resources and therefore should not be approved.

Furthermore, the applicant states that the application area is not delineated as Future Wetlands in the Conservation and Land Use Element. However, the CDMP and the current Land Use Map indicate that the application area is within an area is delineated as Future Wetlands in the Land Use Element. Land Use Element Policy LU-8G(ii) identifies Future Wetlands as areas that "...shall be avoided" when considering addition to the UDB.

In summary, DERM recommends denial of the proposed application to amend the CDMP. This memorandum shall constitute DERM's written recommendation for the subject application based on the above referenced inconsistencies with the CDMP and Chapter 24 of the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305)372-6764

Cc: Garret Rowe, Supervisor CDMP Administration

Attachment A

Recent Scientific Publications Relating to the NWWF and the Lake Belt Region of Miami-Dade County

Cunningham, K. J., J. L. Carlson, G. L. Wingard, E. Robinson, and M.A. Wacker (2004b), Characterization of aquifer heterogeneity using cyclostratigraphy and geophysical methods in the upper part of the karstic Biscayne aquifer, southeastern Florida: U.S. Geol. Surv. Water Res. Invest. Rep., 03-4208, 66 pp.

Cunningham, K. J., R. A. Renken, M.A. Wacker, M. R. Zygnerski, E. Robinson, A. M. Shapiro, and G. L. Wingard (2006a), Application of carbonate cyclostratigraphy and borehole geophysics to delineate porosity and preferential low in the karst limestone of the Biscayne aquifer, SE Florida, in Perspectives on Karst Geomorphology, Hydrology, and Geochemistry-A Tribute Volume to Derek C. Ford and William White, B., edited by R. S. Harmon and C. M. Wicks, Spec. Pap. Geol. Soc. Am., 404, 191-208.

Cunningham, K. J., M.A. Wacker, E. Robinson, J. F. Dixon, and G. L. Wingard (2006b), A cyclostratigraphic and borehole geophysical approach to development of a three-dimensional conceptual hydrogeologic model of the karst Biscayne aquifer, southeastern Florida., U.S. Geol. Surv. Sci. Invest. Rep., 2005-5235, 69 pp.

Cunningham, K. J., M. C. Sukop, H. Huang, P. F. Alvarez, H. A. Curran, R. A. Renken, and J. F. Dixon (2008), Prominence of ichnologically influenced macroporosity in the karst Biscayne aquifer: Stratiform "super-K" zones, Geol. Soc. Am. Bull., Geological Society of America Bulletin, v. 121, no. 1/2, p. 164-180.

Harvey, R.W., D.W. Metge, A. M. Shapiro, R. A. Renken, C. L. Osborn, J. N. Ryan, K. J. Cunningham, and L. Landkamer (2008), Pathogen and chemical transport in the karst limestone of the Biscayne aquifer: 3. Use of microspheres to estimate the transport potential of *Cryptosporidium parvum* oocysts, Water Resour. Res., 44, W08431, doi:10.1029/2007WR006060.

Renken, R. A., A. M. Shapiro, K. J. Cunningham, R. W. Harvey, D. W. Metge, M. R. Zygnerski, M.A. Wacker, C. L. Osborn, and J. N. Ryan (2005), Assessing the vulnerability of a municipal well field to contamination in a karst aquifer, Environ. Eng. Geosci. J., 11 (4), 341-354.

Renken, R.A., Cunningham, K.J., Shapiro, A.M., Harvey, R.W., Zygnerski, M.R., Metge, D.W., and Wacker, M.A., 2008, Pathogen and chemical transport in the karst limestone of the Biscayne aquifer: 1. Revised conceptualization of groundwater flow: Water Resources Research, v. 44, W08429, doi: 10.1 029/2007WR006058

Shapiro, A.M., Renken, R.A., Harvey, R.W., Zygnerski, M., and Metge, D.W., 2008, Pathogen and chemical transport in the karst limestone of the Biscayne aquifer: 2. Chemical retention from diffusion and slow advection: Water Resources Research, doi: 10.1 029/2007WR006059

Shoemaker, W.B., Cunningham, K.J., Kuniansky, E.L., and Dixon, J.F., 2008a, Effects of turbulence on hydraulic heads and parameter sensitivities in preferential groundwater flow layers: Water Resources Research, v. 44, W03501, doi: 10.1 029/2007WR006601.

Memorandum



Date: September 13, 2013

To: Mark Woerner, Assistant Director of Planning
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E., Senior Division Chief
Department of Regulatory and Economic Resources

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is written in a cursive, flowing style.

Subject: Addendum to the DERM Evaluation of Application No. 1 Comprehensive Development Master Plan (CDMP) Filed During the May 2013 Cycle

The Division of Environmental Resources Management (DERM) has reviewed the applicant's revision to Application No. 1 filed to amend the CDMP during the May 2013 cycle submitted on September 11, 2013 and offers the following comments:

The applicant has revised their application to include the following text amendment to Policy CON-3E:

The area west of the Turnpike, east of the Dade-Broward Levee, north of NW 12th Street and South of Okeechobee Road shall be reserved for limestone mining and approved ancillary uses as provide for in Chapters 24 and 33 of the Miami-Dade County Code and the entire area west of the Turnpike, north of NW 25th Street and south of Okeechobee Road, except for parcels abutting the Turnpike and abutting NW 41st Street shall remain unurbanized.

The applicant has requested this revision to make the application internally consistent with the CDMP based on their original request to revise Land Use Element LU-8G. This policy prohibits areas within the Northwest Wellfield Protection Area to be considered for land to add to the UDB.

The Board of County Commissioners recognized the need to maintain this area unurbanized and directed the County to implement policies and ordinances to protect this public water supply. The CDMP established these policies with the strict intent to exclude urban development west of the Turnpike within the Northwest Wellfield Protection Area. The proposed text amendments are not consistent with the overall intent of the CDMP to protect the most pristine public water supply available to the present and future residents of Miami-Dade County. DERM maintains the existing CDMP policies provide the first level of protection for the public water supply by not allowing urban development in this area. Accordingly, DERM recommends denial of the proposed text amendments.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305)372-6764.

Cc: Garret Rowe, Supervisor CDMP Administration

