

# Application No. 10

## Commission District 10 Community Council 11

### APPLICATION SUMMARY

Applicant/Representative: WMD London Square, L.L.C./Jeffery Bercow, Esq.  
And Graham Penn, Esq.

Location: Southeast corner of SW 137 Avenue and theoretical SW 91 Terrace; Parking lot for Costco store located at 9191 SW 137 Avenue

Total Acreage: 5.45 Gross Acres ( $\pm$  4.8 Net Acres)

Current Land Use Plan Map Designation: Office/Residential

Requested Land Use Plan Map Designation: Business and Office

Amendment Type: Small-Scale

Existing Zoning/Site Condition: OPD – Office Park District, RU-3M – Minimum apartment house; RU-3 – Four Unit Apartment / Parking Lot

### RECOMMENDATIONS

Staff: **ADOPT** (August 25, 2006)

West Kendall Community Council: **ADOPT** (September 20, 2006)

Planning Advisory Board (PAB) acting as Local Planning Agency: **ADOPT** (October 16, 2006)

**Final Action of Board of County Commissioners:** **ADOPTED AS SMALL-SCALE AMENDMENT** (November 20, 2006)

Staff recommends: **ADOPTION** of the proposed small-scale Land Use Plan Map amendment based on the Staff Conclusions located at the end of this report and summarized:

- The proposed redesignation to “Business and Office”, which allows a wide variety of uses, can be consistent with the existing Community Urban Center designation.
- The proposed redesignation is compatible with the abutting land uses.
- Development of Business and Office space on this site will help accommodate the County’s projected economic growth.
- In general, adequate public services exist for the application site.
- The proposed redesignation to “Business and Office” on the Land Use Plan map can be supportive of transit ridership.
- The application site has limited impact on environmental or historic resources.

## **STAFF ANALYSIS**

### **Location and Land Use**

The application site is currently being utilized as a commercial parking lot serving a Costco Wholesale Warehouse located at 9191 SW 137 Avenue, a block south of N Kendall Drive. The current Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designation is Office/Residential. The current zoning designation for the northern majority of the site is OPD (Office Park District – 3 acres gross office building & laboratories for scientific and industrial research). The smaller southern portion has zoning designations of RU-3M (minimum apartment house 12.9 units / net acre) and RU-3 (four unit apartment 7,500 sq. ft. net).

### **Adjacent Land Use and Zoning**

Directly north of the application site is the Costco Wholesale Warehouse that the subject parking lot serves, which is zoned BU-1A (Business – Limited). Directly west, across SW 137 Avenue, is the Pepper Cove apartments, a two-story walk-up apartment complex zoned RU-4L (Limited apartment house 23 units / net acre). Northwest of the site is a two-story office building zoned BU-1A (Business – Limited). Directly south of the site is the Lord of Life Lutheran church zoned RU-3M (minimum apartment house 12.9 units / net acre) and RU-3 (four unit apartment 7,500 sq. ft. net). Located further south is a 5-acre vacant lot zoned RU-5A (Semi-Professional Offices 10,000 sq. ft. net). Directly east of the site separated by the Lingren Road Canal are townhomes and single-family homes zoned RU-TH (Townhouse – 8.5 units / net acre).

The CDMP LUP designation for the property directly north is Business and Office. The properties to the south and northwest are designated Office/Residential. Directly west the property is designated Medium Density Residential (13 to 25 DU/Ac) and the properties directly east are designated Medium Density Residential (13 to 25 DU/Ac) and Low Density Residential (2.5 to 6 DU/Ac).

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

No previous land use or zoning applications were found to be relevant to the evaluation. However, the application site is a portion of a site currently developed with a Costco Wholesale Warehouse. The site has been used as a legal nonconforming commercial parking lot serving the Costco Warehouse and the abutting Lutheran church to the south.

### **Supply and Demand**

#### Residential Land Analysis

Vacant residential land in the Analysis Area for Application No.10 (Minor Statistical Area 6.1 and 6.2) in 2006 is estimated to have a capacity for about 6,724 dwelling units, of

which about 52 percent is for single-family type units. The annual average demand is projected to decrease from 2,797 units per year in the 2006-2010 period to 524 units per year in the 2015-2020 period. An analysis of the residential capacity, without differentiating by type of units, shows absorption occurring in the year 2008. About 96 percent of the projected demand is for single-family type units, and this land is projected to be absorbed by the year 2007. The supply of multi-family land is projected to accommodate demand beyond 2025 (see the below table).

Application No. 10 is a small-scale amendment requesting a redesignation of 5.45 acres from Office/Residential to Business and Office. Such a change will not have a significant impact on residential capacity.

Residential Land Supply/Demand Analysis  
2006 to 2025: **Application 10**

ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2006	3,894	2,830	6,724
DEMAND 2006-2010	2,669	128	2,797
CAPACITY IN 2010	0	2,318	0
DEMAND 2010-2015	1896	91	1,987
CAPACITY IN 2015	0	1,863	0
DEMAND 2015-2020	501	23	524
CAPACITY IN 2020	0	1,748	0
DEMAND 2020-2025	0	0	0
CAPACITY IN 2025	0	1,748	0
<b>DEPLETION YEAR</b>	<b>2007</b>	<b>&gt;2025</b>	<b>2008</b>

Residential capacity is expressed in terms of housing units.

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

Source: Miami-Dade Department of Planning and Zoning, Planning Research Section, 2006.

### Commercial Land Analysis

The Analysis Area for Application No. 10 contained 384.9 acres of vacant land zoned for commercial uses in 2006. In addition, there were 1,010.2 acres of in-use commercial land. The average annual absorption rate projected for the 2003-2025 period is 27.29 acres per year. At the projected rate of absorption, the Analysis area will deplete its supply of commercially zoned and designated land by the year 2020 (see the below table).

Analysis of the Trade Area, a 4-mile radius around the proposed project, for Application No. 10 shows that there are 1,129.5 acres in existing commercial uses and 341.7 acres of vacant commercially zoned or designated land. There are a variety of vacant parcels, zoned or designated for commercial uses, to the west and south of the proposed project.

Projected Absorption of Land for Commercial Uses  
Indicated Year of Depletion and Related Data  
Analysis Area Application 10

Analysis Area MSA	Vacant Commercial Land 2006 (Acres)	Commercial Acres in Use 2006	Annual Absorption Rate 2003-2025 (Acres)	Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
					2015	2025
6.1	89.4	511.5	14.21	2012	2.8	2.7
6.2	295.5	498.7	13.08	2025+	4.5	4.5
<b>Total</b>	<b>384.9</b>	<b>1,010.2</b>	<b>27.29</b>	<b>2020</b>	<b>3.6</b>	<b>3.5</b>

Source: Miami-Dade Department of Planning & Zoning, Planning Division, Research Section, July 2006.

### Environmental Considerations

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

#### Flood Protection

County Flood Criteria (NGVD)	+9.80 Ft
Stormwater Management	5-year storm
Drainage Basin	C-102
Federal Flood Zone	AH
Hurricane Evacuation Zone	NO

#### Biological Conditions

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

#### Other Considerations

Within Wellfield Protection Area	YES
Archaeological/Historical Resources	NO

#### Specimen Trees

The subject property may contain specimen-sized (trunk diameter  $\geq$  18 inches) trees. Section 24-49 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized (trunk diameter  $\geq$  18 inches) trees, as defined in the Code, on the sites. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any trees. A tree survey showing all the tree resources on-site will be required prior to reviewing the tree removal permit application.

## Wellfield Protection Area

The subject property is located within the West wellfield protection area, and as such subject to the lands use regulations contained in the Code. Section 24-43(5) of the Code prohibits the approval of any building permits, certificates of use and occupancy, municipal occupational licenses, platting actions or zoning actions for any nonresidential land use which generates, uses, handles, disposes of, discharges or stores hazardous materials on property located within the basic wellfield protection area of any public utility potable water supply well or within the Northwest Wellfield protection area, or the West Wellfield interim protection area.

## **Water and Sewer**

Water is provided to the site by an existing 16-inch water main located along SW 137 Avenue. The source of water is the Miami-Dade Water and Sewer Department's (MDWASD) Alexander Orr Water Treatment Plant, which has a remaining available rated treatment plant capacity of 14.5 million gallons per day. The estimated potential water demand from this application is 65,400 gallons per day. Therefore, the water treatment plant has sufficient capacity to serve the application.

The estimated water flow figures generated above are used solely for the purpose of evaluating the impact of the proposed potential development on the level of service (LOS) of that water treatment facility serving the site and are not used for water supply planning purposes. If this application is approved, the change in land use will not result in an increased demand for water supply above that projected by the County's Water and Sewer Department through the year 2025 utilizing population projections approved by the County and the South Florida Water Management District. MDWASD is currently assembling alternative water supply projects that will be used to meet the future water supply demand of Miami-Dade County. It is anticipated that these projects will be identified and adopted into the CDMP 10-Year Water Supply Plan by March 2008.

Sanitary sewer is provided by an existing 8-inch gravity main located along SW 137 Avenue. Additionally, all impacted pump stations are operating within their mandated criteria. Sewage treatment is provided at the South District Wastewater Treatment Plant, which has a remaining available design capacity of approximately 17.2 million gallons per day. The estimated potential sewage flow demand on this application is 65,400 gallons per day. Therefore, the wastewater treatment plant has sufficient capacity to serve this application.

## **Solid Waste**

This application lies within the Department of Solid Waste Management's (DSWM) waste service area for garbage and trash collections. The closest DSWM facility serving Application No. 10 is the Richmond Heights Trash and Recycling Center (14050

Boggs Drive), which is approximately 6 miles away. The impact on collection services is minimal.

### **Parks**

The nearest park site to Application No. 10 is Calusa Club Estates Park, a Neighborhood Park of 6.5 acres, which is located at SW 96 Street and SW 134 Court, less than 1 mile to the south of the application site. Application No. 10 is located within Park Benefit District 2 (PBD 2), which has a surplus capacity of 639.57 acres when measured by the County concurrency level of services standard. The impact of Application No. 10 will not change the potential population in PBD 2. Therefore, if approved, Application No. 10 will not change the available reserve capacity of the 639.57 acres.

### **Public Schools**

Application No. 10, if approved, will not increase the potential student population of any schools serving the application area due to fact that the Business and Office designation does not generate a school demand greater then the current designation of Office/Residential.

### **Roadways**

#### Existing Conditions

SW 137 Avenue, a six-lane divided roadway, provides access to the application site. This arterial provides connection to other major corridors such as SW 88 Street (Kendall Drive/SR 94) and SW 104 Street, which provide accessibility to other portions of the county.

The Traffic Impact Analysis Table, which follows, shows the current operating Level of Service (LOS) traffic conditions on SW 137 Avenue, SW 88 Street, and SW 104 Street in the vicinity of the application site. These roadways are currently operating at acceptable LOS C and E, above the adopted LOS D and E+20%, applicable to the subject roadway segments.

The LOS is represented by one of the letters "A" through "F", with "A" generally representing the most favorable driving conditions and "F" representing the least favorable.

The County's adopted 2007 Transportation Improvement Program (TIP) lists the widening (4 to 6 lanes) of SW 104 Street, between SW 147 Avenue and SW 137 Avenue, in fiscal year 2006-2007, and the widening (4 to 6 lanes) of SW 137 Avenue, from SW 72 Street (Sunset Drive) to SW 88 Street (Kendall Drive), by the developers of Kendall Town Center. The latter improvement will be constructed prior to issuance of the first certificate of occupancy. See table below.

Programmed Road Capacity Improvements  
Fiscal Years 2007-2011

Roadway	From	To	Type of Improvement	Fiscal Year
SW 104 Street	SW 147 Avenue	SW 137 Avenue	Widening: 4 to 6 Lanes	2006-2007
SW 137 Ave	Sunset Drive	Kendall Drive	Widening to 6 Lanes	Private Developer

Source: Miami-Dade Transportation Improvement Program 2009-2010, Metropolitan Planning Organization, June 2007.

Traffic Concurrency Evaluation

An evaluation of peak-period traffic concurrency conditions as of June 22, 2006, which considers reserved trips from approved developments not yet constructed and programmed roadway capacity improvements, if any, indicate that the concurrency levels of service of SW 88 Street, SW 104 Street, and SW 137 Avenue are projected to operate at acceptable LOS (E+6%, C, and E+7%, respectively), above the adopted LOS D and E+20% standards applicable to these roadway segments.

Application Impact

Two development scenarios were analyzed for traffic impact under the requested CDMP land use designation (Business and Office). Scenario 1 assumes the application site developed with retail use (83,635 sq. ft.). Scenario 2 assumes the application site developed with multifamily residential use (327 apartments).

The traffic concurrency analyses indicate that SW 88 Street, from SW 152 Avenue to SW 127 Avenue, will operate at LOS E+6%, and SW 104 Street, between SW 147 Avenue and SW 137 Avenue, will operate at LOS E+7%, without the application's impacts, but still above the adopted LOS E+20% standard applicable to these roadway segments. With the application's impacts, the roadway segment of SW 104 Street, from SW 147 Avenue to SW 137 Avenue, is projected to operate at LOS E+8%, remaining above the LOS E+20% standard.

CDMP Amendment Application No. 10 (Commercial)  
 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.
9810	SW 137 Ave	SW 88 St to SW 104 St	6 DV	D	4160	3112	C	33	C	192	3337	C (04)
9812	SW 137 Ave	SW 104 St to SW 120 St	6 DV	D	4440	2892	C	220	C	73	3185	C (04)
1080	SW 88 St/ Kendall Dr	SW 152 Ave to SW 127 Ave	6 DV	E+20%	5904	3822	C	1397	E+6%	34	5253	E+7% (04)
9720	SW 104 St	SW 127 Ave to SW 137 Ave	6 DV	E+20%	7860	4117	C	75	C	30	4262	C (04)
9722	SW 104 St	SW 137 Ave to SW 147 Ave	4 (6) <sup>1</sup>	E+20%	3930	3255	E	231	E+7% (B) <sup>1</sup>	33	3519	E+8% (04) (B) <sup>1</sup>

Source: Miami-Dade County Department of Planning and Zoning; Miami-Dade Public Works Department and Florida Department of Transportation, July 2006.

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

\*County adopted roadway level of service standard applicable to the roadway segment

<sup>1</sup> The LOS of this roadway segment will improve to LOS B when the roadway segment is widened from 4 to 6 lanes with median in Fiscal Years 2006-2007.

CDMP Amendment Application No. 10 (Residential)  
 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.
9810	SW 137 Ave	SW 88 St to SW 104 St	6 DV	D	4160	3112	C	68	C	68	3213	C (04)
9812	SW 137 Ave	SW 104 St to SW 120 St	6 DV	D	4440	2892	C	220	C	26	3138	C (04)
1080	SW 88 St/ Kendall Dr	SW 152 to SW 127 Ave	6 DV	E+20%	5904	3822	C	1397	E+6%	12	5231	E+6% (04)
9720	SW 104 St	SW 127 Ave to SW 137 Ave	6 DV	E+20%	7860	4117	C	75	C	11	4200	C (04)
9722	SW 104 St	SW 137 Ave to SW 147 Ave	4 (6) <sup>1</sup>	E+20%	3930	3255	E	231	E+7% (B) <sup>1</sup>	12	3498	E+8% (04) (B) <sup>1</sup>

Source: Miami-Dade County Department of Planning and Zoning; Miami-Dade Public Works Department and Florida Department of Transportation, July 2006.

Note: DV= Divided Roadway, UD= Undivided Roadway, LA Limited Access

\*County adopted roadway level of service standard applicable to the roadway segment

<sup>1</sup> The LOS of this roadway segment will improve to LOS B when the roadway segment is widened from 4 to 6 lanes with median in Fiscal Years 2006-2007.

The estimated trip difference between the current CDMP land use designation (Office/Residential) and the requested CDMP land use designation (Business and Office) is an additional 172 PM peak-hour trips, if the application site is developed with commercial use, and 39 less PM peak-hour trips, if application site is developed with residential use at a density of 60 dwelling units per gross acre. The table below identifies the estimated PM peak hour trips expected to be generated for the proposed development scenarios under the requested CDMP land use designation (Business and Office), and compares it to the development that could occur under the existing CDMP land use designation (Office/Residential).

Estimated Peak Hour Trip Generation By Current CDMP and Requested Use Designations			
Application Number	Assumed Use For Current CDMP Designation/ Estimated No. Of Trips	Assumed Use For Requested CDMP Designation/ Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
10 (Scenario 1)	Office/Residential - 104,544 sq. ft Office Space  156	Business & Office - 83,635 sq. ft. Commercial 328 <sup>1</sup>	+ 172
10 (Scenario 2)	Office/Residential – 104,544 sq. ft Office Space  156	Business & Office - w/ Residential Use – Medium-High Density  (25 to 60 DUs/Acre) / 327 Multifamily Apts. 117	- 39

Source: Institute of Transportation Engineers, Trip Generation, 7th Edition, 2003.

Note: <sup>1</sup> includes pass-by trips adjustment factor, ITE Trip Generation, 7th Edition, 2003.

## Transit

Three Metrobus routes, Routes 88, 137, and 288 (Kendall KAT), serve the application site. The table below shows the existing service frequency for these routes in summary form.

### Future Conditions

Miami-Dade Transit (MDT) has plans to straighten Route 88 and extend it westward to the future West Kendall Terminal, which will be located at SW 88 Street and SW 167 Avenue, and will eliminate the 142 Avenue branch. The peak headway of Route 137 (West Dade Connection) will be improved from 30 to 15 minutes, and the route's alignment will be extended to the Dolphin Mall. Also, Route 288 (Kendall KAT) will be extended westward to the future West Kendall Bus Terminal.

Metrobus Route Service						
Route	Headways (in minutes)				Stop Locations	Type of Service
	Peak	Off-Peak	Saturday	Sunday		
88	30	60	60	60	SW 88 St & SW 137 Ave	L/F-- Dadeland North Station
137	30	30	30	30	SW 137 Ave & SW 90 St SW 137 Ave & SW 89 St	L
288 (Kendall KAT) <sup>1</sup>	12	n/a	n/a	n/a	SW 88 St & SW 137 Ave	L/F -- Dadeland North Station

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

Notes: L means local service route

F means feeder service route to Metrorail

<sup>1</sup> Kendall Area Transit

In addition, MDT has programmed the establishment of three new routes in the Kendall area, 96 Street MAX, a limited stop, weekday service route between the future Kendall Town Center and the Dadeland North Metrorail Station. This route will operate during the morning and evening peak hours. The Kendall Circulator will be a new weekday only route operating from SW 133 Avenue to SW 152 Avenue on SW 96 Street and Hammocks Boulevard to the south and SW 80/82 Streets to the north. And West Kendall Crosstown, a new planned route that will operate seven days a week from the future West Dade Bus Terminal to Coral Reef Drive and SW 137 Avenue primarily along SW 147, 152, 157, and 162 Avenues.

### Other Planning Considerations

No covenants have been proffered for the subject property as of July 28, 2006.

## STAFF CONCLUSIONS

The Department of Planning and Zoning recommends **ADOPTION** of the proposed small-scale Land Use Plan (LUP) map amendment to redesignate from "Office/Residential" to "Business and Office" based on the following considerations:

1. The subject property is adjacent to an existing business node of over 97 acres located at the intersection of two major roadways, Kendall Drive and SW 137 Avenue. This node is the core of a designated Community Urban Center on the adopted LUP map. Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas, which will contain a concentration of different urban functions integrated both horizontally and vertically. The core of the centers

should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses, which serve, and draw from, the nearby community. The proposed redesignation to "Business and Office," which allows a wide variety of uses, can be consistent with the existing Community Urban Center designation.

The proposed redesignation is compatible with the abutting and nearby land uses. The application site is currently being utilized as commercial parking lot for a Costco Wholesale Warehouse located to the north at 9191 SW 137 Avenue. The adjacent uses include the Lord of Life Lutheran Church to the south and the Lingren Road Canal to the east. This canal separates the site from the Calusa residential neighborhood to the east.

2. Development of Business and Office space on this site will help accommodate the County's projected economic and population growth. The application site is specifically located within Minor Statistical Areas (MSA) 6.1 and 6.2. An analysis of the residential capacity, without differentiating by type of unit, shows absorption occurring in the year 2008. At the projected rate of absorption, the study area will deplete its supply of commercially zoned and designated land by the year 2020.
3. In general, adequate public services exist for the application site.
4. The CDMP encourages transit-oriented development that is located within a ¼ mile of a bus stop for a route, which has a headway of 20 minutes during peak periods. Metrobus Route 288 (the Kendall KAT), which stops near the application site at SW 137 Avenue and SW 88 Street, does operate at this frequency during peak periods. The proposed redesignation of "Business and Office" to the Land Use Plan map can be supportive of transit ridership.
5. The application site has limited impact on environmental or historic resources. The site is subject to tree preservation and wellfield protection regulations.

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

The following CDMP Goals, Objectives, Policies, Concepts and Guidelines will be enhanced if the proposed designation was approved

- Policy LU-4B: Uses protected from encroachment by residential uses.
- Policy LU-8E: CDMP Applications amendments evaluated for i) Satisfy deficiency projected population; ii) Enhance LOS Standards; iii)

Compatible with abutting and nearby land uses and protect the character of established neighborhoods; v) Promotes transit ridership

- LAND USE CONCEPT 13: Avoid scattering commercial employment

The following CDMP Goals, Objectives, Policies, Concepts and Guidelines will be impeded if the proposed designation was approved:

- Policy LU-1G: Business at nodes of major roadway intersections, not necessarily by location at the intersection.



# APPENDICES



Appendix A Map Series

Appendix B Amendment Application

Appendix C Miami-Dade County Public Schools Analysis

Appendix D Applicant's Traffic Study

Appendix E Fiscal Impact Analysis

Appendix F Proposed Declaration of Restrictions

Appendix G Photos of Site and Surroundings (from site visit)

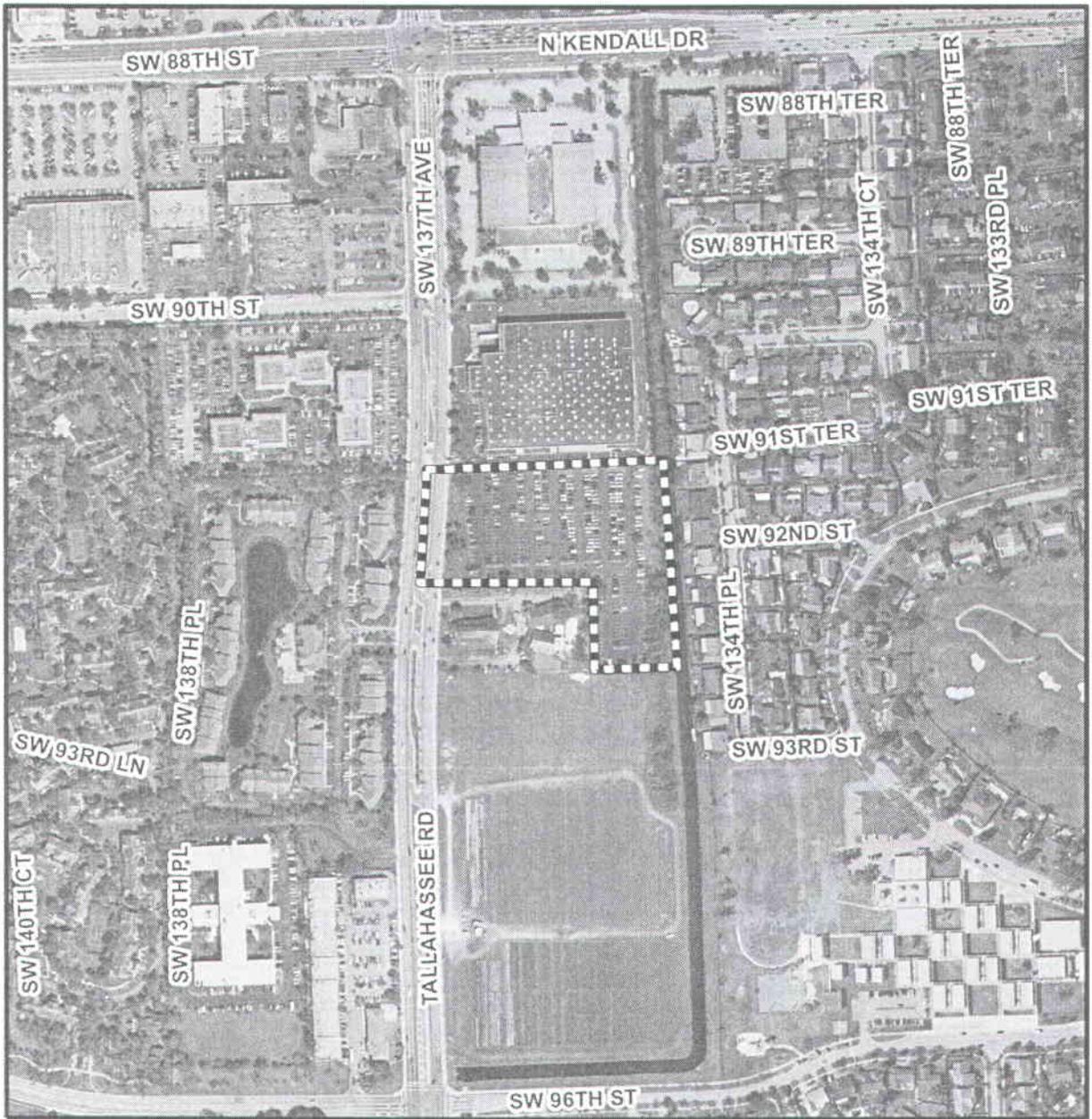


# APPENDIX A

## Map Series



AERIAL PHOTO: APPLICATION NO. 10



APPLICATION AREA

2006 AERIAL



SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, JULY 2006

**APPLICATION NO. 10  
CURRENT ZONING MAP**



APPLICATION AREA

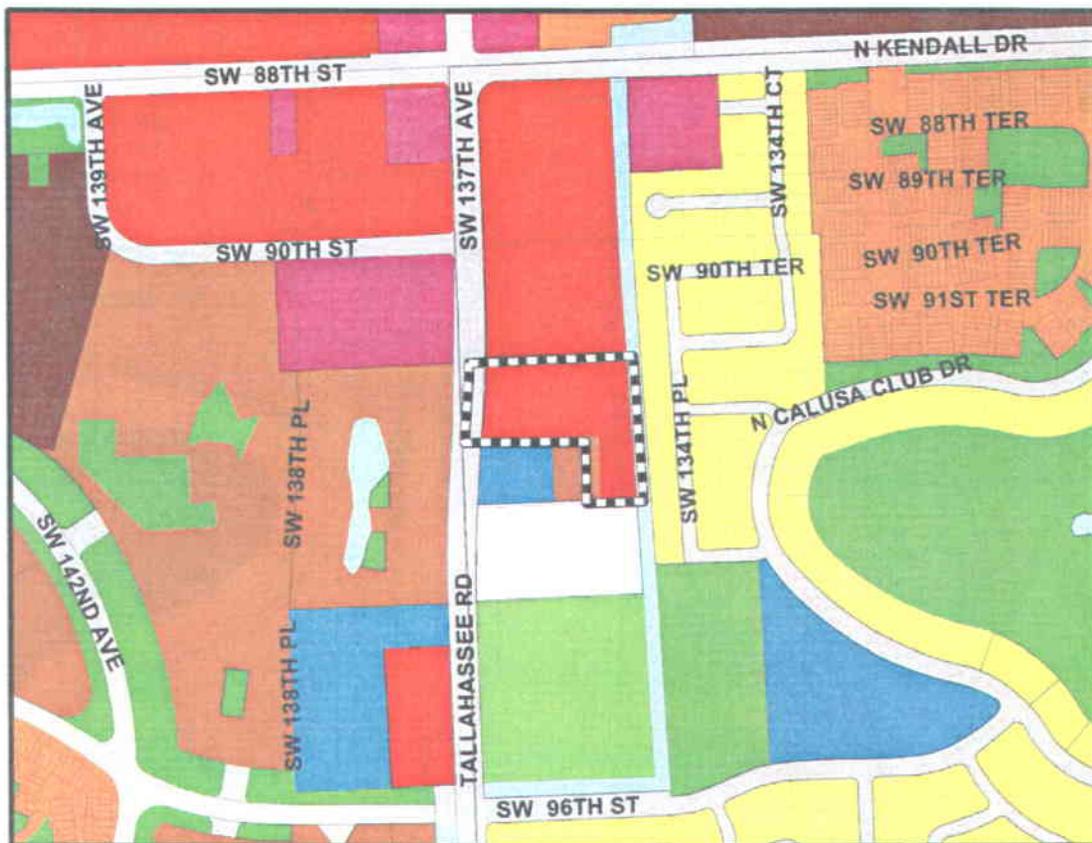
**MIAMI-DADE ZONING DISTRICTS**

- GU INTERIM - USES DEPEND ON CHARACTER OF NEIGHBORHOOD, OTHERWISE EU-2 STANDARDS APPLY
- EU-M ESTATES MOD.1 FAMILY 15,000 SQ.FT. NET
- RU-1 SINGLE FAMILY RESIDENTIAL 7,500 SQ. FT. NET
- RU-TH TOWNHOUSE - 8.5 UNITS / NET ACRE
- RU-3 FOUR UNIT APARTMENT 7,500 SQ. FT.NET
- RU-3M MINIMUM APARTMENT HOUSE 12.9 UNITS / NET ACRE
- RU-4L LIMITED APARTMENTS HOUSE 23 UNITS / NET ACRE
- RU-5A SEMI-PROFESSIONAL OFFICE 10,000 SQ. FT. NET
- OPD OFFICE PARK DISTRICT - 3 ACRES GROSS. OFFICE BUILDING & LABORATORIES FOR SCIENTIFIC & INDUSTRIAL RESEARCH
- BU-1A BUSINESS - LIMITED
- BU-2 BUSINESS - SPECIAL



SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, JULY 2006

**APPLICATION NO. 10  
EXISTING LAND USE**



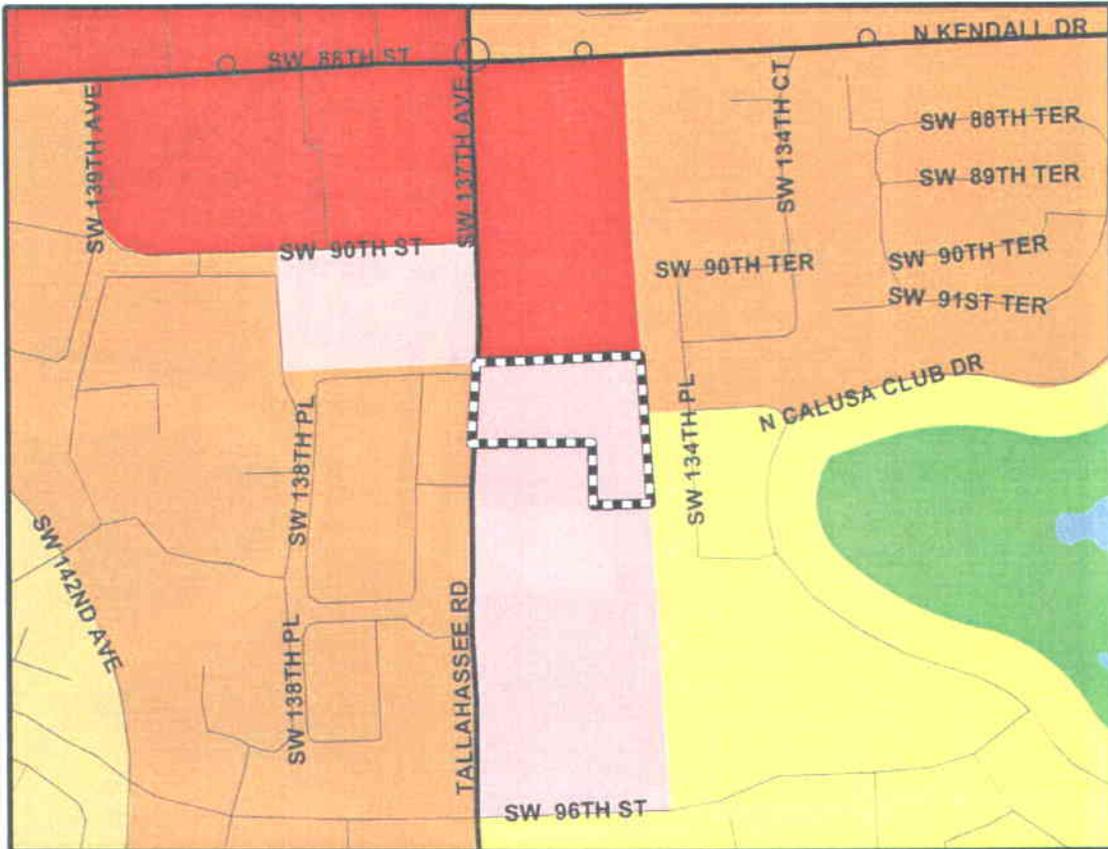
**LEGEND**

-  APPLICATION AREA
- EXISTING LAND USE**
-  SINGLE-FAMILY
-  TOWNHOUSES
-  LOW-DENSITY MULTI-FAMILY
-  HIGH-DENSITY MULTI-FAMILY
-  COMMERCIAL, SHOPPING CENTERS, STADIA
-  OFFICE
-  INSTITUTIONAL
-  STREETS, ROADS, EXPRESSWAYS, RAMPS
-  AGRICULTURE
-  PARKS, PRESERVES, CONSERVATION AREAS
-  VACANT UNPROTECTED
-  INLAND WATERS



SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, JULY 2006

## APPLICATION NO. 10 CDMP LAND USE PLAN



### LEGEND



APPLICATION AREA

### CDMP LAND USE

#### RESIDENTIAL COMMUNITIES

- LOW DENSITY RESIDENTIAL (LDR) 2.5 TO 6 DU/AC
- LOW-MEDIUM DENSITY RESIDENTIAL (LMDR) 6 TO 13 DU/AC
- MEDIUM DENSITY RESIDENTIAL (MDR) 13 TO 25 DU/AC

- BUSINESS AND OFFICE
- OFFICE/RESIDENTIAL
- PARKS AND RECREATION
- WATER

- COMMUNITY URBAN CENTER
- FUTURE RAPID TRANSIT
- MAJOR ROADWAYS (3 OR MORE LANES)

NOTE: This figure is a graphic representation drawn at a different scale than the Official Adopted 2016 and 2025 Land Use Plan (LUP) map, which was adopted at a scale of one inch to a mile. The LUP map with subsequent adopted amendments, governs where this figure differs.



SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, AUGUST 2006



# TRADE AREA MAP: APPLICATION NO.10



★	Application 10	■	Commercial Landuse
□	4.0-mile Radius	□	Vacant Commercial Landuse
■	Agricultural Land Designated for Commercial Landuse		

Miami-Dade County  
 Department of Planning & Zoning  
 Planning Research Section  
 July 2006



# **APPENDIX B**

## **Amendment Application**



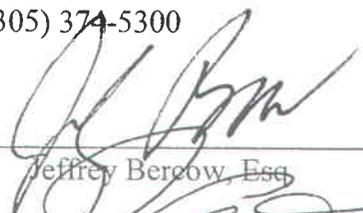
**SMALL SCALE AMENDMENT REQUEST  
TO THE  
LAND USE ELEMENT/LAND USE PLAN MAP  
APRIL 2006-2007 AMENDMENT CYCLE  
MIAMI-DADE COUNTY  
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

**1. APPLICANT**

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**2. APPLICANT'S REPRESENTATIVES**

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(305) 374-5300

By:   
Jeffrey Bercow, Esq.

Date: May 1, 2006

By:   
Graham Penn, Esq.

Date: May 1, 2006

**3. DESCRIPTION OF REQUESTED CHANGES**

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

A. A small scale 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 5.45 acres located in Section 2, Township 55 South, Range 39 East.

The application area consists of a portion of the parking lot of an existing Costco Wholesale Warehouse store. Despite being designated for Office/Residential use under the CDMP Land Use Plan Map, the application area has been developed with a parking field serving the Costco use for at least a decade. The application area is surrounded on the north by the Costco store, on the east by a canal, on the south by a church and undeveloped land, and on the west (across S.W. 137 Avenue) by multifamily residential and office development.

C. Acreage

Application area: 5.45 acres.

Acreage owned by Applicant: 0 acres.

D. Requested Changes

- 1) It is requested that the application area be redesignated on the Land Use Plan Map from "Office/Residential" to "Business and Office."
- 2) It is requested that this application be processed as a small-scale amendment under the expedited procedures.

**4. REASONS FOR AMENDMENT**

The application area is a portion of a site currently developed with a Costco Wholesale Warehouse. As noted above, the application area has been used as a legal nonconforming commercial parking lot serving the Costco use for more than a decade. The Applicant, which is the contract purchaser of the Costco Wholesale Warehouse parcel, is planning to redevelop the entire ten acre parent tract with a mix of new commercial uses.

The current LUP Map designation of the application area significantly limits the design of the proposed redevelopment plan because it would preclude the development of retail or restaurant uses on the application area. The current CDMP and zoning designation require the application area either to be developed as an office park or be retained as a large parking field. The approval of the instant application will make the application area's LUP Map designation conform to its actual use and provide the additional flexibility necessary for a superior design for any future overall redevelopment plan. Because of the assemblage's zoning approvals, any redevelopment plan will be reviewed and approved at public hearing.

The Goals and Objectives of the CDMP Land Use Element support the approval of the instant application. The redevelopment of the application area would be consistent with the policy set forth in the Land Use Element regarding redevelopment of vacant or substandard properties in currently urbanized areas. Specifically, Policy LU-1C within the Land Use Element states that the County shall give priority to infill development on vacant sites and redevelopment of substandard properties in currently urbanized areas. The approval of the application will permit the redevelopment of the application area and surrounding

property. The approval of the application would also be consistent with Policy LU-10A which states that “Miami-Dade County shall facilitate continuous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed use projects to support energy conservation.”

The approval of the application will have no measurable impact on the commercial land supply in Minor Statistical Area (MSA) 6.2 because Office/Residential and Business and Office land are both considered “commercial” land under the CDMP. The application area is therefore currently deemed to be commercial land and MSA 6.2 will retain its current estimated commercial depletion date of 2025+ upon the approval of the instant application. (Initial Recommendations, October 2005 Applications to Amend the CDMP, Page 2-22).

The proposed change will also not lead to the approval of new commercial development inconsistent with the CDMP’s Guidelines for Urban Form. As noted above, the application area and surrounding land assemblage are currently commercially designated. The application area is also currently recognized by the Department of Planning and Zoning as being a “Commercial Land Use.” (Initial Recommendations, April 2005 Amendment Cycle, Page E-79). Therefore, the approval of the instant application will not result in a new pattern of land use.

Even if the proposed amendment were to be considered a change to the use of the application area, it remains that the CDMP Land Use Element recognizes exceptions to Guidelines for Urban Form where necessary to conform a development to “the general pattern of use, intensity and infrastructure which exists in an established neighborhood.” (CDMP I-20.2). The established pattern of development in Section 2, Township 55 South, Range 39 East does not follow the County’s Guidelines for Urban Form. Instead of four commercial nodes concentrated on the major intersections of section line roads, the pattern of development of the section limits commercial development to two locations along Kendall Drive (S.W. 137 Avenue and S.W. 127 Avenue). This pattern of development justifies expanding the existing Business and Office node south along S.W. 137 Avenue to incorporate the application area.

**5. ADDITIONAL MATERIAL SUBMITTED**

- 1) Survey
- 2) Section Map with Application Area Indicated
- 3) 8 1/2 X 11 sheet showing Application Area Location
- 4) Aerial Photograph
- 5) Legal Description

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.**

- 2) Section Map with Application Area Indicated
- 3) 8 1/2 X 11 sheet showing Application Area Location
- 4) Aerial Photograph
- 5) Legal Description

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.

## LEGAL DESCRIPTION:

A PORTION OF THE SW 1/4 OF NW 1/4 OF NW 1/4 OF SECTION 2, TOWNSHIP 55 SOUTH, RANGE 39 EAST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NW CORNER OF THE NW 1/4 OF SAID SECTION 2; THENCE S1°49'34"E ALONG THE WEST LINE OF SAID NW 1/4 OF SECTION 2 FOR 660.46 FEET TO THE NW CORNER OF SAID SW 1/4 OF NW 1/4 OF NW 1/4 OF SAID SECTION 2; THENCE N87°43'45"E ALONG THE NORTH LINE OF SW 1/4 OF NW 1/4 OF NW 1/4 OF SAID SECTION 2 FOR 110.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SW 137 AVE., AS RECORDED IN OFFICIAL RECORDS BOOK 5591, AT PAGE 90, OF THE PUBLIC RECORD OF MIAMI-DADE COUNTY FLORIDA; THENCE S1°49'34"E ALONG THE EAST RIGHT OF WAY LINE OF SW 137 AVE. FOR 9.41 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG SAID EAST RIGHT OF WAY LINE AND A CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 5784.65 FEET AND A CENTRAL ANGLE OF 3°36'24" FOR AN ARC DISTANCE OF 364.14 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE S89°23'42"E FOR 525.04 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF THE LINDGREN ROAD CANAL AS RECORDED IN OFFICIAL RECORDS BOOK 5591, AT PAGE 20 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA; THENCE S4°14'56"E ALONG SAID WEST RIGHT OF WAY LINE FOR 345.69 FEET TO A POINT; THENCE S87°44'36"W ALONG A LINE 576.01 FEET NORTH AND PARALLEL WITH THE SOUTH LINE OF THE NW 1/4 OF SW 1/4 OF NW 1/4 OF SAID SECTION 2 FOR 573.35 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SW 137 AVE AS RECORDED IN OFFICIAL RECORDS BOOK 5591, AT PAGE 90, OF THE PUBLIC RECORD OF MIAMI-DADE COUNTY FLORIDA. SAID POINT LYG AND BEING ON THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST, SAID POINT BEARS N85°59'30"W FROM THE RADIUS POINT OF THE NEXT DESCRIBED CURVE; THENCE NORTHEASTWARDLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 5674.65 FEET, CENTRAL ANGLE OF 0°14'36" FOR AN ARC DISTANCE OF 24.10 FEET TO A POINT OF TANGENCY; THENCE N4°15'06"E FOR 100.00 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 5784.65 FEET THENCE NORTHEASTWARDLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE 2°28'16" FOR AN ARC DISTANCE OF 249.48 FEET TO THE POINT OF BEGINNING.

## NORTH STAR GROUP, INC.

LB No 7034

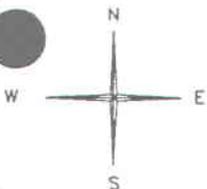
PROFESSIONAL LAND SURVEYORS

1321 SE 16 AVE.  
MIAMI FLORIDA 33035PH:(305) 219 1203  
FAX (305)246 0836

PREPARED FOR : MASTER DEVELOPMENT, INC.

MIAMI-DADE COUNTY, FLORIDA

ZONE: OPD

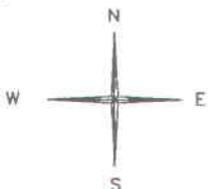
BY: \_\_\_\_\_ FOR THE FIRM  
JOSE A. ROCHE P.S.M. No 5935  
STATE OF FLORIDA  
DATE: 4/26/06 PAGE 1 OF 1

LEGAL DESCRIPTION:

A PORTION OF THE NW ¼ OF SW ¼ OF NW ¼ OF SECTION 2, TOWNSHIP 55 SOUTH, RANGE 39 EAST, DADE COUNTY, FLORIDA BEING PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF THE NORTH 222.34 FEET OF THE SOUTH 576.01 FEET OF NW ¼ OF SW ¼ OF NW ¼ OF SAID SECTION 2 WITH THE WEST RIGHT-OF-WAY LINE OF THE LINDGREN ROAD CANAL AS RECORDED IN OFFICIAL RECORD BOOK 5561, AT PAGE 20 OF THE PUBLIC RECORDS OF DADE COUNTY FLORIDA:

THENCE FROM THE ABOVE ESTABLISHED POINT OF BEGINNING, S04°14'56" EAST ALONG SAID WEST RIGHT-OF-WAY LINE OF THE LINDGREN ROAD CANAL FOR 222.47 FEET TO THE SOUTH LINE OF THE NORTH 222.34 FEET OF THE SOUTH 576.01 FEET OF THE NW ¼ OF SW ¼ OF NW ¼ OF SAID SECTION 2 ; THENCE S87°44'38"W ALONG SAID SOUTH LINE OF THE NORTH 222.34 FEET OF THE SOUTH 576.01 FEET OF THE NW ¼ OF SW ¼ OF NW ¼ OF SAID SECTION 2 FOR 191.57 FEET; THENCE N02°15'22"W FOR 222.34 FEET TO NORTH LINE OF THE NORTH 222.34 FEET OF THE SOUTH 576.01 FEET OF THE NW ¼ OF SW ¼ OF NW ¼ OF SAID SECTION 2; THENCE N87°44'38"E ALONG SAID NORTH LINE OF THE NORTH 222.34 FEET OF THE SOUTH 576.01 FEET OF THE NW ¼ OF SW ¼ OF NW ¼ OF SAID SECTION 2 FOR 184.14 FEET TO THE POINT OF BEGINNING



**NORTH STAR GROUP, INC.**

LB No 7034

PROFESSIONAL LAND SURVEYORS

1321 SE 16 AVE.  
MIAMI FLORIDA 33035

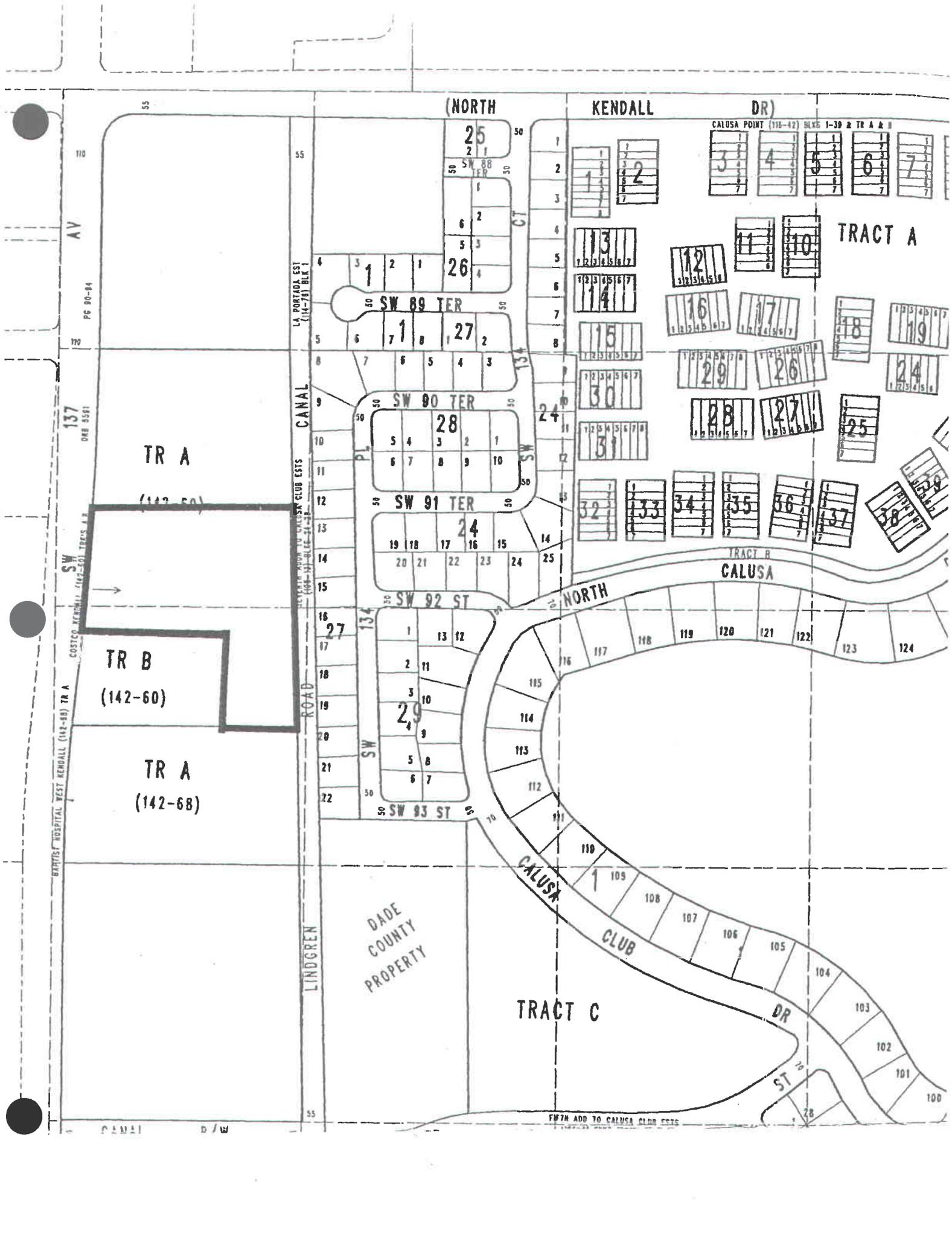
PH:(305) 219 1203  
FAX (305)246 0836

PREPARED FOR : MASTER DEVELOPMENT, INC.

MIAMI-DADE COUNTY , FLORIDA

ZONE: RU-3

BY: \_\_\_\_\_ FOR THE FIRM  
JOSE A. ROCHE P.S.M. No 5935  
STATE OF FLORIDA  
DATE: 4/26/06 PAGE 1 OF 1



(NORTH

KENDALL

DR)

CALUSA POINT (115-42) BLKS 1-30 & TR A & B

TRACT A

TRACT B  
CALUSA

TRACT C

DADE  
COUNTY  
PROPERTY

CALUSA  
CLUB

TR A  
(142-50)

TR B  
(142-60)

TR A  
(142-68)

AV

CANAL

LINDGREN ROAD

NORTH

DR

ST

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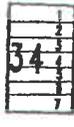
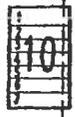
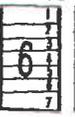
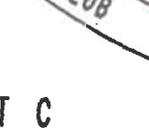
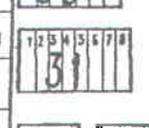
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FW7H ADD TO CALUSA CLUB ESTS

CANAL

D / W

LINDGREN

BARTIS HOSPITAL WEST KENDALL (142-18) TR A  
COSTCO KENDALL (142-51) TRS A, B  
LA PORTADA EST (116-78) BLK 1  
REVERTION ADD TO CALUSA CLUB ESTS (108-13) BLKS 24-28  
SW 88 TER  
SW 89 TER  
SW 90 TER  
SW 91 TER  
SW 92 ST  
SW 93 ST

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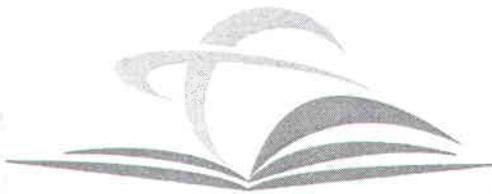
142-68



# **APPENDIX C**

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





# Miami-Dade County Public Schools

giving our students the world

**Superintendent of Schools**  
Rudolph F. Crew, Ed.D.

**Chief Facilities Officer**  
Rose Diamond

**Planning Officer**  
Ana Rijo-Conde, AICP

July 10, 2006

**Miami-Dade County School Board**  
Agustin J. Barrera, Chair  
Perla Tabares Hantman, Vice Chair  
Frank J. Bolaños  
Evelyn Langlieb Greer  
Dr. Robert B. Ingram  
Dr. Martin Karp  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

Ms. Diane O'Quinn-Williams, Director  
Miami-Dade County  
Department of Planning and Zoning  
Zoning Evaluation Section  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128

RECEIVED  
JUL 12 2006  
MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE  
DEPT. OF PLANNING & ZONING

**Re: Land Use Amendments  
April 2006 Cycle  
(Applications No. 1-16)**

RECEIVED  
JUL 19 2006  
MIAMI-DADE COUNTY  
DEPT. OF PLANNING & ZONING  
METROPOLITAN PLANNING SECTION

Dear Ms. O'Quinn-Williams:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced applications. Please note that land use amendments 6, 10 and 16 will not generate additional student impact to the District; and the schools impacted by land use amendments 2 and 3 do not meet the review threshold. However, land use amendments proposed in applications 1, 4, 5, 7, 8, 9, 11, 12, 13, 14 and 15 will generate an additional student impact to the District (see attached analyses).

Please note that some of the impacted school facilities for Amendments 1, 4, 5, 7, 8, 9, 11, 12, 13, 14 and 15 meet the referenced review threshold. As such, it is our recommendation that dialogue between the District and the applicants take place as it relates specifically to public schools in the affected area that meet the review threshold. The District will keep the County apprised if such dialogue takes place with respective applicants.

Ms. Diane O'Quinn-Williams  
July 10, 2006  
Page Two

Also, attached is a list of approved Charter School Facilities which may provide relief on a countywide basis.

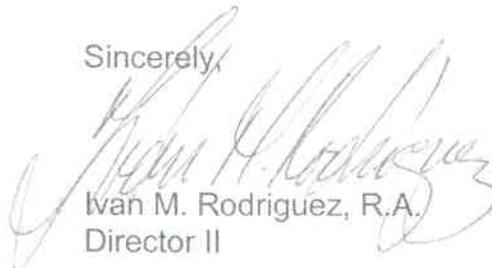
Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance, the proposed developments, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

New residential unit square footage X .90 (Square Footage Fee) +  
\$600.00 (Base Fee) + 2% administrative fee = Educational Facilities  
Impact fee

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending land use amendment applications. Rather it is an attempt to provide relevant information to the Planning Advisory Board, Community Councils and Miami-Dade County Board of County Commissioners on public schools that will likely serve the proposed developments and meet the referenced threshold.

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

Sincerely,



Ivan M. Rodriguez, R.A.  
Director II

IMR:ir  
L001  
Attachments

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albuerne  
Mr. Michael A. Levine  
Ms. Vivian Villaamil  
Ms. Patricia Good  
Ms. Helen Brown

## SCHOOL IMPACT REVIEW ANALYSIS

July 5, 2006

**APPLICATION:** No. 10, WMD London Square, LLC

**REQUEST:** Change Land Use from Office/Residential to Business and Office

**ACRES:** ± 5.45 acres

**LOCATION:** Approximately SE corner of SW 137 Avenue and theoretical SW 91 Terrace; Parking lot for Costco store located at 9191 SW 137 Avenue

**MSA/  
MULTIPLIER:** 6.2 / .28 Multifamily

NUMBER OF UNITS:	Proposed Land Use	Existing Land Use
0 additional units	327 Multifamily	327 Multifamily

**ESTIMATED STUDENT POPULATION:** No additional impact

**ELEMENTARY:** -

**MIDDLE:** -

**SENIOR HIGH:** -

### SCHOOLS SERVING AREA OF APPLICATION

**ELEMENTARY:** Calusa Elementary – 9580 Calusa Club Dr. W.

**MIDDLE:** Arvida Middle – 10900 SW 127 Avenue

**SENIOR:** Miami Sunset Senior High – 13125 SW 72 Street

All schools are located in Regional Center V and VI.

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

The following population and facility capacity data are as reported by the Office of Information Technology, as of October 2005:

	STUDENT POPULATION		FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELCOATABLE	CUMULATIVE STUDENTS**
Calusa Elementary	789	*	792	100%	0	100%	789
Arvida Middle	1,797	*	1,118	161%	79	150%	1,859
Miami Sunset Senior High	3,311	*	2,522	131%	190	122%	3,521

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

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

Notes:

- 1) Figures above reflect the impact of the class size amendment.
- 2) Pursuant to the Interlocal Agreement, Arvida Middle and Miami Sunset Senior High schools meet the review threshold.

#### PLANNED RELIEF SCHOOLS IN THE AREA

(Information included in proposed 5-Year Capital Plan, 2005-2009, dated April 2005)

##### Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
K-8 Conversion Devon Aire Elementary (Arvida Middle School relief) (783 student stations)	Design	2007 School Opening
State School CC-2 (Arvida/Glades Middle schools relief) (1,241 student stations)	Planning	2009 School Opening
State School HHH-1 (Varela / Sunset / Southridge Senior High schools relief) (2,858 student stations)	Planning	2010 School Opening

##### Proposed Relief Schools

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

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	792
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	1,901
Estimated Permanent Senior High Seats (Current and Proposed in 5-Year Plan)	5,380

Note: Some of the proposed schools will add relief to more than one school and new seats will be assigned based on projected need.

# **APPENDIX D**

## **Applicant's Traffic Study**

**Not required for a small-scale amendment**



# **APPENDIX E**

## **Fiscal Impact Analysis**



## **FISCAL IMPACTS ON INFRASTRUCTURE AND SERVICES**

On October 23, 2001, the Board of County Commissioners adopted Ordinance 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. 10 to amend the Comprehensive Development Master Plan (CDMP) from county departments and agencies responsible for supplying and maintaining infrastructure and services relevant to the CDMP. The evaluation estimates the incremental and cumulative impact the costs of the required infrastructure and service, and the extent to which the costs will be borne by the property owners or will require general taxpayer support and includes an estimate of that support.

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

### **Solid Waste Services**

#### **Concurrency**

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

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

The incremental cost of adding a residential unit to the DSWM Service Area, which includes the disposal cost of waste, is offset by the annual fee charges to the user. Currently, that fee is \$399 per residential unit. For a residential dumpster, the current fee is \$308. The average residential unit currently generates approximately 3.0 tons of waste annually, which includes garbage, trash and recycled waste.

As reported in March 2005 to the State of Florida, Department of Environmental Protection, for the fiscal year ending September 30, 2004, the full cost per unit of providing waste Collection Service was \$370 including disposal and other Collections services such as, illegal dumping clean-up and code enforcement.

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

The incremental and cumulative cost of providing disposal capacity for DSWM Collections, private haulers and municipalities are paid for by the users. The DSWM charges a disposal tipping fee at a contract rate of \$53.65 per ton to DSWM Collections and to those private haulers and municipalities with long term disposal agreements with the Department. For non-contract haulers, the rate is \$70.75. These rates adjust annually with the Consumer Price Index, South. In addition, the DSWM charges a Disposal Facility Fee to private haulers equal to 15 percent of their annual gross receipts, which is targeted to ensure capacity in operations. Landfill closure is funded by a portion of the Utility Service Fee charged to all retail and wholesale customers of the County's Water and Sewer Department.

### **Water and Sewer**

The Miami-Dade County Water and Sewer Department provides for the majority of water and sewer service throughout the county. The cost estimates provided herein are preliminary and final project costs will vary from these estimates. The final costs for the project and resulting feasibility will depend on actual labor and material costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. For Application No. 10 the fees paid by the developer would be \$90,906 for water impact fee, \$46,836 for sewer impact fee, \$1,300 per unit for connection fee, and \$6,717 for annual operating and maintenance costs based on approved figures through September 30,2005.

### **Flood Protection**

The Department of Environmental Resources Management (DERM) is restricted to the enforcement of current stormwater management and disposal regulations. These regulations require that all new development provide full on-site retention of the stormwater runoff generated by the development. The drainage systems serving new developments are not allowed to impact existing or proposed public stormwater disposal systems, or to impact adjacent properties. The County is not responsible of providing flood protection to private properties, although it is the County's responsibility to ensure and verify that said protection has been incorporated in the plans for each proposed development.

The above noted determinations are predicated upon the provisions of Chapter 46, Section 4611.1 of the South Florida Building Code; Section 24-58.3(G) of the Code of Miami-Dade County, Florida; Chapter 40E-40 Florida Administrative Code, Basis of Review South Florida Water Management District (SFWMD); and Section D4 Part 2 of the Public Works Manual of Miami-Dade County. All these legal provisions emphasize the requirement for full on-site retention of stormwater as a post development condition for all proposed commercial, industrial, and residential subdivisions.

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

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

### **Public Schools**

Application No. 10 will result in no additional impact on schools.

# APPENDIX F

## Proposed Declaration of Restrictions

No covenants have been proffered for the subject property as of July 28, 2006.



# **APPENDIX G**

## **Photos of Application Site and Surroundings**





View looking east towards the site on SW 137 Avenue.



View looking south toward rear parking lot.

