Application No. 2

Commission District 2 Community Council (8)

APPLICATION SUMMARY

Applicant/Representative:	Abdel R. Ahmad c/o Nizar Investment, Corp. / Mery Lopez, Esq.
Location:	Southeast and southwest corners of NW 103 Street and NW 32 Avenue
Total Acreage:	1.51 Gross Acres, ± 0.67 Net Acres
Current Land Use Plan Map Designation:	Parcel A (0.36 net acres) - Low-Medium Density Residential (6 to 13 DU/Ac) Parcel B (0.31 net acres) - Low-Medium Density Residential (6 to 13 DU/Ac)
Requested Land Use Plan Map Designation:	Parcel A (0.36 net acres) - Business and Office Parcel B (0.31 net acres) - Business and Office
Amendment Type:	Small-scale
Existing Zoning/Site Condition:	Parcel A- RU-1 (Single-Family Residential); Parcel B- RU-1 (Single-family Residential)/Parcel A - Vacant; Parcel B- Vacant

RECOMMENDATIONS

Staff:	**DENY** (August 25, 2006)
North Central Community Council:	**DENY** (September 26, 2006)
Planning Advisory Board (PAB) acting as Local Planning Agency:	**DENY** (October 16, 2006)
Final Action of Board of County Commissioners:	**DENIED** (November 20, 2006)

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

- An adopted October 2004 CDMP Amendment enables the applicant to provide vertical mixed-use development on this site given that the site meets the requirements for this form of development by being located along a 'Major Roadway,' and by having an appropriate land use designation. Therefore, the change to Business and Office is unnecessary to achieve the mixed-use development indicated by the applicant.

- The requested Land Use Map plan category is inconsistent with the existing single-family residential neighborhoods south, east and west of the subject site.

- The subject lots are bifurcated by NW 32 Avenue, bounded by NW 103 Street and NW 102 Street, and have very shallow lot depths. Minimum site design requirements, including setbacks, ingress/egress to the site, commercial parking requirements, utility easements and other design and development standards would significantly reduce the size, and quality, of any non-residential use of the lots.

STAFF ANALYSIS

Location and Land Use

The subject site consists of two undeveloped parcels located on the southwest (Parcel A) and southeast (Parcel B) corners of NW 103 Street and NW 32 Avenue in the West Little River neighborhood. The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designation is Low-Medium Density Residential (6 to 13 dwelling units per gross acre (DU/AC)) and the zoning is RU-1 (Single-Family Residential). Parcels A and B are overgrown and partially fenced off; there are several large trees on Parcel A (see Appendix G, Photos).

Adjacent Land Use and Zoning

The area surrounding the application site is predominately single-family residential along NW 103 Street, NW 102 Street and NW 32 Avenue. The one-story, single-family homes are in good condition. The single lot depths between NW 103 Street and NW 102 Street, approximately 113-feet, have created a condition in which the single-family homes face NW 102 Street while the rear of the properties face NW 103 Street. The CDMP LUP map designations in this area include a strip of Low-Medium Density Residential (5 to 13 DU/AC) along both the north and south sides of NW 103 Street, with the remaining properties being designated Low Density Residential. The site located across NW 103 Street to the northwest is designated Business and Office.

Northwest 103 Street is a six-lane, divided highway and is a major east-west thoroughfare between Miami Shores and Hialeah. Zoning along the northern side of NW 103 Street is RU-2 (Two-Family Residential) that allows duplexes and is currently developed with a combination of single-family homes and duplexes. However, the northwest corner of NW 103 Street and NW 32 Avenue is zoned BU-1A (Business-Limited), in which a gas station/mini mart is currently under construction. The entire area south of NW 103 Street and the lots facing the north side of NW 103 Street are zoned RU-1.

Land Use and Zoning History

In the early 1960s, an application was filed on the same site for a change of zoning from RU-1 to BU-1 (Business-Neighborhood) to build a gas station, but was withdrawn. In 1990, the same applicant filed again to change the zoning from RU-1 to BU-1 to build a gas station/convenience store. The Zoning Appeals Board (ZAB) denied the rezoning request in December 1990, without prejudice, on the grounds that the change would be incompatible with the surrounding neighborhood and would be in conflict with the principles and intent of the CDMP.

In the April 1999 Amendment Cycle, the Century Capital Group filed an application to redesignate a 0.53-acre site on the northwest corner of NW 103 Street and NW 32 Avenue from Low Density Residential to Business and Office on the LUP map.

Although staff recommended denial of the application for compatibility reasons, the amendment was approved in March 2000. In 2001 an application was filed to rezone the property from RU-2 (Two-Family Residential) to BU-1A; the Community Zoning Appeals Board (CZAB) and the Board of County Commissioners (BCC) denied the application. The owner reapplied for a zoning change in 2005, and was again denied by the CZAB due to compatibility concerns. The owner appealed to the BCC stating that: the application was consistent with the LUP map; the Planning and Zoning Department supported the application; and the site was located at the intersection of a section line (NW 103 St) and half-section line road (NW 32 Av). The BCC granted the applicant's zoning request in May 2005.

Supply and Demand

Residential Land Analysis

Vacant residential land in the Analysis Area (Minor Statistical Area 2.4 and 4.2) in 2006 is estimated to have a capacity of approximately 5,200 dwelling units, of which 58-percent are single-family type units. The annual average demand is projected to increase from 166 units per year in the 2006-2010 period to 941 units per year in the 2020-2025 period. An analysis of the residential capacity, without differentiating by type of units, shows absorption occurring in the year 2021. Approximately 53-percent of the projected demand will be for single-family type units, which are projected to be absorbed in 2021. The supply of multi-family land is projected to accommodate demand by 2019. If approved, this development will have a negligible impact on the residential capacity of the Analysis Area (see Table 2A).

Table 2A
Residential Land Supply/Demand Analysis
2006 to 2025

ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2006	3,000	2,180	5,180
DEMAND 2006-2010	59	107	166
CAPACITY IN 2010	2,764	1,752	4,516
DEMAND 2010-2015	94	126	220
CAPACITY IN 2015	2,294	1,122	3,416
DEMAND 2015-2020	234	252	486
CAPACITY IN 2020	1,124	0	986
DEMAND 2020-2025	570	371	941
CAPACITY IN 2025	0	0	0
DEPLETION YEAR	**2021**	**2019**	**2021**

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 contained 1,015.0-acres of in-use commercial land contained in 2006, with approximately 123.2-acres of vacant land zoned for commercial use. The average annual absorption rate projected for the 2003-2025 period is 3.51 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 2025 (see Table 2B).

Table 2B
Projected Absorption of Land for Commercial Uses
Indicated Year of Depletion and Related Data
Application 2 Analysis Area

Analysis Area MSA	Vacant Commercial Land 2006 (Acres)	Commercial Acres in Use 2006	Annual Absorption Rate 2006-2025 (Acres)	Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
					2015	2025
2.4	48.4	552.0	1.08	2025+	7.0	6.7
4.2	89.2	463.0	2.43	2025+	6.7	5.6
Total	**123.2**	**1,015.0**	**3.51**	**2025+**	**7.1**	**6.3**

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

Trade Area

An analysis of the Trade Area, 1.5 miles around the application site, shows there are 248.44 acres in existing commercial uses. However, there are a number of vacant commercially zoned parcels northeast and southwest of the application site.

Environmental Conditions

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

Flood Protection	
County Flood Criteria (NGVD)	5.90 Ft
Stormwater Management	5-year storm
Drainage Basin	C-7 Canal
Federal Flood Zone	X
Hurricane Evacuation Zone	None
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	NO
Archaeological/Historical Resources	Information Pending

Specimen Trees

The subject property may contain specimen-sized trees (trunk diameter ≥ 18 inches). Section 24-49 of the Miami-Dade County Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all specimen-sized trees on site, as defined in the Code. A 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. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Water and Sewer

Water is provided to the site by three abutting water mains; a 12-inch main along NW 32 Avenue, a 16-inch main along NW 103 Street and a 4-inch main along NW 102 Street. The source of water is the Miami-Dade Water and Sewer Department's (MDWASD) Hialeah/Preston Water Treatment Plant, which has a remaining available rated treatment plant capacity of 21.1 million gallons per day. The estimated potential water demand from this application is 7,400 gallons per day; therefore, the water treatment plant has sufficient capacity to serve this 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.

The closest public sanitary sewer is an 18-inch force main located at the intersection of NW 32 Avenue and NW 112 Street, approximately 3,300 feet north of the subject site. Treatment is provided at the North District Treatment Plant, which has a remaining available design capacity of approximately 20.82 million gallons per day. The estimated potential sewage flow demand of this application is 7,400 gallons per day. Therefore, the wastewater treatment plant has sufficient capacity to serve this application. Additionally, all impacted pump stations are operating within their mandated criteria.

Solid Waste

The closest Department of Solid Waste Management (DSWM) facility is West Little River Trash and Recycling Center located at 1830 NW 79 Street, approximately 3 miles from the subject site. The impact on the disposal and transfer facilities would be incremental, and the users pay for the cumulative cost of providing disposal capacity for DSWM

Collections, private haulers and municipalities. The DSWM is capable of providing such disposal service and has no objections to the proposed change.

Parks

The subject site is located within Park Benefit District (PBD) 1, which has a surplus capacity of 371.84 acres. The nearest park is Little River Park, a 9-acre Community Park located at 10525 NW 24 Avenue, less than 1 mile from the subject site. Development of the site would increase the potential population in PBD 1 by 35, and decrease the available reserve capacity by .096 acres to 371.74 acres.

The cumulative impact of all applications within PBD 1 will increase the potential population by 1,813 and decrease the available reserve capacity by 4.985 acres to 366.85 acres.

Public Schools

Students generated by this application will attend those schools identified in the following table. This table also identifies the school's enrollment as of October 2005, the school's Florida Inventory of School Houses (FISH) Design Capacity, which includes permanent and relocatable student stations, and the school's FISH utilization percentage. Pursuant to the state-mandated Interlocal Agreement for Public School Facility Planning, between Miami-Dade County and the Miami-Dade County School Board, the school board and development community are required to collaborate where proposed development would result in an increase in the schools' FISH % utilization in excess of 115%.

School	2005 Enrollment		FISH Capacity**	% FISH Utilization	
	Current	With Application		Current	With Application
Miami Park Elementary	606	609	758	69%	69%
Madison Middle	864	865	789	84%	84%
Miami Central Senior High	2,665	2,667	2,423	98%	98%

This application will increase the potential student population by 6 students: 3 would attend Miami Park Elementary, 1 would attend Madison Middle and 2 would attend Miami Central Senior High. None of these schools, currently or with the application, will exceed the 115% FISH design capacity threshold set by the Interlocal Agreement.

No relief schools that would serve this application site are currently in the planning, design or construction phases, and no additional relief schools are currently proposed in the 5-Year Capital Plan, 2005-2009 dated April 2005.

Roadways

Existing Conditions

Primary access to the subject site is from NW 32 Avenue, a four-lane divided arterial and NW 103 Street (SR 932) a six-lane divided arterial, which provides connections to other major corridors such as NW 42 Avenue, NW 27 Avenue and I-95. Access to I-95 is provided by an interchange at NW 103 Street.

Current traffic conditions on NW 32 Avenue—between NW 62 and NW 103 Streets, and from NW 103 to NW 119 Streets—are acceptable at Level of Service (LOS) C and D respectively, which are above the adopted LOS E+50% standard applicable to these roadway segments. Traffic conditions on NW 103 Street—between I-95 and NW 27 Avenue and from NW 27 to NW 42 Avenues—are at LOS D, which is above the adopted LOS E standard applicable for these roadway segments (see Traffic Impact Analysis Table below).

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.

Traffic Concurrency Evaluation

An Evaluation of peak-period traffic concurrency conditions as of June 22, 2006 of NW 32 Avenue and NW 103 Street—which considers reserved trips from approved developments not yet constructed and any programmed roadway capacity improvements, does not predict any change in the LOS of the subject roadways. There are no roadway capacity improvements programmed in the County's 2007 Transportation Improvement Program (TIP) in fiscal years 2006-2011.

Application Impact

The "Estimated Peak Hour Trip Generation" Table below identifies the estimated number of PM peak hour trips expected to be generated by the potential development that could occur under the requested CDMP land use designation, and compares them to the number of trips that would be generated by the potential development that could occur under the current CDMP land use designation.

Two developments scenarios were analyzed for traffic impact under the requested CDMP land use designation (Business and Office). Scenario 1 shows that if the subject site were developed as Business & Office, with approximately 11,000 sq. ft. of commercial space, it would generate approximately 33 more trips during the PM peak

hour than under the current CDMP land use designation of Low-Medium Density Residential (6 to 13 DUs/Acre). In contrast, Scenario 2 shows if the site were developed with residential use (37 apartments) it would generate 13 more PM peak hour trips than the current CDMP designation. It should be pointed out that the subject property is zoned RU-1, which permits single-family residential development on 7,500 sq. ft. The subject property is currently undeveloped; thus, the estimated trip difference between the requested CDMP Land Use designation and the current use are approximately 48 (Scenario 1) and 28 (Scenario 2) more PM peak hour trips.

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
2 (Scenario 1)	Low-Medium Density Resid. - (6 to 13 DUs/Acre) 19 Single Family Residential[1] / 15	Business & Office Parcel A - 6,273 sq. ft. Parcel B – 5,401 sq. ft. Commercial use 26+22=48	+33
2 (Scenario 2)	Low-Medium Density Resid. - (6 to 13 DUs/Acre) 19 Single Family Residential[1] / 15	Business & Office Residential (37 Multifamily Units) 28	+13

Source: Institute of Transportation Engineers, Trip Generation, 7th Edition, 2003.
Note: Includes pass-by trips adjustment factor, ITE Trip Generation, 7th Edition, 2003.
[1] Property is zoned RU-3 which permits four-unit apartments on 7,500 sq. ft.; six lots possible after 25% designation of site for needed roadway.

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

Roadway	Location/Link	Number Lanes	Adopted LOS Std.*	Peak Hour Capacity	Peak Hour Volume	Existing LOS	Approved D.O's Trips	Amend. Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
COMMERCIAL USE										
NW 32 Avenue	NW 119 St to NW 103 St	4 DV	E+50%	4,110	2,114	D	101	14	2,229	D (04)
NW 32 Avenue	NW 62 St to NW 103 St	4 DV	E+50%	4,590	2,474	C	210	18	2,702	C (04)
NW 103 ST (SR 932)	NW 27 Ave to I-95	4 DV	E	3,270	2,748	D	51	11	2,810	D (04)
NW 103 ST (SR 932)	NW 42 Ave to NW 27 Ave	6 DV	E	4,920	3,919	D	76	9	4,004	D (04)
RESIDENTIAL USE										
NW 32 Avenue	NW 119 St to NW 103 St	4 DV	E+50%	4,110	2,114	D	101	6	2,221	D (04)
NW 32 Avenue	NW 62 St to NW 103 St	4 DV	E+50%	4,590	2,474	C	210	10	2,694	D (04)
NW 103 ST (SR 932)	NW 27 Ave to I-95	4 DV	E	3,270	2,748	D	51	7	2,806	D (04)
NW 103 ST (SR 932)	NW 42 Ave to NW 27 Ave	6 DV	E	4,920	3,919	D	76	5	4,000	D (04)

Source: Miami-Dade County Department of Planning and Zoning; Miami-Dade Public Works Department and Florida Department of Transportation, July 2005.
Note: DV= Divided Roadway, UD= Undivided Roadway, LA Limited Access
*County adopted roadway level of service standard applicable to the roadway segment
E+50% = 150% of LOS E; Extraordinary Transit in Urban Infill Area, a designated transportation concurrency exception area.
( ) Year traffic count was updated or LOS Revised

Transit

Metrobus Routes 32 and 33 service the application site. Route 32 is a Metrorail Feeder route to the Northside and Santa Clara stations, and maintains a 15-minute Peak Headway on weekdays and a 30-minute Off-Peak Headway on weekdays and weekends. There are no improvements planned for this route. Route 33 is a Local Route with 30-minute Peak/Off-Peak headways on weekdays and weekends. Planned improvements for Route 33 are to reduce the Peak Headways from 30-minutes to 15-minutes.

Metrobus Routes Service

	Headways (in minutes)					
Route	**Peak**	**Off-Peak**	**Sat**	**Sun**	**Stop Locations**	**Type of Service**
32	15	30	30	30	NW 32 Ave and NW 103 St	F – Northside Station
33	30	30	30	30	NW 103 St and NW 32 Ave	L

Source: 2006 transit Development program, Miami-Dade Transit, May 200.
Notes:
F means feeder service to Metrorail
L means feeder service to route

Other Planning Considerations

Based upon the mixed-use development text adopted during the October 2004 CDMP Amendment Cycle, vertical mixed-use development is allowed at this site. The site meets the criteria set forth under the text in that it is: 1) located along the NW 103 Street corridor, which is identified as a 'Major Roadway,' and 2) designated with one of the six land use categories, "Low-Medium Density Residential" that qualifies for a vertical mixed-use development. Therefore, the change to "Business and Office" is unnecessary to achieve the mixed-use development indicated by the applicant.

STAFF CONCLUSIONS

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

1. The applicant is able to provide a vertical mixed-use development at this location without the proposed land use change. An October 2004 CDMP Amendment allows mixed-use development on sites located along a 'Major Roadway' and is a "Low-Medium Density Residential Community on the Adopted Land Use Plan map; the subject site meets this standard.

However, previous requests for a change of land use at this site have been denied as being incompatible with the surrounding neighborhood and in conflict with the CDMP. Also, in 1999 the Department recommended denial, but the application was approved, for a land use change for the property located on the northwest intersection of NW 103 Street and NW 32 Avenue for the following reasons: a) approval of the commercial use would lead to similar land use change requests on the remaining three corners of the intersection; b) there was no additional need for commercial land in the subject area, and c) the scale and character of the use would be required to be compatible with the surrounding neighborhood, have sufficient dimensions to permit onsite parking, provide a buffer from adjacent residences and other compatibility factors.

2. The subject lots are very small, approximately 0.3 acres each, and are bifurcated by NW 32 Avenue (a half section line road), NW 103 Street (a section line road) to the north and NW 102 Street to the south, and have very shallow lot depths. Minimum site design requirements, including setbacks, ingress/egress to the site, commercial parking requirements, utility easements and other design and development standards would significantly reduce the size and quality of any non-residential use of the lots.

3. In general, adequate public services exist for the application site.

4. The CDMP encourages transit-oriented development that is located within ¼ mile of a bus stop and has a 20-minute headway during peak periods. Metrobus Route 32, with service to the Northside Metrorail Station, operates at this frequency during peak periods. The proposed redesignation to "Business and Office" on the Land Use Plan map may be supportive of transit ridership.

5. The application site has limited impact on environmental or historic resources. The site is subject to specimen tree regulations.

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

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

- LU-9Bviii) Miami-Dade County shall maintain regulations consistent with the CDMP that regulate on-site traffic flow and parking and to avoid off-site traffic flow impediments caused by development.
- LAND USE CONCEPT 11: Allocate sites for business to accommodate future employment
- LU-8B: Retail and offices reflect the distribution of population.

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

- Policy LU-4D: The proposed change of land use designation may be incompatible if proper design solutions are not applied;
- LU-1G: Business development shall preferably be placed in nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots;
- LAND USE CONCEPT 13: Avoid scattering commercial employment
- Guideline 4- Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes

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 Impacts on Infrastructure and Services

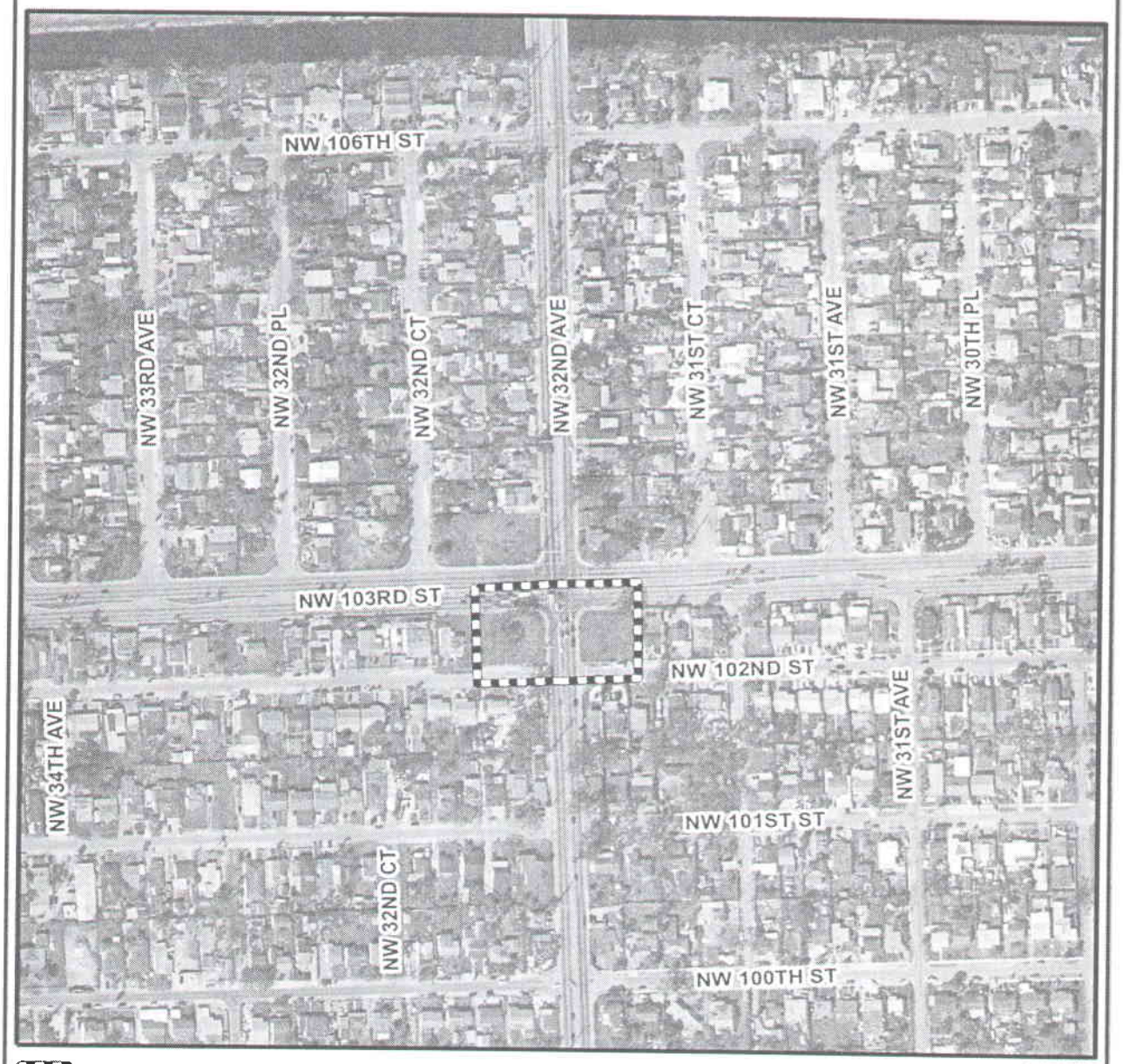
Appendix F Proposed Declaration of Restrictions

Appendix G Photographs

APPENDIX A

Map Series

AERIAL PHOTO: APPLICATION NO. 2



APPLICATION AREA

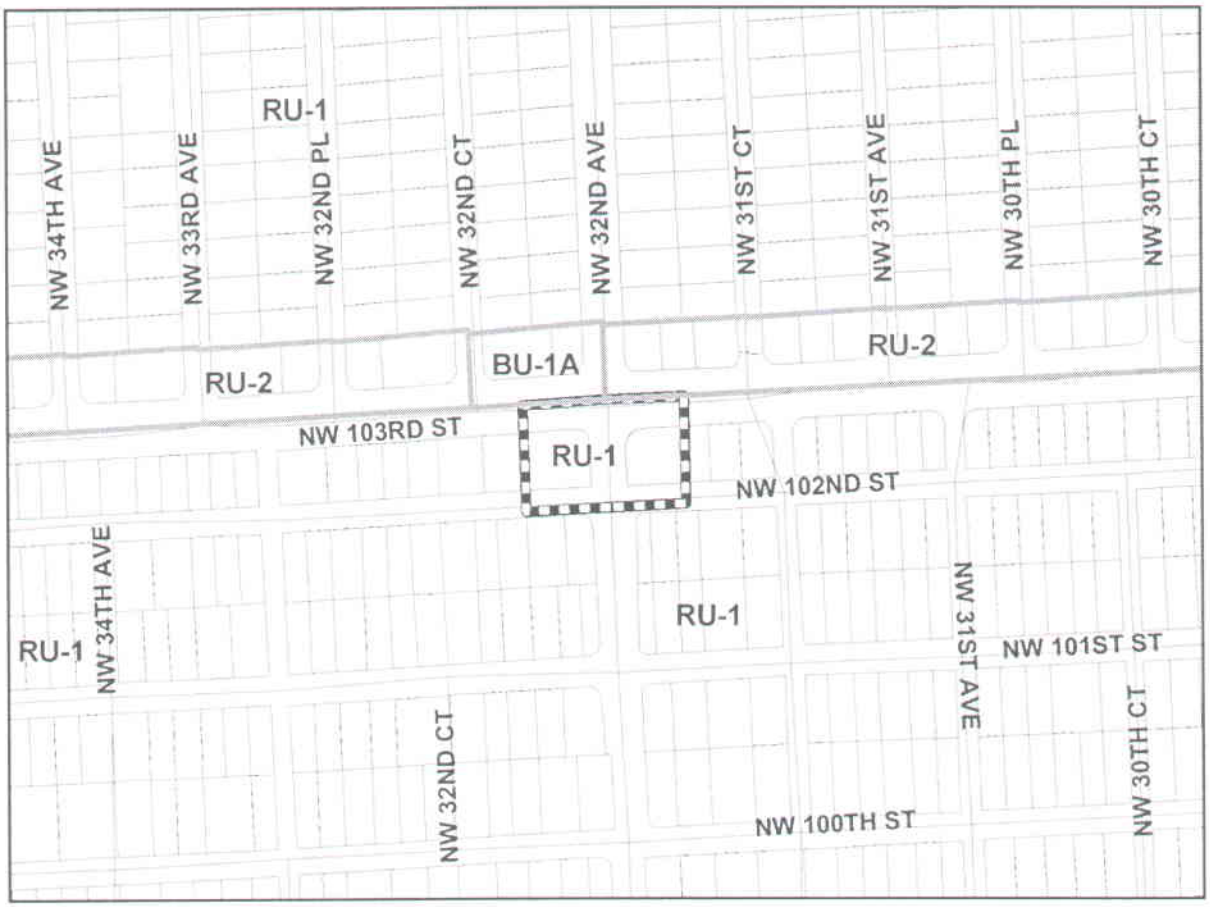
2006 AERIAL

0 0.025 0.05 0.1
Miles

N

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

APPLICATION NO. 2
CURRENT ZONING MAP



APPLICATION AREA

MIAMI-DADE ZONING DISTRICTS

RU-1 SINGLE FAMILY RESIDENTIAL 7,500 SQ. FT. NET

RU-2 TWO FAMILY RESIDENTIAL 7,500 SQ. FT. NET

BU-1A BUSINESS - LIMITED

0 0.025 0.05 0.1

Miles

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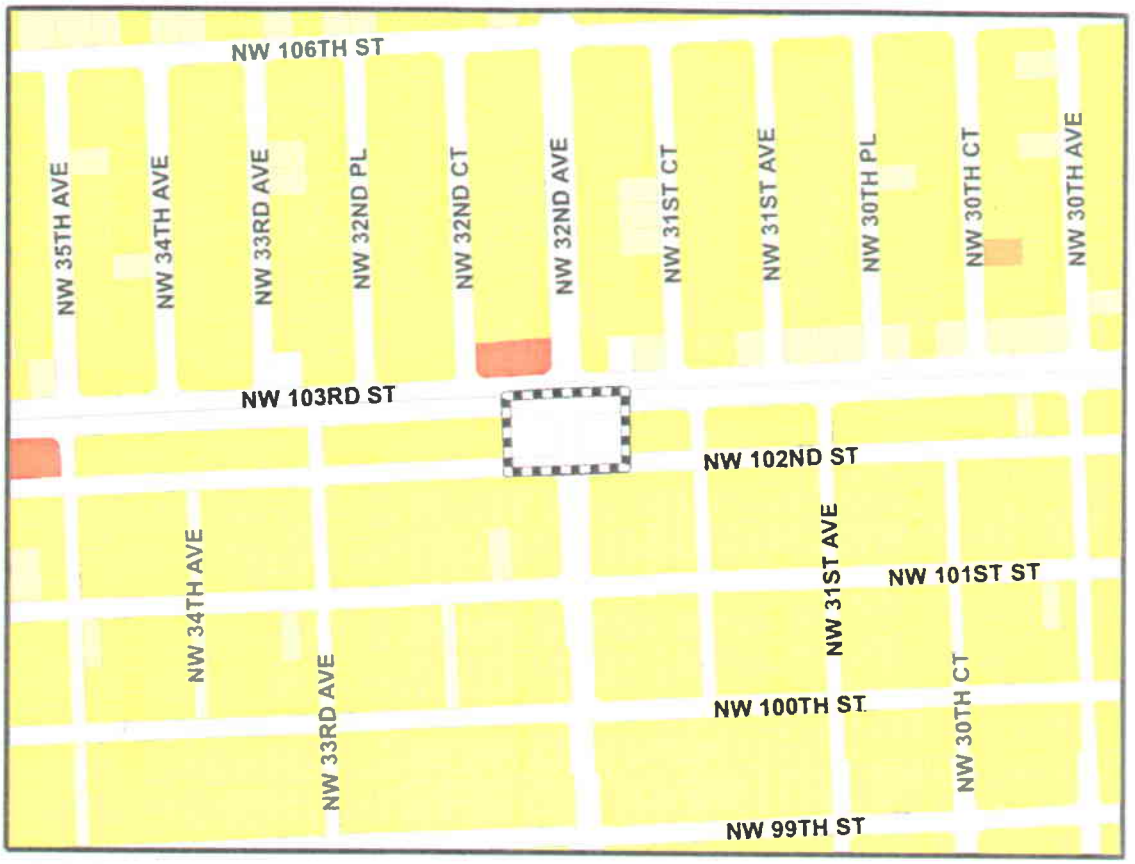
SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, JULY 2006

APPLICATION NO. 2
EXISTING LAND USE



LEGEND

APPLICATION AREA

EXISTING LAND USE

- SINGLE-FAMILY
- TWO-FAMILY DUPLEXES
- LOW-DENSITY MULTI-FAMILY
- COMMERCIAL, SHOPPING CENTERS, STADIA
- STREETS, ROADS, EXPRESSWAYS, RAMPS
- VACANT, GOVERNMENT OWNED
- VACANT UNPROTECTED

0 0.025 0.05 0.1
Miles

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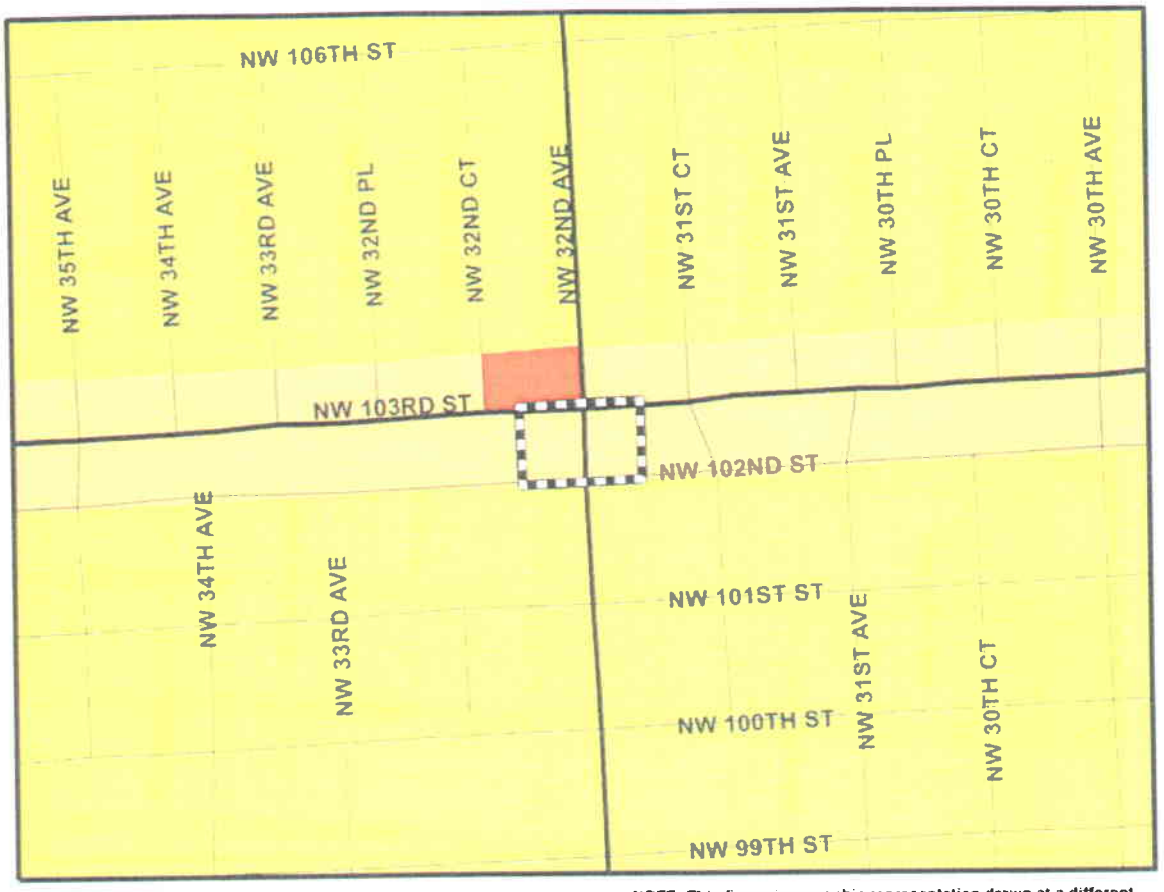
SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, JULY 2005

APPLICATION NO. 2
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

BUSINESS AND OFFICE

MAJOR ROADWAYS (3 OR MORE LANES)

NOTE: This figure is a graphic representation drawn at a different scale than the Official Adopted 2015 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.

Miles

N

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

APPENDIX B

Amendment Application

LAW OFFICE OF MERY LOPEZ, P.A.

1990 NE 163rd Street
Suite 203
North Miami Beach, FL 33162

(305)882-2739 Phone
(305)882-2779 Fax

Mery Lopez, Esq.
Bar of Florida
Email: lawyermlopez@bellsouth.net

APPLICATION

1. APPLICANTS:

Abdel R. Ahmad
c/o Nizar Investment Corp.
3540 NW 103 Street
Miami, FL 33147
(305)978-9749

Nedal Ahmad
c/o Nizar Investment Corp.
3540 NW 103 Street
Miami, FL 33147
(305)807-6594

2. APPLICANTS' REPRESENTATIVE:

Law Offices of Mery Lopez, P.A.
Mery Lopez, Esq.
1990 NE 163rd Street
Suite 203
North Miami Beach, FL 33162
(305)882-2739 Phone (305)882-2779 Fax

By: _____ Date: May 1 2006
Mery Lopez, Esq.
Attorney at Law

3. DESCRIPTION OF REQUESTED CHANGE

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

From R1 to C1

B. Description of the Subject Property

Subject properties consists of 1.5 gross acres located in Lot 1, less the East 10 feet thereof, and all of Lots 2 & 3, less the North 35 feet in Block 1 and W 30 feet of Lot 4, all of Lots 5 and 6, Block 113. Located on the East and West side of the corner of NW 32nd Avenue and 102nd Street.

Lot – A – Net Acreage = 0.33 Acres

Lot – B – Net Acreage = 0.3 Acres

C. Gross Acreage

Lot – A
.076
1.46 AC NET
0.33 NET ACREAGE
Lot Size 15,540 Sq. Ft.

Folio No.: 30-3104-005-0010
3201 NW102 Street
Miami, FL 33147

Lot – B
.07
0.63 AC NET
0.3 NET ACREAGE
Lot Size 13,560 Sq. Ft.

Folio No.: 30-3104-003-8050
3177 NW 102 Street
Miami, FL 33147

D. Request Change

Property is going from Low-Density Residential to Business and Office use. (See attached plans from Richmond Corp. P.E.)

4. REASONS FOR AMENDMENT

The applicants intend to open a shopping center consisting of multiple tenants. Some examples of such tenants are a Daycare, a Pharmacy, a Medical Center, a Hair Salon, a Real Estate Office, an Attorney's Office and any other similar tenants.

5. ADDITIONAL MATERIAL SUBMITTED

Shall be provide upon request from the Law Offices Of Mery Lopez, P.A.

6. COMPLETE DISCLOSURE FORMS

(See attached plans from Richmond Corp. P.E.)

LAW OFFICE OF MERY LOPEZ, P.A.
1990 NE 163rd Street
Suite 203
North Miami Beach, FL 33162

Mery Lopez, Esq.

(305)882-2739 Phone
(305)882-2779 Fax

Email: lawyermlopez@bellsouth.net

LETTER OF INTENT

May 1, 2006

CDMP Amendment
Frank L. McCune
111 NW 1st Street
Miami, FL 33128

Re: Folio Number: 30-3104-005-0010 &
30-3104-003-8050
Property Address: 3201 NW 102 Street, Miami, FL 33147 &
3177 NW 102 Street, Miami, FL 33147

Dear Mr. McCune:

This letter is to notify you that the undersigned counsel represents the owner of the above referenced property.

The following two folios are under Nizar Investment Corp., a Florida Corporation:

Folio Number: 30-3104-005-0010
Property Address: 3201 NW 102 Street, Miami, FL 33147

Folio Number: 30-3104-003-8050
Property Address: 3177 NW 102 Street, Miami, FL 33147

Our client intends to open a shopping center consisting of multiple tenants. Some examples of such tenants are a Daycare, a Pharmacy, a Medical Center, a Hair Salon, a Real Estate Office, an Attorney's Office and any other similar tenants.

Our client wants to provide one shopping plaza on each parcel mentioned above to offer services to local residents by having diversified tenants in the plaza. Also, one property will provide low density housing combined with commercial.

Should you have any questions and or concerns, please feel free to contact me.

Look forward to a positive response from you.

Sincerely,

Dr. Mery Lopez
Attorney at Law

APPLICANT/REPRESENTATIVE
MERRY LOPEZ P.A.
RICHMON-CONSTRUCTION CORP.
DESIGN-BUILDERS
HERMAN H. SANTANA
LICENSED – INSURED REG. 21522

12201 SW 91st TERR. # 810
Miami, Fl. 33186
Cell: 305- 803-8731
TEL 305-596-0143
7068 S.W. 44th St.
Miami, Fl. 33155
TEL 305-663-0543
Fax: 305-274-4425
HHGROUP@BELLSOUTH.NET

May 25, 2006

Att: Mr. FRANK L. McCUNE

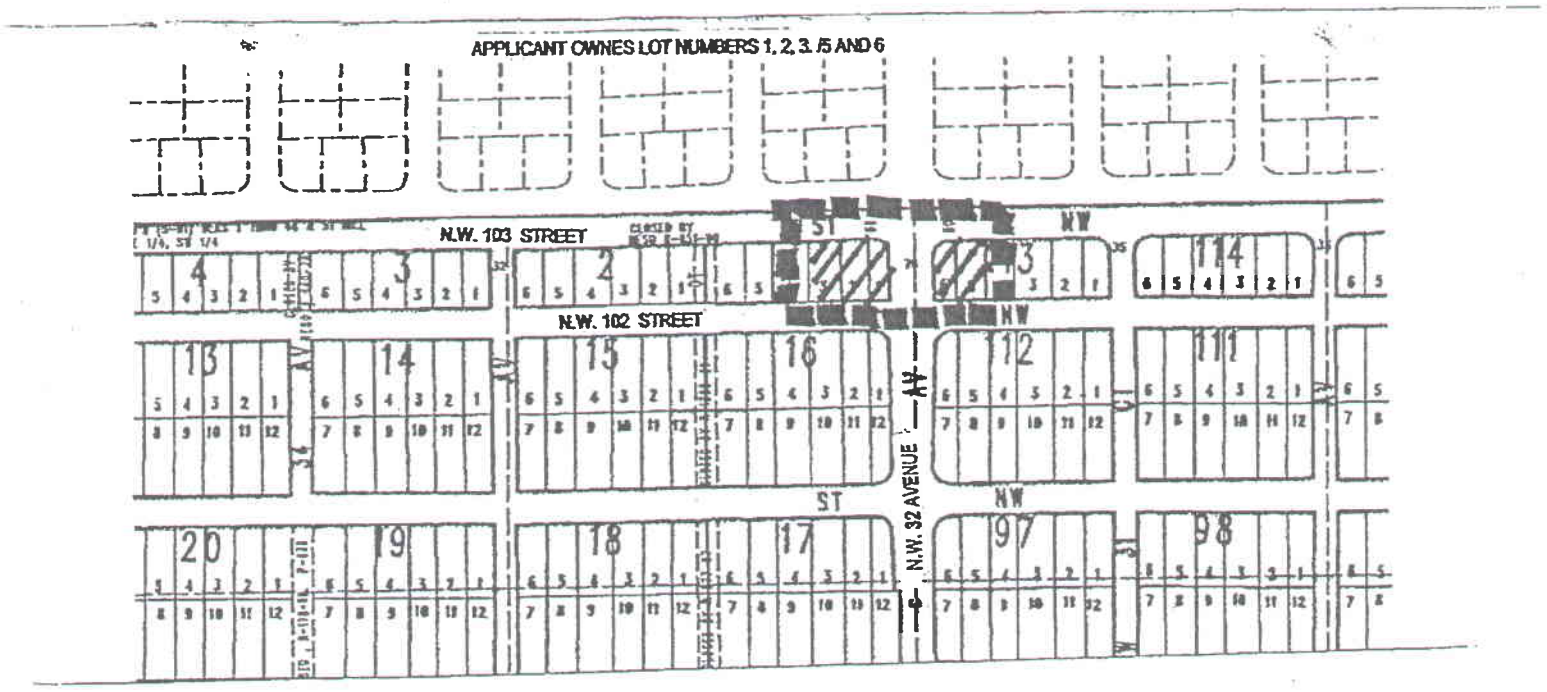
METROPOLITAN PLANING SECTION

CITY OF MIAMI DADE

DESCRIPTION-OF-SUBJECT-AREA
SUBJECT PROPERTY CONSIST OF 1.5 GROSS ACRES LOCATED ON LOT 1 THE EAST 10 FEET THEREOF, AND ALL OF LOTS 2 & 3 LESS THE NORTH 35 FEET IN BLOCK 1 AND W 30 FEET OF LOT 4, ALL OF LOTS 5 AND 6, BLOCK 113. LOCATED ON THE EAST AND WEST SIDE OF THE CONER OF 32nd AVENUE AND 102nd STREET.

LOT-A NET ACREAGE = 0,33 ACRES
GROSS ACREAGE .076, 1.46 AC NET
AGREAGE / LOT SIZE 15,540 SQ. FT.
FOLIO No. 30-3104-005-0010
3201 N.W.102 STREET MIAMI,, FL. 33147

LOT-B NET ACREAGE = 0.3 ACRES
GROSS ACREAGE .07, 0.63 AC NET
.03 NET ACREGE / LOT SIZE 13.560 SQ. FT..
FOLIO No. 30-3104-003-8050
3177 N.W. 102 STREET MIAMI, FL. 33147



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

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

July 10, 2006

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

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

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.

School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • arijo@dadeschools.net

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. 2, Abdel R. Ahmad c/o Nizar Investment, Corp. and Nedal Ahmad c/o Nizar Investment, Corp.		
REQUEST:	Parcels A & B - Change Land Use from Low-Medium Density Residential (6 to 13 DU/acre) to Business and Office		
ACRES:	± 1.51 acres		
LOCATION:	Approximately 3177 NW 102 Street (SE and SW corner of NW 103 Street and NW 32 Avenue)		
MSA/ MULTIPLIER:	4.2 / .43 Multifamily and .52 Single-Family (SF) Attached		
NUMBER OF UNITS:	18 additional units	Proposed Land Use 37 Multifamily	Existing Land Use 19 SF Attached
ESTIMATED STUDENT POPULATION:	6	16 students	10 students
ELEMENTARY:	3		
MIDDLE:	1		
SENIOR HIGH:	2		

SCHOOLS SERVING AREA OF APPLICATION

ELEMENTARY:	Miami Park Elementary – 2225 NW 103 Street
MIDDLE:	Madison Middle – 3400 NW 87 Street
SENIOR HIGH:	Miami Central Senior High – 1781 NW 95 Street

All schools are located in Regional Center III.

*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**
Miami Park Elementary	606	758	80%	126	69%	607
	609*		80%		69%	
Madison Middle	864	789	110%	238	84%	878
	865*		110%		84%	
Miami Central Senior High	2,665	2,423	110%	309	98%	2,686
	2,667*		110%		98%	

*Student population increase as a result of the proposed development
**Estimated number of students (cumulative) based on zoning/land use log (2001- present) and assuming all approved developments are built; also assumes none of the prior cumulative students are figured in current population.
Notes:

1) Figures above reflect the impact of the class size amendment.
2) Pursuant to the Interlocal Agreement, none of the 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

School	Status	Projected Occupancy Date
N/A		

Proposed Relief Schools

School	Funding year
N/A	

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	758
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	789
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan)	2,423

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

OPERATING COSTS: Accounting to Financial Affairs, the average cost for K-12 grade students amounts to $6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total $39,294.

CAPITAL COSTS: Based on the State's July 2006 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	Does not meet review threshold
MIDDLE	Does not meet review threshold
SENIOR HIGH	Does not meet review threshold
Total Potential Capital Cost	**$0**

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

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. 2 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 users pay for the incremental and cumulative cost of providing disposal capacity for DSWM Collections, private haulers and municipalities. 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. Assuming Application No. 2 is built at the maximum residential density of 25 dwelling units per gross acre (the use allowed under the proposed redesignation of Business and Office that would generate the greatest water and sewer demand), the fees paid by the developer would be $10,286 for water impact fee, $41,440 for sewer impact fee, $1,300 per unit for connection fee, and $5,943 for annual operating and maintenance costs based on approved figures through September 30,2005.

Flood Protection

The Department of Environmental Resource 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. 2 will result in six additional students, increasing operating costs by $39,294; there would be no added capital costs as a result of this development.

APPENDIX F

Proposed Declaration of Restrictions

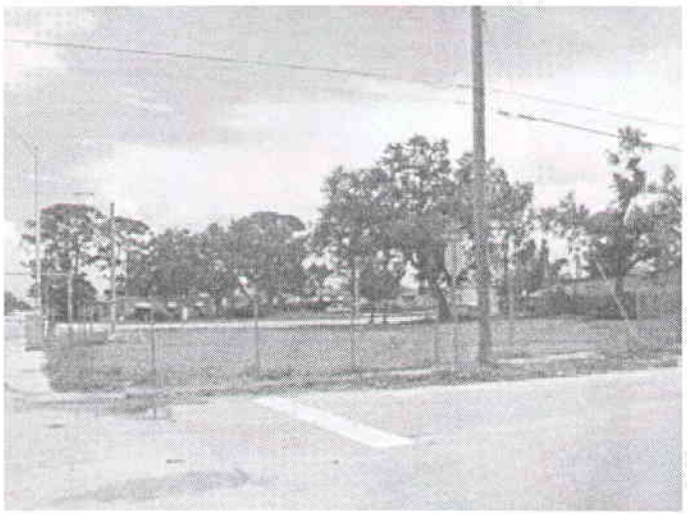
No covenants have been proffered for the subject property as of July 28, 2006.

APPENDIX G

Photos of Application Site and Surroundings

A view of Parcel A looking west from NW 32 Avenue.

A view of Parcel B looking east from NW 32 Avenue.



A view of Parcel B from the SW corner of NW 103 Street and NW 32 Avenue.

A view of Parcel A from the NE corner of NW 102 Street and NW 32 Avenue.