

Application No. 3

Commission District 12 Community Council 10

APPLICATION SUMMARY

Applicant/Representative:	Anthony Balzebre Trust/Jeffrey Bercow, Esq. & Michael Larkin, Esq.
Location:	Northwest corner of NW 107 Avenue and NW 12 Street
Total Acreage:	63.95 Gross Acres based on survey dated June 1, 2007 but originally reported as 59.949 Gross Acres based on Application; \pm 59.949 Net Acres but originally reported as 54.20 net acres based on survey (the Property Appraisers Office gives the net acreage as 55.19)
Current Land Use Plan Map Designation:	Industrial and Office and Business and Office
Requested Land Use Plan Map Designation:	Business and Office; Regional Activity Center
Amendment Type:	Standard
Existing Zoning/Site Condition:	IU-2 (Heavy Industrial Manufacturing District), IU-C (Conditional Industrial District) and GU (Interim District) / Undeveloped with existing lake.

RECOMMENDATIONS

Staff:	DENY AND TRANSMIT (August 25, 2007)	
Westchester Community Council:	ADOPT AND TRANSMIT WITH ACCEPTANCE OF PROFFERED COVENANT (September 18, 2007)	
Planning Advisory Board (PAB) acting as Local Planning Agency:	ADOPT AND TRANSMIT WITH ACCEPTANCE OF PROFFERED COVENANT (October 15, 2007)	
Board of County Commissioners:	TO BE DETERMINED (November 27, 2007)	
Final Recommendation of PAB acting as Local Planning Agency:	TO BE DETERMINED	
Final Action of Board of County Commissioners:	TO BE DETERMINED	
April 2007 Cycle	3-1	Application No. 3
Revised and Replaced November 27, 2007		

Staff recommends **DENY AND TRANSMIT** the proposed standard amendment to redesignate the subject site at the northwest corner of NW 12 Street and NW 107 Avenue from “Industrial and Office” and “Business and Office” to “Business and Office” on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) and to designate the site a Regional Activity Center (RAC) based on the Staff Conclusions and Principal Reasons for Recommendations summarized below:

Principal Reasons for Recommendations:

A. The staff recommends denial of redesignation of the subject property from “Industrial and Office” and “Business and Office” to “Business and Office”

1. The proposed land use designation would allow a mixed-use development that would be complementary and consistent with the existing adjacent land use designations for the Dolphin and International malls. If infrastructure issues are resolved, staff could support the redesignation of the subject property to “Business and Office.”
2. The traffic concurrency analysis indicates that the addition of trips generated by the proposed Application will significantly impact the level of service of NW 12 Street, between the HEFT and NW 107 Avenue and from NW 107 Avenue to NW 97 Avenue, which is predicted to operate at LOS F, below the adopted LOS D standard applicable to these roadway segments.

By 2015, the County’s FSUTMS Modeling results indicate that a number of roadways are projected to exceed, without the Application’s impacts, their adopted LOS standards. The same roadways will be further deteriorated by the impact of the Application. These roadways segments, which are listed on page 3-25, are: NW 58, NW 41, NW 25, NW 12 and SW 8 Streets; the Dolphin Expressway and the HEFT; and NW 132, NW 122, NW 107, NW 97 and NW 87 Avenues.

The Applicant also submitted a Transportation Analysis Report in support of the Application. The report, prepared by Cathy Sweetapple & Associates, compares and evaluates the transportation impacts resulting from the proposed CDMP amendment based on three analysis scenarios: The maximum allowable square footage permitted under the current land use designation, the maximum allowable square footage that would be permitted under the proposed land use designation, and the maximum development program proposed by the Applicant. The transportation consultant concludes that there is available capacity and acceptable levels of service are maintained for the adjacent roadways and the Study Area roadway network. DP&Z staff disagrees with this conclusion. However, county staff is willing to work with the Applicant and the transportation consultant in order to discuss the discrepancies in the results. A copy of the applicant’s transportation analysis report is attached in Appendix D.

3. Some of the public facilities and services in this area are strained and require additional time for facility plan updates and programming to catch up with

demand. The Fire-Rescue Department anticipates the proposed land use change would generate 892 alarms per year, and would have a severe impact on existing fire-rescue services until the completion of Station No. 68 (Dolphin) in 2013.

This application, if approved, will increase the potential student population of the schools serving the application site by an additional 368 students. One hundred and seventy-seven students will attend Eugenia B. Thomas Elementary, increasing the FISH utilization from 152% to 168%; 81 students will attend Doral Middle, increasing the FISH utilization from 116% to 123%; and 110 students will attend Miami Coral Park Senior, increasing the FISH utilization from 107% to 110%. Eugenia B. Thomas Elementary School will exceed the 115% FISH design capacity, and Miami Coral Park High School will reach the 115% FISH design capacity and the applicant is therefore required to consult with the Miami-Dade County School Board regarding mitigation.

The FISH utilization standard used to review this application will change prior to final action on this application. In fact, the same date, November 27, that this application will have its transmittal hearing before the Board of County Commissioners (BCC); the final BCC hearing is also scheduled for the Special Application for Educational Facilities in order to meet the state deadline of January 1, 2008 for adopting a level of service (LOS) standard for public school facilities. The current proposed LOS standard is 100% utilization of Florida Inventory of School Houses (FISH) and allows the LOS standard to be satisfied if: 1) construction of new capacity is programmed to relieve the impacted school within 3 years; 2) capacity is available at a contiguous public school facility; 3) development is phased to meet existing capacity; or, 4) if the proportionate share mitigation option is used. The evaluation of school capacity based upon the proposed LOS standard and concurrency methodology differs significantly from the current method of assessing the impact to the school and requiring collaboration with the Miami-Dade County School Board if the proposed development results in an increase of FISH utilization in excess of 115%. Therefore, the Miami-Dade County Public Schools staff will re-evaluate this application utilizing the proposed LOS standard and concurrency methodology.

4. The applicant has submitted a draft Declaration of Restrictions (covenant), which establishes a "Maximum Development Program" (MDP) for the subject site. The MDP provides 1,050 dwelling units or 1,701,000 square feet; 799,900 square feet of retail/service; 430 hotel rooms or 225,000 square feet; and 225,000 square feet of office. The covenant states that the owner may simultaneously increase and decrease the MDP's land use categories provided that the cumulative impacts of the reallocated land uses may not exceed (a) PM peak hour trips established for the MDP, which equates to 3,479 gross PM peak hour trips, or (a) potable water demand of the MDP, which equates to 0.812 million gallons per day. Staff's analysis of the MDP shows that 2,905 gross PM peak hour trips will be generated and the potable water demand will be equal to approximately 0.355 million gallons per day. Other provisions of the covenant include a Metrorail station for the proposed East-West transit corridor (if

extended to include the subject property), or a MetroBus terminal; implement “New Urbanism” design principles, Leadership in Energy and Environmental Design (LEED) certified building standards, “Florida Friendly” landscaping and water conservation measures; provide a charter school, allocate land for school construction or offer monetary contribution to meet future educational facility needs; and comply with applicable workforce housing requirements, or construct a minimum of 100 workforce-housing units.

5. The applicant is proposing a mixture of uses on site consisting of multi-family and commercial uses. Currently, the Analysis Area (MSA 3.2) has adequate supplies of vacant land for multi-family units and commercial uses. An analysis of the residential capacity by type of dwelling units shows the absorption of multi-family units occurring beyond 2025. The supply of residential land for both single-family and multi-family units in this area is projected for depletion beyond 2025. However, staff recognizes that it would be beneficial to maintaining the existing Urban Development Boundary to add the 1050 dwelling units that the applicant is proposing.

The Analysis Area contained 313.5 acres of vacant land zoned or designated for commercial uses in the year 2007. The average annual absorption rate projected for the 2007-2025 period is 17.4 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercial zoned or designated land in the year 2025.

However, the requested land use change from “Industrial and Office” and “Business and Office” to “Business and Office” will not cause a significant reduction in the supply of industrial land. The Analysis Area (MSA 3.2) currently has approximately 1,628 acres of vacant land zoned or designated for industrial use, with an annual absorption rate of 42.18 acres per year, and a projected depletion date of 2025.

6. The application could promote transit ridership and pedestrianism with a mixture of uses on a site that may also include a Metrorail station for the proposed East-West transit corridor (if extended to include the subject property), or a MetroBus terminal. Staff recommends that detailed information be provided on how the project will be directly tie in to the County’s transit system. Since this site is nearly 2/5 of a mile long between NW 111 and NW 107 Avenues, the internal transportation means that will be available to transit users needs to be identified.
7. The application site is currently undeveloped and will not degrade environmental or historical resources. Approximately one-third of the subject site consists of a lake in the center of the property that is surrounded by mature vegetation. The project will partially fill in the existing lake.
8. The Miami-Dade Aviation Department (MDAD) has determined that the subject site is impacted by Critical Area Approach, subzones “B” and “C” (CA-B and CA-C) and the Outer Land Use Zone (OLZ) that are associated with Miami

International Airport (MIA), as defined in the Code of Miami-Dade County, Section 33-336. The eastern third of the site is in subzone "CA-B", while the remainder of the site is in subzone CA-C. The placement of an educational facility, including a day care facility, at this location is subject to all applicable regulations for these subzones in Section 33-336. The OLZ impacts the southeastern portion of the subject site. Thus, the construction of new residential units and educational facilities, where allowed within the OLZ, are permitted where 25-decibel (db) Noise Level Reduction (NLR) materials are incorporated into the design and construction of the structure(s). The applicant is proposing a charter school on subject site as an option in addressing school issues. Before any charter school can be built on site it would have to satisfy the requirements of the MIA Zoning Ordinance.

According to the MIA Height Zoning Map, the height limitations on the subject property range from 400 feet above mean sea level on the eastern border to 450 feet above mean sea level on the western border. The applicant, prior to proceeding with design, should submit elevation plans to MDAD for review to comply with the Zoning Ordinance for MIA.

B. The Staff recommends that the request for the Regional Activity Center be denied.

1. The intent of the Regional Activity Center (RAC) designation is to attain high density, mixed-use activity centers without utilizing the Development of Regional Impact (DRI) process. Policy 11.14 of the Adopted 2004 Strategic Regional Policy Plan for South Florida authorizes the designation of Regional Development Districts to implement the provisions of Chapter 380.0651 FS, which provide for the designation of geographic areas highly suitable for increased DRI review threshold intensity.

The material submitted by the applicant has not proven that all requirements in the state regulations regarding the designation of a regional activity center have been met. Chapter 28-24.014 of the Florida Administrative Code (F.A.C.) requires areas receiving the designation of a regional activity center satisfy four criteria which are the following: 1) is consistent with the local comprehensive plan (i.e. CDMP); 2) provides service to and is regularly used by a significant number of citizens of more than one county; 3) is proximate and accessible to interstate or major arterial roadways; and 4) contains adequate existing public facilities as defined in Rule 9J-5 or committed public facilities, as identified in the capital improvements element of the local comprehensive plan. Staff agrees with the applicant's findings that criteria 1 and 3 have been satisfied.

2. To satisfy criterion No. 2, the applicant submitted a license plate survey of the parking lots for the PBS&J Office Building, FDOT Office Building, International Mall, and Dolphin Mall that was contained in a document entitled "Dolphin Station Regional Activity Center," which was updated August 2007. The purpose of the survey is to demonstrate that the area provides service to and is regularly used by a significant number of citizens of more than one county.

Staff has concerns regarding the sampling methodology and the accuracy of the survey. The state regulation requires evidence of *regular* use by a significant number of citizens of more than one county. However, the survey was conducted only on June 24, 27 and 28, 2007. To demonstrate regular use, the survey should have been conducted not only for portions of three days in late June but on a monthly or seasonal basis.

The results of the survey show 45 % on June 24th, 42% on June 27th, and 41% on June 28th of the license plates identified the name of the county where the motor vehicle was registered. These percentages seem high because only the standard plates that were issued prior to December 2003 identify the name of the county of registration. According to the website of the Florida Department of Highway Safety & Motor Vehicles, the new standard plates with the "MYFLORIDA.com" design debuted in December 2003 and these plates have the words "Sunshine State" at the bottom of the plate instead of the County name.

Standard plates are issued every five years. Thus, in June 2007 only those standard plates issued between July 2002 and November 2003 would only have the county names on them. Since the 17-month period between July 2002 and November 2003 is about 29% of the 60-month period of July 2002-June 2007, one would expect no more than 29% of the standard plates in a parking lot with county names on them. Even this maximum percentage of 29 percent for standard plates is high because the selling and trading in of used vehicles would further reduce the supply of vehicles with standard plates identifying county names. In addition, the total percentage of vehicles with plates identifying the county of registration would even be lower on a parking lot because some vehicles have specialty plates that do not identify the name of counties such as those for professional sport teams, colleges, military, government, commerce, diplomatic service, environmental issues and other special interests. Thus, the percentages of 41%, 42% and 45% of vehicles with plates containing the names of counties in these parking lots that were identified in this survey are not realistic and call into question all the other results of the survey including the percentages of vehicles from outside Miami-Dade County.

Criterion no. 4 requires adequate existing public facilities as defined in Rule 9J-5 or committed public facilities, as identified in the capital improvements element of the local comprehensive plan. The County's analysis of traffic indicates that improvements need to be added as committed public facilities to the Schedule of Improvements in the Capital Improvements Element of the CDMP.

3. The advantage for the applicant in obtaining a RAC designation is that 799,900 square feet of retail development could on be built on the site without going through the Development of Regional Impact (DRI) process. Otherwise, the applicant is limited to 400,000 square feet of retail space. However, the applicant has not demonstrated a need for an additional 399,900 square feet of retail development. In addition, the economic analysis provided by the applicant does not address the impact of an additional 799,900 square feet of retail development

in the area on the economic health of the two existing adjacent malls, which already have together over 2,400,000 square feet of retail space.

4. The City of Doral identifies two potential RAC designations in its Comprehensive Plan. The proposed ± 47 -acre "Free Trade Zone" RAC is located on the southeast corner of NW 107 Avenue and NW 25 Street. This project proposes to include 1.2 million square feet of hotel, office, retail, convention/showroom, and warehouse space in addition to existing facilities. The proposed ± 462 -acre "Section 8" RAC is bounded by NW 90 and NW 74 Streets and NW 107 and NW 97 Avenues and is the site of the Doral-1 Application of the April 2004 CDMP Amendment Cycle, which was adopted by the Board of County Commissioners in 2005. The plans for this project include residential, commercial, parks and recreation, institutional and industrial uses. The combined impact of three proposed RAC's on existing infrastructure and services in this area must be further examined.
5. If the infrastructure issues are addressed in the future, the staff could recommend that the graphic symbol for Metropolitan Urban Center (MUC) designation on the LUP map of the CDMP, which is currently centered on the International Mall property, be relocated to the subject site. Ideally, the MUC should be centered on the proposed transit site. This site may not include a Metrorail station because the alignment of the east-west line has not been determined. Relocating the MUC graphic symbol from the site of International Mall should not be an issue, since the Mall is located in the City of Doral and is governed by the city's comprehensive plan, which does not identify a MUC at this location.

The MUC designation is intended to create identifiable "town centers" having convenient, direct access to expressways or major roadways, provide alternatives to automotive travel, and create a distinctive sense of place through urban and architectural design. The radius of designated MUC's is a one-quarter mile (1,320 ft.) walking distance from the central core or central transit stop, and may extend up to one-half mile (2,640 ft.) along major roads and pedestrian linkages. Relocation of the MUC to the subject site will enable the applicant to construct a more intense development than is permitted in the Urbanizing Area (the area between the Urban Infill Area and the Urban Development Boundary), which is a Floor Area Ratio (FAR) of 1.25. The minimum Floor Area Ratio (FAR) of a MUC is greater than 3.0 in the "core" and no less than 0.75 at the "edge," with a maximum density of 250 dwelling units per gross acre (DU/gross acre).

STAFF ANALYSIS

Application Site

The subject site is a 63.95 gross acre parcel bounded by NW 14 Street on the north, the CSX railroad on the south, NW 107 Avenue on the east, and NW 111 Avenue on the west and is located in the unincorporated portion of the Doral area. The application stated that there was 59.949 acres but survey states that the gross acreage is a 63.95. The site is currently undeveloped and covered with mature vegetation; a lake occupies the center of the property, which comprises approximately 21-acres (or one-third) of the site. The site is currently accessed by a single curb cut on NW 14 Street. Northwest 12 Street bisects the southeast portion of the parcel (approximately 5.93 acres) prior to forming the southern boundary of the site and running parallel with the CSX railroad.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) currently designates the eastern 16.15-acres as "Business and Office" and the remaining 38.04-acres as "Industrial and Office." The "Business and Office" designation accommodates the full range of sales and service activities including: retail, wholesale, personal and professional services, call centers, hotels, motels, hospitals, medical buildings, and entertainment and cultural facilities. Residential and mixed residential uses with commercial, offices and hotels are also permitted within "Business and Office" designated land, provided that the scale and intensity of proposed development is compatible with adjacent and adjoining residential development and zoning. The "Industrial and Office" designation allows manufacturing operations, maintenance and repair facilities, warehouses, office buildings, wholesale showrooms, distribution centers, telecommunications facilities and similar uses. The subject site is currently zoned GU (Interim Use), IU-2 (Heavy Industrial Manufacturing District) and IU-C (Conditional Industrial District).

Regional Activity Center

The applicant proposes to designate the subject site a Regional Activity Center (RAC), in accordance with Chapter 28-24.014(10)(c)(2), Florida Administrative Code (FAC), and amend the Land Use Element of the CDMP to designate the subject site a RAC. A RAC is defined as compact, high-density multi-use area designated for intensive growth and includes retail, office, cultural, recreational and entertainment facilities. Designated RAC's should be: 1) consistent with the local comprehensive plan; 2) provide service to, or be regularly used by, a significant number of citizens of more than one jurisdiction; 3) contain adequate public facilities as defined in Rule 9J-5 FAC, or committed public facilities identified in the capital improvements element; and 4) be proximate and accessible to interstate or major arterial roads (see Planning Considerations).

Declaration of Restrictions

The applicant has proffered a draft Declaration of Restrictions (covenant), which contains a Maximum Development Program (MDP), for the subject site. The MDP includes: 1,050 dwelling units or 1,701,000 square feet; 799,000 square feet of retail; 430 hotel rooms or 225,000 square feet; and 225,000 square feet of commercial development. The covenant

states that the owner may simultaneously increase and decrease the MDP's land use categories provided that the cumulative impacts of the reallocated land uses may not exceed (a) PM peak hour trips established for the MDP, which equates to 3,479 gross PM peak hour trips, or (a) potable water demand of the MDP, which equates to 0.812 million gallons per day. Staff's analysis of the MDP shows that 2,905 gross PM peak hour trips will be generated and the potable water demand will be equal to approximately 0.355 million gallons per day. Other provisions of the covenant include a Metrorail station for the proposed East-West transit corridor, or a MetroBus terminal; "New Urbanism" design principles, Leadership in Energy and Environmental Design (LEED) certified building standards, "Florida Friendly" landscaping and water conservation measures; a charter school facility, land allocation for school construction, or a monetary contribution to the Miami-Dade County School Board; and comply with applicable workforce housing requirements and/or provide a minimum of 100 workforce-housing units.

Adjacent Land Use and Zoning

The subject site is located between the International Mall (approximately 1,074,000 square feet) to the east and the Dolphin Mall (approximately 1,955,052 square feet) to the west. The International Mall is a traditional regional mall and contains four department stores (Macy's, Dillard's, JC Penney and Sears) and approximately 140 specialty stores. The Dolphin Mall is Miami-Dade County's largest "value-entertainment center" with 16 anchor stores and more than 240 retailers. The Dolphin Mall is designated "Business and Office" on the LUP map, and the International Mall is designated "Business" on the City of Doral's Future Land Use Map. Land north of the subject site, between NW 107 and NW 108 avenues is designated "Business and Office," and the land between NW 108 and NW 11 avenues designated "Industrial and Office." A large industrial park and offices are located to the north, and the CSX railroad and an entrance ramp to State Road 836 are located south of the subject site. Land on the southwest corner of the subject site contains offices for the Florida Department of Transportation (FDOT) and the Florida Department of Law Enforcement (FDLE) and is designated "Industrial and Office."

The International Mall is also a designated Metropolitan Urban Center (MUC) on the LUP map. The CDMP describes metropolitan "urban centers" as having convenient, preferably direct, connections to expressways or major roadways to ensure a high level of countywide accessibility; designed to encourage convenient alternatives to automobile travel and to create identifiable town centers; and to create a distinctive sense of place through unity of design and urban architectural character of new developments. MUC's also provide for a variety of mixed-uses, building, street and public space design guidelines, and shared parking requirements. The radius of designated MUC's is a one-quarter mile (1,320 ft.) walking distance from the central core or central transit stop, and may extend up to one-half mile (2,640 ft.) along major roads and pedestrian linkages. The minimum Floor Area Ratio (FAR) of a MUC is greater than 3.0 in the "core" and no less than 0.75 at the "edge," with a maximum density of 250 dwelling units per gross acre (DU/gross acre) (see Planning Considerations).

The International and Dolphin malls are zoned BU-2 (Special Business District). A small parcel between NW 12 Street, the CSX railroad tracks and east of NW 107 is zoned BU-3

(Liberal Business District). Land north of the subject site, between NW 107 and NW 108 avenues and NW 21 Street, retains multiple zoning classifications including GU, BU-3, BU-2 and BU-1A (Limited Business District). Land between NW 108 and NW 111 avenues generally retains the IU-1 and IU-2 zoning classifications. Land immediately south of the subject site is zoned GU. And land southwest of the subject site is zoned GU and contains the FDOT and FDLE offices.

City of Doral

The International Mall is located within the City of Doral and, as previously discussed, is designated a MUC on the County's LUP map. However, the city's Future Land Use Map does not recognize the MUC designation. Instead, the city identifies two potential RAC designations: the ±47-acre "Free Trade Zone," located on the southeast corner of NW 107 Avenue and NW 25 Street, and the ±462-acre "Section 8," bounded by NW 90 and NW 74 Streets and NW 107 and NW 97 Avenues. The city proposes to develop the "Free Trade Zone" RAC with 1.2 million square feet of hotel, office, retail, convention/showroom, and warehouse space in addition to existing facilities. The "Section 8" RAC is proposed to include residential, commercial, parks and recreation, institutional and industrial uses; a significant portion of the Section 8 RAC will include a traditional neighborhood development. The city also proposes to designate its core downtown area an Urban Central Business District—comprised of the 120-acre Beacon City Center, the 50-acre Ryder/Shoma site and a linear strip of land bounded by NW 36 Street, Doral Boulevard, and NW 87 Avenue.

Land Use and Zoning History

The subject site has had limited zoning action. On September 13, 1971, the Zoning Appeals Board (ZAB), in Resolution No. 4-ZAB-438-71, modified Condition 14 of a prior resolution (2-ZAB-436-63) to extend the completion date of on-going excavation from September 16, 1971 to September 16, 1973. On November 5, 1973, the ZAB approved an "unusual use" application (Resolution No. ZAB-573-73) to permit the completion of an existing lake excavation and fill the excavated area with debris from demolished buildings and cleared land. And on November 9, 1978, the ZAB (Resolution No. Z-249-78) approved zoning changes for portions of the property from GU to IU-C and IU-2 (See Real Property Folio No. 30-3031-000-0021).

Supply & Demand

Residential Land Analysis

The combined vacant land for single-family and multi-family residential development in the Analysis Area (Minor Statistical Area 3.2) in 2007 was estimated to have a capacity for approximately 10,105 dwelling units, with 92 percent of these units intended as multi-family. The annual average residential demand in the Analysis Area is projected to decline from 1,237 units per year in the 2007-2010 period to 107 units in the 2015-2020 period. An analysis of the residential capacity by type of dwelling units shows the absorption of single-family units occurring in 2008, with multi-family units occurring beyond 2025. The supply of

residential land for both single-family and multi-family units is projected for depletion beyond 2025 (See table below).

Residential Land Supply/Demand Analysis
2007 to 2025: **Application 3**

ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO
SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-
FAMILY TYPE

	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2007	775	9,330	10,105
DEMAND 2007-2010	644	593	1,237
CAPACITY IN 2010	0	7,551	6,394
DEMAND 2010-2015	505	464	969
CAPACITY IN 2015	0	5,231	1,549
DEMAND 2015-2020	56	51	107
CAPACITY IN 2020	0	4,976	1,014
DEMAND 2020-2025	0	0	0
CAPACITY IN 2025	0	4,976	1,014
DEPLETION YEAR	2008	>2025	>2025

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, 2007.

Commercial Land Supply and Demand

The Analysis Area contained 313.5 acres of vacant land zoned or designated for commercial uses in the year 2007. The average annual absorption rate projected for the 2007-2025 period is 17.4 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercial zoned or designated land in the year 2025. In addition, its commercial acres per thousand persons ratio is above the County average for both 2015 and 2025 (See Table below).

Projected Absorption of Land for Commercial Uses
Indicated Year of Depletion and Related Data
Application 3 Analysis Area

Analysis Area	Vacant Commercial Land 2007 (Acres)	Commercial Acres in Use 2007	Annual Absorption Rate 2007-2025 (Acres)	Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
MSA 3.2					2015	2025
Total	313.5	1586.8	17.42	2025	11.3	11.1

Source: Miami-Dade Department of Planning & Zoning, Planning Research Section, July 2007.

Industrial Land Supply and Demand

The Analysis Area contained 6,786.8 acres of land zoned or designated for industrial use, of which 1,628.30 acres (24 percent) was vacant in the year 2007. The average annual absorption rate projected for the 2007-2025 period is 42.18 acres per year. At the projected rate of absorption, the study area will deplete its supply of industrial land well beyond the year 2025.

Projected Absorption of Land for Industrial Uses Indicated Year of Depletion and Related Data North Central Tier				
MSA	Vacant Industrial Land 2007 (Acres)	Industrial Land in Use 2007 (Acres)	Average Annual Absorption Rate 2007 thru 2025 (Acres)	Indicated Year of Depletion
3.2	1,628.3	5,158.5	42.18	2025+
North Central Tier	1,794.3	7,256.5	46.88	2025+

Source: Miami-Dade County, Department of Planning and Zoning, Planning Division, Research Section, August 2007.

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)

7.2 feet

Stormwater Management

Surface Water
Management Permit

Drainage Basin

C-2 Canal

Federal Flood Zone

AH-8

100-year floodplain, constant
surface ponding between 1-3 ft.

Hurricane Evacuation Zone

NO

Biological Conditions

Wetlands Permits Required

YES

Transitional Northeast
Everglades Wetlands Basin

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

NO

Wetlands Permits

The subject property is located in the Transitional Northeast Everglades Wetland Basin, and is a wetland, as defined by Section 24-5 of the Code of Miami-Dade County. However, the property is located within jurisdictional wetlands and will be regulated through a Class IV Wetland Permit.

Specimen Trees

The subject site contains specimen-sized trees (trunk diameter \geq 18 inches). The applicant is required to obtain a Tree Removal permit prior to the relocation or removal of tree resources that are not regulated through the Class IV Wetland Permit.

Water and Sewer

Water Supply

In April 2007, the Board of County Commissioners (BCC) adopted alternative water supply and reuse projects into the Capital Improvements Element (CIE) of the CDMP in the amount of \$1.6 billion dollars. This commitment by the BCC fully funds the projects outlined in the Lower East Coast Regional Water Supply Plan upon which a 20-year water permit from the South Florida Water Management District, expected in November 2007, is based. A summary of these projects can be found in Application 17 (Water Supply Facilities Workplan) of this report. Appendix A of Application 16 indicates that the City of North Miami Beach will no longer be a retail customer after 2007 and therefore the Miami-Dade Water and Sewer Department's (MDWASD) system will realize a surplus in water supplies of 4.63 million gallon/day (mgd). The water needs of this application will therefore be met by MDWASD.

It should be noted that the MDWASD is developing an allocation system to track the water demands from platted and permitted development. This system will correspond to the allocation system currently being used by the Department of Environmental Resources (DERM) for wastewater treatment facilities, and will require all development to obtain a water supply allocation letter from MDWASD stating that adequate water supply capacity is available for the proposed project. MDWASD's water allocation system is anticipated to be operational in November 2007.

Potable Water Facilities

Potable water service is provided to the site by an existing 16-inch water main located along NW 107 Avenue and abuts the subject site. The MDWASD water treatment plant servicing this area is the Hialeah/Preston Water Treatment Plant. According to data provided by the (DERM), this water treatment plant currently has a rated treatment capacity of 225 mgd and a maximum plant production based upon the last 12 months of 204.1 mgd. Based upon these numbers, this treatment plant has 21.0 mgd or 9.3% of treatment plant capacity remaining.

An estimated water demand of 572,200 gallons per day (gpd) for this application was based on a 100% residential development scenario, since residential land use produces the highest water demand. Under a residential development scenario, 2,861 multi-family units could be built under the "Business and Office" designation. This number of units is higher than what is currently allowed under the "Industrial and Office" designation; therefore, an increased water demand would be realized from approval of this amendment. The demand of 572,200 gpd

would decrease the 21.0 mgd treatment plant capacity to 20.42 mgd or 9.07%; a remaining maximum capacity that is above the LOS standard.

Wastewater Facilities

Sanitary sewer services are provided to the site by an 8-inch gravity main along NW 12 Street, approximately 350-feet east of the subject site. Data provided by DERM indicates that two pump stations, numbers 30-0155 and 30-0001, would be impacted by sewage flows from this site. Ultimate disposal for sewage flows from this site would be the Central District Wastewater Treatment Facility. This facility has a design capacity of 143 mgd and has a 12-month average flow of 114.17 mgd. This flow rate is approximately 79.8% of the design capacity of the wastewater treatment plant.

Based upon a residential development scenario of 2,861 units, it is estimated that the sewage demand for this site will yield 572,200 gpd. These estimated flows will increase the average treatment plant flows to 114.74 mgd or 80.24% of the design capacity and therefore will not exceed the established level of service.

Solid Waste

The application lies within the Department of Solid Waste Management (DSWM) waste service area for garbage and trash collections. The closest DSWM facility serving this site is the Resources Recovery Facility, located at 6990 NW 97 Avenue, which is approximately 5 miles to the east.

The adopted level of service (LOS) standard for the County Solid Waste Management System is as follows: to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long term contracts or interlocal agreements and anticipated uncommitted waste flows for a period of five years. Based upon data presented in the Evaluation and Appraisal Report, the DSWM is projecting remaining available capacity in excess of the five year LOS standard.

Parks

There are four County parks within a two-mile radius of this application site. Under a residential development scenario and based upon the level of service standard of 2.75 acres per 1,000 persons, this site could yield a potential residential population of 6,258 persons, thus requiring a total of 17.21 acres.

The subject site is located within Park Benefit District (PBD) 1, which according to the Miami-Dade County Department of Parks and Recreation has a surplus capacity of 396 acres of parkland when measured by the County's concurrency level of service standard. This capacity is sufficient to meet the estimated 17.21-acres of parkland necessary to meet the LOS for the application.

County Park and Recreation Open Space Facilities Within a Two Mile Radius: Application 3		
Park	Class	Acres
The Women's Park	SINGLE PURPOSE PARK	15
Tamiami Canal Park	NEIGHBORHOOD PARK	2
Ruben Dario Park	COMMUNITY PARK	15
North Trail Park	COMMUNITY PARK	15
Source: Department of Park and Recreation, 2008		

Fire-Rescue

The subject site is currently served by Miami-Dade Fire-Rescue Station No. 29 (Sweetwater), located at 351 SW 107 Avenue. The station is equipped with an Advanced Life Support (ALS) Engine and Rescue unit, and is staffed by seven firefighters/paramedics. A new station, Station No. 68 (Dolphin), will be located in the vicinity of NW 112 Avenue and NW 17 Street and is planned for completion in 2013.

The average response/travel time to incidents in this area is approximately 6 minutes, 4 seconds. The travel time for life threatening emergencies is 5 minutes, 12 seconds; there were no structure fire alarms in this vicinity in 2006. According to the Fire-Rescue Department, the current "Industrial and Office" and "Business and Office" CDMP LUP map designation would generate 138.34 alarms per year, and the proposed "Business and Office" and "Regional Activity Center" designation is anticipated to generate 892.35 alarms per year. The LUP map change is anticipated to have severe a impact on the provision of existing fire-rescue services, which would be mitigated upon completion of Station No. 68.

The required "fire flow" for the proposed CDMP designation is 3,000 gallons per minute (GPM) at 20-PSI residual on the system. Each fire hydrant requires a minimum of 1,000 GPM.

Public Schools

By January 1, 2008, Miami-Dade County is expected to adopt a LOS standard for public school facilities. The current proposed LOS standard is 100% utilization of Florida Inventory of School Houses (FISH) and allows the LOS standard to be satisfied if: 1) construction of new capacity is programmed to relieve the impacted school within 3 years; 2) capacity is available at a contiguous public school facility; 3) development is phased to meet existing capacity; or, 4) if the proportionate share mitigation option is used. The evaluation of school capacity, based upon the proposed LOS standard and concurrency methodology differs significantly from the current method of assessing the impact to the school and requiring collaboration with the Miami-Dade County School Board if the proposed development results in an increase of FISH utilization in excess of 115%. Therefore, the Miami-Dade County Public Schools staff will re-evaluate this application utilizing the proposed LOS standard and concurrency methodology. The re-evaluation is anticipated in September 2007 and should

be available as a supplement to this application prior to the Community Council meeting. The evaluation of this application under the current assessment methodology is presented below.

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 2006, the school's FISH Design Capacity, which includes permanent and relocatable student stations, and the school's FISH utilization percentage.

School	2006 Enrollment*		FISH Capacity**	% FISH Utilization	
	Current	With Application		Current	With Application
Eugenia B. Thomas Elementary	1,703	1,880	945	152%	168%
Doral Middle	1,390	1,471	1,039	116%	123%
Miami Coral Park Senior High	3,747	3,857	3,492	107%	110%

* Student population increase as a result of the proposed development

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

Notes: 1) Figures above reflect the impact of the class size amendment.

2) Pursuant to the Interlocal Agreement, none of the impacted schools meet the review threshold.

This application, if approved, will increase the potential student population of the schools serving the application site by an additional 368 students. One hundred and seventy-seven students will attend Eugenia B. Thomas Elementary, increasing the FISH utilization from 152% to 168%; 81 students will attend Doral Middle, increasing the FISH utilization from 116% to 123%; and 110 students will attend Miami Coral Park Senior, increasing the FISH utilization from 107% to 110%. Eugenia B. Thomas Elementary School will exceed the 115% FISH design capacity, and Miami Coral Park High School will reach the 115% FISH design capacity and the applicant is therefore required to consult with the Miami-Dade County School Board regarding mitigation.

The proposed 5-Year Capital Plan, 2006-2010 (dated July 2006 and November 2006) includes Eugenia B. Thomas Elementary and S/S "P-1." Eugenia B. Thomas Elementary opened at the beginning of the 2007 school year and provides 532 student stations to offer relief for Doral Middle School. School S/S "P-1" is a K-8 facility with 1,642 student stations—currently in the design phase and scheduled for opening during the 2008 school year. S/S "P-1" will provide relief for John I. Smith and E.B. Thomas middle schools, and Doral Middle School.

Roadways

The following traffic analysis examines the impact that the Application No. 3 would have on the roadways adjacent to the Application site and the roadway network within a Truncated Study Area that extends north to NW 58 Street, east to the Palmetto Expressway (SR 836), south to SW 24/26 Street, and west to SW 177 Avenue/Krome Avenue (SR 997).

Existing Conditions

Application No. 3 is a 63.95 gross-acre site located between NW 12 and NW 14 streets and NW 107 and NW 111 Avenues. The site is currently undeveloped; however, access to the site would be from NW 107 and NW 111 Avenues and NW 12 and NW 14 Streets. Other east-west arterials in the vicinity of the Application site include: NW 41/36, NW 25, NW 12, W. Flagler and SW 8 Streets, and the Dolphin Expressway; north-south arterials include NW 127, NW 117, NW 107, NW 97 and NW 87 Avenues, the Homestead Extension of Florida's Turnpike (HEFT) and the Palmetto Expressway.

The operation condition, level of service (LOS), of a roadway segment 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 Existing Traffic Conditions Table on the following page lists the existing operating peak-period levels of service on the major roadways in the Study Area. Current traffic conditions on most major roadways are above the adopted Level of Service (LOS) Standards; however, eight roadway segments are operating at their adopted LOS D standard, and eight segments are operating at LOS F, exceeding their adopted LOS standards. The following roadway segments are exceeding their adopted LOS standards and/or operating at LOS F:

- SW 177 Avenue (Krome Avenue), from Okeechobee Road to SW 8 Street
- SW 177 Avenue (Krome Avenue), from SW 8 Street to SW 88 Street
- NW/SW 122 Avenue, from NW 6 Street to SW 8 Street
- NW 107 Avenue (SR 985), from SR 836 to West Flagler Street
- NW 58 Street, from NW 87 Avenue to SR 826
- NW 25 Street, from NW 97 Avenue to NW 87 Avenue
- NW 25 Street, from NW 87 Avenue to NW 72 Avenue
- NW 12 Street, from NW 87 Avenue to NW 72 Avenue

The segments of NW/SW 177 Avenue (Krome Avenue), from Okeechobee Road (SR 25) to SW 8 Street (SR 90) and between SW 8 Street and SW 88 Street (SR 94), are currently operating at LOS D, below the adopted LOS C standard. All other expressways and arterials that are currently monitored show acceptable peak-period LOS conditions.

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

Roadway	Location/Link	Lanes	LOS Std.*	LOS
NW/SW 177 Ave./Krome Ave. (SR 97)	Okeechobee Road to SW 8 Street	2 UD	C	D (06)
	SW 8 Street to SW 88 Street	2 UD	C	D (06)
NW/SW 137 Avenue	NW 6 Street to SW 8 Street	2 UD	D	C (04)
	SW 8 Street to SW 26 Street	4 DV	D	B (04)
	SW 26 Street to SW 42 Street			
NW/SW 132 Avenue	NW 6 Street to SW 8 Street	2 UD	D	A (04)
NW/SW 127 Avenue	NW 6 Street to SW 8 Street	2 UD	D	D (04)
	SW 8 Street to SW 26 Street	4 DV	D	C (04)
	SW 26 Street to SW 42 Street			
NW/SW 122 Avenue	NW 6 Street to SW 8 Street	2 UD	E	F (04)
	SW 8 Street to SW 26 Street	4 DV	E+20%	E (04)
HEFT (SR 821)	SR 836 to SW 8 Street	8 LA	D	D (06)
	SW 8 Street to SW 40 Street	6 LA	D	D (06)
NW/SW 107 Avenue	NW 58 Street to NW 41 Street	4 DV	D	B (04)
	NW 41 Street to NW 25 Street	4 DV	D	A (04)
	NW 25 Street to NW 12 Street	6 DV	D	D (06)
	NW 12 Street to SR 836	8 DV	D	D (06)
NW/SW 107 Ave. (SR 985)	SR 836 to W Flagler Street	6 DV	E	F (06)
	W. Flagler Street to SW 8 Street	4DV	E	D (06)
	SW 8 Street to SW 24 Street	6 DV	E	C (06)
	SW 24 Street to SW 40 Street	4 DV	E	C (06)
NW 97 Avenue	NW 25 Street to NW 12 Street	4 DV	D	B (04)
NW/SW 87 Avenue	NW 58 Street to NW 41 Street	6 DV	D	A (04)
	NW 41 Street to NW 25 Street	6 DV	E+20%	B (04)
	NW 25 Street to NW 12 Street	6 DV	D	B (04)
NW/SW 87 Avenue (SR 973)	SR 836 to W Flagler Street	6 DV	E	D (06)
	W Flagler Street to SW 8 Street	4 DV	E	D (06)
	SW 8 Street to SW 24 Street	4 DV	E	D (04)
	SW 24 Street to SW 40 Street	4 DV	E	D (04)
NW 58 Street	NW 117 Avenue to NW 107 Avenue	4 DV	D	A (04)
	NW 102 Avenue to NW 97 Avenue	4 DV	D	A (04)
	NW 97 Avenue to NW 87 Avenue	4 DV	D	A (04)
	NW 87 Avenue to SR 826	4 DV	D	F (04)
NW 36/41 Street (Doral Blvd.)	SR 821 (HEFT) to NW 107 Avenue	6 DV	D	A (04)
	NW 107 Avenue to NW 97 Avenue	6 DV	D	B (04)
	NW 97 Avenue to NW 87 Avenue	6 DV	E+20%	A (04)
	NW 87 Avenue to SR 826	6 DV	E+20%	D (04)
NW 25 Street	NW 117 Avenue to NW 107 Avenue	4DV	D	B (04)
	NW 107 Avenue to NW 97 Avenue	4 DV	D	D (04)
	NW 97 Avenue to NW 87 Avenue	4DV	D	F (04)
	NW 87 Avenue to NW 72 Avenue	4 DV	D	F (04)

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

Roadway	Location/Link	Lanes	LOS Std.*	LOS
NW 12 Street	NW 127 Ave. to HEFT.	4 DV	D	B (04)
	HEFT to NW 107 Avenue	6 DV	D	D (04)
	NW 107 Avenue to NW 87 Avenue	4 DV	D	D (06)
	NW 87 Avenue to NW 72 Avenue	4 DV	D	F (04)
Dolphin Expressway (SR 836)	SR 821 (HEFT) to NW 107 Avenue	6 LA	D	C (06)
	NW 107 Avenue to NW 87 Avenue	6 LA	D	C (06)
	NW 87 Avenue to SR 826	6 LA	D	D (06)
West Flagler Street	W 118 Avenue to W 114 Avenue	4 DV	E+20%	A (04)
	W 114 Avenue to W 107 Avenue	6 DV	E+20%	B (04)
	W 107 Avenue to W 97 Avenue	6 DV	E+20%	C (04)
West Flagler Street (SR 968)	W 97 Avenue to W 87 Avenue	6 DV	E+20%	D (04)
	W 87 Avenue to W 79 Avenue	6 DV	E+20%	C (06)
	W 79 Avenue to SR 826	6 DV	E+20%	E (06)
SW 8 Street (SR 90)	SW 177 Avenue to SW 147 Avenue	4 DV	C	B (06)
	SW 147 Avenue to SW 127 Avenue	6 DV	D	D (06)
	SW 127 Avenue to SR 821 (HEFT)	6 DV	E	E (06)
	SR 821 (HEFT) to SW 107 Avenue	6 DV	D	C (06)
	SW 107 Avenue to SW 87 Avenue	8 DV	E+20%	C (06)
	SW 87 Avenue to SR 826	6 DV	E+20%	C (06)
SW 26 Street	SW 147 Avenue to SW 137 Avenue	4 DV	E+20%	C (04)
	SW 137 Avenue to SW 127 Avenue	4 DV	E+20%	B (04)
	SW 127 Avenue to SW 117 Avenue	4DV	E+20%	B (04)
	SW 117 Avenue to SW 107 Avenue	4 DV	E+20%	C (04)
	SW 107 Avenue to SW 97 Avenue	6 DV	E+20%	B (04)
	SW 87 Avenue to SR 826	6 DV	E+20%	B (04)
SW 42 Street	SW 157 Avenue to SW 147 Avenue	4 DV	D	A (04)
	SW 147 Avenue to SW 137 Avenue	4 DV	E+20%	B (04)
	SW 137 Avenue to SW 127 Avenue	4 DV	E+20%	A (04)
	SW 127 Avenue to HEFT	4 DV	E+20%	E+10% (04)
SW 40 Street (SR 976)	HEFT to SW 107 Avenue	6 DV	E+20%	C (06)
	SW 107 Avenue to SW 97 Avenue	6 DV	E+20%	D (06)
	SW 97 Avenue to SW 87 Avenue	6 DV	E+20%	D (06)
	SW 87 Avenue to SR 826	6 DV	E+20%	E+15%(06)

Source: Miami-Dade County Public Works Department, Florida Department of Transportation, July 2007.

Notes: () in LOS column identifies year traffic count was taken or LOS traffic analysis updated

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

* Adopted minimum acceptable peak-period Level of Service Standard for roadways

E+20% means 120% of roadway capacity (LOS E) on roadways serviced by transit with 20 minutes peak period headway.

Trip Generation

April 2007 Cycle

Revised and Replaced November 27, 2007

3-19

Application No. 3

The “Estimated Peak-Hour Trip Generation” Table, below, identifies the number of PM peak-hour trips estimated 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 estimated to be generated by the potential development that could occur under the current CDMP land use designation.

The trip generation was prepared to estimate the AM and PM peak-hour trip impact using the rates and equations from the Institute of Transportation Engineers’ (ITE) Trip Generation, 7th Edition. The analysis includes the use of the rates and equations from the following land use codes (LUC): LUC 820 for commercial use, LUC 150 for industrial use, LUC 710 for office use, LUC 310 for hotel use, and LUC 232 for residential use.

Three development scenarios were analyzed. All development scenarios assume the Application site developed with a 1.25 Floor Area Ratio (FAR) under the current and requested land use designations. Scenario 1 assumes the Application site developed with commercial retail (879,368 sq. ft. shopping center) and industrial use (2,071,278 sq. ft. warehouses) under the current “Industrial and Office” and “Business and Office” land use designations, and with commercial retail use only (2,951,190 sq. ft. shopping center) under the requested “Business and Office” land use designation. Scenario 2 assumes the Application site developed with industrial use (2,071,278 sq. ft. warehouses) and residential use (837 multifamily dwelling units) under the current land use designation, and residential use only (2,811 multifamily dwelling units) under the requested land use designation. And Scenario 3 assumes the Application site developed with commercial and industrial uses under the current land use designation as in Scenario 1, but with mixed-use development (1,050 multifamily units, a 430-room hotel, 225,000 sq. ft. office space and 799,900 sq. ft. commercial retail) as proposed by the Applicant. Scenario 2 assumes the Application site developed with residential use under the current and requested land use designations since residential use may be authorized to occur in the “Business and Office” land use category at a density up to one density category higher than the Land Use Plan (LUP) designated density of the adjacent or adjoining residentially designated area.

Scenario 1 is estimated to generate approximately 2,915 more PM peak-hour trips than the current CDMP land use designation, Scenario 2 is estimated to generate approximately 300 fewer PM peak-hour trips than the current land use category, and Scenario 3 to generate approximately 828 more PM peak-hour trips than the current land use designation.

Traffic Concurrency Evaluation

A recent evaluation of peak-period traffic concurrency conditions for each development scenario as of July 24, 2007, which considered reserved trips from approved development not yet constructed, any programmed roadway capacity improvements, and the application’s traffic impacts, indicates that the segments of NW 12 Street between the HEFT and NW 107 Avenue and from NW 107 to NW 97 Avenues are expected to operate at LOS D, with the potential development scenarios under the proposed amendment, and NW 107 Avenue between NW 12 Street and SR 836 in the vicinity of the Application site, is predicted to operate at LOS E.

Estimated Peak Hour Trip Generation
By Current CDMP and Requested Land 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
3 (Scenario 1)	Industrial and Office – (2,071,278 sq. ft.), and Business and Office – (879,368 sq. ft. Retail) / 2,081 ¹	Business and Office (With 1.25 FAR) - (2,951,190 sq. ft. Comm. Retail)/ 4,996 ¹	+2,915
3 (Scenario 2)	Industrial and Office – (2,071,278 sq. ft.), and Business and Office (Residential use only) – (837 Multi-Family) 1,368	Business and Office (Residential use only) - (2,811 Multi-Family) / 1,068	-300
3 (Scenario 3)	Industrial and Office – (2,071,278 sq. ft.), and Business and Office – (879,368 sq. ft. Retail) / 2,081	Business and Office (Mixed-use) - (1,050 Multi-Family) 430-room hotel, 225,000 sq. ft office space, 799,900 sq. ft Comm. Retail / 2,902	+ 828

Source: Institute of Transportation Engineers, Trip Generation, 7th Edition, 2003; Miami-Dade County Public Works Department, July 2007.

Notes: ¹ Includes pass-by trips adjustment factor, ITE Trip Generation, 7th Edition, 2003.

Future Conditions

The Traffic Impact Analysis Table 3-4 on page 3-7 lists the capacity improvements programmed for construction in Fiscal Years 2007/2008 – 2011/2012 within the Study Area. Various significant projects are already under construction, including the 6-lane widening and new construction of NW/SW 137 Avenue from NW 12 to SW 8 Streets, the new 4-lane segment of NW 127 Avenue from NW 25 to NW 12 Streets, and the new NW 97 Avenue 4-lane bridge over SR 836.

CDMP Amendment Application No. 3
Traffic Impact Analysis on Roadways Serving and in the Vicinity of the Application Site
Roadway Lanes, Existing and Concurrency Peak Period Operating Level of Service (LOS)

Roadway	Location/Link	Number Lanes	Adopted LOS Std. ¹	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.
Scenario 1: COMMERCIAL USE										
NW 107 Avenue	NW 41 Street to NW 25 Street	6 DV	D	6,630	2,678	A	337	1,412	4,427	B (04)
NW 107 Avenue	NW 12 Street to NW 25 Street	6 DV	D	4,450	3,447	D	639	215	4,357	D (06)
NW 107 Avenue	SR 836 to NW 12 Street	8 DV	E	6,253	5,117	D	543	216	5,876	E (06)
NW 12 Street	NW 107 Avenue to NW 97 Ave.	4 DV	D	2,950	1,657	C	N/A	839	2,496	D (06)
NW 12 Street	HEFT to NW 107 Ave.	6 DV	D	4,450	3,115	C	287	119	3,521	D (06)
Scenario 2: RESIDENTIAL USE										
NW 107 Avenue	NW 41 Street to NW 25 Street	6 DV	D	6,630	2,678	A	337	689	3,304	A (04)
NW 107 Avenue	NW 12 Street to NW 25 Street	6 DV	D	4,450	3,447	D	639	105	4,191	D (06)
NW 107 Avenue	SR 836 to NW 12 Street	8 DV	E	6,253	5,117	D	543	105	5,765	E (06)
NW 12 Street	NW 107 Avenue to NW 97 Ave.	4 DV	D	2,950	1,657	C	N/A	410	2,067	D (06)
NW 12 Street	HEFT to NW 107 Ave.	6 DV	D	4,450	3,115	C	287	59	3,461	D (06)
Scenario 3: MIXED USE PROFFERED BY APPLICANT										
NW 107 Avenue	NW 41 Street to NW 25 Street	6 DV	D	6,630	2,678	A	337	1,466	4,481	B (04)
NW 107 Avenue	NW 12 Street to NW 25 Street	6 DV	D	4,450	3,447	D	639	224	4,310	D (06)
NW 107 Avenue	SR 836 to NW 12 Street	8 DV	E	6,253	5,117	D	543	224	5,884	E (06)
NW 12 Street	NW 107 Avenue to NW 97 Ave.	4 DV	D	2,950	1,657	C	N/A	871	2,528	D (06)
NW 12 Street	HEFT to NW 107 Ave.	6 DV	D	4,450	3,115	C	287	124	3,526	D (06)

Source: Miami-Dade County Department of Planning and Zoning; Miami-Dade Public Works Department and Florida Department of Transportation, October 2007.

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

¹ County adopted roadway level of service standard applicable to the roadway segment

() Year traffic count was updated or LOS Revised

Programmed Roadway Capacity Improvements
Fiscal Years 2007/2008 – 2011/2012

Roadway	From	To	Type of Improvement	Fiscal Year
NW 33 Street	NW 104 Avenue	NW 102 Avenue	Widen 2 to 4 lanes	UC
NW 25 Street Viaduct	SR 826	NW 68 Avenue	New road construction	2007 – 2008
NW 25 Street	NW 127 Avenue	NW 117 Avenue	New construction: 4 lanes	UC
NW 25 Street	NW 137 Avenue	NW 132 Place	Widen 2 of 4 lanes	UC
NW 25 Street	NW 132 Place	NW 127 Avenue	Widen 2 of 4 lanes	UC
NW 17 Street	NW 137 Avenue	NW 132 Avenue	2 lanes and ½ of turn lane	Private Sector
NW 17 Street	NW 132 Place	NW 127 Avenue	2 lanes and ½ of turn lane	UC
Dolphin Expressway (SR 836)	SR 836/ SR 826 Interchange	NW 42 Avenue	Construction of additional Eastbound auxiliary lane	2010-2011
SR 826/SR 836			Interchange reconstruction	2010-2011
Krome Ave. (SR 997)	MP 10.984	MP 3.478	Add lanes and reconstruct (widen 2 to 4 lanes)	2009 – 2010
Krome Ave. (SR 887)	MP 3.478	350' N of SW 8 Street	Add lanes and reconstruct (widen 2 to 4 lanes)	2009 – 2010
SW 157 Avenue	SW 42 Street	SW 8 Street	Additional 2 lanes (2 to 4)	2011 – 2012
SW 147 Avenue	SW 22 Street	SW 152 Street	New construction: 2 lanes (West side)	Private Sector
SW 147 Avenue	SW 10 Street	SW 8 Street	New 2 lanes	Private Sector
SW 147 Avenue	SW 8 Street	600 ft. south	Widen 2 to 4 lanes	Private Sector
W 137 Avenue	NW 12 Street	SW 8 Street	New construction: 6 lanes	UC
NW 132 Place	NW 25 Street	NW 17 Street	2 lanes and ½ of turn lane (East side)	UC
NW 132 Place	NW 25 Street	NW 17 Street	2 lanes and ½ of turn lane (West side)	UC
NW 127 Avenue	NW 25 Street	NW 12 Street	New 4-lane road	UC
NW 127 Avenue	NW 12 Street	SW 8 Street	New construction: 4 lanes	Private Sector
SW 117 Avenue	SW 40 Street	SW 8 Street	Widen 2 to 4 lanes	2011 – 2012
NW 97 Avenue	Bridge over SR 836		New 4-lane bridge and approaches	UC
SR 826	SW 2 Street	SW 16 Street	Add lanes and reconstruct (widen 8 to 10 lanes)	UC
SR 826	SW 16 Street	SW 32 Street	Add lanes and reconstruct (widen 8 to 10 lanes)	UC

Source: 2008 Transportation Improvement Program, Metropolitan Planning Organization for the Miami Urbanized Area, May 2007.

Notes: UC means Under Construction

Private Sector: Project to be constructed by a developer to help mitigate the traffic impact of a specific development project. The construction of improvements are normally linked to specific dates, but instead are usually dependent upon the construction schedule of a specific development project, which can vary considerably according to the market and other conditions.

A number of additional roadway improvements are planned within Study Area by the year 2015, as indicated in the Planned Roadway Capacity Improvements Table below. These are projects listed as Priority I and Priority II projects in the Miami-Dade Transportation Plan to the Year 2030, Cost Feasible Plan, with construction planned between 2007 and 2015.

Planned Roadway Capacity Improvements
Year 2015 Planned Roadway Improvements

Roadway	From	To	Type of Improvement	Priority
NW 25 Street	NW 87 Avenue	SR 826	Add 1 lane and reconstruct (Widen 5 to 6 lanes)	I
SR 836/SR 826 Interchange			Interchange improvement	I
Dolphin Expressway (SR 836)	HEFT	SR 826/SR 836 interchange	New 4-lane divided express lanes in median of SR 836	I
SR 836 WB to HEFT SB Connection	HEFT	NW 107 Avenue	Reconstruction of existing SR 836 WB to HEFT SB connection to provide an additional lane	I
SW 26 Street	SW 149 Avenue	SW 147 Avenue	Widen 2 to 4 lanes	I
Krome Ave. (SR 997)	US 27 (SR 25)	SW 88 Street	Access Mgt. / Safety / Trail	I
SW 142 Avenue	SW 8 Street	SW 42 Street	New 2 lane road	I
NW 137 Avenue	NW 17 Street	NW 12 Street	New 4-lane road	I
SW 137 Avenue	SW 8 Street	SW 26 Street	Widen 4 to 6 lanes	I
NW 127 Avenue	NW 12 Street	SW 8 Street	Widen to 4 lanes	I
NW 122 Avenue	NW 41 Street	NW 25 Street	New 2-lane road	I
HEFT	At SW 8 Street		Interchange Modification	I
SW 97 Avenue	NW 41 Street	NW 25 Street	Widen 2 to 4 lanes	I
SW 82 Avenue	SW 8 Street	SW 7 Street	Bridge over Tamiami Canal	I
SR 826	NW 47 Street	NW 25 Street	Add lanes and reconstruct (Widen 8 to 10)	I
Krome Avenue	SW 8 Street	SW 136 Street	Widen 2 to 4 lanes	II
SW 117 Avenue	SW 8 Street	SW 40 Street	Widen 2 to 4 lanes	II
SW 107 Avenue	W Flagler Street	SW 8 Street	Widen 4 to 6 lanes	II
NW 87 Avenue	NW 58 Street	NW 36 Street	Widen 4 to 6 lanes	II
NW 82 Avenue	NW 12 Street	NW 8 Street	New 4-lane road	II

Source: Miami-Dade Transportation Plan to the Year 2030, Metropolitan Planning Organization for the Miami Urbanized Area, December 2004

Notes: Priority I – Project improvements to be funded by 2009

Priority II – Project improvements planned to be funded between 2010 and 2015

The Table below lists the roadway segments within the Study Area in the vicinity of the Application site that are projected to exceed, with and without the Application's impacts, the adopted LOS standards applicable to roadway segment by the Year 2015. The table provides the impacts that the various development scenarios would have on the 2015 roadway network. It should be pointed out that the adopted LOS standards, shown in the "Adopted LOS" column, were revised to consider the transit improvements listed in the 2006 Transit Development Program planned by Miami-Dade Transit.

2015 Volume-to-Capacity (V/C) Ratios
Roadway Segments Projected to Exceed their Adopted Level of Service Standards

Roadway	Segment	Base Scenario	Scenario 1	Scenario 2	Scenario 3	Adopted LOS ¹
NW 58 Street	SR 826 to NW 87 Ave.	1.24 - 2.60	1.23 - 2.66	1.27 - 2.60	1.27 - 2.61	D
	NW 87 Ave. to NW 97 Ave.	1.15 - 1.24	1.19 - 1.29	1.16 - 1.26	1.19 - 1.30	D
	NW 97 Ave. to NW 102 Ave.	0.93	0.92	0.91	0.93	D
NW 41 Street/ Doral Blvd.	SR 826 to NW 87 Ave.	1.08 - 1.67	1.09 - 1.70	1.08 - 1.69	1.07 - 1.69	E+20%
	NW 87 Ave. to NW 97 Ave.	1.06 - 1.31	1.07 - 1.34	1.06 - 1.33	1.06 - 1.28	E+20%
	HEFT to NW 122 Ave.	1.32	1.22	1.32	1.41	D
NW 25 Street	SR 826 to NW 87 Ave.	1.19 - 1.69	1.19 - 1.70	1.19 - 1.69	1.21 - 1.69	E+20%
	NW 87 Ave. to NW 97 Ave.	1.22 - 1.31	1.27 - 1.34	1.25 - 1.33	1.26 - 1.34	E+20%
	NW 107 Ave. to NW 112 Ave.	0.99	0.98	0.99	1.00	D
	NW 122 Ave. to NW 127 Ave.	1.08	1.05	1.05	1.11	D
NW 12 Street	SR 826 to NW 87 Ave.	0.81 - 1.62	0.80 - 1.65	0.85 - 1.65	0.84 - 1.68	D
	NW 87 Ave. to NW 97 Ave.	1.12 - 1.33	1.17 - 1.41	1.16 - 1.38	1.19 - 1.46	D
	NW 97 Ave. to NW 107 Ave.	0.99 - 1.15	1.02 - 1.24	1.02 - 1.15	1.04 - 1.21	D
Dolphin Expy. (SR 836)	SR 826 to NW 87 Ave.	1.10	1.21	1.08	1.20	D
	NW 87 Ave. to NW 107 Ave.	1.10	1.21	1.11	1.20	D
	NW 107 Avenue to HEFT	0.92	1.21	1.12	1.20	D
W Flagler Street (SR 968)	SR 826 to NW 79 Ave.	1.26	1.34	1.31	1.30	E+20%
SW 8 Street/Tamiami Trail (SR 90)	SR 826 to SW 82 Ave.	1.27	1.31	1.28	1.31	E+20%
	HEFT to SW 127 Ave.	1.01 - 1.19	1.07 - 1.27	1.02 - 1.23	1.06 - 1.26	D
SW 26 Street/Coral Way	SR 826 to SW 82 Ave.	1.20 - 1.29	1.09 - 1.18	1.15 - 1.24	1.12 - 1.21	E+20%
	SW 117 Ave. to SW 122 Ave.	1.26 - 1.39	1.16 - 1.29	1.24 - 1.37	1.21 - 1.33	E+20%
Palmetto Expy. (SR 826)	NW 58 Street to Doral Blvd.	1.37	1.37	1.36	1.35	D
	Doral Blvd. to NW 25 Street	1.07	1.06	1.06	1.00	D
	NW 25 Street to SR 836	1.71	1.71	1.71	1.69	D
	SR 836 to W Flagler Street	1.18	1.21	1.09	1.19	D
	W Flagler St. to SW 8 Street	1.38	1.14	1.22	1.13	D
	SW 8 Street to SW 40 Street	1.19	1.08	1.17	1.08	D
NW/SW 87 Ave. (SR 973)	NW 25 Street to SR 836	1.42 - 1.78	1.45 - 1.81	1.43 - 1.80	1.48 - 1.84	E+20%
	SR 836 to Park Blvd.	1.03 - 1.25	1.03 - 1.26	1.07 - 1.28	1.05 - 1.24	E+20%
	W Flagler St. to SW 8 Street	1.30 - 1.35	1.29 - 1.34	1.30 - 1.36	1.29 - 1.34	E+20%
NW/SW 97 Avenue	NW 58 Street to Doral Blvd.	0.71 - 1.38	0.71 - 1.46	0.71 - 1.43	0.74 - 1.44	D
	Doral Blvd. to NW 25 Street	1.06 - 1.34	1.11 - 1.37	1.05 - 1.34	1.11 - 1.36	D

2015 Volume-to-Capacity (V/C) Ratios
Roadway Segments Projected to Exceed their Adopted Level of Service Standards

Roadway	Segment	Base Scenario	Scenario 1	Scenario 2	Scenario 3	Adopted LOS ¹
	NW 25 Street to NW 12 Street	0.87 – 2.57	0.95 – 2.62	0.89 – 1.96	0.92 – 2.62	E+20%
	NW 12 Street to W Flagler St.	0.92 – 1.48	1.02 – 1.60	0.93 – 1.51	0.97 – 1.53	D
	W Flagler Street to SW 8 St.	1.36 – 1.43	1.44 – 1.51	1.38 – 1.45	1.39 – 1.46	D
	SW 8 Street to Coral Way	1.19 – 1.27	1.24 – 1.33	1.20 – 1.28	1.22 – 1.31	D
NW/SW 107 Avenue	NW 58 Street to NW 50 Street	0.86	0.93	0.89	0.91	D
	Doral Blvd to NW 25 Street	1.12 – 1.39	1.12 – 1.39	1.11 – 1.38	1.15 – 1.41	E+20%
	NW 25 Street to SR 836	1.01 – 1.40	1.00 – 1.61	1.02 – 1.42	1.04 – 1.51	E+20%
	SR 836 to NW 7 Street	1.40	1.43	1.40	1.40	E+20%
	W Flagler Street to SW 8 St.	1.15 – 1.19	1.16 – 1.2	1.16 – 1.14	1.18 – 1.21	E+20%
NW 117 Avenue	NW 58 Street to NW 41 St.	1.00 – 1.10	0.88 – 1.16	0.86 – 1.09	0.98 – 1.07	D
	NW 41 Street to NW 25 St.	1.27	1.33	1.31	1.25	D
HEFT (SR 821)	NW 41 Street to NW 12 Street	0.89	0.95	0.91	0.91	D
	SR 836 to SW 8 Street	1.21	1.31	1.24	1.26	D
	SW 8 Street to Bird Road	1.22	1.32	1.23	1.29	D
NW/SW 122 Avenue	NW 41 Street to NW 25 Street	1.24	1.10	1.22	1.30	D
	NW 6 Street to Walsh Blvd.	1.49 – 2.15	1.51 – 2.20	1.51 – 2.17	1.50 – 2.16	E
	SW 8 Street to SW 26 Street	0.85 – 1.22	0.86 – 1.27	0.89 – 1.27	0.91 – 1.29	E+20%
NW/SW 127 Avenue	NW 12 Street to SW 8 Street	1.08 – 1.48	1.04 – 1.48	1.00 – 1.36	1.03 – 1.44	D
	SW 8 Street to SW 26 Street	0.88 – 0.98	0.92 – 1.03	0.86 – 0.98	0.91 – 1.01	E+20%
NW/SW 132 Avenue	NW 12 Street to SW 8 Street	1.12 – 1.31	1.17 – 1.42	1.25 – 1.39	1.37 – 1.56	E+20%
	SW 8 Street to SW 18 Street	0.69 – 0.82	0.80 – 0.94	0.71 – 0.84	0.81 – 0.95	D
NW/SW 137 Avenue	SR 836 to SW 8 Street	1.38 – 1.44	1.3 – 1.34	1.4 – 1.46	1.26 – 1.32	D
SW 157 Avenue	SW 8 Street to SW 26 Street	1.00	1.02	1.03	1.00	D

Source: Ganett Fleming Inc., Metropolitan Planning Organization for the Miami Urbanized Area, July 2007.

Note: Base Scenario considers Application site developed with Business & Office and Industrial & Office uses; Scenario 2 considers Application site developed with Business & Office use only; Scenario 3 considers Application site developed with residential use only.

¹ Adopted LOS Standard includes planned transit improvements

V/C Ratios: ≥ 0.70 , LOS B or better; 0.71 – 0.80, LOS C; 0.81 – 0.90, LOS D; 0.91 to 1.00, LOS E; and > 1.00 , LOS F

Although all of the roadway segments, listed in the above Table, are projected to exceed the adopted LOS standards applicable to the roadways by 2015, the following roadway segments will be further deteriorated by the significant impact (5.0% or more of the adopted peak-hour LOS maximum service volume) of at least one of the three potential development scenarios:

- NW 58 Street, from NW 87 Avenue to NW 97 Avenue
- NW 41 Street, from the HEFT to NW 122 Avenue
- NW 25 Street, from NW 87 Avenue to NW 97 Avenue
- NW 12 Street, from SR 826 to NW 107 Avenue
- Dolphin Expressway, from the HEFT to SR 826
- W. Flagler Street, from NW 79 Street to SR 826
- SW 8 Street/Tamiami Trail, from the HEFT to SW 127 Avenue
- NW 87 Avenue, from NW 25 Street to SR 836
- NW 97 Avenue, from NW 58 Street to NW 41 Street
- NW 97 Avenue, from NW 25 Street to W Flagler Street
- NW 107 Avenue, from NW 25 Street to W. Flagler Street
- HEFT, from SR 836 to SW 40 Street
- NW 122 Avenue, from NW 41 Street to NW 25 Street
- NW 122 Avenue, from SW 8 Street to SW 26 Street
- NW/SW 132 Avenue, from NW 12 Street to SW 18 Street

Application Impact

The Applicant submitted a draft Declaration of Restrictions on July 27, 2007, limiting the maximum development for the property. The covenant limits the maximum development program as follows: 1,050 dwelling units or 1,701,00 sq. ft. of residential use, 799,900 gross sq. ft. of retail/service use, 430-room hotel or 225,000 gross sq. ft. hotel facility, and 225,000 gross sq. ft. office space. However, at the time DP&Z staff requested the Metropolitan Planning Organization and Public Works Department to prepare the transportation analyses for this application, DP&Z staff knew of the Applicant's intention to limit the development program but had not received the Declaration of Restrictions. Therefore, DP&Z staff requested analysis for three development scenarios. Scenario 1 assumes the Application site developed with the potential maximum commercial development allowed under the requested Business and Office CDMP Land Use designation; Scenario 2 assumes the Application site developed with residential use only as may be permitted in the Business and Office land use category; and Scenario 3 assumes Application site developed with mixed uses as proposed by the Applicant.

Scenario 1 is estimated to generate approximately 2,915 more PM peak-hour trips than the current Business & Office and Industrial & Office CDMP land use designations. Scenario 2, on the other hand, is estimated to generate approximately 300 fewer PM peak-hour trips than the current land use categories. And Scenario 3 is estimated to generate approximately 828 more PM peak-hour trips than the current land use designations.

Most of the roadway sections in the immediate vicinity of the Application site are currently operating at acceptable levels of service, except the following roadways: Krome Avenue,

between Okeechobee Road and SW 8 Street and from SW 8 Street to SW 88 Street, which is currently operating at LOS D, below the adopted LOS C standard. NW/SW 122 Avenue, from NW 6 Street to SW 8 Street; NW/SW 107 Avenue, from SR 826 to W. Flagler Street; NW 25 Street, from NW 97 Avenue to NW 72 Avenue; and NW 12 Street, from NW 87 Avenue to NW 72 Avenue, are all operating at LOS F, exceeding the adopted LOS D standard applicable to these roadway segments. SW 127 Avenue, from SW 8 Street to SW 26 Street; the HEFT, from SR 836 to SW 40 Street; NW 12 Street, from the HEFT to NW 107 Avenue and between NW 107 Avenue and NW 97 Avenue; the Dolphin Expressway, from NW 87 Avenue to SR 826/SR 836 interchange; and SW 8 Street, from SW 147 Avenue to SW 127 Avenue, are all operating at their adopted LOS D standard.

The traffic concurrency analysis indicates that the addition of trips generated by the proposed Application will significantly impact the level of service of NW 12 Street, between the HEFT and NW 107 Avenue and from NW 107 Avenue to NW 97 Avenue, which is predicted to operate at LOS F, below the adopted LOS D standard applicable to these roadway segments.

By 2015, the County's FSUTMS Modeling results indicate that a number of roadways are projected to exceed, without the Application's impacts, their adopted LOS standards. The same roadways will be further deteriorated by the impact of the Application. These roadway segments, which are listed on page 3-25, are: NW 58, NW 41, NW 25, NW 12 and SW 8 Streets; the Dolphin Expressway and the HEFT; and NW 132, NW 122, NW 107, NW 97 and NW 87 Avenues.

The Applicant also submitted a Transportation Analysis Report in support of the Application. The report, prepared by Cathy Sweetapple & Associates, compares and evaluates the transportation impacts resulting from the proposed CDMP amendment based on three analysis scenarios: The maximum allowable square footage permitted under the current land use designation, the maximum allowable square footage that would be permitted under the proposed land use designation, and the maximum development program proposed by the Applicant. The transportation consultant concludes that there is available capacity and acceptable levels of service are maintained for the adjacent roadways and the Study Area roadway network. DP&Z staff disagrees with this conclusion. However, county staff is willing to work with the Applicant and the transportation consultant in order to discuss the discrepancies in the results. A copy of the applicant's transportation analysis report is attached in Appendix D.

Transit

Metrobus Routes 7, 41, 71, 137, 147, 238 and 242 service the Application site. Routes 7, 41, 238 and 242 are Metrorail Feeder routes to the Overtown/Arena, Allapattah, Earlington Heights and Palmetto stations. Each Metrobus route maintains a 30-minute Peak Headway on weekdays and 30 to 60-minute Off-Peak Headways on weekends; routes 147, 238 and 242 do not operate on weekends. Most of the planned improvements include a reduction in the peak and midday headways, and the addition of overnight service on Route 242 (see tables below).

Two new routes are proposed along NW/SW 97 Avenue and SR 836. The 97 Avenue Crosstown Route will provide service along NW/SW 97 Avenue from Jackson South Community Hospital, on SW 152 Street and theoretical SW 97 Avenue, to the Palmetto Metrorail station; the SR 836 Express will provide limited-stop service between the FIU University Park Campus and downtown Miami (see table below). Miami-Dade Transit is also examining a 10-13 mile corridor along SR 836 for future rail extension to west Miami-Dade—from the future Miami Intermodal Center to approximately SW 137 Avenue—as part of the People's Transportation Plan Rapid Transit Improvements.

A preliminary analysis of Traffic Analysis Zone (TAZ) 818, which includes the subject site, determined that the expected transit impact generated by the proposed project would be minimal, and would be absorbed by the planned transit improvements in the area.

Application No. 3 Existing Metrobus Route Service						
Route	Headways (in minutes)				Stop Locations	Type of Service
	Peak	Off-Peak	Sat	Sun		
7	30	40	40	40	NW 14 St and NW 110 Ave NW 14 St and NW 107 Ave (International Mall) NW 107 Ave and NW 14 St NW 107 Ave and NW 12 St	F – Overtown/Arena Station
41	30	40	45	60	NW 14 St and NW 110 Avenue NW 14 St and NW 107 Avenue (International Mall)	F – Allapattah Station
71	30	40	40	40	NW 14 St and NW 110 Ave NW 14 St and NW 107 Ave (International Mall) NW 107 Ave and NW 14 St NW 107 Ave and NW 12 St	L
137	30	30	40	40	NW 14 St and NW 107 Ave (International Mall) NW 107 Ave and NW 14 St NW 107 Ave and NW 12 St	L
147	30	60	N/A	N/A	NW 111 Ave and NW 12 St	L
238	30	60	N/A	N/A	NW 14 St and NW 107 Ave (International Mall)	F – Earlington Heights Station
242	30	60	N/A	N/A	NW 14 St and NW 107 Ave (International Mall) NW 111 Ave , South of NW 12 St NW 111 Ave and NW 12 St	F – Palmetto Station

Source: Miami-Dade Transit, August 2007

Notes:

1. F= Feeder route to Metrorail
2. L= Local route

Application No. 3 Planned Metrobus Route Improvements	
Route No.	Improvement Description
7	No improvements planned.
41	Improve peak headway from 30 to 15 minutes.
41	Improve midday headway from 40 to 30 minutes.
41	Improve weekend headway from 45/60 to 30 minutes.
71	Improve peak headway from 30 to 15 minutes.
137	Improve peak headway from 30 to 15 minutes.
147	Improve peak headway from 30 to 15 minutes.
147	Improve midday headway from 60 to 30 minutes.
238	Improve peak headway from 30 to 15 minutes.
238	Improve midday headway from 60 to 30 minutes.
242	Improve peak headway from 30 to 15 minutes.
242	Improve midday headway from 60 to 30 minutes.
242	Add overnight service seven days a week.
Source: 2006 Transit Development Program, Miami-Dade Transit, May 2006	

Application No. 3 Proposed New Routes	
97 Avenue Crosstown	This route would operate on SW/NW 97 Avenue from Jackson South Community Hospital to the Palmetto station. Service would also be provided along the Busway and the route would serve the Miami International and Dolphin Malls every 30 minutes daily.
97 Avenue Crosstown	Improve peak headway from 30 to 15 minutes.
SR 836 Express	This route would provide limited-stop service between the FIU University Campus and downtown Miami via the Dolphin Expressway (SR 836) during the morning and afternoon peak periods only every 15 minutes.
127	This route would provide weekday local service to the west Kendall area primarily along SW 127 Avenue, extending from Miami Dade College Kendall Campus to the proposed West Dade Terminal.
Source: 2006 Transit Development Program Miami-Dade Transit, May 2006	

Other Planning Considerations

Additional factors taken into consideration to determine the feasibility of the proposed land use change, and the designation of the site as a Regional Activity Center include the following:

Regional Activity Center (RAC)

Chapter 380.06(2)(e), Florida Statutes (F.S.) and Chapter 28-24.014(10)(c)(2), Florida Administrative Code (F.A.C.) authorize local governments to designate Regional Activity Centers (RAC) by increasing the “threshold” of the development size required to undergo State review as a Development of Regional Impact (DRI). Designated RAC’s should be: consistent with the local comprehensive plan; provide service to, or be regularly used by, a significant number of citizens of more than one jurisdiction; contain adequate public facilities as defined in Rule 9J-5 FAC, or committed public facilities identified in the capital improvements element; and be proximate and accessible to interstate or major arterial roads. Chapter 28-24.014(10)(a) F.A.C. establishes the applicable guidelines and standards for RACs, and requires that such amendments delineate the RAC boundaries and “indicate that these boundaries shall be utilized for increased development-of-regional-impact (DRI) guidelines and standards, consistent with the criteria of this rule.” The DRI guidelines and standards are the following:

- a) For residential, hotel, motel, office, or retail developments, the applicable guidelines and standards shall increase by 50%;
- b) The applicable multi-use guidelines and standards shall increase by 100 percent, provided that one land use of the multi-use development is residential and the residential development amounts to not less than 35 percent of the jurisdiction’s applicable threshold;
- c) For a resort or convention hotel development, the applicable hotel guidelines and standards shall increase by 150 percent, when the proposed development is located in a county with a population greater than 500,000, and the local government specifically designates that the proposed resort or convention hotel development will serve an existing convention center of more than 250,000 gross square feet built prior to July 1, 1992.

The following table compares the DRI thresholds applicable to Miami-Dade County for each land use category with the land uses proposed in the application (Note: proposed development at or above 100 percent of the threshold would require a DRI review):

DRI Threshold vs. Proposed Development Application No. 3		
Land Use Category	DRI Threshold	Proposed Development
Residential (units)	3,000	1,050
Hotel (rooms)	750	430
Retail (square feet)	400,000	799,900
Office (square feet)	600,000	225,000

The table shows that of the four land use categories, only the retail portion (799,900 sq. ft.) of the proposed development exceeds the DRI threshold (400,000 sq. ft.). The number of proposed residential units, hotel rooms and office square footage do not meet the DRI threshold.

Regional Development Districts (RDD):

The South Florida Regional Planning Council (SFRPC) refers to RACs as Regional Redevelopment Districts (RDD) in its Strategic Regional Policy Plan (SRPP). SRPP Policy 11.14 states that areas to be considered for RDD designation must follow Chapter 380.06(2) F.S. and 28-24.014(10) F.A.C., and: meet generated demand and established levels of service (LOS), or the capital improvements plan shall reflect funding of the infrastructure to serve the generated demand; mitigate negative impacts and ensure consistency with local plans if applicable; promote redevelopment, support mixed functions, complement adjacent uses and be serviced by mass transit; not contribute to urban sprawl; provide adequate, affordable and reasonably accessible housing opportunities for people employed within the district; and preserve and protect historic and natural resources when applicable. Applications that increase the DRI threshold for office and hotel development require an amendment to the local CDMP and the SRPP.

Metropolitan Urban Center (MUC)

The International Mall, east of the subject site, is a designated Metropolitan Urban Center (MUC) on the CDMP LUP map. The CDMP describes urban centers as having convenient, preferably direct, connections to expressways or major roadways to ensure a high level of countywide accessibility; designed to encourage convenient alternatives to automobile travel and to create identifiable “town centers,” and to create a distinctive sense of place through unity of design and urban architectural character of new developments. The radius of designated MUC’s is a one-quarter mile (1,320 ft.) walking distance from the central core, or central transit stop, and may extend up to one-half mile (2,640 ft.) along major roads and pedestrian linkages. Thus, the portion of the subject site lying east of NW 110 Avenue, approximately two-thirds of the property, would fall within the MUC boundaries assuming a one-half mile radius from the center of the International Mall.

The minimum FAR of a MUC is 0.75 FAR at the “edge,” with a maximum density of 250 (DU/gross acre). MUC’s also provide for a variety of mixed-uses; building, street and public space design guidelines; and shared parking requirements.

Declaration of Restrictions

The applicant has proffered a Declaration of Restrictions, which establishes:

- 1) The Maximum Development Program (MDP) for the subject site would be:
 - Residential: 1,050 dwelling units or 1,701,000 gross square feet;
 - Retail/Service: 799,000 gross square feet;
 - Hotel: 430 rooms or 225,000 gross square feet; and
 - Office: 225,000 gross square feet

(Note: The applicant may increase or decrease certain MDP land use categories as long as the established PM peak hour trips and potable water demands are not exceeded).

- 2) The property will be developed to include a Metrorail station for the proposed East-West transit corridor (if extended to include the subject property), or a MetroBus terminal subject to Department of Planning & Zoning (DP&Z) and Miami-Dade Transit Agency review and approval;
- 3) “New Urbanism” design principles, Leadership in Energy and Environmental Design (LEED) certified building standards, “Florida Friendly” landscaping and water conservation measures will be incorporated into the design and development of the site;
- 4) The applicant will provide: a charter school facility, land allocation for the construction of educational facilities, or a monetary contribution to the Miami-Dade County School Board to meet future educational facility needs; and
- 5) The owner will comply with applicable Miami-Dade County or municipal workforce housing requirements, or construct a minimum of 100 workforce-housing units in the event that a workforce-housing ordinance fails to be enacted.

Dolphin Station RAC Report

The applicant submitted the *Dolphin Center RAC* report, which analyzed several factors and compared the existing and proposed LUP map changes for the subject site in support of the RAC designation. The report concluded that: a) the site is adjacent to a Metropolitan Urban Center (MUC) and several office and light industrial businesses, and the proposed use is consistent with the CDMP; b) a significant number of residents from outside of Miami-Dade County patronize businesses (Dolphin and International malls, FDOT and PBS&J office building) near or adjacent to the subject site; c) the site is accessible to interstate or major highways (SR 836, Homestead Extension/Florida Turnpike and NW 107 Av); and d) the site contains adequate public facilities (sanitary sewer, potable water, drainage, solid waste, recreation and open space, transportation, mass transit, and public education).

The DP&Z agrees that the subject site is adjacent to a MUC and is accessible to interstate or major highways. However, the density and intensity of the proposed project, excluding the retail square footage, does not exceed the required DRI thresholds to qualify for the Regional Activity Center designation. The applicant has also not demonstrated that the subject site is currently utilized by a significant number of residents beyond Miami-Dade County. The consultant conducted a survey of license plates over a three-day period at four sites near the subject site; the survey indicated that 15.33% of the vehicles were from outside of Miami-Dade County with 57.33 as being from “generic Florida”. Approximately 27.33% of these vehicles were from within Miami-Dade County. However, the DP&Z believes the survey sample is too small, and covered too short of a time span, to clearly demonstrate that the subject site and/or adjacent sites, are frequented by persons outside of the County. The DP&Z also does not agree that the site contains adequate public facilities. The proposed application would severely impact the student population at E.B. Thomas Elementary, Doral

Middle and Miami Coral Park High schools; fire-rescue services would also be severely impacted until the completion of Station No. 68, which is planned for completion in 2013.

Residential and Industrial Land Supply Study

The applicant's representative, Miami Economic Associates, Inc (MEAI), conducted a study that challenges the DP&Z's (March 2007) analyses regarding estimated vacant land supply. The study concludes that: a) residential development of the property would generate \$546 million in taxable value, compared to \$189 million generated if developed as an industrial/business park; b) the inclusion of "Industrial and Office" designated properties in Hialeah and at Opa Locka Airport will extend the county's industrial land supply to 2045; c) the supply of future residential land may be lower than projected due to a number of impediments that may reduce the number of units able to be built; d) the property is located within the county's largest employment center and retains a large supply of office and industrial land; and e) residential development of the subject site would not significantly reduce the industrial land supply.

Miami-Dade Aviation Department:

The Miami-Dade Aviation Department (MDAD) has determined that the subject site is impacted by Critical Area Approach, subzones "B" and "C" (CA-B and CA-C) and the Outer Land Use Zone (OLZ) that are associated with Miami International Airport (MIA), as defined in the Code of Miami-Dade County, Section 33-336. The eastern third of the site is in subzone CA-B, while the remainder of the site is in subzone CA-C. The placement of an educational facility, including a day care facility, at this location is subject to all applicable regulations for these subzones in Section 33-336. The OLZ impacts the southeastern portion of the subject site. Thus, the construction of new residential units and educational facilities, where allowed within the OLZ, are permitted where 25-decibel (db) Noise Level Reduction (NLR) materials are incorporated into the design and construction of the structure(s).

According to the MIA Height Zoning Map, the height limitations on the subject property range from 400 feet above mean sea level on the eastern border to 450 feet above mean sea level on the western border. The applicant prior to proceeding with design should submit elevation plans to MDAD for review to comply with the Zoning Ordinance for MIA.

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

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

- LU-1A. High intensity, well-designed urban centers shall be facilitated at locations having high countywide multi-modal accessibility.
- LU-1B. Major centers of activity, industrial complexes, regional shopping centers, large-scale office centers and other concentrations of significant employment shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.

- LU-1C. Give priority to infill development on vacant sites in urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-7A. Encourage development of residential and non-residential land uses and activities around rapid transit stations to include housing, shopping and offices in moderate to high densities and intensities, complemented by compatible entertainment and cultural uses; rapid transit station sites and their vicinity shall be developed as "urban centers" as provided in this plan element under the heading Urban Centers.
- LU-8E(v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism.
- LU-10A. Facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation.

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

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

THIS PAGE INTENTIONALLY LEFT BLANK

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 Draft Declaration of Restrictions

Appendix G Photos of Application Site

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX A

Map Series

THIS PAGE INTENTIONALLY LEFT BLANK

AERIAL PHOTO: APPLICATION NO. 3



2007 AERIAL



APPLICATION AREA

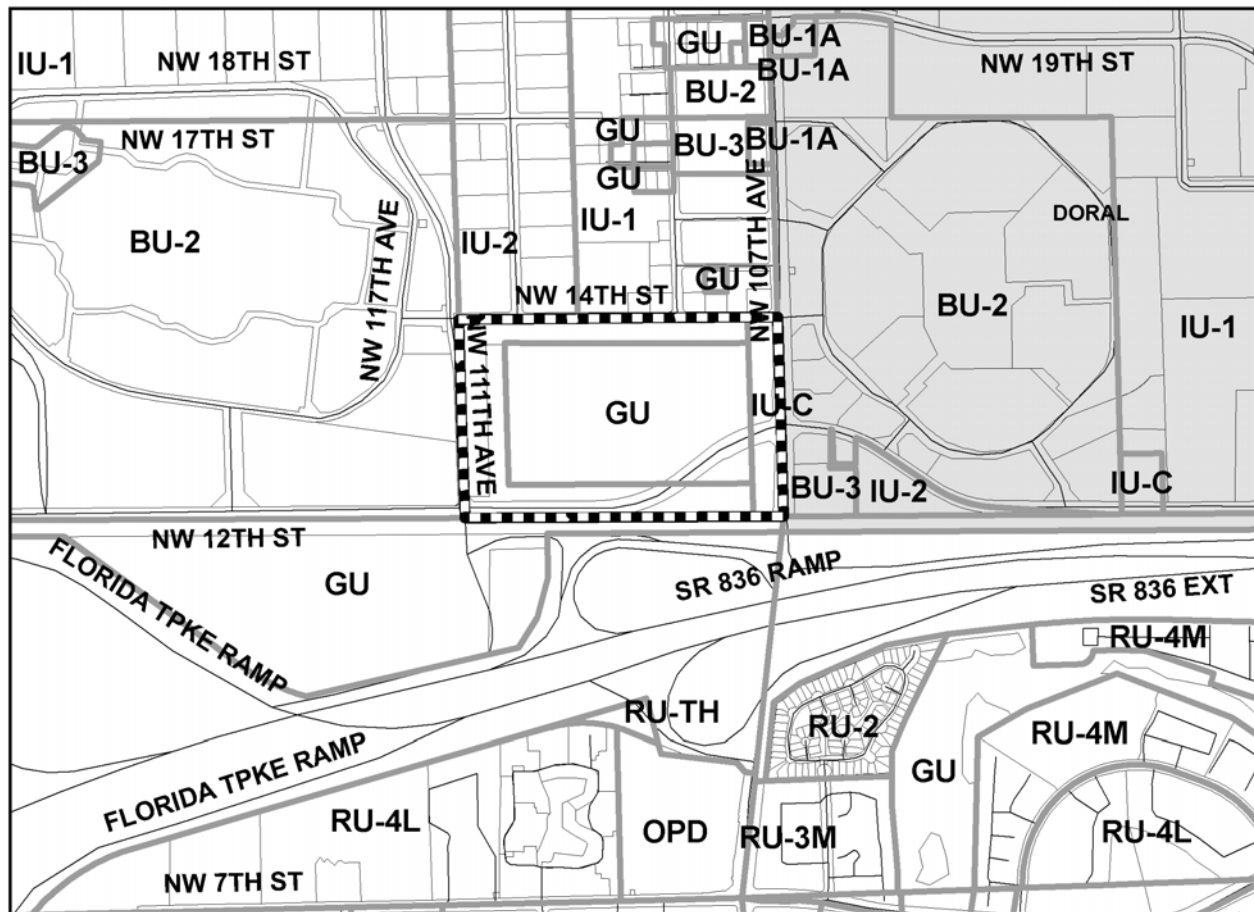
From: Industrial and Office & Business and Office
 To: Business and Office
 Also: Designate the subject property as a Regional Activity Center (Chapter 380.06, F.S.)

0 0.125 0.25 0.5
 Miles

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



APPLICATION NO. 3 CURRENT ZONING MAP



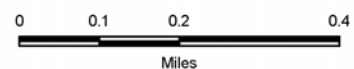
APPLICATION AREA



CITY OF DORAL

MIAMI-DADE ZONING DISTRICTS

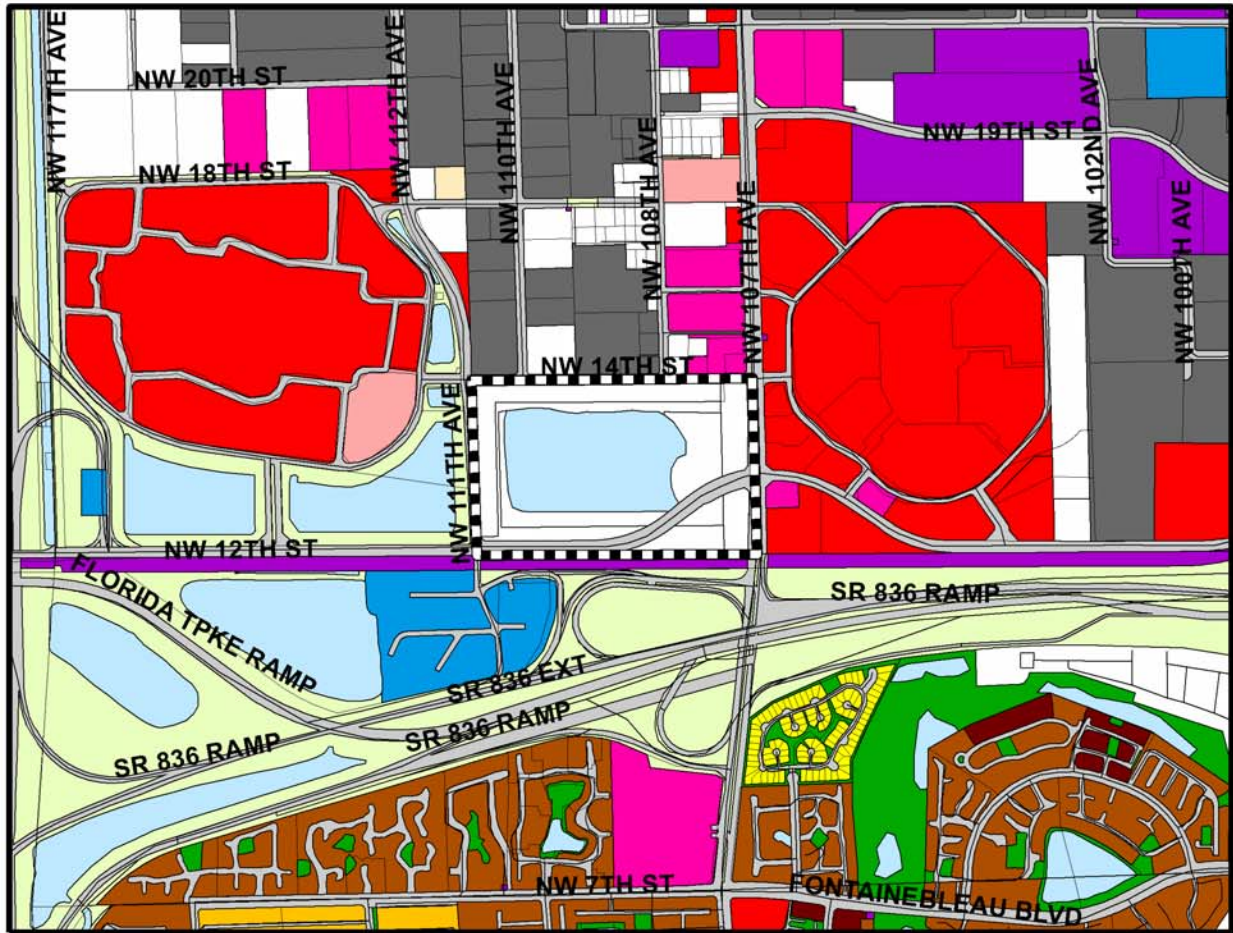
GU	INTERIM ZONING
RU-TH	TOWNHOUSE- 8.5 UNITS/NET ACRE
RU-3M	MINIMUM APT. HOUSE 12.9 UNITS/ NET ACRE
RU-4L	LIMITED APT. HOUSE 23 UNITS / NET ACRE
RU-4M	MODIFIED APT. HOUSE 35.9 UNITS / NET ACRE
OPD	OFFICE PARK DISTRICT- 3 ACRE GROSS
BU-1A	BUSINESS- LIMITED
BU-2	BUSINESS- SPECIAL
BU-3	BUSINESS- LIBERAL (WHOLESALE) INCLUDES MECHANICAL GARAGE AND USED CAR LOT
IU-1	INDUSTRY- LIGHT
IU-2	INDUSTRY- HEAVY
IU-C	INDUSTRY- CONTROLLED



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



APPLICATION NO. 3 EXISTING LAND USE



LEGEND



APPLICATION AREA

EXISTING LAND USE



SINGLE-FAMILY



MOBILE HOME PARKS



LOW-DENSITY MULTI-FAMILY



HIGH-DENSITY MULTI-FAMILY



TRANSIENT-RESIDENTIAL (HOTELS, MOTELS)



COMMERCIAL, SHOPPING CENTERS, STADIA



OFFICE



INSTITUTIONAL



INDUSTRIAL



COMMUNICATIONS, UTILITIES, TERMINALS



STREETS, ROADS, EXPRESSWAYS, RAMPS



STREETS, EXPRESSWAY R/W



PARKS, PRESERVES, CONSERVATION AREAS



VACANT, GOVERNMENT OWNED



VACANT UNPROTECTED



INLAND WATERS

0 0.125 0.25 0.5

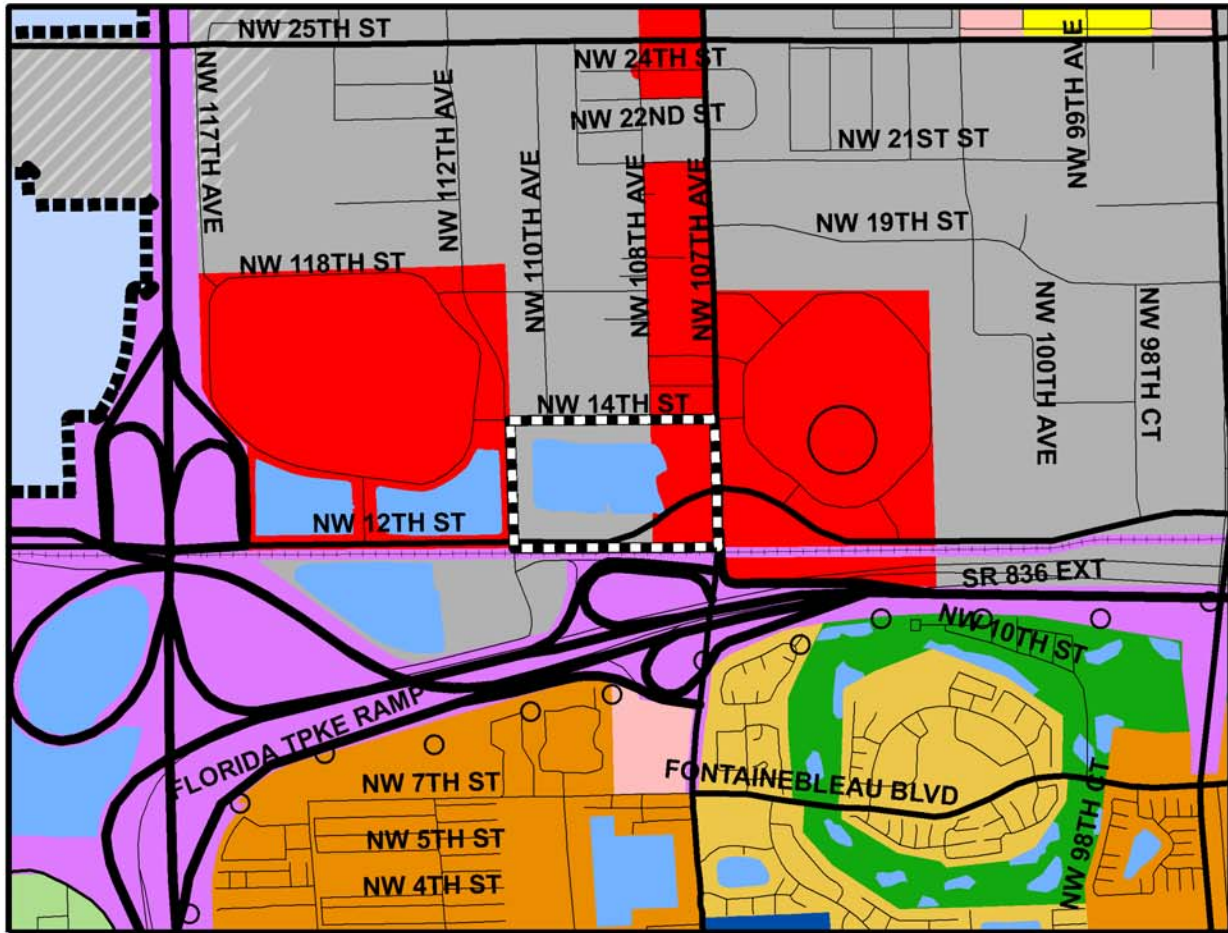
Miles

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



APPLICATION 3

CDMP LAND USE PLAN














LEGEND

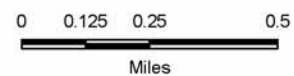


APPLICATION AREA

CDMP LAND USE

- | | |
|---|---|
| | RESIDENTIAL COMMUNITIES |
|  | ESTATE DENSITY RESIDENTIAL (EDR) 1 TO 2.5 DU/AC |
|  | LOW DENSITY RESIDENTIAL (LDR) 2.5 TO 6 DU/AC |
|  | LOW-MEDIUM DENSITY RESIDENTIAL (LMDR) 6 TO 13 DU/AC |
|  | MEDIUM DENSITY RESIDENTIAL (MDR) 13 TO 25 DU/AC |
|  | BUSINESS AND OFFICE |
|  | INDUSTRIAL AND OFFICE |
|  | RESTRICTED INDUSTRIAL AND OFFICE |
|  | OFFICE / RESIDENTIAL |
|  | INSTITUTIONAL AND PUBLIC FACILITY |
|  | PARKS AND RECREATION |
|  | WATER |

-  TRANSPORTATION
(ROW, RAIL, METRORAIL, ETC.)
 EXPRESSWAYS
 MINOR ROADWAY
 RAIL
 FUTURE RAPID TRANSIT
 2015 URBAN DEVELOPMENT BOUNDARY



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



APPENDIX B

Amendment Application

THIS PAGE INTENTIONALLY LEFT BLANK

**STANDARD AMENDMENT REQUEST TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
APRIL 2007-2008 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

2007 APR 30 P 1:53
PLANNING & ZONING
METROPOLITAN PLANNING SECT

1. APPLICANT

Anthony Balzebre Trust
1717 Collins Avenue
Miami Beach, FL 33139

2. APPLICANT'S REPRESENTATIVES

Jeffrey Bercow, Esq.
Michael W. Larkin, Esq.
Bercow & Radell, P.A.
200 South Biscayne Boulevard
Suite 850
Miami, Florida 33131
(305) 374-5300

By: 
Jeffrey Bercow, Esq.

Date: April 30, 2007

By: 
Michael W. Larkin, Esq.

Date: April 30, 2007

3. DESCRIPTION OF REQUESTED CHANGES

Amendments to the text of the Comprehensive Development Master Plan and Land Use Plan Map are requested.

A. Amendments to the text of the Land Use Element and to the Land Use Plan Map are requested.

B. Description of Application Area

The Application Area consists of 59.949 acres located in Section 31, Township 53, Range 40 in unincorporated Miami-Dade County. See Attached Survey.

C. Acreage

Application Area: 59.949 acres.

Acreage owned by Applicant: 59.949 acres.

D. Requested Changes

- 1) It is requested that the Application Area be designated on the Land Use Plan Map as a Regional Activity Center (RAC) in accordance with relevant Florida Statutes and provisions of the Miami-Dade County Comprehensive Development Master Plan. The applicant is requesting an amendment to the text of the Land Use Element within the CDMP in accordance with its RAC designation request. The proposed text amendment is attached to this application as Exhibit A. In addition, the applicant requests the redesignation of the Application Area from Industrial and Office and Business and Office to Business and Office. Finally, if the CDMP amendment application is adopted by the Board of County Commissioners, and a proffered covenant is accepted as a condition of such approval, then the applicant requests that the covenant be added to the text of the CDMP Land Use Element, specifically to the table contained therein and entitled "Restrictions accepted by Board of County Commissioners in association with Land Use Plan Amendments." The covenant will be submitted to Miami-Dade County in accordance with the timelines adopted by the Department of Planning and Zoning.

4. REASONS FOR AMENDMENT

The Application Area consists of two parcels divided by NW 12th Street. The larger parcel is situated at the northwest corner of NW 12th Street and NW 107th Avenue. It is bounded by NW 107th Avenue to the east, NW 14th Street to the north, NW 111th Avenue to the west, and NW 12th Street to the south. The smaller parcel is irregularly shaped and situated at the southwest corner of NW 12th Street and NW 107th Avenue. The smaller parcel is bounded by NW 107th Avenue to the east, NW 12th Street to the north and west, and the State Road 836 (SR 836) ramp right-of-way to the south. The majority of the Application Area is currently designated as Industrial and Office. A portion of the Application Area adjacent to NW 107th Avenue is currently designated as Business and Office. The Application Area is zoned IU-2, IU-C and GU. Currently, the Application Area is vacant and has no existing use. There is a lake in the center of the Application Area. Pursuant to permits obtained from DERM, the lake will be filled in the next two years.

Based upon the Application Area's proximity to major transportation corridors within Miami-Dade County, a vacant parcel with no residential or commercial uses is a substandard use of the Application Area. There is easy access to the Homestead Extension of the Florida Turnpike (HEFT) and SR 836 from the Application Area. In addition, NW 107th Avenue is a six lane arterial major roadway and forms the eastern boundary of the Application Area. Miami International Mall, an existing Metropolitan

Urban Center, is located immediately east of the Application Area. Dolphin Mall is located immediately west of the Application Area. Accordingly, this is an ideal property to redevelop into a mixed-use Regional Activity Center (RAC). The RAC could have a wide variety of uses such as residential, retail, office and hotel.

In the near future, Metrorail will be extended into western Miami-Dade County along SR 836. The western expansion will begin at the Miami Intermodal Center adjacent to Miami International Airport. At present, there are two proposed routes for the Metrorail extension where it intersects with NW 107th Avenue. One route diverges and heads south along NW 107th Avenue terminating at the eastern edge of Florida International University Campus (FIU). The second route continues west crossing NW 107th Avenue until it intersects with the HEFT. At that point, the route turns south terminating at the western edge of FIU campus. The second route proposes a Metrorail station on the portion of the Application Area that is situated on the south side of NW 12th Street. The applicant is willing to work with Miami-Dade County to accommodate the proposed Metrorail station at this location and integrate the station into the overall RAC. It is our understanding that the Metropolitan Planning Organization in the next few months will reach a decision with regard to its locally preferred alternative route for the Metrorail extension.

The designation of the Application Area as an RAC will permit the redevelopment of the Property with a variety of uses. The proposed redevelopment of a large vacant parcel within the Urban Development Boundary adjacent to major transportation corridors in Miami-Dade County is consistent with several objective goals and policies within the Comprehensive Development Master Plan. The approval of the application will be consistent with the following objective and policies:

OBJECTIVE LU-1

The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

Based upon the proposed variety of uses, the RAC will be a center of activity. In addition, the applicant intends on complying with Miami-Dade County's Urban Design Guidelines in order to ensure that this will be a well-designed mix of residential and commercial uses.

POLICY LU-1A

High intensity, well designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multimodal accessibility.

As mentioned previously, at the moment, the Application Area is served by not only SR 836 but also by HEFT. In the near future, Metrorail will be extended into western Miami-Dade County. Under the applicant's preferred route, a Metrorail station will be located within the RAC. However, the alternative track locates a Metrorail station adjacent to Miami International Mall which is still in close proximity to the Application Area.

POLICY LU-1B

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

The RAC will be a major center of activity with a multitude of retail/commercial uses along with a significant residential population. The RAC is situated in an area that either has, or will have in the near future, good county-wide, multi-modal accessibility.

POLICY LU-1C

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

The Application Area is a large vacant parcel situated within the Urban Development Boundary in a currently urbanized area. A vacant parcel of this size adjacent to major transportation corridors in Miami-Dade County is a substandard use of the Property.

OBJECTIVE LU-7

Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian-friendly environment that promotes the use of rapid transit services.

Based upon the proximity of the Application Area to a proposed Metrorail station, the RAC will be a transit-oriented development that will mix residential, retail, office and open spaces within a pedestrian-friendly environment that will promote the use of Metrorail.

POLICY LU-7A

Through its various planning, regulatory and development activities, Miami-Dade County shall encourage development of a wide variety of residential and non-residential land

uses and activities in nodes around rapid transit stations to produce short trips, minimize transfers, attract transit ridership, and promote travel patterns on the transit line that are balanced directionally and temporally to promote transit operational and financial efficiencies. Land uses that may be approved around transit stations shall include housing, shopping and offices in moderate to high densities and intensities, complemented by compatible entertainment, cultural uses and human varying mixes. The particular uses that are approved in a given station area should, a) respect the character of the nearby community, b) strive to serve the needs of the community for housing and services, and, c) promote a balance in the range of existing and planned land uses along the subject transit line. Rapid transit station sites and their vicinity shall be developed as "urban centers" as provided in this plan element under the heading of Urban Centers.

The redevelopment of this large vacant parcel into a mixed use RAC will attract transit ridership and promote travel patterns on the transit lines that are balanced directionally and temporally to promote transit operational and financial efficiencies.

POLICY LU-7B

It is the policy of Miami-Dade County that both the County and its municipalities shall accommodate new development and redevelopment around rapid transit stations that is well designed, conducive to both pedestrian and transit use, and architecturally attractive. In recognition that many transit riders begin and end their trips as pedestrians, pedestrian accommodations shall include, as appropriate, continuous sidewalks to the transit station, small blocks and closely intersecting streets, building oriented to the street or other pedestrian paths, parking lots predominantly to the rear and sides of buildings, primary building entrances as close to the street or transit stop as to the parking lot, shade trees, awnings, and other weather protection for pedestrians.

The applicant will comply with the County's Urban Design Guidelines. The applicant's compliance with the foregoing guidelines will create a pedestrian-friendly environment that will promote the use of the proposed Metrorail station.

Finally, the approval of the application will be consistent with Policy LU-8F which states that the UDB should contain developable land having capacity to sustain projected county wide residential demand for a period of ten (10) years after adoption of the most recent evaluation and appraisal report plus a five-year surplus (a total of 15-year county-wide supply beyond the date of EAR adoption). As an RAC, this redeveloped Application Area will have a significant residential component. Accordingly, the approval of this application will increase the residential inventory within the UDB.

5. ADDITIONAL MATERIAL SUBMITTED

- 1) Survey
- 2) Aerial Photograph/Section Map

3) RAC Map

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

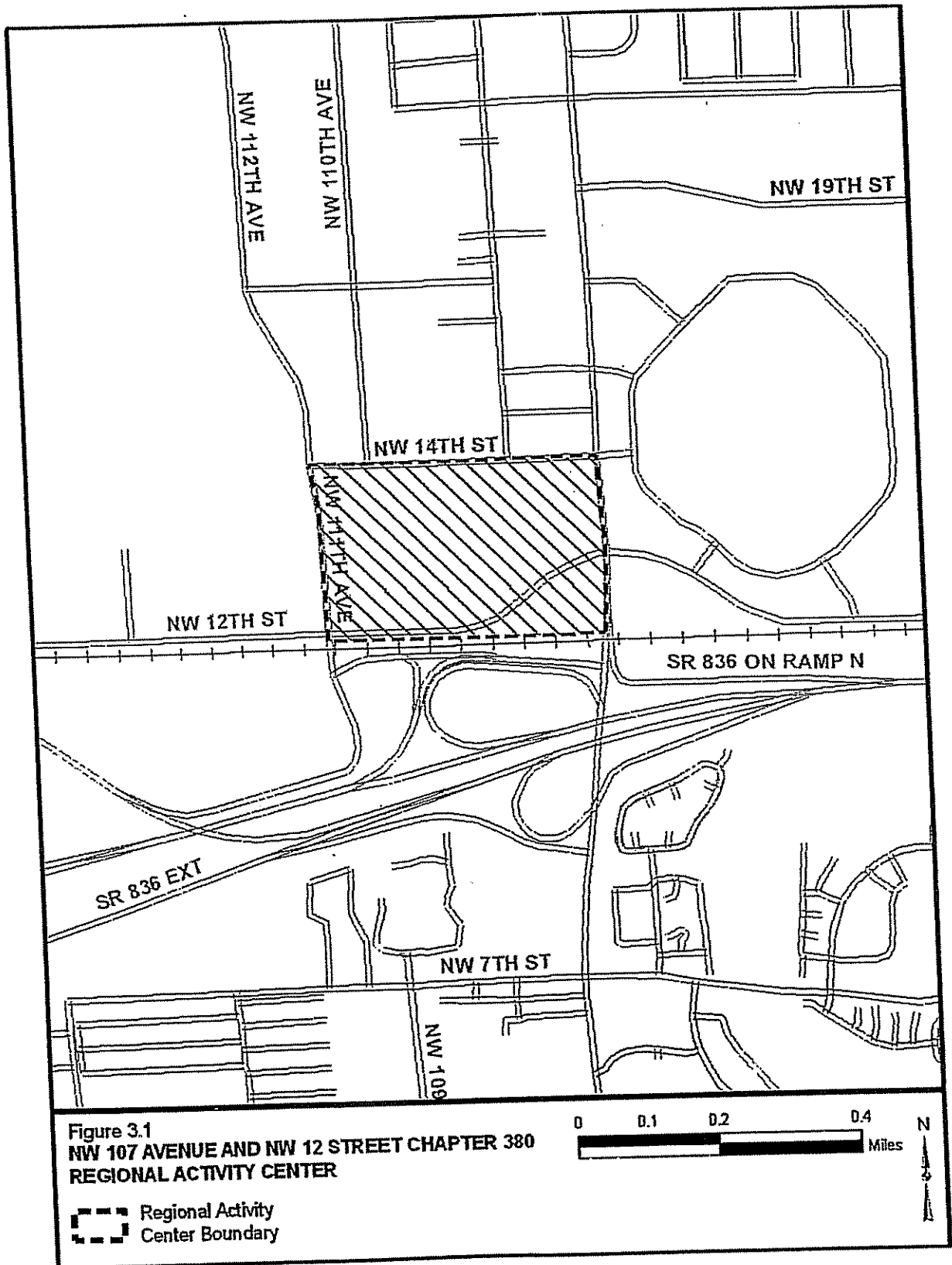
6. **COMPLETE DISCLOSURE FORMS:** See attached.

EXHIBIT A

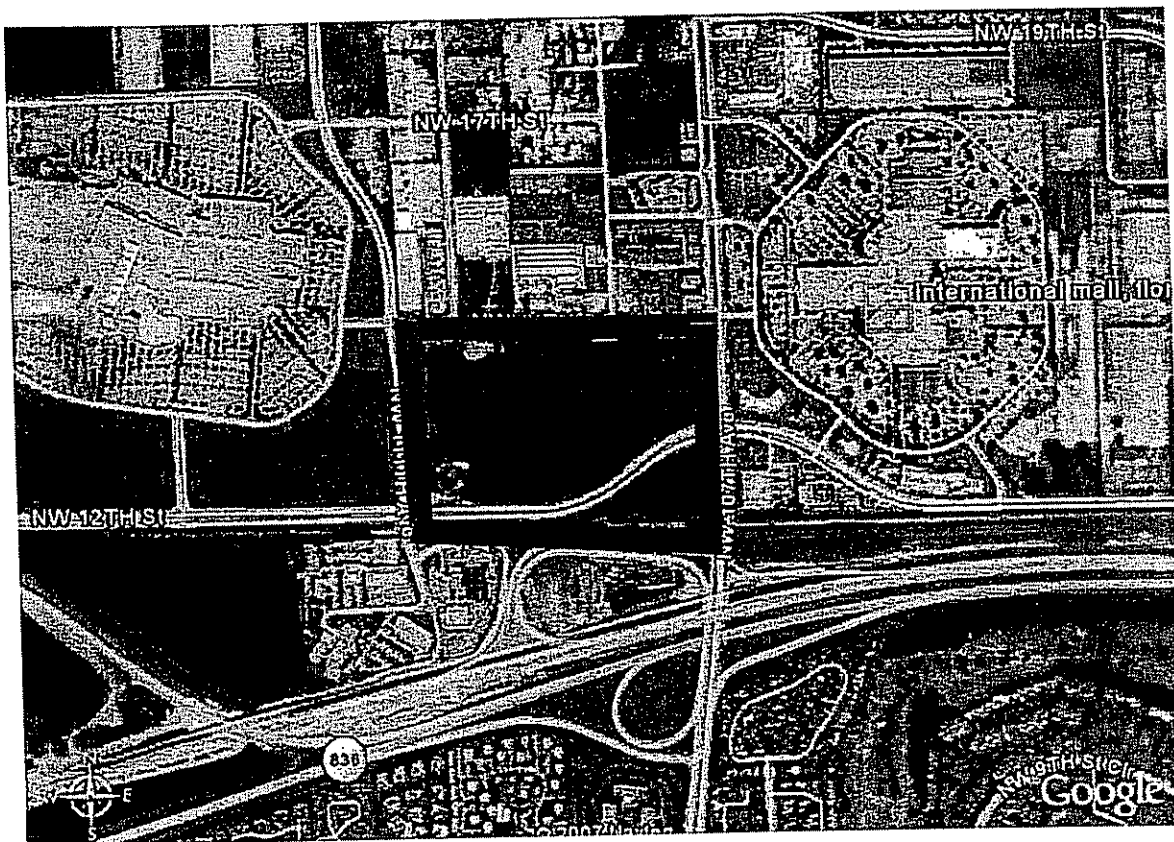
Chapter 380 Regional Activity Centers. Chapter 380.06(2)(e), Florida Statutes (F.S.) and Chapter 28-24.014, Florida Administrative Code (FAC), authorize local governments to designate areas as regional activity centers, hereinafter "Chapter 380 regional activity centers", where the local government seeks to encourage higher intensities of development by increasing the threshold of the development size required to undergo State review as a Development of Regional Impact (DRI). In addition, Policy 11.14 of the Adopted 2004 Strategic Regional Policy Plan for South Florida authorizes the designation of "Regional Development Districts" to implement provisions of Chapters 380-0651(3)(d)(3) and (3)(g)(2), F.S., which provide for the designation of geographic areas highly suitable for increased (DRI review) threshold intensity. The designation of a specific area and boundaries as a Chapter 380 regional activity center for the purpose of increasing DRI review thresholds does not change the CDMP Land Use Plan map designation of any land, nor does it change the uses or intensities of development authorized by the CDMP. It only changes the circumstances under which proposed developments in the designated area would have to be reviewed through the Chapter 380, F.S., DRI process. The following ~~area is~~ areas are hereby designated to be a Chapter 380 regional activity ~~center~~ centers and, subject to approval by the South Florida Regional Planning Council, a regional development ~~district~~ districts (a geographic area specifically designated as highly suitable for increased threshold intensity), for the purpose of increasing the DRI review thresholds:

1. Dadeland, as depicted on Figure 3
2. N.W. 107th Avenue and N.W. 12th Street
as depicted on Figure 3.1

EXHIBIT A



**Map of Property Located on Northwest Corner of the Intersection of
N.W. 107th Avenue and N.W. 12th Street/SR 836 Ramp**



APPENDIX C

Miami-Dade County Public Schools Analysis

THIS PAGE INTENTIONALLY LEFT BLANK

SCHOOL IMPACT REVIEW ANALYSIS

July 3, 2007

APPLICATION:	No. 3, Anthony Balzebre Trust
REQUEST:	Change Land Use from Industrial & Office and Business and Office to Business and Office. Designate Property as a Regional Activity Center.
ACRES:	<u>±</u> 59.95 acres
LOCATION:	Northwest Corner of NW 107 Avenue and NW 12 Street
MSA/ MULTIPLIER:	3.2 / .35 Multifamily
NUMBER OF UNITS:	1050 units
ESTIMATED STUDENT POPULATION:	368
ELEMENTARY:	177
MIDDLE:	81
SENIOR HIGH:	110

SCHOOLS SERVING AREA OF APPLICATION

ELEMENTARY:	Eugenia B. Thomas Elementary – NW 58 Street and 114 Avenue
MIDDLE:	Doral Middle – 5005 NW 112 Avenue
SENIOR HIGH:	Miami Coral Park Senior High - 8865 SW 16 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 2006:

	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**
Eugenia B. Thomas Elementary	1,703	945	180%	176	152%	3,102
	1,880*		199%		168%	
Doral Middle	1,390	1,039	134%	158	116%	2,357
	1,471*		142%		123%	
Miami Coral Park Senior High	3,747	3,492	107%	784	88%	4,055
	3,857*		110%		94%	

*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, Miami Coral Park Senior High(?) meets the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA

(Information included in proposed 5-Year Capital Plan, 2006-2010, dated July 2006 and November 2006 Workshop Plan)

Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
E.B. Thomas Elementary K-8 Conversion (Doral Middle School Relief) (532 student stations)	Construction	School Opening 2007
S/S "P-1" a new K-8 facility (John I. Smith, E.B. Thomas Elementary and Doral Middle School Relief) (1,624 student stations)	Design	School Opening 2008

Proposed Relief Schools

<u>School</u>	<u>Funding year</u>
---------------	---------------------

N/A

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$2,410,032.

CAPITAL COSTS: Based on the State's July 2007 student station cost factors,* capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	$177 \times 18,549 = \$3,283,173$
MIDDLE	$81 \times 20,031 = \$1,622,511$
SENIOR HIGH	Does not meet review threshold
Total Potential Capital Cost	\$4,905,684

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



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools

Rudolph F. Crew, Ed.D.

Chief Facilities Officer

Jaime G. Torrens

Planning Officer

Ana Rijo-Conde, AICP

August 20, 2007

Miami-Dade County School Board

Agustin J. Barrera, Chair

Dr. Martin Karp, Vice Chair

Renier Diaz de la Portilla

Evelyn Langlieb Greer

Perla Tabares Hantman

Dr. Robert B. Ingram

Ana Rivas Logan

Dr. Marta Pérez

Dr. Solomon C. Stinson

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

Re: Land Use Amendments April 2007 Cycle

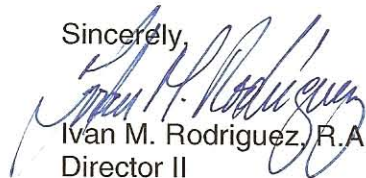
Dear Mr. Basu:

As a follow-up to our letter of July 10, 2007, attached are the results from dialogues conducted with several of the applicant's representatives: Applications 5, 8 and Opa-Locka West Airport, have provided covenants to the County stating there would not be any residential development; therefore they would not impact the District; Applications 7 and 11 would generate sufficient impact fees to fully mitigate their additional impact; Application 3 requires further discussions to explore the opportunity of building an educational facility within the development; Application 10 has proffered a monetary donation to mitigate its impact; and we are still trying to meet with representatives from application 9.

Please note that land use amendments 2, 4, 12 and 13 do not impact the District; and amendments 1 and 6 do not meet the review 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

L100

Attachments

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

APPENDIX D

Applicant's Traffic Study

NOTE: The following consists of Pages 27 thru 42 of the applicant's revised "Dolphin Station Regional Activity Center" report. The full report is available for review in the DP&Z office upon request.

THIS PAGE INTENTIONALLY LEFT BLANK

F. Transportation Element

Level of Service Standard

The Miami-Dade County Traffic Circulation Level of Service Standard is based upon a Peak Period Level of Service as defined on page II-11 of the Transportation Element from the CDMP. The Peak Period is the average of the two highest consecutive hours of traffic volume during a weekday. The Peak Period Level of Service Standards are provided for Non-FIHS and FIHS roadways, with the allowable level of service based upon the location of the transportation facility either located inside the Urban Infill Area, between the Urban Infill Area and the Urban Development Boundary, or outside the Urban Development Boundary. Level of service standards also vary based upon the availability of transit service and the transit service headways located with a one half mile distance from a transportation facility.

Comparative Trip Generation Impact Analysis

In order to evaluate compliance with the adopted level of service standards, a comparative trip generation analysis was performed to quantify the potential transportation impact resulting from the proposed CDMP amendment for the 54.196 Acre Amendment Site. Trip generation calculations have been provided for the following analysis scenarios:

- The maximum allowable square footage permitted under the current land use designations based upon the allowable land use;
- The maximum allowable square footage that would be permitted under the proposed land use designation based upon the proposed change in use; and
- The maximum allowable square footage that would be permitted under the proposed mixed use development program based upon the proposed change in use and the request for a Regional Activity Center Overlay for the Amendment Site.

Each of the comparative land use and square footage limitations being analyzed are summarized in **Table F-1** below:

Table F-1 – Comparative Land Use and Square Footage Summary				
Land Use	Acreage of the Underlying Allowable Land Use Designations	Maximum Allowable Use under the Existing Land Use Designations FAR = 1.25	Maximum Allowable Use under the Proposed Designation to Business and Office	Proposed Mixed Use Development Program under the RAC Overlay Designation
Business and Office	16.154 acres	879,580.09 sf	2,950,968.75 sf	Multi-family = 1050 du [1620 sf/du] Retail = 799,900 sf Office = 225,000 sf Hotel = 430 rooms [500 sf/room] FAR = 2,940,900 sf
Industrial and Office	38.042 acres	2,071,388.66 sf	0	
Total	54.196 acres	2,950,968.75 sf	2,950,968.75 sf	

The trip generation analysis has been prepared to estimate the daily, AM peak hour and PM peak hour trip impact using the rates and equations from ITE Trip Generation, 7th Edition. The analysis includes the use of the rates and equations from the following land use codes from ITE to establish maximum impact under the existing and proposed land use designations:

- ITE LUC 820 for the retail uses allowed under the existing (and proposed) Business and Office designations;
- ITE LUC 770 for Business Park for the existing area designated as Industrial and Office;
- ITE LUC 710 for the office use proposed in the mixed use development program;
- ITE LUC 310 for the hotel use proposed in the mixed use development program;
- ITE LUC 232 for the high rise condominium use proposed in the mixed use development program.

The results of the trip generation analyses are summarized below:

- **Trip Generation for the Underlying Land Use as Business and Office and Industrial and Office**

Table F-2A documents the maximum allowable square footage and trips for each of the current land use designations located within the Amendment Site. **Figure F-1** identifies the location of the 38.042 acres currently designated Industrial and Office, and the 16.154 acres currently designated Business and Office.

- **FAR Calculations**

Table F-2B is found under **Table F-2A** to document the net land area and acreage of each land use designation, the FAR, the total buildable square feet, the use, and the percentage of site allocated to business and office and industrial and office.

- **Trip Generation Comparisons between the Underlying Land Use and the Proposed Land Use**

Table F-2C includes six different trip generation comparisons between the underlying allowable program, the maximum allowable program and the proposed mixed use development program made possible by the RAC Overlay Designation.

- **Trip Generation for the Proposed Mixed Use Development Program**

Table F-2D reflects the gross trip generation for the proposed Mixed Use Development Program for use in comparing impacts with the maximum allowable land use under the existing and proposed land use designations. The proposed RAC Overlay Designation enables the development of a Mixed Use Program, which then reflects a reduction in traffic impacts for the Daily and PM peak hour timeframes when compared with the underlying allowable land use and the proposed change in use from Industrial and Office to Business and Office (see **Figure F-2**).



Legend



54.196 Acre Amendment Site



Industrial and Office – 38.042 acres



Business and Office – 16.154 acres

Figure F-1
Existing Land Use Designation
Dolphin Station
August 2007



Legend



54.196 Acre Amendment Site



Business and Office – 54.196 acres
With a RAC Overlay Designation

Figure F-2
Proposed Land Use Designation
Dolphin Station
August 2007

TABLE F-2A

DOLPHIN STATION
TRIP GENERATION FOR THE UNDERLYING LAND USE

LAND USE	SCALE [See Table F-2B]	ITE LUC	ITE 7TH EDITION RATE OR FORMULA	TOTAL TRIPS	IN		OUT	
					%	TRIPS	%	TRIPS
MAXIMUM ALLOWABLE UNDER THE EXISTING LAND USE - BUSINESS AND OFFICE - 16.154 ACRES								
RETAIL - DAILY	879,580	SQ. FT.	Ln (T) = 0.65 Ln (X) + 5.83	27,907	50%	13,954	50%	13,953
RETAIL - AM PEAK HOUR	879,580	SQ. FT.	Ln (T) = 0.60 Ln (X) + 2.29	577	61%	352	39%	225
RETAIL - PM PEAK HOUR	879,580	SQ. FT.	Ln (T) = 0.66 Ln (X) + 3.40	2,629	48%	1,262	52%	1,367
MAXIMUM ALLOWABLE UNDER THE EXISTING LAND USE - INDUSTRIAL AND OFFICE - 38.042 ACRES								
BUSINESS PARK - DAILY	2,071,389	SQ. FT.	T = 10.75 (X) + 747.41	23,015	50%	11,507	50%	11,508
BUSINESS PARK - AM PEAK HOUR	2,071,389	SQ. FT.	Ln (T) = 0.98 Ln (X) + 0.45	2,788	84%	2,342	16%	446
BUSINESS PARK - PM PEAK HOUR	2,071,389	SQ. FT.	Ln (T) = 0.92 Ln (X) + 0.78	2,453	23%	564	77%	1,889
MAXIMUM ALLOWABLE UNDER THE EXISTING LAND USE - 54.196 ACRES								
SITE TOTAL - DAILY	2,950,969	SQ. FT.	Daily	50,922	50%	25,461	50%	25,461
SITE TOTAL - AM PEAK HOUR	2,950,969	SQ. FT.	AM Peak Hour	3,365	80%	2,694	20%	671
SITE TOTAL - PM PEAK HOUR	2,950,969	SQ. FT.	PM Peak Hour	5,082	36%	1,826	64%	3,256

Table F-2B - FAR Calculations

Existing Land Use	Net Land Area	SF	FAR	Total Square Feet	Use	Percent	Acres
Business and Office	703,664.07	SF	1.25	879,580.09	Retail	30%	16.15390
Industrial and Office	1,657,110.93	SF	1.25	2,071,388.66	Business Park	70%	38.04203
TOTAL	2,360,775.00	SF	1.25	2,950,968.75		100%	54.19594

TABLE F-2C DOLPHIN STATION TRIP GENERATION COMPARISONS BETWEEN THE UNDERLYING LAND USE AND THE PROPOSED LAND USE									
29-Jun-07									
LAND USE	SCALE	ITE LUC	ITE 7TH EDITION RATE OR FORMULA	TOTAL TRIPS	IN		OUT		TRIPS
					%	TRIPS	%	TRIPS	
PART A - MAXIMUM TRIPS UNDER THE EXISTING LAND USE DESIGNATION AS BUSINESS AND OFFICE AND INDUSTRIAL AND OFFICE									
SITE TOTAL - DAILY	See Table 1A			50,922	50%	25,461	50%	25,461	
SITE TOTAL - AM PEAK HOUR	See Table 1A			3,365	80%	2,694	20%	671	
SITE TOTAL - PM PEAK HOUR	See Table 1A			5,082	36%	1,826	64%	3,256	
PART B - MAXIMUM TRIPS UNDER THE PROPOSED LAND USE DESIGNATION AS BUSINESS AND OFFICE - BEFORE COVENANTS									
RETAIL - DAILY	2,950,969	SQ. FT.	820	$\text{Ln} (T) = 0.65 \text{Ln} (X) + 5.83$	61,293	50%	30,647	50%	30,646
RETAIL - AM PEAK HOUR	2,950,969	SQ. FT.	820	$\text{Ln} (T) = 0.60 \text{Ln} (X) + 2.29$	1,193	61%	728	39%	465
RETAIL - PM PEAK HOUR	2,950,969	SQ. FT.	820	$\text{Ln} (T) = 0.66 \text{Ln} (X) + 3.40$	5,845	48%	2,806	52%	3,039
PART C - MAXIMUM TRIPS FOR THE MIXED USE PROGRAM UNDER THE PROPOSED LAND USE DESIGNATION - AFTER COVENANTS									
MIXED USE - DAILY	See Table 1D			36,746	50%	18,374	50%	18,372	
MIXED USE - AM PEAK HOUR	See Table 1D			1,543	58%	888	42%	655	
MIXED USE - PM PEAK HOUR	See Table 1D			3,479	47%	1,622	53%	1,857	
PART D - CHANGE IN TRIPS BETWEEN THE MAX ALLOWABLE UNDER THE PROPOSED DESIGNATION AND THE MAX ALLOWABLE UNDER EXISTING									
DAILY COMPARISON				10,371	50%	5,186	50%	5,185	
AM PEAK HOUR COMPARISON				-2,172	91%	-1,966	9%	-206	
PM PEAK HOUR COMPARISON				763	128%	980	-28%	-217	
PART E - CHANGE IN TRIPS BETWEEN THE MAXIMUM ALLOWABLE UNDER THE PROPOSED DESIGNATION AND THE MIXED USE PROGRAM									
DAILY COMPARISON				-24,547	50%	-12,273	50%	-12,274	
AM PEAK HOUR COMPARISON				350	46%	160	54%	190	
PM PEAK HOUR COMPARISON				-2,366	50%	-1,184	50%	-1,182	
PART F - CHANGE IN TRIPS BETWEEN THE MAXIMUM ALLOWABLE UNDER THE EXISTING LAND USE AND THE MIXED USE PROGRAM									
DAILY COMPARISON				-14,176	50%	-7,087	50%	-7,089	
AM PEAK HOUR COMPARISON				-1,822	99%	-1,806	1%	-16	
PM PEAK HOUR COMPARISON				-1,603	13%	-204	87%	-1,399	

TABLE F-2D
DOLPHIN STATION
TRIP GENERATION FOR THE PROPOSED MIXED USE DEVELOPMENT PROGRAM

29-Jun-07

LAND USE	SCALE	ITE LUC	ITE 7TH EDITION RATE OR FORMULA	DAILY TRIPS	IN		OUT	
					%	TRIPS	%	TRIPS
MULTI-FAMILY	1,050 DU	232	$T = 3.77 (X) + 223.66$	4,182	50%	2,091	50%	2,091
RETAIL	799,900 SQ. FT.	820	$\ln (T) = 0.65 \ln (X) + 5.83$	26,237	50%	13,119	50%	13,118
OFFICE	225,000 SQ. FT.	710	$\ln (T) = 0.77 \ln (X) + 3.65$	2,491	50%	1,246	50%	1,245
HOTEL	430 ROOMS	310	$T = 8.92 (X)$	3,836	50%	1,918	50%	1,918
GROSS TOTAL TRIPS				36,746	50%	18,374	50%	18,372
LAND USE	SCALE	ITE LUC	ITE 7TH EDITION RATE OR FORMULA	AM TRIPS	IN		OUT	
					%	TRIPS	%	TRIPS
MULTI-FAMILY	1,050 DU	232	$T = 0.29 (X) + 28.86$	333	19%	63	81%	270
RETAIL	799,900 SQ. FT.	820	$\ln (T) = 0.60 \ln (X) + 2.29$	545	61%	332	39%	213
OFFICE	225,000 SQ. FT.	710	$\ln (T) = 0.80 \ln (X) + 1.55$	359	88%	316	12%	43
HOTEL	430 ROOMS	310	$T = 0.78 (X) - 29.80$	306	58%	177	42%	129
GROSS TOTAL TRIPS				1,543	58%	888	42%	655
LAND USE	SCALE	ITE LUC	ITE 7TH EDITION RATE OR FORMULA	PM TRIPS	IN		OUT	
					%	TRIPS	%	TRIPS
MULTI-FAMILY	1,050 DU	232	$T = 0.34 (X) + 15.47$	372	62%	231	38%	141
RETAIL	799,900 SQ. FT.	820	$\ln (T) = 0.66 \ln (X) + 3.40$	2,469	48%	1,185	52%	1,284
OFFICE	225,000 SQ. FT.	710	$T = 1.12 (X) + 78.81$	331	17%	56	83%	275
HOTEL	430 ROOMS	310	$\ln (T) = 1.20 \ln (X) - 1.55$	307	49%	150	51%	157
GROSS TOTAL TRIPS				3,479	47%	1,622	53%	1,857

Each of the comparative trip generation analyses are summarized in **Table F-3** to document the change in impact resulting from the proposed changes to the CDMP.

Table F-3 – Comparative Trip Generation Summary					
Timeframe	Underlying Allowable Land Use Designations	Proposed Land Use Designation as Business and Office	Proposed RAC Designation Creating a Mixed Use Development	Change in Trips Between the Existing Land Use and the Proposed Mixed Use Program	Change in Trips between the Proposed Land Use Designation and the Mixed Use Program
Daily Trips	50,992	61,293	36,746	-14,176	-24,547
AM Peak Hour Trips	3,365	1,193	1,543	-1,822	350
PM Peak Hour Trips	5,082	5,845	3,479	-1,603	-2,366

In summary, the proposed RAC Overlay Designation (on top of the conversion of the Amendment Site to Business and Office), would enable the development of a mixed use program, which in turn would result in a **reduction** in Daily and PM peak hour traffic impacts for the Amendment Site compared to the underlying allowable land use and the proposed land use as Business and Office.

Current and Projected Levels of Service

The adequacy of the roadway network surrounding the Amendment Site has been evaluated consistent with the Miami-Dade County Concurrency Management System. A traffic concurrency analysis has been prepared to examine the concurrency status of the surrounding roadways consistent with the Miami-Dade County traffic concurrency criteria and guidelines. Pursuant to the analysis performed herein using updated count data and supporting information from the Miami-Dade County Public Works Department, adequate capacity has been found to exist at the first directly accessed traffic count stations located adjacent to the Amendment Site. Based upon the available roadway network, there are up to eight count stations that could be considered as the first directly accessed traffic count stations adjacent to the Amendment Site. These have been evaluated pursuant to the cardinal distribution for TAZ 818. Five secondary traffic count stations have also been evaluated to understand how the network will absorb the amendment trips. Pursuant to the analysis of the surrounding roadway network, each traffic count station was found to maintain adequate available capacity to accommodate the traffic impacts from the proposed Amendment Site. The addition of the 3,479 gross PM peak hour trips for the Amendment Site (as generated by the proposed mixed use development program), does not exceed the available roadway capacity assigned to each traffic count station consistent with the Miami-Dade County CDMP.

Project Traffic Assignment

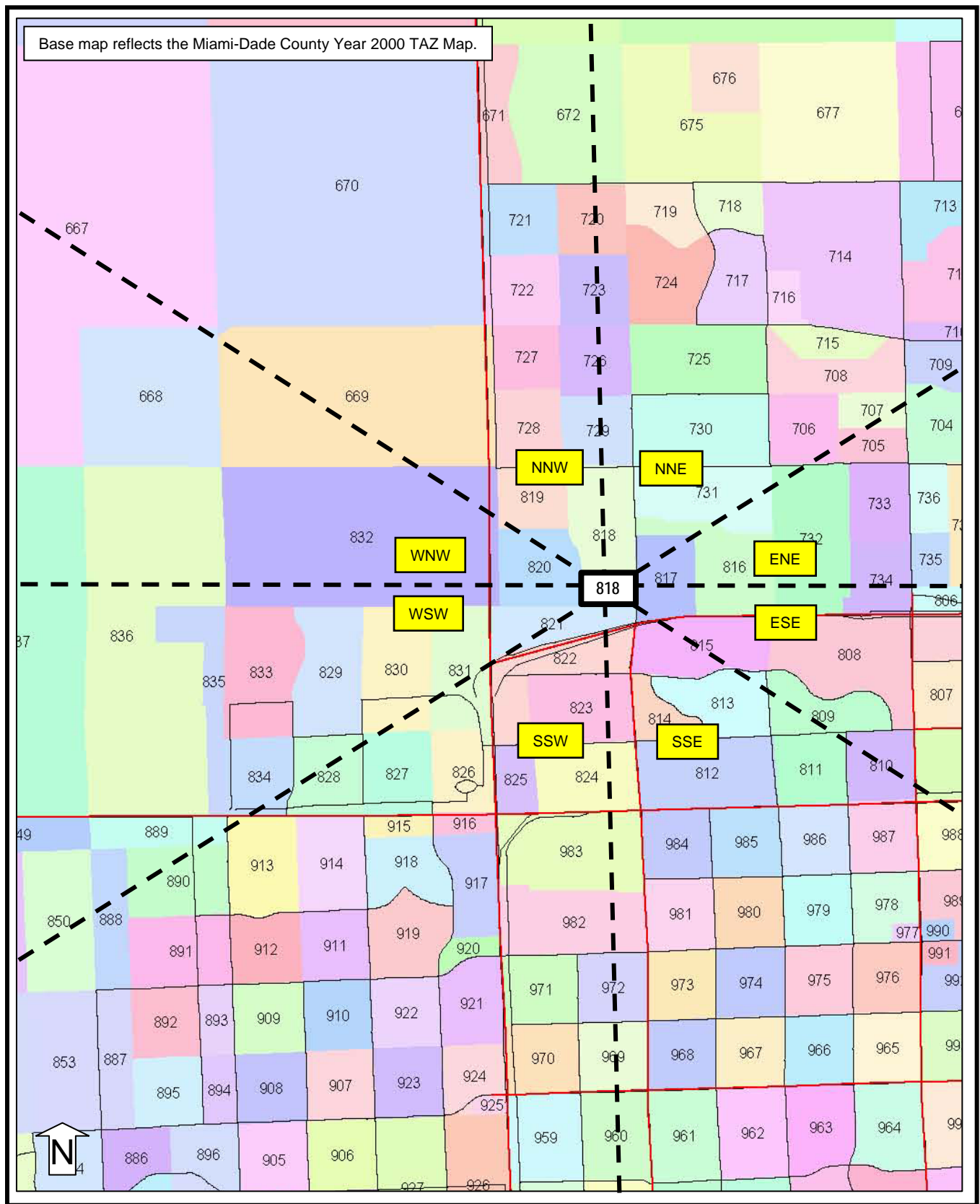
The project traffic assignment to the surrounding study area roadways has been established pursuant to the Miami-Dade County Cardinal Distribution for Project Zone 818 (see **Figure F-3A**), using the adjacent street roadway network and the land use characteristics in the vicinity of the project site. The PM peak hour project trips for the Amendment Site has been assigned to the surrounding roadway network consistent with the cardinal distribution analyses provided in the Long Range Transportation Plan. The uses permitted within the 54.196 acre site (pursuant to the underlying land use designation) have been found to generate more PM peak hour trips than would be permitted by the proposed amendment to the CDMP. The change from Industrial and Office to Business and Office, along with the RAC Overlay Designation, permits a mixed use development program that results in an overall reduction in the PM peak hour trips for the amendment site as summarized below.

- The uses permitted under the existing land use designation could generate up to 5,082 PM peak hour trips.
- The uses permitted under the proposed change to Business and Office could generate up to 5,845 PM peak hour trips.
- The uses permitted under the proposed change to Business and Office along with the RAC Overlay Designation could generate up to 3,479 PM peak hour trips, which would reflect a reduction of 1,603 PM peak hour trips from the existing allowable uses, and a reduction of 2,366 PM peak hour trips from the proposed change to Business and Office alone.

The cardinal distribution for the traffic concurrency analysis has been obtained from the Interim Year 2005 Cost Feasible Plan from the 2030 Long Range Transportation Plan (see **Figure F-3B**). The assignment and distribution to the cardinal directions is provided on the following figures:

- **Figure F-3C** - Year 2005 Cardinal Distribution and Assignment for Zone 818
- **Figure F-4** – Project Distribution at the Traffic Concurrency Count Stations
- **Figure F-5** – First Directly Accessed Traffic Count Stations

Access into and out of the proposed amendment site would be provided along NW 111 Avenue, NW 14 Street and NW 12 Street.



Legend



Project Zone 818

Figure F-3A
Location of Project Zone 818
Dolphin Station
August 2007

Miami-Dade County Year 2005 Cost Feasible Plan

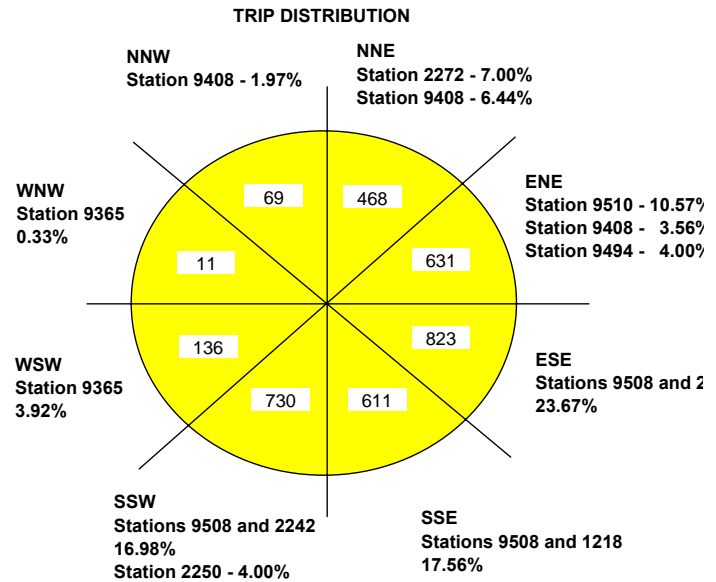
DIRECTIONAL DISTRIBUTION SUMMARY

ORIGIN ZONE	----- CARDINAL DIRECTIONS -----									TOTAL
	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW		
811	TRIPS	1956	1904	999	927	1054	930	501	533	8804
	PERCENT	22.22	21.63	11.35	10.53	11.97	10.56	5.69	6.05	
812	TRIPS	1168	1524	767	498	618	767	381	418	6141
	PERCENT	19.02	24.82	12.49	8.11	10.06	12.49	6.20	6.81	
813	TRIPS	531	1025	662	276	363	243	260	464	3824
	PERCENT	13.89	26.80	17.31	7.22	9.49	6.35	6.80	12.13	
814	TRIPS	995	1261	727	442	575	329	81	103	4513
	PERCENT	22.05	27.94	16.11	9.79	12.74	7.29	1.79	2.28	
815	TRIPS	585	990	628	690	343	164	46	157	3603
	PERCENT	16.24	27.48	17.43	19.15	9.52	4.55	1.28	4.36	
816	TRIPS	216	275	236	133	182	106	13	51	1212
	PERCENT	17.82	22.69	19.47	10.97	15.02	8.75	1.07	4.21	
817	TRIPS	3132	3581	3704	2575	3888	1368	79	439	18766
	PERCENT	16.69	19.08	19.74	13.72	20.72	7.29	0.42	2.34	
818	TRIPS	449	606	791	587	701	131	11	66	3342
	PERCENT	13.44	18.13	23.67	17.56	20.98	3.92	0.33	1.97	
819	TRIPS	65	123	117	98	95	13	1	8	520
	PERCENT	12.50	23.65	22.50	18.85	18.27	2.50	0.19	1.54	
820	TRIPS	535	1078	947	805	840	244	20	57	4526
	PERCENT	11.82	23.82	20.92	17.79	18.56	5.39	0.44	1.26	
821	TRIPS	186	313	228	207	254	67	5	24	1284
	PERCENT	14.49	24.38	17.76	16.12	19.78	5.22	0.39	1.87	
822	TRIPS	1695	2564	1641	1136	1720	550	62	195	9563
	PERCENT	17.72	26.81	17.16	11.88	17.99	5.75	0.65	2.04	
823	TRIPS	1993	3535	2140	1369	983	402	127	162	10711
	PERCENT	18.61	33.00	19.98	12.78	9.18	3.75	1.19	1.51	
824	TRIPS	1847	3618	1411	1292	804	462	196	262	9892
	PERCENT	18.67	36.58	14.26	13.06	8.13	4.67	1.98	2.65	
825	TRIPS	369	730	383	156	94	87	73	25	1917
	PERCENT	19.25	38.08	19.98	8.14	4.90	4.54	3.81	1.30	

CARDINAL DISTRIBUTION

PROJECT: Dolphin Station CDMP Amendment

TAZ #	818	
Trips	3,479	Trips
NNE	13.44%	468
ENE	18.13%	631
ESE	23.67%	823
SSE	17.56%	611
SSW	20.98%	730
WSW	3.92%	136
WNW	0.33%	11
NNW	1.97%	69
	100.00%	3,479



CARDINAL DIRECTION	COUNT STATION NUMBER		PHP TRIPS REMAINING AFTER D.O.'S		PROJECT TRIPS		PHP TRIPS REMAINING AFTER PROJECT
NNE	2272		381		244		137
NNW, NNE and ENE	9408		839		416		423
SSW	2250		1480		139		1,341
SSW, SSE, ESE	9508		3363		2025		1,338
ENE	9510		2,478		368		2,110
ENE	9494		1,290		139		1,151
ESE	9508				See Station 9508 above		
WNW, WSW	9365		153		148		5
TOTAL TRIPS					3479		

Source: Cardinal Directions have been obtained from the *Miami-Dade Transportation Plan to the Year 2030 - Directional Trip Distribution Report*, January 2005, Miami-Dade Interim 2005 Cost Feasible Plan.

Legend

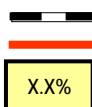
Figure F-3C
Cardinal Distribution and Assignment for Zone 818 from Interim Year 2005 of the 2030 LRTP
Dolphin Station
August 2007



Legend



Amendment Site



Existing Rail Lines



FIHS Roadways and US Highways



Project Distribution Percentage

Figure F-4
Project Distribution at the Traffic Concurrency Count Stations
Dolphin Station
August 2007

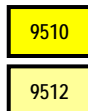


Legend



Amendment Site

Existing Rail Lines
FIHS Roadways
and US Highways



First Directly Accessed Count Stations



Secondary Count Stations

Traffic Concurrency Count Stations
Dolphin Station
August 2007

Figure F-5

Traffic Concurrency Analysis

A traffic concurrency analysis has been prepared to examine the adequacy of the surrounding roadways consistent with the Miami-Dade County traffic concurrency criteria and guidelines. Consistent with staff requests for data and analysis, the traffic concurrency infrastructure analysis presented in **Table F-4** reflects the information listed below.

Traffic Count Data

- Updated traffic counts for roadways under State jurisdiction reflect traffic count data from year 2006 using the most recent data available from FDOT.
- Updated traffic counts collected in 2007 (by the Applicant) have been utilized for portions of NW 107 Avenue to account for potential changes to the traffic patterns resulting from the opening of the NW 97 Avenue bridge over SR 836 and the opening of the SR 836 extension.
- Traffic counts for roadways under County jurisdiction reflect traffic count data from the most recently published July 24, 2007 Miami-Dade County traffic concurrency database.
- See **Attachment I** for the traffic data utilized in the analysis.

Maximum Service Volume

- The adopted level of service standards and the maximum service volumes used for each count station are provided by Miami-Dade County pursuant to the July 24, 2007 traffic concurrency database.
- Maximum service volumes for the state roadways inclusive of the HEFT, SR 836, portions of NW 107 Avenue (and for improved segments of NW 12 Street) have been obtained from Table 4-4 for the Two-Way Peak Hour from the FDOT 2002 Quality/LOS Handbook.

Development Order Trips

- The unbuilt and approved development order trips for each count station have been obtained from the July 24, 2007 Miami-Dade County traffic concurrency database.

Project Assignment

- The assignment of 100% of the proposed gross PM peak hour amendment trips is based upon the Miami-Dade County Cardinal Distribution for Project Zone 818 from the 2005 Cost Feasible Plan (see **Figures F-3B, F-3C and F-4**).
- The attached **Figure F-5** identifies the location of each of the eight first directly accessed traffic count stations surrounding the amendment site, along with the five secondary traffic count stations for a more complete analysis of surrounding traffic conditions.
- The PM peak hour project trips resulting from the proposed Amendment Site are incorporated into the concurrency analysis, layering the amendment traffic onto existing and unbuilt committed development traffic.

Total Traffic Conditions

- The concurrency analysis presented in **Table F-4** identifies the total traffic at each of the first directly accessed and secondary count stations and the remaining capacity still available after the addition of the amendment traffic.

Conclusions

The determination of available capacity and level of service for each of the first directly accessed traffic count stations is made after incorporating project traffic from the proposed Amendment Site. Pursuant to the Miami-Dade County Concurrency Management System, all study area traffic count stations on roadways adjacent to and surrounding the project site were found to operate at acceptable levels of service during the PM peak hour, accounting for existing traffic, previously approved committed development traffic, plus the project traffic for the proposed Amendment Site. Available capacity and acceptable levels of service were also found to be maintained for the adjacent secondary count stations and study area roadway segments, demonstrating that the proposed amendment with the RAC overlay designation meets the applicable traffic concurrency standards from the Miami-Dade County Comprehensive Development Master Plan. Based upon these findings, adequate existing transportation infrastructure and public transportation facilities are maintained to support the mixed use development program proposed by the RAC.

APPENDIX E

Fiscal Impact Analysis

THIS PAGE INTENTIONALLY LEFT BLANK

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. 3 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 \$439 per residential unit. For a residential dumpster, the current fee is \$339. The average residential unit currently generates approximately 3.0 tons of waste annually, which includes garbage, trash and recycled waste.

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

Waste Disposal Capacity and Service

The 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 \$56.05 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 \$73.90. 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. 3 is built as 3,004,551 square feet of commercial-retail space, the fees paid by the developer would be \$417,633 for water impact fee, \$1,682,549 for sewer impact fee, \$1,300 per unit for connection fee, and \$278,826 for annual operating and maintenance costs based on approved figures through September 30,2006.

Table 3D Water and Sewer					
Proposed Potential Development Options	Total Usage (gpd)	Water Impact Fee	Sewer Impact Fee	Connection Fee	Annual O&M Cost
Commercial-Retail (961,456 sf)	96,146	\$133,642	\$538,415	\$1,300	\$89,224
Multi-Family (915 du)	183,000	\$254,370	\$1,024,800	\$1,300	\$169,826
Commercial-Retail (3,004,551 sq. ft.)	300,455	\$417,633	\$1,682,549	\$1,300	\$278,826
Multi-Family (2,861 du)	572,200	\$795,358	\$3,204,320	\$1,300	\$531,009

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. 3 will result in 881 additional students, thus, increasing operating costs by \$5,769,669. The number of students generated by the application will impact the elementary school capital costs by \$7,846,227; the impacts to the middle and high schools remain unaffected.

Fire-Rescue

The Application site is expected to generate approximately 892.35 annual alarms. Based on 2006 data, the cost per alarm is estimated at \$1,302, which results in a total fiscal impact of \$1,161,840. In comparison, the projected Fire-Rescue Tax Revenue is expected to be \$161,265, based on an estimated property assessment of \$61,810,910. Thus, the Application will generate \$1,000,575 more in services than the revenue generated from the Fire-Rescue Tax. This will represent a net loss for Miami-Dade County.

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX F

Draft Declaration of Restrictions

THIS PAGE INTENTIONALLY LEFT BLANK

2007 JUL 27 P 4: 01

This instrument was prepared by:

Name: Michael W. Larkin, Esq.

Address: Bercow & Radell, P.A.

200 S. Biscayne Boulevard, Suite 850

Miami, FL 33131

PLANNING & ZONING
METROPOLITAN PLANNING SEC1

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner, Anthony F. Balzebre Trust ("Owner") holds the fee simple title to a 54.20 net acre parcel of land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion; and

WHEREAS, the Property is the subject of a standard Comprehensive Development Master Plan ("CDMP") Amendment Application No. 3 of the April 2007 Amendment Cycle; and

WHEREAS, the Owner has sought a Land Use Plan amendment to change the designation of the Property from "Industrial and Office" and "Business and Office" to "Business and Office"; and

WHEREAS, the Owner has sought an amendment to the Land Use Plan Map and a text amendment to the Land Use Element of the CDMP to designate the Property as a Regional Activity Center ("RAC") in accordance with relevant Florida Statutes and provisions of the Miami-Dade County Comprehensive Development Master Plan; and

WHEREAS, the Owner desires to promote public transportation by incorporating within the Property a public transportation facility.

7/27/07

(Public Hearing)

(Space reserved for Clerk)

NOW THEREFORE, in order to assure **Miami-Dade County** (the "County") that the representations made by the Owner during consideration of Amendment Application No. 3 will be abided by the Owner, its successors and assigns, freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

Maximum Development Program. The maximum development program for the Property ("MDP") shall be:

Residential	1050 dwelling units or 1,701,000 gross square feet
Retail/Service	799,900 gross square feet
Hotel	430 rooms or 225,000 gross square feet
Office	225,000 gross square feet

The Owner may simultaneously increase and decrease the MDP's land use categories provided that the cumulative impacts of the reallocated land uses may not exceed (a) the PM peak hour trips established for the MDP, which equates to 3,479 gross PM peak hour trips, or (b) potable water demand of the MDP, which equates to .812 million gallons per day.

Transit Improvements. Owner intends to develop the Property as a project that promotes public transportation, and subject to the review and approval of the Department of Planning and Zoning and the Metro-Dade Transit Agency, a portion of the Property shall be used as a public transportation facility. Owner shall incorporate within the development of the Property either a MetroRail station for the County's east-west transit corridor, if the corridor is extended to include the Property, or a MetroBus Terminal for multiple MetroBus routes. Such public transportation facility may include parking and other ancillary uses. The identification of this portion of the Property shall occur prior to the adoption of the final plat.

Project Design. The Owner represents that the Property will be developed in a manner that assures a high quality, unified development design in accordance with coordinated and cohesive design principles which reflect the general guidelines contained in Exhibit "B" ("Design Guidelines"). In that regard, prior to the subdivision of the Property by any sale or ground lease, the Owner agrees to seek and obtain site plan approval for the entire Property

(Space reserved for Clerk)

which reflects substantial conformity with the Design Guidelines or, alternatively, submit for approval to the Director of the Planning and Zoning Department (or its successor planning agency), or his/her designee, and upon receiving said approval, record an architectural code or equivalent design standards to govern development of the entire Property, which are substantially in accordance with the attached Design Guidelines.

LEED Certification. The Owner represents that all buildings on the Property will be Leadership in Energy and Environmental Design (LEED) certified in accordance with the standards set forth by the United States Green Building Council.

School Board Cooperation. In order to help meet the future educational facility needs generated by the development of the Property, if necessary, the Owner, its successors and assigns, shall submit to the Director of Planning and Zoning a plan to mitigate the impacts on Miami-Dade County Public School educational facilities for review and approval. Such mitigation plan may include, without limitation, the provision of charter school facilities, the allocation of land for the future construction of educational facilities, or a voluntary monetary contribution to the Miami-Dade County Public School Board over and above any required educational facilities impact fees.

Workforce Housing. The Owner shall voluntarily comply with all applicable Miami-Dade County, or successor municipality, workforce housing requirements, notwithstanding the applicability of any codified exemption. Workforce housing shall be deemed to be the sale or rental of property for persons within the income range of 65% to 140% of the median family income for Miami-Dade County as published annually by the U.S. Department of Housing and Urban Development.

The number of workforce units developed on the Property shall be governed by an ordinance duly enacted by Miami-Dade County or successor municipality. The Owner reserves the right to develop workforce housing units in a number in excess of that required by any workforce housing ordinance. Notwithstanding anything to the contrary in this Declaration of Restrictions or the Property's CDMP Land Use Plan map designation(s), the Owner may utilize any residential density bonuses granted by Miami-Dade County, or successor municipality, for

(Space reserved for Clerk)

the development of workforce housing on the Property, including any bonuses recognized by the CDMP. The maximum density of residential development on the Property shall be limited by the CDMP or successor comprehensive plan.

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

In the event that Miami-Dade County, or successor municipality, fails to enact an ordinance governing the development of workforce housing units on the Property prior to the date of approval of any application for rezoning of the Property after the effective date of this Declaration, the Owner shall develop at least one hundred (100) residential units on the Property as workforce housing units, and thereupon Owner shall otherwise be released from the provisions of this paragraph.

Water Conservation Regulations. The Owner shall incorporate the measures listed in Exhibit C, where practicable, into the design, construction and operation of any residential development on the Property. Similarly, the Owner shall incorporate the measures listed in Exhibit D, where practicable, into the design, construction and operation of any commercial development on the Property.

Subdivision of Property. To the extent that the Property is currently under separate ownership or in the event the Property is subdivided into multiple ownerships, responsibility for the obligations contained in this Declaration that are related to the provision of workforce housing units in the absence of a duly enacted ordinance shall be allocated on a pro-rata per acre basis.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the

(Space reserved for Clerk)

public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

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

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the fee simple title to the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality that amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such

(Space reserved for Clerk)

ordinances, subject to Chapter 163 and the provisions of the municipality's ordinances that apply to the adoption of district boundary changes. Should this Declaration be so modified, amended, or released, the Director of the Department of Planning and Zoning or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her office, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

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

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

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

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

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if

(Space reserved for Clerk)

any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recordation and Effective Date. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

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

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

[Execution Pages Follow]

Exhibit "A"

Legal Description

The South 1/2 of the South 1/2 of the East 2/5 of Section 31, Township 53 South, Range 40 East of Miami-Dade County, Florida; Less existing Right of Way of Records.

Exhibit "B"

Design Guidelines

1. The plan for development of the Property shall allow for a mix of uses, which will include commercial and residential uses.
2. The proposed buildings shall be designed using compatible and complementary architectural styles and designs.
3. Design features shall be included at appropriate locations of the buildings, in order to maintain architectural and design continuity.
4. Consistent sign criteria and standards shall be established at the time of initial rezoning to encourage aesthetic compatibility within the sign program.
5. Large expanses of opaque or blank building wall shall be minimized and shall have landscaped areas providing a visual barrier, to the maximum extent feasible.
6. Uniform street furniture and lighting standards shall be provided throughout the Property.
7. Pedestrian crosswalks shall be clearly delineated on any proposed private roads within the Property.
8. The development pattern shall incorporate elements of the Miami-Dade County Urban Design Guidelines.
9. The streets shall be designed for pedestrian mobility, interest, safety, and comfort as well as vehicular mobility.
10. The proposed development shall contain open spaces that may include public squares, greens, and pedestrian promenades.
11. The buildings and their landscapes within the proposed development shall be built to the sidewalk edge to the greatest extent possible in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable, interesting, as well as safe for pedestrians.
12. The architectural elements of the buildings at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian.

13. Parking areas shall be minimized at grade between the street and main building entrances to the extent possible. Subterranean parking between the street and main building entrances is, however, permitted.

Exhibit "C"

Water Conservation Measures for Residential Development

- Installing only High Efficiency Toilets (HET), which shall be defined as 1.2 gallons per flush, that meet the standard specifications of the Unified North America Requirements (UNAR) and display the Environmental Protection Agency's WaterSense label.
- Using only one control valve, or one set of hot and cold valves required for each High Efficiency Showerhead, which shall be defined to provide no more than 1.5 gallon per minute (gpm).
- Using Efficiency faucets which shall be defined to provide 1.0 gpm.
- Using High Efficiency (HE) Clothes Washer(s) with a water factor of 6 or less (Tier 3b) as identified by the Consortium for Energy Efficiency at <http://www.ceel.org/reid/seha/rwsh.rwsh-prod.pdf>, Energy Star (and WaterSense certified when available) for residential units equipped with clothes washer connections.
- Using dishwashers rated with use of 6.5 gallons/cycle or less, Energy Star and WaterSense certified.
- Installing sub-metering for all multi-unit residential development which shall include separate meter and monthly records kept of all major water-using functions such as cooling towers and individual buildings.
- Applying Florida Friendly Landscapes guidelines and principles to all landscape installations in compliance with Florida Yards & Neighborhoods criteria.
- Using gutter downspouts, roof runoff, and rain harvesting to encourage increased recharge and other non-potable uses on the property, thru the use of elements and features such as rain barrels and directing runoff to landscaped areas.
- Providing "Florida Friendly Landscapes" within all public rights-of-way.
- Using drip irrigation or micro-sprinklers when appropriate.
- Using porous surfaces (bricks, gravel, turf block, mulch, pervious concrete, etc) whenever possible on walkways, driveways, and patios.

- Including Florida Yards and Neighborhoods Program information on “Florida Friendly Landscapes” in the sales literature provided to homebuyers.
- Developing the landscape plan and plant palette based on site characteristics (soil, drainage, structural limitations, utilities, overhangs, lights, etc.), which shall include:
 - Per the County’s Landscaping Ordinance, existing native trees, palms and associated native understory, shall be retained and preserved along with identified undergrowth and be a focal point of the landscape.
 - 80% of plant materials to be utilized on site shall be from the Florida-Friendly Plant List and shall have a moderate to high drought tolerance.
 - All plants will be grouped in the landscape plan by similar water and maintenance requirements and shall be spaced to allow for maturation.
 - Turf areas will be evenly shaped for ease of maintenance and will be no less than 4 feet wide and will not be placed on any berms.
 - No more than 30% of the total area required for landscaping may be turf or grass.
 - Soils analysis should be completed and used in the plant selection process where applicable and a copy should be provided to the home buyer.
 - Limit use of rock mulch due to heat loading: rock mulch shall not exceed 5% of total landscaped area.
 - Use of environmentally friendly organic mulches that are applied 3 inches deep around plants and trees with two inches clear around each plant.
- Using a low volume irrigation system to irrigate all landscape beds.
- Irrigating turf by zones separate from zones for irrigation of shrubs and ground cover plantings.
- Using swing joints or flex pipe when installing sprinklers to help prevent broken pipes and sprinklers.
- Designing irrigation systems for minimum overlap.
- Installing soil moisture sensors or other water saving technologies.

Exhibit "D"

Water Conservation Measures for Commercial Development

- Using waterless technologies where available.
- Maximizing use of on-site sources of water.
- Choosing equipment that is water and energy efficient.
- Installing automatic shut offs, solenoids and controllers to turn water off when not in use.
- Installing flow restrictors when possible.
- Eliminating once-through cooling.

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX G

Photos of Application Site

THIS PAGE INTENTIONALLY LEFT BLANK



View of subject site looking southwest from NW 14 Street