

Application No. 5

Commission District 12 Community Council 8

APPLICATION SUMMARY

Applicant/Representative: Miami-Dade County Aviation Department
Jose Abreu, P.E., Director
P.O. Box 025504
Miami, Florida 33102-5504

Location: East side of NW 72 Avenue between NW 36 and NW 41 Streets

Total Acreage: ±3.4 Gross Acres (±2.4 Net Acres)

Current Land Use Plan Map Designation: "Institutions, Utilities and Communications"

Requested Amendments: "Business and Office" and add the Declaration of Restrictions to the Restrictions section in the Land Use Element of the Comprehensive Development Master Plan

Amendment Type: Small Scale

RECOMMENDATIONS

Staff: **ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS** (August 25, 2008)

North Central Community Council: **TO BE DETERMINED** (September 17, 2008)

Planning Advisory Board (PAB) acting as Local Planning Agency: **TO BE DETERMINED** (October 6, 2008)

Board of County Commissioners: **TO BE DETERMINED** (November 6, 2008)

Final Recommendation of PAB acting as Local Planning Agency: **TO BE DETERMINED**

Final Action of Board of County Commissioners: **TO BE DETERMINED**

Staff recommends **ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS**, the proposed Land Use Plan (LUP) map small-scale amendment to change land use designation from "Institutions, Utilities and Communications" to "Business and Office" based on the staff analysis as summarized in the Principal Reasons for Recommendations below:

Principal Reasons for Recommendations:

1. The Miami-Dade County's Comprehensive Development Master Plan (CDMP) Land Use Element Policy LU-8E requires CDMP Land Use Plan (LUP) map amendment applications to be evaluated against factors such as the proposed development's ability to satisfy a deficiency in the LUP map to accommodate projected population or economic growth in the County; impacts to County services at or above level of service (LOS) standards; compatibility with abutting and nearby land uses; impacts to environmental and historical resources; and the extent to which the requested CDMP land use designation and ultimately the proposed development would promote transit ridership and pedestrianism.

Economic Growth. The Miami-Dade Aviation Department (MDAD) is the Applicant and the owner of the application site. MDAD's stated intent is for the application site to be commercially developed by private partners, through a Request for Proposal (RFP) process. This allows the County to assess and select the best and most appropriate proposal for the site, in keeping with the County's objectives.

County Services. Public facilities and services in the application area have the capacity to adequately serve the application site, if approved, and continue to operate within the applicable adopted LOS standards.

Compatibility. The requested "Business and Office" designation is generally compatible with the areas surrounding the application site. The area to the north is designated "Restricted Industrial and Office"; the area to the east is "Institutions, Utilities and Communications"; and the areas to the south and west are designated "Restricted Industrial and Office" and "Business and Office". The uses that are contemplated for the application site include industrial, retail, office, and service uses. These contemplated uses are generally compatible with the existing uses adjacent to the site, including the correctional facilities to the east, the industrial parks/complexes with offices to the north, gas station auto dealerships and other industrial and retail uses south and west of the site. The application site is located within in the average pumpage wellfield protection area of the Hialeah/Preston Wellfield complex. Therefore, development of the site shall be in accordance with the regulations established in Section 24-43 of the Miami-Dade County Code, which also prohibits certain uses within the wellfield. This ensures the compatibility of permitted development on the site with the protection of the wellfield.

MDAD has indicated in the application that no residential uses would be developed on the site. Additionally, MDAD has proffered a draft Declarations of Restrictions (covenant) that prohibits the development of residential uses on the application site. Therefore, if approved, the uses that would be developed on the site would be non-residential uses only.

Environmental and Historical Resources. If adopted, the application would not significantly impact environmental resources and would not impact any historic or archaeological resources. The application site is located within the average Hialeah/Preston Wellfield protection area as mentioned above, and is subject to Section 24-43 of the Code. The application site is required to provide a retention/detention system adequately designed to contain on-site the runoff generated by a 5-year storm event. A Miami-Dade County Department of Environmental Resources Management (DERM) Surface water permit is required prior to any development on this site.

The site contains specimen-sized trees regulated by Section 24-49 of the Code. DERM will require the on-site preservation of specimen sized trees, whenever reasonably possible. A tree survey showing all tree resources and a Miami-Dade County Tree Removal Permit will be required prior to removal or relocation of any identified specimen-sized trees.

According to DERM, the property may contain hazardous materials and is currently undergoing assessment for aluminum contamination. Should the property be contaminated, the flexibility in uses being sought by the Aviation Department for this application site could expedite and better facilitate the remediation process.

Transit Ridership and Pedestrianism. According to the Miami-Dade Transit's analysis, the application, if approved and developed, would not generate a significant impact on transit service. However, it is anticipated that the site would generate some transit ridership.

2. The CDMP Land Use Element describes the "Industrial and Office" future land use designation, on pages I-39 to I-41, and addresses the conversion of industrially zoned or designated land to other uses. The CDMP states that if industrially zoned or designated land is located within a Minor Statistical Area (MSA) with less than a 15-year industrial land supply and is the subject of a plan amendment, the applicant must demonstrate that the proposed use will not have a significant adverse impact on future industrial development in order to receive an approval. The projected depletion year for the countywide supply of land zoned or designated for industrial use is the year 2041. The projected depletion year of land zoned or designated for industrial use within the application's Study Area (MSA's 3.2, 4.4, and 4.5) is beyond the year 2025, a supply of more than 17 years. The application site is located within MSA 3.2 for which the projected depletion year for industrial zoned or designated land is beyond 2025. The redesignation of the 3.40-gross acre application site to "Business and Office" would deplete the supply of land zoned or designated for industrial use by less than 1 month. Therefore, approval of this application would not significantly impact the industrial land supply.
3. The uses being contemplated for the application site are generally consistent with the uses proffered for the site in the Miami International Airport (MIA) Land Use Master Plan. The MIA Land Use Master Plan earmarks the application site for the development of non-aviation related commercial or industrial uses.

The MIA Land Use Master Plan was included in and addressed by Part 2 of Application Number 14, April 2007 Cycle amendments to the CDMP. The April 2007 Application Number 14 was adopted by the Miami-Dade Board of County Commissioners (Board) in April 2008 and found in compliance with state law by the Florida Department of Community affairs (DCA) in July 2008. However, the South Florida Regional Planning Council has challenged Part 2 of Application Number 14.

Planning Staff Analysis

The current Application Nos. 5, 6, and 7 were addressed in the previous Application No. 14 of the April 2007 Cycle of amendments to the CDMP, filed by MDAD. Therefore, the Planning Staff Analysis for Application No. 5 was prepared collectively with the analyses for Application Nos. 6 and 7. The analyses for all three applications are contained in the attendant 'Planning Staff Analysis: Application Nos. 5, 6 and 7' that is included in this report after the 'Principal Reasons for Recommendations' for Application No. 7.

Application No. 6

Commission District 12 Community Council 8

APPLICATION SUMMARY

Applicant/Representative: Miami-Dade County Aviation Department
Jose Abreu, P.E., Director
P.O. Box 025504
Miami, Florida 33102-5504

Location: Between the Palmetto Expressway (SR 826) and
Milam Dairy Road and between NW 14 and NW 19
Streets, west of the Miami International Airport

Total Acreage: ±31.04 gross acres (±26.8 Net Acres)

Current Land Use Plan Map Designation: "Industrial and Office" and "Transportation
Terminals"

Requested Amendments: "Business and Office" and add the Declaration of
Restrictions to the Restrictions section in the Land
Use Element of the Comprehensive Development
Master Plan

Amendment Type: Standard Land Use Plan Map

RECOMMENDATIONS

Staff: **ADOPT WITH ACCEPTANCE OF THE
PROFFERED DECLARATION OF
RESTRICTIONS AND TRANSMIT** (August 25,
2008)

North Central Community Council: **TO BE DETERMINED** (September 17, 2008)

Planning Advisory Board (PAB) acting as **TO BE DETERMINED** (October 6, 2008)
Local Planning Agency:

Board of County Commissioners: **TO BE DETERMINED** (November 6, 2008)

Final Recommendation of PAB acting as **TO BE DETERMINED**
Local Planning Agency:

Final Action of Board of County **TO BE DETERMINED**
Commissioners:

Staff recommends **ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF
RESTRICTIONS AND TRANSMIT**, the proposed Land Use Plan (LUP) map standard
amendment to change land use designation from "Industrial and Office" and "Transportation
Terminals" to "Business and Office" based on the staff analysis as summarized in the Principal
Reasons for Recommendations below:

Principal Reasons for Recommendations:

1. The Miami-Dade County's Comprehensive Development Master Plan (CDMP) Land Use Element Policy LU-8E requires CDMP Land Use Plan (LUP) map amendment applications to be evaluated against factors such as the proposed development's ability to satisfy a deficiency in the LUP map to accommodate projected population or economic growth in the County; impacts to County services at or above level of service (LOS) standards; compatibility with abutting and nearby land uses; impacts to environmental and historical resources; and the extent to which the requested CDMP land use designation and ultimately the proposed development would promote transit ridership and pedestrianism.

Economic Growth. The Miami-Dade Aviation Department (MDAD) is the Applicant and the owner of the application site. MDAD's stated intent is for the application site to be commercially developed by private partners, through a Request for Proposal (RFP) process. This allows the County to assess and select the best and most appropriate proposal for the site, in keeping with the County's objectives.

County Services. With the exception of roadways, public facilities and services in the application area have the capacity to adequately serve the application site, if approved, and continue to operate within the applicable adopted LOS standards. Advanced Transportation Engineering Consultants, conducted a traffic impact analysis which examined the current traffic conditions, performed a year 2011 concurrency analysis, and a year 2030 future conditions analysis. According to the traffic impact analysis, all roadways within the application site's Study Area are currently operating within their respective adopted level of service (LOS) standard.

The concurrency (year 2011) LOS analysis indicates that segments of NW 25 and NW 12 Streets are projected to operate in violation of the applicable adopted LOS standards with the impact of the application. Two projects are programmed in the 2009 Transportation Improvement Program (TIP) for NW 25 Street. These projects will mitigate the impacts to NW 25 Street. However, there are no projects programmed for NW 12 Street. However, it should be pointed out that the subject property is located in the Urban Infill Area (UIA), a Redevelopment Concurrency Exception Area. Proposed developments within the UIA will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the CDMP and it meets the provisions of Section 163.3180, Florida Statutes. However, the statute requires the County to request mitigation from projects whose traffic impacts exceed 2 percent of the capacity of a Florida Intrastate Highway System (FIHS) roadway operating below the CDMP-adopted LOS standard. No FIHS roadway is operating or will operate below the LOS standard as a result of Application No. 6.

The year 2030 future conditions analysis indicates that several roadway segments are projected to operate in violation of the applicable adopted LOS standards with the impact of the application. The impacted roadways include: West Flagler Street, NW 12 Street, NW 25 Street, NW 36 Street (US 27/SR 25), NW 72 Avenue/Milam Dairy Road (SR 969), and NW 87 Avenue/Galloway Road (SR 973).

Staff of the Miami-Dade County Department of Planning and Zoning reviewed the traffic impact report and concurs with the conclusions. MDAD staff is working with the Florida

Department of Transportation to address/mitigate the impacts to the state roadways that are projected to operate below the applicable CDMP-adopted LOS standard in the year 2030.

Compatibility. The requested “Business and Office” designation is generally compatible with the areas surrounding the application site. The areas to the north south and west of the application site are designated “Industrial and Office”, and the area to the east, the Miami International Airport (MIA) is “Transportation Terminals”. The uses that are contemplated for the application site include industrial, retail, office, and service uses. These contemplated uses are generally compatible with the existing uses adjacent to the site, including the MIA to the east, the Airport Corporate Center office park to the north, and the offices and industrial uses to the south and west.

MDAD had indicated in the application that no residential uses would be developed on the site. Additionally, MDAD has proffered a draft Declarations of Restrictions (covenant) that prohibits the development of residential uses on the application site. Therefore, if approved, the uses that would be developed on the site would be non-residential uses only.

Environmental and Historical Resources. If adopted, the application may positively impact environmental resources and would not impact historic or archaeological resources. According to the Miami-Dade County Department of Environmental Resources Management (DERM), off-site contaminated soils have been stockpiled at the site. Assessment of the property to determine the severity of contamination at the site has not been performed. The flexibility in uses being sought by the Aviation Department for this application site could better facilitate and possibly expedite the remediation process. This may be particularly significant considering that the site is bounded on the west by a canal, which could be contaminated by runoff from the application site.

The site contains specimen-sized trees regulated by Section 24-49 of the Code. DERM will require the on-site preservation of specimen sized trees, whenever reasonably possible. A tree survey showing all tree resources and a Miami-Dade County Tree Removal Permit will be required prior to removal or relocation of any identified specimen-sized trees.

Transit Ridership and Pedestrianism. According to the Miami-Dade Transit’s analysis, the application, if approved and developed, would moderately increase daily transit trips.

2. The CDMP Land Use Element describes the “Industrial and Office” future land use designation, on pages I-39 to I-41, and addresses the conversion of industrially zoned or designated land to other uses. The CDMP states that if industrially zoned or designated land is located within a Minor Statistical Area (MSA) with less than a 15-year industrial land supply and is the subject of a plan amendment, the applicant must demonstrate that the proposed use will not have a significant adverse impact on future industrial development in order to receive an approval. The projected depletion year for the countywide supply of land zoned or designated for industrial use is the year 2041. The projected depletion year of land zoned or designated for industrial use within the application’s Study Area (MSA’s 3.2, 4.4, and 4.5) is beyond the year 2025, a supply of more than 17 years. The application site is located within MSA 3.2 for which the projected depletion year for industrial zoned or designated land is beyond 2025. The redesignation of the 31.04-gross acre application site to “Business and Office” would deplete the supply of land zoned or designated for industrial use by approximately 5.5 months. Therefore, approval of this application would not deplete the vacant the industrial zoned or designated land below the minimum stipulated 15-year supply.

3. The uses being contemplated for the application site are generally consistent with the uses proffered for the site in the Miami International Airport (MIA) Land Use Master Plan. The MIA Land Use Master Plan earmarks the application site for the development of non-aviation related commercial or industrial uses.

The MIA Land Use Master Plan was included in and addressed by Part 2 of Application Number 14, April 2007 Cycle amendments to the CDMP. The April 2007 Application Number 14 was adopted by the Miami-Dade Board of County Commissioners (Board) in April 2008 and found in compliance with state law by the Florida Department of Community affairs (DCA) in July 2008. However, the South Florida Regional Planning Council has challenged Part 2 of the Application Number 14.

Planning Staff Analysis

The current Application Nos. 5, 6, and 7 were addressed in the previous Application No. 14 of the April 2007 Cycle of amendments to the CDMP, filed by MDAD. Therefore, the Planning Staff Analysis for Application No. 6 was prepared collectively with the analyses for Application Nos. 5 and 7. The analyses for all three applications are contained in the attendant 'Planning Staff Analysis: Application Nos. 5, 6 and 7' that is included in this report after the 'Principal Reasons for Recommendations' for Application No. 7.

Application No. 7

Commission District 12 Community Council 8

APPLICATION SUMMARY

Applicant/Representative: Miami-Dade County Aviation Department
Jose Abreu, P.E., Director
P.O. Box 025504
Miami, Florida 33102-5504

Location: Northeast corner of Milam Dairy Road and NW 12 Street, at the southwest corner of the Miami International Airport

Total Acreage: ±16.9 gross acres (±16.06 Net Acres)

Current Land Use Plan Map Designation: "Industrial and Office"

Requested Amendments: "Business and Office" and add the Declaration of Restrictions to the Restrictions section in the Land Use Element of the Comprehensive Development Master Plan

Amendment Type: Standard Land Use Plan Map

RECOMMENDATIONS

Staff: **ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS AND TRANSMIT** (August 25, 2008)

North Central Community Council: **TO BE DETERMINED** (September 17, 2008)

Planning Advisory Board (PAB) acting as Local Planning Agency: **TO BE DETERMINED** (October 6, 2008)

Board of County Commissioners: **TO BE DETERMINED** (November 6, 2008)

Final Recommendation of PAB acting as Local Planning Agency: **TO BE DETERMINED**

Final Action of Board of County Commissioners: **TO BE DETERMINED**

Staff recommends to **ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS AND TRANSMIT**, the proposed Land Use Plan (LUP) map standard amendment to change land use designation from "Industrial and Office" to "Business and Office"

based on the staff analysis as summarized in the Principal Reasons for Recommendations below:

Principal Reasons for Recommendations:

1. The Miami-Dade County's Comprehensive Development Master Plan (CDMP) Land Use Element Policy LU-8E requires CDMP Land Use Plan (LUP) map amendment applications to be evaluated against factors such as the proposed development's ability to satisfy a deficiency in the LUP map to accommodate projected population or economic growth in the County; impacts to County services at or above level of service (LOS) standards; compatibility with abutting and nearby land uses; impacts to environmental and historical resources; and the extent to which the requested CDMP land use designation and ultimately the proposed development would promote transit ridership and pedestrianism.

Economic Growth. The Miami-Dade Aviation Department (MDAD) is the Applicant and the owner of the application site. MDAD's stated intent is for the application site to be commercially developed by private partners, through a Request for Proposal (RFP) process. This allows the County to assess and select the best and most appropriate proposal for the site, in keeping with the County's objectives.

County Services. With the exception of roadways, public facilities and services in the application area have the capacity to adequately serve the application site, if approved, and continue to operate within the applicable adopted LOS standards. Advanced Transportation Engineering Consultants, conducted a traffic impact analysis which examined the current traffic conditions, performed a year 2011 concurrency analysis, and a year 2030 future conditions analysis. According to the traffic impact analysis, all roadways within the application site's Study Area are currently operating within their respective adopted level of service (LOS) standard.

The concurrency (year 2011) LOS analysis indicates that segments of NW 25 and NW 12 Streets are projected to operate in violation of the applicable adopted LOS standards with the impact of the application. Two projects are programmed in the 2009 Transportation Improvement Program (TIP) for NW 25 Street. These projects will mitigate the impacts to NW 25 Street. There are no projects programmed for NW 12 Street. It should be pointed out that the subject property is located in the Urban Infill Area (UIA), a Redevelopment Concurrency Exception Area. Proposed developments within the UIA will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the CDMP and it meets the provisions of Section 163.3180, Florida Statutes, which requires the County to request mitigation from projects whose traffic impacts exceed 2 percent of the capacity of a Florida Highway Intrastate System (FHIS) roadway operating below the CDMP-adopted LOS standard. No FHIS roadway is operating or will operate below the adopted LOS standard as a result of Application No. 7.

The year 2030 future conditions analysis indicates that several roadway segments are projected to operate in violation of the applicable adopted LOS standards with the impact of the application. The impacted roadways include West Flagler Street, NW 12 Street, NW 25 Street, NW 36 Street (US 27/SR 25), NW 72 Avenue/Milam Dairy Road (SR 969), and NW 87 Avenue/Galloway Road (SR 973).

Staff of the Miami-Dade County Department of Planning and Zoning reviewed the traffic impact report and concurs with the conclusions. MDAD staff is working with the Florida

Department of Transportation to address/mitigate the impacts to the state roadways listed above that are projected to operate below the applicable CDMP-adopted LOS standard in the year 2030.

Compatibility. The requested “Business and Office” designation is generally compatible with the areas surrounding the application site. The areas to the north south and west of the application site are designated “Industrial and Office”, and the area to the east, the Miami International Airport (MIA) is “Transportation Terminals”. The uses that are contemplated for the application site include industrial, retail, office, and service uses. These contemplated uses are generally compatible with the existing uses adjacent to the site, including the MIA to the north, an industrial office park to the east, a mix of warehouse, auto parts stores, and office condos to the south and a mix of uses including retail, a motel the offices and self storage are to the west.

MDAD had indicated in the application that no residential uses would be developed on the site. Additionally, MDAD has proffered a draft Declarations of Restrictions (covenant) that prohibits the development of residential uses on the application site. Therefore, if approved, the uses that would be developed on the site would be non-residential uses only.

Environmental and Historical Resources. If adopted, the application would not impact any environmental, historic, or archaeological resources.

The site contains specimen-sized trees regulated by Section 24-49 of the Code. DERM will require the on-site preservation of specimen sized trees, whenever reasonably possible. A tree survey showing all tree resources and a Miami-Dade County Tree Removal Permit will be required prior to removal or relocation of any identified specimen-sized trees.

Transit Ridership and Pedestrianism. According to the Miami-Dade Transit’s analysis, the application, if approved and developed, would moderately increase daily transit trips.

2. The CDMP Land Use Element describes the “Industrial and Office” future land use designation, on pages I-39 to I-41, and addresses the conversion of industrially zoned or designated land to other uses. The CDMP states that if industrially zoned or designated land is located within a Minor Statistical Area (MSA) with less than a 15-year industrial land supply and is the subject of a plan amendment, the applicant must demonstrate that the proposed use will not have a significant adverse impact on future industrial development in order to receive an approval. The projected depletion year for the countywide supply of land zoned or designated for industrial use is the year 2041. The projected depletion year of land zoned or designated for industrial use within the application’s Study Area (MSA’s 3.2, 4.4, and 4.5) is beyond the year 2025, a supply of more than 17 years. The application site is located within MSA 3.2 for which the projected depletion year for industrial zoned or designated land is beyond 2025. The redesignation of the 16.9-gross acre application site to “Business and Office” would deplete the supply of land zoned or designated for industrial use by approximately 3 months. Therefore, approval of this application would not deplete the vacant the industrial zoned or designated land below the minimum stipulated 15-year supply.
3. The uses being contemplated for the application site are generally consistent with the uses proffered for the site in the Miami International Airport (MIA) Land Use Master Plan. The MIA Land Use Master Plan earmarks the application site for the development of non-aviation related commercial or industrial uses.

The MIA Land Use Master Plan was included in and addressed by Part 2 of Application Number 14, April 2007 Cycle amendments to the CDMP. The April 2007 Application Number 14 was adopted by the Miami-Dade Board of County Commissioners (Board) in April 2008 and found in compliance with state law by the Florida Department of Community affairs (DCA) in July 2008. However, the South Florida Regional Planning Council has challenged Part 2 of the Application Number 14.

Planning Staff Analysis

The current Application Nos. 5, 6, and 7 were addressed in the previous Application No. 14 of the April 2007 Cycle of amendments to the CDMP, filed by MDAD. Therefore, the Planning Staff Analysis for Application No. 7 was prepared collectively with the analyses for Application Nos. 5 and 6. The analyses for all three applications are contained in the attendant 'Planning Staff Analysis: Application Nos. 5, 6 and 7' that is included in this report after the 'Principal Reasons for Recommendations' for Application No. 7.

PLANNING STAFF ANALYSIS: APPLICATION NOS. 5, 6, and 7

Introduction

Application Numbers 5, 6, and 7 were included and addressed by the Miami International Airport (MIA) Land Use Master Plan in Part 2 of Application Number 14, April 2007 Cycle amendments to the Comprehensive Development Master Plan (CDMP). The April 2007 Application Number 14 was adopted by the Board of County Commissioners (BCC) in April 2008, and will be addressed in more detail in the Land Use and Zoning History section of this report. Based on the fact that the current Application Nos. 5, 6, and 7 were addressed in the previous Application Number 14 and the application sites are owned by the Miami-Dade Aviation Department, they will also be addressed collectively in this report. The current application sites were identified by parcel numbers in the MIA Land Use Master Plan and, for ease of reference between the adopted MIA Land Use Master Plan and this report, the parcel numbers will also be referenced herein. Application Nos. 6 and 7 are proximate to each other (within approximately 900 feet) and will therefore be addressed together in this report, where possible. See Appendix A: Map Series, for the MIA land Use Master Plan.

As contained in the Applications Report, the Miami-Dade Aviation Department (MDAD) stated its reason for the requested amendments as follows: 'The Aviation Department has issued a Request for Proposals (RFP) seeking private partners to commercially develop the application areas. The application areas are currently zoned for industrial development and may be developed as such. The Department has filed the application seeking "Business and Office" Land Use Plan designations for the application areas in order to expand the potential development on the parcels to include retail and service uses not permitted under the current Land Use Plan designations and/or zoning of the parcels. The ultimate development of the application areas may include industrial, retail, office, or service uses. The Department will not develop the application areas for residential purposes.' To this extent, MDAD has proffered a Declaration of Restrictions for each application site, which prohibits the development of residential uses on the application sites (See Appendix E: Declarations of Restrictions).

Application Sites

Application No. 5 (MIA Land Use Master Plan: Parcel 5)

Application No. 5 is an undeveloped 3.4-gross acre property currently used for truck and trailer storage on the northern half of the site. The application site is located on the east side of NW 72 Avenue, bounded by NW 41 Street on the north and NW 36 Street/Doral Boulevard on the south. The site is designated on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map as "Institutional, Communications & Utilities", which allows government centers, hospitals, colleges and universities, schools, regional water and sewer facilities, solid waste facilities, military installations, power plant and electrical facilities, antenna fields, communication towers, and other public service uses. The site is zoned IU-1, which allows light industry. The site is owned by the applicant (See Appendix B: Amendment Applications). The application site is located within the Hialeah Preston Wellfield, which will be discussed in the Environmental Conditions section of this report.

Application No. 5 is also located in the MIA's Critical Area Approach Zone A (CA-A), which is discussed in detail below, under the Miami International Airport (Wilcox Field) Zoning Ordinance

in the Adjacent Land Use and Zoning section of this report, and the southern portion of the site designated “Transportation Terminals” is located within the airport runway Clear Zone.

The application is requesting a CDMP LUP map designation change on the site from “Institutional, Communications & Utilities” to “Business and Office”, which allows a variety of uses, including commercial retail, professional offices and residential uses. If approved with acceptance of the proffered Declarations of Restrictions, the “Business and Office” designation would allow a maximum of 41,817 square feet of retail space to be built on the 3.4-acre site.

Application No. 6 (MIA Land Use Master Plan: Parcel 4)

Application No. 6 is an undeveloped 31.04-gross acres site that is bounded by NW 14 Street on the south, Milam Dairy Road on the east, and a canal and the Palmetto Expressway (SR 826) on the west. NW 75 Avenue bisects the site, with the portion west of NW 75 Avenue being used for a rock crushing operation and storage of the rock crushing equipment, crushed rocks, and input materials. The portion of the site east of NW 75 Avenue is vacant. The LUP map designation for Application No. 6 is “Industrial and Office” on the north half of the site, and “Transportation Terminals” on the south half of the site. The “Industrial and Office” designation allows manufacturing operations, maintenance and repair facilities, warehouses, office buildings, wholesale showrooms, distribution centers, and other similar uses. The “Transportation Terminals” designation allows aviation and aviation-related uses that are in compliance with Federal Aviation Administration (FAA) regulations. The parcel is primarily zoned IU-2, which allows heavy industrial manufacturing, and IU-1 on the northeastern corner of the site. The site is owned by the applicant (See Appendix B: Amendment Applications).

Application No. 6 is located in the MIA’s CA-A and the Outer Land Use Zone (OLZ), and the portion of the site generally south of NW 15 Street is within the Inner Land Use Zone (ILZ) and the Inner Safety Zone (ISZ). The MIA zones are discussed in detail below, under the Miami International Airport (Wilcox Field) Zoning Ordinance in the Adjacent Land Use and Zoning section of this report. The southern portion of the application site is also located within the Clear Zone of the MIA’s runway 9R-27. Certain developments that are compatible with the operations of the airport runway and are allowed in the runway clear zones.

The application is requesting a CDMP LUP map designation change on Parcel 4 from “Industrial and Office”, and “Transportation Terminals” to “Business and Office”, which allows a variety of uses, including commercial retail, professional offices and residential uses. If approved with acceptance of the proffered Declarations of Restrictions, the “Business and Office” designation would allow a maximum of 467,311 square feet of retail space to be built on the 31.04-acre site.

Application No. 7 (MIA Land Use Master Plan: Parcel 3)

Application No. 7 is an undeveloped 16.9-gross acre property that is partly paved and is currently utilized for surface parking. The site is adjacent to the southwestern boundary of the MIA and is bounded by Perimeter Road and the Florida East Coast railroad tracks on the north, NW 12 Street on the south, and Milam Dairy Road/Airport Extension on the west. The site is designated “Industrial and Office” on the LUP map and is zoned IU-2. The site is owned by the applicant (See Appendix B: Amendment Applications).

Application No. 7 is located in the MIA’s CA-A and the OLZ zones, the northeastern portion of the site is within the ILZ zone, and the northwestern portion of the site is within the ISZ zone, all of which are discussed in detail below under the Miami International Airport (Wilcox Field) Zoning Ordinance, in the Adjacent Land Use and Zoning section of this report.

The application is requesting a CDMP LUP map designation change on the site from “Industrial and Office” to “Business and Office”, which allows a variety of uses, including commercial retail, professional offices and residential uses. If approved with acceptance of the proffered Declarations of Restrictions, the “Business and Office” designation would allow a maximum of 279,829 square feet of retail space to be built on the 16.9-acre site.

Adjacent Land Use and Zoning

Application No. 5 (MIA Land Use Master Plan: Parcel 5)

To the north of the application site is a fairly well maintained office complex offering prison and jail support services, beyond which are a mix of warehouses and light industrial parks/complexes with some commercial uses. Immediately east of the site is the Miami North Community Correctional Center 457 (also known as the Half Way House) and the Turner Guilford-Knight Correctional Center. To the south beyond NW 36 Street is mix of fairly well maintained offices warehouses. West of the site beyond NW 72 Avenue is an auto dealership, an auto parts store, a mixed-use residential property, a motel, and some vacant property. Shell gas stations exist at both the northwest and southwest corners of the intersection of NW 72 Avenue and NW 36 Street.

The area north of the application site is designated “Restricted Industrial and Office”, which generally limits development to office uses, but certain business, warehousing and manufacturing uses may be permitted in accordance with Chapter 24 of the County Code. The area to the east is designated “Institutional, Communications & Utilities” and the areas south and west of the site are designated “Restricted Industrial and Office” and “Business and Office”. The western most portion of the Miami North Community Correctional Center 457 that is adjacent to the site, and the area immediately south of the site beyond NW 36 Street are zoned IU-1. The remaining areas around the site are zoned IU-2. (See Appendix A: Map Series.)

Application No. 6 (MIA Land Use Master Plan: Parcel 4)

Immediately north of the application site is a well-maintained Neighborhood Health and the Airport Corporate Center office park beyond which is a post office. To the east are fairly maintained warehouses and the MIA’s tarmac, which extends to the southeast of the site, and beyond the tarmac further to the southeast is Application No. 7. To the immediate south is a small industrial office complex, which includes an accounting office and a roofing company: these are within the MIA’s runway 9R-27 Clear Zone. A mix of warehouses and a motel are further to the south. The area west of Parcel 2 beyond SR 826 is within the City of Doral and is developed as an industrial office park that is well maintained.

The LUP map designation for the area around the application site is “Industrial and Office” except the SR 826 and adjacent railroad rights-of-way that are designated “Transportation” and the MIA, which is designated “Transportation Terminals”. The areas to the north, west and south of the application site are zoned IU-2 and the land to the east, including the MIA, zoned IU-2 and IU-1. (See Appendix A: Map Series.)

Application No. 7 (MIA Land Use Master Plan: Parcel 3)

The MIA’s tarmac is located to the north and a small industrial office complex including an accounting office and a roofing company is located to the northeast. Further to the northeast is Application No. 6. To the east are a furniture warehouse and an industrial office park, both in fair condition. To the south is a mix of warehouses, auto repair and auto parts stores, and office

condos with a mix of commercial uses, including a bank and a gas station, to the southeast. A motel and several warehouses including a self-storage facility and a Wendy's are located to the west with several office and warehouse complexes located further west beyond SR 826.

The LUP map designation for the area around the application site is "Industrial and Office" except the SR 826 and adjacent railroad rights-of-way that are designated "Transportation" and the MIA to the north, which is designated "Transportation Terminals". The areas to the north, west, and immediate east of Parcel 3 are zoned IU-2. The area south and further east is zoned IU-1. (See Appendix A: Map Series.)

Miami International Airport (Wilcox Field) Zoning Ordinance

The Miami International Airport (Wilcox Field) Zoning Ordinance establishes the airport land use zoning map, criteria and use restrictions for the MIA and surrounding zones and sub-zones. For areas covered by this zoning ordinance see Appendix A: Map Series. All land use zoning for the airport and surrounding area is divided into the following zones in accordance with Article XXXVII, Section 33, Miami-Dade County Code.

Inner Safety Zone (ISZ). New residential construction, educational facilities (excluding aviation related schools), and buildings for public assembly in excess of 1,000 persons are prohibited within this land use zone. It is provided, however, that the prohibition on buildings for public assembly shall not apply to hotels, motels, or hospitals and their ancillary uses. Additionally, the prohibition on buildings for public assembly shall not apply to structures used in connection with public transportation. In no event shall this prohibition be varied.

Outer Safety Zone (OSZ). New residential construction, educational facilities (excluding aviation related schools), and buildings for public assembly in excess of 1,000 persons are prohibited within this zone. It is provided, however, that the prohibition on buildings for public assembly shall not apply to hotels, motels, or hospitals and their ancillary uses. Additionally, the prohibition on buildings for public assembly shall not apply to structures used in connection with public transportation. There shall be no variance pertaining to the residential and educational uses, nor any variance permitting a use for public assembly other than as permitted in this paragraph.

Inner Land Use Zone (ILZ). New residential construction and educational facilities (excluding aviation related schools) are prohibited within this zone. In no event shall this prohibition be varied.

Outer Land Use Zone (OLZ). New residential construction constructed after the effective date of this ordinance and educational facilities (excluding aviation related schools) within this land use zone are only permitted where not otherwise prohibited and where a minimum of 25 decibel (db) Noise Level Reduction (NLR) materials are incorporated in the design and construction of the structure.

Critical Area Approach Zone (CA). Educational facilities in the CA (excluding aviation related schools) are subject to the following prohibitions, restrictions and limitations. Exceptions listed in this paragraph shall be applicable to all sub-zones, except when particular sub-zones are expressly indicated.

CA-A. No new educational facilities (except aviation related schools and except as provided above) are permitted in the CA-A sub-zone. In no event shall this

prohibition be varied. Educational facilities existing as of the effective date of this ordinance (February 24, 2005), except as otherwise provided in this section, shall be permitted to expand, upon demonstration that the requirements and standards established in section 33-337(A), the underlying applicable zoning district standards, and all other standards in this Chapter have been met. In no event shall this provision be varied.

CA-B. Except as otherwise provided in this section, establishment of an educational facility is permitted in the CA-B sub-zone, after public hearing upon demonstration that the requirements and standards established in section 33-337(A), the underlying applicable zoning district standards, and all other standards in this Chapter applicable to educational facilities have been met.

CA-C. Except as otherwise provided in this section, establishment of an educational facility is permitted in the CA-C sub-zone, when in compliance with the requirements of section 33-337(B), the underlying applicable zoning district standards, and all other standards in this Chapter applicable to educational facilities.

Land Use and Zoning History

MIA Land Use Master Plan

On April 24, 2008, the BCC adopted Ordinance 08-47 that approved, among others, Application No. 14 of the April 2007 Cycle of applications to amend the CDMP. The adopted Application No. 14 is a three-part application and Part 2 provides for, among others, the inclusion of an Airport Land Use Master Plan for the MIA into the CDMP. The Florida Department of Community Affairs (DCA) found the amendments adopted through Ordinance 08-47 to be in compliance with state law in April 2008. However, the South Florida Regional Planning Council has challenged Part 2 of the adopted Application No. 14, which consequently renders the amendment not in effect.

The MIA Land Use Master Plan identified the current April 2008 Cycle Application Nos. 5, 6 (partly), and 7 for non-aviation related commercial or industrial development, but analyzed the sites for general light industrial uses. Application No.5 was identified as Parcel 5 and was proposed for development with 41,000 sq. ft. of general light industrial use. Application No. 6, excluding the northeastern approximately 3-acre portion, was identified as Parcel 4 and was proposed for the development of 422,000 sq. ft. of general light industrial use. Application No. 7 was identified as Parcel 3 and was proposed for the development of 278,000 sq. ft. of general light industrial use. The site of Application No. 7 is also included in the current MIA DRI, discussed below.

Additionally, development at the MIA is governed by an approved Development of Regional Impact (DRI) Development Order and the MIA Land Use Master Plan, when in effect, will supersede the MIA DRI thus removing the need for future MIA development to undergo further DRI review.

MIA Development of Regional Impact (DRI)

Miami International Airport (MIA) was originally established in 1928 and was known as Pan Am American Field, and soon became a main port of entry into the United States. In 1945, the Florida legislature authorized the creation of the Dade County Port Authority, which proceeded

to enter into negotiations with Pan American Airlines to purchase the airport. In 1951, the total acreage of MIA grew to 2,878 acres through land acquisitions and annexations.

In 1952, Miami-Dade County Department of Planning and Zoning (formerly Dade County Planning, Zoning and Building Department) applied for a zone change from RU-2, BU-1a, BU-2, IU-1, IU-2, AU and GU, to GU in order to permit an airport use and incidental uses thereto at Miami International Airport (MIA), including all types of industrial, commercial, and residential uses. The BCC approved the aforementioned application on October 7, 1952 (Resolution No. 5368). The airport runway 9R/27L was approved for extension through a DRI Application for Development Approval adopted by the BCC in July 1979.

In January 1996, the Miami-Dade County Aviation Department entered into an agreement with the Florida Department of Community Affairs, which allows for the construction of 5,047,787 sq. ft. of terminal area. In June 22, 2000, the BCC adopted Resolution No. Z-22-00 approving the current MIA Development of Regional Impact, which consists of development and expansion, projects for the Miami International Airport on 3,300 acres. Miami-Dade County Aviation Department requested the aforementioned development approval, which consisted of a new north side 8,600' air carrier runway, improvements to the existing terminal and terminal support facilities, renovation and expansion of the existing cargo areas and other ancillary facilities, consisting of a 2,143,604 sq. ft. terminal space addition and a new taxi-way. The DRI Development Order was subsequently amended in January 2001 through Resolution No. Z-1-01 and by Resolution No. Z-54-07 in November 2007, and currently governs development at the airport.

Application No. 5 (MIA Land Use Master Plan: Parcel 5)

Parcel 5 and adjacent areas east of NW 72 Avenue/Milam Dairy Road were rezoned in June 1952 from AU (Agriculture) to IU-1 (Light Industry), the current designation, through BCC Resolution 5107. Resolution 5107 required a 70-foot wide service road to be constructed along Milam Dairy Road, but this requirement was removed through subsequent Resolution 8737, adopted in June 1963. In October 1986 the BCC adopted Resolution R-1303-86 approving the construction of pretrial detention center on the land that is the current site of the correctional facilities adjacent to Application No. 5.

Application No. 6 (MIA Land Use Master Plan: Parcel 4)

In 1988 the south portion of this parcel was redesignated from "Industrial and Office" to the current designation of "Transportation Terminals".

In June and September of 1952, the BCC adopted Resolution 5106 and Resolution 5318 that together rezoned Application No. 6 and adjacent areas from AU to IU-1 and IU-2, the current zoning designations of the parcel. These resolutions required a 70-foot wide service road to be constructed along Milam Dairy Road, but this requirement was removed through subsequent Resolution 8374, adopted in June 1955.

Application 7 (MIA Land Use Master Plan: Parcel 3)

In June and September of 1952, the BCC adopted Resolution 5106 and Resolution 5318 that together rezoned Parcel 3 from AU to IU-2, the current zoning designations of the parcel. These resolutions required a 70-foot wide service road to be constructed along Milam Dairy Road, but this requirement was removed through subsequent Resolution 8374, adopted in June 1955. In 1984 through Resolution Z-248-84, the BCC approved a use variance allowing a furniture store on a portion of Parcel 3. Resolution Z-209-87, adopted in August 1987, approved a use variance that changed the use of the parcel from furniture to an appliance store.

Supply and Demand

The Research Section of the Department of Planning and Zoning has conducted an inventory (2008) of the supply of land designated on the LUP map or zoned for industrial and commercial use. The use trend of land for industrial and commercial development in Miami-Dade County over a 15-year period (1994 through 2008) was assessed to determine whether or not the current land supply would sustain the projected rate of commercial and industrial development through the years 2015 and 2025. The projected depletion year for the countywide supply of lands designated or zoned for commercial use is the year 2029 and the year 2041 for lands designated or zoned for industrial use.

Application No. 5

The Study Area for Application No. 5 contained 378.7 acres of vacant land designated or zoned for commercial uses in 2008. In addition, there were 1,881.3 acres of in-use commercial land. The average annual absorption rate projected for the 2008-2025 period is 17.93 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercially zoned and designated land beyond the year 2025 (see 'Projected Absorption of Land for Commercial Uses' table below).

Projected Absorption of Land for Commercial Uses
Application 5: Analysis Area Indicated Year of Depletion and Related Data

Analysis Area MSA	Vacant Commercial Land 2008 (Acres)	Commercial Acres in Use 2008	Annual Absorption Rate 2008-2025 (Acres)	Projected Year of Depletion	Total Commercial Acres Per 1000 Persons	
					2015	2025
3.2	349.2	1,598.1	16.79	2025+	11.3	9.3
4.4	3.2	68.3	0.08	2025+	4.3	4.2
4.5	26.3	214.9	1.06	2025+	--	--
Total	378.7	1,881.3	17.93	2025+	12	10

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

-- indicates Insignificant Demand

Projected Absorption of Land for Industrial Uses
Application 5: Analysis Area Indicated Year of Depletion and Related Data

Analysis Area MSA	Vacant Industrial Land 2008 (Acres)	Industrial Acres in Use 2008	Annual Absorption Rate 2008-2025 (Acres)	Projected Year Of Depletion
3.2	1,604.4	5,253.9	66.92	2025+
4.4	0.0	4.8	0.02	2008
4.5	33.9	107.3	0.00	--
Total	1,638.3	5,366.0	66.94	2025+

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

-- indicates Insignificant Demand

Supply and Demand for Industrial Land. The Study Area for Application No. 5 contained 1,638.3 acres of vacant land designated or zoned for industrial uses in July 2008. In addition, there

were 5,366.0 acres of in-use industrial land. The average annual absorption rate projected for the 2008-2025 period is 66.94 acres per year. At the projected rate of absorption, the study area will deplete its supply of industrially zoned and designated land beyond the year 2025 (see 'Projected Absorption of Land for Industrial Uses' table above). The conversion of the 3.4-gross acre application site to "Business and Office" would deplete the "Industrial and Office" designated land supply by less than 1 month.

Application No. 6

The Study Area for Application No. 6 (MSA's 3.2 and 4.5) contained 375.5 acres of vacant land designated or zoned for commercial uses in July 2008. In addition, there were 1,813.0 acres of in-use commercial land. The average annual absorption rate projected for the 2008-2025 period is 17.85 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercially zoned and designated land beyond the year 2025 (see 'Projected Absorption of Land for Commercial Uses' table below).

Projected Absorption of Land for Commercial Uses
Application 6: Analysis Area Indicated Year of Depletion and Related Data

Analysis Area MSA	Vacant Commercial Land 2008 (Acres)	Commercial Acres in Use 2008	Annual Absorption Rate 2008-2025 (Acres)	Projected Year of Depletion	Total Commercial Acres per 1000 Persons	
					2015	2025
3.2	349.2	1,598.1	16.79	2025+	11.7	9.6
4.5	26.3	214.9	1.06	2025+	--	--
Total	375.5	1,813.0	17.85	2025+	13.1	10.8

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

-- indicates Insignificant Demand

Supply and Demand for Industrial Land. The Study Area for Application No. 6 contained 1,638.3 acres of vacant land zoned for industrial uses in July 2008. In addition, there were 5,361.2 acres of in-use industrial land. The average annual absorption rate projected for the 2008-2025 period is 66.92 acres per year. At the projected rate of absorption, the study area will deplete its supply of industrially zoned and designated land beyond the year 2025 (see 'Projected Absorption of Land for Industrial Uses' table below). The conversion of the 31.04-gross acre application site to "Business and Office" would deplete the "Industrial and Office" designated land supply by approximately 5.5 months.

Projected Absorption of Land for Industrial Uses
Application 6: Analysis Area Indicated Year of Depletion and Related Data

Analysis Area MSA	Vacant Industrial Land 2008 (Acres)	Industrial Acres In Use 2008	Annual Absorption Rate 2008-2025 (Acres)	Projected Year Of Depletion
3.2	1,604.4	5,253.9	66.92	2025+
4.5	33.9	107.3	0.00	--
Total	1,638.3	5,361.2	66.92	2025+

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

-- indicates Insignificant Demand

Application 7

The Study Area for Application No. 7 (MSA's 3.2, 4.5, and 5.1) contained 398.9 acres of vacant land designated or zoned for commercial uses in July 2008. In addition, there were 2,326.6 acres of in-use commercial land. The average annual absorption rate projected for the 2008-2025 period is 19.58 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercially zoned and designated land beyond the year 2025 (see 'Projected Absorption of Land for Commercial Uses' table below).

Projected Absorption of Land for Commercial Uses
Application 7: Analysis Area Indicated Year of Depletion and Related Data

Analysis Area MSA	Vacant Commercial Land 2008 (Acres)	Commercial Acres in Use 2008	Annual Absorption Rate 2008-2025 (Acres)	Projected Year of Depletion	Total Commercial Acres Per 1000 Persons	
					2015	2025
3.2	349.2	1,598.1	16.79	2025+	11.7	9.6
4.5	26.3	214.9	1.06	2025+	--	--
5.1	23.4	513.6	1.73	2022	4.0	3.7
Total	398.9	2,326.6	19.58	2025+	9.0	7.9

Source: Miami-Dade County Department of Planning & Zoning, Planning Division, Research Section, August 2008.
-- indicates Insignificant Demand

Supply and Demand for Industrial Land. The Study Area for Application No. 7 contained 1,639.7 acres of vacant land designated or zoned for industrial uses in July 2008. In addition, there were 5,412.9 acres of in-use industrial land. The average annual absorption rate projected for the 2008-2025 period is 66.92 acres per year. At the projected rate of absorption, the study area will deplete its supply of industrially zoned and designated land beyond the year 2025 (see 'Projected Absorption of Land for Industrial Uses' table below). The conversion of the 16.9-gross acre application site to "Business and Office" would deplete the "Industrial and Office" designated land supply by approximately 3 months.

Projected Absorption of Land for Industrial Uses
Application 7: Analysis Area Indicated Year of Depletion and Related Data

Analysis Area MSA	Vacant Industrial Land 2008 (Acres)	Industrial Acres in Use 2008	Annual Absorption Rate 2008-2025 (Acres)	Projected Year of Depletion
3.2	1,604.4	5,253.9	66.92	2025+
4.5	33.9	107.3	0.00	--
5.1	1.4	51.7	0.00	--
Total	1,639.7	5,412.9	66.92	2025+

Source: Miami-Dade County Department of Planning & Zoning, Planning Division, Research Section, August 2008.
-- Indicates Insignificant Demand

Environmental Conditions

The following information pertains to the environmental conditions of the sites of Application Nos. 5, 6, & 7. All YES entries are further described below.

<u>Flood Protection</u>	<u>Application No. 5</u>	<u>Application No. 6</u>	<u>Application No. 7</u>
County Flood Criteria, National Geodetic Vertical Datum (NGVD)	+6.0 feet	+6.5 feet	+6.5 feet
Stormwater Management	Surface Water Management Permit	Surface Water Management Permit	Surface Water Management Permit
Drainage Basin	C-6 and C-4 Canals AE – 6	C-4 and C-6 Canals X	C-4 and C-6 Canals AE – 6
Federal Flood Zone	Within the 100-year floodplain	Outside the 500-year floodplain	Within the 100-year floodplain
Hurricane Evacuation Zone	NO	NO	NO
<u>Biological Conditions</u>			
Wetlands Permits Required	NO	NO	NO
Native Wetland Communities	NO	NO	NO
Specimen Trees	YES	YES	YES
Natural Forest Communities	NO	NO	NO
Endangered Species Habitat	NO	NO	NO
<u>Other Considerations</u>			
Within Wellfield Protection Area	YES	NO	NO
Archaeological/Historical Resources	NO	NO	NO
Hazardous Waste	YES	YES	NO

Drainage and Flood Protection:

According to the Miami-Dade County Department of Environmental Resources Management (DERM), a retention/detention system adequately designed to contain the run-off generated by a 5-year storm event onsite is required for the sites of application Nos. 5, 6, and 7. Additionally, no off-site discharge of stormwater is permitted. Due to the size and lot coverage potential of these sites, a Surface Water Management Permit must be individually obtained for each site prior to any development.

Application No. 5. The application site lies within Flood Zone AE with a base flood elevation of 6.0 feet NGVD, according to the Federal Flood Insurance Rate Maps for Miami-Dade County (County). According to the County's flood criteria, the site shall be filled to a minimum elevation of 6.0 feet and requires an additional 8 inches for residential and 4 inches for commercial structures.

Application No. 6. The application site lies within Flood Zone X, and the base flood elevation is outside the 500-year flood as per the Federal Flood Insurance Rate Maps for Miami-Dade County (County). According to the County's flood criteria, the site shall be filled to a minimum elevation of 6.5 feet and requires an additional 8 inches for residential and 4 inches for commercial structures.

Application No. 7. The application site lies within Flood Zone AE with a base flood elevation of 6.0 feet NGVD, according to the Federal Flood Insurance Rate Maps for Miami-Dade County (County). According to the County's flood criteria, the site shall be filled to a minimum elevation of 6.5 feet and requires an additional 8 inches for residential and 4 inches for commercial structures.

Specimen Trees:

Section 24-49 of the Miami-Dade County Code (Code) provides for the preservation and protection of tree resources; therefore, the applicant is required to obtain a Miami-Dade County Tree Removal Permit prior to the removal or relocation of any identified specimen-sized trees.

Application No. 5. An inspection performed by DERM staff on July 1, 2008 identified several black olive specimen-sized trees (trunk diameter 18 inches or greater) on the application site. The inspection also indicated that the subject property contains prohibited trees as defined in Section 24-49.9 of the Code. These trees are exempted from permitting and must be removed from the subject property prior to development.

Application no. 6. An inspection performed by DERM staff on July 1, 2008 identified live oak, silver fan and royal palm specimen-sized trees (trunk diameter 18 inches or greater) on the application site.

Application No. 7. An inspection performed by DERM staff on June 24 and 25, 2008 identified sabal palms, black olive, royal Poinciana and weeping fig specimen-sized trees (trunk diameter 18 inches or greater) on the application site. The inspection also indicated that the subject property contains prohibited trees as defined in Section 24-49.9 of the Code. These trees are exempted from permitting and must be removed from the subject property prior to development.

Wellfield Protection

The Application No. 5 subject property is located within the average pumpage wellfield protection area of the Hialeah/Preston Wellfield complex. Development of the subject property shall be in accordance with the regulations established in Section 24-43 of the Code. The

proposed land use designation would be compatible with the wellfield protection requirements contained in the Code.

Hazardous Waste

Application No. 5. There are no records of contamination assessment or remediation issues involving the property; however, the property abutting the application site to the west, Palmetto Ford Truck Sales Inc. at 7245 N.W. 36th Street was noted to have an active Industrial Waste file. According to DERM, the property is currently undergoing assessment for aluminum contamination. Until the assessment is completed, the impact on the subject property, if any, cannot be determined.

Application 6. According to DERM records, off-site contaminated soils have been stockpiled at the site. Assessment of the property to identify the severity of any contamination at the site has not been performed.

Water and Sewer

Water Supply

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

On November 15, 2007, the Governing Board of the SFWMD approved Miami-Dade Water and Sewer Department's (WASD) 20-year water Consumptive Use Permit (CUP). WASD's implementation of a number of alternative water supply and reuse projects is an essential component of the CUP. As stated above, all future growth in the County must rely on water from alternative sources or Biscayne water, which has been replenished by reused or reclaimed water. In April 2007, the BCC adopted alternative water supply and reuse projects into the Capital Improvements Element of the CDMP in the amount of \$1.6 billion dollars. This commitment by the BCC fully funds the projects, which are outlined in SFWMD's Lower East Coast Regional Water Supply Plan and the County's CUP. A summary of these projects can be found under Objective WS-7 of the CDMP (Water Supply Facilities Workplan).

The assessment of available water supply, as it relates to comprehensive plan amendments, is difficult given that there is no specific timing of the development. Therefore, to determine if adequate water supply will be available for the proposed amendments, an assumption of three years for project completion from final comprehensive plan amendment approval is made. For Application 5, the year 2011 will be used based on the projected December 2008 date of BCC adoption hearing this small-scale application. For Applications 6 and 7, the year 2012 will be used based on the projected April 2009 date of BCC adoption hearing for these standard applications. These timeframes allow for rezoning of the properties, platting, permitting and construction.

Application 5: Estimated Water Demand by Land Use Scenario				
Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier (Section 24-43.1 Miami-Dade Code)	Projected Water Demand (gpd)
Current Maximum Potential Use				
1	Office	52,272 sf	10 gal/100 sf	5,227
Proposed Maximum Potential Use				
1	Commercial	41,817 sf	10 gal/100 sf	4,182
2	Office	52,272 sf	10 gal/100 sf	5,227

Application No. 5. Based on the above table, the maximum water demand for the current allowed uses is estimated at 5,227 gpd. Under proposed development scenario 2 the maximum water demand is also estimated at 5,227 gpd, and therefore no increase in water usage is expected from the change of designation on this site.

Application 6: Estimated Water Demand by Land Use Scenario				
Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier (Section 24-43.1 Miami- Dade Code)	Projected Water Demand (gpd)
Current Use				
1	Terminal	321,255 sf	20 gal/1000 sf	6,425
	Office	262,666 sf	10 gal/100 sf	26,267
Total				32,692
Proposed Use				
1	Commercial	467,311 sf	10 gal/100 sf	46,731

Application No. 6. Based on the above table, the maximum water demand for the current allowed uses is estimated at 32,692 gpd. Under the proposed development scenario the maximum water demand is estimated at 46,731 gpd; a 14,129 gpd increase in water demand currently anticipated from development at the site. This demand is considered a portion of normal growth and therefore would be considered within the normal increase of the County's water demands.

Application 7: Estimated Water Demand by Land Use Scenario				
Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier (Section 24-43.1 Miami- Dade Code)	Projected Water Demand (gpd)
Current Use				
1	Office	349,786 sf.	20 gal/1,000	34,979
Proposed Use				
1	Commercial	279,829 sf	10 gal/100 sf	27,983

Application No. 7. Based on the above table, the maximum water demand for the current allowed use is estimated at 34,979 gpd; a 6,996 gpd decrease in water demand currently anticipated from development at the site.

Figure 5-1 (Alternative Water Supply and Wastewater Reuse Projects 2007-2030) of the Water and Sewer sub-element in the CDMP, indicates that the Phase 1 of the Hialeah Floridan Aquifer Reverse Osmosis (R.O.) Water Treatment Plant (WTP) will be completed in 2012. This project will yield 8.5 million gallons per day and will ensure adequate water supply for the proposed sites of Application Nos. 5, 6, & 7. The Table 5-2 - Finished Water Demand by Source of the Water Supply Facilities Work Plan Support Document indicates that there will be no water deficit after the normal growth of the County is accommodated in the year 2012 or through the year 2030.

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

Potable Water

The County's adopted level of service (LOS) standard for water treatment requires that the regional treatment system operate with a rated maximum daily capacity of no less than 2 percent above the maximum daily flow for the preceding year, and an average daily capacity 2 percent above the average daily system demand for the preceding 5 years. The water treatment plant servicing the application site area is WASD's Hialeah/Preston Water Treatment Plant. Based on the 12-month data provided by DERM, the water treatment plant currently has a DERM rated treatment capacity of 225.0 million gallons per day (mgd) and a maximum plant production of 200.9 mgd. As a result, this treatment plant has 24.1 mgd or 10.7% of treatment plant capacity remaining. Additionally, this plant has a 12-month average day demand of 139.8 mgd, which is well within 2 percent of the plant's 199.2 mgd permitted annual average withdrawal, and therefore meets the LOS standard for water treatment facilities.

Application No. 5. Potable water service is to be provided by a 16-inch water main, that is owned and operated by WASD and abuts the application site along N.W. 72 Avenue. Based on a maximum water demand development scenario, as noted under Water Supply, it is estimated that this application site will have an estimated water demand of 5,227 gpd and will not increase the water demand above what can currently be developed on the site. The estimated water demand will not have a significant impact on the plant's design capacity and will not cause the adopted LOS standard to be exceeded.

Application No. 6. Potable water service is provided by several existing water mains within the application site owned and operated by WASD. Based on a maximum water demand development scenario (Scenario 2 as noted under Water Supply), it is estimated that this application site will have an estimated water demand of 46,731 gpd; 14,129 gpd above what is currently allowed at the site. This estimated increase in water demand will not have a significant impact on the plant's design capacity and will not cause the adopted LOS standard to be exceeded.

Application No. 7. Potable water service is provided by several existing water mains within the application site owned and operated by WASD. Based on a maximum water demand development scenario as noted under Water Supply, it is estimated that this application site could have a water demand of 34,979 gpd; a 6,996 gpd decrease in water demand from what is currently allowed at the site. This estimated water demand will not have a significant impact on the plant's design capacity and will not cause the adopted LOS standard to be exceeded.

Wastewater Facilities

The County's adopted LOS standard for wastewater treatment and disposal requires that the regional wastewater treatment and disposal system operate with a capacity that is two percent above the average daily per capita flow for the preceding five years and a physical capacity of no less than the annual average daily sewer flow. The wastewater effluent must also meet all applicable federal, state, and county standards and all treatment plants must maintain the capacity to treat peak flows without overflow. Ultimate disposal of sewage flows from the sites Application Nos. 5, 6, & 7 is to the Central District Wastewater Treatment Facility, which has a design capacity of 143 mgd and an 12-month average flow (ending April 2008) of 115.0 mgd or 80.4% of the plant's design capacity.

Application No. 5. Based upon the residential development scenario, discussed under the Water Supply section above, it is estimated that this site will generate sewage flows of 5,277 gpd. These estimated flows will not have a significant impact on the treatment plant's design capacity and will not cause the adopted LOS standard to be exceeded.

The closest public sanitary sewer line available for connection is a 10-inch gravity sewer in N.W. 72nd Avenue. Data provided by DERM indicates that sewage flows from this site would impact one public pump stations, numbers 30-0192, which is currently operating within mandated criteria set forth in a Florida Department of Environmental Protection consent decree.

Application No. 6. Based upon the residential development scenario (discussed under the Water Supply section), it is estimated that this site will generate sewage flows of 46,713 gpd. These estimated flows will not have a significant impact on the treatment plant's design capacity and will not cause the adopted LOS standard to be exceeded.

The closest available public sanitary sewer line to the application site is an existing 16-inch force main on NW 22nd Street. A private pump station would be required prior to connection to this force main. Data provided by WASD indicates that sewage flows from this site would not impact any public pump stations.

Application No. 7. Based upon the residential development scenario (discussed under the Water Supply section), it is estimated that this site will generate sewage flows of 34,979 gpd. These estimated flows will not have a significant impact on the treatment plant's design capacity and will not cause the adopted LOS standard to be exceeded.

The closest available public sanitary sewer line to the application site is an existing 16-inch force main on NW 22nd Street. A private pump station would be required prior to connection to this force main. Data provided by WASD indicates that sewage flows from this site would impact one public pump station, number 30-0168, which is currently operating within mandated criteria set forth in a Florida Department of Environmental Protection consent decree.

Solid Waste

The application site is located inside the Department of Solid Waste Management (DSWM) waste service area for garbage and trash collections. The adopted LOS standard for the County Solid Waste Management System is to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long-term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five years. The DSWM 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. Currently the County exceeds the minimum standard by two (2) years. A review of Applications 5, 6, and 7 by the DSWM indicates that development of these sites will have minimal impact on the current capacity and will not cause the LOS standard for solid waste to be exceeded.

The closest DSWM facility is the West Transfer Station, located at 2900 SW 72 Avenue, approximately six miles from Application 5 and within five miles of Application Nos. 6 and 7. Under the DSWM's current policy, County and municipal collection operations, and permitted private haulers are allowed to use this type of facility. The DSWM has indicated that the requests will have minimal impact on collection services. The impact on the disposal and transfer facilities would be incremental with the cumulative cost of providing disposal capacity paid for by the users. DSWM has indicated that it is capable of providing such disposal service.

Parks

The LOS standard for the provision of recreation open space provides for 2.75 acres of local recreation open space per 1,000 permanent residents in unincorporated areas; and adds that the County must provide open space of five acres or larger within three miles from a residential area. The cumulative impact of all applications in Park Benefit District 1 (PBD1) will increase the population by 13,644 and decrease the available reserve capacity by 37.52 acres. Application Nos. 5, 6, and 7 are located in PBD 1, which has a surplus capacity of 396 acres when measured by the County concurrency level-of-service standard of 2.75 acres of local recreation open space for every 1,000 persons in the unincorporated municipal service area. There are no local County local parks within two miles of Application No. 5, but the 0.32-acre Sunset Heights Park, a County-owned local park, is within a two-mile radius of Application Nos. 6 and 7.

Application Nos. 5, 6, and 7 cumulatively have the potential to increase population in PBD 1 by 3,167 persons more than what the sites could generate under the current designations, resulting in a need for an additional 8.71 acres of park land, if all approved. However, the Miami-Dade County Aviation Department (MDAD) has proffered individual Declaration of Restrictions for each of Application Nos. 5, 6, and 7, prohibiting the development of residential uses on the application sites.

The applicant has also stated, in each application, that the intent is to develop the application sites with non-residential uses including retail and offices. These uses do not generate residents, but do generate workers, shoppers and users of services. The Park and Recreation Department (PARD) is committed to increasing available recreation open space and facilities in all areas, not just residential, to serve the day-time population of an area. PARD is committed to increasing available recreation open space and facilities in this area, and recommends that

any future development proposed for this site take the goals and principles of the County's Open Space System Master Plan into account.

Fire and Rescue Service

Miami-Dade County Fire Rescue Station 17, Virginia Gardens, located at 7050 NW 36th Street, currently serves the application sites. This station is equipped with a 75' Advanced Life Support (ALS) Ladder with Hazardous Materials support and a Rescue unit, and is continuously staffed with seven firefighters/paramedics. Currently, there are no planned fire station facilities near the application sites.

The required fire flow for the proposed business use 3,000 gallons per minute (gpm) at 20 pounds per square inch (psi) residual on the system; office uses require 1,500 gpm for fire flow. Additionally, each fire hydrant shall deliver no less than 750 gpm. Fire flows in this area must meet the required pressures; however, testing of the water lines that will service the sites will be performed at the development stage.

According to 2007 Miami-Dade County Fire Rescue Department (MDFR) data, average travel time to incidents of life threatening emergencies in the vicinity of Application No. 5 is approximately 4 minutes and 48 seconds; in the vicinity of the Application No. 6 is approximately 7 minutes and 48 seconds; and in the vicinity of the Application No. 7 is approximately 6 minutes and 29 seconds. These average travel times are within an acceptable range for response times according to the National Fire Prevention Code. No response time data was reported for structure fires.

Application No. 5. The current CDMP designation allows a potential development that will generate a total of 12 annual alarms. Under the requested CDMP designation, potential development is anticipated to generate a total of 38 annual alarms. According to MDFR, this will result in a moderate impact to existing fire rescue services.

Application No. 6. The current CDMP designation allows a potential development that will generate a total of 72 annual alarms. Under the requested CDMP designation, potential development is anticipated to generate a total of 139 annual alarms. According to MDFR, this will result in a severe impact to existing fire rescue services.

Application No. 7. The current CDMP designation allows a potential development that will generate a total of 15 annual alarms. Under the requested CDMP designation, potential development is anticipated to generate a total of 190 annual alarms. According to MDFR, this will result in a severe impact to existing fire rescue services.

It should be noted, however, that the Fire Rescue Station 17 is a high volume emergency response facility and has the capacity to absorb the impacts that would be generated and adequately serve the application sites. Under the MDFR evaluation system, 1 - 30 annual alarms would have minimal impact to Fire and Rescue services, 31 - 69 annual alarms would have a moderate impact, and 70+ annual alarms would have a severe impact.

A severe impact rating does not mean that MDFR cannot meet the demands with current staffing or equipment levels, it is only an indication of the average quantity of alarms expected from an application when built. If MDFR needs additional personnel or equipment to ensure

level of service standards for fire protection are met, then that will be specifically mentioned in the analysis.

Additionally, The Miami-Dade Aviation Department Airport Fire Rescue Division provides and coordinates all Aircraft Rescue and Fire Fighting (ARFF) protection activities in Miami-Dade County and at the Miami International Airport. The Airport Fire Rescue Division activities include mitigation of and response to structural and aircraft fires, as well as response to medical emergencies, fuel spills, incidents of terrorism, hazardous materials spills, bio-chemical threats, radiological exposures, natural disasters, and hazardous materials incidents. The Division is responsible to both the Miami-Dade Fire Rescue Department and the Miami-Dade Aviation Department and responds to communities surrounding the airport on a mutual aid system. Therefore, the Division will also respond to emergencies at the sites of Application Nos. 5, 6, and 7 as needed.

The Miami International Airport Fire Rescue Division consists of two (2) emergency response stations: Midfield (Fire Station 12) and North side Fire Station and Administrative Office (Fire Station 59). Station 12 is equipped with an Airport Rescue Fire Fighting Vehicle, an Advanced Life Support (ALS) Engine, and a Rescue. Station 59 is equipped with a Haz Mat Support ALS Engine and a Quick Response Vehicle. These two stations enable aircraft rescue fire fighting personnel to respond to any emergency situation within the required response time. Airport Fire Rescue's responsibilities include Aircraft Rescue and Fire Fighting, Structural Fire Protection, Emergency Medical Services, Fuel Safety Operations, and Life Safety and Inspections.

To offset the cost of providing fire and rescue service, any application for development activity within Miami-Dade County fire rescue service area will be subjected to the imposition of a fire impact fee.

Public Schools

The Miami-Dade County Aviation Department (MDAD) has proffered individual Declaration of Restrictions for each of Application Nos. 5, 6, and 7, prohibiting the development of residential uses on the application sites. Therefore, Miami-Dade County Public Schools will not be impacted by development on the application sites.

Roadways

Application Numbers 5, 6, and 7 were part of Application No. 14 Part 2 of the April 2007 CDMP Amendment Cycle. Application No. 14 Part 2 and Application Nos. 5, 6 and 7 of April 2008 CDMP Amendment Cycle were filed by Miami-Dade County Aviation Department (MDAD). The sites of Application Nos. 5, 6 and 7 were identified as Parcels 5, 4 and 3, respectively, in Application No. 14 Part 2. The Land Use and Zoning History section of this report provides more detailed information regarding these applications.

Application No. 5. This is a Small-scale amendment application, which consists of 3.60 gross-acre site located at the NE corner of the intersection of NW 72 Avenue (SR 969) and NW 36 Street (SR 948). The application site is currently designated "Institution, Utilities and Communications" on the Adopted 2015 and 2025 Land Use Plan (LUP) map. The applicant, Miami-Dade County Aviation Department, is requesting the re-designation of the subject parcel to "Business and Office" on the adopted LUP map. Primary access to the application site is

from NW 36 Street, a 6-lane arterial facility, which provides access to other major north-south arterials such as the Palmetto Expressway (SR 826), NW 72 Avenue and NW 42 Avenue; and from NW 72 Avenue, a six-lane roadway, which provide access to other east-west arterials such as NW 25 Street and NW 12 Street.

Application No. 6. This is a Standard amendment application, which consists of 31.04 gross-acre site located west of Miami International Airport between NW 19 Street and Theoretical NW 14 Street. The application site is currently designated “Industrial and Office” and “Terminals” on the Adopted 2015 and 2025 Land Use Plan (LUP) map. The applicant is requesting the re-designation of the subject parcel to “Business and Office” on the adopted LUP map. Primary access to the application site is from NW 72 Avenue, a 6-lane arterial, which provides access to other east-west arterials such as NW 12 Street, NW 25 Street and NW 36 Street.

Application No. 7. This is another Standard amendment application, which consists of 16.09 gross-acre site located southwest of Miami International Airport between Perimeter Road and NW 12 Street, east of NW 72 Avenue. The application site is currently designated “Industrial and Office” on the Adopted 2015 and 2025 Land Use Plan (LUP) map. The applicant is requesting the re-designation of the subject parcel to “Business and Office” on the adopted LUP map. Primary access to the application site is from NW 12 Street, a 4-lane arterial facility, which provides access to other north-south arterials.

Traffic Impact Analysis

Advanced Transportation Engineering Consultants (ATEC) Inc., was retained by MDAD to perform a traffic impact study, *Miami International Airport (MIA) - Traffic Impact Analysis (August 2008)*, for the Miami International Airport planned development, which includes the sites of Application Nos. 5, 6, and 7. The report contains specific traffic analysis information that is pertinent to the requested CDMP amendment applications. A copy of the Traffic Impact Analysis Report is attached in Appendix D.

Study Area

The traffic analysis examines the impact that the maximum potential development that could occur under the requested “Business and Office” CDMP designation would have on the roadways adjacent to application sites and on the roadway network within a truncated Study Area that extends north to NW 103 Street/W 49 Street (SR 932), east to I-95 Expressway (SR 9A), south to SW 40 Street (SR 976), and west to NW/SW 107 Avenue (SR 985).

Proposed Development

The three application sites were analyzed for the maximum potential development that can be built on the sites under the requested “Business and Office” land use designation, excluding residential uses, and in keeping with the MDAD intent to allow flexibility in the uses that can be developed on the sites.

The proposed development projects for the redevelopment of the MIA Airport and the development of the sites of Application Nos. 5, 6 and 7 comprise approximately 1,050 hotel rooms, 185,00 square feet of gasoline/service station with convenience market, and 741,000 square feet of industrial and office use within the MIA property. Four separate Parcels (1A, 1B, 1C, 1D) are located on the eastern side of the Airport, adjacent to NW 42 Avenue/LeJeune Road (SR 953). The proposed development of Application 5 (Parcel 5), Application 6 (Parcel 4), and Application 7 (Parcel 3), which are

located on the western periphery of the airport close to NW 72 Avenue (SR 969), comprise approximately 41,817 sq. ft., 467,311 sq. ft. and 279,829 sq. ft. of retail space. The table below shows the proposed development program for each of the parcels.

Proposed Development			
Parcel	Land Use	Quantity	Unit
1A	Hotel	600	Hotel Rooms
1B	Gasoline/service Station w/ convenience market	185,000	Sq. Ft.
1C	Hotel	400	Hotel Rooms
1D	Hotel	50	Hotel Rooms
3	General Light Industrial (Retail)	278,000	Sq. Ft.
4	General Light Industrial (Retail)	422,000	Sq. Ft.
5	General Light Industrial (Retail)	41,000	Sq. Ft.

Source: Miami Dade County Aviation Department, July 2008.

Methodology

A trip generation analysis was performed using the Institute of Transportation Engineering (ITE), Trip Generation Report, 7th Edition. The distribution of trips to the adjacent street network was performed using Traffic Analysis Zones obtained from the *Miami-Dade Transportation Plan Directional Trips Distribution Report (January 2005)*. A short-term (concurrency) was performed and a long-term (Year 2030) traffic impact analyses were performed.

The 2030 Florida Standard Urbanized Transportation Modeling Structure (FUSTMS) model along with the existing 2007 traffic counts were used as the basis for development of the future traffic volumes. In addition, a level of service (LOS) analysis was performed for the impacted roadways within the study area.

Traffic Concurrency Evaluation

A concurrency analysis was performed to evaluate the near-term impacts for the year 2011 for each application site. The traffic concurrency analysis was performed for the roadways adjacent to the application sites; however, this analysis excludes Parcels 1A, 1B, 1C and 1D because they are not expected to be developed within the next three years.

The traffic concurrency analyses indicates that Application No. 5 will not have a significant impact on the adjacent roadways, which are all projected to operate within their adopted LOS standards, with the application impact. Application Nos. 6 and 7, on the other hand, will have a significant impact on segments of NW 12 Street and NW 25 Street. These roadways are projected to operate above their adopted LOS standards (Table 4 of the MIA Traffic Impact Analysis report).

The 2009 Transportation Improvement Program (TIP) lists the NW 25 Street Viaduct as a new roadway to be constructed between NW 82 Avenue and SR 826 and from SR 826 to NW 68 Avenue, and the widening from 4 to 6 lanes of NW 25 Street, between NW 89 Court and SR 826 and from SR 826 to NW 67 Avenue. These roadway improvements will provide the roadway capacity needed to mitigate the applications' impacts. No roadway capacity improvement is programmed or planned for NW 12 Street (Table 5 of the MIA Traffic Impact Analysis report).

It should be pointed out that Application Nos. 5, 6 and 7 are located in the County's Urban Infill Area (UIA), a designated Redevelopment Concurrency Exception Area. Proposed developments within the UIA will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the CDMP and it meets the provisions of Section 163.3180, Florida Statutes, which requires the County to request mitigation from projects whose traffic impacts exceed 2 percent of the capacity of a FIHS roadway operating below the CDMP-adopted LOS standard. No FIHS roadway is operating or will operate below the LOS standard as a result of Application Nos. 6 and 7.

Future Conditions

Even though Application No. 5 is a Small-scale amendment, this application was considered in the 2030 traffic impact analysis. A year 2030 analysis was performed for Application Nos. 5, 6 and 7 as well as for Parcels 1A through 1D of the MIA. It was determined that the full build out of the projects is anticipated to occur in the next 10 to 15-year time frame, resulting in a build-out year of approximately 2022. This build out date is concurrent with the projected full build out of the development proposed for the MIA. The analysis year was rounded up to 2030 to correspond with the availability of regional modeling data.

Transportation demand modeling was used to generate the 2030 traffic volumes to analyze the future conditions. The 2030 Florida Standard Urbanized Transportation Modeling Structure (FSUTMS) model was used to generate both the before and after development traffic estimates. In preparing the transportation model, the Miami-Dade Transportation Plan to the Year 2030, Cost Feasible Plan, Priorities I through IV projects with construction planned between 2008 and 2030, was assumed to be implemented. According to the transportation consultant, several roadway segments are projected to operate above their adopted LOS standards without the impacts of the applications. However, the following roadways are projected to be significantly impacted by Application Nos. 5, 6 and 7: West Flagler Street (SR 968), NW 12 Street, NW 25 Street, NW 36 Street, NW 72 Avenue/Milam Dairy Road, and NW 87 Avenue/Galloway Road (Table 8 of the MIA Traffic Impact Analysis report).

Staff of the Miami-Dade County Department of Planning and Zoning and Public Works Department reviewed the traffic impact report, and concurs with the conclusion that the proposed land use change for Parcel 3 (Application 7), Parcel 6 (Application 6) and Parcel 5 (Application 5) would impact the roadways listed below.

W. Flagler Street, from NW 72 Avenue to NW 87 Avenue;
NW 12 Street, from NW72 Avenue and NW 87 Avenue;
NW 25 Street, from NW 72 Avenue and NW 107 Avenue;
NW 36 Street, from NW 7 Avenue to NW 42 Avenue;
NW 72 Avenue, from W Flagler Street to NW 36 Street; and
NW 87 Avenue, from W Flagler Street to Coral Way/SW 24 Street.

The impacts of Application Nos. 5, 6 and 7 can be mitigated by increasing the capacity of the roadways (additional lane in each direction), provided there is available right-of-way. An alternate solution is the improvement of transit service and traffic signal progression along the affected roadways. MDAD staff is currently exploring with the Florida Department of Transportation (FDOT) and Miami-Dade Transit (MDT) ways of addressing the traffic impacts on the roadways listed above.

Transit

Existing Service

Application No. 5. This Application site and its environs are served by Metrobus Routes 36, 73, 95 and 132/Tri-Rail Doral Shuttle. The existing routes and service frequency are shown in the "Metrobus Route Service Summary" table below.

Metrobus Route Service Summary
April 2008 Amendment Application No. 5

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
36	40	60	48	N/A	60	60	0.0	F
73	30	30	60	N/A	40	60	0.0	F
95	30*	N/A	N/A	N/A	N/A	N/A	0.0	F / E
132/Tri-Rail Doral Shuttle	20	N/A	N/A	N/A	N/A	N/A	0.0	L**

Notes: L means Metrobus local route service

F means Metrobus feeder service to Metrorail

E means Express Metrobus service

* Only two AM and two PM trips are scheduled (30 minutes apart) for this route.

** Local route service but is a feeder route to Tri-Rail commuter service.

Application Nos. 6 and 7. Metrobus Routes 73 and 238/East West Connection serve the application sites and their environs. The existing routes and service frequency are shown in the "Metrobus Route Service Summary" table below.

Metrobus Route Service Summary
April 2008 Amendment Application Nos. 6 and 7

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (midday)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
73	30	30	60	N/A	40	60	0.0	F
238/East West Connection	30	60	N/A	N/A	N/A	N/A	0.0	F

Notes: L means Metrobus local route service

F means Metrobus feeder service to Metrorail

E means Express Metrobus service

Future Conditions

Transit improvements to the existing Metrobus service in the immediate area, such as improved headways to the current routes, are being planned for the next ten years as noted in the draft 2008 Transit Development Plan. The "Metrobus Recommended Service Improvements" table below shows the Metrobus service improvements programmed for the existing routes serving this application site.

Metrobus Recommended Service Improvements April 2008 Amendment

Application No. 5

Route(s)	Improvement Description
36	No planned improvements.
73	Improve peak headway from 30 to 20 minutes.
95	No planned improvements.
132/Tri-Rail Doral Shuttle	No planned improvements.
<i>Application Nos. 6 & 7</i>	
73	Improve peak headway from 30 to 20 minutes.
238/East West Connection	No planned improvements.

Major Transit projects

Regarding future transit projects within this area, a rail extension to west Miami-Dade from the future Miami Intermodal Center is being studied, by Miami-Dade Transit, as part of the People's Transportation Plan Rapid Transit Improvements. It consists of a 10.1 to 13 mile corridor primarily along SW 8th Street (Tamiami Trail).

Application Impacts

Application No. 5. A preliminary analysis was performed in the Traffic Analysis Zone (TAZ) where the application is located. In TAZ 685, where Application No. 5 is requested, if granted, the transit impact that expected to be produced by this application is minimal and can be absorbed by the planned transit improvements for the area.

Application Nos. 6 and 7. A preliminary analysis was performed in the Traffic Analysis Zone (TAZ) 740 where Applications 6 and 7 are located. If the applications were granted, the traffic impacts expected to be produced by the applications are estimated at approximately 50 additional daily transit trips for Application No. 6 and 70 additional daily trips for Application No. 7, for a total of approximately 120 additional daily transit trips. These additional transit trips can be absorbed by the existing transit service and planned transit improvements in the area.

It is important to note, however, that the Recommended Service Plan that includes the proposed transit service improvements may not be adopted into Miami-Dade Transit's final 2008 Transit Development Program (TDP). Should this occur, the proposed transit improvements would not be implemented.

The projected bus service improvements listed in the “Metrobus Recommended Service Improvements” table above are estimated to cost approximately \$23,367 in annual operating costs and a one-time capital cost of \$49,428 for a total cost of \$72,795 for each route. These costs only reflect the percentage of improvements that are located within the Application areas.

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 Application Nos. 5, 6, and 7 are approved:

- LU-1G Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. (Applies to Application No. 5 only.)
- LU-8E (iii) Compatible with abutting and nearby land uses and protect the character of established neighborhoods.
- AV-3C Maintain Height zoning controls to protect existing and proposed flight paths consistent with federal guidelines
- AV-4A Make aviation capacity improvements at existing airports so long as they are cost effective and consistent with other CDMP objectives and policies.
- AV-7 Maximize compatibility between airports and the surrounding areas.
- AV-7D Landmark suitable revenue generating real estate and other parcels for the development of airport capacity and buffering as soon as feasible to ensure their availability when needed.
- AV-7E To the extent feasible, utilize the CDMP Land Use Element to maximize compatibility of land use around airports, reflecting recommendation in the federal and State guidance documents cited in Policy AV-7B.
- AV-8A The Miami-Dade County Aviation Department, through the continued increase in the capacity of the County’s airports to meet the forecast aviation demands, and the State and local governmental economic development entities through their commerce and industry promotion programs should expand the importance of the aviation industry to Miami-Dade County and the regional economy.

The following CDMP goals, objectives, policies, concepts and guidelines will be impeded if the proposed Application Nos. 5, 6, and 7 are approved:

- LU-1G Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. (Applies to Application Nos. 6 and 7 only.)

- 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). (Applies to Application Nos. 6 and 7 only.)
- AV-8B When consistent with aviation facility locational objectives for airspace safety and environmental and community compatibility, the Aviation Department shall provide additional facility and operational capacity in the aviation systems in locations that offer greatest potential for expansion of aviation-related economic development and redevelopment in the vicinity and opportunities for aviation-related employment for Miami-Dade County residents.

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APPENDICES

Appendix A	Map Series
Appendix B	Amendment Applications
Appendix C	Miami-Dade County Public Schools Analysis
Appendix D	Applicant's Traffic Study
Appendix E	Fiscal Impact Analysis
Appendix F	Proposed Declarations of Restrictions
Appendix G	Photos of the Application Sites and Surroundings

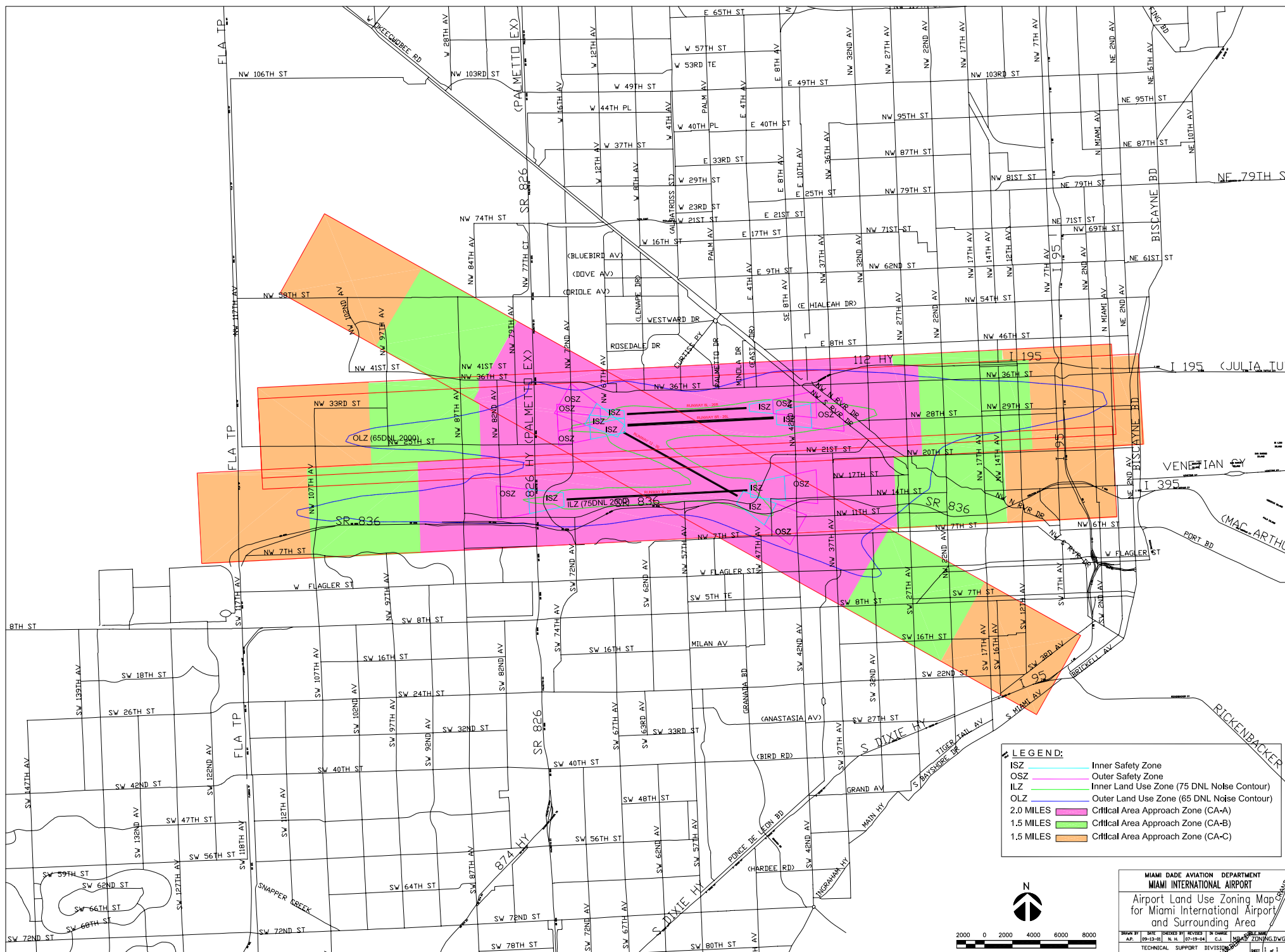
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APPENDIX A

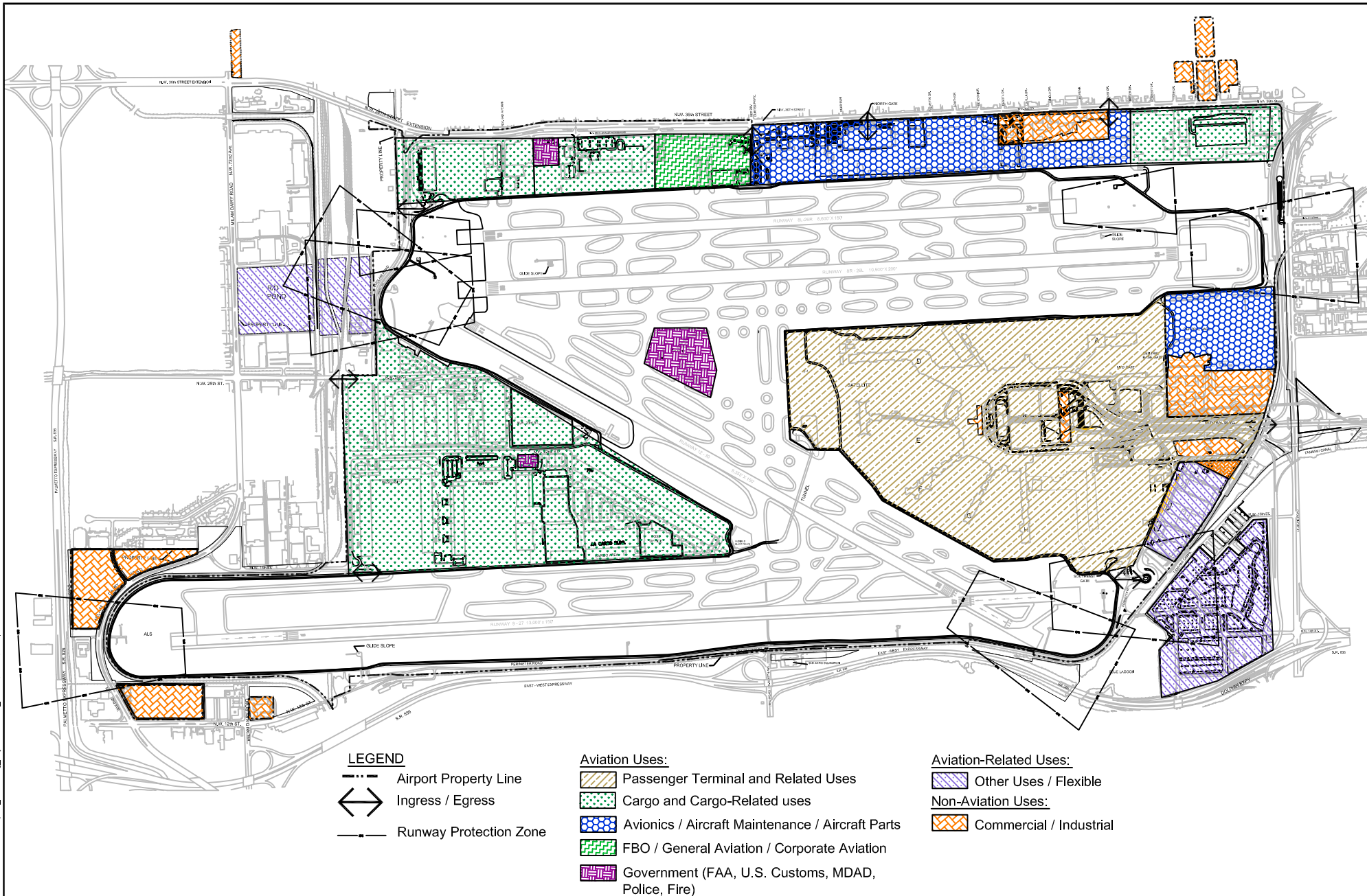
Map Series

- Miami International Airport Land Use and Zoning Map
- Miami International Airport Land Use Master Plan
- Application Nos. 5, 6 & 7 Aerial Photo, Zoning, Existing Land Use, and Future Land Use Plan Maps




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Drawing: C-Aviation Planning\CDMP\Exhibits\MA land use master plan_REV1.dwg, Layout: 8.5 x 11, Mar 12, 2008, 2:16pm



Note: Any changes to this map will require a Comprehensive Development Master Plan amendment.

 MIAMI-DADE AVIATION DEPARTMENT	 GRAPHICAL SCALE IN FEET ALL DRAWING ELEVATIONS IN FEET	 MAGNETIC NORTH DECLINATION = 5.53° W ANNUAL RATE OF CHANGE = 4' W (JULY 24, 2006) TRUE NORTH	MIAMI INTERNATIONAL AIRPORT		REVISION DATE
			AIRPORT LAND USE MASTER PLAN 2015-2025		PRINT DATE March 5, 2008
					SHEET NO.

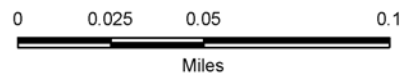
AERIAL PHOTO: APRIL 2008 CYCLE APPLICATION NO. 5



2008 AERIAL



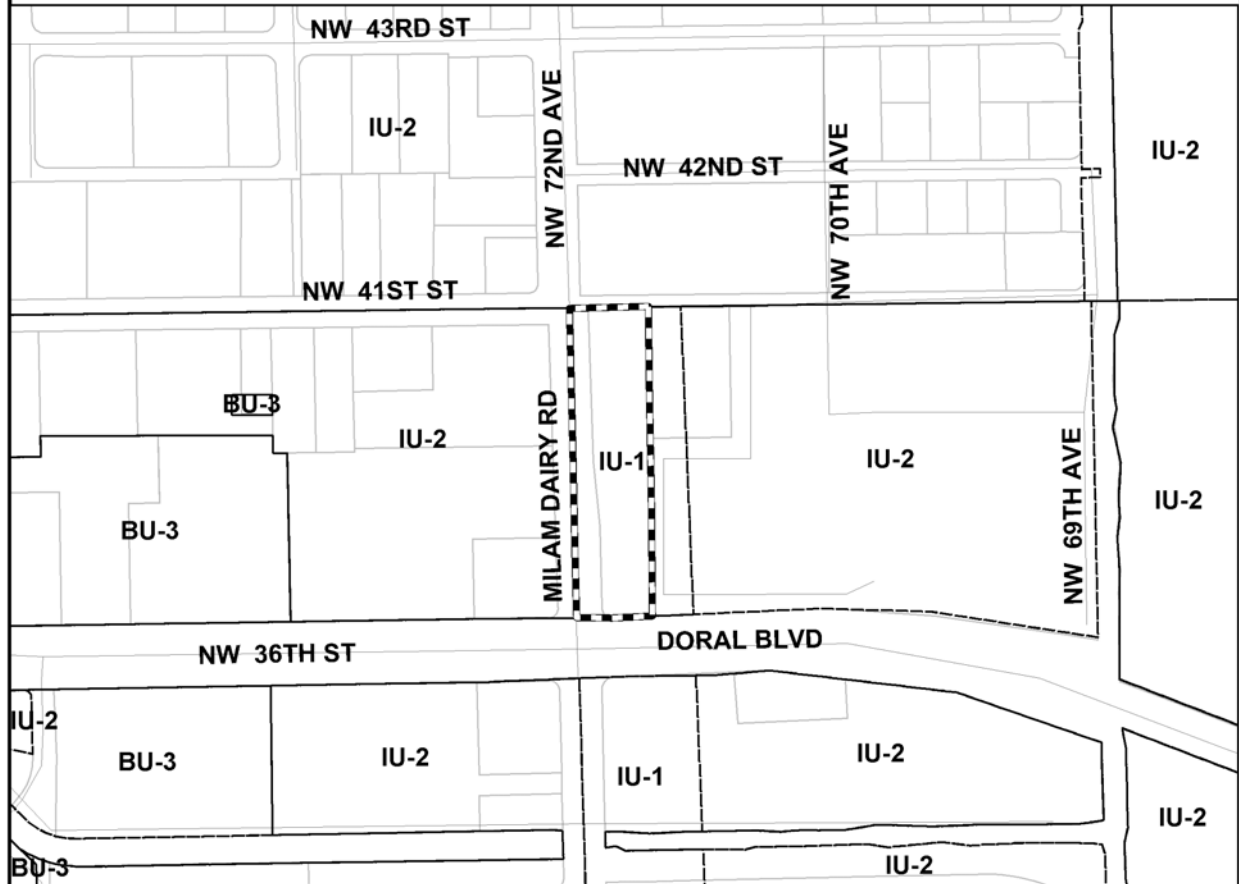
APPLICATION AREA



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



APPLICATION NO. 5 CURRENT ZONING MAP



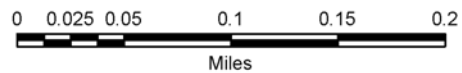
Legend



APPLICATION AREA

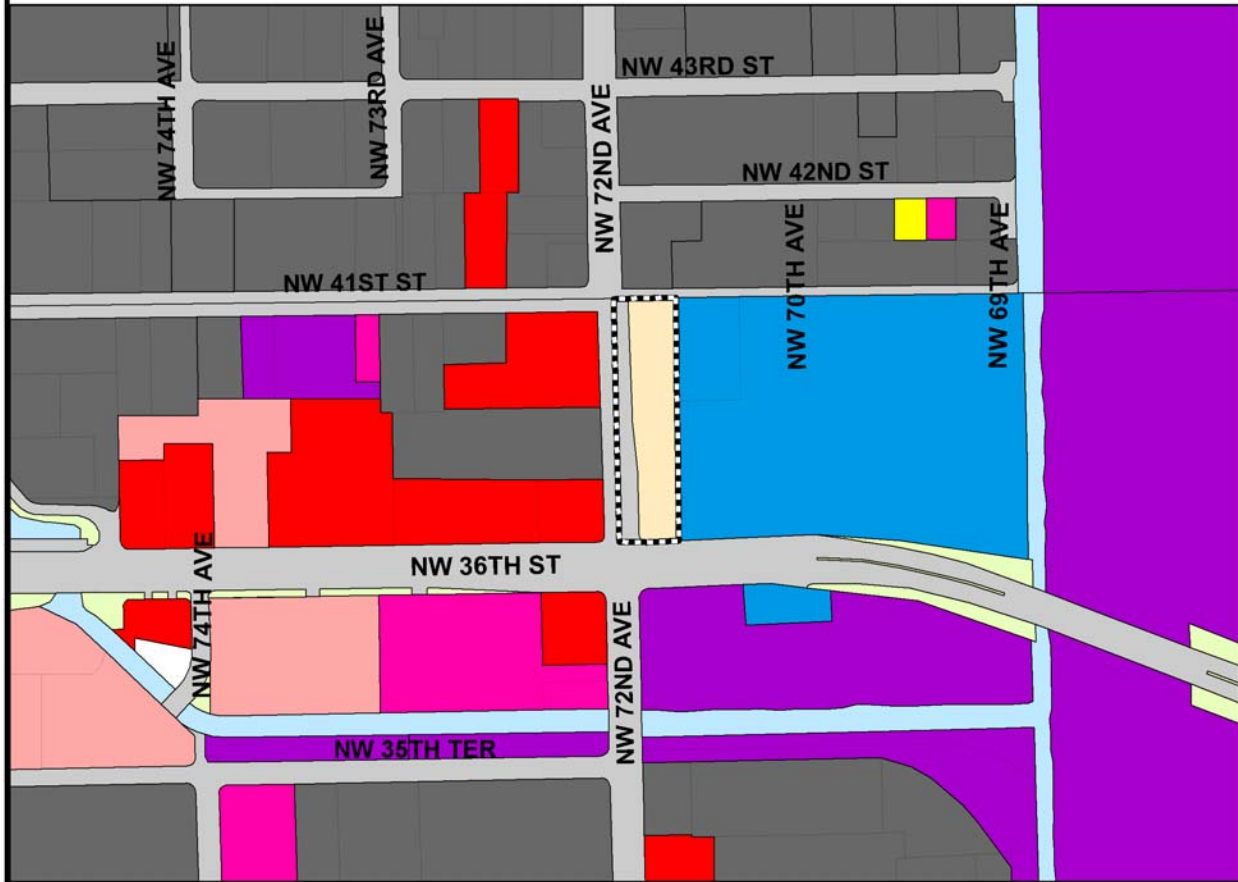
ZONING DISTRICTS

BU-3 LIBERAL BUSINESS
IU-1 LIGHT INDUSTRIAL MANUFACTURING
IU-2 HEAVY INDUSTRIAL MANUFACTURING



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

APPLICATION NO. 5 EXISTING LAND USE



LEGEND



APPLICATION AREA

EXISTING LAND USE



SINGLE-FAMILY



TWO-FAMILY (DUPLEXES)



TRANSIENT-RESIDENTIAL (HOTEL, MOTEL)



COMMERCIAL, SHOPPING CENTERS, STADIUMS



OFFICE



INSTITUTIONAL



INDUSTRIAL



COMMUNICATIONS, UTILITIES, TERMINALS



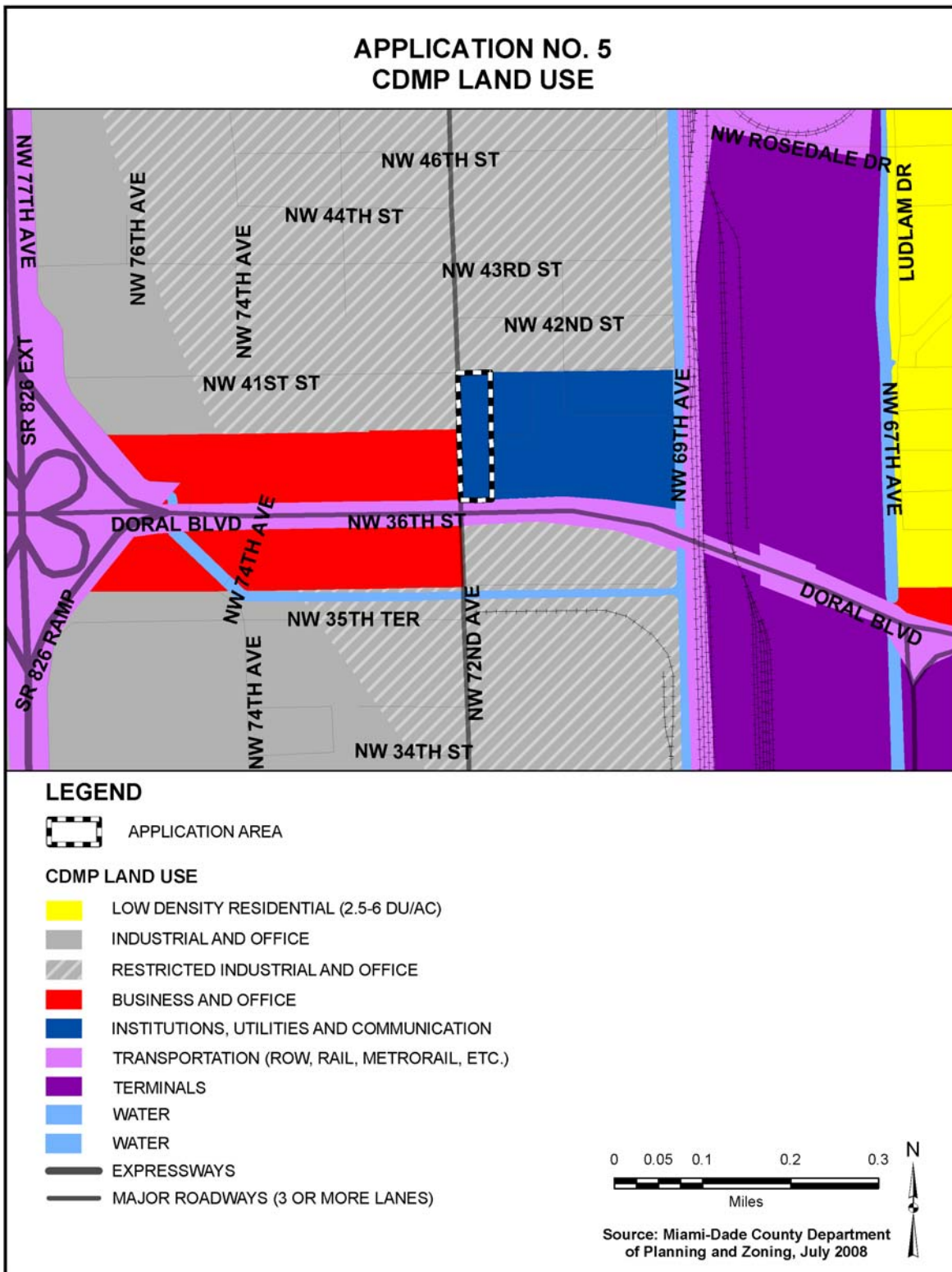
STREETS, ROADS, EXPRESSWAYS, RAMPS



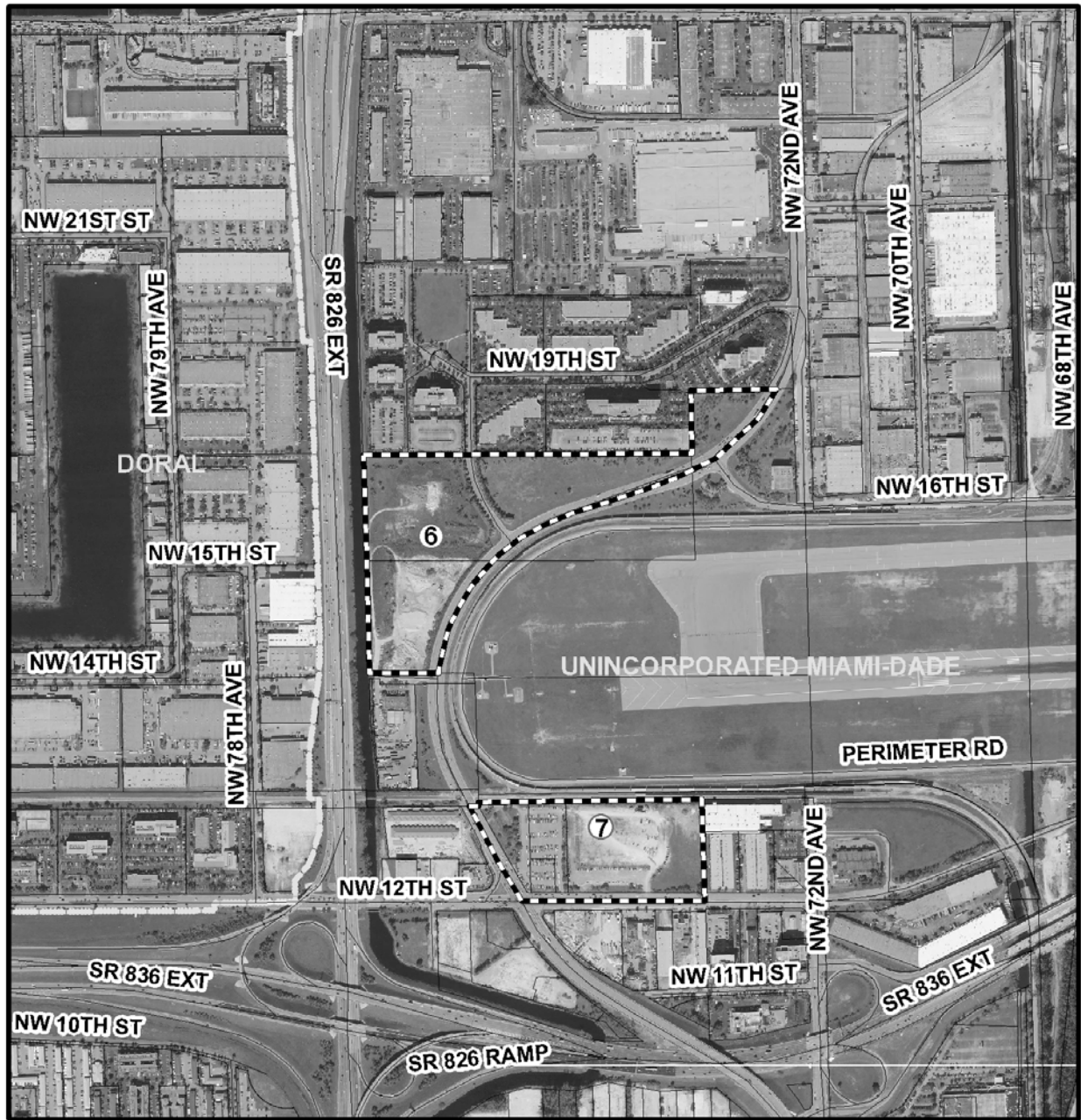
STREETS, EXPRESSWAYS R/W



Source: Miami-Dade County Department
of Planning and Zoning, July 2008



AERIAL PHOTO: APRIL 2008 CYCLE APPLICATION NOS. 6 & 7



2008 AERIAL



APPLICATION AREA & NUMBER



MUNICIPAL BOUNDARY

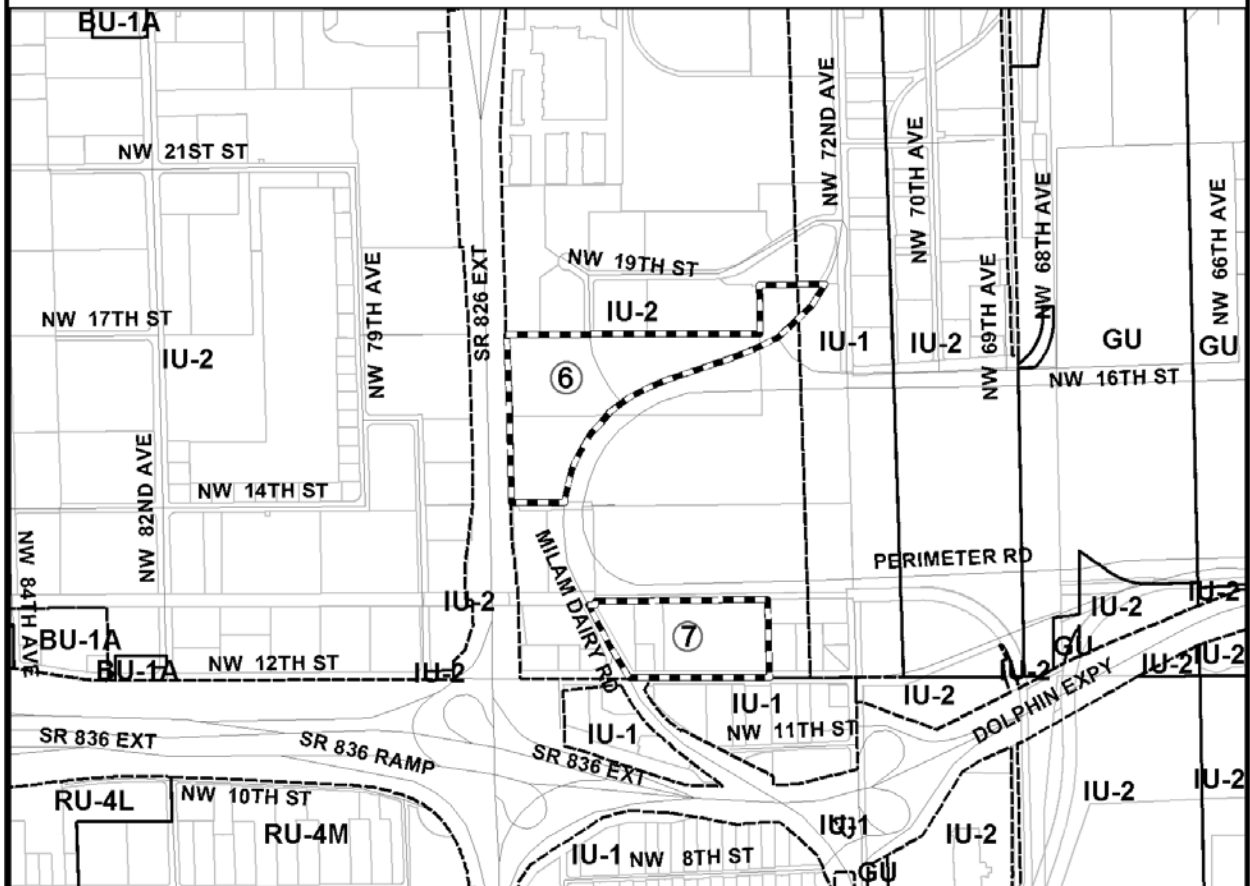
0 0.05 0.1 0.2 0.3

Miles

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



APPLICATION NOS. 6 & 7 CURRENT ZONING MAP



Legend



APPLICATION AREA & NUMBER

ZONING DISTRICTS

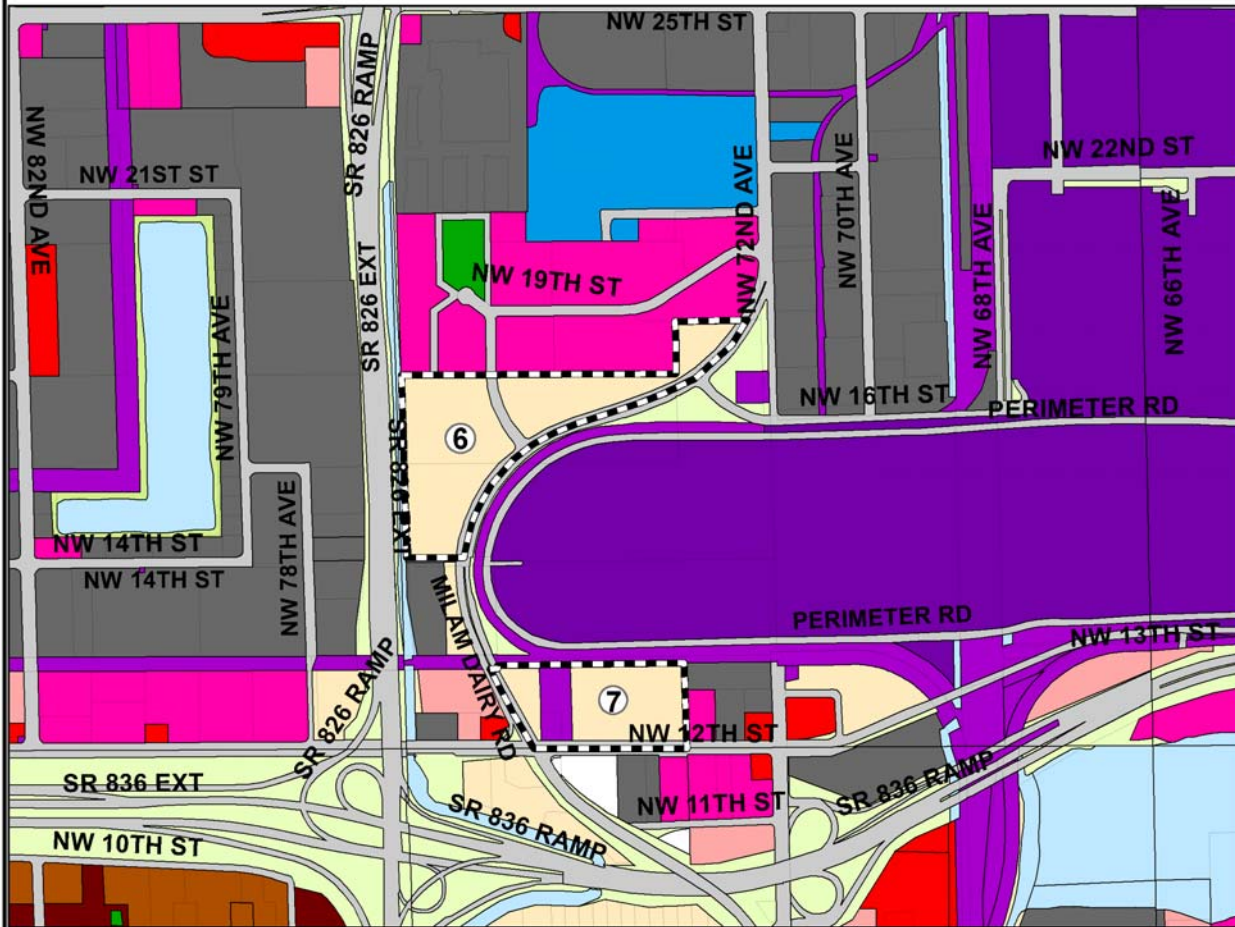
GU	INTERIM
RU-4L	LIMITED APARTMENT HOUSE (23 DU/net acre)
RU-4M	MODIFIED APARTMENT HOUSE (35.9 DU/net acre)
BU-1A	LIMITED BUSINESS
IU-1	LIGHT INDUSTRIAL MANUFACTURING
IU-2	HEAVY INDUSTRIAL MANUFACTURING

0.1 0.05 0 0.1 0.2 0.3
Miles

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



APPLICATION NOS. 6 & 7 EXISTING LAND USE



LEGEND



APPLICATION AREA & NUMBER

EXISTING LAND USE

- TRANSIENT-RESIDENTIAL (HOTEL, MOTEL)
- MULTI-FAMILY
- LOW-DENSITY MULTI-FAMILY
- INSTITUTIONAL
- OFFICE
- COMMERCIAL, SHOPPING CENTERS, STADIUMS
- INDUSTRIAL
- AIRPORTS, PORTS
- COMMUNICATIONS, UTILITIES, TERMINALS
- STREETS, ROADS, EXPRESSWAYS, RAMPS

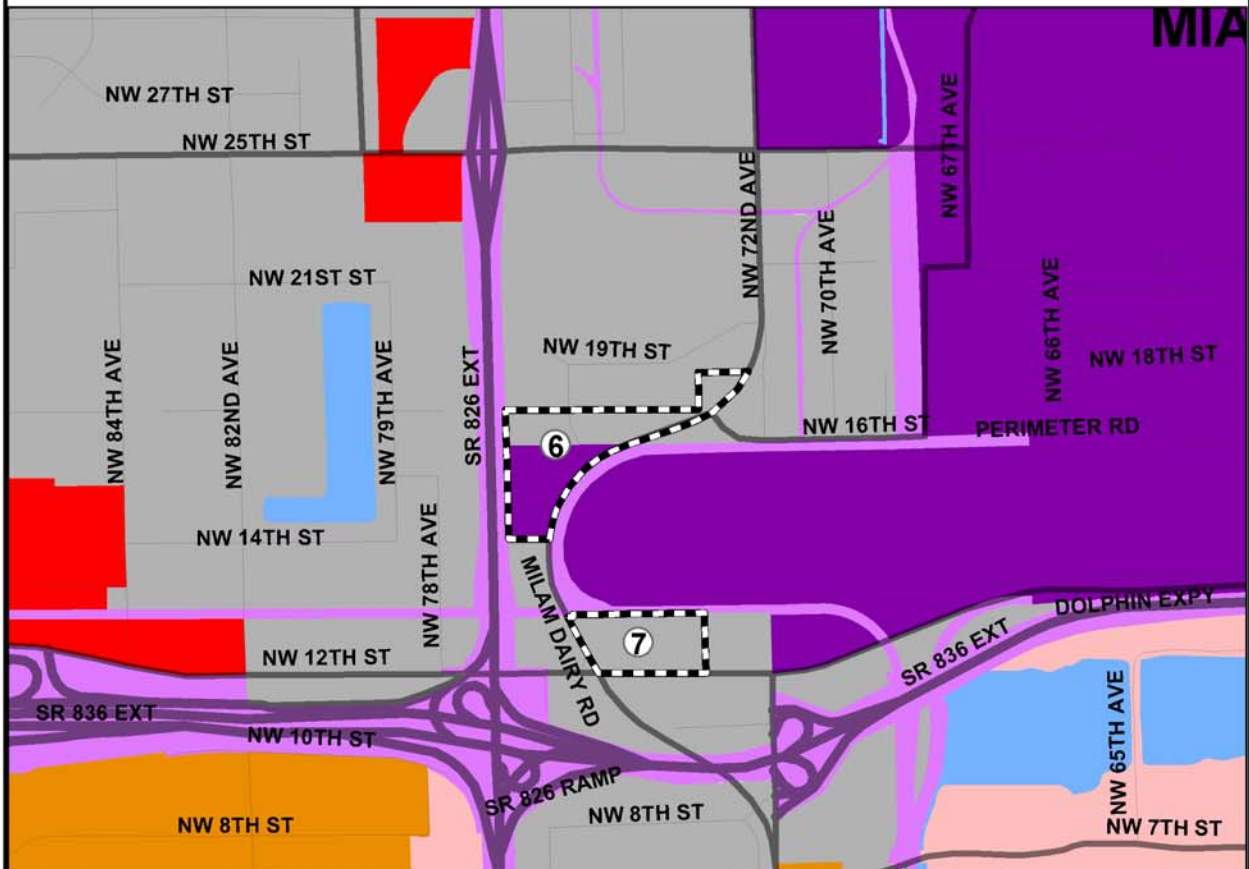
- STREETS, EXPRESSWAYS R/W
- PRIVATE RECREATIONAL CAMPS
- WATER, CONSERVATION AREA
- VACANT, GOVERNMENT OWNED
- VACANT, UNPROTECTED
- INLAND WATERS



Source: Miami-Dade County Department of Planning and Zoning, July 2008



APPLICATION NOS. 6 & 7 CDMP LAND USE



LEGEND



APPLICATION AREA

CDMP LAND USE

- MEDIUM DENSITY RESIDENTIAL (13-25 DU/AC)
- INDUSTRIAL AND OFFICE
- BUSINESS AND OFFICE
- OFFICE/RESIDENTIAL
- TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)
- TERMINALS
- WATER
- EXPRESSWAYS
- MAJOR ROADWAYS (3 OR MORE LANES)



Source: Miami-Dade County Department
of Planning and Zoning, July 2008



APPENDIX B

Amendment Applications

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**APPLICATION NO. 5
APPLICATION TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

2. APPLICANT'S REPRESENTATIVE

José Abreu, P.E., Aviation Director
Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

By: 

José Abreu, P.E.

April 29, 2008

3. DESCRIPTION OF REQUESTED CHANGES

- A. A Change to the Land Use Plan Map to the Comprehensive Development Master Plan is requested.
- B. Description of the Subject Property is as follows:
Subject property consists of 3.4 acres located in Section 26, Township 53, Range 40. It is located on the east side of NW 72 Avenue and between NW 41st Street and NW 36th Street.
- C. Gross and Net Acreage
(2.4 net acres) (3.4 gross acres)
30-3026-000-0021 (2.4 acres of total 16.42 acres)
- D. Requested Change
 - 1. It is requested that the application area be redesignated on the Land Use plan map from Institutions, Utilities and Communications to Business and Office.
 - 2. It is requested that this application be processed as a Small-Scale Amendment under the expedited procedures.

4. REASONS FOR AMENDMENT

The Aviation Department has issued a Request for Proposals (RFP) seeking private partners to commercially develop the application areas. The application areas are currently zoned for industrial development and may be developed as such. The Department has filed the instant application seeking "Business and Office" Land Use Plan designations for the application areas in order to expand the potential development on the parcels to include retail and service uses not permitted under the current Land Use Plan designations and/or zoning of the parcels. The ultimate development of the application areas may include industrial, retail, office, or service uses. The Department will not develop the application areas for residential purposes.

5. ADDITIONAL MATERIAL SUBMITTED

Impact traffic analysis prepared by Advanced Transportation Engineering Consultants (ATEC) on April 25, 2008: Miami International Airport (MIA) General Light Industrial (Includes Offices) Between Other Uses.

6. COMPLETED DISCLOSURE FORMS

Attachments: Traffic Analysis
Map Indicating Parcel

Drawing: C-Aviation Planning/PPIP - Public Investment Partnership Analysis/MIA - PPIP Exhibit Parcel 3.4.5 for Rene_REV1.dwg Layout: Parcel 5_May 13, 2008 3:24pm



MIAMI-DADE AVIATION DEPARTMENT

MIAMI INTERNATIONAL
AIRPORT

PUBLIC/PRIVATE INVESTMENT PARTNERSHIP
PARCEL 5

REVISION DATE

PRINT DATE
April 25, 2008

SHEET NO.

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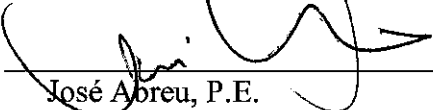
**APPLICATION NO. 6
APPLICATION TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

2. APPLICANT'S REPRESENTATIVE

José Abreu, P.E., Aviation Director
Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

By:  April 29, 2008
José Abreu, P.E.

3. DESCRIPTION OF REQUESTED CHANGES

- A. A Change to the Land Use Plan Map to the Comprehensive Development Master Plan is requested.
- B. Description of the Subject Property is as follows:
Subject property consists of 31.04 acres located in Section 35, Township 53, Range 40. It is located on the east side of the Palmetto Expressway (826) and west of NW 72nd Avenue/Miami International Airport.
- C. Gross and Net Acreage
CDMP LUP Map designation is Northern 1/3 INDUSTRIAL AND OFFICE & TRANSPORTATION TERMINALS
(26.8 net acres) (31.04 gross acres)

30-3035-000-0072 (North) 30-3035-000-0090 (South)
- D. Requested Change
 - 1. It is requested that the application area be redesignated on the Land Use plan map from Industrial and Office to Business and Office.

4. REASONS FOR AMENDMENT

The Aviation Department has issued a Request for Proposals (RFP) seeking private partners to commercially develop the application areas. The application areas are currently zoned for industrial development and may be developed as such. The Department has filed the instant application seeking "Business and Office" Land Use Plan designations for the application areas in order to expand the potential development on the parcels to include retail and service uses not permitted under the current Land Use Plan designations and/or zoning of the parcels. The ultimate development of the application areas may include industrial, retail, office, or service uses. The Department will not develop the application areas for residential purposes.

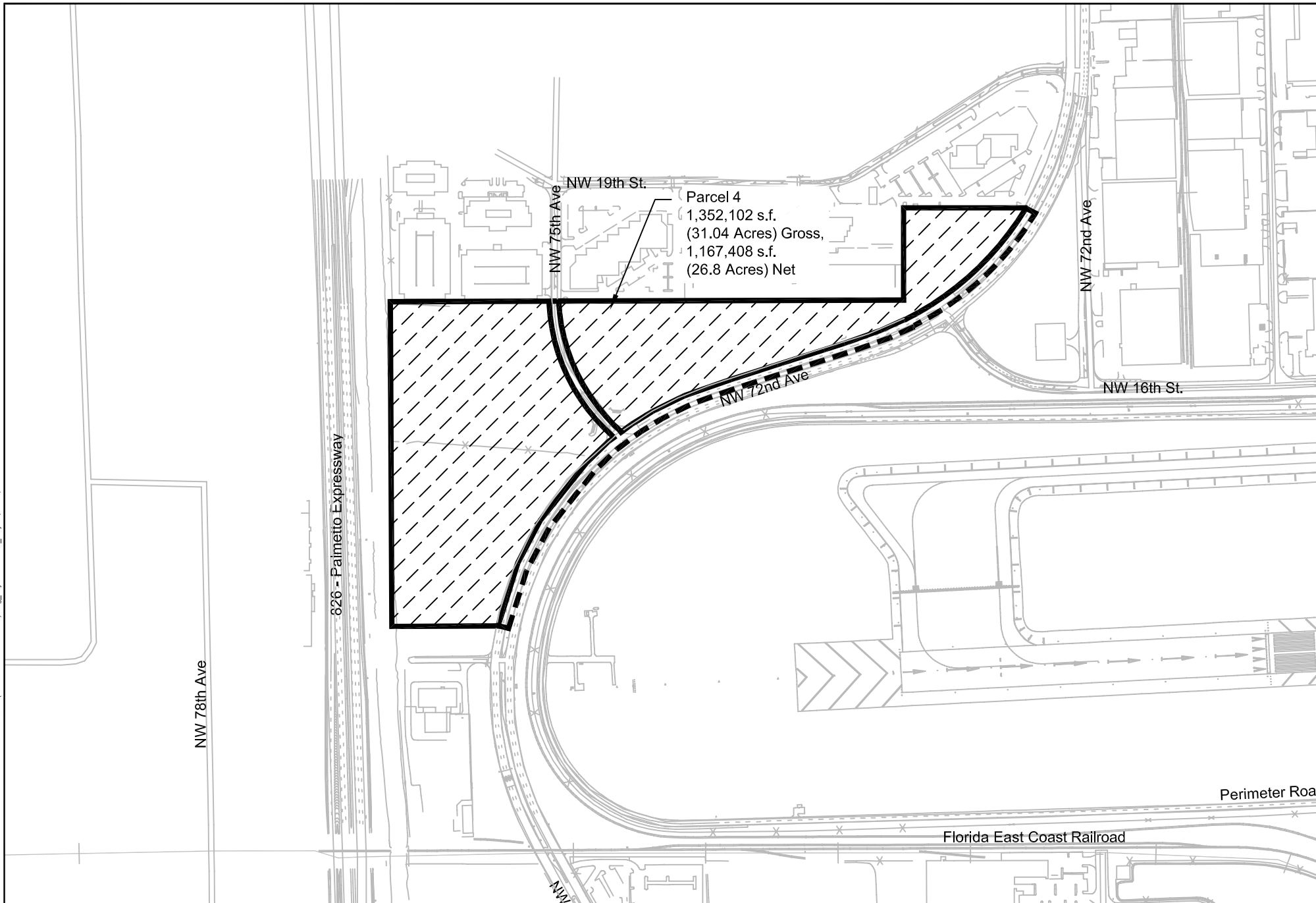
5. ADDITIONAL MATERIAL SUBMITTED

Impact traffic analysis prepared by Advanced Transportation Engineering Consultants (ATEC) on April 25, 2008: Miami International Airport (MIA) General Light Industrial (Includes Offices) Between Other Uses.

6. COMPLETED DISCLOSURE FORMS

Attachments: Traffic Analysis
Map Indicating Parcel

Drawing: H:\Planning\Revee\PPP Parcels 3 4 and 5 for PandZ\MI\A PPP Exhibit Parcel 3 4 5 (rev. Parcel 4 on 5-21-08).dwg; Layout: Parcel 4_May 23, 2008, 10:44am



MIAMI-DADE AVIATION DEPARTMENT

MIAMI INTERNATIONAL
AIRPORT

PUBLIC/PRIVATE INVESTMENT PARTNERSHIP
PARCEL 4

REVISION DATE

PRINT DATE April 25, 2008

SHEET NO.

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**APPLICATION NO. 7
APPLICATION TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

2. APPLICANT'S REPRESENTATIVE

José Abreu, P.E., Aviation Director
Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

By:  April 29, 2008
José Abreu, P.E.

3. DESCRIPTION OF REQUESTED CHANGES

- A. A Change to the Land Use Plan Map to the Comprehensive Development Master Plan is requested.
- B. Description of the Subject Property is as follows:
Subject property consists of 16.9 acres located in Section 35, Township 53, Range 40. It is located on the east side of NW 72nd Avenue and the north side of NW 12th Street and south of Miami International Airport.
- C. Gross and Net Acreage.
Folio numbers from the East to the West: CDMP LUP Map designation is INDUSTRIAL AND OFFICE

30-3035-000-0122 (10.0 acres)
30-3035-000-0123 (2.04 acres)
30-3035-000-0124 (0.67 acres)
30-3035-000-0126 (3.356 acres)
(16.06 net acres) & (16.9 gross acres)

D. Requested Change

1. It is requested that the application area be redesignated on the Land Use plan map from Industrial and Office to Business and Office.

4. REASONS FOR AMENDMENT

The Aviation Department has issued a Request for Proposals (RFP) seeking private partners to commercially develop the application areas. The application areas are currently zoned for industrial development and may be developed as such. The Department has filed the instant application seeking "Business and Office" Land Use Plan designations for the application areas in order to expand the potential development on the parcels to include retail and service uses not permitted under the current Land Use Plan designations and/or zoning of the parcels. The ultimate development of the application areas may include industrial, retail, office, or service uses. The Department will not develop the application areas for residential purposes.

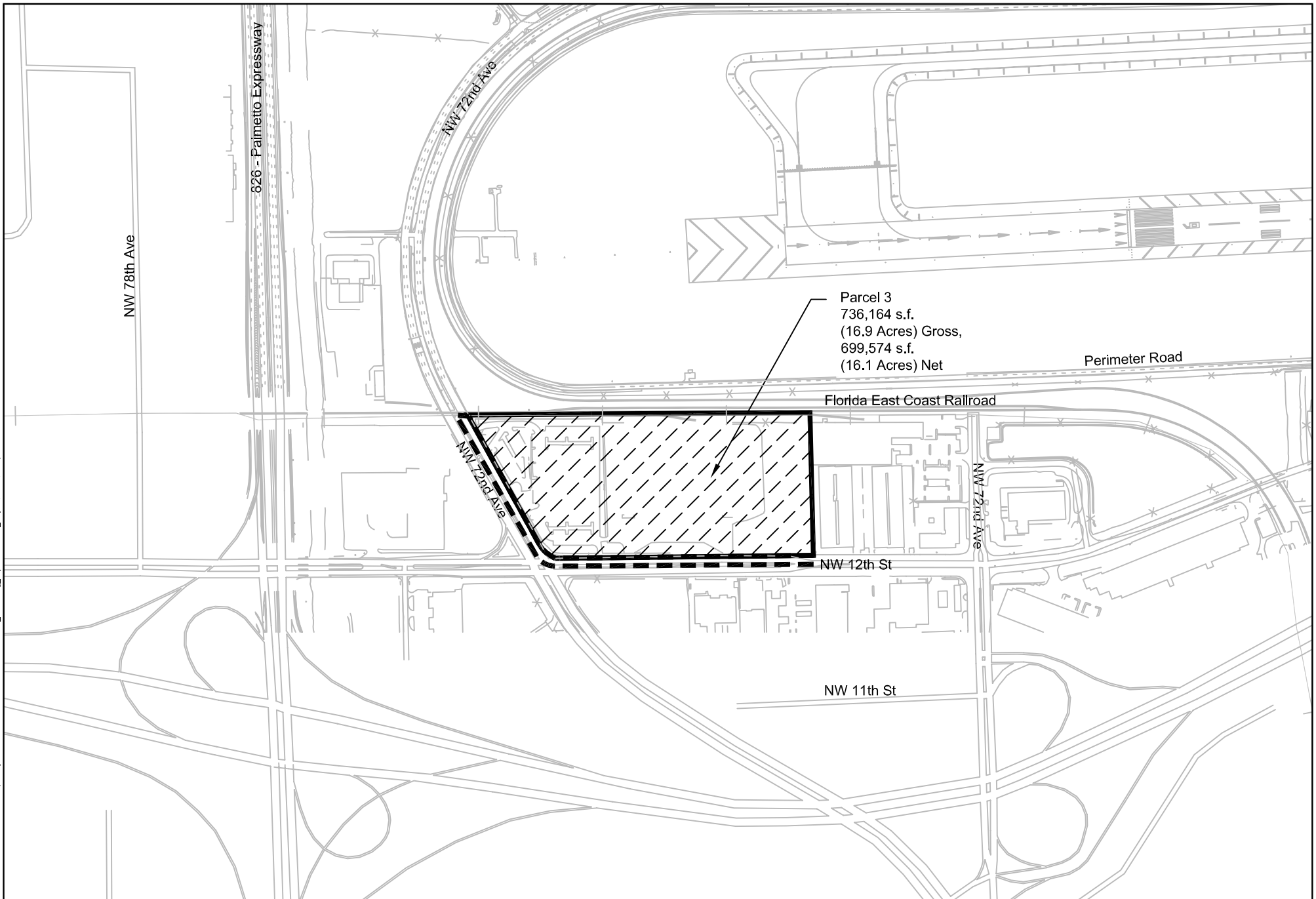
5. ADDITIONAL MATERIAL SUBMITTED

Impact traffic analysis prepared by Advanced Transportation Engineering Consultants (ATEC) on April 25, 2008: Miami International Airport (MIA) General Light Industrial (Includes Offices) Between Other Uses.

6. COMPLETED DISCLOSURE FORMS

Attachments: Traffic Analysis
Map Indicating Parcel

Drawing: C-Aviation Planning/PPIP - Public Investment Partnership Analysis/MIA - PPIP Exhibit Parcel 3.4.5 for Rene_REV1.dwg/Layout: Parcel 3_May 13, 2008, 3:15pm



MIAMI-DADE AVIATION DEPARTMENT

MIAMI INTERNATIONAL
AIRPORT

PUBLIC/PRIVATE INVESTMENT PARTNERSHIP
PARCEL 3

REVISION DATE

PRINT DATE April 25, 2008

SHEET NO.

PROPERTY DESCRIPTION
Exhibit "A"

Parcel 3:

Folio numbers from the East to the West, CDMP LUP Map designation is as follows:

INDUSTRIAL AND OFFICE

30-3035-000-0122 (10.0 acres)
30-3035-000-0123 (2.04 acres)
30-3035-000-0124 (0.67 acres)
30-3035-000-0126 (3.356 acres)
(16.1 net acres) & (16.9 gross acres)

Parcel 4:

Northern 1/3 INDUSTRIAL AND OFFICE & TRANSPORTATION TERMINALS
(26.8 net acres) (31.04 gross acres)

30-3035-000-0072 (North) 30-3035-000-0090 (South)

Parcel 5:

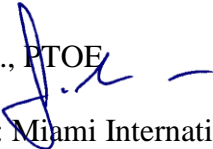
CDMP LUP Map designation is as follows:

INSTITUTIONS, UTILITIES, AND COMMUNICATIONS (2.4 net acres) (3.4 gross acres)
30-3026-000-0021 (2.4 acres of total 16.42 acres)

DATE: April 25, 2008

TO: Mr. Ammad Riaz, Aviation Planning Division

COPIES Project File

FROM: Javier S. Gonzalez, PhD, P.E., PTOE 

SUBJECT: Project No. EDP-AV-0020A: Miami International Airport (MIA)
General Light Industrial (Includes Offices) Between Other Uses

Advanced Transportation Engineering Consultants, Inc. was retained by the Miami-Dade County Aviation Department to perform additional analysis related to the recently completed traffic impact study for the Miami International Airport (MIA) planned development. The purpose of this effort is to assess the equivalencies between General Light Industrial uses already identified for Parcels 3, 4 and 5 and other potential uses without increasing the number of vehicular trips. Our results for the analyses, shown in Tables 1 through 3, are as follows:

Table 1: General Light Industrial (Includes Offices) Between Other Uses For Parcel 3

Parcel	ITE Land Use Codes	ITE Land Use Code Description	PM Peak Hour	Quantity	Unit
3	150	General Light Industrial (Includes Offices)	146	278	1000 GFA
3	861	Discount Club	146	34.43	1000 GFA
	862	Home Improvement Superstore	146	59.59	1000 GFA
	867	Office Supply Superstore	146	42.94	1000 GFA
	880	Pharmacy/ Drugstore Without Drive through Window	146	17.34	1000 GFA
	881	Pharmacy/ Drugstore With Drive through Window	146	16.94	1000 GFA
	890	Furniture Store	146	132.73	1000 GFA
	911	Walk in Bank	146	3.47	1000 GFA
	912	Drive in Bank	146	16.88	1000 GFA
	931	Quality Restaurant	146	19.49	1000 GFA
	933	Fast Food Without Drive Through Window	146	5.58	1000 GFA
	934	Fast Food With Drive Through Window	146	4.21	1000 GFA

Table 2: General Light Industrial (Includes Offices) Between Other Uses For Parcel 4

Parcel	ITE Land Use Codes	ITE Land Use Code Description	PM Peak Hour	Quantity	Unit
4	150	General Light Industrial (Includes Offices)	203	422	1000 GFA
	861	Discount Club	203	47.88	1000 GFA
	862	Home Improvement Superstore	203	82.86	1000 GFA
	867	Office Supply Superstore	203	59.71	1000 GFA
	880	Pharmacy/ Drugstore Without Drive through Window	203	24.11	1000 GFA
	881	Pharmacy/ Drugstore With Drive through Window	203	23.55	1000 GFA
4	890	Furniture Store	203	184.55	1000 GFA
	911	Walk in Bank	203	4.83	1000 GFA
	912	Drive in Bank	203	23.47	1000 GFA
	931	Quality Restaurant	203	27.10	1000 GFA
	933	Fast Food Without Drive Through Window	203	7.76	1000 GFA
	934	Fast Food With Drive Through Window	203	5.86	1000 GFA

Table 3: General Light Industrial (Includes Offices) Between Other Uses For Parcel 5

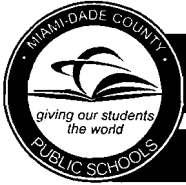
Parcel	ITE Land Use Codes	ITE Land Use Code Description	PM Peak Hour	Quantity	Unit
5	150	General Light Industrial (Includes Offices)	32	41	1000 GFA
	861	Discount Club	32	7.55	1000 GFA
	862	Home Improvement Superstore	32	13.06	1000 GFA
	867	Office Supply Superstore	32	9.41	1000 GFA
	880	Pharmacy/ Drugstore Without Drive through Window	32	3.80	1000 GFA
	881	Pharmacy/ Drugstore With Drive through Window	32	3.71	1000 GFA
5	890	Furniture Store	32	29.09	1000 GFA
	911	Walk in Bank	32	0.76	1000 GFA
	912	Drive in Bank	32	3.70	1000 GFA
	931	Quality Restaurant	32	4.27	1000 GFA
	933	Fast Food Without Drive Through Window	32	1.22	1000 GFA
	934	Fast Food With Drive Through Window	32	0.92	1000 GFA

Please do not hesitate to contact me if you have any questions or comments regarding this equivalency analysis. We appreciate to have addressed this issue for you. If you have any questions please do not hesitate to call me at 305.480.9938.

APPENDIX C

Miami-Dade County Public Schools Analysis

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Miami-Dade County Public Schools

giving our students the world

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

August 7, 2008

Miami-Dade County School Board

Agustin J. Barrera, Chair
Perla Tabares Hantman, Vice Chair
Renier Diaz de la Portilla
Evelyn Langlieb Greer
Dr. Wilbert "Tee" Holloway
Dr. Martin Karp
Ana Rivas Logan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Mr. Marc C. LaFerrier, A.I.C.P., Director
Miami-Dade County
Department of Planning and Zoning
111 NW 1 Street, 11th Floor
Miami, Florida 33128

**Re: Land Use Amendments – April 2008 Cycle
REVISED Applications**

Dear Mr. LaFerrier:


Subsequent to our July 9, 2008 and July 21, 2008 reviews of proposed amendments of the April 2008 Land Use Cycle, we conducted an additional review of the applications. Attached is the School District's (District) REVISED impact review analysis for the above referenced applications.

As previously noted, land use amendment applications 5, 6, 7, 12, 13, and 14 do not have residential development and therefore will not impact the schools serving the area. Of the applications with residential components, applications 1, 8, 9, 15D and 16A, B, C and D would generate additional student impacts to the District (see attached analysis), and meet the established review threshold. Therefore, we recommend dialogue between the District and the applicants take place as it relates specifically to affected public schools. The District will keep the County apprised if such dialogue takes place with respective applicants.

Lastly, please note that all residential applications may be subject to school concurrency requirements, at the time of Final Subdivision, Site Plan (or functional equivalent), if school concurrency is effect.

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:aj
L-053
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Ms. Vivian G. Villaamil
Ms. Corina S. Esquijarosa

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APPENDIX D

Applicant's Traffic Study

It should be noted that only a portion of the applicant's traffic study is contained herein. The complete traffic study will be made available upon request to the Metropolitan Planning Section of the Planning and Zoning Department.

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1. Introduction

Advanced Transportation Engineering Consultants, Inc. was retained by the Miami-Dade County Aviation Department to perform a traffic impact study for the Miami International Airport (MIA) planned development. The purpose of this study is to assess the traffic impacts of the proposed new development on the surrounding roadway network of the proposed new land use changes of Parcels 3, 4 and 5.

2. Study Area

The study area used to analyze the concurrency and full-build out of the project was defined as the area that is centered on the Airport and extends to an approximate five mile radius around the Airport. The study area defined for the study is bound by NW 103 Street/W 49 Street (SR 932) on the north, SW 40 Street/Bird Road (SR 976) on the south, NW/SW 107 Avenue (SR 985) on the west and I-95 on the east. **Figure 1** depicts a map of the study area and the location of the airport within the study area.

3. Proposed Development

The proposed development includes seven separate parcels (1A, 1B, 1C, and 1D; 3, 4 and 5) to be developed. Seven parcels are located inside the Miami International Airport terminal environment; parcels 1A, 1B, 1C and D are located on the eastern side of the airport's entrance and terminal, adjacent to NW 42 Avenue/LeJeune Road. Parcels 3, 4 and 5 are located on the southwestern periphery of the airport close to NW 72 Avenue/Milam Dairy Road. The land uses for parcels 1A, 1C, and 1D are Hotel with 600, 400 and 50 guest rooms, respectively. The land use for parcel 1B is gasoline/service station with convenience store, with an area of 185,000 square feet. Parcels 3, 4, and 5 land uses are general Business and Office (B&O) with an area of 278,000, 422,000, 41,000 square feet, respectively. **Table 1** depicts the land use type for each of the proposed development.

Table 1 Land Use of Proposed Development

Parcel	Land Use	Quantity	Unit
1A	Hotel	600	Hotel Rooms
1B	Gasoline/ Service Station with Convenience Market	185 000	Square Feet
1C	Hotel	400	Hotel Room
1D	Hotel	50	Hotel Room
3	Commercial Use (Retail)	279,829	Square Feet
4	Commercial Use (Retail)	467,311	Square Feet
5	Commercial Use (Retail)	41,817	Square Feet



4. Methodology

The focus of this is twofold. The first is to perform short-term traffic impact analysis, Concurrency Analysis and long-term traffic impact analysis. Concurrency Analysis is for year 2011. It should be noted that concurrency traffic impact analysis is performed for the next three years and that it is an evaluation of peak-period traffic conditions which considers reserved trips from approved developments not yet constructed and programmed roadway capacity improvement projects for the next three years, and the proposed development's traffic impacts. The most recent tables, dated July 8th, 2008, published Miami-Dade County Public Works Department showing the concurrency conditions for most of the County and State roadways in Miami-Dade County was used. Moreover, the long-term traffic impact analysis is for year 2030.

As part of this study, a trip generation analysis based on the *Institute of Transportation Engineers (ITE), Trip Generation Report, 7th Edition* was performed to determine the daily, AM and PM Peak hour trips expected to be generated by the proposed development. The distribution of trips to the adjacent street network was performed using Traffic Analysis Zones (TAZ), obtained from the Miami-Dade Transportation Plan Directional Trip Distribution Report (January 2005).

5. Concurrency Analysis

This section is comprised of four sub-sections. Sub-section 5.1 describes the trip generation analysis followed by sub-section 5.2 which details the assignment of traffic volume to the surrounding roadway links. Section 5.3 describes the concurrency level of service analysis and finally, sub-section 5.4 presents the potential roadway improvements to the surrounding roadway network.

5.1. Trip Generation

The methodology outlined in the *Institute of Transportation Engineers (ITE), Trip Generation 7th Edition* was used to forecast traffic based on the proposed project land uses. Daily, AM and PM peak hour trips were estimated. A 15% reduction was applied to the estimated trips to account for internal capture of trips inside Miami International Airport. Table 2 depicts the trip generation calculations for parcels 1A, 1B, 1C and 1D, 3, 4 and 5. **Please note that Parcels 1A, 1B, 1C and 1D were not considered for concurrency since they are not expected to built within the next three years; Only parcels 3, 4, and 5 will be analyzed for concurrency.**

Trip generation for different land uses in parcels 1A, 1B and 3 were calculated using ITE Trip Generation 7th edition. Please note that these generators will not be part of the proposed development, therefore, the trips generated by these land uses were deducted



from the future trip generation calculation. It should also be noted that there are numerous land uses which are not defined well in ITE Trip Generation Manual. Furthermore, a hotel with 600 guest rooms is proposed in parcel A, which generates 377 AM peak hour traffic and 354 PM peak hour traffic while the different land uses at present condition generates 1005 PM peak hour traffic. Similarly, the parcel B at present condition generates more traffic than the proposed future development in parcel B, which is a gasoline service station with convenience store. Parcel 3 generates two additional trips in future condition. **Therefore, the impact of traffic generated by the proposed development will be significantly offset by the current trips generated.** The traffic generation with present land uses of parcel 1A, 1B and 3 is depicted in **Table 3**.



5.2. Trip Distribution

The PM peak hour trips generated by the proposed development were assigned to the adjacent street network using the cardinal distribution of Traffic Analysis Zones (TAZ). The trip distribution performed for the year 2011 was performed using the traffic generated only by parcels 3, 4 and 5. TAZs 799, 740 and 685 were used to distribute the trips generated by parcels 3, 4 and 5. Finally, the trip distribution performed for the year 2030 (Full Build Out) was performed using the traffic generated by parcels 3, 4 and 5 and parcels A, B, C and D. **Figure 2** depicts the project trip distribution percentages for the year 2011 and **Figure 3** depicts the project trip distribution percentages for the year 2030.

5.3. Concurrency Level of Service Analysis

Table 4 documents the 2011 traffic analysis plus the existing level of service for the project within the concurrency study area. The total volumes for the 2007, 2011 without project, and 2011 with project are also presented in Table 4. Table 4 also shows the percentages of the project trips to the service volume (PTTSV) to identify those roadway links that would be impacted by the traffic generated by the project. The table identifies the specific roadway segment within the Concurrency Analysis Area that exceeded the adopted concurrency LOS standards and the contributed Project volumes that resulted in these links exceeding 5 percent of the roadway capacity. This segment is NW 12th Street, from SR 826 to 87th Avenue. There are several other roadway links which are expected significantly impacted by the airport project. However, the Levels of Service (LOS) of these segments will be still within capacity (LOS E). These segments are listed as the follows:

- NW 72nd Avenue, south of NW 12th Street, PTTSV is 12.19%, LOS C
- NW 72nd Avenue, from NW 12th Street to NW 25th Street, PTTSV is 5.39%, LOS C
- NW 72nd Avenue, from NW 25th Street to NW 36th Street, PTTSV is 21.42%, LOS C

Figure 4 illustrates the existing roadway laneage plus 2009 Transportation Improvement Program (TIP) within the study area. **Table 5** lists the five-year (2009) Transportation Improvement Program (TIP) within the study area. **Figure 5** illustrates the adopted concurrency LOS standards for the study area roadways as of July, 2008, as determined by the Miami-Dade County Concurrency Database and the FDOT 2002 Quality/Level of Service Handbook. **Figure 6** illustrates the existing 2007 LOS analysis for study area roadways.

5.4. Potential Roadway Improvements

As shown previously in Table 5, NW 12th Street (from SR 826 to 87th Avenue) is anticipated to exceed capacity during the peak hour. As there are no planned transportation improvements included in the 2009 TIP to address the above noted



roadway, it is anticipated that capacity enhancements may be required. The following improvements are noted:

- This roadway section exceeds capacity by 673 trips. Adding one additional lane per direction will increase link service volume from 3000 to 4200 vehicles per hour thereby improving the operations from LOS E to LOS D. The project share of this increase in capacity is 56 percent.



6. Full-Build Analysis

Based on information provided by Miami-Dade Department of Planning and Zoning (DP&Z) staff, it was determined that full-build of the project would be analyzed for 2030 conditions. This was based on the determination that the full-build of the project is expected to occur during the following 10 to 20 years. The analysis year was then rounded up to 2030 to correspond with the availability of regional modeling data and when all currently planned long term roadway improvements would be in place.

As directed by Miami-Dade Department of Planning and Zoning (DP&Z) staff, transportation demand modeling was used to generate the future traffic volumes for use in analyzing the future Project conditions. Future traffic volumes were developed for the peak hour period for year 2030. The 2030 Miami-Dade Metropolitan Planning Organization (MPO) model was used as the basis for development of the future traffic volumes. The 2030 MPO model, including socioeconomic data and highway network input files, were both provided by Miami-Dade MPO.

The 2030 Florida Standard Urbanized Transportation Modeling Structure (FSUTMS) model was used to generate both the before and after development traffic estimates. In preparing the transportation model, it was assumed that the priority I, II, III, and IV improvements identified in the Miami-Dade Long Range Transportation Plan (LRTP) were implemented. **Table 6** lists a summary of priorities I, II, III, and IV improvements.

The Peak Season Weekday Average Daily Traffic (PSWADT) projection volumes for the year 2030 were obtained by running the MPO models. These PSWADT projections were converted initially to Annual Average Daily Traffic (AADT) values using a Model Output Conversion Factor (MOCF) of 0.98 extracted from the Florida Traffic Information (FTI) CD 2006. The AADT volumes were converted to a two-way peak hour volume by applying the K factor obtained from the FTI 2006. **Table 7** Summarizes the future traffic project volumes within the study area.

6.1. Maximum Service Volumes Standards

It should be noted that it is difficult to predict future network operational changes to the year 2030; therefore, DP&Z requires that the two-way maximum service volumes for 2030, for both State and Local roads, be based upon the Florida Department of Transportation's (FDOT) 2002 Quality/Level of Service Handbook.

The LOS standard is consistent with the Miami-Dade County Comprehensive Plan. The adopted LOS standards for the study area roadways are shown on **Figure 5**. To better understand the LOS conditions and evaluation criteria presented in the exhibit, a brief explanation of the County's adopted standard follows. The County's adopted roadway LOS standards for areas inside the Urban Infill Areas (UIA) are: LOS D (0.81-0.90 v/c ratio) if no transit is available to serve the corridor; LOS E (0.91 - 1.0 v/c ratio) if no transit



service is available along the corridor; LOS E + 20 (up to 120 percent of capacity) if transit service with 20-minute headways is provided within one-half mile of the corridor; and LOS E + 50 (up to 150 percent of capacity) if some form of extraordinary transit, such as express bus or commuter rail service, is available to serve the corridor.

6.2. 2030 Without Project Conditions

The 2030 FSUTMS Model without-project condition was run to establish the benchmark traffic activity for the 2030 study area. **Table 8** presents the 2030 full-build level of service calculations.

Figure 7 exhibits the 2030 Analysis Area and roadway network and number of lanes for this study.

Figure 8 exhibits the study area LOS generated from the FSUTMS model output for the without-project condition. The maximum service volumes are based upon FDOT's 2002 Quality/Level of Service Handbook. The figure shows that many of the roadway links within the study area are expected to operate above capacity, exceeding the County's maximum adopted LOS standards of: LOS E, SUMA (State Urban Minor Arterial between Infill Area and Urban Development Boundary), LOS EE (120% of LOS E Capacity, Extraordinary Transit between Infill Area and Urban Development Boundary), LOS E + 20 (120 percent of LOS E capacity) and LOS E + 50 (150 percent of LOS E capacity).

6.3. 2030 Full Build (With Project) Conditions

Please note that **Table 8** also calculated the percentages of the project trips to the service volume for 2030 full-build conditions. To assess the impacts of the Project on the study area roadways, links identified as exceeding the LOS standards were reviewed to determine if the project trips added to each of these links exceeded 5 percent of the service volume (capacity) of the link. The calculation results show that there are fourteen (14) roadway links that will be significantly impacted by the airport project. **Table 9** exhibits a summary of these project impacted links.

Figure 9 shows the results of the with-project LOS analysis for the study area.

6.4. Potential Long Range (2030) Roadway Improvements

As shown in **Table 9**, there are fourteen (14) roadway links identified as being impacted by the project. For each of these roadway links, the project trips were estimated to be greater than 5 percent of the service volume (capacity). **Table 10** shows the additional roadway lanes required to provide the needed roadway capacity to eliminate project-related impacts. The table also depicts that share the project-related traffic would comprise of the added capacity.



7. Conclusions

The concurrency analysis shows that phase-one development of the proposed project at Miami International Airport is expected to generate 3,319 net total trips in the peak hour by the year 2011. A full build-out of the project is expected to generate 3,892 net total trips in the peak hour by the year 2030. Using defined criteria for determining Project-related traffic impacts, it is anticipated that implementation of the Project would result in traffic related impacts on the following roadways:

Concurrency Analysis (2011)

- NW 12 Street, West of SR 826 between NW 72 Ave & NW 87 Ave

Full Build Analysis (2030)

- W. Flagler Street, East of SW 72 Ave between NW 57 Ave & SR 826
- NW 12 Street, West of SR 826 between NW 72 Ave & NW 87 Ave
- NW 25 Street, East of SR 826 to NW 72 Ave
- NW 25 Street, West of SR 826 to NW 87 Ave
- NW 25 Street, West of NW 87 Ave to NW 97 Ave
- NW 25 Street, West of NW 97 Ave to NW 107 Ave
- NW 36 Street (US 27/SR 25), West of NW 7 Ave to NW 17 Ave
- NW 36 Street (US 27/SR 25), West of NW 12 Ave between NW 17 Ave & NW 7 Ave
- NW 36 Street (US 27/SR 25), West of NW 27 Ave to NW 42 Ave/LeJeune Rd
- NW 87 Avenue/Galloway Road, South of Flagler St to Coral Way
- NW 72 Avenue/Milam Dairy, North of W Flagler St to NW 12 St
- NW 72 Avenue/Milam Dairy, North of NW 12 St to NW 25 St
- NW 72 Avenue/Milam Dairy, South of NW 36 St to NW 25 St
- NW 72 Avenue/Milam Dairy, South of NW 74 St to NW 58 St

The proposed change in land uses for parcels 3, 4 and 5 would impact the links outlined above. Additional capacity will be required in order to mitigate the traffic impacts. There are several treatments to increase the capacity. Provided there is available right of way an additional lane in each direction will suffice. An alternate treatment or in conjunction to an additional lane increase transit service and usage will also increase capacity of the affected links. To some extent improving progression and through put efficiency of the traffic signals for the affected links will improve capacity.

APPENDIX E

Fiscal Impact Analysis

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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 Nos. 5, 6, and 7 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 Department of Solid Waste Management (DSWM) assesses capacity on a system-wide basis, in part, on existing waste delivery commitments from both the private and public sectors, it is not possible or necessary to make determinations concerning the adequacy of solid waste disposal facilities relative to each individual application. Instead, the 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 the minimum standard by two (2) 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 charged to the user. Currently, that fee is \$439 per residential unit. For a residential dumpster account, the current fee is \$339. The average residential unit currently generates 2.4 tons of waste annually, which includes garbage, trash and recycled waste. As reported in March 2008 to the State of Florida, Department of Environmental Protection, for the fiscal year ending September 30, 2007, the full cost per unit of providing waste Collection Service was \$449 including disposal and other Collections services such as illegal dumping clean-up and code enforcement.

The closest DSWM facility is the West Transfer Station located at 2900 SW 72 Avenue approximately six miles from Application 5 and within five miles of Application Nos. 6 and 7. Several other facilities are somewhat more distant. However, due the lack of a significant residential component, the DSWM anticipates little or no impact on collection service operations or costs due to this application to amend the CDMP. Any impact on disposal and transfer facilities and operations would be incremental and is already programmed into DSWM plans

through growth calculations concerning overall community growth in disposal capacity demands.

Waste Disposal Capacity and Service

The incremental and cumulative cost of providing disposal capacity for DSWM Collections, municipalities and other haulers are paid for by the users. For FY 07-08, the DSWM charged a disposal tipping fee at a contract rate of \$57.56 per ton to DSWM Collections and to those private haulers and municipalities with long term disposal agreements with the Department. For non-contract haulers, the rate is \$75.89 per ton. These rates adjust annually with the Consumer Price Index, South Region. 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 customers of the County's Water and Sewer Department and the municipal water and sewer departments.

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. The water impact fee was calculated at a rate of \$1.39 per gallon per day (gpd), and the sewer impact fee was calculated at a rate of \$5.60 per gpd. The annual operations and maintenance cost was based on \$1.1371 per 1,000 gallons for the water and \$1.5476 per 1,000 gallons for the sewer. The connection fee was based on providing a 1-inch service line and meter.

Miami-Dade County Aviation Department (MDAD) is requesting changes to the CDMP Land Use Plan map to re-designate Application No. 5 from "Transportation Terminal" to "Business and Office"; Application No. 6 from "Industrial and Office" and "Transportation Terminal" to "Business and Office"; and Application No. 7 from "Industrial and Office" to "Business and Office". The proposed "Business and Office" CDMP land use designation of the application sites will allow a potential development 41,817 sq. ft. of retail activity on the site of Application No. 5, 467,311 sq. ft. of retail on the site of Application No. 6, and 279,829 sq. ft. of retail on the site of Application No. 7.

If the application sites were developed at the maximum potential as above, the fees payable by the developer would be as follows:

Application No. 5. \$5,813.00 for water impact fee, \$23,418.00 for sewer impact fee, \$1,300.00 per unit for connection fee, and \$4,098.00 for annual operating and maintenance costs based on approved figures through September 30, 2007. Additionally, the cost of constructing the needed potable water and sanitary sewer mains is a total of \$33,238.00.

Application No. 6. \$64,956.00 for water impact fee, \$261,694.00 for sewer impact fee, \$1,300.00 per unit for connection fee, and \$45,793.00 for annual operating and maintenance costs based on approved figures through September 30, 2007. Additionally, the estimated cost of constructing the needed potable water and sanitary sewer mains and the needed private sewer pump station is a total of \$1,025,308.00.

Application No. 7. \$38,896.00 for water impact fee, \$156,704.00 for sewer impact fee, \$1,300.00 per unit for connection fee, and \$27,421.00 for annual operating and maintenance costs based on approved figures through September 30, 2007. Additionally, the estimated cost of constructing the needed potable water and sanitary sewer mains and the needed private sewer pump station is a total of \$432,377.00.

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 for providing flood protection to private properties, although it is the County's responsibility to ensure and verify that said protection has been incorporated in the plans for each proposed development.

The above noted determinations are predicated upon the provisions of Chapter 46, Section 4611.1 of the South Florida Building Code; Section 24-58.3(G) of the Code of Miami-Dade County, Florida; Chapter 40E-40 Florida Administrative Code, Basis of Review South Florida Water Management District (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.

Fire Rescue

Information pending.

Public Schools

The Miami-Dade County Aviation Department (MDAD) has proffered individual Declaration of Restrictions for each of Application Nos. 5, 6, and 7, prohibiting the development of residential uses on the application sites. Therefore, Miami-Dade County Public Schools will not be impacted by development on the application sites.

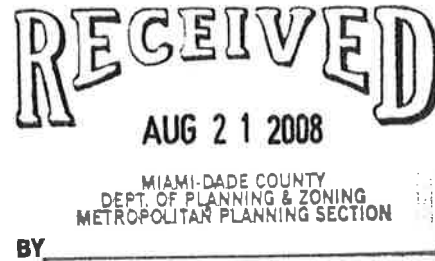
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APPENDIX F

Proposed Declarations of Restrictions

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This instrument was prepared by:
Name:
Address:



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Declaration of Restrictions

WHEREAS, the undersigned, Miami-Dade County, through its Aviation Department (the "Applicant"), holds the fee simple title to that certain parcel of land, which is legally described in Exhibit "A" to this Declaration (hereinafter the "Property");

WHEREAS, the Property is the subject of Comprehensive Development Master Plan Amendment Application No. 5 of the April 2008 Amendment Cycle, seeking a change on the Land Use plan map from its current designation of "Institutions, Utilities and Communications" to the designation of "Business and Office" (the "CDMP Application") that is consistent with federal law and the Aviation Department's development plans;

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

1. **Prohibition on Residential Uses.** The Owner agrees, subject to the approval of the CDMP Application, to develop the Property with non-residential uses.
2. **County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege, at any time during normal working hours and consistent with any applicable security requirements, of entering and inspecting use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.
3. **Covenant Running with the Land.** This Declaration on part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's full expense in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and its heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and its heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

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

5. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the land covered by the proposed amendment, modification or release, provided that the same is also approved by the County through its Board of County Commissioners. Any such modification, amendment, or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in Section 2-116.1 of the Code of Miami-Dade County, or applicable successor regulations governing amendments to the Miami-Dade Comprehensive Plan. Notwithstanding anything in this paragraph, and to the extent Section 125.015, Florida Statutes, is not applicable to the Property, in the event that the Property is incorporated within a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. Should this Declaration be so modified, amended or released, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

6. **Enforcement.** Enforcement shall be by action against any parties or persons 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 or her attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

7. **Authorization for Miami-Dade County (or successor municipal corporation) to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County (or any successor municipal corporation) that may have jurisdiction over the Property notwithstanding Section 125.015 is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration is complied with.

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

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

10. **Covenant Running with the Land.** This Declaration shall constitute a covenant running with the land and shall be recorded, at the Owners' expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the undersigned Owners, and their heirs, successors and assigns, including the Applicant, unless and until the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, the then owner(s) of the real property and the public welfare.

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

12. **Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners 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 by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

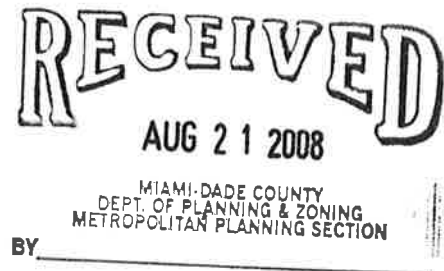
13. **Acceptance of Declaration of Restrictive Covenants.** Acceptance of the Declaration of Restrictive Covenants does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

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

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This instrument was prepared by:
Name:
Address:



(Space reserved for Clerk of the Court)

Declaration of Restrictions

WHEREAS, the undersigned, Miami-Dade County, through its Aviation Department (the "Applicant"), holds the fee simple title to that certain parcel of land, which is legally described in Exhibit "A" to this Declaration (hereinafter the "Property");

WHEREAS, the Property is the subject of Comprehensive Development Master Plan Amendment Application No. 6 of the April 2008 Amendment Cycle, seeking a change on the Land Use plan map from its current designation of "Industrial and Office" and "Transportation Terminals" to the designation of "Business and Office" (the "CDMP Application") that is consistent with federal law and the Aviation Department's development plans;

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

1. **Prohibition on Residential Uses.** The Owner agrees, subject to the approval of the CDMP Application, to develop the Property with non-residential uses.
2. **County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege, at any time during normal working hours and consistent with any applicable security requirements, of entering and inspecting use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.
3. **Covenant Running with the Land.** This Declaration on part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's full expense in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and its heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and its heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

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

5. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the land covered by the proposed amendment, modification or release, provided that the same is also approved by the County through its Board of County Commissioners. Any such modification, amendment, or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in Section 2-116.1 of the Code of Miami-Dade County, or applicable successor regulations governing amendments to the Miami-Dade Comprehensive Plan. Notwithstanding anything in this paragraph, and to the extent Section 125.015, Florida Statutes, is not applicable to the Property, in the event that the Property is incorporated within a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. Should this Declaration be so modified, amended or released, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

6. **Enforcement.** Enforcement shall be by action against any parties or persons 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 or her attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

7. **Authorization for Miami-Dade County (or successor municipal corporation) to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County (or any successor municipal corporation) that may have jurisdiction over the Property notwithstanding Section 125.015 is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration is complied with.

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

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

10. **Covenant Running with the Land.** This Declaration shall constitute a covenant running with the land and shall be recorded, at the Owners' expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the undersigned Owners, and their heirs, successors and assigns, including the Applicant, unless and until the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, the then owner(s) of the real property and the public welfare.

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

12. **Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners 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 by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

13. **Acceptance of Declaration of Restrictive Covenants.** Acceptance of the Declaration of Restrictive Covenants 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 and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

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

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This instrument was prepared by:
Name:
Address:

RECEIVED
AUG 21 2008

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
METROPOLITAN PLANNING SECTION

BY _____

(Space reserved for Clerk of the Court)

Declaration of Restrictions

WHEREAS, the undersigned, Miami-Dade County, through its Aviation Department (the "Applicant"), holds the fee simple title to that certain parcel of land, which is legally described in Exhibit "A" to this Declaration (hereinafter the "Property");

WHEREAS, the Property is the subject of Comprehensive Development Master Plan Amendment Application No. 7 of the April 2008 Amendment Cycle, seeking a change on the Land Use plan map from its current designation of "Industrial and Office" to the designation of "Business and Office" (the "CDMP Application") that is consistent with federal law and the Aviation Department's development plans;

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

1. **Prohibition on Residential Uses.** , The Owner agrees, subject to the approval of the CDMP Application, to develop the Property with non-residential uses.
2. **County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege, at any time during normal working hours and consistent with any applicable security requirements, of entering and inspecting use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.
3. **Covenant Running with the Land.** This Declaration on part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's full expense in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and its heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and its heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

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

5. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the land covered by the proposed amendment, modification or release, provided that the same is also approved by the County through its Board of County Commissioners. Any such modification, amendment, or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in Section 2-116.1 of the Code of Miami-Dade County, or applicable successor regulations governing amendments to the Miami-Dade Comprehensive Plan. Notwithstanding anything in this paragraph, and to the extent Section 125.015, Florida Statutes, is not applicable to the Property, in the event that the Property is incorporated within a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. Should this Declaration be so modified, amended or released, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

6. **Enforcement.** Enforcement shall be by action against any parties or persons 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 or her attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

7. **Authorization for Miami-Dade County (or successor municipal corporation) to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County (or any successor municipal corporation) that may have jurisdiction over the Property notwithstanding Section 125.015 is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration is complied with.

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

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

10. **Covenant Running with the Land.** This Declaration shall constitute a covenant running with the land and shall be recorded, at the Owners' expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the undersigned Owners, and their heirs, successors and assigns, including the Applicant, unless and until the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, the then owner(s) of the real property and the public welfare.

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

12. **Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners 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 by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

13. **Acceptance of Declaration of Restrictive Covenants.** Acceptance of the Declaration of Restrictive Covenants 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 and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

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

[Execution Pages Follow]

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APPENDIX G

Photos of the Application Sites and Surroundings

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Application No. 5



Application site viewed north-south showing truck and trailers stored on site



Miami North Community Correctional Center (Halfway house) with Turner Guilford-Knight Correctional Center in background, east of the application site

Application No. 5



Auto dealership west of application site



Auto parts & other businesses west of application site

Application No. 6



Southern portion of the application site showing on-site stone or aggregate crushing activity



Northern portion of the application site showing the Neighborhood Health facility in the background

Application No. 6



Industrial office park and warehouses west of the Application site beyond SR 826/Palmetto Expressway



Warehouses northeast of the application site on NW 70 Ave

Application No. 7



Auto repair facility and warehouses south of the application site



Application site viewed from the southeast corner looking to the northwest

Application No. 7



Warehouses south of the application site



Eastern portion of the application site and adjacent warehouses east of the site