

<h1>Application No. 4</h1> <h2>Commission District 7 Community Council 12</h2>

APPLICATION SUMMARY

Applicant/Representative:	7-Eleven, LLC/Jerry B. Proctor, Esq.
Location:	Southwest corner of SW 56 Street/Miller Drive and SW 67 Avenue/Ludlam Road
Total Acreage:	±1.31 gross/net acres
Current Land Use Plan Map Designation:	“Estate Density Residential (1 to 2.5 dwelling units per gross acre)”
Requested Land Use Plan Map Designation and other changes:	<ol style="list-style-type: none">1. “Business and Office”2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners
Amendment Type:	Small-Scale
Existing Zoning District/Site Condition:	BU-1A and EU-M/convenience store, gas station, car wash and single-family residence

RECOMMENDATIONS

Staff:	ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (March 2018)
Kendall Community Council (12):	ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS WITH THE CONDITION THAT THE DECLARATION OF RESTRICTIONS BE MODIFIED TO REQUIRE DENSE LANDSCAPING ON THE SOUTHERN SIDE OF THE PROPERTY (March 20, 2018)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	DENY (April 9, 2018)
Final Action of Board of County Commissioners:	TO BE DETERMINED (April 25, 2018)

Staff recommends **ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map to redesignate the ±1.31 gross/net acre application site from “Estate Density Residential (1 to 2.5 dwelling units per gross acre)” to “Business and Office” for the following reasons:

Principal Reasons for Recommendation:

1. The application seeks to facilitate the growth and expansion of an existing business onto the entire site. The application site consists of three parcels with two of the parcels developed with an existing 7-Eleven gas station with convenience store and a car wash and zoned BU-1A (Limited Business Districts). The applicant proposes to redevelop the site to expand the gas station onto the third parcel, a single-family home zoned EU-M (Estates modified, minimum lot area 15,000 square feet). Approval of the application would change the land use designation to “Business and Office” which would better reference the existing uses on the northern portion of the site and the BU-1A zoning (see “Zoning Map” on page 4-5). The applicant has proffered a Declaration of Restrictions (covenant) committing to the redevelopment of the entire site with its uses limited to a gasoline station with ancillary convenience store.

The application site is currently designated on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map as “Estate Density Residential” which allows residential development at densities ranging from 1 to 2.5 dwelling units per acre (1 to 2.5 du/ac). The application site could be developed with up to three single-family residential units or 10,280 square feet retail and one single-family residential housing unit. The applicant requests a redesignation of the application site to “Business and Office,” which could be redeveloped with a maximum of either: 22,825 square feet of retail uses; or with seven single-family residential housing units. However, the applicant has proffered a Declaration of Restrictions (covenant) that would limit the proposed redevelopment to a gas station with ancillary convenience store.

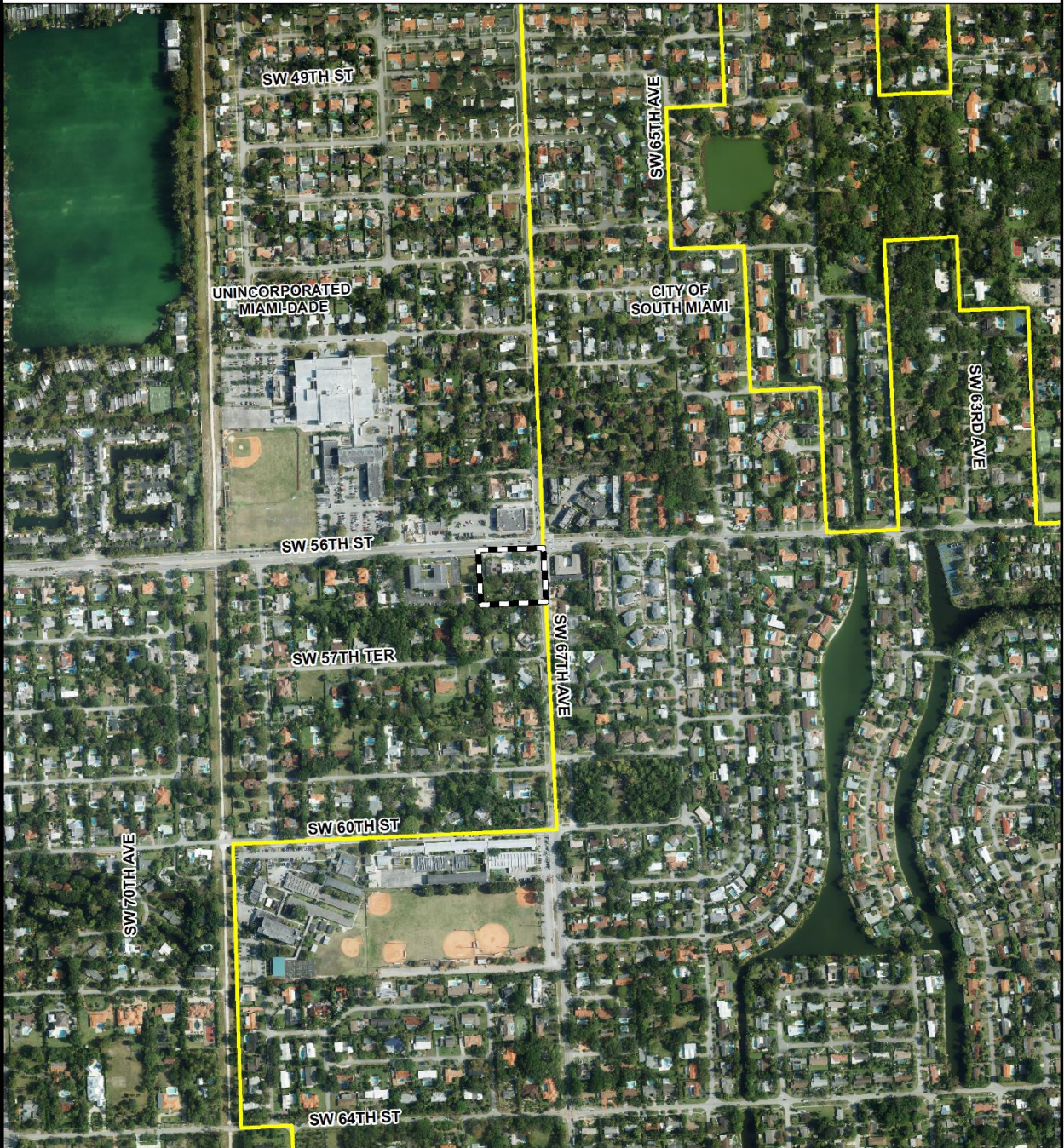
2. Approval of the application would be generally consistent with the criteria for evaluating Land Use Plan map amendment applications pursuant to Policy LU-8E of the CDMP Land Use Element. Policy LU-8E requires LUP map amendment applications to be evaluated according to factors such as (i) the ability of the proposed amendment to satisfy a deficiency in the LUP map to accommodate projected population or economic growth of the County, (ii) impacts to County facilities and services, (iii) compatibility with abutting and nearby land uses, (iv) impacts to environmental and historical resources, and (v) the extent to which the proposed land use would promote transit ridership and pedestrianism pursuant to Objective LU-7 and associated policies. Each factor is discussed below.
 - i. Need to Accommodate Population or Economic Growth:* The application, if approved with acceptance of the proffered Declaration of Restrictions, would decrease the capacity of the residential land in the analysis area, Minor Statistical Area (MSA 5.3) by one unit and would facilitate the expansion of an existing gas station. An analysis of the residential capacity by type of dwelling units shows the depletion of single-family type units occurring in 2019 and for multi-family beyond 2030. The supply of residential land for both single-family and multi-family units is projected to be depleted by the year 2028. For commercial uses, based on the projected absorption rate for 2017-2030 of 1.16 acres per year, MSA 5.3 is due to deplete its supply of commercially zoned land by the year 2029. Approval of the application would facilitate the growth of an existing business and could be of benefit to the area (see “Supply and Demand Analysis” on page 4-11).

- ii. *Public Facilities and Services.* Approval of the application with acceptance of the proffered covenant would be consistent with the CDMP Capital Improvements Element Objective CIE-3 that requires CDMP land use decisions not to cause a violation in the adopted level of service standards for public facilities and services. The impacts that would be generated from the allowable potential development on the site, 22,825 square feet of retail uses if the application is approved, would not cause a violation in the level of service standards for public services and facilities.
- iii. *Compatibility:* The requested “Business and Office” land use designation and the maximum development allowed on the property would be generally compatible with the abutting and adjacent development. The Applicant has proffered a Declaration of Restrictions (covenant) committing to redevelopment of the entire site with its uses limited to a gasoline station with ancillary convenience store. With adequate buffering the proposed development would be generally compatible with the single-family residences to the south. The application site and the surrounding properties to the south and west located south of SW 56 Street/Miller Drive and east of SW 67 Avenue/Ludlam Road, are designated “Estate Density Residential”, namely the Palmetto Presbyterian church and childcare facility west of the application site, and the single-family residences located south and southwest of the application site. Properties to the northwest and north are designated “Low Density Residential (2.5-6 du/ac)” on the LUP map and are developed with retail, educational and residential uses. Properties to the north include a Walgreens, single-family residences further north, small retail establishments located northwest of the application site, and South Miami Senior High School. (See “CDMP Land Use” map on page 4-8).

To the east and northeast of the application site, across SW 67 Avenue/Ludlam Road, lie properties within the City of South Miami. While the properties to the northeast and east are generally depicted on the County’s LUP map as “Low Density Residential (2.5-6 du/ac)”, the City of South Miami designates its land use including the Caridad apartment complex located east of the application site designated on the City’s Comprehensive Future LUP map as “Multiple-Family Residential (four story)”; and the Miller Sixty-Seventh condominium, Forest Cove subdivision, and Montebello and Sorni Estates subdivisions designated as “Townhouse Residential (two story).”

- iv. *Environmental and Historic Resources.* The application, if approved, would not impact any historic resources. Regarding environmental resources, the applicant site contains tree resources, including possible specimen trees (trees with a trunk diameter 18 inches or greater). The applicant is required to comply with CON-8A of the CDMP and Section 24-49.2(II) of the Code, which requires that specimen trees be preserved whenever reasonably possible (see “Natural Resources” on page 4-16).
- v. *Transit Ridership and Pedestrianism.* While the applicant has proffered a covenant limiting its uses to a gasoline station with ancillary convenience store, the application if approved, could promote transit ridership and pedestrianism. There are two Metrobus stops located on the application site, namely for Metrobus Route 56 on south side of Miller Drive and for Metrobus Route 73 located on the west side of SW 67 Avenue. Metrobus Route 56 provides service along Miller Drive/SW 56 Street with 40-minute AM/PM peak service headways and 60-minute off-peak service headways. Metrobus Route 73 provides transit service along SW 67 Avenue/Ludlam Road with 30-minute AM/PM peak service headways and 40-minute off-peak service headways, and 60-minute service headways on Saturday and Sundays. The application site is well-accessible with sidewalks on SW 56 Street and SW 67 Avenue and lies within walking distance to South Miami Senior High School to the northwest.

APPLICATION NO. 4 AERIAL PHOTO



APPLICATION AREA



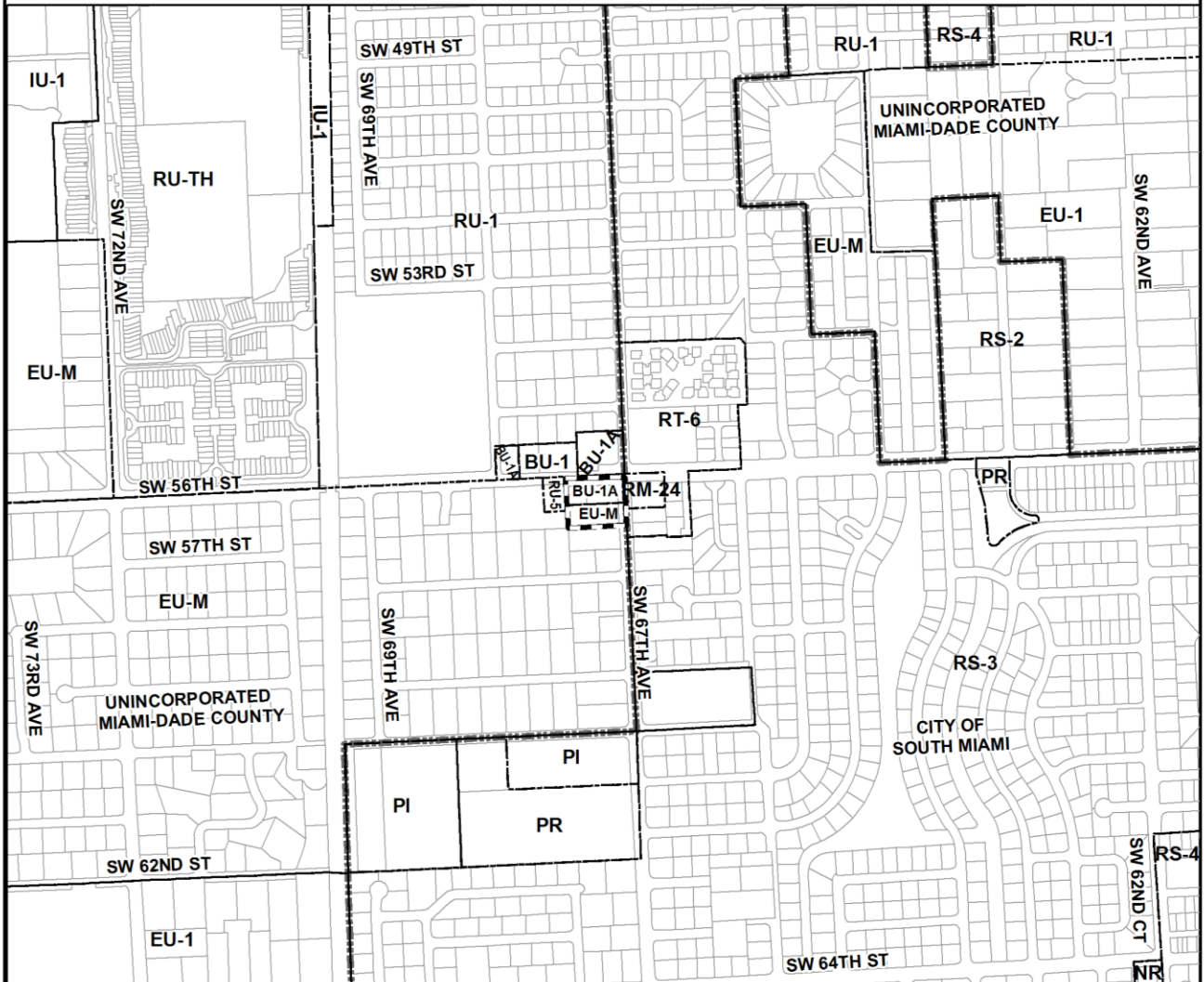
MUNICIPAL BOUNDARY

Source: Department of Regulatory and Economic Resources
January 2018

0 0.25 Miles



APPLICATION 4 ZONING MAP



APPLICATION AREA



MUNICIPAL BOUNDARY

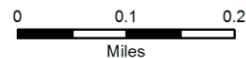
MIAMI-DADE COUNTY ZONING DISTRICTS

- BU-1 BUSINESS DISTRICTS, NEIGHBORHOOD
- BU-1A BUSINESS DISTRICTS, LIMITED
- EU-1 ESTATES, SINGLE-FAMILY
- EU-M ESTATES MODIFIED
- IU-1 INDUSTRIAL DISTRICTS, LIGHT MANUFACTURING
- RU-1 SINGLE-FAMILY RESIDENTIAL
- RU-5 SEMI-PROFESSIONAL OFFICES AND APARTMENTS
- RU-TH TOWNHOUSE

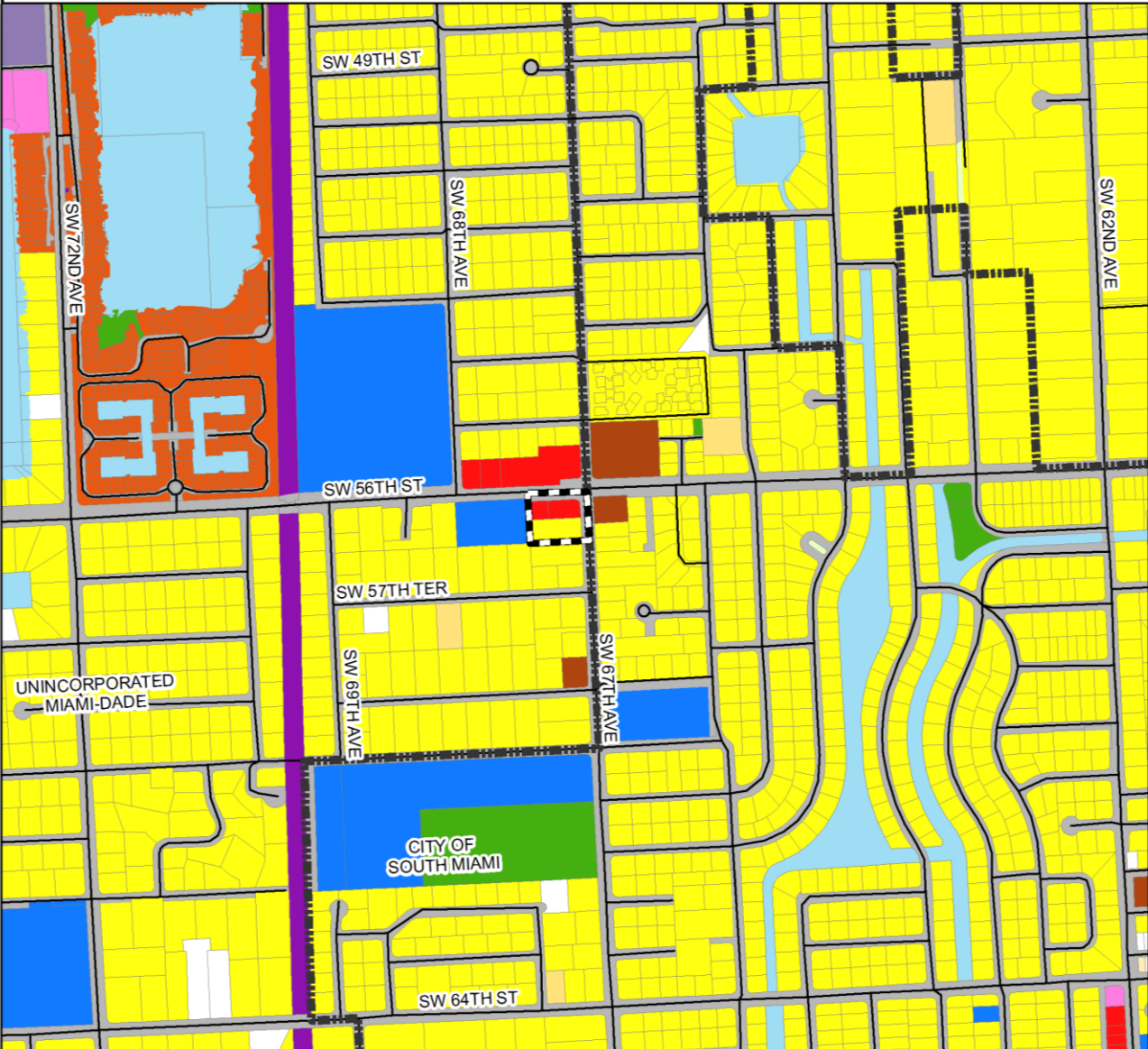
CITY OF SOUTH MIAMI ZONING DISTRICTS

- NR NEIGHBORHOOD RETAIL
- PI PUBLIC INSTITUTIONAL
- PR PARK AND RECREATION
- RM-24 MULTI-FAMILY
- RS-2 SEMI-ESTATE RESIDENTIAL
- RS-3 LOW DENSITY SINGLE FAMILY
- RS-4 SINGLE FAMILY RESIDENTIAL
- RT-6 TOWNHOUSE RESIDENTIAL

Source: Department of Regulatory and Economic Resources
January 2017



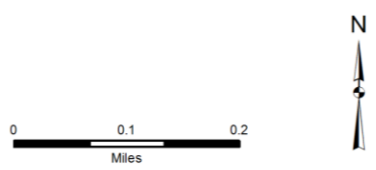
APPLICATION NO. 4 EXISTING LAND USE



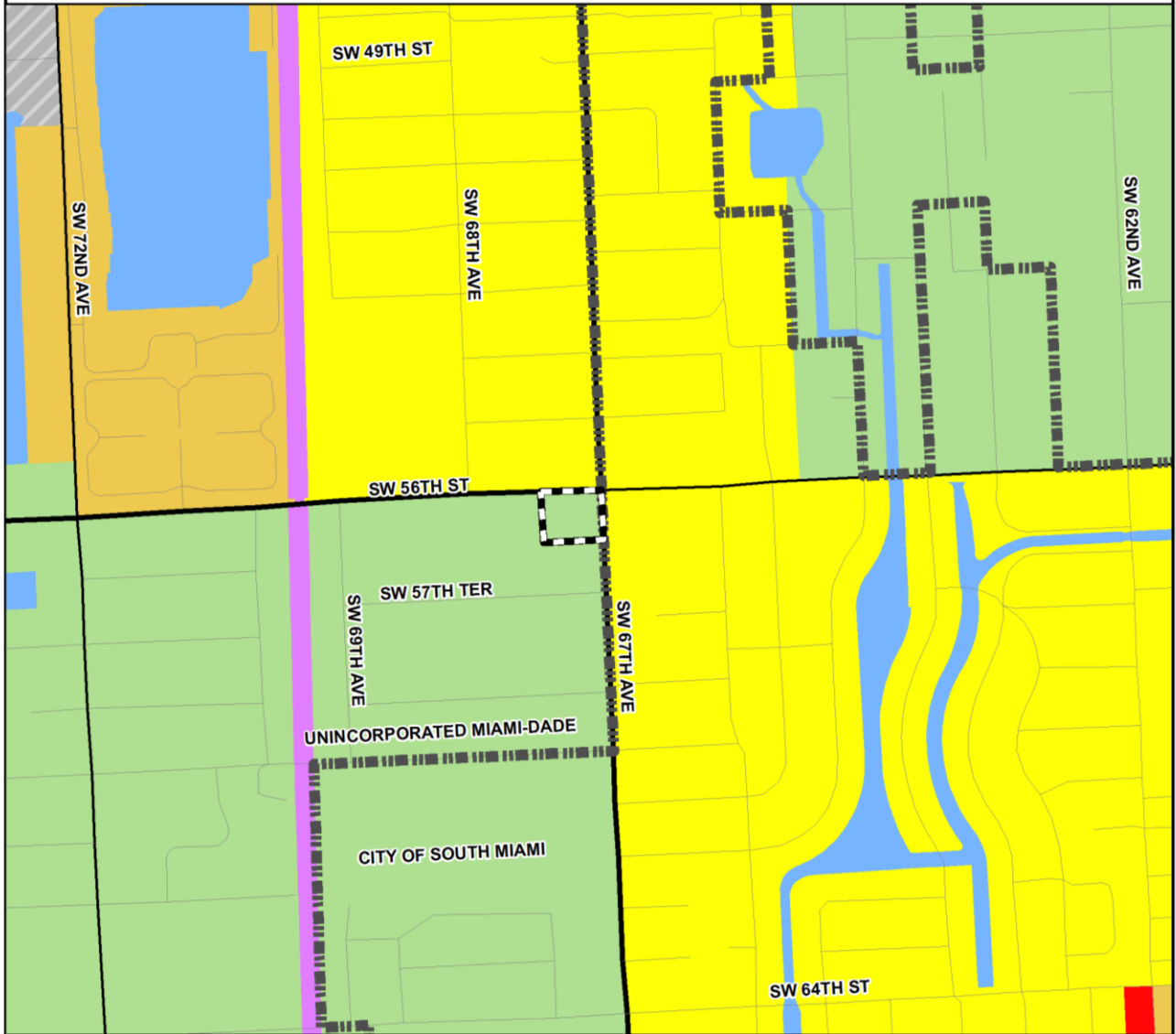
- APPLICATION AREA
- MUNICIPAL BOUNDARY
- EXISTING LAND USE**
- SINGLE-FAMILY
- TWO-FAMILY DUPLEXES
- TOWNHOUSES
- LOW-DENSITY MULTI-FAMILY
- COMMERCIAL, SHOPPING CENTERS
- OFFICE
- INSTITUTIONAL
- INDUSTRIAL INTENSIVE
- COMMUNICATIONS, UTILITIES, TERMINALS
- STREETS, ROADS, EXPRESSWAYS, RAMPS



- PARKS, PRESERVES, CONSERVATION AREAS
- VACANT PRIVATELY OWNED, UNPROTECTED
- INLAND WATERS

Source: Department of Regulatory and Economic Resources
January 2017












APPLICATION NO. 4 CDMP LAND USE

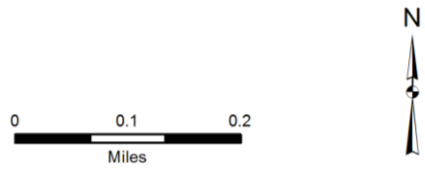


 APPLICATION AREA
 MUNICIPAL BOUNDARY

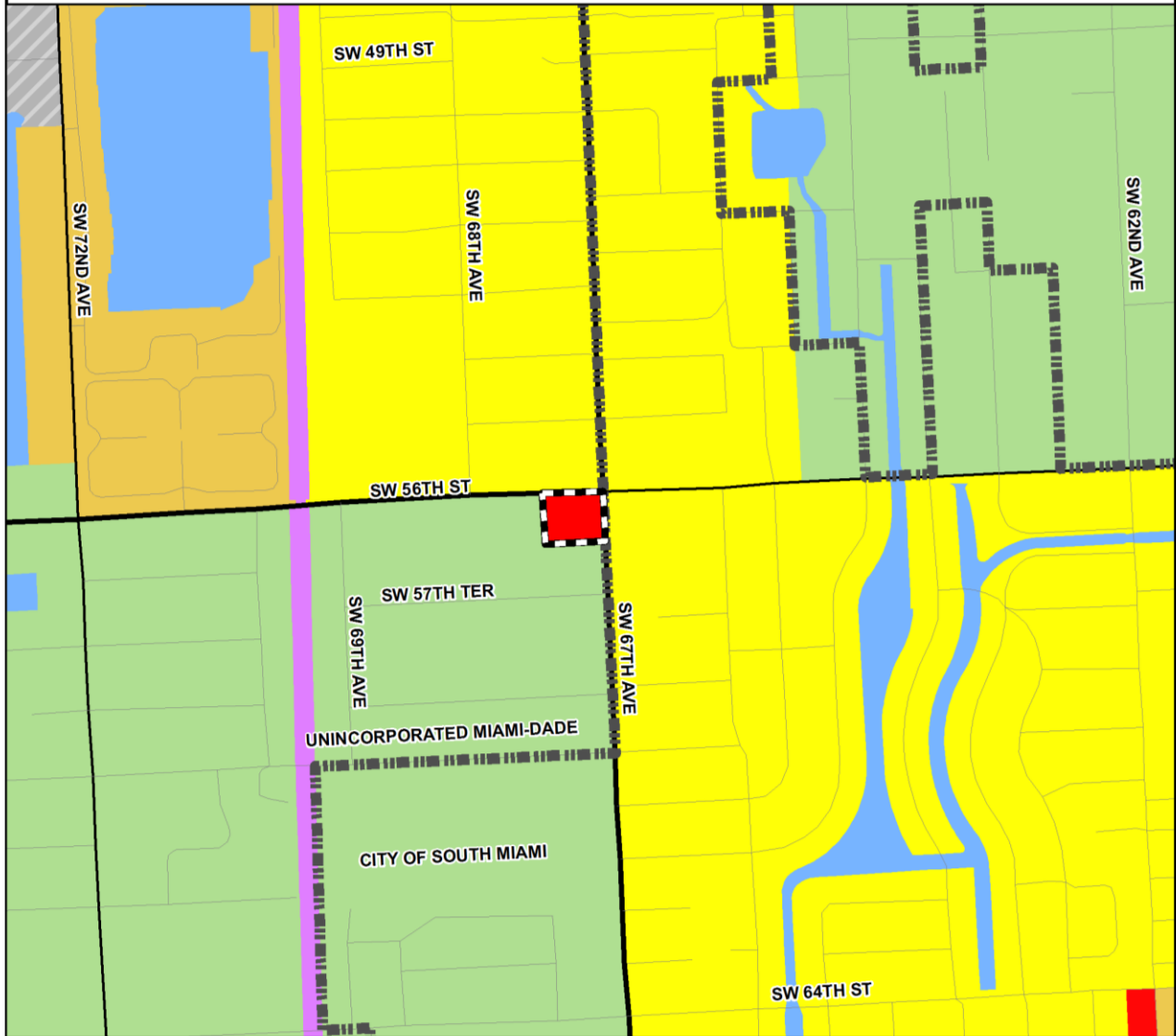
Source: Department of Regulatory and Economic Resources
 January 2018



CDMP LAND USE

- | | |
|---|--|
|  ESTATE DENSITY (1-2.5 DU/AC) |  MAJOR ROADWAYS (3 OR MORE LANES) |
|  LOW DENSITY (2.5-6 DU/AC) |  MINOR ROADWAYS (2 LANES) |
|  LOW-MEDIUM DENSITY (6-13 DU/AC) | |
|  RESTRICTED INDUSTRIAL AND OFFICE | |
|  BUSINESS AND OFFICE | |
|  WATER | |
|  TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.) | |












APPLICATION NO. 4 PROPOSED CDMP LAND USE

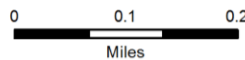


-  APPLICATION AREA
-  MUNICIPAL BOUNDARY

Source: Department of Regulatory and Economic Resources
January 2018

CDMP LAND USE

- | | |
|---|--|
|  ESTATE DENSITY (1-2.5 DU/AC) |  MAJOR ROADWAYS (3 OR MORE LANES) |
|  LOW DENSITY (2.5-6 DU/AC) |  MINOR ROADWAYS (2 LANES) |
|  LOW-MEDIUM DENSITY (6-13 DU/AC) | |
|  RESTRICTED INDUSTRIAL AND OFFICE | |
|  BUSINESS AND OFFICE | |
|  WATER | |
|  TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.) | |



STAFF ANALYSIS

Application Site

Location

The application site is a ±1.31 acre property comprised of three contiguous parcels located on the southwest corner of SW 56 Street/Miller Drive and SW 67 Avenue/Ludlam Road. The first is a ±0.39 acre property located at the intersection of SW 56 Street and SW 67 Avenue. This parcel consists of a 7-Eleven convenience store and gas station and is herein referred to as the East Parcel. The second is a ±0.22 acre property fronting SW 56 Street and adjoins the west side of the East parcel and consists of a car wash, herein referred to as the West Parcel. The third is a ±0.70 acre property located south of the East Parcel and the West Parcel fronting SW 67 Avenue and consisting of a single-family residential unit with accessory unit. This parcel is herein referred to as the South Parcel.

Across the street are properties located on the eastern side of SW 67 Avenue/Ludlam Road, within the City of South Miami (see “Aerial Map” on page 4-4.) The application site is within the County’s Urban Infill Area, where infill and redevelopment is promoted and prioritized and inside the County’s Urban Development Boundary (UDB).

Existing Land Use

The East Parcel is developed as a 7-Eleven gas station and convenience store established in 1983, and the West Parcel consists of a car wash facility established in 1991, making those commercial parcels an established use in the area. The South Parcel is developed as a single-family residence with an accessory structure and is densely-vegetated (see Appendix D: Photos of Site and Surroundings on Appendices Page 49).

Land Use Plan Map Designation/Request

The CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map designates the application site as “Estate Density Residential (1 to 2.5 dwelling units per gross acre), see “CDMP Land Use” map on page 4-7. The “Estate Density Residential” land use category allows densities from 1 to 2.5 dwelling units per gross acre and is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. Under the current land use designation and if all environmental and zoning requirements are met, the application site could be developed with a maximum of either: three single-family residential units; or 10,280 square feet retail and one single-family residential housing unit.

The applicant requests a redesignation of the application site on the LUP map to “Business and Office,” see “Proposed CDMP Land Use” map on page 4-8. The “Business and Office” CDMP land use category allows the full range of sales and service activities that includes retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, entertainment, cultural facilities and residential development. Residential uses are permitted in the Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.

Under the requested “Business and Office” land use designation and if all environmental and zoning requirements are met, the application site could be developed with a maximum of either: 22,825 square feet of retail uses; or with seven single-family residential housing units. Total permissible development may be significantly less than the maximum allowed under the CDMP

due to land use compatibility and other site-related considerations. However, the applicant has proffered a Declaration of Restrictions (covenant), which would limit the proposed redevelopment to retail uses. See “Proffered Declaration of Restrictions” below.

Proffered Declaration of Restrictions

The Application states that “This re-designation is for the sole purpose of modernizing and replacing the existing 7-Eleven gasoline and convenience facility...with a new 7-Eleven facility that will be more modern and safer” (see Appendix A: Amendment Application on Appendix page 3). To this end, the Applicant has proffered a Declaration of Restrictions (covenant) committing to redevelopment of the entire site with its uses limited to a gasoline station with ancillary convenience store (see Appendix B: Proffered Declaration of Restrictions on Appendix page 29.)

Zoning

The East and West parcels with commercial uses are currently zoned BU-1A (Limited Business Districts) and the South Parcel with the residential use is zoned EU-M (Estates modified, minimum lot area 15,000 square feet). See “Zoning Map” on page 4-5.

Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938, and the County’s first zoning records indicate that the East, West, and South Parcels were all originally part of the larger 1944 “Beverly Hills” plat recorded in Plat Book 43, Page 68 comprising 40 acres and zoned EU-M. The South Parcel remains zoned EU-M to date.

The West Parcel originally included Palmetto Presbyterian church to the west and the Board of County Commissioners (BCC) on February 2, 1961 adopted Resolution No. Z-19-61 for a district boundary change to RU-5 with a special use for a daycare, and with a 15-foot wide strip zoned BU-1A for parking, on the western side of the West Parcel. The BCC adopted on February 14, 1963 Resolution No. Z-36-63 approving a district boundary change from EU-M to BU-1A, on the eastern 165’ feet of Lot 9 in the Beverly Hills Plat (the East Parcel). The BCC adopted on November 17, 1977, Resolution No. Z-274-77 approving a district boundary change from RU-5 to BU-1A and a special exception to subdivide Lot 9 into the current East and West Parcels.

Adjacent Land Use and Zoning

Existing Land Uses

North of the application site across SW 56 Street/Miller Road is a Walgreens, and further north are single-family residences. Northwest of the application site are located small retail establishments such as a Sandwich King, Nail Salon, Asia Groceries, and South Miami Senior High School. Northeast of the application site and east of SW 67 Avenue/Ludlam Road is the Miller Sixty-Seventh two-story condominium complex, and further beyond is the Forest Cove townhouse subdivision. East of the application site is the two-story Caridad apartment complex, and further east along SW 56 Street/Miller Drive are the single-family Montebello and Somi Estates subdivisions. South and southwest of the application site are single-family houses. West of the application site along SW 56 Street/Miller Drive is the Palmetto Presbyterian church and childcare facility, and further west are a two unit residence and single-family residences (see Appendix D: Photos of Site and Surroundings on Appendices page 49).

Land Use Plan Map Designations

Properties to the northwest, north, northeast, and east are designated on the LUP map as “Low Density Residential (2.5-6 du/ac)” including: the Walgreens located north of the application site, the single-family residences further north, the small retail establishments located northwest of the application site, and South Miami Senior High School. Depicted on the LUP map as “Low Density Residential” are the properties located east of SW 67 Avenue within the City of South Miami--the

Miller Sixty-Seventh condominium complex northeast of the application site and the Forest Cove subdivision; the Caridad apartment complex east of the application site; and the Montebello and Somi Estates subdivisions located further east. For the previously mentioned properties located within the City of South Miami, the Caridad apartment complex located east of the application site is designated on the City's Comprehensive Future LUP map as "Multiple-Family Residential (four story)"; and the Miller Sixty-Seventh condominium, Forest Cove subdivision, and Montebello and Somi Estates subdivisions designated as "Townhouse Residential (two story)."

The application site and the surrounding properties south of SW 56 Street/Miller Drive and east of SW 67 Avenue/Ludlam Road, are designated "Estate Density Residential", namely the Palmetto Presbyterian church and childcare facility west of the application site, and the single-family residences located south and southwest of the application site. (See "CDMP Land Use" map on page 4-7).

Zoning

The Walgreens and retail store to the north and northwest of the application site is zoned BU-1A (Business Districts, limited) and BU-1 (Business Districts, neighborhood) while the single-family residences further north and South Miami Senior High School are zoned RU-1 (Single Family Residential). The Palmetto Presbyterian church and childcare facility to the west are zoned RU-5 (Semi-Professional Office District and Apartments District) and EU-M (Estates modified, minimum lot area 15,000 square feet). The single-family residences located to the south and southwest are zoned EU-M. Across SW 67 Avenue/Ludlam Road to the northeast and east are properties located within and zoned by the City of South Miami. The Miller Sixty-Seventh condominium complex and the Forest Cove subdivision to the northeast are zoned RT-6 (Townhouse Residential). The Caridad apartment complex to the east is zoned RM-24 (Medium Density Multi-Family); and the Montebello subdivision further east and several single-family properties fronting SW 67 Avenue are zoned RT-6 (Townhouse Residential). (See "Zoning Map" on page 4-5.)

Supply and Demand Analysis

The capacity of the LUP map to accommodate population or economic growth is generally expressed in acres of vacant land zoned or designated for residential and non-residential development. In the context of this small-scale Application No. 4, land capacity is analyzed at the localized or Minor Statistical Area (MSA) level.

Residential

The combined vacant land for single-family and multi-family residential development in the Analysis Area (Minor Statistical Area 5.3) in 2017 was estimated to have a capacity for about 2,841 dwelling units, with about 87 percent of these units intended as multi-family. The annual average residential demand in this Analysis Area is projected to increase from 235 units per year in the 2017-2020 period to 300 units in the 2025-2030 period. An analysis of the residential capacity by type of dwelling units shows the depletion of single-family type units occurring in 2019 and for multi-family beyond 2030 (see "Residential Land Supply/Demand Analysis" table below). The supply of residential land for both single-family and multi-family units is projected to be depleted by the year 2028.

Residential Land Supply/Demand Analysis
2017 to 2030: Application 4 (MSA 5.3)

ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2017	359	2,482	2,841
DEMAND 2017-2020	155	80	235
CAPACITY IN 2020	0	2,242	2,136
DEMAND 2020-2025	171	89	260
CAPACITY IN 2025	0	1,797	836
DEMAND 2025-2030	197	103	300
CAPACITY IN 2030	0	1,282	0
DEPLETION YEAR	2019	2030+	2028

Residential capacity is expressed in terms of housing units.

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

Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Planning Research and Economic Analysis Section, February 2018.

The “Residential Land Supply/Demand Analysis” table above addresses the residential land supply and demand in the Analysis Area without the effect of the projected CDMP amendment. Application 4 is a small-scale amendment requesting a change from “Estate Density Residential” to “Business and Office.” The applicant has proffered a covenant committing to the redevelopment of the entire site with its uses limited to a gasoline station with ancillary convenience store. Given the existing capacity in the Analysis Area, this application, if approved, will not have a significant impact on the supply of single or multi-family units and will not have a significant impact on the depletion year.

Commercial

The Analysis Area for Application 4 (MSA 5.3) contained 578.80 acres of in-use commercial uses in 2017 and an additional 14.40 acres of vacant land zoned or designated for business uses. The annual average absorption rate for the 2017-2030 period is 1.16 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercially zoned land by the year 2029 (see “Projected Absorption of Land for Commercial Uses” table below). If the proposed change is approved, at the current absorption rate, it would extend the expected depletion year by less than a year.

Projected Absorption of Land for Commercial Uses
Indicated Year of Depletion and Related Data
Application 4 Analysis Area

Analysis Area	Vacant Commercial Land 2017 (Acres)	Commercial Acres in Use 2017	Annual Absorption Rate 2017-2030 (Acres)	Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
					2020	2030
MSA 5.3	14.40	578.80	1.16	2029	4.5	4.3

Source: Miami-Dade County, Regulatory and Economic Resources Department, Planning Division, Planning Research and Economic Analysis Section, February 2018.

Trade Area Analysis

An analysis of the trade area, 1.5 miles around the proposed project, was conducted. The result of the analysis shows that there are 203.91 acres in existing commercial uses, and 6.63 acres of vacant commercially zoned or designated land (see “Trade Area Analysis” table below and “Trade Area Map” below).

Trade Area Analysis

Application	Trade Area Radius	Vacant Commercial Land (Acres)	Commercial Acres in Use 2017
4	1.5	6.63	203.91

Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Research Section, February 2018.

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

Flood Protection

Federal Flood Zone	X
Stormwater Management Permit	Not Required
County Flood Criteria, National Geodetic Vertical Datum (NGVD)	7.5 feet

Biological Conditions

Wetlands Permit Required	No
Native Wetland Communities	No
Specimen Trees	Might Contain
Endangered Species Habitat	No DERM records
Natural Forest Community	No

Other Considerations

Within Wellfield Protection Area	No
Contaminated Site	No DERM records

Pollution Remediation

There are no DERM records of current or historical contamination issues on the property or on sites directly abutting the application site.

Drainage and Flood Protection

The subject property is not located within a Special Flood Hazard Area according to the FEMA Flood Insurance Rate Maps (FIRM). Any development will have to comply with the requirements of Chapter 11C of the Code for flood protection.

The site shall be filled to a minimum elevation of 7.5 feet, NGVD (County Flood Criteria).

For construction of habitable structures within the subject application, the Lowest Floor Elevation requirement shall be the highest elevation in NGVD of the following references:

- Average crown of road fronting the property, plus 8 inches for residential, or plus 4 inches for non-residential.
- County Flood Criteria 7.5 feet NGVD, plus 8 inches for residential, or plus 4 inches for non-residential.
- Elevation of the back of the sidewalk (if any) fronting the property, plus 8 inches for residential, or plus 4 inches for non-residential.
- The Base Flood Elevation for this area is found to be 9.0 feet NGVD (taken from the FIRM for Miami Dade County).
- The stage generated by retention on-site of the 100-year rainfall event according to stage-storage calculations must be equal or less than the Base Flood Elevation.

For compliance with stormwater quality requirements, all stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event.

For compliance with stormwater quantity requirements designed to prevent flooding of adjacent properties, the site grading and development shall provide for the full on-site retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code and all State and Federal Criteria.

Natural Resources

The referenced properties contain tree resources possibly including specimen tree resources (trees with a trunk diameter 18 inches or greater). The applicant is required to comply with CON-8A of the CDMP and Section 24-49.2(II) of the Code, which requires that specimen trees be preserved whenever reasonably possible.

Site plan development must be consistent with the requirements to preserve specimen trees except in cases where DERM has determined that a specimen tree cannot be preserved pursuant to 24-49.2(4)(II)(2) of the Code. Therefore, prior to approval of any development order, the applicant shall submit a survey of the existing tree resources within the CDMP application area utilizing professionally recognized sampling methodology and shall be subject to DERM review and approval. The applicant shall, at their expense, revise any site plan as necessary to comply with the requirements of Chapter 24 of the Code and for conformance with provisions of the CDMP.

In accordance with Section 24-49.9 of the Code and CON-8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species.

Endangered Species

The subject property and adjacent properties are not located within a federally designated critical habitat area. DERM is not aware of any documented threatened and endangered species on this or adjacent properties.

Water and Sewer

Water Treatment Plant Capacity

The County's adopted LOS standard for potable water treatment facilities requires that the regional water treatment system, consisting of MDWASD Hialeah Reverse Osmosis, Hialeah, Preston, and Alexander Orr District Treatment Plants, shall operate with a rated maximum daily capacity no less than two percent above the maximum daily flow for the preceding year and an average two percent above the average daily flow for the preceding five years. The water must also meet all applicable federal, state, and county primary drinking water standards.

The rated treatment capacity of the Miami-Dade Water and Sewer Department regional water treatment system is 449.74 million gallons per day (MGD). To maintain sufficient capacity in accordance with the level of service standard outlined in CDMP Policy WS-2A, the regional system shall operate with a rated maximum daily capacity no less than two percent above the maximum daily flow for the preceding year and an average two percent above the average daily flow for the preceding five years. Therefore, the total available water treatment plant capacity based on CDMP Policy WS-2A is 72.03 MGD. This is calculated using the available plant capacity (449.74 MGD), subtracting 102% of the maximum day flow (346.6 MGD) and subtracting the water that is reserved through development orders (31.11 MGD).

As noted in the "Estimated Water Demand/Sewer Flow for Proposed Development by Land Use Scenario" table below, the maximum water demand for retail and residential development (Scenario 1) under the current CDMP Land Use designation is estimated at 1,248 gallons per day (gpd). The maximum water demand for retail development (Scenario 1) or residential development (Scenario 2) under the Requested CDMP Land Use designation is estimated at 2,283 gpd and 1,540 gpd, respectively. This represents an increase of up to 1,035 gpd over the demand under the current CDMP land use designations. A Water Supply Certification Letter will

be required at the time of development, at which time the proposed project will be evaluated for water supply availability and a water supply reservation will be made.

**Estimated Water Demand/Sewer Flow
For Proposed Development 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 CDMP Potential				
1	Retail	10,280 sq. ft.	10 gpd/100 sq. ft.	1,028 gpd
1	Single Family Res	1 unit	220 gpd/unit	220 gpd
Requested CDMP Designation				
1	Retail	22,825 sq. ft.	10 gpd/100 sq. ft.	2,283 gpd
2	Single Family Res	7 units	220 gpd/unit	1,540 gpd

Source: Miami-Dade Water and Sewer Department; Department of Regulatory and Economic Resources, Planning Division; January 2018

Water Supply and Connectivity:

The subject application is located within the MDWASD franchised water service area. The source of potable water for this area is the Alexander Orr Water Treatment Plant which is owned and operated by MDWASD. Currently, there is adequate treatment and water supply capacity for the proposed project consistent with Policy WS-2 A (1) of the County's CDMP. The plant is presently producing water that meets Federal, State, and County drinking water standards.

The proposed land use would be required to connect to public water pursuant to Chapter 24 of the Code. There is an existing 16-inch water main along SW 67 Avenue and along SW 56 Street to which the developer may connect to provide service to the property. If two or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection.

At this time, there is a planned project at the northeast corner of SW 56 Street and SW 68 Avenue with a WASD Verification Form #201659831 for the construction of a Gas Station with a convenience store and 143 square feet of food preparation.

Sewer Treatment Plant Capacity

The County's adopted LOS standard for wastewater treatment and disposal requires that the regional wastewater treatment and disposal system, consisting of North, Central, and South District Wastewater Treatment Plants, operate with a capacity that is two percent above the average daily 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.

The Miami-Dade County Water and Sewer Department regional wastewater treatment system capacity is the sum of the daily treatment capacity of the three wastewater treatment plants. The regional wastewater treatment system can treat up to 375.5 MGD. The Sanitary Sewer Level of Service (LOS) standard presented in the CDMP requires the regional system to have sufficient capacity to treat 102% of the average daily sewage demand of the preceding 5 years. The available capacity is calculated by subtracting 102% of the annual average flow (310.11 MGD)

for the preceding 5 years and the capacity reserved for development orders (38.81 MGD) from the system capacity (375.5 MGD). Therefore, the available wastewater treatment plant capacity is 26.58 MGD.

Sewer System Connectivity:

Application No. 4 is located within the MDWASD franchised sewer service area. The existing development is served by septic tanks and drainfields. Based on the proposed request, the proposed non-residential use is within feasible distance for connection to public sanitary sewers. Therefore, connection of any proposed development to the public sanitary sewer system shall be required in accordance with Code requirements. A private pump station will be required if the application site is developed with retail uses. The nearest point of connection is an existing 4-inch sewer force main located approximately 500 feet away from the application site on SW 56 Street. Civil drawing for the required sewer main extension will need to be approved by MDWASD and the Environmental Wastewater Permitting Section of DERM prior to approval of final development orders.

The sanitary sewer system in this area directs the sewage flow to pump stations 30-0177, 30-559, 30-Tandem and then to the South District Wastewater Treatment Plant. The aforementioned sanitary sewer pump station as well as the South District Wastewater Treatment Plant are owned and operated by Miami Dade Water and Sewer Department; in addition, they are currently working within the mandated criteria set forth in the Consent Decree Case: N0. 1:12-cv-24400-FAM, effective Dec 6, 2013.

If the application site is developed with residences, WASD's Rules and Regulations do not allow a single family development to be connected to the sewer via a private pump station. Consequently, the proposed residential development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded and the property is connected to public water. In accordance with the Code, the minimum lot size for a single family residence served by public water and a septic tank shall be 15,000 square feet (gross).

Solid Waste

The Miami-Dade County Department of Solid Waste Management (DSWM) oversees the proper collection and disposal of solid waste generated in the County through direct operations, contractual arrangements, and regulations. In addition, the Department directs the countywide effort to comply with State regulations concerning recycling, household chemical waste management and the closure and maintenance of solid waste sites no longer in use.

Level of Service Standard

CDMP Policy SW-2A establishes the adopted Level of Service (LOS) standard for the County's Solid Waste Management System. This CDMP policy requires the County 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 assesses the solid waste capacity on a system-wide basis since it is not practical or necessary to make a determination concerning the adequacy of solid waste disposal capacity relative to individual applications. As of FY 2016-2017, the DSWM is in compliance with the Countywide Waste Management System's adopted LOS standard.

Application Impacts

The application requests redesignation of the site from "Estate Density Residential" to "Business and Office." The applicant intends to replace and modernize the existing 7-Eleven gasoline and

convenience facility with a new 7-Eleven facility that will provide enhanced services to the surrounding area. An existing single family home located on the southernmost parcel of the application site that is currently serviced by the Department of Solid Waste Management (DSWM) would be demolished as part of the proposed expansion, which would have a negligible impact on DSWM services. The existing 7-Eleven located at this site currently receives, and will likely continue to receive, waste collection service from a private hauler.

The requested amendment will have no substantial impact or associated costs relative to Solid Waste Collection and Disposal services and facilities; therefore, the DSWM has no objection to the proposed changes.

Parks

Level of Service Standard

CDMP Policy ROS-2A establishes the adopted minimum Level of Service (LOS) standard for the provision of recreation open space in the Miami-Dade County. This CDMP policy requires the County to provide a minimum of 2.75 acres of local recreation open space per 1,000 permanent residents in the unincorporated areas of the County and a County-provided, or an annexed or incorporated, local recreation open space of five acres or larger within a three-mile distance from residential development. The acreage/population measure of the LOS standard is calculated for each Park Benefit District. A Park Benefit District is considered below LOS standard if the projected deficiency of local recreation open space is greater than five acres. Currently, PBD-2 has a surplus capacity of 473.18 acres of parkland, when measured by the County's concurrency LOS standard of 2.75 acres of local recreation open space per 1,000 permanent residents.

The "County Local Parks" table below lists the parks within a 3-mile radius of the application site; two parks (Blue Lakes Park and Brothers to the Rescue Park) are larger than the required minimum provision of five-acres of local recreational open space.

County Local Parks
Within a 3-Mile Radius of Application Site

Park Name	Acreage	Classification
Banyan Park	3.14	Neighborhood Park
Banyan Drive Park	0.80	Mini-Park
Blue Lakes Park	6.00	Neighborhood Park
Brothers to the Rescue Memorial Park	5.70	Single Purpose Park
Coral Villas Park	0.37	Mini Park
Hammock Lake Park	0.17	Mini-Park
Humble Mini Park	0.50	Mini-Park
Miller Drive Park	4.07	Community Park
Schenley Park	2.00	Neighborhood Park
Sudlow Park	1.12	Mini-Park
Sunkist Park	0.77	Neighborhood Park

Source: Miami-Dade County Parks, Recreation and Open Space Department, January 2018.

Application Impacts

The potential development of the site under the existing CDMP land use designation is estimated at 3 single-family dwelling units, with a potential population of up to 8 persons, resulting in an Impact of 0.02 acres based on the Level of Service standard for the provision of local recreational open space.

Under the requested "Business and Office" designation, the potential for residential development under the proposed land use designation is estimated at 7 single-family dwelling units with an

estimated population up to 19 persons. The concurrency analysis for this scenario results in an impact of 0.05 acres based on the minimum Level of Service standard for the provision of local recreation open space and therefore meets concurrency.

However, the applicant's proffered Declaration of Restrictions (covenant) states that notwithstanding the redesignation of the property from "Estate Density Residential" to "Business and Office," the use of the property shall be limited to a gasoline station with ancillary convenience store. If this application is adopted with acceptance of the proffered covenant and the development is in accordance with the covenant, then there will be no residential development and therefore there would be no additional impact to the Level of Service standard for the provision of local park acres.

Fire and Rescue Service

The application area is currently served by Miami-Dade Fire Rescue Station No. 14 (South Miami) located at 5860 SW 70 Street. The station is equipped with a Rescue and Aerial totaling seven (7) firefighter/paramedics, 24 hours a day, seven days a week.

Average travel time to incidents in the vicinity of the subject application is approximately 6:19 minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8 minutes at 90% of all incidents. Travel time to the vicinity of the subject application complies with the performance objective of national industry.

The current "Estate Density Residential" will allow a potential development which will generate four (4) annual alarms. The proposed "Business & Office" designation will allow a potential development which is anticipated to generate seven (7) annual alarms. The seven (7) annual alarms will result in a minimal impact to existing fire rescue service. Presently, fire and rescue service in the vicinity of the subject application is adequate.

The required fire flow for the proposed "Business & Office" designation shall be 3,000 gallons per minute (GPM). Fire hydrants shall be spaced a minimum of 300' from each other and shall deliver not less than 1,000 GPM. Presently, there are no fire flow deficiencies in the vicinity of the application.

Level of Service Standard for Fire Flow and Application Impacts

CDMP Policy WS-2A establishes the County's minimum Level of Service standard for potable water. This CDMP policy requires the County to deliver water at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi, unless otherwise approved by the Miami-Dade Fire Rescue Department (MDFR). A minimum fire flow of 3,000 gallons per minute (GPM) is required for the proposed land use. Fire hydrants shall be spaced a minimum of 300 feet apart and shall deliver not less than 1,000 GPM. MDFR has no objection to Application No. 4.

Police

Current data of police staffing, population, and crimes/calls for service by the Miami-Dade Police Department was examined to project any increase in calls for service. The Miami-Dade Police Department determined that existing staffing should accommodate any slight increase in the volume of calls for service, and that should demand for police services increase beyond current levels, additional sworn personnel, support staff, and equipment may be required. At this time, the Miami-Dade Police Department does not have any further comments regarding the proposed project; specific comments will be provided during the permitting process as needed.

Public Schools

The applicant has proffered a covenant that would restrict the use of the property to a gasoline station with an ancillary convenience store, on the application site should the application be approved with acceptance of the covenant. Therefore, Miami-Dade County Public Schools would not be impacted by the application as proposed (see Applicant's Proffered Declaration of Restrictions on Appendix page 29).

Roadways

The application site is a ±1.31-acre property located at the southwest corner of SW 56 Street/Miller Drive and SW 67 Avenue/Ludlam Road in unincorporated Miami-Dade County. The subject application site is inside the County's Urban Infill Area (UIA), the County's designated Transportation Concurrency Exception Area (TCEA). The Concurrency Management Program in the Capital Improvement Element (CIE) of the CDMP states that "A proposed development located within the Urban Infill Area will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted Comprehensive Development Master Plan..." (CIE page IX-17).

The property has two accesses from SW 56 Street and SW 67 Avenue. SW 56 Street is a four-lane divided roadway to the west of SW 67 Avenue and a two-lane undivided roadway to the east of SW 67 Avenue; having an interchange with SR 826/Palmetto Expressway about one mile to the west. SW 67 Avenue, a two-lane undivided roadway, provides access to US-1/South Dixie Highway to the south. SR 826 and US-1 provide connectivity to other regions in the County.

Traffic conditions are evaluated by the level of service (LOS), which is represented by one of the letters "A" through "F", with A generally representing the most favorable driving conditions and F representing the least favorable.

Existing Conditions

Existing traffic conditions on major roadways adjacent to and in the vicinity of the application site, which are currently monitored by the State (Year 2016) and the County (Year 2016), are operating at acceptable levels of service. See "Traffic Impact Analysis on Roadways Serving the Amendment Site" table below.

Trip Generation

The maximum development potential scenarios under each of the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of "Estate Density Residential" the application site is assumed to be developed with one single-family home and 10,280 sq. ft. of retail uses and under the requested CDMP land use designation of "Business and Office" the application site can be developed with 22,825 sq. ft. of retail uses. The potential development under the current CDMP land use designation of "Estate Density Residential" is expected to generate approximately 88 PM peak hour trips and under the requested CDMP land use designation of "Business and Office" it is expected to generate approximately 147 PM peak hour trips or approximately 59 more PM peak hour trips than the current CDMP designation. See "Estimated PM Peak Hour Trip Generation" table below.

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

Application No. 4	Current CDMP Designation and Assumed Use / Estimated No. Of Trips	Requested CDMP Designation and Assumed Use / Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
	“Estate Density Residential (1 - 2.5 du/ac)”	“Business and Office”	
	1 single-family residence ¹ and 10,280 sq. ft. retail uses ²	22,825 sq. ft. retail uses	
	88	147	+59

Source: Institute of Transportation Engineers, Trip Generation, 9th Edition, 2012; Miami-Dade County Department of Regulatory and Economic Resources, February 2017.

Notes:

¹ – ITE Land Use Code used for Single-Family is 210.

² – ITE Land Use Code used for Retail is 820.

Traffic Concurrency Evaluation (Concurrency)

An evaluation of peak-period traffic concurrency conditions was conducted as of February 2018, which considers reserved trips from approved development not yet constructed, programmed roadway capacity improvements listed in the first three years of the County’s adopted 2018 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the application under the requested CDMP LUP map designation. This evaluation determined that all roadways monitored for concurrency adjacent to and in the vicinity of the application site that were analyzed have available capacity to handle the additional traffic impacts that would be generated by the application. The “Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation” table below shows that all roadways analyzed are projected to operate at acceptable levels of service.

Traffic Impact Analysis of Roadways Serving the Amendment Site
Roadway Lanes, Existing and Concurrency PM Peak Period Operating Level of Service (LOS)

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Total Trips With D.O's Trips	Conc. LOS w/o Amend.	Amendment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
Requested CDMP Designation: "Business and Office" - 22,825 sq. ft. retail uses.													
9260	SW 56 Street/ Miller Drive	W/O SW 57 Avenue	2 UD	E	2,250	1,265	B	4	1,269	B	27	1,296	B
9261	SW 56 Street/ Miller Drive	W/O SW 67 Avenue/ Ludlam Road	4 DV	E	2,580	2,373	D	2	2,375	D	28	2,403	D
9242	SW 67 Avenue/ Ludlam Road	S/O SW 40 Street/ Bird Road	2 UD	E	1,770	1,344	C	14	1,358	C	53	1,411	C
9243	SW 67 Avenue/ Ludlam Road	N/O SW 72 Street/ Sunset Drive	2 UD	E	1,400	697	D	6	703	D	39	742	D

Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources and Florida Department of Transportation, February 2018.

Notes: DV= Divided Roadway; UD=Undivided Roadway.

* County adopted roadway level of service standard applicable to the roadway segment: D (90% capacity), and E (100% capacity).

Application Impact

The maximum development potential scenarios under the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Estate Density Residential” the application site is assumed to be developed with 1 single-family home and 10,280 sq. ft. of retail uses and under the requested CDMP land use designation of “Business and Office” the application site can be developed with 22,825 sq. ft. of retail uses. The potential development under the current CDMP land use designation of “Estate Density Residential” is expected to generate approximately 88 PM peak hour trips and under the requested CDMP land use designation of “Business and Office” it is expected to generate approximately 147 PM peak hour trips or approximately 59 more PM peak hour trips than the current CDMP designation.

The concurrency analysis determined that all roadways adjacent to and in the vicinity of the application site analyzed have available capacity to handle the additional traffic impacts that would be generated by the application and are projected to operate at acceptable levels of service. See “Traffic Impact Analysis of Roadways Serving the Amendment Site” table above.

Transit

Existing Service

The application site is directly served by Metrobus Routes 56 and 73, which operate along SW 56 Street and SW 67 Avenue. Two Metrobus stops are located on the application site, namely for Metrobus Route 56 on south side of Miller Drive and for Metrobus Route 73 located on the west side of SW 67 Avenue. The service frequency of this route is shown in the “Metrobus Route Service Summary” table below.

Routes	Service Headways (in minutes)					Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8 pm)	Saturday	Sunday		
56	40	60	n/a	n/a	n/a	0.1	L/F
73	30	40	60	60	60	0.1	L/F

Source: 2017 *Transit Development Plan*, Miami-Dade Transit (August 2017 Line Up), January 2018.

Notes: L means Metrobus local route service; F means Metrobus feeder service to Metrorail.

Recent Service Improvements

In 2017, peak frequency was reduced from 40 minutes to 60 minutes for Metrobus Route 56. The service span for Metrobus Route 56 was also shortened to 6:00 am – 6:00 pm. Additionally in 2017, P.M. northbound headways were adjusted from 30 minutes to 35 minutes for Metrobus Route 73 as well as weekday running times adjustments.

Future Service Improvements

Service adjustments and improvements scheduled for implementation in 2018 are currently under development.

Long-Term Vision: Major Transit Projects

There are no major transit projects planned for the future in the immediate vicinity of the application site.

Application Impact

A preliminary analysis performed in the Traffic Analysis Zone (TAZ) 1018 where the subject application is located, indicates that if the application is approved, the expected incremental transit impacts generated by the requested land use amendment are minimal and can be handled by the existing transit service in the area.

Aviation

Miami-Dade County Aviation Department (MDAD) does not object to the proposed CDMP amendment provided that all uses comply with federal, state and local aviation regulations, including Chapter 33, Zoning, of the Code of Miami-Dade County as it pertains to airport zoning.

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

The proposed application will further the following goals, objectives, policies, concepts and guidelines of the CDMP:

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-1G. Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.
- LU-4A. When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.
- LU-4C. Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.
- LU-10A. Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, moderate to high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. To facilitate and promote such development Miami-Dade County shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.
- CIE-3. CDMP land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels.

APPENDICES

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APPENDIX A

Amendment Application

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APPLICATION TO AMEND THE
LAND USE PLAN MAP OF THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

7-Eleven, Inc.
3200 Hackberry Road
Irving, Texas 75063


2. APPLICANT'S REPRESENTATIVE

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By:  10-31-17
Jerry B. Proctor, Esq. Date

3. DESCRIPTION OF REQUESTED CHANGE

- A. Changes to the Land Use Plan Map. Applicant requests a change to the Land Use Plan (LUP) map designation on the subject property from ~~"Business and Office"~~ and "Low Density Residential" to "Business and Office". *Estate* 

B. Description of the Subject Property (the "Property")

The Property contains approximately 1.31 gross acres and is located at the southwest corner of SW 56 Street (Miller Drive) and SW 67 Avenue (Ludlam Road), in Section 26, Township 54, Range 40, as more particularly described in the sketch and legal attached to this application as Exhibit "A". The Property contains addresses 6700 and 6720 Miller Drive and 5620 SW 67 Avenue.

C. Gross and Net Acreage

Application area: 1.31 gross acres
Acreage Owned by Applicant: 0.39 acres; 0.92 acres under contract
Acreage to be changed to Business and Office: 1.31 acres

D. Requested Change

1. Applicant requests that the Property be re-designated on the Land Use Plan Map from "Estate Density Residential" to "Business and Office" for all 3 Properties.
2. Applicant requests that the Application be processed as an expedited small-scale amendment.

4. REASONS FOR AMENDMENT

The Applicant is requesting the re-designation of the Property from "Estate Density Residential" to "Business and Office". The Property consists of three parcels, with a total area of 1.31 gross acres (1.31 net acres). The requested amendment seeks a re-designation of the Property from "Estate Density Residential" to "Business and Office" for the entire Property on the Future Land Use Map. The proposed amendment will allow for the redevelopment of the Property with commercial uses to serve the surrounding residential area. The Property is currently improved with a gas station and convenience store (6700 Miller Drive), a car wash (6720 Miller Drive), and a single-family residence (5620 SW 67 Avenue). The single-family residence sits on 0.70 acres.

The Property is located at the intersection of Miller Drive and Ludlam Road, two section line roadways. Accordingly, the Property is ideally situated for commercial and retail uses due to its location at the intersection of two major thoroughfares with a high volume of vehicular trips. The proposed re-designation of the Property to "Business and Office" is consistent with the Guidelines for Urban Form which provide that the "intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. When commercial uses are warranted, they should be located within these activity nodes". The approval of the request would conform with and promote the implementation of these Guidelines by providing commercial uses to serve the surrounding residential community and providing much needed

retail services to its residents. The approval of the application would also make the existing gas station/convenience store use at the intersection of Miller Drive and SW 67 Avenue consistent with the land Use Plan Map. In addition, the Property is located within Miami-Dade County's "Urban Infill Area" (UIA). The UIA is the primary area where growth and provision of urban services are encouraged, in order to preserve environmentally sensitive areas not in the UIA. The Property's location falls at the intersection of two "arterial" roadways, designed as such in the CDMP's Transportation Element. Arterial roadways are designed to accommodate high levels of traffic, to run without interruption for many miles, and to serve numerous communities within Miami-Dade County.

The Property is located in Minor Statistical Area 5.3, an area of approximately 20 square miles. Minor Statistical Area 5.3 contains commercial land of 4.4 acres per 1000 persons, about 15 percent less than the County average. Accordingly, there is not an "oversupply" of existing commercial land that would provide justification to deny this application to add 1.31 acres to the commercial inventory.

This re-designation is for the sole purpose of modernizing and replacing the existing 7-Eleven gasoline and convenience facility at the southwest corner of Miller Drive and Ludlam Road with a new 7-Eleven facility that will be more modern and safer and will provide enhanced service to the surrounding area. The property at 5620 SW 67 Avenue aligns to its west with an institutional use (a church and child care facility) which has access solely to Miller Drive. The property at 5620 SW 67 Avenue aligns for part of its frontage with a multi-family residential development to the east across Ludlam Road in the City limits of South Miami. The proposed re-designation would allow for orderly growth in the proper zoning transitional pattern at this commercial node and would be the first modernization of the zoning/land use pattern at this intersection of two section line roadways since the County established commercial zoning on the corner portion of the Property in 1960.

Additionally, approval of the proposed amendment would further the implementation of the following CDMP goals, objectives and policies:

LAND USE OBJECTIVE LU-1: The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types of public services, renewal or rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

LAND USE POLICY LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

LAND USE POLICY LU-ID: In conducting its planning, regulatory, capital improvement and intergovernmental coordination activities, Miami-Dade County shall seek to facilitate the planning of communities which include recreational, educational and other public facilities, houses of worship, places of employment, and safe and convenient circulation of automotive, pedestrian and bicycle traffic throughout the communities.

LAND USE POLICY LU-IG: 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 serve as an anchor for adjoining small businesses or the adjacent business district. Granting of Commercial or non-residential zoning by the county is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.

LAND USE POLICY LU-8B: Distribution of neighborhood or community serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic, and physical considerations.

LAND USE POLICY LU-8E. Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated for consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii) Enhance or impede provision of services at or above adopted LOS Standards;
- iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods; and
- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stops, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

LAND USE POLICY LU-10A. Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation.

5. ADDITIONAL MATERIAL SUBMITTED

Additional items in support of this application may be submitted at a later date.

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "C"

Attachments: Legal Descriptions for the Property and Parcels - Exhibit "A"
Location Map for Application - Exhibit "B"
Disclosure of Interest Form - Exhibit "C"
Aerial Photograph - Exhibit "D"
Section Sheet - Exhibit "E"

EXHIBIT "A"

LEGAL DESCRIPTION FOR PROPERTY

EAST PARCEL

THE EAST 165 FEET OF LOT 9, BLOCK 1, OF BEVERLY HILLS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE NORTHERLY 15 FEET THEREOF FOR RIGHT-OF-WAY.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SW 67TH AVENUE (A 70 FOOT RIGHT-OF-WAY BY PLAT) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SE 56TH STREET (A VARYING WIDTH RIGHT-OF-WAY AS NOW ESTABLISHED); SAID POINT BEING THE POINT OF THE CURVE OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 35.00 FEET ; THENCE NORTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 28.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 47 DEGREES 18 MINUTES 07 SECONDS WEST AND A CHORD DISTANCE OF 28.08 FEET TO A NON-TANGENT CURVE; THENCE SOUTH 87 DEGREES 16 MINUTES 37 SECONDS WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 145.66 FEET; THENCE SOUTH 02 DEGREES 34 MINUTES 27 SECONDS EAST DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 103.50 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 9, AND AFORESAID WESTERLY RIGHT-OF-WAY LINE OF SW 67 AVENUE; THENCE NORTH 02 DEGREES 34 MINUTES 27 SECONDS WEST ALONG SAID EAST LOT LINE AND WESTERLY RIGHT-OF-WAY LINE OF SW 67 AVENUE; THENCE NORTH 02 DEGREES 34 MINUTES 27 SECONDS WEST ALONG SAID EAST LOT LINE AND WESTERLY RIGHT-OF-WAY, A DISTANCE OF 83.50 FEET TO THE POINT OF BEGINNING

CONTAINING 0.39 ACRES (16,979 SQUARE FEET) MORE OR LESS.

WEST PARCEL

LOT 9, LESS THE EAST 165 FEET AND THE NORTH 15 FEET THEREOF, IN BLOCK 1, OF BEVERLY HILLS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SW 67TH AVENUE (A 70 FOOT RIGHT-

OF-WAY BY PLAT) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SW 56TH STREET (A VARYING WIDTH RIGHT-OF-WAY AS NOW ESTABLISHED); SAID POINT BEING THE POINT OF CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 35.00 FEET; THENCE NORTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 28.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 47 DEGREES 18 MINUTES 07 SECONDS WEST AND A CHORD DISTANCE OF 28.08 FEET TO A NON-TANGENT CURVE; THENCE SOUTH 87 DEGREES 16 MINUTES 37 SECONDS WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 145.66 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 34 MINUTES 27 SECONDS EAST DEPARTING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 103.50 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 9; THENCE SOUTH 87 DEGREES 16 MINUTES 37 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 90.58 FEET TO THE WEST LINE OF SAID LOT 9; THENCE NORTH 02 DEGREES 34 MINUTES 27 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 103.50 FEET TO A POINT ON AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF SW 56TH STREET; THENCE NORTH 97 DEGREES 16 MINUTES 37 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 90.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.22 ACRES (9.375 SQUARE FEET) MORE OR LESS.

SOUTH PARCEL

LOT 10, BLOCK 1, OF BEVERLY HILLS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Exhibit "B"

Location Map for Application

APPLICANTS / REPRESENTATIVE

7-Eleven, Inc./Jerry B. Proctor, Esq.

DESCRIPTION OF SUBJECT AREA

The Property contains approximately 1.3 acres located in Section 26, Township 54, Range 40. The property contains addresses 6700 SW 56 Street, 6720 SW 56 Street, and 5620 SW 67 Avenue. The property is located on the southwest corner of SW 56th Street and SW 67th Avenue.

LOCATION MAP

- A. 7-Eleven, Inc., Applicant and Owner (Parcel 1) (0.39 Acres) (6700 SW 56th Street)
- B. 7-Eleven, Inc., Applicant and Contract Purchaser (Parcel 2) (.022 Acres) (6720 SW 56th Street)
- C. 7-Eleven, Inc., Applicant and Contract Purchaser (Parcel 3) (0.70 Acres) (5620 SW 67th Avenue)





 Property Owned by Applicant
 Project Boundary

EXHIBIT "C"
DISCLOSURE OF INTEREST

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

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: 7-Eleven, Inc. - 3200 Hackberry Road - Irving, TX 75063

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

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

	APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A	7-Eleven, Inc.	7-Eleven, Inc.	30-4026-010-0090	0.39 Ac.
B	7-Eleven, Inc.	Miller 6720 LLC	30-4026-010-0091	0.22 Ac.
C	7-Eleven, Inc.	All In Investment Group LLC aka All In Investment Group Corp.	30-4026-010-0100	0.70 Ac.

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

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
A	X			
B			X	
C			X	

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

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

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE
OF INTEREST

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

CORPORATION NAME: 7-Eleven, Inc., a Texas corporation – see attached Disclosure of Interest form

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

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

TRUSTEE'S NAME: _____

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

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

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

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

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

CORPORATION NAME: _____

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

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

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

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

PARTNERSHIP NAME: _____

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF INTEREST

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

NAME AND ADDRESS

PERCENTAGE OF INTEREST

Date of Contract: _____

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

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

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

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

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

CORPORATION NAME: Miller 6720 LLC

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK


PERCENTAGE OF STOCK

David Hood
20 Porto Mar Unit 702
Palm Coast, Fl. 32137

100%

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

Applicant's Signatures and
Printed Names



David Hood

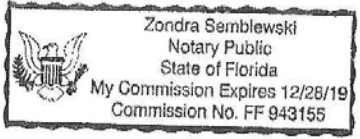
Miller 6720 LLC

Sworn to and subscribed before me

this 25 day 2017 of _____
October 4.9

Notary Public, State of Florida at Large (SEAL) *County of Flagler*
by *David Hood*





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

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

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

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

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

CORPORATION NAME: _____

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

All In Investment Group LLC

<u>Lizette Vale, as Trustee of the MGG Revocable Trust, dated March 3, 2016</u>	48%
<u>Andres Gomez, as Trustee of the AG Revocable Trust, dated March 3, 2016</u>	52%

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

TRUSTEE'S NAME: Lizette Vale, as Trustee of the MGG Revocable Trust, dated March 3, 2016

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
Lizette Vale 6961 SW 62 Street Miami, FL 33143	100%

TRUSTEE'S NAME: Andres Gomez, as Trustee of the AG Revocable Trust, dated March 3, 2016

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
Andres Gomez 6961 SW 62 Street Miami, FL 33143	100%

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

PARTNERSHIP NAME :

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>

All In Investment Group LLC

NAME, ADDRESS, AND OFFICE (if applicable)	PERCENTAGE OF INTEREST
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of Contract: _____

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

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

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

Applicant's Signatures and Printed Names

Lorette Vale

LORETTE VALE

Sworn to and subscribed before me this 31st day of October, 2017

Traci J. DiBlasio

Notary Public, State of Florida at Large (SEAL) *Signed NC, Buncombe County*

NC notary

TRACI J DIBLASIO
 NOTARY PUBLIC
 Buncombe County, NC
 My Commission Expires July 20, 2018

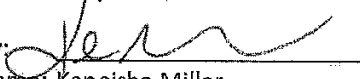
DISCLOSURE OF INTEREST

7-Eleven, Inc.

7-Eleven, Inc., a Texas corporation, is wholly owned by SEJ Asset Management & Investment Company ("SAM"), a Delaware corporation. SAM is wholly controlled by Seven-Eleven Japan Co., Ltd. ("SEJ"), a Japanese corporation. SEJ is wholly owned by Seven & i Holdings Co., Ltd., a Japanese corporation, whose stock is publicly traded on the Tokyo Stock Exchange.

Signature Addendum


7-ELEVEN, INC.,
a Texas corporation

By: 
Name: Keneisha Miller
Title: Assistant Secretary

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

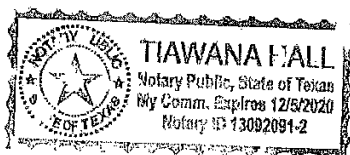
BEFORE ME, the undersigned, a Notary Public in and for the County and State aforesaid, on this day personally appeared Keneisha Miller an Assistant Secretary, of **7-ELEVEN, INC.**, a Texas corporation, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said corporation, and that they executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacities therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 30th day of October, 2017.



NOTARY PUBLIC

My commission expires: 12/5/2020



My Commission Expires:

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

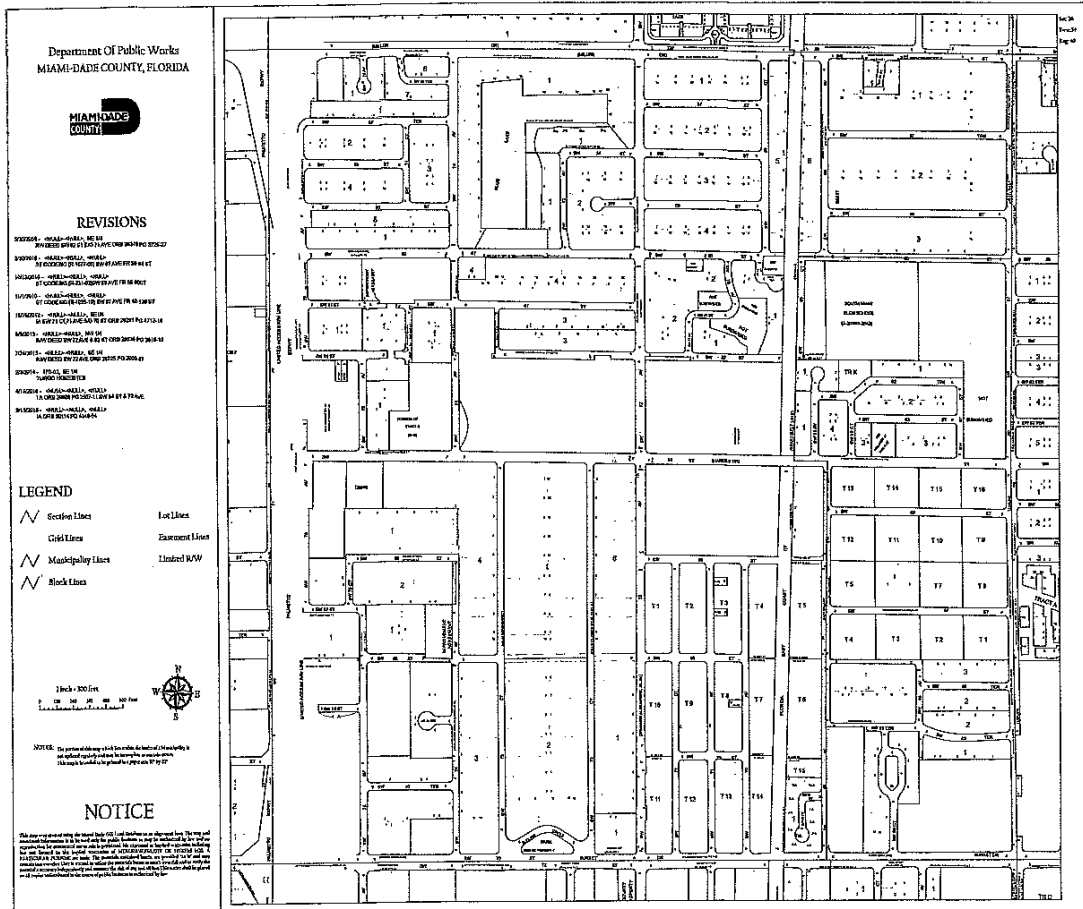
EXHIBIT "D"

AERIAL PHOTOGRAPH



SECTION 26, TOWNSHIP 54, RANGE 40

EXHIBIT "E"
SECTION SHEET



<p>1. SURVEY PROPOSED FOR USE ON SOLELY FOR RECREATION</p>		<p>DATE: 10/27/17</p>
<p>2. SCALE: 1" = 20'</p>		<p>PROJECT NO: 17-001</p>
<p>3. SHEET NUMBER: 1 OF 1</p>		<p>TOWN: 28N</p>
<p>4. COUNTY: ALTA</p>		<p>RANGE: 17E</p>
<p>5. SECTION: 36</p>		<p>ACRES: 15.0000</p>
<p>6. DATE OF SURVEY: 10/27/17</p>		<p>BY: [Signature]</p>
<p>7. PROJECT NO: 17-001</p>		<p>DATE: 10/27/17</p>
<p>8. SHEET NUMBER: 1 OF 1</p>		<p>PROJECT NO: 17-001</p>

MAP SHOWING BOUNDARY & TOPOGRAPHIC SURVEY OF:

ALTA/NSPS LAND TITLE SURVEY

EAST PART

THIS SURVEY IS A PART OF THE ALTA/NSPS LAND TITLE SURVEY OF THE EAST PART OF SECTION 36, TOWNSHIP 28N, RANGE 17E, COUNTY OF ALTA, FLORIDA. THE SURVEY IS BEING MADE FOR THE PURPOSE OF DIVIDING THE LAND INTO LOTS, BLOCKS, AND TRACTS. THE SURVEY IS BEING MADE FOR THE PURPOSE OF DIVIDING THE LAND INTO LOTS, BLOCKS, AND TRACTS. THE SURVEY IS BEING MADE FOR THE PURPOSE OF DIVIDING THE LAND INTO LOTS, BLOCKS, AND TRACTS.

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<p>1. 1/8" = 20'</p>	<p>2. 1/4" = 40'</p>	<p>3. 1/2" = 80'</p>	<p>4. 3/4" = 120'</p>	<p>5. 1" = 160'</p>
<p>6. 1 1/4" = 200'</p>	<p>7. 1 1/2" = 240'</p>	<p>8. 1 3/4" = 280'</p>	<p>9. 2" = 320'</p>	<p>10. 2 1/4" = 400'</p>
<p>11. 2 1/2" = 400'</p>	<p>12. 2 3/4" = 480'</p>	<p>13. 3" = 480'</p>	<p>14. 3 1/4" = 560'</p>	<p>15. 3 1/2" = 560'</p>
<p>16. 3 3/4" = 640'</p>	<p>17. 4" = 640'</p>	<p>18. 4 1/4" = 720'</p>	<p>19. 4 1/2" = 720'</p>	<p>20. 4 3/4" = 800'</p>
<p>21. 5" = 800'</p>	<p>22. 5 1/4" = 880'</p>	<p>23. 5 1/2" = 880'</p>	<p>24. 5 3/4" = 960'</p>	<p>25. 6" = 960'</p>
<p>26. 6 1/4" = 1040'</p>	<p>27. 6 1/2" = 1040'</p>	<p>28. 6 3/4" = 1120'</p>	<p>29. 7" = 1120'</p>	<p>30. 7 1/4" = 1200'</p>
<p>31. 7 1/2" = 1200'</p>	<p>32. 7 3/4" = 1280'</p>	<p>33. 8" = 1280'</p>	<p>34. 8 1/4" = 1360'</p>	<p>35. 8 1/2" = 1360'</p>
<p>36. 8 3/4" = 1440'</p>	<p>37. 9" = 1440'</p>	<p>38. 9 1/4" = 1520'</p>	<p>39. 9 1/2" = 1520'</p>	<p>40. 9 3/4" = 1600'</p>
<p>41. 10" = 1600'</p>	<p>42. 10 1/4" = 1680'</p>	<p>43. 10 1/2" = 1680'</p>	<p>44. 10 3/4" = 1760'</p>	<p>45. 11" = 1760'</p>
<p>46. 11 1/4" = 1840'</p>	<p>47. 11 1/2" = 1840'</p>	<p>48. 11 3/4" = 1920'</p>	<p>49. 12" = 1920'</p>	<p>50. 12 1/4" = 2000'</p>
<p>51. 12 1/2" = 2000'</p>	<p>52. 12 3/4" = 2080'</p>	<p>53. 13" = 2080'</p>	<p>54. 13 1/4" = 2160'</p>	<p>55. 13 1/2" = 2160'</p>
<p>56. 13 3/4" = 2240'</p>	<p>57. 14" = 2240'</p>	<p>58. 14 1/4" = 2320'</p>	<p>59. 14 1/2" = 2320'</p>	<p>60. 14 3/4" = 2400'</p>
<p>61. 15" = 2400'</p>	<p>62. 15 1/4" = 2480'</p>	<p>63. 15 1/2" = 2480'</p>	<p>64. 15 3/4" = 2560'</p>	<p>65. 16" = 2560'</p>
<p>66. 16 1/4" = 2640'</p>	<p>67. 16 1/2" = 2640'</p>	<p>68. 16 3/4" = 2720'</p>	<p>69. 17" = 2720'</p>	<p>70. 17 1/4" = 2800'</p>
<p>71. 17 1/2" = 2800'</p>	<p>72. 17 3/4" = 2880'</p>	<p>73. 18" = 2880'</p>	<p>74. 18 1/4" = 2960'</p>	<p>75. 18 1/2" = 2960'</p>
<p>76. 18 3/4" = 3040'</p>	<p>77. 19" = 3040'</p>	<p>78. 19 1/4" = 3120'</p>	<p>79. 19 1/2" = 3120'</p>	<p>80. 19 3/4" = 3200'</p>
<p>81. 20" = 3200'</p>	<p>82. 20 1/4" = 3280'</p>	<p>83. 20 1/2" = 3280'</p>	<p>84. 20 3/4" = 3360'</p>	<p>85. 21" = 3360'</p>
<p>86. 21 1/4" = 3440'</p>	<p>87. 21 1/2" = 3440'</p>	<p>88. 21 3/4" = 3520'</p>	<p>89. 22" = 3520'</p>	<p>90. 22 1/4" = 3600'</p>
<p>91. 22 1/2" = 3600'</p>	<p>92. 22 3/4" = 3680'</p>	<p>93. 23" = 3680'</p>	<p>94. 23 1/4" = 3760'</p>	<p>95. 23 1/2" = 3760'</p>
<p>96. 23 3/4" = 3840'</p>	<p>97. 24" = 3840'</p>	<p>98. 24 1/4" = 3920'</p>	<p>99. 24 1/2" = 3920'</p>	<p>100. 24 3/4" = 4000'</p>

NOT VALID WITHOUT THE ORIGINAL PAGED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER

DATE: 10/27/17

PROJECT NO: 17-001

TOWN: 28N

RANGE: 17E

SECTION: 36

ACRES: 15.0000

BY: [Signature]

DATE: 10/27/17

PROJECT NO: 17-001

DATE: 10/27/17

APPENDIX C

Proffered Declaration of Restrictions

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This instrument was prepared by:
Name:
Address:

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned, 7-Eleven, Inc., Miller 6720 LLC, and All In Investment Group LLC (hereinafter referred to as the "Owners") hold the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto: 7-Eleven, Inc. owns the "East Parcel", Miller 6720 LLC owns the "West Parcel", and All In Investment Group LLC owns the "South Parcel"; and hereinafter called the "Property," which is supported by the Opinion of Title; and

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") in the October 2017 Cycle and said amendment is identified as Application No. 4 (the "Application"); and

WHEREAS, the Application seeks to re-designate the Property from "Estate Density Residential" to "Business and Office" on the Miami-Dade County Comprehensive Development Master Plan adopted Land Use Plan ("LUP") map.

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

- (1) Notwithstanding the redesignation of the Property from "Estate Density Residential" to "Business and Office", the use of the Property shall be limited to a gasoline station with ancillary convenience store.

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

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

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

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. 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 that 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 the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, 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. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration

of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

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

County Inspections. 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 of entering and inspecting the 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.

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

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

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

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

Recordation and Effective Date. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application by the Board of County Commissioners. 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 Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

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

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

[Execution Pages Follow]

Signed, witnessed, executed and acknowledged this ____ day of _____, 201__.

Witnesses:

_____ By: _____
 Print Name: _____ 7-Eleven, Inc.

 Name: _____

 Print Name: _____

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ____ day of _____, 201__ by _____, on behalf of _____, who is personally known to me or produced _____ as identification.

By: _____
 My Commission Expires: Notary Public
 Print Name: _____
 Serial No: _____

Signed, witnessed, executed and acknowledged this ____ day of _____, 201__.

Witnesses:

_____ By: _____
 Print Name: _____ Miller 6720 LLC

 Name

 Print Name: _____

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ____ day of _____, 201__ by _____, on behalf of _____, who is personally known to me or produced _____ as identification.

By: _____

My Commission Expires: Notary Public

Print Name: _____

Serial No: _____

Signed, witnessed, executed and acknowledged this ____ day of _____, 201__.

Witnesses:

_____ By: _____

Print Name: _____ All In Investment Group LLC

Name

Print Name: _____

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ____ day of _____, 201__ by _____, on behalf of _____, who is personally known to me or produced _____ as identification.

By: _____

My Commission Expires: Notary Public

Print Name: _____

Serial No: _____

EXHIBIT "A"

LEGAL DESCRIPTION

EAST PARCEL

THE EAST 165 FEET OF LOT 9, BLOCK 1, OF BEVERLY HILLS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT VOOK 43, PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE NORTHERLY 15 FEET THEREOF FOR RIGHT-OF-WAY.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SW 67TH AVENUE (A 70 FOOT RIGHT-OF-WAY BY PLAT) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SE 56TH STREET (A VARYING WIDTH RIGHT-OF-WAY AS NOW ESTABLISHED); SAID POINT BEING THE POINT OF THE CURVE OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 35.00 FEET ; THENCE NORTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 28.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 47 DEGREES 18 MINUTES 07 SECONDS WEST AND A CHORD DISTANCE OF 28.08 FEET TO A NON-TANGENT CURVE; THENCE SOUTH 87 DEGREES 16 MINUTES 37 SECONDS WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 145.66 FEET; THENCE SOUTH 02 DEGREES 34 MINUTES 27 SECONDS EAST DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 103.50 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 9, AND AFORESAID WESTERLY RIGHT-OF-WAY LINE OF SW 67 AVENUE; THENCE NORTH 02 DEGRESS 34 MINUTES 27 SECONDS WEST ALONG SAID EAST LOT LINE AND WESTERLY RIGHT-OF-WAY LINE OF SW 67 AVENUE; THENCE NORTH 02 DEGREES 34 MINUTES 27 SECONDS WEST ALONG SAID EAST LOT LINE AND WESTERLY RIGHT-OF-WAY, A DISTANCE OF 83.50 FEET TO THE POINT OF BEGINNING

CONTAINING 0.39 ACRES (16,979 SQUARE FEET) MORE OR LESS.

WEST PARCEL

LOT 9, LESS THE EAST 165 FEET AND THE NORTH 15 FEET THEREOF, IN BLOCK 1, OF BEVERLY HILLS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 68, OF THE PUBLIC RECORDS OF MIAMIT-DADE COUNTY, FLORIDA

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCENM COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SW 67TH AVENUE (A 70 FOOT RIGHT-OF-WAY BY PLAT) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SW 56TH STREET (A

VARYING WIDTH RIGHT-OF-WAY AS NOW ESTABLISHED); SAID POINT BEING THE POINT OF CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 35.00 FEET; THENCE NORTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 28.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 47 DEGREES 18 MINUTES 07 SECONDS WEST AND A CHORD DISTANCE OF 28.08 FEET TO A NON-TANGENT CURVE; THENCE SOUTH 87 DEGREES 16 MINUTES 37 SECONDS WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 145.66 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 34 MINUTES 27 SECONDS EAST DEPARTING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 103.50 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 9; THENCE SOUTH 87 DEGREES 16 MINUTES 37 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 90.58 FEET TO THE WEST LINE OF SAID LOT 9; THENCE NORTH 02 DEGREES 34 MINUTES 27 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 103.50 FEET TO A POINT ON AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF SW 56TH STREET; THENCE NORTH 97 DEGREES 16 MINUTES 37 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 90.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.22 ACRES (9.375 SQUARE FEET) MORE OR LESS.

SOUTH PARCEL

LOT 10, BLOCK 1, OF BEVERLY HILLS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

OPINION OF TITLE

To: Miami-Dade County

With the understanding that this Opinion of Title is furnished to Miami-Dade County, as inducement for acceptance of _____ [*Please write in one of the following: a Declaration of Use, Unity of Title, Declaration of Restrictions, Development Agreement, zoning action in compliance with Chapter 28, or proposed final subdivision plat*], pursuant to Public Hearing No. _____ [*if applicable*], it is hereby certified that I have examined [*Please write in one of the following: a complete Abstract of Title or Title Insurance Policy (identified by company name and policy number)*] covering the period from the beginning to the _____ day of _____, _____, at the hour of _____, inclusive, of the property described on **Exhibit A** hereto. [*if examining Title Insurance Policy, please also include:*] I know of no reason that this Title Policy is inaccurate or incomplete.

I am of the opinion that on the last mentioned date, the fee simple title to the above-described real property was vested in:

Note: For Limited Partnership, Limited Liability Company or Joint Venture indicate parties comprising the Limited Partnership, Limited Liability Company or Joint Venture and identify who is authorized to execute.

Subject to the following encumbrances, liens and other exceptions (If "none" please indicate):

1. **RECORDED MORTGAGES:**

2. **RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:**

3. **GENERAL EXCEPTIONS:**

4. **SPECIAL EXCEPTIONS:**

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions and that none of them hinder or affect the recording or enforcement of the _____ [*Please write in the type of instrument to be recorded.*]

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the _____ a valid and binding covenant on the lands described herein.

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
-------------	-----------------	---------------------------------

The following is a description of the aforementioned abstract and its continuations:

<u>Number</u>	<u>Company Certifying</u>	<u>No. of Entries</u>	<u>Period Covered</u>
---------------	---------------------------	-----------------------	-----------------------

I *HEREBY CERTIFY* that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this _____ day of _____, _____.

Name

Print Name
Florida Bar No. _____
Address:

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by _____, who is personally known to me or has produced _____, as identification.

Notary Public

Print Name

My Commission Expires:

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APPENDIX D

Fiscal Impact Analysis

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Fiscal Impacts On Infrastructure and Services

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. 4 of the October 2017 Cycle Applications to amend the CDMP from County departments and agencies responsible for supplying and maintaining infrastructure and services relevant to the CDMP. The evaluation estimates the incremental and cumulative costs of the required infrastructure and service, and the extent to which the costs will be borne by the property owner(s) or will require general taxpayer support and includes an estimate of that support.

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

Solid Waste Services

The adopted level of service standard (LOS) for the County's Department of Solid Waste Management (DSWM) is as follows: 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 (5) years. As of FY 2017-18, DSWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the application reviewed here, which is not anticipated to have a negative impact on disposal service.

Residential Collection and Disposal Service

Currently, the household waste collection fee is \$439 per residential unit, which also covers costs for waste disposal, bulky waste pick up, illegal dumping clean-up, trash and recycling center operations, curbside recycling, home chemical collection centers, and code enforcement. The current land use designation on the site is "Estate Density Residential" and the proposed land use change is to "Business and Office." The applicant intends to replace and modernize the existing 7-Eleven gasoline and convenience facility with a new 7-Eleven facility that will provide enhances services to the surrounding area. An existing single-family home located on the southernmost parcel of the application site that is currently served by DSWM would likely be demolished as part of the proposed expansion, which would have a negligible impact on DSWM services. The existing 7-Eleven located at this site currently receives, and will likely continue to receive, waste collection service from a private hauler. The requested amendment will have no impact or any associated costs relative to DSWM services and facilities.

Fiscal Impact – Waste Disposal Capacity and Service

The cost of providing disposal capacity for DSWM customers, municipalities and private haulers is paid for by System users. In FY 2017-18, the DSWM charges a contract disposal rate of \$61.01 per ton to DSWM Collections and those private haulers and municipalities with long-term disposal agreements. The short-term disposal rate is \$89.38 per ton in FY 2017-18.

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 used to ensure availability of disposal capacity in the System. Landfill closure, remediation and long-term care are funded by a portion of the Utility Service Fee charged to all customers of the County's Water and Sewer Department.

Water and Sewer

The Miami-Dade County Water and Sewer Department (WASD) provides for the majority of water and sewer service needs 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 the actual labor and materials costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. The water impact fee was calculated at a rate of \$1.39 per gallon per day (gpd), and the sewer impact fee was calculated at a rate of \$5.60 per gpd. The annual operations and maintenance cost was based on \$1.4547 per 1,000 gallons for water and \$1.8958 per 1,000 gallons for sewer.

The applicant requests the redesignation of the ±1.31 acre application site from "Estate Density Residential" (1 to 2.5 dwelling units per gross acre), to "Business and Office" land use designation. The applicant has proffered a Declaration of Restrictions (covenant) committing to the redevelopment of the entire site with its uses limited to a gasoline station with ancillary convenience store. If the application is approved with acceptance of the proffered covenant, the application site could be developed with a maximum of 22,825 square feet of retail uses.

If the application is developed with the 22,825 square feet retail uses, the water connection charge is estimated at \$3,173, and the water service line and meter connection fees would cost \$12,782. The sewer connection charges are estimated at \$1,300 and the annual operating and maintenance costs would total \$2,791. In addition, the estimated cost of installing the required 50 linear feet of 12-inch water main to connect the proposed development to the County's regional water system is estimated at \$18,200. Furthermore, the estimated cost of installing the required 500 linear feet of 8-inch gravity sewer force main is estimated at \$171,000. The total potential cost for connecting the proposed development to the regional water and sewer system including an engineering fee of 13% is estimated at \$189,200.

Drainage and Flood Protection

The Miami-Dade County Division of Environmental and Resources Management (DERM) is responsible for 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.

Public Schools

The applicant's proffered Declaration of Restrictions prohibits residential development on the application site. Therefore no impacts on Miami-Dade County public schools would result from the development of the application as requested.

Fire Rescue

The current CDMP designation of "Estate Density Residential" will allow a potential development which would generate four (4) annual alarms. The proposed "Business and Office" designation would allow a proposed potential development anticipated to generate seven (7) annual alarms, and would have a minimal impact to existing fire rescue services. Presently, Miami-Dade County Fire and Rescue (MDFR) indicates that fire and rescue service in the vicinity of the application site is adequate.

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APPENDIX E

Photo of Site and Surroundings

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View of East Parcel (7-Eleven gas station and convenience store) from SW 67 Avenue/
Ludlam Road looking west with the South Parcel (single-family residence) in background



View of South Parcel from SW 67 Avenue/Ludlam Road looking west



View of West Parcel (car wash) from SW 56 Street/Miller Drive looking south with the South Parcel in background



View from SW 56 Street/Miller Drive looking east with Walgreen on north side of Miller Drive



View from SW 56 Street/Miller Drive and SW 67 Avenue/Ludlam Road intersection looking northeast towards Miller Sixty-Seventh condominium complex



View from SW 56 Street/Miller Drive looking west with the Palmetto Presbyterian church and childcare facility on the south side of Miller Drive and retail stores on the north side.



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