

Date: December 17, 2020

To: Honorable Acting Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor



Subject: Supplemental Information on Expedited Application No. CDMP20200006 to Amend the Comprehensive Development Master Plan

Supplement
Agenda Item No. 3(A)

The following supplemental information is provided to the Board of County Commissioners regarding Expedited Application No. CDMP20200006 to amend the Comprehensive Development Master Plan (CDMP). The information includes: (Exhibit 1) the Mayor's Memorandum on the Expedited Application No. CDMP20200006 to amend the CDMP; (Exhibit 2) the Initial Recommendation report for Expedited Application No. CDMP20200006 to Amend the CDMP; and (Exhibit 3) Additional Items received by the Department of Regulatory and Economic Resources addressing Expedited Application No. CDMP20200006 after the publication of the Initial Recommendation report.

Date: November 10, 2020

Exhibit 1

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor



Subject: Report on Expedited Small-scale Application No. CDMP20200006 to Amend the Comprehensive Development Master Plan

Recommendation

It is recommended that the Board of County Commissioners (Board) take action on small-scale Expedited Application No. CDMP20200006 filed in March 2020 to amend the Comprehensive Development Master Plan (CDMP). The Board is scheduled to take final action on Expedited Application No. CDMP20200006 as indicated in the table below and further detailed in this memorandum.

APPLICATION NUMBER	ITEMS FOR CONSIDERATION BY THE BOARD
Application No. CDMP20200006 Care Oasis, LLC. (Small-Scale Application)	Item No. 3A – Ordinance (Final Action) Item No. 3A1 – Resolution for Transmittal to the State Land Planning Agency (if converted to a Standard Application)

Small Scale Application

Background

Small-scale Application No. CDMP20200006 was filed by a private party in March 2020 for expedited processing. A description of the application along with the recommendations of the Department of Regulatory and Economic Resources (Department), the affected community council, and the Local Planning Agency are provided in Attachment A.

The attached Ordinance (Agenda Item No. 3A), which was approved on first reading on August 31, 2020, provides for the Board’s action on the expedited small-scale amendment. State law allows the adoption of the referenced small-scale expedited application at the Board’s CDMP public hearing currently scheduled for October 21, 2020. A CDMP amendment application is eligible, under Section 163.3187, Florida Statutes (F.S.), to be processed as a small-scale amendment to the local comprehensive plan if it involves 10 or fewer acres. The Board has the ability to approve the proposed small-scale amendment without prior review by the State Land Planning Agency.

At the October 21, 2020 public hearing, the Board is scheduled to take final action on the attached ordinance providing for final disposition of small-scale Expedited Application No. CDMP20200006. Such action may be to adopt, adopt with change or not adopt the referenced small-scale expedited application. If the Board does not adopt Expedited Application No. CDMP20200006 as a small-scale amendment, the Board may elect, by separate resolution (Agenda Item No. 3A1), to transmit the application as a proposed standard amendment to the State Land Planning Agency and other state and regional agencies (reviewing agencies) for review and comments, and then take final action in or about December 2020/January 2021, after State review. Denial or failure to adopt a small-scale amendment and failure to transmit a CDMP

amendment application to the reviewing agencies for review effectively denies approval of the application.

Scope

The CDMP is a broad-based Countywide policy-planning document created to guide future growth and development, ensure the adequate provision of public facilities and services for existing and future populations in Miami-Dade County, and maintain or improve the quality of the natural and man-made environment in the County. While the adopted text of the CDMP generally applies Countywide, some text amendment applications and individual, site-specific Land Use Plan map amendment applications may have localized impact on one or more Commission Districts. For example, Application No. CDMP20200006 is located within District 2, which is represented by Commissioner Jean Monestime.

Fiscal Impact

There is no direct fiscal impact associated with the small-scale amendment. However, the development allowed by the CDMP amendment application may have varying impacts to County services. These impacts are discussed in the document titled, "Initial Recommendations, Expedited Application No. CDMP20200006 to Amend the Comprehensive Development Master Plan", dated June 2020. This document is kept on file with and available from the Department of Regulatory and Economic Resources, and can be accessed at the following link: <http://www.miamidade.gov/planning/cdmp-amendment-cycles.asp>.

Social Equity Statement

The recommendation of the Director on the small-scale Expedited Application No. CDMP20200006 as contained in the document titled, "Initial Recommendations, Expedited Application No. CDMP20200006 to Amend the Comprehensive Development Master Plan", dated June 2020, which was prepared in accordance with Section 2-116.1 of the Code of Miami-Dade County, include among other things, a compatibility analysis and conclusion that satisfies the requirements of Ordinance No. 15-83, regarding social equity, to the extent applicable to this application.

Track Record/Monitor

Amendments to the CDMP do not involve the monitoring of contracts.



Jack Osterholt
Deputy Mayor

Attachment A

**Summary of Recommendations
Expedited Small-scale Application No. CDMP20200006
to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
September 2020**

Item No./ Application Number/ Type	Applicant/Applicant representative/ Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation June 2020	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation August 31, 2020	BCC Action/ Recommendation October 21, 2020
3A CDMP20200006 small-scale	Care Oasis LLC / Felix M. Lasarte, Esq./ East Side of NW 2 Avenue, between NW 160 Street and NW 161 Street/ ±3.02 gross acres/2.33 net acres <u>Requested Amendment to the CDMP:</u> 1. Redesignate the application site: From: "Office/Residential" and "Low Density Residential (2.5 to 6 dwelling units per gross acre)" To: "Office/Residential" and "Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase (DI-1; 13 to 25 dwelling units per gross acre)" 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.	2/ Moneysime	Adopt with Acceptance of the Proffered Declaration of Restrictions	North Central CC 8 Deny Resolution No. 8-5-20 (August 25, 2020)	Adopt with Acceptance of the Proffered Declaration of Restrictions	To be determined

Source: Miami-Dade County Department of Regulatory and Economic Resources (Department)
Notes: BCC means Board of County Commissioners; PAB means Planning Advisory Board

Application No. CDMP20200006
Care Oasis, LLC
Commission District 2 Community Council 8

APPLICATION SUMMARY

Applicant/Representative:	Care Oasis LLC/ Felix M. Lasarte, Esq.
Location:	East of NW 2 Avenue between NW 160 Street and NW 161 Street
Total Acreage:	±3.02 Gross Acres/ ±2.33 Net Acres
Current Land Use Plan Map Designation:	“Office/Residential” and “Low Density Residential” (2.5 to 6 dwelling units per gross acre)
Requested Land Use Plan Map Designation and Other CDMP Changes:	1. Redesignate the application site: From: “Office/Residential” and “Low Density Residential” (2.5 to 6 dwelling units per gross acre) To: “Office/Residential and “Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase (DI-1; 13 to 25 dwelling units per gross acre)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:	RU-5A (Semi-Professional Office Districts) and RU-1 (Single-family Residential) / Vacant

RECOMMENDATIONS

Staff:	ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (June 2020)
North Central Community Council (8):	DENY (August 25, 2020)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (August 31, 2020)
Final Action of Board of County Commissioners:	TO BE DETERMINED (October 21, 2020)

Staff recommends to **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 re-designate the ±3.02 gross-acre application site from “Office/Residential” and “Low Density Residential (2.5 to 6 dwelling units per acre)” to “Office/Residential and “Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase (DI-1; 13 to 25 dwelling units per gross acre)” for the following reasons:

Principal Reasons for Recommendation:

1. The application proposes infill residential development at a higher density than currently allowed on the subject site consistent with Objective LU-1, Policies LU-1F, LU-8A, and LU-8F, and Objective LU-12 of the CDMP Land Use Element. Objective LU-1 emphasizes concentration and intensification of development around centers of activity and development of communities containing a variety of uses, housing types and public services, as well as contiguous urban expansion. LU-1F promotes inclusion of a variety of housing types in all residential communities. LU-8A addresses residential development in suitable locations and densities, and LU-8F addresses developable land within the Urban Development Boundary. Objective LU-12 requires promotion of infill development within the Urban Infill Area (UIA).

The application site is located within the Urban Infill Area, is currently vacant and located in a neighborhood characterized by a mix of multifamily residences and institutional and office uses fronting NW 2 Avenue, and single-family homes along NW 160 and 161 Streets. As discussed in Principal Reason No. 3(ii) below, existing public facilities have adequate capacities to accommodate the impacts that would be generated by development on the subject property if the application is approved. The proposed development supports the above-referenced CDMP policies promoting a variety of housing types around centers of activity and infill development within the Urban Infill Area.

2. The application proposes increased residential density on the application site through the One Density Increase overlay designation provision of the CDMP that seeks to ensure a well-designed development that assures compatibility with the adjacent development. The application site is currently designated on the LUP map as “Office/Residential” on the western ±2.06 gross/1.51 net acres and “Low Density Residential” (2.5 to 6 dwelling units per acre) on the remaining eastern parcel of ±0.96 gross acres and may be developed with a maximum of 32,887 square feet of office use and 5 single-family residential units or with 20 single-family attached and 5 single-family detached residential units.

The application seeks to change the eastern ±0.96 acres of the site to “Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase (DI-1; 13 to 25 units per gross acre)” with sound urban design. The CDMP Land Use Element provides that property with the DI-1 overlay designation may be developed at one density category higher than the underlying Land Use Plan map designation only when sound urban design principles are incorporated into the design of the proposed development; otherwise the maximum density of the underlying land use designation would apply. Therefore, if approved, the eastern ±0.96 acres of the application site would be developable at a density of 13 to 25 dwelling units per acre with the incorporation of sound urban design principles into the design of development on the property.

Accordingly, the entire property would then be developable with a maximum of 32,887 square feet of office use and 24 multifamily residential units, or if developed entirely with residential use, 115 multifamily units. If the sound urban design principles are not attained, then the property would be developed with a maximum of 32,887 square feet of office use

and 12 single-family attached units or 37 multifamily units and 12 single-family attached units (see Land Use Plan Map Designation section on page 1-11). However, the applicant has proffered a Declaration of Restrictions (covenant) limiting the maximum number of units to 66 residential units and committing to the incorporation of certain urban design principles into the design of any development on the property seeking to access the DI-1 density increase. Such urban design principles include compatibility with surrounding development through landscaping, buffers, architectural style, and building height; pedestrian-scale development; windows and doors at street level; incorporation of a variety of architectural materials; uniform street furniture and lighting; and parking to the rear and side of the structures. (See Appendix B: Proffered Declaration of Restrictions on Appendices page 19 and Declaration of Restrictions discussion on page 1-12).

3. The application proposes development generally consistent with the trend of development in the vicinity of the application site that is characterized by higher intensity and density of development within a ribbon of “Office/Residential” designated lands along both sides NW 2 Avenue generally between NW 154 Street and NW 165 Streets. Development within the Office Residential ribbon is generally abutted by single family and duplex residences. This application is consistent with the approved land use plan changes on the property immediately to the north, submitted as part of the October 2018 cycle, and is consistent with pending applications to increase residential density in the vicinity. (See information contained in the Background section on page 1-11.)
4. 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 Land Use Plan (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 Declaration of Restrictions, would increase the capacity of residential land supply within the analysis area (Minor Statistical Area 2.1) where the application site is located. An analysis of the residential capacity by type of dwelling units in MSA 2.1 shows the depletion of single-family type units occurring in 2021 and for multi-family beyond 2040. The supply of residential land for both single-family and multi-family units is projected to be depleted beyond the year 2037. The application, if approved with acceptance of the proffered covenant, would add approximately 44 units to the residential land capacity or approximately one (1) month of residential supply, but would not significantly impact the depletion year in MSA 2.1 (see Supply and Demand Analysis on page 1-14).
 - ii. Public Facilities and Services:* Approval of the application would be generally consistent with the CDMP Capital Improvements Element Objective CIE-3 that requires CDMP land use decisions not cause a violation in adopted level of standards for public facilities and services. The impacts that would be generated from the maximum development allowed on the application site, if the application is approved, would not cause a violation in the adopted level of service standards for public facilities and services.

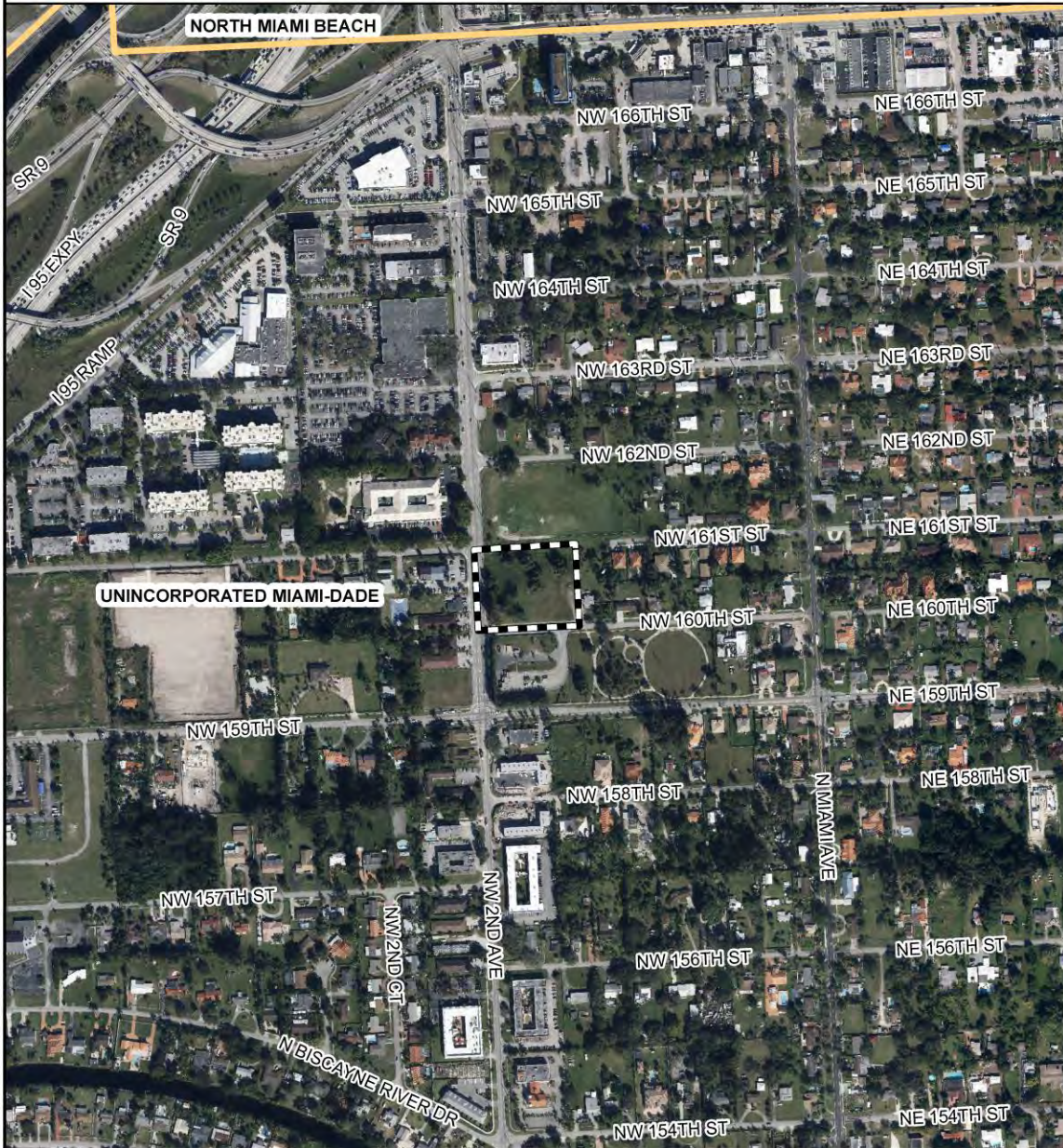
It should be noted that the traffic impact analysis of roadways serving the amendment site provided by the Applicant shows that all of the roadways in the vicinity of the site are expected to operate within their adopted level of service (LOS) standards, with the exception of NW 2 Avenue, south of Miami Gardens Drive, which is expected to exceed its capacity in 2040 with or without the traffic impacts from the application. This roadway segment is not deemed to be significantly impacted by the project traffic since the projected traffic impact is less than five percent of the maximum service volume (MSV) of the adopted roadway LOS standard. Pursuant to the provisions of the CDMP Capital Improvements Element, no mitigation or roadway improvements are required for projects having traffic impacts of less than five percent (see "Roadways" on Page 1-25).

- iii. Compatibility:* The proposed development of the site, if the requested "Office/Residential" and "Low-Medium Density Residential with One Density Increase (DI-1)" overlay designation is approved, would be generally compatible with the existing uses and land use designations of the abutting and adjacent properties. The abutting and adjacent properties to the east are designated "Low Density Residential" on the LUP Map and developed with single-family and duplex residences. Compatibility with these properties would be achieved through the incorporation of sound urban design principles. These principles require adequate buffers, appropriate building height and scale transition between uses, among others. The area adjacent to the south is designated "Low Density Residential" and "Office/Residential" but comprises the Golden Glades Trash and Recycling Center and Biscayne Gardens Park. The Department of Solid Waste Management has recommended language be added to the proffered covenant that all prospective purchasers or lessees within each of the parcels receive a written notification, acknowledgement, waiver, and release recognizing that the property is located in immediate proximity of the Trash and Recycling Center, and that the written notice be recorded. To the west of the site, beyond NW 2 Avenue, are properties designated on the LUP map as "Office/Residential" and developed with a religious facility, a preschool/daycare, and multifamily residences. The adjacent area to the north across unimproved NW 161 Street is pending development of up to 100 residences (62 apartments and 38 townhomes).
- iv. Environmental and Historic Resources:* The subject application, if approved, would not impact any historic or archaeological resources but could impact environmental resources on the site. The subject property may contain specimen-sized trees (trunk diameter 18 inches or greater). Section 24-49.2(II) of the Code requires these specimen-sized trees to be preserved, where reasonably possible, and any changes require permitting. (See Environmental Conditions section on page 1-17).
- v. Transit Ridership and Pedestrianism:* The development of the site under the provisions of the DI-1 overlay designation, if the application is approved with the acceptance of the proffered Declaration of Restrictions, could support transit ridership and pedestrianism. The proffered covenant commits to foster the creation of a pedestrian friendly environment. It should also be noted that the site is currently served by Metrobus 105 Route E that provides service with 30-minute headways during the AM/PM peak periods and Metrobus Route 2 that operates at 60-minute headways. The application site is located ±0.19 miles (±4-minute walk) from the nearest bus stop along North Miami Avenue at NW 160th Street which is served by Metrobus Route 2; and served by Metrobus Route 105 at a bus stop located ±0.28 miles (±6-minute walk) along NW 6 Avenue at NW 159 Street. (See Transit section on page 1-33.)



Furthermore, information provided by the Miami-Dade Transportation Planning Organization (TPO) (*FDOT GGMTF Bicycle Pedestrian Accessibility presentation to*

BPAC - May 2018), identifies two proposed bicycle/pedestrian projects that would connect the project area with the improvements at the Golden Glades Multimodal Transportation Facility. The "Biscayne Gardens Connector" is a proposed bicycle/pedestrian bridge over I-95 and Turnpike off-ramp that would be accessed from a ramp off of NW 6 Avenue generally between NW 157 and NW 159 Streets. The other project, the NW 2 Avenue Connector, is a proposed bicycle/pedestrian bridge over the South Florida Rail Corridor that would have ramps accessed off of NW 2 Avenue north of the project site.

**CARE OASIS, LLC. - APP. NO. CDMP20200006
AERIAL PHOTO**



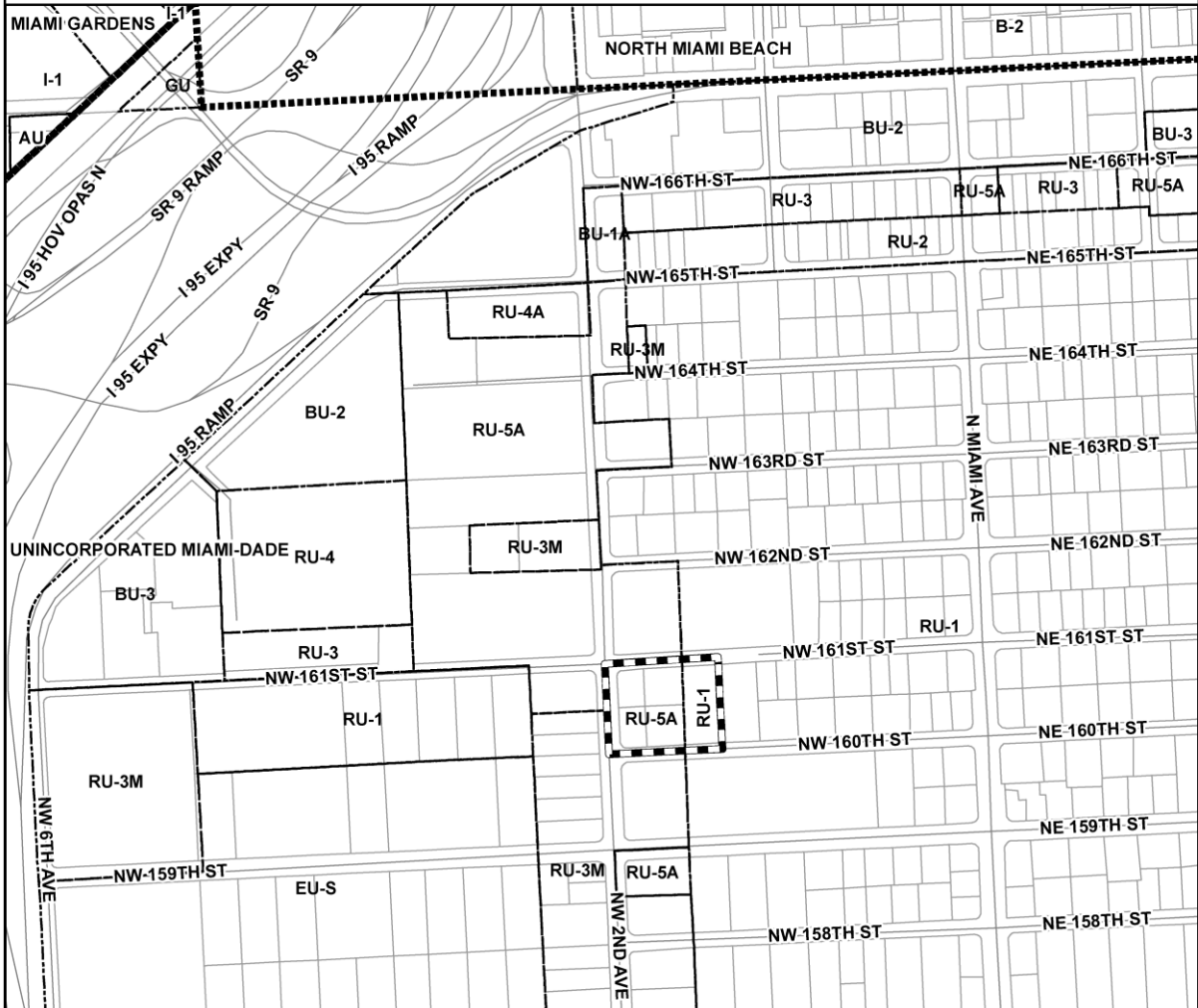
UNINCORPORATED MIAMI-DADE

-  APPLICATION AREA
-  MUNICIPAL BOUNDARY

Source: Department of Regulatory and Economic Resources
March 2020



CARE OASIS, LLC. - APP. NO. CDMP20200006 ZONING MAP



Source: Department of Regulatory and Economic Resources
April 2020

APPLICATION AREA

MUNICIPAL BOUNDARY

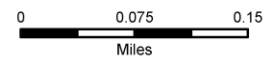
MIAMI-DADE COUNTY ZONING DISTRICTS

- BU-1A BUSINESS DISTRICTS, LIMITED
- BU-2 BUSINESS DISTRICTS, SPECIAL
- BU-3 BUSINESS DISTRICTS, LIBERAL
- EU-S ESTATE USE, SUBURBAN SINGLE-FAMILY 25,000 FT2 GROSS
- GU INTERIM DISTRICT
- RU-1 SINGLE-FAMILY RESIDENTIAL DISTRICT 7,500 FT2 NET
- RU-2 TWO-FAMILY RESIDENTIAL DISTRICT, 7,500 FT2 NET

- RU-3 FOUR-UNIT APARTMENT DISTRICT, 7,500 FT2 NET
- RU-3M MINIMUM APARTMENT HOUSE 12.9 UNITS/NET ACRE
- RU-4 HIGH DENSITY APARTMENT HOUSE DISTRICT, 50 UNITS / NET ACRE
- RU-4A RU-4 OR HOTEL/MOTEL DISTRICT, 75 UNITS / NET ACRE
- RU-5A SEMI-PROFESSIONAL OFFICE DISTRICT, 10,000 FT2 NET

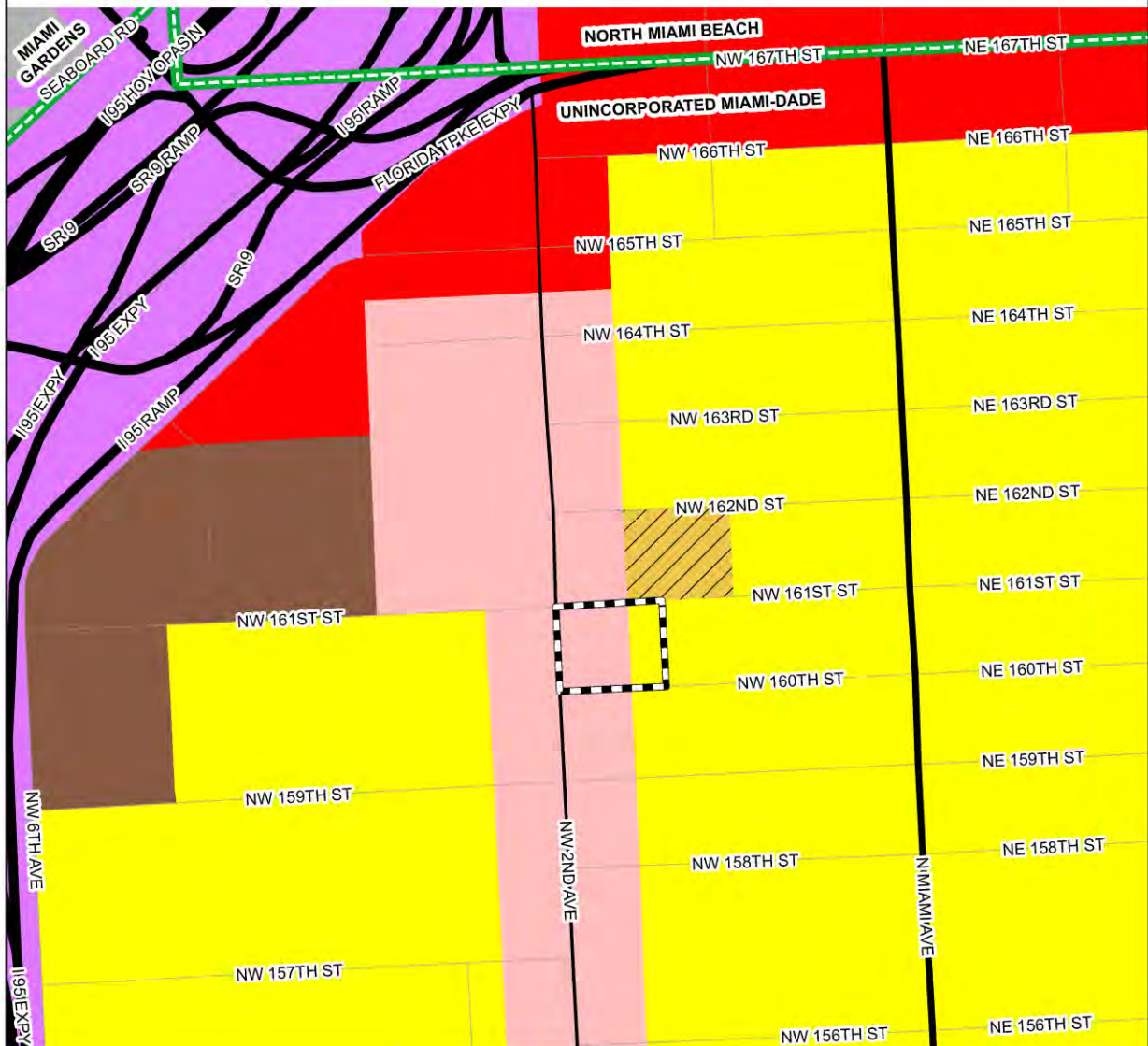
MUNICIPALITIES ZONING DISTRICTS

- AU AGRICULTURAL AND UTILITIES DISTRICT
- B-2 GENERAL BUSINESS 1000 SF
- I-1 LIGHT INDUSTRIAL DISTRICT

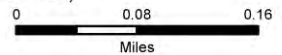


CARE OASIS, LLC. - APP. NO. CDMP20200006

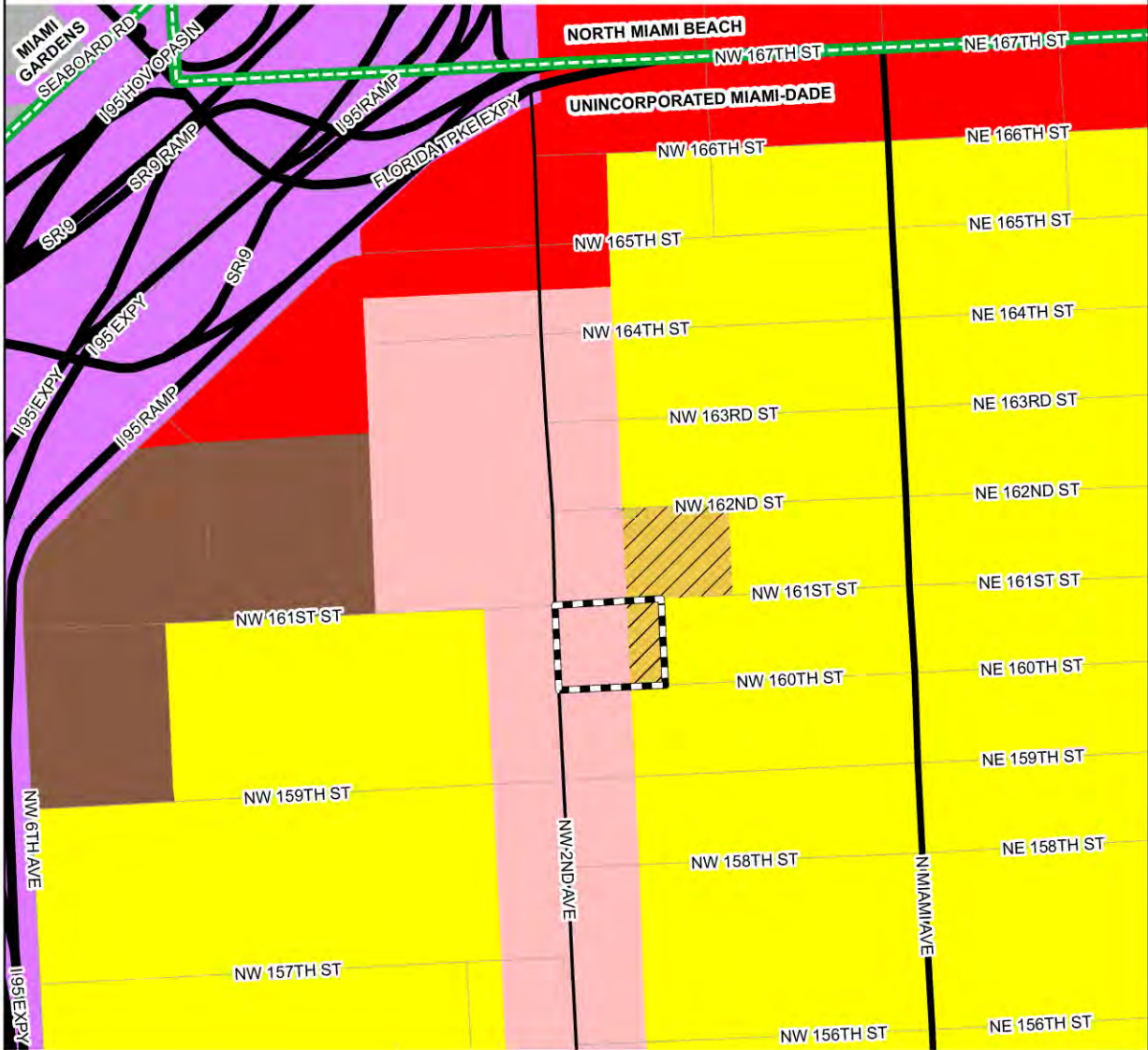
CDMP LAND USE



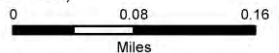
Source: Department of Regulatory and Economic Resources
April 2020



CARE OASIS, LLC. - APP. NO. CDMP20200006 PROPOSED CDMP LAND USE



Source: Department of Regulatory and Economic Resources
April 2020



STAFF ANALYSIS

Background

The property directly to the north across unimproved NW 161 Street went through a similar CDMP application during the October 2018 cycle (Application No. CDMP20180016, requesting a change from “Office/Residential” and “Low Density Residential” to “Office/Residential” and “Low-Medium Density Residential with One Density Increase (DI-1: 13 to 25 dwelling units per gross acre).” This application was adopted by the Board of County Commissioners on April 11, 2019. Subsequently, plans were submitted to the County to rezone the property as a Planned Area District (PAD) for 62 apartments and 38 townhomes. This application is pending a hearing by the Community Zoning Appeals Board.

In the general vicinity to the west, there are several pending applications. The October 2019 cycle application CDMP20190024 (FRL Automotive, Inc.) is a request to change the land use designation from “Office Residential” to “Business and Office” on four parcels totaling ±9.23 acres west of NW 2 Avenue between NW 161 Street and NW 165 Street.

The January 2020 cycle has two applications that are west of NW 2 Avenue. Application No. CDMP20200001 (Golden Glades NMB, LLC North) is a request to redesignate from “Low Density Residential” to “Medium-High Density Residential” five parcels totaling ±6.43 acres located between NW 159 and 161 Streets. Application No. CDMP20200002 (Golden Glades NMB, LLC South) is a request to change the land use from “Low Density Residential” to “Medium-High Density Residential” on three parcels totaling ±2.67 acres at the southeast corner of the intersection of NW 159 Street and NW 6 Avenue.

Application Site

Location

The application site is a combination of five parcels totaling ±3.02 gross acres located on the east side of NW 2 Avenue between NW 160 and unimproved NW 161 Streets, east of the Golden Glades Interchange and south of State Road 826 (N. Miami Beach Boulevard/NE 167 Street), in unincorporated Miami-Dade County (see “Aerial Photo” on page 1-6). The application site is within the County’s Urban Infill Area (UIA), where infill development and redevelopment are prioritized.

Existing Land Use

The application site is currently vacant and appears to be well maintained with several clustered areas of oak trees throughout the property. (See “CDMP Land Use” map on page 1-8; and Appendix G: Photos of Site and Surroundings in Appendices Page 45).

Land Use Plan Map Designation

The CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map designates the application site as “Office/Residential” on the western four parcels totaling approximately ±2.06 gross/1.51 net acres and “Low Density Residential” on the remaining parcel of ±0.96 gross acres (see “CDMP Land Use” map on page 1-8). The site is within a strip of “Office/Residential” land use designated properties along both sides of NW 2 Avenue. The “Office/Residential” CDMP land use designation accommodates professional and clerical offices, hotels, motels, and residential uses. The “Office/Residential” text of the CDMP Land Use Element provides that residential

higher than the density allowed in the adjoining or adjacent residentially designated area on the same side of the abutting principal roadway or up to the density of existing adjoining or adjacent residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.

The “Low Density Residential” CDMP land use category allows a range in densities from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre. The types of housing typically found in areas designated “Low Density Residential” includes single family detached, cluster, and townhouses. Under the current CDMP land use designation “Office/Residential” and “Low Density Residential”, the property could be developed with a maximum of 32,887 square feet of office use and five single-family detached homes or with 20 single-family attached homes and five (5) single-family detached homes.

The applicant requests a land use designation change on the eastern ±0.96 gross acres portion of the application site to “Low-Medium Density Residential with One Density Increase (DI-1)” while the “Office/Residential” designation would remain on the western ±2.06 gross/1.51 net-acre portion of the property (see “Proposed CDMP Land Use” map on page 1-9). The “Low-Medium Density Residential with One Density Increase (DI-1)” overlay designation allows the eastern portion of the subject property to be developed at a density ranging from 13 to 25 dwelling units per gross acre if the development utilizes sound urban design principles.

The CDMP Land Use Element text “Density Increase With Urban Design” (CDMP page I-30) provides that property with the One Density Increase (DI-1) overlay designation may be developed at one density category higher than the underlying land use designation only if the development on the property utilizes sound urban design principles adopted by County ordinance or incorporated in the Urban Design Manual endorsed by Resolution R-1360-98 as may be amended from time to time. Alternatively, the urban design concerns may be addressed in another binding instrument approved by action of the Board of County Commissioners, such as the declaration of restrictions proffered by the applicant and discussed below. The applicant’s proposed declaration of restrictions addresses urban design standards.

Under the proposed CDMP land use designations with utilization of sound urban design principles, the property could be developed with a maximum of 32,887 sq. ft. of office use and 24 multifamily units, or, if developed entirely with residential use, 115 multifamily units. However, the applicant’s proposed declaration of restrictions under the proposed CDMP land use designations limits development to 66 multifamily units only.

If the development on the eastern portion of the property does not incorporate sound urban design principles then the development would be limited to the density of the underlying “Low-Medium Density Residential” (6 to 13 dwelling units per gross acre), which would allow a maximum development on the property of 32,887 sq. ft. of office use and 12 single-family attached units or 37 multifamily units and 12 single-family attached units.

Declaration of Restrictions

The Applicant has proffered a Declaration of Restrictions (covenant) that limits residential development on the property to 66 multifamily residential units and commits any development seeking to access to the one density increase (DI-1) provision to the utilization of sound urban design principles as required by the CDMP Land Use Element text “Density Increase With Urban Design” (CDMP page I-30). The urban design principles would create a pedestrian friendly environment on the site and adjacent streets and would ensure compatibility with surrounding development through building height transitions, landscaping, buffers, and architectural styles, among others, that complement the surrounding development. (See Appendix B: Proffered Declaration of Restrictions on Appendices Page 19.)

architectural styles, among others, that complement the surrounding development. (See Appendix B: Proffered Declaration of Restrictions on Appendices Page 19.)

Zoning

The application site is currently zoned RU-5A (Semi-Professional Office District) on the western ±2.06 gross/1.51 net acres and RU-1 (Single-Family Residential) on the remaining ±0.96 acres. (See “Zoning” map on page 1-7.)

Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938. In 1977, an East Golden Glades Area Study was completed. That study mentions that areas along NW 2 Avenue from NW 167 Street to the Biscayne Canal were “strip commercial BU zone.” At that time, the Planning Department recommended changing the zoning to RU-1; however, the Board of County Commissioners approved RU-3M due to the presence of apartments, and the south corridor along Memorial Hwy stayed BU-1, BU-1A, and BU-2. At some point after the late 1970s, the property along NW 2 Avenue transitioned to RU-5A.

In 2013, a zoning application was filed to permit a day nursery as an Unusual Use in RU-5A, along with a Special Exception for a Pre-K to 12 school in RU-5A and RU-1 and Non-Use Variances for parking, building height, and outdoor recreation areas. This application also included the property to the north; however, the applications were withdrawn when the property was sold. In 2015 pursuant to resolution CZAB8-41-6, the Miami-Dade County Community Zoning Appeals Board 8 approved with conditions a drug/alcohol rehabilitation and detox facility for the subject properties and the same applicant as this application. This resolution was validated in a Zoning Verification in 2018 (J2018000463).

The proposed application as submitted is currently also under review with Zoning, and compliance with the proffered covenant will be evaluated under that process.

Adjacent Land Use and Zoning

Existing Land Uses

The area adjacent to the north of the application site, across unimproved NW 161 Street, includes currently vacant property that is subject to proposed plans for 62 apartments and 38 townhomes (*see information below under Adjacent Zoning and Land Use Applications*). Adjacent to the east of the site are primarily single-family residences. To the south of the site across NW 160 Street is the Miami-Dade County Golden Glades Trash and Recycling Center, one of 13 such centers in the County, and the Biscayne Gardens Park. The Trash and Recycling Center has been present since at least 1977, when it was referenced in the East Golden Glades Area Study. To the west across NW 2 Avenue is the Rescue Church Miami, Shane’s Learning Center Preschool and Daycare, and multifamily residences. (See “CDMP Land Use” map on page 1-8.)

Land Use Plan Map Designations

The properties adjacent to the north across unimproved NW 161st Street were recently designated “Office/Residential” and “Low-Medium Density Residential with One Density Increase (DI-1: 13 to 25 dwelling units per gross acre)” (*see information below under Adjacent Zoning and Land Use Applications*). The area adjacent to the east is designated “Low Density Residential”. The area adjacent to the south across NW 160 Street is designated “Low Density Residential” and “Office/Residential”. The area adjacent to the west across NW 2 Avenue, is designated “Office/Residential”. Further west of the site, beyond the “Office/Residential” area, the properties are designated “Low Density Residential” but subject to a pending CDMP

amendment application (see information above under Background). (See “CDMP Land Use” map on page 1-8.)

Zoning

The properties adjacent to the north across unimproved NW 161 Street and to the east are zoned RU-5A (Semi-Professional Office District) and RU-1 (Single-Family Residential). Properties adjacent to the south across NW 160 Street are zoned RU-1 (Single-Family Residential) and RU-3M (Minimum Apartment House District). Properties adjacent to the west across NW 2 Avenue are zoned RU-5A (Semi-Professional Office District) and RU-3M (Minimum Apartment House District); further west, beyond the RU-5A and RU-3M zoning district designations, the properties are zoned RU-1 (Single-Family Residential), and EU-S (Estate Use-Suburban). (See “Zoning” map on page 1-7.)

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, land capacity is analyzed at the localized or Minor Statistical Area (MSA) level.

Residential Supply

The combined vacant land for single-family and multi-family residential development in the Analysis Area (Minor Statistical Area 2.1) in 2020 was estimated to have a capacity for about 10,370 dwelling units, with about 98 percent of these units intended as multi-family. The annual average residential demand in this Analysis Area is projected to go from 449 units per year in the 2020-2025 period to 666 units in the 2035-2040 period. An analysis of the residential capacity by type of dwelling units shows the depletion of single-family type units occurring in 2021 and for multi-family beyond 2040 (see table below).

Residential Land Supply/Demand Analysis
2020 to 2040: **Expedited Application CDMP20200006 (MSA 2.1)**

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 2020	214	10,156	10,370
DEMAND 2020-2025	150	299	449
CAPACITY IN 2025	0	8,661	8,125
DEMAND 2025-2030	216	434	650
CAPACITY IN 2030	0	6,491	4,875
DEMAND 2030-2035	226	451	679
CAPACITY IN 2035	0	4,226	1,480
DEMAND 2035-2040	222	444	666
CAPACITY IN 2040	0	2,006	0
DEPLETION YEAR	2021	2040+	2037

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, April 2020.

The applicant is requesting a change from “Office/Residential” and “Low-Medium Density Residential” to “Office/Residential” and “Low-Medium Density residential” with One Density Increase (DI-1). If the application were to be approved with the proffered covenant, given the current demand/supply conditions, it would add approximately 44 units to the residential land capacity or approximately 1 month of supply but would not have a significant impact on the depletion year for MSA 2.1.

Potential Impact on Affordable Housing

The applicant’s site is in zip code 33169. For the purposes of analysis, the four surrounding zip codes were included: 33161, 33162, 33168 and 33169. The applicant has made no declaration with respect to the affordability of the units to be constructed. This section addresses the potential impact the project could have on the county’s housing market based on the information provided and available housing data. At currently prevailing rates, extracted where available online from Zillow, the following rents are identified.

Zillow Rent Index

	Zip Code	2019 Rent Index	Average
All Homes Including Multifamily	33161	1,651	1,719
	33162	n/a	
	33168	1,742	
	33169	1,763	
Multifamily Only	33161	1,517	1,517
	33162	n/a	
	33168	n/a	
	33169	n/a	

Source: Zillow.com (The 2019 index is the monthly average for the year.)

The table below comes from the Florida Housing Finance corporation and identifies the countywide affordable rent limits for households according to the household-income as a share of area median income (AMI) identified by HUD currently for 2020 at \$59,100. If this project sets rents at the currently prevailing average rate for multifamily rentals, then a two-bedroom unit would be naturally affordable to a household earning 80% of AMI. A one-bedroom unit would be affordable to a household earning 100% or more of AMI. Alternatively, if the project sets rents at the currently prevailing average rate for all rental types, including single family and multifamily types, a two-bedroom unit would be affordable to a household earning 100% or more of the AMI while a one-bedroom unit would be affordable to a household earning 120% or more of AMI.

Miami-Dade County Housing Rent Limits, 2019

AMI Category	0 Bedroom Limit (\$)	1 Bedroom Limit (\$)	2 Bedroom Limit (\$)	3 Bedroom Limit (\$)	4 Bedroom Limit (\$)
30%	444	476	572	660	737
50%	741	794	953	1,101	1,228
60%	889	953	1,144	1,321	1,474
70%	1,037	1,112	1,335	1,541	1,720

80%	1,186	1,271	1,526	1,762	1,966
100%	1,482	1,588	1,906	2,202	2,456
120%	1,778	1,906	2,288	2,642	2,948
140%	2,074	2,224	2,670	3,082	3,440

Sources: Florida Housing Finance Corporation, 2019 Combined Income and Rent Limits by County

The two tables above illustrate that within the four zip codes that define the market area for this project, prevailing market-rate rents are affordable to workforce households according to the Florida Housing Finance Corp (FHFC) data. In fact, the prevailing rent for all households including multifamily is 35% below the FHFC limit for two-bedroom units, and 23% less than the one-bedroom limit. However, in the county's rapidly appreciating housing market, there is unquestionable value in preserving units as affordable long into the future.

Finally, the table below illustrates the affordability situation that currently exists within the study area. In this case the study area is broadened to include the MSA(s) within which the application property lies. In this case, the project is essentially at the convergence of four separate MSAs, 2.1, 2.2, 2.3 and 2.4. The data for cost burden is drawn from the 2018 American Community Survey 5-year estimates, the most currently available data. The data shows most households earning less than \$35,000 per year pay 50% or more of their income on rent and are thus severely cost burdened. An income of \$35,000 per year represents just 61% of AMI after adjusting for inflation. Also, most households earning between \$35,000 and \$50,000 per year pay 30% or more of their income on rent and are cost burdened.

Cost Burden of Renter Households by Household Income

	MSA 2.1	MSA 2.2	MSA 2.3	MSA 2.4	Total Study Area	Shares
Total Renter Households:	27,619	8,464	6,607	13,153	55,843	
Less than \$19,000:	7,133	1,728	2,195	6,182	17,238	100%
Less than 30.0 percent	157	113	346	827	1,443	8.4%
30.0 to 49.9 percent	313	89	154	696	1,252	7.3%
50.0 percent or more	4,954	1,276	1,348	3,513	11,091	64.3%
Not computed	1,709	250	347	1,146	3,452	20.0%
Median	56.5	55.8	53.7	53.2	54.8	
\$20,000 to \$34,999:	6,398	2,177	1,587	3,337	13,499	100%
Less than 30.0 percent	335	172	115	372	994	7.4%
30.0 to 49.9 percent	2,557	808	393	1,293	5,051	37.4%
50.0 percent or more	3,417	1,189	1,053	1,514	7,173	53.1%
Not computed	89	8	26	158	281	2.1%
Median	50.7	50.8	52.5	49.5	50.9	
\$35,000 to \$49,999:	4,817	1,519	1,111	1,521	8,968	100%
Less than 30.0 percent	1,376	239	225	455	2,295	25.6%
30.0 to 49.9 percent	2,449	1,048	525	918	4,940	55.1%
50.0 percent or more	908	199	239	99	1,445	16.1%
Not computed	84	33	122	49	288	3.2%
Median	36.4	39.3	39.7	35.0	37.6	
\$50,000 or more:	9,271	3,040	1,714	2,113	16,138	100%

Less than 30.0 percent	6,656	2,386	1,081	1,554	11,677	72.4%
30.0 to 49.9 percent	1,885	555	381	459	3,280	20.3%
50.0 percent or more	209	43	42	-	294	1.8%
Not computed	521	56	210	100	887	5.5%
Median	n/a	n/a	n/a	n/a	n/a	

Source: 2018 American Community Survey 5-year estimates

Commercial

The Analysis Area for Expedited Application CDMP20200006 (MSA 2.1) contained 1,048.30 acres of in-use commercial uses in 2020 and an additional 96.30 acres of vacant land zoned or designated for business uses. The annual average absorption rate for the 2020-2040 period is 2.63 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercially zoned land beyond the year 2040 (see table below). If the proposed application is approved its impact on the commercial land supply in the MSA would not be significant.

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

Analysis Area	Vacant Commercial Land 2020 (Acres)	Commercial Acres in Use 2020	Annual Absorption Rate 2020-2040 (Acres)	Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
					2030	2040
MSA 2.1	96.3	1,048.30	2.63	2040+	5.5	5.1

Source: Miami-Dade County, Regulatory and Economic Resources Department, Planning Division, Planning Research and Economic Analysis Section, April 2020.

Trade Area Analysis

Expedited Application CDMP20200006 is a small-scale application. Consequently, an analysis of the trade area, 1.5 miles around the proposed project, was conducted. The result of the analysis shows that there are 335.30 acres in existing commercial uses, and 9.77 acres of vacant commercially zoned or designated land (see table below and Trade Area Map on page 1-10).

Trade Area Analysis

Application	Trade Area Radius	Vacant Commercial Land (Acres)	Commercial Acres in Use 2020
CDMP20200006	1.5	8.64	74.24

Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Research Section, April 2020.

Environmental Conditions

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

Flood Protection

FEMA Flood Zone	AE
Stormwater Management Permit County Flood Criteria, (National Geodetic Vertical Datum)	DERM Surface Water Management Permit Required 6.0 feet

Biological Conditions

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

Other Considerations

Within Wellfield Protection Area	No
Contaminated Site	No

Environmental Monitoring and Restoration

The Division of Environmental Resources Management (DERM) has no records of current contamination issues on the subject site. However, based on land disturbing activities identified in historical aerials, DERM may require that a Phase 1 and Phase 2 Environmental Site Assessment prepared in accordance with ASTM standards be conducted at the site prior to site development and prior to the submittal of site development plans through the building department review process. DERM must review and approve Environmental Site Assessments should they be required. Further, all construction plans (inclusive of drainage) and dewatering plans shall require the review and approval from the Environmental Monitoring and Restoration Division of DERM.

If the Environmental Site Assessments show evidence of contamination on the site, any portion of the site to be sold, transferred or dedicated (including for public right-of-way) shall be identified, and the receiving entity must be made aware of the contamination and accept any conveyance. If soil contamination, groundwater contamination, solid waste and/or methane will be addressed via a No Further Action with Conditions, each individual property owner must execute a restrictive covenant and each receiving entity must accept all applicable restrictions and responsibilities that are required following transfer of ownership. Please note that nothing stated herein may be interpreted to limit or restrict an engineer's or other professional's responsibility to prepare plans accurately and completely for proposed rights-of-way, as well as any other projects or plans.

If right-of-way dedications are required, any soil, groundwater or surface water contaminants or solid waste and/or methane must be disclosed to the receiving County or Municipal applicable department at the earliest stage possible; the presence of any such contamination and/or solid waste and/or methane impacts or a delay in disclosure of such contamination or impacts could result in the County declining to accept the proposed dedication, the need for the developer to reconfigure or change previously approved site plans, or other changes to the proposed development.

Natural Resources

The subject property includes specimen tree resources (trees with a trunk diameter at breast height of 18 inches or greater). According to the boundary survey, there are 19 specimen oak trees located on the property, with diameters ranging up to 42 inches. Specimen trees are protected by Section 24-49.2(II) of the Code and CON-8A of the CDMP. A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. 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. The approval of this land use application shall not be construed as an approval to remove specimen trees due to a determination of unreasonable loss of usable space pursuant to 24-49.2(4)(II)(2)(b).

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 the property prior to development or redevelopment. 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 or endangered species on this or adjacent properties.

Drainage and Flood Protection

For any new development within the subject property, storm water drainage systems are required to provide flood protection and storm water quality treatment. Miami-Dade County has been delegated the authority to issue Surface Water Management General Permits on behalf of the South Florida Water Management District (SFWMD) for developments that propose more than 2 acres of impervious surface.

The subject property is located within Special Flood Hazard Area AE at elevation 7.0 in the FEMA Flood Insurance Rate Maps (FIRM). The county flood criterion is at elevation +6.00 feet N.G.V.D. Any development must comply with the requirements of Chapter 11C of the Code for flood protection.

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 commercial.
- County Flood Criterion +6.0 feet NGVD, plus 8 inches for residential, or plus 4 inches for commercial.
- Elevation of the back of the sidewalk (if any) fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- 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.

Water Management

The proposed amendment may lead to development that alters the amount of impervious surface, thus impacting groundwater recharge. DERM will evaluate future development orders to ensure that the overall development will not create adverse impacts to the Stormwater Management Level of Service Standard contained in Policy 5A of the Conservation, Aquifer Recharge and Drainage Element.

Water and Sewer

Potable Water Supply

The proposed development is located within the City of North Miami Beach’s water service area. Because the water supply would be provided by the North Miami Beach Utility, a Water Supply Certification would not be required from the Miami-Dade Water & Sewer Department (WASD).

Water Demand/Sewer Flow Analysis

As noted in the “Estimated Water Demand/Sewer Flow for Proposed Development by Land Use Scenario” table below, the maximum water demand for single family residential development (Scenario 1) under the current CDMP Land Use designation is estimated at 4,350 gallons per day (gpd). The maximum water demand for multifamily residential development (Scenario 2) under the requested CDMP Land Use Designation is estimated at 8,910 gpd, and the applicant has proffered a Declaration of Restrictions that would limit residential development on the property to 66 Multifamily units. The maximum water demand/sewer flow for multifamily residential development with acceptance of the proffered Declaration of Restrictions (Scenario 2) is 8,910 gpd. This represents an increase of up to 4,560 gpd over the demand under the current CDMP land use designations.

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 - 'Office Residential & Low Density Residential'				
1	SF Attached	20	165 gpd/unit	3,300 gpd
	and			
	SF Detached	5	210 gpd/unit	1,050 gpd
Requested CDMP Designation – 'Office Residential & Low-Medium Density Residential + 1'				
2	Multifamily	66	135 gpd/unit	8.910 gpd

Sewer Treatment Plant Capacity

Based on the requested land use and type of allowable development, connection to the public sanitary sewer system would be required pursuant to Chapter 24 of the Miami-Dade County Code. The wastewater flows for this application would be transmitted to the North District

Wastewater Treatment Plant, which is owned and operated by the Miami-Dade Water and Sewer Department, for treatment and disposal. Currently, there is average wastewater treatment capacity for this application consistent with Policy WS-2A (2) of the CDMP.

Sewer System Connectivity

There is an 8-inch force main located approximately 370 feet south of the application site on NW 2nd Avenue, north of NW 159th Street, to which the developer may connect and extend an 8-inch force main to the application site. A private sewage pump station would be required.

The future development of this application site presents an opportunity to bring public sanitary sewers to some of the adjacent properties. Given that a private sewage pump station would be required, the design would include lateral tabs to each commercial facility located along the path of the future force main from the application site to the point of connection. Each active property that can connect to the public sanitary sewer system represents a positive impact to the county's natural resources. Once the opportunity to connect is available, each abutting property owner will abandon existing on-site septic tanks, which will help protect the ground water.

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 2019-2020, the DSWM is in compliance with the Countywide Waste Management System's adopted LOS standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the applications reviewed here, which are not anticipated to have a negative impact on disposal service.

Application Impacts

The application requests redesignation of the site from "Office/Residential" and Low-Density Residential" to "Office/Residential" and "Low-Medium Density Residential with Density Increase One for Urban Design." Adoption of this amendment may result in either the development of 32,887 square feet of commercial use (111 employees) and 24 multi-family units to accommodate an estimated population of 38, or 66 multi-family units to accommodate an estimated population of 104. Depending on the configuration, waste collection and recycling services would most likely be provided by a private hauler since the DSWM does not, at this time, actively compete for waste collection service to commercial properties. If service would be provided to the residential unit by the Department, the current waste collection fee will cover all associated costs, as this residential development is within the Department's waste collection service area. Therefore, in either case, the DSWM has no objection to the proposed changes.

It should be noted that the DSWM has one facility located immediately adjacent to this property. The Golden Glades Trash & Recycling Center is located at 140 NW 160 Street directly south of

the subject property. This facility provides Department customers with the option of dropping off their household trash, tree and yard cuttings, and up to three cubic yards of construction and demolition debris. In order to ensure that prospective purchasers or lessees of this development are fully notified regarding this facility and its possible impact to their use of the subject property, the DSWM is requesting that Developer be required to have all prospective owners or tenants execute a written notification, acknowledgement, waiver, and release concerning the existence and ongoing operation of this facility and that the resulting executed documents be recorded in the Public Records of Miami-Dade County, Florida. The required "Notice" condition and text to be added to the Declaration of Restrictions is included in Appendix B of this report.

Parks

The Miami-Dade County Parks, Recreation and Open Space Department has three Park Benefit Districts (PBDs). The subject application site is located inside Park Benefit District 1 (PBD-1), which generally encompasses the area of the County from the Miami-Dade/Broward County Line to SW 8 Street.

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-1 has a surplus capacity of 96.14 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; Oak Grove Park is the only one of the five (5) parks listed below that is greater than the required minimum provision of five-acres of local recreational open space.

Park Name	Acreage	Classification
Biscayne Gardens Park	3.53	Neighborhood Park
Gratigny Plateau Park	0.97	Mini Park
Ives Estate Tot Lot	0.22	Mini Park
Jeb Estates Park	1.61	Mini Park
Oak Grove Park	21.85	Community Park
Oak Park	0.29	Mini Park
Sierra Park	1.95	Neighborhood Park

Source: Miami-Dade County Parks, Recreation and Open Space Department, April 2020.

Application Impacts

The potential for residential development under the existing "Office/Residential" and "Low Density Residential" land use designations generate two potential development scenarios. In the first scenario, the potential for residential development could generate a maximum of 5

single-family detached residential units and an anticipated population of 17. The concurrency analysis for this scenario would result in an impact of 0.05 acres based on the minimum Level of Service standard for the provision of local recreational open space in the Recreational and Open Space Element. In the second scenario, the potential for residential development could generate a maximum of 20 single-family attached residential units and an anticipated population of 67. The concurrency analysis for this scenario would result in an impact of 0.18 acres based on the minimum Level of Service standard for the provision of local recreational open space.

The potential for residential development under the proposed "Office/Residential and "Low-Medium Density Residential with One Density Increase with Urban Design" would also generate two potential development scenarios. In the first scenario, the potential for residential development could generate a maximum of 24 multi-family residential units and an anticipated population of 38. The concurrency analysis for this scenario would result in an impact of 0.10 acres based on the minimum Level of Service standard for the provision of local recreational open space. The second scenario takes into account the covenant proposed by the applicant, which would restrict the property to no more than 66 multi-family residential units, which could result in an anticipated population of 104. The concurrency analysis for this scenario would result in an impact of 0.29 acres based on the minimum Level of Service standard for the provision of local recreational open space. This would lower the park capacity in PBD-1 from 96.14 acres to 95.85 acres, but park capacity will remain above the adopted minimum LOS standard and will meet concurrency.

Fire and Rescue Service

The application area is currently served by Miami-Dade Fire Rescue (MDFR) Station No. 32 (Uleta) located at 358 NE 168 Street. The station is equipped with a Rescue and Engine totaling seven (7) firefighter/paramedics, 24 hours a day, seven days a week. The average travel time to incidents in the vicinity of the application site is estimated at approximately 7:00 minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8 minutes at 90% of all incidents. Presently, travel time to incidents in the vicinity of the application site complies with the performance objective of national industry standards.

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. The required fire flow for the proposed CDMP designation "Office/Residential and Low-Medium Density Residential with Density Increase One with Urban Design" shall be 1,500 gallons per minute (GPM). Fire hydrants shall be spaced a minimum of 300' from each other and shall deliver not less than 500 GPM. Presently, there are no fire flow deficiencies in the vicinity of the application.

The MDFR Department has determined that the current CDMP designation (Office/Residential and Low Density Residential) would allow a proposed development that could generate 9 annual alarms. The proposed CDMP designation (Office/Residential and Low-Medium Density Residential with Density Increase One with Urban Design) would allow a proposed development that could generate 18 annual alarms. The 10 annual alarms will result in a moderate impact to existing fire rescue service. Presently, fire and rescue services in the vicinity of the subject property is adequate. Based on the current call volume for Station No. 32 and existing stations within close proximity of the subject property, all stations combined are capable of mitigating the additional number of alarms. Additional stations include Station No. 38 (Norland) located at 575 NW 199 Street and Station No. 18 (North Miami Central) located at 13810 NE 5 Avenue.

The Miami-Dade Fire Rescue Department has no objection to Application No. CDMP20200006.

Police

Current data of police staffing, population, and crimes/calls for service by the Miami-Dade Police Department (MDPD) was examined to project any increase in calls for service. The MDPD 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. The MDPD will further review and comment on development of the site during the permitting process.

Public Schools

Level of Service Standard

The adopted Level of Service (LOS) standard for all public schools in Miami-Dade County is 100% utilization of Florida Inventory of School Houses (FISH) capacity with relocatable classrooms (CDMP Policy EDU-2A). This LOS standard, except for magnet schools, shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by Miami-Dade County Public Schools.

A planning level review, which is considered a preliminary school concurrency analysis, was conducted on this application based on the adopted LOS standard for public schools, the Interlocal Agreement (ILA) for Public Facility Planning between Miami-Dade County and Miami-Dade County Public Schools, and current available capacity and school attendance boundaries. If capacity is not available at the school of impact, the developments impact can be shifted to one or more contiguous CSA that have available capacity, located either in whole in part within the same Geographic Area, as defined in CDMP Policy EDU-2C.

Section 7.5 of the ILA provides for “Public Schools Planning Level Review” (Schools Planning Level Review), of CDMP amendments containing residential units. This type of review does not constitute a public school concurrency review and, therefore, no concurrency reservation is required. Section 7.5 further states that “...this section shall not be construed to obligate the County to deny or approve (or to preclude the County from approving or denying) an application.”

Application Impact

This application, if approved with the applicant’s proffered Declaration of Restrictions that limits development on the application site to 66 multi-family residential units, may increase the student population of the schools serving the application site by an additional 11 students. This number includes a reduction of 28.23% to account for charter and magnet schools (schools of choice). Of the 11 students, 5 are expected to attend elementary schools, 3 are expected to attend middle schools and 3 are expected to attend senior high schools. The students will be assigned to those schools identified in the “Concurrency Service Area (CSA) Schools” table below. At this time, the schools have sufficient capacity available to serve the application.

Concurrency Service Area (CSA) Schools

Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
Linda Lentin K-8 Center (Elem. Comp)	134	5	5	Yes	Current CSA

Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
Linda Lentin K-8 Center (Mid. Comp)	72	3	3	Yes	Current CSA
North Miami Senior	604	3	3	Yes	Current CSA

Source: Miami-Dade County Public Schools, May 2020

Miami-Dade County Department of Regulatory and Economic Resources, May 2020

Note: CSA means Concurrency Service Area

Section 9 of the ILA discusses implementation of school concurrency, indicating the test for school concurrency is at the time of a final subdivision, site plan or functional equivalent, not at the time of CDMP amendment application for land use. Miami-Dade County Public Schools is required to maintain the adopted LOS standard throughout the five-year planning period. In the event that there is not sufficient capacity at the time of final subdivision, site plan or functional equivalent, the ILA and the Educational Element of the CDMP describe a proportionate share mitigation process.

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 of the Code of Miami-Dade County as it pertains to airport zoning. MDAD advises that in accordance with the Code of Federal Regulation (CFR) Title 14 Part 77, any proposed temporary or permanent structure that reaches or exceeds 199' Above Ground Level (AGL) requires filing with the Federal Aviation Administration (FAA) using form 7460-1 'Notice of Proposed Construction or Alteration' which is available on the FAA's website and can be e-filed at: <https://oceaa.faa.gov>. Alternatively, the form can also be mailed to: Federal Aviation Administration, Southwest Regional Office Obstruction Evaluation Group, 2601 Meacham Blvd., Ft. Worth, TX 76137-0520. The applicant is required to coordinate with MDAD's Aviation Planning Division if any proposed temporary or permanent structure at the referenced location reaches or exceeds 199' AGL.

Roadways

The application site is ± 3.02-acre property located on the east side of NW 2 Avenue between NW 160 Street and NW 161 Street 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 application site has multiple accesses, in the west from NW 2 Avenue, in the south from NW 160 Street and in the north from NW 161 Street. The major roadways that would cater to the mobility needs of this project are shown below:

1. Florida's Turnpike north of Golden Glades to Miami Gardens Drive is a six-lane expressway with a posted speed limit of 65 mph.
2. Interstate 95 from NW 151 Street to NW 173 Street is a ten-lane expressway of which eight are general purpose lanes and two are express lanes, it's posted speed limit is 55 mph.

3. SR 826/Palmetto Expressway from NW 10 Avenue to Florida's Turnpike is a eight-lane expressway with a posted speed limit of 55 mph.
4. NW 2 Avenue from NW 159 Street to NW 169 Street is a two-lane undivided roadway with posted speed limit of 35 mph. It has interchanges with I-95 and SR 826/Palmetto Expressway.
5. NW 6 Avenue from NW 151 Street to NW 161 Street is a four-lane undivided roadway with posted speed limit of 40 mph.
6. Miami Avenue from Memorial Highway to North 167 Street is a two-lane divided roadway with posted speed limit of 30 mph. It has a bridge across Biscayne Canal thereby providing mobility connections to the south.
7. NE 2 Avenue from NE 167 Street to NE 151 Street is a two-lane undivided roadway with posted speed limit of 30 mph.
8. North 167 Street which is the eastern extension of Palmetto Expressway, from NW 2 Avenue to NE 6 Avenue is a six-lane divided roadway with posted speed limit of 35 mph. It has interchanges with I-95 and SR 826/Palmetto Expressway.
9. North 162 Street from NW 2 Avenue to NE 5 Avenue is a two-lane divided roadway with posted speed limit of 30 mph.
10. North 159 Street from NW 2 Avenue to NE 6 Avenue is a two-lane undivided roadway with posted speed limit of 35 mph.
11. Memorial Highway which is an extension of NW 2 Avenue, from North Miami Avenue to NE 142 Street is a two-lane undivided roadway with posted speed limit of 30 mph.

The project site is located near three major expressways, Florida Turnpike, Interstate 95, and SR 826 which would provide connectivity to other regions within the County and outside 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 Traffic 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 2019) and the County (Year 2019), 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 the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of "Office Residential" and "Low Density Residential" (2.5–6 Dwelling units per gross acre; DU/Acre) the application site is assumed to be developed with 32,887 sq. ft. of office uses and 5 single family detached dwelling units. Under the requested CDMP land use designation of "Office Residential" and "Low-Medium Density Residential with one density increase" (13–25 DU/Acre) the application site can be developed with 32,887 sq. ft. of office uses and 24 multi-family attached dwelling units but the applicant has provided a covenant to restrict the development potential to 66 multi-family dwelling units. The potential development under the current CDMP land use designation of 32,887 sq. ft. of office uses and 5 single family detached dwelling units is expected to generate approximately 45 PM peak hour trips and the covenant restricted development of 66 multi-family dwelling units under the requested CDMP land use designation it is expected to generate approximately 41 PM peak hour trips or approximately 4 less 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

Expedited Application No. 20200006	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
Land Use	“Office Residential” and “Low Density Residential” (2.5–6 DU/Acre)	“Office Residential” and “Low-Medium Density Residential with one density increase” (13–25 DU/Acre)	
Maximum Development Potential	32,887 sq. ft. Office uses ¹ and 5 single-family detached units ²	66 multi-family units ³	
Trips Generated	45	41	- 4

Source: Institute of Transportation Engineers, Trip Generation, 10th Edition, 2012; Miami-Dade County Department of Regulatory and Economic Resources, January 2019.

Notes: ¹ – ITE Land Use Code used for Office Uses (General Office) is 710.

² – ITE Land Use Code used for Single Family Detached is 210.

³ – ITE Land Use Code used for Multi-Family is 220.

Short Term Traffic Evaluation (Concurrency)

An evaluation of peak-period traffic concurrency conditions as of April 2020, 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 2020 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the development scenarios assumed to be developed under the requested CDMP LUP map designation, determined that all roadways, 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. Also, the subject application site is inside the County’s Urban Infill Area (UIA), the County’s designated Transportation Concurrency Exception Area (TCEA), hence it is exempt from traffic concurrency. 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 Under the Requested CDMP Designation 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	% Impact	Total Trips With Amend.	Concurrency LOS with Amend.
Requested CDMP Designation: "Office Residential" and "Low Medium Density Residential" – 66 Multi-Family Units generating approximately 41 PM peak hour trips														
9326	NW 2 Avenue	South of NW 167 Street	4 DV	E+20	3,283	1,344	D	13	1,357	D	16	0.49%	1,373	D
F0366	NW 167 Street	East of N Miami Avenue	6 DV	E+20	5,400	3,045	D	12	3,057	D	6	0.11%	3,063	D
9316	North Miami Avenue	N/O NE 159 Street	2 DV	E+20	1,522	563	C	6	569	C	7	0.46%	576	C
9249	Memorial Highway	North of NE 135 Street	2 DV	E+20	1,522	704	D	5	709	D	14	0.92%	723	D
F2137	1-95	North of Golden Glades Interchange	8 DV	E+20	18,012	11,428	D	0	11,428	D	2	0.01%	11,430	D
F0021	NW 2 Avenue	South of Miami Gardens Drive	6 DV	E	6,468	3,708	C	36	3,744	C	4	0.06%	3,748	C
F2114	Palmetto Expwy	East of NW 12 Avenue	8 DV	E+20	18,012	11,488	D	0	11,488	D	5	0.03%	11,493	D
F2504	FL Turnpike	North of Golden Glades Toll Plaza	6 DV	E	11,100	9,108	D	0	9,108	D	5	0.05%	9,113	D
F2134	I-95	South of NW 151 Street	8 DV	E+50	22,515	16,322	E+8	0	16,322	E+8	3	0.01%	16,325	E+8
Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources and Florida Department of Transportation, December 2018.														
Notes: DV= Divided Roadway; UD=Undivided Roadway.														
* County adopted roadway level of service standard applicable to the roadway segment: D (90% capacity); E (100% capacity); E+20% (120% capacity for roadways serviced with mass transit having 20 minutes or less headways in the Urban Infill Area (UIA)); E+50% (150% capacity for locations with extraordinary transit service)														

Application Impact

The maximum development potential scenarios under each the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Office Residential” and “Low Density Residential” (2.5–6 DU/Acre) the application site is assumed to be developed with 32,887 sq. ft. of office uses and 5 single family detached dwelling units. Under the requested CDMP land use designation of “Office Residential” and “Low-Medium Density Residential with one density increase” (13–25 DU/Acre) the application site can be developed with 32,887 sq. ft. of office uses and 24 multi-family attached dwelling units but the applicant has provided a covenant to restrict the development potential to 66 multi-family dwelling units. The existing development potential of 32,887 sq. ft. of office uses and 5 single family detached dwelling units is expected to generate approximately 45 PM peak hour trips and the proposed development potential of 66 multi-family dwelling units is expected to generate approximately 41 PM peak hour trips or approximately 4 less PM peak hour trips than the current development potential allowed in the CDMP.

The concurrency analysis determined that all roadways, 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. Also, the subject application site is inside the County’s Urban Infill Area (UIA), the County’s designated Transportation Concurrency Exception Area (TCEA), hence it is exempt from traffic concurrency.

Other Roadway Improvements

1. Golden Glades Interchange, an important entry point into Miami-Dade County is up for major ramp improvements and reconstruction in 2021. The project area consists of five major facilities including I-95 Expressway, Florida’s Turnpike, Palmetto Expressway, State Road 9 and US 441/NW 7 Avenue. The total capital cost for this project is approximately \$1 billion.
2. Access Improvements on NW 167 Street between NW 2 Avenue and NE 15 Avenue. This is a Tier 4 project with a total funding allocation of \$1.97 million in the Miami-Dade TPO’s 2040 LRTP.
3. Bridge Replacement on Miami Avenue north of NW 143 Street. The design is complete, and the construction is scheduled for 2019. The total capital cost of this project is about \$5 million.

Applicant’s Traffic Study

The applicant’s transportation consultant, Traftech Engineering, Inc., prepared the *CDMP Amendment Traffic Impact Study Revised* dated 15 May 2020. The Traffic Study analyzes the existing, short term and long-term traffic impacts that the proposed project will have on the roadways adjacent to and in the vicinity of the application site. A copy of the Traffic Study’s Project Description section is included in Appendix C. The complete Traffic Study is available online at the Department’s website at

https://energov.miamidade.gov/EnerGov_Prod/SelfService#/plan/43fbd95-67e1-422f-85f1-fc26b1d6b0ef?tab=attachments. The maximum development potential for the property would be 32,887 sq. ft. of office uses and 20 multi-family dwelling units per the current CDMP land use designation. The proposed land use would allow 32,887 sq. ft. of office uses and 24 multi-family attached dwelling units, but the applicant has provided a covenant to restrict the development potential to 66 multi-family dwelling units. Since 32,887 sq. ft. of office uses are allowed for

existing and proposed uses the applicant has not included it in the trip generation analysis as it cancels itself out.

The trip generation analysis for the existing and proposed land use is shown in Table 1 and Table 2 of the traffic study. The PM Peak Hour trip generation for the existing development potential of 20 multi-family dwelling units would be 11 trips. The PM Peak Hour trip generation from the proposed development potential of 66 multi-family units would be 37 trips or approximately 26 more PM peak hour trips than the current CDMP designation. See applicant's Table 1 and Table 2 below for trip generation analysis.

TABLE 1 Trip Generation Summary (Existing Office Residential and Low Density Residential) NW 160th Street and NW 2nd Avenue								
Land Use	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total Trips	Inbound	Outbound	Total Trips	Inbound	Outbound
MF Condo/Apts.	20	146	9	2	7	11	7	4
External Trips		146	9	2	7	11	7	4

Source: ITE Trip Generation Manual (10th Edition)

TABLE 2 Trip Generation Summary (Proposed Office Residential and Low Medium Density Residential + One Density Increase) NW 160th Street and NW 2nd Avenue								
Land Use	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total Trips	Inbound	Outbound	Total Trips	Inbound	Outbound
MF Condo/Apts.	66	483	30	7	23	37	23	14
External Trips		483	30	7	23	37	23	14

Source: ITE Trip Generation Manual (10th Edition)

Difference in Trips (Proposed CDMP - Current CDMP)	337	21	5	16	26	16	10
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The site is located in Traffic Analysis Zone (TAZ) 177, the cardinal trip distribution for this TAZ was obtained from the MPO's 2040 Cost Feasible Plan. The Miami-Dade TPO publishes trip distribution data for the years 2010 and 2040 for each TAZ within Miami-Dade County, this data is interpolated to get the 2025 trip distribution for the concurrency analysis. Using the cardinal distribution, the project traffic was distributed on the surrounding roadway network. See applicant's Table 3 below for trip distribution analysis.

TABLE 3 Project Trip Distribution TAZ # 177 for Golden Glades NMB								
Year	Movement							
	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW
2010	12.30%	14.00%	8.00%	15.90%	15.90%	11.50%	9.10%	13.40%
2040	12.90%	17.60%	5.10%	16.10%	15.00%	10.90%	9.30%	13.30%
2025*	12.60%	15.80%	6.55%	16.00%	15.45%	11.20%	9.20%	13.35%

Note: * Interpolated Values

Source: Miami-Dade County (2010 & 2040 SERPM)

The applicant's traffic study reviewed the existing traffic conditions on the surrounding roadway network using the County's and FDOT's 2019 traffic count data. Nine surrounding roadway segments were analyzed for afternoon peak hour capacity conditions and it was determined that all roadways are functioning at an acceptable level of service. See the applicant's Table 4 below for the existing roadway condition analysis.

TABLE 4 Existing Conditions (Year 2019) Analysis Golden Glades NMB (N Parcel)							
Sta. No.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.	Peak Hour Capacity (1)	2019 Peak Hour Period (1)	Existing LOS
Request CDMP - from "Low Density Residential" to "Median-High Density Residential"							
9249	Memorial Hwy	N/O NE 135 St	2	E + 20	1,522	704	D
9316	N. Miami Ave	N/O NE 159 St	2	E + 20	1,522	563	C
9326	NW 2nd Ave	S/O NW 167 St	4	E+20	3,283	1,344	D
F0366	NW 167 Street	E/O N Miami Av	6	E + 20	5,400	3,045	D
F2137	I-95	N/O G Glades	8	EE	18,012	11,488	D
F0021	NW 2 Ave	S/O M Gardens	6	HE	5,390	3,708	C
F2114	Palmetto Exwy	E/O NW 12 Av	8	EE	18,012	11,488	D
F2504	F Turnpike	N/O G Glades	6	E	11,100	9,108	D
F2134	I-95	S/O NW 151 St	8	E+50	22,515	16,322	E + 8

SOURCE: Miami-Dade County and FDOT (April 2, 2020)

(1) Miami-Dade County Concurrency (June 2019)

The applicant's traffic study included a 2025 short term analysis, which included reserved trips from approved development not yet constructed, programmed roadway capacity improvements listed in the first five years of the County's adopted 2020 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the proposed development. The short-term analysis determined that all roadways impacted by the proposed development, will have sufficient capacity to handle the additional traffic impacts that would be generated by this project. See the applicant's Table 5 below for the short-term analysis.

The applicant's traffic study also included a 2040 Long Term analysis to determine the future long-term traffic impacts on the surrounding roadways. The 2040 traffic volumes were obtained from the Southeast Florida Regional Planning Model (SERPM7) and the project trips were added to the model volumes to determine the impact on the surrounding roadway segments. One roadway segment, NW 2 Avenue south of Miami Gardens Drive is projected to operate below the adopted LOS standard but the traffic impact from the project is only 0.5% of the roadway's maximum service volume and is thereby deemed not significant. Also, the roadway segment is projected to operate below the adopted LOS standard in the long term with or without the project traffic impact from the application. See the applicant's Table 6 below for the 2040 Long Term analysis.

The applicant's traffic study assessed the impacts of the proposed CDMP amendment on the roadway segments surrounding the application site. The traffic analysis was prepared for existing traffic conditions, short-term (year 2025), and long-term (year 2040) traffic impacts. The results indicate that the impacted roadway segments are expected to operate at adopted levels of service or better during all analysis scenarios except for one roadway segment that is failing in the long term but the traffic impacts from the project are insignificant. Staff is in agreement with the applicant's traffic analysis and the conclusions from it.

TABLE 5
Short-Term (Year 2025) Concurrency Analysis
NW 160th Street and NW 2nd Avenue

Sta. No.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.	Peak Hour Capacity (1)	2019 Peak Hour Period (1)	Existing LOS	Approved DO Trips (1)	Growth (3)	Year 2025 Peak Hour Trips	Total Trips w/DO+550 Trips	Conc. LOS w/o Amend.	Amend. Peak Hr Trips =			Total Peak Hour Trips	Conc. LOS w/ Amendmt
													37				
													%	Trips	% Impct.		
Request CDMP - from "Office/Residential and Low Density" to "Office/Residential and Low-Medium Density Residential + One Density Increase"																	
9249	Memorial Hwy	N/O NE 135 St	2	E+20	1,522	704	D	5	0.58%	729	734	D	10%	4	0.26%	738	D
9316	N. Miami Ave	N/O NE 159 St	2	E+20	1,522	583	C	8	1.57%	618	624	D	10%	4	0.26%	628	D
9326	NW 2nd Ave	S/O NW 167 St	4	E+20	3,283	1,344	D	13	0.13%	1,355	1,368	D	68%	15	0.76%	1,393	D
F0356	NW 167 Street	E/O N Miami Av	6	E+20	5,400	3,045	D	17	0.47%	3,132	3,144	D	22%	8	0.15%	3,152	D
F2137	I-95	N/O G Glades	8	EE	18,012	11,488	D	0	0.39%	11,761	11,761	D	15%	6	0.03%	11,767	D
F0021	NW 2 Ave	S/O M Gardens	6	HE	5,390	3,708	C	0	0.46%	3,811	3,811	C	15%	6	0.11%	3,817	C
F2114	Palmetto Exwy	E/O NW 112 Av	8	EE	18,012	11,488	D	0	0.76%	12,022	12,022	D	10%	4	0.02%	12,026	D
F2504	F Turnpike	N/O G Glades	6	E	11,100	9,108	D	0	0.95%	9,642	9,642	D	6%	2	0.02%	9,644	D
F2134	I-95	S/O NW 151 St	8	E+50	22,515	18,322	E+8	0	0.39%	16,709	16,709	E+11	22%	8	0.04%	16,717	E+12

SOURCE: Miami-Dade County and FDOT (April), 2020.

(1) Miami-Dade County Concurrency (June 2019)

(3) Growth Rates based on Miami-Dade County 2010 and 2040 SERMF

Memorial Hwy N. of NE 135th Street (12.1 in 2010 to 14.4 in 2040) =

0.58%

N. Miami Ave N. of NE 159th Street (3.7 in 2010 to 5.9 in 2040) =

1.57%

NW 2nd Avenue S. of NW 167th Street (26.8 in 2010 to 27.9 in 2040) =

0.13%

NW 167th Street E. of N Miami Avenue (52.8 in 2010 to 60.8 in 2040) =

0.47%

I-95 N. of Golden Glades (77.7 in 2010 to 87.4 in 2040)

0.39%

NW 2nd Avenue S. of Miami Gardens Dr (27.5 in 2010 to 38.9 in 2040)

0.46%

Palmetto Exwy E. of NW 112 Ave (57.2 in 2010 to 71.8 in 2040)

0.76%

Florida's Turnpike N. of Golden Glades (48.8 in 2010 to 64.9 in 2040)

0.95%

I-95 S. of NW 151 Street (100.8 in 2010 to 113.1)

0.39%

TABLE 6
Long-Term (Year 2040) Analysis
NW 160th Street and NW 2nd Avenue

Sta. No.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.	Peak Hour Capacity (1)	2040 SRPM Plot	K (2) Factor	Approved DO Trips (1)	Year 2040 Peak Hour Trips	Total Trips w/DO Trips	Conc. LOS w/o Amend.	Amend. Peak Hr Trips =			Total Peak Hour Trips	LOS w/ Amendmt
												26				
												%	Trips	% Impct.		
Request CDMP - from "Office/Residential and Low Density" to "Office/Residential and Low-Medium Density Residential + One Density Increase"																
9249	Memorial Hwy	N/O NE 135 St	2	E+20	1,522	14,400	0.09	5	1,296	1,301	D	10%	3	0.20%	1,304	D
9316	N. Miami Ave	N/O NE 159 St	2	E+20	1,522	5,900	0.09	6	531	537	C	10%	3	0.20%	540	C
9326	NW 2nd Ave	S/O NW 167 St	4	E+20	3,283	27,900	0.09	13	2,511	2,524	D	68%	18	0.55%	2,542	D
F0356	NW 167 Street	E/O N Miami Av	6	E+20	5,400	60,800	0.09	12	5,472	5,484	E+2	22%	6	0.11%	5,490	E+2
F2137	I-95	N/O G Glades	8	EE	18,012	87,400	0.09	0	7,866	7,866	C	19%	4	0.02%	7,870	C
F0021	NW 2 Ave	S/O M Gardens	6	HE	5,390	88,900	0.09	0	3,001	3,001	F	15%	4	0.07%	3,005	F
F2114	Palmetto Exwy	E/O NW 112 Av	8	EE	18,012	71,800	0.09	0	6,462	6,462	B	10%	3	0.02%	6,465	B
F2504	F Turnpike	N/O G Glades	6	E	11,100	64,900	0.09	0	5,841	5,841	B	6%	2	0.02%	5,843	B
F2134	I-95	S/O NW 151 St	8	E+50	22,515	113,100	0.09	0	10,179	10,179	B	22%	6	0.03%	10,185	B

SOURCE: Miami-Dade County and FDOT

(1) Miami-Dade County

Transit

Existing Service

The application site is located ±0.19 miles (±4-minute walk) from the nearest bus stop along North Miami Avenue at NW 160th Street which is served by Metrobus Route 2; and served by Metrobus Route 105 at a bus stop located ±0.28 miles (±6-minute walk) along NW 6 Avenue at NW 159 Street. The application site is also served by Metrobus Routes 22 and 246 at a bus stop located ±0.57 miles away (±11-minute walk) along NW 167th Street at NW 1st Avenue. The application site is also served by Metrobus Routes 77, 95, 155, and 277 at the Golden Glades Multimodal Transportation Facility (GGMTF) located ±1.4 miles away west of I-95 and ±two miles via transit Route 105, and provides access to several Metrobus routes and the Tri-Rail station. The service frequencies of the referenced bus routes are shown in the “Metrobus Route Service Summary” table below.

Route	Service Headways (in minutes)					Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8 pm)	Saturday	Sunday	
2	60	60	50	n/a	n/a	L/F
22	30	60	60	60	60	L/F
77 (NW 199 Street)	15	40	30	n/a	n/a	E/F
95 (Express Downtown)	5	n/a	n/a	n/a	n/a	E/F
105 (Route E)	30	45	30	60	60	L
155 (Biscayne Gardens Circulator)	30	30	n/a	n/a	n/a	L
246 (Night Owl)	n/a	n/a		60	60	L/F
277 (NW 7 Avenue MAX)	24	n/a	n/a	n/a	n/a	E/F

Source: 2020-2029 Transit Development Plan, Miami Dade Department of Transportation and Public Works, Dec. 2018 Line Up, April 2020.

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

While the service above is in place, the operation of the system at the time of the review is scaled back to meet the current demands, due to COVID-19 pandemic.

The application site is also served by the Golden Glades Tri-Rail station located ±1.4 miles away (±35-minute walk through the existing pedestrian network) west of State Road 9.

Recent Service Adjustments

According to the FY 2020-2029 Transit Development Plan (TDP), Route 77 experienced a reduction in service with weekday off-peak and Saturday headways increased to 20 minutes, and weekday running times were adjusted after 6:00 PM.

Future Transportation/Transit Needs and Planned Improvements

The TDP identifies one funded capital project near the proposed development, the Golden Glades Multimodal Transportation Facility (GGMTF), which is ±0.7 miles (±1.8 miles following the existing roadway system) from the application site and will consolidate existing bus transit services into a single facility adjacent to the Tri-Rail Station. Construction has begun and when

completed It will include a 5-story parking garage with 2,150 parking spaces, a 4,500 square foot transit hub, 10,450 square foot retail space, bicycle parking and lockers.

According to the TDP, there are also two unfunded capital projects. The first is the Golden Glades Multimodal Transportation Facility (IT Component) improvement which includes the implementation of technological components for GGMTF, to include features such as wi-fi, security access control system, CCTV real time signage, and ticket vending machines. The second project is the Sunshine State Industrial Park Kiss-and-Ride/Transit Terminal Facility (BERT) which is \pm 2.3 miles away, on the west side of the South Florida Tri-Rail Corridor north of the Golden Glades Tri-Rail Station with a connection via a fully covered and illuminated bicycle/pedestrian overpass. Since the approval of the *TDP* funding has been identified for these two projects.

DTPW Comments/Recommendations

The Miami-Dade Transit Division, Department of Transportation and Public Works (DTPW) encourages the developer to support and enhance pedestrian and bicyclist connections to the bus stops; and to incorporate pedestrian accessibility into residential neighborhood design to enable safe pedestrian access to neighboring properties, adjacent transit stops, and planned future rapid transit stations. Upon DTPW's review for mass transit concurrency, the application is found to meet the adopted mass transit level-of-service standard contained in CDMP Policy MT-1A. Therefore, DTPW has no objections to this application.

Bicycle/Pedestrian Considerations

There is an existing elevated bicycle/pedestrian bridge over I-95 that connects the east and west sides of I-95. The bridge is accessible on the east side of I-95 at the corner of NW 6 Avenue and NW 147 Street and crosses over and is accessible on the west side of I-95 at NW 6 Court and NW 147 Street. The pedestrian bridge on the east side of I-95 is located \pm 6,315 feet southwest of the application site.

The Florida Department of Transportation (FDOT) has identified other pedestrian enhancements/connections proximate to the Golden Glades interchange area. These include another elevated bicycle/pedestrian bridge (the "Biscayne Gardens Connector") over I-95 that connects the east and west sides of I-95. The bridge is accessible on the east side of I-95 at the corner of NW 6 Avenue between NW 157 and NW 159 Streets, located approximately \pm 3,287 feet southwest of the application site.

About \pm 2,701 feet north of the application site, there is an elevated pedestrian bridge proposed over the South Florida Rail Corridor, accessible at the corner of NW 2 Avenue and NW 169 Street, and to cross and connect with NW 2 Avenue on the north side of I-95.

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

The proposed application would 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-1F To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.
- LU-8A. Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial, cultural, community, and senior centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.
- 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 stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.
- LU-8F The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year

surplus (a total 15-year Countywide supply beyond the date of EAR adoption). The estimation of this capacity shall include the capacity to develop and redevelop around transit stations at the densities recommended in policy LU-7F. The adequacy of non-residential land supplies shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the Countywide supply within the UDB. The adequacy of land supplies for neighborhood- and community-oriented businesses and office uses shall be determined on the basis of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-Tiers, and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities.

Objective LU-12 Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in a built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law.

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



APPLICATION TO AMEND THE LAND USE PLAN MAP OF THE MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN FROM OFFICE/RESIDENTIAL AND LOW DENSITY RESIDENTIAL TO OFFICE/RESIDENTIAL AND LOW-MEDIUM DENSITY RESIDENTIAL WITH DENSITY INCREASE ONE FOR URBAN DESIGN

JANUARY 6, 2020

1. APPLICANT

Care Oasis LLC, 16711 Collins Avenue 2302 Sunny Isles Beach, FL 33160

2. APPLICANTS' REPRESENTATIVE

Felix M. Lasarte, Esq.
The Lasarte Law Firm
3250 NE 1st Avenue, Suite 334
Miami, Florida 33137
Email: Felix@LasarteLaw.com
Phone: 305.594.2878

By: [Signature]
Felix M. Lasarte, Esq.

January 6, 2020
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. Change to the Land Use Plan Map The Applicant is respectfully requesting a change to the Miami-Dade County Comprehensive Development Master Plan ("CDMP") Land Use Element, Future Land Use Plan Map ("FLUM") (item A.1 in the fee schedule), for the purpose of amending the land use designation for the subject property from "Office/Residential" and "Low Density Residential" to "Office/Residential" and "Low-Medium Density Residential With Density Increase One for Urban Design."

B. Description of the Subject Property The subject property comprises approximately 3.02± gross acres of land located in Section 13, Township 52, Range 41(hereinafter referred to as the "Application Area"). The Application Area is located east of the Golden Glades Interchange and south of State Road 826 (N. Miami Beach Boulevard/NE 167th Street) on the east side of NW 2nd Avenue between NW 160th and NW 161st Streets. The Application Area is graphically depicted on the location map attached hereto as Exhibit A. and legally described in the written description attached hereto as Exhibit B.

C. Gross and Net Acreage:

Application Area: 3.02 ± gross acres (2.33 ± net acres)
Acreage Owned by Applicant: 3.02 ± gross acres (2.33 ± net acres)

D. Requested Change

- i. Applicant requests that the Application Area be redesignated on the FLUM from "Office/Residential" and "Low Density Residential" to "Office/Residential" and "Low-Medium Density Residential With Density Increase One for Urban Design."
ii. Request to accept proffered covenant.

- iii. Applicant requests that this Application be processed as a small-scale amendment under the CDMP Expedited Amendment procedures.

4. REASON FOR AMENDMENT

The Application Area comprises 3.02± gross acres of vacant land in unincorporated Miami - Dade County within the Urban Infill Area of Miami-Dade County in an established urbanized area located approximately 4 blocks east of the Golden Glades Interchange and seven blocks south of State Road 826 (N. Miami Beach Boulevard/NE 167th Street), and more particularly on the east side of NW 2nd Avenue between NW160th and NW 161st Streets. Pursuant to Section 33G-3(26) of the Miami-Dade County Code of Ordinances, the Urban Infill Area is that area of Miami-Dade County located east of, and including Northwest and Southwest 77th Avenue and the Palmetto Expressway (SR 826), excluding the area north of SR 826 and west of I-95. COMP Land Use Policy LU-IC provides, in pertinent part, that "Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas" in order to discourage and alleviate the potential negative impacts of urban sprawl.

The requested land use change will achieve the following objectives:

- promote infill development that makes more efficient use of existing service infrastructure and reduces pressure to develop land beyond the Urban Development Boundary;
- provide additional residents with pedestrian and bike alternatives to vehicular use to access a variety of nearby work, recreational, and commercial destinations;
- provide additional residents to support ridership at nearby transit services including the Golden Glades Intermodal Transportation Center just west of I-95 and the Metrobus route on N. Miami Avenue with stops a block away on 160th Street;
- increase the number of available housing options without overburdening area levels of service; and
- facilitate the development of a higher caliber project architectural design which will enhance the level of urban design in the neighborhood.

Existing Conditions

The Application Area is located between NW 160th and NW 161st Streets on the east side of NW 2nd Avenue, a four-lane arterial roadway with designated centralized turning lanes that connects W. Dixie Highway (SR 909) with N. Miami Beach Boulevard. It is situated within a currently urbanized area that has been developed with a variety of housing, commercial, religious and institutional uses.

Across NW 2nd Avenue to the west of the Application Area is Rescue Church Miami on a .8 acre parcel at 16090 NW 2nd Avenue. Also to the west are two one-story multi-family properties at 16020 and 16010 NW 2nd Avenue. Directly south of the Application Area across NW 160th Street is a 5.5 acre parcel owned by Miami-Dade County. On the west side of this property at 15902 NW 2nd Avenue is the Miami-Dade County Golden Glades Trash and Recycling Center. On the east side of this

parcel at 151 NW 159th Street is Miami-Dade County Biscayne Gardens Park. The park has a winding walkway with trees and shrubs and a central open lawn area for active uses. Directly to the north of the Application Area at 190 NW 162nd Street is a 4 acre parcel of vacant land designated Office/Residential and Low-Medium Density Residential With W/ Density Increase 1. Directly to the east of the Application Area at 131 NW160th Street is a Single Family property on .85 acres. Moving beyond the properties immediately adjacent to the Application Area, there are a wide variety of existing residential, commercial, and religious uses. To the northwest are the Hampton Court Nursing and Rehabilitation Center with 120 units, the six-story Monte Carlo condominium with 348 residential units, the Masjid As-Sunnah An-Nabawiyyah mosque, the Golden Glades Condominium Office Park Toyota of North Miami auto sales and service which occupies 3 large parcels, the Parkway Grove Condominium with mid-rise condominiums and townhouses, and the 4 story Golden Gate Apartment Condominium. To the north of the Application Area on the east side of NW 2nd Avenue are a variety of medical offices and small commercial and educational uses as well as vacant lots. These include the Children's Academy preschool, the Thumbelina Academy early childhood education center, and the Summit Professional Center.

Further north from the Application Area on the north side of N. Miami Beach Boulevard is the Jackson North Medical Center, a part of Jackson Health Systems, which is the closest major employment center to the Application Area. Further to the northeast and southeast of the Application Area are large areas of single family properties.

South of the Application Area along the east side of NW 2nd Avenue is the PediPec Pediatric Extended Care medical facility, the newly constructed 22 unit Biscayne Gardens Townhomes rental project, the two story Robinhood Apartments with 46 units, the Elite Scholars Learning Center preschool with a capacity of 60 children, the two story Biscayne Gardens apartments with 42 units, and St. Simeon Serbian Orthodox Church.

Southwest of the Application Area along the west side of NW 2nd Avenue are the 160-unit Livewell retirement home, several one-story multi-family properties, the Camelot Apartments with 28 units, and several vacant lots. Further to the west of these properties are a number of single-family properties and several large vacant parcels and religious institution uses along Interstate 95.

Consistency with CDMP

Policy LU-8E of the CDMP states that: 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 Level of Service ("LOS") Standards;
- iii. Be compatible with abutting and nearby land use and protect the character of established neighborhoods;
- iv. Enhance or degrade environmental or historical resources, features or systems of County significance;
- v. If located in a planned Urban Center, or within ¼ mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period

headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

The Application Area is ideally suited for infill residential development that will offer access to multiple modes of transportation, employment centers, recreational areas and places of worship. As described below, the requested amendment to the FLUM would fully satisfy each of the five evaluation factors noted above.

Accommodation of Projected Population or Economic Growth. The Property is located in Minor Statistical Area ("MSA") 2.1 within the designated infill area of Miami-Dade County. As vacant property within the infill area, the residential development of the property will serve to promote the Goals, Objectives and Policies of the CDMP by increasing the residential housing stock within an area targeted for future growth and will serve to alleviate additional urban sprawl within Miami-Dade County. The concentration of additional housing opportunities close to major employment and educational centers and stores will also allow more individuals and families to live close to work, schools, grocery stores, and other businesses. The increase in residents created by the requested change will further promote economic growth for area business owners who will have more nearby customers. In the long run, approval of the Application will further the County initiative set forth in CDMP Policy LU-8F, which seeks to maintain the land located within the Urban Development Boundary with enough developable land to sustain projected countywide residential demand for a period of ten (10) years after adoption of the most recent Evaluation and Appraisal Report ("EAR") plus a 5-year surplus (a total 15-year Countywide supply beyond the date of the EAR adoption).

Enhance or Impede Level of Service Standards. The requested change would allow a reasonable increase in the number of residential units created on the property. These additional households will not create a deficiency in the LOS transportation and infrastructure standards. The Applicant will work with all County Departments and agencies to address any potential concerns that may arise.

Compatibility With Abutting Land Uses and Neighborhood Character. As noted above, the Application Area is sited within an established urbanized area surrounded by a variety of residential, commercial and institutional uses. The requested change provides additional housing and patrons for area businesses while maintaining an appropriate transition to lower density and mostly single-family uses to the east of the Application Area. This kind of transitional land use is stated as a primary planning principal within the County's Guidelines for Urban Form.

Protection of Historical and Environmental Resources. There are no significant historical, archeological, or environmental resources located in the Application Area. The Applicant will work with all County Departments and agencies to address any potential concerns if any were to arise.

Promotion of Transit Ridership and Pedestrianism. The Application Area is located within Miami-Dade County's concurrency exemption area which encourages new development in areas already served by roads and transportation. Residents of the increased amount of housing which would be provided by the requested change will have access to multiple transportation options including walking or biking to neighborhood destinations and transit to more distant destinations. It is close to the NW 2nd Avenue arterial roadway and is only a few blocks from N. Miami Beach Boulevard and the Golden Glades Interchange which offer vehicular and bus access to all of northeastern Miami-Dade County and beyond. The Application Area is also a short distance from the Golden Glades Multimodal Transportation Facility which will significantly upgrade and enhance local mobility options. The Facility will include 2,150 parking spaces, a 4,500 square foot transit hub, 10,450 square foot of

retail space, direct access to the Tri-Rail Station from new parking garage, bicycle parking and lockers, new multi-bay bus terminals and upgraded or new bicycle paths, sidewalks, walkways and platforms. This Facility is accessible from the Application Area by car or shuttle bus. Ideally the Multimodal Facility will be connected to the areas east of I-95 with a designated bike route. The requested change will directly support the additional capacity being created at the Facility. The Application Area also fronts NW 2nd Avenue which is a designated sharrow. The requested change will increase the number of residents who will have direct access to a sharrow bike route that provides a bicycling connection to nearby destinations. The Application Area is also one block from the north and south Number 2 bus route stops at N. Miami Avenue and NW 160th Street. Therefore the requested change will increase the number of residents who have direct access to the extensive Metrobus system. As depicted and described on the exhibits attached hereto, including the professional traffic study conducted, the additional density requested for the site will be more than adequately served by the variety of existing nearby transportation modes.

In addition to complying with the 5 criteria contained in Policy LU-8E, the proposed Amendment will also 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 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.

The requested change concentrates additional development in a developed area around centers of work, commerce, and worship with easy access to multiple transportation modes. The proposed use will expand housing options and improve an area that is somewhat compromised by aging buildings and vacant lots.

Policy LU-1A. High intensity, well-designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multimodal accessibility.

The Amendment request will increase residential density which will contribute to the development of an urban center accessible to the Golden Glades Multi-Modal Transportation Facility which will directly support the expanded capacity of the Facility.

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

The Amendment request prioritizes infill development on a vacant site in a currently urbanized area with services that can accommodate additional demand.

Policy LU-1D. In conducting its planning, regulatory, capital improvements 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.

The requested change will increase the number of residential units in a community that includes numerous places of worship, a County park, and various places of employment. The Application Area is near an arterial road that connects to a network of streets and sidewalks that provides circulation for vehicular, pedestrian, and bicycle traffic.

Policy LU-1F. To promote housing diversity and to avoid the creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.

The Amendment request will increase the range of housing options available in the area.

Policy LU-1T. Miami-Dade County through its land development regulations shall encourage developments that promote and enhance bicycling and pedestrianism through the provision of bicycle and pedestrian facilities and other measures such as building design and orientation, and shall discourage walled and gated communities.

The Amendment request will allow an increased number of residents to utilize the site's walkable and bikeable location to access nearby businesses, parks, places of worship and other destinations without having to use a car. The development will also reinforce NW 2nd Avenue, which is an officially designated sharrow for shared bike/vehicular use, as an inviting and functional pedestrian and bicycle corridor.

Policy LU-8A. Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial, cultural, community, and senior centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.

The Amendment request will increase the number of residential units in a suitable location that is well served by existing services and infrastructure and are close to commercial and employments centers. The requested land use change is compatible with the character of surrounding neighborhoods.

Land Use Policy LU-10 A. 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.

The requested change will facilitate infill development to achieve more contiguous urban development. The increased number of residents created by the change will support the utilization of the Metrobus route on North Miami Avenue at NW 160th with stops just a block walk away.

Land Use Objective LU-12. Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law.

The Application Area is located within the Urban Infill Area and the change request will directly promote its development while reducing pressure for expanding the Urban Development Boundary.

5. LOCATION MAP FOR APPLICATION

See Exhibit A. Location Map for Application to Amend the Comprehensive Development Master Plan.

6. LEGAL DESCRIPTION

See Exhibit B. Legal Description With Boundary Survey

7. DISCLOSURE OF INTEREST FORM

See Exhibit C. Disclosure of Interest Form

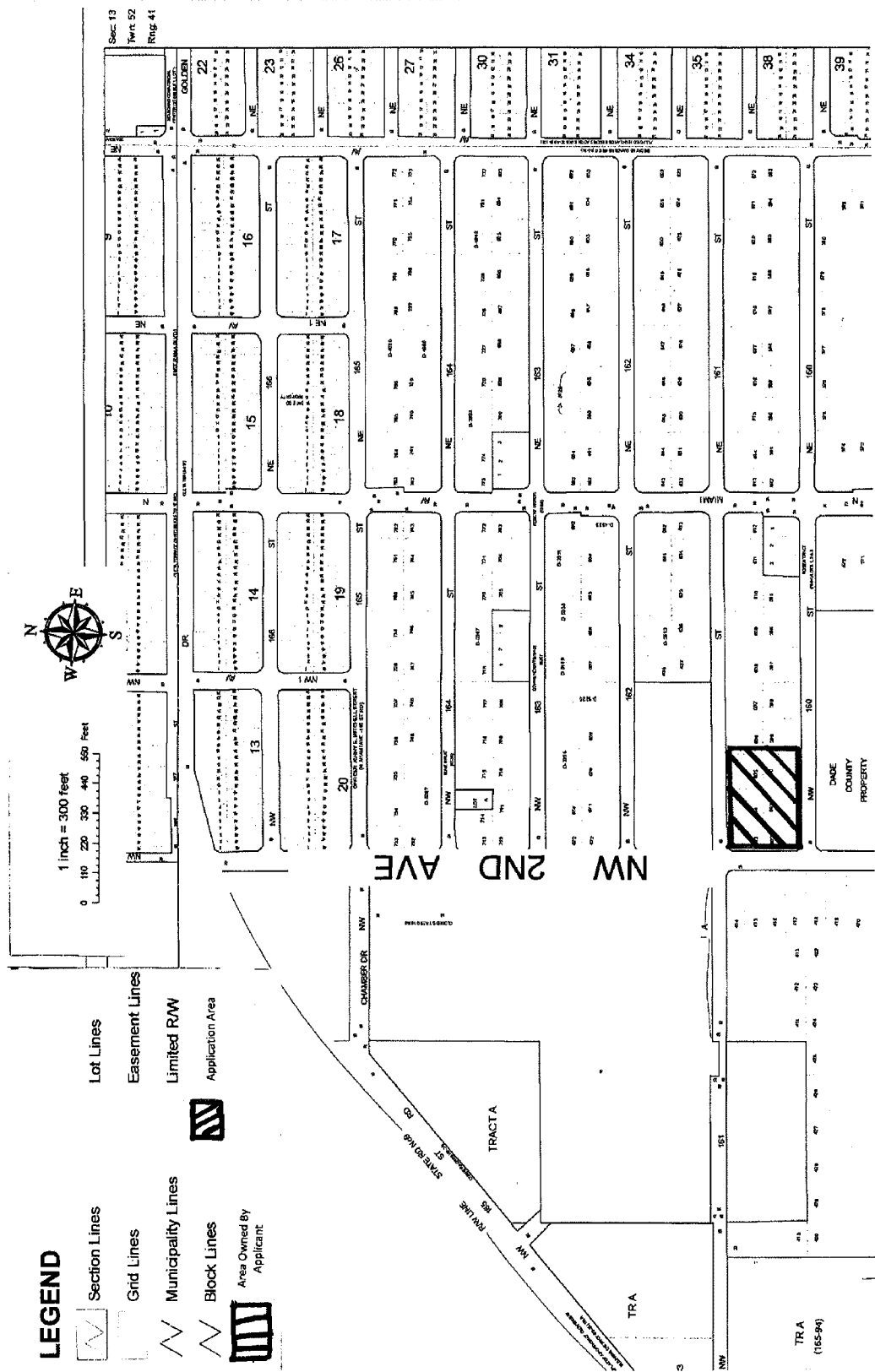

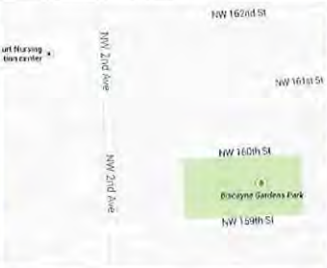


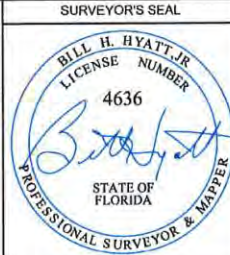

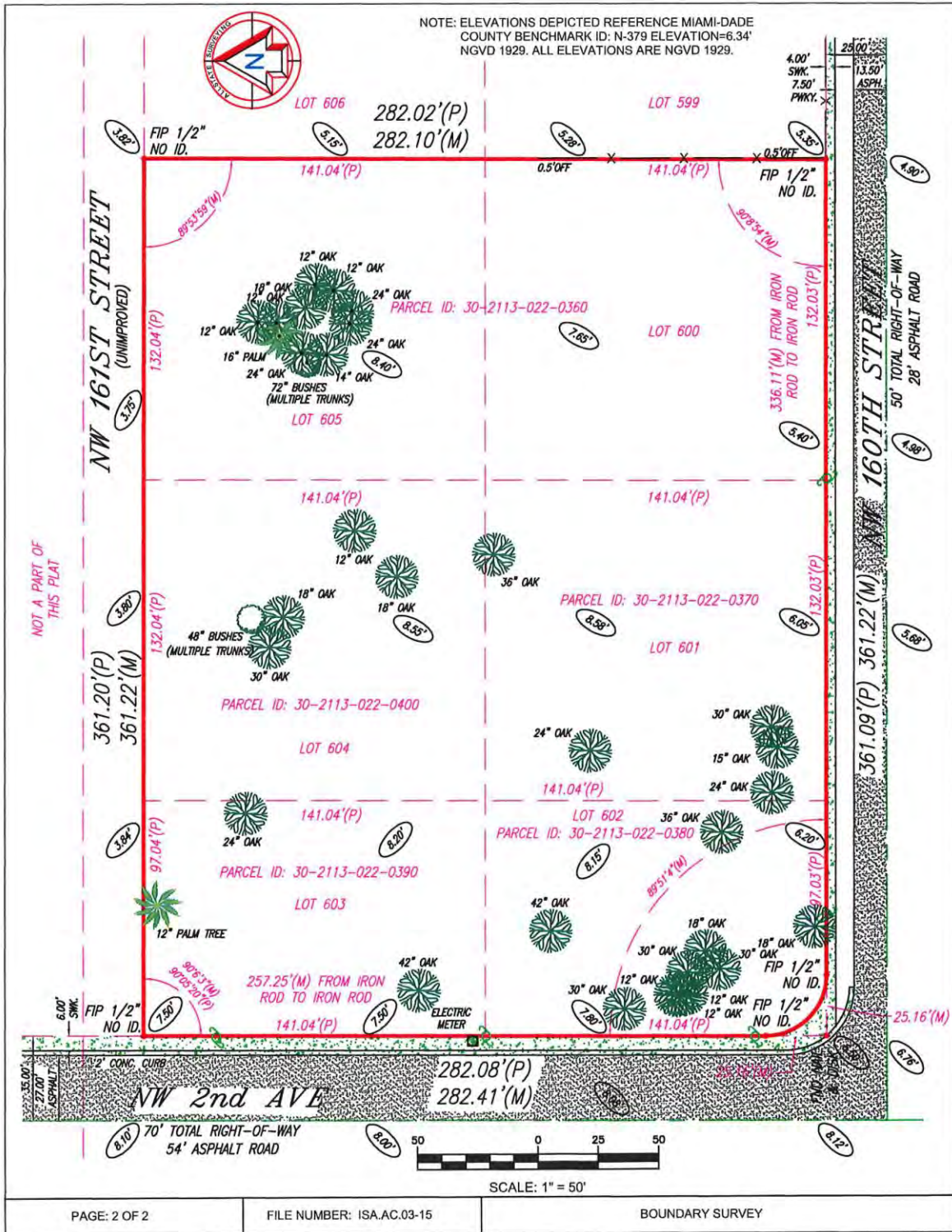


EXHIBIT "B"

**LEGAL DESCRIPTION AND BOUNDARY SURVEY FOR APPLICATION TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

Legal Description: Within Section 13, Township 52, Range 41, Lots 600, 601, 602, 603, 604 And 605 Of Biscayne Gardens Section C, According To The Map Or Plat Thereof Recorded In Plat Book 40, At Page 54, Of The Public Records Of Miami-Dade County, Florida.

ALLSTATE SURVEYING, LLC	PROPERTY LOCATION MAP	PROUDLY SERVING ALL OF FLORIDA
		
DATE : 04/13/2015 FILE NUMBER: ISA.AC.03-15	PROPERTY ADDRESS : XXXX NW 160TH STREET, NORTH MIAMI BEACH, FL 33169	
CERTIFICATIONS :	LEGAL DESCRIPTION :	COUNTY : MIAMI-DADE
ISAAC AELION	LOTS 600, 601, 602, 603, 604 AND 605, OF BISCAYNE GARDENS SECTION C, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 40, AT PAGE 54, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.	
FLOOD INFORMATION: COMMUNITY NUMBER: 120635 PANEL NUMBER: 12086C0137 DATE OF INDEX: 09/11/2009 SUFFIX: L FLOOD ZONE: AE BASE FLOOD ELEV: 7.0		
LEGEND & ABBREVIATIONS :		GENERAL NOTES:
<p> A/C.....AIR CONDITIONER BM.....BENCHMARK (C).....CALCULATED C.G......CONCRETE GUTTER OR VALLEYED GUTTER C & G.....CURB & GUTTER CH.....CHORD C.M.E......CANAL MAINTENANCE EASEMENT CNA.....CORNER NOT ACCESSIBLE CON.....CONCRETE D.....DELTA (CENTRAL ANGLE) D.E......DRAINAGE EASEMENT EOP.....EDGE OF PAVEMENT FC.....FENCE CORNER FDH.....FOUND DRILL HOLE FE.....FENCE ENDS F.F......FINISHED FLOOR FIPIR.....FOUND IRON PIPE/ROD FN.....FOUND NAIL FN&D.....FOUND NAIL AND DISC F.P.K.N......FOUND PARKER KALON NAIL I.D......SURVEYOR'S IDENTIFICATION CHATT.....CHATTANOOCHEE, EPOXY-STONE L.....LENGTH L.A.E......LIMITED ACCESS EASEMENT L.M.E......LAKE MAINTENANCE EASEMENT (M).....MEASURE O/S.....OFFSET (P).....PLAT P.C......POINT OF CURVATURE P.C.C......POINT OF COMPOUND CURVATURE PL.....PLANTER P.O.B......POINT OF BEGINNING P.O.C......POINT OF COMMENCEMENT P.R.C......POINT OF REVERSE CURVATURE P.R.M......PERMANENT REFERENCE MONUMENT P.T......POINT OF TANGENCY R.....RADIUS (R).....RECORD R/W.....RIGHT-OF-WAY SIR.....SET 1/2" IRON ROD SND.....SET NAIL AND DISC (TYP).....TYPICAL U.E......UTILITY EASEMENT W.E......WATER'S EDGE POINTS OF INTEREST (A) SPECIFIES POINT OF INTEREST (B) SPECIFIES POINT OF INTEREST </p> 	<p> OVERHEAD CABLES(OH) D4 POLYVINYLCHLORIDE FENCE (PVCF) WIRE OR CHAIN LINK FENCE (CLF) WOOD FENCE (WF) METAL FENCE (MF) MASONRY OR CONCRETE BLOCK WALL CONCRETE OVERHANG(OIH) OR ROOF COMMUNICATIONS BOX CATCH BASIN SEWER MANHOLE UTILITY POLE (UP) LIGHT POLE (LP) WATER METER (WM) UTILITY ANCHOR FIRE HYDRANT (FH) CENTER LINE PROPERTY LINE WATER VALVE / CLEANOUT CABLE BOX (CA.TV.) ELEVATRIC METER (EM) ELECTRIC BOX (FPL) HANDICAP PARKING (HCP) PLANTER OR PLANTED ELEVATION MARKER TREE (SIZE/TYPE) </p>	<p> THIS IS A COPYRIGHT DOCUMENT CONTAINING PROPRIETARY INFORMATION AND IS NOT WARRANTED BY ALLSTATE SURVEYING, LLC. OR THE SIGNING SURVEYOR WHEN COPIED BY OTHERS. UNLESS OTHERWISE SHOWN HEREON, THE FOLLOWING NOTES APPLY: * RECORD AND MEASURED CALLS ARE IN SUBSTANTIAL AGREEMENT AND POINTS ARE WITHIN 0.10' POSITIONAL TOLERANCE. * THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT AND THE SAME, IF ANY MAY NOT BE SHOWN ON THIS SKETCH. * UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED. * ELEVATIONS ARE BASED ON NGVD 29 OR NAVD 88 AS NOTED ON SKETCH. (FLOOD ZONES: "B", "C", "D" & "X" ARE NOT IN DESIGNATED FLOOD HAZARD ZONE AREA. * FENCE TIES ARE TO THE CENTERLINE OF THE FENCE. FENCE OWNERSHIP NOT DETERMINED BY THIS OFFICE. * WALL TIES ARE TO THE FACE OF THE WALL. * BASIS OF BEARINGS, IF ANY, ARE ASSUMED PER PLAT AND/OR LEGAL DESCRIPTION. * THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE PURPOSE FOR USE AS AN AID IN OBTAINING TITLE INSURANCE ON THE HEREON DESCRIBED PROPERTY. NO ADDITIONAL WARRANTIES ARE HEREBY EXTENDED. * THIS SURVEY IS VALID IN ACCORDANCE WITH F.S. 627.7842 FOR A PERIOD OF 90 DAYS FROM THE DATE OF CERTIFICATION. </p> <p> I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF SAID SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE FURTHER, THIS DOCUMENT IS ELECTRONICALLY SIGNED AND SEALED PURSUANT TO SECTION 472.027, OF THE FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATION CODE. (c) 2015 </p> <p> BILL H. HYATT JR PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA LICENSE NUMBER: 4636 </p>  <p> FIELD DATE: 04/08/2015 SIGNED DATE: 04/13/2015 REVISED DATE: </p> <p>  AllState Surveying State of the Art Land Surveying & Mapping Corporate Head Quarters: 4987 N UNIVERSITY DRIVE, LAUDERHILL, FLORIDA 33351 PH: (888) 569-0480 www.AllStateSurveyors.com FAX: (888) 569-4590 </p>
PAGE 1 of 2	FILE NUMBER: ISA.AC.03-15	PH: (888) 569-0480 www.AllStateSurveyors.com FAX: (888) 569-4590



**EXHIBIT C.
DISCLOSURE OF INTEREST FORM**

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:

Care Oasis LLC, 16711 Collins Avenue 2302 Sunny Isles Beach, FL 33160

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.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
Care Oasis LLC	Care Oasis LLC	30-2113-002-0360	.86 acres
Care Oasis LLC	Care Oasis LLC	30-2113-002-0400	.43 acres
Care Oasis LLC	Care Oasis LLC	30-2113-002-0370	.43 acres
Care Oasis LLC	Care Oasis LLC	30-2113-002-0380	.31 acres
Care Oasis LLC	Care Oasis LLC	30-2113-002-0390	.31 acres

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACT FOR PURCHASE</u>	<u>OTHER</u>
Care Oasis LLC	X			

4. 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.

NOT APPLICABLE.

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: Oasis Care LLC

<u>NAME AND ADDRESS OF MANAGERS</u>	<u>PERCENTAGE OF INTEREST</u>
Issac Alion 16711 Collins Avenue 2302 Sunny Isles Beach, FL 33160	50%
Riva Alion 16711 Collins Avenue 2302 Sunny Isles Beach, FL 33160	50%

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].

NOT APPLICABLE

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].

NOT APPLICABLE

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].

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

NOT APPLICABLE

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.

NOT APPLICABLE

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.

[Signature Page Follows]

NOT APPLICABLE.

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: OASIS CARE LLC

NAME AND ADDRESS OF PARTNERS	PERCENTAGE OF INTEREST
<u>Issac Alion</u> <u>16711 Collins Avenue 2302 Sunny Isles Beach, FL 33160</u>	<u>50%</u>
<u>Riva Alion</u> <u>16711 Collins Avenue 2302 Sunny Isles Beach, FL 33160</u>	<u>50%</u>

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].

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

NOT APPLICABLE


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.

NOT APPLICABLE

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 Signature and Printed Name

 Issac Alion

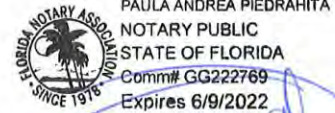
or  Riva Alion

Sworn to and subscribed before me

this 4 day of February, 2020

Paula Piedrahita Notary Public, State of Florida at

Large(SEAL) My Commission Expires:





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APPENDIX B
Applicant's Proffered Declaration of Restrictions

This instrument was prepared by:
Name: Felix M. Lasarte, Esq
Address: The Lasarte Law Firm
3250 N.E. 1st Avenue, Suite 334
Miami, FL 33137

Received June 5, 2020
MDC RER-Planning

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Care Oasis LLC, a Florida limited liability company (hereinafter referred to as the "Owner") holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, 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) as an expedited application; and

WHEREAS, said amendment is identified as Expedited Application No. CDMP20200006 (the "Application"); and

WHEREAS, the Application seeks to re-designate the Property from "Office/Residential" and "Low Density Residential" to "Office/Residential" and "Low-Medium Density Residential with One Density Increase (DI-1)" on the Miami-Dade County Comprehensive Development Master Plan adopted Land Use Plan ("LUP") map.

NOW, THEREFORE, in order to assure 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) **Limitation on Units.** The Property will not be developed with more than 66 multifamily units.

(2) **Project Design.** Any development application seeking to use the density increase provided by the "DI-I Overlay" shall utilize Miami-Dade County's Urban Design Manual endorsed by Resolution R-136098 as amended as a guideline for the Property's development, and at a minimum, shall incorporate the following design principles:

a. Buildings shall be compatible with surrounding development or made compatible through the use of, among other methods: buffers such as landscaping; pedestrian scaled walls and fences along the street frontage; building height transitions when abutting lower intensity development and land uses to the north, east and south; a mix of building types; vertically proportioned fenestration; and architectural styles that complement surrounding development.

b. Buildings shall be built close to the street to create a public space in the street corridor that is comfortable, interesting, and safe for pedestrians. The Owner shall seek, if necessary, variances of the County's zoning regulations to accommodate this urban design principle. If any variances necessary to meet this principle are not approved by Miami-Dade County at the time the Property or any portion thereof is subject to a district boundary change to accommodate the CDMP's provisions pertaining to the "DI-I – One Density Increase With Urban Design", the Owner shall develop buildings in conformance with the minimum requirements provided by the County's zoning standards except locations of required parking shall be as described in principle "e." below.

c. Buildings shall have abundant windows and doors at street level and incorporate a variety of architectural features and treatments on all facades such as, but not limited to: balconies; a variety of materials such as stone, metal, stucco, concrete and brick; modulation and articulation of building surfaces; and changes in roof levels. Large expanses of opaque or blank building walls shall be avoided, but if provided, they shall be treated with some form of artistic composition; significant textures or reliefs that complement the architectural style of the building or similar treatments.

d. Uniform street furniture and lighting standards shall be provided throughout the Property.

e. All on-site parking shall be to the rear or side of the buildings. No on-site parking shall be allowed between the street frontage and the front building line of any building(s). This shall not prevent parking within the right-of-way, if approved by the County.

f. The primary entrance to the building(s) shall be from the street.

g. The development shall provide open space that is defined by buildings, and if permitted, the block and street network, and of a size that permits social activity and recreation. This principle does not preclude the incorporation of internalized recreational areas but shall be in addition to other types of open space proposed in the development.

(3) Solid Waste Management Notice. Notification of Proximity of Solid Waste Facility, Acknowledgment, Waiver and Release. The Owners shall provide to each of their prospective purchasers or lessees within each of their parcels with a written notification, acknowledgment, waiver, and release recognizing that the Property is located in immediate proximity to the Miami-Dade County Golden Glades Trash and Recycling Center (“TRC”), located at 140 NW 160th Street. The Developer shall cause every prospective purchaser or lessee to execute the written notification, acknowledgment, waiver, and release in writing. The terms of the Owners’ obligation to provide said notification and the form of notification pursuant to Section 53-184 of the Land Development Regulation and attached hereto as Exhibit “B” to the Declaration.

Miscellaneous

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]

WITNESSES:
LIABILITY COMPANY

CARE OASIS, LLC.
A FLORIDA LIMITED

By: CARE OASIS, LLC.
a Florida limited liability company
Its Manager(s)

Print Name

By: _____
Isaac Alion, Manager

Print Name

By: _____
Riva Alion, Manager

(Company Seal)

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by _____ He/she is personally known to me or has produced _____ as identification.

Witness my signature and official seal this ____ day of _____, 2020 in the County, and State aforesaid.

Notary Public – State of Florida

Print Name

My Commission Expires: _____

EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT "B"

NOTIFICATION, ACKNOWLEDGEMENT, WAIVER AND RELEASE OF
PROXIMITY OF SOLID WASTE FACILITY

The purchasers (their heirs, successors, assigns), lessees, occupants and residents (hereinafter jointly and severally the "Covenanters") are hereby advised and hereby acknowledge, agree and covenant as follows:

The subject property is located in immediate proximity to the Miami-Dade County Golden Glades Trash and Recycling Center ("TRC") located at 140 NW 160th Street, which is used in connection with the County's solid waste management and disposal activities and operates 12 or more hours per day, 7 days a week. As a result, occupants of the property may be affected by odors, noise or dust emanating from the TRC and truck traffic entering and exiting the Facility during operating hours.

The Covenanters agree that they do not object to the presence of the Golden Glades TRC or its operations. The Covenanters agree that they waive and shall not raise any objection to the continued operation of the Facility. Further, the Covenanters waive and release Miami-Dade County from any and all liability for any past, present or future claims, and the Covenanters hereby agree not to file any claim or action against Miami-Dade County or any entities related to the operation of the Facility, pertaining to or arising out of the operation of the Facility. The waiver and release includes, but is not limited to, both non-constitutional and constitutional claims and actions (including, but not limited to, inverse condemnation, takings, and nuisance), of any kind or other constitutional or non-constitutional claims of any kind or nature whatsoever. In the event that any paragraph or portion of this notice is determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, it shall affect no other provision of this Notification, Acknowledgement, Waiver and Release ("Notice"), and the remainder of this Notice shall be valid and enforceable in accordance with its terms.

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APPENDIX C

Proposed Covenant Language from Department of Solid Waste Management

Proposed Language

Department of Solid Waste Management for a

Declaration of Restrictions related to CDMP Amendment Request Care Oasis LLC

(20200006)

Notification of Proximity of Solid Waste Facility, Acknowledgement, Waiver and Release. The Owners shall provide to each of their prospective purchasers or lessees within each of their parcels with a written notification, acknowledgement, waiver, and release recognizing that the Property is located in immediate proximity to the Miami-Dade County Golden Glades Trash and Recycling Center ("TRC"), located at 140 NW 160th Street. The Developer shall cause every prospective purchaser or lessee to execute the written notification, acknowledgement, waiver, and release in writing and the Developer shall record the executed written notification, acknowledgement, waiver, and release in the Public Records of Miami-Dade County, Florida. The terms of the Owners' obligation to provide said notification and the form of notification pursuant to Section 53-184 of the Land Development Regulation and attached hereto as Exhibit "TBD" to the Declaration.

EXHIBIT "TBD"

**NOTIFICATION, ACKNOWLEDGEMENT, WAIVER AND RELEASE OF PROXIMITY OF
SOLID WASTE FACILITY**

The purchasers (their heirs, successors, assigns), lessees, occupants and residents (hereinafter jointly and severally the "Covenanters") are hereby advised and hereby acknowledge, agree and covenant as follows:

The subject property is located in immediate proximity to the Miami-Dade County Golden Glades Trash and Recycling Center ("TRC") located at 140 NW 160th Street, which is used in connection with the County's solid waste management and disposal activities and operates 12 or more hours per day, 7 days a week. As a result, occupants of the property may be affected by odors, noise or dust emanating from the TRC and truck traffic entering and exiting the Facility during operating hours.

The Covenanters agree that they do not object to the presence of the Golden Glades TRC or its operations. The Covenanters agree that they waive and shall not raise any objection to the continued operation of the Facility. Further, the Covenanters waive and release Miami-Dade County from any and all liability for any past, present or future claims, and the Covenanters hereby agree not to file any claim or action against Miami-Dade County or any entities related to the operation of the Facility, pertaining to or arising out of the operation of the Facility. This waiver and release includes, but is not limited to, both non-constitutional and constitutional claims and actions (including, but not limited to, inverse condemnation, takings, and nuisance), of any kind or other constitutional or non-constitutional claims of any kind or nature whatsoever. In the event that any paragraph or portion of this notice is determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, it shall affect no other provision of this Notification, Acknowledgement, Waiver and Release ("Notice"), and the remainder of this Notice shall be valid and enforceable in accordance with its terms.

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APPENDIX D

Traffic Impact Study



CDMP Small Scale LUPA NW 160th Street & NW 2nd Avenue

Miami, Florida 33169

prepared for:

The Lasarte Law Firm

traffic evaluation



January 2020



January 28, 2020

NW 160th Street and NW 2nd Avenue
c/o Felix Lasarte, Esq.
Lasarte Law Firm
3250 NE 1st Avenue #334
Miami, Florida 33137

Re: Traffic Engineering Evaluation for CDMP Small Scale LUPA

Dear Felix:

Traf Tech Engineering, Inc. is pleased to provide you with the results of the traffic evaluation to amend the Miami-Dade County Comprehensive Development Master Plan, Future Land Use Map designation for the Property located at the northeast corner of NW 160th Street and NW 2nd Avenue in Miami-Dade County, Florida. Below is a summary of the results of the traffic evaluation.

Project Description and Executive Summary

The subject property is located on the east side of NW 2nd Avenue just north of NW 160th Street in northeast Miami-Dade County (in Section 13, Township 52, Range 41), as illustrated in Figure 1 on the following page. The applicant is requesting a change to the Miami-Dade County Comprehensive Development Master Plan (CDMP) Land Use Element, Future Land Use Plan Map (FLUM) for the purpose of amending the land use designation for the subject property from "Office Residential and Low Density Residential" to "Medium Density Residential".

The traffic analysis was based on the following assumptions:

CURRENT CDMP LAND USE DESIGNATION

- Office Residential and Low Density Residential (20 dwelling units)

PROPOSED CDMP LAND USE DESIGNATION

- Office Residential and Low Medium Density Residential with One Density Increase (66 dwelling units)

➤ 8400 N. University Drive, Suite 309, Tamarac, FL 33321 ➤ T: 954-582-0988 ➤ F: 954-582-0989



The proposed land-use designation to "Office Residential and Low Medium Density Residential with One Density Increase" is projected to generate approximately 337 new daily trips, approximately 21 new AM peak hour trips, and approximately 26 new trips during the typical afternoon peak period, when compared against the potential development under the current "Office Residential and Low Density Residential".

A review of the current traffic conditions, traffic concurrency for the short-term planning horizon (year 2025) and projected traffic conditions for the long-range planning horizon (2040) was undertaken for the following impacted traffic stations:

- o NW 167th Street east of NW 2nd Avenue
- o NW 2nd Avenue south of NW 167th Street
- o N. Miami Avenue north of NE 159th Street
- o NW 2nd Avenue/Memorial Highway north of NE 135th Street

The results of the traffic evaluation indicate that the above study area is currently operating at acceptable levels of services, meets traffic concurrency standards and is projected to meet the adopted level of service through the year 2040.

It has been a pleasure working with you on this project.

Sincerely,

TRAFTECH ENGINEERING, INC.

Joaquin E. Vargas, P.E.
Senior Transportation Engineer

A handwritten signature in green ink, appearing to read "J. E. Vargas", is written over the typed name and title of the signatory.

APPENDIX E

Public Schools Analysis



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Perla Tabares Hantman, Chair
Dr. Steve Gallon III, Vice Chair
Dr. Dorothy Bendross-Mindingall
Susie V. Castillo
Dr. Lawrence S. Feldman
Dr. Martin Karp
Dr. Lubby Navarro
Dr. Marta Pérez
Mari Tere Rojas

May 1, 2020

VIA ELECTRONIC MAIL

Mr. Felix M. Lasarte, Esquire
The Lasarte Law Firm
3250 NE 1 Avenue, Suite 334
Miami, Florida 33137

felix@lasartelaw.com

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
CARE OASIS – CDMP20200006
LOCATED NORTH OF NW 160 STREET AND EAST OF NW 2 AVENUE
PH3020042700158 - FOLIO NOS.: 3021130020360, 3021130020400, 3021130020370,
3021130020380, 3021130020390**

Pursuant to State Statutes and the Interlocal Agreements for Public School Facility Planning in Miami-Dade County, the above-referenced application was reviewed for compliance with Public School Concurrency. Accordingly, enclosed please find the School District's Preliminary Concurrency Analysis (Schools Planning Level Review).

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed development would yield a maximum residential density of 66 multifamily units, which generates 11 students; 5 elementary, 3 middle and 3 senior high students. At this time, all levels have sufficient capacity available to serve the application. However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent, notwithstanding any additional information that may surface after further departmental research. As such, this analysis does not constitute a Public School Concurrency approval.

Should you have any questions, please feel free to contact me at 305-995-4501.

Best regards,

Ivan M. Rodriguez, R.A.
Director

Enclosure

L-300

cc: Mr. Victor Alonso, R.A.
Ms. Nathaly Simon
Miami-Dade County
School Concurrency Master File

Planning, Design & Sustainability

*Mr. Victor Alonso, Eco-Sustainability Officer • 1450 N E 2nd Ave • Suite 525 • Miami, FL 33132
305-995-7285 • 305-995-4760 (FAX) • valonso2@dadeschools.net*



Concurrency Management System (CMS)

Miami-Dade County Public Schools

Miami-Dade County Public Schools

Concurrency Management System Preliminary Concurrency Analysis

MDCPS Application Number: **PH3020042700158** Local Government (LG): **Miami-Dade**
 Date Application Received: **4/27/2020 11:37:05 AM** LG Application Number: **CDMP20200006**
 Type of Application: **Public Hearing** Sub Type: **Land Use**
 Applicant's Name: **Care Oasis**
 Address/Location: **3250 NE 1 Avenue, #334, Miami FL 33137**
 Master Folio Number: **3021130020360**
 Additional Folio Number(s): **3021130020400, 3021130020370, 3021130020380, 3021130020390,**

PROPOSED # OF UNITS **66**
 SINGLE-FAMILY DETACHED UNITS: **0**
 SINGLE-FAMILY ATTACHED UNITS: **0**
 MULTIFAMILY UNITS: **66**

CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
2911	LINDA LENTIN K-8 CENTER (ELEM COMP)	134	5	5	YES	Current CSA
2912	LINDA LENTIN K-8 CENTER (MID COMP)	72	3	3	YES	Current CSA
7591	NORTH MIAMI SENIOR	604	3	3	YES	Current CSA

ADJACENT SERVICE AREA SCHOOLS

*An Impact reduction of **28.23%** included for charter and magnet schools (Schools of Choice).

MDCPS has conducted a preliminary public school concurrency review of this application; please see results above. A final determination of public school concurrency and capacity reservation will be made at the time of approval of plat, site plan or functional equivalent. **THIS ANALYSIS DOES NOT CONSTITUTE PUBLIC SCHOOL CONCURRENCY APPROVAL.**

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7285 / concurrency@dadeschools.net

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APPENDIX F

Fiscal Impact Analysis

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 Expedited Application No. CDMP20200006 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 Waste Management System is as follows: to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five (5) years. As of FY 2019-20, the DSWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the applications reviewed here, which are not anticipated to have a negative impact on disposal service.

Fiscal Impact for Provision of Solid Waste Services - Concurrency

Since the DSWM assesses capacity on a system-wide basis, it is not practical or necessary to make determinations concerning the adequacy of solid waste disposal capacity on a case-by-case basis. Instead, the DSWM issues a periodic assessment of the County's status in terms of 'concurrency,' the ability to maintain the adopted LOS system-wide.

Fiscal Impact – Waste Disposal Capacity and Service

The cost of providing disposal capacity for WCSA customers, municipalities and private haulers is paid for by System users. In FY 2019-20, the DSWM charges a contract disposal rate of \$63.38 per ton while the non-contract disposal rate is \$92.84 per ton.

These rates adjust annually with the Consumer Price Index, South Region. In addition, the DSWM charges a Disposal Facility Fee to private haulers equal to 15 percent of their annual gross receipts, which is used to ensure availability of disposal capacity in the System. Landfill closure, remediation and long-term care are funded by a portion 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. This project falls within the City of North Miami Beach water service area and therefore WASD did not calculate impacts relative to water service. The project does fall within the WASD sewer service area. The sewer impact fee was calculated at a rate of \$5.60 per gpd. The annual operations and maintenance cost was based on \$2.3188 per 1,000 gallons for sewer.

The applicant requests to redesignate the ±3.02 gross/±2.33 net acre application site from “Office/Residential” and “Low Density Residential (2.5 to 6 dwelling units per gross acre)” to “Office/Residential” and “Low-Medium Density Residential with Density Increase One for Urban Design [DI-1] (13-25 dwelling units per gross acre)” that would allow the application site to be developed with a maximum of 32,887 sq. ft. of office use and 24 multifamily residential units. If the site is developed with the maximum allowable uses, the sewer connection charges are estimated at \$27,352, and the annual operating and maintenance costs would total \$4,134.

The applicant, however, proffered a Declaration of Restrictions (covenant) limiting development on the application site 66 multifamily units. If the site is developed in accordance with the proffered covenant, the sewer connection charges are estimated at \$49,896, and the annual operating and maintenance costs would total \$7,541.

The cost of installing the required 370 linear feet of 8-inch force sewer main to connect the proposed development to the County’s sewer system is estimated at \$126,540.

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 proffered a Declaration of Restrictions that limits development of the application site to 66 multifamily units (see “Appendix B: Applicant’s Proffered Declaration of Restrictions” on Appendices, Page 19). The Planning Level review for the requested CDMP land use designation of “Office/Residential” and “Low-Medium Density Residential (6 to 13 dwelling units per gross acre) with One Density Increase (DI-1; 13 to 25 dwelling units per gross acre)” for a residential scenario (utilizing the student generation multipliers) results in an impact of 11 (eleven) students. Applicable schools have available capacity at this time; however, final determination of capacity will be made at the time of the final plat, site plan or functional equivalent. In accordance with Miami-Dade County’s Interlocal Agreement for Public Schools Facilities (ILA), the application complies with level of service standards at this time.

Fire Rescue

The Miami-Dade Fire Rescue Department (MDFR) has determined that the current CDMP land use designation of “Office/Residential” and “Low Density Residential” will allow a potential development which is anticipated to generate 9 annual alarms. The proposed CDMP land use designation of “Office/Residential” and “Low-Medium Density Residential with Density Increase One for Urban Design” would allow a proposed potential development which is anticipated to generate 18 annual alarms. The estimated 18 annual alarms would result in a minimal impact to existing fire rescue services for the application site. Presently, fire and rescue services in the vicinity of the application site is adequate.

APPENDIX G

Photos of Site and Surroundings



Application site looking south from NW 2nd Avenue



Application site looking north from NW 2nd Avenue



Trees Located on Application Site



Typical Residence Among Residential Community East of Application Site



Golden Glades Trash and Recycling Center South of Application Site

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**ADDITIONAL ITEMS
2020 EXPEDITED APPLICATION NO. CDMP20200006
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

(Consisting of materials received after the publication of the Initial Recommendations Report)

ITEM	PAGE
Resolution of the North Central Community Council 8, dated June 29, 2020;	A-1
Minutes of the North Central Community Council 8 public hearing on the application, held June 29, 2020;	A-3
Applicant's Power Point Presentation presented on June 29, 2020 at the Community Council Board 8 public hearing;	A-9
Opposition email correspondence from Rucsandra Tipa, received on August 19, 2020;	A-15
Resolution of the North Central Community Council 8, dated August 25, 2020;	A-19
Minutes of the North Central Community Council 8 public hearing on the application, held August 25, 2020;	A-21
Proffered Declaration of Restriction received on August 28, 2020;	A-27
Resolution of the Planning Advisory Board, dated August 31, 2020;	A-35
Minutes of the Planning Advisory Board hearing on the application, held August 31, 2020.	A-39

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RESOLUTION NO. 8-5-20
 NORTH CENTRAL COMMUNITY COUNCIL (8)
 ISSUING RECOMMENDATION ON EXPEDITED
 APPLICATION NO. CDMP20200006 FILED BY CARE
 OASIS, LLC REQUESTING AMENDMENT TO THE
 COMPREHENSIVE DEVELOPMENT MASTER PLAN

WHEREAS, Section 20-40 of the Code of Miami-Dade County establishes Community Councils in the unincorporated area; and

WHEREAS, the Section 2-116.1 of the Code of Miami-Dade County provides exclusive procedures for amending the Comprehensive Development Master Plan (CDMP) consistent with requirements of Chapter 163, Part 2, Florida Statutes; and

WHEREAS, the Community Councils may, at their option, make recommendations to the Planning Advisory Board and the Board of County Commissioners on proposed amendments to the CDMP that would directly impact the Council’s area; and

WHEREAS, the Section 2-116.1(3)(e) of the Code of Miami-Dade County provides that Community Council recommendations may address the decisions to be made by the Board of County Commissioners regarding adoption, adoption with change, or denial of the small-scale application, or that the application be converted to a standard amendment and transmitted to the State Land Planning Agency and other reviewing agencies for review and comment; and

WHEREAS, at its meeting of June 29, 2020, the North Central Community Council (8) conducted a public hearing as authorized by Section 20-41 of the County Code;

NOW, THEREFORE, BE IT RESOLVED THAT THE NORTH CENTRAL COMMUNITY COUNCIL (8) recommends that the Expedited CDMP Amendment Application No. CDMP20200006 be deferred to the next scheduled Community Council 8 meeting.

The forgoing resolution was offered by Board Member Dr. Nashira Williams who moved its adoption and was seconded by Board Member Caroline Florence Williams and upon being put to a vote, the vote was as follows:

Dr. Joy J. Davis, Vice Chair	Yes	Caroline Florence Williams	Yes
Athemon Johnson	Yes	Dr. Nashira Amina Williams	Yes
Felix A. Montes	Yes		
Fredericke Alan Morley, Chair		Absent	

Board Vice Chair Dr. Davis (Acting Chair) hereupon declared the resolution duly passed and adopted this 29th day of June 2020.

I hereby certify that the above information reflects the action of the North Central Community Council.

Noel Stillings

 Noel Stillings, Executive Secretary

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MINUTES

North Central Community Council 8
 Virtual "Zoom" Public Hearing on Application Nos. CDMP20200001, CDMP20200002,
 CDMP20200003, and Expedited Application No. CDMP20200006
 To Amend the Comprehensive Development Master Plan

June 29, 2020, 6:00 PM

Department of Regulatory and Economic Resources (RER) Staff PresentPlanning Division

Garett Rowe, Chief, Metropolitan Planning Section, Planning Division
 Manny Armada, Chief, Planning Research Section, Planning Division
 Robert Hesler, Planning Section Supervisor, Planning Research Section, Planning
 Division
 Rosa Davis, Planning Section Supervisor, Metropolitan Planning
 Vinod Sandasamy, Transportation Section Supervisor, Metropolitan Planning
 Noel Stillings, Principal Planner, Metropolitan Planning
 Mark Dorsey, Principal Planner, Metropolitan Planning
 Adrienne Burke, Principal Planner, Metropolitan Planning
 Juan Pelaez, Senior Planner, Metropolitan Planning
 Rommel Vargas, Senior Planner, Metropolitan Planning
 Cindy Dwyer, Senior Planner, Metropolitan Planning

Strategic Initiatives

Vanessa L. Collazo Santiago, Strategic Initiatives Manager, RER
 Larisa Aploks, Strategic Initiatives Manager, RER
 Georgina Del Valle, Senior Systems Analyst Programmer, Information Technology
 Department, RER

Other County Staff Present

Dennis Kerbel, Assistant County Attorney, County Attorney's Office
 Christopher Wahl, Assistant County Attorney, County Attorney's Office

I. CALL TO ORDER AND OPENING REMARKS

The North Central Community Council 8 Virtual Public Hearing opened at 6:02 p.m.

Roll Call

Ms. Noel Stillings, Principal Planner, conducted a roll call and determined there was quorum with the following five (5) Community Council 8 Board members present as follows:

Dr. Joy J. Davis, Vice Chair	Present	Caroline Florence Williams	Present
Athemon Johnson	Present	Dr. Nashira Amina Williams	Present
Felix A. Montes	Present		

Fredericke Alan Morley, Chair, Absent

Following the Pledge of Allegiance and roll call, Chair Davis welcomed the public to the hearing on Application Nos. CDMP20200001, CDMP20200002, CDMP20200003, and Expedited Application No. CDMP20200006. Chair Davis reviewed the procedures and purpose of the public hearing and called for the presentation of the Comprehensive Development Master Plan (CDMP) amendment applications. Mr. Garrett Rowe, Chief of Metropolitan Planning, introduced himself and provided additional details on the procedures for how the public may access and participate in the virtual hearing.

Approval of Agenda

Board member Johnson made a motion to approve the Community Council 8 agenda. Board member Caroline Williams seconded the motion. The motion passed 5 to 0 as follows:

Athemon Johnson	Yes	Caroline Florence Williams	Yes
Felix A. Montes	Yes	Dr. Nashira Amina Williams	Yes
Fredericke Alan Morley	Absent		
	Dr. Joy J. Davis, Chair, Yes		

II. AGENDA ITEMS

January 2020 Cycle Application No. CDMP20200001 (Golden Glades NMB, LLC - North) and Application No. CDMP20200002 (Golden Glades NMB, LLC – South)

Mr. Garrett Rowe, Chief, Metropolitan Planning Section, Planning Division stated that the applicant for Application Nos. CDMP20200001 and CDMP20200002, submitted a request to defer both applications to the next Community Council 8 meeting. Mr. Pedro Gassant, the applicant’s legal representative for the two applications, stated that the applicant was requesting the deferral in order to continue engaging with the community and continue the outreach efforts. Secretary of the meeting, Ms. Noel Stillings, indicated the Board would need to have separate votes on each application.

For Application No. CDMP20200001, Board member Dr. Nashira Williams made a motion to defer the application to the next scheduled Community Council 8 meeting, as per the applicant’s request. Board member Johnson seconded the request. The motion passed 5 to 0 as follows:

Athemon Johnson	Yes	Caroline Florence Williams	Yes
Felix A. Montes	Yes	Dr. Nashira Amina Williams	Yes
Fredericke Alan Morley	Absent		
	Dr. Joy J. Davis, Chair, Yes		

For Application No. CDMP20200002, Board member Caroline Williams made a motion to defer the application to the next scheduled Community Council hearing. Board member Johnson seconded the request. The motion passed 5 to 0 as follows:

Athemon Johnson	Yes	Caroline Florence Williams	Yes
Felix A. Montes	Yes	Dr. Nashira Amina Williams	Yes
Fredericke Alan Morley	Absent		
	Dr. Joy J. Davis, Chair, Yes		

Expedited Application No. CDMP20200006 (Care Oasis, LLC)

Ms. Adrienne Burke, Principal Planner, made a brief presentation on Application No. CDMP20200006. Ms. Burke explained that the application site is ± 3.02 gross/ ± 2.33 net acres, and is generally located adjacent to and on the east side of NW 2 Avenue, between NW 160 Street and NW 161 Street. She further explained that the applicant is requesting a future land use designation change on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map from "Office/Residential" and "Low Density Residential (2.5 to 6 dwelling units per gross acre)" to "Office/Residential" and "Low-Medium Density Residential with One Density Increase for Urban Design [DI-1] (13 to 25 dwelling units per gross acre)". She outlined the current designation of "Office/Residential" and "Low Density Residential" would allow 32,887 square feet of office use and five detached single-family units or 20 single-family attached and five single-family detached units. Ms. Burke noted that if the application is approved with a "Office/Residential" and "Low-Medium Density Residential with the One Density Increase for Urban Design [DI-1] designation, the site could be developed with a maximum of 32,887 square feet of office use and 24 multifamily units. She also noted that if approved and developed with residential uses only, a maximum of 115 multifamily units (apartments) could be built on the site. She further explained that if the sound urban design principles are not applied, then the property would be developed with a maximum of 32,887 square feet of office use and 12 single-family attached units or 37 multifamily units and 12 single-family attached units. Ms. Burke noted however, that the applicant proffered a declaration of restrictions (covenant), which limits development to 66 multifamily units (apartments) and requires the incorporation of sound urban design principles based on the County's Urban Design Manual into the design of development on the application site.

Mr. Felix Lasarte, the applicant's legal representative, then provided a description of the proposed project. Following Mr. Lasarte's presentation the Chair opened the public hearing, during which 13 members of the public spoke. Nine members of the public expressed opposition to the proposed project, citing traffic and flooding as primary concerns. Other members of the public expressed a desire keep NW 161st Street closed, and to have more input into the planning for this project. No member of the public expressed support for the project. Following the public hearing, Mr. Lasarte presented a rebuttal to the objections raised and spoke of the need for infill and workforce housing.

A brief discussion by the Board followed, focused on flooding and traffic issues raised during the public hearing. Following Board discussion, Mr. Lasarte asked that the application be deferred in order to provide time to meet with the neighbors. Assistant County Attorney Dennis Kerbel indicated that a deferral would prevent the application from being considered by the Planning Advisory Board as scheduled. Mr. Lasarte acknowledged this, stating that he would make arrangements to meet with the neighbors through the Biscayne Gardens Association.

Board member Dr. Nashira Williams made a motion to defer the application to the next scheduled Community Council 8 meeting, per the applicant's request. Board member Caroline Williams seconded the request. The motion passed 5 to 0 as follows:

Athemon Johnson	Yes	Caroline Florence Williams	Yes
Felix A. Montes	Yes	Dr. Nashira Amina Williams	Yes
Fredericke Alan Morley	Absent		
	Dr. Joy J. Davis, Chair, Yes		

January 2020 Cycle Application No. CDMP20200003 (West Group Developers, LLC)

Mr. Juan Carlos Pelaez, Senior Planner, made a brief presentation on the application. Mr. Pelaez identified the application site located on the north side of NW 105 Street and ± 414 feet east of NW 21 Avenue. Mr. Pelaez stated that the application site is ± 4.457 gross acres, and that Staff is recommending to add ± 0.81 acres, for a total of 5.267 gross acres. Mr. Pelaez noted that the application site is designated "Low Density Residential (2.5 to 6 dwelling units per gross acres)" and "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)". With the current designation, the site could be developed with 27 single-family detached residential units. He stated that the requested redesignation to "Low-Medium Density Residential", with Staff's recommended addition of ± 0.8 acres, would allow the application site to be developed with 68 residential units. Mr. Pelaez concluded that the Staff recommendation on the application was to "Adopt with Change", the "change" as recommended by staff is to add the referenced ± 0.8 acres to the application site.

Gustavo Bolado, representing the applicant, spoke briefly about the application and asked for the Board's support of the application. After Mr. Bolado's presentation, the Chair opened the public hearing and four members of the public spoke in opposition to the proposed project. Traffic, flooding, and a desire to retain the single family character of the neighborhood were the primary concerns expressed by the speakers. Following the public hearing, Mr. Bolado in his rebuttal of the objections raised, emphasizing that the County had reviewed the traffic study and verified that the traffic impact from the proposed development would be minimal.

During the Board discussion Board members questioned the hearing notification process, to which Garrett Rowe, stated that notices were mailed to all property owners within one quarter mile of the application site. Board Member Johnson requested that any development taking place on the Red Road canal system, which abuts the application site, address the issue of stagnant water and the potential for increased flooding should the application be approved. Mr. Johnson also expressed concerns about traffic resulting from the proximity of three high schools in the vicinity, particularly when school lets out. Board Member Caroline Williams questioned whether there was a commitment to provide workforce housing and in response, Mr. Rowe outlined that there was no commitment from the applicant to provide workforce housing (there was no covenant proffered by the applicant by the applicant that would provide for such commitments). The Board asked if the applicant would proffer a declaration of restrictions (covenant) committing to providing 20% of the units for workforce housing and the applicant agreed.

Chair Davis asked Mr. Bolado if he met with the community to discuss the proposed project, and Mr. Bolado indicated that he had not. Board Member Johnson stated that there are two

homeowner associations in the vicinity that should be contacted: Golf Park and West Little River Farms.

Board member Johnson made a motion to Adopt with Change (Change is to add ± 0.81 acres recommended by staff, for a total of ± 5.267 gross acres), and with the conditions that: 1) the applicant proffer a Declaration of Restrictions committing to set aside 20% of the residential units for workforce housing; and 2) the applicant meet with the West Little River Farms and the Golf Park Homeowners Association to inform them of the application. Board member Caroline Williams seconded the motion. The motion passed 3 to 2 as follows:

Athemon Johnson	Yes	Caroline Florence Williams	Yes
Felix A. Montes	Yes	Dr. Nashira Amina Williams	No
Fredericke Alan Morley	Absent		
	Dr. Joy J. Davis, Chair,	No	

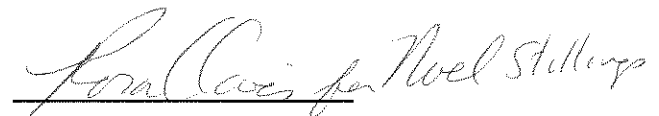
Adjournment

Board member Dr. Nashira Williams made a motion to adjourn the meeting, and board member Johnson seconded the motion. The motion passed 5 to 0 as follows:

Athemon Johnson	Yes	Caroline Florence Williams	Yes
Felix A. Montes	Yes	Dr. Nashira Amina Williams	Yes
Fredericke Alan Morley	Absent		
	Dr. Joy J. Davis, Chair,	Yes	

The public meeting ended at 8:29 p.m.

Respectfully submitted,



Noel Stillings, Secretary

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RER-Planning
Received 6/25/20

CARE OASIS, LLC

CDMP2020-000-6

EXISTING LAND USE

A-10

Land Management Viewer



June 25, 2020

Comprehensive Development Master Plan (CDMP)

- ESTATE DENSITY (EDR) 1-2.5 DU/AC
- ESTATE DENSITY W/ DENSITY INCREASE 1
- LOW DENSITY (LDR) 2.5-6 DU/AC
- LOW DENSITY W/ DENSITY INCREASE 1
- LOW-MEDIUM DENSITY (LMDR) 6-13 DU/AC
- LOW-MEDIUM DENSITY W/ DENSITY INCREASE 1



PROPOSED LAND USE

A-11

Land Management Viewer



June 25, 2020

- Comprehensive Development Master Plan (CDMP)
- ESTATE DENSITY (EDR) 1-2.5 DU/AC
- ESTATE DENSITY W/ DENSITY INCREASE 1
- LOW DENSITY (LDR) 2.5-6 DU/AC
- LOW DENSITY W/ DENSITY INCREASE 1
- LOW-MEDIUM DENSITY (LMDR) 6-13 DU/AC
- LOW-MEDIUM DENSITY W/ DENSITY INCREASE 1



GIS Solution Services and GIS Technical Support Groups

A-12



PROPOSED DEVELOPMENT ADJACENT PROPERTY

PROPOSED DEVELOPMENT SUBJECT PROPERTY



SOUTH ELEVATION. BLDG. 2

SCALE: 3/32" = 1'-0"



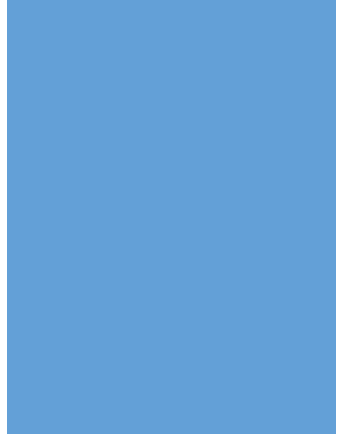
WEST ELEVATION. BLDG. 2

SCALE: 3/32" = 1'-0"



EAST ELEVATION. BLDG. 2

SCALE: 3/32" = 1'-0"



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RECEIVED 8/19/20

From: Rucsandra Tipa <tiparucsandra@gmail.com>
Sent: Wednesday, August 19, 2020 6:20 PM
To: Community Council Meetings (RER) <CCMeetings@miamidade.gov>
Cc: Mc Gill, Marilyn (RER) <Marilyn.McGill@miamidade.gov>; Davis, Rosa (RER) <Rosa.Davis@miamidade.gov>; Hector Mejia <habilio1@comcast.net>
Subject: Re: Hearing Notice: Community Council 8 - Aug 25 at 6 pm
Importance: High

EMAIL RECEIVED FROM EXTERNAL SOURCE.

Good afternoon.

Please find enclosed one exhibit for the below mentioned hearing.

I received the hearing notification today at 3 pm. Please be kind to accept my submitting of one exhibit for the *Virtual hearing on August 25, 2020 at 6 pm* for

- [Golden Glades NMB, LLC – North](#) (CDMP20200001)
- [Golden Glades NMB, LLC – South](#) (CDMP20200002)
- [Care Oasis, LLC](#) (CDMP20200006)

Thank you Ms. Rosa Davis for your phone call and thank you for getting back to me promptly,

Sincerely,

Rucsandra Tipa

To: The Board of County Commissioners

From: Property Owners

Subject: RER Applications

CDMP20200001, CDMP20200002 and CDMP20200006

I write this document to provide you with deep concerns of a group of property owners in the community of the proposed development under the above referenced applications.

We strongly oppose these zoning changes and proposed developments under Applications CDMP20200001, CDMP20200002 and CDMP20200006 for the following reasons:

1. We bought into our community of single family residential large, lush property lots. We are here because we love our lush and farm-like lands and we work hard to maintain this picturesque neighborhood.

If approved, any or all of these subject applications, will bring large buildings and increase density significantly. Our community will suffer further neglect from local government.

2. There is ample affordable housing available in the immediate proximity of the proposed development location, as follows (Source: Miami Dade Property Appraiser, <https://www.miamidade.gov/Apps/PA/propertysearch/#/>):
 - 42 units at Robinhood apartments (2 two-story apartment buildings)
 - 22 town homes at 171 NW 158 ST, newly approved and built
 - 22+ units at 15500 NW 2nd Ave
 - 8 units at 200 NW 157 ST
 - 28 units at CAMALOT APARTMENTS LLC, 15700 NW 2 AVE
 - 9 units at Messrs. Mattam , 15800 NW 2 AVE
 - 62 units at PARKWAY GROVE CONDO PART I
 - 70+ units at GOLDEN GATE APARTMENTS CONDO
 - 100 units under development at 190 NW 162 ST
 - 350(est.) units at Montecarlo Apartments at 484-494 NW 165th Street Rd, Miami, FL 33169
 - Et al.

There are quite a few established high-density areas in this part of North Miami, just a few minutes away from our single home residential community, for example:

- North Miami Beach has large apartment and condominium buildings,
- Aventura is a modern multi family high density residential and commercial area
- Sunny Isles is newly developed and also booming with apartment buildings for rent and to own.

3. The proposed development in discussion, is NOT consistent with housing needs or demand in this area, it is NOT consistent with Miami Dade's wish to use vacant lots near highways for housing needs. This development area is not immediately near the highway, as developers mention. It is on NW 2nd Ave, some 4 blocks away from the highways.
4. There is an existing pressing flood control problem in this community, which will only worsen if density and building increases. High concentration of hard surfaces and shortage of green space, makes it difficult to manage storm water and prevent flood hazards. We already have flood hazard from light rain and it is getting worse with every new apartment building.
5. Traffic is another major concern when density increases in this area.
 - The Golden Glades intersection is already choked by recent developments and density increases in this community. The entrance to 4 major commute highways is highly congested and requires a 15 to 30 minute wait during the morning rush hour. Let us take into account normal times rush hour and not the current COVID-19 traffic situation, which is significantly lighter than normal.
 - The traffic is already overflowing into the adjacent residential streets that lack speed bumps, speed limit signs and other speed control measures. Our small streets are already becoming a hazard for our children, pets and pedestrians residing in this community.
 - The lack of sidewalks forces pedestrians to walk on the side of the road. With increased density, traffic will become more abundant and pedestrians more prone to hit and runs/accidents/etc.
6. Our community up here is beautiful; you should come see it yourself and meet with us. We all feel that this area, unincorporated, but part of Miami Dade County, has been neglected for many years. As we are, we lack basic resources and support such as speed control, safety, lighting, schools, flood control, etc. If density is increased, we can only expect an even more limited support from the County, and, a fast decreasing morale, which is usually followed suit by an incentive to sell, that eventually, results in the loss of a beautiful hard working COMMUNITY.

A neighborhood like ours must be preserved and supported by the local government and authorities to develop, as a community (added safety, quality education adds value).

7. More density and more buildings in this area will not make the neighborhood better, cleaner or safer. The community will be better served if the lots in discussion are used for parks, playgrounds, or some type of establishment that can help with water absorption (our pressing flood concern).
8. The proposed development looks nice in the pictures and presentations. But the question is: is this affordable housing, low income housing and if yes, what percentage? It is not realistic to build family apartments in an area where schools are failing. The neighborhood schools have the capacity to accommodate only because the current residents switched to charter schools. We do need good schools for all children in our community, before density is increased.

9. This neighborhood is a gemstone and must be safeguarded now from unfavorable consequences of medium and high-density real estate developers.

Help us achieve this by denying these applications.

Please consider the single-family owners in this community: some new and some have been living here for many years.

Thank you!

RESOLUTION NO. 8-5-20
 NORTH CENTRAL COMMUNITY COUNCIL (8)
 ISSUING RECOMMENDATION ON EXPEDITED
 APPLICATION NO. CDMP20200006 FILED BY CARE
 OASIS, LLC REQUESTING AMENDMENT TO THE
 COMPREHENSIVE DEVELOPMENT MASTER PLAN

WHEREAS, Section 20-40 of the Code of Miami-Dade County establishes Community Councils in the unincorporated area; and

WHEREAS, the Section 2-116.1 of the Code of Miami-Dade County provides exclusive procedures for amending the Comprehensive Development Master Plan (CDMP) consistent with requirements of Chapter 163, Part 2, Florida Statutes; and

WHEREAS, the Community Councils may, at their option, make recommendations to the Planning Advisory Board and the Board of County Commissioners on proposed amendments to the CDMP that would directly impact the Council’s area; and

WHEREAS, the Section 2-116.1(3)(e) of the Code of Miami-Dade County provides that Community Council recommendations may address the decisions to be made by the Board of County Commissioners regarding adoption, adoption with change, or denial of the small-scale application, or that the application be converted to a standard amendment and transmitted to the State Land Planning Agency and other reviewing agencies for review and comment; and

WHEREAS, at its meeting of June 29, 2020, the North Central Community Council (8) deferred the January 2020 Cycle CDMP Amendment Application No. CDMP20200006, at the request of the applicant, to the next scheduled Community Council 8 meeting; and

WHEREAS, at its meeting of August 25, 2020, the North Central Community Council (8) conducted a public hearing as authorized by Section 20-41 of the County Code;

NOW, THEREFORE, BE IT RESOLVED THAT THE NORTH CENTRAL COMMUNITY COUNCIL (8) recommends that the January 2020 Cycle CDMP Amendment Application No. CDMP20200006 be Denied.

The forgoing resolution was offered by Board Member Athemon Johnson who moved its adoption and was seconded by Board Member Nashira Williams and upon being put to a vote, the vote was as follows:

Dr. Joy J. Davis, Vice Chair	Yes	Caroline Florence Williams	No
Athemon Johnson	Yes	Dr. Nashira Amina Williams	Yes
Felix A. Montes	Yes		
Fredericke Alan Morley, Chair, Absent			

Vice Chair Joy Davis hereupon declared the resolution duly passed and adopted this 25th day of August 2020.

I hereby certify that the above information reflects the action of the North Central Community Council.

Noel Stillings

 Noel Stillings, Executive Secretary

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MINUTES

North Central Community Council 8
 Virtual "Zoom" Public Hearing on Expedited Application No. CDMP20200006
 And January 2020 Cycle Application Nos. CDMP20200001 and CDMP20200002
 To Amend the Comprehensive Development Master Plan

August 25, 2020, 6:00 PM

Department of Regulatory and Economic Resources (RER) Staff PresentPlanning Division

Garett Rowe, Chief, Metropolitan Planning Section, Planning Division
 Manny Armada, Chief, Planning Research Section, Planning Division
 Robert Hesler, Planning Section Supervisor, Planning Research Section, Planning Division
 Rosa Davis, Planning Section Supervisor, Metropolitan Planning
 Vinod Sandasamy, Transportation Section Supervisor, Metropolitan Planning
 Noel Stillings, Principal Planner, Metropolitan Planning
 Mark Dorsey, Principal Planner, Metropolitan Planning
 Juan Pelaez, Senior Planner, Metropolitan Planning
 Rommel Vargas, Senior Planner, Metropolitan Planning
 Cindy Dwyer, Senior Planner, Metropolitan Planning
 Shirley Pass, Executive Secretary

Strategic Initiatives

Vanessa L. Collazo Santiago, Strategic Initiatives Manager, RER
 Larisa Aploks, Strategic Initiatives Manager, RER
 Georgina Del Valle, Senior Systems Analyst Programmer, Information Technology Department, RER

Other County Staff Present

Dennis Kerbel, Assistant County Attorney, County Attorney's Office
 Eddie Kirtley, Assistant County Attorney, County Attorney's Office

I. CALL TO ORDER AND OPENING REMARKS

The North Central Community Council 8 Virtual Public Hearing opened at 6:00 p.m.

Roll Call

Ms. Noel Stillings, Principal Planner, conducted a roll call and determined there was quorum with the following four (4) Community Council 8 Board members present as follows:

Dr. Joy J. Davis, Vice Chair	Present	Caroline Florence Williams	Present
Athemon Johnson	Absent*	Dr. Nashira Amina Williams	Present
Felix A. Montes	Present		

Fredericke Alan Morley, Chair, Absent

*Board member Athemon Johnson was present after the roll call and approval of the agenda.

Following the Pledge of Allegiance and roll call, Vice Chair Davis welcomed the public to the hearing on Expedited Application No. CDMP20200006, and the January Cycle Application Nos. CDMP20200001 and CDMP20200002. Vice Chair Davis reviewed the procedures and purpose of the public hearing and called for the presentation of the Comprehensive Development Master Plan (CDMP) amendment applications. Mr. Garrett Rowe, Chief of Metropolitan Planning, introduced himself and provided additional details on the procedures for how the public may access and participate in the virtual hearing.

Approval of Agenda

Board member Caroline Williams made a motion to approve the Community Council 8 agenda. Board member Felix Montes seconded the motion. The motion passed as follows:

Athemon Johnson	Absent	Caroline Florence Williams	Yes
Felix A. Montes	Yes	Dr. Nashira Amina Williams	Yes
Fredericke Alan Morley, Chair	Absent		

Dr. Joy J. Davis, Vice Chair, Yes

II. AGENDA ITEMS

Expedited Application No. CDMP20200006 (Care Oasis, LLC)

Mr. Garrett Rowe, Chief-Planning Division (Metropolitan Planning) made a brief presentation on Application No. CDMP20200006. Mr. Rowe explained that the application site is ±3.02 gross/±2.33 net acres and is generally located adjacent to and on the east side of NW 2 Avenue, between NW 160 Street and NW 161 Street. He explained the current land use on the east side “Low Density Residential” (2.5 to 6 dwelling units per gross acre) and the west side “Office/Residential” of the subject property. He explained the proposed land use change to “Office/Residential” and “Low-Medium Density Residential with One Density Increase for Urban Design” (DI-1; 13 to 25 dwelling units per gross acre). The application is seeking to change the designation on the east side of the subject property to allow a higher density, which allows the “Office/Residential” on the west side of the subject property to be developed at a higher density. He noted the property to the north that is currently vacant was approved for a similar request in 2018. He reviewed land uses in the immediate area along NW 2 Avenue, and the area around the Golden Glades Interchange. Mr. Rowe went over the development potential if the proposed land use change is approved, and then discussed the proffered covenant which would limit development to 66 multifamily units incorporating sound urban design principles and notification to potential purchasers of proximity to the Golden Glades Trash and Recycling Center. He noted that staff’s recommendation is to adopt with acceptance of the proffered Declaration of

Restrictions and provided an overview of the reasons for recommendation as outlined in the staff recommendations report including the application promotes Infill development, there would be no impact to environmental, historic or archeological resources, County services and facilities are adequate to serve the development, and that the potential development is compatible with the area and would support transit ridership and pedestrianism.

Mr. Felix Lasarte, the applicant’s legal representative, then provided a description of the proposed project, information on events that transpired after the project was deferred at the prior Community Council 8 meeting including a meeting with the Biscayne Gardens Civic Association and a revision to the proffered covenant to include workforce housing, and discussion of concerns raised by citizens at the prior Community Council 8 meeting around flooding, design compatibility, closure of NW 161 Street, and traffic. He was joined by Robert Holland, his co-counsel, who provided a brief history of prior approvals on the site and the overall planning process as relates to this application.

Following Mr. Lasarte’s presentation the Chair opened the public hearing, during which 22 members of the public spoke. 21 members of the public expressed opposition to the proposed project, citing traffic, flooding, schools, and property values as primary concerns. One member of the public expressed a desire keep NW 161 Street closed. No member of the public expressed support for the project.

Mr. Lasarte presented a rebuttal to the objections raised noting the staff recommendation for approval, the property to the north that received a similar approval, and that this project will not add to pre-existing flooding issues because of requirements to retain water onsite. He noted the project will not have any short-term rentals and would have maintenance requirements. Following rebuttal, the public hearing was closed.

A discussion by the Board followed, focused on transportation and the traffic study, workforce housing, the proffered covenant, allowable uses if the project is not approved, senior housing, and the meeting with the neighbors and the applicant.

Board member Athemon Johnson made a motion to Deny the application. Board member Nashira Williams seconded the request. The motion passed as follows:

Athemon Johnson	Yes	Caroline Florence Williams	No
Felix A. Montes	Yes	Dr. Nashira Amina Williams	Yes
Fredericke Alan Morley, Chair	Absent		
	Dr. Joy J. Davis, Vice Chair, Yes		

January 2020 Cycle Application No. CDMP20200001 (Golden Glades NMB, LLC - North) and Application No. CDMP20200002 (Golden Glades NMB, LLC – South)

Mr. Rowe introduced Ms. Stillings to present the next two applications, and suggested that due to the proximity of the applications and that they were filed by the same applicant that the applications be presented together, and Vice Chair Davis concurred.

Ms. Noel Stillings, Principal Planner, introduced herself and stated she would present both application Nos. CDMP20200001 and CDMP20200002. Ms. Stillings stated that Application No.

CDMP20200001 was a small-scale application for a ±6.43 acre site located ±267 feet west of NW 2 Avenue between NW 159 and NW 161 Streets. Ms. Stillings explained that this application and also Application No. CDMP20200002 were both requesting redesignation from “Low Density Residential” to “Medium-High Density Residential.” Ms. Stillings reviewed the existing uses for the application sites as well as the surrounding uses, noting the proximity to the east of the County’s Solid Waste Trash and Recycling Center. Ms. Stillings explained that Staff recommends the addition of the parcel abutting to the northeast of Application No. CDMP20200001, noting a letter of support from the property owner is included in the Initial Recommendations Report. Ms. Stillings explained that the Application No. CDMP20200001 site is developable under its current “Low Density Residential” designation with up to 38 single-family homes and under the requested “Medium-High Density Residential” with addition of the northeast parcel, up to 441 multi-family units could be developed. Ms. Stillings stated that the Staff recommendation is to “Adopt with Change and with acceptance of the proffered Declaration of Restrictions” and noted the change was for the addition of the northeast parcel.

Ms. Stillings stated that Application No. CDMP20200002 was also a small-scale application for a ±2.67-acre site located ±540 feet east of NW 6 Avenue. Ms. Stillings outlined the existing “Low Density Residential” designation would allow up to 16 single-family detached residences, and under the requested “Medium-High Density Residential” the potential development would be up to 160 multi-family units. Ms. Stillings stated that the applicant had proffered a Declaration of Restrictions (covenant) for both applications. She reviewed the covenant’s four main provisions, namely: 1) 10% of units will be made affordable to persons earning up to 140% of the Area Median Income for the County; 2) Development of the property would be to LEED or other green living certifications; 3) property will be developed incorporating sound urban design principles and a six-foot landscape buffer; 4) Applicant will provide written notice to prospective residents of potential noise or odors emanating from the County’s Trash and Recycling Center. Ms. Stillings stated the Staff recommendation is to “Adopt with acceptance of the proffered Declaration of Restrictions.” Ms. Stillings concluded her presentation by reminding the board members that at their last June 25, 2020 public meeting they voted to defer both applications, per the applicant’s request, to the next community council hearing, which ended up being tonight.

Mr. Pedro Gassant, the applicant’s legal representative, presented the merits of applications Nos. CDMP20200001 and CDMP20200002. Mr. Gassant stressed how both applications were located within the County’s Urban Infill Area (UIA) and their proximity to the Golden Glades Interchange and transit center to the west. Mr. Gassant explained how factors such as the Urban Development Boundary served to limit locations where density could be increased and opined that with 36,000 people being added yearly to the County’s population, locations centrally located such as these two application sites were the ideal location for increasing density. He highlighted the planned improvements and amenities for the Golden Glades Interchange and the transit center. Mr. Gassant discussed the surrounding uses to the applications, including the 59,000 square foot church under construction located west of Application No. CDMP20200001. Mr. Gassant reviewed the components of the covenant proffered for each application such as the affordable housing provisions, LEED certification requirement and compatibility and landscape buffer requirements. Mr. Gassant concluded that both applications were ideally located and in proximity to excellent transit opportunities that provides benefits to the community.

Vice Chair Davis opened up the public hearing, and twenty people spoke on the applications. One person spoke in favor of the applications, stating the applications addressed important issues such as the LEED certification and the usage of public transit. Nineteen people spoke against the applications, including members of the Biscayne Gardens Civic Association who stated they were never approached by the applicant. Those in opposition questioned if the future residents would

use public transit and questioned the proximity of the applications to the Golden Glades transit center. Issues raised included potential for increased flooding, the compatibility with the surrounding neighborhood, the applicant’s plans for apartments instead of condominiums, fears of the application turning into low-quality housing, increased crime, school capacity deficiencies and increased traffic congestion.

Mr. Gassant in his rebuttal stated that flooding is typically addressed at a further stage such as zoning or site plan approval and that no development would take place until all environmental issues including flooding are resolved. Mr. Gassant stated that the proposed development would bring impact fees to the area, and stressed that with the County’s population growth, areas within the Urban Infill Area where the applications were located were ideally suited for additional density. Mr. Gassant pointed out that the applications met school concurrency requirements and that the County’s Police and Fire Rescue Departments had no objections to the applications. Mr. Gassant concluded his rebuttal by stating that the Golden Glades interchange improvements and transit amenities are ideally situated to the applications. Vice Chair Davis closed the public hearing.

Board member Caroline Williams commented that the area needed to be more walkable and cited other areas with sidewalks and bike paths. She asked about the total square footage of development proposed. Mr. Gassant responded the square footage has not yet been determined as they are in the planning stages at this point. Board member Willaims questioned the difference in the potential number of units if the sites were redesignated to “Medium Density Residential” instead of the applicant’s requested “Medium-High Density Residential” designation. Mr. Gassant explained that with “Medium Density Residential” would allow a maximum of 25 dwelling units per acre as opposed to the requested “Medium-High Density Residential” that allows a maximum of 60 dwelling units per acre, which he stated was adequate and appropriate for the area while specifically citing the 59,000 square foot church under construction west of Application No. CDMP20200001. Board member Athemon Johnson voiced his concerns with the applications in regards to school capacity, traffic congestion and distance to the Golden Glades transit center, and opined that more attention needs to be paid to the community capacity in the neighborhood. Vice Chair Joy Davis noted that it was difficult to approve an item that was not fully understood by the community, who they represented. In response to Board member Caroline Williams’ question, Mr. Rowe and County Attorney Eddie Kirtley explained options the Board may consider in their recommended motion on the applications.

Application No. CDMP20200001 (Golden Glades NMB, LLC – North)

Board member Caroline Williams made a motion to recommend that the January 2020 Cycle CDMP Amendment Application No. CDMP20200001 be Adopted with Change and with the request that the applicant’s proffered Declaration of Restrictions be modified accordingly [Change is to redesignate the site to “Medium Density Residential (13 to 25 dwelling units per gross acre)” in lieu of the requested “Medium-High Density Residential (25 to 60 dwelling units per gross acre)”. Board member Nashira Williams seconded the request, and upon being put to a vote the vote was as follows:

Athemon Johnson	Yes	Caroline Florence Williams	Yes
Felix A. Montes	Yes	Dr. Nashira Amina Williams	Yes
Fredericke Alan Morley, Vice Chair	Absent		
		Dr. Joy J. Davis, Vice Chair,	No

Application No. CDMP20200002 (Golden Glades NMB, LLC – South)

Board member Caroline Williams made a motion to recommend that the January 2020 Cycle CDMP Amendment Application No. CDMP20200001 be Adopted with Change and with the request that the applicant’s proffered Declaration of Restrictions be modified accordingly [Change is to redesignate the site to “Medium Density Residential (13 to 25 dwelling units per gross acre)” in lieu of the requested “Medium-High Density Residential (25 to 60 dwelling units per gross acre)”. Board member Nashira Williams seconded the request, and upon being put to a vote the vote was as follows:

Athemon Johnson	Yes	Caroline Florence Williams	Yes
Felix A. Montes	Yes	Dr. Nashira Amina Williams	Yes
Fredericke Alan Morley, Chair	Absent		
Dr. Joy J. Davis, Vice Chair, No			

Adjournment

Board member Caroline Williams made a motion to adjourn the meeting, and board member Nashira Williams seconded the motion, and upon being put to a vote the vote was as follows:

Athemon Johnson	Yes	Caroline Florence Williams	Yes
Felix A. Montes	Yes	Dr. Nashira Amina Williams	Yes
Fredericke Alan Morley, Chair	Absent		
Dr. Joy J. Davis, Vice Chair, Yes			

The public meeting ended at 9:49 p.m.

Respectfully submitted,

Noel Stillings

Executive Secretary

This instrument was prepared by:

Name: Felix M. Lasarte, Esq
Address: The Lasarte Law Firm
 3250 N.E. 1st Avenue, Suite 334
 Miami, FL 33137

Received August 28, 2020

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Care Oasis LLC, a Florida limited liability company (hereinafter referred to as the “Owner”) holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, 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) as an expedited application; and

WHEREAS, said amendment is identified as Expedited Application No. CDMP20200006 (the "Application"); and

WHEREAS, the Application seeks to re-designate the Property from “Office/Residential” and “Low Density Residential” to “Office/Residential” and “Low-Medium Density Residential with One Density Increase (DI-1)” on the Miami-Dade County Comprehensive Development Master Plan adopted Land Use Plan (“LUP”) map.

NOW, THEREFORE, in order to assure 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) Limitation on Units. The Property will not be developed with more than **66** multifamily units.

(2) Project Design. Any development application seeking to use the density increase provided by the "DI-I Overlay" shall utilize Miami-Dade County's Urban Design Manual endorsed by Resolution R-136098 as amended as a guideline for the Property's development, and at a minimum, shall incorporate the following design principles:

a. Buildings shall be compatible with surrounding development or made compatible through the use of, among other methods: buffers such as landscaping; pedestrian scaled walls and fences along the street frontage; building height transitions when abutting lower intensity development and land uses to the north, east and south; a mix of building types; vertically proportioned fenestration; and architectural styles that complement surrounding development.

b. Buildings shall be built close to the street to create a public space in the street corridor that is comfortable, interesting, and safe for pedestrians. The Owner shall seek, if necessary, variances of the County's zoning regulations to accommodate this urban design principle. If any variances necessary to meet this principle are not approved by Miami-Dade County at the time the Property or any portion thereof is subject to a district boundary change to accommodate the CDMP's provisions pertaining to the "DI-I – One Density Increase With Urban Design", the Owner shall develop buildings in conformance with the minimum requirements provided by the County's zoning standards except locations of required parking shall be as described in principle "e." below.

c. Buildings shall have abundant windows and doors at street level and incorporate a variety of architectural features and treatments on all facades such as, but not limited to: balconies; a variety of materials such as stone, metal, stucco, concrete and brick; modulation and articulation of building surfaces; and changes in roof levels. Large expanses of opaque or blank building walls shall be avoided, but if provided, they shall be treated with some form of artistic composition; significant textures or reliefs that complement the architectural style of the building or similar treatments.

d. Uniform street furniture and lighting standards shall be provided throughout the Property.

e. All on-site parking shall be to the rear or side of the buildings. No on-site parking shall be allowed between the street frontage and the front building line of any building(s). This shall not prevent parking within the right-of-way, if approved by the County.

f. The primary entrance to the building(s) shall be from the street.

g. The development shall provide open space that is defined by buildings, and if permitted, the block and street network, and of a size that permits social activity and recreation. This principle does not preclude the incorporation of internalized recreational areas but shall be in addition to other types of open space proposed in the development.

(3) Solid Waste Management Notice. Notification of Proximity of Solid Waste Facility, Acknowledgment, Waiver and Release. The Owners shall provide to each of their prospective purchasers or lessees within each of their parcels with a written notification, acknowledgment, waiver, and release recognizing that the Property is located in immediate proximity to the Miami-Dade County Golden Glades Trash and Recycling Center (“TRC”), located at 140 NW 160th Street. The Developer shall cause every prospective purchaser or lessee to execute the written notification, acknowledgment, waiver, and release in writing. The terms of the Owners’ obligation to provide said notification and the form of notification pursuant to Section 53-184 of the Land Development Regulation and attached hereto as Exhibit “B” to the Declaration.

(4) Workforce Housing. Ten percent (10%) of the units shall be made affordable to households up to one-hundred forty percent (140%) of the Area Median Income of Miami-Dade County.

Miscellaneous

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]

WITNESSES:
LIABILITY COMPANY

CARE OASIS, LLC.
A FLORIDA LIMITED

By: CARE OASIS, LLC.
a Florida limited liability company
Its Manager(s)

Print Name

By: _____
Isaac Alion, Manager

Print Name

By: _____
Riva Alion, Manager

(Company Seal)

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by _____ He/she is personally known to me or has produced _____ as identification.

Witness my signature and official seal this _____ day of _____, 2020 in the County, and State aforesaid.

Notary Public – State of Florida

Print Name

My Commission Expires: _____

EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT “B”**NOTIFICATION, ACKNOWLEDGEMENT, WAIVER AND RELEASE OF
PROXIMITY OF SOLID WASTE FACILITY**

The purchasers (their heirs, successors, assigns), lessees, occupants and residents (hereinafter jointly and severally the “Covenanters”) are hereby advised and hereby acknowledge, agree and covenant as follows:

The subject property is located in immediate proximity to the Miami-Dade County Golden Glades Trash and Recycling Center (“TRC”) located at 140 NW 160th Street, which is used in connection with the County’s solid waste management and disposal activities and operates 12 or more hours per day, 7 days a week. As a result, occupants of the property may be affected by odors, noise or dust emanating from the TRC and truck traffic entering and exiting the Facility during operating hours.

The Covenanters agree that they do not object to the presence of the Golden Glades TRC or its operations. The Covenanters agree that they waive and shall not raise any objection to the continued operation of the Facility. Further, the Covenanters waive and release Miami-Dade County from any and all liability for any past, present or future claims, and the Covenanters hereby agree not to file any claim or action against Miami-Dade County or any entities related to the operation of the Facility, pertaining to or arising out of the operation of the Facility. The waiver and release includes, but is not limited to, both non-constitutional and constitutional claims and actions (including, but not limited to, inverse condemnation, takings, and nuisance), of any kind or other constitutional or non-constitutional claims of any kind or nature whatsoever. In the event that any paragraph or portion of this notice is determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, it shall affect no other provision of this Notification, Acknowledgement, Waiver and Release (“Notice”), and the remainder of this Notice shall be valid and enforceable in accordance with its terms.

RESOLUTION NO. 20-06

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING
ADVISORY BOARD ACTING AS THE LOCAL PLANNING
AGENCY ISSUING RECOMMENDATION TO THE BOARD OF
COUNTY COMMISSIONERS REGARDING FINAL
DISPOSITION OF SMALL-SCALE EXPEDITED
APPLICATION NO. CDMP20200006 TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

WHEREAS, pursuant to chapter 163, part II, Florida Statutes (F.S.), the Comprehensive Development Master Plan (CDMP) for Miami-Dade County was adopted by the Miami-Dade Board of County Commissioners (Commission) in November 1988; and

WHEREAS, section 2-116.1 of the Code of Miami-Dade County, Florida, provides procedures for amending the CDMP, which comply with the requirements of the Florida Statutes referenced above; and

WHEREAS, expedited application No. CDMP20200006 to amend the CDMP Adopted 2020 and 2030 LUP map was filed by a private party in March 2020 and is contained in the document titled "Expedited Application No. CDMP20200006 to Amend the Comprehensive Development Master Plan," dated March 2020; and

WHEREAS, Miami-Dade County's procedures provide for the processing of eligible small-scale amendments as defined in section 163.3187, F.S.; and

WHEREAS, expedited CDMP amendment Application No. CDMP20200006 requested adoption, if eligible, as a small-scale CDMP amendment; and

WHEREAS, the Department has published its initial recommendation addressing the expedited application in the report titled "Initial Recommendation Expedited Application No. CDMP20200006 to Amend the Comprehensive Development Master Plan", dated June 2020; and

WHEREAS, the affected Community Council conducted an optional public hearing pursuant to Section 2-116.1(3), Code of Miami-Dade County, Florida, to address the CDMP amendment application that would directly impact their respective council area and issued its recommendation to the Planning Advisory Board and the Commission; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accord with the referenced State and County procedures, and has conducted a duly noticed public hearing to receive public comments and to address the referenced CDMP amendment application, the initial recommendation of the Department, and to address the action to be taken on the CDMP amendment by the Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD ACTING AS THE LOCAL PLANNING AGENCY:

This Agency hereby makes the following recommendation to the Commission regarding the adoption of small-scale Land Use Plan map amendment and Expedited Application No. CDMP20200006.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Recommended Action on Small-Scale Amendment
CDMP 20200006	<p>Care Oasis, LLC / Felix M. Lasarte, Esq., The Lasarte Law Firm Generally located east of NW 2 Avenue between NW 160 Street and NW 161 Street / ±3.02 Gross Acres, ±2.33 Net Acres</p> <p><u>Requested Amendment to the CDMP:</u></p> <ol style="list-style-type: none"> Redesignate the application site on the LUP Map: From: "Office/Residential" and "Low Density Residential" (2.5 to 6 dwelling units per gross acre) To: "Office/Residential" and "Low-Medium Density Residential (6 to 13 dwelling units per gross acre with One Density Increase [DI-1])" 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. <p>Small-Scale Amendment</p>	Adopt with acceptance of the proffered Declaration of Restrictions


The motion to recommend Adopt with acceptance of the proffered Declaration of Restrictions was moved by Board Member Morris. Board Member Diaz-Padron seconded the motion. The motion passed unanimously 11 to 0 as follows:

Carla Ascencio-Savola	Yes	Perley Richardson, Jr.	Absent
Robert Alonso	Yes	William Riley	Yes
Carlos Diaz-Padron	Yes	Daniel Rogers	Yes
Eric Fresco	Yes	Robert Ruano	Absent
Horacio C. Huembes	Yes	Jesus Vazquez	Yes
J. Wil Morris	Yes		

Lynette Cardoch, Vice Chair, Yes

Wayne Rinehart, Chair, Yes

The above action was taken by the Planning Advisory Board, acting as the Local Planning Agency, at its public hearing on August 31, 2020 and is certified correct by Jack Osterholt, Executive Secretary to the Planning Advisory Board.


 Jack Osterholt, Deputy Mayor/Director
 Department of Regulatory and Economic Resources

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MINUTES

Miami-Dade County Planning Advisory Board
Acting As the Local Planning Agency
Public Hearing on the Expedited 2020 and January 2020 Cycle Applications
To Amend the Comprehensive Development Master Plan

Virtual "Zoom" Public Hearing
August 31, 2020, 2:00 PM

Planning Advisory Board Members

Carla Ascencio-Savola	Present	Perley Richardson, Jr.	Absent
Robert Alonso	Present	William Riley	Present
Carlos Diaz-Padron	Present	Daniel Rogers	Present
Eric Fresco	Present	Robert Ruano	Absent
Horacio C. Huembes	Present	Jesus Vazquez	Present
J. Wil Morris	Present		

Lynette Cardoch, Vice Chair, Present
Wayne Rinehart, Chair, Present

Nathaly Simon, Miami-Dade Public Schools (non-voting), Present
Larry Ventura, Homestead Air Reserve Base (non-voting), Absent

Department of Regulatory and Economic Resources (RER) Staff Present

Jerry Bell, Assistant Director, Planning Division
Manny Armada, Chief, Planning Research Section, Planning Division
Garett Rowe, Chief, Metropolitan Planning Section, Planning Division
Robert Hesler, Planning Section Supervisor, Planning Research Section, Planning Division
John Lucas, Planning Section Supervisor, Planning Research Section, Planning Division
Rosa Davis, Planning Section Supervisor, Metropolitan Planning
Vinod Sandanasamy, Transportation Section Supervisor, Metropolitan Planning
Kimberly Brown, Planning Section Supervisor, Metropolitan Planning
Christine Velazquez, Chief, Office of Code Coordination & Public Hearing, DERM
Mark Dorsey, Principal Planner, Metropolitan Planning
Noel Stillings, Principal Planner, Metropolitan Planning
Adrienne Burke, Principal Planner, Metropolitan Planning
Rommel Vargas, Senior Planner, Metropolitan Planning
Juan Carlos Pelaez, Senior Planner, Metropolitan Planning
Cindy Dwyer, Senior Planner, Metropolitan Planning
Abby Diaz, Administrative Secretary, Metropolitan Planning
Shirley Pass, Executive Secretary, Metropolitan Planning

Strategic Initiatives

Vanessa L. Collazo Santiago, Strategic Initiatives Manager, RER
Larisa Aploks, Strategic Initiatives Manager, RER

Other County Staff Present

Cristina Rabionet, Assistant County Attorney, County Attorney's Office
 Christopher Wahl, Assistant County Attorney, County Attorney's Office
 Lauren Morse, Assistant County Attorney, County Attorney's Office
 Carlos Lopez, Park Planner III, Parks, Recreation and Open Spaces Department
 Natalia Neira, Park Planner III, Parks, Recreation and Open Spaces Department
 Sergeant Keith Hedrick, Miami-Dade County Police Department
 Deborah Silver, Business Architect, Department of Solid Waste Management
 Maria Valdes, Chief, Comprehensive Planning & Water Supply Certification Section,
 Water and Sewer Department
 Annalise Mannix, Chief of Planning & Development, Water and Sewer Department
 Carlos Heredia, Planning Bureau Manager, Miami-Dade Fire Rescue

CALL TO ORDER AND OPENING STATEMENTS

The Planning Advisory Board (PAB) virtual public hearing opened at 2:00 PM. Mr. Garrett Rowe, Chief of Metropolitan Planning, introduced himself and asked Staff to conduct a roll call. Ms. Noel Stillings, Principal Planner, conducted a roll call and determined there was quorum with eleven members present.

PAB Chair's Introductory Remarks

Following the Pledge of Allegiance, PAB Chair Rinehart reviewed the procedures and purpose of the public hearing and welcomed the public to the hearing on the Expedited 2020 application and January 2020 Cycle applications to amend the Comprehensive Development Master Plan (CDMP).

Opening Statement by County Staff

Mr. Rowe gave information on how the public could participate in the PAB's virtual meeting and identified the Planning Division's website where the Initial Recommendations reports and exhibits submitted were posted.

I. EXPEDITED 2020 CDMP APPLICATION - CDMP20200006 – CARE OASIS, LLC

Mr. Rowe provided an overview of Application No. CDMP20200006, noting that the site is a vacant ±3.02 gross acres property and outlining the adjacent existing uses, including the Golden Glades Trash and Recycling Center to the south, vacant property to the north and single family to the east. He pointed to recently approved land uses in the area, and the improvements planned and underway for the Golden Glades Interchange and the Golden Glades Park and Ride. He noted the site's current land use designations of "Office/Residential" and "Low Density Residential" (2.5 to 6 dwelling units per gross acre) and current potential development of 32,887 square feet of office uses and 5 single family units, or a total 25 units if residential is built on the entire site. Mr. Rowe noted that as outlined in the staff report, the proposed land use designations of "Office/Residential" and "Low-Medium Density Residential with One Density Increase with Urban Design" (DI-1; 13 to 25 dwelling units per gross acre) would allow a potential development of 32,887 square feet of offices and 24 multifamily units, or 147 multifamily units on the entire site. He noted the applicant has proffered a Declaration of Restrictions (covenant) to limit the site to a maximum of 66 multifamily units, incorporate sound urban design, and providing prospective

purchasers or lessees notification of the site's proximity to the Golden Glades Trash and Recycling Center.

Mr. Rowe reviewed the staff recommendation to adopt with acceptance of the proffered covenant. He noted that the applicant has submitted a revised covenant since the Community Council meeting on August 25, 2020 to incorporate a workforce housing commitment. He summarized the basis for the staff recommendation outlined in the staff recommendations report including that the application, consistent with the CDMP, promotes Urban Infill development that supports transit ridership and pedestrianism, promotes development that is generally compatible with the area, generates no impact to environmental, historic or archeological resources, and County services and facilities are generally adequate to serve the proposed development,. Mr. Rowe noted that the North Central Community Council 8 recommended denial of the application at their meeting on August 25, 2020.

Several Board members posed questions related to the proposed covenant revision, the exact portion of the property that would have the land use changed, clarification regarding density, and why Community Council 8 denied the application. Mr. Rowe provided responses to the questions and pointed to the applicant to further address the questions particularly the workforce housing commitment, and Chair Rinehart asked the applicant to present and aid in answering questions as well. Mr. Felix Lasarte, the applicant's legal representative, then provided a description of the proposed project and addressed some of the issues raised by the Community Council and citizens related to traffic, flooding and density.

Chair Rinehart asked for clarification that Community Council 8 recommended approval on the other two applications on the Planning Advisory Board's agenda (CDMP20200001 and CDMP20200002). Mr. Rowe responded affirmatively that the other two applications were recommended for approval with changes to a lower density.

At this time, the Chair opened the public hearing, during which 18 members of the public spoke. Thirteen members of the public expressed opposition to the proposed project, citing traffic, flooding, and density as primary concerns. Four members of the public expressed support for the project. One member of the public expressed neither opposition or support but drew attention to the proposed closure of NW 161 Street. Following the public hearing, Mr. Lasarte presented a rebuttal to the objections raised.

A brief discussion by the Board followed, focused on issues raised during the public hearing. The motion to recommend Adopt with acceptance of the proffered Declaration of Restrictions was moved by Board Member Morris. Board Member Diaz-Padron seconded the motion. The motion passed unanimously 11 to 0 as follows:

Carla Ascencio-Savola	Yes	Perley Richardson, Jr.	Absent
Robert Alonso	Yes	William Riley	Yes
Carlos Diaz-Padron	Yes	Daniel Rogers	Yes
Eric Fresco	Yes	Robert Ruano	Absent
Horacio C. Huembes	Yes	Jesus Vazquez	Yes
J. Wil Morris	Yes		

Lynette Cardoch, Vice Chair, Yes
Wayne Rinehart, Chair, Yes

II. JANUARY 2020 CYCLE CDMP APPLICATIONS

CDMP20200001 (GOLDEN GLADES NMB, LLB – NORTH) AND CDMP20200002 (GOLDEN GLADES NMB, LLC- SOUTH)

Mr. Rowe introduced Ms. Stillings to make the Staff presentation. Ms. Stillings explained that she will present both applications CDMP20200001 and CDMP20200002 together as they were filed by the same applicant, Golden Glades NMB, LLC, and are located across the street from each other. Ms. Stillings stated that Application No. CDMP20200001 was a small-scale, ±6.43 acre application, located on ±267 feet west of NW 2 Avenue between NW 159 and NW 161 Streets. She explained that this application and Application No. CDMP20200002 were both requesting redesignation from “Low Density Residential” to “Medium-High Density Residential.” Ms. Stillings reviewed the existing uses for the application sites as well as the surrounding uses, noting the proximity to the east of the County’s Solid Waste Trash and Recycling Center. Ms. Stillings explained that Staff recommends the addition of a parcel to the northeast of Application No. CDMP20200001 site, noting that the letter from the property owner supporting the change is included in the Initial Recommendations Report. Ms. Stillings explained that the Subject Property’s current “Low Density Residential” designation would allow development of up to 38 single-family homes and the requested “Medium-High Density Residential” with the addition of the northeast parcel would allow up to 441 multi-family residential units to be developed. Ms. Stillings stated that the Staff recommendation was to “Adopt with Change and with acceptance of the proffered Declaration of Restrictions” and noted the change is the addition of the northeast parcel.

Ms. Stillings stated that Application No. CDMP20200002 is also a small-scale application, but a smaller ±2.67-acre Subject Property located ±540 feet east of NW 6 Avenue on the south side of NW 159 Street. Ms. Stillings noted the site’s current “Low Density Residential” designation would allow up to 16 single-family detached residences, and under the requested “Medium-High Density Residential” the potential development could be up to 160 multi-family units. Ms. Stillings stated the Staff recommendation was to “Adopt with acceptance of the proffered Declaration of Restrictions.”

Ms. Stillings stated that the applicant had proffered a Declaration of Restrictions (covenant) for each application. Ms. Stillings reviewed the covenant’s four main covenant provisions, namely: 1) 10% of units will be made affordable to households earning up to 140% of the Area Median Income for the County; 2) Development of the property would obtain LEED or other green building certification; 3) property will be developed incorporating certain design principles including a six-foot landscape buffer; 4) Applicant to provide written notice so that prospective residents are notified of the proximity to and potential noise or odors emanating from the County’s Golden Glades Trash and Recycling Center. Ms. Stillings highlighted that the North Central Community Council 8 recommended “Adopt with Change” for both applications, and explained that the recommended change was that both sites be redesignated to the “Medium Density Residential” designation which allows 13 to 25 units per acre instead of the requested “Medium High Density”, and that the applicant’s proffered covenants be modified accordingly.

Mr. Pedro Gassant, the applicant’s legal representative, also gave a combined presentation of Application Nos. CDMP20200001 and CDMP20200002. Mr. Gassant stressed that both applications were located within the County’s Urban Infill Area (UIA) and proximate to the Golden Glades Interchange and transit center to the west. Mr. Gassant explained how the County was located between the Everglades and Biscayne National Parks, and stated that and other factors

such as the Urban Development Boundary served to limit locations where density could be increased. Mr. Gassant opined that with 36,000 people being added yearly to the County's population, centrally located properties such as these two application sites were ideal for increasing density. Mr. Gassant reviewed the planned improvements and amenities for the Golden Glades Interchange and the transit center. Mr. Gassant discussed the surrounding uses to the applications, including the 59,000 square foot church under construction located west of Application No. CDMP20200001. Mr. Gassant reviewed the components of the covenants proffered on both applications such as the affordable housing provisions, LEED certification and the landscape buffer to address compatibility. Mr. Gassant concluded that both applications were ideally located and provided excellent transit opportunities that provides benefits to the community.

Chair Rinehart opened up the public hearing, and seventeen people spoke on the applications. Six people spoke in favor of the application, stating the numerous churches in the area necessitated the need for more property tax revenue, and proximity to public transportation and central location. Eleven people spoke against the applications, including members of the Biscayne Gardens Civic Association, stating compatibility concerns with the surrounding single-family neighborhood, traffic congestion, questioned the public transit usage and characterized those persons speaking in favor as the current property owners of the application sites.

Mr. Gassant in his rebuttal stated that a CDMP goal was to insure population growth is addressed, in areas such as the Urban Infill Area where the applications were located. Mr. Gassant reiterated that the applications are ideally situated in relation to the Golden Glades interchange improvements and transit amenities.

Chair Rinehart closed the public hearing and called for PAB discussion. Board member Diaz-Padron asked what the difference was between the applicant's request and what the community council recommended. Ms. Stillings responded, stating that the North Central Community Council listened to the public at the hearing who voiced concerns about flooding, traffic, and density concerns. Ms. Stillings stated that the Community Council members believed that the lower density of the recommended "Medium Density Residential" designation that allows 13 to 25 units per acre would be a better fit and more compatible with the area. In response to Board Member Diaz-Padron's additional questions, Mr. Rowe reiterated the previous Care Oasis application's density provisions and stressed that the application included a proffered covenant that limited development on the application. Mr. Rowe explained that notwithstanding the changes recommended by the Community Council for both applications the requests remain as filed by the applicant and it is up to the applicant to accept the recommended changes and modify the applications accordingly. Upon Board member Rogers' request, Mr. Gassant stated that he was not amenable to the Community Council recommendations for less density for the applications.

Board member Vazquez stated that he heard several times the issue of being able to walk over to the Golden Glades transit station, and asked if there were any plans to address that by putting a pedestrian bridge over I-95. Ms. Stillings responded that as outlined in the Initial Recommendations reports, FDOT has unfunded projects for pedestrian bridges over I-95, south of the application sites at NW 156 Street, and north of the application sites at NW 169 Street. Board Member Huembes asked if the impact fees generated by the application, if approved, could generate funds towards these pedestrian bridges. Mr. Rowe responded that impact fees currently are directed to roadways, but the County is conducting a Mobility Fee study that look towards allowing impact fees to be utilized for payment towards other things besides roadways, such as improvements to transit and pedestrian facilities. Mr. Vinod Sandanasamy, Transportation Section Supervisor, stated that impact fees are mostly used for County projects. Board Member

Huembes pointed out that impact fees also are directed towards other things besides roadways, such as police, fire and schools, and Mr. Rowe clarified that the reference to impact fees meant road impact fees that are targeted towards roadways and not towards transit and pedestrian improvements. Board Member Ascencio-Savola added that the road impact fees remained in the County.

Motion for Application No. CDMP20200001

The motion, based on the North Central Community Council 8 recommendation, to recommend Adopt with Change and with the request that the applicant’s proffered Declaration of Restrictions be modified accordingly [Change is to redesignate the site to “Medium Density Residential (13 to 25 dwelling units per gross acre)” in lieu of the requested “Medium-High Density Residential (25 to 60 dwelling units per gross acre)” was moved by Board Member Morris. Board Member Rogers seconded the motion. The motion passed unanimously 11 to 0 as follows:

Carla Ascencio-Savola	Yes	Perley Richardson, Jr.	Absent
Robert Alonso	Yes	William Riley	Yes
Carlos Diaz-Padron	Yes	Daniel Rogers	Yes
Eric Fresco	Yes	Robert Ruano	Absent
Horacio C. Huembes	Yes	Jesus Vazquez	Yes
J. Wil Morris	Yes		

Lynette Cardoch, Vice Chair, Yes
Wayne Rinehart, Chair, Yes

Motion for Application No. CDMP20200002

The motion, based on the North Central Community Council 8 recommendation, to recommend Adopt with Change and with the request that the applicant’s proffered Declaration of Restrictions be modified accordingly [Change is to redesignate the site to “Medium Density Residential (13 to 25 dwelling units per gross acre)” in lieu of the requested “Medium-High Density Residential (25 to 60 dwelling units per gross acre)” was moved by Board Member Morris. Board Member Diaz-Padron seconded the motion. The motion passed unanimously 11 to 0 as follows:

Carla Ascencio-Savola	Yes	Perley Richardson, Jr.	Absent
Robert Alonso	Yes	William Riley	Yes
Carlos Diaz-Padron	Yes	Daniel Rogers	Yes
Eric Fresco	Yes	Robert Ruano	Absent
Horacio C. Huembes	Yes	Jesus Vazquez	Yes
J. Wil Morris	Yes		

Lynette Cardoch, Vice Chair, Yes
Wayne Rinehart, Chair, Yes

Overall Resolution

The motion to Adopt the foregoing motions into an overall resolution was moved by Board Member Vazquez. Board Member Ascencio-Savola seconded the motion. The motion passed unanimously 11 to 0 as follows:

Carla Ascencio-Savola	Yes	Perley Richardson, Jr.	Absent
Robert Alonso	Yes	William Riley	Yes
Carlos Diaz-Padron	Yes	Daniel Rogers	Yes
Eric Fresco	Yes	Robert Ruano	Absent
Horacio C. Huembes	Yes	Jesus Vazquez	Yes
J. Wil Morris	Yes		

Lynette Cardoch, Vice Chair, Yes
Wayne Rinehart, Chair, Yes


III. STAFF ANNOUNCEMENTS

Ms. Stillings reminded the PAB members that their financial disclosures were due and announced that the next meeting for the PAB will take place on September 30, 2020 for the Biscayne Gardens Municipal Advisory Committee (MAC) incorporation application that involves the unincorporated area between North Miami Beach and North Miami. Mr. Rowe thanked Chair Rinehart and the PAB members for their participating in this meeting, and acknowledged the RER Staff working in the background for this "virtual" meeting.

ADJOURNMENT

Being no further business before the PAB, Chair Rinehart adjourned the meeting at 4:57 PM.

Respectfully submitted,



Jack Osterholt
Executive Secretary