


Date: April 29, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Supplement
Agenda Item No. 7(B)

Subject: Supplemental Information on May 2023 Cycle Application
No. CDMP20230010 to Amend the Comprehensive Development Master Plan

The following supplemental information is provided to the Board of County Commissioners regarding May 2023 Cycle Application No. CDMP20230010 to amend the Comprehensive Development Master Plan (CDMP). The information includes: (Exhibit 1) the Final Recommendation report; and (Exhibit 2) Additional Items addressing Application No. CDMP20230010 received by the Department of Regulatory and Economic Resources not included in the Initial Recommendation report.



Roy Coley
Chief Utilities and Regulatory Services Officer

FINAL RECOMMENDATION
Application No. CDMP20230010
Infinity Gardens Apartments, LLC
Commission District 8 Community Council 14

APPLICATION SUMMARY

Applicant/Representative:	Infinity Gardens Apartments, LLC / Pedro Gassant, Esq., Miriam Soler Ramos, Esq., and Alessandria San Roman, Esq. of Holland and Knight Law Firm.
Location:	East of 147 Avenue, Between SW 258 Street and SW 260 Street
Total Acreage:	±13.75 gross acres/±13.24 net acres
Current Land Use Plan Map Designation:	"Agriculture"
Requested CDMP Changes:	<ol style="list-style-type: none"> 1. Expand the 2030 Urban Development Boundary (UDB) to include the ±8.48-acre portion of the application site designated "Agriculture;" 2. Redesignate the application site from: "Agriculture" and "Industrial and Office" to "Special District" (±8.48 acres) and "Industrial and Office" (±5.27 acres) 3. Revise the CDMP Land Use Element "Special District" text to create the "The West Naranja Bus Rapid Transit Multifamily Access District;" 4. Revise Policies LU-8G, LU-8H and the interpretive text section of the CDMP Land Use Element entitled "Policies for Development of Urban Centers;" and 5. 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:	Standard (Processed Concurrently with Zoning Application No. Z2023000187)
Existing Zoning District/Site Condition:	Agricultural Use (AU) and Naranja Community Urban Center – Industrial District & Edge Subarea (NCUC-ID) / Agriculture Use

RECOMMENDATIONS

Staff Final Recommendation:	ADOPT WITH CHANGE AND WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (March 2025)
Staff Initial Recommendation:	TRANSMIT WITH THE PROFFERED DECLARATION OF RESTRICTIONS AND DENY (October 2023)
The Redland Community Council 14:	BOARD CURRENTLY DOES NOT HAVE ENOUGH MEMBERS TO FORM QUORUM (October 2023)
Planning Advisory Board Acting as the Local Planning Agency:	TRANSMIT WITH CHANGE AND WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (November 6, 2023)

Transmittal Action by the Board of
County Commissioners:

TRANSMIT WITH NO RECOMMENDATION (January 24, 2024)

Final Action by the Board of
County Commissioners:

TO BE DETERMINED (April 29, 2025)

Staff recommends to **“ADOPT WITH CHANGE AND WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS”** the proposed CDMP amendment to Expand the 2030 Urban Development Boundary (UDB) to include the ±8.48-acre portion of the ±13.75-acre application site designated “Agriculture;” Redesignate the application site from: “Agriculture” and “Industrial and Office” to “Special District” and “Industrial and Office”; revise the CDMP Land Use Element “Special District” text to create the “The West Naranja Bus Rapid Transit Multifamily Access District”; revise Policies LU-8G, LU-8H and the interpretive text section of the CDMP Land Use Element entitled “Policies for Development of Urban Centers;” and 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. The recommendation is based on the staff analysis summarized in the Principal Reasons for Recommendation below:

1. Approval of the application with the applicant’s proffered Declaration of Restrictions (covenant) and revised text changes would support the County’s efforts to advance the implementation of the South Dade Transitway project, a Strategic Miami Area Rapid Transit (SMART) Plan corridor. The application site is within ½-mile of the Transitway, within the County’s Transportation Infrastructure Improvement District (TIID), and is a ±13.75-gross-acre parcel bifurcated by the Urban Development Boundary (UDB) with ±5.27 acres inside and ±8.48 acres outside the UDB. The portion of the parcel that is inside the UDB is also zoned within the Princeton Community Urban Center and is planned for intensified transit supportive development within the Transitway corridor. The 20-mile Transitway is planned for Bus Rapid Transit (BRT) service at a total estimated capital cost of \$300 million, while the TIID, to date, has generated approximately \$89,475,657.00 in funds for the six SMART Plan corridors. This application, if approved, would facilitate greater tax revenue generation from the site for the TIID and greater intensity of development proximate to and in support of the County’s decades-long efforts to provide premium Transit service within the South Dade Transitway.
2. Staff recommends clarifying changes to the application included in the “Staff Recommended Changes To Proposed Special District Text” presented on page 19 below together with the applicant’s withdrawal of two prior proposals to amend the CDMP Land Use Element Policy LU-8H(q) and Urban Centers text appropriately addresses Staff’s prior concerns with the application. In the Initial Recommendation report, Staff recommended the application be transmitted to the state and regional agencies for their review and comment, due to the points discussed in Principal Reason No. 1 above, but also with a recommendation of denial, as the proposed amendments to Policy LU-8H(q) and Urban Centers text generated substantial concerns. The previously proposed Policy LU-8H(q) amendment sought to exempt the application site and similarly situated properties from the requirement for UDB expansion applications to provide for the preservation of agricultural land as mitigation for impacting “Agriculture” designated property. Additionally, the previously proposed Urban Centers text amendment sought to allow urban center development to extend outside the UDB onto the application site and similarly situated properties. These previously proposed amendments and Staff’s concerns are addressed in Principal Reason No. 2 of the “Principal Reasons for Initial Recommendation” on page 4 below. That the applicant has withdrawn these two previously proposed policy amendments, Staff now supports the application for this and other reasons outlined herein, with the recommend changes presented in the “Staff Recommended Changes To Proposed Special District Text” page 19 below.

It is noted that the applicant has also withdrawn the previously proposed amendment to Policy LU-8G(i)(d) that requested to exempt properties within the Redland area south of SW 184 Street (Eureka Drive) that are bifurcated by the UDB and within ½-mile of a SMART Plan corridor or Rapid Transit Zone from the prohibition on being considered for inclusion within the UDB. This proposed text change is also discussed in Principal Reason No. 2 of the

“Principal Reasons for Initial Recommendation” on page 4 below. This proposed change was also withdrawn by the applicant given the Board of County Commissioners effectuated a similar amendment to Policy LU-8G(i)(d) through adoption of CDMP amendment Application No. CDMP20230011 (filed by TMC Naranja 66 Holdings, LLC) through Ordinance 24-133 adopted on November 21, 2024, that addressed a property similarly bifurcated by the UDB.

3. The Florida Department of Commerce (FloridaCommerce), in its capacity as the State Land Planning Agency (SLPA), and the other state and regional reviewing agencies (Reviewing Agencies), upon their review of the application, issued comments identifying no significant impacts from the application, if it were to be approved. On January 24, 2024, the Board of County Commissioners (BCC) held its first public hearing and approved the transmittal of the application with the proffered Declaration of Restrictions (covenant) to the SLPA and the Reviewing Agencies, as required by Chapter 163.3184, Florida Statutes, for their review and comments. No objections were raised against the application by any reviewing agency, or by any affected party. However, FloridaCommerce, the South Florida Water Management District (SFWMD), and the South Florida Regional Planning Council (SFRPC) offered technical assistance comments that will not form the basis of any challenge to the application if it is ultimately adopted. The comments from the Reviewing Agencies are addressed in the “Response to State and Regional Reviewing Agency Comments” on page 23 herein and are presented in Appendix B on page 34.
4. The basis for Staff’s Final Recommendation is outlined above and in the original analysis of the application included in the *Initial Recommendation* report, dated October 2023, as updated herein. The Principal Reasons, as published in the Initial Recommendation report, are presented below followed by an *italicized ‘March 2025 Update’* where applicable (page references in the Principal Reasons are updated to refer to the Initial Recommendation report where appropriate). The full Initial Recommendation report and other documents related to the application may be accessed through the following link: https://energov.miamidade.gov/EnerGov_Prod/SelfService/#/plan/32e3ee64-8935-4bdc-aca5-7ccbe71a31d5.

Principal Reasons for Initial Recommendation:

1. The application site is within ½-mile of the South Dade Transitway, a Strategic Miami Area Rapid Transit (SMART) Plan corridor, is bifurcated by the UDB and is partly in a zoned and CDMP designated Urban Center (the portion of the parcel inside the UDB), raising the question of how CDMP Land Use Element Policy LU-8G that governs when and where to expand the UDB should be applied in this case. Strict implementation of Policy LU-8G dictates the application should be denied, given it does not demonstrate a need that warrants expansion of the UDB, the application site is in the Redland area south of Eureka Drive (SW 184 Street) where UDB expansion should not be considered [*LU-8G.i)d*], and the site is in an area designated “Agriculture” that is outside of an Urban Expansion Area [*LU-8G.ii)2*].

However, among other criteria, Policy LU-8G.iii)c) gives priority to areas within one mile of a planned urban center or transit service station for inclusion in the UDB, when expansion is warranted. The ±13.75-gross acre application site is within 0.54 miles of a transit station and 0.36 miles of the closest bus stop, is partly within the Naranja Community Urban Center (±4.8 acres), is bifurcated by the UDB with ±8.5 acres outside the UDB and the ±4.8 acres inside the UDB that is in the urban center (see SMART Plan Corridor map on page 17 herein). Furthermore, the Board of County Commissioners (Board) endorsed the SMART Plan corridors in 2016 (Resolution No. R-523-16), established the Miami-Dade County Transportation Infrastructure Improvement

District (TIID) in 2018 through Ordinance 18-8, and in 2019 established CDMP policies (Ordinance 19-07) for development of properties inside the UDB within ½-mile of the SMART Plan corridors (up to 1-mile for the EAST-West Corridor). Within the TIID, future ad valorem tax revenue increases are to help fund the SMART Plan rapid transit projects in combination with other local, state, and federal funding sources. Ordinance 18-8, among other things, also outlines that the implementation of the SMART Plan rapid transit corridor projects have countywide significance. Furthermore, on May 1, 2018, the Board adopted Resolution No. R-460-18 designating the unincorporated areas in the TIID as “Areas or Facilities of Countywide Significance”. The application site is within the TIID.

The combination of factors discussed above make it appropriate to evaluate how CDMP Policy LU-8G governing when and where to expand the UDB, specific to the application site, should be applied in this case. These factors include 1) the site is within ½-mile of the South Dade Transitway SMART Plan corridor and in the TIID, and the countywide significance of implementing the SMART Plan corridor projects; 2) the site is partly within the Naranja Community Urban Center and is partially in the urban center; and 3) the parcel is bifurcated by the UDB. Statement A.6 of the CDMP’s Statement of Legislative Intent contemplates instances where a choice between different priorities and provisions of the CDMP must be made for public health, safety and welfare. Accordingly, Statement A.6 notes, in part, “[t]he Board recognizes that a particular application may bring into conflict and necessitate a choice between, different goals, priorities, objectives, and provisions of the CDMP.” The recommended transmittal of the application would allow time for this policy question to be explored and answered before final action is taken by the Board.

March 2025 Update: Consideration of the application with the applicant’s changes and its overall impacts to the area identifies that its approval would be beneficial to the TIID and SMART Plan corridor project implementation and is therefore recommended for adoption.

2. While Staff recommends transmittal of the application as outlined in Principal Reason No. 1 above, in addition to the proposed Special District text, the application proposes three separate CDMP Land Use Element text changes, two of which should be denied. Consequently, staff also recommends denial of the application at this time (see Proposed CDMP Land Use Element Text Amendments on page 17 of the *Initial Recommendation* report). The three text changes are discussed below and the second and third should be denied. . .

The first proposed amendment is to Land Use Element Policy LU-8G(i)(d) that, if approved, would exempt properties within the Redland area south of SW 184 Street (Eureka Drive) that are bifurcated by the UDB and within ½-mile of a SMART Plan corridor or Rapid Transit Zone from the prohibition on being considered for inclusion within the UDB. This proposed text change would be appropriately considered along with the question of how Policy LU-8G should be applied to this application as discussed in Principal Reason No. 1.

The second proposed text change is to Land Use Element Policy LU-8H(q) to exempt properties bifurcated by the UDB and within 1/2-mile of a SMART Plan corridor or Rapid Transit Station, such as the application site, from the requirement for UDB expansion applications to provide for the preservation of agricultural land as mitigation for impacting “Agriculture” designated property. The applicant has not provided for the required agricultural land impact mitigation. This requirement applies to all CDMP amendment applications seeking to expand the UDB including for properties that are inside a designated Urban Expansion Area where UDB expansions are to occur when warranted. It is important to note that while the application site is partly inside the UDB, the portion outside the UDB is not within an Urban Expansion Area and should not be held to a lower standard than properties earmarked for urban expansion. Therefore, this proposed change should be denied.

The third proposed text change is to the Urban Center text of the Land Use Element that seeks to allow urban center development to extend outside the UDB when such urban development is on properties bifurcated by the UDB and within ½-mile of a SMART Plan Corridor or a Rapid Transit Zone. This proposed amendment is wholly inconsistent with the CDMP Policy LU-8G, LU-8D, LU-8H provisions for the expansion of urban development beyond the existing UDB, requiring appropriate data and analysis to inform if such expansion of urban development is appropriate and whether there is or will be adequate services and infrastructure available to serve such expanded urban development. It is noted that this proposed amendment is not necessary for this application site given it is following the appropriate CDMP amendment application review process but would instead apply to other properties currently outside the UDB. This proposed change should be denied.

March 2025 Update: The applicant by email correspondence dated February 25, 2025, affirmed by letter dated March 26, 2025, withdrew the request to amend Land Use Element Policy LU-8G(i)(d) (see Appendix A). It is noted that the changes previously proposed by the applicant to this policy were effectuated by the Board of County Commissioners upon its adoption of similarly situated CDMP amendment Application No. CDMP20230011 (filed by TMC Naranja 66 Holdings, LLC) through Ordinance 24-133 adopted on November 21, 2024. The applicant also withdrew the requests to amend Land Use Element Policy LU-8H(q) that would have exempted the application site, and similarly situated sites, from the standard that loss of agricultural land be mitigated as well as the request to amend the Urban Centers text of Land Use Element that, if approved, would have enabled Urban Center development to extend beyond the UDB, as outlined in Principal Reason No. 2 above. Staff now supports the application as the requested changes to Policy LU-8H(q) and the Urban Centers text are withdrawn by the applicant.

3. While the need for housing in the application area is for more affordable housing units, this application commits in the proffered Declaration of Restrictions (covenant) to the on-site provision of workforce housing units in a transit-oriented location, generally consistent with Housing Element Objective HO-6 and Policy HO-6A and exceeding the minimum requirement of Land Use Element Policy LU-8H(n). As further detailed below, current market asking rent for residential units within the application area are below the upper thresholds of workforce housing rents. The applicant's proffered covenant commits a minimum 30% of the proposed dwelling units on the ±13.75-gross acre site to be provided at rents affordable to individuals earning up to 140% of the Area Median Income (AMI). HO-6 and HO-6A require the County to increase affordable housing opportunities, including workforce housing options, within reasonable proximity to places of employment, mass transit, and necessary public services in existing urbanized areas. In addition, Policy LU-8H(n) requires UDB expansion requests for residential development to provide a minimum 12.5% of the proposed residential units as workforce housing units. The application proffers the commitment of a minimum 30% of the units, on the that ±8.48-acre portion of the site currently outside the UDB, as workforce housing units proximate to the Transitway having enhanced transit service, in keeping with the referenced CDMP objective and policies.

It is noted that according to Costar (a global provider of information, analytics, and marketing services to the commercial property industry) the current average market asking rent for a 3-bedroom apartment within five miles of the application site is \$1,967 per month. This asking rent is well below the \$2,951 per month rent that would be affordable, to a family of four earning 110 percent of AMI, for a 3-bedroom apartment under the Workforce Housing Development Program (see Supply and Demand Analysis on page 20 of *the Initial Recommendation report*).

4. The application is generally not consistent with the criteria set forth in CDMP Land Use Element Policy LU-8E for evaluating Land Use Plan map amendment applications. Policy LU-8E requires

LUP map amendment applications to consider factors such as: (i) the proposed amendment's ability to "[s]atisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;" (ii) whether the proposed amendment would "[e]nhance or impede provision of [public] services [or facilities] at or above adopted LOS Standards;" (iii) whether the proposed amendment would "[b]e compatible with abutting and nearby land uses"; (iv) whether the proposed amendment would "[e]nhance or degrade environmental or historical resources;" (v) whether the proposed amendment would "[e]nhance or degrade systems important to the County as a whole"; and (vi) whether the proposed amendment 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 does not demonstrate a need for expansion of the UDB, but as discussed in Principal Reason No. 1, raises the question of how the UDB expansion policy should be applied for the site. There is adequate land within the UDB to accommodate residential land needs for more than ten years. The application would add 382 dwelling units and 7,500 to 10,000 square feet of retail space to the development potential/capacity on the portion of the site that is outside the UDB through the creation of the proposed Special District (The West Naranja Bus Rapid Transit Multifamily Access District). The Supply and Demand Analysis identifies that there is adequate land capacity without expanding the UDB to accommodate population growth and commercial development beyond the year 2040, without expanding the UDB. This application, however, provides for housing within one-half mile of the South Dade Transitway SMART Corridor and would help to implement the County's transit-oriented SMART Plan development policies.
- ii. *Public Facilities and Services:* The CDMP application is generally consistent with CDMP Policy LU-8D and Objectives CIE-3 and CIE-5 that require adequate public facilities and infrastructure be provided to support new and approved development. Policy LU-8D states in part, "the LUP map shall not be amended to provide for additional urban expansion unless traffic circulation, mass transit, water, sewer, solid waste, drainage and park and recreation facilities necessary to serve the area are included in the plan and the associated funding programs are demonstrated to be viable." The impacts from the proposed development, if the application were to be approved, would not cause a violation of the level of service standards for public facilities and services. That said, US-1 is an evacuation route that is currently failing, so any impact from this project requires mitigation, hence the roadway has to be improved by the applicant by entering into a proportionate fair share agreement with the County. The applicant committed through its Declaration of Restrictions that the project will provide roadway improvements or pay its proportionate share to address this LOS issue.

March 2025 Update: The applicant submitted an update traffic study after Transmittal, as requested by Staff. It found that two roadways are projected to fail in 2045, even without impacts from this development project, and the impact from this project is not significant, less than five percent of the maximum service volume capacity at the adopted level of service (LOS) Standard. However, US-1 is a Hurricane Evacuation Route that is currently failing, and impacts to this roadway from the proposed project are to be mitigated by the applicant, such as through entering into a proportionate fair share agreement with the County. The applicant committed through its Declaration of Restrictions that the project will provide roadway improvements or pay its proportionate share to address this LOS issue.

- iii. *Compatibility:* The proposed development would be generally compatible with the abutting townhomes and apartments to the east and south, but it would not be compatible with the agricultural land uses to the west and north. The proposed "Special District" text requires a 10-

foot buffer between development on the site and the adjacent agricultural properties. However, as noted by the County's Agricultural Manager, there should be significant buffering between the development on the application site and the existing large scale commercial agricultural operations which can and do generate noise, dust, odors, and fumes.

In addition, light spillage from the proposed development could have adverse impacts on the adjacent farm operations by affecting the growth and fruiting cycles of crops. Furthermore, it is recommended that if the application were to be approved, the residents of the proposed development be provided notice of their proximity to commercial agriculture, the Florida Right to Farm Act and the Miami-Dade County Agricultural Disclosure requirement. The application does not address lighting impacts to the adjacent agricultural properties nor whether residents within the proposed development would be made aware of the proximity to the existing farmlands and farm operations.

March 2025 Update: The applicant modified the proposed text for the West Naranja Bus Rapid Transit Multifamily Access District through an email sent on February 25, 2025, affirmed by letter dated March 26, 2025, (see Appendix A) to add a requirement for 40-to-85 feet of buffering between future residential buildings and agricultural properties on lands to the north and west, and the applicant added a requirement for light shields to be installed in the northern portion of the proposed district.

- iv. *Environmental and Historical Resources:* Approval of the application would not impact any historical or archaeological resources on the site.
 - v. *Enhance or Degrade Countywide Systems:* The impacts from the proposed development would not cause a violation of the level of service standards for existing public infrastructure and services.
 - vi. *Transit Ridership and Pedestrianism:* Approval of the application would support transit ridership due to the proximity of the application site to the South Dade Transitway and to the SW 264 Street Station. The site is 0.36-miles from the Princeton Circulator bus stop at SW 260 Street and US-1, and it is 0.54-miles to the South Dade Transitway Station at SW 264 Street and US-1.
5. The application does not demonstrate full compliance with CDMP Land Use Element Policy LU-8H. Specifically, the application, in its current form, does not comply with subsections (b), (g), (h), (i), (j), (m), and (q), as outlined below. A full assessment of the Policy LU-8H criteria is presented on page 24 herein.

Policy LU-8H(b) requires a mix of housing types, but the site plan and floor plan provided for the concurrent zoning application shows the proposed development to only have multi-family housing. It is important to maintain appropriate densities in the transit corridor in proximity to a transit station, but the provision of a mixture of housing types at or proximate to the application site needs to be demonstrated by the applicant to the extent feasible.

March 2025 Update: The applicant's concurrent zoning application proposes a variety of unit sizes and configurations, even though all of these would be in multi-family buildings.

Policy LU-8H(f) requires that the project provide for the non-residential needs of the future residents, such as retail, parks, and schools, or that the applicant demonstrate that such uses are within an acceptable distance of the subject site. Though the Applicant proposes retail space to serve the development, additional data and analysis is needed to determine if there

are adequate non-residential uses to serve the needs of future residents within an acceptable distance of the subject property.

March 2025 Update: The applicant proposes up to 10,000 square feet of retail space to serve a development with a total of 773 dwelling units. Staff deems that the proximity of the site to a transit station and a major commercial corridor would allow future residents to access non-residential needs through transit access, walking, bicycling, or short drives.

Policy LU-8H(g) requires that a jobs to housing ratio of a 1.5:1 be provided within five miles of the subject property, or on-site for future residents. The applicant has not provided evidence of a jobs to housing ratio or at least 1.5:1 within five miles, or that the required jobs to housing ratio will be met on site. The applicant's Economic Report prepared by Miami Economic Associates, Inc., dated June 1, 2023, includes a Needs Analysis that lists major employers in the vicinity and makes several assumptions about their employees. The applicant does not provide adequate data and analysis regarding jobs in the mandated five-mile radius area.

March 2025 Update: While applicant's analysis does not adequately assess the jobs to housing ratio criterion, the application's support of the County's efforts to advance the implementation of the South Dade Transitway project while appropriately addressing a long-standing issue of a parcel being bifurcated by the Urban Development Boundary (UDB) leads to a recommendation of approval. Additionally, the application site is within the County's Transportation Infrastructure Improvement District (TIID) in further support the County's decades long efforts at providing premium Transit service within the South Dade Transitway.

Policy LU-8H(h) requires that the proposed development demonstrate compliance with the County's Urban Design Manual or other document approved by action of the Board of County Commissioners. This requirement is not addressed in the proposed "Special District" text or the applicant's proffered Declaration of Restrictions.

March 2025 Update: The CDMP Declaration of Restrictions commits to utilize the design guidelines of the County's Standard Urban Center District and Naranja Community Urban Center Regulations. In addition, the zoning site plan demonstrates compliance with the Standard Urban Center District Regulations and the PCUC regulating plans.

Policy LU-8H(i) requires that the proposed development incorporate bicycle and pedestrian accessibility throughout the development with connections to adjacent areas, where appropriate. Neither the proposed Special District text nor the Declaration of Restrictions contain language demonstrating that bicycle and pedestrian accessibility will be incorporated throughout the development. Additionally, the concurrent zoning application plans do not demonstrate compliance with this requirement.

March 2025 Update: The concurrent zoning application demonstrates compliance through provision of walkways and access points enabling biking or walking to area businesses and transit stops.

Policy LU-8H(j) requires that the proposed development provide adequate buffering to adjacent agricultural lands. The proposed Special District text states that 10 feet of buffering would be provided between the site and adjacent agricultural properties. However, comments from the County's Agricultural Manager indicate additional buffering will be required.

Furthermore, the site plan for the concurrent zoning application does not demonstrate that adequate buffering will be provided.

March 2025 Update: The applicant modified the proposed text for the West Naranja Bus Rapid Transit Multifamily Access District to add a requirement for buffering between future residential buildings and agricultural properties on lands to the north and west. At least a 40-foot setback separation, which shall include right of way, shall be provided between residential buildings on the north and the agricultural use to the north of the Property. In addition, at least 85 feet of separation, which shall include right of way, shall be provided from the residential buildings on the west and the agricultural property west of SW 147th avenue.

Policy LU-8H(m) requires that the proposed development demonstrate a net positive fiscal impact to the County. The applicant's Economic Report includes a fiscal impact analysis lists potential revenues to the County based in impact fees and property taxes, but only describes service costs anticipated from police services. It does not provide anticipated costs for other key County services, such as schools, roadway infrastructure, transit services, or other public expenses that can be expected from the addition of 382 dwelling units.

March 2025 Update: The application site is within the County's Transportation Infrastructure Improvement District (TIID) and supports the County's decades long effort to provide premium Transit service within the South Dade Transitway. The planned Bus Rapid Transit (BRT) service improvements to the South Dade Transitway have a total estimated capital cost is \$300 million while the TIID, to date, has generated approximately \$89,475,657 in funds for all six SMART Plan corridors. The application if approved would facilitate greater tax revenue generation from the site to the TIID, and greater intensity of development proximate to the South Dade Transitway supports the County's efforts in providing premium Transit service on that line. Instead of a fiscal impact analysis and in light of the site's location and its anticipated increase in contributions to the TIID, if the site is developed as proposed, it is appropriate to evaluate this application on the basis of its contribution to TIID and the County's efforts to support transit within the South Dade Transitway.

Policy LU-8H(q) requires the proposed development to provide for the preservation of agricultural lands commensurate with the application's impacts. As noted in Principal Reason 2, the applicant has not made any commitments to mitigate the loss of viable agricultural land.

March 2025 Update: The applicant committed in its Declaration of Restrictions to contribute to Miami-Dade County \$8,750.00 per acre (\$74,200 in total) for the UDB extension portion of the Application site for the preservation of Agricultural land.



6. Approval of the application would not encourage the proliferation of urban sprawl. Section 163.3177(6)(a)(9) of the Florida Statutes (F.S.) requires land use elements and amendments thereto to discourage urban sprawl. The statute provides 13 indicators that demonstrate that a plan amendment would not discourage the proliferation of urban sprawl (the more indicators the plan amendment meets), and 8 indicators that demonstrate that a plan amendment discourages the proliferation of urban sprawl. The Statute further provides that a Future Land Use Element or plan amendment shall be deemed to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves 4 or more of the 8 indicators provided for the discouragement of urban sprawl.

Staff analyzed the 13 indicators that demonstrate that a plan amendment does not discourage the proliferation of urban sprawl and the 8 indicators that demonstrate that a plan amendment affirmatively discourages the proliferation of urban sprawl. Staff's findings indicate that the

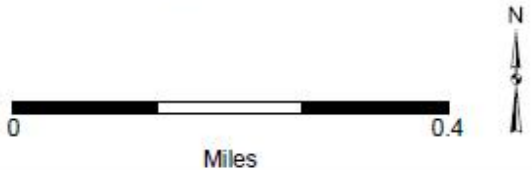
proposed amendment achieves 5 of the stated 8 indicators for the discouragement of urban sprawl. Given that the application meets more than 4 of the 8 indicators, approval of the application would be consistent with the statutory requirement to discourage urban sprawl as defined by Chapter 163.3177(6)(a)(9)(a), F.S. (see "Urban Sprawl" section on page 58 of the *Initial Recommendation report*).

INFINITY GARDENS APARTMENTS, LLC. - APP. NO. CDMP20230010 AERIAL PHOTO



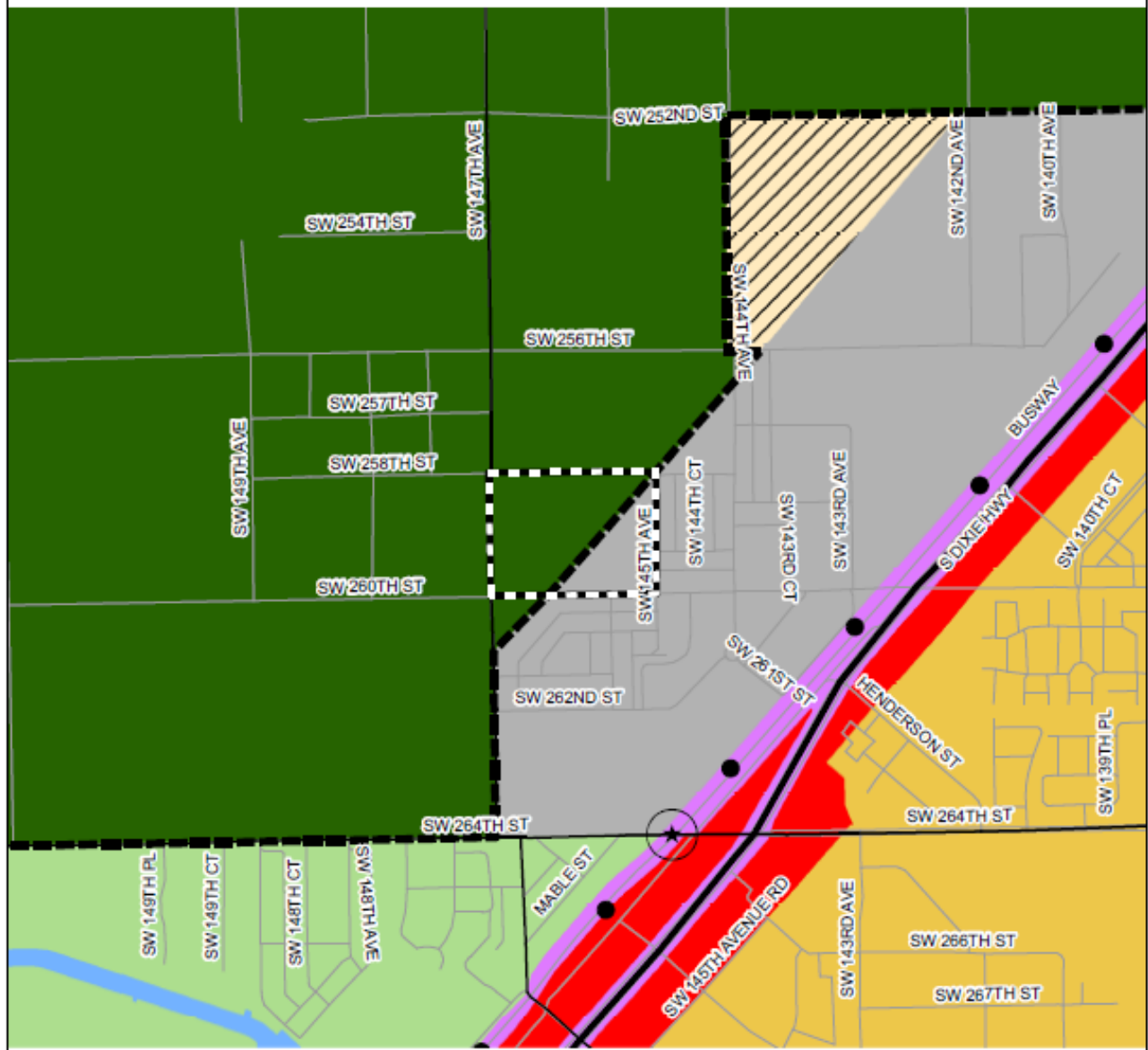
 APPLICATION AREA
 2030 URBAN DEVELOPMENT BOUNDARY

Source: Department of Regulatory and Economic Resources
March 2025


















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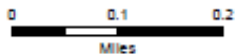
CDMP LAND USE

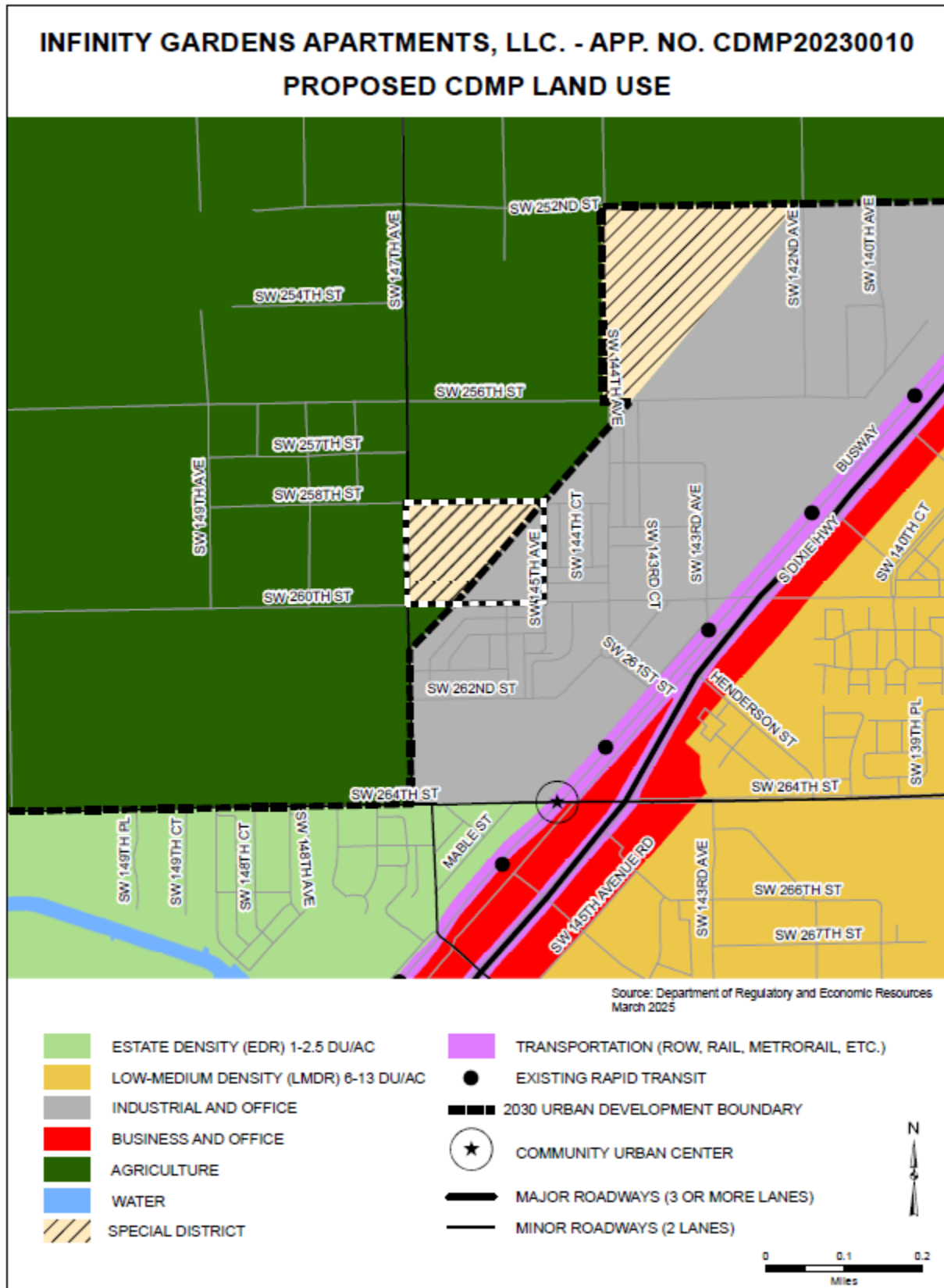


Source: Department of Regulatory and Economic Resources
March 2025

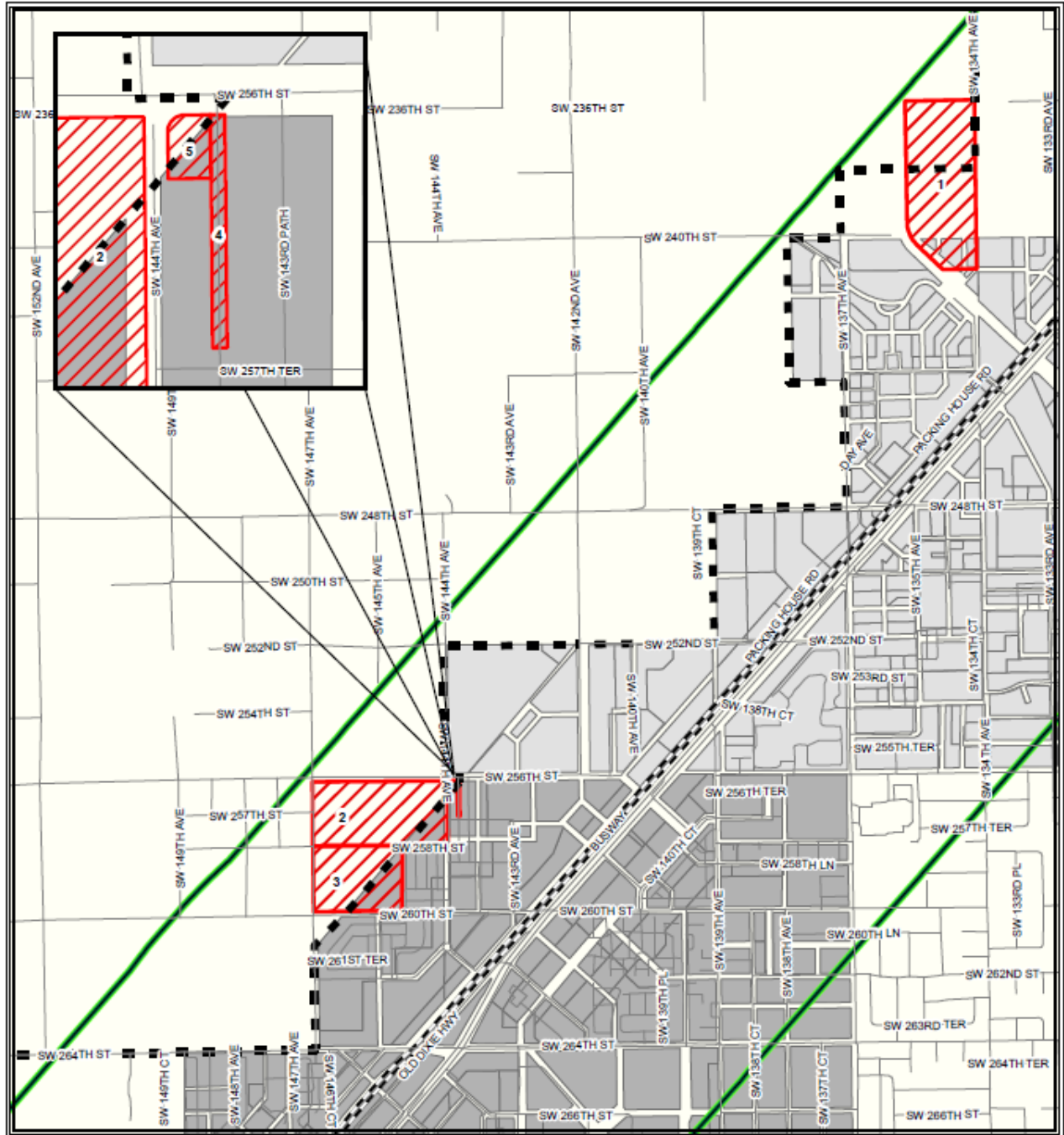
	APPLICATION AREA		TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)
	ESTATE DENSITY (EDR) 1-2.5 DU/AC		2030 URBAN DEVELOPMENT BOUNDARY
	LOW-MEDIUM DENSITY (LMDR) 6-13 DU/AC		EXISTING RAPID TRANSIT
	INDUSTRIAL AND OFFICE		COMMUNITY URBAN CENTER
	BUSINESS AND OFFICE		MAJOR ROADWAYS (3 OR MORE LANES)
	AGRICULTURE		MINOR ROADWAYS (2 LANES)
	WATER		
	SPECIAL DISTRICT		







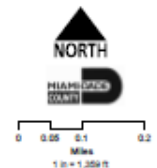
UDB BIFURCATED PROPERTIES ALONG THE SOUTH DADE TRANSITWAY CORRIDOR



Legend

- Bifurcated Properties
- SMART Plan Corridor
- SMART Plan 1/2 Mile Buffer
- Urban Center
- Naranja
- Princeton
- 2030 Urban Development Boundary (UDB)

MAP ID	FOLIO	OWNER 1	LOT SIZE (ACRES)
1	3069230000532	COPART OF CONNECTICUT INC	25.27
2	3069270000290	GERALD C CAGE & W JANET M	19.70
3	3069270000320	INFINITY GARDENS APARTMENTS LLC	13.24
4	3069270361900	PARADISE ONE NARANJA	0.18
5	3069270361910	ONX ODALGED PG1 LLC	0.14



Department of Regulatory and Economic Resources (RER)
Planning Research & Economic Analysis Section
March 2025

UPDATED PROPOSED CDMP LAND USE ELEMENT TEXT AMENDMENTS

The following presents the Applicant's proposed text changes to the CDMP Land Use Element. Single underlined and single stricken through words present the Applicants' proposed text amendments as transmitted to the State Land Planning Agency and other reviewing agencies by the Board of County Commissioners on January 24, 2024. Double underlined and double stricken through words represent changes requested by the Applicant in a revision to the application submitted by email correspondence dated February 25, 2025, affirmed by letter dated March 26, 2025.

Policy LU-8G(i)(d) The Redland area south of Eureka Drive (SW 184 Street) >> ~~Notwithstanding the foregoing, properties located west of Harriet Tubman Highway, that are (i) bifurcated by the Urban Development Boundary (UDB) line, (ii) greater than 5 acres but no more than 14 acres, (iii) partially zoned within a designated Urban Center, and (iv) and that are within one half mile of the South Dade TransitWay may be considered for inclusion within the UDB~~<<

Policy LU-8H (q) Provide for the preservation of agricultural land commensurate with the impacts of the application on agriculturally-designated land which may include participation in a Transfer of Development Rights program, Purchase of Development Rights program or other similar effort; however, notwithstanding anything in this paragraph to the contrary, in no event shall properties within the Urban Expansion Area be obligated to preserve agricultural land at a 1-to-1 ratio. >> ~~Notwithstanding the foregoing, no property that is bifurcated by the UDB and located within one half mile of a SMART Corridor or Rapid Transit Station shall be subject to this provision.~~<<

Policies for Development of Urban Centers

Radius. The area developed as an urban center shall extend to a one-mile radius around the core or central transit station of a Regional Urban Center designated on the LUP map. Designated Metropolitan Urban Centers shall extend not less than on-quarter mile walking distance from the core of the center or central transit stop(s) and may extend up to one-half mile from such core or transit stops along major roads and pedestrian linkages. Community Centers shall have a radius of 700 to 1,800 feet but may be extended to a radius of one-half mile where recommended in a professional area plan for the center, consistent with the guidelines herein, which plan is approved by the Board of County Commissioners after an advertised public hearing. Urban Center development shall not extend beyond the UDB >> ~~, except where such development occurs on properties located west of Harriet Tubman Highway that are (i) bifurcated by the Urban Development Boundary (UDB) line; (ii) greater than 5 acres but are no more than 14 acres; and (iii) is located within one half mile of the South Dade TransitWay~~<<.

Special Districts

The West Naranja Bus Rapid Transit Multifamily Access District

The purpose of the West Naranja Bus Rapid Transit Multifamily Access District (the "Special District" or "West Naranja BRT") is to expand access to residential units in close proximity to the Bus Rapid Transit Station ("BRT") located at SW 264th Street and Harriet Tubman Highway (the "Transit Station"); to increase ridership of BRT; and to further housing affordability. The Special District will further a goal envisioned by the Board of County Commissioners by placing more residential units within one-half mile of the South Dade TransitWay, which is a segment of the Strategic Miami Area Rapid Transit (SMART) Plan.

Land located within the “Special District” may be developed with up to 382 residential units (45 dwelling units per acre), 30 percent (30%) of which shall be priced affordably for households earning up to 140% of the Area Median Income. The land shall also include between 7,500 and up to 10,000 square feet of retail uses.

Within the West Naranja BRT, a minimum of 15% of the gross area shall be provided as open space. In addition, at least a 40 foot setback separation, which shall include right of way, shall be provided between residential buildings on the north and the agricultural use to the north of the Property. In addition, at least 85 feet of separation, which shall include right of way, shall be provided from the residential buildings on the west and the agricultural property west of SW 147th avenue. ~~shall be provided to the north boundary of the Property in recognition of the agricultural use to the north. In addition, 43 feet of separation shall be provided to from the agricultural property west of SW 147th avenue and the buildings on the western portion of the Special District.~~ To address potential light spillage affecting the neighboring agricultural uses, light shields will be installed on the Property on the northern portion of the District.<<

STAFF RECOMMENDED CHANGES TO PROPOSED SPECIAL DISTRICT TEXT

The following presents the Applicant’s proposed text changes to the CDMP Land Use Element with Staff recommended changes. Single underlined and single stricken through words present the Applicants’ proposed text amendments as transmitted to the State Land Planning Agency and other reviewing agencies by the Board of County Commissioners on January 24, 2024. Double underlined and double stricken through words represent changes recommended by Staff since transmittal of the proposed text amendments.

Special Districts

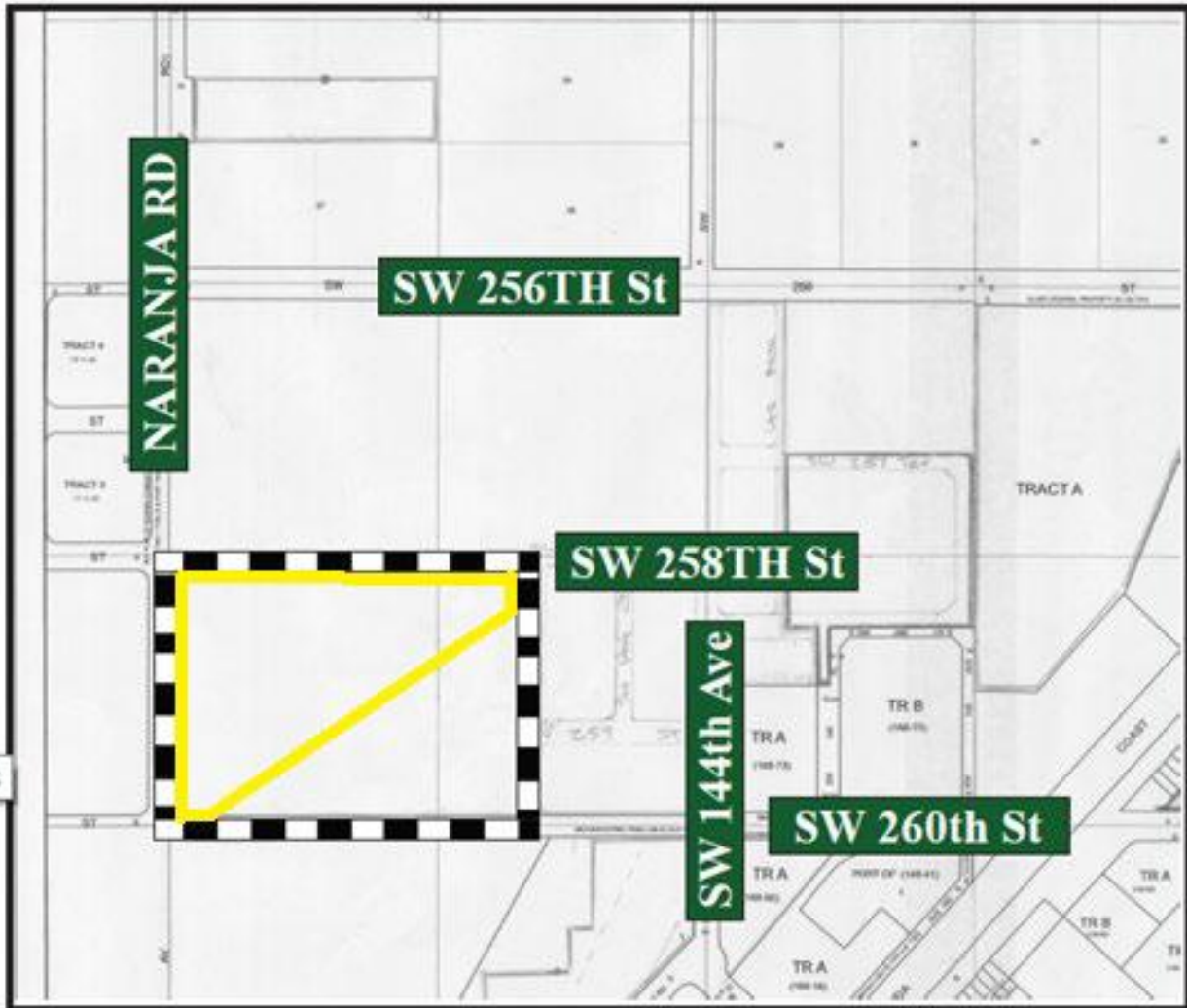
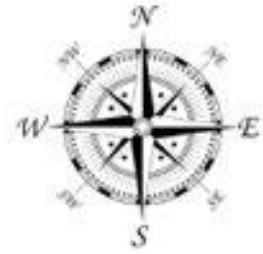
The West Naranja Bus Rapid Transit Multifamily Access District

The purpose of the West Naranja Bus Rapid Transit Multifamily Access District (the “Special District” or “West Naranja District~~BRT~~”) is to expand access to residential units in close proximity to the Bus Rapid Transit (“BRT”) Station (~~“BRT”~~) located at SW 264th Street and Harriet Tubman Highway (the “Transit Station”), to increase ~~ridership of BRT ridership~~, and to further housing affordability. The Special District will further a goal envisioned by the Board of County Commissioners by placing more residential units within one-half mile of the South Dade TransitWay, which is ~~a segment~~ one of the Strategic Miami Area Rapid Transit (SMART) Plan corridors, an area within the County’s Transportation Infrastructure Improvement District.

Land located within the “Special District” may be developed with up to 382 residential units (approximately 45 dwelling units per gross acre), 30 percent (30%) of which shall be priced affordably for households earning up to 140% of the Area Median Income. The land shall also include between 7,500 and up to 10,000 square feet of retail uses.

Within the West Naranja ~~DistrictBRT~~, a minimum of 15% of the gross area shall be provided as open space. In addition, at least a 40-foot ~~setback~~ separation, which shall include right-of-way, shall be provided between residential buildings on the north and the agricultural use(s) to the north of the “Special District” ~~Property~~. In addition, at least 85 feet of separation, which shall include right-of-way, shall be provided from the residential buildings on the west and the agricultural property west of SW 147th ~~avenue~~Avenue. ~~shall be provided to the north boundary of the Property in recognition of the agricultural use to the north. In addition, 43 feet of separation shall be provided to from the agricultural property west of SW 147th avenue and the buildings on the western portion of the Special District.~~ To address potential light spillage affecting the neighboring agricultural uses, light shields will be

installed on the Property on properties and rights-of-way within the northern portion of the District, subject to the appropriate approvals by the County.<<



STAFF ANALYSIS

Background

The CDMP application seeks to expand of Urban Development Boundary (UDB) to include the ±8.48-acre portion of the ±13.75-gross acre site that is currently outside the UDB, redesignate these ±8.48 acres from “Agriculture” to “Special District”, revise the CDMP Land Use Element “Special District” text to create the “West Naranja Bus Rapid Transit Multifamily Access” District. The application, as filed, also proposed text amendments to existing policies of the CDMP Land Use Element, including Policies LU-8G(i)(d) and LU-8H(q) and to the Urban Centers text, but those previously proposed amendments were withdrawn subsequent to transmittal of the application to the state and regional reviewing agencies, as further discussed below. The proposed changes to the CDMP as presented in the original application are shown in single underline and single strikethrough text in the “Updated Proposed CDMP Land Use Element Text Amendments” above, page 19, while the applicant’s most recent changes, including the withdrawal of changes to Policies LU-8G(i)(d) and LU-8H(q) and the Urban Center text are reflected in double underline and double strikethrough text. The application seeks to enable development of up to 773 residential units (56.22 dwelling units per gross acre) on the entire site, 30 percent (30%) of which shall be priced affordably for households earning up to 140% of the Area Median Income. The application also provides that development of the site shall also include between 7,500 and up to 10,000 square feet of retail uses. It must be noted that the site is bifurcated by the UDB with ±8.48 gross acres currently located outside the UDB and the remaining ±5.27 gross acres (±4.8 net acres) inside the UDB and in an urban center. Additionally, the site is within the Transportation Infrastructure Improvement District further meriting consideration of this application. The Board of County Commissioners (Board) acknowledged that further consideration of the application was warranted due to the parcel’s unique characteristics and accordingly, at its January 24, 2024, CDMP transmittal public hearing, took action to transmit the application to the State Land Planning Agency (SLPA) and other state and regional reviewing agencies (Reviewing Agencies) for their review and comments in accordance with Chapter 163.3184, Florida Statutes.

The state reviewing agencies are to review and provide comments addressing any adverse impacts approval of the application would generate to important state resources and facilities. Of the regional reviewing agencies, the South Florida Regional Planning Council is to address adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan for South Florida and extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region while the South Florida Water Management District is to address impact to flood protection and floodplain management, wetlands and other surface waters, and regional water supply.

The Reviewing Agencies issued comments between February 26, 2024, and March 8, 2024, identifying no adverse impacts to state and regional resources or facilities that would be generated from the application, if approved. Two of the agencies provided technical assistance comments. The Florida Department of Commerce (FloridaCommerce), in its capacity as the State Land Planning Agency, recommended that the proposed text amendment to allow expansion of the UDB for the subject parcel and other uniquely affected properties bifurcated by the UDB and located within ½ mile of a SMART Plan corridor should provide specific criteria for consideration of UDB expansion to avoid potential piecemeal urbanized growth into the County’s agricultural areas. The South Florida Water Management District (SFWMD) noted that the amendment did not specify if or when there will be sufficient water available to serve the proposed development. Staff responses to these comments are provided at page 23, below.

Subsequent to the transmittal hearing, the applicant addressed several of Staff's prior concerns with the application by withdrawing the requests to amend the CDMP Urban Centers text and to Land Use Element Policies LU-8G and LU-8H. The applicant also revised the proffered Declaration of Restrictions (covenant) to include a commitment to contribute to Miami-Dade County \$8,750.00 per acre (\$74,200 in total) to mitigate its impacts to agricultural lands as required by Policy LU-8H, specifically for the Agriculture designated portion of the Application site outside the UDB towards the preservation of other agricultural land. Given these factors, Staff is now recommending the adoption of the application with changes and with acceptance of the proffered covenant. The changes include the revisions to the proposed "Special District" text presented under the "Staff Recommended Changes To Proposed Special District Text" on page 19 above and the withdrawal of the proposed amendments to Land Use Element Policies LU-8G and LU-8H and Urban Centers text.

Proffered Declaration of Restrictions Summary

In addition to the text amendment discussed above, the Applicant proffered a Declaration of Restrictions (covenant) committing to address projected impacts from the proposed development, as well as provisions in Policy LU-8H of the CDMP. The following provides a summary of the commitments in the most recent version of the covenant submitted on February 27, 2025 (see Appendix B: Declaration of Restrictions).

1. **Open Space:** Maintain a minimum of 15% of the gross area as open space;
2. **Residential Density and Commercial Area:** The development program for the Project shall be limited to a maximum of 773 residential units and up to 10,000 square feet of commercial;
3. **Building Setback and Heights:** The development shall provide an 85-foot distance separation from the residential buildings on the western portion of the Property to the agricultural property west of SW 147th Avenue and a distance of 40 feet from the residential buildings on the northern portion of the Property to the agricultural property to the north of SW 258th Street. The Property shall limit the residential buildings on the western portion of the Property facing SW 147th Avenue to a height of 4 stories. In addition, the Property shall restrict the height of the residential buildings fronting the northern portion of the Property along SW 258th Street to a height of 4 stories, so long as the property to the north is designated Agriculture on Miami Dade County's Adopted 2030 and 2040 Land Use Plan;
4. **Affordable Housing:** Set aside a minimum of 30% of the residential units to be affordable to households earning up to 140% of Area Median Income (AMI);
5. **Urban Design:** Apply the design guidelines of the County's Standard Urban Center District Regulations and the and the Naranja Community Urban Center Regulations to the development;
6. **Special District:** Comply with the CDMP "Special Districts" development regulations for the "The West Naranja Bus Rapid Transit Multifamily Access District";
7. **Agricultural Notice:** Require notice and acknowledgement of active agricultural activities adjacent to the application site for grantees and lessees of the property.
8. **Stormwater Management:** Install the stormwater infrastructure to serve the property pursuant the Final Stormwater Plan consistent with the approved to the Conceptual Stormwater Master Plan submitted to DERM, as may be modified by the County. (*This condition was revised after the January 2024 Transmittal hearing. The original condition required submittal of the Conceptual Stormwater Master Plan*);

9. **Agricultural Land Mitigation:** Contribute \$8,750 per acre (\$74,200 in total) to mitigate the loss of the ±8.48 acres of farmable land on the Property impacted by the proposed development;
10. **Water and Sewer Connection:** Install necessary water and sewer infrastructure required to serve the property. (*This condition was added after the January 2024 Transmittal hearing*).

Response to State and Regional Reviewing Agency Comments

Pursuant to Chapter 163.3184(3), Florida Statutes, (F.S.), the CDMP application was transmitted to the Florida Department of Commerce (FloridaCommerce) and the other state and regional agencies (Reviewing Agencies) for their review and comments. In accordance with Section 163.3184(3)(b)(2), F.S., the Reviewing Agencies reviewed the application and did not find any potential adverse impacts to important state resources or facilities that would be generated by the application, if approved. However, FloridaCommerce and the South Florida Water Management District (SFWMD) provided technical comments. It should be noted that all of the comments have been addressed through the proposed text amendments, the applicant's Declaration of Restrictions, or compliance with the specific criteria of Policy LU-8H. Below is a summary of the comments and the response to the remarks.

Florida Department of Commerce (FloridaCommerce) Comments

FloridaCommerce in its capacity as the State Land Planning Agency (SLPA) reviewed the transmitted application and, in its letter dated March 8, 2024, made no comments regarding adverse impacts to important state resources and facilities. However, FloridaCommerce offered two technical assistance comments. First, it advised against making the proposed text amendment to Policy LU-8G(i)(d) too broad, as it could inadvertently apply to other properties outside the UDB, potentially leading to unchecked and piecemeal urban growth. To mitigate this risk, FloridaCommerce recommended establishing additional criteria specifically applicable to other parcels in unincorporated Miami-Dade County that are similarly bifurcated by the UDB and located within half a mile of a SMART Plan corridor or a Rapid Transit Station. In its recommendation towards protecting the integrity of the UDB, FloridaCommerce suggested including requirements for connection to water and sewer, roadway improvements, mitigation of agricultural loss, and the provision of affordable housing. The second comment encouraged the County to coordinate with the SFWMD staff to address the advisory comment outlined regarding water and sewer service. This comment is addressed in the SFWMD section below. See FloridaCommerce's March 2024 comments letter on page 36 of Appendix B herein.

Response: In December 2024, The Board of County Commissioners adopted a text amendment to CDMP Land Use Element Policy LU-8G(i)(d), through Ordinance 24-133 adopted on November 21, 2024, that provides specific criteria that limits the properties that may be eligible for consideration of future expansion of the UDB in the Redland south of SW 184 Street (Eureka Drive), which specifically applies to properties bifurcated by the UDB and are within a SMART Plan corridor and the TIID, including the application site. Thus, it adequately addresses the risk of unchecked and unintended piecemeal urban expansion. It is also important to note that Policy LU-8H establishes specific criteria to be met by UDB expansion applications, including the provision of adequate infrastructure, provision of workforce housing, and mitigation for the loss of agricultural land, among other criteria, when such UDB expansion applications are being considered.

South Florida Water Management District (SFWMD) Comments

In its correspondence dated March 6, 2024, the SFWMD commented that the amendment does not include a commitment from the Miami-Dade County Water and Sewer Department (WASD) that sufficient water will be available to serve the proposed development, or when water would be available.

Response: According to the Miami-Dade Water and Sewer Department (WASD), upon approval of the CDMP amendment to bring the subject application area within the UDB, it will be included within the WASD's water service area. The water supply will be provided by the Alexander-Orr Water Treatment Plant (Alexander-Orr Plant). Currently, there is adequate treatment and water supply capacity at the Alexander-Orr Plant, consistent with Policy WS-2 A (1) of the CDMP. Final points of connection and capacity approval to connect to the water system will be provided at the time of the future development when the WASD Developer Agreement is offered.

As for sanitary sewer service, if the application is approved and the subject site is brought within the UDB, the proposed development will be located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. The SDWWTP is operating under a permit from the Florida Department of Environmental Protection, and currently has adequate sewer treatment and disposal capacity, consistent with Policy WS-2A(2) of the CDMP. However, the existing gravity sewer system within the UDB, which is in close proximity to the application parcel, is not available for connection. Therefore, a new Public Pump Station will be required to serve the proposed development. Additionally, to provide service to the proposed development, the applicant must extend a minimum of 8-inch minimum gravity sewer mains in public Right-of-Way as required. Final points of connections and capacity approval to connect to the sewer system will be provided at the time of the future development when the WASD Developer Agreement is offered.

Consistency with CDMP Policy LU-8H

The application was previously reviewed under the standards of Policy LU-8H. Of the 17 criteria in LU-8H, two of the criteria are not applicable to the application. The applicant satisfies 14 of the remaining 15 criteria. While one criterion has not been satisfactorily addressed by the application, namely the demonstration that a jobs to housing ratio of at least 1.5:1 will be available within five miles of the subject property or will be provided on-site, the application has substantial merits. Below is an assessment of the CDMP application as it relates to Policy LU-8H.

LU-8H. Applications requesting expansion of the UDB must request designation as a "Special District" on the CDMP Land Use Plan map and include a text amendment under the "Special District" CDMP text to outline the allowable uses, maximum density, maximum floor area ratio, and how the proposed development will satisfy the criteria set forth in this policy. A zoning application must be filed concurrently with the CDMP Land Use Plan map amendment and should meet the following criteria to be approved:

The application satisfies this criterion. A concurrent zoning application was filed and the development standards outlined are included in both the proposed Special District text for the "West Naranja Bus Rapid Transit Multifamily Access District" District and the proffered covenant for the.

- a) Contain a minimum of 10 acres unless the Board of County Commissioners determines a lesser acreage is appropriate;

This application satisfies this criterion. The application site is a total of ± 13.75 gross acres and ± 13.24 net acres.

- b) Provide a mix of housing types at a minimum density of 10 du/acre for applications that include residential development;

This application mostly satisfies this criterion. *The application exceeds the minimum density requirement and the applicant's concurrent zoning application proposes a variety of unit sizes and configurations, even though all of these would be in multi-family buildings.*

- c) Provide a minimum FAR of 0.25 for applications that include non-residential development, excluding public uses, public utilities, public institutions, and public facilities, except when such non-residential uses are provided to support residential uses located on the same sites;

The application satisfies this criterion. *Proposed non-residential, commercial, uses are proposed to be provided to serve residential uses on the same site.*

- d) Where multiple project phases are proposed, include a phasing schedule that demonstrates that the minimum density and FAR outlined in subsections (b) and (c) will be accomplished in the first phase of development in a recordable instrument in favor of the County;

This criterion is not applicable. *Neither the "Special District" text nor the Declaration of Restrictions indicate that development would occur in phases. Furthermore, the concurrent zoning application reflects only one phase of development.*

- e) Demonstrate that the project will be served by utility water and sewer service and that adequate public facilities and infrastructure (including water, sewer, roadways, mass transit, solid waste, flood protection, parks, and schools) are available or, where not available, ensure the provision of such improvements through a recordable instrument in favor of the County;

This application satisfies this criterion. *One-third of the application site is within the UDB and is served by public utilities for which connections can serve the entire site, and the applicant has provided the necessary commitments in the proffered covenant to ensure adequate public facilities and infrastructure are available or will be available for the development in compliance with this criterion.*

- f) Provide for the non-residential needs of the future residents including but not limited to shopping, schools, parks, and necessary public uses or demonstrate that such uses are available within an acceptable distance of the subject property;

This application generally satisfies this criterion. *The applicant proposes up to 10,000 square feet of retail space to serve a development with 773 dwelling units. Staff deems that the proximity of the site to a transit station and a major commercial corridor would allow future residents to access non-residential needs through transit access, walking, bicycling, or short drives.*

- g) Demonstrate that a jobs to housing ratio of at least 1.5:1 is available within five miles of the subject property or will be provided on-site for future residents;

This criterion has not been met. *While applicant's analysis does not adequately assess the jobs to housing ratio criterion, the application's support of the County's efforts to advance the implementation of the South Dade Transitway project while*

appropriately addressing a long-standing issue of a parcel being bifurcated by the Urban Development Boundary (UDB) leads to a recommendation of approval. Additionally, the application site is within the County's Transportation Infrastructure Improvement District (TIID) in further support the County's decades long efforts at providing premium Transit service within the South Dade Transitway.

- h) Demonstrate that the proposed development will utilize sound urban design principles contained in the County's Urban Design Manual or other document approved by action of the Board of County Commissioners (BCC) and will provide for compatibility and connectivity with adjacent urban land uses;

This application satisfies this criterion. *The CDMP Declaration of Restrictions commits to utilize the design guidelines of the County's Standard Urban Center District and Naranja Community Urban Center Regulations. In addition, the zoning site plan demonstrates compliance with the Standard Urban Center District Regulations and the PCUC regulating plans.*

- i) Incorporate bicycle and pedestrian accessibility throughout the development with connections to adjacent areas, where appropriate;

This application satisfies this criterion. *The concurrent zoning application demonstrates compliance through provision of walkways and access points enabling biking or walking to area businesses and transit stops.*

- j) Provide adequate buffering to adjacent agricultural land;

This application satisfies this criterion. *The applicant modified the proposed text for the West Naranja Bus Rapid Transit Multifamily Access District to add a requirement for buffering between future residential buildings and agricultural properties on lands to the north and west. At least a 40-foot setback separation, which shall include right of way, shall be provided between residential buildings on the north and the agricultural use to the north of the Property. In addition, at least 85 feet of separation, which shall include right of way, shall be provided from the residential buildings on the west and the agricultural property west of SW 147th avenue.*

- k) Provide a minimum of 15% of the gross area as open space;

This application satisfies this criterion *through language in the Special District text and the proffered Declaration of Restrictions.*

- l) Protect environmentally sensitive areas to the maximum extent feasible including consideration of impacts to threatened and endangered species;

This criterion is not applicable. *There are no environmentally pristine nor endangered species on this site.*

- m) Demonstrate that the proposed development will have a positive net fiscal impact to Miami-Dade County;

This application is supportive of the County's transit investments. *The application site is within the County's Transportation Infrastructure Improvement District (TIID) and supports the County's decades long effort to provide premium Transit service within the South Dade Transitway. The planned for Bus Rapid Transit (BRT) service*

improvements to the South Dade Transitway have a total estimated capital cost is \$300 million while the TIID, to date, has generated approximately \$89,475,657.00 in funds for all six SMART Plan corridors. The application if approved would facilitate greater tax revenue generation from the site to the TIID, and greater intensity of development proximate to the South Dade Transitway supports the County's efforts in providing premium Transit service on that line. Instead of a fiscal impact analysis and in light of the site's location and its anticipated increase in contributions to the TIID, if the site is developed as proposed, it is appropriate to evaluate this application on the basis of its contribution to TIID and the County's efforts to support transit within the South Dade Transitway.

- n) At least 12.5% of the proposed residential units must be priced affordably for individuals earning up to 140% of the Area Median Income;

This application satisfies this criterion. *The applicant demonstrates through the Special District text and the Declaration or Restrictions that thirty percent (30%) of the dwelling would be affordable to individuals earning up to 140% of the Area Median Income.*

- o) Include commitments to ensure that the proposed development will be served by mass transit with at least 20-minute peak hour headways or include a plan to provide such service

This application satisfies this criterion. *The application enables transit-oriented development within one-half mile of the SW 264 Street station of the South Dade Busway, and is served by transit service with 10-minute peak hour headways.*

- p) Include commitments to ensure that the proposed development will not cause a roadway to exceed its adopted level of service standard or further erode the level of service on a failing roadway;

This application satisfies this criterion. *The impacts from the proposed development if the application were to be approved would not cause a violation of the level of service standards for roadways. That said, US-1 is an evacuation route that is currently failing, so any impact from this project requires mitigation, hence the roadway has to be improved by the applicant by entering into a proportionate fair share agreement with the County. The applicant committed through its Declaration of Restrictions that the project will provide roadway improvements or pay its proportionate share to address this LOS issue.*

- q) Provide for the preservation of agricultural land commensurate with the impacts of the application on agriculturally designated land which may include participation in a Transfer of Development Rights program, Purchase of Development Rights program or other similar effort; however, notwithstanding anything in this paragraph to the contrary, in no event shall properties within the Urban Expansion Area be obligated to preserve agricultural land at a 1-to-1 ratio.

This application satisfies this criterion. *The applicant committed in its Declaration of Restrictions to contribute to Miami-Dade County \$8,750.00 per acre (\$74,200 in total) for its impact to the portion of the Application site that is agriculture and outside the UDB towards the preservation of other Agricultural land.*

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Appendix A

Applicant correspondence requesting changes to submitted text after transmittal

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Holland & Knight

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Holland & Knight LLP | www.hklaw.com

Pedro Gassant, Esq.
(305) 789-7430
Pedro.Gassant@hklaw.com

March 26, 2025

VIA ELECTRONIC MAIL

Mr. Jerry H. Bell, AICP
Assistant Director for Planning
Department of Regulatory and Economic Services
Miami-Dade County
111 NW 1st Street, 12th Floor
Miami, Florida 33128

RE: Infinity Gardens Apartments LLC / Application No. CDMP20230010 / Text Changes

Dear Mr. Bell:

On behalf of Infinity Gardens Apartments LLC (the "Applicant"), in connection with Comprehensive Development Master Plan ("CDMP") Amendment Application No. CDMP20230010 (the "Application"), this letter provides the background regarding the changes to the text amendment for the Application. In short, we made the following changes:

- Eliminated our proposed revisions to LU-8G(i)(d) as these changes were obviated due to the approval of the amendments to that provisions under CDMP2023-11;
- Voluntarily eliminated the proposed language to the Policies for Development of Urban Centers under Radius on pg I-49 of the Land Use Element; and
- Clarified the separation language concerning the development of the Special District.

Infinity Gardens Apartments, LLC
CDMP20230010

A copy of the proposed language has already been provided to staff and are redlined for tracking purposes. Should you have any questions, please do not hesitate to contact me at (305) 789-7430 or Pedro.Gassant@hklaw.com regarding the request.

Sincerely,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink, appearing to read 'P. Gassant', is positioned above the name 'Pedro Gassant'.

Pedro Gassant

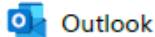
Enclosures

Cc:

Alessandria San Roman, Esq.
Mischaël Cetoute, Esq.

3/26/25, 7:44 PM

Infinity Gardens - CDMP2023-10 - Dambach, Alex (RER) - Outlook



Infinity Gardens - CDMP2023-10

From Pedro.Gassant@hklaw.com <Pedro.Gassant@hklaw.com>
Date Tue 2/25/2025 4:25 PM
To Dambach, Alex (RER) <Alexander.Dambach@miamidade.gov>
Cc Mischael.Cetoute@hklaw.com <Mischael.Cetoute@hklaw.com>; Alessandria.SanRoman@hklaw.com <Alessandria.SanRoman@hklaw.com>

1 attachment (26 KB)
Revised CDMP Land Use Element Text Amendments_REVISED -2-25-2025(517324918.1).docx

EMAIL RECEIVED FROM EXTERNAL SOURCE

Alex:

I hope all is well. As discussed, please see attached.

Pedro Gassant | Holland & Knight
Partner
Holland & Knight LLP
701 Brickell Avenue, Suite 3300 | Miami, Florida 33131
Phone 305.789.7430 | Fax 305.789.7799
pedro.gassant@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

NOTE: This e-mail is from a law firm, Holland & Knight LLP ("H&K"), and is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this e-mail in error, please notify the sender immediately, delete the e-mail from your computer and do not copy or disclose it to anyone else. If you are not an existing client of H&K, do not construe anything in this e-mail to make you a client unless it contains a specific statement to that effect and do not disclose anything to H&K in reply that you expect it to hold in confidence. If you properly received this e-mail as a client, co-counsel or retained expert of H&K, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.

PROPOSED CDMP LAND USE ELEMENT TEXT AMENDMENTS

~~Policy LU-8G(i)(d) The Redland area south of Eureka Drive (SW 184 Street). >> Notwithstanding the foregoing, properties located west of Harriet Tubman Highway, that are (i) bifurcated by the Urban Development Boundary (UDB) line, (ii) greater than 5 acres but no more than 14 acres, (iii) partially zoned within a designated Urban Center, and (iv) that are within one half mile of the South Dade TransitWay may be considered for inclusion within the UDB <<~~

Policy LU-8H (q) Provide for the preservation of agricultural land commensurate with the impacts of the application on agriculturally-designated land which may include participation in a Transfer of Development Rights program, Purchase of Development Rights program or other similar effort; however, notwithstanding anything in this paragraph to the contrary, in no event shall properties within the Urban Expansion Area be obligated to preserve agricultural land at a 1-to-1 ratio.

Policies for Development of Urban Centers

Radius. The area developed as an urban center shall extend to a one-mile radius around the core or central transit station of a Regional Urban Center designated on the LUP map. Designated Metropolitan Urban Centers shall extend not less than one-quarter mile walking distance from the core of the center or central transit stop(s) and may extend up to one-half mile from such core or transit stops along major roads and pedestrian linkages. Community Centers shall have a radius of 700 to 1,800 feet but may be extended to a radius of one-half mile where recommended in a professional area plan for the center, consistent with the guidelines herein, which plan is approved by the Board of County Commissioners after an advertised public hearing. Urban Center development shall not extend beyond the UDB >> ~~except where such development occurs on properties located west of Harriet Tubman Highway that are (i) bifurcated by the Urban Development Boundary (UDB) line; (ii) greater than 5 acres but are no more than 14 acres; and (iii) located within one half mile of the South Dade TransitWay. <<~~

Special Districts

The West Naranja Bus Rapid Transit Multifamily Access District

The purpose of the West Naranja Bus Rapid Transit Multifamily Access District (the “Special District” or “West Naranja BRT”) is to expand access to residential units in close proximity to the Bus Rapid Transit Station (“BRT”) located at SW 264th Street and Harriet Tubman Highway (the “Transit Station”); to increase ridership of BRT; and to further housing affordability. The Special District will further a goal envisioned by the Board of County Commissioners by placing more residential units within one-half mile of the South Dade TransitWay, which is a segment of the Strategic Miami Area Rapid Transit (SMART) Plan.

Land located within the “Special District” may be developed with up to 382 residential units (45 dwelling units per acre), 30 percent (30%) of which shall be priced affordably for households earning up to 140% of the Area Median Income. The land shall also include between 7,500 and up to 10,000 square feet of retail uses. Within the West Naranja BRT, a minimum of 15% of the gross area shall be provided as open space. In addition, at least a 40 foot setback separation, which shall include right of way, shall be provided between residential buildings on the north and the agricultural use to the north of the Property. In addition, at least 85 feet of separation, which shall

Appendix B

**ADDITIONAL ITEMS: STATE AND REGIONAL AGENCY REVIEW COMMENTS
MAY 2023 CYCLE APPLICATION NO. CDMP20230010
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN
(Consisting of materials received after the transmittal hearing)**

ITEMS	PAGE NO.
Florida Department of Economic Opportunity Comments, dated March 8, 2024;	37
Florida Department of Transportation Comments, dated March 6, 2024;	39
South Florida Water Management District Comments, dated March 6, 2024;	41
Florida Fish and Wildlife Conservation Commission Comments, dated March 4, 2024;	43
Florida Department of Agriculture and Consumer Services Comments, dated March 5, 2024;	45
Florida Department of Environmental Protection Comments, dated March 7, 2024; and	47
South Florida Regional Planning Council Comments, dated February 26, 2024.	51

Documents related to the application, including third party correspondence, are available online at:

- <https://www.miamidade.gov/planning/cdmp-amendment-cycles.asp#exapps2020>, or
- https://energov.miamidade.gov/EnerGov_Prod/SelfService/#/plan/32e3ee64-8935-4bdc-aca5-7ccbe71a31d5

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Ron DeSantis GOVERNOR
J. Alex Kelly SECRETARY

March 8, 2024

The Honorable Daniella Levine Cava
Mayor, Miami-Dade County
111 NW 1st Street, 29th Floor
Miami, Florida 33128

Dear Mayor Levine Cava:

The Florida Department of Commerce (FloridaCommerce) has reviewed Miami-Dade County proposed comprehensive plan amendment (Amendment No. 24-02ESR), received on February 7, 2024, pursuant to the expedited state review process in Section 163.3184(2) and (3), Florida Statutes (F.S.). We have identified no comment related to adverse impacts to important state resources and facilities within FloridaCommerce’s authorized scope of review.

We are, however, providing two (2) technical assistance comments consistent with Section 163.3168(3), F.S. The technical assistance comments will not form the basis of a challenge. They are offered either as suggestions which can strengthen the County’s comprehensive plan in order to foster a vibrant, healthy community or are technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comments are:

1. Given that the subject site is located within one-half mile of the SMART Plan Corridor for the South Dade Transitway and adjacent to the CDMP-designated Naranja Community Urban Center (NCUC), the proposed FLUM amendment would normally be considered as a sound expansion of the County’s development pattern and an area well-suited for an increase in density and intensity of uses. However, because the project applicant’s site is bifurcated by the UDB and outside of the CDMP-designated UEA, the proposed expansion of the UDB and change in land use entails significantly more scrutiny per the Miami-Dade CDMP. As such, the proposed FLUM amendment does not demonstrate consistency with the criteria included within policies LU-8F, LU-8G, and LU-8H pursuant to the adopted Miami-Dade CDMP. In an effort to address these inconsistencies, the amendment also proposes to revise several policies within the Land Use Element. However, the proposed text revisions are not specific to the subject site and are therefore applicable to other properties currently outside the UDB, which could potentially result in unchecked and piecemeal urbanized growth into the County’s agricultural areas.

If the County is contemplating exemptions such as those currently proposed, they may want to consider the implementation of additional requirements specifically applicable to the parcels of land in unincorporated Miami-Dade County that are bifurcated by the UDB and are located within 1/2-mile of a SMART Plan corridor or Rapid Transit Station. To ensure the overall integrity of the UDB, such additional measures could include, but are not limited to, requiring these properties to connect to water and sewer, to address necessary roadway improvements, to mitigate for lost agricultural uses, to provide for an appropriate buffer between agricultural and residential uses, and to reserve at least 30% of residential units for affordable and/or workforce housing.

Caldwell Building | 107 E. Madison Street Tallahassee, FL 32399
904.245.7105 | www.FloridaJobs.org | [Twitter: @FLACommerce](https://twitter.com/FLACommerce)

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The Honorable Daniella Levine Cava
March 8, 2024
Page 2 of 2

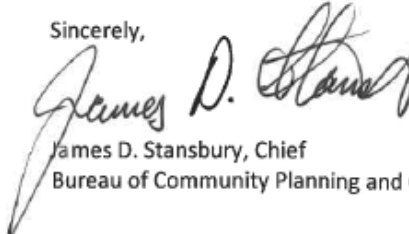
2. The South Florida Water Management District (SFWMD) provided an advisory comment in their review letter dated March 6, 2024. The Department strongly encourage Miami-Dade County to coordinate with SFWMD staff to address the advisory comment outlined in their correspondence.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the second public hearing pursuant to 163.3184(3)(c)2., F.S.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after FloridaCommerce notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by FloridaCommerce or the Administration Commission.

If you have any questions concerning this review, please contact Jana Williams, Planning Analyst, by telephone at (850)-717-8483 or by email at jana.williams@commerce.fl.gov.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/jw

Enclosure(s): Procedures for Adoption

cc: Lourdes M. Gomez, AICP, DRER Director, Miami-Dade County
Isabel Cosio Carballo, MPA, Executive Director, South Florida Regional Planning Council

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Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 N.W. 111 Avenue
Miami, Florida 33172

JARED W. FERDUE, P.E.
SECRETARY

March 6, 2024

Ms. Lourdes M. Gomez, AICP, Director
Miami Dade County
Department of Regulatory and Economic Resources
Planning Division, Metropolitan Planning Section
111 NW 1st Street, 12th Floor
Miami, Florida 33128-1902

**Subject: Comments for the Miami-Dade County Comprehensive Development
Master Plan Amendment FDEO #24-02ESR**

Dear Ms. Gomez:

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation, District Six, reviewed the proposed text amendments to the Miami-Dade County Comprehensive Development Master Plan (CDMP). The proposed amendments modify the Adopted 2030-2040 Land Use Plan (LUP) map. The proposed amendment also modifies text within the CDMP Land Use Element by presenting declarations of restrictions for a 13.75-acre site, expanding the 2030 Urban Development Boundary (UBD) to include the previously mentioned site, redesignation of the site from "Agriculture" and "Industrial and Office" to "Special District" and "Industrial and Office", creation of "The West Naranja Bus Rapid Transit Multifamily Access District", supportive text revisions to the element.

The District reviewed the amendment package per Chapter 163 Florida Statutes and found the proposed amendments would not adversely impact transportation resources and facilities of state importance.

Thank you for coordinating on the review of these proposed amendments with FDOT. If you have any questions, please do not hesitate to contact me by email at shereen.yeefong@dot.state.fl.us or at 305-470-5393.

www.fdot.gov | www.southflroads.com

DocuSign Envelope ID: 463A051D-ECBB-4F8C-B057-B3D16D39E6AC

Ms. Lourdes M. Gomez, AICP
March 6, 2024
Page 2

Sincerely,

DocuSigned by:



Shereen Yee Fong

Community Planning Coordinator

Cc: Daniel Iglesias, P.E., Florida Department of Transportation, District 6
Dat Huynh, P.E., Florida Department of Transportation, District 6
Kenneth Jeffries, Florida Department of Transportation, District 6
Barbara Powell, Florida Department of Commerce
Isabel Cosio Carballo, South Florida Regional Planning Council
Kathe Lerch, South Florida Regional Planning Council

3/25/24, 9:52 AM

Miami-Dade County, DOC #24-02ESR Comments on Proposed Comprehensive Plan Amendment Package

FW: Miami-Dade County, DOC #24-02ESR Comments on Proposed Comprehensive Plan Amendment Package

Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>

Wed 3/6/2024 5:02 PM

To: Vargas, Rommel (RER) <Rommel.Vargas@miamidade.gov>; Davis, Rosa (RER) <Rosa.Davis@miamidade.gov>; Rowe, Garrett A. (RER) <Garrett.Rowe@miamidade.gov>
Cc: Pass, Shirley (RER) <Shirley.Pass@miamidade.gov>

Hi, see forwarded fyi/fya, thanks!

Jerry

Jerry H. Bell, AICP, Assistant Director for Planning
Miami-Dade County Department of Regulatory and Economic Resources, Planning Division
 111 NW First Street, 12th Floor
 Miami, Florida 33128
 Phone: (305) 375-2835; Cell: (305) 487-1925
www.miamidade.gov

ATTENTION: Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All e-mail sent and received is captured by our servers and kept as a public record. Additionally, all Lobbyists must register with the Clerk of the Board prior to any meeting with County Personnel. [Register online](#) or in person at 111 NW 1st Street, 17th Floor, Miami, FL 33128. The Clerk's Office phone number is [305-375-5137](tel:305-375-5137).

From: Ragsdale, David <dragsdal@sfwmd.gov>
Sent: Wednesday, March 6, 2024 4:56 PM
To: Vargas, Rommel (RER) <Rommel.Vargas@miamidade.gov>
Cc: Donna.Harris@commerce.fl.gov; James.Stansbury@Commerce.fl.gov; Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>; isabelc@sfrpc.com; klerch@sfrpc.com
Subject: Miami-Dade County, DOC #24-02ESR Comments on Proposed Comprehensive Plan Amendment Package
Importance: High

EMAIL RECEIVED FROM EXTERNAL SOURCE

Dear Mr. Vargas:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by Miami-Dade County (County). The amendment proposes to expand the Miami-Dade County 2030 Urban Development Boundary to include an 8.38-acre portion of the application site designated "Agriculture." The District provides the following advisory comments:

Regional Water Supply

The amendment does not include an actual commitment from the Miami-Dade Water and Sewer Department (MDWSD) that they have sufficient water available to serve the proposed development, that they will provide potable water to serve the proposed development, or when the water will be available.

District staff are available to meet by teleconference or in person to go over the comments above and to discuss possible solutions and options to resolve the comments. Please contact me if you have any questions, need additional information, or would like to arrange a meeting at dragsdal@sfwmd.gov. The District requests that the County forward a copy of the adopted amendments to the District at the following email mailbox address: SFLOCALGOVPLAN@sfwmd.gov.

<https://outlook.office.com/mail/deeplink/protocolActivation?nativeVersion=1.2024.223.300&key=17f9fb93-cecd-f54f-bfe1-580dc93bcd17&fileExt=.msg...>

1/2

3/25/24, 9:52 AM

Miami-Dade County, DOC #24-02ESR Comments on Proposed Comprehensive Plan Amendment Package

Sincerely,
David Ragsdale



David Ragsdale

Policy and Planning Analyst

Water Supply Implementation Unit

South Florida Water Management District

Office: 561-682-6715 Cell: 850-572-3176

dragsdal@sfwmd.gov | 3301 Gun Club Road, West Palm Beach, FL 33406



From: Irving, Robert <Robert.Irving@MyFWC.com>
Sent: Monday, March 4, 2024 12:32 PM
To: Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>
Cc: Conservation Planning Services <conservationplanningservices@MyFWC.com>;
DCPexternalagencycomments@deo.myflorida.com; Colletier, Nicolas <Nicolas.Colletier@MyFWC.com>
Subject: FWC's Comments for Miami Dade County 24-02ESR (CDMP 20230010 Infinity Garden Apartments)

EMAIL RECEIVED FROM EXTERNAL SOURCE

Dear Mr. Bell,

Florida Fish and Wildlife Conservation Commission (FWC) staff received your request for review of the proposed comprehensive plan amendment. We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment. While there are no objections to the amendment, the following general technical assistance information is provided to assist the applicant and the county when considering the potential for impacts to state-listed species. FWC staff strongly recommends early planning coordination meetings if impacts to state-listed species and their habitat are expected. To schedule a coordination meeting, please contact our office by email at ConservationPlanningServices@MyFWC.com and staff will be happy to meet with the applicant, county, or Department of Economic Opportunity staff.

If on-site wildlife surveys have not yet been conducted, they are considered as the most reliable method for determining the presence of listed species or potential habitat. Species-specific surveys are time sensitive and are best conducted by trained wildlife biologists with recent documented experience. Species-specific survey protocols approved by the U.S. Fish and Wildlife Service (USFWS) and the FWC are provided in the Florida Wildlife Conservation Guide at <https://myfwc.com/conservation/value/fwcg/>

or in the FWC Species Conservation Measures and Permitting Guidelines available at <https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>.

There are several public data sources and online tools available that may be useful during preliminary reviews before conducting field surveys. For example, the Florida Natural Areas Inventory (FNAI) Biodiversity Matrix Map Server (<https://www.fnai.org/biointro.cfm>) which provides access to rare species occurrence information statewide, FWC Gopher Tortoise Permit Map (<https://public.myfwc.com/maps/gtmapping/gtpermitmap.html>), and the USFWS's Information for Planning and Consultation (IPaC) system (<https://ecos.fws.gov/ipac/>). Natural resource mapping data downloads, including listed species data, are available at <https://geodata.myfwc.com/pages/upland> and the Florida Geographic Data Library at <https://www.fgdl.org/metadataexplorer/explorer.jsp>.

The liability to not impact or cause "take" of listed species, migratory wildlife, and other regulated species of wildlife is the responsibility of the applicant or developer associated with this site. Any interested party can refer to the Florida Administrative Code, 68A-27 for definitions of "take" and a list of species. If state-listed species are observed on-site, FWC staff are available to provide decision support information or assist in obtaining the appropriate permits. If federally-designated Critical Habitat or federally listed species are present, please contact the appropriate regional USFWS Ecological Service Office (<https://www.fws.gov/offices/Directory/ListOffices.cfm?statecode=12>).

FWC staff appreciate the opportunity to review this project. Please send any requests for further information to ConservationPlanningServices@MyFWC.com.

Sincerely,

Robert Irving
Land Use Planning Program Supervisor
Florida Fish and Wildlife Conservation Commission
Phone: (850) 354-3578

Miami Dade County 24-02ESR_58103

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OFFICE OF GENERAL COUNSEL
(850) 245-1000
(850) 245-1001 FAX



THE MAYO BUILDING
407 SOUTH CALHOUN STREET
TALLAHASSEE, FLORIDA 32399-0800

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER WILTON SIMPSON

March 5, 2024

VIA EMAIL (jerry.bell@miamidade.gov)

Miami-Dade County
Jerry Bell
111 NW 1st Street, 12th Floor
Miami, Florida 33128

Re: Amendment Package Reference Number: Miami-Dade County 24-02ESR

Dear Jerry Bell,

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on February 8, 2024. The Department has reviewed the proposed amendment pursuant to Section 163.3184, Florida Statutes, for any adverse impacts to important state resources or facilities related to agriculture, forestry, and aquaculture issues.

The Department has no comments on the above-referenced proposed comprehensive plan amendment as presented.

Please contact me at CompPlans@FDACS.gov if you have any questions.

Sincerely,

Steven Hall

Steven Hall
Assistant Deputy Commissioner

cc: Florida Department of Economic Opportunity
(SLPA #: Miami-Dade County 24-02ESR)

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From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Thursday, March 7, 2024 4:56 PM
To: Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>; DCPexternalagencycomments <dcpexternalagencycomments@deo.myflorida.com>
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Miami-Dade County 24-02ESR Proposed

EMAIL RECEIVED FROM EXTERNAL SOURCE

To: Jerry Bell, AICP, Assistant Director for Planning

Re: Miami-Dade County 24-02ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



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MEMORANDUM

(DRAFT – REVISED AND UPDATED) AGENDA ITEM #IV.D

DATE: FEBRUARY 26, 2024

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: REGIONAL ISSUES: COMPREHENSIVE PLAN AMENDMENT REVIEW

Pursuant to the 1974 Interlocal Agreement creating the South Florida Regional Planning Council (Council), the Council is directed by its member counties to “assure the orderly, economic, and balanced growth and development of the Region, consistent with the protection of natural resources and environment of the Region and to protect the health, safety, welfare, and quality of life of the residents of the Region.”

In fulfillment of the Interlocal Agreement directive and its duties under State law, the Council reviews local government Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Pursuant to Section 163.3184, Florida Statutes as presently in effect, Council review of comprehensive plan amendments is limited to 1) adverse effects on regional resources and facilities identified in the SRPP and 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region. The Council’s review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Commerce certifies its completeness.

A written report of the Council’s evaluation pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.



South Florida Regional Planning Council
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020
954-924-3653 Phone, 954-924-3654 FAX
www.sfreionalcouncil.org

Council Staff Comments:

The three Miami-Dade CDMP amendments this cycle are partially, or entirely, located outside of the Urban Development Boundary (UDB). All three amendments propose land use changes to what is currently agricultural land in South Dade. The intent of the UDB is to ensure smart growth that prioritizes development in areas that have adequate available infrastructure to support development. There is insufficient information available to determine if there are negative effects on regional resources, though sensitivity to regional projects is acknowledged and the SRPP is clear on policy to preserve agricultural and environmental land when possible.

Goal 12 Encourage the retention of the Region's rural lands and agricultural economy.

Policy 12.1 Maintain the character of rural and agricultural areas by encouraging compatibility of adjacent land uses.

Policy 12.2 Encourage the environmental compatibility of rural and agricultural lands through such means as best management practices for stormwater runoff.

Policy 12.3 Discourage the expansion of urban service areas into agricultural lands except: 1) when the expansion is necessary to accommodate projected population growth; and 2) when the development densities will be sufficient to support public transportation.

Policy 12.4 In the event that land is converted from agriculture to urban uses, local governments should discourage sprawl development patterns and require urban design and density necessary to support pedestrian-orientation, public transportation, and the efficient provision of other infrastructure.

Goal 15 Restore and protect the ecological values and functions of the Everglades Ecosystem by increasing habitat area, increasing regional water storage, and resorting water quality.

Policy 15.1 Encourage land uses and development patterns that are consistent with Everglades Ecosystem restoration and with the protection of Natural Resources of Regional Significance.

In its review of these proposed amendments, Council staff reviewed the transmittals, the recorded Miami-Dade County transmittal meeting held on January 24, 2024, and reached out to Homestead Air Reserve Base and commenting agencies including, but not limited to, U.S. Fish & Wildlife Service, the Florida Department of Commerce, Florida Department of Environmental Protection, and South Florida Water Management District who are in the process of their respective reviews. Agency review comments are not due until March 7th which is after the Council's meeting. As of February 23, 2024, no concerns or technical assistance comments reflecting potential adverse regional or extra-jurisdictional impacts were received from local governments or partner agencies.

It is acknowledged that the amendment sites are proximate to the study area of the BBSEER project, managed jointly by the US Army Corps of Engineers (USACE) and the South Florida Water Management District (SFWMD), due to its impact on Miami-Dade County wetlands. The BBSEER project is vital to the preservation of Natural Resources of Regional Significance as identified in the SRPP, namely Biscayne Bay and the Florida Everglades. There is no information, however, to indicate that the amendments would have a direct impact on the BBSEER project.

PROPOSED AMENDMENTS

Miami-Dade County 24-01ESR

Summary of Proposed Amendment Application No. CDMP20230008

Redesignates a site on the Land Use Plan (LUP) map from “Agriculture” to “Environmental Protection” (1 Dwelling Unit per 5 gross acres). The site is approximately 239 gross acres, generally located south of theoretical SW 400 Street between theoretical SW 217 Avenue and theoretical SW 227 Avenue. The intent is for the site to be used to create a wetlands mitigation bank which could serve a beneficial environmental purpose.

Miami-Dade County RER Staff has some questions surrounding several aspects of the application but recommends transmittal of the application to work with the applicant and obtain comments from state and regional review agencies.



- Miami-Dade Commission BCC Vote to Transmit for Comments: 11 aye, 2 absent
- Transmittal Date: February 7, 2024
- Miami-Dade County RER Staff Recommendation: Transmit with Acceptance of the Proffered Declaration of Restrictions

Miami-Dade County 24-02ESR

Summary of Proposed Amendment Application No. CDMP20230010

Expands the 2030 Urban Development Boundary (UDB) to include the ±8.48-acre portion of the application site designated "Agriculture". The site is located East of 147 Avenue, between SW 258 Street and SW 260 Street. It redesignates the application site from: "Agriculture" (One dwelling unit per 5 gross acres) and "Industrial and Office" to "Special District" and "Industrial and Office"; revises the CDMP Land Use Element "Special District" text to create the "The West Naranja Bus Rapid Transit Multifamily Access District"; revises Policies LU-8G, LU-8H and the interpretive text section of the CDMP Land Use Element entitled "Policies for Development of Urban Centers". While County Staff "... recommends transmittal of the application ..., in addition to the proposed Special District text, the application proposes three separate CDMP Land Use Element text changes, two of which should be denied."



- Miami-Dade Commission BCC Vote to transmit for Comments: 12 aye, 1 absent
- Transmittal Date: February 7, 2024
- Miami-Dade County RER Staff Recommendation: Transmit with the Proffered Declaration of Restrictions and Deny for the proposed standard amendment to the CDMP Land Use Element and Adopted 2030-2040 Land Use plan map.

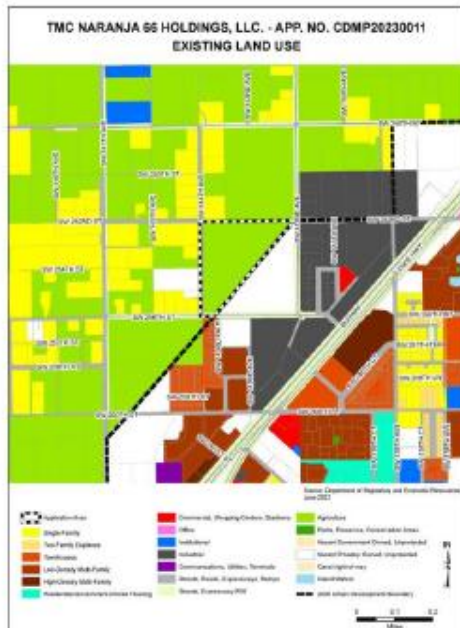
Miami-Dade County 24-03ESR

Summary of Proposed Amendment Application No. CDMP20230011

Expands the Urban Development Boundary to include the Application Site. The site is approximately 21.8 gross acres and is located between SW 252 Street and SW 256 Street, and between SW 142 Avenue and SW 144 Avenue. The proposed amendment seeks to redesignates the application site on the Land Use Plan map: From: "Agriculture" (1 Dwelling Unit /5 Acre) To: "Special District", revises the CDMP Land Use Element "Special District" text to create the "Westend at Princeton" District, and adds the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element.

According to the Miami-Dade RER Transmittal Report "The application site is within 1/2 miles of the South Dade Transitway, a Strategic Miami Area Rapid Transit (SMART) Plan corridor, and is a portion of a parcel that is both bifurcated by the UDB and partly in a zoned and CDMP designated Urban Center (the portion of the parcel inside the UDB), raising the question of how CDMP Land Use Element Policy LU-8G that governs when and where to expand the UDB should be applied in this case ... among other criteria, Policy LU-8Giii) c) gives priority to areas within one mile of planned urban center or transit service station for inclusion the UDB, when expansion is warranted ...". This site is located in the U.S. Fish and Wildlife consultation area for the federally endangered Florida bonneted bat. Council staff received no feedback from the U.S. Fish and Wildlife Service.

In summary, there are myriad policy issues that need to be weighed by the Miami-Dade Commission regarding how best to weigh and balance competing policy priorities in Miami-Dade County.



- Miami-Dade Commission BCC Vote to transmit for Comments: 11 aye, 2 absent
- Transmittal Date: February 7, 2024
- Miami-Dade County RER Staff Recommendation: Transmit with the Proffered Declaration of Restrictions

Staff Recommendation

Council Staff has not identified at this time 1) adverse effects on regional resources and facilities identified in the SRPP and/or 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region. Council staff received few comments from outside agencies.

Council Staff recommends that the Board:

1. Approve Miami-Dade 24-01ESR and this report for transmittal to the local governments with a copy to the State Land Planning Agency.
2. Approve Miami-Dade 24-02ESR and this report for transmittal to the local governments with a copy to the State Land Planning Agency with note of the two text amendments that should be denied.
3. Approve Miami-Dade 24-03ESR and this report for transmittal to the local governments with a copy to the State Land Planning Agency with note of the consultation area of the Florida bonneted bat, pending comments from the U.S. Fish and Wildlife Service.

Council staff is committed to working with the County to assist in resolving any open items prior to adoption and transmittal to the Council for final review.

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APPENDIX C

Proffered Declaration of Restrictions

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Received 4/9/25
RER-Planning
CDMP20230010

This Instrument was Prepared by:

Name: Pedro Gassant, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3300
Miami, Florida 33131

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned **Infinity Gardens Apartments, LLC**, a Florida limited liability company (hereinafter referred to as the “Owner”), holds the fee simple title to that certain approximately 13.75 acre parcel of land, generally located north of SW 260th Street and east of SW 147th Avenue and identified by Folio No. 30-6927-000-0320 in Miami-Dade County, Florida, described in Exhibit “A,” attached hereto and is hereinafter referred to as the “Property”; and

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the “CDMP”), in which a portion of the Property that is approximately 8.48 acres is located outside of the Urban Development Boundary (“UDB Portion”) line and is subject to a UDB expansion and land use change within the May 2023 amendment cycle as Application No. CDMP20230010 (the “Application”);

WHEREAS, the Owner has concurrently applied for a zoning district boundary change and amendment to the Naranja Community Urban Center regulating plans under Zoning Application Number Z2023000187, pursuant to Section 2-116.1 of the Code of Miami-Dade County; and

WHEREAS, the Application, among other things, seeks to redesignate the UDB Portion from “Agricultural” to mirror the portion of the Property located within the Naranja Community

Urban Center to enable a mixed-use project with 773 residential units and up to 10,000 square feet of retail uses (the "Project") on the Property.

NOW, THEREFORE, in order to assure Miami-Dade County ("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. **Recitals.** The foregoing recitals are true and correct and are incorporated herein by reference.
2. **Density and Intensity Limitation.** The development program for the Project (as hereinafter defined) shall be limited to a maximum of 773 residential dwelling units and up to 10,000 square feet of retail uses ("Density and Intensity Limitation" or "Project") on the Property.
3. **Separation from, and Height Consideration of, Agricultural Uses.** The Property shall be developed in accordance with the text amendment proposed in Application No. CDMP20230010, which provides for an 85 foot distance separation ("Western Separation Distance") from the proposed residential buildings on the western portion of the Property to the agricultural property west of SW 147th Avenue and a distance of 40 feet from the proposed residential buildings on the northern portion of the Property ("Northern Separation Distance") to the agricultural property to the north of SW 258th Street. The Property shall limit the residential buildings on the western portion of the Property facing SW 147th Avenue to a height of 4 stories. For avoidance of doubt, the Property shall restrict the height of any portion of any residential building located within 25 feet of the boundary of the Northern Separation Distance to a height of 4 stories, so long as the property to the

north is designated Agriculture on Miami Dade County's Adopted 2030 and 2040 Land Use Plan.

4. **Diversity of Housing and Open Space.** The Owner shall provide a mix of housing unit types and at least fifteen percent (15%) minimum of open space on the Property.
5. **Workforce Housing.** Thirty percent (30%) of the dwelling units on the Property shall be made affordable to households whose annual income is up to one-hundred forty percent (140%) of the Area Median Income of Miami Dade County. Notwithstanding the Density and Intensity Limitation provided in Paragraph No. 2, should the Owner participate in the Workforce Housing Program, pursuant to Chapter 33, Article XIII A of the Miami-Dade County Code of Ordinances, the Owner may transfer any applicable density bonus in excess of the Density and Intensity Limitation to another property permitted to receive such bonus, to the extent permitted by the Code of Miami-Dade County, as may be amended.
6. **Agricultural Notice.** The Owner, its successors, and assigns shall provide in all contracts granting any interest in any portion of the Property a written notice, acknowledgement, and waiver acknowledging that the Property is abutting AU zoned land outside of the UDB. All contracts for sale or lease or otherwise granting any interest in any portion of the Property shall contain the following statement:

LAND INVOLVED IN THIS TRANSACTION LIES ADJACENT TO LAND THAT IS ZONED AU, OR IS DESIGNATED FOR AGRICULTURAL USE BY THE MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP), OR IS SUBJECT TO AU REGULATIONS. AGRICULTURAL ACTIVITIES WHICH MAY BE LAWFULLY CONDUCTED WITHIN THIS AREA INCLUDE BUT MAY NOT BE LIMITED TO CULTIVATION AND HARVESTING OF CROPS; PROCESSING AND PACKING OF FRUIT AND VEGETABLES; BREEDING OF LIVESTOCK AND POULTRY; OPERATION OF IRRIGATION PUMPS AND OTHER MACHINERY; GROUND OR AERIAL SEEDING OR SPRAYING; APPLICATION OF CHEMICAL FERTILIZERS, CONDITIONERS, PESTICIDES AND HERBICIDES; GENERATION OF TRACTOR AND TRUCK TRAFFIC AND OF NOISE, ODORS, DUST AND FUMES ASSOCIATED WITH

THE CONDUCT OF THE FOREGOING ACTIVITIES; AND THE EMPLOYMENT AND USE OF AGRICULTURAL LABOR. SUCH AGRICULTURAL ACTIVITIES MAY BE PROTECTED FROM NUISANCE SUITS BY THE "FLORIDA RIGHT TO FARM ACT," SECTION 823.14, FLORIDA STATUTES. IN ADDITION, THE GRANTEE(S) HEREBY ACKNOWLEDGES AND AGREES TO PROVIDE THE DISCLOSURE IN THIS PARAGRAPH IN ANY AND ALL FUTURE CONTRACTS FOR SALE OR LEASE IN ANY PORTION OF THE PROPERTY.

7. **Connection to Public Water and Sanitary Sewer Service.** The Owner hereby acknowledges and agrees that any development of the Property shall connect to the public water and public sanitary sewer system at the Owner's expense, and such infrastructure shall be designed and installed in accordance with the requirements of Chapter 24 of the County Code and WASD rules and regulations and design standards. The right to connect the Property to the County's sewage system is subject to the terms, covenants, and conditions set forth in court orders, judgments, consent orders, consent decrees, and the like entered into between the County and the United States, the State of Florida, and/or any other governmental entity, including, but not limited to, the Consent Decree in the United States of America, the State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM (S.D. Fla) (the "Consent Decree"), as well as all other current, subsequent, or future enforcement, and regulatory actions and proceedings.
8. **Public Sanitary Sewer Pump Station.** If at the time the water and sewer Agreement is requested for the Property, it is determined that a public pump station is needed, the Owner will install a public sanitary sewer pump station at the Owner's expense that may be required to serve the Property, subject to any applicable DERM and WASD approval.
9. **Road Mitigation.** In furtherance of the CDMP, the Owner acknowledges and agrees that because the Application has an impact on a segment of Harriet Tubman Highway, a

hurricane evacuation route, mitigation is required. The Owner acknowledges that Policy LU-8E and the Capital Improvement Element of the CDMP provides that applications to amend the CDMP Land Use Map are evaluated for, among other things, whether the proposed application would impact emergency management. At the time of any subsequent development order approval (subsequent to the above-referenced concurrent zoning application), including, but not limited to, building permit, Tentative-plat approval, final plat approval, site plan approval or any other development order or development permit approval, the proposed development of the Property will be reanalyzed for concurrency in accordance with Chapter 33G of the Miami-Dade County Code, and at that time the Owner must provide the proportionate share mitigation payment for impacts to the hurricane evacuation route along the impacted segment of Harriet Tubman Highway unless it is otherwise demonstrated by the applicant, through a traffic analysis, to the satisfaction of the County, that the impact mitigation is no longer required. The proportionate share mitigation payment shall be in accordance with Section 163.3180, Florida Statutes and shall be creditable against the roadway share of the mobility fees applicable to affected roadways due as part of the development of the Property.

10. **Stormwater Management.** The Owner must submit a signed and sealed "Conceptual Stormwater Master Plan" to the Division of Environmental Resources Management (DERM) for review and approval prior to approval of the first tentative plat, soil improvement permit, building permit, ERP, or paving and drainage. It is specifically acknowledged that such Conceptual Stormwater Master Plan may be different from the stormwater plan adopted for the Property based on data obtained during the permitting process.

11. **Agricultural Preservation.** Prior to the issuance of the first building permit, the Owner agrees to contribute to Miami-Dade County \$8,750.00 per acre for the UDB Portion of the Application for the preservation of agricultural land.
12. **Urban Center District Regulations.** The Owner acknowledges that part of the Property is located within an Urban Center and therefore subject to the Standard Urban Center District Regulations and the Naranja Community Urban Center as articulated in Article XXXIII (J) and Article XXXIII (K) of Chapter 33 of the County Code.

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 Property, or any portion thereof, by a written instrument executed by the then owner(s) of the property, including joinders of all mortgagees, 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.

[Signature Pages Follow]

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this ____ day of _____, 2025

WITNESSES:

INFINITY GARDENS APARTMENTS, LLC, a Florida limited liability Corporation

Signature

By: _____

Printed Name

Name: Brandon J. Shpirt

Title: Manager

Signature

Address: 16850 Collins Ave, #112-319Sunny

Printed Name

Isles Beach, FL 33160

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

The foregoing instrument was acknowledged before me by means of physical presence [] or online notarization [] by Brandon J. Shpirt, as Manager of Infinity Gardens Apartments, LLC, a Florida limited liability company, and for the purposes stated herein on behalf of said limited liability company. He is personally known to me or has produced _____ as identification.

Witness my signature and official seal this _____ day of _____, 2025, in the County and State aforesaid.

Notary Signature

Print Name

Commission Number

My Commission Expires: _____

EXHIBIT "A"
LEGAL DESCRIPTION:

THAT PORTION OF SECTION 27, TOWNSHIP 56 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SECTION 27, TOWNSHIP 56 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN N89°37'04"E ALONG THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 27 FOR A DISTANCE OF 1,345.01 FEET (DEED), 1345.18 (MEASURED) TO THE NORTHEAST CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 27; THENCE RUN S 00°37'11" E ALONG THE EAST LINE OF SAID NW 1/4 OF THE SW 1/4 OF SAID SECTION 27 FOR A DISTANCE OF 666.70 FEET; THENCE RUN S27°59'18"W FOR A DISTANCE OF 9.13 FEET (DEED) 9.14 FEET (MEASURED); THENCE S89°29'43"W (DEED), S89°29'44"W (MEASURED), ALONG THE NORTHERLY PROPERTY LINE OF A PARCEL DESCRIBED ON OFFICIAL RECORDS BOOK 18158 AT PAGE 2639, BEING ALSO THE NORTH LINE OF THE S 1/2, NW 1/4, SW 1/4 OF SAID SECTION 27, A DISTANCE OF 454.63 FEET TO THE POINT OF BEGINNING; THENCE S00°37'11"E, A DISTANCE OF 675.71 FEET TO THE SOUTH LINE OF THE NW 1/4, SW 1/4 OF SAID SECTION 27, BEING ALSO THE CENTER LINE OF SW 260TH STREET; THENCE S89°22'22"W (DEED) S89°22'23"W (MEASURED) ALONG SAID LINE, A DISTANCE OF 884.91 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 27, ALSO BEING THE CENTER LINE OF SW 147TH AVENUE; THENCE N00°40'24"W (DEED) N00°40'23"W (MEASURED) ALONG SAID LINE, A DISTANCE OF 677.61 FEET (DEED), 677.60 FEET MEASURED); THENCE N89°29'43"E (DEED) N89°29'44"E (MEASURED) ALONG THE NORTHERLY PROPERTY LINE OF A PARCEL DESCRIBED ON OFFICIAL RECORDS BOOK 18158 AT PAGE 2639, BEING ALSO THE NORTH LINE OF THE S 1/2, NW 1/4, SW 1/4 OF SAID SECTION 27, A DISTANCE OF 885.54 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT THE SOUTH 25 FEET FOR RIGHT-OF-WAY PER DEED RECORDED IN BOOK 2824, PAGE 411.

**ADDITIONAL ITEMS
MAY 2023 CYCLE APPLICATION NO. CDMP20230010
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

(Consisting of materials related to the application not included in the Initial Recommendation or State Transmittal)

ITEMS	PAGE NO.
Additional Items	
Notice to State of extension for 180-day deadline, dated July 23, 2024	A-1
Acknowledgement from State of 180-day deadline extension, dated July 31, 2024	A-5
Notice to State of second extension for 180-day deadline, dated March 5, 2025	A-7
Acknowledgement from State of second 180-day deadline extension, dated March 5, 2025	A-9

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Department of Regulatory and Economic Resources
Planning Division, Metropolitan Planning Section
111 NW 1 Street • 12th Floor
Miami, Florida 33128-1902
Telephone: 305-375-2835
www.miamidade.gov/planning

July 23, 2024

Florida Department of Commerce
Attn: James D. Stansbury, Chief
Bureau of Community Planning and Growth
Caldwell Building
107 East Madison Street
Tallahassee, FL 32399-6545
James.Stansbury@Commerce.fl.gov

Subject: Notice of Time Extension for Pending May 2023 Cycle Application No. CDMP20230010 to Amend the Comprehensive Development Master Plan for Miami-Dade County (No. 24-02ESR)

Dear Mr. Stansbury:

This letter serves as notice of a time extension for the adoption of May 2023 Cycle Application No. CDMP20230010 to amend Miami-Dade County's Comprehensive Development Master Plan (CDMP), pursuant to Section 163.3184(3)(c)1, Florida Statutes (F.S.).

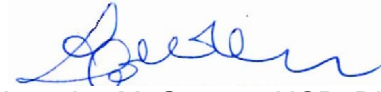
Section 163.3184(3)(c)1, F.S., provides that a local government shall hold its second public hearing on whether to adopt proposed comprehensive plan amendments within 180 days of receiving comments from the state and regional reviewing agencies; otherwise, the proposed amendments shall be deemed withdrawn unless the 180-day timeframe is extended by agreement. The statute also requires that notice of such agreement be provided to the State Land Planning Agency and any affected person(s) that provided comments on the proposed amendments. A copy of this notice of time extension is provided to each person who commented on the pending application, including those who may qualify as affected persons pursuant to Section 163.3184(1)(a), F.S., as identified in the list of recipients for this correspondence.

The Miami-Dade Board of County Commissioners (Board) conducted its first public hearing on January 24, 2024, and transmitted the May 2023 Cycle Application No. CDMP20230010 (Amendment No. 24-02ESR) to the reviewing agencies on February 8, 2024. The County received comments from the reviewing agencies on Application No. CDMP20230010 in February and March 2024, including the Florida Department of Commerce on March 8, 2024. The applicant and the County agree that, in compliance with Florida Statutes, an extension beyond the 180-day timeframe is necessary to conclude the review of the pending CDMP application and for the Board to subsequently take final action on the application. The 180-day timeframe expires on September 4, 2024, but the agreed extension will expire on April 30, 2025.

For additional information or clarification regarding this transmittal, please contact Jerry Bell, AICP, Assistant Director for Planning, Miami-Dade County Department of Regulatory and Economic Resources, Stephen P. Clark Center, 111 NW 1st Street, 12th Floor, Miami, Florida 33128, or by phone at (305) 375-2835, fax (305) 375-2560 or e-mail Jerry.Bell@miamidade.gov.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L. Gomez', is centered on a white rectangular background.

Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

c: Honorable Daniella Levine Cava, Mayor
Honorable Chairman Oliver G. Gilbert, III
and Members, Miami-Dade Board of County Commissioners
Abbie Schwaderer-Raurell, Assistant County Attorney
Jerry Bell, Assistant Director for Planning, Dept. of Regulatory and Economic Resources

Attachment 1: List of Persons who commented on Application No. CDMP20230010, including those who may qualify as affected Persons pursuant to Section 163.3184(1)(a), F.S.

Attachment 1

List of Persons who Commented on Application No. CDMP20230010:

Alessandria San Roman, Applicant's Legal Representative
Brandon Scpirt, Applicant
Pedro Gassant, Applicant's Legal Representative
Miriam Soler-Ramos, Applicant's Legal Representative
Troy Abbott, Resident
Daniel Coro, Resident
Ernesto Echaury, Resident
Iliany Urquia, Resident
Laura Reynolds, Resident
Mary Waters, Resident
Philip Marraccini, Resident
William Greer, Resident
Zac Cosner, Resident

Note that persons who commented on the application may qualify as affected persons pursuant to Section 163.3184(1)(a), Florida Statute (F.S.)

* Definition of Affected Persons per 163.3184(1)(a), F.S

“Affected person” includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; owners of real property abutting real property that is the subject of a proposed change to a future land use map; and adjoining local governments that can demonstrate that the plan or plan amendment will produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdiction. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written comments, recommendations, or objections to the local government during the period of time beginning with the transmittal hearing for the plan or plan amendment and ending with the adoption of the plan or plan amendment.

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July 31, 2024

RESPONSE VIA E-MAIL ONLY

Ms. Lourdes Gomez, AICP
Director
Miami-Dade County
Planning Division, Metropolitan Planning
111 NW 1 Street, 12th Floor
Miami, Florida 33128

RE: CDMP 20230010 Infinity Garden Apartments

Dear Ms. Gomez:

This letter is in response to the e-mail dated July 31, 2024, notifying of an extension for the adoption of a proposed amendment COM# 24-02ESR to the Miami-Dade County's Comprehensive Plan pursuant to Section 163.3184(3), Florida Statutes (F.S.).

The Department acknowledges receipt of the notice to extend the deadline to adopt the proposed amendment. The new extended adoption date is April 30, 2025. The Department reminds the Miami-Dade County that all affected persons who commented on the amendment need to be notified of the extension.

Once the proposed amendment is adopted, please submit the amendments to FloridaCommerce, Bureau of Community Planning and Growth, Plan Processing Team within 10 working days of adoption pursuant to Section 163.3184, F.S.

If you have any questions concerning this matter, please do not hesitate to contact Jana Williams at 850.717.8483, or myself, at 850.717.8491.

Sincerely,

A handwritten signature in blue ink that reads "Donna Harris".

Donna Harris, Senior Plan Processor
Bureau of Community Planning and Growth

DH/

MDC077

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March 5, 2025

Florida Department of Commerce
Attn: James D. Stansbury, Chief
Bureau of Community Planning and Growth
Caldwell Building
107 East Madison Street
Tallahassee, FL 32399-6545
James.Stansbury@Commerce.fl.gov

Subject: Notice of Second Time Extension for Pending May 2023 Cycle Application No. CDMP20230010 to Amend the Comprehensive Development Master Plan for Miami-Dade County (No. 24-02ESR)

Dear Mr. Stansbury:

This letter serves as notice of a second time extension for the adoption of May 2023 Cycle Application No. CDMP20230010 to amend Miami-Dade County's Comprehensive Development Master Plan (CDMP), pursuant to Section 163.3184(3)(c)1, Florida Statutes (F.S.).

Section 163.3184(3)(c)1, F.S., provides that a local government shall hold its second public hearing on whether to adopt proposed comprehensive plan amendments within 180 days of receiving comments from the state and regional reviewing agencies; otherwise, the proposed amendments shall be deemed withdrawn unless the 180-day timeframe is extended by agreement. The statute also requires that notice of such agreement be provided to the State Land Planning Agency and any affected person(s) that provided comments on the proposed amendments. A copy of this notice of time extension is provided to each person who commented on the pending application, including those who may qualify as affected persons pursuant to Section 163.3184(1)(a), F.S., as identified in the list of recipients for this correspondence.

The Miami-Dade Board of County Commissioners (Board) conducted its first public hearing on January 24, 2024, and transmitted the May 2023 Cycle Application No. CDMP20230010 (Amendment No. 24-02ESR) to the reviewing agencies on February 8, 2024. The County received comments from the reviewing agencies on Application No. CDMP20230010 in February and March 2024, including from the Florida Department of Commerce on March 8, 2024. The original timeframe expired on September 4, 2024, but it was extended through mutual agreement to expire on April 30, 2025. The applicant and the County now agree that, in compliance with Florida Statutes, an additional extension is necessary to conclude the review of the pending CDMP application and for the Board to subsequently take final action on the application. The agreed upon second extension will expire on June 30, 2025.

For additional information or clarification regarding this transmittal, please contact Jerry Bell, AICP, Assistant Director for Planning, Miami-Dade County Department of Regulatory and

Economic Resources, Stephen P. Clark Center, 111 NW 1st Street, 12th Floor, Miami, Florida 33128, or by phone at (305) 375-2835, fax (305) 375-2560 or e-mail Jerry.Bell@miamidade.gov.

Thank you for your time and consideration.

Sincerely,



Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

c: Honorable Daniella Levine Cava, Mayor
Honorable Chairman Anthony Rodriguez
and Members, Miami-Dade Board of County Commissioners
Abbie Schwaderer-Raurell, Assistant County Attorney
Jerry Bell, Assistant Director for Planning, Dept. of Regulatory and Economic Resources

Attachment 1: List of Persons who commented on Application No. CDMP20230010, including those who may qualify as affected Persons pursuant to Section 163.3184(1)(a), F.S.

March 6, 2025

RESPONSE VIA E-MAIL ONLY

Ms. Lourdes Gomez, AICP
Director
Miami-Dade County
Planning Division, Metropolitan Planning
111 NW 1 Street, 12th Floor
Miami, Florida 33128

RE: CDMP 20230010 Infinity Garden Apartments

Dear Ms. Gomez:

This letter is in response to the e-mail dated March 5, 2025, notifying of an extension for the adoption of a proposed amendment COM# 24-02ESR to the Miami-Dade County Comprehensive Plan pursuant to Section 163.3184(3), Florida Statutes (F.S.).

FloridaCommerce acknowledges receipt of the notice to extend the deadline to adopt the proposed amendment. The new extended adoption date is June 30, 2025. FloridaCommerce reminds the Miami-Dade County that all affected persons who commented on the amendment need to be notified of the extension.

[Once the proposed amendment is adopted, please submit the amendments to FloridaCommerce, Bureau of Community Planning and Growth, Plan Processing Team within 10 working days of adoption pursuant to Section 163.3184, F.S.](#)

If you have any questions concerning this matter, please do not hesitate to contact James Stansbury at (850)717-8512, or myself, at 850.717.8491.

Sincerely,



Donna Harris, Senior Plan Processor
Bureau of Community Planning and Growth

DH/

**ADDITIONAL ITEMS: NOTICE OF EXTENSION
MAY 2023 CYCLE APPLICATION NO. CDMP20230010
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**
(Consisting of materials related to the application not included in
the Final Recommendation report.)

ITEMS	PAGE NO.
Additional Items	
Notice to State of extension for 180-day deadline, dated July 23, 2024	A-1
Acknowledgement from State of 180-day deadline extension, dated July 31, 2024	A-5
Notice to State of second extension for 180-day deadline, dated March 5, 2025	A-7
Acknowledgement from State of second 180-day deadline extension, dated March 5, 2025	A-9

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Department of Regulatory and Economic Resources
Planning Division, Metropolitan Planning Section
111 NW 1 Street • 12th Floor
Miami, Florida 33128-1902
Telephone: 305-375-2835
www.miamidade.gov/planning

July 23, 2024

Florida Department of Commerce
Attn: James D. Stansbury, Chief
Bureau of Community Planning and Growth
Caldwell Building
107 East Madison Street
Tallahassee, FL 32399-6545
James.Stansbury@Commerce.fl.gov

Subject: Notice of Time Extension for Pending May 2023 Cycle Application No. CDMP20230010 to Amend the Comprehensive Development Master Plan for Miami-Dade County (No. 24-02ESR)

Dear Mr. Stansbury:

This letter serves as notice of a time extension for the adoption of May 2023 Cycle Application No. CDMP20230010 to amend Miami-Dade County's Comprehensive Development Master Plan (CDMP), pursuant to Section 163.3184(3)(c)1, Florida Statutes (F.S.).

Section 163.3184(3)(c)1, F.S., provides that a local government shall hold its second public hearing on whether to adopt proposed comprehensive plan amendments within 180 days of receiving comments from the state and regional reviewing agencies; otherwise, the proposed amendments shall be deemed withdrawn unless the 180-day timeframe is extended by agreement. The statute also requires that notice of such agreement be provided to the State Land Planning Agency and any affected person(s) that provided comments on the proposed amendments. A copy of this notice of time extension is provided to each person who commented on the pending application, including those who may qualify as affected persons pursuant to Section 163.3184(1)(a), F.S., as identified in the list of recipients for this correspondence.

The Miami-Dade Board of County Commissioners (Board) conducted its first public hearing on January 24, 2024, and transmitted the May 2023 Cycle Application No. CDMP20230010 (Amendment No. 24-02ESR) to the reviewing agencies on February 8, 2024. The County received comments from the reviewing agencies on Application No. CDMP20230010 in February and March 2024, including the Florida Department of Commerce on March 8, 2024. The applicant and the County agree that, in compliance with Florida Statutes, an extension beyond the 180-day timeframe is necessary to conclude the review of the pending CDMP application and for the Board to subsequently take final action on the application. The 180-day timeframe expires on September 4, 2024, but the agreed extension will expire on April 30, 2025.

For additional information or clarification regarding this transmittal, please contact Jerry Bell, AICP, Assistant Director for Planning, Miami-Dade County Department of Regulatory and Economic Resources, Stephen P. Clark Center, 111 NW 1st Street, 12th Floor, Miami, Florida 33128, or by phone at (305) 375-2835, fax (305) 375-2560 or e-mail Jerry.Bell@miamidade.gov.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L. Gomez', is centered on a white rectangular background.

Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

c: Honorable Daniella Levine Cava, Mayor
Honorable Chairman Oliver G. Gilbert, III
and Members, Miami-Dade Board of County Commissioners
Abbie Schwaderer-Raurell, Assistant County Attorney
Jerry Bell, Assistant Director for Planning, Dept. of Regulatory and Economic Resources

Attachment 1: List of Persons who commented on Application No. CDMP20230010, including those who may qualify as affected Persons pursuant to Section 163.3184(1)(a), F.S.

Attachment 1

List of Persons who Commented on Application No. CDMP20230010:

Alessandria San Roman, Applicant's Legal Representative
Brandon Scpirt, Applicant
Pedro Gassant, Applicant's Legal Representative
Miriam Soler-Ramos, Applicant's Legal Representative
Troy Abbott, Resident
Daniel Coro, Resident
Ernesto Echaury, Resident
Iliany Urquia, Resident
Laura Reynolds, Resident
Mary Waters, Resident
Philip Marraccini, Resident
William Greer, Resident
Zac Cosner, Resident

Note that persons who commented on the application may qualify as affected persons pursuant to Section 163.3184(1)(a), Florida Statute (F.S.)

* Definition of Affected Persons per 163.3184(1)(a), F.S

“Affected person” includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; owners of real property abutting real property that is the subject of a proposed change to a future land use map; and adjoining local governments that can demonstrate that the plan or plan amendment will produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdiction. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written comments, recommendations, or objections to the local government during the period of time beginning with the transmittal hearing for the plan or plan amendment and ending with the adoption of the plan or plan amendment.

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July 31, 2024

RESPONSE VIA E-MAIL ONLY

Ms. Lourdes Gomez, AICP
Director
Miami-Dade County
Planning Division, Metropolitan Planning
111 NW 1 Street, 12th Floor
Miami, Florida 33128

RE: CDMP 20230010 Infinity Garden Apartments

Dear Ms. Gomez:

This letter is in response to the e-mail dated July 31, 2024, notifying of an extension for the adoption of a proposed amendment COM# 24-02ESR to the Miami-Dade County's Comprehensive Plan pursuant to Section 163.3184(3), Florida Statutes (F.S.).

The Department acknowledges receipt of the notice to extend the deadline to adopt the proposed amendment. The new extended adoption date is April 30, 2025. The Department reminds the Miami-Dade County that all affected persons who commented on the amendment need to be notified of the extension.

Once the proposed amendment is adopted, please submit the amendments to FloridaCommerce, Bureau of Community Planning and Growth, Plan Processing Team within 10 working days of adoption pursuant to Section 163.3184, F.S.

If you have any questions concerning this matter, please do not hesitate to contact Jana Williams at 850.717.8483, or myself, at 850.717.8491.

Sincerely,

A handwritten signature in blue ink, appearing to read "Donna Harris".

Donna Harris, Senior Plan Processor
Bureau of Community Planning and Growth

DH/

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March 5, 2025

Florida Department of Commerce
Attn: James D. Stansbury, Chief
Bureau of Community Planning and Growth
Caldwell Building
107 East Madison Street
Tallahassee, FL 32399-6545
James.Stansbury@Commerce.fl.gov

Subject: Notice of Second Time Extension for Pending May 2023 Cycle Application No. CDMP20230010 to Amend the Comprehensive Development Master Plan for Miami-Dade County (No. 24-02ESR)

Dear Mr. Stansbury:

This letter serves as notice of a second time extension for the adoption of May 2023 Cycle Application No. CDMP20230010 to amend Miami-Dade County's Comprehensive Development Master Plan (CDMP), pursuant to Section 163.3184(3)(c)1, Florida Statutes (F.S.).

Section 163.3184(3)(c)1, F.S., provides that a local government shall hold its second public hearing on whether to adopt proposed comprehensive plan amendments within 180 days of receiving comments from the state and regional reviewing agencies; otherwise, the proposed amendments shall be deemed withdrawn unless the 180-day timeframe is extended by agreement. The statute also requires that notice of such agreement be provided to the State Land Planning Agency and any affected person(s) that provided comments on the proposed amendments. A copy of this notice of time extension is provided to each person who commented on the pending application, including those who may qualify as affected persons pursuant to Section 163.3184(1)(a), F.S., as identified in the list of recipients for this correspondence.

The Miami-Dade Board of County Commissioners (Board) conducted its first public hearing on January 24, 2024, and transmitted the May 2023 Cycle Application No. CDMP20230010 (Amendment No. 24-02ESR) to the reviewing agencies on February 8, 2024. The County received comments from the reviewing agencies on Application No. CDMP20230010 in February and March 2024, including from the Florida Department of Commerce on March 8, 2024. The original timeframe expired on September 4, 2024, but it was extended through mutual agreement to expire on April 30, 2025. The applicant and the County now agree that, in compliance with Florida Statutes, an additional extension is necessary to conclude the review of the pending CDMP application and for the Board to subsequently take final action on the application. The agreed upon second extension will expire on June 30, 2025.

For additional information or clarification regarding this transmittal, please contact Jerry Bell, AICP, Assistant Director for Planning, Miami-Dade County Department of Regulatory and

Economic Resources, Stephen P. Clark Center, 111 NW 1st Street, 12th Floor, Miami, Florida 33128, or by phone at (305) 375-2835, fax (305) 375-2560 or e-mail Jerry.Bell@miamidade.gov.

Thank you for your time and consideration.

Sincerely,



Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

c: Honorable Daniella Levine Cava, Mayor
Honorable Chairman Anthony Rodriguez
and Members, Miami-Dade Board of County Commissioners
Abbie Schwaderer-Raurell, Assistant County Attorney
Jerry Bell, Assistant Director for Planning, Dept. of Regulatory and Economic Resources

Attachment 1: List of Persons who commented on Application No. CDMP20230010, including those who may qualify as affected Persons pursuant to Section 163.3184(1)(a), F.S.

March 6, 2025

RESPONSE VIA E-MAIL ONLY

Ms. Lourdes Gomez, AICP
Director
Miami-Dade County
Planning Division, Metropolitan Planning
111 NW 1 Street, 12th Floor
Miami, Florida 33128

RE: CDMP 20230010 Infinity Garden Apartments

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[Once the proposed amendment is adopted, please submit the amendments to FloridaCommerce, Bureau of Community Planning and Growth, Plan Processing Team within 10 working days of adoption pursuant to Section 163.3184, F.S.](#)

If you have any questions concerning this matter, please do not hesitate to contact James Stansbury at (850)717-8512, or myself, at 850.717.8491.

Sincerely,



Donna Harris, Senior Plan Processor
Bureau of Community Planning and Growth

DH/