

Date: July 17, 2025

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

From: Daniella Levine Cava
Mayor



Supplement
Agenda Item No. 4(A)

Subject: Supplemental Information on May 2023 Cycle Application
No. CDMP20230013 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. CDMP20230013 to amend the Comprehensive Development Master Plan (CDMP). The information includes: (Exhibit 1) the Initial Recommendation report; and (Exhibit 2) Additional Items addressing Application No. CDMP20230013 received by the Department of Regulatory and Economic Resources not included in the Initial Recommendations report.



Roy Coley
Chief Utilities and Regulatory Services Officer

Application No. [CDMP20230013](#)
Kelly Tractor Company
Commission District 12 (Bermudez) Community Council 5

APPLICATION SUMMARY

Applicant/Representative: Kelly Tractor Company/Luis Figueredo, Esq., Joseph Goldstein, Esq., Juan Mayol Jr., Esq., Alessandria San Roman, Esq., Holland & Knight LLP

Location: West of NW 137 Avenue and SR-836 Interchange, and north side of theoretical NW 6 Street

Total Acreage: ±246.07 gross acres/net acres

Current Land Use Plan Map Designation: "Open Land" (±244.37 acres) and "Industrial and Office" (±1.70 acres)

- Requested Land Use Plan Map Designation and Other Changes:
1. Redesignate the application site on the Land Use Plan map to:
 "Terminals" (±244.37 acres) and "Industrial and Office" (±1.70 acres) *(Request withdrawn by the Applicant)*
 2. Expand the Urban Expansion Area (UEA) to include the application site *(Request withdrawn by the Applicant)*.
 3. Amend the "Terminals" land use category text of the Land Use Element to create the "MIA Transportation and Infrastructure Support Area" *(Request revised by the Applicant to instead amend the "Open Land Subarea 3" land use category text to create the "MIA Equipment and Supportive Services Area")*.
 4. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.
 5. Amend the CDMP Capital Improvements Element, Table 10A Projects with Developer Responsibility to Construct or Cause to Construct to include developer funded roadway project.

Amendment Type: Standard
Existing Zoning District/Site Condition: GU (Interim) / Agricultural uses

RECOMMENDATIONS

Staff:	TRANSMIT (June 2025)
Country Club of Miami Community Council (CC5):	TO BE DETERMINED (July 8, 2025)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	TO BE DETERMINED (July 14, 2025)
Transmittal Action by the Board of County Commissioners:	TO BE DETERMINED (July 17, 2025)
Final Action of Board of County Commissioners:	TO BE DETERMINED

Staff recommends to **TRANSMIT** the proposed standard amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2030 and 2040 Land Use Plan (LUP) map seeking to: (1) amend the CDMP Land Use Element text to create the “MIA Equipment and Supportive Services Area”, (2) add the Proffered Declaration of Restrictions to Restrictions Table in Appendix A of the Land Use Element; and (3) revise the Capital Improvements Element text. Staff’s recommendation on the application is based on the below environmental, traffic, and policy-related reasons.

The application originally sought to amend the “Terminals” CDMP land use category text to include the proposed “MIA Transportation and Infrastructure Support Area” and the Adopted 2030 and 2040 Land Use Plan (LUP) map to expand the Urban Expansion Area (UEA) to include the entire ±244.37-acre portion of a ±246.07-acre Kelly Tractor Company owned property and to redesignate the ±244.37 acres from “Open Land” to “Terminals”. The ±244.37 acres are located outside the UDB, of which ±87 acres are in the UEA, and the remaining ±1.7 acres of the ±246.07-acre property are inside the UDB. The application, as filed, also includes an amendment to the CDMP Capital Improvements Element for improvement to NW 6 Street and a proffered Declaration of Restrictions (covenant), which remain unchanged in the application. However, by letter dated August 2, 2024, the applicant withdrew the UEA and land use redesignation and now proposes to facilitate the intended development through a text change to “Open Land Subarea 3”.

Principal Reasons for Recommendation

1. The application seeks to facilitate the relocation of the existing Kelly Tractor Company headquarters from its current location inside the Urban Development Boundary (UDB) adjacent to the SR-826 (Palmetto Expressway) interchange at NW 58 Street to a ±246.07-acre property located primarily outside the UDB, without adequately demonstrating there is a warranted need to relocate an urban use to a site outside the UDB. Furthermore, the proposed relocation site has significant environmental constraints and is in an area where one of the primary roadways (NW 137 Avenue) does not have the capacity to accommodate the traffic impacts from the proposed development, as discussed in Principal Reason Nos. 4 and 7.ii below, respectively. To accomplish the referenced relocation, the Applicant currently proposes to amend the “Open Land Subarea 3” CDMP Land Use Element text to allow for a variety of uses that are more akin to those permitted in urban land use categories inside the UDB than those permitted outside the UDB (see table of Proposed Uses on page 22 herein). Additionally, the proposed uses, if approved, would be substantially beyond the scale and range of uses currently at the existing Kelly Tractor facility that is inside the UDB, as discussed below. While facilitating the expansion of an existing business in Miami-Dade County has merit and should be encouraged under the appropriate circumstances, the application fails to demonstrate that adequate expansion of the existing business cannot be accomplished on the existing ±41.25-acre site plus a vacant adjacent ±9.43-acre parcel owned by Kelly Tractor that is also designated “Industrial and Office” inside the UDB.

The proposed relocation and expansion of the existing Kelly Tractor operations onto the ±246.07-acre site (Application Area) is to facilitate, as stated in the application, storing “a much larger inventory of heavy and specialized equipment to meet the County’s growing demand for years to come”. The application notes that the Kelly Tractor Company has operated in Miami-Dade County for over 90 years and comprises almost 260,000 square feet of buildings (equivalent of almost 6 acres of single-story buildings) plus outdoor equipment storage and other uses on the existing ±41.25-acre site which serves as its headquarters. The application proposes 2,703,400 square feet of buildings (equivalent of 63 acres of single-story buildings,

over a tenfold increase) plus outdoor equipment storage and other uses on the ±246.07-acre site as detailed on page 27 herein. The information provided in the application and the Applicant's supplemental data and analyses do not demonstrate the basis for the scale of the proposed expansion to warrant relocation to outside the UDB, particularly when viewed in regards to the site's environmental constraints and the lack of adequate roadway capacity in the area as discussed in Principal Reason Nos. 4 and 7.ii below. Accordingly, Staff recommends 'Transmittal' of the application towards facilitating a long standing business in the community as outlined in Principal Reason No. 2 below.

2. The applicant's proposed relocation of the existing Kelly Tractor operations to a primarily "Open Land" designated property located outside the UDB does not demonstrate consistency with the "Open Land" land use category and Land Use Element Objective LU-1 and policies LU-1B, LU-1C and LU-10A. Objective LU-1 and the referenced policies require the County to prioritize infill development on vacant sites in urbanized areas and redevelopment of substandard or underdeveloped, environmentally suitable urban areas contiguous to existing urban development where urban services and facilities have the capacity to accommodate additional demand. The existing Kelly Tractor site and the adjacent ±9.43-acre vacant Kelly Tractor parcel are appropriately designated and zoned for industrial uses, including expansion of the Kelly Tractor operations. Additionally, the "Open Land" text provides that lands so designated have been set aside for uses other than urban development and notes that such land is intended to serve specified functions that include limestone quarrying, utility and communication facilities, compatible institutional uses, seasonal agriculture, recreational uses, and rural residences. Because Open Land areas primarily consist of wetlands, no use other than rural residential is definitely allowed (CDMP page I-73). The recommended transmittal of the application would allow the applicant additional time to adequately address these concerns.

The application and supplemental information do not demonstrate that industrial parcels within the UDB, particularly the existing Kelly Tractor site and the adjacent ±9.43-acre vacant Kelly Tractor parcel, are not sufficient to accommodate expansion of the Kelly Tractor operations to then warrant approval of the applicant's request to relocate the urban use onto the ±244.37 acres outside the UDB. Staff's analysis determined that 782.51 acres of vacant land are zoned or designated for industrial uses in the North Central Planning Analysis Tier (the analysis area where the application site is located generally north of SW 8 Street and south and west of Okeechobee Road). The North Central Planning Analysis Tier has industrial land capacity for approximately 18 years at an annual absorption rate of 42.54 acres per year (see "Supply and Demand Analysis" on page 30). While it is acknowledged that there is no vacant industrial parcel inside the UDB of the size of the proposed site, the applicant has not adequately justified the need for a site this size for the existing or near-future needs of Kelly Tractor.

In addition, Staff conducted an analysis of businesses similar to Kelly Tractor and found that these establishments have not required the amount of acreage, nor the range of uses, requested in the application. Kelly Tractor's headquarters is located in Miami-Dade County on the above mentioned ±41.25-acre site together with Pantropic Power, a business owned by Kelly Tractor. The existing site and the adjacent vacant ±9.43-acre industrial parcel are designated "Industrial and Office" on the CDMP Land Use Plan Map and located in the vicinity of SR-826/Palmetto Expressway interchange at NW 58 Street (west of the interchange). Kelly Tractor has several operations located throughout Florida, including Davie, West Palm Beach, Clewiston, Fort Myers, Mulberry and Orlando. These other locations operate on sites that are comparable or smaller than the existing location in Miami-Dade County. The largest of these satellite operations, in Fort Myers, occupies a total of ±43 acres, of which only ±28 acres are used for business; the remaining acres are vacant. In addition, as further detailed in the 'Regional and

National Competitors' section of the Staff analysis herein on page 31, the local and regional competitors for Kelly Tractor operate on similar or smaller sized properties. While the CDMP encourages and supports the growth of businesses, such as through Economic Element Goal III, which calls for the County to increase employment and investment through assistance to business, among other things, it must be appropriately demonstrated that the relocation of the existing business to a location that is currently outside the UDB is warranted. As mentioned above, Staff recommends "Transmittal" of the application which would allow additional time for the applicant to adequately address these concerns.

3. Should the application be approved and the proposed development built, it would generate more tax revenue to Miami-Dade County than if the area remains undeveloped and would thereby further support the Strategic Miami Area Rapid Transit (SMART) Plan through the Transportation Infrastructure Improvement District (TIID). The ±246.07-acre application area is within one mile of the East-West Corridor, one of the SMART Plan corridors, and is bifurcated by the UDB, with ±244.37 acres outside the UDB and ±1.7 acres inside the UDB. The Miami-Dade Board of County Commissioners (Board) endorsed the SMART Plan corridors in 2016 (Resolution No. R-523-16) and, in 2019 (Ordinance 19-07), established CDMP policies for development of properties inside the UDB within one (1) mile of the East-West Corridor and one-half (1/2) mile of the remaining SMART Plan corridors. The application site is located within the SMART Plan related TIID, as established through Ordinance 18-8. Within the TIID, future ad valorem tax revenue increases are captured to help fund the SMART Plan rapid transit projects in combination with other local, state, and federal funding sources.

4. The proposed development would impact Wetlands of Regional Significance on the application site located in the North Trail Wetland Basin as depicted in Figure 14 of the CDMP Land Use Element, and it is unclear this time the extent of such impacts and how those impacts would be mitigated. The application area contains approximately 162.19 acres of wetlands of which approximately 63 acres (±40.3 acres of wetland agricultural furrows, ±10.8-acre bayhead, ±12.3-acre prairie) are preservation areas protected under covenants and associated with Class IV permit 2008-CLIV-PER-00056. CDMP Policy CON-7A states that the degradation or destruction of Wetlands of Regional Significance that may be contained within the areas depicted on the Wetlands of Regional Significance Map (Figure 14 of the CDMP Land Use Element) shall be limited to activities that (1) are necessary to prevent or eliminate a threat to public health, safety or welfare; or (2) are water dependent and no other reasonable alternative exists; or, (3) clearly in the public interest and no other reasonable alternative exists; or (4) are carried out in accordance with an approved basin management plan; or (5) are in areas that have been highly disturbed or degraded and where restoration of a wetland with an equal or greater value in accordance with federal, State and local regulations is feasible. Habitats critical to endangered or threatened species shall not be degraded or destroyed. The applicant asserts that the application qualifies under criteria #4 and #5, however staff analysis finds that these qualifications are not met.

The application and support documentation assert that compliance with the North Trail Basin Cut and Fill Criteria constitutes conformance with criterion #4 of Policy CON-7A. While the Cut and Fill criteria is one component of the North Trail Basin Management Plan (NTBMP), it includes broader goals and guidelines and directs that all proposed work requiring a Class IV permit be consistent therewith. The goals set out in the NTBMP (as adopted by Ordinance No. 92-80) are to ensure that development does not increase the risk of flood damage in the wetland basin or the basin of associated drainage canals and does not decrease necessary water storage or recharge of the Biscayne Aquifer and that desirable biological values of the

basin are maintained or mitigated. The development proposed in the application has the potential to impact high quality wetlands that provide important water storage and recharge and that meet the criteria for habitat that is critical to threatened and endangered species. Therefore, the application fails to demonstrate compliance with criterion #4 of CON-7A.

The application and support documentation also assert that the proposed development complies with criterion #5 of CON-7A contending the wetlands on the site are highly disturbed or degraded. Specifically, the applicant's report titled "Evaluation of Policy CON-7A" states "the site no longer contains significant biological and hydrological functions justifying preservation." However, site assessments conducted by DERM staff in 2009, 2022, and 2024 revealed the wetland furrows contained hydrologic conditions capable of supporting native wetland plant species. The wetlands surrounding the ridge and furrow system were described as an intact wet prairie. Sightings of wetland-dependent fauna were documented, such as mosquito fish (*Gambusia holbrooki*), marsh rabbit (*Sylvilagus palustris*) scat and tracks, white-tail deer (*Odocoileus virginianus*) and apple snails (*Pomacea paludosa*), the main food source for the federally listed endangered species, Everglade snail kite (*Rostrhamus sociabilis*). Therefore, the application also fails to demonstrate compliance with criterion #5 of CON-7A.

CDMP Policy CON-7A also directs that, when reviewing applications that would result in impacts to Wetlands of Regional Significance, habitats critical to endangered or threatened species shall not be degraded or destroyed. Information provided in the Applicant's report titled "Environmental Site Evaluation Listed Species and Wetland Conditions Assessment" by EAS Engineering, Inc., and dated December 10, 2024 indicates that the wetland furrows provide optimal foraging conditions for the threatened wood stork due to their longer inundation periods and ability to establish an aquatic prey base. The assessment of the endangered Everglade snail kite indicates the site contains areas that provide appropriate foraging habitat, particularly the wetland furrows. The application fails to demonstrate that the impacts of the proposed development will not degrade or destroy habitats critical to endangered or threatened species.

5. The Application Area being partly within a CDMP designated Urban Expansion Area (UEA), approximately 87 acres, may be considered for urban growth in the future when warranted, but the application proposes urban growth on the ±246.07 acres in a manner contrary to established County policy on how such growth is to occur. The UEAs represent areas that are projected for development beyond the year 2030 contingent upon those areas being brought into the UDB by CDMP amendment (CDMP, page I-89). The CDMP policies that guide the amendment process exist to ensure that expansion of the urban area occurs in a planned and coordinated manner. Specifically, applications proposing expansion of the UDB must demonstrate that a need exists for additional urban uses in accordance with CDMP Policy LU-8F and adhere to the limitations and criteria set forth in Policies LU-8G and LU-8H. By its proposed introduction of urban-type land uses into the Open Land category, the application would allow for such uses outside of the UDB without adherence to the policies that typically govern such amendments.
6. This application would require the extension of water and sewer utilities outside the Urban Development Boundary and the Urban Expansion Area, contrary to CDMP text and policy, in a manner that would create a long-term maintenance obligation for the County. The CDMP text (page I-84) recognizes that the availability of infrastructure and services can influence land markets and development activities and provides that the UDB serve as an envelope within which public expenditures for urban infrastructure will be confined. It further states that "in this regard the UDB serves as an urban services boundary in addition to a land use boundary", underscoring the importance of the UDB amendment process discussed in Principal Reason

No. 5 above. Further, CDMP Policy WS-1H states, in part, that “new potable water supply or wastewater collection lines should not be extended to provide service to land within areas designated Agriculture, Open Land, or Environmental Protection on the Land Use Plan map. New potable water or wastewater lines to serve land within these areas, or connections to existing lines should be approved or required only where the absence of the service would result in an imminent threat to public health or safety.” The policy further states that the use of on-site facilities should be given priority consideration. In order to address this issue, the application proposes a text change that would narrowly apply to development within the MIA Equipment and Supportive Services Area. Specifically, the application states “Notwithstanding the provisions of this Plan that prohibit the extension of infrastructure outside of the UDB, improvements within the MIA Equipment and Supportive Services Area shall be connected to public water and public sanitary sewer.” While the proposed text change would exempt the development from the CDMP policies that prohibit the extension of infrastructure outside of the UDB, it fails to address the concerns that underpin those policies. Specifically, the applicant has not adequately demonstrated that the use of on-site facilities is not feasible to serve the proposed development or that the proposed extension of central water and sewer service would not facilitate further development outside of the UDB or generate additional pressure to move the UDB. Required infrastructure serving development is typically built by the developer, and those portions within the public right-of-way, including public water and sanitary sewer mains are typically conveyed to Miami-Dade County to be maintained in perpetuity as public infrastructure. For this application, this would require the County to operate and maintain any dedicated infrastructure that would be located outside the Urban Development Boundary.

7. The application as originally filed sought amendment of the Land Use Plan map to designate the site as Terminals, among other requests, and despite the changes made the application continues to propose development specific to the original application site and an additional parcel, is thereby reviewed against CDMP Land Use Element Policy LU-8E, and is found to not demonstrate full compliance with the policy criteria. 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: As noted in Principal Reason No. 1 above, the application seeks to expand and relocate the Kelly Tractor Company operations to the application site, which could, but is not demonstrated to, accommodate economic growth. The proposed 2,703,400 square feet of development proposed to house equipment storage, fabrication, service and repair, employee training, parts and component sales, , administration offices and classrooms, limited commercial/retail and similar uses are analyzed as industrial uses given the nature of the proposed development. As discussed above and in the ‘Supply and Demand Analysis section herein on page 30, Kelly Tractor Company owns a vacant ±9.43-acre parcel adjacent to its existing headquarter site that can accommodate expansion of the business. Furthermore, the application does not demonstrated a clear need to relocate the existing use outside the UDB at this time.

- ii. *Public Facilities and Services: The application provides for access to the Application area through the construction of the northern two lanes of NW 6 Street, from NW 137 Avenue to theoretical NW 139 Avenue, which roadway segment is a 'Major Roadway' (three or more lanes) as depicted on the CDMP Adopted 2030 and 2040 Land Use Plan (LUP) map. The applicant proffered a Declaration of Restrictions (covenant) that, among other things, commits to provide access from NW 137 Avenue to the Property by way of NW 6th Street and has requested to amend the CDMP to include the road improvement in the Capital Improvements Element (CIE).*

However, the proposed development is projected to generate significant impacts to NW/SW 137 Avenue (north of SW 8 Street), also a 'Major Roadway' as depicted on the LUP map and the application does not address those impacts. Furthermore, NW/SW 137 Avenue from NW 6 Street to SW 8 Street is projected to operate in violation of its adopted level of service (LOS) standard and therefore any development, particularly existing development to be relocated outside the UDB is to ensure that adequate infrastructure is available or provided for the development (see Roadways analysis on page 54 herein). The projected failure of this NW/SW 137 Avenue segment is identified in the 2045 Long Term analysis in the Applicant's August 2023 'CDMP Amendment Traffic Impact Study', but the application does not address this violation in the roadway LOS standard.

The proposed "MIA Transportation and Infrastructure Support Services Area" text would allow the proposed development to be connected to water and sewer infrastructure and the applicant's proffered covenant includes a commitment to connecting the water and sewer infrastructure. Required water and sewer infrastructure serving development is typically built by the developer, and those portions within the public right-of-way, including public water and sanitary sewer mains are ordinarily conveyed to Miami-Dade County to be maintained in perpetuity as public infrastructure. For this application, this would require the County to operate and maintain any dedicated infrastructure that would be located outside the Urban Development Boundary.

- iii. *Compatibility: The proposed development is compatible with the Miami-Dade School Board transportation center and a radio broadcasting tower and antenna field facility east of the site. Further, the proposed development could be generally compatible with the abutting and adjacent vacant properties located outside of the UDB to the south and west.*
- iv. *Environmental and Historical Resources: Approval of the application may impact archaeological and environmental resources on the site, including threatened and endangered species as discussed in Principal Reason No. 4 above and as discussed below.*

Archeological Resources: The application area, the site of the Applicant's proposed "MIA Transportation and Infrastructure Support Services Area", is within the eastern Everglades area, known to contain Everglades Tree Island sites, and includes a portion of the historically designated Leigh Archaeological Zone (southeastern most portion of Folio 30-3953-000-0130). A Cultural Resource Assessment Survey dated August 2023, confirmed the existence of Archaeological Site 8DA93 in the southeastern corner of the application area. A Certificate To Dig (CTD) permit and consultation with Miami-Dade Office of Historic Preservation (OHP) staff shall be required before any ground disturbing activities commence near the Leigh Archaeological Zone. The applicant's proffered covenant commits to preserving and making no physical alteration to the Archaeological Site.

Wetlands: The application area lies within the North Trail Basin and contains wetlands including Wetlands of Regional Significance as depicted on Figure 14 of the CDMP Land Use Element, as discussed in Principal Reason No. 5 above. The application site contains approximately 162.19 acres of wetlands of which approximately 63 acres are preservation areas protected under covenants and associated with Class IV permit 2008-CLIV-PER-00056 (± 40.3 acres of wetland agricultural furrows, ± 10.8 -acre bayhead, and ± 12.3 -acre prairie). The application area is part of a high functioning wetland ecosystem, as determined by DERM, and that the application has not demonstrated how it meets the criteria for development within Wetlands of Regional Significance.

Wetland areas in the North Trail Wetland Basin may be significant to Comprehensive Everglades Restoration Plan (CERP) efforts including the Biscayne Bay and Southern Everglades Ecosystem Restoration (BBSEER) project. Under BBSEER, a number of alternatives that would include CERP features in the area of the application are being evaluated due to the strategic location of these wetlands. CERP requires additional areas to store and distribute water to restore Biscayne Bay and its coastal wetlands, and these needs are a focus of the BBSEER study. The current round of BBSEER modeling includes use of the Pennsuko wetlands to the west of the application site as a water storage and conveyance feature. Since the modeling effort is not complete, the extent of any needed wetland buffer areas to the east is not yet known. Therefore, the proposed development's potential impacts to the CERP BBSEER project cannot be determined at this time.

Land Use Element Policy LU-3J states that "Miami-Dade County continues to support the Comprehensive Everglades Restoration Plan (CERP), and related regional and local habitat restoration and preservation initiatives through its development review processes and long range land planning initiatives." In addition, Conservation, Aquifer Recharge and Drainage Element Policy CON-7J provides that "(i)n evaluating applications that will result in alterations or adverse impacts to wetlands Miami-Dade County shall consider the applications' consistency with Comprehensive Everglades Restoration Program (CERP) objectives. Applications that are found to be inconsistent with CERP objectives, projects or features shall be denied." Although the application site has not been formally identified as part of a CERP project, additional information is needed to determine the application's consistency with CERP-related policies.

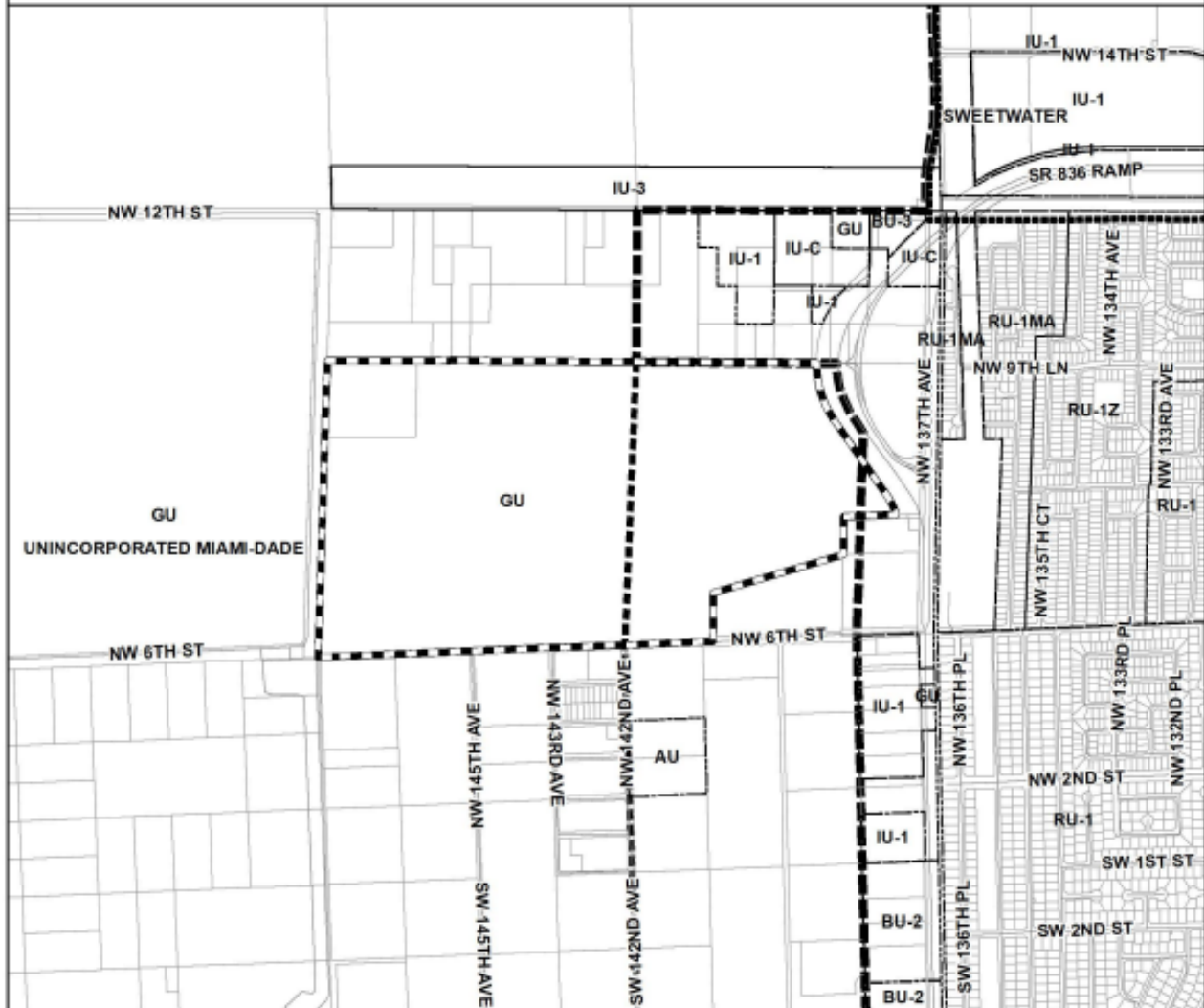
Tree Resources: In addition to wetlands, the site of the proposed development also contains tree resources that may include specimen trees (trees with a trunk diameter at breast height of 18 inches or greater) that are to be protected pursuant to section 24-49.2 of the Miami-Dade County Code. Any removal and/or relocation of tree resources that are subject to the Tree Preservation and Protection provisions of the Code require a Miami-Dade County Tree Permit.

Threatened and Endangered Species: The site of the applicant's proposed "MIA Transportation and Infrastructure Support Services Area" is located within the core foraging area of the federally threatened wood stork and lies just east of the location of long-term nesting areas for these species. The site is also within the consultation area for the U.S. Fish and Wildlife Service's consultation area for the endangered Everglade snail kite and the Florida bonneted bat, which may utilize the site for nesting, roosting, and foraging. While the application and supplemental information acknowledge the location of the Application area within Wetlands of Regional Significance and makes certain commitment to abide by certain permits, covenants and restrictions, it does not adequately address the potential impacts to threatened and endangered species, as discussed in Principal Reason No. 3 above.















- v. *Enhance or Degrade Countywide Systems:* As discussed in Principal Reason No. 7.ii above, the proposed development in the application would generate traffic impacts to NW/SW 137 Avenue that are not mitigated for in the application and that roadway is projected to operate in violation of is adopted LOS standard.
 - vi. *Transit Ridership and Pedestrianism:* The application and the proposed development does not directly support mass transit ridership and pedestrianism. The site of the proposed development is outside the UDB and would remain outside the UDB if the application is approved, and consequently, transit service will not be provided to the site. The general vicinity of the site is served by Metrobus Route 137 at 30 minutes peak hour (am/pm) headways with the nearest southbound bus stop located at SW 137 Avenue and SW 8 Street, approximately one mile away from the site, inside the UDB. It is noted that the existing Kelly Tractor site inside the UDB is adjacent to a bus stop served by Metrobus Route 87 with 30-minute peak hour headways.
However, it is also noted however that the proposed development could indirectly support transit ridership and pedestrianism through its location within the TIID and its ad valorem tax revenue contributions to fund transit infrastructure as discussed in Principal Reason No. 3 above.
8. 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 fully explored and the merits of the application to be considered in relation to the environmental and traffic concerns, before final action is taken by the Board.

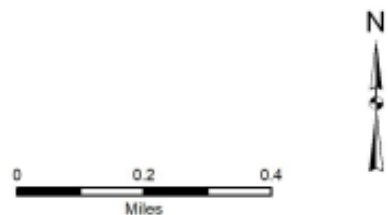


KELLY TRACTOR COMPANY - APP. NO. CDMP20230013 ZONING MAP

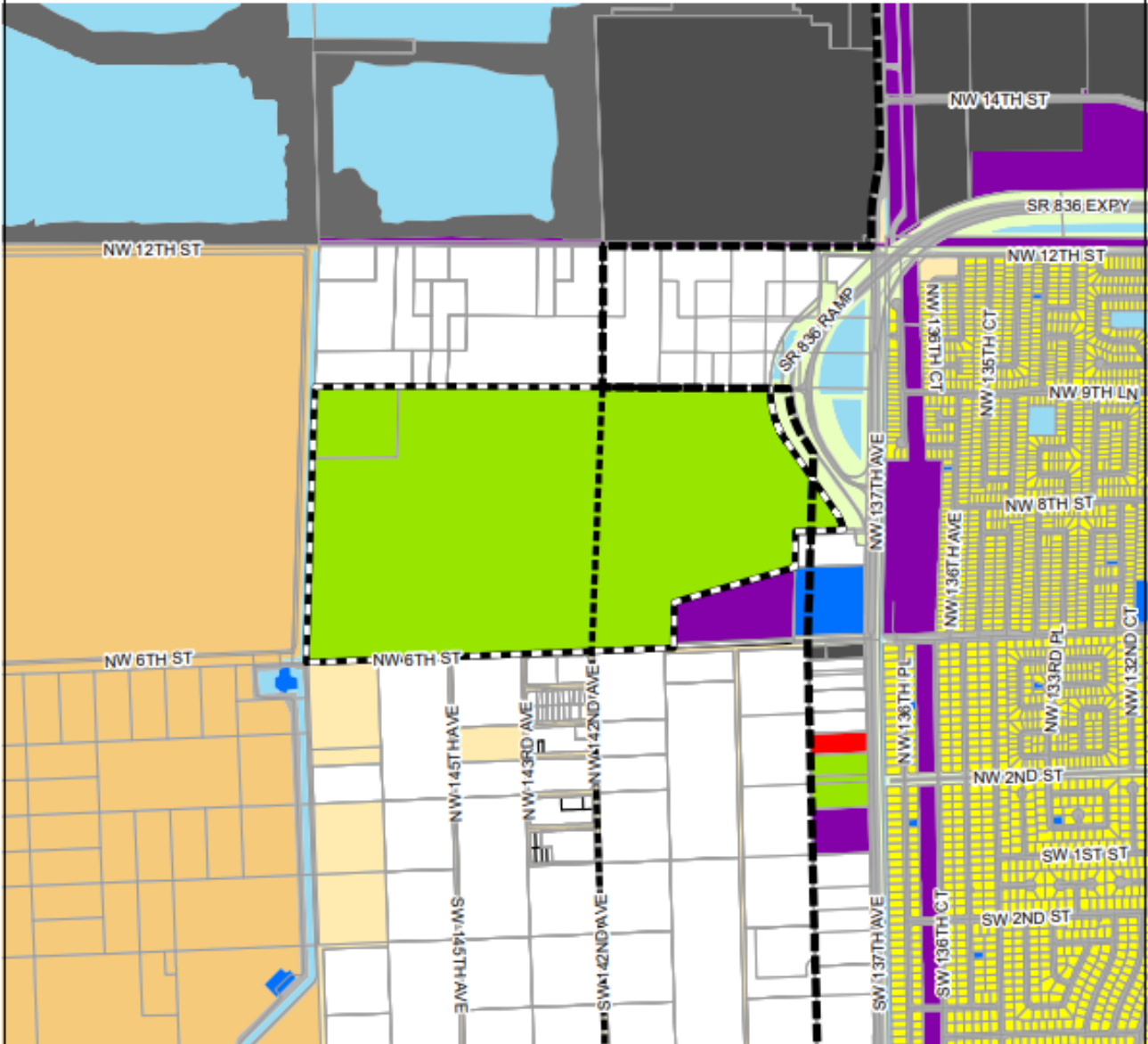


Source: Department of Regulatory and Economic Resources
July 2023

















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|  APPLICATION AREA |  IU-3 INDUSTRIAL DISTRICTS, UNLIMITED MANUFACTURING |
|  MUNICIPAL BOUNDARY |  IU-C INDUSTRIAL DISTRICT, CONDITIONAL |
| MIAMI-DADE COUNTY ZONING DISTRICTS | |
|  AU AGRICULTURAL / RESIDENTIAL 5 ACRES GROSS |  RU-1 SINGLE-FAMILY RESIDENTIAL DISTRICT 7,500 FT2 NET |
|  BU-2 BUSINESS DISTRICTS, SPECIAL |  RU-1MA MODIFIED SINGLE-FAMILY RESIDENTIAL DISTRICT 5,000 FT2 NET |
|  BU-3 BUSINESS DISTRICTS, LIBERAL |  RU-1Z SINGLE-FAMILY RESIDENTIAL, ZERO LOT LINE 4,500 FT2 NET |
|  GU INTERIM DISTRICT |  2030 URBAN DEVELOPMENT BOUNDARY |
|  IU-1 INDUSTRIAL DISTRICTS, LIGHT MANUFACTURING |  URBAN EXPANSION AREA BOUNDARY |

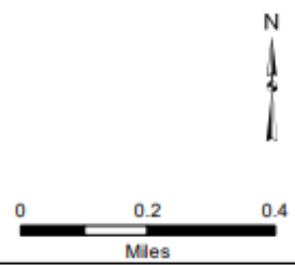


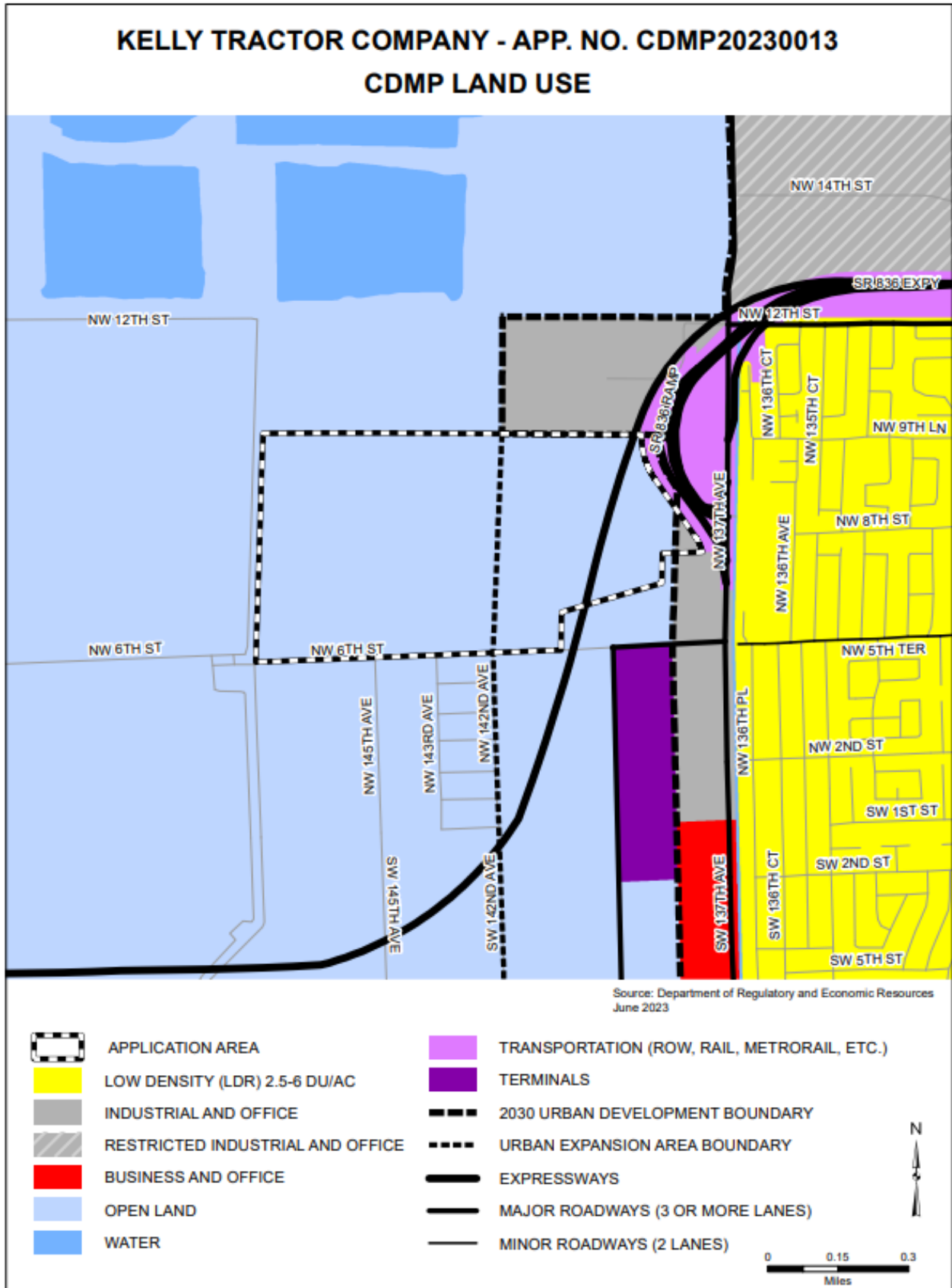
KELLY TRACTOR COMPANY - APP. NO. CDMP20230013 EXISTING LAND USE



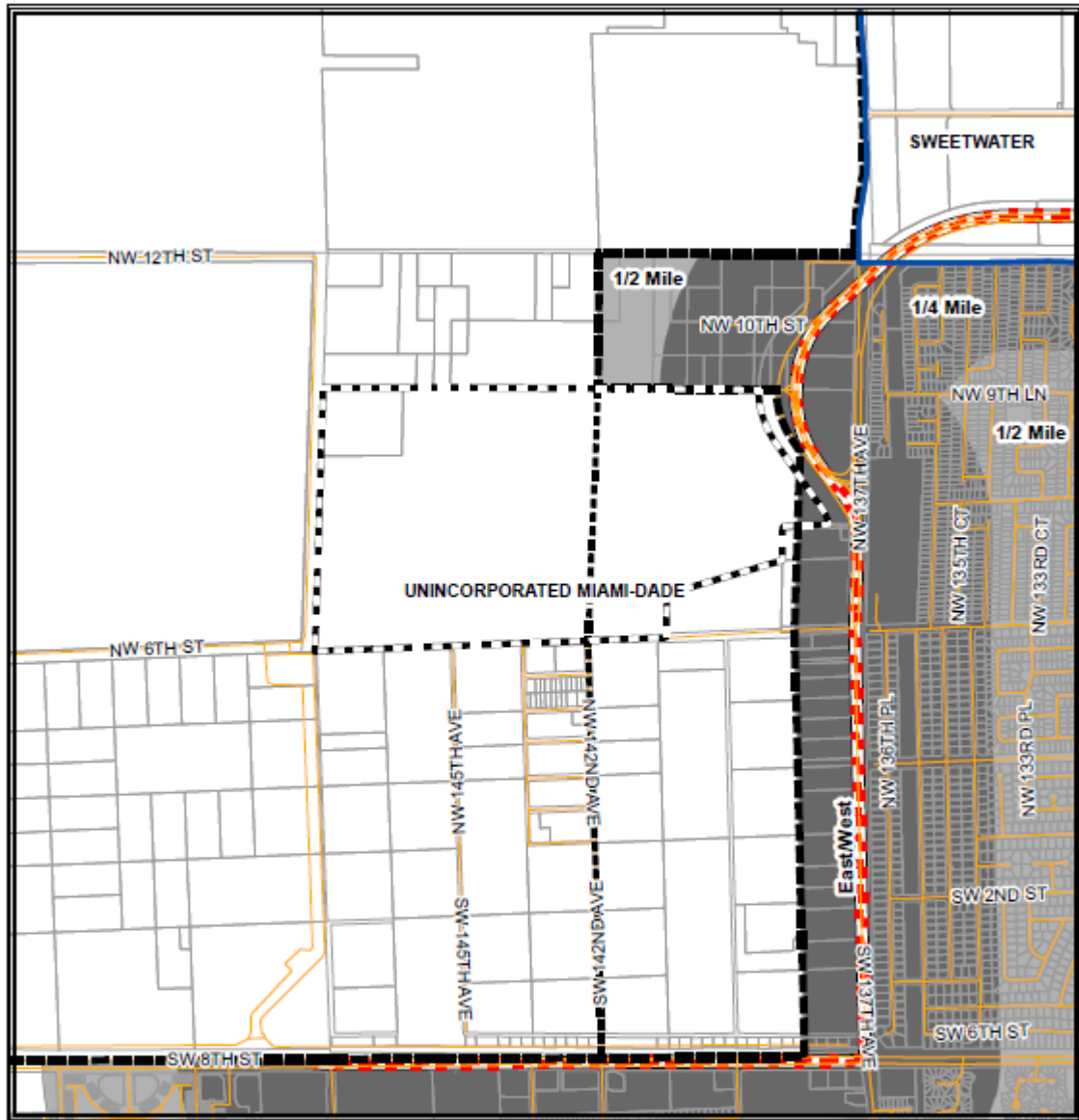
Source: Department of Regulatory and Economic Resources
June 2023

- | | |
|--|--|
|  Application Area |  Streets, Expressway RW |
|  Single-Family |  Agriculture |
|  Commercial, Shopping Centers, Stadiums |  Vacant Government Owned, Unprotected |
|  Institutional |  Vacant, Protected, Government Owned |
|  Industrial Extraction |  Vacant Privately Owned, Unprotected |
|  Industrial |  Inland Waters |
|  Communications, Utilities, Terminals |  2030 Urban Development Boundary |
|  Streets, Roads, Expressways, Ramps |  Urban Expansion Area Boundary |



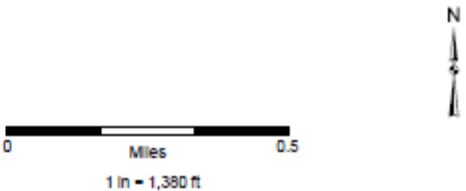


KELLY TRACTOR COMPANY - APP. NO. CDMP20230013 SMART PLAN CORRIDOR



Source: Department of Regulatory and Economic Resources
September 2023

- APPLICATION AREA
- SOUTH DADE TRANSITWAY SMART PLAN CORRIDOR
- SMART Plan Corridor Buffers**
- 1/2 MILE
- 1/4 MILE
- MUNICIPAL BOUNDARY
- 2030 URBAN DEVELOPMENT BOUNDARY
- URBAN EXPANSION AREA BOUNDARY



APPLICANT'S ORIGINAL AND PROPOSED CDMP AMENDMENTS

Original and Revised Request to Amend the CDMP Land Use Element: The original proposed amendment sought to redesignate the application site to the Terminals land use category together with proposed text detailing allowances and requirements for development of the site, as presented below. The revised amendment is solely a text amendment under Open Land Subarea 3 on page I-77. The original proposed text changes are represented by single underline and single stricken through words. The revised application is represented by double underline and double stricken through. The application was originally filed and subsequently revised by the Applicant on May 7, 2024 including modifications through December 6, 2024.

Original CDMP Amendment Request

Amend the CDMP Land Use Element Text under Transportation and subsection Terminals on pages I-65 through I-68 as outlined below.

Terminals

This LUP map category includes the major terminals as the County airports, the PortMiami, major railway stations and switching yards, and freight transport hubs. As provided in the policies of the Transportation Element, transportation facilities such as terminals and certain transit stations shall contain the transportation uses and may contain other uses as provided in the applicable Transportation Subelement. Railroad terminals may include uses designed to serve the traveling public and on-site employees, such as offices, personal services, retail activities, restaurants, auto rental business, and lodging establishments. Rail yards may also be developed with industrial, office and similar uses that are customary and incidental to the primary railroad use.

MIA Transportation and Infrastructure Support Area

~~The purpose of the MIA Transportation and Infrastructure Support Area (the "MIA transportation and Infrastructure Support Area") is to centralize the storage, service and maintenance of heavy construction and specialized equipment critical to building and maintaining the County's infrastructure, including roadways, water and sewer infrastructure and major stormwater management facilities. The construction machinery and specialized equipment that would be stored, serviced and maintained in the MIA Transportation and Infrastructure Support Area is critical in supplying the County, State and their contractors with equipment vital to building and repairing highways, roads, bridges, tunnels, railroads, water and sewer and stormwater and environmental infrastructure, landfills, rock mining, marinas, correctional facilities, airports, and the Port of Miami.~~

~~The MIA Transportation and Infrastructure Support Area is strategically located just west of the current western terminus of the State Road 836 extension and it is directly served by 836, hereby having excellent accessibility to the County's transportation network. Notwithstanding any other provisions of this Plan, the MIA Transportation and Infrastructure Support Area is~~

~~limited to the uses detailed below and any action to approve any other use or to liberalize the standards governing said uses shall be by affirmative vote of not less than two-thirds of the Board of County Commissioners then in office. The purpose of the MIA Transportation and Infrastructure Support Area is to support the County's existing and planned infrastructure, as well as to serve and support the logistics and distribution resources and facilities that cater to local, regional, and interstate transportation operations.~~

~~The MIA Transportation and Infrastructure Support Area is outside of the West and Northwest Wellfield protection areas and will be planned and developed primarily as a turnkey operation with indoor and outdoor heavy equipment and cargo storage, repair and support services, infrastructure and facilities, including¹:~~

<u>Proposed Uses</u>	<u>Building Area (Square Feet)</u>
<u>Indoor Storage of Equipment, Machinery, Parts and Components²</u>	<u>2,240,000</u>
<u>Fabrication and Repair³</u>	<u>300,000</u>
<u>Equipment Operations Training Facility⁴</u>	<u>48,000</u>
<u>Administrative Offices</u>	<u>80,000</u>
<u>Equipment Display</u>	<u>40,000</u>
<u>Parts Area</u>	<u>5,000</u>
<u>Equipment Rental Office</u>	<u>20,000</u>

~~¹ See Exhibit "A" for a representative list of the types of equipment and parts that will be available at the site.~~

~~² The indoor storage of equipment, machinery, parts, and components will support sales, rentals, aftermarket, and customer support. The size of the storage areas will allow the applicant to keep extensive inventory in hand and avoid the impacts on on-going and future supply chain disruptions. The Application Area's direct access to the regional transportation system, including SR 836, the Homestead Extension of Florida's Turnpike, SR 826, SW 8th Street and Krome Avenue/US 27, its proximity and ease of access to MIA and Port Miami, as well as the potential expansion of freight train service to the area will enhance the Applicant's ability to serve its private and public clients timely and efficiently.~~

~~³ The facility will be equipped to rebuild, customize and repair equipment to an industry best standard and provide machine down emergency repairs on components and track frames. The facility will provide loaner parts and components from its extensive inventory to get its customers up and running. The main shop is projected to have 20 mechanical bays capable of working on equipment up to 797 sizing, 2 welding bays, 2 component rebuild bays, 2 outside rebuild pads with crane capability and 3-4 wash bays with one wash facility dedicated to rental~~

~~equipment. The shop will be fully equipped with cranes with capability up to 70 tons, and each bay will be equipped with a specialized ATC Snap-On toolbox, and in-floor exhaust systems. A second building will house the rebuild area, new track frame shop, welding area, paint/sand blast prep area, paint bays, sandblast bays, covered area for larger equipment and components, telematics, brake supply storage.~~

~~4 The training facility will provide high quality comprehensive and technical training to support and develop a skilled workforce of technicians, welders, fabricators, machinists, parts personnel, and salespeople. The training facility will also have programs designed for forklift operators (employees and customer personnel), and heavy equipment operators (customers). The training aspect is very important as the industry is experiencing a shortage of skilled labor. The training facility will house classrooms, labs and other features needed to host, support, and develop the skills of a constantly expanding and varied group of construction and maintenance professionals.~~

~~5 The fueling operation is not intended to operate as a commercial gas station open to the general public. The operation will be utilized for trucks and equipment outsourced by Kelly Tractor.~~

~~Additional outside uses will include the following:~~

- ~~• Onsite fuel station for heavy equipment and on highway field service and delivery vehicles. The operation will consist of eight (8) pumps. Four gasoline and four diesel fuel pumps. 5 Electrical vehicle charging stations will be provided in accordance with County Code requirements.~~
- ~~• Helicopter landing pad and hangar (approximately 8,000 square feet).~~
- ~~• Four truck and equipment washing bays each will be approximately 10,000 square feet (total 40,000). The washing facilities with closed loop recycling, and truck weighing scales.~~
- ~~• Ten acres of transloading facilities (as otherwise defined herein) and vertical shipping container storage, not exceeding six (6) levels in height.~~
- ~~• Overnight vehicle parking consisting of approximately 200 spaces for parking trucks.~~

~~Notwithstanding the provisions of this Plan that prohibit the extension of infrastructure outside of the UDB, the MIA Transportation and Infrastructure Support Area and accessory uses shall be connected to public water and public sanitary sewer. Moreover, any land development shall conform to the wetland basin plans and be analyzed in accordance with Policy CON-7J and in accordance with applicable portions of the Code.~~

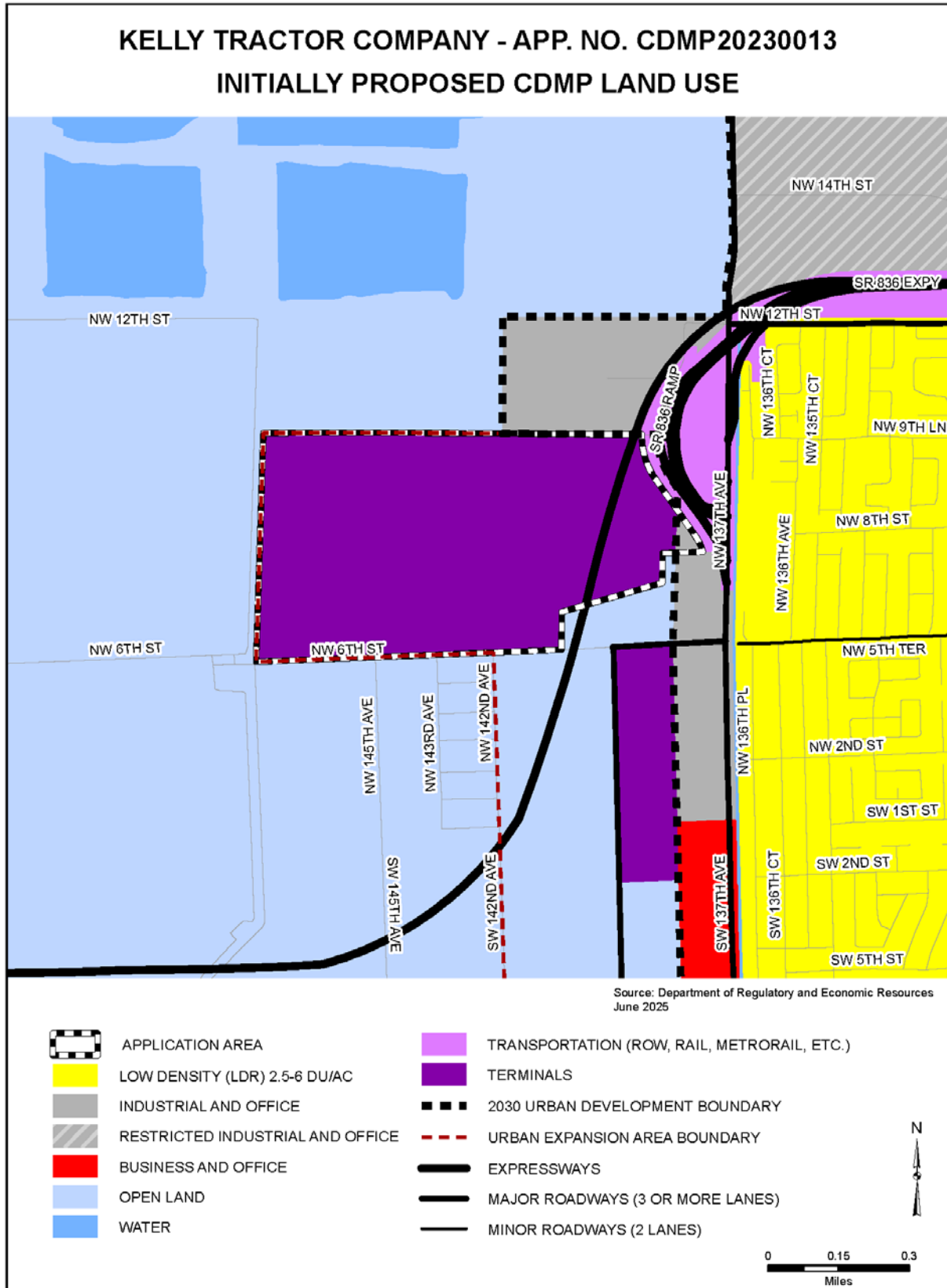
~~By 2025, Miami Dade County shall develop land development regulations to permit the uses.~~

~~Development within the MIA Transportation and Infrastructure Support Area will be developed in a manner that generally conforms with the following development criteria ("Development Criteria"):~~

~~the maximum Floor Area Ratio (FAR) on parcels to be developed with vertical construction shall be 0.50; and~~

~~a minimum of 10% of the net lot area shall be developed as landscaped open space. Open space includes exterior surface areas consisting of outdoor, at grade space, including but not limited to greens, squares, plazas, courtyards, terraces, lawns, entrance features, greenbelts, unpaved passive and active recreation areas, water retention areas, canals and other water bodies, (including abutting canals), paseos, pedestrian paths, bicycle paths and/or associated landscape areas, landscaping with road rights of way including medians, and above grade landscaped roof terraces/gardens on buildings or garage structures.~~

WITHDRAWN CDMP LAND USE PLAN MAP AMENDMENT REQUEST



Revised CDMP Amendment Requests

Amend the CDMP Land Use Element text under Open Land and subsection Open Land on page I-77 as outlined below.

Open Land Subarea 3 (Tamiami-Bird Canal Basins).

This subarea is bounded on its north by hypothetical NW 12 Street and SW 8 Street, on the east by the year 2030 UDB, on the south by the year 2030 UDB and hypothetical SW 56 Street, and on the west by SW/NW 147 Avenue and Levee 31N. The subarea: includes the eastern portion of the North Trail basin and the Bird Drive Everglades basin. Uses that can be considered for approval in this subarea include rural residences at a maximum density of 1 dwelling unit per 5 acres, compatible institutional uses, public facilities, utility and communications facilities, seasonal agricultural use, recreational use, or limestone quarrying >> and supportive<< and ancillary uses.

* * *

MIA Equipment and Supportive Services Area

The boundaries of the MIA Equipment and Supportive Services Area are as follows: NW 9th Lane on the north, NW 147 Avenue on the west, NW 6th Street on the south, and NW 137 Avenue and State Road 836 on the east. The purpose of the MIA Equipment and Supportive Services Area is to centralize certain storage, service, operation and the maintenance of heavy construction and specialized equipment critical to the limestone quarries, building and maintaining the County's infrastructure, including roadways, water and sewer infrastructure and major stormwater management facilities and to generally support the construction industry in the County. The construction machinery and specialized equipment that would be stored, serviced and maintained in the MIA Equipment and Supportive Services Area plays a pivotal role in the County's limestone production. The Area is located within the boundaries of the Rockmining Overlay Zoning Area (ROZA) and in close proximity to the major mining operations in the County's Lake Belt Area. The MIA Equipment and Supportive Services Area is also critical in supplying the County, State and their contractors with equipment vital to building and repairing highways, roads, bridges, tunnels, railroads, water and sewer and stormwater and environmental infrastructure, landfills, marinas, correctional facilities, airports, and the Port of Miami.

The MIA Equipment and Supportive Services Area is strategically located and is directly served by State Road 836, thereby having excellent accessibility to the County's transportation network. Notwithstanding any other provisions of this Plan, the MIA Equipment and Supportive Services Area is limited to the uses detailed below and any action to approve any other use or to liberalize the standards governing said uses must be approved by the Board of County Commissioners. The purpose of the MIA Equipment and Supportive Services Area is to support the County's existing and planned infrastructure, as well as to serve and support the mining industry, construction, development, logistics and distribution resources and facilities that cater to local, regional, and interstate transportation operations.

The MIA Equipment and Supportive Services Area may be developed with indoor and outdoor heavy equipment and cargo storage, repair and support services, infrastructure and facilities, including:

<u>Proposed Uses</u>	<u>Building Area (Square Feet)</u>
<u>Indoor Storage of Equipment, Machinery, Parts and Components</u>	<u>2,240,000</u>
<u>Fabrication and Repair</u>	<u>300,000</u>
<u>Equipment Operations Training Facility</u>	<u>18,000</u>
<u>Administrative Offices and Classrooms</u>	<u>80,000</u>
<u>Equipment Display</u>	<u>10,000</u>
<u>Parts Area</u>	<u>5,000</u>
<u>Equipment Rental and Sales Office</u>	<u>20,000</u>
<u>Limited Commercial Uses (i.e. banks or convenience store) to serve the firms and workers in the MIA Transportation and Infrastructure Support Area¹</u>	<u>30,000</u>

¹ Up to 30,000 square feet of very limited commercial uses such as restaurant, food trucks, retail, personal services (i.e. banks or convenience store) to serve the firms and workers in the MIA Transportation and Infrastructure Support Area are allowed to be dispersed as small business districts and centers. The specific range and intensity of uses appropriate in a particular MIA Transportation and Infrastructure Support Area may vary by location as a function of the availability of public services and accessibility.

Additional and associated uses may include the following:

- Onsite fuel station for heavy equipment and on highway field service and delivery vehicles. The operation will consist of up to eight (8) pumps, four gasoline, and four diesel fuel pumps. Electrical vehicle charging stations may be provided in accordance with County Code requirements.
- Helicopter landing pad and hangar (approximately 8,000 square feet).
- Up to four truck and equipment washing bays each will be approximately 10,000 square feet (total 40,000). The washing facilities with closed loop recycling; and truck weighing scales.
- Up to ten acres of transloading facilities (as otherwise defined herein) and vertical shipping container storage, not exceeding six (6) levels in height.
- Overnight vehicle parking consisting of up to 200 spaces for parking trucks.
- Designated outdoor areas for heavy equipment training programs.
- Freight rail terminals

Notwithstanding the provisions of this Plan that prohibit the extension of infrastructure outside of the UDB, improvements within the MIA Equipment and Supportive Services Area shall be connected to public water and public sanitary sewer. Moreover, any land development shall conform to the wetland basin plans and be analyzed in accordance with Policy CON-7J and in accordance with applicable portions of the Code.

By 2026, unless otherwise extended by the Board of County Commissioners, Miami-Dade County shall develop land development regulations to permit the uses contemplated in the MIA Equipment and Supportive Services Area. The MIA Equipment and Supportive Services Area will be developed in a manner that generally conforms with the following development criteria (“Development Criteria”):

- (i) the maximum Floor Area Ratio (FAR) on parcels to be developed with vertical construction shall be 0.50; and
- (ii) a minimum of 10% of the net lot area of the property shall be developed as landscaped open space. Open space includes exterior surface areas consisting of outdoor, at grade space, including but not limited to greens, squares, plazas, courtyards, terraces, lawns, entrance features, greenbelts, unpaved passive and active recreation areas, water retention areas, canals and other water bodies, (including abutting canals), paseos, pedestrian paths, bicycle paths and/or associated landscape areas, landscaping with road rights of way including medians, and above-grade landscaped roof terraces/gardens on buildings or garage structures.

Amend the Capital Improvements Element as outlined below:

Project Number	Project Name and Location	Purpose/ Estimated Year of Completion	Expenditures/Revenues					Six Years Totals	Future Years	Project Totals	Funding Source
			2019/20	2020/21	2021/22	2022/23	2023/24				
(In Thousands of Dollars)											
32	Construction of northern 2-lanes of NW 6 Street from NW 137 Avenue to NW 139 Avenue	2030	=	=	=	=	=	=	=	830,000	507.6

a) Revise the “List of Funding Sources” text in the Capital Improvement Element on page X-76, as follows:

Impact Fees/Exactions

- 500 Road Impact Fees
- 501 Park Impact Fees
- 507 Developer Fees/Donation
- 507.1 Developer Fees/Donation Responsibility/Construct or Cause to Construct – American Dream Miami (May 2016 CDMP Amendment Application No. 5)
- 507.2 Developer Fees/Donation Responsibility / Construct or Cause to Construct – May 2016 CDMP Amendment Application No. 6 Property Owners

507.6 Developer Fees/Donation/Construct or Cause to Construct – MIA Equipment and Supportive Services Area (May 2023 Application No. CDMP20230013) subject to credit as a contribution-in-lieu of road impact fees

- 520 Water Connection Charges
- 521 Wastewater Connection Charges

STAFF ANALYSIS

Background

The application was filed on May 31, 2023, and originally requested amendment to the Comprehensive Development Master Plan (CDMP) text and Adopted 2030 and 2040 Land Use Plan (LUP) map to allow development of a ±246.07-acre property owned by the Kelly Tractor Company (the Application Area). The requested LUP map amendment sought to change the land use designation of a ±244.37-acre portion of the Application Area that is outside the Urban Development Boundary (UDB) as depicted on LUP map from “Open Land” to “Terminals” and to expand the Urban Expansion Area (UEA) to include the entire ±244-acre portion of the property that is outside the UDB (see Initially Proposed CDMP Land Use on page 20 above). The requested CDMP text amendment included revision to the Interpretive Text of the Land Use Element to add the “MIA Transportation and Infrastructure Support Area” as an allowable set of uses in the “Terminals” land use category. Additionally, the original application as filed included a request to 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.

Through letter dated August 2, 2024, the applicant revised the requested text amendment and withdrew the above-referenced LUP map amendment (the UEA expansion and land use change to Terminals) that the application now requests the following:

1. Text revisions to the CDMP Land Use Element to add the “MIA Equipment and Supportive Services Area” to the “Open Land” land use category text, specifically to Open Land Subarea 3 (Tamiami-Bird Canal Basins);
2. The addition of the revised 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; and
3. Amendment to the CDMP Capital Improvements Element to add the applicant’s proposed construction and improvement to portions of NW 6th Street.

The requested CDMP amendments as originally proposed in the application and the August 2024 revisions made by the applicant are presented in the Applicant’s Original and Proposed CDMP Amendments above.

While the ±246.07-acre Kelly Tractor owned property is identified as the Application Area, it is important to note that the August 2024 revisions made by the applicant to modify the Open Land Subarea 3 text, if approved, could result in an abutting parcel outside the UDB and inside the UEA, a ±13.41-acre property that is an existing antenna field facility owned by Radio Peace Catholic Broadcasting, Inc., being eligible for development proposed in the application. This is a direct result of the boundaries described for the “MIA Equipment and Supportive Services Area” as proposed to be added to the Open Land Subarea 3 text does not specifically exclude the ±13.41-acre antenna field facility.

It is noted that a portion of the Application Area, west of theoretical NW 142 Avenue, is part of a larger area considered by Miami-Dade County Water and Sewer Department (WASD) for a future Wastewater Treatment Plant. Several adjoining parcels have already been purchased for this purpose, and the Department has budgeted funds for additional land acquisitions from willing sellers. WASD also identified approximately \$2.1 billion in unfunded capital programs for the construction of the Wastewater Treatment Plant and Injection Wells.

The Application Area is also located in an area which will be directly impacted by construction of the State Road 836 Southwest Expressway Extension, which is proposed to extend from NW 12 Street / NW 137 Avenue to SW 136 Street. As depicted on the CDMP Land Use Plan Map, the proposed expressway extension is expected to traverse the application site north to south through the eastern half of the property, within the UEA. Miami-Dade County and the Miami-Dade Expressway Authority (the predecessor organization to the Greater Miami Expressway Agency) entered into an Interlocal Agreement on October 29, 2018 which details how the project is to be implemented. The exact location, number of acres impacted and timing/phases of construction of the expressway extension are still to be determined, as the Greater Miami Expressway Agency (GMX) is currently working on the "Master Project Plan", which will include details on the costs, proposed alignment, environmental impacts, mitigation measures and construction phases. The expressway extension project has been partially funded and included in the adopted Miami-Dade 2040 Long Range Transportation Plan (LRTP). To discourage urban sprawl, CDMP Policy TC-1M directs that any increase in capacity that the roadways in the Area of Impact would experience due to the diversion of trips resulting from the construction of the SR-836 southwest extension could not be used by a proposed application to demonstrate concurrency. Further, CDMP Policy LU-8G(v), states that "lands within the Area of Impact of the SR-836 southwest extension, as defined in Policy TC-1M, shall not be considered for addition to the UDB if the roadway capacity created by the SR-836 southwest extension is included as a basis for the addition of such lands to the UDB."

Application Area

Location

The Application Area is ±246.07 gross acres owned by the applicant, Kelly Tractor Company, generally located west of NW 137 Avenue and State Road 836 (Dolphin Expressway), north of theoretical NW 6 Street, in unincorporated Miami-Dade County (see "Aerial Photo" on page 11). Approximately ±244.37 acres of the Application Area are located outside the 2030 Urban Development Boundary (UDB) and ±1.70 acres are located within the UDB. Of the area located outside the UDB, an estimated ±157 acres west of theoretical NW 142 Avenue are also not within an Urban Expansion Area (UEA) while ±87 acres are within the UEA.

Existing Land Use

The majority of the application site (±166 acres) has historically been used for agricultural purposes while the southeastern ±13 acres include a portion of the County designated Leigh Archaeological Zone. The property has a Property Appraiser of Miami-Dade County Agriculture Classification. (See "Existing Land Use" map on page 13; and Appendix G: Photos of Site and Surroundings on Appendices page 75).

Land Use Plan Map Designations

The Application Area, as noted above, lies mostly outside of the UDB (±244.37 acres) and partly within the UEA (±87 acres) and with ±1.70 acres inside the UDB, as depicted on the CDMP Adopted 2030 and 2040 Land Use Plan (LUP) map (see CDMP Land Use map on page 14 above).

The LUP map designates the ±244.37 acres of the application site located outside the UDB as "Open Land", and more specifically this portion of the site is within Open Land Subarea 3 (Tamiami-Bird Canal Basins) depicted on Figure 6: Open Land Subareas of the CDMP Land Use Element. The remaining ±1.70-acre portion of the site is within the UDB and designated "Industrial and Office" (see "CDMP Land Use" map on page 14). Uses allowed in "Open Land Subarea 3" include rural residences at a maximum density of 1 dwelling unit per 5 gross acres, compatible institutional uses, public facilities, utility and communications facilities, seasonal agricultural use, recreational use, or limestone quarrying and ancillary uses.

Uses allowed under the “Industrial and Office” designation include manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, hotels and motels, radar stations and cell towers are also allowed. The “Industrial and Office” land use designation would allow 37,036 square feet of industrial uses on the ±1.70-acre portion of the site within the UDB.

Instead of the initially requested LUP map amendment, the applicant now requests a text amendment to create and add the “MIA Equipment and Supportive Services Area”, as a specific set of development allowances under the “Open Land Subarea 3” CDMP provisions that would be applicable to the application area and as its boundaries are currently defined could also apply to the abutting ±13.41-acre property that is an existing antenna field facility owned by Radio Peace Catholic Broadcasting, Inc., abutting to the southeast of the applicant’s property. The proposed text amendment would establish the development standards and allowable uses for the “MIA Equipment and Supportive Services Area”. It also restricts the application site to the maximum development program, depicted in the table below and limits development on the site to the area proposed for the “Open Land Subarea 3” LUP map designation.

CDMP Land Use Element Amendment and Proposed Development

Land Use Designations	Maximum Development Potential
<ul style="list-style-type: none"> • “Open Land” (Open Land Subarea 3) • “Industrial and Office” 	49 rural residences (single-family detached units and 37,036 square feet (sq. ft.) of industrial uses.
<ul style="list-style-type: none"> • “Open Land” (Open Land Subarea 3 - MIA Equipment and Supportive Services Area) • “Industrial and Office” 	<p><u>Indoor Uses:</u> 2,240,000 sq. ft. indoor equipment and parts storage 300,000 sq. ft. fabrication and repair 18,000 sq. ft. equipment operations training facility 80,000 sq. ft. administrative offices and classrooms 10,000 sq. ft. equipment display 5,000 sq. ft. parts area 20,000 sq. ft. equipment rental and sales office 30,000 sq. ft. limited commercial uses (i.e. bank or convenience store) to serve the firms and workers in the MIA Transportation and Infrastructure Area</p> <p><u>Outside Uses:</u> Onsite fuel station for heavy equipment and on highway field service and delivery vehicles. The operations will consist of eight (8) pumps, four gasoline, and four diesel fuel pumps, Electrical vehicle charging stations may be provided in accordance with County Code requirements. Helicopter landing pad and hanger (8,000 sq. ft.). Up to four (4) truck and equipment washing facilities (40,000 sq. ft.). The washing facilities with closed loop recycling; and truck weighing scales. Up to ten (10) acres of transloading facilities and vertical shipping container storage not exceeding six (6) levels in height Overnight vehicle parking consisting of up to 200 spaces for parking trucks. Designated outdoor areas for heavy equipment training programs. Freight rail terminals.</p>

Applicant's Proffered Declaration of Restrictions

In addition to the text amendment, the Applicant has proffered a Declaration of Restrictions (covenant), date stamped June 9, 2025, limiting the uses outlined in the table above to the portion of the site proposed for the "Open Land Subarea 3" designation. Additionally, the proffered covenant contains the following provisions:

Development Intensity and Permitted Uses: the Property shall be limited to the uses listed in the "Open Land " designation of the CDMP under the MIA Equipment and Supportive Services Area in Open Land Subarea 3, including all accessory and ancillary uses that are supportive of the MIA Equipment and Supportive Services Area, with a maximum floor area ratio of 0.5. The Covenant also requires that development would generally provide a minimum of 10% of the land area as passive landscaped open space or active recreation space. Residential uses would be prohibited other than for to allow overnight stays to provide security for the Property.

Future Site Plan Review for Application Area: Application site would be developed over time in a manner that generally conforms with the application, and the Owner shall establish land development regulations for the development of the Application Area which provide for approval of administrative site plan review ("ASPR") for development.

Concurrency: The Owner commits to:

- Meet concurrency requirements and satisfy the requirements set forth in Chapter 33G of the Miami-Dade County Code.
- Connect to public water and public sanitary sewer service
- Seek necessary permits and approvals from agencies with jurisdiction over the application area.
- Develop in phases over an extended period of time. The Covenant calls for any analysis, permitting, and mitigation shall recognize such extended development phasing as part of the review of the Application, zoning, platting or subsequent development permitting or approvals.
- Provide bicycle racks at appropriate locations throughout the development.

Road Improvement(s). Provide access from NW 137 Avenue via NW 6th Street to the Property. The project(s) shall specifically address the completion of the Road Improvement and changes to the CIE adopted as part of the Application.

Environment - Stormwater Management. Submit to RER Division of Environmental Resources Management for review and approval a conceptual stormwater master plan the "Conceptual Stormwater Master Plan".

Environment – Wetlands, Endangered and Threatened Species. the Owner commits that no work will occur in areas protected by the Existing Permits, Covenants and Restrictions unless modified through future permitting activities and modification of the Existing Permits, Covenants and Restrictions. The Owner shall timely seek and obtain all appropriate permits and approvals prior to any dredging, filling, and development of any jurisdictional wetlands located within the Property.

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 Code of Miami Dade County

and Water and Sewer Department (“WASD”) rules and regulations and design standards. The Owner also commits to install a public pump system if required.

Archaeological Site/Potential Unmarked Human Burial. the Owner covenants that it shall preserve and make no physical alteration to the Archaeological Site.

Zoning

The entire application site is currently zoned GU (Interim District) on ±246.07 gross acres (see “Zoning” map on page 12). GU is an interim zoning district where the allowable uses depend on character of neighborhood, otherwise EU-2 standards apply.

Zoning History

Miami-Dade County zoning regulations were first created in 1938, and the County’s first zoning records indicate that the application site was originally zoned GU (Interim District). In 1957, the eastern half of the site was rezoned from GU to IU-2 (Industrial, Heavy Manufacturing District). On January 15, 1982, through Resolution No. Z-10-82, the Board of County Commissioners approved a district boundary change for the same eastern portion of the site from IU-2 to GU.

Adjacent Land Use and Zoning

Adjacent Existing Land Uses

Adjacent properties to the north of the site are vacant lands, rockmines and the Cemex Miami Cement Plant. Adjacent properties to the east and southeast are the SR-836/Dolphin Expressway interchange at NW 137 Avenue, vacant land, a Miami-Dade School Board transportation center and a radio broadcasting tower and antenna field facility owned by Radio Peace Catholic Broadcasting, Inc., and beyond NW 6 Street on the west side of NW 137 Avenue, a self-storage facility, a restaurant, and a Family Paintball Center. Further east, beyond NW 137 Avenue, are a Florida Power and Light electrical power substation and single family residences. Adjacent parcels to the south are vacant. To the west, is the C-4 inflow canal and further west beyond the canal are the C-4 water impoundment area and associated properties. (See “Existing Land Use” map on page 13 and Appendix G: Photos of Site and Surroundings on Appendices page 75.)

Adjacent Land Use Plan Map Designations

Adjacent properties to the north of the application site are designated on the CDMP Adopted 2030 and 2040 LUP map as “Open Land” for those properties outside the UDB, including the cement plant and the rock mines, and “Industrial and Office” on those properties within the UDB. To the east and southeast, adjacent properties are designated “Transportation” (SR-836/Dolphin Expressway and NW 137 Avenue Interchange), “Industrial and Office”, including School Board transportation center and other properties that are inside the UDB and west of NW 137 Avenue, while properties east of NW 137 Avenue are designated “Low Density Residential”. The radio broadcasting tower and antenna field property is designated “Open Land”. The adjacent properties west and south (beyond NW 6 Street) that are outside the UDB and are designated “Open Land” with a 40-acre property to the south designated “Terminals” on the LUP map (see “CDMP Land Use” map on page 14).

Adjacent Zoning

All the properties abutting and adjacent to the application site on the north, east, south and west are GU (Interim District) while east of NW 137 Avenue is the Florida Power and Light electrical power substation is zoned GU and the single family residences are zoned RU-1, RU-1MA, and RU-1Z.

Supply and Demand Analysis for Industrial Land

The capacity of the LUP map to accommodate population or economic growth is generally expressed in acres of vacant land zoned or designated for residential and non-residential development. In the context of this standard application, land capacity is analyzed at the Planning Analysis Tier level that includes multiple Minor Statistical Areas (MSAs). The study area for this application is the entire North Central Tier that consists of MSAs 1.3, 3.2, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, and 5.1.

This application is proposing to amend the CDMP “Open Land” land use category for approximately 246.07 acres to establish the “MIA Transportation & Infrastructure Support Area.” The applicant expresses the intent to relocate the existing Kelly Tractor business from its current location within the UDB north of NW 58 Street and west of the SR-826/Palmetto Expressway to the application site. The Kelly Tractor business currently occupies ±41.25 acres. In addition, Kelly Tractor owns an adjacent ±9.43-acre vacant parcel that is just across NW 84 Avenue from its current headquarters location. It should also be noted that while the majority of the Kelly Tractor Company operations occur on 34.91 acres between NW 82 Avenue and NW 84 Avenue, a portion of the existing business operations occur on a ±6.36-acre parcel immediately across and on the east side of NW 82 Avenue. The current activities of Kelly Tractor and Pantropic Power, a business located on the same premises and owned by Kelly Tractor, are generally characterized as industrial uses. Consequently, this application is analyzed as an industrial application outside the UDB. The application site is in MSA 3.2 which is part of the North-Central Tier analysis area. The North-Central Tier contained 8,365.03 acres of in-use industrial uses in November 2024 and an additional 782.51 acres of vacant land zoned or designated for industrial uses. The annual average absorption rate for the 2024-2040 period is projected to be 42.54 acres per year. At the projected rate of absorption, the North-Central Tier will deplete its supply of industrial zoned land beyond the year 2040, as outlined in the table below.

Projected Absorption of Land for Industrial Uses Indicated Year of Depletion and Related Data Application CDMP20230013 Analysis area

Analysis Area North-Central Tier	Vacant Industrial Land 2024 (Acres)	Industrial Acres in Use 2024	Annual Absorption Rate 2024-2040 (Acres)	Projected Year of Depletion
MSA 1.3	0.00	3.91	0.00	----
MSA 3.2	691.98	6,336.66	40.73	2040
MSA 4.1	1.86	163.84	0.26	2031
MSA 4.2	28.39	785.88	1.55	2040+
MSA 4.3	2.19	507.41	0.00	----
MSA 4.4	0.00	3.68	0.00	----
MSA 4.5	15.59	113.58	0.00	----
MSA 4.6	19.27	316.88	0.00	----
MSA 4.7	3.23	100.13	0.00	----
MSA 5.1	0.00	33.06	0.00	----
Total	782.51	8,365.03	42.54	2040+

Source: Miami-Dade County, Regulatory and Economic Resources Department, Planning Division, Planning Research & Economic Analysis Section, November 2024.

The proposed uses are varied and go well beyond the usual activities of businesses such as the Applicant's and the core uses specified in the application. The applicant has not demonstrated that these additional and associated uses support in any significant way the core business of Kelly Tractor. In addition, proposed uses such as a bank, convenience store, restaurant, and other retail are more appropriate inside of the UDB. Also, the market size needed to support a bank or other retail uses would require more patrons than those within the proposed Kelly Tractor site and core uses, essentially employees. In addition, the transloading facilities, vertical container storage, and freight rail terminals seem to go well beyond the usual activity for similar establishments.

Heavy Equipment Industry

Kelly Tractor is a supplier of heavy equipment, trucks and machinery in the region that serves the limestone production, construction and transportation industries. Generally, heavy equipment parts and tractor implements are shipped nationally and internationally in cargo containers via heavy trucks, rail, and ocean freight. Shipping large parts and heavy equipment items is expensive. The cost escalates with the transportation distance and the need for specialized shipping methods and equipment.

Staff produced a report on the Supply and Demand for Industrial Land (see Appendix I herein on Appendices page 89) that analyzes the site size and land utilization of existing large heavy equipment rental, sales, storage, and delivery operations. The focus of its research is to set a baseline on the space requirements for heavy equipment storage, sales, and operations. Research results, summarized in the Land Utilization Summary table below, provide a brief analysis of Kelly Tractor sites, including the overall site size and operational area.

Regional and National Competitors

According to the company's website, Florida Coast Equipment was founded in 1985 and grew from a single location dealership to the nation's largest full-service Kubota dealership with 13 locations across Florida and more than 200 employees. The size of the headquarters for two competitors, Deere and Company (NYSE: DE) and New Holland Agriculture/CNH Industrial N.V. (NYSE: CNH) are profiled in the report (Appendix I on Appendices Page 89 herein) to show the large size of nationally significant sites. However, there are fundamental differences in site usage, as the DE and CNH sites have large test farms and training centers, whereas the Kelly Tractor/CAT sites do not. Exhibit A to the report in Appendix I provides a list of the ten largest U.S. farm and heavy equipment manufacturers.

Kelly Tractor Company

Kelly Tractor Company, the Caterpillar (NYSE: CAT) heavy equipment dealer in Miami provides new and used heavy equipment, attachments, trailers and trucks. Kelly Tractor Company provides heavy equipment for sale or rent, parts, export fulfillment, and equipment servicing. The 'Land Utilization Summary for Kelly Tractor Company Site Operations' table below presents various of the Kelly Tractor Company operations within Florida and one in Texas with the acreage of the site of each listed facility.

Land Utilization Summary for Kelly Tractor Company Site Operations					
Location	Total Acres	Summary of Operations	Acres for Operations	Acres of Open Area not Currently Used for Operations	Percentage of Total Area Used for Operations/ Open Area
Proposed New Headquarters for Kelly Operations	±246.07	As described herein on Page 22	TBD	TBD	TBD
Current Headquarters Kelly Tractor/CAT Sales: 8255 NW 58 Street Miami, FL	±51.0	Heavy equipment, warehouse and outside storage, equipment sales and repair, training and parking	±40	±11	78% / 22%
Kelly Tractor/CAT Sales: 2801 Reese Road, Davie, FL	±4.9	Operations, heavy equipment storage and sales	±4.3	±0.6	88% / 12%
Kelly Tractor/CAT Sales Unit #15 - 1800 N. Powerline Road, Pompano Beach, FL	Leased Unit within building	Sales center for forklifts and lift trucks only. No heavy equipment storage area.	N/A	N/A	N/A
Kelly Tractor/CAT Sales 5460 Okeechobee Blvd., West Palm Beach, FL	±2.64	Operations, heavy equipment storage and sales	±2.34	±0.3	89% / 11%
Kelly Tractor/CAT/ Clewiston Motor Company – 801 E. Sugarland Hwy, Clewiston, FL	±34.72	Operations, heavy equipment storage and sales	±2.46	±32.26	7% / 93%
Kelly Tractor/CAT Sales 9651 Kelly Tractor Dr. Ft. Myers, FL	±43.0	Operations, heavy equipment storage and sales, and repair/service	±28.22	±27.78	50.4% / 49.6%
Kelly Tractor/CAT Sales IMT Drill Service – 443 Bradshaw Industrial Pkwy, Mulberry, FL	±6.0	Operations, heavy equipment storage and sales	±3.5	±2.5	58% / 42%
Kelly Tractor/CAT Sales Link-Belt Cranes, Orlando, FL	±6.11	Rental and sales of link-belt cranes	±2.46	±0.7	89% / 11%
Kelly Tractor/CAT Sales IMT Drill Services Boyd, Texas	±26.7	Rental and sales of drilling equipment and parts	15.3	11.4	57% / 43%

In conclusion, the application and supplemental information do not demonstrate that industrial parcels within the UDB, particularly the existing Kelly Tractor site and the adjacent ±9.43-acre vacant Kelly Tractor parcel, are not sufficient to accommodate an appropriate expansion of the Kelly Tractor operation to then warrant approval of the applicant's request to relocate the urban use onto the ±244 acres outside the UDB. A review of 9 Kelly Tractor/CAT sites determined that there is an additional 18.04 acres of open space available at the Kelly Tractor sites in Miami-Dade County.

Environmental Conditions

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

Flood Protection

Federal Flood Zone	AH8
Stormwater Management Permit	SFWMD
County Flood Criterion (North American Vertical Datum of 1988 (NAVD88))	Approximately 7 feet

Biological Conditions

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

Other Considerations

Within Wellfield Protection Area	No
Contaminated Site	Might be based on former AG Use

Natural Resources

The application area associated with the site lies within the North Trail Basin and contains wetlands as defined by section 24-5 of the Code. Any work in wetlands within the subject application area would require a new Class IV permit with appropriate mitigation and will only be approved to use clean fill as defined in section 24-5 of the Code.

A DERM Class IV permit, CC-898, was issued to Osprey Services, Inc. in May of 1985 and authorized impacts to 240 acres of wetlands for agricultural rock plowing. CC-898 subsequently expired on February 27, 1989. DERM records indicate that of the 240 acres of wetlands permitted for agriculture, approximately 84.35 acres were constructed (42.18 acres were placed into filled agricultural ridges for planting and 42.18 acres remained as wetland furrows) prior to permit expiration.

On September 13, 2012, Class IV permit, 2008-CLIV-PER-00056 was issued to MDXQ, LLC and authorized work on 96.04 acres of wetlands within the subject application site. The 96.04 acres consisted of approximately 1.41 acres of fill for an access road and equipment storage area, 80.6 acres of ridge and furrow agriculture (40.3 acres of filled agricultural ridges for planting and 40.3 acres of wetland furrows), and 14.04 acres of additional agriculture that was not constructed. To compensate for the filling impacts to wetlands, the permit required the preservation and enhancement of wetland furrows to be used as mitigation for the filled ridges, and an additional 23.1 acres of wetlands within the application area, consisting of 12.4 acres of prairie and a 10.8-acre bayhead hammock (Exhibit A). This permit expired on May 12, 2023.

In summary, the site contains approximately 83.88 acres of filled areas and 162.19 acres of wetlands. Of the 162.19 acres of wetlands remaining on site, approximately 63 acres (40.3 wetland agricultural furrows, 10.8-acre bayhead, 12.3-acre prairie) are preservation areas protected under the covenants listed below associated with Class IV permit 2008-CLIV-PER-00056. The table below outlines the acreages as described

DERM Class IV Permit No. CC-898 Summary				
Site Plan Component	Acreage	Constructed Acreage	Breakdown of Acreage	
			Filled ridges for planting	Wetland furrows
Initial Agricultural Use	240	84.35	42.18	42.18

DERM Class IV Permit No. 2008-CLIV-PER-00056 Summary						
Site Plan Component	Acreage	Breakdown of Acreage				
		Filled ridges for planting	Wetland furrows	Access road	Fill pad	Unimpacted wetlands
Additional Agricultural	96.04	40.30	40.30	0.41	1.00	14.04
Perimeter of Bayhead	10.8					10.80
Conservation Easement	12.3					12.30
Firebreak/Fallow Prairie	42.58					42.58

Site Acreage Summary						
	Site	Filled ridges for planting	Wetland furrows	Access road	Fill pad	Unimpacted Wetlands
Total	246.07	84.27	82.47	0.41	1.00	79.72
Percentage of Site	100%	34%	34%	0.2%	0.4%	32%

The restrictive covenants listed below run with the land and remain in full force and effect and are binding to the property heirs, successors, grantees and assigns until modified or released by the Miami-Dade County Board of County Commissioners.

Class IV Permit # Covenant Recording Information
 2008-CLIV-PER-00056 Official Records Book 28488, Pages 2722-2731, CFN
 2013R0120311

Class IV Permit # Covenant Recording Information
 2008-CLIV-PER-00056 Official Records Book 28488, Pages 2891-2900, CFN 2013R0120367

All documents and conceptual site plans should clearly state the potential limitations that restrictive covenants (CFN 2013R0120367 and CFN 2013R0120311) provide for the site and mirror language within the declaration of restrictions that no work will occur in areas protected by the existing permits, covenants and restrictions unless modified through future permitting activities and modification of the existing permits, covenants, and restrictions.

The application area lies outside of the Urban Development Boundary (UDB), portions lie outside of the Urban Expansion Area (UEA), within Wetlands of Regional Significance per the Land Use Element of the CDMP and may contain federal or state designated endangered and threatened species. **Objective CON-7** of the CDMP states; *“Miami-Dade County shall protect and preserve the biological and hydrological functions of Wetlands of Regional Significance that may be contained within the areas depicted on Figure 14 in the Land Use Element.”* Policy **CON-7A** states *“the degradation or destruction of Wetlands of Regional Significance that may be contained within the areas depicted on Figure 14 in the Land Use Element shall be limited to activities that 1) are necessary to prevent or eliminate a threat to public health, safety or welfare;*

or 2) are water dependent and no other reasonable alternative exists; or, 3) clearly in the public interest and no other reasonable alternative exists; or 4) are carried out in accordance with an approved basin management plan; or 5) are in areas that have been highly disturbed or degraded and where restoration of a wetland with an equal or greater value in accordance with federal, State and local regulations is feasible. Habitats critical to endangered or threatened species shall not be degraded or destroyed.”

DERM has reviewed the “Analysis of Site Selection and Alternate Parcels” (Analysis) prepared by EAS Engineering, dated December 5, 2024. DERM disagrees that the agricultural activity on the site has degraded the wetlands and that the proposed development of the site would be the “least damaging alternative” as stated in the Analysis. DERM inspected the application area in 2022 and documented dense coverage of native wetland plant species in the portions of application site that did not contain filled ridges for plantings (approximately 66% of the site, as indicated on the table above). DERM inspections of adjacent properties in early 2024 revealed evidence of high utilization by fauna including wading birds, small mammals, and deer. As stated above, the site contains 63 acres of wetland preservation area (approximately 25% of the site) associated with Class IV permit 2008-CLIV-PER- 00056 in addition to the wetlands that have remained unimpacted. Using reasonable scientific judgement, DERM believes that the application area would be reasonably anticipated to have similar or higher utilization by fauna. As of March 18, 2025, the applicant has not submitted any updates to the Analysis.

DERM has reviewed the “Discussion of Previous Permitting and Application of Existing Covenants”, prepared by EAS Engineering, dated December 5, 2024. The report refers to the Restrictive Covenant (CFN 2013R0120367) for the Agricultural Ridge and Furrow System (Covenant), and DERM disagrees that it does not provide for the preservation of wetlands. Item #1 of the Covenant requires the owner to comply with all conditions of the Class IV permit 2008-CLIV-PER-00056 and incorporates its special conditions by reference. Special Condition #4 of Class IV permit 2008-CLIV-PER-00056 requires the preservation and enhancement of the agricultural furrows because they were permitted as wetland mitigation for the filled planting ridges. While Item #3 of the Covenant established a specific procedure for assessing mitigation requirements should the agricultural operation cease or a Class IV permit is approved for a new land use, the Covenant in its current form preserves wetlands within the agricultural furrows that were used as mitigation. As of the March 18, 2025, the applicant has not submitted any updates to the “Discussion of Previous Permitting and Application of Existing Covenants”.

DERM has reviewed the “Evaluation of Policy CON-7A”, prepared by EAS Engineering, dated December 5, 2024. Said report gives reasons as to why the site should not be considered a Wetland of Regional Significance pursuant to Objective CON-7 of the CDMP. The report states that the proposed site plan submitted with the application complies with requirement #4 of Policy CON-7A because it adheres to the Cut and Fill Criteria for the North Trail Basin. While the Cut and Fill criteria is one component of the North Trail Basin Management Plan (NTBMP), it includes broader goals and guidelines and directs that all proposed work requiring a Class IV permit be consistent therewith. The goals set out in the NTBMP (as adopted by Ordinance No. 92-80) are to ensure that development does not increase the risk of flood damage in the wetland basin or the basin of associated drainage canals and does not decrease necessary water storage or recharge of the Biscayne Aquifer; and that desirable biological values of the basin are maintained or mitigated. The application, as proposed, has the potential to impact high quality wetlands that provide important water storage and recharge and that meet the criteria for habitat that is critical to threatened and endangered species. DERM notes that the “Conceptual Stormwater Management Master Plan”, dated December 6, 2024, proposes stormwater management locations in areas that are under

preservation and enhancement requirement as per the restrictive covenants (CFN 2013R0120367 and CFN 2013R0120311).

The report "Evaluation of Policy CON-7A" further gives reasons for compliance with Policy CON-7A requirement #5 and states "the site no longer contains significant biological and hydrological functions justifying preservation." DERM's review of a site assessment conducted by DERM staff on August 12, 2009 (Exhibit B), during the application process of Class IV permit 2008-CLIV-PER-00056, revealed the wetland furrows contained hydrologic conditions capable of supporting native wetland plant species. The wetlands surrounding the ridge and furrow system were described as an intact wet prairie. Sightings of wetland-dependent fauna were documented, such as mosquito fish (*Gambusia holbrooki*), marsh rabbit (*Sylvilagus palustris*) scat and tracks, white-tail deer (*Odocoileus virginianus*) and apple snails (*Pomacea paludosa*); the main food source for the federally listed endangered species, Everglade snail kite (*Rostrhamus sociabilis*). During the application process of Class IV permit 2008-CLIV-PER-00056, the applicant agreed to protect approximately 60 acres of wetlands on site (25% of the site) under covenant and maintain the remaining intact prairie system. As previously stated, a site inspection in 2022 and inspections of adjacent wetland properties in 2024 revealed similar conditions as documented in the 2009 assessment.

The report "Evaluation of Policy CON-7A" further discusses that mitigation for proposed impacts to wetlands on site evaluated during the permitting processes will result in no net loss of wetlands and ensure preservation of wetlands of equal value. DERM notes that section 24-48 of the Code of Miami- Dade County states that the purpose of mitigation is solely to compensate for unavoidable adverse environmental impacts, that mitigation should not be used to make an otherwise non-permittable project permittable and that mitigation plans should maximize the preservation of existing natural resources. Furthermore, DERM cautions against promising the ability to mitigate for wetland impacts in Miami- Dade County due to the limited mitigation options within the County. The site contains high quality wetlands and already contains mitigation for the areas that have been impacted. DERM recommends the project be designed in a way to avoid preservation areas, and avoid additional wetland impacts to the highest extent possible. As of March 18, 2025, the applicant has not submitted any updates to the "Evaluation of Policy CON-7A".

DERM acknowledges receipt of the Applicant's response letter prepared by EAS Engineering, Inc., dated March 7, 2025. Although the letter states that "onsite wetland areas have retained substantial quality", DERM maintains that several statements within the documents referenced in the response letter are contradictory and diminish the quality of the onsite wetlands. Specifically, DERM asserts that the following statements provided by EAS Engineering Inc., along with other similar statements by the Applicant, do not accurately reflect the condition of the subject wetlands.

As stated in the "Evaluation of Policy CON-7A":

"The past activities and permits issued for the site, proximity of adjacent development, the inclusion of a portion of the site within an Urban Expansion Area (UEA), and the finalization of the BBSEER components no longer justify a designation of Wetlands of Regional Significance for this site. The site no longer contains significant biological and hydrological functions justifying preservation."

"The UEA designation overlaps with a portion of this area. Such proximity to an area prioritized for potential development expansion diminishes the capacity for significant biological and hydrological functions to exist."

As stated in the “Environmental Site Evaluation”:

“Considering the current site activities and the proximity to adjacent development, the preservation of onsite wetlands with such diminished biological function is not justified, nor is the Wetlands of Regional Significance designation.”

Furthermore, the Applicant’s Environmental Site Evaluation dated December 10, 2024, states “Despite the ongoing agricultural activity throughout this portion of the property, it appears that the wetland function has not been diminished, as evidenced by the observed vegetative coverages that dominate the furrows and have naturally recruited to some of the lower elevation ridges.” This statement further contradicts the above assertions.

Based on the information provided DERM finds the proposed project to be inconsistent Objective CON-7 of the Conservation Element of the CDMP.

Additionally, the application area associated with this application may affect existing tree resources. This approval is not an authorization to remove and/or relocate tree resources that are subject to the Tree Preservation and Protection provisions of the Code without a Miami-Dade County Tree Permit. Any tree resources that lie within wetland areas will be regulated through the Class IV Wetland permit.

All prohibited species listed in section 24-49.9 that exist within the subject property prior to development or redevelopment and any developed parcels shall be maintained to prevent the growth or accumulation of prohibited species in accordance with section 24-49.9 of the Code.

DERM has reviewed the draft Declaration of Restrictions and recommends that approval of the draft is not granted until the application demonstrates substantial compliance with the CDMP and County requirements.

Critical Habitat/Endangered Species

Objective 9 of the Conservation Element CDMP states, *“Freshwater fish, wildlife and plants shall be conserved and used in an environmentally sound manner and undeveloped habitat critical to federal, state or County designated endangered, threatened, or rare species or species of special concern shall be preserved.”* More specifically, Policy CON 9A of the Conservation Element of the CDMP states *“All activities that adversely affect habitat that is critical to Federal or State designated, endangered or threatened species shall be prohibited unless such activity(ies) are a public necessity and there are no possible alternative sites where the activity(ies) can occur.”* In addition, Policy CON 9B states *“All nesting, roosting, and feeding habitats used by federal or State designated endangered or threatened species, shall be protected, and buffered from surrounding development or activities and further degradation or destruction of such habitat shall not be authorized.”* CON-9F states *“The County’s planning for the future development of open space and wetland mitigation areas shall include the protection, conservation and/or restoration of wildlife habitats.”*

The application area is located within the core foraging area of the federally threatened wood stork (*Mycteria americana*) and lies just east of the location of the numerous long-term rookeries for this species. The subject application area is also within the U.S. Fish & Wildlife consultation area for the endangered Everglade snail kite (*Rostrhamus sociabilis*) and Florida bonneted bat (*Eumops floridanus*), which may utilize the subject property for nesting, roosting, and foraging. The Miami-Dade County population of Florida bonneted bat is known to forage and socialize over dark, open spaces adjacent to natural areas such as open water, forested areas, wetlands, and areas with significant tree resources.

In addition, the application area is located just east of the USFWS Florida Panther Focus Area for the federally endangered Florida Panther (*Puma concolor coryi*). The Florida Panther Focus Area identifies all lands which are “essential for the survival of the Florida panther in the wild.” While Florida panthers are nonmigratory, they do engage in dispersal to establish new home ranges. Male panthers travel an average of 25 miles in dispersal, with the maximum known dispersal distance of 139.3 miles. Females disperse shorter distances, settling closer to their birth range. The dispersal process is essential to Florida panther reproduction, population growth, and range expansion.

Seasonally flooded agricultural lands, especially when collocated with wetlands, have been observed to provide important foraging and roosting habitat in the wet season for various types of wildlife, including mammals, reptiles and amphibians, and birds. Bird species utilizing this type of habitat include but are not limited to wading birds, some of which are threatened, endangered, or otherwise protected species, and shorebirds, which are protected under the Migratory Bird Treaty Act. The following state or federally protected birds that occur in Miami-Dade County are known to forage in seasonally flooded agricultural lands and wetlands: wood stork (Federal, Threatened), little blue heron (State, Threatened), reddish egret (State, Threatened), roseate spoonbill (State, Threatened), tricolored heron (State, Threatened). In addition, snail kites (Federal, Endangered) nest nearby in Everglades National Park and Water Conservation Area 3B and may also forage in wetlands in the application area.

DERM has reviewed the “Environmental Site Evaluation Listed Species and Wetland Conditions Assessment” by EAS Engineering, Inc. and dated December 10, 2024. DERM acknowledges the information included in said report on the Florida Panther and will not require additional information for the Florida Panther at this time. DERM acknowledges that the assessment and roost survey for the Florida bonneted bat (FBB) indicated that their utilization of the site is possible. The information provided in this report on the wood stork indicates that the wetland furrows provide optimal foraging conditions due to their longer inundation periods and ability to establish an aquatic prey base. The assessment of the Everglade snail kite indicates the site contains areas that provide appropriate foraging habitat, particularly the wetland furrows.

While DERM acknowledges that nearby roadway infrastructure and development may deter foraging and roosting activities for threatened and endangered species, on site assessments indicate the site contains foraging and potential roosting habitat. As previously mentioned, the wetland areas of the site provide appropriate habitat for threatened and endangered species are already under preservation requirements pursuant to restrictive covenants and conditions of Class IV permit 2008-CLIV-PER- 00056. DERM recommends the project be designed in a way to avoid preservation areas, including wetland furrows that are mitigation for 2008-CLIV-PER-00056, and avoid additional wetland impacts to the highest extent possible. Should the application be approved, DERM will require best management practices be incorporated into the project design to minimize impacts to threatened and endangered wildlife.

Based on the information provided DERM finds the proposed project to be inconsistent Objective CON-9 of the Conservation Element of the CDMP.

Declaration of Restrictions

DERM recommends the following strikethrough changes to the “Wetlands and Endangered or Threatened Species” section of the Declaration of Restrictions (Page 5, Item 5.B.):

“...Specifically, with regard to the Existing Permits, Covenants and Restrictions, the Owner acknowledges that the Existing Permits, Covenants and Restrictions were established as a result of past Class IV permitting activity. Further, the Owner commits that no work will occur in areas protected by the Existing Permits, Covenants and Restrictions unless ~~and until~~

modified through future permitting activities and modification of the Existing Permits, Covenants and Restrictions. In that regard, the Existing Permits, Covenants and Restrictions anticipate future work on the Property and prescribe methodologies for assessing environmental impacts. Finally, the Owner acknowledges that any plans and proposals for the Property submitted during the County's consideration of the CDMP Application process are conceptual in nature and shall not be construed to release, amend or otherwise modify the Existing Permits, Covenants and Restrictions. Such conceptual site plans and proposals are merely intended to provide a layout of the future potential development of the Property. By reviewing and issuing comments on the plans and proposals, the Division of Environmental Resources Management ("DERM") is in no way waiving its permitting jurisdiction and review under Chapter 24 of the County Code nor will it entitle the Owner to a favorable review of future permit applications as may be required by Chapter 24."

DERM recommends that the documents outlined in the response letter dated March 7, 2025, be revised to exclude statements that diminish the quality of the onsite wetlands. Additionally, all documents and conceptual site plans should clearly state the potential limitations that restrictive covenants (CFN 2013R0120367 and CFN 2013R0120311) provide for the site and mirror language within the declaration of restrictions that no work will occur in areas protected by the existing permits, covenants and restrictions unless modified through future permitting activities and modification of the existing permits, covenants

Environmental Monitoring and Restoration

Based on the agricultural use of the site, DERM requires that a Phase 1 and Phase 2 Environmental Site Assessment prepared in accordance with ASTM standards be conducted at the site prior to site development and prior to the submittal of site development plans through the building department review process. DERM review and approval of said documents shall be required. Further, all construction plans (inclusive of drainage) and dewatering plans shall require the review and approval from the Environmental Monitoring and Restoration Division of DERM (EMRD) as it relates to environmental contamination issues. Be advised that DERM review of this application does not constitute an approval of any site plans, drainage plans, or development plans that may be included as part of this application.

For property that is classified as agricultural by the Miami Dade County Property Appraiser, under certain circumstances, certain DERM activities would be preempted to the Florida Department of Environmental Protection, and such matters would be reviewed on a case by case basis to ensure compliance with applicable state law.

Any contaminated portion of the site that is proposed to be sold, transferred, or dedicated (including, but not limited to, for public right-of-way) to any public entity shall be identified on the tentative and final plat plans for this proposed development. If any contaminated portion of the site is proposed to be sold, transferred, or dedicated to the County, please note that all soil, groundwater or surface water contaminants, solid waste, and methane must be disclosed to the applicable County department at the earliest stage possible. The applicable County departments would include all departments that would receive or manage the proposed property, and for example, would include PROS for a park and DTPW for road right-of-way. Please note that the presence of any such contamination, solid waste, or methane or a delay by the applicant in disclosing such contamination or impacts to the applicable County departments could result in the county declining to accept the proposed dedication. This may in turn result in the need for the developer to reconfigure or change previously approved site plans, or make other changes to the proposed development, which may require approval after a public hearing.

If an applicant elects to address soil contamination, groundwater contamination, solid waste, and methane via a No Further Action with Conditions, each individual property owner will be required to

execute a restrictive covenant. Please note that nothing stated herein may be interpreted to limit or restrict an engineer's or other professional's responsibility to prepare plans accurately and completely for proposed rights-of-way as well as any other projects or plans.

Drainage and Flood Protection

Any amendment to the Land Use Element that allows the reduction of permeable areas, may impact the Stormwater Management Level of Service and shall be evaluated due to possible impacts.

Any future proposed development shall not negatively impact adjacent properties. Stormwater shall be retained on-site utilizing a properly designed seepage or infiltration drainage system demonstrating that the retention requirements and other standards in the Federal, State, County and Local regulations are met.

Any grading and drainage improvements, or development, significant redevelopment, or substantial improvements, within any parcel will require review and approval and must demonstrate with signed and sealed engineering calculations by the developer and/or lessee, that the required retention of stormwater on site is being achieved with a properly engineered stormwater management system and that the proposed development, grading and drainage improvement shall not negatively impact adjacent, upstream or downstream properties. Proposed road drainage systems shall provide service that complies with the minimum requirements outlined in the applicable Code. It should also be noted that this property falls within the North Trail Cut/Fill Basin; all work in the North Trail Basin shall conform with the North Trail Basin cut and fill criteria to ensure proper water management.

The improvements/development will be subject to DERM review and approval of necessary permits and DERM completing/certifying the improvements after completion.

The developer, and/or subsequent owner(s) shall be responsible for maintaining and operating the stormwater retention system associated with any future development once approved and built. If any adjacent property is negatively impacted and/or any adverse impacts caused by the completed surface water management system, the developer, and/or subsequent owner(s) shall be responsible to implement and provide the appropriate mitigation measures. DERM will require the permittee/developer or subsequent owner(s) to modify the surface water management system, if necessary, to eliminate the cause of the adverse impacts.

At a minimum, the County Flood Criteria adopted in Miami-Dade County in October 2022, or subsequent standards in effect at the time of review and approval shall be complied with. Most current and groundwater level data available at the time of the review and approval, from the County or other agencies, shall be used.

DERM has reviewed the Applicant's memorandum response letter dated March 7, 2025, "Re: Kelly Tractor Company Application CDMP20230013" and "Conceptual Stormwater Management Master Plan" dated February 24, 2025, signed and sealed by Michael P. Carr, P.E., and provides the following comments:

1. DERM's prior comments below have not been adequately addressed:
 - a. Water quality calculations need to be revised to accurately reflect the site area breakdown. Specifically, the percent impervious area calculation for water quality (III. Computations – A.2) needs to be revised.
 - i. The impervious area within the right-of-way should be accounted for in the water quality computation if the design intent is for the right-of-way drainage to be interconnected to the lakes. Provide clarification.

- b. The requirement of on-site retention of the 100-year - 72-hour storm event needs to be discussed in the Conceptual Stormwater Management Master Plan with enough clarity to understand the plan for the entire development. The retention requirement also applies to the roads and the master plan should explain the plan clearly.
 - i. The Conceptual Stormwater Management Master Plan does not make reference to the site's location within the North Trail Basin. It should be clearly stated that the conceptual stormwater design is for compliance with the North Trail Basin Cut and Fill criteria.
 2. The water quality exfiltration trench calculation should account for storage up to a weir elevation prior to connection to the lakes. The narrative portion of the Conceptual Stormwater Management Master Plan should clearly state the necessity of a weir structure to provide water quality prior to discharge to the lakes.
 3. Be advised that for future development applications submitted after March 31st, 2025, post-development pollutant load requirements outlined in Section 24-42.8(4)(c)(ii)(2) will apply.
 4. Page 17 of the Conceptual Stormwater Management Master Plan labels "E = Exfiltration Trench" and includes 80 acre-feet (ac-ft) of storage. Clarify if this 80 acre-feet is exfiltration trench or the offsite storage credit provided by the conservation easement/preserve areas as stated on Page 2. Provide stage storage calculations for the conservation easement/preserve areas to clarify how the volume of storage was obtained.
 5. Page 13 of the Conceptual Stormwater Management Master Plan accounts for a "**1" Credit for North Trail Basin" in the 100-year, 3-day rainfall amount. Be advised that for future development applications submitted after March 31, 2025, this credit will not be allowed. Per Section 24-42.8(4)(c)(i)(5)(a), exfiltration discharge shall not be used in determining the peak stage for the 100-year/3-day storm event for properties located in a cut and fill basin.
 6. Stormwater management areas are proposed within the land associated with restrictive covenants (CFN 2013R0120367 and CFN 2013R0120311). The Conceptual Stormwater Management Master Plan should clearly state this potential limitation and mirror language within the DOR that no work will occur in areas protected by the Existing Permits, Covenants and Restrictions unless and until modified through future permitting activities and modification of the Existing Permits, Covenants, and Restrictions. Any future stormwater management system approvals will be subject to Wetlands Resources Section approval.

Relevant Chapter 24 Provisions regarding stormwater management

Any construction activities that require dewatering will require a Class V permit, according to section 24-48.1(1)(e) of the Code. Class V permits are required for any dewatering of groundwater, surface water, or water that has entered into an underground facility, excavation, or trench.

Any new development or redevelopment involving 2 acres or greater of impervious area or any site which is 10 acres or greater in total shall require a DERM Surface Water Management General Permit (SWMGP) for the construction and operation of the required surface water management system.

For compliance with Miami-Dade County stormwater disposal requirements, all stormwater shall be retained on-site utilizing a properly designed seepage or infiltration drainage system. Any grading and drainage improvements within the parcels will require review and approval by DERM. The road drainage systems shall provide service that complies with the minimum requirements outlined in the Miami-Dade County Public Works Manual.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties. Any proposed development shall comply with county and federal flood criteria requirements.

DERM has reviewed the draft Declaration of Restrictions and recommends that approval of the draft is not granted until the application demonstrates substantial compliance with the CDMP and County requirements.

EXHIBIT B

UNIFORM WETLAND MITIGATION ASSESSMENT WORKSHEET - PART I - IMPACT
Form 62-345.900(2), F.A.C. (See Sections 62-345.400 F.A.C.)

Site/Project Name MDXQ, LLC		Application Number 2008-CLIV-PER-00056		Assessment Area Name or Number Unpermitted planting rows	
FLUCCs code 643		Further classification (optional)		Impact or Mitigation Site? Impact	Assessment Area Size 37.30 Acres
Basin/Watershed Name/Number NTB		Affected Waterbody (Class)		Special Classification (i.e. OFW, AP, other local/state/federal designation of importance) None	
Geographic relationship to and hydrologic connection with wetlands, other surface water, uplands					
When the impacts occurred, the AA was adjacent to and hydricly connected to unimpacted wetlands to the south and west; also adjacent to the wetland furrows within the permitted agricultural area to the north.					
Assessment area description					
When the impacts occurred, the AA was a wet prairie impacted with exotic vegetation located outside of the urban development boundary line. A list of the species present is included as Exhibit 1.					
Significant nearby features			Uniqueness (considering the relative rarity in relation to the regional landscape.)		
The Pensuoco Wetland Basin, an environmentally protected basin, a permitted lake excavation, N.W. 137th Avenue, the C-4 Canal and the C-4 Emergency Detention Basin.			Not Unique		
Functions			Mitigation for previous permit/other historic use		
Wildlife habitat (roosting, foraging, possibly nesting), recharge of aquifer, flood control.			No		
Anticipated Wildlife Utilization Based on Literature Review (List of species that are representative of the assessment area and reasonably expected to be found.)			Anticipated Utilization by Listed Species (List species, their legal classification (E, T, SSC), type of use, and intensity of use of the assessment area)		
A list of observed and commonly observed wildlife is included as Exhibit 1			American alligator (<i>Alligator mississippiensis</i>), Eastern indigo snake (<i>Drymarchon corais couperi</i>), little blue heron (<i>Egretta caerulea</i>), wood stork (<i>Mycteria americana</i>), and bald eagle (<i>Haliaeetus leucocephalus</i>)		
Observed Evidence of Wildlife Utilization (List species directly observed, or other signs such as tracks, droppings, casings, nests, etc.):					
See Exhibit 1					
Additional relevant factors:					
For this assessment, the unpermitted planting rows between 1990 and 2004 were grouped together. The Biological Assessment conducted on August 12, 2009 is attached as Exhibit 1					
Assessment conducted by: Michael Spinelli & Martha Garcia			Assessment date(s): 8-12-2009 & 6-7-2010		

Form 62-345.900(1), F.A.C. [effective date]

P:\Natural Resources\ERR\WETLANDS RESOURCES SECTION\Permitting\Wetlands Class IV Project Files\2008\08-001-08-100\08-056 MDXQ LLC\Other\Mitigation Assessment\UMAM Unpermitted planting rows

Water and Sewer

Potable Water Supply and Wastewater Facilities

CDMP20230013 application area is located outside the UDB, where typically public water and sanitary sewer services are not available. However, the applicant has submitted a Conceptual Water and Sewer Master Plan dated December 16, 2024, proposing connection to the public water and the public sanitary sewer services. Additionally, the proposed declaration of restrictions, draft dated December 6, 2024, paragraph 5.C. provides that any development on the property shall connect to the public water and public sanitary sewer system.

Required infrastructure serving development is typically built by the developer, and those portions within the public right-of-way, including public water and sanitary sewer mains are typically conveyed to Miami-Dade County to be maintained in perpetuity as public infrastructure. For this application, this would require the County to operate and maintain any dedicated infrastructure that would be located outside the Urban Development Boundary.

Policy WS-1A states *“The area within the Urban Development Boundary of the adopted Land Use Plan Map shall have the first priority in providing potable water supply, and sanitary sewage disposal, and for committing financial resources to these services. Future development in the designated Urban Expansion Area shall have second priority in planning or investments for these services. Investments in public water and sewer service shall be avoided in those areas designated for Agriculture, Open Land, or Environmental Protection on the Land Use Plan map, except where essential to eliminate or prevent a threat to public health, safety, or welfare.”*

Further, Policy WS-1H states *“New water supply or wastewater collection lines should not be extended to provide service to land within areas designated Agriculture, Open Land, or Environmental Protection on the Land Use Plan map. New water or wastewater lines to serve land within these areas should be approved or required only where the absence of the facility would result in an imminent threat to public health or safety. The use of on-site facilities should be given priority consideration. In all cases, facilities should be sized only to service the area where the imminent threat would exist, to avoid inducing additional urban development in the area. This policy will not preclude federal, State or local long-range planning or design of facilities to serve areas within the Urban Development Boundary (UDB) or Urban Expansion Area (UEA). Public health and safety determinations will be made in accordance with Chapter 24 of the Code of Miami-Dade County (Environmental Protection) and Section 2-103.20, et seq., (Water Supply for Fire Suppression) Code of Miami-Dade County.”*

Notwithstanding the applicant’s assurances that the necessary infrastructure would be provided, the proposed development would be located outside the UDB, within Open Land, and the proposed land uses are prohibited to be served by an onsite domestic well and onsite sewage treatment and disposal systems pursuant to the Code. Based on the proposed land uses, the applicant is creating the need to install public water and sanitary sewer, because the proposed land uses could create an imminent threat to ground and groundwater quality if not served by public water and sanitary sewers.

Relevant Chapter 24 Provisions regarding connection to public water and sanitary sewer

Please note there are various Chapter 24 provisions that require industrial uses (as well as other types of non-residential uses) to connect to public water and public sanitary sewers. These would apply unless the applicant obtained a variance from the Environmental Quality Control Board from the applicable Code requirements Please see below for excerpts of some relevant Code provisions:

The proposed development shall connect to the public sanitary sewer system in accordance with the requirements of Chapter 24 of the Code.

Provisions shall be made to provide public water and sewer services for the development within the new area. The water main shall be evaluated and upsized if required based on the proposed development and existing domestic and fire water flow demands. If a private sanitary sewer pump station is required, the station shall be designed pursuant to section 24-42.2 of the Code and Chapter 62-604, Florida Administrative Code.

The future construction within the development area shall comply with the requirements mandated by the Federal Consent Decree Case: NO. 1:12-cv-24400-FAM, effective Dec 6, 2013, with the goal of eliminating all Sanitary Sewer Overflows (SSOs) and Prohibited Bypasses.

DERM review and approval is required for any proposed public or private sanitary sewer system. Each parcel within the proposed development that is required to be served by public sanitary sewers shall connect directly to the public sanitary sewer system, without traversing other parcels. Private sanitary sewer collection and transmission systems are limited to one building per parcel connecting directly to a public sanitary sewer system and cannot traverse other parcels to connect to the public sanitary sewer system. If multiple buildings are within a parcel, each building shall connect individually to a public sanitary sewer system without traversing other parcels.

All public wastewater collection and transmission systems shall be protected from flood waters and inflow by having all mechanical and electrical equipment and all system openings placed above the Base Flood Elevation plus applicable freeboard and sea level rise. Freeboard and sea level rise are independent and cumulative (e.g., for a BFE of 8-feet with 24-inch freeboard and 24-inch Sea Level Rise requirements, all openings shall be above 12-feet). Openings include, but are not limited to, all manholes, pump station wet wells, and system vents. When the required minimum elevations (BFE + Freeboard +Sea Level Rise) cannot be attained for system openings (e.g., manholes, wet wells), openings shall be elevated to be protected from a 10-yr storm and include water-tight and bolted covers/hatches. The entire assembly, structure, ring, frame, etc., shall be Water-Tight to sustain as a minimum, a water column pressure equivalent to the difference between opening elevation and minimum required elevation (BFE + Freeboard +Sea Level Rise). Freeboard shall be no less than 12-inches for substantial systems and 24-inches for essential systems. Sea Level Rise shall be, at a minimum, IPCC Median at 50 years. For example, for a BFE of 8-feet, an essential system manhole opening shall be set at or above 8-feet + 24-inches + 21-inches or 11-feet 9-inches or include a water-tight bolted cover. Essential systems are those that serve essential facilities (e.g., hospitals) or are required to include an emergency generator. All others are substantial systems.

Potable water treatment capacity

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

The Miami-Dade Water and Sewer Department's regional water treatment system capacity is the sum of the treatment capacity of the regional water treatment plants. The rated treatment capacity is the amount of water a treatment plant can treat in one day. The regional water treatment system can treat up to 449.74 million gallons per day (MGD). Pursuant to CDMP Objective WS-2, the regional water treatment system shall operate with a rated maximum daily capacity no less than two (2) percent above the maximum daily flow for the preceding year, and an average daily capacity two (2) percent above the average daily system demand for the preceding 5 years.

It should be noted that the amount of water that MDWASD is allowed to withdraw from the aquifer is stipulated by the South Florida Water Management Water Use permit. Currently, MDWASD is

allowed to withdraw less water than can be treated at the water treatment plants. Therefore, the actual amount of available water should be considered as a limiting factor.

During the planning and building permit phase, MDWASD analyzes each project to determine the overall proposed water demand. The future water demand is reserved through the MDWASD water allocation process.

Potable Water System Connectivity

The proposed development is located within the WASD's water service area. The water supply will be provided by the Hialeah-Preston Water Treatment Plant (WTP). Currently, there is adequate treatment and water supply capacity, consistent with Policy WS-2 A (1) of the CDMP.

There is a 16-inch water main (E14411-2) located just west of the intersection of NW 6th Street and NW 137th Avenue to where the developer may connect and extend a new 16-inch water main (Section Line) heading westerly along NW 6th Street (existing and proposed Right-of-Way) to the southwest corner of the subject property, in order to provide water service to the proposed development.

Any public water main extension within the property shall be 12-inch minimum diameter. If two (2) or more fire hydrants are to be connected to a public water main extension, then the water system shall be looped with two (2) points of connections. *Final points of connections and capacity approval to connect to the water system will be provided at the time of development, when a WASD Developer Agreement is offered.*

Sewer Treatment Plant Capacity

Based on the requested land use and development that would be allowed under this land use amendment, connection to the public sanitary sewer system would be required pursuant to Chapter 24 of the Code. The wastewater flows for this application would be transmitted to the South District Wastewater Treatment Plant for treatment and disposal. This treatment plant is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate wastewater treatment capacity for this application consistent with Policy WS-2A (2) of the CDMP. This facility is currently working within the mandated criteria set forth in Consent Decree Case: N0. 1:12-cv-24400-FAM, effective December 6, 2013. Any future construction within the application area must comply with the requirements of the referenced Consent Decree.

It is noted that the area of the subject CDMP application west of NW 142nd Avenue, north of NW 6th Street, and east of the Canal is part of an area considered by WASD for a future Wastewater Treatment Plant. Some adjoining parcels have already been purchased for this purpose and WASD currently has funds budgeted for further land acquisition from willing sellers. WASD also has identified approximately \$2.1 billion in unfunded capital programs for the construction of the Wastewater Treatment Plant and Injection Wells. Currently, WASD is preparing an Integrated Water and Wastewater Master Plan and is evaluating increased loads and flows from population growth and septic to sewer conversion to identify a timeframe for the Wastewater Treatment Plant.

Sewer System Connectivity

The sewer infrastructure required for the subject application is for the sole use of the proposed development with this application. The proposed development is 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. Currently, there is adequate sewer treatment and disposal capacity at the SDWWTP, consistent with Policy WS-2 A (2) of the CDMP.

There is an existing 8-inch force main located just west of the intersection of NW 6th Street and NW 137th Avenue, to where the developer may connect and extend a minimum 8-inch force main heading westerly in NE 6th Street (existing and proposed right-of-way) to the subject property, in order to provide sewer service to proposed development. A Public sewer pump station will be required.

At this time, there is a project in the vicinity of the subject site, located on the south side of NW 6th Street, approximately 595 feet west of the intersection of NW 137 Avenue and NW 6 Street. Said project has a WASD Agreement No. 32243 for the new construction of 17,000 sq. ft. of offices, 5,000 sq. ft. of retail, 3,500 sq. ft. of Truck Wash Area (3 Bays), and a Truck Fueling Station Area.

Also, there is a proposed 16-inch force main along NW 6 Street with Agreement No. 32243, that *if conveyed by the time this project is ready for construction*, the developer may connect to said 16-inch force main and extend the same 16-inch water main westerly along NW 6 Street (existing and proposed right-of-way) to the southwest corner of the site, as required to provide connection to a New Public Pump Station.

The New Public Pump Station site dimensions must be 45 feet X 65 feet and shall be deeded to WASD and must be shown on the plat without the encroachment of any other utility easements, having direct access to either a dedicated public right-of-way or to an ingress-egress paved access and utility easement with a minimum width of 20 feet.

Additionally, the developer shall connect to the aforementioned proposed Public Pump Station and extend 8-inch minimum gravity sewer mains in public right-of-way as required to provide service to the proposed development. 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.

Water Demand/Sewer Flow Analysis

As noted in the “Estimated Water Demand/Sewer Flow for Proposed Development by Land Use Scenario” table below, the maximum water demand under the current CDMP Land Use designation of “Open Land” and “Industrial and Office” is estimated to be 11,031 gallons per day (gpd), as shown under Scenario 1. The maximum water demand under the CDMP “Open Land” land use designation of – for the proposed “MIA Equipment and Supportive Services Area” would be 96,131 gpd, which represents the total water demand for all uses listed under Scenario 2. The water demand is thus projected to increase by 85,100 gpd should the application be approved, and the proposed development constructed.

Note to the Developer:

- The Developer of this proposed project, if approved, shall coordinate and cooperate on water and sewer interconnections, construction sequence, and schedule with other development projects that are in the vicinity either downstream or upstream with regard to obtaining approval and permits from WASD and other regulatory governmental agencies to avoid conflict with utility plans.
- If a vicinity development has a water and/or sewer construction permit but has not started construction and another developer would like to take over the other development scope of water and/or sewer work, then the developers shall coordinate to withdraw the existing permit prior to the other developer submitting plans to WASD and other regulatory governmental agencies for review.

**Estimated Water Demand/Sewer Flow
Proposed Development by Land Use Scenario**

Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier*	Projected Water Demand (gpd)
Current CDMP Designations – “Open Land” and “Industrial and Office”				
1	SF Rural Residences	49 units	210 gpd/unit	10,290
	Warehouse	37,036 sq. ft.	2 gpd / 100 sq. ft	741
	Total gpd			11,031
Requested CDMP Designation – “MIA Equipment and Supportive Services Area”				
2	Storage of equipment, machinery, part, and components	2,240,000 sq. ft.	2 gpd/100 sq. ft.	44,800
	Fabrication, repair and maintenance	300,000 sq. ft.	4 gpd/100 sq. ft.	12,000
	Equipment Operations and Training Facility	18,000 sq. ft.	10 gpd/100 sq. ft.	1,800
	Administrative Offices	80,000 sq. ft.	10 gpd/100 sq. ft.	8,000
	Equipment Display	10,000 sq. ft.	5 gpd/100 sq. ft.	500
	Parts Area	5,000 sq. ft.	2 gpd/100 sq. ft.	100
	Equipment Rental Office	20,000 sq. ft.	10 gpd/100 sq. ft.	2,000
	Limited Commercial Uses (bank, convenience store, restaurant, retail) ¹	30,000 sq. ft.	10 gpd/100 sq. ft.	3,000
	Gas Station (with 8 fueling stations) plus electrical vehicle charging stations	-	450 gpd	450
	Helicopter Landing Pad and Hangar	8,000 sq. ft.	N/A	N/A
	Truck and Equipment Washing Facility (40,000 sq. ft.)	4 Bays	5,500 gpd/bay	22,000
	Open air transloading and vertical shipping container storage	435,600 sq. ft.	N/A	N/A
	Truck Parking	200 spaces	N/A	N/A
	Industrial and Office	37,036 sq. ft.	4 gpd/100 sq. ft.	1,481
Total gpd			96,131	

Source: Miami-Dade Water and Sewer Department; Department of Regulatory and Economic Resources, Planning Division; January 2025

*Water Demand Multipliers can be found at Section 24-43.1 Miami-Dade Code.

¹At time of development, the proposed will be determined, and the total water/sewer flows will be finalized.

Conceptual Water and Sewer Master Plan: The Miami-Dade Water and Sewer Department has reviewed the Conceptual Water and Sewer Master Plan dated December 16, 2024, submitted for the subject CDMP application. The Memorandum details the water and sewer general requirements to provide water and sewer service for the proposed development, subject to the approval of the requested changes with this application.

WASD's also offers the following comments:

1. Page No. 2, Development program demands.
 - The proposed gas station (with 8 fueling stations) with a water demand of 450 gallons per day (gpd) was not included.
 - The 37,036 square feet of Industrial and office space with a water demand of 1,481 gallons per day (gpd) was not included.
2. Page No. 2, 3 & 4 Sanitary Sewer Improvements: A public pump station will be required.

Office of Historic Preservation

CDMP Land Use Element Policy LU-6A requires Miami-Dade County shall continue to identify, seek appropriate designation, and protect properties of historic, architectural, cultural and archaeological significance.

The application area is located within a region with known archaeological resources and contains Everglades tree island sites. Folio 30-3953-000-0130 includes a portion of the Miami-Dade County historically designated Lehigh Archaeological Zone. A Cultural Resource Assessment Survey (CRAS) of the application area was completed (dated August 2023) and reviewed by the Miami-Dade County Office of Historic Preservation (OHP) which concurred with the results, which confirmed the existence of Archaeological Site 8DA93 in the southeastern corner of the application area. A Certificate to Dig (CTD) permit and consultation with OHP staff shall also be required for any proposed ground disturbing work near the Lehigh Archaeological Zone.

The Miami-Dade County Office of Historic Preservation (OHP) has reviewed the Phase I Archaeological Survey Report dated August 2023 and concurs with the results and recommendations. Additionally, the OHP offers the following comments:

1. The Miami-Dade County designated Lehigh Archaeological Zone (DA93) shall be avoided.
2. A temporary construction fence shall be placed 30 feet from the tree line of the Lehigh Archaeological Zone prior to any ground disturbing activities, including but not limited to clearing, grading, and/or construction related work.
3. Any ground disturbing activities occurring within 100 feet of the Lehigh Archaeological Zone tree line shall be monitored by a professional archaeologist.
4. If significant archaeological deposits or features are encountered during monitoring, the archaeological consultant shall be allowed sufficient time to properly identify and assess the integrity and significance of the finds. An archaeological monitoring report shall be submitted to the OHP detailing the results of the finds within 30 days of completion of monitoring.
5. If human remains are encountered, the guidelines of State Statute 872.05, Florida's Unmarked Human Burial Law, shall apply and all work in the area of the discovery shall cease. The State and County Archaeologists shall be notified.

In addition, OHP requests the following language to be included in the CDMP Declaration of Restrictions under Section 5D:

D. Archaeological Site / Potential Unmarked Human Burial. The Phase One Archeological Assessment submitted as part of the County's review of the Application has confirmed the existence of archaeological Site 8DA93 in the southeastern corner of the Application Area (the "Archaeological Site"), as such designated by Miami-Dade County as the Lehigh Archaeological Zone. The Owner has an interest in protecting and preserving the unmarked burials, human skeletal remains and

associated burial artifacts within the Archaeological Site. As such, the Owner covenants that it shall preserve and make no physical alteration to the Archaeological Site. Any ground disturbing activities within 100 feet of the boundaries of the Archaeological Site, including construction activities, shall not be allowed. A temporary safety fence shall be placed 100 feet from the Archaeological Site boundaries prior to any ground disturbing activities. Consultation with the Miami-Dade County Office of Historic Preservation shall be required to confirm placement of the temporary construction fence, as well as removal of the fence at the conclusion of any ground disturbing work. The archaeological site is legally-described in Exhibit "C". This Covenant will run with the land and shall be in effect in perpetuity.

Solid Waste

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

Level of Service Standard

CDMP Policy SW-2A establishes the adopted Level of Service (LOS) standard for the County's Solid Waste Management System. This CDMP policy requires the County to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long-term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five years. The DSWM assesses the solid waste capacity on a system-wide basis since it is not practical or necessary to make a determination concerning the adequacy of solid waste disposal capacity relative to individual applications. As of FY 2022-2023, the DSWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, and the application is not anticipated to have a negative impact on disposal service.

Application Impacts

The property is currently undeveloped and primarily outside the Urban Development Boundary (UDB). The application proposes to add the "MIA Equipment and Supportive Services Area" to the "Open Land" land use category text. Adoption of this amendment will facilitate the proposed development including among other things, storage, servicing and maintenance facilities for construction machinery and other specialized equipment. The DSWM does not actively compete for commercial waste collection service at this time. Waste collection and recycling services would, therefore, most likely be provided by a private hauler.

Parks

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

Level of Service Standard

The CDMP's Recreation and Open Space Element Policy ROS-2A establishes the adopted minimum Level of Service (LOS) standard for the provision of recreation open space in the Miami-Dade County. This CDMP policy requires the County to provide a minimum of 2.75 acres of local recreation open space per 1,000 permanent residents in the unincorporated areas of the County and a County-provided, or an annexed or incorporated, local recreation open space of five acres or larger within a three-mile distance from residential development. The acreage/population measure of the LOS standard is calculated for each Park Benefit District. A Park Benefit District is considered below

LOS standard if the projected deficiency of local recreation open space is greater than five acres. Currently, PBD-2 has a surplus capacity of 246.19 acres of parkland, when measured by the County’s concurrency LOS standard of 2.75 acres of local recreation open space per 1,000 permanent residents.

The “County Local Parks” table below lists the parks within a 3-mile radius of the application site; five (5) of the ten (10) parks: Tamiami Lakes Park, Tamiami Canal Park, Central West Basin Park, Tamiami Trail Park (North), and Cd 10 Mini Park are smaller than the required minimum provision of five (5) acres of local recreational open space.

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

Park Name	Acreage	Classification
Tamiami Lakes Park	4.95	Neighborhood Park
Tamiami Canal Park	1.95	Neighborhood Park
Central West Basin Park	1.45	Neighborhood Park
International Gardens Park	5.38	Neighborhood Park
North Trail Park	15.30	Community Park
Tamiami Trail Park (North)	4.00	Neighborhood Park
Tree Island Park and Preserve	120	Community Park
Bird Basin Park	9.88	Neighborhood Park
Cd 10 Mini Park	.13	Mini Park
Central West Basin Linear Park	22.17	Neighborhood Park

Source: Miami-Dade County Parks, Recreation and Open Space Department, September 2024.

Application Impacts

The existing “Open Land” and “Industrial and Office” CDMP land use designations could allow as many as 49 single-family rural residential units and an anticipated population of 148. The concurrency analyses results in an impact of 0.41 acres, based on the minimum Level of Service Standard for the provision of local recreation open space in the Recreation and Open Space Element

The proposed “Open Land” (MIA Equipment and Supportive Services Area) and “Industrial and Office” CDMP land use designations would not permit residential development and therefore, the County’s Level of Service Standards do not apply. PROS recommends that the proposed development provide private recreation as space allows and access, in the form of non-motorized, pedestrian connections between the various uses and buildings within the development. PROS also recommends adding shade trees along walking paths and private and public sidewalks to provide a more shaded and walkable area per the Great Streets Vision laid out in the Miami-Dade County Open Spaces Master Plan (OSMP). PROS also highly encourages that the applicant include bicycle racks for all development users in highly visible areas to promote non-motorized connectivity. These recommendations are based on the following Recreation and Open Space policies and objectives in the CDMP:

Objective ROS-1: Provide a comprehensive system of public and private sites for recreation, including but not limited to public spaces, natural preserve and cultural areas, greenways, trails, playgrounds, parkways, beaches and public access to beaches, open space, waterways, and other recreational facilities and programs serving the entire County; and local parks and recreation programs adequately meeting the needs of Miami-Dade County’s unincorporated population.

Policy ROS-3B: The County shall improve and promote non-motorized access to existing park and recreation open spaces by implementing the North Miami-Dade Greenways Master Plan and South Miami-Dade Greenway Network, as well as improved sidewalks and trails, to improve connectivity between parks and residences, schools, activity centers, and transportation nodes.

Objective ROS-8: The Miami-Dade County Parks and Open Space System Master Plan, through a 50-year planning horizon, shall guide the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities.

Fire and Rescue Service

The Miami-Dade Fire Rescue Department (MDFR) fire station currently serving the application site is Station No. 58 (Tamiami) located at 12700 SW 6th Street. The station is equipped with (1) Engine and (1) Rescue seven (7) firefighters/paramedics, 24 hours a day, seven days a week. Average travel time to incidents in the vicinity of the site is approximately 6:56 minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8 minutes at 90% of all incidents. Travel time to the vicinity of the subject application complies with the performance objective of national industry. There are no planned services in the vicinity of the Property.

Level of Service Standard for Fire Flow and Application Impacts

CDMP Policy WS-2A establishes the County's minimum Level of Service standard for potable water. This CDMP policy requires the County to deliver water at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi, unless otherwise approved by the Miami-Dade Fire Rescue Department.

The current CDMP designation "Open Land" and "Industrial and Offices" allows for potential development totaling 49 rural residences and 37,036 square feet (sq.ft.) industrial that are estimated to generate 17 alarms annually.

The proposed CDMP designation of "Open Land" (MIA Equipment & Supportive Services Area) and "Industrial and Office" will allow a potential development of 2,240,000 sq.ft. storage, 300,000 sq.ft. fabrication and repair, 18,000 sq.ft. training facility, 80,000 sq.ft. offices and classrooms, 10,000 sq.ft. display, 5,000 sq.ft. parts area, 20,000 sq.ft. equipment and sales offices and 30,000 sq.ft. of limited commercial uses. The proposed development is estimated to generate approximately 137 annual alarms. The 137 annual alarms would result in a high impact to existing fire rescue service.

Presently, fire and rescue service in the vicinity of the application site is adequate. Based on the current call volume for Station No. 58 and existing stations within proximity of the subject property, all stations combined are capable of mitigating the additional number of alarms. Additional stations within the vicinity include Station No. 61 (Trail), located at 15155 SW 10th Street Miami, FL 33194, and Station No. 29 (Sweetwater), located at 351 SW 107th Avenue, Sweetwater, Florida 33174.

MDFR is requesting that as part of the rezoning process, a detailed site plan be submitted for review to the Fire Engineering and Water Supply Bureau. At such time, the Bureau will review the site plan to assure compliance with the minimum Fire Flow and Fire Hydrants requirements as well as any other regulation dictated by the Florida Fire Prevention Code (FFPC), National Fire Protection Association (NFPA) and local governmental agencies within Miami Dade County. Any discrepancy or variation from the standards must be notified to MDFR accordingly prior to starting the platting and/or permitting stages of the development and shall be approved by MDFR.

Police

Current data of police staffing, population, and crimes/calls for service by the Miami-Dade Police Department (MDPD) was examined to project possible increase in calls for service. The MDPD determined that existing staffing should accommodate any slight increase in the volume of calls for service, and that should demand for police services increase beyond current levels, additional sworn personnel, support staff, and equipment will be required.

Public Schools

The application does not include residential uses in the development program for the proposed development. Therefore, the proposed CDMP land use change on the application site to "Open Land" (MIA Equipment & Supportive Services Area) and the proposed development will have no impact on Miami-Dade County Public School's student population.

Aviation

The application site is located outside of Miami-Dade County Aviation Department's (MDAD) GIS "Aviation Zone." MDAD advises that all uses on the site are required to comply with federal, state and local aviation regulations, including Chapter 33, Zoning, of the Code of Miami-Dade County as it pertains to airport zoning.

Roadways

The application site is a ±246.07-acre property located west of 137 Avenue between theoretical NW 9 Lane and NW 6 Street in unincorporated Miami-Dade County. The access to the application site would be from NW 6 Street in the south. Currently NW 6 Street is a two-lane roadway extending approximately 400 feet west of NW 137 Avenue, hence, to obtain access to the site the applicant needs to extend this road further west up to the site entrance. The major roadways that would cater to the mobility needs of this project are shown below:

1. 137 Avenue from NW 12 Street to SW 26 Street is a 6-lane state-maintained roadway with posted speed limit of 40 mph.
2. SW 8 Street is a state maintained 4-lane roadway west of SW 137 Avenue and 6-lane roadway east of SW 137 Avenue with posted speed limit of 45 mph
3. Dolphin Expressway is a state maintained 4-lane roadway west of Turnpike and 6-lane roadway east of Turnpike with posted speed limit of 55 mph.
4. Florida's Turnpike from NW 41 Street to SW 8 Street is a 8-lane expressway with posted speed limit of 70 mph.

The project site is located near two major arterials namely Dolphin Expressway and Florida's Turnpike which would provide connectivity to other regions within the County and outside the County.

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

Existing Conditions

Existing traffic conditions on major roadways adjacent to and in the vicinity of the application site, which are currently monitored by the State (Year 2021) and the County (Year 2022), are operating at acceptable levels of service except for two roadways:

- SW 127 Avenue south of SW 26 Street.
- SW 157 Avenue south of SW 26 Street.

See “Traffic Impact Analysis on Roadways Serving the Amendment Site” table below.

Trip Generation

The maximum development potential scenarios under each the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Open Land” and “Industrial and Office” the application site can be developed with 49 Single Family Dwelling Units and 37,036 sq.ft. of Industrial uses. Under the revised request, the CDMP land use designation would remain “Open Land” and “Industrial and Office”, however the application site can be developed with 2,240,000 sq.ft. Indoor Storage, 300,000 sq.ft. Fabrication and Repair, 18,000 sq.ft. Operations and Training, 80,000 sq.ft. Administrative Office, 10,000 sq.ft. Equipment Display, 5,000 sq.ft. Parts Area, 20,000 sq.ft. Equipment Rental, 30,000 sq. ft. Supportive Commercial, 8,000 sq.ft. Helicopter Landing Pad, 40,000 sq.ft. Truck Washing, 37,036 sq.ft. Industrial & Office uses, 10 Acres Storage & Transloading, 200 Truck Parking Spaces and 8 Fueling positions.

Estimated PM Peak Hour Trip Generation By Current and Requested CDMP Land Use Designations			
Application No. CDMP20230013	Current CDMP Designation and Assumed Use Estimated No. Of Trips	Requested CDMP Designation and Assumed Use Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use
Land Use	“Open Land” and “Industrial and Office”	“Open Land” and “Industrial and Office”	
Maximum Development Potential	49 Single Family Detached Units ¹ and 37,036 sq.ft. Industrial Uses ²	<p>Indoor Uses</p> Indoor Storage – 2,240,000 sq.ft. Fabrication & Repair – 300,000 sq.ft. Operations & Training – 18,000 sq.ft. Administrative Office – 80,000 sq.ft. Equipment Display – 10,000 sq.ft. Parts Area – 5,000 sq.ft. Indoor Equipment Rental – 20,000 sq.ft. Supportive Commercial – 30,000 sq. ft.	
Total Trips Generated	51	874	+823
Source: Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021; Miami-Dade County Department of Regulatory and Economic Resources, December 2021.			
Notes: ¹ – ITE Land Use Code used for Single Family Dwellings is 210.			
² – ITE Land Use Code used for Industrial is 110 (General Light Industrial).			

The proposed development program does not have a comparable land use in the Institution of Transportation Engineers’ Trip Generation Manual; hence staff requested the applicant to collect trip generation data in a comparable site which has similar land uses to the one proposed. The applicant
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chose a similar Kelly Tractor facility operating in Doral and collected 72-hour trip generation count. The Doral facility is 35 acres in size, and it generated 191 trips between 5.30 to 6.30 pm which translates to 5.46 trips per acre. The proposed application site is a 246-acre property of which 86 acres will be set aside for storm water management, leaving a net area of 160 acres for the proposed development. Based on the survey one acre generates 5.46 trips during the afternoon peak hour, hence 160 acres would generate approximately 874 PM peak hour trips or approximately 823 more PM peak hour trips than the current CDMP designation. See “Estimated PM Peak Hour Trip Generation” table below.

Short Term Traffic Evaluation

An evaluation of peak-period short-term traffic concurrency conditions was conducted as of August 2023, which considers reserved trips from approved development not yet constructed, programmed roadway capacity improvements listed in the first three years of the County’s adopted 2023 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the development scenarios assumed to be developed under the requested CDMP LUP map designation. This evaluation determined that two roadways monitored for concurrency adjacent to and in the vicinity of the application site are currently operating below the County’s adopted Level of Service (LOS) standards.

- SW 127 Avenue south of SW 26 Street is operating at LOS ‘F’ but the adopted LOS is ‘D’.
- SW 157 Avenue south of SW 26 Street is operating at LOS ‘F’ but the adopted LOS is ‘D’.

The “Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation” Table below shows that two roadways are projected to operate below the County’s adopted level of service standards but the project traffic impact on the roadways is not significant since it is less than 5% of adopted LOS.

Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation Roadway Lanes, Existing and Concurrency PM Peak Period Operating Level of Service (LOS)														
Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Total Trips With D.O's Trips	Conc. LOS w/o Amend.	Amendment Peak Hour Trips	% Impact	Total Trips With Amend.	Concurrency LOS with Amend.
Requested CDMP Designation: "Open Land" and "Industrial and Office". Net Trips: 874 PM peak hour trips														
87-8718 ⁽¹⁾	NW 137 Avenue	south of NW 17 street	4 DV	D	3,222	1,174	C	0	1,174	C	52	1.61%	1,226	C
87-8719 ⁽¹⁾	NW 17 Street	east of SW 137 Avenue	2 DV	D	3,222	1,126	C	0	1,126	C	52	1.61%	1,178	C
9480	NW 25 Street	west of HEFT	4 DV	D	2,628	1,651	D	43	1,694	D	52	1.98%	1,746	D
9408	NW 25 Street	west of NW 107 Avenue	4 DV	D	3,222	2,677	C	108	2,785	C	70	2.17%	2,855	C
87-9363	NW 111 Avenue	south of NW 17 street	2 DV	D	2,628	1,448	D	0	1,448	D	9	0.34%	1,457	D
87-9365	NW 12 Street	west of SW 127 Avenue	4 DV	D	3,222	1,903	C	171	2,074	C	122	3.79%	2,196	C
9365	NW 12 Street	west of NW 117 Avenue	4 DV	E+20%	3,866	2,575	C	87	2,662	C	114	2.95%	2,776	C
9364	NW 12 Street	east of SW 112 Avenue	6 DV	D	4,851	2,666	C	0	2,666	C	105	2.16%	2,771	C
F-1218	NW 107 Avenue	north of NW 7 Street	6 DV	D	5,390	4,417	C	15	4,432	C	17	0.32%	4,449	C
9160	Flagler Street	west of NW 114 Avenue	4 DV	EE	3,866	1,830	C	1	1,831	C	9	0.23%	1,840	C
9770	SW 127 Avenue	north of SW 8 Street	4 DV	D	2,628	2,072	D	44	2,116	D	9	0.34%	2,125	D
9772	SW 127 Avenue	south of SW 8 Street	4 DV	E	2,736	1,405	D	0	1,405	D	26	0.95%	1,431	D
9774	SW 127 Avenue	south of SW 26 Street	2 DV	D	1,197	1,759	F	0	1,759	F	17	1.42%	1,776	F
F-2509	SW 137 Avenue	north of SW 8 Street	6 DV	E+20%	6,468	4,272	C	66	4,338	C	358	5.53%	4,696	C
9800	SW 137 Avenue	south of SW 8 Street	4 DV	E+20%	3,648	2,643	D	18	2,661	D	79	2.17%	2,740	D
9802	SW 137 Avenue	south of SW 26 Street	6 DV	D	5,390	2,689	C	19	2,708	C	70	1.30%	2,778	C

F-2239	SR 836	east of NW 137 Avenue	6 DV	D	10,220	3,672	B	0	3,672	B	341	3.34%	4,013	B
F-0582	Krome Avenue	north of SW 8 Street	4 DV	C	3,420	1,763	C	1	1,764	C	0	0.00%	1,764	C
F-0004	Krome Avenue	south of SW 8 Street	4 DV	C	3,420	2,235	C	0	2,235	C	26	0.76%	2,261	C
F-0377	SW 8 Street	east of Krome Avenue	4 DV	C	3,420	1,736	C	37	1,773	C	35	1.02%	1,808	C
F-0089	SW 8 Street	west of SW 137 Avenue	6 DV	E+20%	6,468	4,592	C	73	4,665	C	70	1.08%	4,735	C
F-0088	SW 8 Street	east of SW 137 Avenue	6 DV	E+20%	6,468	3,229	C	104	3,333	C	210	3.25%	3,543	C
F-0090	SW 8 Street	west of SW 107 Avenue	6 DV	D	5,390	4,049	C	0	4,049	C	87	1.61%	4,136	C
9791	SW 132 Avenue	north of SW 8 Street	2 DV	D	1,197	1,073	D	6	1,079	D	0	0.00%	1,079	D
9766	SW 122 Avenue	south of SW 8 Street	4 DV	E	2,736	2,044	D	2	2,046	D	9	0.33%	2,055	D
9851	SW 157 Avenue	south of SW 8 Street	2 DV	D	1,197	803	D	15	818	D	9	0.75%	827	D
9853	SW 157 Avenue	south of SW 26 Street	2 DV	D	1,197	1,653	F	0	1,653	F	9	0.75%	1,662	F
8691 ⁽¹⁾	SW 152 Avenue	north of SW 26 Street	4 DV	D	3,222	1,171	C	0	1,171	C	9	0.28%	1,180	C
9135	SW 26 street	west of SW 147 Avenue	4 DV	D	3,222	1,959	C	16	1,975	C	9	0.28%	1,984	C
9134	SW 26 Street	west of SW 137 Avenue	4 DV	E+20%	3,866	1,951	C	261	2,212	C	9	0.23%	2,221	C
9132	SW 26 Street	west of SW 127 Avenue	4 DV	E+20%	3,866	2,454	C	10	2,464	C	9	0.23%	2,473	C
9825	SW 147 Avenue	south of SW 26 Street	4 DV	D	3,222	1,712	C	78	1,790	C	9	0.28%	1,799	C

Source: Approved Trips: Miami-Dade County Department of Regulatory and Economic Resources, July 2021.

Peak Hour Capacity: Q/LOS Handbook - Florida Department of Transportation, June 2020.

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

* County adopted roadway level of service standard applicable to the roadway segment: D (90% capacity); E (100% capacity); E+20% (120% capacity for roadways serviced with mass transit having 20 minutes or less headways in the Urban Infill Area (UIA)); E+50% (150% capacity for locations with extraordinary transit service)

Application Impact

The maximum development potential scenarios under each of the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Agriculture” the application site is assumed to be developed with 49 Single Family Dwelling Units and 37,036 sq.ft. of Industrial uses, which is expected to generate approximately 51 PM peak hour trips. Under the revised request, the CDMP land use designation would remain “Open Land” and “Industrial and Office” the application site is expected to generate approximately 874 PM peak hour trips or approximately 823 more PM peak hour trips than the current CDMP designation.

The short term analysis determined that two roadways adjacent to and in the vicinity of the application site are currently operating below the County’s adopted Level of Service (LOS) standards. The traffic impact is not significant on both the failing roadways since it is less than 5% of adopted LOS.

Applicant’s Traffic Study

The applicant’s transportation consultant, Langan Engineering and Environmental Services, Inc., prepared the *CDMP Amendment Traffic Impact Study* revised dated August, 2023. The Traffic Study analyzes the existing, short term and long-term traffic impacts that the proposed project will have on the roadways adjacent to and in the vicinity of the application site. A copy of the Traffic Study’s Executive Summary is included in Appendix C. The complete Traffic Study is available online at the Department’s website at <https://energov.miamidade.gov/>.

The maximum development potential for the existing land use is 49 Single Family Dwelling Units. The maximum development potential for the requested land use is 2,240,000 sq.ft. Indoor Storage, 300,000 sq.ft. Fabrication and Repair, 18,000 sq.ft. Operations and Training, 80,000 sq.ft. Administrative Office, 10,000 sq.ft. Equipment Display, 5,000 sq.ft. Parts Area, 20,000 sq.ft. Equipment Rental, 30,000 sq.ft. Supportive Commercial uses, 8,000 sq.ft. Helicopter Landing Pad, 40,000 sq.ft. Truck Washing, 37,036 sq.ft. Industrial & Office uses, 10 Acres Storage & Transloading, 200 Truck Parking Spaces and 8 Fueling positions. The applicant’s proposed development program for this property is shown in Table 1 below

The proposed development program shown above does not have a comparable land use in the Institution of Transportation Engineers' Trip Generation Manual; hence the applicant was requested to collect trip generation data in a comparable site which has similar land uses to the one proposed. The applicant chose Kelly Tractor facility operating in Doral and collected 72-hour trip generation count. The summary of the data collection is shown in the table below.

Peak Hour of the Generator			
KELLY TRACTOR DORAL, FL			
Peak Hour	Acres	Volumes	Comments
6:30 - 7:30 AM	35.00	193	Peak Hour Gen
5:30 - 6:30 PM	35.00	191	Peak Hour Gen
12:00 AM - 12:00 AM	35.00	1,641	Daily

Average AM Rate Calculation				
Location	AM Rate 7-9 AM	Rounded Rate	In	Out
KELLY TRACTOR DORAL, FL	5.51429	5.51	84%	16%

Average PM Rate Calculation				
Location	PM Rate 4-6 PM	Rounded Rate	In	Out
KELLY TRACTOR DORAL, FL	5.45714	5.46	15%	85%

Average Daily Rate Calculation				
Location	Daily Rate	Rounded Rate	In	Out
KELLY TRACTOR DORAL, FL	46.88571	46.89	50%	50%

The Doral facility is 35 acres in size, and it generated 191 trips between 5.30 to 6.30 pm which translates to 5.46 trips per acre. The proposed application site is a 246-acre property of which 86 acres will be set aside for storm water management, leaving a net area of 160 acres for the proposed development. Based on the survey one acre generates 5.46 trips during the afternoon peak hour, hence 160 acres would generate approximately 874 PM peak hour trips, the 30,000 sq.ft. supportive commercial uses would generate 198 PM peak hour trips for a total of 1,072 PM peak hour trips or approximately 1,021 more PM peak hour trips than the current CDMP designation. The summarized table below shows the trip generation data. Trip generation analysis for existing and proposed development potential is shown in Table 3 below.

Table 3 - Trip Generation Estimates¹

Use	Size	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour		
			In	Out	Total	In	Out	Total
Maximum Potential Development under Proposed Land Use Designation								
MIA Equipment and Supportive Services Area ²	160 Acres	7,502	741	141	882	131	743	874
Supportive Commercial Uses	30,000 SF	1,496	43	28	71	99	99	198
Net New Trips for 2026 Analysis²		8,998	784	169	953	230	842	1,072
Maximum Potential Development under Current Land Use Designation								
Single-Family Detached Housing	49 DU	539	9	30	39	32	19	51
Net New Trips for 2045 Analysis³		8,475	774	140	914	198	823	1,021

Notes:

1. Based on ITE Trip Generation Manual 11th Edition
2. Based on Trip Generation Analysis of existing Kelly Tractor Facility
3. Proposed Land Use Designation Less Current Land Use Designation

The application site is located on Traffic Analysis Zones (TAZ) 849. The cardinal trip distribution for the TAZ were obtained from the Miami-Dade Transportation Planning Organization’s 2045 Cost Feasible Plan. The Miami-Dade TPO publishes trip distribution data for the years 2015 and 2045 for each TAZ within Miami-Dade County, this data is interpolated to get the 2026 trip distribution for the concurrency analysis. The cardinal distribution in each direction for the TAZ was utilized to distribute the project traffic on the surrounding roadway network. See applicant’s Table 4 below for cardinal trip distribution.

Table 4 - Cardinal Distribution

Year	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW
2015	10.10%	21.20%	27.70%	30.40%	9.30%	1.20%	0.00%	0.10%
2045	5.40%	30.50%	28.20%	27.00%	8.60%	0.20%	0.00%	0.20%
2026	8.38%	24.61%	27.88%	29.15%	9.04%	0.83%	0.00%	0.14%

The applicant’s traffic study reviewed the existing traffic conditions on the surrounding roadway network using the County’s 2022 and FDOT’s 2021 traffic count data. Thirty one surrounding roadway segments were analyzed for afternoon peak hour capacity conditions, and it was determined that all roadways are functioning at an acceptable level of service. See the applicant’s Table 2 below for the existing roadway condition analysis.

Table 2 - Existing Afternoon Peak-Hour Roadway Capacity Analysis Summary

Roadway	From	To	Number of Lanes	Adopted LOS ¹	LOS Capacity ¹	Existing Volume	Existing LOS	Meets Capacity
NW 137 Avenue	NW 12 Avenue	NW 25 Street	4 L	D	3,071	1,080 ²	C	YES
NW 17 Street	NW 137 Avenue	NW 127 Avenue	4 L	D	3,071	1,071 ²	C	YES
NW 25 Street	NW 127 Avenue	SR-821	4 L	D	3,071	1,915	D	YES
	SR-821	NW 107 Avenue	4 L	D	3,071	2,512	C	YES
NW 111 Avenue	NW 12 Street	NW 17 Street	4 L	D	3,071	1,283 ³	C	YES
NW 12 Street	NW 137 Avenue	NW 127 Avenue	4 L	D	3,071	2,373	C	YES
	NW 112 Avenue	NW 107 Avenue	4 L	D	3,071	2,328	C	YES
NW 107 Avenue	Flagler Street	NW 12 Street	6 L	E	5,712	3,881	C	YES
Flagler Street	NW 114 Avenue	NW 118 Avenue	4 L	EE	5,141	1,830	C	YES
SW 127 Avenue	SW 8 Street	NW 6 Street	4 L	D	3,071	1,918	D	YES
	SW 8 Street	SW 26 Street	4 L	E	3,071	1,698	D	YES
	SW 26 Street	SW 42 Street	2 L	D	1,493	1,079	D	YES
SW 137 Avenue	NW 6 Street	SW 8 Street	6 L	E+20	5,366	4,134	C	YES
	SW 8 Street	SW 26 Avenue	4 L	EE	3,468	2,643	D	YES
	SW 26 Street	SW 42 Street	6 L	D	4,829	2,689	C	YES

Notes:

1.- Adopted LOS and Capacity from FDOT 2023 Quality / LOS Handbook & County Traffic Concurrency Database

2. - PHP Volume based on FDOT Highest Volume from Synopsis Data.

Table 2 cont. - Existing Afternoon Peak-Hour Roadway Capacity Analysis Summary

Roadway	From	To	Number of Lanes	Adopted LOS ¹	LOS Capacity ¹	Existing Volume	Existing LOS	Meets Capacity
SR-836	SR-821	NW 137 Avenue	6 L	D	11,050	3,706 ³	B	YES
Krome Avenue	US-27	SW 8 Street	4 L	C	4,568	1,718	C	YES
	SW 8 Street	SW 64 Street	4 L	C	4,568	2,554	C	YES
SW 8 Street	Krome Avenue	SW 157 Avenue	4 L	C	3,245	1,876	C	YES
	SW 157 Avenue	SW 137 Avenue	6 L	EE	5,208	4,752	C	YES
	SW 137 Avenue	SW 127 Avenue	6 L	EE	5,366	3,111	C	YES
	SR-821	SW 107 Avenue	6 L	D	5,712	3,770	C	YES
SW 132 Avenue	SW 8 Street	NW 6th Avenue	2 L	D	1,493	1,073	D	YES
SW 122 Avenue	SW 8 Street	SW 26 Street	4 L	E	3,468	2,044	D	YES
SW 157 Avenue	SW 8 Street	SW 26 Street	2 L	D	1,493	972	D	YES
	SW 26 Street	SW 42 Street	2 L	D	1,493	1,243	E	YES
SW 152 Avenue	SW 8 Street	SW 26 Street	4 L	D	3,071	1,017 ²	C	YES
SW 26 Street	SW 157 Avenue	SW 147 Avenue	4 L	D	3,468	1,875	C	YES
	SW 147 Avenue	SW 137 Avenue	4 L	EE	3,468	1,970	C	YES
	SW 137 Avenue	SW 127 Avenue	4 L	EE	3,468	2,574	C	YES
SW 147 Avenue	SW 26 Street	SW 42 Street	4 L	D	3,071	1,702	C	YES

Notes:

- 1.- Adopted LOS and Capacity from FDOT 2023 Quality / LOS Handbook & County Traffic Concurrency Database.
2. - PHP Volume based on FDOT Daily Data (0.09 K-Factor).
3. - PHP Volume based on FDOT Highest Volume from Synopsis Data

The applicant's traffic study included a 2026 short-term concurrency analysis, which included reserved trips from approved development not yet constructed, an annual growth rate factor of 0.5% to develop future volumes, programmed roadway capacity improvements listed in the first three years of the County's adopted 2023 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the proposed development. Normally this analysis is sufficient to identify short term impacts of a project, but since there are many projects pending approval either in the CDMP or Zoning process surrounding the application site, a cumulative analysis was done to determine the combined impact of all the projects in this location. The short term impacts on the surrounding roadways of the proposed development within the application site is termed Scenario 1 and the combined impacts on the surrounding roadways of all the projects in the location is termed Scenario 2. The following CDMP and Zoning projects that are in the approval process were included in the cumulative analysis,

- BJ's Shopping Center
- Target Department Store
- MIA West 137
- Beacon Lakes Buildings 44–45

- Beacon Lakes Buildings 46–49
- Proximity Wearhouse
- 137 Avenue Holdings

The concurrency analysis to determine the impacts of the project (Scenario 1) was done for thirty one roadway segments, and it was determined that all roadways impacted by the proposed development will have sufficient capacity to handle the additional traffic impacts that would be generated by this project. See the applicant's Table 5 below for Scenario 1, short-term concurrency analysis.

The concurrency analysis to determine the cumulative impacts of the previously approved development projects near the application area (Scenario 2) determined that 2 of the 31 roadways impacted will not have sufficient capacity to handle the additional traffic impacts that would be generated by all the projects in the surrounding area. The two roadway segments shown below are projected to operate below or in violation of the County's adopted level of service standards for each of these roadways.

1. SW 8 Street west of SW 137 Avenue would operate at LOS 'F' but the adopted LOS is 'E+20%'.
2. SW 137 Avenue north of SW 8 Street would operate at LOS 'F' but the adopted LOS is 'E+20%'.

Among the two roadways that are projected to fail in 2026 due to cumulative impacts from all the projects in the surrounding area, NW/SW 137 Avenue is significantly impacted by project traffic since the percentage impact is more than five percent, hence the traffic impacts to this roadway must adequately addressed by the applicant. See the applicant's Table 6 below for Scenario 2, short-term concurrency analysis.

The applicant's traffic study also included a 2045 Long Term analysis to determine the future long-term traffic impacts on the surrounding roadways. The 2045 traffic volumes were obtained from the Southeast Florida Regional Planning Model (SERPM) and the project trips were added to the model volumes to determine the long-term impact on the surrounding roadway segments. Table 8 below shows Scenario 1 of the long-term (2045) analysis of the traffic impacts this project will have on the surrounding roadways. Scenario 1, long-term analysis determined that three roadway segments shown below are projected to operate below the County's adopted level of service standards.

1. NW 111 Avenue from NW 12 Street to NW 17 Street would operate at LOS F but the adopted LOS is D.
2. NW/SW 137 Avenue from NW 6 Street to NW 8 Street would operate at LOS F but the adopted LOS is 'E+20%'.
3. NW 12 Street NW 112 Avenue to NW 107 Avenue would operate at LOS F but the adopted LOS is 'D'.

The three roadways that are projected to fail or operate in violation of their adopted LOS standards in 2045, fail even without the projected impacts from this project. The traffic impacts from this project on the NW 111 Avenue and NW 12 Street roadway segments are not significant as the percentage impact is less than five percent of the maximum service volume capacity for each of these roadway segments. However, the traffic impacts on NW/SW 137 Avenue is significant (7.81%) and hence the projected traffic impacts to this roadway must be adequately addressed by the applicant.

Additionally, the Long Term analysis to determine the cumulative impacts of all the projects near the application site (Scenario 2) determined that four roadway segments impacted would not have sufficient capacity to handle the additional traffic impacts that would be generated by all the projects in the surrounding area. All the three roadways failing in Scenario 1 are also failing in Scenario 2 cumulative analysis. The additional roadway failing in Scenario 2 cumulative analysis is SW 8 Street from Krome Avenue to SW 157 Avenue, but the project traffic impact is not significant. See the applicant's Table 9 below for Scenario 2, long-term traffic impact analysis.

To conclude, the short-term analysis indicates that all roadways are meeting LOS standards for Scenario 1 and for Scenario 2, two roadways are failing but not significantly. The Scenario 1, long-term analysis determined that three roadways surrounding this application site will not meet the County's Adopted Level of Service standards and Scenario 2, long-term analysis determined that four roadways would not meet the County's Adopted LOS standards. For both short term and long term NW 137 Avenue is significantly impacted and hence the applicant has to commit to mitigate this roadway through proportionate fair share agreement process. This project will meet the requirements of the CDMP for traffic impacts once the mitigation is implemented.

Table 5 cont. - Short Term Term 2026 (Concurrency) Afternoon Peak-Hour Roadway Capacity Analysis Summary (Scenario 1)

Count Station	Location	Facility Type	Adopted LOS ¹	LOS Capacity ¹	PHP Volume ^{2,3}	2026 Volume	Development Order Trips	2026 Volume + D.O.'s	Available Trips	LOS without Project	Proposed Development		Total Volume with Project	Trips Remaining	LOS with Project	Meets Concurrency
											Project Assignment	Project Trips				
FDOT-2239	SR-839 e/o NW 137 Avenue	6 L	D	11,050	3,703	3,762	0	3,762	7,288	B	39%	418	4,180	6870	B	YES
FDOT-0682	Krome Avenue n/o SW 8 Street	4 L	C	4,568	1,718	1,744	1	1,745	2,823	B	0%	0	1,745	2823	B	YES
FDOT-0004	Krome Avenue s/o SW 8 Street	4 L	C	4,568	2,554	2,593	0	2,593	1,975	B	3%	32	2,625	1943	B	YES
FDOT-0377	SW 8 Street e/o Krome Avenue	4 L	C	3,245	1,876	1,904	37	1,941	1,304	C	4%	43	1,984	1261	C	YES
FDOT-0089	SW 8 Street w/o SW 137 Avenue	6 L	EE	5,208	4,752	4,824	73	4,897	311	D	8%	86	4,983	225	C	YES
FDOT-0088	SW 8 Street e/o SW 137 Avenue	6 L	EE	5,266	3,111	3,158	104	3,262	2,104	C	24%	257	3,519	1847	C	YES
FDOT-0090	SW 8 Street w/o SW 107 Avenue	6 L	D	5,712	3,770	3,827	0	3,827	1,885	D	10%	107	3,934	1778	D	YES
MD-9791	SW 132 Avenue n/o SW 8 Street	2 L	D	1,493	1,073	1,088	6	1,095	398	D	0%	0	1,095	398	D	YES
MD-9766	SW 122 Avenue s/o SW 8 Street	4 L	E	3,468	2,044	2,075	2	2,077	1,391	C	1%	11	2,088	1380	D	YES
MD-9851	SW 157 Avenue s/o SW 8 Street	2 L	D	1,493	972	987	15	1,002	491	D	1%	11	1,013	480	D	YES
MD-9853	SW 157 Avenue s/o SW 26 Street	2 L	D	1,493	1,243	1,262	0	1,262	231	D	1%	11	1,273	220	D	YES
FDOT-8691	SW 152 Avenue n/o SW 26 Street	4 L	D	3,071	1,017	1,032	0	1,032	2,039	C	1%	11	1,043	2028	C	YES
MD-9135	SW 25 Street w/o SW 147 Avenue	4 L	D	3,468	1,875	1,903	16	1,919	1,549	C	1%	11	1,930	1538	C	YES
MD-9134	SW 25 Street w/o SW 137 Avenue	4 L	EE	3,468	1,970	2,000	262	2,262	1,206	D	1%	11	2,273	1195	D	YES
MD-9132	SW 25 Street w/o SW 127 Avenue	4 L	EE	3,468	2,574	2,613	14	2,627	841	D	1%	11	2,638	830	D	YES
MD-9825	SW 147 Avenue s/o SW 26 Street	4 L	D	3,071	1,702	1,728	78	1,806	1,265	C	1%	11	1,817	1254	C	YES

Notes:
 1 - Adopted LOS and Capacity from FDOT 2023 Quality/LOS Handbook and Miami-Dade County Traffic Concurrency Database
 2 - PHP Volume based on FDOT Daily Data to 09 KFactor.
 3 - PHP Volume based on FDOT Highest Volume from Synopsis Data.

Table 6 - Short Term 2026 (Concurrency) Afternoon Peak-Hour Roadway Capacity Analysis Summary (Scenario 2)

Count Station	Location	Facility Type	Adopted LOS ¹	LOS Capacity ¹	PHP Volume	2026 Volume	Zoning Committed Development	CDMP Committed Development	Development Order Trips	2026 Volume + D.O.'s	Available Trips	LOS without Project	Proposed Development Project Assignment	Proposed Development Project Trips	Total Volume with Project	Trips Remaining	LOS with Project	Meets Concurrency
FDOT-8718	NW 137 Avenue s/o NW 17 Street	4L	D	3,071	1,080	1,096	61	0	0	1,157	1,914	C	6%	64	1,221	1850	C	YES
FDOT-8719	NW 17 Street e/o NW 137 Avenue	4L	D	3,071	1,071	1,087	0	0	0	1,087	1,984	C	6%	64	1,151	1920	C	YES
MD-9480	NW 25 Street w/o HEFT	4L	D	3,071	1,915	1,944	0	0	137	2,081	990	D	6%	64	2,145	926	D	YES
MD-9408	NW 26 Street w/o SW 107 Avenue	4L	D	3,071	2,512	2,550	0	0	108	2,658	413	D	8%	86	2,744	327	D	YES
FDOT-8584	NW 111 Avenue s/o NW 17 Street	4L	D	3,071	1,283	1,302	0	0	0	1,302	1,769	C	1%	11	1,313	1758	C	YES
MD-9363	NW 12 Street w/o NW 127 Avenue	4L	D	3,071	2,373	2,409	224	15	169	2,817	254	D	14%	150	2,967	104	D	YES
MD-6364	NW 12 Street e/o NW 112 Avenue	4L	D	3,071	2,328	2,363	224	15	0	2,602	469	D	12%	129	2,731	340	D	YES
FDOT-1218	NW 107 Avenue n/o NW 7 Street	6L	E	5,712	3,881	3,940	0	0	15	3,955	1,757	C	2%	21	3,976	1736	C	YES
MD-9160	Flagler Street w/o HEFT	4L	EE	5,141	1,830	1,868	0	5	-1	1,862	3,279	C	1%	11	1,873	3268	C	YES
MD-9770	SW 127 Avenue n/o SW 8 Street	4L	D	3,071	1,918	1,947	0	5	43	1,995	1,076	C	1%	11	2,006	1065	C	YES
MD-9772	SW 127 Avenue s/o SW 8 Street	4L	E	3,071	1,698	1,724	0	101	0	1,825	1246	C	3%	32	1,857	1214	C	YES
MD-9774	SW 127 Avenue s/o SW 26 Street	2L	D	1,493	1,079	1,095	0	51	0	1,146	347	D	2%	21	1,167	326	D	YES
FDOT-2509	SW 137 Avenue n/o SW 8 Street	6L	E+20	5,366	4,134	4,196	1,060	87	66	5,409	-44	F	41%	440	5,849	-484	F	NO
MD-9800	SW 137 Avenue s/o SW 8 Street	4L	EE	3,468	2,043	2,083	350	118	17	3,168	300	D	9%	90	3,261	201	D	YES
MD-9802	SW 137 Avenue s/o SW 26 Street	6L	D	4,829	2,089	2,730	350	51	21	3,152	1,677	C	8%	86	3,238	1591	C	YES

Notes:
 1. - Adopted LOS and Capacity from FDOT 2023 Quality / LOS Handbook and Miami-Dade County Traffic Concurrency Database
 2. - PHP Volume based on FDOT Daily Data (0.09 K-Factor)
 3. - PHP Volume based on FDOT Highest Volume from Synopsis Data.

Table 6 cont. - Short Term 2026 (Concurrency) Afternoon Peak-Hour Roadway Capacity Analysis Summary (Scenario 2)

Count Station	Location	Facility Type	Adopted LOS ¹	LOS Capacity ¹	PHP Volume	2026 Volume	Zoning Committed Development	CDMP Committed Development	Development Order Trips	2026 Volume + D.O.'s	Available Trips	LOS without Project	Proposed Development		Total Volume with Project	Trips Remaining	LO's with Project	Meets Concurrency
													Project Assignment	Project Trips				
FDOT-2239	SR-436 e/o NW 137 Avenue	6 L	D	11,050	3,706	3,752	300	72	0	4,134	6,916	B	39%	418	4,352	6498	B	YES
FDOT-0582	Krome Avenue n/o SW 8 Street	4 L	C	4,568	1,718	1,744	0	5	1	1,750	2,818	B	0%	0	1,750	2818	B	YES
FDOT-0004	Krome Avenue s/o SW 8 Street	4 L	C	4,568	2,554	2,553	0	5	0	2,558	1,970	B	3%	32	2,530	1958	B	YES
FDOT-0377	SW 8 Street e/o Krome Avenue	4 L	C	3,245	1,876	1,904	195	26	37	2,192	1,083	C	4%	43	2,205	1010	C	YES
FDOT-0089	SW 8 Street w/o SW 137 Avenue	6 L	EE	5,208	4,752	4,824	210	26	73	5,133	75	D	8%	86	5,219	-11	F	NO
FDOT-0088	SW 8 Street e/o SW 137 Avenue	6 L	EE	5,366	3,111	3,158	332	281	104	3,875	1,491	C	24%	257	4132	1234	C	YES
FDOT-0090	SW 8 Street w/o SW 107 Avenue	6 L	D	5,712	3,770	3,827	711	140	0	4,678	1,034	D	10%	107	4785	927	D	YES
MD-9791	SW 132 Avenue n/o SW 8 Street	2 L	D	1,493	1,073	1,089	0	0	6	1,095	398	D	0%	0	1095	398	D	YES
MD-9766	SW 122 Avenue s/o SW 8 Street	4 L	E	3,468	2,044	2,075	0	0	2	2,077	1391	C	1%	11	2088	1380	D	YES
MD-9851	SW 157 Avenue s/o SW 8 Street	2 L	D	1,493	972	987	0	5	15	1,007	486	D	1%	11	1018	475	D	YES
MD-9853	SW 157 Avenue s/o SW 26 Street	2 L	D	1,493	1,243	1,262	0	5	0	1,267	226	D	1%	11	1278	215	D	YES
FDOT-8631	SW 152 Avenue n/o SW 26 Street	4 L	D	3,071	1,017	1,032	0	0	0	1,032	2,039	C	1%	11	1043	2028	C	YES
MD-9135	SW 26 Street w/o SW 147 Avenue	4 L	D	3,468	1,875	1,903	0	0	16	1,919	1549	C	1%	11	1990	1538	C	YES
MD-9134	SW 26 Street w/o SW 137 Avenue	4 L	EE	3,468	1,970	2,000	0	0	262	2,262	1206	D	1%	11	2273	1195	D	YES
MD-9132	SW 26 Street w/o SW 127 Avenue	4 L	EE	3,468	2,574	2,613	0	0	14	2,627	841	D	1%	11	2638	800	D	YES
MD-9825	SW 147 Avenue s/o SW 26 Street	4 L	D	3,071	1,702	1,728	0	0	78	1,806	1265	C	1%	11	1817	1254	C	YES

Notes:
 1. - Adopted LOS and Capacity from FDOT 2023 Quality/LOS Handbook and Miami-Dade County Traffic Concurrency Database
 2. - PHP Volume based on FDOT Daily Data (0.09 K-Factor).
 3. - PHP Volume based on FDOT Highest Volume from Synopsis Data.

Table 8 - Long Term 2045 Afternoon Peak-Hour Roadway Capacity Analysis Summary (Scenario 1)

Roadway	From	To	Facility Type ¹	LOS Capacity ¹	2045 Volumes ²	LOS without Project	Proposed Designation		Total Volume with Project	LOS with Project	Operates within Adopted LOS
							Project Assignment	Project Trips			
NW 137 Avenue	NW 12 Avenue	NW 25 Street	4 L	3,071	1,916	C	6%	61	1,977	C	YES
NW 17 Street	NW 137 Avenue	NW 127 Avenue	4 L	3,071	1,916	C	6%	61	1,977	C	YES
NW 25 Street	NW 127 Avenue	SR-821	4 L	3,071	2,391	D	6%	61	2,452	D	YES
	SR-821	NW 107 Avenue	6 L**	4,829	1,396	C	8%	82	1,478	C	YES
NW 111 Avenue	NW 12 Street	NW 17 Street	4 L	3,071	4,109	F	1%	10	4,119	F	NO
NW 12 Street	NW 137 Avenue	NW 127 Avenue	4 L	3,071	1,366	C	14%	143	1,539	C	YES
	NW 112 Avenue	NW 107 Avenue	4 L	3,071	3,218	F	12%	123	3,341	F	NO
NW 107 Avenue	Flagler Street	NW 12 Street	6 L	5,712	3,438	C	2%	20	3,458	C	YES
Flagler Street	NW 114 Avenue	NW 118 Avenue	4 L	5,141	2,013	C	1%	10	2,023	C	YES
SW 127 Avenue	SW 8 Street	NW 6 Street	4 L	3,071	1,020	C	1%	10	1,030	C	YES
	SW 8 Street	SW 26 Street	4 L	3,071	1,444	C	3%	31	1,475	C	YES
	SW 26 Street	SW 42 Street	4 L**	3,071	1,379	C	2%	20	1,399	C	YES
SW 137 Avenue	NW 6 Street	SW 8 Street	6 L	5,366	5,450	F	41%	419	5,909	F	NO
	SW 8 Street	SW 26 Avenue	6 L**	4,829	2,904	C	9%	92	2,996	C	YES
	SW 26 Street	SW 42 Street	6 L	4,829	3,730	D	8%	82	3,812	D	YES

Notes:
 1. Adopted LOS and Capacity from MPO 2045 Cost Feasible Network
 2. 2045 Volumes based on Daily SERPM Model Volumes (0.09 K-Factor).

Table 8 cont. - Long Term 2045 Afternoon Peak-Hour Roadway Capacity Analysis Summary (Scenario 1)

Roadway	From	To	Facility Type ¹	LOS Capacity	2045 Volumes ²	LOS without Project	Proposed Designation		Project Significance	Total Volume with Project	LOS with Project	Operates within Adopted LOS
							Project Assignment	Project Trips				
SR-836	SR-821	NW 137 Avenue	6 L	11,050	7,163	C	39%	398	3.60%	7,561	C	YES
Krome Avenue	US-27	SW 8 Street	4 L	4,568	3,637	C	0%	0	0.00%	3,637	C	YES
	SW 8 Street	SW 64 Street	4 L	4,568	3,637	C	3%	31	0.68%	3,668	C	YES
SW 8 Street	Krome Avenue	SW 157 Avenue	4 L	3,245	3,059	C	4%	41	1.26%	3,100	C	YES
	SW 157 Avenue	SW 137 Avenue	6 L	5,208	4,708	C	8%	82	1.57%	4,790	D	YES
	SW 137 Avenue	SW 127 Avenue	6 L	5,366	2,129	C	24%	245	4.57%	2,374	C	YES
	SR-821	SW 107 Avenue	6 L	5,712	2,562	C	10%	102	1.79%	3,094	D	YES
SW 132 Avenue	SW 8 Street	NW 6th Avenue	2 L	1,493	962	D	0%	0	0.00%	962	D	YES
SW 122 Avenue	SW 8 Street	SW 26 Street	4 L	3,468	1,676	C	1%	10	0.29%	1,686	C	YES
SW 157 Avenue	SW 8 Street	SW 26 Street	4 L**	3,071	1,502	C	1%	10	0.33%	1,912	C	YES
	SW 26 Street	SW 42 Street	4 L**	3,071	1,501	C	1%	10	0.33%	1,911	C	YES
SW 152 Avenue	SW 8 Street	SW 26 Street	4 L	3,071	1,742	C	1%	10	0.33%	1,752	C	YES
SW 26 Street	SW 157 Avenue	SW 147 Avenue	4 L	3,468	1,163	C	1%	10	0.29%	1,173	C	YES
	SW 147 Avenue	SW 137 Avenue	4 L	3,468	2,475	D	1%	10	0.29%	2,485	D	YES
SW 147 Avenue	SW 137 Avenue	SW 127 Avenue	4 L	3,468	2,645	D	1%	10	0.29%	2,655	D	YES
	SW 26 Street	SW 42 Street	4 L	3,071	2,568	D	1%	10	0.33%	2,578	D	YES

Notes:
 1. Adopted LOS and Capacity from MPO 2045 Cost Feasible Network
 2. 2045 Volumes based on Daily SERPM, Model Volumes (0.09 K-Factor).

Table 9 - Long Term 2045 Afternoon Peak-Hour Roadway Capacity Analysis Summary (Scenario 2)

Roadway	From	To	Facility Type ¹	LOS Capacity	Zoning Committed Development	CDMP Committed Development	2045 Volumes ²	LOS without Project	Proposed Designation		Project Significance	Total Volume with Project	LOS with Project	Operates within Adopted LOS
									Project Assignment	Project Trips				
NW 137 Avenue Street	NW 12 Avenue	NW 25 Street	4 L	3,071	61	0	1,977	C	6%	61	1.99%	2,038	C	YES
	NW 137 Avenue	NW 127 Avenue	4 L	3,071	0	0	1,916	C	6%	61	1.99%	1,977	C	YES
NW 25 Street	NW 127 Avenue	SR-821	4 L	3,071	0	0	2,391	D	6%	61	1.99%	2,452	D	YES
	SR-821	NW 107 Avenue	6 L**	4,829	0	0	1,396	C	8%	82	1.70%	1,478	C	YES
NW 111 Avenue	NW 12 Street	NW 17 Street	4 L	3,071	0	0	4,109	F	1%	10	0.33%	4,119	F	NO
	NW 137 Avenue	NW 127 Avenue	4 L	3,071	224	15	1,635	C	14%	143	4.66%	1,778	C	YES
NW 12 Street	NW 112 Avenue	NW 107 Avenue	4 L	3,071	224	15	3,457	F	12%	123	4.00%	3,580	F	NO
	Flagler Street	NW 12 Street	6 L	5,712	0	0	3,438	C	2%	20	0.35%	3,458	C	YES
Flagler Street	NW 114 Avenue	NW 118 Avenue	4 L	5,141	0	5	2,018	C	1%	10	0.19%	2,028	C	YES
	SW 8 Street	NW 6 Street	4 L	3,071	0	5	1,025	C	1%	10	0.33%	1,035	C	YES
SW 127 Avenue	SW 8 Street	SW 26 Street	4 L	3,071	0	101	1,545	C	3%	31	1.01%	1,576	C	YES
	SW 26 Street	SW 42 Street	4 L**	3,071	0	51	1,430	C	2%	20	0.65%	1,450	C	YES
	NW 6 Street	SW 8 Street	6 L	5,366	1,060	87	6,637	F	41%	419	7.81%	7,056	F	NO
SW 137 Avenue	SW 8 Street	SW 26 Avenue	6 L**	4,829	350	118	3,372	C	9%	92	1.91%	3,464	C	YES
	SW 26 Street	SW 42 Street	6 L	4,829	350	51	4,131	D	8%	82	1.70%	4,213	D	YES

Notes:
 1. Adopted LOS and Capacity from MPO 2045 Cost Feasible Network
 2. 2045 Volumes based on Daily SERPIM Model Volumes (0.09 K-Factor).

Table 9. Cont. - Long Term 2045 Afternoon Peak-Hour Roadway Capacity Analysis Summary (Scenario 2)

Roadway	From	To	Facility Type ¹	LOS Capacity ¹	Zoning Committed Development	CDMP Committed Development	2045 Volumes ²	LOS without Project	Proposed Designation			Total Volume with Project	LOS with Project	Operates within Adopted LOS
									Project Assignment	Project Trips	Project Significance			
SR-836	SR-821	NW 137 Avenue	6 L	11,050	300	72	7,535	C	39%	398	3.60%	7,933	C	YES
Krome Avenue	US-27	SW 8 Street	4 L	4,568	0	5	3,642	C	0%	0	0.00%	3,642	C	YES
	SW 8 Street	SW 64 Street	4 L	4,568	0	5	3,642	C	3%	31	0.68%	3,673	C	YES
SW 8 Street	Krome Avenue	SW 157 Avenue	4 L	3,245	195	26	3,280	F	4%	41	1.26%	3,321	F	NO
	SW 157 Avenue	SW 137 Avenue	6 L	5,208	210	26	4,944	C	8%	82	1.57%	5,026	D	YES
	SW 137 Avenue	SW 127 Avenue	6 L	5,366	332	281	2,742	C	24%	245	4.57%	2,987	C	YES
SW 132 Avenue	SR-821	SW 107 Avenue	6 L	5,712	711	140	3,843	C	10%	102	1.79%	3,945	D	YES
	SW 8 Street	NW 6th Avenue	2 L	1,493	0	0	962	D	0%	0	0.00%	962	D	YES
SW 122 Avenue	SW 8 Street	SW 26 Street	4 L	3,468	0	0	1,676	C	1%	10	0.29%	1,686	C	YES
SW 157 Avenue	SW 8 Street	SW 26 Street	4 L**	3,071	0	5	1,907	C	1%	10	0.33%	1,917	C	YES
	SW 26 Street	SW 42 Street	4 L**	3,071	0	5	1,906	C	1%	10	0.33%	1,916	C	YES
SW 152 Avenue	SW 8 Street	SW 26 Street	4 L	3,071	0	0	1,742	C	1%	10	0.33%	1,752	C	YES
	SW 157 Avenue	SW 147 Avenue	4 L	3,468	0	0	1,163	C	1%	10	0.29%	1,173	C	YES
SW 26 Street	SW 147 Avenue	SW 137 Avenue	4 L	3,468	0	0	2,475	D	1%	10	0.29%	2,485	D	YES
	SW 137 Avenue	SW 127 Avenue	4 L	3,468	0	0	2,645	D	1%	10	0.29%	2,655	D	YES
SW 147 Avenue	SW 26 Street	SW 42 Street	4 L	3,071	0	0	2,568	D	1%	10	0.33%	2,578	D	YES

Notes:
 1. Adopted LOS and Capacity from: MPO 2045 Cost Feasible Network
 2. 2045 Volumes based on Daily SEFRPM Model Volumes (0.09 K-Factor)

Transit

The Transit Division of the Miami-Dade County Department of Transportation and Public Works (DTPW) highlights that the proposed development is outside the UDB, CDMP Policy MT-1A applies to property within the UDB and that it reviewed the application and its effect on transit services in the area in accordance with the development impact table and the applicant's traffic analysis. The development impact table estimates 1,000 additional employees and no additional population; this would not create the density required to meet the 10,000 persons per square mile threshold requiring additional services to meet the Level of Service standard. Metrobus Route 137 currently operates at a 30-minute headway and operates at 60% capacity on an average weekday and Metrobus Route 37 currently operates at a 60-minute headway. According to the applicant's traffic impact study conducted by Langan dated August 2024, the proposed facility is projected to generate a total of 3,561 new trips per day. After applying a one to three percent transit mode split, the estimated new transit trips are approximately 70 to 110 trips per day. Given that the site is outside the UDB, DTPW cannot provide service to the proposed development.

The Miami-Dade Transit Division, Department of Transportation and Public Works (DTPW) encourages the developer to support and enhance pedestrian and bicyclist connections to the bus stops; and to incorporate pedestrian accessibility into residential neighborhood design to enable safe pedestrian access to neighboring properties, adjacent transit stops, and planned future rapid transit stations. The existing total combined resident and workforce population is less than 10,000 persons per square mile. The application site is located outside the UDB, where there is no transit service, therefore, if approved, there is no transit impact produced by this application. DTPW understands this and has no objections to this application, subject to the following conditions:

1. The applicant is encouraged to coordinate with DTPW to ensure that bicycle and pedestrian network with crosswalks along nearby streets be completed, allowing for the public to gain access to the bus stop along SW 132 Avenue.
2. Due to the majority of the application site being located outside the UDB, the applicant should work with DTPW during the roadway design phase to evaluate any transit improvements that may be needed in this area.
3. DTPW recommends the applicant provide a plan to DTPW that will provide the site with on-demand service, shuttle service or similar access to the Dolphin and Tamiami transit stations.

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

The proposed application could impede the following goals, objectives, policies, concepts and guidelines of the CDMP:

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-2A. All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE), except as otherwise provided in the "Concurrency Management Program" section of the CIE.
- LU-2B. Priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the Urban Infill Area and Transportation Concurrency Exception Areas. Second priority shall be given to serve the area between the Urban Infill Area and the Urban Development Boundary. And third priority shall support the staged development of the Urban Expansion Area (UEA). Urban services and facilities which support or encourage urban development in Agriculture and Open Land areas shall be avoided, except for those improvements necessary to protect public health and safety and which service the localized needs of these non-urban areas. Areas designated Environmental Protection shall be particularly avoided.
- LU-6A. Miami-Dade County shall continue to identify, seek appropriate designation, and protect properties of historic, architectural, cultural and archaeological significance.
- LU-8D. The maintenance of internal consistency among all Elements of the CDMP shall be a prime consideration in evaluating all requests for amendment to any Element of the Plan. Among other considerations, 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.
- LU-8E. Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated for consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

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

LU-10A. Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, moderate to high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. To facilitate and promote such development Miami-Dade County shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.

Obj. TC-1. It is desirable that all roadways in Miami-Dade County operate at the adopted level of service (LOS) standards or better. Miami-Dade County should strive to operate its roadway network at a level of service better than the base level of service standards contained herein.

Obj. TC-3. The County's transportation system will emphasize safe and efficient management of traffic flow, the safety of pedestrians and bicyclists, and enhance and encourage the use of transit.

TC-4C. Miami-Dade County's priority in construction, maintenance, and reconstruction of roadways, and the allocation of financial resources, shall be given first to serve the area within the Urban Infill Area and Transportation Concurrency Exception Areas. Second priority shall be given to serve the area within the Urban Development Boundary and the Urban Infill Area. And third priority in transportation allocations shall support the staged development of the urbanizing portions of the County within the Urban Expansion Area. Transportation improvements which encourage development in Agriculture and Open Land areas shall be avoided, except for those improvements which are necessary for public safety and which serve the localized needs of these non-urban areas. Areas designated Environmental Protection shall be particularly avoided.

CON-4C The approved fill encroachment criteria for the Western C-9 Basin as established by the South Florida Water Management District and for all other basins as established by the Miami-Dade County Division of Environmental Resource Management (Basin B, North Trail and Bird Drive) shall continue to govern the extent to which land can be filled, and additional fill encroachment criteria shall be developed for all the

undeveloped, poorly drained areas in western and southern Miami-Dade County which are determined to have urban development potential. These criteria shall retain the predevelopment net recharge and runoff values for basin areas.

- CON-7. Miami-Dade County shall protect and preserve the biological and hydrological functions of Wetlands of Regional Significance that may be contained within the areas depicted on Figure 14 in the Land Use Element. Future impacts to the biological functions of publicly and privately owned wetlands shall be mitigated. All privately owned wetlands identified on Figure 14 in the Land Use Element as Wetlands of Regional Significance and wetlands on Federal, State, or County land acquisition lists shall be supported as a high priority for public acquisition. Publicly acquired wetlands shall be restored and managed for their natural resource, habitat and hydrologic values.
- CON-7A. The degradation or destruction of Wetlands of Regional Significance that may be contained within the areas depicted on Figure 14 in the Land Use Element shall be limited to activities that 1) are necessary to prevent or eliminate a threat to public health, safety or welfare; or 2) are water dependent and no other reasonable alternative exists; or, 3) clearly in the public interest and no other reasonable alternative exists; or 4) are carried out in accordance with an approved basin management plan; or 5) are in areas that have been highly disturbed or degraded and where restoration of a wetland with an equal or greater value in accordance with federal, State and local regulations is feasible. Habitats critical to endangered or threatened species shall not be degraded or destroyed.
- CON-8A. Specimen trees and Natural Forest Communities in Miami-Dade County shall be protected through the maintenance and enforcement of the County's Tree and Forest Protection and Landscape Code, as may be amended from time to time. The County's Natural Forest Inventory shall be revised periodically to reflect current Natural Forest Community conditions. A Natural Forest Community shall not be removed from the inventory unless its quality and resource values have been degraded to the point where it cannot be restored.
- CON-9 Freshwater fish, wildlife and plants shall be conserved and used in an environmentally sound manner and undeveloped habitat critical to federal, state or County designated endangered, threatened, or rare species or species of special concern shall be preserved.
- CON-9A. All activities that adversely affect habitat that is critical to federal or State designated, endangered or threatened species shall be prohibited unless such activity(ies) are a public necessity and there are no possible alternative sites where the activity(ies) can occur.
- CON-9F. The County's planning for the future development of open space and wetland mitigation areas shall include the protection, conservation and/or restoration of wildlife habitats.
- WS-1A. The area within the Urban Development Boundary of the adopted Land Use Plan Map shall have the first priority in providing potable water supply, and sanitary sewage disposal, and for committing financial resources to these services. Future development in the designated Urban Expansion Area shall have second priority in

planning or investments for these services. Investments in public water and sewer service shall be avoided in those areas designated for Agriculture, Open Land, or Environmental Protection on the Land Use Plan map, except where essential to eliminate or prevent a threat to public health, safety, or welfare.

WS-1H. New water supply or wastewater collection lines should not be extended to provide service to land within areas designated Agriculture, Open Land, or Environmental Protection on the Land Use Plan map. New water or wastewater lines to serve land within these areas should be approved or required only where the absence of the facility would result in an imminent threat to public health or safety. The use of on-site facilities should be given priority consideration. In all cases, facilities should be sized only to service the area where the imminent threat would exist, to avoid inducing additional urban development in the area. This policy will not preclude federal, State or local long-range planning or design of facilities to serve areas within the Urban Development Boundary (UDB) or Urban Expansion Area (UEA). Public health and safety determinations will be made in accordance with Chapter 24 of the Code of Miami-Dade County (Environmental Protection) and Section 2-103.20, et seq., (Water Supply for Fire Suppression) Code of Miami-Dade County.

APPENDICES

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Appendix C: Applicant’s Proffered Declaration of Restrictions (dated June 9, 2025)-----	37
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Documents related to the application, including third party correspondence, are available online at:

- <https://www.miamidade.gov/planning/cdmp-amendment-cycles.asp> or
- https://energov.miamidade.gov/EnerGov_Prod/SelfService#/plan/85a528ca-fa52-4ba9-8a83-a24d51563e8e

* Excerpted pages are enclosed herein. The complete report is accessible at the links listed above.

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APPENDIX A

Amendment Application

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**MAY 2023 APPLICATION CYCLE
AMENDMENT REQUEST TO THE LAND USE ELEMENT & LAND USE PLAN MAP
MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN**

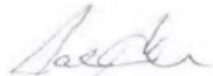
1. APPLICANT

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Alessandria.SanRoman@hklaw.com

By:  _____ 5/31/23
Luis Figueredo Date

By:  _____ 5/31/23
Joseph G. Goldstein Date

By:  _____ 5/31/23
Juan J. Mayol, Jr. Date

By:  _____ 5/31/23
Alessandria San Roman Date

3. DESCRIPTION OF REQUESTED CHANGES

- A. The Applicant respectfully requests the following changes:
1. Amendment to the Comprehensive Development Plan (“CDMP”) Future Land Use Map (“FLUM”) designation. The current land use designation of the subject property is “Open Land” and “Industrial and Office” and the proposed land use is “Terminals” and “Industrial and Office”;
 2. Amendment to the Comprehensive Development Plan (“CDMP”) Future Land Use Map (“FLUM”) to include the entirety of the subject property in the Urban Expansion Area;
 3. Text revisions to the CDMP Land Use Element to add the MIA Transportation and Infrastructure Support Area as a permitted use in the “Terminals” land use category.
 4. 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.
 5. Amend the CDMP Capital Improvements Element as outlined below:

<u>Project Number</u>	<u>Project Name and Location</u>	<u>Purpose/ Estimated Year of Completion</u>	<u>Expenditures/Revenues</u>					<u>Six Years Totals</u>	<u>Future Years</u>	<u>Project Totals</u>	<u>Funding Source</u>
			<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>				
<u>(In Thousands of Dollars)</u>											
32	<u>Construction of northern 2-lanes of NW 6 Street from NW 137 Avenue to NW 139 Avenue</u>	2030	=	=	=	=	=	=	=	830.000	507.6

a. Revise the “List of Funding Sources” text in the Capital Improvements Element on page IX-76, as follows:

Impact Fees/Exactions

- 500 Road Impact Fees
- 501 Park Impact Fees
- 507 Developer Fees/Donation
- 507.1 Developer Fees/Donation Responsibility/Construct or Cause to Construct - American Dream Miami (May 2016 CDMP Amendment Application No. 5)
- 507.2 Developer Fees/Donation Responsibility / Construct or Cause to Construct - May 2016 CDMP Amendment Application No. 6 Property Owners
- 507.6 Developer Fees/Donation/Construct or Cause to Construct – MIA Transportation and Infrastructure Support Area (May 2023 Application No. CDMP20230013) subject to credit as a contribution-in-lieu of road impact fees

- 520 Water Connection Charges
- 521 Wastewater Connection Charges

B. Description of the Subject Area.

The subject area contains approximately 246.07 acres of land located in Section 53, Township 54, Range 39, lying west of NW 137 Avenue and State Road 836, in unincorporated Miami-Dade and identified by the Miami-Dade County Property Appraiser with Folio Nos. 30-3953-000-0130 and 30-3953-000-0138 (the “Application Area”).

C. Acreage.

Application Area = ± 246.07 gross acres (± 246.07 net acres).

D. Requested Change.

1. The Applicant requests that this Application be processed as a Standard Amendment.
2. The Applicant requests that the entire Application Area be re-designated on the CDMP FLUM from “Open Land” and “Industrial and Office” to “Terminals” and “Industrial and Office”.
3. The Applicant requests a revision to the CDMP Land Use Element under Terminals to add the MIA Transportation and Infrastructure Support Area to include the following:

MIA Transportation and Infrastructure Support Area

The purpose of the MIA Transportation and Infrastructure Support Area (the “MIA Transportation and Infrastructure Support Area”) is to centralize the storage, service and maintenance of heavy construction and specialized equipment critical to building and maintaining the County’s infrastructure, including roadways, water and sewer infrastructure and major stormwater management facilities. The construction machinery and specialized equipment that would be stored, serviced and maintained in the MIA Transportation and Infrastructure Support Area is critical in supplying the County, State and their contractors with equipment vital to building and repairing highways, roads, bridges, tunnels, railroads, water and sewer and stormwater and environmental infrastructure, landfills, rock mining, marinas, correctional facilities, airports, and the Port of Miami.

The MIA Transportation and Infrastructure Support Area is strategically located just west of the current western terminus of the State Road 836 extension and it is directly served by 836, thereby having excellent accessibility to the County’s transportation network. Notwithstanding any other provisions of this Plan, the MIA Transportation and Infrastructure Support Area is limited to the uses detailed below and any action to approve any other use or to liberalize the standards governing said uses shall be by affirmative vote

of not less than two-thirds of the Board of County Commissioners then in office. The purpose of the MIA Transportation and Infrastructure Support Area is to support the County’s existing and planned infrastructure, as well as to serve and support the logistics and distribution resources and facilities that cater to local, regional, and interstate transportation operations.

The MIA Transportation and Infrastructure Support Area is outside of the West and Northwest Wellfield protection areas and will be planned and developed primarily as a turnkey operation with indoor and outdoor heavy equipment and cargo storage, repair and support services, infrastructure and facilities, including¹:

<u><i>Proposed Uses</i></u>	<u><i>Building Area (Square Feet)</i></u>
<u>Indoor Storage of Equipment, Machinery, Parts and Components²</u>	<u>2,240,000</u>
<u>Fabrication and Repair³</u>	<u>300,000</u>
<u>Equipment Operations Training Facility⁴</u>	<u>18,000</u>
<u>Administrative Offices</u>	<u>80,000</u>
<u>Equipment Display</u>	<u>10,000</u>
<u>Parts Area</u>	<u>5,000</u>
<u>Equipment Rental Office</u>	<u>20,000</u>

Additional outside uses will include the following:

¹ See Exhibit “A” for a representative list of the types of equipment and parts that will be available at the site.

² The indoor storage of equipment, machinery, parts, and components will support sales, rentals, aftermarket, and customer support. The size of the storage areas will allow the applicant to keep extensive inventory in hand and avoid the impacts on on-going and future supply chain disruptions. The Application Area’s direct access to the regional transportation system, including SR 836, the Homestead Extension of Florida’s Turnpike, SR 826, SW 8th Street and Krome Avenue/US 27, its proximity and ease of access to MIA and Port Miami, as well as the potential expansion of freight train service to the area will enhance the Applicant’s ability to serve its private and public clients timely and efficiently.

³ The facility will be equipped to rebuild, customize and repair equipment to an industry best standard and provide machine down emergency repairs on components and track frames. The facility will provide loaner parts and components from its extensive inventory to get its customers up and running. The main shop is projected to have 20 mechanical bays capable of working on equipment up to 797 sizing, 2 welding bays, 2 component rebuild bays, 2 outside rebuild pads with crane capability and 3-4 wash bays with one wash facility dedicated to rental equipment. The shop will be fully equipped with cranes with capability up to 70 tons, and each bay will be equipped with a specialized ATC Snap-On toolbox, and in-floor exhaust systems. A second building will house the rebuild area, new track frame shop, welding area, paint/sand blast prep area, paint bays, sandblast bays, covered area for larger equipment and components, telematics, brake supply storage.

⁴ The training facility will provide high quality comprehensive and technical training to support and develop a skilled workforce of technicians, welders, fabricators, machinists, parts personnel, and salespeople. The training facility will also have programs designed for forklift operators (employees and customer personnel), and heavy equipment operators (customers). The training aspect is very important as the industry is experiencing a shortage of skilled labor. The training facility will house classrooms, labs and other features needed to host, support, and develop the skills of a constantly expanding and varied group of construction and maintenance professionals.

- Onsite fuel station for heavy equipment and on highway field service and delivery vehicles. The operation will consist of eight (8) pumps. Four gasoline and four diesel fuel pumps.⁵ Electrical vehicle charging stations will be provided in accordance with County Code requirements.
- Helicopter landing pad and hangar (approximately 8,000 square feet).
- Four truck and equipment washing bays each will be approximately 10,000 square feet (total 40,000). The washing facilities with closed loop recycling; and truck weighing scales.
- Ten acres of transloading facilities (as otherwise defined herein) and vertical shipping container storage, not exceeding six (6) levels in height.
- Overnight vehicle parking consisting of approximately 200 spaces for parking trucks.

Notwithstanding the provisions of this Plan that prohibit the extension of infrastructure outside of the UDB, the MIA Transportation and Infrastructure Support Area and accessory uses shall be connected to public water and public sanitary sewer. Moreover, any land development shall conform to the wetland basin plans and be analyzed in accordance with Policy CON-7J and in accordance with applicable portions of the Code.

By 2025, Miami-Dade County shall develop land development regulations to permit the uses.

Development within the MIA Transportation and Infrastructure Support Area will be developed in a manner that generally conforms with the following development criteria (“Development Criteria”):

- (1) the maximum Floor Area Ratio (FAR) on parcels to be developed with vertical construction shall be 0.50; and
- (2) a minimum of 10% of the net lot area shall be developed as landscaped open space. Open space includes exterior surface areas consisting of outdoor, at-grade space, including but not limited to greens, squares, plazas, courtyards, terraces, lawns, entrance features, greenbelts, unpaved passive and active recreation areas, water retention areas, canals and other water bodies, (including abutting canals), paseos, pedestrian paths, bicycle paths and/or associated landscape areas, landscaping with road rights of way including medians, and above-grade landscaped roof terraces/gardens on buildings or garage structures.
- (3). 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.
- (4) Amend the CDMP Capital Improvements Element as outlined below:

⁵ The fueling operation is not intended to operate as a commercial gas station open to the general public. The operation will be utilized for trucks and equipment outsourced by Kelly Tractor.

Project Number	Project Name and Location	Purpose/ Estimated Year of Completion	Expenditures/Revenues					Six Years Totals	Future Years	Project Totals	F
			2019/20	2020/21	2021/22	2022/23	2023/24				
(In Thousands of Dollars)											
32	Construction of northern 2-lanes of NW 6 Street from NW 137 Avenue to NW 139 Avenue	2030	=	=	=	=	=	=	=	830,000	50

a. Revise the “List of Funding Sources” text in the Capital Improvements Element on page IX-76, as follows:

Impact Fees/Exactions

- 500 Road Impact Fees
- 501 Park Impact Fees
- 507 Developer Fees/Donation
- 507.1 Developer Fees/Donation Responsibility/Construct or Cause to Construct - American Dream Miami (May 2016 CDMP Amendment Application No. 5)
- 507.2 Developer Fees/Donation Responsibility / Construct or Cause to Construct - May 2016 CDMP Amendment Application No. 6 Property Owners
- 507.6 Developer Fees/Donation/Construct or Cause to Construct – MIA Transportation and Infrastructure Support Area (May 2023 Application No. CDMP20230013) subject to credit as a contribution-in-lieu of road impact fees
- 520 Water Connection Charges
- 521 Wastewater Connection Charges

4. REASONS FOR THE AMENDMENT

This Applicant is the leading supplier of heavy equipment, trucks and machinery in the region. The Applicant has been operating out of a facility located at approximately NW 82 Avenue and NW 58 Street. The area around the existing facility is already developed with commercial and industrial development and, as such, unavailable to support the Applicant’s need to expand to continue its leading role in supplying, servicing and maintaining equipment that is critical to the County’s ability to maintain and expand its public infrastructure, housing inventory and supportive uses and facilities. By expanding its workforce and increasing its fleet of equipment and storage and maintenance capabilities, the Applicant will be better positioned to provide the equipment and services required to meet the demand for products and services which are critical to sustain the County’s resiliency, economic growth and infrastructure. Because of the nature of the proposed facility, it is not generally compatible with other land uses inside the urbanized area. Moreover, it is anticipated that the floor area ratio of any vertical construction will be fairly modest in size and scope.

The Application Area consists of approximately 246.07 acres generally located north of N.W. 6th Street and west of NW 137 Avenue and State Road 836, in unincorporated Miami-Dade

County and is identified by the Miami-Dade County Property Appraiser by Folio Nos. 30-3953-000-0130 and 30-3953-000-0138 (the “Property;” as legally described in Exhibit B). The Property is designated “Open Land” and “Industrial and Office” on the CDMP Future Land Use Map (“FLUM”) and is zoned “GU” on the official zoning map of the County. The Property is outside of the West and Northwest Wellfield protection areas. It is located just outside of and abuts the Urban Development Boundary. The existing NW 137th Ave-West Terminus of the SR 836 extension includes an access road directly onto the Property, under the Interchange and a Westbound off-ramp from the Interchange that provides the Property with direct access to the Dolphin Expressway.⁶ The Property is situated within the existing economic corridor that extends approximately from Port Miami, through Miami International Airport to the Airport West distribution and transshipment zone ending at the UDB.

Approximately 50 acres of the Application Area are located inside the Urban Expansion Area (“UEA”). The CDMP provides, in part, “Urban Expansion Area is the area where current projections indicate that further development beyond the 2030 UDB may be warranted sometime between 2030 and 2040.” *See* Land Use Element, page 1-69. The uses surrounding the Application Area include the Cemex SCL aggregate mine located just north of the site. The CSX rock quarry line (Lehigh Spur) that mostly services rock quarries in western Miami-Dade runs parallel to the northern boundary of the Property. The northwest corner of the recently created MIA Transport Hub is located just south of the Application Area, across NW 6th Street.⁷

The re-designation of the Application Area to the MIA Transportation and Infrastructure Support Area will provide the County with the flexibility to provide supportive uses in close proximity to the Applicant’s customers. Over 88% of the total supply of industrially designated land in Miami-Dade County in December 2020 was located north of SW 8 Street in the County’s North and North Central Tiers. The development of the Application Area will also directly serve the extensive rock mining operations in the Lake Belt area of the County located generally to the north of the Property.

a. Support for the MIA Transportation and Infrastructure Service Hub

The purpose of the MIA Transportation and Infrastructure Support Area is to centralize the storage and maintenance of heavy construction and specialized equipment critical to building infrastructure, housing, and meeting the needs of the commercial and industrial markets, driving demand for construction machinery and supplying the County, State and their contractors

⁶ In 2004, the Applicant conveyed title to 16.139 acres to the Miami-Dade County Expressway Authority (MDX) to facilitate the extension of State Road 836. As additional consideration, MDX agreed to build an access road and a Westbound off-ramp from the interchange between the 836 expressway and N.W. 137th Ave. The Settlement Agreement is attached as Exhibit “C.”

⁷ The MIA Transport Hub is programmed to accommodate a minimum of 400 overnight truck parking and storage spaces, fueling positions and electric charging stations, up to 45,000 square feet of commercial including retail store, lounge, restaurant, showers and restrooms, offices, operation and storage space, and similar uses, up to 6,000 square feet truck maintenance facility, up to 3,050 square feet of truck wash with a closed loop recycling system, ancillary, and similar uses. The development of the Application Area will directly support the MIA Transport Hub by providing specialized service and maintenance to the hundreds of trucks that will be served by the MIA Transport Hub.

with vital equipment. This equipment is also essential for the maintenance and construction of infrastructure, such as highways, roads, bridges, tunnels, railroads, water and sewer facilities. The MIA Transportation and Infrastructure Support Area will supply the County with the equipment and critical support needed for the County and its contractors to provide essential government services connected to landfills, marinas, water and wastewater treatment plants, airports, and the Port of Miami. The MIA Transportation and Infrastructure Support Area is strategically located just southwest of the State Road 836 extension, enjoys direct access to 836 in both directions, and, as such, is ideally suited to accommodate the proposed uses.

The project will be developed in phases. When the facility is completely built out, it will consist of a maximum of 2,673,407 square feet of buildings and structures on approximately eighty-five acres and fifty acres of outside equipment and machinery storage. It is anticipated that approximately eighty-six acres will be set aside for stormwater management areas and open space. An additional twenty-five acres will be devoted to parking areas, driveways, and other infrastructure. Kelly Tractor estimates that it will require approximately 200 spaces for parking trucks. Kelly Tractor to the extent there is availability may provide truck parking to existing and future customers.

The total building area will house the following functions and uses:

<i>Proposed Uses</i>	<i>Building Area (Square Feet)</i>
Indoor Storage of Equipment, Machinery, Parts and Components ⁸	2,240,000
Fabrication and Repair ⁹	300,000
Equipment Operations Training Facility ¹⁰	18,000
Administrative Offices	80,000

⁸ The indoor storage of equipment, machinery, parts, and components will support sales, rentals, aftermarket, and customer support. The size of the storage areas will allow the applicant to keep extensive inventory in hand and avoid the impacts on on-going and future supply chain disruptions. The Application Area's direct access to the regional transportation system, including SR 836, the Homestead Extension of Florida's Turnpike, SR 826, SW 8th Street and Krome Avenue/US 27, its proximity and ease of access to MIA and Port Miami, as well as the potential expansion of freight train service to the area will enhance the Applicant's ability to serve its private and public clients timely and efficiently.

⁹ The facility will be equipped to rebuild, customize and repair equipment to an industry best standard and provide machine down emergency repairs on components and track frames. The facility will provide loaner parts and components from its extensive inventory to get its customers up and running. The main shop is projected to have 20 mechanical bays capable of working on equipment up to 797 sizing, 2 welding bays, 2 component rebuild bays, 2 outside rebuild pads with crane capability and 3-4 wash bays with one wash facility dedicated to rental equipment. The shop will be fully equipped with cranes with capability up to 70 tons, and each bay will be equipped with a specialized ATC Snap-On toolbox, and in-floor exhaust systems. A second building will house the rebuild area, new track frame shop, welding area, paint/sand blast prep area, paint bays, sandblast bays, covered area for larger equipment and components, telematics, brake supply storage.

¹⁰ The training facility will provide high quality comprehensive and technical training to support and develop a skilled workforce of technicians, welders, fabricators, machinists, parts personnel, and salespeople. The training facility will also have programs designed for forklift operators (employees and customer personnel), and heavy equipment operators (customers). The training aspect is very important as the industry is experiencing a shortage of skilled labor. The training facility will house classrooms, labs and other features needed to host, support, and develop the skills of a constantly expanding and varied group of construction and maintenance professionals.

Equipment Display	10,000
Parts Area	5,000
Equipment Rental Office	20,000

Additional outside uses will include the following:

- Onsite fuel station for heavy equipment and on highway field service and delivery vehicles. The operation will consist of eight (8) pumps. Four gasoline and four diesel fuel pumps.¹¹ Electrical vehicle charging stations will be provided in accordance with County Code requirements.
- Helicopter landing pad and hangar.¹²
- Four truck and equipment washing bays each will be approximately 10,000 square feet (total 40,000). The washing facilities with closed loop recycling; and truck weighing scales. The four truck washing bays are for Kelly Tractor’s operations.
- Ten acres of transloading facilities (as otherwise defined herein) and vertical shipping container storage, not exceeding six (6) levels in height. All of the heavy equipment and parts are shipped to and warehoused at the Miami facility. Kelly Tractor’s Miami location serves as the hub from which equipment and parts are distributed to its branch locations throughout Florida. From its Miami location, Kelly Tractor supplies all of its Florida locations. In that regard, Kelly Tractor Kelly Tractor transloads and ships by truck, the equipment and parts to its branch locations in **Davie, West Palm Beach, Clewiston, Ft. Myers, Mulberry and Orlando. Future planned branch locations in Ft. Pierce and Florida City are contemplated. This Statewide growth establishes and justifies the need for this proposed expansion.** Kelly Tractor also satisfies its international orders from its Miami location. Equipment and parts sent to international customers are typically sent via truck to the Port of Miami, Port Everglades, or Miami International Airport for final transport on Ships or Cargo Planes.¹³
- Overnight Vehicle Parking. One critical component of Kelly Tractor’s business is its use and reliance on heavy truck trailers. Most of the services and equipment provided

¹¹ The fueling operation is not intended to operate as a commercial gas station open to the general public. The operation will be utilized for trucks and equipment outsourced by Kelly Tractor.

¹² The Helicopter landing pad located at Kelly Tractor’s 58th street facility is almost exclusively used by Miami-Dade Fire Rescue to airlift accident victims. Kelly Tractor has no immediate plans to use the helicopter pad, but proposes to build the helicopter pad to continue to allow the county to use the pad in emergency situations. With the expansion of its facilities throughout Florida, Kelly would like to retain the option to construct and use the pad in its future operations. It is not intended to operate as a commercial facility, only for the use of Kelly Tractor, its customers and for emergency services. In the event Kelly Tractor in the future has a need for the pad, Kelly Tractor would expand the pad to allow for a second helicopter pad and an 8,000 square foot hangar.

¹³ The transloading and operation/vertical shipping container storage will serve Kelly Tractor’s operations. However, Kelly Tractor provides specialized equipment and power systems to most hospitals in South Florida, water treatment plants, pumping stations, major agricultural facilities, rock quarries, oil storage facilities, recycling plants, data centers, industrial manufacturing complexes, high-rises, the Port of Miami, Port Everglades, Miami International Airport, municipalities, military bases, the Federal Emergency Management Agency (FEMA) and Miami-Dade County,(including the County’s emergency services). Kelly Tractor is a trusted and long established member of the community. To the extent that Kelly Tractor’s customers require additional support that may include transloading or storage, Kelly Tractor would like to retain the flexibility to provide those options for its customers.

by Kelly Tractor relies on heavy truck trailers to transport equipment. Kelly Tractor estimates that it will require approximately 200 spaces for parking trucks. Kelly Tractor to the extent there is availability may provide truck parking to existing and future customers.

The equipment and services provided by the Applicant impacts all of Miami-Dade County's economic sectors. By way of example, the Applicant supplies and services the rock mining industry with the heavy and specialized equipment necessary to produce aggregates that meet state DOT and federal highway and aggregate specifications for cement, concrete, and other resources needed to build roads, bridges, runways, schools, homes, hospitals, office buildings and public facilities.¹⁴

Construction and specialized equipment is critical to meeting the County's need to expand and maintain its infrastructure consisting of highways, roads, bridges, tunnels, water and sewer. The County is also highly dependent on the equipment and services provided by the Applicant in order for it to provide essential government support services associated with landfills, marinas, water and sewage plants, airports, and the Port of Miami.

The growing demand for projects that offer diversity in housing together with the commercial and industrial markets are driving demand for construction machinery, maintenance and storage in Miami-Dade County. Because of its very nature, requiring large expanses of land to accommodate very large machinery, there is no suitable area inside the UDB, particularly north of SW 8th Street, that would be capable of accommodating the proposed use.

b. Need for MIA Transportation and Infrastructure Service Hub

The Application Area is located in the western half of the County's North Central Planning Tier, in an area designated as Minor Statistical Area (MSA) 3.2. A prior study conducted by Miami Economic Associates, Inc (July 2021) and submitted in support of the Miami Transport Hub application concluded that there were only 155.55 acres in parcels 10 acres or larger available for development in Minor Statistical Area (MSA) 3.2. However, nearly 100 of those acres were already scheduled to be developed in the short term. Consequently, the lack of land located inside the UDB that is suitable and available for operations associated with transportation and infrastructure service facilities is reaching a critical point.

Virtually every product, service, and even utility relies directly or indirectly on heavy equipment and the use of associated storage facilities to deliver goods, equipment and support infrastructure. The demand for outdoor storage is skyrocketing in Miami-Dade due to the increasing number of logistics, supply chain and distribution companies locating in South Florida. As a result, there are no parcels of land that would be large enough and available in the County, inside of the UDB, that could accommodate the Applicant's projected and much needed

¹⁴ Florida ranks third in the nation in the production and use of aggregate products, consuming about 153 million tons per year. About 60 million tons of that comes from the Lake Belt region in western Miami-Dade County. See <https://www.wrquarries.com/facts-about-the-florida-and-miami-dade-limestone-industry/>

expansion. Moreover, in Miami-Dade County's Final Recommendation of the Terra 137, LLC, and Blue Heron 6137, LLC application to create the "MIA Transport Hub," in recommending approval of the application, staff reasoned that while truck parking and similar land intensive uses (such as the ones proposed by the Applicant) are allowable on industrially designated lands inside the UDB, they are not the highest and best use of these lands due to high land values and other factors.¹⁵ Indeed, the development of areas inside of the UDB for truck parking and transportation and infrastructure supportive uses would simply exacerbate the deficiency in the supply of industrial land inside of the UDB.

The western half of the County's North Central Planning Tier, has historically been the area of the County that experiences the highest average rate of absorption with respect to industrial land which is attributable to several factors including most notably, the fact that MSA 3.2 is traversed by State Road ("SR") 836 and the CSX Rail Spur. It is also centrally located and is served by two other major roadways, SR 826 and Florida's Turnpike. The Application Area's proximity to these major arteries will enable the efficient and cost-effective transport of heavy equipment around the County and to the surrounding region.

For over 90 years, the Applicant has supplied the equipment used to construct and expand various public infrastructure projects including water and sewer facilities, major roads and highways throughout the County and state, including Interstate 75 and Interstate 95. The Applicant has also partnered with the South Florida Water Management District ("SFWMD") to supply equipment supporting large-scale environmental infrastructure projects to benefit the Everglades National Park, through the Caloosahatchee River – C-43 – west basin storage reservoir

¹⁵ In Miami-Dade County's Final Recommendation, staff concluded that "Approval of the application as amended by the applicant and recommended by staff provides significantly greater assurance that the property, if developed, would be for the proposed MIA Transport Hub use and help to address the deficiency of truck parking facilities in the County. Although truck parking is an allowable use on industrially designated lands inside the UDB, it is not the highest and best use of these lands due to high land values and other factors, and it is unlikely that truck parking will be provided in those areas inside the UDB at the level needed to meet the demonstrated demand, especially given that truck parking is a land intensive use. A comparison of the land values (per acre) between the Applicants' site and nearby vacant industrial land within the Urban Development Boundary (UDB), shows the land value of the parcels inside the UDB, within a 5-mile radius of the site, is approximately 10.5- times higher. Staff analyzed the land values from the latest Property Appraiser files for the site and all vacant Industrial land within the five-mile radius of the site. The application site consists of approximately 39.2 net acres with a land value of \$2,274,624 or \$57,441 per acre. Staff identified 99 vacant industrial-zoned parcels within a 5-mile radius. These parcels consist of 194.26 acres with a land value of \$117,574,199 or \$605,241 per acre. Staff further evaluated land values of vacant property where truck parking is allowed outside the UDB in Open Land Subarea 1 and noted that these lands are valued on average at almost half the value (\$261,528.00 per acre) of the above mentioned vacant industrial land inside the UDB.

The higher land cost inside the UDB usually requires higher intensity and more productive land uses than truck parking. Based on the real estate value differential, expanding the UDB to include the Applicants' site would substantially increase its value, and thus, provide a significant financial rationale for a more intense use. Because truck parking is a long-term need to support the County's freight and logistics industry, staff's recommended alternative CDMP amendment to designate the site to the "Terminals" and "Industrial and Office" land use designation together with the Land Use Element text changes would enable this site to be used for truck parking and the other 'MIA Transport Hub' support uses while limiting the site to these uses for the foreseeable future." As of 2022, the Property Appraiser valued the Application Area at approximately \$22,032 per acre.

project, which will hold as many as 170,000 acre-feet of water. Most companies that once offered similar services to those provided by the Applicant have since moved out of the County.¹⁶

As noted, the Applicant has outgrown its existing 40 acre site. The developmental limitations imposed on its current site by encroaching development will not allow the Applicant to expand its current inventory, labor force and scope of services which are necessary to meet the projected demand.¹⁷ The County is rapidly growing and is poised to see a population growth rate of nearly 20 percent by 2040. Consistent population growth and a need to satisfy growing demands for equipment required by private construction and capital improvement projects already in the pipeline provides an opportunity for the County to meet these demands through the re-designation of the Application Area.

c. Economic Benefit

Kelly Tractor has and continues to play a critical role in Miami-Dade County's economic and industrial growth as a local employment opportunity provider with a growing workforce of more than 600 employees. The proposed expansion of the Applicant's operations in the Application Area is projected to create up to one thousand (1,000) jobs and provide employment opportunities for the residents in the surrounding communities.¹⁸ Again, the Application Area is directly connected to the County's roadway network.

By expanding its workforce, inventory of heavy specialized equipment and repair and storage capacity, the Applicant will be better positioned to efficiently meet the growing demand due to economic growth, infrastructural activities, urbanization, and population growth.

The term "economic benefit" refers to the positive impact the proposed project would have on the overall economy of Miami-Dade County. The construction industry, for example is the fifth largest employer in Miami-Dade County and is facing a growing demand as urbanization

¹⁶ Since 1933, the Applicant has provided rentals, leasing, sales and servicing of all types of construction and industrial equipment to the following markets: highway and bridge building, water and sewer, land development, housing, aggregate quarries, agriculture, warehousing, seaports, marinas, and other markets. Today, through sustained partnerships with local, state, and federal governmental agencies, as well as private construction and engineering firms, the Applicant continues to contribute significantly to the growth and diversification of Miami-Dade County's economy, consistent with the County's Economic Element.

¹⁷ E-commerce continues to drive strong demand for industrial product, especially in locations with dense populations like Miami. Thus, e-commerce will continue driving absorption in Miami. South Florida ranks among the most active markets in the country for apartment construction activity on both total units and as a percentage of inventory. Builders are scheduled to complete 22,541 market-rate units over the next four quarters, the highest number of annual deliveries in at least a decade. In addition, another 15,800 rentals are in the pipeline slated for delivery in 2024. See <https://base.berkadia.com/wp-content/uploads/2022/12/Berkadia-2023-Forecast-South-Florida.pdf>

¹⁸ The Miami headquarters for Kelly Tractor is approximately 260,000 square feet. There are 400 employees working in the Miami facility. There are two work shifts. The 4 am shift is currently staffed with 10 people. They are involved in the "trans-loading" operation and some quick turnaround repairs. The majority of the employees are staggered but official operating hours are 6:30 AM – 5 PM. Kelly Tractor has a limited night shift. When the facility is completely built out, it will consist of a maximum of 2,673,000 square feet. Based on their knowledge and experience, management advises that the number of employees employed at the new facility when it is completely built out will be 1000 employees

accelerates. Currently, 110,188, approximately 8.19% of all persons employed in Miami-Dade County, work in the Construction Industry.¹⁹ Miami-Dade's limestone industry provides more than 14,000 jobs, has a \$550 million payroll, and pays almost \$22 million in local sales taxes and \$10 million in property taxes each year.²⁰

Port-Miami is one of America's fastest-growing global gateways and contributes more than \$43 billion annually to Miami-Dade County's local economy and supports over 334,500 jobs in Florida.²¹ It is anticipated that cargo traffic will double over the next decade, while the number of cruise passengers is expected to grow along with an expanded offering of cruise brands and ships.²² The equipment supplied by the Applicant will be used to construct additional railroad tracks, marshaling yards, intermodal logistic transfer facilities on-island and off-island as well as other access improvements necessary for the efficient, competitive, and rapid movement of cargo.²³

The multi-family housing market in Miami-Dade County in 2023 is poised to outperform many of its nationwide counterparts. With limited land for new development and a continued wave of migration to Miami, of both people and jobs, housing remains in incredibly high demand.

The economic resilience and continued growth of the County depends on the availability of equipment and services such as those provided by the Applicant. The Application Area is strategically located just southwest of the State Road 836 extension and is ideally suited to accommodate the proposed uses.²⁴ The Application Area would centralize the Applicant's operations and comfortably store a much larger inventory of heavy and specialized equipment to meet the County's growing demand for years to come.

When construction is completed, the Application Area will generate a significant increase in ad valorem taxes for Miami-Dade on an annual and recurring basis.

d. Amendments to FLUM/Policy LU-8E

Policy LU-8E of the CDMP states that Applications requesting amendments to the CDMP FLUM shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would satisfy a number of factors. The approval of the Application would fully satisfy Policy LU-8E, as follows:

i) *Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;*

¹⁹ <https://datausa.io/profile/geo/miami-dade-county-fl>

²⁰ <https://www.wrquarries.com/facts-about-the-florida-and-miami-dade-limestone-industry/>

²¹ <https://www.miamidade.gov/portmiami/about.asp>

²² The Applicant also supplies material handling equipment (forklifts, container handlers, etc.) used at Port Miami, Port Everglades and the airports. The Applicant's customers include the cruise lines, stevedoring companies, and numerous airlines.

²³ <https://www.miamidade.gov/portmiami/library/2035-master-plan/goals-objectives-policies-sec-3.pdf>

²⁴ The entrance and exit ramps on the SR 836/Dolphin Expressway extension are located adjacent to the Application Area and provide a direct connection to the most popular and furthest reaching expressways in the County.

Availability of Land

As previously stated, the County is running out of land to support large scale transportation and infrastructure service facilities which are critical to storing, maintaining and repairing construction and specialized heavy equipment, and vital to the economic growth of the County. The amendment to the FLUM will allow these specific uses to occur without allowing the premature urbanization of the area.

- ii) *Enhance or impede provision of services at or above adopted Level of Service (“LOS”) Standards;*

Approval of this application will not result in a deficiency in the LOS standards. The Application Area is west of 137 Avenue and north of SW 8 Street, which are both located near State Road 836 extension. The Application Area is also served by two other major roadways, SR 826 and Florida’s Turnpike. Therefore, the proposed development will promote efficient use of existing infrastructure along major roadways.

- iii) *Be compatible with abutting and nearby land uses and protect the character of established neighborhoods; and*

The contemplated development of the Application Area will be entirely compatible with and supportive of nearby land uses, which consist of rock mining activities, major industrial uses, and future truck storage. To the northeast is a well-established, growing industrial and residential region of Miami-Dade County consisting of office buildings, logistics centers, warehouses, distribution centers, and major commercial centers of major businesses including Amazon, Cemex, UPS, and Goya Foods, all of which play an essential role in the promotion of the local economy.²⁵ By contrast, the Application Area is well removed from any residential neighborhoods. The closest residential area is located east of NW 137 Avenue, a major canal and a large facility owned by Florida Power and Light, and is not directly accessible from 137 Avenue. Because of its privileged access to SR 836, traffic to and from the Application Area will not enter the residential area to the east.

- iv) *Enhance or degrade environmental or historical resources, features or systems of County significance; and*

The Application Area is outside of the West and Northwest Wellfield protection areas. Based on the County’s Division of Environmental Resources

²⁵ See Section 373.4149(4), F.S., amendments to local comprehensive plans concerning properties that are located within one mile of the Lake Belt Area shall be compatible with limestone mining activities.

Management (DERM) comments in connection with a County application that affected a 140 acres of the Application Area, the development of the Application Area is not expected to degrade environmental resources.²⁶ DERM found that after conducting environmental reviews and assessments of the area in 2009 and 2017, that the development would not adversely impact environmental resources in the area.²⁷ Moreover, any development of the Application Area would be subject to the permitting jurisdiction of DERM and other environmental agencies. For instance, while located in the North Trail Basin stormwater management basin, where extraordinary stormwater management requirements apply, the size of the Application Area will facilitate compliance with the applicable cut and fill encroachment criteria for flood protection and resource conservation requirements. Indeed, previous work in the Application Area has been permitted under Environmental Resource Permit No. 13-05745-P and Class IV Wetland Permit 2008-0056, under the terms of which certain portions of the Application Area have been subject to conservation and maintenance covenants. The approval of the Application Area will not affect the existing conservation and maintenance obligations.

v) *Enhance or degrade systems important to the County as a whole including regional drainage, emergency management, transit service, roadways, facilities of countywide significance, and water quality;*

The application if approved, would not enhance or degrade any countywide system. According to the traffic impact analysis prepared by the Applicant's transportation consultant, only one roadway segment (SW 137 Avenue from NW 6th Street to NW 8th Street) would be impacted by 5.42 percent, if the Application Area is developed at the maximum permitted FAR, which is above the threshold of five percent significance. Applicant proposes to mitigate project impacts to any roadway that exceeds their adopted LOS. Based on available information, there are no other impacts to public services that would cause a violation in the level of service standards for public services and facilities.

vi) *If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be*

²⁶ In a memorandum dated March 22, 2018 addressing Application No. G2018000002 for the approval of a new wastewater treatment facility, DERM evaluated the impacts that the proposed wastewater plant would have on the County's environmental resources and recommended approval of the application. The 275-acre parcel of land lying west of NW 137th Avenue included 140 acres of the Application Area.

²⁷ See West District Wastewater Treatment Plant Application for Miami-Dade County Governmental Facilities Exhibits 1 and 2. *Parcels under Application (also known as CS-18)* and *List of Parcels included in the Government Facilities Request*.

a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

The Application Area is not located within a planned Urban Center or within 1/4 mile of an existing or planned transit station. However, the Application Area is located in close proximity to a County park and ride facility and to transit service. The nearest transit connection is the Dolphin Station Park and Ride Transit Terminal Facility located approximately 2.2 miles northeast of the Application Area. The Tamiami Station Park and Ride facility, located at 14710 SW 8th Street, is situated approximately 2.42 miles south of the Application Area. The City of Doral provides trolley service from Doral via NW 109th Ave to FIU University's Modesto A. Maidique Campus. The trolley stop is located 3.6 miles southeast of the Application Area.

5. LOCATION MAP

Please see Exhibit "D".

6. COMPLETED DISCLOSURE OF INTEREST FORMS

Please see Exhibit "E".

7. ADDITIONAL MATERIALS SUBMITTED

Product Catalog (See Exhibit "A")

Legal Description (See Exhibit "B")

MDX Settlement Agreement (See Exhibit "C")

Aerial (See Exhibit "F ")

Traffic Study (See Exhibit "G")

Survey (See Exhibit "H")

Draft of Declaration of Restrictions (See Exhibit "I")

Opinion of Title (See Exhibit "J")

Additional items in support of this Application will be submitted at a later date.

EXHIBIT "B"

LEGAL DESCRIPTION

A portion of Government Lot 3 lying between Townships 53 South and 54 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Begin at the Southwest corner of said Government Lot 3; thence N 01 degrees 35' 33" E along the West line of said Government Lot 3 for 2592.55 feet; thence S 89 degrees 19' 56" E along a line parallel to and 1320.00 feet South of, as measured at right angles to, the North line of said Government Lot 3, for 5168.67 feet; thence S 00 degrees 51' 03" W along a line parallel to and 140.00 feet West of, as measured at right angles to, the East line of said Government Lot 3 for 1320.01 feet; thence N 89 degrees 19' 56" W along a line parallel to and 2640.00 feet South of, as measured at right angles to, the North line of said Government Lot 3 for 660.25 feet; thence S 00 degrees 51' 03" W along a line parallel with said East line of Government Lot 3 for 326.97 feet to a point being 698.96 feet North of, as measured at right angles to, the South line of said Government Lot 3; thence S 73 feet 44' 48" W for 1169.68 feet; thence S 00 degrees 51' 03" W along a line, parallel to said East line of Government Lot 3 for 420.00 feet to a point on the South line of said Government Lot 3, said point being 1921.32 feet West of the Southeast corner of said Government Lot 3; thence S 87 degrees 34' 44" W along the South line of said Government Lot 3 for 3429.60 feet to the Point of Beginning.

Less and Except the Following Property:

Commence at the Northeast corner of Excess Government Lot 3 lying between Township 53 South and Township 54 South, Range 39 East in Miami-Dade County, Florida, this also being the Southeast corner of Section 34, Township 53 South, Range 39 East; thence N89°09'49"W along the North line of said Excess Government Lot 3 for 140.00 feet; thence departing said North line of Excess Government Lot 3, S01°00'39"W along a line 140.00 feet Westerly of, as measured at right angles to, and parallel with the East line of said Excess Government Lot 3 for 1320.00 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; from said POINT OF BEGINNING, thence continue S01°00'39" W along said parallel line for 1320.01 feet; thence departing said parallel line, N89°09'49"W for 108.60 feet to a Point of Non-Tangent Intersection with the arc of a circular curve concave to the Southwest, and with said Point of Non-Tangent Intersection bearing N76°47'17"E from the center of said curve; thence Northwesterly along the arc of said curve, having a radius of 608.00 feet and a central angle of 23°36'54" for 250.59 feet to the Point of Non-Tangent Intersection with a line bearing N36°49'37"W, with said Point of Non-Tangent Intersection bearing N53°10'23"E from the center of said curve; thence N36°49'37"W along said intersecting line for 760.42 feet to a Point of Non-Tangent Intersection with the arc of a circular curve concave to the Northeast, with said Point of Non-Tangent Intersection bearing S53°10'23"W from the center of said curve; thence Northwesterly along the arc of said curve, having a radius of 860.00 feet and a central angle of 35°34'27" for 533.96 feet to a Point of Non-Tangent Intersection with a line lying 1320.00 feet Southerly of, as measured at right angles to and parallel with said North line of Excess Government Lot 3, with said Point of Non-Tangent Intersection bearing S88°44'49" W from the center of said curve; thence S89°09'49"E along said parallel line for 864.40 feet to the POINT OF BEGINNING.

Less any portion thereof that may lie within the adjacent canal.

■

EXHIBIT "D"
LOCATION MAP FOR APPLICATION
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANT/REPRESENTATIVE

Kelly Tractor Company, a Florida Corporation

DESCRIPTION OF THE SUBJECT AREA

The subject area contains approximately 246.07 acres of land located in Section 53, Township 54, Range 39, lying west of NW 137 Avenue and State Road 836, in unincorporated Miami-Dade and identified by the Miami-Dade County Property Appraiser with Folio Nos. 30-3953-000-0130 and 30-3953-000-0138.

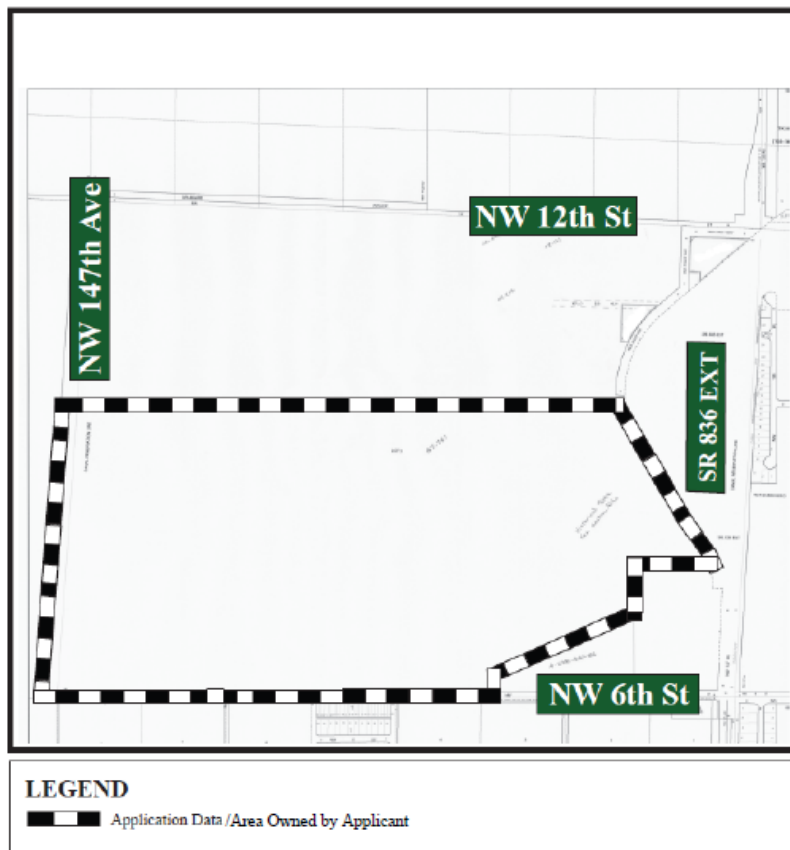
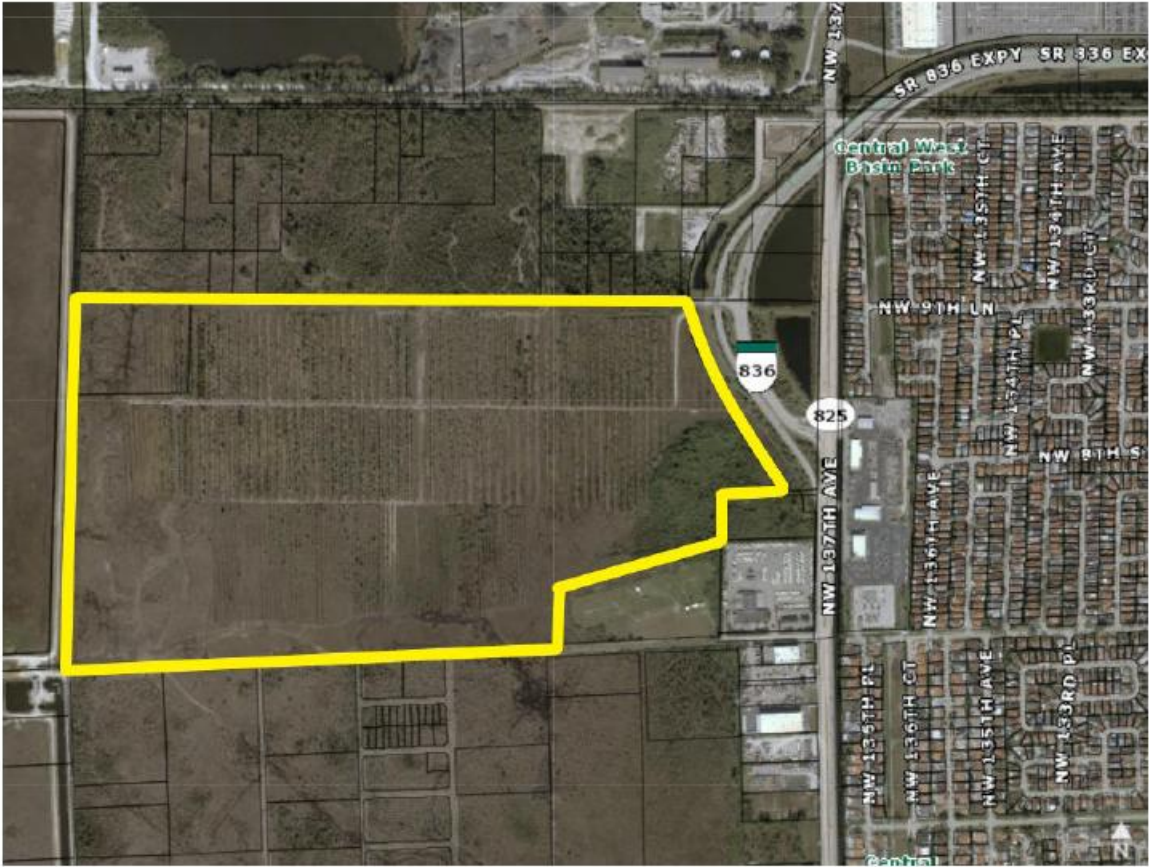
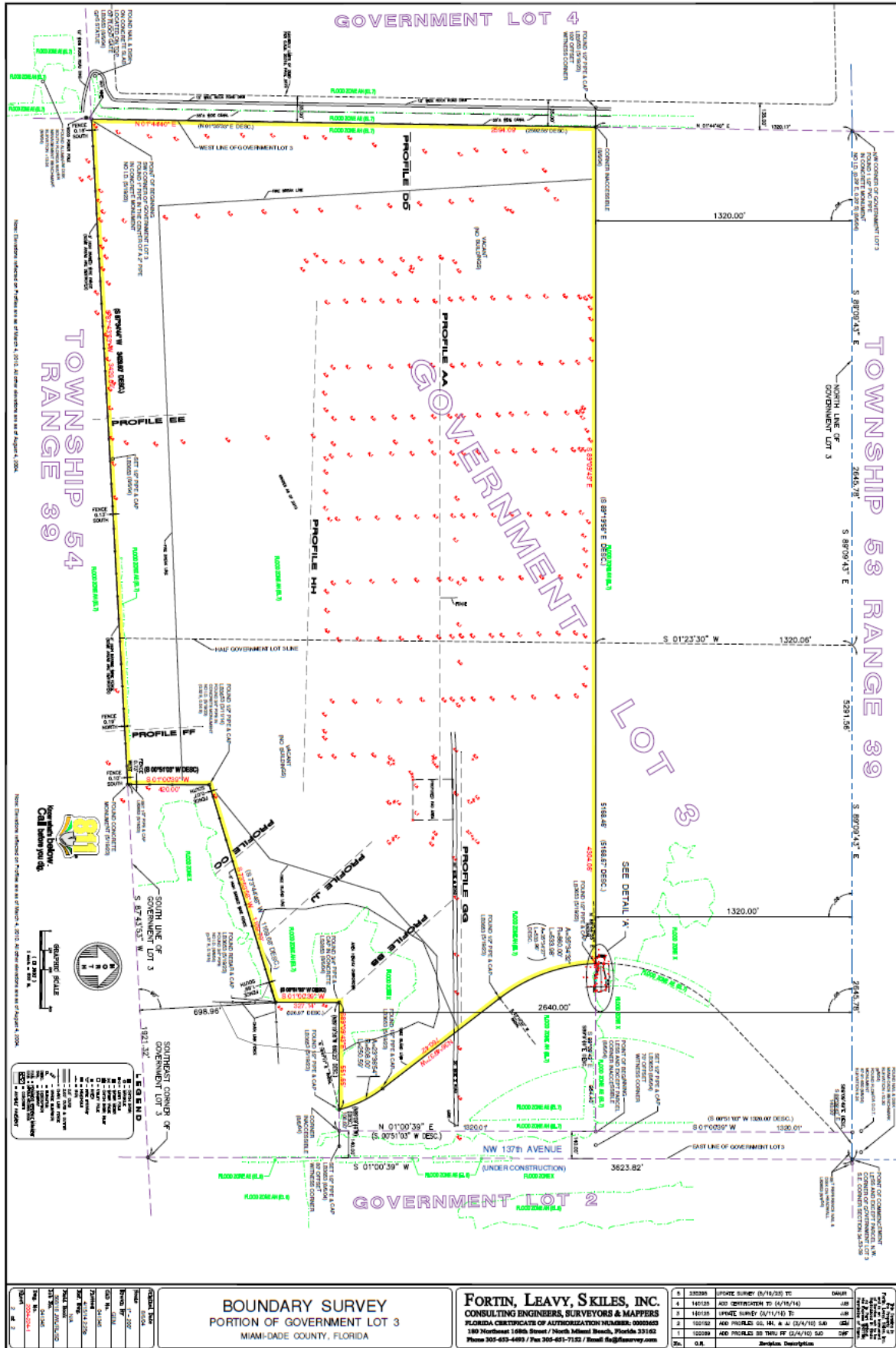


EXHIBIT "F"

AERIAL





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APPENDIX B

Applicant Request Letter (dated December 6, 2024) to Amend Original Application

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Joseph G. Goldstein
(305) 789-7782
joseph.goldstein@hklaw.com

December 6, 2024

VIA ENERGOV PORTAL

Mr. Jerry Bell, AICP
Assistant Director
Department of Regulatory and Economic Resources
111 NW First Street, 12th Floor
Miami, Florida 33131

**Re: Kelly Tractor Co. / CDMP20230013 / Revisions to Comprehensive
Development Master Plan (“CDMP”) Amendment Application
CDMP20220013**

Dear Mr. Bell:

As you are aware, this Firm represents Kelly Tractor Co. in connection with the above referenced CDMP amendment application (the “Amendment Application”) for those parcels of land consisting of \pm 246.07 acres generally located north of NW 6th Street and west of NW 137 Avenue and State Road 836, in unincorporated Miami-Dade County and are identified by the Miami-Dade County Property Appraiser by Folio Nos. 30-3953-000-0130 and 30-3953-000-0138 (the “Property”). The boundaries of the Property are depicted in yellow on the aerial below:



Mr. Jerry Bell, AICP
December 6, 2024
Page 2

I. Amendment Application History

As originally filed on May 31, 2023, the Amendment Application sought the following:

1. the redesignation of the Property from “*Open Land*” to “*Terminals*” on the CDMP’s Future Land Use Map (FLUM);
2. an amendment to the CDMP FLUM to include the entirety of the Property in the Urban Expansion Area (“UEA”);
3. text revisions to the CDMP Land Use Element to add the “*MIA Transportation and Infrastructure Support Area*” as a permitted use in the “*Terminals*” land use category; and
4. the addition of the proffered Declaration of Restrictions to the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners.

On August 31, 2023, Kelly Tractor responded to staff’s comments and submitted supplemental reports including an environmental report, cultural assessment survey, conceptual stormwater master plan, traffic study, and Fiscal and Economic analysis.

Upon further consultation with County Planning staff, Kelly Tractor considered and evaluated a possible amendment to the Open Land category as an alternative to the originally submitted request to add the MIA Transportation and Infrastructure Support Area as a permitted use in the “Terminals” land use category. As a follow up to our conversations with County staff, on January 24, 2024, Kelly Tractor submitted a letter which detailed the scope and breadth of Kelly Tractor’s operations and demonstrated that Kelly Tractor’s operations would be readily consistent with the uses and purpose of the Open Land category.

On June 24, 2024 and on August 2, 2024, the Applicant made certain text revisions to the CDMP Land Use Element to add the “*MIA Equipment and Supportive Services Area*” in the “Open Land” land use category, modified the proffered Declaration of Restrictions, and made amendments to the CDMP Capital Improvements Element regarding the improvement of portions of NW 6 Street.

II. Revised Amendment Application

Based on comments received from the Department of Environmental Resources Management (“DERM”), the Applicant has revised the application to remove the following language as a use that may be permitted within the MIA Equipment and Supportive Services Area: “Designated outdoor areas that may be used as staging areas and for hurricane debris management and recovery, during and after weather events” (“Revised Amendment Application”). While the Applicant acknowledges that inclusion of such language is premature given that a preauthorization for Disaster Debris Management sites has not yet occurred, the Applicant remains committed to

Mr. Jerry Bell, AICP
 December 6, 2024
 Page 3

providing designated outdoor areas onsite in the future as approved by the Florida Department of Environmental Protection (“FDEP”) and DERM.

Concurrently with the filing of the revisions and in support of the Revised Amendment Application, Kelly Tractor submitted:

1. a revised Declaration of Restrictions;
2. a DERM response letter;
3. a revised Conceptual Water and Sewer Master Plan and response narrative as prepared by Langan Engineering and Environmental Services, Inc., and dated December 5, 2024;
4. an analysis on previous permitting and existing covenants titled, “Discussion of Previous Permitting and Application of Existing Covenants” as prepared by EAS Engineering, Inc. and dated December 5, 2024;
5. an analysis detailing consistency with CON-7A titled, “Evaluation of Policy CON-7A: Discussion of Wetlands of Regional Significance and Land Use Element of the Miami-Dade County CDMP” as prepared by EAS Engineering, Inc. and dated December 5, 2024;
6. a revised site analysis titled, “Analysis of Site Selection and Alternative Parcels” as prepared by EAS Engineering, Inc. and dated December 5, 2024; and
7. a comprehensive environmental site report titled, “Environment Site Report” prepared by EAS Engineering, Inc. and dated December 5, 2024.

Below is a table summarizing the major differences between the original and revised CDMP applications.

May 31, 2023 CDMP Amendment Application	May 7, 2024 Revised CDMP Amendment Application	June 6, 2024 Revised CDMP Amendment Application	June 24, 2024 Revised CDMP Amendment Application	December 6, 2024 Revised CDMP Amendment Application
Request a redesignation of the Property from “Open Land” on the CDMP Future Land Use Map (“FLUM”) to “Terminals;”	Withdrawn	No change	No change	No change

Mr. Jerry Bell, AICP
 December 6, 2024
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Request an amendment to the CDMP FLUM to include the entirety of the Property in the Urban Expansion Area (“UEA”);	Withdrawn	No change	No change	No change
Request text revisions to the CDMP Land Use Element to add the MIA Transportation and Infrastructure Support Area as a permitted use in the “Terminals” land use category; and	Request text revisions to the CDMP Land Use Element to add the MIA Equipment and Supportive Services Area in the “Open Land” land use category	Text amendment changes including the removal of unusual siting criteria	Revision of text amendment to specify IU-1 commercial uses and square footage of proposed uses	Revision to remove references to hurricane debris staging site
Proffered declaration of restrictions	Revised proffered declaration of restrictions	No change	No change	Revision to remove references to hurricane debris staging site and include requested DERM language

III. The Revised Proposed Text Amendment

Based on the DERM request to remove the hurricane debris staging site language, the Revised Amendment Application now seeks to amend the text of the Open Land category, as follows:

IO:

Open Land Subarea 3 (Tamiami-Bird Canal Basins)

Uses that can be considered for approval in this subarea include rural residences at a maximum density of 1 dwelling unit per 5 acres, compatible institutional uses, public facilities, utility and communications facilities, seasonal agricultural use, recreational use, or limestone quarrying >>and supportive<< and ancillary uses.

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 December 6, 2024
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MIA Equipment and Supportive Services Area

The boundaries of the MIA Equipment and Supportive Services Area are as follows: NW 9th Lane on the north, NW 147 Avenue on the west, NW 6th Street on the south, and NW 137 Avenue and State Road 836 on the east. The purpose of the MIA Equipment and Supportive Services Area is to centralize certain storage, service, operation and the maintenance of heavy construction and specialized equipment critical to the limestone quarries, building and maintaining the County’s infrastructure, including roadways, water and sewer infrastructure and major stormwater management facilities and to generally support the construction industry in the County. The construction machinery and specialized equipment that would be stored, serviced and maintained in the MIA Equipment and Supportive Services Area plays a pivotal role in the County’s limestone production. The Area is located within the boundaries of the Rockmining Overlay Zoning Area (ROZA) and in close proximity to the major mining operations in the County’s Lake Belt Area. The MIA Equipment and Supportive Services Area is also critical in supplying the County, State and their contractors with equipment vital to building and repairing highways, roads, bridges, tunnels, railroads, water and sewer and stormwater and environmental infrastructure, landfills, marinas, correctional facilities, airports, and the Port of Miami.

The MIA Equipment and Supportive Services Area is strategically located and is directly served by State Road 836, thereby having excellent accessibility to the County’s transportation network. Notwithstanding any other provisions of this Plan, the MIA Equipment and Supportive Services Area is limited to the uses detailed below and any action to approve any other use or to liberalize the standards governing said uses must be approved by the Board of County Commissioners. The purpose of the MIA Equipment and Supportive Services Area is to support the County’s existing and planned infrastructure, as well as to serve and support the mining industry, construction, development, logistics and distribution resources and facilities that cater to local, regional, and interstate transportation operations.

The MIA Equipment and Supportive Services Area may be developed with indoor and outdoor heavy equipment and cargo storage, repair and support services, infrastructure and facilities, including:

<u>Proposed Uses</u>	<u>Building Area (Square Feet)</u>
<u>Indoor Storage of Equipment, Machinery, Parts and Components</u>	<u>2,240,000</u>

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<u>Fabrication and Repair</u>	<u>300,000</u>
<u>Equipment Operations Training Facility</u>	<u>18,000</u>
<u>Administrative Offices and Classrooms</u>	<u>80,000</u>
<u>Equipment Display</u>	<u>10,000</u>
<u>Parts Area</u>	<u>5,000</u>
<u>Equipment Rental and Sales Office</u>	<u>20,000</u>
<u>Limited Commercial Uses (i.e. banks or convenience store) to serve the firms and workers in the MIA Transportation and Infrastructure Support Area¹</u>	<u>30,000</u>

Additional and associated uses may include the following:

- Onsite fuel station for heavy equipment and on highway field service and delivery vehicles. The operation will consist of up to eight (8) pumps, four gasoline, and four diesel fuel pumps. Electrical vehicle charging stations may be provided in accordance with County Code requirements.
- Helicopter landing pad and hangar (approximately 8,000 square feet).
- Up to four truck and equipment washing bays each will be approximately 10,000 square feet (total 40,000). The washing facilities with closed loop recycling; and truck weighing scales.
- Up to ten acres of transloading facilities (as otherwise defined herein) and vertical shipping container storage, not exceeding six (6) levels in height.
- Overnight vehicle parking consisting of up to 200 spaces for parking trucks.
- Designated outdoor areas for heavy equipment training programs.
- Freight rail terminals

Notwithstanding the provisions of this Plan that prohibit the extension of infrastructure outside of the UDB, improvements within the MIA Equipment and Supportive Services Area shall be connected to public water and public sanitary sewer. Moreover, any land development shall conform to the wetland basin plans and be analyzed in accordance with Policy CON-7J and in accordance with applicable portions of the Code.

By 2026, unless otherwise extended by the Board of County Commissioners, Miami-Dade County shall develop land development regulations to permit the uses contemplated in the MIA Equipment and Supportive Services Area. The

¹ Up to 30,000 square feet of very limited commercial uses such as restaurant, food trucks, retail, personal services (i.e. banks or convenience store) to serve the firms and workers in the MIA Transportation and Infrastructure Support Area are allowed to be dispersed as small business districts and centers. The specific range and intensity of uses appropriate in a particular MIA Transportation and Infrastructure Support Area may vary by location as a function of the availability of public services and accessibility.

Mr. Jerry Bell, AICP
December 6, 2024
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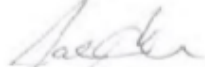
MIA Equipment and Supportive Services Area will be developed in a manner that generally conforms with the following development criteria ("Development Criteria"):

- (i) the maximum Floor Area Ratio (FAR) on parcels to be developed with vertical construction shall be 0.50; and
- (ii) a minimum of 10% of the net lot area of the property shall be developed as landscaped open space. Open space includes exterior surface areas consisting of outdoor, at grade space, including but not limited to greens, squares, plazas, courtyards, terraces, lawns, entrance features, greenbelts, unpayed passive and active recreation areas, water retention areas, canals and other water bodies, (including abutting canals), paseos, pedestrian paths, bicycle paths and/or associated landscape areas, landscaping with road rights of way including medians, and above-grade landscaped roof terraces/gardens on buildings or garage structures.

Based on the arguments set forth in the revised application, we respectfully request your favorable review and consideration of the revised Amendment Application. Thank you in advance for your considerate attention to this matter. Please let me know if you have any questions or require additional information.

Sincerely,

HOLLAND & KNIGHT LLP



Joseph G. Goldstein

CC: Juan J. Mayol, Jr., Esq.
Luis Figueredo, Esq.
Alessandria San Roman, Esq.

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APPENDIX C

Proffered Declaration of Restrictions

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Received RER-Planning
June 9, 2025

This Instrument was Prepared by:

Name: Joseph G. Goldstein, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3300
Miami, Florida 33131

CDMP20230013
Kelly Tractor Company

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

(Comprehensive Development Master Plan)

WHEREAS, MDXQ LLC, a Florida limited liability company (the "Owner"), holds fee simple title to that certain approximately two hundred and forty six (+/-246) acres parcel of land, generally located west of NW 137 Avenue and Florida State Road 836, north of NW 6 Street and south of NW 9 Lane (as identified by Folio Nos. 30-3953-000-0130 and 30-3953-000-0138), in unincorporated Miami-Dade County, Florida, described in Exhibit "A" attached hereto and is hereinafter referred to as the "Property" or "Application Area;

WHEREAS, KELLY TRACTOR COMPANY, a Florida corporation (the "Applicant" or "Kelly") has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") with respect to the Application Area in the May 2023 amendment cycle as Application No. CDMP20230013 (the "Application");

WHEREAS, the Application seeks text revisions to the CDMP Land Use Element to add the MIA Equipment and Supportive Services Area in the "Open Land" land use category, Open Land Subarea 3; and

WHEREAS, an approximately 3.129 +/- acre portion of the Property, which is located within the Urban Development Boundary and is legally described in Exhibit "B", is not part of the

MIA Equipment and Supportive Services Area and will not be developed except that it may be utilized to meet open space requirements.

NOW, THEREFORE, IN ORDER TO ASSURE Miami-Dade County, Florida (the “County”) that the representations made by the Owner and the Applicant during the County’s 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 Application Area, which shall be binding on the successor owners of the Application Area:

1. **Development Intensity and Permitted Uses.**

- A. The use of the Property shall be limited to the uses listed in the “Open Land” designation of the CDMP under the MIA Equipment and Supportive Services Area in Open Land Subarea 3, including all accessory and ancillary uses that are supportive of the MIA Equipment and Supportive Services Area, with a maximum floor area ratio 0.5. Any changes to the Application shall be in accordance and consistent with and subject to the County Code, CDMP provisions, procedures, and limitations for modifying said changes.
- B. Development within the MIA Equipment and Supportive Services Area will be developed in a manner that generally conforms with the following development criteria: (i) a minimum of 10% of the net lot area shall be developed as passive landscaped open space or active recreation space; and (ii) such open space, whether active or passive, includes exterior surface areas consisting of outdoor, at-grade space, including but not limited to greens, squares, plazas, courtyards, terraces, lawns, entrance features, may consist of greenbelts, unpaved passive and active recreation areas, water retention areas, canals and other water bodies, (including

abutting canals), paseos, pedestrian paths, bicycle paths and/or associated landscape areas, landscaping with road rights of way including medians, and above-grade landscaped roof terraces/gardens on buildings or garage structures. Prior to the issuance of a certificate of use for any building on the Property, the Owner shall designate, improve and thereafter maintain an outdoor recreational area for the benefit and enjoyment of its employees ("Recreational Area"). The Recreational Area shall, at a minimum, be improved with benches, a covered area and landscaping. Shade trees shall be planted adjacent to sidewalks, walkways and walking paths throughout the Property.

C. There shall be no residential use on the Property, except to allow overnight stays to provide security for the Property.

2. **Future Site Plan Review for Application Area.** The Application Area is intended to be developed over time in a manner that generally conforms with the uses set forth in the Application and the terms set forth herein. Prior to the issuance of a building permit for the any of the uses listed in the "Open Land" designation of the CDMP under the MIA Equipment and Supportive Services Area in Open Land Subarea 3, the Owner shall, establish land development regulations for the development of the Application Area, which, at a minimum, provide for the approval of an application for administrative site plan review ("ASPR") from the Department of Regulatory and Economic Resources, or successor department, in accordance with Section 33-310.4 of the Code of Miami-Dade County, whether or not such approval would otherwise be required by Section 33-310.4 or any other provision of the Code. Nothing in this Paragraph shall preclude the issuance of other permits (other than a foundation permit), such as, but not limited to, fence permits to

secure the perimeter of the Property, and zoning improvements permits to allow site work activities.

3. **Concurrency and Phasing.**

A. The project shall meet concurrency and satisfy the requirements set forth in Chapter 33G of the Miami-Dade County Code (“Code”).

B. It is expressly understood and agreed that the Application Area shall be connected to public water and public sanitary sewer as provided in paragraph 6, below.

C. It is also expressly understood that the Application Area may be developed in phases over an extended period of time and that any analysis, permitting, and mitigation shall recognize such extended development phasing as part of the review of the Application, zoning, platting or subsequent development permitting or approvals.

D. In an effort to enhance non-motorized connectivity, the Owner shall provide bicycle racks at appropriate locations throughout the Application Area.

4. **Road Improvement(s).** The Owner shall provide access from NW 137 Avenue to the Property (“Road Improvement”) via NW 6th Street to be included in the amendments to the CDMP Capital Improvements Element (CIE) with regard to the Road Improvement adopted with the Application. Zoning application(s) for the project(s) shall specifically address the completion of the Road Improvement and changes to the CIE adopted as part of the Application. The Owner may submit future analyses, independent studies, or other evidence, in a form acceptable to the County, to determine if the Road Improvement remains necessary for the project(s) or if other improvements are required. Any such future analyses or independent studies shall be subject to the review and approval of the

Department of Transportation and Public Works, or successor agency, as well as the Planning Division of the Department of Regulatory and Economic Resources, or its successor agency. The CIE may be amended by the County from time to time in accordance with applicable laws and procedures in effect at the time. Such amendments may occur without the need for any amendment to this Declaration. The Road Improvement in addition to other road improvements shall be eligible for credit as a contribution-in-lieu of mobility fees impact fees, subject to the procedures set forth in Chapter 33E of the Code.

5. **Environment.**

A. **Stormwater Management.** Prior to the approval by the Division of Environmental Resources Management (“DERM”) of a zoning site plan, soil improvement permit, building permit, Environmental Resource Permit for paving and drainage, or any other DERM review or permit, the Owner shall submit to DERM for review and approval a signed and sealed conceptual stormwater master plan (the “Conceptual Stormwater Management Master Plan”), which describes (i) how stormwater within the Application Area will be managed; (ii) a representative assessment of any soil and groundwater contamination that may be present; (iii) the effect of the development on the drainage on adjacent properties; (iv) any impacts to existing stormwater features, such as canals and agricultural ditches; and (v) how the post-development conditions of the Application Area will be the same or better than the pre-development stormwater management, water quantity, and water quality levels of service conditions.

B. **Wetlands, Endangered and Threatened Species.**

- i. **Status of Existing Permits, Covenants and Restrictions.** The majority of the Property is currently designated as a wetland under County regulations and is subject to the following certain permits, covenants and restrictions (“Existing Permits, Covenants and Restrictions”).

Existing Permits, Covenants and Restrictions	Date of Documents
DERM Permit No. CC-898	June 7, 1985 as further modified on February 27, 1987
DERM Permit No. CLIV-2008-00056	September 13, 2012
Restrictive Covenant as recorded in Official Records Book 28488, Pages 2722-2731 of the Public Records of Miami-Dade County, Florida	February 13, 2013
Restrictive Covenant as recorded in Official Records Book 28488, Pages 2891-2900 of the Public Records of Miami-Dade County, Florida	February 13, 2013

Specifically, with regard to the Existing Permits, Covenants and Restrictions, the Owner acknowledges that the Existing Permits, Covenants and Restrictions were established as a result of past Class IV permitting activity. Further, the Owner commits that no work will occur in areas protected by the Existing Permits, Covenants and Restrictions unless modified through future permitting activities and modification of the Existing Permits, Covenants and Restrictions. Finally, the Owner acknowledges that any plans and proposals for the Property submitted during the County’s consideration of the CDMP Application review process are conceptual in nature and shall not be construed to release, amend or otherwise modify the Existing Permits, Covenants and Restrictions. Such

conceptual site plans and proposals are merely intended to provide a layout of the future potential development of the Property. By reviewing and issuing comments on the plans and proposals, the Division of Environmental Resources Management (“DERM”) is in no way waiving its permitting jurisdiction and review under Chapter 24 of the County Code nor will it entitle the Owner to a favorable review of future permit applications as may be required by Chapter 24.

- ii. **Environmental Permit Process.** The Owner shall timely seek and obtain all appropriate permits and approvals prior to any dredging, filling, and development of any wetlands located within the Property. Fill used on the Property shall only consist of clean fill as defined by Section 24-5 of the Code of Miami-Dade County. Prior to the approval of any of the following development permits or orders, including: zoning actions, tentative plats, final plats, building permits, zoning improvement permits, lake excavation permits, and Class IV wetlands permits, for development of any portions of the Property, the Owner shall conduct a survey to determine the absence or presence of (i) listed plant species found in Appendix A and (ii) listed wildlife species found in Appendix B of the CDMP within the area or phase of development subject to the request for approval of said development order. The survey(s) shall utilize professionally recognized survey timeframes and sampling methodology and shall be subject to review and approval by DERM prior to implementation. The Owner shall prepare or revise site plans, tentative plat applications, final plat applications, building

permit plans, zoning improvement permits, lake excavation permits and Class IV wetlands permit plans, subject to DERM review and approval, as necessary to comply with requirements of Chapter 24 of the Code of Miami-Dade County and for conformance with the provisions of the CDMP, Class IV permit approval, and approved Stormwater Management Plan, and any other environmental permits or approvals issued pursuant to Chapter 24 of the Code.

6. 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 Code of Miami Dade County and Water and Sewer Department ("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. Moreover, if a public pump station is required at the time the Water and Sewer Agreement is requested for the Property, the Owner will install a public sanitary sewer pump station at the Owner's

expense to provide service to the proposed development, subject to any applicable DERM and WASD approvals.

8. **Archaeological Site/Potential Unmarked Human Burial.** The Phase One Archeological Assessment submitted as part of the County's review of the Application has confirmed the existence of archaeological Site 8DA93 in the southeastern corner of the Application Area (the "Archaeological Site"), as such designated by Miami-Dade County. The Owner has an interest in protecting and preserving the unmarked burials, human skeletal remains and associated burial artifacts within the Archaeological Site. As such, the Owner covenants that it shall preserve and make no physical alteration to the Archaeological Site. The Archaeological Site is legally-described in Exhibit "C". This Covenant will run with the land and shall be in effect in perpetuity.

MISCELLANEOUS

Covenant Running with the Land. This Declaration on the part of the Owners shall constitute a covenant running with the land and may be recorded, at Owners' expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owners, and their heirs, successors and assigns 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 Owners, 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 jointers 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 Owners 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 Owners acknowledge that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owners 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.

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

[Signature Pages to Follow]

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

WITNESSES:

MDXQ LLC, a Florida limited liability Corporation

Signature

Printed Name

By: _____

Name: Christopher L. Kelly

Title: President

Signature

Printed Name

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

The foregoing instrument was acknowledged before me by Christopher L. Kelly, as President of MDXQ 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 AND SKETCH FOR THE APPLICATION AREA

A portion of Government Lot 3 lying between Township 53 South and 54 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Begin at the Southwest corner of said Government Lot 3; thence North $01^{\circ}35'33''$ East along the West line of said Government Lot 3 for 2592.55 feet; thence South $89^{\circ}19'56''$ East along a line parallel to and 1320.00 feet South of, as measured at right angles to, the North line of said Government Lot 3, for 5168.67 feet; thence South $00^{\circ}51'03''$ West along a line parallel to and 140.00 feet West of, as measured at right angles to, the East line of said Government Lot 3 for 1320.01 feet; thence North $89^{\circ}19'56''$ West along a line parallel to and 2640.00 feet South of, as measured at right angles to, the North line of said Government Lot 3 for 660.25 feet; thence South $00^{\circ}51'03''$ West along a line parallel with said East line of Government Lot 3 for 326.97 feet to a point being 698.96 feet North of, as measured at right angles to, the South line of said Government Lot 3; thence South $73^{\circ}44'48''$ West for 1169.68 feet; thence South $00^{\circ}51'03''$ West along a line, parallel to said East line of Government Lot 3 for 420.00 feet to a point on the South line of said Government Lot 3, said point being 1921.32 feet West of the Southeast corner of said Government Lot 3; thence South $87^{\circ}34'44''$ West along the South line of said Government Lot 3 for 3429.60 feet to the Point of Beginning.

LESS AND EXCEPT THE FOLLOWING PROPERTY:

Commence at the Northeast corner of Excess Government Lot 3 lying between Township 53 South and Township 54 South, Range 39 East in Miami-Dade County, Florida, this also being the Southeast corner of Section 34, Township 53 South, Range 39 East; thence North $89^{\circ}09'49''$ West along the North line of said Excess Government Lot 3 for 140.00 feet; thence departing said North line of Excess Government Lot 3, South $01^{\circ}00'39''$ West along a line 140.00 feet Westerly of, as measured at right angles to and parallel with the East line of said Excess Government Lot 3 for 1320.00 feet to the Point of Beginning of the hereinafter described parcel of land; from said Point of Beginning, thence continue South $01^{\circ}00'39''$ West along said parallel line for 1320.01 feet; thence departing said parallel line, North $89^{\circ}09'49''$ West for 108.60 feet to a Point of Non-Tangent Intersection with the arc of a circular curve concave to the Southwest, and with said Point of Non-Tangent Intersection bearing North $76^{\circ}47'17''$ East from the center of said curve; thence Northwesterly along the arc of said curve, having a radius of 608.00 feet and a central angle of $23^{\circ}36'54''$ for 250.59 feet to the Point of Non-Tangent Intersection with a line bearing North $36^{\circ}49'37''$ West, with said Point of Non-Tangent Intersection bearing North $53^{\circ}10'23''$ East from the center of said curve; thence North $36^{\circ}49'37''$ West along said intersecting line for 760.42 feet to a Point of Non-Tangent Intersection with the arc of a circular curve concave to the Northeast, with said Point of Non-Tangent Intersection bearing South $53^{\circ}10'23''$ West from the center of said curve; thence Northwesterly along the arc of said curve, having a radius of 860.00 feet and a central angle of $35^{\circ}34'27''$ for 533.96 feet to a Point of Non-Tangent Intersection with a line lying 1320.00 feet Southerly of, as measured at right angles to and parallel with said North line of Excess Government Lot 3, with said Point of Non-Tangent Intersection bearing South $88^{\circ}44'49''$ West from the center of said curve; thence South $89^{\circ}09'49''$ East along said parallel line for 864.40 feet to the Point of Beginning.

EXHIBIT "B"

**LEGAL DESCRIPTION AND SKETCH FOR PORTION OF PROPERTY WITHIN THE
UDB**

A portion of Government Lot 3 lying between Township 53 South and 54 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Government Lot 3; thence N 89°09'43" W along the North line of said Government Lot 3 for 140.00 feet; thence S 01°00'39" W along a line 140.00 feet Westerly of, as measured at right angles, and parallel with the East line of said Government Lot 3 for 1320.01 feet, the following two (2) courses being along a line 2640.00 feet Southerly of, as measured at right angles, and parallel with said North line of Government Lot 3; 1) thence N 89°09'43" W for 108.60 feet to the Point of Beginning of the hereinafter described parcel of land; 2) thence continue N 89°09'43" W for 407.67 feet; thence N 01°45'41" E along the Urban Development Boundary Line for 599.03 feet; thence S 36°49'37" E for 473.78 feet to a point of curvature; thence Southeasterly along a 608.00 foot radius curve leading to the right through a central angle of 23°36'54" for an arc distance of 250.59 feet to the Point of Beginning.

Draft 06/09/17

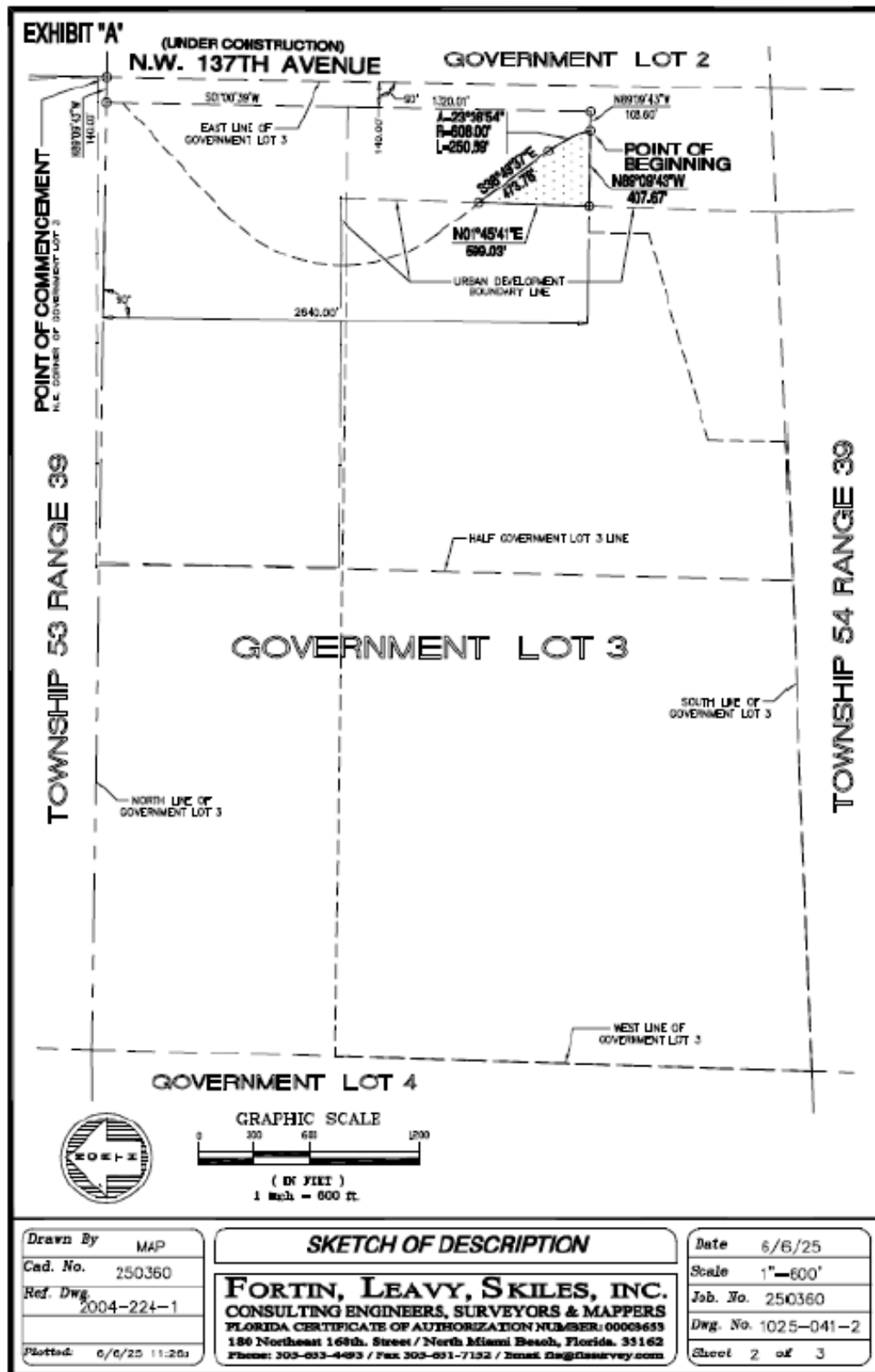


EXHIBIT "C"

LEGAL DESCRIPTION FOR THE ARCHAEOLOGICAL SITE

A portion of Government Lot 3 lying between Townships 53 South and 54 South, Range 39 East, being more particularly described as follows:

COMMENCE at the Southwest corner of said Government Lot 3; thence N87°34'44"E, along the South line of Government Lot 3, for a distance of 3429.60 feet; thence N00°51'03"E, for a distance of 420.00 feet to the POINT OF BEGINNING of the herein after described parcel of land; thence N51°28'46"E, for a distance of 492.10 feet; thence N17°47'48"E, for a distance of 592.03 feet; thence N48°41'29"E, for a distance of 440.86 feet; thence N74°35'29"E, for a distance of 394.49 feet; thence S36°59'44"E, for a distance of 492.02 feet to a point of curvature of a circular curve to the right, concave to the Southwest; thence southeasterly along the arc of said curve, having for its elements a radius of 608.00 feet, through a central angle of 23°36'54", for an arc distance of 250.59 feet; thence N89°19'56"W, for a distance of 551.65 feet; thence S00°51'03"W, for a distance of 326.97 feet; thence S73°44'48"W, for a distance of 1169.68 feet to the POINT OF BEGINNING.

Containing 810,495 Square feet or 18.61 Acres more or less by calculations.

Draft 06/25

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APPENDIX D
Miami-Dade County Public Schools Analysis

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Public Schools

The application does not include residential uses in the development program for the proposed development. Therefore, the proposed CDMP land use change on the application site to “Terminals” and the proposed development will have no impact on Miami-Dade County Public School’s student population.

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APPENDIX E

Executive Summary of Traffic Impact Study (dated August, 2024)

*Excerpted pages are enclosed herein. The complete report is accessible at the link listed below.

https://energov.miamidade.gov/EnerGov_Prod/SelfService#/plan/85a528ca-fa52-4ba9-8a83-a24d51563e8e

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CDMP AMENDMENT TRAFFIC IMPACT STUDY

For

**MIA Equipment and Supportive Services Area CDMP
Miami-Dade County, Florida**

Prepared By:

**Langan Engineering & Environmental Services, LLC
1221 Brickell Ave, Suite 1800
Miami, FL 33131
FL Certificate of Authorization No: 6601**



This item has been digitally signed and sealed by Maximo Polanco, PE on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

**Maximo G. Polanco, P.E.
P.E. License No. 91355**

**Eric Schwarz, P.E., LEED AP
Principal/Vice President**

June 2023;
August 2023;
May, 2024;
Revised: August 2024;

LANGAN

330124301

1221 Brickell Ave, Suite 1800 Miami, FL 33131 T: 786.264.7200 F: 786.264.7201 www.langan.com

New Jersey • New York • Connecticut • Massachusetts • Pennsylvania • Ohio • Illinois • North Carolina • Virginia • Washington, DC
California • Texas • Arizona • Utah • Colorado • Washington • Florida | Athens • Calgary • Dubai • London • Panama

EXECUTIVE SUMMARY

Langan Engineering and Environmental Services, LLC was retained to prepare a traffic-impact analysis for the proposed MIA Equipment and Supportive Services Area and in support of a proposed change to the Miami-Dade County Comprehensive Development Master Plan (CDMP) for two land parcels. The subject property (± 246.07 net acres) is north of NW 6th Street and west SW 137th Avenue in unincorporated Miami-Dade County. The owners are requesting a CDMP text amendment to the "Open Land" land use category to add the proposed MIA Equipment and Supportive Services Area within such category. In addition, a portion of the project site (± 1.7 acres) is within the Urban Development Boundary (UDB) and has a land use designation of "Industrial & Office" which will remain with its current land use designation.

The applicant is requesting a CDMP text amendment to the "Open Land" land use category to add the proposed MIA Equipment and Supportive Services Area to be allowed within such category. The proposed land-use designation is to centralize the storage, service, and maintenance of heavy construction and specialized equipment critical to building and maintaining the County's infrastructure, including roadways, water and sewer infrastructure, and major stormwater management facilities. The maximum development potential under the current future land-use designation is 49 single-family detached housing dwelling units. The maximum development potential under the proposed future land-use designation will be a mix of uses and structures that will comprise a maximum development area of 160 acres with an estimated employment of 1,000 employees and 30,000 square-feet of commercial uses.

We analyzed two different scenarios for the future conditions. Under Scenario 1, we analyzed 31 roadway segments based on the information from the Miami-Dade Concurrency LOS Traffic Stations tables and FDOT historical data from traffic-count stations near the project. Under scenario 2, we added the committed developments near the project site to the roadway segments analysis to account for the proposed, but not yet approved, developments in the area.

For Scenario 1, we prepared roadway-capacity analyses for the 2026 (short-term) conditions along 31 roadway segments and found all roadway segments will operate within their adopted Level of Service (LOS) with the proposed land-use designation's impacts. We prepared a 2045 (long-term) roadway capacity analysis and found that three roadway segments are expected to operate beyond their adopted LOS with and without the impacts of the proposed land-use designation change in 2045. The analysis demonstrates that only one of the analyzed roadway segments along NW/SW 137th Avenue is expected to be significantly impacted by the proposed land-use designation change.

For Scenario 2, we prepared roadway-capacity analyses for the 2026 (short-term) conditions along 31 roadways segments, added the committed developments in the area, and found all roadway segments will operate within their adopted Level of Service (LOS) with the proposed land-use designation's impacts, except for one roadway segment along SW 137th Avenue and another roadway segment along SW 8th Street. The 2045 (long-term) roadway capacity analysis shows that four roadway segments are expected to operate beyond their adopted LOS with and without the impacts of the proposed land-use designation change in 2045. The analysis demonstrates that the one roadway segment along SW 8th Street is expected to operate beyond capacity due to committed developments in the area.

The developer plans to mitigate the project's impacts to roadways that exceed their adopted LOS at the time of final development order approval through proportionate share payments as permitted by Florida Statutes.

Langan prepared trip-generation estimates for the site under the current future land-use designations using equations from the Institute of Transportation Engineers *Trip Generation Manual*, 11th Edition. The trip generation estimates for the proposed development were based on the existing Kelly Tractor Facility in Doral, Florida, the *ITE Trip Generation Manual 11th Edition*, and based on the proposed developable area of the project site. The increase in potential vehicle trips after comparing the maximum development potential under the current and proposed future land-use designations is 8,475 daily, 914 morning peak-hour and 1,021 afternoon peak-hour net-new trips. In addition, the trip generation estimates did not consider the maximum development potential of the portion of the site located within the UDB to provide a conservative analysis.

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APPENDIX F

Fiscal Impact Analysis

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Fiscal Impacts On Infrastructure and Services

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. CDMP20230013 to amend the CDMP from County departments and agencies responsible for supplying and maintaining infrastructure and services relevant to the CDMP. The evaluation estimates the incremental and cumulative costs of the required infrastructure and service, and the extent to which the costs will be borne by the property owner(s) or will require general taxpayer support and includes an estimate of that support.

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

Solid Waste Services

The adopted level of service standard (LOS) for the County Waste Management System is as follows: to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five (5) years. As of FY 2023-24, the Department of Solid Waste Management (DSWM) is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the applications reviewed here, which are not anticipated to have a negative impact on disposal service.

The application proposes to amend the land use designation “Open Land Subarea 3” text for a ±244.37 gross acre portion of ±246.07-acre (gross) parcel, to include “supportive” uses and create the “MIA Equipment and Supportive Services Area”. A portion of the site is located within the Urban Development Boundary (±1.7 acres), a portion located within the Urban Expansion Area (UEA) and the ±244.37 gross-acre portion located outside the Urban Development Boundary (UDB). Adoption of this amendment will likely result in development of 2,703,400 square feet of storage, servicing, rental and maintenance facilities for construction machinery, other specialized equipment and limited commercial uses. The DSWM offers waste collection services to residential units, while permitted haulers are hired by most commercial and multi-family establishments throughout Miami-Dade County. Private haulers apply for and are issued permits and vehicle decals to haul solid waste on County roads. Municipalities outside of the County’s Waste Collection Service Area (WCSA) either have their own solid waste collection departments or contract with permitted private haulers for residential waste collection service.

Fiscal Impact for Provision of Solid Waste Services - Concurrency

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

Fiscal Impact – Waste Disposal Capacity and Service

The cost of providing disposal capacity for WCSA customers, municipalities and private haulers is paid for by System users. In FY 2024-25, the DSWM charges a contract disposal rate of \$68.77 per ton while the non-contract disposal rate is \$102.66 per ton.

These rates adjust annually with the Consumer Price Index, South Region. In addition, the DSWM charges a Disposal Facility Fee to private haulers equal to 15 percent of their annual gross receipts, which is used to ensure availability of disposal capacity in the System. Landfill closure, remediation and long-term care are funded by a portion charged to all customers of the County's Water and Sewer Department.

Water and Sewer

The Miami-Dade County Water and Sewer Department (WASD) provides for the majority of water and sewer service needs throughout the county. The cost estimates provided herein are preliminary and final project costs will vary from these estimates. The final costs for the project and resulting feasibility will depend on the actual labor and materials costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. The water impact fee was calculated at a rate of \$1.39 per gallon per day (gpd), and the sewer impact fee was calculated at a rate of \$5.60 per gpd. The Annual Operations and Maintenance (O&M) cost was based on figures through 9/30/23, at \$2.0469 per 1,000 gallons for water and \$2.9297 per 1,000 gallons for sewer.

The applicant's revised request (dated December 6, 2024) requests text revisions to the CDMF Land Use Element to add "associated" to the "Open Land Subarea 3" text and add the "MIA Equipment and Supportive Services Area" to the land use category. This would likely result in development of 2,703,000 square feet of storage, servicing, rental and maintenance facilities for construction machinery and other specialized equipment and limited commercial uses. If the site is developed to this maximum potential, the water connection charge is estimated at \$133,623; the water service line and meter connection fees would cost \$14,301; the sewer connection charges are estimated at \$538,336; and the annual operating and maintenance costs would total \$174,619. In addition, the estimated cost of installing the required 5,300 linear feet of 16-inch water main to connect the proposed development to the County's regional water system is estimated at \$2,739,835. Furthermore, the highest estimated cost of installing service would require 2,640 linear feet of 8-inch gravity sewer main and would cost \$992,851. In addition, the installation of one (1) Public Pump Station would be necessary for the development at an estimated cost of \$1,000,000. The total potential cost for connecting the proposed development to the regional water and sewer system including an engineering fee of 13% plus all other WASD add-ons incorporated into the fee is estimated at \$4,732,686.

Drainage and Flood Protection

The Miami-Dade County Division of Environmental and Resources Management (DERM) is responsible for the enforcement of current stormwater management and disposal regulations. These regulations require that all new development provide full on-site retention of the stormwater runoff generated by the development. The drainage systems serving new developments are not allowed to impact existing or proposed public stormwater disposal systems, or to impact adjacent properties. The County is not responsible for providing flood protection to private properties,

although it is the County's responsibility to ensure and verify that said protection has been incorporated in the plans for each proposed development. The above noted determinations are predicated upon the provisions of Chapter 46, Section 4611.1 of the South Florida Building Code; Section 24-58.3(G) of the Code of Miami-Dade County, Florida; Chapter 40E-40 Florida Administrative Code, Basis of Review South Florida Water Management District (SFWMD); and Section D4 Part 2 of the Public Works Manual of Miami-Dade County. All these legal provisions emphasize the requirement for full on-site retention of stormwater as a post development condition for all proposed commercial, industrial, and residential subdivisions.

Additionally, DERM staff notes that new development, within the urbanized area of the County, is assessed a stormwater utility fee. This fee commensurate with the percentage of impervious area of each parcel of land, and is assessed pursuant to the requirements of Section 24-61, Article IV, of the Code of Miami-Dade County. Finally, according to the same Code Section, the proceedings may only be utilized for the maintenance and improvement of public storm drainage systems.

Based upon the above noted considerations, it is the opinion of DERM that Ordinance No. 01-163 will not change, reverse, or affect these factual requirements.

Public Schools

The application does not include residential uses in the development program for the proposed development. Therefore, the proposed CDMP land use change on the application site to "Terminals" and the proposed development will have no impact on Miami-Dade County Public School's student population.

Fire Rescue

The Miami-Dade Fire Rescue Department (MDFR) is utilizing the Development Impact Table to calculate impact to existing MDFR services. MDFR will evaluate the impact the proposed designation will have on existing MDFR service. The proposed potential development consists of 2,240,000 square feet for storage, 300,000 square feet for fabrication and repair, 18,000 square feet training facility, 80,000 square feet for administrative offices, 10,000 square feet for equipment display, 5,000 square feet parts area, 20,000 square feet for an equipment rental office and 30,000 sq.ft. limited commercial uses. The proposed development will generate approximately 137 annual alarms. The 137 annual alarms will result in a **high** impact to existing fire rescue service. All existing stations within proximity of the application site are capable of mitigating the additional number of alarms.

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APPENDIX G

Photos of Site and Surroundings

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Entrance to Application site. Looking west, viewed from 826 Extension ramp underpass between NW 12th St and NW 6th Street



Inside Application Site: Looking north



Inside Application Site: Looking west



Eastern boundary of the application site, near 836 Extension south bound ramp, looking south



Inside Application site near eastern boundary, looking south.



Adjacent property on southeast (broadcasting towers) of the application site, looking north from NW 6th Street.



Looking west from end of NW 6th Street and adjacent southeast property (broadcasting towers).



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APPENDIX H

Letter from Miccosukee Tribe of Indians

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Miccosukee Tribe of Indians of Florida

Business Council Members
Talbert Cypress, Chairman

Lucas K. Osceola, Assistant Chairman
Kenneth H. Cypress, Treasurer

William J. Osceola, Secretary
Pete Osceola, Jr., Lawmaker

September 20th, 2023

The Honorable Daniella Levine Cava, Mayor
The Honorable Board of County Commissioners
111 N.W. 1st Street
Miami, Florida 33128

SUBJECT: Avoiding Destruction of Culturally Significant Tree Islands

Dear Mayor Levine Cava and County Commission,

We are writing this letter in support of the Kelly Tractor Company's application to amend the Miami-Dade County Comprehensive Development Master Plan. We write to you out of our strong desire to protect the tree island, known to archaeologists as the archaeological site "8DA93." The Miccosukee Tribe of Indians of Florida supports Kelly Tractor's application to relocate its headquarters to the 246-acre parcel lying west of NW 137th Avenue and State Road 836, because they have made a commitment to include in their Declaration of Restrictions a covenant to preserve this culturally significant tree island in perpetuity.

Tree islands are sacred places to the Miccosukee people, as they provided shelter from the U.S. Cavalry in the Seminole Wars and provided continuing refuge for our communities in the century which followed. Our ancestors have been laid to rest on these islands. The island which your staff knows as 8DA93, we know to be a traditional home of the Takoshaadthe Clan, and a burial site. The island has documented inhabitation going back to the "Glades I" period, as far back as 500 BCE, and many generations have been laid to rest on its soil. The soil itself, and the plants which grow from it, contain our ancestors.

The Miccosukee Tribe of Indians of Florida would oppose the destruction of this culturally significant tree island, through the construction of roadways or similar ground disturbance. To this end, we support Kelly Tractor's application to relocate its headquarters to the 246-acre parcel west of NW 137 Avenue and State Road 836, conditional upon their preservation of the tree island. We have visited their existing facilities and observed their space constraints, and we understand well their need for expansion.

In the next decades, our offices will be faced with many hard decisions. The Indigenous history of Miami-Dade County is ancient and rich, but sites of great cultural, historic, and spiritual importance will continue to be at risk of destruction as development expands — we must meet the needs of an ever-growing global metropolis, but we should not do so at the cost of our history, a history which is part of

PO Box 440021, Miami, Florida 33144, Tel. (305) 223 8380, Fax (305) 223-1011
Constitution Approved by the Secretary of the Interior, January 11, 1962

the County's story as much as it is the Tribe's. We urge your office, and the Commission, to strike that balance of preserving our culture and history even as development and expansion occurs. We believe that Kelly Tractor's proposed development offers a model of this balance, and we encourage you to accept their application to relocate their headquarters in recognition of and conditioned upon their preservation of the important cultural sites therein.

Sincerely,



Talbert Cypress
Chairman
Miccosukee Tribe of Indians of Florida

APPENDIX I

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites

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Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites

Miami-Dade County Regulatory and Economic Resources

Planning Division

June 25, 2025



Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

Research Focus

This report analyzes the size of existing large agricultural and construction heavy equipment rental, sales, storage, and delivery dealerships and their land utilization. The focus of this research is to identify the general baseline acreage requirement for heavy equipment storage, sales and rental operations. Each site is profiled briefly, and the size of the operational area is compared with the size of any unused area not in operational use. This research is intended to aid the analysis of 2023 October Cycle Application No. CDMP20230013 submitted by Kelly Tractor Company.

Local Competitors

A total of 74 local competitors to Kelly Tractor within the state of Florida were identified. Twenty-one of the largest dealerships among the 74 competitors are described in the report. Two regional parts distribution centers in Miami-Dade County are also described. The total sizes of the sites and the land area used for the business including the total square footage of buildings on the site are provided for several competitor businesses in South Florida and throughout Florida:

- Caterpillar Tractor Company operates a warehouse and distribution center in Miami Lakes
- John Deere has a warehouse and regional parts distribution center in Sweetwater
- Florida Coast Equipment has 17 Kubota dealerships in Florida
- Dobbs Equipment has 11 John Deere dealerships in Florida
- Everglades Equipment Group operates 19 John Deere dealerships in Florida
- Vermeer Southeast Sales and Service, Inc., has 7 locations in Florida
- Case Construction Power Equipment has 5 dealerships in Florida
- Dynamic Equipment Group has 13 locations in Florida

Distribution Centers and Large Dealerships in the Southeast Region

Two large national and regional distribution centers for Caterpillar and Kubota Tractor in the Atlanta, Georgia area are described. Dobbs Equipment, (a John Deere dealer) in Atlanta, Georgia is also reviewed. James River Equipment (a John Deere dealer) and Highway Equipment and Tractor (a Kubota dealer) in Charlotte, North Carolina are described to show the size of the sales and service buildings and the overall property acreage. These sites are reviewed to compare other large heavy equipment dealers within the southeastern United States. Exhibit A is a table that presents the size of Kelly Tractor dealership sites in comparison to dealerships of local competitors, regional distribution centers and large dealerships in the southeastern United States.

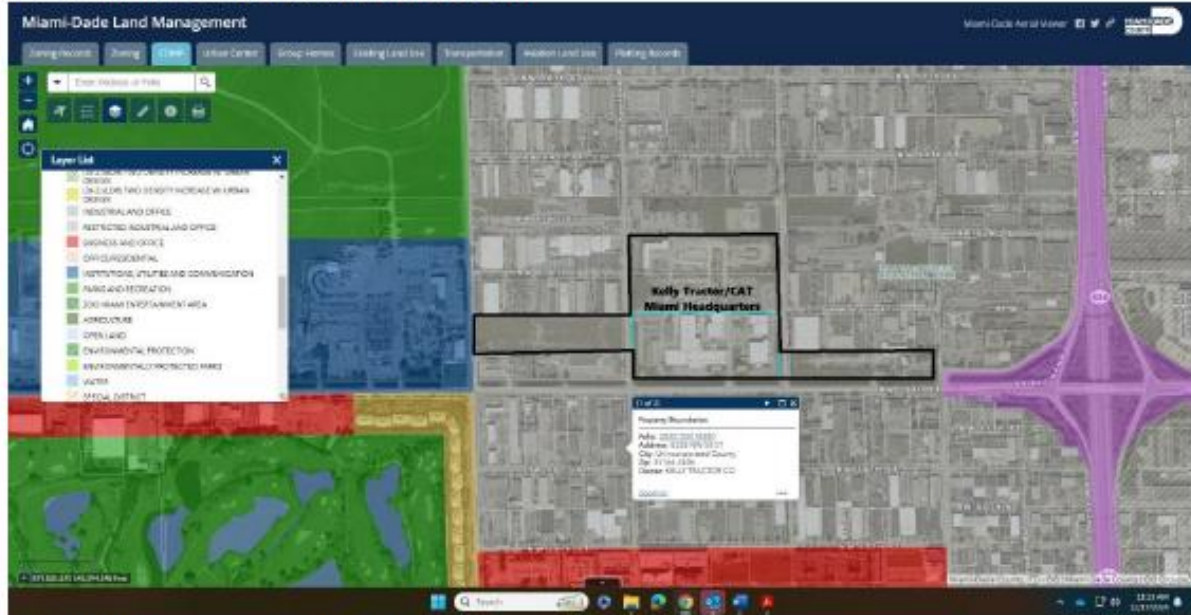
Executive Summary

A review of all 9 Kelly Tractor dealerships determined there is space for future business expansion at current locations, with an average of 66.3% of land space currently in operational use. An additional 9.43 acres are available at the Miami Kelly Tractor site, and an additional 7.04 acres are owned by Kelly Tractor in southern Miami-Dade County. An additional 27.78 acres are available at the Ft. Myers Kelly Tractor site and 2.5 acres are available at the Mulberry, Florida site. Kelly Tractor owns 32.22 acres of land outside the City of Clewiston, Florida, and has 11.4 acres available at the Boyd, Texas site. In general, 21 local dealerships that are competitors to Kelly Tractor in Florida, and two regional parts distribution centers have overall higher land utilization, averaging 74.2 percent. Regional comparable dealerships and distribution centers in Atlanta, Georgia and Charlotte, North Carolina have higher overall land utilization, averaging 70.9 percent.

**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

Kelly Tractor is a Caterpillar (CAT) heavy equipment dealer with 9 locations in Florida and Texas:

**1. Miami Kelly Tractor/CAT Headquarters for heavy equipment export and lift trucks
8255 NW 58 Street, Miami, Florida 33166**



Folio Numbers and Land Utilization:

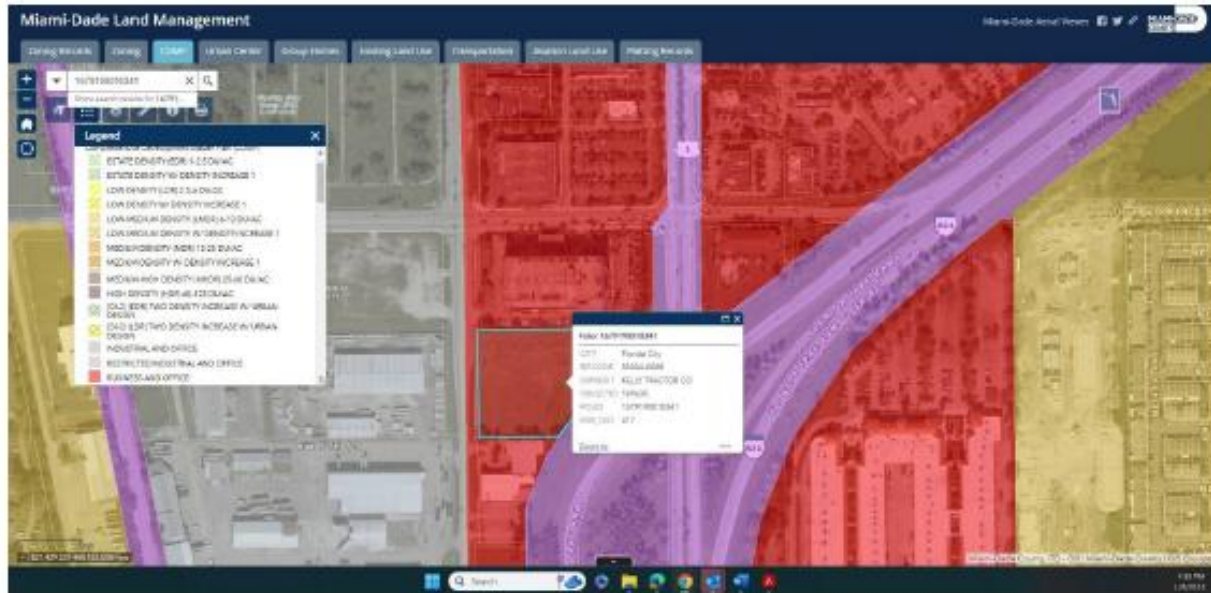
- 30-3015-001-0660 6.36 acres Miami CAT Rental Store at 7905 NW 58 Street, Miami, Florida 33166, 4,918 square foot building, parking lot and heavy equipment storage
- 30-3015-001-0380 15.966 acres at 8255 NW 58 Street, Miami, Florida 33166, parking lot, terminals, 7 warehouse and storage buildings totaling 196,426 square feet
- 30-3015-001-0370 9.47 acres parking lot with heavy equipment storage
- 30-3015-001-0360 9.47 acres at 6125 NW 84 Avenue, western 3.15 acres contains a 23,525 SF building, middle 3.17 acres parking lot with heavy equipment storage, eastern 3.15 acres dirt track training space
- 30-3015-001-0410 9.74 acres of unused space west of NW 84 Avenue and south of the warehouses south of NW 61 Street



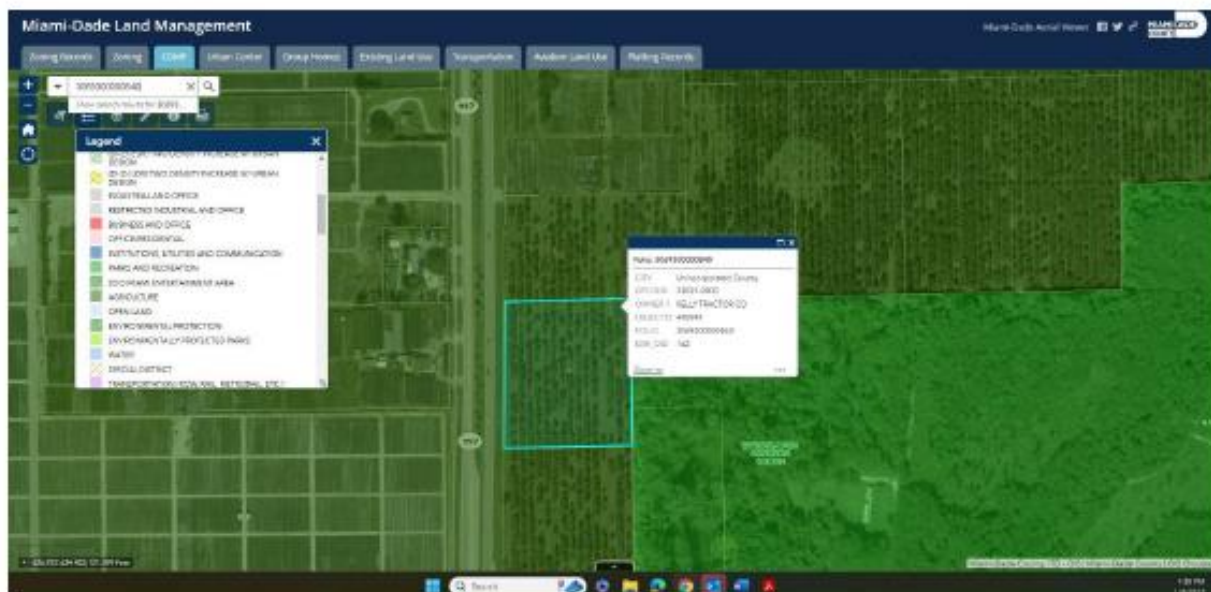
Total Size (5 parcels): 50.68 Acres
 Area used for Operations, Heavy Equipment Storage, and Sales: 41.25 Acres (81% of site)
 Unused Area: 9.43 Acres (19% of site)

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

Kelly Tractor Company owns two additional parcels in southern Miami-Dade County. Property folio number 16-7919-001-0341 consists of 2.99 acres of undeveloped land located 300 feet south of NE 7 Street/W Davis Parkway, east of Krome Avenue and west of Harriet Tubman Highway and Florida’s Turnpike in Florida City, Florida. This property is not currently being used for heavy equipment storage and is not included in the utilization analysis.



Kelly Tractor Company owns folio number 30-6930-000-0840, which consists of 4.05 acres of agricultural land with groves located 550 feet north of SW 264 Street/Bauer Drive, east of SW 177/Krome Avenue and west of Everglades Archers Range in unincorporated Miami-Dade County. This area is not permitted to be used for heavy equipment storage and is not included in the utilization analysis.



**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

2. Davie Kelly Tractor/CAT dealership
2801 Reese Road, Davie, Florida 33314



Total Size: 4.9 Acres

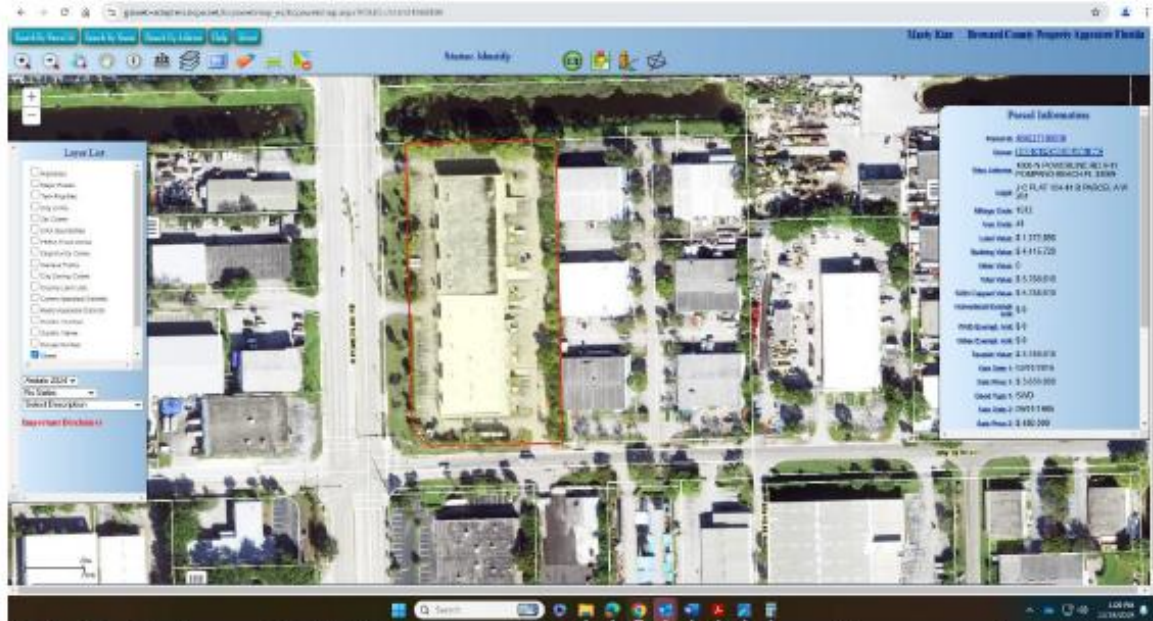
One 11,821 square-foot building and one 600 square foot building

Area used for Operations, Heavy Equipment Storage, and Sales: 4.3 Acres (88% of site)

Unused Area: 0.6 Acres (12% of site)

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

3. Pompano Beach Kelly Tractor sales center - Lift Trucks 1800 N. Powerline Road, Unit 15, Pompano Beach, Florida 33069



Kelly Tractor leases Unit #15 from owner 1800 N Powerline Inc, with use as a sales center for forklifts and lift trucks.



Total Size: 0.38 Acres Lease on 5,845 square foot portion (Unit #15) of building
Area used for Operations, Heavy Equipment Storage, and Sales: 0.38-Acre (100% of site)
Unused Area: 0 Acres (0% of site)

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025

4. West Palm Beach Kelly Tractor/CAT dealership
5460 Okeechobee Boulevard, West Palm Beach, Florida 33417



Total Size: 2.64 Acres

- One 65,550 square foot building
- One 16,500 square foot building
- One 13,000 square foot building
- One 7,500 square foot building
- One 5,200 square foot building

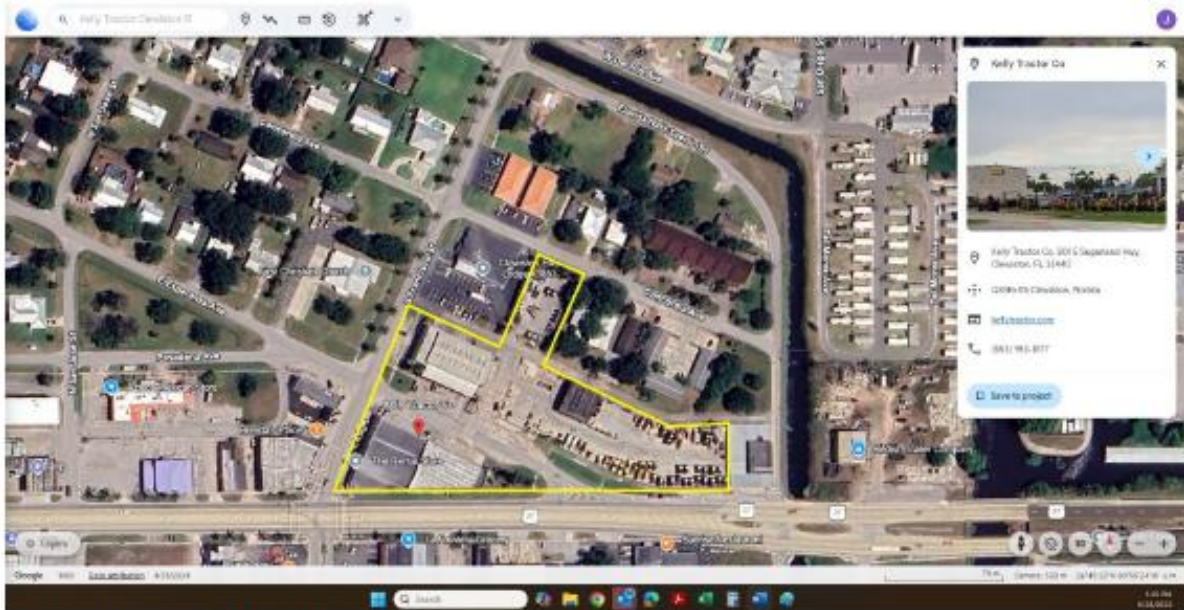
Area used for Operations, Heavy Equipment Storage, and Sales: 2.34 Acres (89% of site)

Unused Area: 0.3 Acres (11% of site)



**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

5. Clewiston Kelly Tractor - 801 E Sugarland Highway, Clewiston, Florida 33440



Folio Numbers and Land Utilization:

- 3 34 43 01 010 0155-001.0 0.58-acre at 801 E Sugarland Hwy, with 25,141 square foot vehicle showroom/sales building
- 3 34 43 01 010 0152-006.0 0.83-acre at 815 E Esperanza Avenue, with 36,000 square foot vehicle showroom/sales building and fenced parking lot for heavy equipment storage
- 3 34 43 01 010 0152-005.0 0.22-acre at 821 E Esperanza Avenue, with 9,375 square foot service shop building
- 3 34 43 01 010 0152-001.0 0.83-acre at 841 E Esperanza Avenue, equipment storage lot
- 3 34 42 01 010 0152-008.0 0.37-acre at E Concordia Avenue, equipment storage lot



Total Acres (5 parcels): 2.83

Area used for Operations, Heavy Equipment Storage & Sales: 2.83 Acres (100% of site)

Unused Area: 0 Acres (0% of site)

Kelly Tractor Company owns three parcels outside of the City of Clewiston, which are more than three miles east of the Clewiston Kelly Tractor dealership. These three sites are undeveloped agricultural lands and are not being used for heavy equipment storage. These sites are not included in the utilization analysis.

- 1 34 43 08 A00 0003.0100 12.05 acres of land on West U.S. Highway 27 with trees
- 1 34 43 07 010 0000-022.0 6.91 acres of land with row crops and billboard at 2470 West U.S. Highway 27
- 1 34 43 08 A00 0003.0100 13.30 acres of land with row crops and antenna at 2600 West U.S. Highway 27

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025

6. Ft. Myers Kelly Tractor/CAT dealership
9651 Kelly Tractor Drive, Ft. Myers Florida 33905



Land Utilization: 8 Parcels 1,873,566 square feet (43.0 acres), and a 13-acre lake

2 Garage Repair Buildings, 71,288 square feet and 31,596 square feet, respectively

Total Acres: 56

Area used for Operations, Heavy Equipment Storage, and Sales: 28.22 Acres (50.4% of site)

Unused Area: 27.78 Acres (49.6% of site)

**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

**7. Mulberry Kelly Tractor/CAT dealership - IMT Drills Service and Fabrication
443 Bradshaw Industrial Parkway, Mulberry Florida 33860-1318**



Mulberry Kelly Tractor rents and sells drilling equipment.

One 27,000 square foot sales and service building

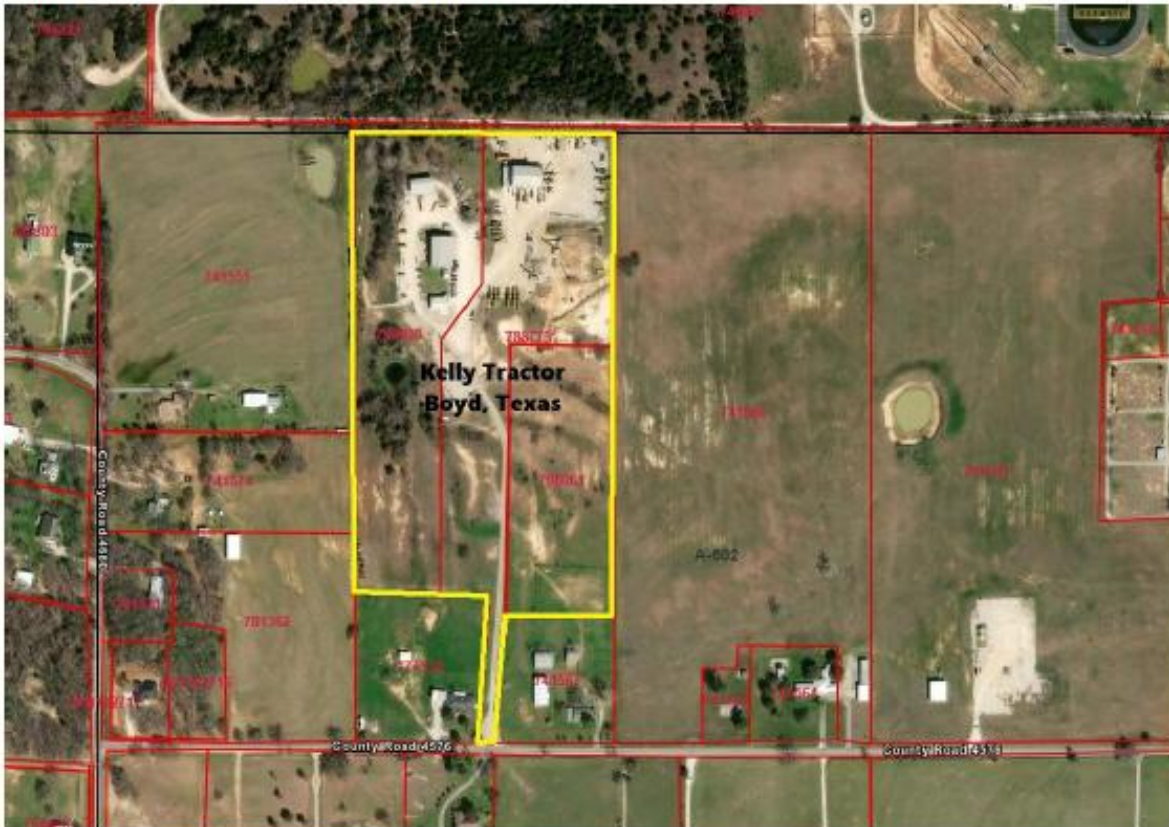
Total Acres: 6.0

Area used for Operations, Heavy Equipment Storage, and Sales: 3.5 Acres (58% of site)

Unused Area: 2.5 Acres (42 % of site)

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025

9. Boyd, Texas Kelly Tractor - IMT Drill Service & Parts
370 County Road 4576, Boyd, Texas, 76023



Kelly Tractor dealership for rental and sales of drilling equipment and parts.

Total Size: 26.7 Acres

4 buildings totaling 18,630 square feet

Area used for Operations, Heavy Equipment Storage, and Sales: 15.3 Acres (57% of site)

Unused Area: 11.4 Acres (43% of site)

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

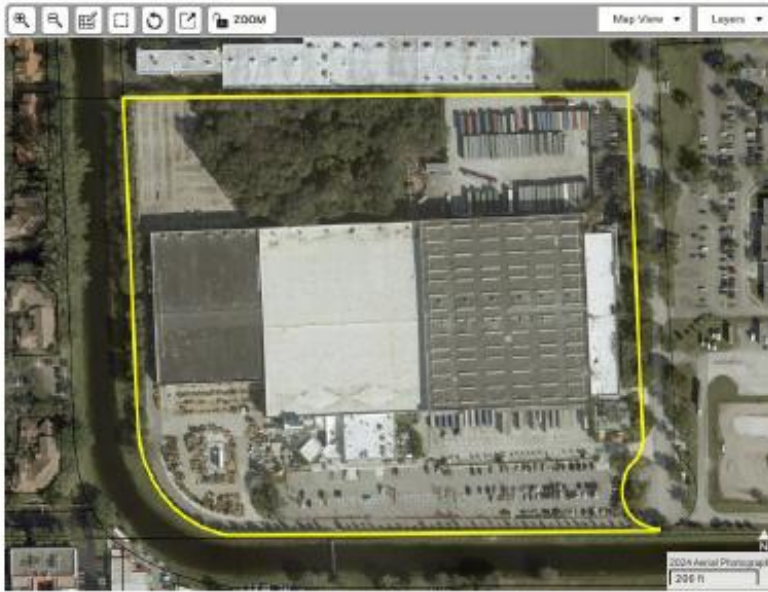
Local Competitors for Kelly Tractor throughout Florida

Seventy-four total business locations for competitors to Kelly Tractor were found throughout Florida. Seventy-two of these locations are dealerships that offer sales, rentals, service and parts for heavy equipment. Two warehouses and distribution centers for competitors are analyzed to show that Miami is important to the regional distribution for heavy equipment parts to countries throughout Latin America. The headquarters, or the largest 21 dealerships in Florida of competitors to Kelly Tractor are analyzed to show the size of the land area and square footage of buildings.

Caterpillar Tractor Company (CAT) has a warehouse and logistics center in Miami Lakes that serves as a regional parts distribution center. The warehouse is located adjacent to Miami Lakes Learning Center, a training center with application specific training lab for personalized oil and gas compression training for CAT machines. Caterpillar's line of machines range from tracked tractors to hydraulic excavators, backhoe loaders, motor graders, off-highway trucks, wheel loaders, agricultural tractors, and locomotives. Caterpillar machinery is used in construction, road-building, mining, forestry, energy, transportation, and material-handling industries.

SEARCH:

PROPERTY INFORMATION ⓘ	
Parcel:	32-2013-001-0620
Bill Location:	FLA HURST LARD SUB GD 1
Property Address:	15550 NW 59 AVE
Owner:	CATERPILLAR TRACTOR CO
Mailing Address:	100 NE ADAMS ST - TAX DEPT PEORIA IL 61602
PA Primary Zone:	7336 INDUSTRIAL - RESTRICTED
Primary Land Use:	4837 WAREHOUSE TERMINAL OR STG - WAREHOUSE OR STORAGE
Size / Dashes / Half:	8 / 2 / 0
Floors:	1
Living Units:	0
Actual Area:	438,069 Sq Ft
Living Area:	438,069 Sq Ft
Adjusted Area:	471,089 Sq Ft
Lot Size:	1,133,097 Sq Ft
Year Built:	Multiple (See Building Info.)



Source: https://www.cat.com/en_US/by-industry/oil-and-gas/learning/locations/miami.html



Caterpillar warehouse and logistics center

15550 NW 59 Avenue, Miami Lakes, Florida 33014

Size: 25.32 Acres with 435,869 square foot building

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

The John Deere Regional Parts Distribution Center began operations in Miami in November 2017. The facility serves all countries in Latin America, except Brazil, Argentina, and Mexico, which currently have in-country distribution centers. The distribution center provides delivery of more than 38,000 service parts to dealers and customers.

SEARCH: 12950 nw 17 street Back to Search Results

PROPERTY INFORMATION

Parcel: 25-3025-010-0010

Sub-Division: DCT COMMERCE CENTER

Property Address: 12950 NW 17 ST

Owner: DCT PAN AMERICAN SOUTHEAST LLC

Mailing Address: 650 17 ST STE 600 DENVER, CO 80202

RA Primary Zone: T305 INDUSTRIAL - LIGHT MFG

Primary Land Use: 4837 WAREHOUSE TERMINAL OR STD, WAREHOUSE OR STORAGE

Beds / Baths / Half:	0 / 0 / 0
Floors:	1
Living Units:	0
Actual Area:	137,793 Sq Ft
Living Area:	137,793 Sq Ft
Adjusted Area:	137,470 Sq Ft
Lot Size:	273,687 Sq Ft
Year Built:	2017
Year Assessed:	2022



John Deere Regional Parts Distribution Center, 12950 NW 17 Street, Sweetwater, Florida 33166

Owner: BCT PAN AMERICAN SOUTHEAST LLC

Size: 8.01 Acres with one 143,500 square foot building

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

Florida Coast Equipment has 17 Kubota dealerships across Florida, employing over 200 Floridians. Florida Coast Equipment offers new and used agriculture, construction, and landscape equipment for commercial, government, and homeowners, as well as rentals. Two local dealerships are shown below.

Source: www.floridacoasteq.com

SEARCH: 4801 NW 77th Ave, Miami, FL 33166

PROPERTY INFORMATION	
Parcel:	30-002-001-0001
Sub-Division:	FLORIDA FRUIT LAND COMPANY SUB IN 38 302
Property Address:	4801 NW 77 Ave
Parcel:	03F02 4801 000
Mailing Address:	4801 NW 77 Ave MIAMI, FL 33166
PL Primary Zone:	73001 R030200AL - HIGH WEG
Primary Land Use:	41221 0011 0000 00000000 - LIGHT MFG & FOOD PROCESSING
Code / Suite / Suffix:	0 / 0 / 0
Floors:	1
Living Units:	0
Actual Area:	21,119 Sq Ft
Living Area:	21,119 Sq Ft
Adjusted Area:	20,738 Sq Ft
Lot Size:	44,607 Sq Ft
Year Built:	1993

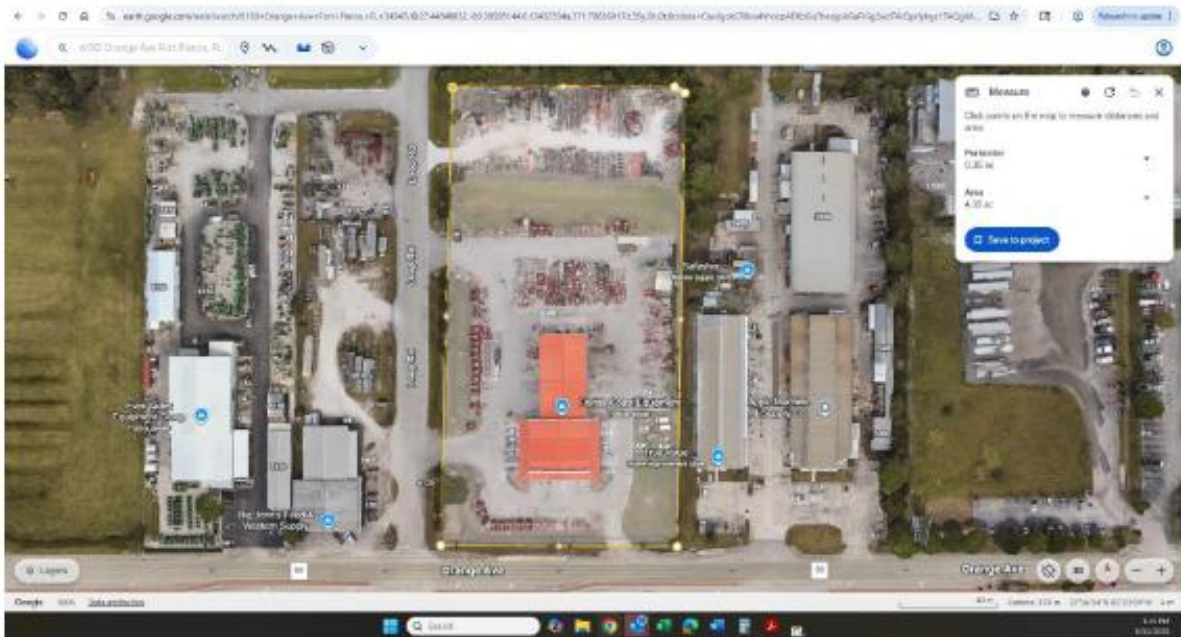
Florida Coast Equipment – Kubota dealer at 4801 NW 77 Avenue, Miami, Florida 33166
Owner: Lopez 4801, LLC Size: 1.03 Acres with one 21,119 square-foot building

PROPERTY INFORMATION	
Parcel:	18-7380-004-0000
Sub-Division:	00T040 00040000
Property Address:	1995 NE 8 St
Parcel:	00CP 00M000000 000
Mailing Address:	197 FINE RD WEST PALM BEACH, FL 33411
PL Primary Zone:	0000 COMMERCIAL - CLASSIFIED
Primary Land Use:	0010 AUTOMOTIVE OR MARINE - AUTOMOTIVE EQUIPMENT
Code / Suite / Suffix:	0 / 0 / 0
Floors:	1
Living Units:	0
Actual Area:	19,087 Sq Ft
Living Area:	20,000 Sq Ft
Adjusted Area:	20,001 Sq Ft
Lot Size:	129,000 Sq Ft
Year Built:	1987

Florida Coast Equipment – Kubota dealer at 1995 NE 8 Street, Homestead, Florida 33033
Owner: SECP Homestead, LLC
Size: 3.20 Acres with one 19,087 square-foot building and one 1,809 square-foot building

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

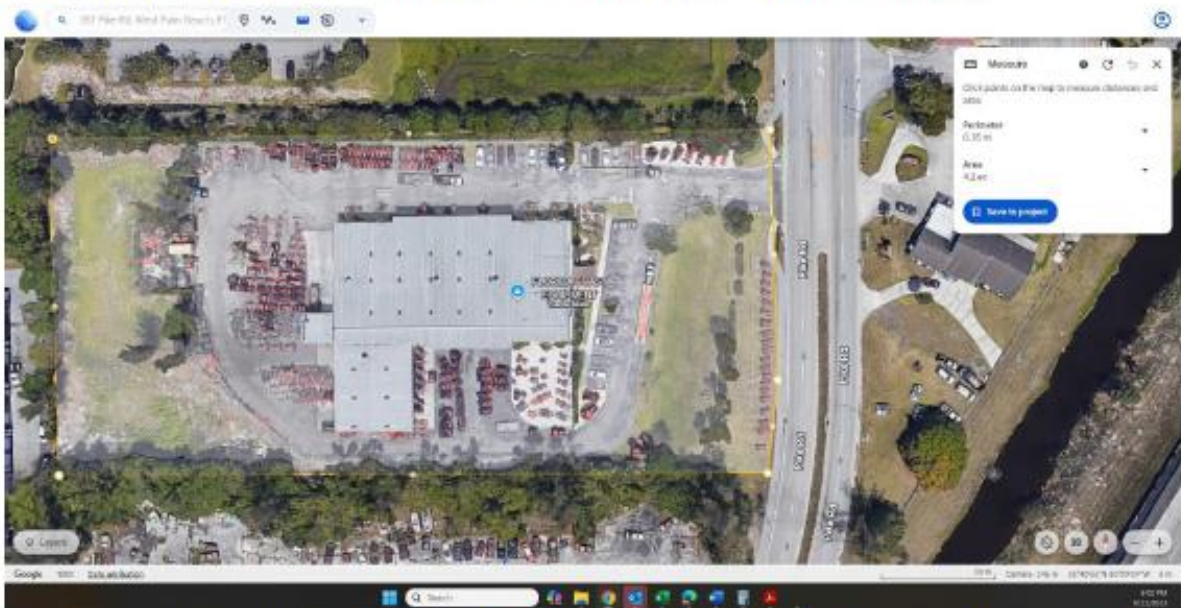
Florida Coast Equipment's largest dealership in land area is in Fort Pierce, Florida.



Florida Coast Equipment – Kubota dealer at 6000 Orange Avenue, Fort Pierce, Florida 34947

Size: 4.35 Acres with one 15,821 square-foot building

Florida Coast Equipment's West Palm Beach dealership has the largest building size.



Florida Coast Equipment – Kubota dealer at 357 Pike Road, West Palm Beach, Florida 33411

Size: 4.2 Acres with one 29,850 square-foot building

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

Dobbs Equipment is an authorized full-service John Deere, Wirtgen, Vogele, Hamm, Kleeman, LeeBoy, CemenTech, Finn, Tana and Topcon equipment dealership in the Southeast. John Deere heavy equipment items are sold at 11 Dobbs Equipment dealerships in Florida. The following construction and forestry equipment types are available at Dobbs Equipment:

- Excavators
- Dozers
- Wheel Loaders
- Motor Grades
- Articulated Dump Trucks
- Crawler Loaders
- Compact Track Loaders
- Skid Steers
- Skidders
- Forwarders
- Feller Bunchers
- Harvesters
- Attachments

Source: <https://dobbsequipment.com/about-us>

PROPERTY INFORMATION

Folio: 36-3823-051-0010

Sub-Division: DOBBS EQUIPMENT

Property Address: 4343 NW 77 AVE

Owner: SNL 4343 NW 77TH AVENUE LLC
C/O STOCKBRIDGE CAPITAL GROUP

Mailing Address: 300 N LA Salle ST STE 0400
CHICAGO, IL 60604

PA Primary Zone: 7300 INDUSTRIAL - HEAVY MFG

Primary Land Use: 3837 WAREHOUSE TERMINAL OR STG - WAREHOUSE OR STORAGE

Dobbs / Baths / Nat: 6 / 0 / 0

Floors: 1

Living Units: 8

Actual Area: 27,654 Sq Ft

Living Area: 27,654 Sq Ft

Adjusted Area: 26,997 Sq Ft

Lot Size: 241,224 Sq Ft

Year Built: Multiple (See Building Info.)

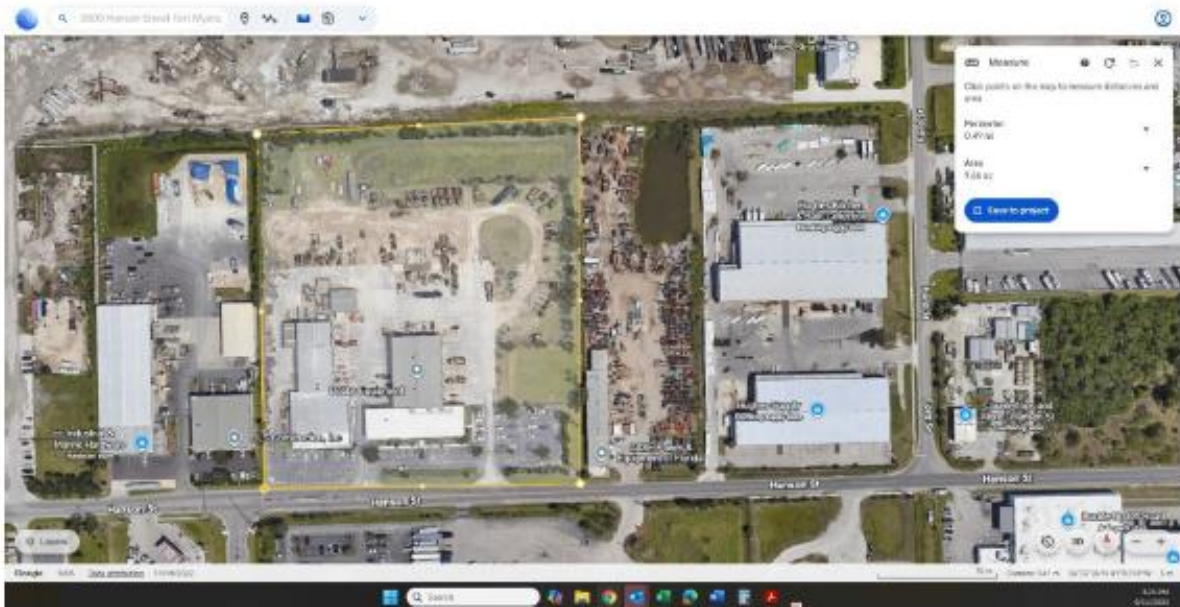
Dobbs Equipment – John Deere Tractor dealer at 4343 NW 77 Avenue, Miami, Florida 33166

Owner: SNL 4343 NW 77TH AVENUE LLC, C/O STOCKBRIDGE CAPITAL GROUP

Size: 5.54 Acres with one 26,400 square-foot building and one 2,400 square-foot building

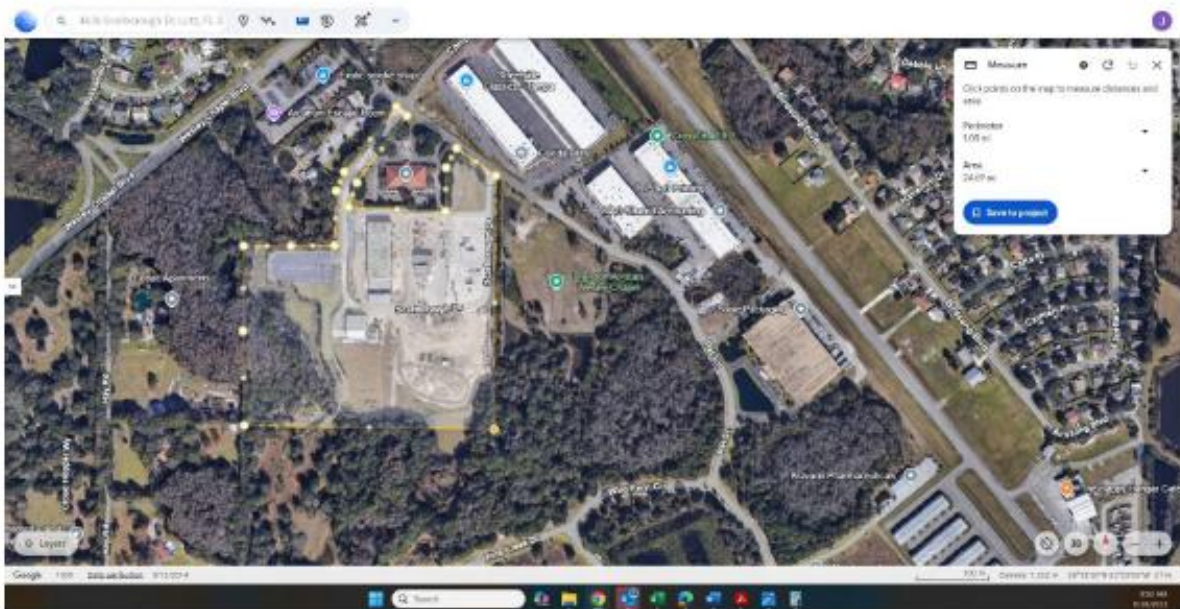
Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025

Dobbs Equipment's second largest John Deere Tractor dealer in land area is located at 3005 Hanson Street, in Fort Myers, Florida 33916.



Size: 9.66 Acres with three buildings totaling 49,211 square feet

Dobbs Equipment's largest John Deere Tractor dealer in land area is located at 4618 Scarborough Drive, Lutz, Florida 33559



Size: 24.69 Acres with five buildings totaling 48,264 square feet

**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

Dobbs Equipment is an authorized full-service John Deere, Wirtgen, Voge, Hamm, Kleeman, LeeBoy, CemenTech, Finn, Tana and Topcon equipment dealership in the Southeast. John Deere heavy equipment items are sold at 11 Dobbs Equipment dealerships in Florida. The following construction and forestry equipment types are available at Dobbs Equipment:

- Excavators
- Dozers
- Wheel Loaders
- Motor Grades
- Articulated Dump Trucks
- Crawler Loaders
- Compact Track Loaders
- Skid Steers
- Skidders
- Forwarders
- Feller Bunchers
- Harvesters
- Attachments

Source: <https://dobbsequipment.com/about-us>

The screenshot shows a web interface for property information. At the top, there is a search bar with the address "4343 NW 77 Avenue" entered. Below the search bar, there is a "PROPERTY INFORMATION" section with the following details:

Folio:	36-3823-051-0010
Sub-Division:	DOBBS EQUIPMENT
Property Address:	4343 NW 77 AVE
Owner:	SNL 4343 NW 77TH AVENUE LLC C/O STOCKBRIDGE CAPITAL GROUP
Mailing Address:	300 N LARABEE ST STE 9490 CHICAGO, IL 60604
PA Primary Zone:	T20 INDUSTRIAL - HEAVY MFG
Primary Land Use:	827 STORAGE TERMINAL OR STG - WAREHOUSE OR STORAGE
Decks / Baths / Unit:	0 / 0 / 0
Floors:	1
Living Units:	0
Actual Area:	27,634 Sq Ft
Living Area:	27,634 Sq Ft
Adjusted Area:	26,597 Sq Ft
Lot Size:	241,224 Sq Ft
Year Built:	Multiple (See Building Info)

To the right of the text is an aerial map view of the property, with a yellow rectangular box highlighting the main building complex. The map includes street names like "NW 77th Ave" and "NW 78th Ave", and a "200M" scale bar.

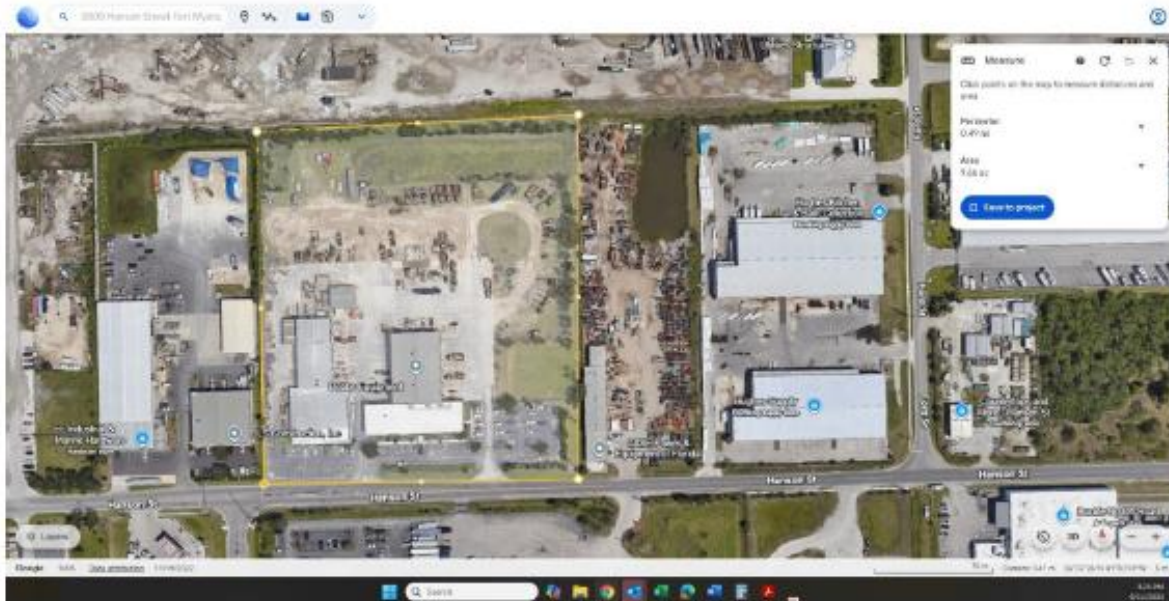
Dobbs Equipment – John Deere Tractor dealer at 4343 NW 77 Avenue, Miami, Florida 33166

Owner: SNL 4343 NW 77TH AVENUE LLC, C/O STOCKBRIDGE CAPITAL GROUP

Size: 5.54 Acres with one 26,400 square-foot building and one 2,400 square-foot building

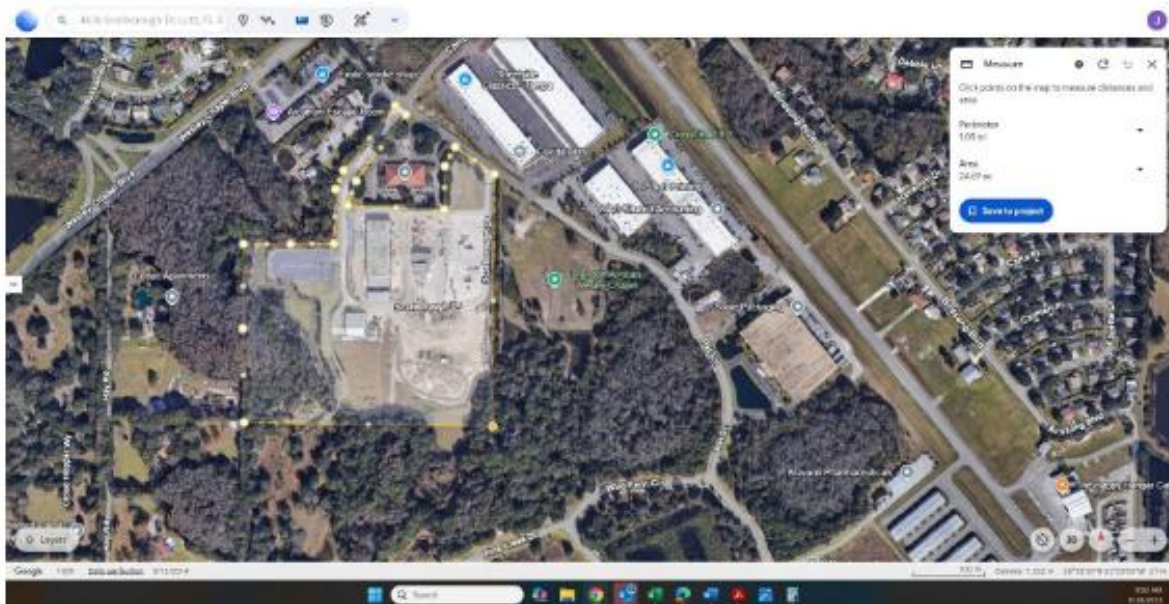
**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

Dobbs Equipment's second largest John Deere Tractor dealer in land area is located at 3005 Hanson Street, in Fort Myers, Florida 33916.



Size: 9.66 Acres with three buildings totaling 49,211 square feet

Dobbs Equipment's largest John Deere Tractor dealer in land area is located at 4618 Scarborough Drive, Lutz, Florida 33559



Size: 24.69 Acres with five buildings totaling 48,264 square feet

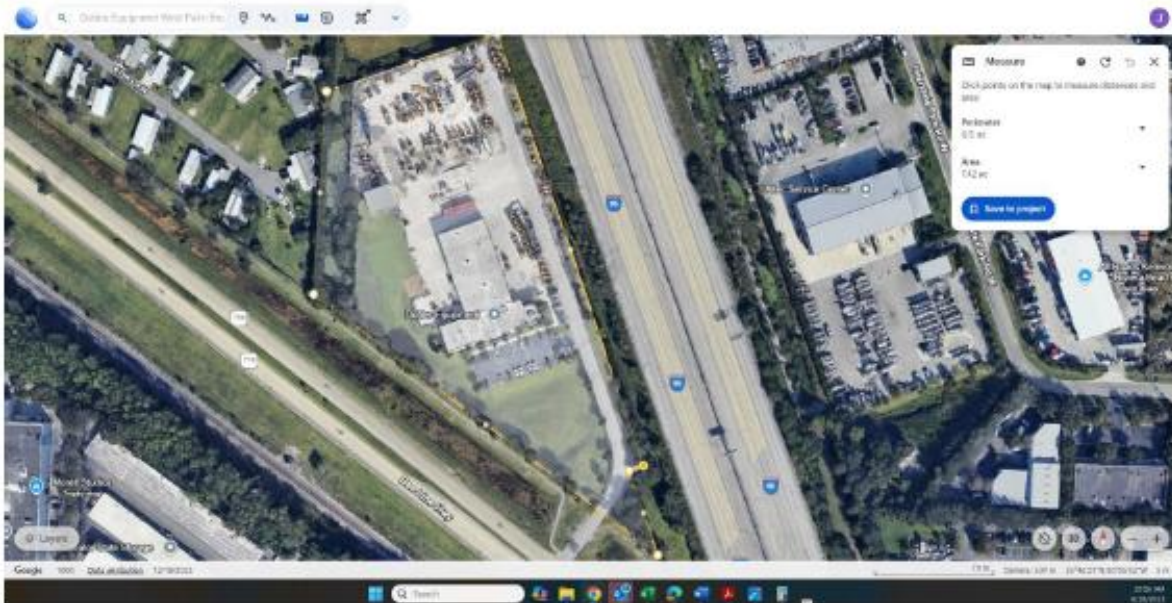
**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

Dobbs Equipment has a large John Deere Tractor dealer at 4333 John Young Parkway, Orlando, Florida 32804.



Size: 5.95 Acres with three buildings totaling 31,990 square feet

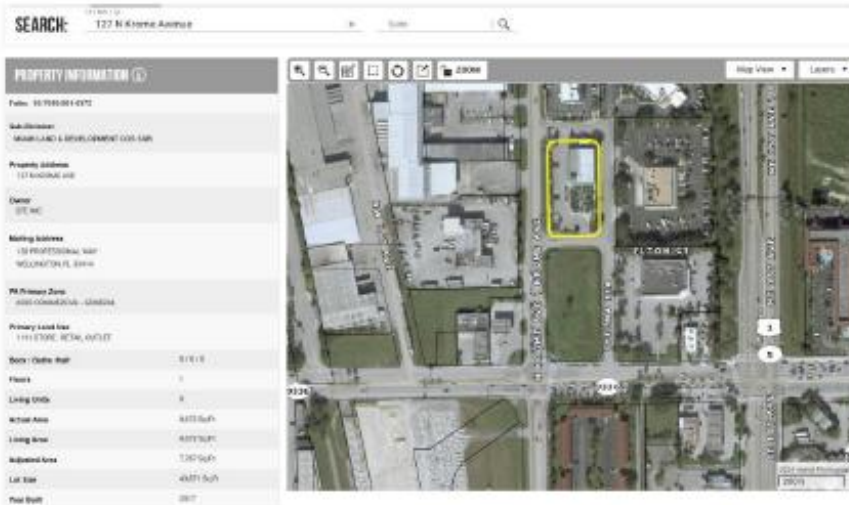
Dobbs Equipment's – third largest John Deere Tractor dealer in land area is located at 3933 Martin Luther King, Jr. Boulevard, in West Palm Beach, Florida 33404



Size: 7.42 Acres with two buildings totaling 28,885 square feet

**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

Everglades Equipment Group operates 19 John Deere dealerships in Central and South Florida for sales, rental, parts and service for construction equipment, agricultural and turf management equipment. Everglades Equipment Group offers a full range of quality equipment including tractors, plows, cultivators, seeders, and spreaders. A wide variety of equipment brands, including John Deere, Frontier, Stihl, Honda, Dakota, Kawasaki, Kuhn, and Bush Hog are offered by Everglades Equipment Group. Landscape supply materials, including sod, rock, mulch, sand and soil are also available for purchase.

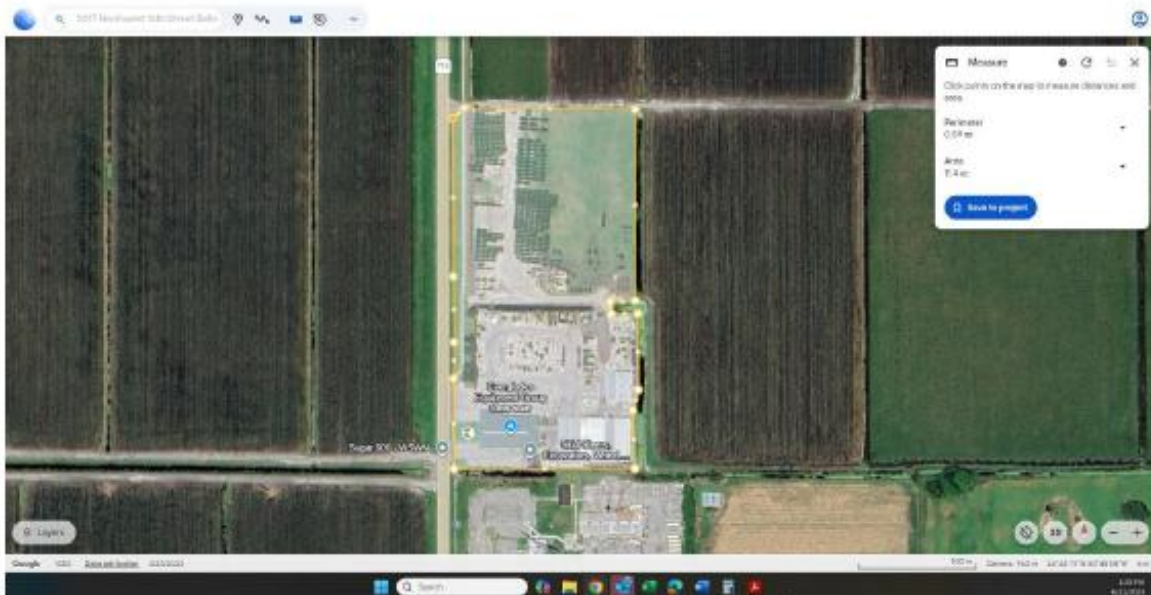


Everglades Equipment Group – John Deere Tractor dealer at 127 North Krome Avenue, Florida City, Florida 33034

Owner: EFE Inc.

Size: 1.01 Acres with one 8,672 square-foot building

Everglades Equipment Group’s largest dealership in land area is in Belle Glade, Florida.



Size: 11.4 Acres with three buildings totaling 44,441 square feet

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025

Everglades Equipment Group's second largest dealership in land area is in Okeechobee, Florida.



Source: https://www.evergladesfarmequipment.com/about-us/?srsltid=AfmBOooKpsJezxfqIr8p7-ldYeD8H5n2kf4lJKsvtYX_vdZvp6M0DpJi

Everglades Equipment Group – John Deere Tractor dealer at 820 US Highway 98, Okeechobee, Florida 34972

Size: 9.90 Acres (2 parcels), three buildings totaling 28,292 square feet

**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

Vermeer Southeast Sales and Service, Inc. is a heavy equipment supplier that serves South Florida with tools to support fluid management, landscaping, and utility installation.

SEARCH: 95-9022-000-0300

PROPERTY INFORMATION

Parcel: 30-000-000-000

Sub-Division: UNPLATTED

Property Address: 8375 NW 56 ST

Owner: VERMEER SOUTHEAST SALES AND SERVICE INC.

Mailing Address: 4800 US HWY 1, MIAMI, FL 33151

PK Primary Zone: 70000 (GENERIC USE)

Primary Land Use: 8000 (GENERIC INDUSTRIAL, WAREHOUSE OR STORAGE)

Units / Other Unit	0 / 0
Floors	0
Living Units	0
Actual Area	10,000 Sq Ft
Living Area	10,000 Sq Ft
Adjusted Area	10,000 Sq Ft
Lot Size	30,000 Sq Ft
Year Built	1910
Year Assessed	2024

8369 NW 56 Street, Miami, Florida 33166

<https://www.vermeersoutheast.com/locations/miami-construction-equipment-dealer/>

SEARCH: 7970 NW 64th St, Miami, FL 33166

PROPERTY INFORMATION

Parcel: 30-010-001-070

Sub-Division: FLORIDA POLY-LAND COMPANY SUB

Property Address: 7970 NW 64 ST

Owner: VERMEER SOUTHEAST SALES AND SERVICE INC.

Mailing Address: 4800 US HWY 1, MIAMI, FL 33151

PK Primary Zone: 70000 (GENERIC USE)

Primary Land Use: 8000 (GENERIC INDUSTRIAL, WAREHOUSE OR STORAGE)

Units / Other Unit	0 / 0
Floors	1
Living Units	0
Actual Area	10,000 Sq Ft
Living Area	10,000 Sq Ft
Adjusted Area	10,000 Sq Ft
Lot Size	30,000 Sq Ft
Year Built	1990

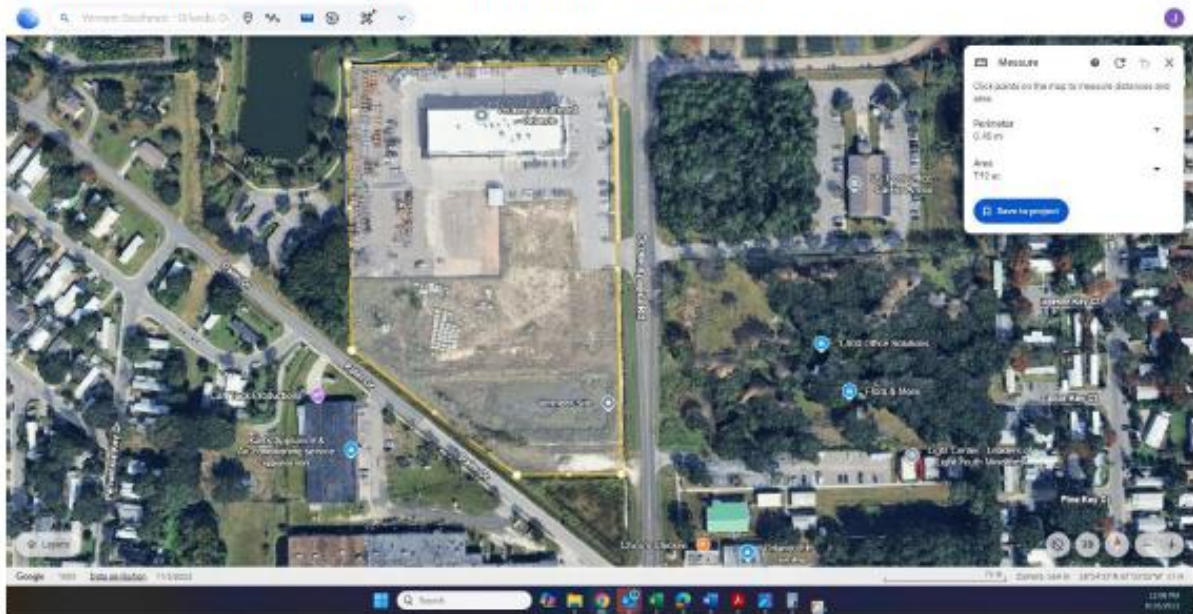
7970 NW 64 Street, Miami, Florida 33166



Size: 2.57 Acres (3 parcels) with two buildings totaling 30,086 square feet

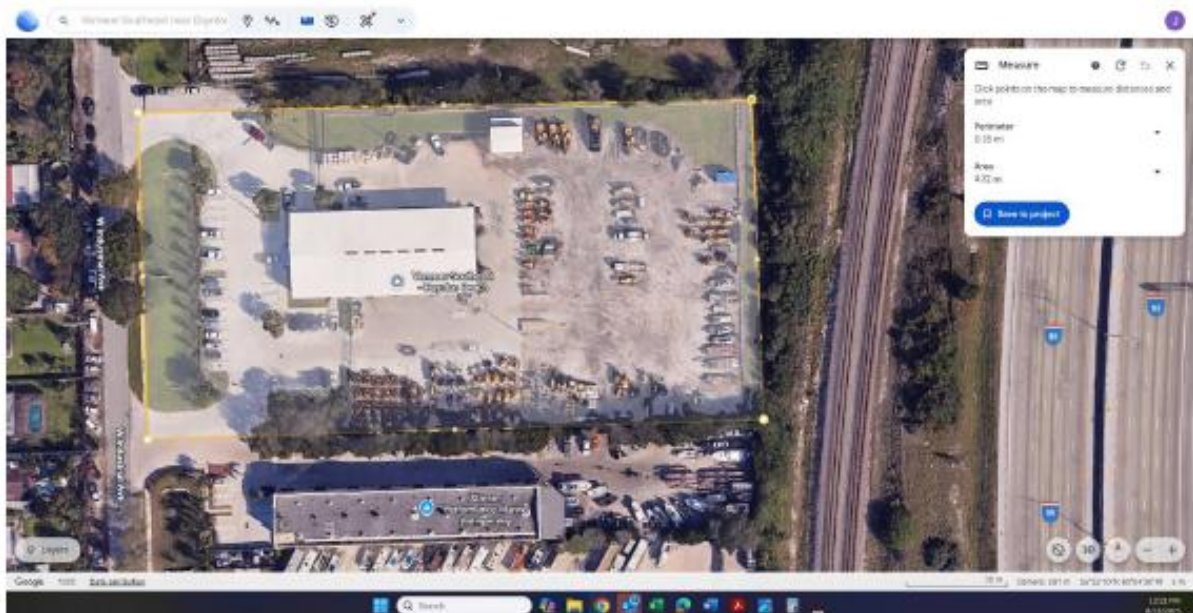
Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

Vermeer Southeast's largest dealership is in Orlando, Florida.



Size: 7.92 Acres (2 parcels) with two buildings totaling 24,565 square feet

Vermeer Southeast's second largest dealership is in Boynton, Beach, Florida.



Size: 4.32 Acres with two buildings totaling 16,072 square feet

**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

CASE Power & Equipment of Florida offers the full line of CASE products and services, with 6 construction equipment sales and service dealerships in Florida. CASE construction equipment includes backhoe loaders, dozer loaders, track loaders, mini track loaders, skid steer loaders, tractor loaders, wheel loaders, small articulated loaders, dozers, motor graders, excavators, forklifts, and attachments. CASE equipment supports the agriculture, commercial construction, landscaping, mining and quarrying, transportation, utility construction and waste management industries. CASE’s second largest dealership is in Hialeah Gardens, Florida.

SEARCH:

PROPERTY INFORMATION ⓘ	
Parcel:	27-2029-001-0550
Sub-Division:	FLORIDA FRUIT LAND COMPANY SUB IN DEC 29
Property Address:	12601 W OKEECHOBEE RD
Owner:	MONKEY CAPITAL LLC
Mailing Address:	10235 ESCAPE BLVD STE 2282 MIAMI, FL 33150
PA Primary Zone:	6100 COMMERCIAL - MEDIUM-DENSITY
Primary Land Use:	6216 HEAVY INDUSTRIAL - HEAVY IND OR LUMBER YARD
Size (Gross) (Acre)	6.19/18
Floors:	7
Living Units:	0
Actual Area:	22,180 Sq Ft
Living Area:	22,180 Sq Ft
Adjusted Area:	22,180 Sq Ft
Lot Size:	240,826 Sq Ft
Year Built:	1969

Source: <https://www.casece.com/en-us/northamerica/inside-case/articles/2021/case-launches-power-and-equipment-of-florida>



Case Construction Power Equipment of Florida

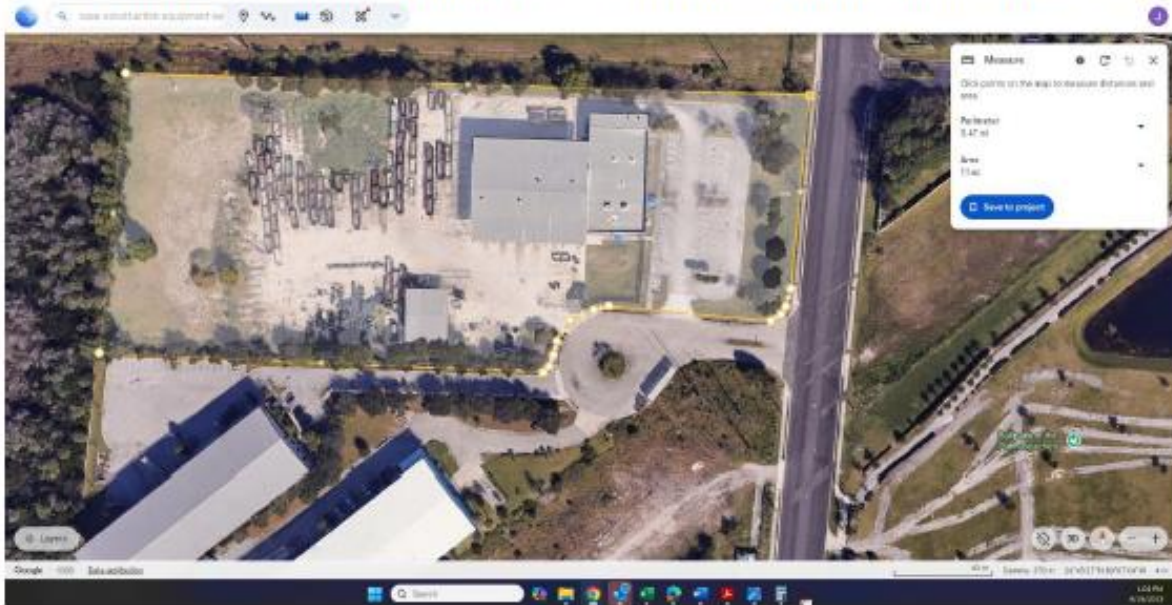
Location: 12601 W. Okeechobee Road, Hialeah Gardens, 33018

Owner: Monkey Capital LLC

Size: 5.99 Acres with three buildings totaling 28,350 square feet

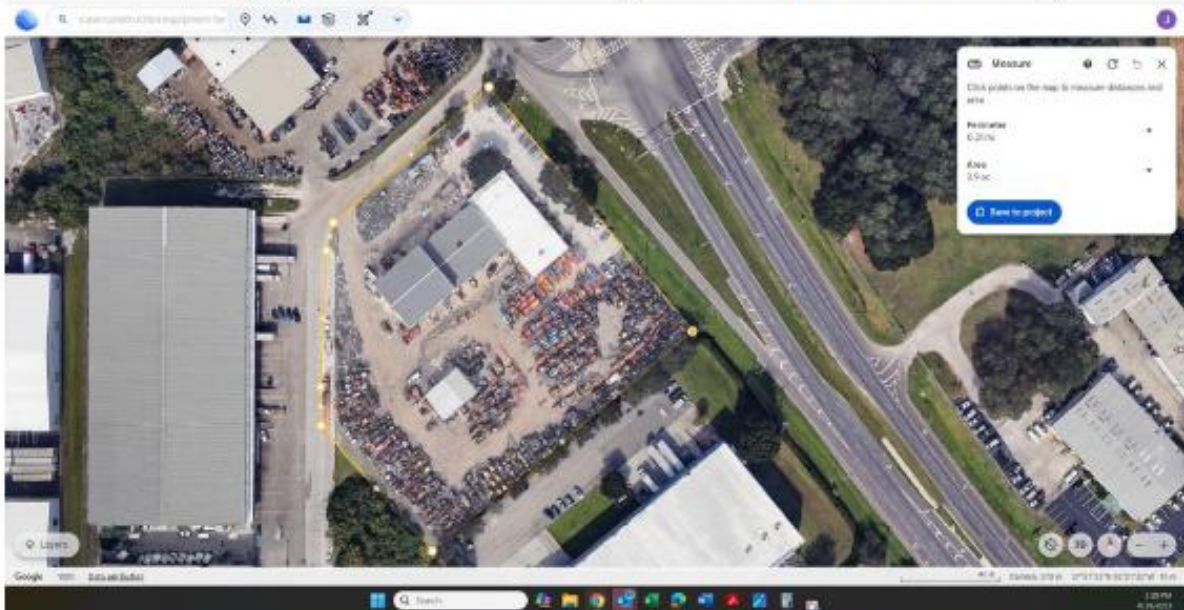
**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

CASE Power & Equipment of Florida's largest dealership in Florida is in West Palm Beach.



Size: 7.1 Acres with two buildings totaling 36,590 square feet

CASE Power & Equipment of Florida's third largest dealership in Florida is in Tampa.



Size: 3.9 Acres with two buildings totaling 23,361 square feet

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

Dynamic Equipment Group has 8 locations in Florida and one location in Dothan, Alabama. Dynamic Equipment Group provides parts, sales, rentals and service for Bobcat, Develon, Synergy and Amman and Fecon heavy equipment brands, and Carlton professional tree equipment. Dynamic Equipment Group provides machines for the construction, agriculture, mining, landscaping and ground maintenance industries. The types of equipment offered include mini excavators, compact track loaders, skid steer loaders, telehandlers and utility vehicles.

SEARCH:

PROPERTY INFORMATION ⓘ	
Parcel:	35-3022-000-0340
Sub-Division:	UNPLATTED
Property Address:	8340 NW 58 ST
Owner:	8340 INVEST LLC
Mailing Address:	8360 NW 58 ST DORAL, FL 33166
PA Primary Zone:	7400 INTENSIVE USE
Primary Land Use:	4517 WAREHOUSE TERMINAL OR STO. WAREHOUSE OR STORAGE
Block / E of the Mall:	0 / 0 / 0
Floors:	1
Living Units:	0
Actual Area:	4,887 Sq Ft
Living Area:	
Adjusted Area:	4,897 Sq Ft
Lot Size:	76,548 Sq Ft
Year Built:	1990
Year Assessed:	2024

Source: <https://www.dynamicequipmentgroup.com/>



Dynamic Equipment Group

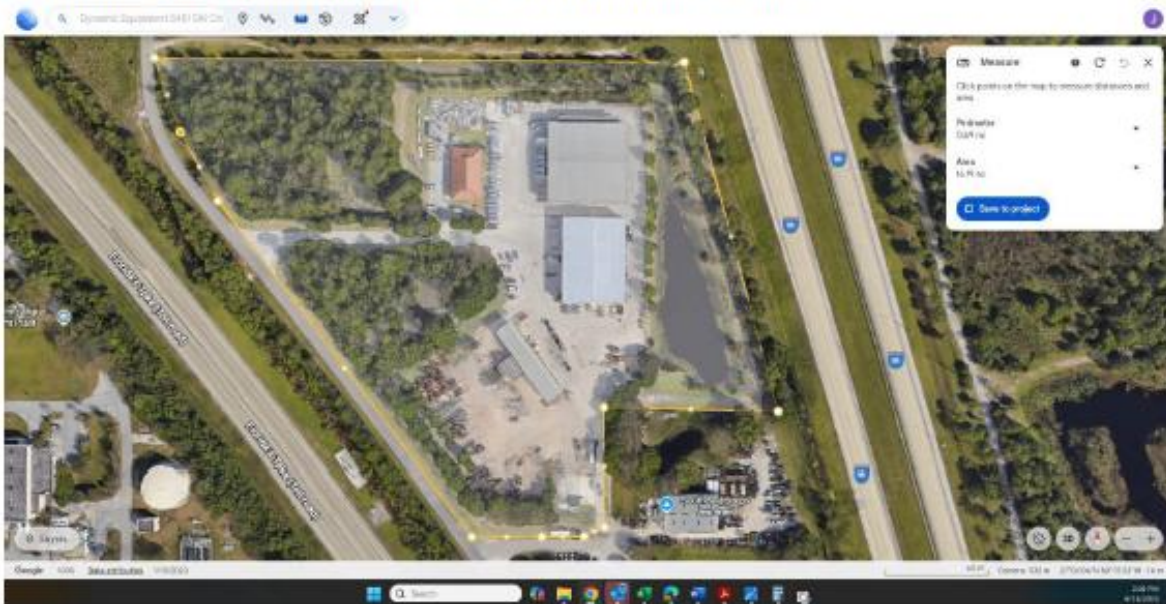
Location: 8300-8340 NW 58 Street, Doral, Florida 33166

Size: 3.69 Acres (3 parcels)

Two buildings totaling 24,128 square feet

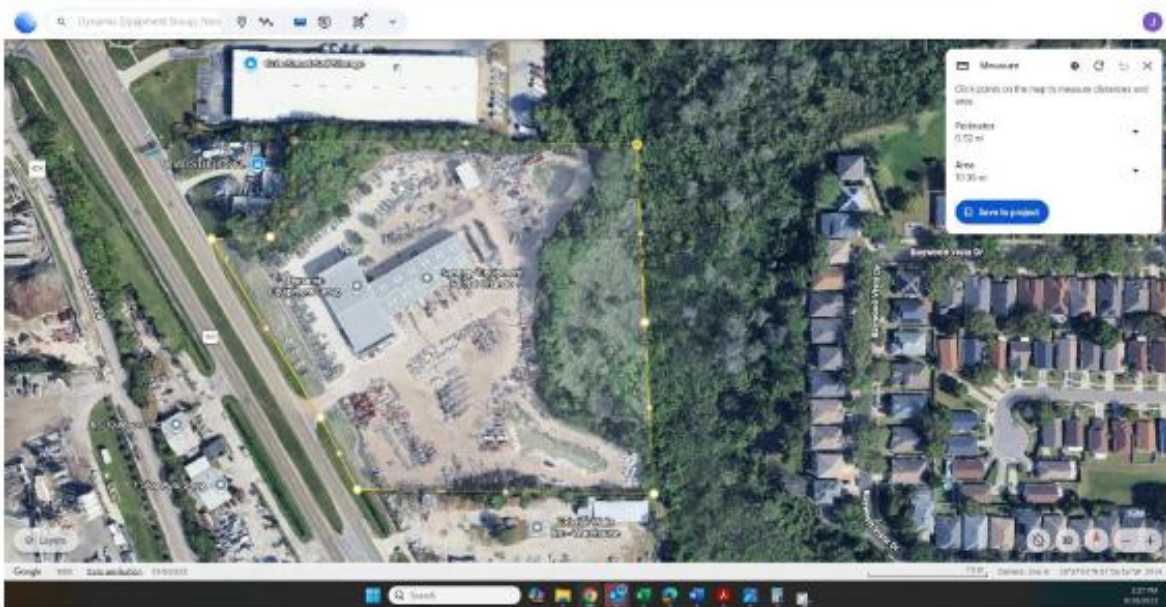
Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

Dynamic Equipment Group's largest dealership in Florida is in Stuart.



Size: 16.19 Acres with four buildings totaling 63,263 square feet

Dynamic Equipment Group's second largest dealership in Florida is in Orlando.

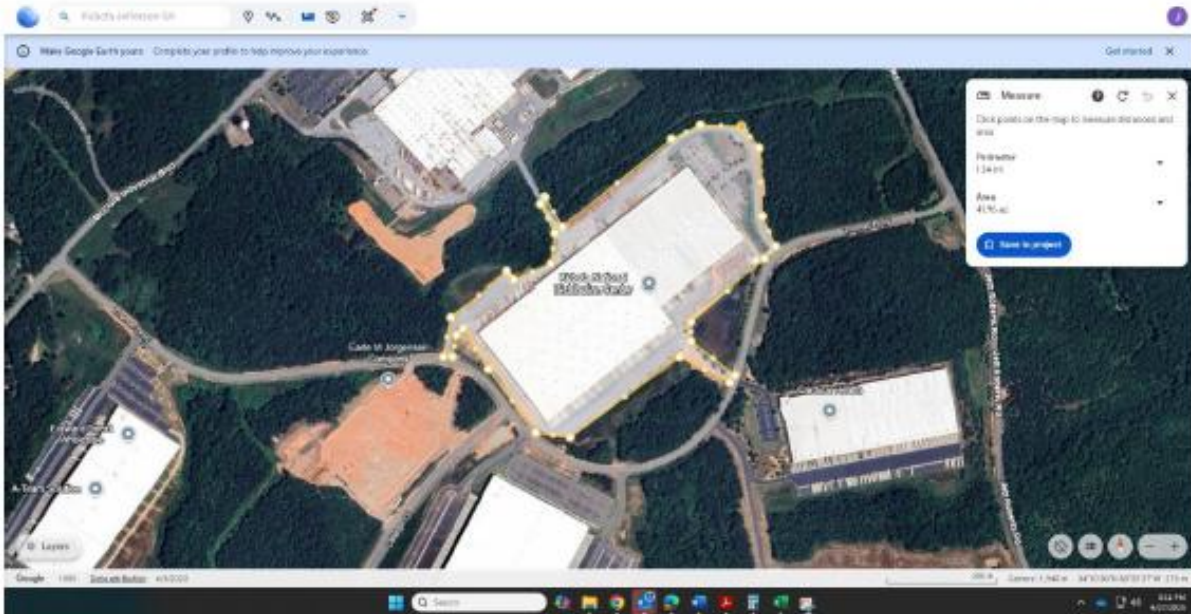


Size: 10.36 Acres with two buildings totaling 29,542 square feet

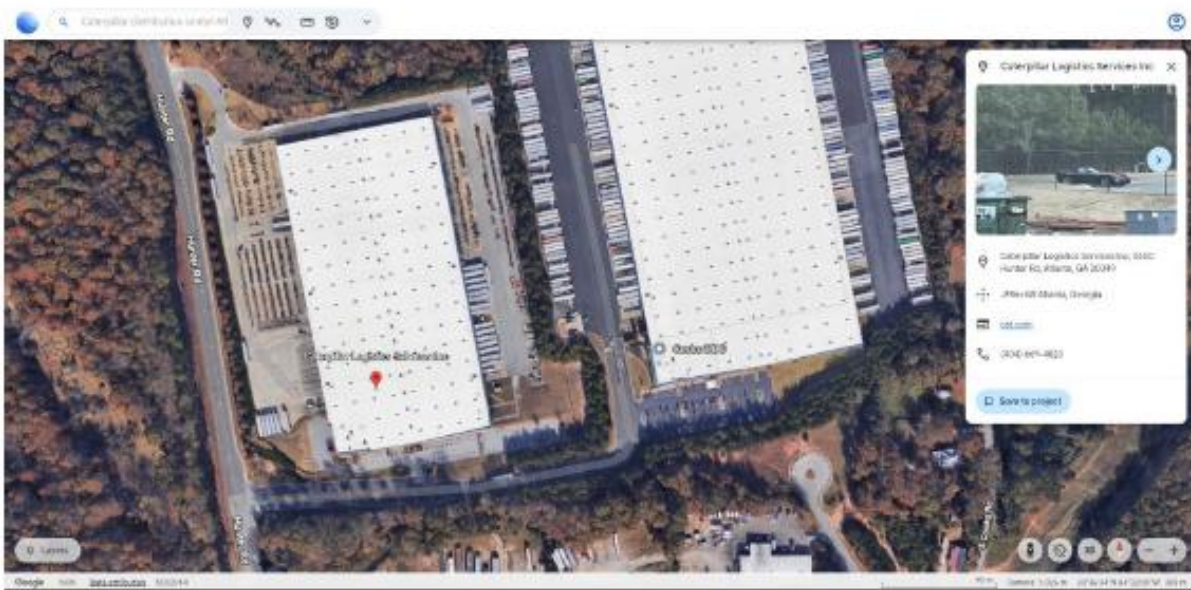
Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

Southeast Region – Large Distribution Centers and Dealerships

Kubota Tractor National Distribution Center is located one hour east of Atlanta, in Jefferson, Georgia. The facility provides fulfillment nationwide for Kubota machines and parts. The operational area of the facility uses approximately 42 acres with one large warehouse totaling 957,000 square feet. This is a national distribution facility, rather than a regional supplier.

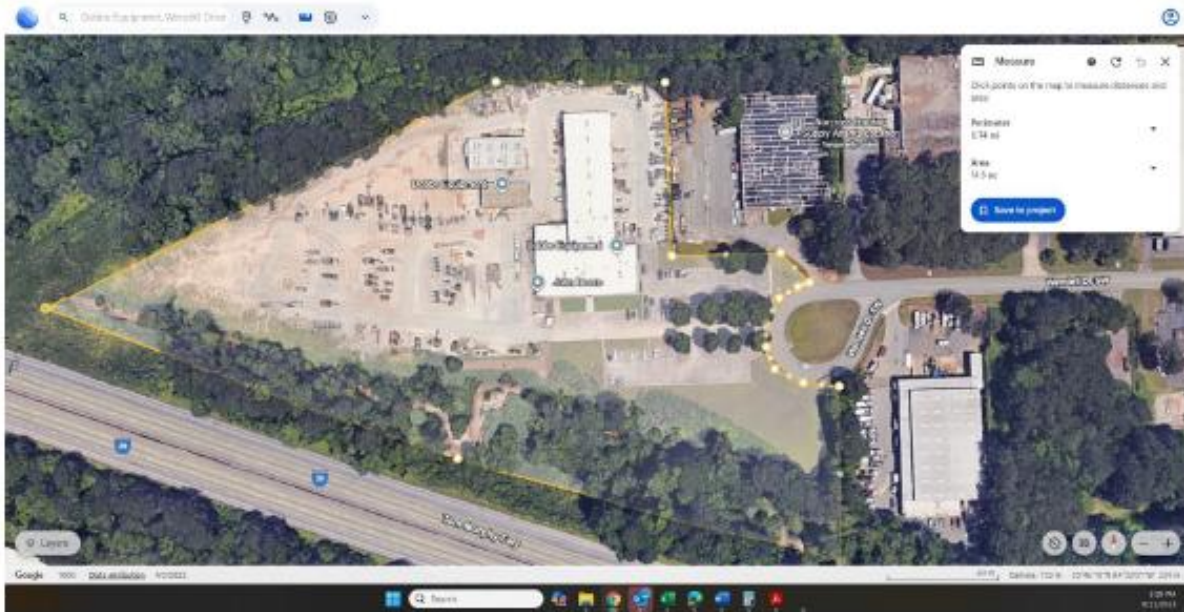


Caterpillar Logistics Services Inc. Distribution Center is located five miles west of Hartsfield-Jackson International Airport, on Hunter Road in Atlanta, Georgia. The 18.47-acre facility has one warehouse totaling 326,318 square feet, that provides regional fulfillment for Caterpillar parts.



Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites June 25, 2025

Dobbs Equipment is a John Deere dealership located on Wendell Drive SW, north of Interstate 20 in Atlanta, Georgia. The dealership is located east of the Chattahoochee River, and southwest of Fulton County Airport-Brown Field. The Atlanta Dobbs Equipment dealership provides sales, rentals, parts, repairs, and attachments for John Deere, Wirtgen, Vogeles, Hamm, Kleeman, LeeBoy, CemenTech, FINN, Alamo, ESCO, Harlo, and NPK equipment. This dealership provides equipment that supports the construction, agriculture, and road-building industries.



Size: 14.5 Acres with three buildings totaling 77,581 square feet

Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025

James River Equipment is located on Highway 21/Statesville Road, 1 mile south of Interstate 485 in Charlotte, North Carolina. James River Equipment is a John Deere dealer with over 40 locations in North Carolina, South Carolina, Virginia and West Virginia. James River Equipment serves a range of industries including construction, forestry, agriculture, and turf care. The company carries a variety of brands like Atlas Copco, BBI, Brandt, CemenTech, EcoVerse, Energreen, Epiroc, FAE, Finn, GSI, Hamm, Haybuster, JLG, Kleeman, Krone, Kuhn, Morbark, NPK, Sakai, Stihl, Sullair, Timberjack, TopCon, US Mower, Unverferth, Vogele, Wirtgen, Walker and Yetter.



Source: <https://www.jamesriverequipment.com/Charlotte>



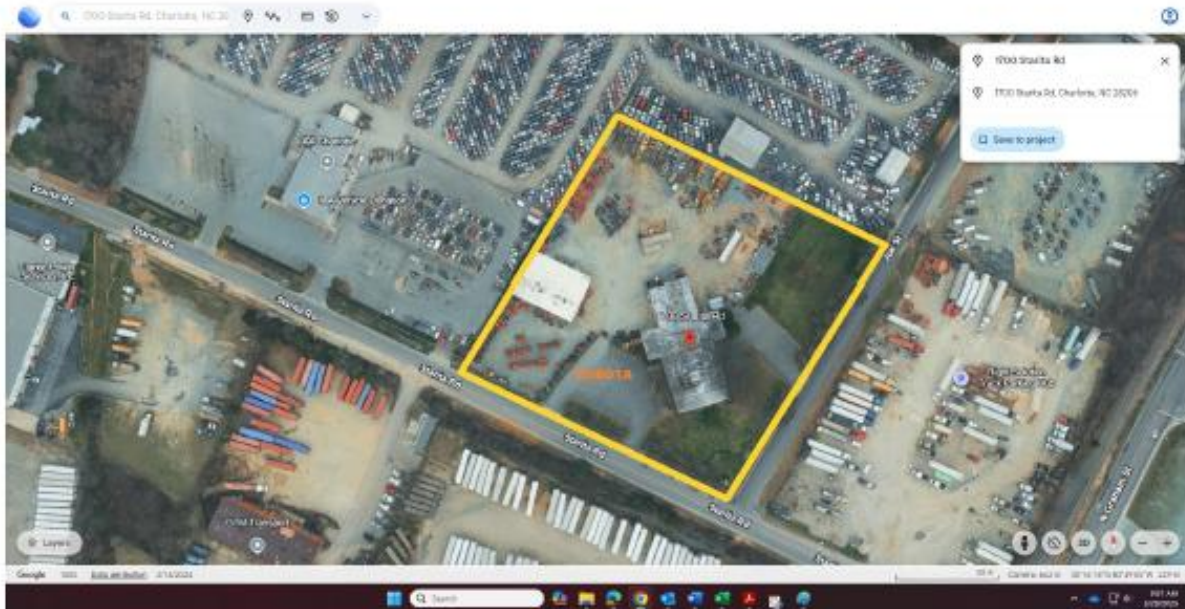
James River Equipment

John Deere Tractor dealer at 9550 Statesville Road, Charlotte, North Carolina 28269

Size: 19.18 Acres with two buildings totaling one 47,200 square feet

**Size Comparison of Heavy Equipment Storage, Sales, and Delivery Sites
June 25, 2025**

Highway Equipment and Tractor is a Kubota Tractor dealership located ½ mile south of Interstate 85 in Charlotte, North Carolina. Highway Equipment and Tractor sells equipment and parts for construction equipment, hay and forage, lawn and garden, loaders, skid steer loaders, tillage, tractors, and trailers.



Source: <https://www.fastline.com/dealers/highway-equipment-tractor-charlotte-north-carolina/4e56b6c5-14ef-4920-bc18-a33004d42558>



Highway Equipment and Tractor

Kubota Tractor dealer at 1700 Starita Road, Charlotte, North Carolina 28206

Size: 4.67 Acres with two buildings totaling 23,799 square feet

Size Comparison of Heavy Equipment Dealerships					
Dealership Name	Area Used for Operations (Acres)	Unused Area	Total Acres	Number of Buildings	Total Building Square Footage
Kelly Tractor					
Miami Kelly Tractor	41.25	9.43	50.68	9	224,869
Davie Kelly Tractor	4.3	0.6	4.9	2	12,421
Pompano Beach Kelly Tractor	0.38	0	0.38	1	5,845
West Palm Beach Kelly Tractor	2.34	0.3	2.64	5	107,750
Clewiston Kelly Tractor	2.83	0	2.83	3	70,518
Fort Myers Kelly Tractor	28.22	27.78	56	2	102,884
Mulberry Kelly Tractor	3.5	2.5	6	1	27,000
Orlando Kelly Tractor	5.41	0.7	6.11	1	4,680
Boyd Texas Kelly Tractor	15.3	11.4	26.7	4	18,630
TOTAL	103.53	52.71	156.24	28	574,595
AVERAGE LAND UTILIZATION *			66.3%		
Local Competitors					
Miami Lakes Caterpillar Parts Regional Distribution Center	22.22	3.1	25.32	1	435,869
Sweetwater John Deere Parts Regional Distribution Center	6.1	1.9	8.01	1	143,500
Miami Florida Coast Equipment Kubota	1.03	0	1.03	1	21,119
Homestead Florida Coast Equipment Kubota	3.2	0	3.2	2	20,898
Fort Pierce Florida Coast Equipment Kubota	3.85	0.5	4.35	1	15,821
West Palm Beach Florida Coast Equipment	3.1	1.1	4.2	1	29,850
Miami Dobbs Equipment John Deere	5.54	0	5.54	2	28,800
Fort Myers Dobbs Equipment John Deere	8.16	1.5	9.66	3	49,211
Lutz Dobbs Equipment John Deere	13.28	11.41	24.69	5	48,264
Orlando Dobbs Equipment John Deere	5.25	0.7	5.95	3	31,990
West Palm Beach Dobbs Equipment John Deere	5.35	1.5	6.85	2	28,885
Florida City Everglades Equipment Group John Deere	1.01	0	1.01	1	8,672
Okeechobee Everglades Equipment Group John Deere	5.8	4.1	9.9	3	28,292
Belle Glade Everglades Equipment Group John Deere	8.8	2.6	11.4	3	44,441
Boynton Beach Vermeer Southeast Sales and Service	3.52	0.8	4.32	2	16,072
Miami Vermeer Southeast Sales and Service	2.47	0.1	2.57	2	30,086
Orlando Vermeer Southeast Sales and Service	4.57	3.35	7.92	2	24,565
Hialeah Gardens Case Power Equipment	5.99	0	5.99	3	28,350
West Palm Beach Case Power Equipment	4.6	2.5	7.1	2	36,590
Tampa Case Power Equipment	3.79	0.11	3.9	2	23,361
Doral Dynamic Equipment Group Bobcat	3.69	0	3.69	2	24,128
Stuart Dynamic Equipment Group Bobcat	7.3	8.89	16.19	4	63,263
Orlando Dynamic Equipment Group Bobcat	7.26	3.1	10.36	2	29,542
TOTAL	135.88	47.26	183.15	50	1,211,567
AVERAGE LAND UTILIZATION *			74.2%		
Regional Comparable Sites					
Atlanta, GA Caterpillar Regional Distribution Center	17.7	0.77	18.47	1	326,318
Atlanta/Jefferson, GA Kubota National Distribution Center	42	23.25	65.25	1	957,000
Atlanta, GA Dobbs Equipment John Deere	7.9	6.8	14.5	3	77,581
Charlotte, NC James River Equipment John Deere	15.63	3.55	19.18	2	47,200
Charlotte, NC Highway Equipment and Kubota Tractor	3.32	1.35	4.67	2	23,799
TOTAL	86.55	35.52	122.07	9	1,431,898
AVERAGE LAND UTILIZATION *			70.9%		
* Average land utilization is calculated for each group of sites in aggregate by dividing the total area used for operations by the total acres.					

ADDITIONAL ITEMS
MAY 2023 CYCLE APPLICATION NO. CDMP20230013
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN
(Consisting of materials not included in the Initial Recommendation Report)

ITEM	PAGE
Kelly Tractor Company Declaration of Restrictions submitted June 9, 2025	A-1
Kelly Tractor Company Request for Extension of Time submitted March 7, 2024	A-20

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Received RER-Planning
June 9, 2025

This Instrument was Prepared by:

Name: Joseph G. Goldstein, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3300
Miami, Florida 33131

CDMP20230013
Kelly Tractor Company

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

(Comprehensive Development Master Plan)

WHEREAS, MDXQ LLC, a Florida limited liability company (the “Owner”), holds fee simple title to that certain approximately two hundred and forty six (+/-246) acres parcel of land, generally located west of NW 137 Avenue and Florida State Road 836, north of NW 6 Street and south of NW 9 Lane (as identified by Folio Nos. 30-3953-000-0130 and 30-3953-000-0138), in unincorporated Miami-Dade County, Florida, described in Exhibit “A” attached hereto and is hereinafter referred to as the “Property” or “Application Area;

WHEREAS, KELLY TRACTOR COMPANY, a Florida corporation (the “Applicant” or “Kelly”) has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the “CDMP”) with respect to the Application Area in the May 2023 amendment cycle as Application No. CDMP20230013 (the “Application”);

WHEREAS, the Application seeks text revisions to the CDMP Land Use Element to add the MIA Equipment and Supportive Services Area in the “Open Land” land use category, Open Land Subarea 3; and

WHEREAS, an approximately 3.129 +/- acre portion of the Property, which is located within the Urban Development Boundary and is legally described in Exhibit “B”, is not part of the

MIA Equipment and Supportive Services Area and will not be developed except that it may be utilized to meet open space requirements.

NOW, THEREFORE, IN ORDER TO ASSURE Miami-Dade County, Florida (the “County”) that the representations made by the Owner and the Applicant during the County’s 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 Application Area, which shall be binding on the successor owners of the Application Area:

1. **Development Intensity and Permitted Uses.**

- A. The use of the Property shall be limited to the uses listed in the “Open Land” designation of the CDMP under the MIA Equipment and Supportive Services Area in Open Land Subarea 3, including all accessory and ancillary uses that are supportive of the MIA Equipment and Supportive Services Area, with a maximum floor area ratio 0.5. Any changes to the Application shall be in accordance and consistent with and subject to the County Code, CDMP provisions, procedures, and limitations for modifying said changes.
- B. Development within the MIA Equipment and Supportive Services Area will be developed in a manner that generally conforms with the following development criteria: (i) a minimum of 10% of the net lot area shall be developed as passive landscaped open space or active recreation space; and (ii) such open space, whether active or passive, includes exterior surface areas consisting of outdoor, at-grade space, including but not limited to greens, squares, plazas, courtyards, terraces, lawns, entrance features, may consist of greenbelts, unpaved passive and active recreation areas, water retention areas, canals and other water bodies, (including

abutting canals), paseos, pedestrian paths, bicycle paths and/or associated landscape areas, landscaping with road rights of way including medians, and above-grade landscaped roof terraces/gardens on buildings or garage structures. Prior to the issuance of a certificate of use for any building on the Property, the Owner shall designate, improve and thereafter maintain an outdoor recreational area for the benefit and enjoyment of its employees (“Recreational Area”). The Recreational Area shall, at a minimum, be improved with benches, a covered area and landscaping. Shade trees shall be planted adjacent to sidewalks, walkways and walking paths throughout the Property.

C. There shall be no residential use on the Property, except to allow overnight stays to provide security for the Property.

2. **Future Site Plan Review for Application Area.** The Application Area is intended to be developed over time in a manner that generally conforms with the uses set forth in the Application and the terms set forth herein. Prior to the issuance of a building permit for the any of the uses listed in the “Open Land” designation of the CDMP under the MIA Equipment and Supportive Services Area in Open Land Subarea 3, the Owner shall, establish land development regulations for the development of the Application Area, which, at a minimum, provide for the approval of an application for administrative site plan review (“ASPR”) from the Department of Regulatory and Economic Resources, or successor department, in accordance with Section 33-310.4 of the Code of Miami-Dade County, whether or not such approval would otherwise be required by Section 33-310.4 or any other provision of the Code. Nothing in this Paragraph shall preclude the issuance of other permits (other than a foundation permit), such as, but not limited to, fence permits to

secure the perimeter of the Property, and zoning improvements permits to allow site work activities.

3. **Concurrency and Phasing.**

A. The project shall meet concurrency and satisfy the requirements set forth in Chapter 33G of the Miami-Dade County Code (“Code”).

B. It is expressly understood and agreed that the Application Area shall be connected to public water and public sanitary sewer as provided in paragraph 6, below.

C. It is also expressly understood that the Application Area may be developed in phases over an extended period of time and that any analysis, permitting, and mitigation shall recognize such extended development phasing as part of the review of the Application, zoning, platting or subsequent development permitting or approvals.

D. In an effort to enhance non-motorized connectivity, the Owner shall provide bicycle racks at appropriate locations throughout the Application Area.

4. **Road Improvement(s).** The Owner shall provide access from NW 137 Avenue to the Property (“Road Improvement”) via NW 6th Street to be included in the amendments to the CDMP Capital Improvements Element (CIE) with regard to the Road Improvement adopted with the Application. Zoning application(s) for the project(s) shall specifically address the completion of the Road Improvement and changes to the CIE adopted as part of the Application. The Owner may submit future analyses, independent studies, or other evidence, in a form acceptable to the County, to determine if the Road Improvement remains necessary for the project(s) or if other improvements are required. Any such future analyses or independent studies shall be subject to the review and approval of the

Department of Transportation and Public Works, or successor agency, as well as the Planning Division of the Department of Regulatory and Economic Resources, or its successor agency. The CIE may be amended by the County from time to time in accordance with applicable laws and procedures in effect at the time. Such amendments may occur without the need for any amendment to this Declaration. The Road Improvement in addition to other road improvements shall be eligible for credit as a contribution-in-lieu of mobility fees impact fees, subject to the procedures set forth in Chapter 33E of the Code.

5. **Environment.**

A. **Stormwater Management.** Prior to the approval by the Division of Environmental Resources Management (“DERM”) of a zoning site plan, soil improvement permit, building permit, Environmental Resource Permit for paving and drainage, or any other DERM review or permit, the Owner shall submit to DERM for review and approval a signed and sealed conceptual stormwater master plan (the “Conceptual Stormwater Management Master Plan”), which describes (i) how stormwater within the Application Area will be managed; (ii) a representative assessment of any soil and groundwater contamination that may be present; (iii) the effect of the development on the drainage on adjacent properties; (iv) any impacts to existing stormwater features, such as canals and agricultural ditches; and (v) how the post-development conditions of the Application Area will be the same or better than the pre-development stormwater management, water quantity, and water quality levels of service conditions.

B. **Wetlands, Endangered and Threatened Species.**

- i. **Status of Existing Permits, Covenants and Restrictions.** The majority of the Property is currently designated as a wetland under County regulations and is subject to the following certain permits, covenants and restrictions (“Existing Permits, Covenants and Restrictions”).

Existing Permits, Covenants and Restrictions	Date of Documents
DERM Permit No. CC-898	June 7, 1985 as further modified on February 27, 1987
DERM Permit No. CLIV-2008-00056	September 13, 2012
Restrictive Covenant as recorded in Official Records Book 28488, Pages 2722-2731 of the Public Records of Miami-Dade County, Florida	February 13, 2013
Restrictive Covenant as recorded in Official Records Book 28488, Pages 2891-2900 of the Public Records of Miami-Dade County, Florida	February 13, 2013

Specifically, with regard to the Existing Permits, Covenants and Restrictions, the Owner acknowledges that the Existing Permits, Covenants and Restrictions were established as a result of past Class IV permitting activity. Further, the Owner commits that no work will occur in areas protected by the Existing Permits, Covenants and Restrictions unless modified through future permitting activities and modification of the Existing Permits, Covenants and Restrictions. Finally, the Owner acknowledges that any plans and proposals for the Property submitted during the County’s consideration of the CDMP Application review process are conceptual in nature and shall not be construed to release, amend or otherwise modify the Existing Permits, Covenants and Restrictions. Such

conceptual site plans and proposals are merely intended to provide a layout of the future potential development of the Property. By reviewing and issuing comments on the plans and proposals, the Division of Environmental Resources Management (“DERM”) is in no way waiving its permitting jurisdiction and review under Chapter 24 of the County Code nor will it entitle the Owner to a favorable review of future permit applications as may be required by Chapter 24.

- ii. **Environmental Permit Process.** The Owner shall timely seek and obtain all appropriate permits and approvals prior to any dredging, filling, and development of any wetlands located within the Property. Fill used on the Property shall only consist of clean fill as defined by Section 24-5 of the Code of Miami-Dade County. Prior to the approval of any of the following development permits or orders, including: zoning actions, tentative plats, final plats, building permits, zoning improvement permits, lake excavation permits, and Class IV wetlands permits, for development of any portions of the Property, the Owner shall conduct a survey to determine the absence or presence of (i) listed plant species found in Appendix A and (ii) listed wildlife species found in Appendix B of the CDMP within the area or phase of development subject to the request for approval of said development order. The survey(s) shall utilize professionally recognized survey timeframes and sampling methodology and shall be subject to review and approval by DERM prior to implementation. The Owner shall prepare or revise site plans, tentative plat applications, final plat applications, building

permit plans, zoning improvement permits, lake excavation permits and Class IV wetlands permit plans, subject to DERM review and approval, as necessary to comply with requirements of Chapter 24 of the Code of Miami-Dade County and for conformance with the provisions of the CDMP, Class IV permit approval, and approved Stormwater Management Plan, and any other environmental permits or approvals issued pursuant to Chapter 24 of the Code.

6. **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 Code of Miami Dade County and Water and Sewer Department ("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. Moreover, if a public pump station is required at the time the Water and Sewer Agreement is requested for the Property, the Owner will install a public sanitary sewer pump station at the Owner's

expense to provide service to the proposed development, subject to any applicable DERM and WASD approvals.

8. **Archaeological Site/Potential Unmarked Human Burial.** The Phase One Archeological Assessment submitted as part of the County's review of the Application has confirmed the existence of archaeological Site 8DA93 in the southeastern corner of the Application Area (the "Archaeological Site"), as such designated by Miami-Dade County. The Owner has an interest in protecting and preserving the unmarked burials, human skeletal remains and associated burial artifacts within the Archaeological Site. As such, the Owner covenants that it shall preserve and make no physical alteration to the Archaeological Site. The Archaeological Site is legally-described in Exhibit "C". This Covenant will run with the land and shall be in effect in perpetuity.

MISCELLANEOUS

Covenant Running with the Land. This Declaration on the part of the Owners shall constitute a covenant running with the land and may be recorded, at Owners' expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owners, and their heirs, successors and assigns 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 Owners, 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 Owners 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 Owners acknowledge that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owners 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.

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

[Signature Pages to Follow]

Draft 06/09/2025

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

WITNESSES:

MDXQ LLC, a Florida limited liability Corporation

Signature

Printed Name

By: _____

Name: Christopher L. Kelly

Title: President

Signature

Printed Name

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

The foregoing instrument was acknowledged before me by Christopher L. Kelly, as President of MDXQ 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 AND SKETCH FOR THE APPLICATION AREA**

A portion of Government Lot 3 lying between Township 53 South and 54 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Begin at the Southwest corner of said Government Lot 3; thence North 01°35'33" East along the West line of said Government Lot 3 for 2592.55 feet; thence South 89°19'56" East along a line parallel to and 1320.00 feet South of, as measured at right angles to, the North line of said Government Lot 3, for 5168.67 feet; thence South 00°51'03" West along a line parallel to and 140.00 feet West of, as measured at right angles to, the East line of said Government Lot 3 for 1320.01 feet; thence North 89°19'56" West along a line parallel to and 2640.00 feet South of, as measured at right angles to, the North line of said Government Lot 3 for 660.25 feet; thence South 00°51'03" West along a line parallel with said East line of Government Lot 3 for 326.97 feet to a point being 698.96 feet North of, as measured at right angles to, the South line of said Government Lot 3; thence South 73°44'48" West for 1169.68 feet; thence South 00°51'03" West along a line, parallel to said East line of Government Lot 3 for 420.00 feet to a point on the South line of said Government Lot 3, said point being 1921.32 feet West of the Southeast corner of said Government Lot 3; thence South 87°34'44" West along the South line of said Government Lot 3 for 3429.60 feet to the Point of Beginning.

LESS AND EXCEPT THE FOLLOWING PROPERTY:

Commence at the Northeast corner of Excess Government Lot 3 lying between Township 53 South and Township 54 South, Range 39 East in Miami-Dade County, Florida, this also being the Southeast corner of Section 34, Township 53 South, Range 39 East; thence North 89°09'49" West along the North line of said Excess Government Lot 3 for 140.00 feet; thence departing said North line of Excess Government Lot 3, South 01°00'39" West along a line 140.00 feet Westerly of, as measured at right angles to and parallel with the East line of said Excess Government Lot 3 for 1320.00 feet to the Point of Beginning of the hereinafter described parcel of land; from said Point of Beginning, thence continue South 01°00'39" West along said parallel line for 1320.01 feet; thence departing said parallel line, North 89°09'49" West for 108.60 feet to a Point of Non-Tangent Intersection with the arc of a circular curve concave to the Southwest, and with said Point of Non-Tangent Intersection bearing North 76°47'17" East from the center of said curve; thence Northwesterly along the arc of said curve, having a radius of 608.00 feet and a central angle of 23°36'54" for 250.59 feet to the Point of Non-Tangent Intersection with a line bearing North 36°49'37" West, with said Point of Non-Tangent Intersection bearing North 53°10'23" East from the center of said curve; thence North 36°49'37" West along said intersecting line for 760.42 feet to a Point of Non-Tangent Intersection with the arc of a circular curve concave to the Northeast, with said Point of Non-Tangent Intersection bearing South 53°10'23" West from the center of said curve; thence Northwesterly along the arc of said curve, having a radius of 860.00 feet and a central angle of 35°34'27" for 533.96 feet to a Point of Non-Tangent Intersection with a line lying 1320.00 feet Southerly of, as measured at right angles to and parallel with said North line of Excess Government Lot 3, with said Point of Non-Tangent Intersection bearing South 88°44'49" West from the center of said curve; thence South 89°09'49" East along said parallel line for 864.40 feet to the Point of Beginning.

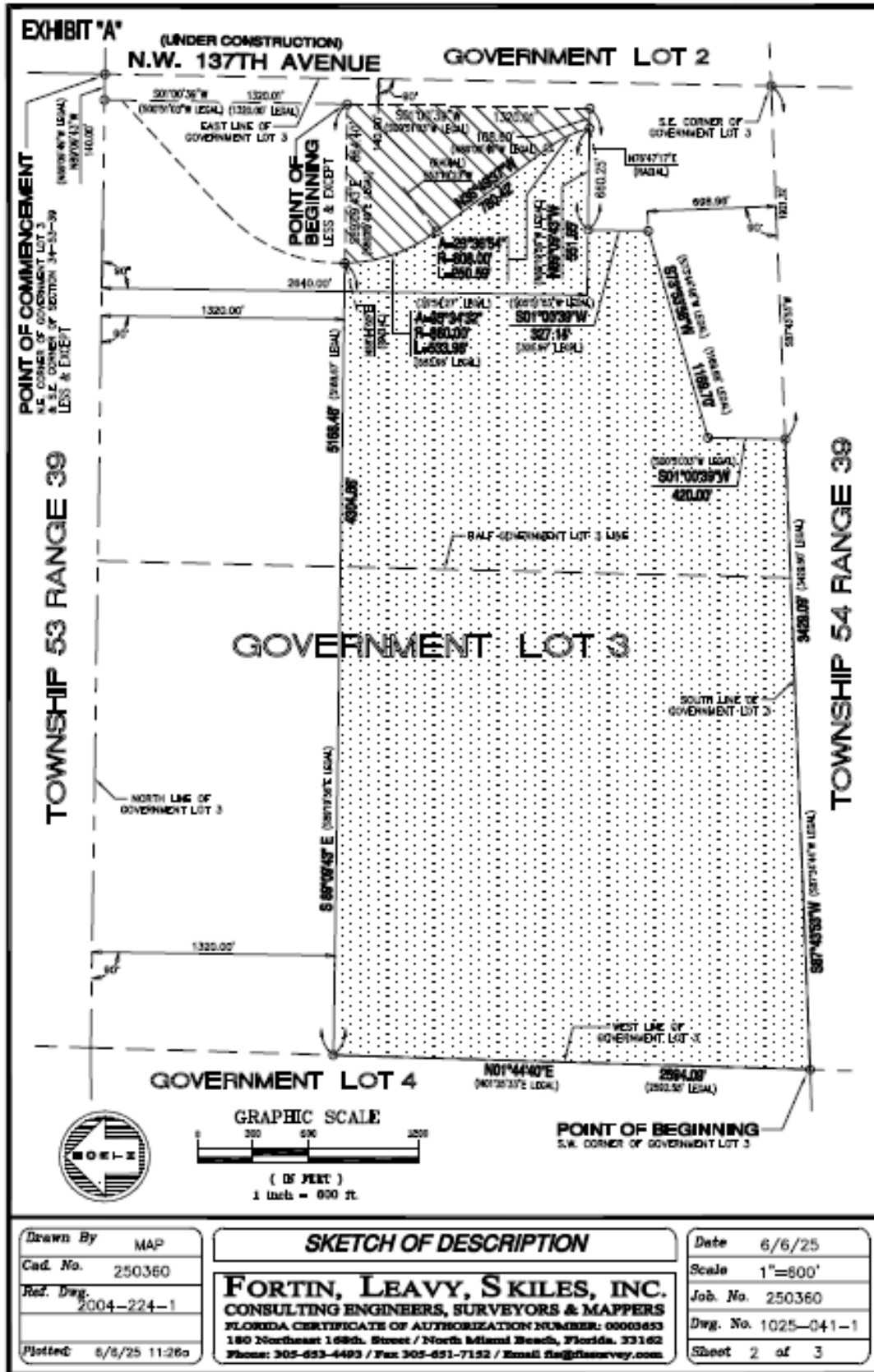


EXHIBIT "B"

**LEGAL DESCRIPTION AND SKETCH FOR PORTION OF PROPERTY WITHIN THE
UDB**

A portion of Government Lot 3 lying between Township 53 South and 54 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Government Lot 3; thence N 89°09'43" W along the North line of said Government Lot 3 for 140.00 feet; thence S 01°00'39" W along a line 140.00 feet Westerly of, as measured at right angles, and parallel with the East line of said Government Lot 3 for 1320.01 feet, the following two (2) courses being along a line 2640.00 feet Southerly of, as measured at right angles, and parallel with said North line of Government Lot 3; 1) thence N 89°09'43" W for 108.60 feet to the Point of Beginning of the hereinafter described parcel of land; 2) thence continue N 89°09'43" W for 407.67 feet; thence N 01°45'41" E along the Urban Development Boundary Line for 599.03 feet; thence S 36°49'37" E for 473.78 feet to a point of curvature; thence Southeasterly along a 608.00 foot radius curve leading to the right through a central angle of 23°36'54 for an arc distance of 250.59 feet to the Point of Beginning.

Draft 06/09/17

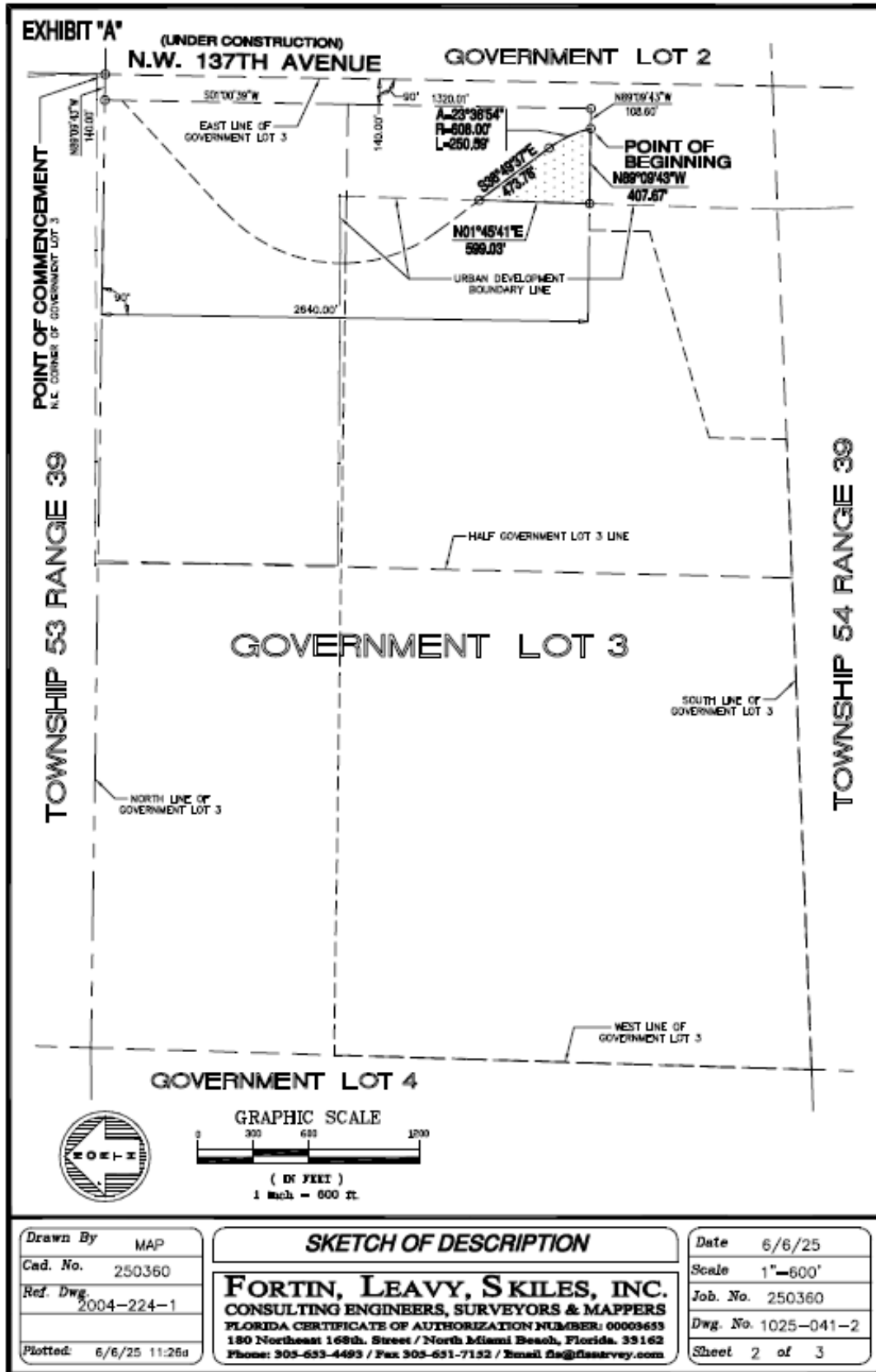


EXHIBIT "C"

LEGAL DESCRIPTION FOR THE ARCHAEOLOGICAL SITE

A portion of Government Lot 3 lying between Townships 53 South and 54 South, Range 39 East, being more particularly described as follows:

COMMENCE at the Southwest corner of said Government Lot 3; thence N87°34'44"E, along the South line of Government Lot 3, for a distance of 3429.60 feet; thence N00°51'03"E, for a distance of 420.00 feet to the POINT OF BEGINNING of the herein after described parcel of land; thence N51°28'46"E, for a distance of 492.10 feet; thence N17°47'48"E, for a distance of 592.03 feet; thence N48°41'29"E, for a distance of 440.86 feet; thence N74°35'29"E, for a distance of 394.49 feet; thence S36°59'44"E, for a distance of 492.02 feet to a point of curvature of a circular curve to the right, concave to the Southwest; thence southeasterly along the arc of said curve, having for its elements a radius of 608.00 feet, through a central angle of 23°36'54", for an arc distance of 250.59 feet; thence N89°19'56"W, for a distance of 551.65 feet; thence S00°51'03"W, for a distance of 326.97 feet; thence S73°44'48"W, for a distance of 1169.68 feet to the POINT OF BEGINNING.

Containing 810,495 Square feet or 18.61 Acres more or less by calculations.

Draft 06/25

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.789.7782 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Joseph G. Goldstein, Esq.
(305) 789-7782
joseph.goldstein@hklaw.com

March 7, 2025

RER Planning
Recieved 3-7-25

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: Kelly Tractor Company (the “Applicant”) / Application No. CDMP20230013 / Request for Extension of Time

Dear Mr. Bell:

On behalf of Kelly Tractor Company (the “Applicant”), we request an extension of time for the hearing of the above-referenced Comprehensive Development Master Plan (“CDMP”) amendment application. According to Miami-Dade County Code Section 2-116.1(3)(h) (the “Code”), the “Board of County Commissioners shall hold one public hearing within 180 calendar days following the end of the relevant filing period unless a greater time is deemed necessary by the Board of County Commissioners; however, the Director may extend the time if requested by the applicant prior to the earliest deadline for the publication of required notices for the hearing before the Board of County Commissioners.” Here, the earliest deadline for the publication of required notices have not passed and the notices have not yet been published.¹ The Code required its first public hearing in this case by November 27, 2023 (“Timeframe”) and the Timeframe has been extended by the Director.

This letter further requests an extension of the Timeframe for the hearing before the Board of County Commissioners to July 31, 2025 depending on the schedule of hearings. The Applicant is requesting this extension of time in order to continue working with Miami-Dade County departments to review amended application requests and supplemental reports as well as address any substantive comments in appropriate application revisions. The Applicant anticipates that it will have had sufficient opportunity to work with staff and will be ready to present the application to the Board of County Commissioners on or before July 31, 2025.

¹ Staff has advised that this application is currently under review by applicable County departments.

Thank you for your considerate attention to this matter. Should you have any questions, please do not hesitate to contact me at (305) 789-7782 or joseph.goldstein@hklaw.com regarding the request.

Sincerely,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink, appearing to read 'J. Goldstein', written in a cursive style.

Joseph G. Goldstein

Enclosures

Cc: Ms. Lourdes Gomez, AICP
Mr. Garrett Rowe
Ms. Rosa Davis
Mr. Glenn Amoruso, FRA-RP
Abbie Schwaderer Raurell, Esq.
Juan J. Mayol, Jr., Esq.
Alessandria San Roman, Esq.