



MEMORANDUM

Agenda Item No. 15(B)3

TO: Honorable Chairman Jean Monestime, and
Members, Board of County Commissioners

DATE: May 19, 2015

FROM: Harvey Ruvin, Clerk
Circuit and County Court

SUBJECT: Proposed Boundary Change to the
Commercial area west of Biscayne
Boulevard from 105th Street north to
108th Street by Miami Shores Village


Christopher Agrippa, Director
Clerk of the Board Division

Pursuant to the provisions of Chapter 20-5 of the Code of Miami-Dade County, the Clerk of the Board Division has received a petition from Miami Shores Village requesting a boundary change to the commercial area west of Biscayne Boulevard from 105th Street north to 108th Street in Miami Shores Village. (See legal description in the attached application).

Following consideration by the County Commission, the Code provides that this request be forwarded to the Planning Advisory Board for review, study and recommendation.

CA/dmcb
Attachment



**MIAMI SHORES VILLAGE
ANNEXATION REQUEST**

for the

**Commercial Area West of
Biscayne Boulevard
From 105th Street to 108th Street**

**Submitted to:
Clerk of the
Miami-Dade County Commission
May 1, 2015**

A. An accurate legal description of the land area involved in the proposed boundary change can be found on the following pages.

A - 1

LEGAL DESCRIPTION: "ANNEXATION PARCEL"

EXHIBIT "A"

THIS IS NOT A SURVEY

LEGAL DESCRIPTION:

COMMENCE AT THE CENTERLINE INTERSECTION OF NORTHEAST 108TH STREET AND NORTHEAST 12TH AVENUE (NORTH) AS SHOWN ON THE PLAT OF "REVISED AMENDED AND CORRECTED PLAT OF BISCAYNE SHORES UNIT NO. 2", SECTION 32, TOWNSHIP 52 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 40 AT PAGE 81 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE CONTINUE ON AN ASSUMED BEARING OF DUE SOUTH ALONG THE CENTERLINE OF THE SAID NORTHEAST 12TH AVENUE FOR A DISTANCE 40.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE SAID NORTHEAST 108TH STREET AND THE POINT OF BEGINNING OF THE "ANNEXATION PARCEL"; THENCE RUN SOUTH 89°54'00" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF NORTHEAST 108TH STREET FOR A DISTANCE OF 964.52 FEET THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 128°47'58", A RADIUS OF 25.00 FEET AND AN ARC LENGTH OF 56.20 FEET, TO A POINT OF TANGENCY WITH THE WEST RIGHT OF WAY LINE OF BISCAYNE BOULEVARD; THENCE CONTINUE SOUTH 38°53'58" WEST ALONG THE SAID WEST RIGHT OF WAY LINE OF BISCAYNE BOULEVARD FOR A DISTANCE OF 1019.21 FEET TO THE SOUTHEAST PROPERTY CORNER OF TRACT 1, OF THE PLAT OF EL-KEUL PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 39 AT PAGE 64 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH 89°56'15" WEST ALONG THE SOUTH PROPERTY LINE OF THE SAID TRACT 1 AND ITS EXTENSION FOR A DISTANCE OF 343.90 FEET TO THE INTERSECTION WITH THE EAST PROPERTY LINE OF BLOCK 2, PLAT OF MIAMI SHORES ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 47 AT PAGE 58 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND ALSO KNOWN AS THE EAST BOUNDARY LINE OF THE "VILLAGE OF MIAMI SHORES"; THENCE RUN DUE NORTH ALONG THE EAST LINE OF THE SAID BLOCK 2 FOR A DISTANCE OF 835.18 FEET TO THE POINT OF BEGINNING. CONTAINING 567,477.33 SQUARE FEET OR 13.03 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S NOTE:

THIS IS A LEGAL DESCRIPTION OF THE EXTERIOR BOUNDARY ONLY OF A PROPOSED ANNEXATION AREA PREPARED FOR THE VILLAGE OF MIAMI SHORES. THERE ARE THREE RECORD PLATS RECORDED IN THIS ANNEXATION AREA WITH INTERIOR STREET RIGHT OF WAYS THAT HAVE BEEN CLOSED BY MIAMI-DADE COUNTY, RESOLUTIONS. A TITLE SEARCH HAS NOT BEEN PROVIDED AT THIS TIME.

A.R. TOUSSAINT & ASSOCIATES, INC.
LAND SURVEYORS

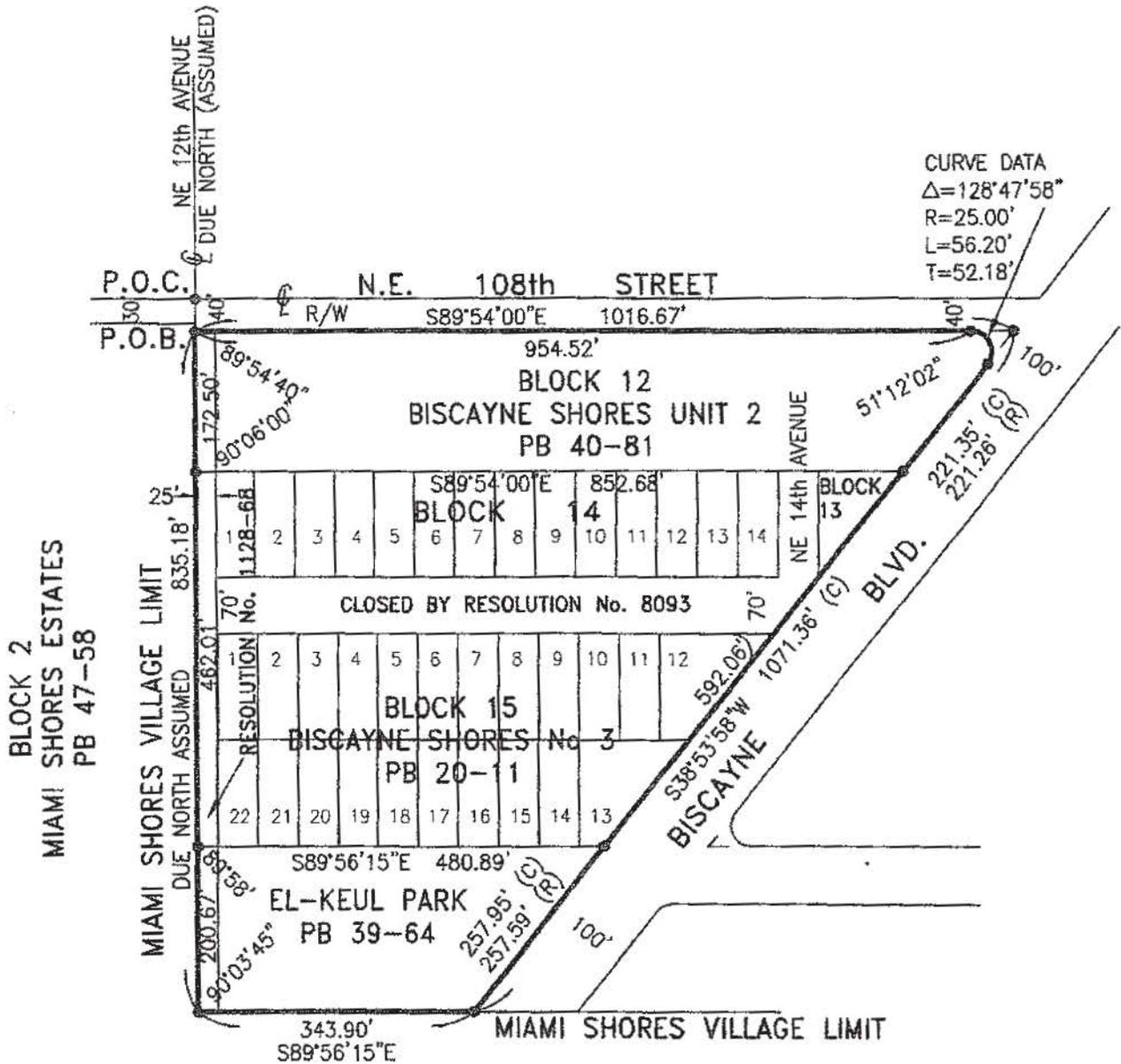
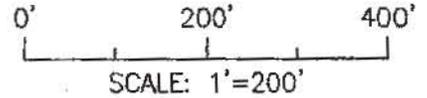
FLORIDA CERTIFICATE OF AUTHORIZATION LB-273
620 N.E. 126th STREET NORTH MIAMI, FLORIDA 33161

BY:  PRES.
ALBERT R. TOUSSAINT
REGISTERED ENGINEER NO. 8939
REGISTERED SURVEYOR AND MAPPER NO. 907
STATE OF FLORIDA

LEGAL DESCRIPTION: "ANNEXATION PARCEL"

EXHIBIT "A"

THIS IS NOT A SURVEY



A.R. TOUSSAINT & ASSOCIATES, INC.
 LAND SURVEYORS

FLORIDA CERTIFICATE OF AUTHORIZATION LB-273
 620 N.E. 126th STREET NORTH MIAMI, FLORIDA 33161

BY: *Albert R. Toussaint* PRES.

ALBERT R. TOUSSAINT
 REGISTERED ENGINEER NO. 8939
 REGISTERED SURVEYOR AND MAPPER NO. 907
 STATE OF FLORIDA

SECTION 32-53-42

B. A map or survey sketch accurately showing the location of the area proposed for annexation, the existing boundaries of Miami Shores Village and the relationship of the proposed annexation area to Miami Shores Village may be found on the following pages.

B – 1



BOUNDARIES

-  Potential Annexation Area
-  Existing Village Boundary

Prepared by: Miami Shores Village
Planning Department
May 20, 2013

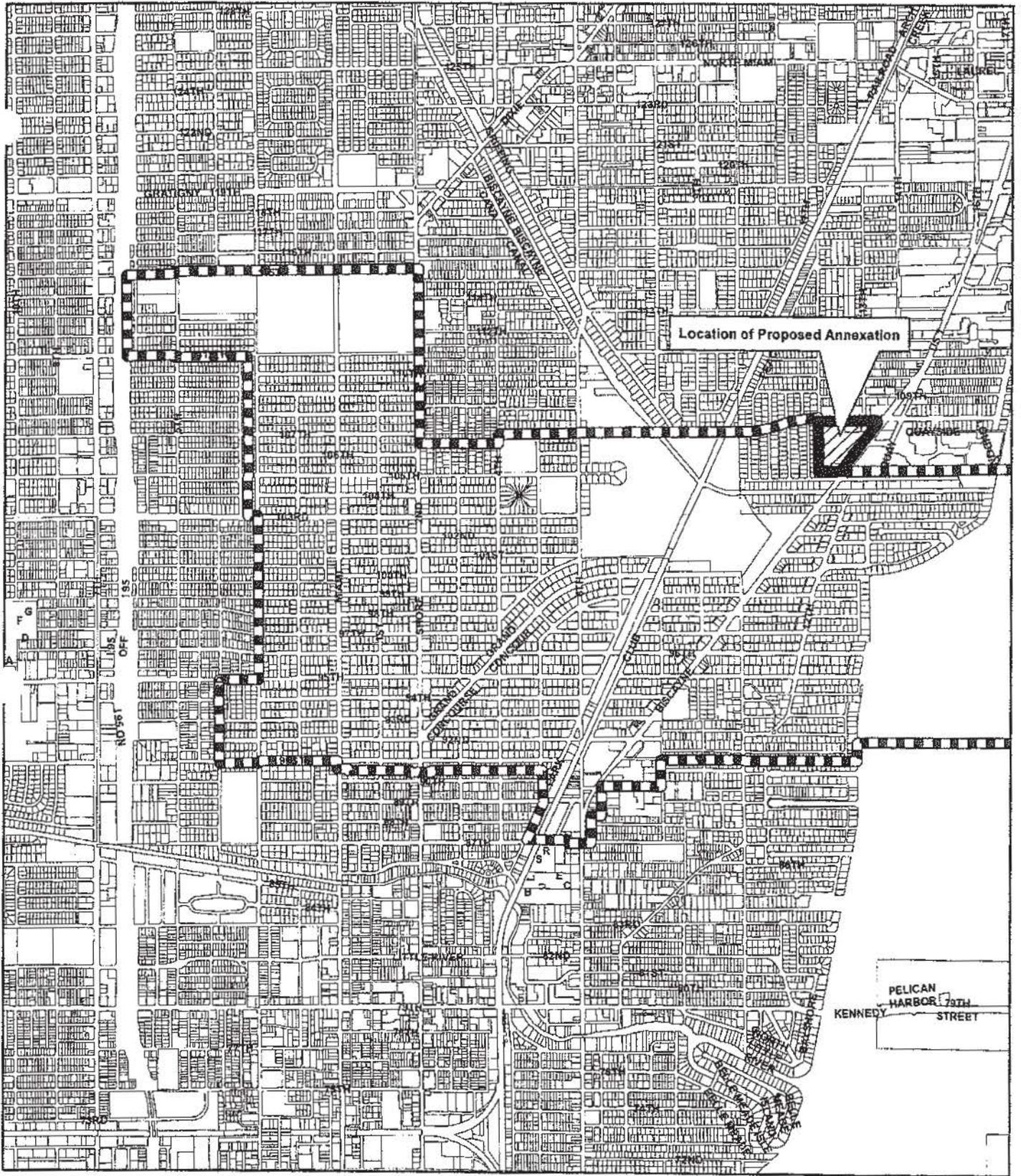


Prepared by: Miami Shores Village
Planning Department
February 5, 2015

Miami Shores Village Proposed Annexation

BOUNDARIES

-  Potential Annexation Area
-  Existing Village Boundary



Prepared by: Miami Shores Village
 Planning Department
 February 5, 2015

**Miami Shores Village
 Proposed Annexation Area
 Location Map**

BOUNDARIES



Potential Annexation Area

Existing Village Boundary

C. The proposed annexation area is entirely comprised of commercial property. (See Page G-1) There are no residential properties and therefore, no qualified electors are affected by the annexation application.

C-1

D. A brief statement outlining the reasons for the proposed boundary change.

Following are reasons for annexing this area into Miami Shores Village.

- This annexation is in compliance with the requirements set forth in Section 20-3 of the Miami-Dade County Code. The proposed annexation will be an extension of the Village's existing boundary, and includes all properties that are considered to be part of the proposed annexation area. The proposed annexation will not create an enclave area.
- The area to be annexed will receive improved law enforcement. While Miami Shores Village police currently provide backup response to the area proposed to be annexed, annexation will ensure that police response by the Village will be provided on par with other parts of the Village. The Village's average police response time is less than 3 minutes for emergency calls.
- The property owners in the area to be annexed will receive more responsiveness from the Village than from Miami-Dade County government. In addition to the Administrative offices, the Code Enforcement, Planning and Building departments are all located at Village Hall and are fully staffed. The Miami Shores Village Hall is less than 2 miles from the area to be annexed, offering greatly improved convenience, and access is greatly eased by virtue of the Village's small size and community-based government.
- There is a strong commercial relationship between the residents of the Village and the establishments located on the area to be annexed. Many of the people who shop in the area to be annexed are residents of Miami Shores.

E. The proposed annexation does not create an enclave as defined in Section 20-7 (A)(1)(c) of the Miami-Dade County Code.

E - 1

F. The following pages contain additional information included in the proposed boundary change application, as required by Section 20-3 (F) of the Miami-Dade County Code.

1. Land use plan and zoning.
2. List of services to be provided.
3. Timetable for providing the services listed above.
4. Financing of the services listed above.
5. The tax load on the area to be annexed.
6. Identification of any areas designated as terminals in the County's Adopted Land Use Plan Map.

F (1) Land Use Plan and Zoning – Miami-Dade County’s designated land use for this area is BU-1A, Limited Business District. The proposed annexation area includes commercial businesses including a bank (Chase Bank), a national retail store (K-Mart), locally owned businesses including a car wash, tire shop and window tinting establishments, and a grocery store which is currently under construction. With the exception of the car wash, all businesses located in the proposed annexation area are permitted uses within the zoning code of Miami Shores Village. However, the car wash would be permitted to continue operations. Appropriate future land use and zoning amendments would be required subsequent to approval of the annexation application.

F (2) List of Services to be Provided by Miami Shores Village – This section describes the type and amount of services that Miami Shores Village will provide to the proposed annexation area.

MUNICIPAL SERVICES

The following municipal services would be provided to commercial property owners if annexed by Miami Shores Village:

• **Police:**

Miami Shores provides a police response time of approximately 2 minutes for a panic alert, which is comparable to a burglary or robbery in progress. The proposed commercial area, which is currently served by the Miami-Dade Police Department, has a typical response of 20 minutes to 4 hours. This is because the Village has 15 police officers per square mile versus 7 for the north-eastern Unincorporated area.

• **Code Compliance:**

The Village's immediate response to a complaint about a property with blight characteristics provides much greater protection to property owner's values. Problems are corrected promptly as opposed to the more lax code enforcement inspections and follow-up in the Unincorporated areas.

• **Trash Pick-Up and Other Public Works Services:**

Miami Shores offers improved commercial garbage collection service which can be customized to fit the needs of each individual property. In addition, the Village provides curb-street sweeping, tree trimming, tree planting and sidewalk repairs.

• **Building Department Services:**

The Miami Shores Village Department will provide permitting and inspection services to the proposed annexation area allowing for a more timely and convenient permitting process.

• **Local Planning Services:**

Miami Shores Village will provide planning services to the area. This area will be incorporated into the Village's Comprehensive Plan and the appropriate land use designation will be adopted in accordance with Florida Statutes.

• **General Government:**

Miami Shores Village was incorporated in 1932. The Village government is vested in an elected council of five, elected at large, who are residents of the Village. The Council is responsible for appointing a mayor, adopts the Village's annual budget, sets policies and appoints the Village Manager, Village Attorney and Village Clerk. The Village Manager is responsible for administration of the day-to-day operations of the Village.

F (3) Timetable for supplying municipal services to the proposed annexation area:

- **Police:**

Miami Shores Village will provide police services immediately after the annexation is approved by the Board of County Commissioners.

- **Code Compliance:**

Miami Shores Village will provide code enforcement/compliance services immediately after the annexation is approved by the Board of County Commissioners.

- **Trash Pick-Up and Other Public Works Services:**

The Village will request that the County allow the Village to provide sanitation services to the proposed annexation area. Other Public Works services will begin immediately upon approval by the Board of County Commissioners.

- **Building Department Services:**

Services provided by the Miami Shores Village Building Department are anticipated to begin immediately following the annexation approval by the Board of County Commissioners.

- **Local Planning Services:**

Miami Shores Village will provide planning services immediately after the annexation is approved by the Board of County Commissioners.

- **General Government:**

Miami Shores Village government will be responsible for the affairs of the area to be annexed immediately after the annexation is approved by the board of County Commissioners.

F (4) Financing of the services to be provided to the proposed annexation area.

- **Police:**

Based on a review of the current use and calls for service as reported by the Miami-Dade Police Department, the Village's Police Department can absorb the area without the need to increase departmental personnel. The increase in physical territory may generate a minimal increase in vehicle operation costs such as fuel, vehicle maintenance, etc., however no significant financial impact is anticipated.

- **Code Compliance:**

Annexation of the proposed area will have minimal impact on the Code Enforcement Departmental budget and no additional costs are anticipated.

- **Trash Pick-Up and Other Public Works Services:**

Should the Village be permitted to assume responsibility for sanitation services in the proposed annexation area, each property will be evaluated for the appropriate garbage service level and dumpsters purchased. These purchases will be funded through the Village's Sanitation Enterprise Fund. Miami Shores will provide right-of-way maintenance within the annexation area. This service will require the Village to hire one Parks Department worker at an annual cost of approximately \$30,000 including salary and benefits. The Village will fund this expense through its General Fund.

- **Building Department Services:**

Services provided by the Miami Shores Building Department to the proposed annexation area are not anticipated to generate additional costs to the Department.

- **Local Planning Services:**

Approval of the proposed annexation will require amendments to the Comprehensive Plan and the Zoning Code as well as the Land Use Map. These amendments are estimated to amount to a one-time cost of approximately \$8,500, which will be funded through the General Fund.

- **General Government:**

Miami Shores Village does not expect any material increase in general government costs as a result of the proposed annexation.

Table 1 shows the Service Cost Analysis for the proposed annexation area.

TABLE 1

SERVICE COST ANALYSIS

Department	Annual Cost	One Time Cost
Code Compliance	- 0 -	- 0 -
Police Department	- 0 -	- 0 -
Building Department	- 0 -	- 0 -
Zoning Department	- 0 -	\$ 8,500
Public Works Department		
Parks Department	\$ 30,000	- 0 -
Waste Department	\$ 3,112	\$ 1,400
Administration	- 0 -	\$20,000
TOTAL	\$ 33,112	\$29,900

F (5) Tax load on the proposed annexation area.

There are four properties in the proposed annexation area. Currently, the proposed annexation area has an assessed value of \$10,797,687 for the four properties. The total County ad-valorem tax millage rate is 18.6540. If the proposed annexation is approved, the Village will receive an additional \$112,062 in revenues from property taxes, sanitation fees, Local Business Tax Receipts and Stormwater Utility fees.

Table 2 provides information regarding the revenue sources.

After annexation, the property owners will not be required to pay the County's general millage of 2.2123 or the 0.2840 millage assessment for County Library services. The property owners will be subject to Miami Shores Village millage of 8.6392, including debt service millage. The total tax millage after annexation will be 25.0809.

Table 3 provides a comparison of Miami-Dade County's and Miami Shores Village's total millage and taxes that will be generated from each of the property owners using current millage information. If current tax levies are applied to the proposed annexation area, the Village will receive an additional \$88,619 in property tax revenues. An analysis of the tax implications are shown in Table 3A.

TABLE 2

Municipal Revenues Resulting from Annexation

	Additional Revenue	Basis For Projection
Ad Valorem Tax Revenues	\$ 88,619	A
Garbage Fees	\$ 9,943	B
Local Business Tax Receipts	\$ 4,500	C
Stormwater Utility Fees	<u>\$ 9,000</u>	D
	\$112,062	

A: Based on an Assessed Taxable Value of \$10,797,687 at 8.6392 mils. Revenue is calculated at 95%.

B: Based on current service and Miami Shores Village commercial garbage service rates.

C: Based on Village LBTR's tax fees.

D: Based on \$45 per 2,466 square feet annually.

TABLE 3

Folio	Property Address	Taxable Value	Dade County		Miami Shores	
			Total Millage	Tax Revenue	Total Millage	Tax Revenue
30-2232-011-0410	10700 Biscayne Blvd	\$ 7,344,000	18.6540	\$ 136,995	25.0809	\$ 184,194
30-2232-011-0420	10760 Biscayne Blvd	\$ 1,384,240	18.6540	\$ 25,822	25.0809	\$ 34,718
30-2232-011-0430	1290 NE 108 St	\$ 639,111	18.6540	\$ 11,922	25.0809	\$ 16,029
30-2232-013-0010	10550 Biscayne Blvd	\$ 1,430,336	18.6540	\$ 26,681	25.0809	\$ 35,874
		\$ 10,797,687		\$ 201,420		\$ 270,816

Folio	Property Address	Taxable Value	Millage	Tax Revenue	Millage	Tax Revenue	Difference
30-2232-011-0410	10700 Biscayne Blvd	\$ 7,344,000	2.2123	\$ 16,247	8.6392	\$ 63,446	\$ 47,199
30-2232-011-0420	10760 Biscayne Blvd	\$ 1,384,240	2.2123	\$ 3,062	8.6392	\$ 11,959	\$ 8,896
30-2232-011-0430	1290 NE 108 St	\$ 639,111	2.2123	\$ 1,414	8.6392	\$ 5,521	\$ 4,108
30-2232-013-0010	10550 Biscayne Blvd	\$ 1,430,336	2.2123	\$ 3,164	8.6392	\$ 12,357	\$ 9,193
		\$ 10,797,687		\$ 23,888		\$ 93,283	\$ 69,396
					@.95	\$ 88,619	

Folio	Property Address	Property Square Footage	95% Impervious	1 ERU=2,466	Stormwater Fees @ \$45 per ERU
30-2232-011-0410	10700 Biscayne Blvd	426,177	404,868	164.2	\$ 7,425
30-2232-011-0420	10760 Biscayne Blvd	38,295	36,380	14.8	\$ 675
30-2232-011-0430	1290 NE 108 St	51,750	-	-	\$ -
30-2232-013-0010	10550 Biscayne Blvd	51,478	48,904	19.8	\$ 900
					\$ 9,000

Table 3A

TAX RATE IMPLICATIONS

The following information compares the property taxes of a property in Miami Shores Village as opposed to the Miami-Dade Unincorporated area:

Property Address	Taxable Value	Miami-Dade		Miami Shores Village	
		Total Millage	Tax Revenue	Total Millage	Tax Revenue
10700 Biscayne Boulevard	\$ 7,344,000	18.6540	\$ 136,995	25.0809	\$ 184,194
10760 Biscayne Boulevard	\$ 1,384,240	18.6540	\$ 25,822	25.0809	\$ 34,718
1290 N.E. 108 th Street	\$ 639,111	18.6540	\$ 11,922	25.0809	\$ 16,029
10550 Biscayne Boulevard	\$ <u>1,430,336</u>	18.6540	\$ <u>26,681</u>	25.0809	\$ <u>35,874</u>
	\$10,797,687		\$ 201,420		\$ 270,816

Based on the Fiscal Year 2014-2015 Unincorporated County millage rate of 2.2123 and the Miami Shores millage rate of 8.00 (plus debt service millage of .6392), the owner of a property with an assessed value of \$500,000 would pay an additional 6.4269 mills, or an additional \$3,213 per year in property taxes.

F (6) The proposed annexation area is not designated as a "terminal" in the County's Adopted Land Use Plan Map.

(G) Certificate of the Director of the Department of Planning and Zoning certifying that in the Director's sole determination an area proposed for annexation or separation having two hundred and fifty (250) or fewer registered electors is more than fifty (50) percent developed residential.

Please see attached Memorandum dated April 21, 2015.

Memorandum



Date: April 21, 2015

To: Christopher Agrippa, Director
Clerk of the Board

From: Nathan Kogon, Assistant Director
Regulatory and Economic Resources

Subject: Certification of the Miami Shores Village Proposed Annexation

This memorandum serves to certify that, in accordance with Sec. 20-9 (a) of the Code of Miami-Dade County, I have determined that:

- o The proposed annexation area, described below, is less than 50 percent developed residential. According to the 2015 land use records, as shown in the attached table and figure, there are zero acres of land in residential use (zero percent) within the proposed annexation area. The land area of the proposed annexation is approximately 12.9 acres.
- o The proposed annexation area, which is shown in the attached figure, is generally bounded by NE 108th Street to the north, NE 12th Avenue to the west, NE 105th Street to the south and Biscayne Boulevard to the east.

Attachments

cc: Jorge Fernandez, Office of Strategic Business Management
Craig Coller, County Attorney's Office
Barbara A. Estep, Miami Shores Village Clerk

**Miami Shores Village Proposed Annexation Area
West of Biscayne Boulevard and North of N. E. 105th Street
2015 Existing Land Use**

Land Use	Annexation Area (Acres)	Annexation Area (Percent of Total)	Miami Shores Village (Acres)	Miami Shores Village (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	0.0	0.0	835.0	37.6	112,126.4	8.9
Commercial, Office, and Transient Residential *	11.8	91.5	53.2	2.4	14,713.8	1.2
Industrial	0.0	0.0	0.2	0.0	18,800.8	1.5
Institutional	0.0	0.0	153.9	6.9	14,846.0	1.2
Parks/Recreation	0.0	0.0	146.1	6.6	833,733.6	65.8
Transportation, Communication, and Utilities	0.0	0.0	1,018.5	45.8	87,176.4	6.9
Agriculture	0.0	0.0	0.0	0.0	62,903.9	5.0
Undeveloped	1.1	8.5	3.7	0.2	84,473.5	6.7
Inland Waters	0.0	0.0	12.6	0.6	37,534.3	3.0
Total:	12.9	100.0	2,223.3	100.0	1,266,308.8	100.0

* Transient Residential includes Hotels and Motels

Source: Miami-Dade County Department of Regulatory and Economic Resources (RER), Planning Research Section - February 2015

MIAMI SHORES VILLAGE PROPOSED ANNEXATION AREA

West of Biscayne Boulevard and North of N. E. 105th Street



Legend

- | | | |
|--|--|-------------------------------------|
| Single-Family | Industrial Extraction | Vacant, Protected, Privately Owned |
| Two-Family Duplexes | Industrial | Vacant, Protected, Government Owned |
| Mobile Home Parks | Industrial intensive, Office type of use | Vacant Privately Owned, Unprotected |
| Townhouses | Industrial intensive, Commercial Condominium type of use | Canal right-of-way |
| Low-Density Multi-Family | Airports, Ports | Inland Waters |
| High-Density Multi-Family | Communications, Facilities, Terminals | Ocean, Bay Waters |
| Residential Government Owned Housing | Streets, Roads, Expressways, Ramps | Proposed Annexation Area |
| Transient-Residential (Hotels, Motels) | Streets, Expressway R/W | Municipal Boundary |
| Commercial, Shopping Centers, Stadiums | Agriculture | Streets |
| Office | Parks, Preserves, Conservation Areas | Property Boundaries |
| Mixed Use-Business/Residential | Water Conservation Areas | |
| Institutional | Vacant Government Owned, Unprotected | |



MIAMI-DADE COUNTY
Regulatory and Economic Resources Department
Planning Research Section

February 2015

(H) A petition filed with the Clerk of the County Commission indicating the consent of twenty-five (25) percent plus one (1) of the electors in the area proposed for annexation provided however, no petition shall be required where the property proposed for annexation is vacant or where there are two hundred fifty (250) or less resident electors.

A consent petition is not required for the proposed annexation area as there are 0 resident electors.