

APRIL 2008
APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT
MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



APRIL 2008
APPLICATIONS TO AMEND
THE COMPREHENSIVE DEVELOPMENT
MASTER PLAN

June 5, 2008

Miami-Dade County
Department of Planning and Zoning
111 NW First Street
Suite 1210
Miami, Florida 33128-1972
Telephone: (305) 375-2835

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BACKGROUND AND INTRODUCTION

The purpose of this report is to present the applications to amend Miami-Dade County's Comprehensive Development Plan (CDMP) which were filed for evaluation during the April 2008 amendment review cycle. Amendments to the Plan may be needed to correct an error, to reflect changing circumstances or conditions in the community, or to improve the ability of the Plan to fulfill its purposes and goals. This report contains the tentative schedule of activities for this amendment review period along with a list and table summarizing all of the applications, followed by a complete copy of each application. The next report will be the April 2008 Initial Recommendations report to be published on August 25, 2008.

Section 2-116.1 of the Miami-Dade County Code establishes the exclusive procedures for the CDMP to be reevaluated and amended periodically, usually semiannually. These procedures involve thorough County and State review as required by Chapter 163, Florida Statutes, and Chapters 9J-5 and 9J-11, Florida Administrative Code. Current procedures provide for the filing of applications in April and October, with the amendment process generally taking eleven months to complete. The April 2009 filing period is the next cycle that is in the odd numbered year, when the Miami-Dade County Department of Planning and Zoning changes to the Land Use Plan map outside the Urban Development Boundary (UDB) may be considered. Plan components eligible for amendment application during the various semiannual filing periods are summarized below. *

Application Filing Period (month)	Plan Components Eligible for Amendment	
	Even Numbered Years	Odd-Numbered Years
April Filing Period	All Components Except UDB, UEA and Land Use Outside UDB [Mandatory Cycle]	All Components Including UDB and UEA [Mandatory Cycle]
October Filing Period	All Components Except UDB, UEA and Land Use Outside UDB [Optional Cycle]	All Components Except UDB and UEA and Land Use Outside UDB [Mandatory Cycle]

*Source: Section 2-116.1, Code of Miami-Dade County.

The Plan review and amendment process provides for the filing of amendment applications, staff analysis of the applications, and public participation in the process. Each application will be thoroughly evaluated by the Department of Planning and Zoning will be subject to review at a series of public hearings. The final action adopting, adopting with a change, or denying each of the applications will be made by the Board of County Commissioners. Further details about the hearings and the review process are discussed in the next section.

Application Review Process and Schedule of Activities

Following is a summary of the Plan review and amendment activities and tentative schedule as required by Section 2-116.1, Code of Miami-Dade County (See Table 1). After all privately filed applications were finalized, the Department of Planning and Zoning published this Applications Report on June 5, 2008 listing all applications filed.

The Department of Planning and Zoning (DPZ) will submit its initial recommendations to the Planning Advisory Board (PAB) regarding each requested change, no later than August 25, 2008 Community Councils, which have been elected into districts throughout unincorporated Miami-Dade County, at their option may make recommendations to the PAB and Board of County Commissioners on local planning matters, including proposals to amend the CDMP. Each Community Council, in which a proposed amendment to the Land Use Plan map is located, will have the opportunity to hold a public hearing in September 2008 to discuss the application(s) and to formulate recommendation(s) regarding the request(s). The PAB, acting as Miami-Dade County's Local Planning Agency (LPA) pursuant to Chapter 163, Part 2, Florida Statutes, will hold a public hearing scheduled for October, 2008, to receive comments on the proposed amendments and on the initial staff recommendations, and to formulate its recommendations to the Board of County Commissioners regarding adoption of requested "small-scale" amendments and regarding transmittal to the Florida Department of Community Affairs (DCA) for review and comment of all requested standard amendments for initial review and comments by State agencies. The Board of County Commissioners is scheduled to hold a public hearing in November 2008, to consider taking final action on requested "small-scale" amendments, and to consider transmittal of the requested standard amendments to DCA, as well as any of the requested "small-scale" amendments that the commission elects to process through the regular procedure. Adopted small-scale amendments will become effective 31 days after adoption unless there is a citizen challenge.

Transmittal of "standard" (non-small-scale) amendment proposals to DCA for review and comment does not constitute adoption of requested amendments. A second phase of the review addressing the standard applications begins after transmittal of the applications to the DCA and associated State agencies. Also, the board of County Commissioners may opt to neither adopt or deny a requested small-scale amendment at its first public hearing but may, instead, decide to transmit to DCA for State-agency review and comment as a "standard" amendment request.

With transmittal to DCA expected to occur on or around December 2008, DCA will return comments or an Objections, Recommendations and Comments (ORC) report in early February 2009 addressing all transmitted applications. The PAB acting as the Local Planning Agency would then conduct its final public hearing during March 2009, and the Board of County Commissioners would conduct a public hearing and take final action in April 2009. During the DCA review period, the Department of Planning and Zoning will also review comments received at the transmittal hearings and any additional submitted material and may issue a Revised Recommendations report

reflecting any new information prior to the final public hearings. Final action by the Board of County Commissioners will be to adopt, adopt with change, or not adopt each of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be made only by the County Commission under a "Special" amendment process, or by an applicant for approval or amendment of a Development of Regional Impact (DRI), or for a closed or realigned military base. Procedures for processing such "Special" or DRI- or military base-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

Small-Scale Amendments

A procedure is provided for the expedited processing of "Small-Scale" amendments as defined in Section 163.3187(1)(c), F.S. This procedure authorizes the Board of County Commissioners to take final action on small-scale requests to amend the Land Use Plan Map (version dated October 2001) at the transmittal public hearing. During the April 2008 filing period, seven amendment applications were eligible for expedited processing as "small-scale" amendment under the following conditions:

1. The proposed amendment involves a land use change of 10 acres or less.
2. The cumulative annual acreage of all small-scale amendments shall not exceed 120 acres, and not more than 60 acres of the total can be located outside of areas designated in the CDMP as urban infill or urban redevelopment transportation concurrency exception areas, or in the Dadeland Chapter 380 Regional Activity Center.
3. Outside of the foregoing infill and redevelopment areas and Regional Activity Center, amendments involving residential land uses are limited to maximum density of 10 dwelling units per acre, but amendments inside these designated areas are eligible to request and density.
4. The proposed amendment does not involve the same property granted an amendment in the prior 12 months; and
5. The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months.
6. The proposal cannot involve any text changes to the Plan's goals, objectives, and policies.
7. The proposed amendment is not in an area of critical state concern; and
8. The proposal involves the construction of affordable housing units, meeting the affordability criteria of Section 420.0004(3), Florida Statutes, on property which will be the subject of a restricted land use agreement or extended use agreement recorded in conjunction with the issuance of tax exempt bond financing or allocation of federal tax credits through the Florida Housing Finance Corporation or a local

housing finance authority authorized by the Division of Bond Finance of the State Board of Administration.

Applicants who want their eligible applications processed under the expedited "small-scale" amendment procedure must explicitly make such a request in the application. Generally, small-scale amendments will not be reviewed by the Florida Department of Community Affairs (DCA) or issued a notice of intent, and they will take effect 31 days after adoption by the Commission unless a challenge is filed.

At its initial public hearing to address the April 2008 cycle applications, the Commission could elect to adopt, adopt with change, or not adopt small-scale amendments. If it does not adopt a small-scale amendment, the Commission may elect to transmit it to DCA for review along with the standard amendment requests and take final action at its second public hearing, which will occur after State-agency review. Of course, failure to adopt as a small-scale amendment or to transmit effectively denies approval of the application.

Additional Information

Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1210; Miami, Florida 33128-1972; telephone (305) 375-2835.

Prohibition on Argument or Representation Regarding Proposed Specific Future Uses Without Proffering a Restrictive Covenant

According to Ordinance 03-40 pertaining to CDMP procedures, no applicant or applicant's representative seeking a recommendation for approval or approval of an amendment to the land use plan map shall be permitted to argue or represent to the Board of County Commissioners or other recommending County board a specific future use or uses for an application site without proffering a restrictive covenant. The representation cannot include a specific use or uses or exclude a use or uses authorized by the proposed land use designation, unless the applicant has submitted a restrictive covenant committing to such representation which has been submitted to the Director and has received approval as to form.

Deadlines for Submitting Covenants to be Considered

Deadlines exist for providing covenants to be considered in the Department's written recommendations and at public hearings. The deadline for covenants to be submitted to staff is July 28, 2008. If the Community Council, the Planning Advisory Board or the Board of County Commissioners is to consider a covenant in its decision-making, the deadline for submittal is 17 days prior to the hearing. If the Department is to consider the covenant in its written recommendation on an application in the Revised Recommendations Report, it must be received at least four weeks prior to the final hearing of the Planning Advisory Board.

Table 1
DECLARATION OF RESTRICTIONS DEADLINES
April 2008-2008 CDMP Amendment Cycle

Deadline for submitting Declaration of Restrictions to be considered in the Initial Recommendations Report	July 28, 2008
Deadline for submitting revised Declaration of Restrictions to be considered at Community Council(s) Public Hearing(s)	17 days prior to Community Council hearing
Deadline for submitting revised Declaration of Restrictions to be considered at Planning Advisory Board (PAB) Hearing Regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendments	September 19, 2008
Deadline for submitting revised Declaration of Restrictions to be considered at Board (BCC) Hearing Regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendments	October 20, 2008
Deadline for submitting Declaration of Restrictions to be considered in the Revised Recommendations Report	4 weeks prior to PAB Final Public Hearing
Deadline for submitting Declaration of Restrictions to be considered at PAB Hearing Regarding Final Recommendations	Seventeen days prior to hearing
Deadline for submitting Declaration of Restrictions to be considered at BCC Hearing Regarding Adoption of Standard Amendments	Seventeen days prior to hearing

Table 2
SCHEDULE OF ACTIVITIES
APRIL 2008 CDMP AMENDMENT CYCLE

Pre-application Conference for the Private Sector	March 1- March 30, 2008
Application Filing Period	April 1- April 30, 2008
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicant of deficiencies.	May 7, 2008
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after Notice of deficiency (May 16, 2008)
Applications Report published by DP&Z	June 5, 2008
Deadline for submitting Technical Reports	June 30, 2008
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	July 28, 2008
Initial Recommendations Report released by DP&Z	August 25, 2008
Community Council(s) Public Hearing(s)	Specific date(s) to be set in September 2008
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Public Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	Monday, October 6, 2008* County Commission Chamber 111 NW 1st Street Miami, Florida 33128
Board Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	November 6, 2008* County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to DCA for State review	December, 2008**
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Objections, Recommendations and Comments (ORC) report	February, 2009** (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	Specific date(s) to be set in March, 2009* (Within 30 days after receipt of DCA ORC report)
Public Hearing and Final Action on Applications: Board	Specific date(s) to be set in April, 2009* (No later than 60 days after receipt of DCA ORC report)

* Date is currently scheduled but subject to change. All hearings will be noticed by newspaper advertisement.

** Estimated Date.

OVERVIEW OF APRIL 2008 AMENDMENT APPLICATIONS

A total of 18 applications were filed during this amendment cycle, of which seven were filed by private parties and eleven were filed by public agencies. Ten applications (six private and four public) are requests to amend the CDMP Land Use Plan (LUP) map (approximately 382 acres), one application was filed by the private sector requesting changes to the text and seven text applications were filed by the Department of Planning and Zoning (DP&Z). Three private Applications (Nos. 2, 3, and 4) and one application by the Miami-Dade Aviation Department (MDAD) have requested to be processed in the expedited small-scale amendment process, whereby requesting the redesignation of approximately 52 acres of changes to the Land Use Plan (LUP) map. Three privately filed requests (Applications Nos. 8, 9 and 10), two requests filed by MDAD (Applications Nos. 6 and 7) and one request filed by DP&Z (Application No. 1) are standard amendments that are also seeking to redesignate parcels of land (totaling approximately 331 acres) on the LUP map.

Eight applications seek to amend the text of the CDMP. A private application, Application No. 11, has been filed to amend the text of a proposed revision to the Educational Element that is included in the Special Application to amend the CDMP regarding public school facilities. This amendment would allow charter schools to be utilized as a mitigation option.

DP&Z filed seven applications, (Nos. 12-18). Application No. 12 updates the Schedule of Improvements in the Capital Improvements Element (CIE). The Applications Report does not contain the tables to be amended due to the difference in scheduling of the CDMP amendment process and the preparation of the annual County budget. These CIE tables will be formulated during the budget preparation process and will be published in the "April 2008 Initial Recommendations Report" to be issued on August 25, 2008. Application No. 13 revises the Agricultural section in the Land Use Element. Application No. 14 revises the text in the Gross Residential Density section of the Land Use Element to add language allowing additional density within residential developments that consist entirely of modular, manufactured or panel-constructed homes. Application No. 15 modifies the text of the Land Use Element by revising the text of the "Medium-High Density" land use category and by adding a subsection entitled "Affordable Multifamily Infill Housing," that allows one, two or three density increases for certain land use designations. Application No. 16 revises the text in the Urban Centers section of the Land Use Element to clarify the definition of "core" as used within that section, to ensure consistency in intensity standards between the Urban Centers and the lands surrounding them, and to add minimum standards for dwelling units per acre. Application No. 17 modifies the "Industrial and Office" section of the Land Use Element by providing additional criteria for commercial uses in industrial areas. Application No. 18 revises the text of the Housing Element to adopt the Workforce Housing Plan, 2008-2015 by reference as per section 163.3177 of the Florida Statutes. The actual text revisions for Application Nos. 13, 15 and 17 will be included in the "April 2008 Initial Recommendations Report."

BROWARD COUNTY
MIAMI-DADE COUNTY

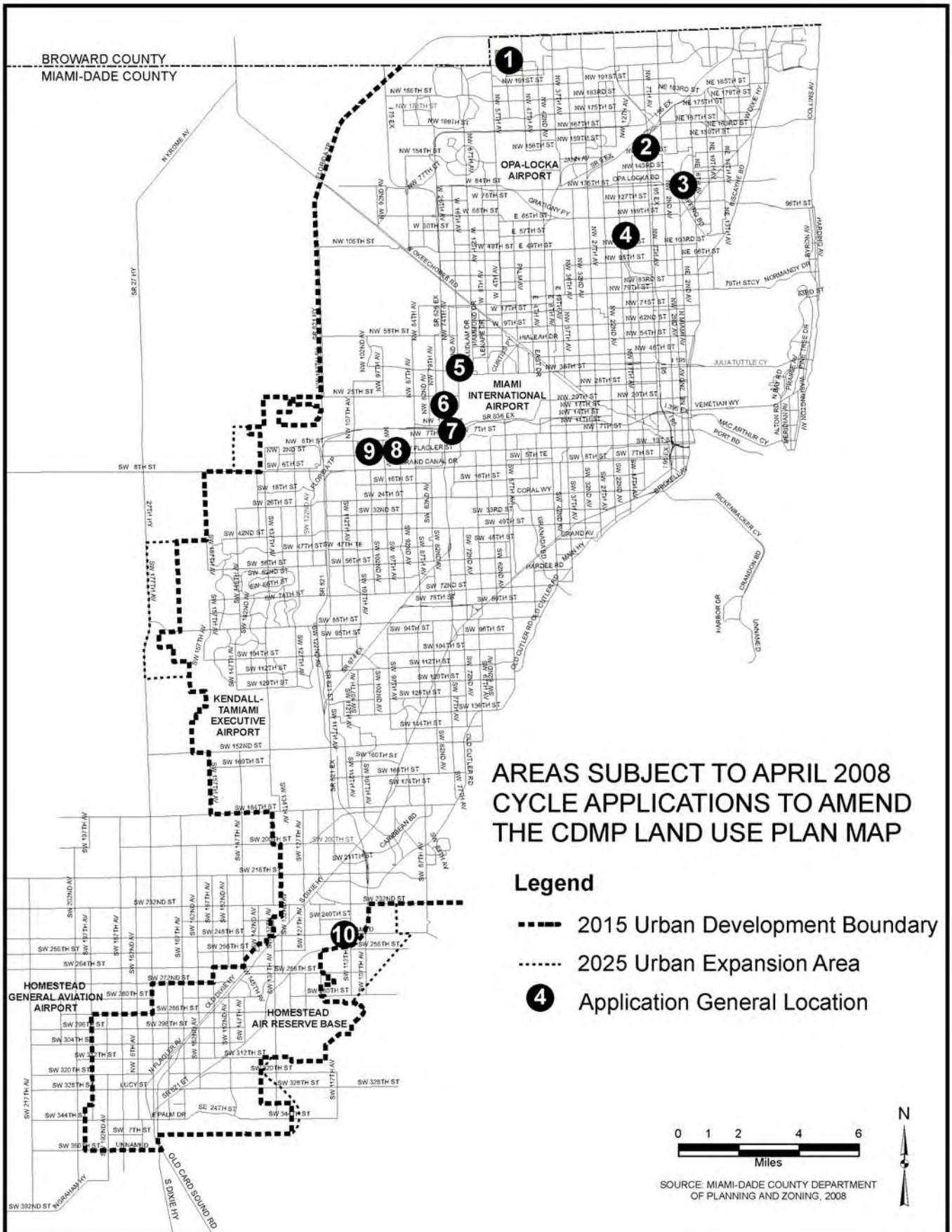


Table 3
LIST OF APRIL 2008 APPLICATIONS REQUESTING AMENDMENTS TO THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

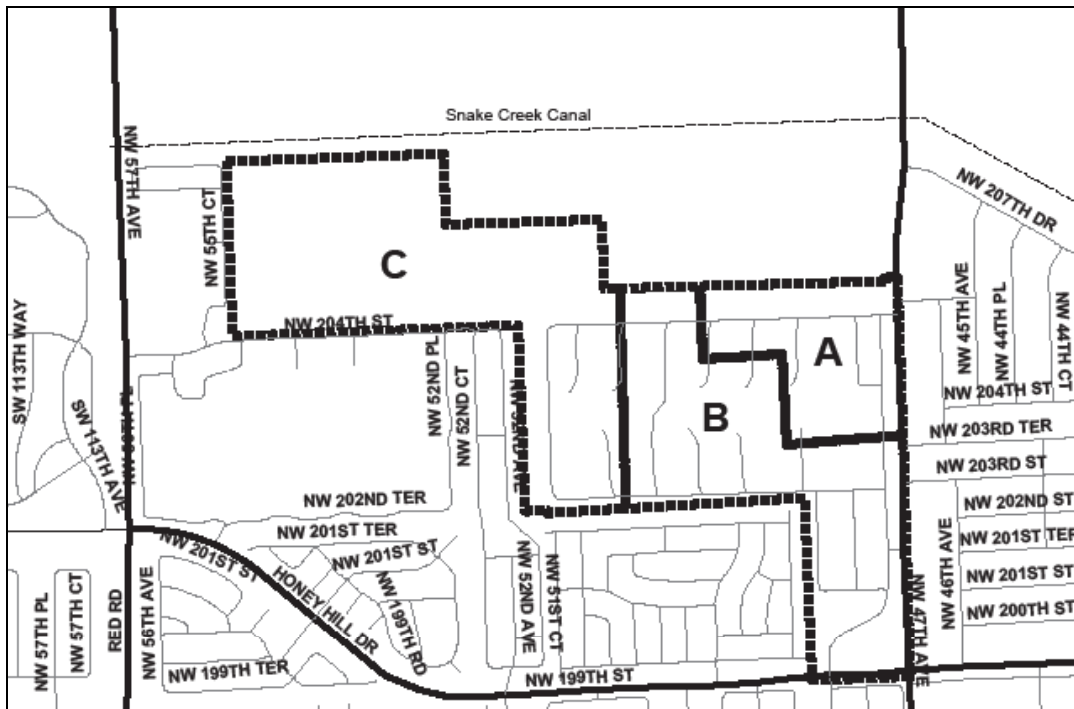
Application Number	Applicant/Representative Location REQUESTED CHANGE(S)	Acres
1	Landmark Location: NW 47 Avenue to 660' east of NW 57 Avenue and between NW 199 St and Snake Creek Canal <u>Requested Amendment to the Land Use Plan Map</u> From: Institutions, Utilities, and Communications To: A. Industrial and Office (25 Acres) B. Business and Office (60 Acres) C. Low-Medium Density Residential (6 to 13 DU/ac.) (80 Acres) Standard Amendment	165.8 Gross 165.8 Net
2	Tibor Hollo/Jeffrey Bercow, Esq. & Michael J. Marrero, Esq. Location: West side of NW 7 Avenue between NW 155 Lane and Biscayne Canal <u>Requested Amendment to the Land Use Plan Map</u> From: Medium-High Density (25 to 60 DU/ac.) To: Business and Office Small-Scale Amendment	0.84 Gross 0.72 Net
3	Lunar Real Estate Services, Inc./Mario J. Garcia-Serra, Esq. & N Patrick Range II, Esq. Location: Southwest corner of NE 135 Street and NE 3 Court <u>Requested Amendment to the Land Use Plan Map</u> From: Low-Medium Density Residential (6 to 13 DU/ac.) To: Business and Office Small-Scale Amendment	2.5 Gross 2.065 Net
4	Sunshine Lakes LLC/Jeffrey Bercow, Esq. & Matthew Amster, Esq. Location: 10940 NW 14 Avenue <u>Requested Amendment to the Land Use Plan Map</u> From: Low-Medium Density Residential (6 to 13 DU/ac.) To: Medium Density Residential with Density Increase 1 Small-Scale Amendment	4.81 Gross 4.693 Net
5	Miami-Dade County Aviation Department Location: Northeast corner of NW 72 Avenue and NW 36 Street <u>Requested Amendment to the Land Use Plan Map</u> From: Institutions, Utilities, and Communications To: Business and Office Small-Scale Amendment	3.6 Gross 2.4 Net
6	Miami-Dade County Aviation Department Location: West side of NW 72 Avenue and between NW 14 and NW 19 Streets <u>Requested Amendment to the Land Use Plan Map</u> From: Transportation Terminals (15 Acres) & Industrial and Office (16 Acres) To: Business and Office Standard Amendment	31.04 Gross 26.82 Net

Application Number	Applicant/Representative Location REQUESTED CHANGE(S)	Acres
7	Miami-Dade County Aviation Department Location: Northeast corner of NW 72 Avenue and NW 12 Street <u>Requested Amendment to the Land Use Plan Map</u> From: Industrial and Office To: Business and Office Standard Amendment	16.9 Gross 16.0 Net
8	Fontainebleau Lakes, LLC/Felix M. Lasarte, Esq. Location: North side of West Flagler Street between theoretical NW 90 and 94 Avenues <u>Requested Amendment to the Land Use Plan Map</u> From: Medium Density Residential (13 to 25 DU/Ac) (23 acres) & Parks and Recreation (18 acres) To: Business and Office Standard Amendment	41.0 Gross 39.0 Net
9	Gold River Corporation/Juan J. Mayol, Jr., Esq. Location: Northeast corner of West Flagler Street and NW 102 Avenue <u>Requested Amendment to the Land Use Plan Map</u> From: Low-Medium Density Residential (6 to 13 DU/ac.) To: Business and Office Standard Amendment	41.0 Gross 39.0 Net
10	Manual C. Diaz and Live Oak Partners, LLC/Joseph G. Goldstein, Esq., Alan S. Krischer, Esq. & Tracy R. Slavens, Esq. Location: Southwest corner of SW 112 Avenue and SW 248 Street <u>Requested Amendment to the Land Use Plan Map</u> From: Office/Residential To: Business and Office <u>Requested Amendment to the Land Use Element text for Deleting Covenant</u> From: Delete Covenant To: Add New Covenant to Text Standard Amendment	35.0 Gross 31.0 Net
Text Amendments		
11	Builders Association of South Florida/Jeffrey Bercow, Esq. & Graham Penn, Esq. <u>Requested Amendment to the Education Element</u> Add textual reference for Charter Schools into Element Standard Amendment	
12	Miami-Dade County Department of Planning and Zoning / Subrata Basu, AIA, AICP, Interim Director Capital Improvements Element Tables of Proposed Projects. Modify the following currently adopted tables as indicated in the application and related information: Table 2, Aviation; Table 3, Coastal Management; Table 4, Conservation; Table 5, Drainage; Table 6, Park and Recreation; Table 7, Seaport; Table 8, Sewer Facilities; Table 9, Solid Waste Management; Table 10, Traffic Circulation; Table 11, Mass Transit; and Table 12, Water Facilities. Standard Amendment	

Application Number	Applicant/Representative Location REQUESTED CHANGE(S)	Acres
13	Miami-Dade County Department of Planning and Zoning / Subrata Basu, AIA, AICP, Interim Director Land Use Element To revise Agriculture Section Standard Amendment	
14	Miami-Dade County Department of Planning and Zoning / Subrata Basu, AIA, AICP, Interim Director Land Use Element To provide a density bonus for modular, manufactured or panel constructed homes Standard Amendment	
15	Miami-Dade County Department of Planning and Zoning / Subrata Basu, AIA, AICP, Interim Director Land Use Element To provide a density bonus for Affordable Housing Standard Amendment	
16	Miami-Dade County Department of Planning and Zoning / Subrata Basu, AIA, AICP, Interim Director Land Use Element To revise text of Urban Centers Standard Amendment	
17	Miami-Dade County Department of Planning and Zoning / Subrata Basu, AIA, AICP, Interim Director Land Use Element To revise text in Industrial and Office land use category Standard Amendment	
18	Miami-Dade County Department of Planning and Zoning / Subrata Basu, AIA, AICP, Interim Director Housing Element To provide for adoption by reference of the Workforce Housing Plan Standard Amendment	

Intentionally left blank

<u>Applicant</u>	<u>Applicant's Representative</u>
Miami-Dade County Department of Planning and Zoning 111 NW 1 Street Suite 1110 Miami, Florida 33128-1972	Subrata Basu, AIA, AICP, Interim Director, Miami-Dade County Department of Planning and Zoning 111 NW 1 Street, Suite 1110 Miami, Florida 33128-1972 (305) 375-2557
<p><u>Requested Amendment to the Land Use Plan Map</u></p> <p>From: INSTITUTIONS, UTILITIES, AND COMMUNICATIONS</p> <p>To: A. INDUSTRIAL AND OFFICE (25 Acres) B. BUSINESS AND OFFICE (60 Acres) C. LOW-MEDIUM DENSITY RESIDENTIAL (80 Acres)</p> <p>Location: NW 47 Avenue to 660' east of NW 57 Avenue and between NW 199 Street and Snake Creek Canal</p> <p>Acreage: Application area: 165.8 Gross Acres Application area: 165.8 Net Acres</p> <p>Acreage Owned by Applicant: 165.8 Acres</p>	



1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**APPLICATION TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT:

Miami-Dade County
Department of Planning and Zoning
111 NW 1st Street
Suite 1110
Miami, Florida 33128-1972

2. APPLICANT REPRESENTATIVE:

Subrata Basu, AIA, AICP, Interim Director
Miami-Dade County Department of Planning and Zoning
111 NW 1st Street, Suite 1110
Miami, Florida 33128-1972

By:  April 30, 2008
Subrata Basu

3. DESCRIPTION OF REQUESTED CHANGE:

- A. It is requested that the application area be redesignated on the Land Use Plan map.
- B. The subject site, formerly known as the Sunland Training Center, is located in Section 31, Township 51, Range 41 on the north side of NW 199 Street, west of NW 47 Avenue, south of the Snake Creek Canal and east of NW 57 Avenue and the existing mobile home park. See legal description on the attached exhibit National Title Abstract Company – Title Report 08/03/2006.
- C. The entire 165 gross acre M/L site is currently designated as Institutions, Utilities and Communications and the Department is requesting that the site be redesignated to: 25 acres for Industrial and Office (Parcel A), 60 acres for Business and Office (Parcel B) and 80 acres for Low-Medium Residential 5-13 DU/AC (Parcel C).

4. REASONS FOR THE REQUESTED AMENDMENT:

The largely undeveloped site was deeded back from the State of Florida to Miami-Dade County on September 30, 2005. As such, there is an opportunity to redevelop the site that would allow mixed-use development; industrial and office uses that would allow among other things a research park and an array of other compatible uses that would create an atmosphere for job training as well as employment; and a variety of residential development consistent with the Low-Medium density designation that would allow up to 13 units per gross acre. The total site would be a mixed-use, pedestrian friendly with live work areas with open space, plazas and connected greens. The site is well suited for enhanced development as it abuts the major arterials of NW 47th Avenue on the east, NW 57 Avenue on the west and NW 199 Street on the south. The north side of the property is adjacent to the Snake Creek Canal. On the north side of the canal is a County resource recovery facility that has closed several cells on the west side that may have a potential for the future development of a recreational open space area. The development of the site would be in the best interest of the public whereby development shall create connected open space areas, a variety of housing opportunities, mixed-use areas for local employment and local shopping areas, and an area for job training and employment opportunities.

5. DISCLOSURE OF INTEREST:

The 165 acre real property parcel is 100% owned by Miami-Dade County – General Services Department.

6. NOTIFICATION TO PROPERTY OWNERS OTHER THAN THE APPLICANT WHOSE PROPERTIES ARE INCLUDED WITHIN THE APPLICATION BOUNDARY.

The application is exclusive to the ownership of Miami-Dade County.

**LOCATION MAP FOR APPLICATION
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

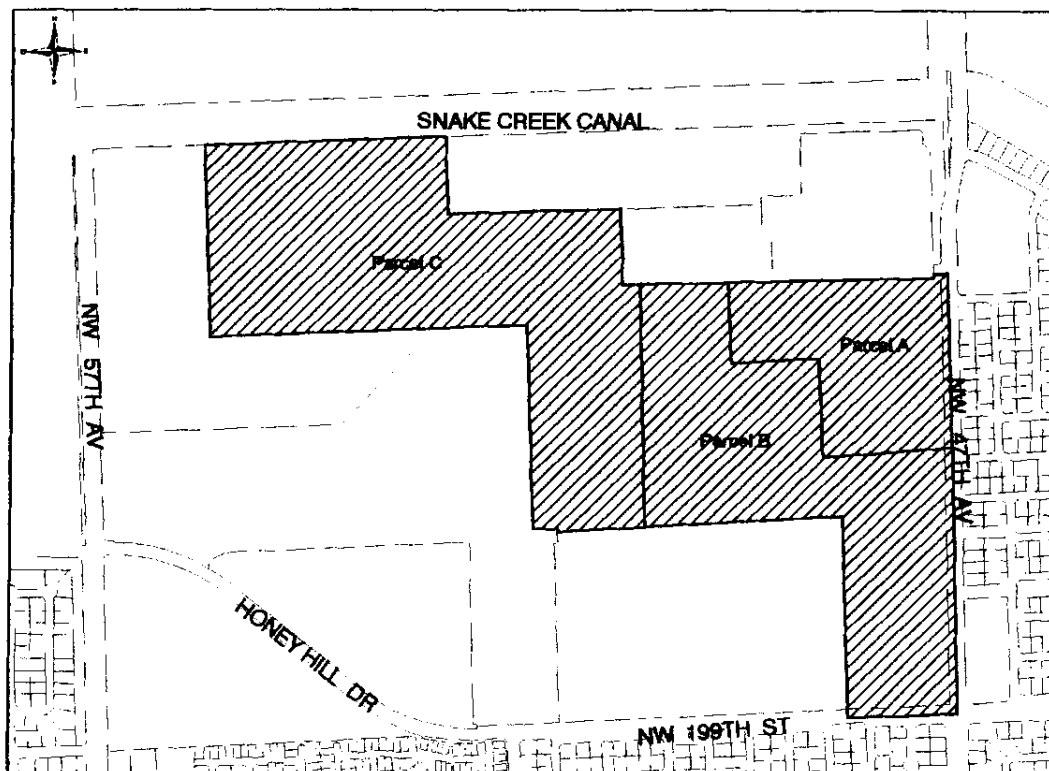
APPLICANT/REPRESENTATIVE

Department of Planning and Zoning
Subrata Basu, Interim Director

DESCRIPTION OF SUBJECT AREA

The subject property, Folio 30-1131-001-003 consists of a parcel of land 165 acres in size located in Section 31-51-41

The property is more accurately described as: (See legal description on attached exhibit of National Title and Abstract Company – Title Report 08/03/2006).



Legend

--- Property Lines

Scale 1: 10,000' 0 500 1,000 1,500 Feet

TELEPHONE 305-642-6220

FAX 305-643-0607

NATIONAL TITLE ABSTRACT COMPANY

151 S.W 27TH AVENUE
P.O. BOX 350100
MIAMI, FLORIDA 33135

TITLE REPORT



ORDER DATE: 08/03/2006

CASE NO: 389,909

FOLIO NO: 30-1131-001-0030

PROPERTY ADD: 20600 N.W. 47 AVE.

LEGAL DESCRIPTION IN MIAMI-DADE COUNTY, FLORIDA:

TRS 33 TO 46 INC & TRS 57 TO 66 INC & THAT CERTAIN 40' RAODWAY LOCATED BETW A PORTION OF TRS 62 TO 66 INC CLOSED BY RES #9038 LESS COMM AT X E/L OF SE ¼ OF SEC & C/L OF NW 206 TERR TH N 01 DEG W 142.99' FOR POB S 88 DEG W 2048.41' N 01 DEG W 476.86' S 88 DEG W 1073.81' N 01 DEG W 500' S 88 DEG E 2200.02' S 01 DEG E 56.08' N 88 DEG E 728.29' SELY AD 46.31' S 03 DEG E 58.26' SELY 86.28' S 01 DEG E 777.55' TO POB & LESS COMM AT X OF E/L OF SE ¼ OF SEC & C/L OF NW 206 ST TH N 01 DEG W 142.99' S 88 DEG W 65' FOR POB TH NWLY AD 39.25' S 88 DEG W 25.78' N 01 DEG W 60' N 88 DEG E 25.96' NELY AD 39.29' S 01 DEG E 100' TO POB SECTION 31-51-41

RECORDS THROUGH: 07/21/2006

APPARENT TITLE HOLDER & ADDRESS ON DEED: MIAMI-DADE COUNTY, FLORIDA

7088-900
23830-727

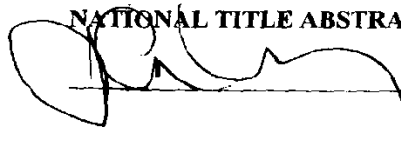
ADDRESS ON TAXES: MIAMI DADE COUNTY
GSA-R/E MGMT
111 N.W. 1 ST. STE 2460
MIAMI, FL 33128

VENDEE OF RECORDED CONTRACT FOR DEED: NONE

MORTGAGEE & ADDRESS OF RECORD: NONE

W

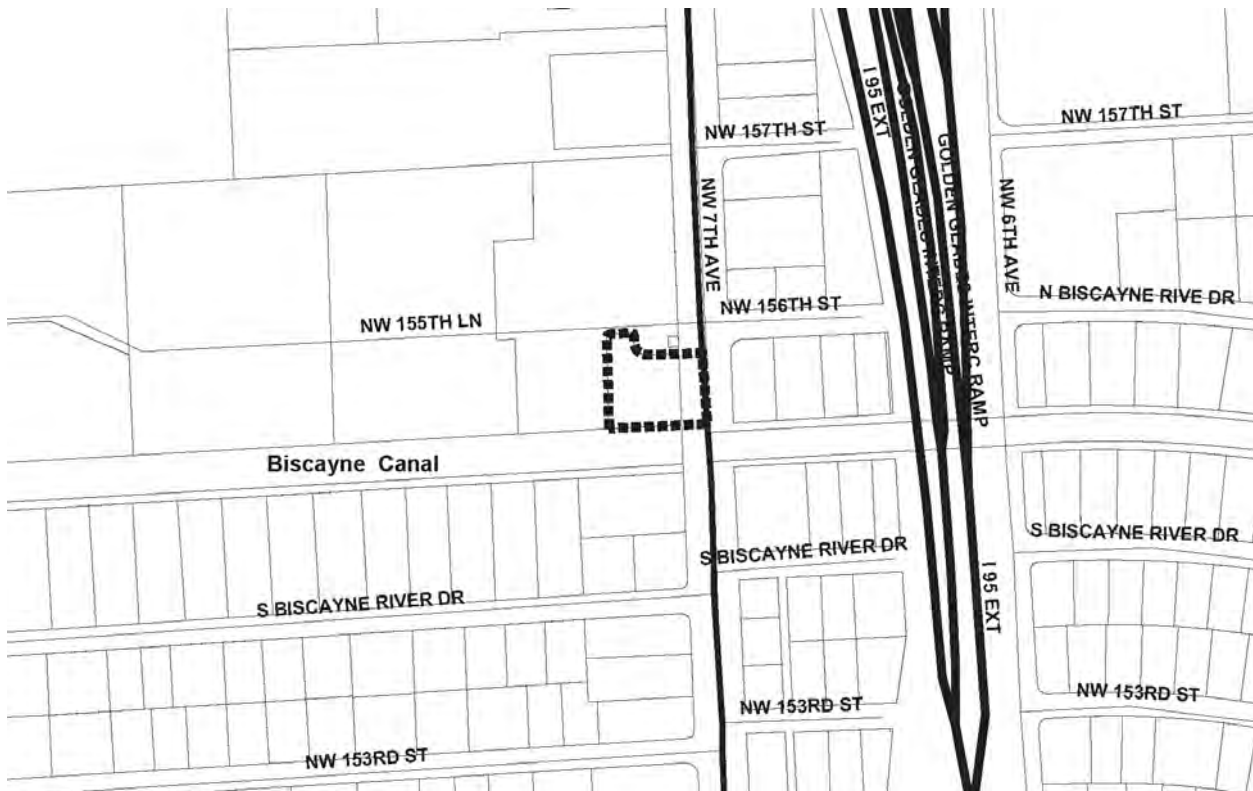
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NATIONAL TITLE ABSTRACT COMPANY


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Application No. 2
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Tibor Hollo 100 South Biscayne Boulevard Suite 1100 Miami, Fla. 33131	Jeffrey Bercow, Esq. & Michael J. Marrero, Esq. Bercow Radell and Fernandez P. A. 200 South Biscayne Boulevard, Suite 850 Miami, Florida 33131 (305) 374-5300
<u>Requested Amendment to the Land Use Plan Map</u> From: MEDIUM-HIGH DENSITY RESIDENTIAL To: BUSINESS AND OFFICE Location: West side of NW 7 Avenue between NW 155 Lane and Biscayne Canal Acreage: Application area: 0.84 Gross Acres Application area: 0.72 Net Acres Acreage Owned by Applicant: 0.72 Acres	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted

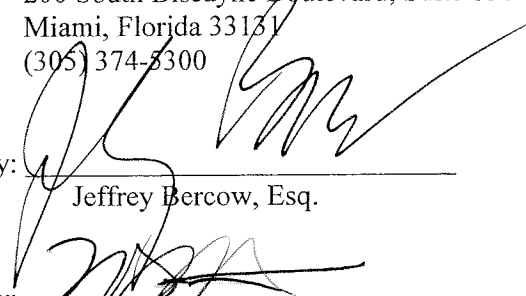
**SMALL-SCALE AMENDMENT REQUEST TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
APRIL 2008-2009 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

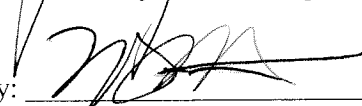
Tibor Hollo
100 South Biscayne Boulevard
Suite 1100
Miami, Florida 33131

2. APPLICANT'S REPRESENTATIVES

Jeffrey Bercow, Esq.
Michael J. Marrero, Esq.
Bercow Radell & Fernandez P.A.
200 South Biscayne Boulevard, Suite 850
Miami, Florida 33131
(305) 374-5300

By: 
Jeffrey Bercow, Esq.

Date: April 30, 2008

By: 
Michael J. Marrero, Esq.

Date: April 30, 2008

3. DESCRIPTION OF REQUESTED CHANGES

A small-scale amendment to the Comprehensive Development Master Plan (CDMP) Land Use Plan Map (LUP) is requested.

- A. A change to the Land Use Element, Land Use Plan Map (item A.1 in the fee schedule) is requested.

Current Land Use Designation: Medium-High Density Residential

Proposed Land Use Designation: Business and Office

- B. Description of Property

The Property consists of one parcel (Folio No. 30-2114-012-0020) approximately 0.84 gross acres (0.72 net acres) in size (the "Property") and located in Section 14, Township 52, Range 41 in unincorporated Miami-Dade County. See Attached Sketch.

- C. Acreage of Property

Gross Acreage = 0.84 acres

Net Acreage = 0.72 acres

Acreage owned by the Applicant = 0.72

D. Requested Changes

- 1) The Applicant requests the redesignation of the Property from Medium-High Density Residential to Business and Office.
- 2) It is requested that this Application be processed as a small-scale amendment under the expedited procedures.
- 3) If the CDMP amendment application is adopted by the Board of County Commissioners, and a proffered covenant is accepted as a condition of such approval, then the Applicant requests that the covenant be added to the text of the CDMP Land Use Element, specifically to the table contained therein and entitled "Restrictions accepted by Board of County Commissioners in association with Land Use Plan Amendments." The covenant will be submitted to Miami-Dade County in accordance with the timelines adopted by the Department of Planning and Zoning.

4. REASONS FOR AMENDMENT

Applicant. Tibor Hollo (the "Applicant") is the owner of the Property located in north Miami-Dade County, which is the subject of the present application (the "Application").

Property. The Property consists of one parcel of land located on the southwest corner of N.W. 7th Avenue and N.W. 155 Lane in unincorporated Miami-Dade County (the "County"). The parcel, identified by Miami-Dade County Folio No. 30-2114-012-0020, currently consists of vacant land. The Property is located inside the Urban Development Boundary and the Urban Infill Area of the County.

Land Use and Zoning. The entire Property is currently designated as Medium-High Density Residential. The Property is immediately surrounded by the following land use designations: Medium-High Density Residential to the north and west, Business and Office to the east across N.W. 7th Avenue, and Business and Office to the south across Biscayne Canal. Notably, all of the neighboring properties located between N.W. 7th Avenue and the I-95 Expressway are designated Business and Office.

The Property is located in the RU-5A (Semi-Professional Office District) zoning district. The properties to the north and west are zoned RU-4 (High Density Apartment House District). The vacant properties to the east are zoned RU-4M (Modified Apartment House District). Finally, the property to the northeast is zoned BU-1 (Neighborhood Business District) and the property to the south, across the Biscayne Canal, is zoned BU-2 (Special Business District).

The Surrounding Area. The surrounding area is a mix of office, residential and retail uses. To the east and northeast of the Property, there are two relatively large vacant parcels of land. To the north of the Property, there is an existing condominium tower consisting of approximately 151 units. This condominium building is served by a surface parking lot located to the west of the Property. Further west from the Property, there is an existing apartment complex consisting of 210 residential units. Finally, to the southeast of the Property there is a one-story office building, while the area to the south of the Property is characterized by a Children's Psychiatric Center, a retail building, and several single-family residences.

Description of Development Proposal. The Applicant plans to develop the Property with community-serving retail uses. However, the Applicant wants to reserve the right to develop the Property with residential uses as permitted by the Business and Office designation. Accordingly,

the Applicant will proffer a declaration of restrictions that restricts the Property to suitable commercial uses and limits residential density on the Property to that permitted under the existing Medium-High Density Residential designation.

Projected Population Increase. The County adopted the current Population Estimates and Projections in October 2004. For MSA 2.4, that analysis projected a 9.0% increase in population by 2015 and a 14.2% increase by 2025 from the base population of 78,931 in 2000. This significant population increase will necessitate additional employment opportunities and retail commercial development in the area in order to service this population growth. As CDMP Land Use Element Policy 8B provides, the “[d]istribution of neighborhood or community-serving retail sales uses and personal and professional offices throughout the urban areas shall reflect the spatial distribution of the residential population” (CDMP p. I-15). The Applicant’s proposal will provide both employment opportunities and retail services to this area.

The County is presently in the process of updating the Population Estimates and Projections. The Board of County Commissioners will decide whether to transmit the update on May 29, 2008. See Application No. 5 of the October 2007 Cycle to Amend the CDMP. The revised figures, while slightly lower, still show a significant increase in population for MSA 2.4, and therefore a need for employment centers and retail services. The increases are 7.1% for 2015 and 11.9% for 2025 based on the population level of 78,931 in 2000.

Transportation System. The Property is situated in a main transit corridor and just south of a major expressway interchange for the County. Specifically, the Property abuts a major roadway, N.W. 7th Avenue, and is located a few blocks to the south and east of another major roadway, State Road 9. The Property is also located two blocks south of the Golden Glades Interchange. The Golden Glades Interchange provides access to three expressways: Interstate 95, the Florida Turnpike and State Road 826. The Property is also well-served by public transportation. Four Metrobus routes, E, V, 77 and 277 (NW 7 Avenue MAX) service the Property and connect directly to the Golden Glades Interchange and the Golden Glades Tri-Rail Station. The Tri-Rail line is a Rapid Transit Corridor. Numerous other bus routes may be accessed from the Golden Glades, including the 95 Express to downtown Miami. The Tri-Rail Station provides access south to the Miami International Airport and the Amtrak Station and north to Broward and Palm Beach Counties. Further, there is a Park and Ride lot at the Golden Glades.

Community Urban Center. The CDMP designates the intersection of State Road 9 and approximately N.W. 159 Street as a Community Urban Center (CUC). CUCs are intended to contain moderate-intensity and a wide variety of mixed uses located on major roadways and supported by mass-transit. The Property is located in close proximity and within walking distance to both the CUC and multimodal transit opportunities. The most direct route is along the major transit corridors of N.W. 7th Avenue and N.W. 159 Street. These corridors are the perfect place for pedestrian-friendly development that feeds into the CUC. In addition, CUCs are primarily for moderate and smaller sized businesses which serve the nearby community, with close proximity to residential uses to promote pedestrian usage. The Property is perfectly situated near residential developments and small enough in size to provide retail uses that serve the surrounding community and encourage walking.

Residential and Commercial Land Supply and Demand. The Property is presently designated Medium-High Density Residential and the Applicant proposes to redesignate it to Business and Office, which permits residential uses. As indicated above, the Applicant will agree to limit residential density on the Property to the 43 units currently allowed under the Medium-High

Density Residential designation. Therefore, the requested change does not adversely impact the supply of either residential or commercial land.

Even if the Property is eventually developed for commercial use, due to its small size (0.72 acres), the reduced residential capacity will be insignificant for this area. A reduction of 43 residential units from the entire North Tier amounts to less than one-half of one percent of the residential supply of the North Tier. A reduction of 43 units from the Eastern Part of the North Tier, in which the Property is located, only amounts to 0.3% of the total supply. Further, due to the small size of the Property, it may not be physically possible or economically feasible to develop 43 units on this land.

Consistency with the CDMP. The Applicant's proposal will provide the surrounding community with necessary neighborhood retail uses. The redesignation request is consistent with several objectives, goals and policies of the Comprehensive Development Master Plan.

Consistency with the Land Use Element. The approval of the Application will be consistent with the following objectives and policies in the Land Use Element for the reasons set forth below:

OBJECTIVE LU-1

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

The Property is located in close proximity to a CUC as designated by the LUP Map. Pursuant to page I-47 of the CDMP, "[u]ses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces." These uses are particularly consistent with the Business and Office CDMP designation, which allows for retail, wholesale, personal and professional services, commercial and professional offices, among other uses described on page I-47 of the CDMP. The development of the Property as a community-serving retail project would be compatible with the pattern of development encouraged for Urban Centers within the County. In addition, the applicant intends to comply with Miami-Dade County's Urban Design Guidelines in order to ensure that this will be a well-designed project.

POLICY LU-1C

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

The Property is a vacant parcel situated within the Urban Development Boundary in a currently urbanized area. A vacant parcel of land adjacent to major transportation corridors in Miami-Dade County is a substandard use of the Property.

OBJECTIVE LU-7

Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian-friendly environment that promotes the use of rapid transit services.

The Property is located in an area with a high concentration of transit alternatives. Specifically, it is located a few blocks from State Road 9, the I-95 Expressway, and the Golden Glades Interchange. Moreover, the Property abuts N.W. 7th Avenue, a six lane divided thoroughfare considered a major roadway on the County's LUP Map. N.W. 7th Avenue is currently serviced by multiple Metrobus routes all connecting directly to the Golden Glades Interchange the Golden Glades Tri-Rail Station. As a result, the development of the Property will be planned and designed in a manner that will promote the use of public transportation.

POLICY LU-7D

Redevelopment of property within one-half mile of existing or planned mass transit stations and bus routes shall not cause an increase in walking distances from nearby areas to the transit services and shall, wherever practical, be done in a manner that reduces walking distances and is comfortable and attractive to pedestrians.

The Property is within one-half mile of multiple bus routes, and the proposed development will incorporate pedestrian-friendly elements. Therefore, the Application is perfectly situated to attract and encourage pedestrian use.

POLICY LU-8B

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

The Property, surrounded by a couple of large multifamily residential developments, is ideally situated to provide community-serving retail uses to this highly urbanized area.

POLICY LU-10A.

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

Because the Property is currently vacant, its use is currently substandard. This infill development will help serve the surrounding residential communities, thereby reducing carbon footprint and promoting energy conservation.

Consistency with the Transportation Element. The approval of the Application will be consistent with the following objectives and policies in the Mass Transportation Subelement for the reasons set forth below:

OBJECTIVE MT-4

Provide convenient, accessible and affordable mass transit services and facilities.

The proximity of the Property to multiple Metrobus routes and the Golden Glades Tri-Rail Station helps the County meet this objective and ensure quality transportation options for patrons of the Property.

Conclusion. The Applicant proposes to develop the Property with community-serving retail uses. The County's current Population Estimates and Projections reflect a strong population growth within MSA 2.4. Accordingly, additional retail commercial development is necessary to service this population growth. Moreover, the redesignation of the Property to Business and Office is compatible with the surrounding neighborhood, and is also consistent with the existing Business and Office designations to the Property's east, northeast, southeast, and south. Finally, the approval of the Application will be consistent with numerous objectives and policies in the CDMP's Land Use and Transportation Elements.

5. ADDITIONAL MATERIAL SUBMITTED

- 1) Location Map of Property
- 2) Aerial Photograph
- 3) Section Map

The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

6. COMPLETE DISCLOSURE FORMS: See attached.

LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANT

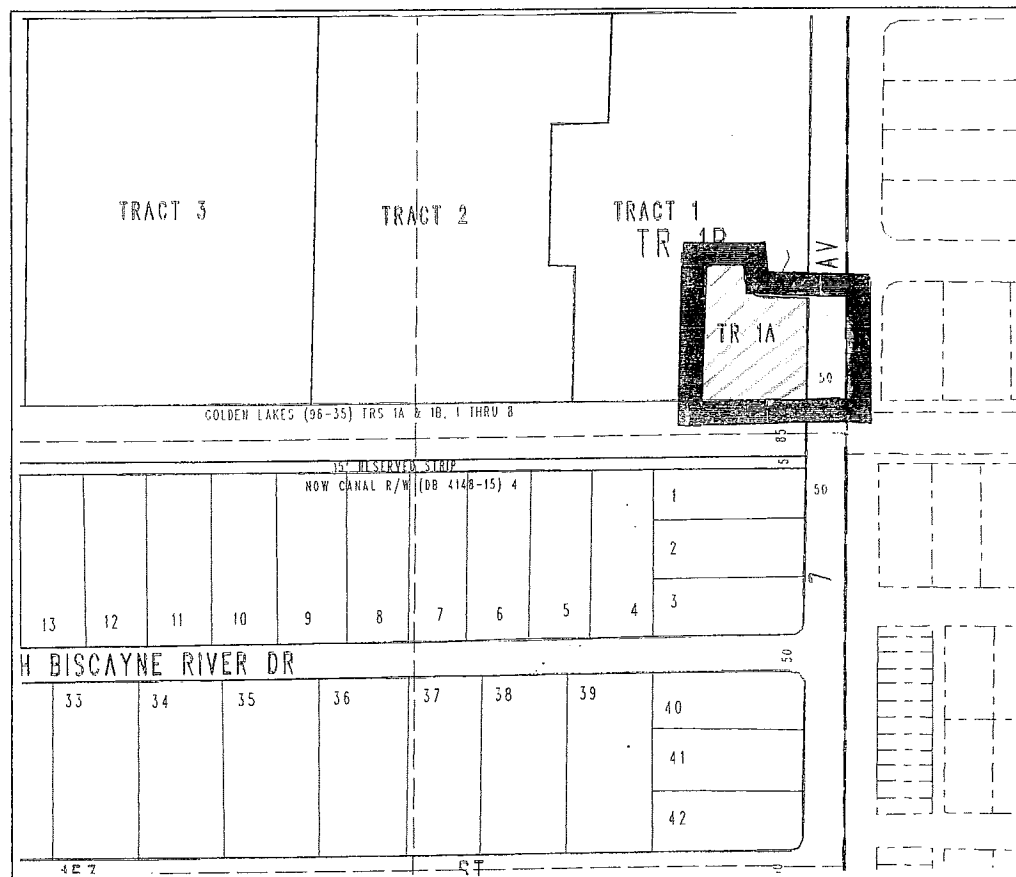
Tibor Hollo
100 South Biscayne Boulevard
Suite 1100
Miami, FL 33131

REPRESENTATIVES

Jeffrey Bercow, Esq. & Mickey J. Marrero, Esq.
Bercow Radell & Fernandez, P.A.
200 South Biscayne Boulevard, Suite 850
Miami, Florida 33131
(305) 374-5300

DESCRIPTION OF SUBJECT AREA

The Property consists of one parcel that contains 0.72 net acres located in Section 14, Township 52, Range 41. The parcel is identified by Folio No. 30-2114-012-0020. The Applicant owns the parcel.



APPLICATION AREA



AREA OWNED BY APPLICANT 20



DISCLOSURE OF INTEREST

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

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Tibor Hollo

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

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

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>ACRES IN SIZE (net)</u>
<u>Tibor Hollo</u>	<u>Same</u>	<u>30-2114-012-0020</u>	<u>0.72 acres</u>

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
<u>A</u>	<u>X</u>			

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

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

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>Tibor Hollo</u>	<u>100%</u>
<u>100 South Biscayne Boulevard, Suite 1100, Miami, FL 33131</u>	

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

CORPORATION NAME: N/A


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

SMALL-SCALE AMENDMENT REQUEST TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
APRIL 2008-2009 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN

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

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

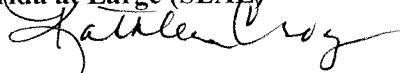
Applicant's Signatures and Printed Names


TIBOR HULLO

Sworn to and subscribed before me
this 30th day of APRIL, 20 08.

Notary Public, State of Florida at Large (SEAL)

My Commission Expires:

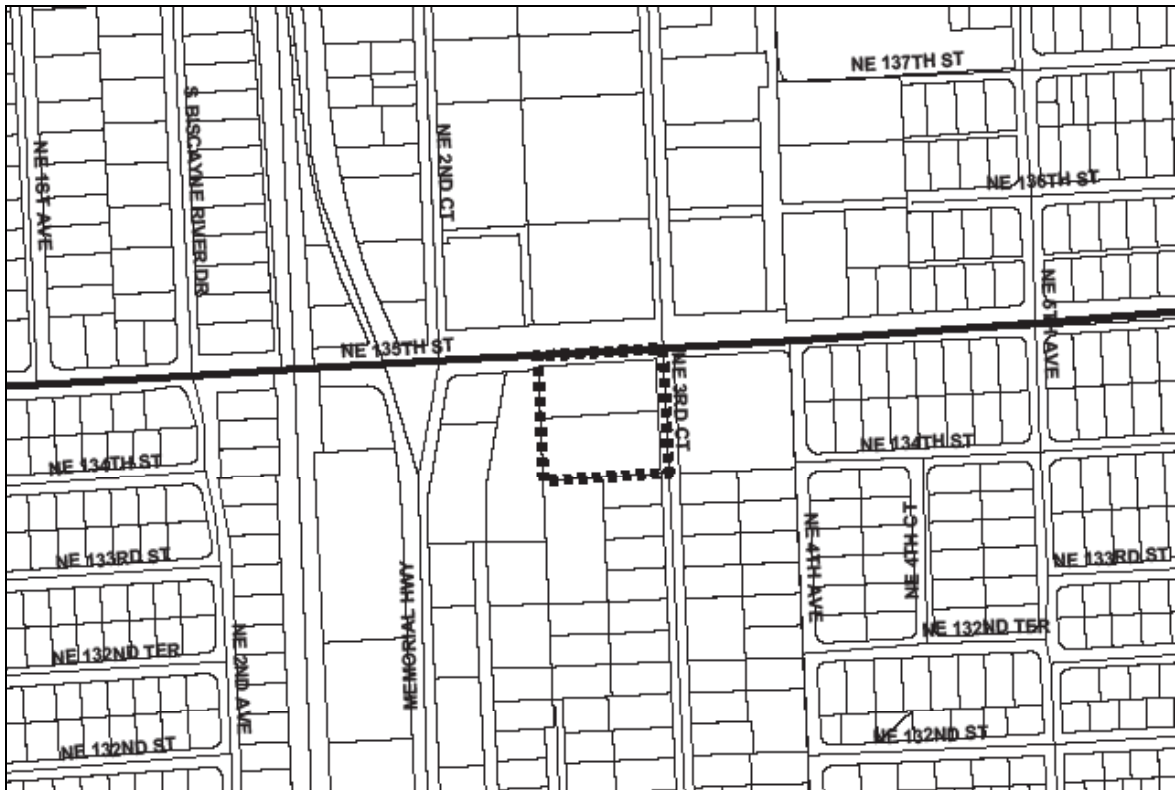


KATHLEEN CROGAN
Notary Public, State of Florida
My Comm. Expires Feb. 28, 2010
No. 00508832

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

APPLICATION NO. 3
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Lunar Real Estate Services, Inc. 3003 English Creek Avenue Suite 205 Egg Harbor Town, NJ 08234	Mario J. Garcia-Serra, Esq. & N Patrick Range II, Esq. Greenberg Traurig, P. A. 1221 Brickell Avenue Miami, FL 33131 (305) 579-0837
<p><u>Requested Amendment to the Land Use Plan Map</u> From: LOW-MEDIUM DENSITY RESIDENTIAL To: BUSINESS AND OFFICE Location: Southwest corner of NE 135 Street and NE 3 Court Acreage: Application area: 2.5 Gross Acres Application area: 2.065 Net Acres Acreage Owned by Applicant: 0.0 Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP OF THE MIAMI-DADE COUNTY COMPREHENSIVE
DEVELOPMENT MASTER PLAN (CDMP)**

1. APPLICANT

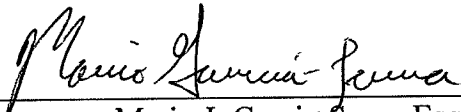
Lunar Real Estate Services, Inc.
3003 English Creek Avenue, Suite 205
Egg Harbor Town, NJ 08234

2008 APR 30 P 3:13
PLANNING & ZONING
METROPOLITAN PLANNING SECT

2. APPLICANT'S REPRESENTATIVE

Mario J. Garcia-Serra, Esq.
Greenberg Traurig, P.A.
1221 Brickell Avenue
Miami, FL 33131
(305) 579-0837

N. Patrick Range II, Esq.
Greenberg Traurig, P.A.
1221 Brickell Avenue
Miami, FL 33131
(305) 579-0798

By: 
Mario J. Garcia-Serra, Esq.

4/30/2008
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. This application requests a change to the Comprehensive Development Master Plan's Future Land Use Plan Map.

B. Description of the Subject Property

The subject property is vacant land located in Section 30, Township 52 and Range 42. The property is bounded by N.E. 135th Street on the North and N.E. 3rd Court on the East, with mostly vacant land to the immediate West and South. The legal description for the subject property is attached as Exhibit "A".

C. Gross Acreage

Application area:

Gross Acreage: \pm 2.561 acres

Net Acreage: \pm 2.065 acres (please see the enclosed survey)

Acreage owned by Applicant: 0 acres (the Applicant is the contract purchaser for the entire subject property)

D. Requested Changes

1. The applicant is requesting that the subject property be redesignated on the Land Use Plan map from Low-Medium Density Residential (up to 13 du/acre) to Business and Office in its entirety.

2. The Applicant is requesting that this application be processed as a small scale amendment pursuant to the expedited procedures.

3. The Applicant is also requesting the acceptance of a proffered covenant, which will be provided at a later date, prohibiting residential development on the property and restricting its use to a mixed use self-storage / retail facility.

4. REASONS FOR AMENDMENT

The requested change to the Comprehensive Development Master Plan (the "CDMP"), is being presented in order to accommodate the construction of a mixed-use, self-storage/retail center on the subject property. The subject property is currently designated as "Low-Medium Density Residential" on the CDMP Future Land Use Map. Construction of a mixed-use, self-storage retail facility would require a CDMP designation of "Business and Office" for the entire property. However, it is important to note that a northerly portion of the subject property is zoned BU-2 and that the Land Use Element of the CDMP recognizes existing zoning to be consistent with the CDMP.

The proposed development of the subject property is compatible with the surrounding neighborhood and will provide significant benefits to an area that is in need of revitalization. The subject property is currently vacant and has significant frontage on a major commercial corridor (NE 135th Street). The subject property is located immediately West of an existing nursing home facility and just East of a mixed-use retail and residential development. As a major main roadway for the area, NE 135th Street is a key route to work, school and vital necessities for area residents as well as a key roadway for commuters because of its connection to I-95 and Biscayne Boulevard. As a result, NE 135th Street has developed into an important business center for the surrounding neighborhood. There is a mix of mostly office and commercial uses coupled with multifamily housing along the entire length of the NE 135th Street corridor. The proposed development is consistent with this trend toward an emerging commercial corridor on NW/NE 135 Street and East of I-95.

However, due to the use of extensive landscape and other buffering techniques, the character and scale of the proposed development is also compatible with the single-family neighborhood to the immediate South and will serve to enhance and improve the quality of life of the residents in this neighborhood by providing additional neighborhood retail services as a compliment to the self-storage facility. The development of the proposed project will enhance the revitalization of 135th Street as a commercial corridor and provide much needed services to local residents.

Changing market demands indicate the potential of the subject property for a mixed-use self-storage development. Such a development would be consistent with increased market demands for development within the Urban Infill Area (UIA) and for greater variety in commercial and retail offerings. The subject property is near a critical mass of residents and a mix of housing types. Single family homes exist to the South of the subject property while mid-rise multifamily housing exists to the North. As an example of the need for self-storage facilities in the immediate area of the subject property, there are no other self-storage facilities within a one (1) mile radius of the subject property. Data compiled by the Self-Storage Association in the enclosed Self-Storage Demand Study for the area surrounding the subject property indicates that there is a demand for up to approximately 146,000 square feet of self-storage space based on the population and housing type makeup within that one (1) mile radius. The Applicant is proposing approximately 90,000 square feet of storage space on the subject property. Likewise, the Self-Storage Demand Study also indicates that within a three (3) mile radius there is a demand for approximately 1,100,000 square feet of storage space and that there is currently approximately 750,000 square feet of storage space within that same three (3) mile radius. As is demonstrated by this data, there remains a significant deficit in available self-storage space within both the three (3) mile and one (1) mile radii. In addition, a number of the existing self-storage facilities within the three (3) mile radius area are older facilities that are in need of significant renovation.

In addition to the market demands and neighborhood benefits discussed above, we believe that approval of the requested amendment would further a number of goals and policies of the CDMP, including the following:

LAND USE OBJECTIVE 1: The location and configuration of Miami-Dade County's urban growth through the year 2015 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.

LAND USE POLICY 1C: Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous

to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

LAND USE OBJECTIVE 8: Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan map, consistent with the adopted Goals Objectives and Policies of this Plan, which will provide that the Land Use Plan Map accommodates projected countywide growth.

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

LAND USE POLICY 8F: Applications requesting amendments to the CDMP Land Use Plan map 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: i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County; ...iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods.

LAND USE OBJECTIVE 9: Miami-Dade County shall continue to maintain, update and enhance the Code of Miami-Dade County, administrative regulations and procedures, and special area planning program to ensure that future land use and development in Miami-Dade County is consistent with the CDMP, and to promote better planned neighborhoods and communities and well designed buildings.

LAND USE POLICY 9N(ii): By 1997, Miami-Dade County shall endeavor to initiate review and revision of its Zoning Code and Subdivision Regulations to facilitate the development of better planned communities and better designed buildings. Changes to be considered shall include provisions for:ii) Diversity of uses in or adjacent to residential districts, including neighborhood designs that have a mixture of retail, residential, office, institutional and service business uses in close proximity.

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

5. ADDITIONAL MATERIAL SUBMITTED

a) Self Storage Demand Study for the subject property

6. COMPLETED DISCLOSURE FORMS: See Attached

Attachments: Legal Description - Exhibit A
Location Map – Exhibit B
Miami-Dade County Aerial Photograph – Exhibit C
Land Survey - Exhibit D

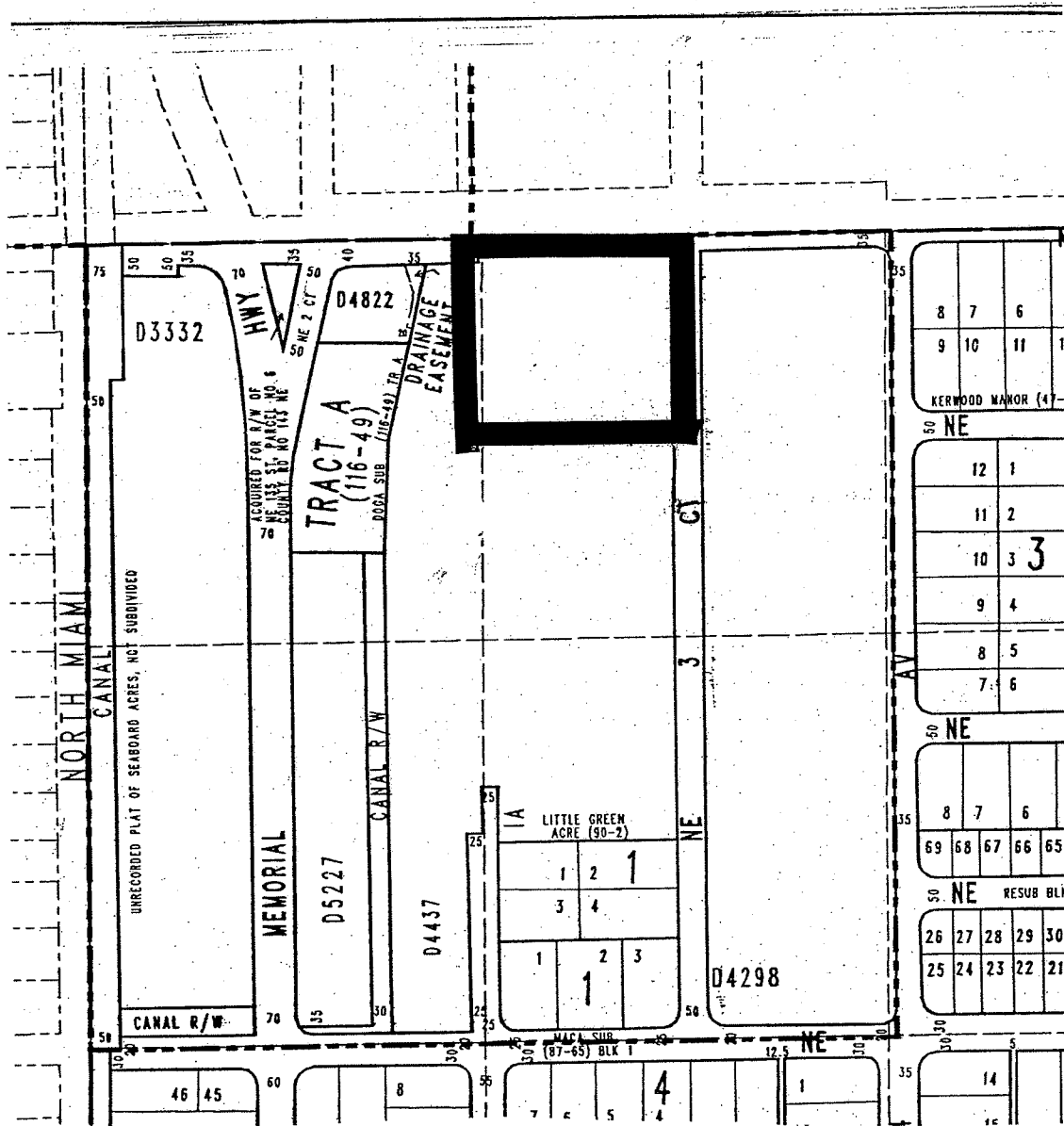
LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANT/REPRESENTATIVE

Lunar Real Estate Services, Inc./Mario J. Garcia-Serra, Esq

DESCRIPTION OF SUBJECT AREA

The subject property is vacant land located in Section 30, Township 52 and Range 42. The property is bounded by N.E. 135th Street on the North and N.E. 3rd Court on the East, with mostly vacant land to the immediate West and South.



DISCLOSURE OF INTEREST

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

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Lunar Real Estate Services, Inc. 3003 English Creek Avenue,
Suite 205

APPLICANT B: Egg Harbor Town, NJ 08234

APPLICANT C:

APPLICANT D:

APPLICANT E:

APPLICANT F:

APPLICANT G:

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

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

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A Lunar Real Estate Services, Inc.			2.065±
		30-2230-000-0290	
		30-2230-000-0020	

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

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
^A Lunar Real Estate Services, Inc.			X	

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

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

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
13500 NE 3rd Court, LLC	
Heriberto Leon	50%
Pedro L. Leal	50%

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

CORPORATION NAME: _____

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

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

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
LUNAR REAL ESTATE SERVICES, INC.	
3003 ENGLISH CREEK AVE #205, EGG HARBOR TWP, NJ 08234	
CLAYTON GENTRY, PRESIDENT	100%
Date of Contract:	4/23/08

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

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

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

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

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

PARTNERSHIP NAME: _____

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
OWNERSHIP

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

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
INTEREST

Lunar Real Estate Services, Inc.

Clayton Gentry, President

100%

Date of Contract: 4/23/08

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

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

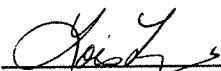
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

Applicant's Signatures and Printed Names

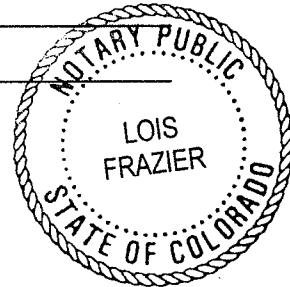
 CLAYTON GENTRY

Sworn to and subscribed before me

this 24th day of April, 2008



Notary Public, State of Florida at Large (SEAL)
Colorado



My Comm. Exp. 2-20-2011

My Commission Expires:

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

EXHIBIT "A"

LOT ONE:

30 52 42 .95 AC N1/2 OF NW1/4 OF NE1/4 OF NW1/4 OF NW1/4 LESS E 25FT FOR RD LESS N35FT LOT SIZE 305.000 X 135 (Folio Number 30-2230-000-0020)

LOT TWO:

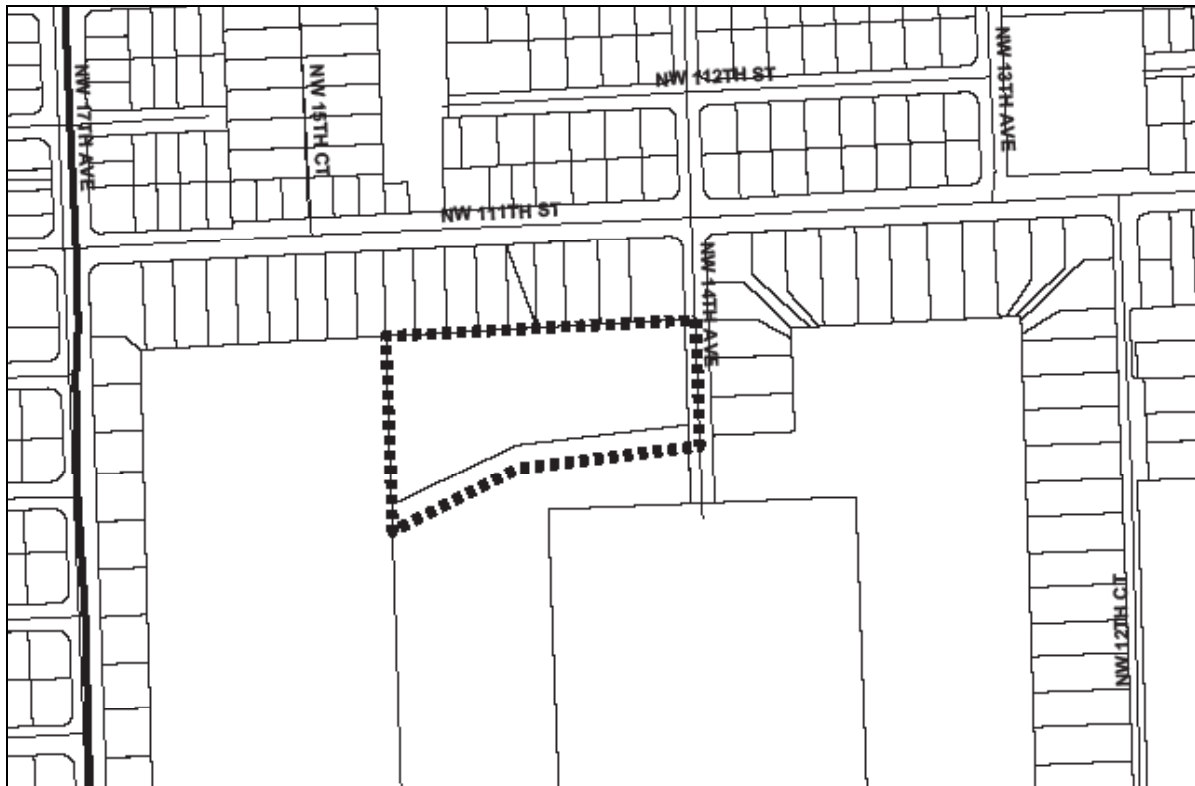
30 52 42 1.16 AC S1/2 OF NW1/4 OF NE1/4 OF NW1/4 OF NW1/4 LESS E 25FT FOR RD LOT SIZE 165.000 X 305 (Folio Number 30-2230-000-0230)



Intentionally left blank

APPLICATION NO. 4
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Sunshine Lakes LLC 4661 SW 71 st Avenue Miami, FL33155	Jeffrey Bercow, Esq. Matthew Amster, Esq. Bercow Radell & Fernandez, P. A. 200 South Biscayne Boulevard, Suite 850 Miami, FL 33131
<p><u>Requested Amendment to the Land Use Plan Map</u> From: LOW-MEDIUM DENSITY RESIDENTIAL To: MEDIUM DENSITY RESIDENTIAL with Density Increase 1 Location: 10940 NW 14 Avenue Acreage: Application area: 4.81 Gross Acres Application area: 4.693 Net Acres Acreage Owned by Applicant: 4.693 Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

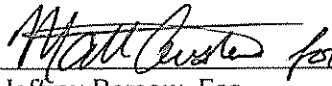
**SMALL-SCALE AMENDMENT REQUEST TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
APRIL 2008-2009 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**


1. APPLICANT

Sunshine Lakes, LLC
4661 SW 71 Avenue
Miami, Florida 33155

2. APPLICANT'S REPRESENTATIVES

Jeffrey Bercow, Esq.
Matthew Amster, Esq.
Bercow Radell & Fernandez P.A.
200 South Biscayne Boulevard, Suite 850
Miami, Florida 33131
(305) 374-5300

By:  Date: April 30, 2008
Jeffrey Bercow, Esq.

By:  Date: April 30, 2008
Matthew Amster, Esq.

3. DESCRIPTION OF REQUESTED CHANGES

A small-scale amendment to the Comprehensive Development Master Plan (CDMP) Land Use Plan Map (LUP) is requested.

- A. A change to the Land Use Element, Land Use Plan Map (item A.1 in the fee schedule) is requested.

Current Land Use Designation: Low-Medium Density Residential

Proposed Land Use Designation: Medium Density Residential with One Density Increase with Urban Design (DI-1)

- B. Description of Property

The Property consists of one parcel (Folio No. 30-2135-000-0133) with 4.693 gross acres (4.156 net acres) (the "Property") located in Section 35, Township 52, Range 41 in unincorporated Miami-Dade County. See Attached Sketch.

- C. Acreage of Property

Gross Acreage = 4.81 acres (including ROW and a portion of the Lake at the west side)
Gross Acreage (w/o ROW) = 4.693 acres (including a portion of the Lake at the west side)
Net Acreage = 4.156 acres (not including a portion of the Lake at the west side)
Acreage owned by the Applicant = 4.693 acres

D. Requested Changes

- 1) The Applicant requests the redesignation of the Property from Low-Medium Density Residential to Medium Density Residential with One Density Increase with Urban Design (DI-1).
- 2) It is requested that this Application be processed as a small-scale amendment under the expedited procedures.
- 3) If the CDMP amendment application is adopted by the Board of County Commissioners, and a proffered covenant is accepted as a condition of such approval, then the Applicant requests that the covenant be added to the text of the CDMP Land Use Element, specifically to the table contained therein and entitled "Restrictions accepted by Board of County Commissioners in association with Land Use Plan Amendments." The covenant will be submitted to Miami-Dade County in accordance with the timelines adopted by the Department of Planning and Zoning.

4. REASONS FOR AMENDMENT

Applicant. Sunshine Lakes, LLC (the "Applicant") is the owner of two properties in north central Miami-Dade County, one of which is the subject of the present application (the "Application"). The two properties are adjacent and contain 208 multifamily rental apartment units. The Applicant rents to low and moderate income individuals and families.

Property. The Property consists of the northern of the two properties and is located in unincorporated Miami-Dade County (the "County") inside the Urban Development Boundary and the Urban Infill Area of the County. The Property consists of one parcel, 10940 NW 14 Avenue, which is located southwest of the intersection of NW 14 Avenue and NW 111 Street. The Applicant also owns the property immediately to the south, 10900 NW 14 Avenue. The main entrance to the Property is through the southern property. Together the two properties make up the western portion of a peninsula that juts into Silver Blue Lake (the "Lake"). Both of these parcels include a portion of the Lake on the western side. These parcels presently contain a number of four-story multifamily residential apartment buildings built in 1968 and 1970. There are 84 units on the Property, and there are 124 units on the land to the south, for a combined total of 208 rental units.

Land Use and Zoning. The entire Property is currently designated as Low-Medium Density Residential. The entire peninsula, including the properties on the south side of NW 111 Street have the same land use, therefore the Property is surrounded by Low-Medium Density Residential land use designation. The southwest, south and southeast shores of the Lake are also designated Low-Medium Density. The Property is located in the RU-4L zoning district, as is the property to the south. The properties to the north are RU-2 and the properties to the east across NW 14 Avenue are RU-1. The property to the southeast, a Miami-Dade County Park, and the majority of the Lake are zoned GU. Notably, the properties at the southwest and southeast sides of the Lake are zoned RU-4 and properties along the south side of the Lake are BU-1.

The Surrounding Area. The surrounding area is mainly residential, consisting of a mix of single-family, duplex and multifamily housing. The nearest commercial establishment is at the intersection of NW 17 Avenue and NW 111 Street. The properties immediately north of the Property contain duplexes, except for the property at the southwest corner of the intersection of NW 14 Avenue and NW 111 Street, which contains a church. Some of the properties to the east, on the east side of NW 14 Avenue, have single-family homes. To the southeast is a Boys and Girls Club establishment and immediately south of that, comprising the south and east portions of

the peninsula is a 9 acre Miami-Dade County Park. To the south of the Property is the other portion of the multifamily development owned by the Applicant. To the west, is the Lake. Besides the Applicant's two properties, numerous multifamily apartment buildings line the shores of the Lake, specifically at the southwest corner (123 units at three-stories), at the south side (239 units at three-stories) and at the southeast corner (106 units at one-story).

Park. One of the area's community and social focal points is the Miami-Dade County Park located within easy walking distance south of the Property at the center and south end of the peninsula. Comprised of 9 acres, the Park's numerous playing fields are often the site of organized athletic events, including activities sponsored by the Miami Shores Optimist Club.

Schools. The projected enrollments for 2010 for the three public schools operated by the School Board of Miami-Dade County that service the Property are below 100% utilization: Henry Reeves Elementary – 99%; Westview Middle – 65% and Miami Central Senior High – 53%.¹ As a result, the Applicant's project will not adversely impact the level of service of public schools in the area.

The Property is also situated near two post-secondary schools. Miami-Dade College North Campus is located in the vicinity of NW 27 Avenue and NW 119 Street and Barry University is located at approximately Miami Avenue and NW 119 Street.

Identification of the Need for Revitalization. The general area has already been identified by Miami-Dade County as needing revitalization.

Targeted Urban Area. The County designated the area between NW 79 and NW 115 Streets and between NW 7 and 37 Avenues as a Targeted Urban Area. Through various projects focused at the community level, the Task Force on Urban Economic Revitalization seeks to improve the economic status of the residents and businesses within targeted areas.

Transportation System The Property has access to public transportation just three blocks away at NW 17 Avenue. From the bus route there, riders can make connections to the Golden Glades, Metrorail, Tri-Rail, and the Amtrak Station, and travel to the two nearby colleges.

In addition, the North Corridor Metrorail Extension along NW 27th Avenue will provide greater access to Metrorail service and assist residents traveling both north and south. Seven new Metrorail Stations will be added from NW 79th Street to NW 215th Street. The closest proposed station will be located at NW 119 Street by Miami-Dade College North Campus. The project is presently in the design phase and construction is scheduled to begin in 2010 for an operation start date in 2014. The Metrorail expansion will provide further employment opportunities to residents of the Applicant's project.

Description of Development Proposal. The Applicant plans to provide up to 100 more affordable rental units in one or more new buildings on underutilized portions of the Property. The existing buildings, both in the Property and on the property to the south will remain and continue to be occupied during construction. The Applicant plans to ensure that the new buildings are compatible with the existing buildings, both in appearance and in scale. Therefore, the new buildings will probably be three or four stories in height.

¹ Information based on data provided by the School Board on June 29, 2007

To obtain 100 more units in the Property, the Applicant would need to change the land use designation by two categories, from Low-Medium Density to Medium-High Density. The increase to Medium Density, which allows for a maximum of 25 units/acre, will only provide 117 total units. Since the 84 existing units will remain, this is only an increase of 33 units.² The increase to Medium-High Density sufficiently provides the density for the proposed 100 units. At 60 units/acre, a maximum of 281 units will be allowed on the Property, which is an additional 197 over and above the existing units. The Applicant recognizes that this increase is not compatible with the surrounding area from the perspectives of land use designation and density. The problem is that there is no density designation between Medium and Medium-High Density because in truth the Applicant is only seeking a density of 39.2 units/acre.

To achieve this goal, the Applicant believes that the following two-part land use amendment request will be compatible with the surrounding area from both of the above perspectives. For the first part, the Applicant requests an amendment to the LUP Map from Low-Medium Density Residential to Medium Density Residential with One Density Increase with Urban Design (DI-1). This request will increase the density for the property from 13 units/acre to 25 units/acre and permit a further increase to the next level, effectively Medium-High Density at 60 units/acre, if the development adheres to sound urban design principles. See page I-32 of the CDMP. This density increase will require the Applicant to follow urban design guidelines since the Applicant is not submitting a site plan at this time. Typically, the design of development is handled at the zoning phase.

For the second part, the Applicant will proffer a declaration of restrictions (the "Covenant") that restricts the maximum residential density to 184 units in the Property. This is a significant reduction (97 units) in the total number of allowable units under the LUP Map amendment.

Sound urban design principles. The Applicant met with staff of the Department of Planning and Zoning to address the feasibility of providing urban design for the new additions and thus permit the Applicant to take advantage of the DI-1. Staff believes that the site has a lot of potential to incorporate urban design. In addition, the Applicant feels strongly that the utilization of urban design will make the existing project better because the suburban parking field detracts from the aesthetic appeal of the current project and does not provide adequate security for the residents. Placing buildings along NW 14 Avenue and the southern property line will line the main entry points of the Property with activated buildings that will act as deterrents to criminal acts and create an interior parking area surrounded, at least on three sides, by activated uses that will again increase security. Further, the Applicant intends to provide pedestrian and bicycle access to the Lake from NW 14 Avenue. Also, the Applicant is willing to make minor renovations to the existing buildings of the Property to ensure a cohesive overall appearance.

Residential Land Supply and Demand. There is a need for residential units in the general area. Table 3 of the Planning Considerations Report for the April and October 2007 Cycle Applications to Amend the CDMP indicates that overall Countywide residential capacity will be depleted in 2019. The outlook is worse for the North Miami-Dade Tier, in which the Property is located (Minor Statistical Area (MSA) 2.4), and where the depletion date is 2014. Further, the 2003 Evaluation and Appraisal Report (EAR) shows that between the year 2000 and 2025, Miami-Dade County will require 294,200 new housing units and it estimated that about 42 percent of those units (117,680 units) will be needed by very low and low-income households. In addition, there is now widespread recognition of a lack of affordable housing. Therefore, with the depletion date for this area only six years away, there is an urgent need for affordable housing.

² Even if the affordable housing bonus of 25% is applied, the number of new units falls short at 62

The Applicant's proposal will provide quality housing for low-income individuals and families in a suitable urban infill area. As a result, the redesignation of the Property will have a positive impact on the supply of residential land in the area.

Consistency with the CDMP. The Applicant's proposal will assist with the revitalization of the area and add urban character to a new area. The redesignation request is consistent with several objectives, goals and policies of the Comprehensive Development Master Plan.

Consistency with the Land Use Element. The approval of the application will be consistent with the following objectives and policies in the Land Use Element for the reasons set forth below:

OBJECTIVE LU-1

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

The Applicant seeks to intensify development in the Urban Infill Area, near to the Miami-Dade College North Campus and the pending expansion of the Metrorail. Granting the request will encourage infill development that will revitalize a underutilized area. In addition, the applicant intends to comply with Miami-Dade County's Urban Design Guidelines in order to ensure that this will be a well-designed project.

POLICY LU-1C

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

The Property contains viable space for increased development and is therefore a substandard use within the Urban Development Boundary in a currently urbanized area.

POLICY LU-1F

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

The area surrounding the Property contains a wide variety of housing types and the Application will add to the variety, especially because of the inclusion of urban design.

POLICY LU-1K

Miami-Dade County will maintain and enhance the housing assistance and public housing programs addressed in the Housing Element as a means to improve conditions of low and moderate income residents.

The Applicant seeks to provide quality housing to low income residents, both at the new and existing units. Therefore, the Applicant's request will certainly improve the conditions of low income residents.

OBJECTIVE LU-7

Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian-friendly environment that promotes the use of rapid transit services.

The Property is near many transit opportunities, especially NW 17 Avenue and the pending North Corridor of the Metrorail along NW 27 Avenue. The development will incorporate pedestrian-friendly elements and provide low-income housing. Therefore, the Applicant will promote the use of public transportation.

POLICY LU-7D

Redevelopment of property within one-half mile of existing or planned mass transit stations and bus routes shall not cause an increase in walking distances from nearby areas to the transit services and shall, wherever practical, be done in a manner that reduces walking distances and is comfortable and attractive to pedestrians.

The Applicant Area is within one-half mile of multiple bus routes, and the proposed development will incorporate pedestrian-friendly elements. Therefore, the Application is perfectly situated to attract and encourage pedestrian use.

POLICY LU-7I

Miami-Dade County will review development incentives to encourage higher density, mixed use and transit-oriented development at or near existing and future transit stations and corridors.

The Applicant Area is well-positioned for higher density due to its proximity to transit options, especially the pending North Corridor of the Metrorail, which therefore should be encouraged.

OBJECTIVE LU-12

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

The Applicant's request supports infill development on underutilized property located in the Urban Infill Area and in a Targeted Urban Area.

Consistency with the Housing Element. The approval of the application will be consistent with the following objectives and policies in the Housing Element for the reasons set forth below:

OBJECTIVE HO-2

Designate by the year 2025 sufficient land (+/-25,000 acres) to accommodate sites at varying densities for a variety of housing types including manufactured homes, with special attention directed to units for very low, low, and moderate-income households.

The Applicant's request will provide residential development on underutilized lands and the proposed project will contain housing that targets the range of low and moderate income households.

POLICY HO-2C

Foster a diversity of affordable housing types defined by the County's Comprehensive Development Master Plan to include single-family detached housing, single-family attached and duplex housing, multi-family housing and manufactured homes.

The Applicant's proposal will provide affordable housing.

OBJECTIVE HO-3

Assist the private sector in providing affordable housing products in sufficient numbers for existing and future residents throughout the County by the year 2025, (approximately 294,000 units), with an appropriate percentage (about 42 percent) of new housing available to very low, low and moderate-income households.

The Applicant's request will help the County meet the projected need of affordable housing.

OBJECTIVE HO-6

Increase affordable housing opportunities for very low, low, and moderate-income households within reasonable proximity to places of employment, mass transit and necessary public services in existing urbanized areas.

The proposed housing units will be located within reasonable distance to mass transit, including the pending North Corridor of the Metrorail. Further, the Property will be near two potential employment centers, the Miami-Dade College North Campus and North Shore Hospital.

POLICY HO-7A

Ensure that growth management, housing design, and development alternatives form an integral part of a community of functional neighborhoods and town centers that promote community identity, and enhance the overall quality of life.

The proposed development will create a more robust community between the Property and the property to the south. Through the incorporation of urban design guidelines, the development

will be safer and more pedestrian-friendly. This will have a positive impact on the quality of life of the nearby residents and visitors of the Boys and Girls Club and the Park because residents and members of the public that live in or come to the area will be encouraged to visit the Lake and the Park without fear for their safety.

Consistency with the Transportation Element. The approval of the application will be consistent with the following objectives and policies in the Mass Transportation Subelement for the reasons set forth below:

OBJECTIVE MT-4

Provide convenient, accessible and affordable mass transit services and facilities.

The proximity of the Applicant's low income housing development to mass transit services helps the County meet this objective and ensure quality transportation options for the residents of the Property.

POLICY MT-4A

Miami-Dade County, with private sector assistance, shall provide mass transit service appropriate for the mix and intensity of development of urban centers identified in the Land Use Element.

The increase in density at the Property and the North Corridor of the Metrorail are a perfect match.

POLICY MT-5D

The County shall promote increased affordable housing development opportunities within proximity to areas served by mass transit.

The Property is perfectly situated near multiple bus routes and the pending North Corridor of the Metrorail. Granting the request for a low income housing development will ensure the promotion of affordable housing within close proximity to and an increased ridership of mass transit.

Conclusion. The Applicant's request represents a model infill application because it appropriately revitalizes an underutilized parcel in the Urban Infill Area. The Property is suitably located near existing transportation corridors and will be in close proximity to the pending North Corridor of the Metrorail. The combination of urban design and the Covenant will ensure creation of a safe and compatible multifamily development that will assist low and moderate income individuals and families. Granting the request will help spark the revitalization effort that will be needed in this area to take advantage of the new Metrorail line.

5. ADDITIONAL MATERIAL SUBMITTED

- 1) Location Map of Property
- 2) Aerial Photograph
- 3) Section Map
- 4) Survey
- 5) Declaration of Restrictions

The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

6. **COMPLETE DISCLOSURE FORMS:** See attached.

LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANT

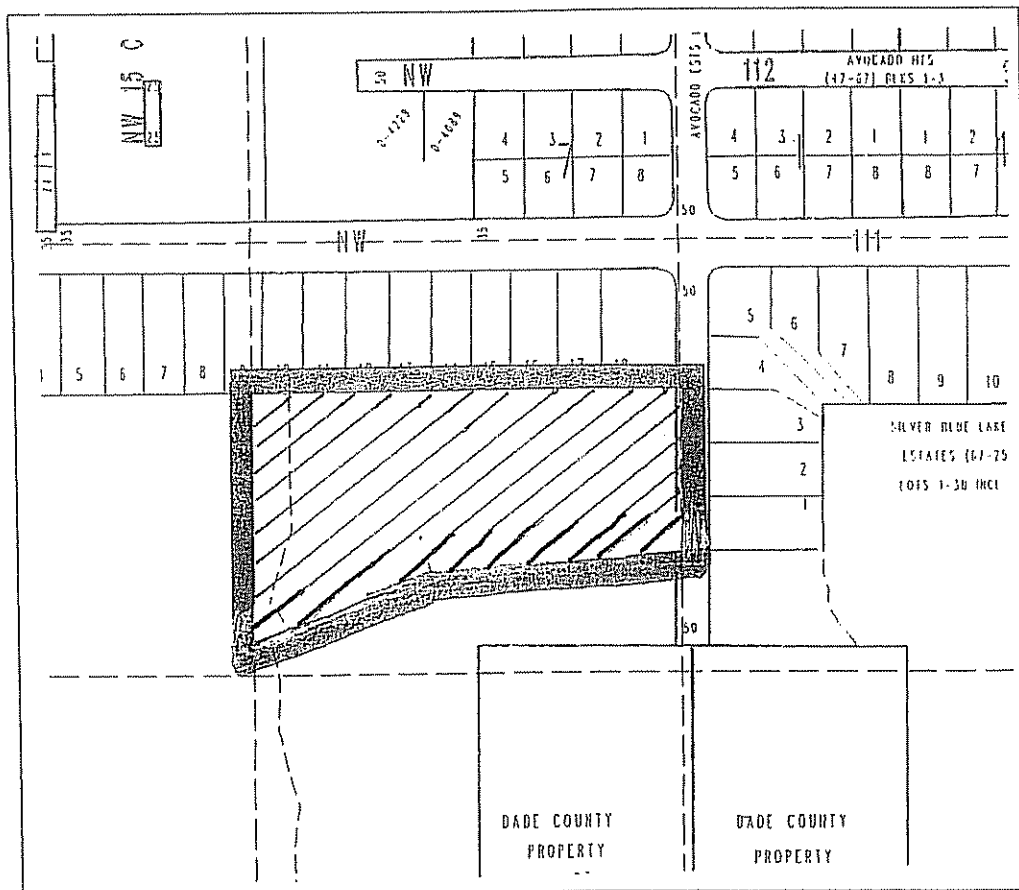
Sunshine Lakes, LLC
4661 SW 71 Avenue
Miami, Florida 33155

REPRESENTATIVES

Jeffrey Bercow, Esq. and Matthew Amster, Esq.
Bercow Radell & Fernandez, P.A.
200 South Biscayne Boulevard, Suite 850
Miami, Florida 33131
(305) 374-5300

DESCRIPTION OF SUBJECT AREA

The Property consists of one parcel that, together with a portion of the Lake at the western edge of the Property, contains 4.693 gross acres located in Section 35, Township 52, Range 41. With the ROW, the Application Area contains 4.81 gross acres. The parcel is identified by Folio No. 30-2135-000-0133. The Applicant owns the parcel.



APPLICATION AREA



AREA OWNED BY APPLICANT



DISCLOSURE OF INTEREST

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

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Sunshine Lakes, LLC

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

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

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>ACRES IN SIZE (gross)</u>
Sunshine Lakes, LLC	Same	30-2135-000-0133	4.693 acres

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
A	X			

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

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

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

N/A

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

CORPORATION NAME: Sunshine Lakes, LLC

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

<u>Frank Milton</u>	<u>33.333%</u>
<u>4661 SW 71 Street</u>	
<u>Miami, FL 33155</u>	

<u>Cecil Milton</u>	<u>33.333%</u>
<u>4661 SW 71 Street</u>	
<u>Miami, FL 33155</u>	

<u>Alejandro Rodriguez, Managing Member</u>	<u>33.333%</u>
<u>4661 SW 71 Street</u>	
<u>Miami, FL 33155</u>	

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

TRUSTEES NAME: N/A

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

N/A

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (5) trust (5) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: N/A

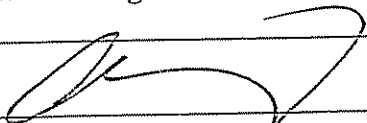
<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
-------------------------------------	-------------------------------

N/A

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

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

Applicant's Signatures and Printed Names

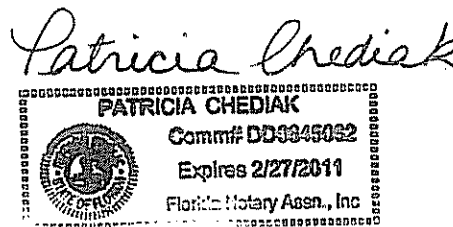


ALEJANDRO RODRIGUEZ

SUNSHINE LAKES, LLC.

Sworn to and subscribed before me
this 21 day of April, 20 08.

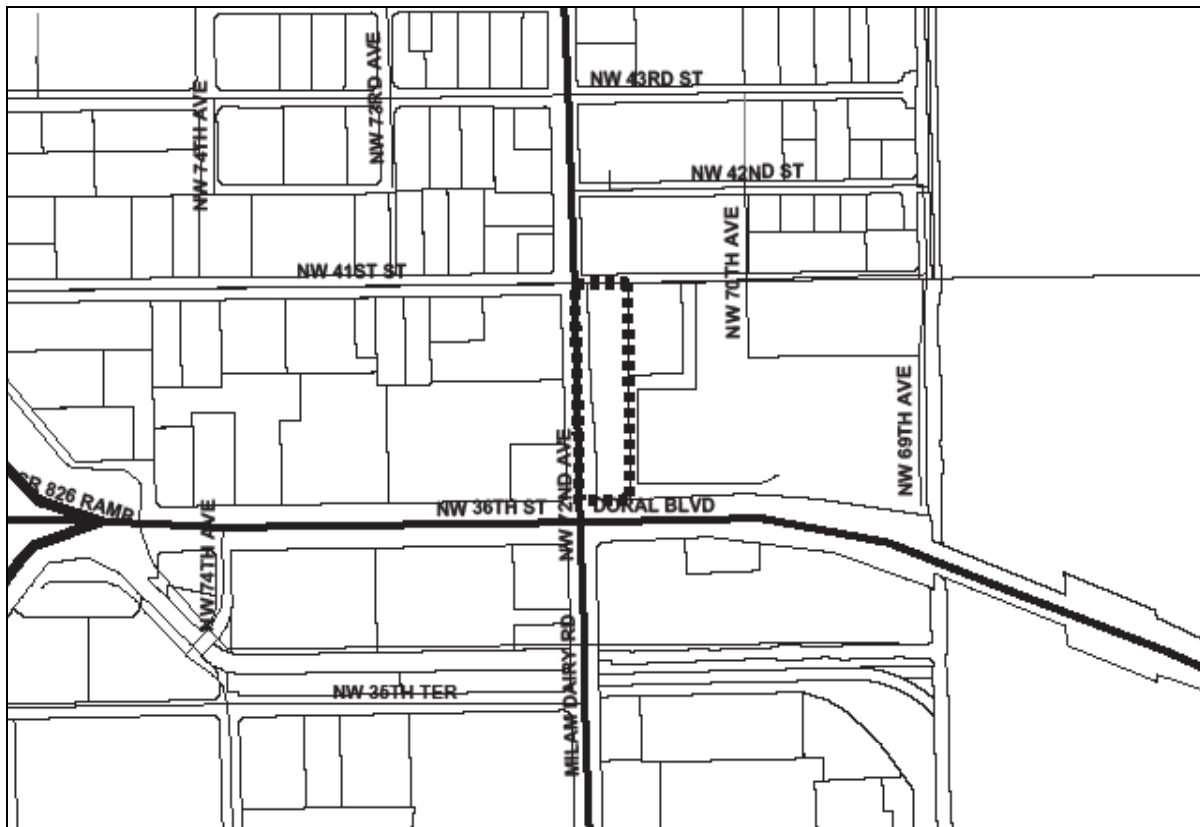
Notary Public, State of Florida at Large (SEAL)
My Commission Expires:



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

APPLICATION NO. 5 **SMALL-SCALE AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Miami-Dade County Aviation Department P.O. Box 025504 Miami, Florida 33102-5504	Jose Abreu, Director Miami-Dade County Aviation Department P. O. Box 025504 Miami, Florida 33102-5504
<p><u>Requested Amendment to the Land Use Plan Map</u> From: INSTITUTIONS, UTILITIES, AND COMMUNICATIONS To: BUSINESS AND OFFICE Location: Northeast corner of NW 72 Avenue and NW 36 Street. Acreage: Application area: 3.6 Gross Acres Application area: 2.4 Net Acres Acreage Owned by Applicant: 2.4 Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

APPLICATION NO. 5
APPLICATION TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

2. APPLICANT'S REPRESENTATIVE

José Abreu, P.E., Aviation Director
Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

By: _____

José Abreu, P.E.

April 29, 2008

3. DESCRIPTION OF REQUESTED CHANGES

- A. A Change to the Land Use Plan Map to the Comprehensive Development Master Plan is requested.
- B. Description of the Subject Property is as follows:
Subject property consists of 3.4 acres located in Section 26, Township 53, Range 40. It is located on the east side of NW 72 Avenue and between NW 41st Street and NW 36th Street.
- C. Gross and Net Acreage
(2.4 net acres) (3.4 gross acres)
30-3026-000-0021 (2.4 acres of total 16.42 acres)
- D. Requested Change
 - 1. It is requested that the application area be redesignated on the Land Use plan map from Institutions, Utilities and Communications to Business and Office.
 - 2. It is requested that this application be processed as a Small-Scale Amendment under the expedited procedures.

4. REASONS FOR AMENDMENT

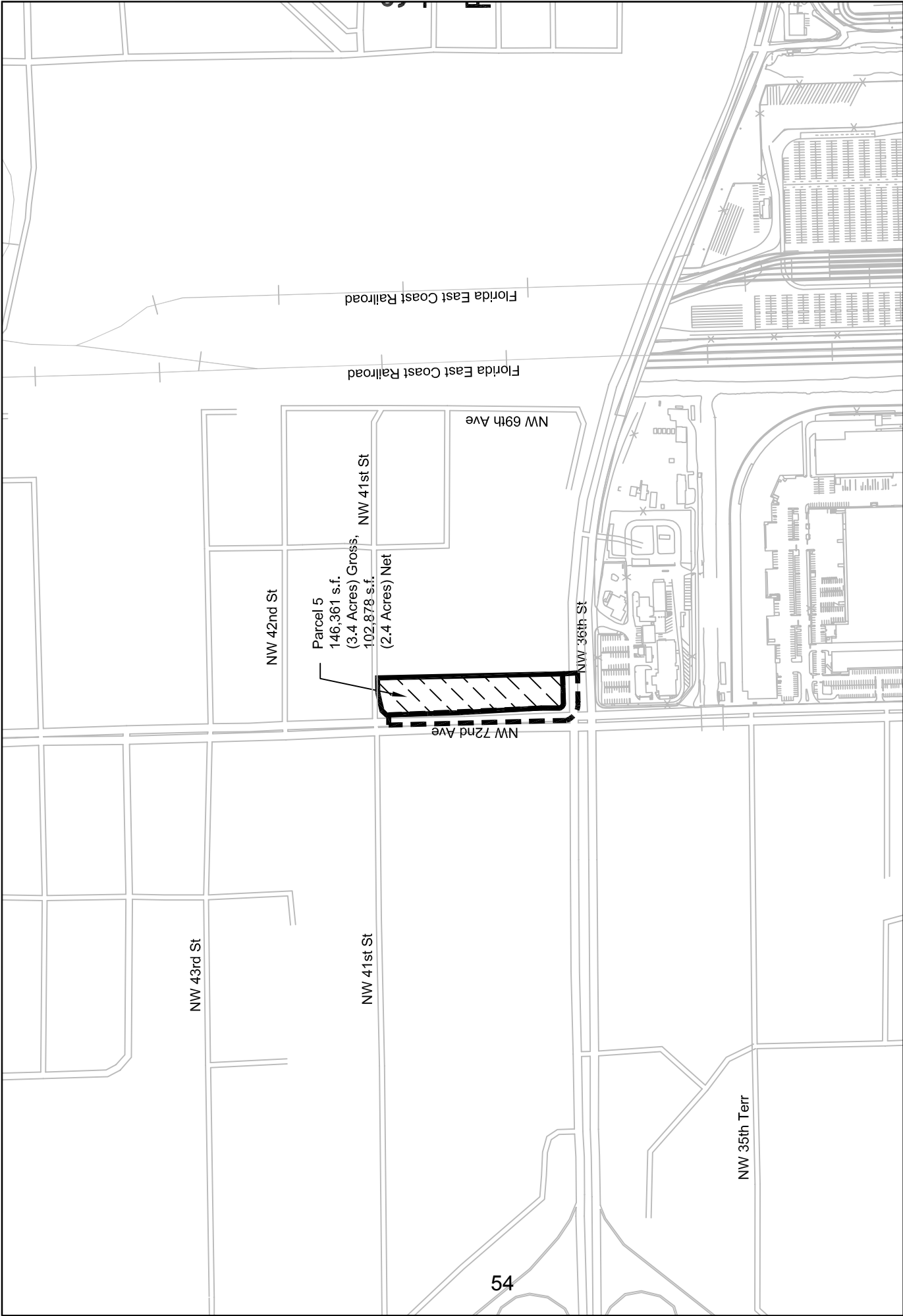
The Aviation Department has issued a Request for Proposals (RFP) seeking private partners to commercially develop the application areas. The application areas are currently zoned for industrial development and may be developed as such. The Department has filed the instant application seeking "Business and Office" Land Use Plan designations for the application areas in order to expand the potential development on the parcels to include retail and service uses not permitted under the current Land Use Plan designations and/or zoning of the parcels. The ultimate development of the application areas may include industrial, retail, office, or service uses. The Department will not develop the application areas for residential purposes.

5. ADDITIONAL MATERIAL SUBMITTED

Impact traffic analysis prepared by Advanced Transportation Engineering Consultants (ATEC) on April 25, 2008: Miami International Airport (MIA) General Light Industrial (Includes Offices) Between Other Uses.

6. COMPLETED DISCLOSURE FORMS

Attachments: Traffic Analysis
Map Indicating Parcel



MIAMI-DADE COUNTY MIAMI-DADE AVIATION DEPARTMENT		MIAMI INTERNATIONAL AIRPORT		REVISION DATE
		PUBLIC/PRIVATE INVESTMENT PARTNERSHIP PARCEL 5		PRINT DATE April 25, 2008
				SHEET NO.

DISCLOSURE OF INTEREST

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

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: MIAMI-DADE COUNTY AVIATION DEPARTMENT

APPLICANT B: P. O. BOX 025504

APPLICANT C: MIAMI FLORIDA 33102-5504

APPLICANT D:

APPLICANT E:

APPLICANT F:

APPLICANT G:

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

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

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A			
SEE EXHIBIT "A" ATTACHED			

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

N/A

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

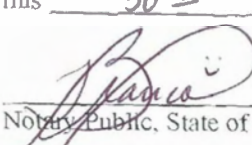
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

Applicant's Signatures and Printed Names

 Jose Abreu, P.E., Aviation Director

Sworn to and subscribed before me

this 30th day of April, 2008


Notary Public, State of Florida at Large (SEAL)

My Commission Expires:



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

PROPERTY DESCRIPTION
Exhibit "A"

Parcel 3:

Folio numbers from the East to the West, CDMP LUP Map designation is as follows:

INDUSTRIAL AND OFFICE

30-3035-000-0122 (10.0 acres)
30-3035-000-0123 (2.04 acres)
30-3035-000-0124 (0.67 acres)
30-3035-000-0126 (3.356 acres)
(16.1 net acres) & (16.9 gross acres)

Parcel 4:

Northern 1/3 INDUSTRIAL AND OFFICE & TRANSPORTATION TERMINALS
(26.8 net acres) (31.04 gross acres)

30-3035-000-0072 (North) 30-3035-000-0090 (South)

Parcel 5:

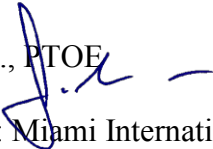
CDMP LUP Map designation is as follows:

INSTITUTIONS, UTILITIES, AND COMMUNICATIONS (2.4 net acres) (3.4 gross acres)
30-3026-000-0021 (2.4 acres of total 16.42 acres)

DATE: April 25, 2008

TO: Mr. Ammad Riaz, Aviation Planning Division

COPIES Project File

FROM: Javier S. Gonzalez, PhD, P.E., PTOE 

SUBJECT: Project No. EDP-AV-0020A: Miami International Airport (MIA)
General Light Industrial (Includes Offices) Between Other Uses

Advanced Transportation Engineering Consultants, Inc. was retained by the Miami-Dade County Aviation Department to perform additional analysis related to the recently completed traffic impact study for the Miami International Airport (MIA) planned development. The purpose of this effort is to assess the equivalencies between General Light Industrial uses already identified for Parcels 3, 4 and 5 and other potential uses without increasing the number of vehicular trips. Our results for the analyses, shown in Tables 1 through 3, are as follows:

Table 1: General Light Industrial (Includes Offices) Between Other Uses For Parcel 3

Parcel	ITE Land Use Codes	ITE Land Use Code Description	PM Peak Hour	Quantity	Unit
3	150	General Light Industrial (Includes Offices)	146	278	1000 GFA
3	861	Discount Club	146	34.43	1000 GFA
	862	Home Improvement Superstore	146	59.59	1000 GFA
	867	Office Supply Superstore	146	42.94	1000 GFA
	880	Pharmacy/ Drugstore Without Drive through Window	146	17.34	1000 GFA
	881	Pharmacy/ Drugstore With Drive through Window	146	16.94	1000 GFA
	890	Furniture Store	146	132.73	1000 GFA
	911	Walk in Bank	146	3.47	1000 GFA
	912	Drive in Bank	146	16.88	1000 GFA
	931	Quality Restaurant	146	19.49	1000 GFA
	933	Fast Food Without Drive Through Window	146	5.58	1000 GFA
	934	Fast Food With Drive Through Window	146	4.21	1000 GFA

Table 2: General Light Industrial (Includes Offices) Between Other Uses For Parcel 4

Parcel	ITE Land Use Codes	ITE Land Use Code Description	PM Peak Hour	Quantity	Unit
4	150	General Light Industrial (Includes Offices)	203	422	1000 GFA
	861	Discount Club	203	47.88	1000 GFA
	862	Home Improvement Superstore	203	82.86	1000 GFA
	867	Office Supply Superstore	203	59.71	1000 GFA
	880	Pharmacy/ Drugstore Without Drive through Window	203	24.11	1000 GFA
	881	Pharmacy/ Drugstore With Drive through Window	203	23.55	1000 GFA
4	890	Furniture Store	203	184.55	1000 GFA
	911	Walk in Bank	203	4.83	1000 GFA
	912	Drive in Bank	203	23.47	1000 GFA
	931	Quality Restaurant	203	27.10	1000 GFA
	933	Fast Food Without Drive Through Window	203	7.76	1000 GFA
	934	Fast Food With Drive Through Window	203	5.86	1000 GFA

Table 3: General Light Industrial (Includes Offices) Between Other Uses For Parcel 5

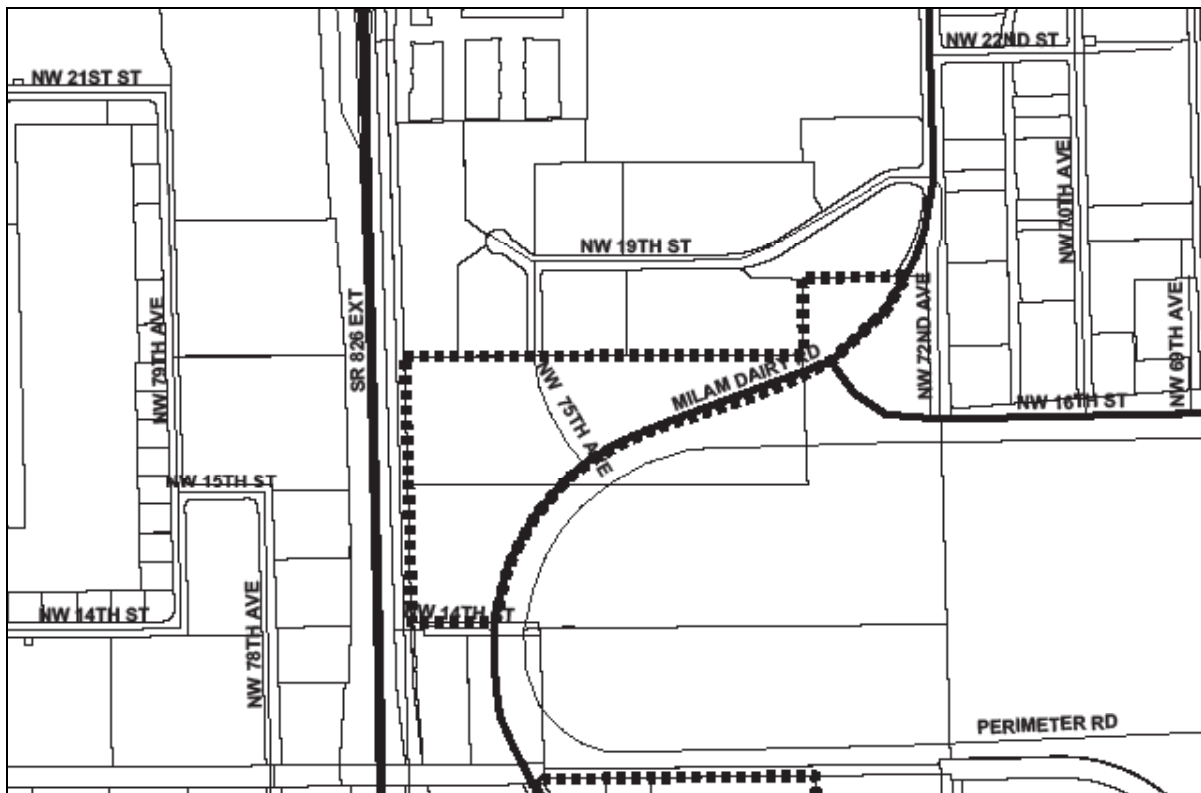
Parcel	ITE Land Use Codes	ITE Land Use Code Description	PM Peak Hour	Quantity	Unit
5	150	General Light Industrial (Includes Offices)	32	41	1000 GFA
	861	Discount Club	32	7.55	1000 GFA
	862	Home Improvement Superstore	32	13.06	1000 GFA
	867	Office Supply Superstore	32	9.41	1000 GFA
	880	Pharmacy/ Drugstore Without Drive through Window	32	3.80	1000 GFA
	881	Pharmacy/ Drugstore With Drive through Window	32	3.71	1000 GFA
5	890	Furniture Store	32	29.09	1000 GFA
	911	Walk in Bank	32	0.76	1000 GFA
	912	Drive in Bank	32	3.70	1000 GFA
	931	Quality Restaurant	32	4.27	1000 GFA
	933	Fast Food Without Drive Through Window	32	1.22	1000 GFA
	934	Fast Food With Drive Through Window	32	0.92	1000 GFA

Please do not hesitate to contact me if you have any questions or comments regarding this equivalency analysis. We appreciate to have addressed this issue for you. If you have any questions please do not hesitate to call me at 305.480.9938.

Intentionally left blank

APPLICATION NO. 6 **STANDARD AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Miami-Dade County Aviation Department P.O. Box 025504 Miami, Florida 33102-5504	Jose Abreu, Director Miami-Dade County Aviation Department P.O. Box 025504 Miami, Florida 33102-5504
<p><u>Requested Amendment to the Land Use Plan Map</u> From: TRANSPORTATION TERMINALS (15 acres) & INDUSTRIAL AND OFFICE (16 acres) To: BUSINESS AND OFFICE Location: West side of NW 72 Avenue and between NW 14 and NW 19 Streets Acreage: Application area: 31.04 Gross Acres Application area: 26.82 Net Acres Acreage Owned by Applicant: 26.82 Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest pages are found with Application No 5 only. . In addition, there is a letter from a consultant attached to Application No. 5 which refers to all three applications.

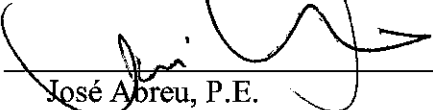
**APPLICATION NO. 6
APPLICATION TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

2. APPLICANT'S REPRESENTATIVE

José Abreu, P.E., Aviation Director
Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

By:  April 29, 2008
José Abreu, P.E.

3. DESCRIPTION OF REQUESTED CHANGES

- A. A Change to the Land Use Plan Map to the Comprehensive Development Master Plan is requested.
- B. Description of the Subject Property is as follows:
Subject property consists of 31.04 acres located in Section 35, Township 53, Range 40. It is located on the east side of the Palmetto Expressway (826) and west of NW 72nd Avenue/Miami International Airport.
- C. Gross and Net Acreage
CDMP LUP Map designation is Northern 1/3 INDUSTRIAL AND OFFICE & TRANSPORTATION TERMINALS
(26.8 net acres) (31.04 gross acres)

30-3035-000-0072 (North) 30-3035-000-0090 (South)
- D. Requested Change
 - 1. It is requested that the application area be redesignated on the Land Use plan map from Industrial and Office to Business and Office.

4. REASONS FOR AMENDMENT

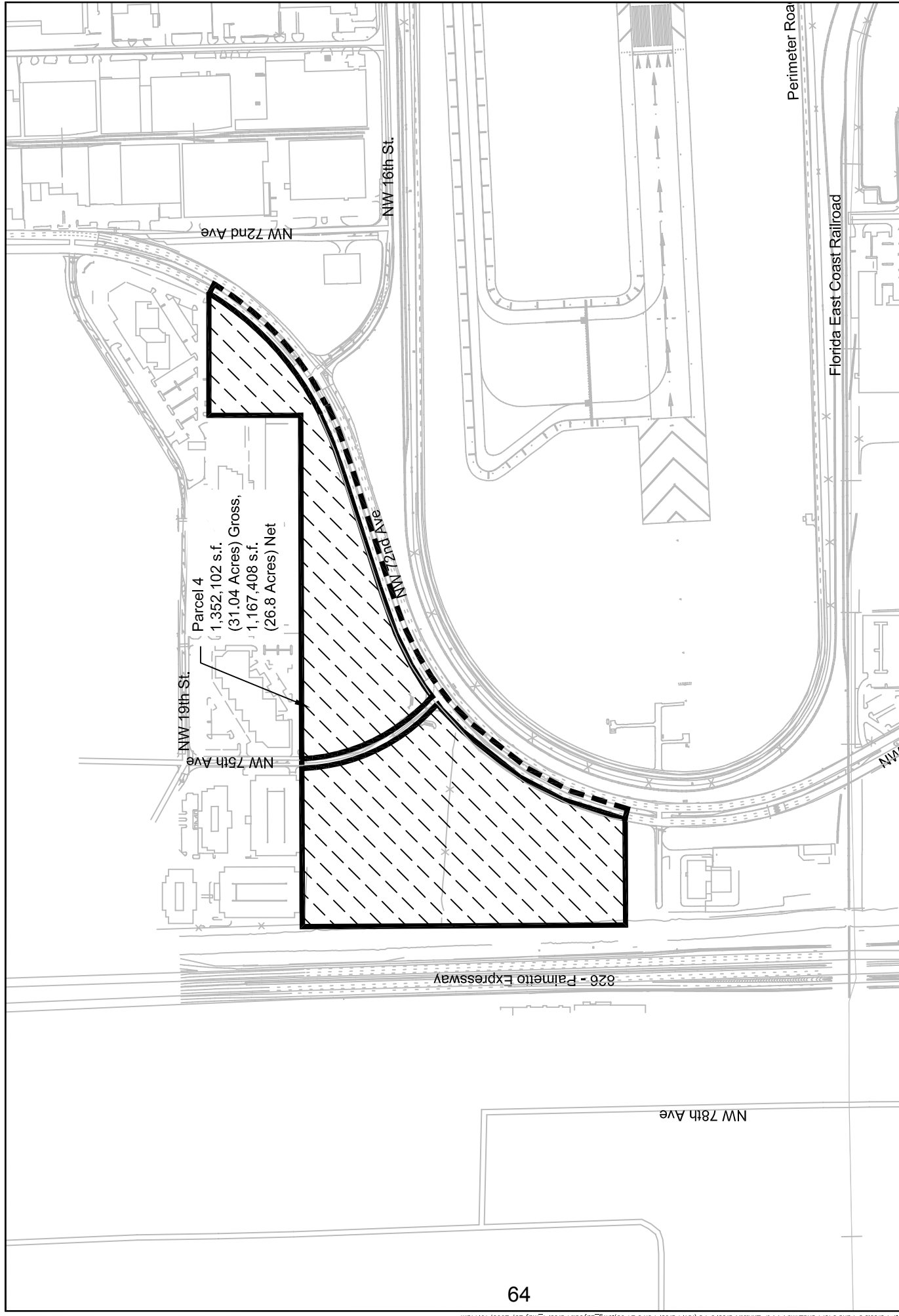
The Aviation Department has issued a Request for Proposals (RFP) seeking private partners to commercially develop the application areas. The application areas are currently zoned for industrial development and may be developed as such. The Department has filed the instant application seeking "Business and Office" Land Use Plan designations for the application areas in order to expand the potential development on the parcels to include retail and service uses not permitted under the current Land Use Plan designations and/or zoning of the parcels. The ultimate development of the application areas may include industrial, retail, office, or service uses. The Department will not develop the application areas for residential purposes.

5. ADDITIONAL MATERIAL SUBMITTED

Impact traffic analysis prepared by Advanced Transportation Engineering Consultants (ATEC) on April 25, 2008: Miami International Airport (MIA) General Light Industrial (Includes Offices) Between Other Uses.

6. COMPLETED DISCLOSURE FORMS

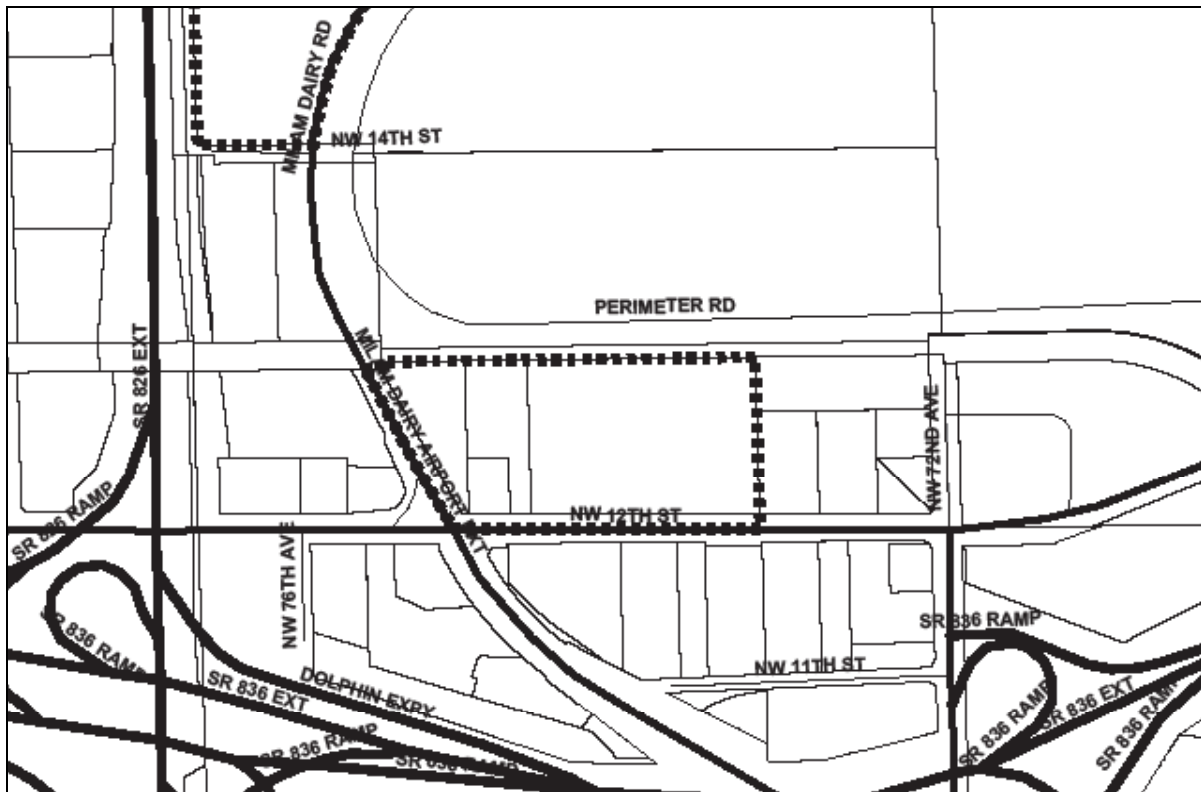
Attachments: Traffic Analysis
Map Indicating Parcel



 MIAMI-DADE COUNTY MIAMI-DADE AVIATION DEPARTMENT	MIAMI INTERNATIONAL AIRPORT PUBLIC/PRIVATE INVESTMENT PARTNERSHIP PARCEL 4	REVISION DATE
		PRINT DATE April 25, 2008
		SHEET NO.

APPLICATION NO. 7 **STANDARD AMENDMENT APPLICATION**

Applicant	Applicant's Representative
Miami-Dade County Aviation Department P.O. Box 025504 Miami, Florida 33102-5504	Jose Abreu, Director Miami-Dade County Aviation Department P. O. Box 025504 Miami, Florida 33102-5504
<p><u>Requested Amendment to the Land Use Plan Map</u> From: INDUSTRIAL AND OFFICE To: BUSINESS AND OFFICE Location: Northeast corner of NW 72 Avenue and NW 12 Street Acreage: Application area: 16.9 Gross Acres Application area: 16.0 Net Acres Acreage Owned by Applicant: 16.0 Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest pages are found with Application No 5 only. In addition, there is a letter from a consultant attached to Application No. 5 which refers to all three applications.

**APPLICATION NO. 7
APPLICATION TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

2. APPLICANT'S REPRESENTATIVE

José Abreu, P.E., Aviation Director
Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

By:  April 29, 2008
José Abreu, P.E.

3. DESCRIPTION OF REQUESTED CHANGES

- A. A Change to the Land Use Plan Map to the Comprehensive Development Master Plan is requested.
- B. Description of the Subject Property is as follows:
Subject property consists of 16.9 acres located in Section 35, Township 53, Range 40. It is located on the east side of NW 72nd Avenue and the north side of NW 12th Street and south of Miami International Airport.
- C. Gross and Net Acreage.
Folio numbers from the East to the West: CDMP LUP Map designation is INDUSTRIAL AND OFFICE

30-3035-000-0122 (10.0 acres)
30-3035-000-0123 (2.04 acres)
30-3035-000-0124 (0.67 acres)
30-3035-000-0126 (3.356 acres)
(16.06 net acres) & (16.9 gross acres)

D. Requested Change

1. It is requested that the application area be redesignated on the Land Use plan map from Industrial and Office to Business and Office.

4. REASONS FOR AMENDMENT

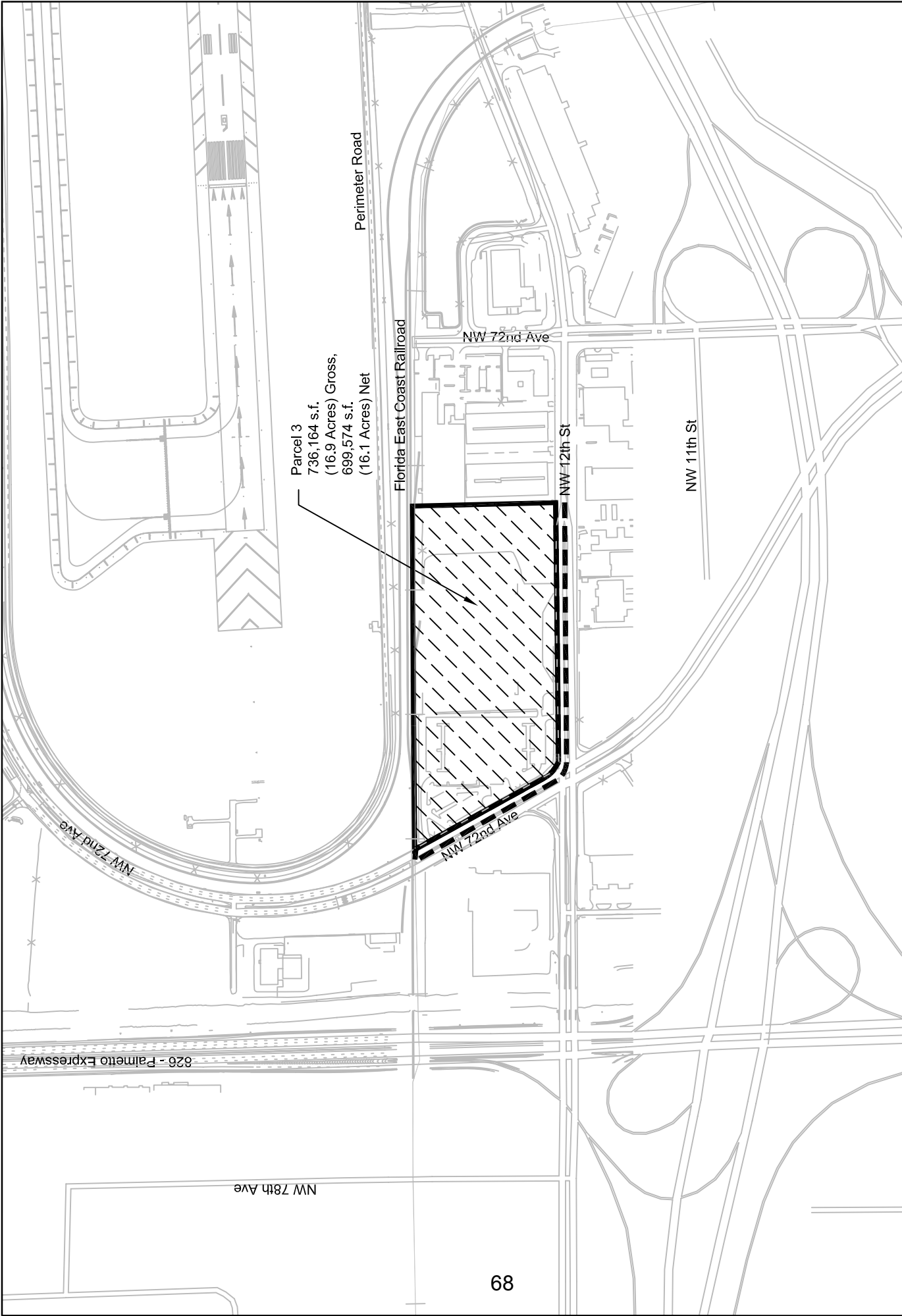
The Aviation Department has issued a Request for Proposals (RFP) seeking private partners to commercially develop the application areas. The application areas are currently zoned for industrial development and may be developed as such. The Department has filed the instant application seeking "Business and Office" Land Use Plan designations for the application areas in order to expand the potential development on the parcels to include retail and service uses not permitted under the current Land Use Plan designations and/or zoning of the parcels. The ultimate development of the application areas may include industrial, retail, office, or service uses. The Department will not develop the application areas for residential purposes.

5. ADDITIONAL MATERIAL SUBMITTED

Impact traffic analysis prepared by Advanced Transportation Engineering Consultants (ATEC) on April 25, 2008: Miami International Airport (MIA) General Light Industrial (Includes Offices) Between Other Uses.

6. COMPLETED DISCLOSURE FORMS

Attachments: Traffic Analysis
Map Indicating Parcel

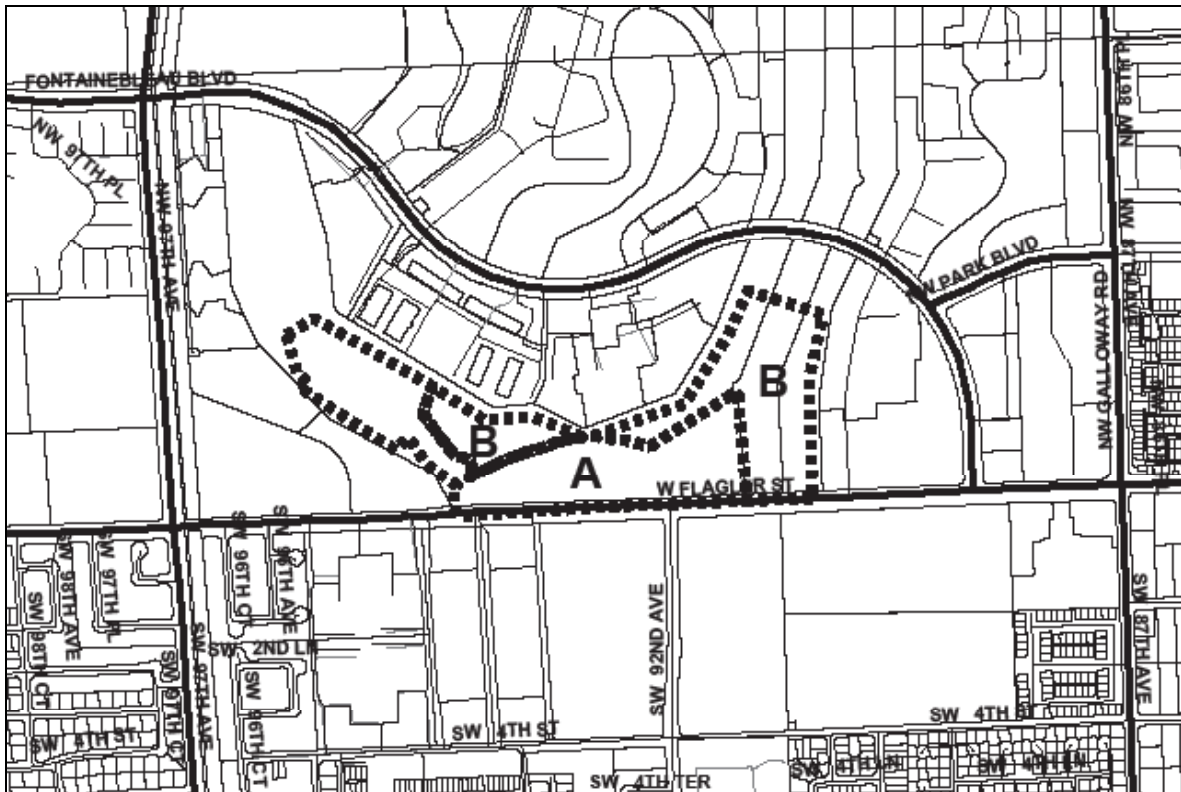


 MIAMI-DADE COUNTY MIAMI-DADE AVIATION DEPARTMENT	MIAMI INTERNATIONAL AIRPORT		REVISION DATE
	PUBLIC/PRIVATE INVESTMENT PARTNERSHIP		PRINT DATE April 25, 2008
	PARCEL 3		SHEET NO.

APPLICATION NO. 8

STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Fontainebleau Lakes, LLC	Felix M. Lasarte, Esq. 5835 Blue Lagoon Drive, Suite 100 Miami, FL 33126 305-269-7153
<p><u>Requested Amendment to the Land Use Plan Map</u></p> <p>From: MEDIUM DENSITY RESIDENTIAL (23 acres) & PARKS AND RECREATION (18 acres)</p> <p>To: BUSINESS AND OFFICE</p> <p>Location: North side of West Flagler Street between theoretical NW 90 and 94 Avenues</p> <p>Acreage: Application area: 41.0 Gross Acres Application area: 39.0 Net Acres</p> <p>Acreage Owned by Applicant: 39.0 Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANTS

Fontainebleau Lakes, LLC

2. APPLICANT'S REPRESENTATIVE

Felix M. Lasarte, Esq.
The Lasarte Law Firm, LLP
5835 Blue Lagoon Drive Suite 1000
Miami, FL 33126
(305) 269-7153
(305) 269-7156 (fax)

By: 
Felix M. Lasarte, Esq.

Date 4/30/08

3. DESCRIPTION OF REQUESTED CHANGE

A. Change the Land Use Plan Map.

A change to the Land Use Element, Future Land Use Plan map is requested. The Applicant is requesting the redesignation of the subject property from "Medium Density Residential" and "Park and Recreation" to "Business and Office." The Applicant is also requesting modification of a Declaration of Restrictions submitted in connection with previous application to amend the Comprehensive Plan.

B. Description of Subject Area.

Subject property consists of approximately 41 +/- acres of land located in Section 04, Township 54, Range 40, in unincorporated Miami-Dade County. This subject area is located between theoretical SW 90th and 94th Avenues, north of West Flagler Street, as depicted on the location map accompanying the legal description provided herein.

C. Acreage.

Subject application area: 41+/- acres

A. "Medium Density Residential" to "Business and Office": 23+/- acres

B. "Parks and Recreation" to "Business and Office": 18+/- acres

Acreage owned by applicant: 272+/- acres (147 East Course and 125 West Course)

D. Requested Changes.

It is requested that subject property be re-designated on the Future Land Use Plan map from "Medium Density Residential" to "Business and Office" and amendment to a previously submitted Declaration of Restrictions.

4. REASONS FOR AMENDMENT

The Applicant is requesting a redesignation of the subject property from "Medium Density Residential" and "Park and Recreation" to "Business and Office." The subject property consists of approximately 41± acres, located in Section 04 of Township 54 South, Range 40 East. This subject property is located east of theoretical SW 94th Avenue, north of West Flagler Street and west of NW 90th Avenue. The subject property is in an area commonly known as "Fontainebleau". The Applicant is developing a residential development known as Fontainebleau Lakes which was approved by the Miami-Dade County Community Zoning Appeals Board 10 in 2006, which permitted the development of 1,836 units and created approximately 185 acres of park space. The Property does not include any of the area designated for the public school.

The Applicant seeks to develop the subject Property into a mixed use development with an office and retail community/lifestyle center component, and will proffer a Declaration of Restrictive Covenants restricting residential use on the Property. At some point in the future, the Applicant will provide a Conceptual Bubble Plan for staff's review.

The proposed modified development would serve the surrounding dense residential community and provide much needed services to its residents. In addition, the Property fronts a major section line roadway and with the recent development of the 97th Avenue Connection over the 836 expressway, it is only a short distance from the Florida Turnpike and State Road 836, which shall allow for the efficient delivery of public services with minimal impacts. Furthermore, the Applicant will provide a traffic study depicting the level of service and impacts of the proposed Amendment.

Based on the foregoing, the Applicant believes that there is a need to provide additional business services and office space to both the surrounding existing residential community, as well as to future residents within the vicinity of the Property resulting from the recent approvals in the area, and that the subject property is the appropriate location for this additional inventory.

Accordingly, approval of the requested Amendment would further the implementation of the following CDMP goals, objectives and policies:

OBJECTIVE 1, OBJECTIVE 1C

LAND USE POLICY 4D: Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements. (Business and Office/Commercial).

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

LAND USE OBJECTIVE 10: Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multi-modal transportation systems. (Energy Efficiency/Conservation).

LAND USE POLICY 1E: In conducting its planning, regulatory, capital improvements and intergovernmental coordination activities, Miami-Dade County shall seek to facilitate the planning of residential areas as neighborhoods which include recreational, educational and other public facilities, houses of worship, and safe and convenient circulation of automotive, pedestrian and bicycle traffic. (Mixed Use).

LAND USE POLICY 1H: Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the county is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways. (urban Form).

5. ADDITIONAL MATERIAL SUBMITTED

Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "B"

Attachments: Legal Description - Exhibit "A"
Disclosure of Interest Form - Exhibit "B"
Location Map for Application - Exhibit "C"

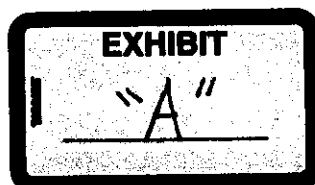
LEGAL DESCRIPTION

LEGAL DESCRIPTION: RETAIL TRACT

A PORTION OF TRACTS 2, 4 AND 7 OF "FONTAINEBLEAU PARK SUBDIVISION SECTION ONE" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 90, PAGE 56 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT 2; THENCE SOUTH 89°42'20" WEST ON THE SOUTH LINE OF SAID TRACT 2 AND ON THE NORTH RIGHT-OF-WAY LINE OF WEST FLAGLER STREET 1,694.70 FEET TO A POINT OF CUSP OF A CIRCULAR CURVE, CONCAVE NORTHWEST; THENCE NORTHEASTERLY ON THE ARC OF SAID CURVE, WITH A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 89°41'00" AN ARC DISTANCE OF 39.13 FEET TO A POINT OF TANGENCY; THENCE NORTH 00°00'00" EAST 26.74 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE EAST; THENCE NORTHERLY ON THE ARC OF SAID CURVE, WITH A RADIUS OF 222.00 FEET AND A CENTRAL ANGLE OF 19°50'04" AN ARC DISTANCE OF 76.85 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE, CONCAVE WEST; THENCE NORTHERLY ON THE ARC OF SAID CURVE, WITH A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 79°16'02" AN ARC DISTANCE OF 34.59 FEET TO A POINT OF TANGENCY; THENCE NORTH 59°25'58" WEST 138.09 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEAST; THENCE NORTHWESTERLY ON THE ARC OF SAID CURVE, WITH A RADIUS OF 176.00 FEET AND A CENTRAL ANGLE OF 25°41'14" AN ARC DISTANCE OF 78.91 FEET TO A POINT OF TANGENCY; THENCE NORTH 33°44'44" WEST 181.42 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHWEST; THENCE NORTHWESTERLY ON THE ARC OF SAID CURVE, WITH A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 24°12'12" AN ARC DISTANCE OF 8.45 FEET TO A POINT OF TANGENCY; THENCE NORTH 57°56'57" WEST 5.43 FEET; THENCE SOUTH 32°03'03" WEST 90.00 FEET; THENCE NORTH 57°56'57" WEST 536.00 FEET; THENCE NORTH 32°03'03" EAST 90.00 FEET; THENCE NORTH 57°56'57" WEST 103.56 FEET; THENCE NORTH 20°20'47" WEST 210.47 FEET; THENCE NORTH 69°39'18" EAST 192.12 FEET; THENCE SOUTH 57°56'57" EAST 1013.54 FEET; THENCE NORTH 87°21'53" EAST 326.70 FEET; THENCE SOUTH 61°07'08" EAST 326.23 FEET; THENCE NORTH 72°27'15" EAST 611.34 FEET; THENCE NORTH 34°51'44" EAST 466.87 FEET; THENCE NORTH 24°37'46" EAST 214.77 FEET; THENCE SOUTH 78°30'00" EAST 507.95 FEET; THENCE SOUTH 11°30'00" WEST 501.05 FEET; THENCE SOUTH 00°14'00" WEST 523.30 FEET TO THE INTERSECTION WITH THE AFOREMENTIONED NORTH RIGHT-OF-WAY LINE, ALSO BEING SOUTH LINE OF SAID TRACT 4; THENCE SOUTH 89°42'20" WEST ON SAID NORTH RIGHT-OF-WAY LINE, SAID SOUTH LINE AND ON THE SOUTH LINE OF SAID TRACT 7 FOR 416.34 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,718,213 SQUARE FEET, 39.4447 ACRES.



DISCLOSURE OF INTEREST

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

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Fontainebleau Lakes, LLC, a Florida limited liability company

5835 Blue Lagoon Drive, 4th Floor

Miami, FL 33126-2062

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

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

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
			TOTAL
A	Fontainebleau Lakes, LLC	a portion of 30-4004-001-0020	± 55
	Fontainebleau Lakes, LLC	a portion of 30-4004-001-0070	± 8
	Fontainebleau Lakes, LLC	a portion of 30-4004-001-0040	± 6

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

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

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

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

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

EXHIBIT

"B"

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

CORPORATION NAME Fontainebleau Lakes, LLC, a Florida limited liability company

NAME, ADDRESS, AND OFFICE (if applicable) PERCENTAGE OF STOCK

PLEASE SEE ATTACHED

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

TRUSTEES NAME: _____

BENEFICIARY'S NAME AND ADDRESS PERCENTAGE OF INTEREST

N/A

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

PARTNERSHIP NAME: _____

NAME AND ADDRESS OF PARTNERS PERCENTAGE OF INTEREST

N/A

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

N/A

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

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

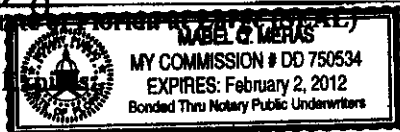
FONTAINE LAKE, LLC, a Florida limited liability company
 By: Masoud Investments, LLC, a Florida Limited liability company
 By: _____
 Name: Masoud Shojaei
 Title: President

Sworn to and subscribed before me

this 30 day of APRIL, 2008

Notary Public, State of Florida (MABEL Q. MENAS)

My Commission



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

5202096_v2

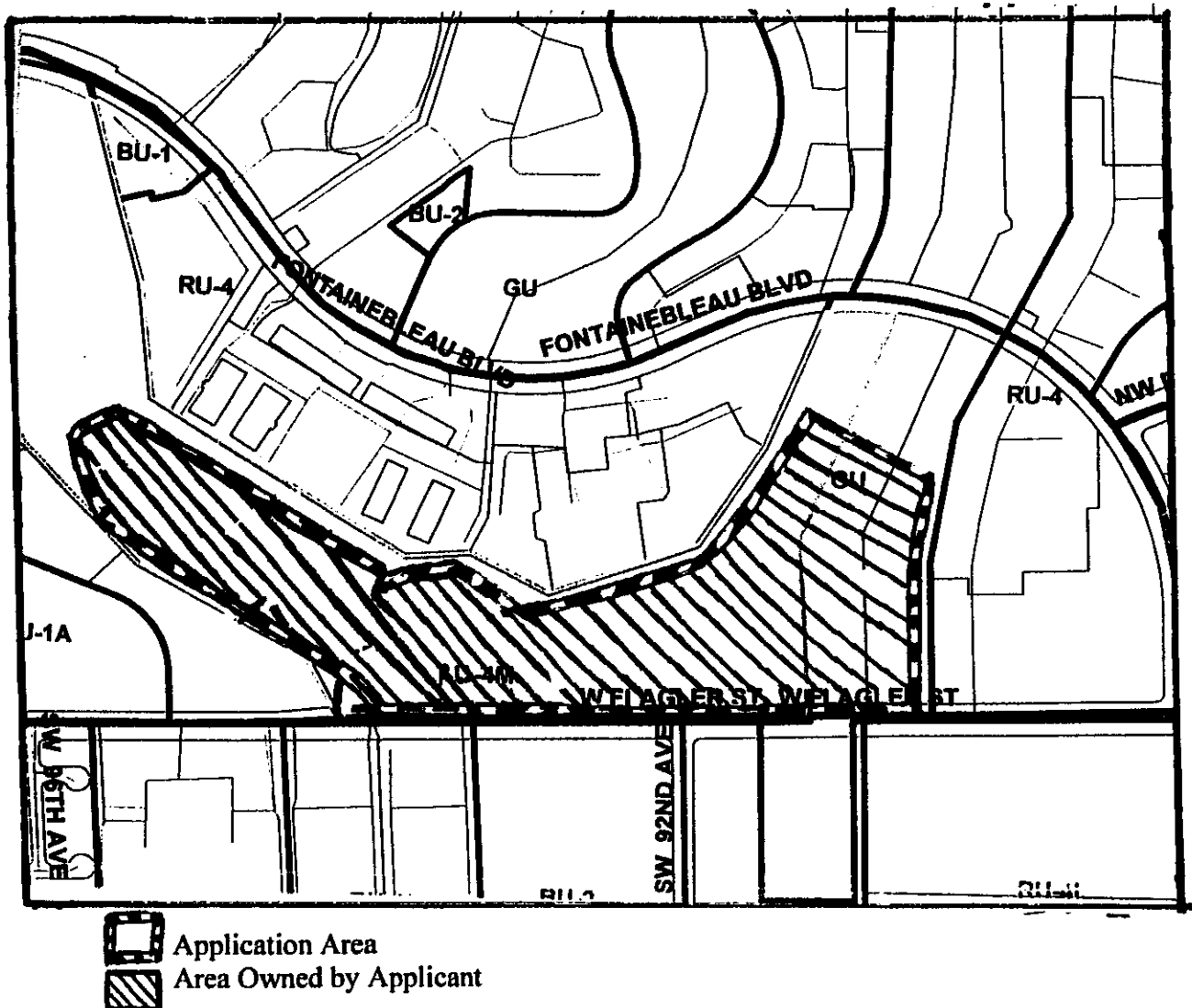
**LOCATION MAP FOR APPLICATION
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

APPLICANT/REPRESENTATIVE

Fontainebleau Lakes, LLC. c/o Felix M. Lasarte, Esq.

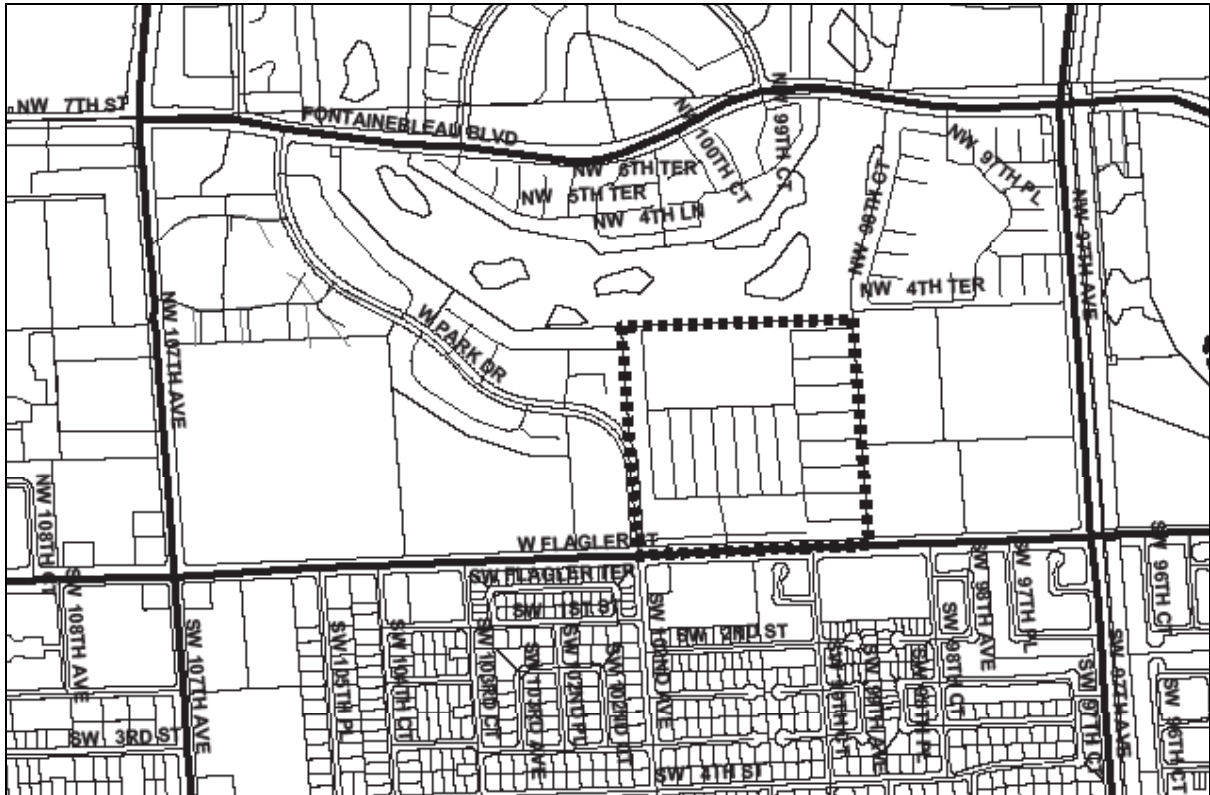
DESCRIPTION OF SUBJECT AREA

Subject property consists of approximately 41 +/- acres of land located in Section 04, Township 54, Range 40, in unincorporated Miami-Dade County. This subject area is located between theoretical SW 90th and 94th Avenues, north of West Flagler Street,



APPLICATION NO. 9
STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Gold River Corporation c/o Oscar V. Rodriguez, President 444 Brickell Avenue, Suite 210 Miami, Florida 33131	Juan J. Mayol, Jr., Esq. Holland & Knight, LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 (305) 374-8500
<u>Requested Amendment to the Land Use Plan Map</u> From: LOW-MEDIUM DENSITY RESIDENTIAL To: BUSINESS AND OFFICE Location: Northeast corner of West Flagler Street and NW 102 Avenue Acreage: Application area: 41.0 Gross Acres Application area: 39.0 Net Acres Acreage Owned by Applicant: 0.0 Acres	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

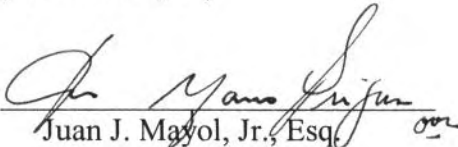
**APPLICATION TO AMEND THE
LAND USE PLAN MAP OF THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Gold River Corporation
c/o Oscar V. Rodriguez, President
444 Brickell Avenue, Suite 210
Miami, Florida 33131

2. APPLICANTS' REPRESENTATIVE

Juan J. Mayol, Jr., Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131-2847
(305) 374-8500
(305) 679-6305 (fax)

By:  4/30/2008
Juan J. Mayol, Jr., Esq. Date

3. DESCRIPTION OF REQUESTED CHANGE

A. Change the Land Use Plan Map. Applicant requests a change to the Land Use Plan (LUP) map designation from Low-Medium Density to Business and Office.

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

The Property contains approximately ± 41 gross acres (± 39 net acres) and is located on the Northeast corner of West Flagler Street and N.W. 102nd Avenue, within Section 05, Township 54 South, Range 40 East. It is more accurately described as Tracts 8, 9, 10, and 11 of Block 11 of Richardson-Kellett Land Co. Subdivision according to the Plat thereof as recorded in Plat Book 1, at Page 19, of the Public Records of Miami-Dade County, Florida (Exhibit "A").

C. Gross and Net Acreage

Application area: ± 41 gross acres (± 39 net acres)
Acreage Owned by Applicant: None

D. Requested Change.

Applicant requests that the Property be re-designated on the Land Use Plan map from LOW-MEDIUM DENSITY RESIDENTIAL (6-13 DU/AC) to BUSINESS AND OFFICE.

4. REASONS FOR AMENDMENT

The Applicant is requesting a re-designation of the Property from "Low-Medium Density Residential" to "Business and Office." The Property consists of ±41 gross acres (±39 net acres) and is located on the northeast corner of West Flagler Street and N.W. 102nd Avenue. As such, the Property has frontage on a Major Roadway (West Flagler Street) and a half-section line roadway (N.W. 102nd Avenue), respectively. The Property is improved with a lake and is currently vacant. A mobile home park use established in the late 1950's is no longer in existence on the Property.

The proposed Business and Office land use designation will enable the property, located within Minor Statistical Area (MSA) 3.2, to be subsequently rezoned and developed with commercial uses which are compatible and necessary to help meet the existing and increasing demand for business type services that provide for the essential and frequent needs of a growing population of residents in the surrounding community which is predominantly residential in character. MSA 3.2 is generally bounded by S.W. 8th Street (Tamiami Trail) on the south, N.W. 72nd Avenue on the east, Okeechobee Road on the north, and State Road 27 on the west. In accordance with the Population Estimates and Projections for the years 2000, 2015, and 2025, the population within MSA 3.2 is expected to increase from 122,540 to 170,546. Most of this population growth will occur within the more urbanized eastern-half of MSA 3.2 lying east of 117th Avenue, which includes the Property. The Miami-Dade County Lake Belt Area encumbers the entire western-half of the MSA 3.2 area lying west of 117th Avenue where little or no population growth is expected.

The surrounding area within a radius of three (3) miles has experienced tremendous growth in residential development, thereby, increasing the demand for business uses and justifying the proposed amendment to the LUP map. In March of 2006, for example, an application by Carolyn Sokolsky, Trustee, involving approximately 272 acres of the former Fontainebleau Golf Course was granted approval (Resolution CZAB10-21-06) for the development of up to one thousand one hundred and twenty-two (1,122) residential dwelling units on a portion of the east golf course and seven hundred fourteen (714) residential dwelling units on the west golf course. As such, a total of one thousand eight hundred thirty-six (1,836) dwelling units within a radius of approximately one mile from the Property may be developed in the future. The 714 residential dwelling units on the west golf course are located in the area immediately north of the Property within the same square mile section.

Despite an increase in residential development, the current and future residents lack business services that are conveniently located and easily accessible, within a comfortable 1/4 mile walking distance. In fact, there is no land designated Business and Office on the LUP map within the subject square mile. Only a small parcel located on the southeast corner of N.W. 107th

Avenue and Fontainebleau Boulevard is zoned commercial and improved with a shopping center. Other commercial areas such as the Miami International Mall and the Dolphin Mall are located on the north side of State Road 836 which acts like a barrier between the residents of the subject square mile and the aforementioned shopping malls. The "Mall of the Americas" located on the northwest corner of Flagler Street and the Palmetto Expressway is located approximately 2 miles to the east of the Property, hence, these malls are not conveniently located in close proximity to the residences within the subject square mile, nor are they within comfortable walking distances. In addition, there is no planned Urban Center within a comfortable walking distance from the residents within the subject square mile. As such, the land use development pattern within the subject square mile is not in keeping with the general land use development pattern of a typical one-square mile section of land within the County which typically provides activity business nodes at the intersection of all section-line roadways.

By comparison, the Property will provide a more central location for business services that will be easily accessible to the residents of the surrounding area. In this regard, the proposed application is consistent with principles of urban infill and urban development which encourage the redevelopment of previously developed urban sites and provide a contiguous, more compact, urban form. Moreover, the environment will benefit since many of the residents will be able to take advantage of the proximity and accessibility of this new commercial center and walk to business uses on the Property, thereby, reducing the amount of vehicles on the road, the fuel consumed, and the harmful emissions emitted. In this regard, the proposed amendment to Business and office will not only satisfy a deficiency in the LUP map by providing additional Business and Office to serve a growing residential community but, in addition, will enhance the Level of Services by helping to reduce the number of vehicles on the roadways and length of those trips.

Based on the foregoing, the Applicant believes that the approval of this application would be a timely improvement to the Land Use Plan map and will help to satisfy the inadequate supply of commercial land within the UDB.

Accordingly, approval of the requested Amendment would further implementation of the following CDMP objectives and policies:

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

LAND USE POLICY 1B: Major centers of activity, industrial complexes, regional shopping centers, large-scale office centers, and other concentrations of significant employment shall be the structuring elements of the metropolitan area and shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.

LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable

urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

LAND USE POLICY 1G: Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.

LAND USE OBJECTIVE 8: Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan Map, consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan Map accommodates projected countywide growth.

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

LAND USE OBJECTIVE 10: Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multi-modal transportation systems.

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

5. ADDITIONAL MATERIAL SUBMITTED

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

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "B"

Attachments: Legal Description - Exhibit "A"
Disclosure of Interest Form - Exhibit "B"
Location Map for Application - Exhibit "C"
Aerial Photograph – Exhibit "D"

2. APPLICANTS' REPRESENTATIVE

Juan J. Mayol, Jr., Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131-2847
(305) 374-8500
(305) 679-6305 (fax)

Exhibit "A"
Legal Description

Tracts 8, 9, 10, and 11 of Block 11 of Richardson-Kellet Land Co. Subdivision according to the Plat thereof as recorded in Plat Book 1, at Page 19, of the Public Records of Miami-Dade County, Florida.

5295136_v1

**LOCATION MAP FOR APPLICATION TO AMEND
THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

Gold River Corporation / Juan J. Mayol, Jr., Esq.

The Property consists of approximately ± 41 gross acres (± 39 net acres) of land located in Section 05, Township 54, Range 40, in unincorporated Miami-Dade County, Florida. Of the total acreage, the Applicants own 0.00 acres. The Property, located on the Northeast corner of West Flagler Street and N.W. 102nd Avenue, is more specifically described in Exhibit "A" to this application.

(166-45)

SW 102 Ave

SW 99 Ave

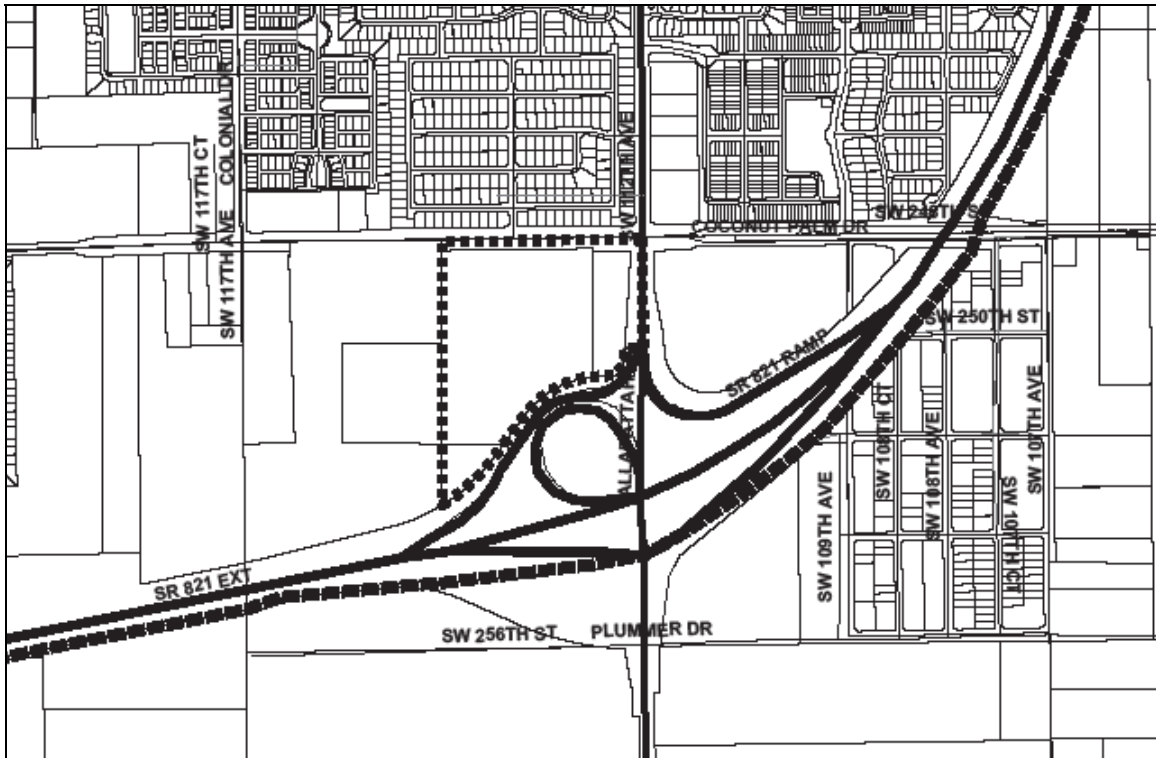
CO
OW
PRCP

Flagler Street

86

**APPLICATION NO. 10
STANDARD AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
<p>Manual C. Diaz 26401 SW 107 Avenue Miami, Florida 33032</p> <p>Live Oak Partners, LLC 26401 SW 107 Avenue Miami, Florida 33032</p>	<p>Joseph G. Goldstein, Esq., Alan S. Krischer, Esq. & Tracy R. Slavens, Esq. Holland & Knight, LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 (305) 374-8500</p>
<p><u>Requested Amendment to the Land Use Plan Map</u> From: OFFICE/RESIDENTIAL To: BUSINESS AND OFFICE Location: Southwest corner of SW 112 Avenue and SW 248 Street Acreage: Application area: 35.0 Gross Acres Application area: 31.0 Net Acres Acreage Owned by Applicant: 0.0 Acres</p> <p><u>Requested Amendment to the Land Use Element text for Deleting Covenant</u> From: Delete Covenant To: Add New Covenant to Text</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**


1. APPLICANTS

Manuel C. Diaz
26401 SW 107 Avenue
Homestead, Florida 33032

Live Oak Partners, L.L.C.
26401 SW 107 Avenue
Homestead, Florida 33032

2. APPLICANTS' REPRESENTATIVES

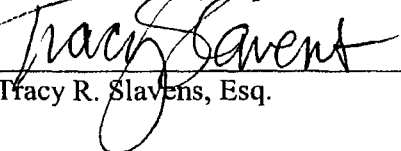
Joseph G. Goldstein, Esq.
Alan S. Krischer, Esq.
Tracy R. Slavens, Esq.
Holland & Knight LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131
(305) 374-8500
(305) 789-7799 (fax)

By: 
Joseph G. Goldstein, Esq.

4/28/08
Date

By: 
Alan S. Krischer, Esq.

4/28/08
Date

By: 
Tracy R. Slavens, Esq.

4/28/08
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. The following changes to the Land Use Element Land Use Plan Map and Text are being requested:

1. A Change to the Land Use Element, Land Use Plan Map. The Applicants request the a change to the Land Use Element, Land Use Plan Map to re-designate the subject property from "Office/Residential" to "Business and Office."
2. Acceptance of a Proffered Covenant: The Applicants request a deletion of those Declarations of Restrictions recorded in Official Records Book

21511, Pages 4452 – 4468, and Official Records Book 22286, Pages 0971 – 983, in the Public Records of Miami-Dade County, Florida, and acceptance of the Declaration of Restrictions attached hereto as Exhibit "F," as may be amended prior to final adoption, to be incorporated within the table entitled "Restrictions Accepted by the Board of County Commissioners in Association with Land Use Map Plan Amendments," as adopted pursuant to Remedial Amendment 06-1R.

B. Description of the Subject Area.

The subject property consists of approximately 31± gross acres of land located in Section 30, Township 56, Range 40, in unincorporated Miami-Dade County. More specifically, the subject property is located at the southwest corner of SW 248 Street and SW 112 Avenue, in unincorporated Miami-Dade County, Florida. A legal description of the subject property is provided in Exhibit "A."

C. Acreage.

Subject application area: 35.4± gross acres
Acreage owned by Applicants: 31.32± net acres

D. Requested Change.

It is requested that the subject area be re-designated on the Land Use Plan map from "Office/Residential" to "Business and Office" and that the declarations of restrictions running with the land be accepted for incorporation into the table entitled "Restrictions Accepted by the Board of County Commissioners in Association with Land Use Map Plan Amendments," as adopted pursuant to Remedial Amendment 06-1R.

4. REASONS FOR AMENDMENT

The Applicants request the re-designation of the Property from "Office/Residential" to "Business and Office" to permit the development of commercial and retail uses on the subject property. The subject property consists of approximately 31.32± gross acres, located in Section 30, Township 56, Range 40, in unincorporated Miami-Dade County at the southwest corner of SW 248 Street and SW 112 Avenue. The purpose for this request is to address the need for additional commercial use in the area. The Applicants are seeking to provide a commercial and office development on the Property, which is intended to attend to the needs of the growing population of residents in the area.

The Property is located in the South Tier of the County at the intersection of a section and half-section line road: SW 248 Street and SW 112 Avenue, respectively. The Property is bounded on the south by the Homestead Extension of Florida's Turnpike and an interchange on SW 112 Avenue provides access to the Turnpike at this location. The Urban Development

Boundary ("UDB") lies just to the west and to the south of the Property. The Miami-Dade Transit Metrobus 70 Route runs along SW 112 Avenue from SW 220 Street to SW 268 Street, where it enters the Princeton community. The parcel of land lying directly to the east of the Property is designated "Business and Office." Thus, the redesignation of the Property would be compatible with existing land uses in the area. Based on location and level accessibility, the Property is ideal for "Business and Office" uses.

The Property is located within Minor Statistical Area ("MSA") 7.4 and just to the south of MSA 7.1. MSA 7.4 is defined by SW 248 Street to the north, Biscayne Bay to the east, SW 328 Street to the south, and Old Dixie Highway to the west. Approximately one half of the land within MSA 7.4 is outside of the UDB and the Homestead Air Reserve Base also lies within this MSA. The developable areas within MSAs 7.4 and 7.1 area currently experiencing rapid residential growth. In the past few years, both Miami-Dade County and the City of Homestead have approved numerous low and low-medium density residential developments in the area. The predominant zoning patterns in the surrounding area are characterized by a maximization of density. The area is predominantly zoned RU-3M (Minimum Apartment House District, maximum density 12.9 dwelling units per acre), RU-TH (Townhouse District, maximum density 8.5 dwelling units per acre), and RU-1M(a) (Modified Single-Family Residential District, 5,000 square foot net lots) As the area has developed with these residential uses, the residents' need for commercial and retail uses has become acute. These residents have commercial and retail needs which are not currently met by the existing development in this general area. Thus, the redesignation of the Property to "Business and Office" would serve to meet the demands of the area residents and meet the CDMP directive that communities be self-sufficient to the maximum possible extent.

The Property is located within two miles of both the Goulds and Princeton Community Urban Centers. These Community Urban Centers were established following charrette processes in which local residents, property owners and business owners gathered with County Staff and elected officials to formulate a vision for the development of these respective areas. The charrettes led to the implementation of the Goulds Community Urban Center District regulations pursuant to Article XXXIII(L) of the Miami-Dade Code and the Princeton Community Center Urban District regulations pursuant to Article XXXIII(M) of the Miami-Dade County Code. These zoning district regulations were implemented to ensure that these areas would serve as community centers that serve the area and provide residents with nearby places to shop and work. The scope of residential development to the south of Goulds and east of Princeton and in the area surrounding the Property further call for additional "Business and Office"-type uses to meet the needs of the residents.

Based on the foregoing, the Applicants believe that the approval of this application would be a timely improvement to the Land Use Plan map and will help to satisfy the boding deficiency of commercial land within the UDB.

Accordingly, approval of the requested Amendment would further implementation of the following CDMP policies:

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

LAND USE POLICY 1B: Major centers of activity, industrial complexes, regional shopping centers, large-scale office centers, and other concentrations of significant employment shall be the structuring elements of the metropolitan area and shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.

LAND USE POLICY 1G: Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.

LAND USE OBJECTIVE 8: Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan Map, consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan Map accommodates projected countywide growth.

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

LAND USE OBJECTIVE 10: Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multi-modal transportation systems.

5. ADDITIONAL MATERIAL SUBMITTED

Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

Attachments: Legal Description of Property – Exhibit "A"
Disclosure of Interest Form – Exhibit "B"
Location Map for Application – Exhibit "C"
Aerial Photograph – Exhibit "D"
Section Sheet – Exhibit "E"
Declaration of Restrictions – Exhibit "F"

EXHIBIT "A"

Legal Description of Subject Property:

Includes folio numbers 30-6030-000-0051, 30-6030-000-0070, 30-6030-000-0091

PARCEL 1: THAT PART OF SE 1/4 OF NW 1/4 OF SECTION 30, TOWNSHIP 56 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, LYING NORTHWESTERLY OF STATE ROAD N° 821, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION SECTION 87005-2304, SHEET 10 OF 15. AREA = 2.13 ACRES±

PARCEL 2: THE WEST 3/4 OF THE NE 1/4 OF THE NW 1/4 LYING IN SECTION 30, TOWNSHIP 56 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, LESS THE NORTH 66.00 FEET THEREOF, AND LESS THE PROPERTY LYING WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

COMMENCE AT THE NORTHEAST CORNER OF THE NW 1/4 OF SAID SECTION 30; THENCE RUN S00°28'03"E ALONG THE EASTERLY BOUNDARY OF THE NW 1/4 OF SAID SECTION 30, FOR A DISTANCE OF 1339.40 FEET TO A POINT; THENCE RUN S88°56'29"W, FOR A DISTANCE OF 330.29 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE S88°56'29"W, FOR A DISTANCE OF 592.17 FEET TO A POINT; THENCE N34°25'56"E, FOR A DISTANCE OF 223.98 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEASTERLY, HAVING A RADIUS OF 599.30 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR 535.68 FEET, THOUGH A CENTRAL ANGLE OF 51°12'48" TO THE END OF SAID CURVE; THENCE RUN N85°38'44"E FOR A DISTANCE OF 12.71 FEET TO A POINT; THENCE S00°31'23"E FOR A DISTANCE OF 433.48 FEET TO THE POINT OF BEGINNING. AREA = 25.09 ACRES±

PARCEL 3:

A PORTION OF THE EAST 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 30, TOWNSHIP 56 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NW 1/4 OF SAID SECTION 30; THENCE RUN S00°28'03"E ALONG THE EAST BOUNDARY OF THE NW 1/4 OF SAID SECTION 30 A DISTANCE OF 85.00 FEET TO A POINT; THENCE RUN S89°15'06"W ALONG THE EXISTING SOUTHERLY RIGHT-OF-WAY BOUNDARY OF COCONUT PALM DRIVE A DISTANCE OF 75.00 FEET TO THE POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY BOUNDARY OF STATE ROAD N° 821, SECTION 87005-2304, SAID POINT BEING THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER TO BE DESCRIBED; THENCE RUN S04°44'05"W ALONG THE LAST DESCRIBED LINE A DISTANCE OF 244.43 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF LIMITED ACCESS RIGHT-OF-WAY BOUNDARY OF SAID STATE ROAD N° 821; THENCE CONTINUE ON THE LAST DESCRIBED COURSE AND ALONG THE LAST DESCRIBED BOUNDARY A DISTANCE OF 316.25 FEET TO A POINT OF DEFLECTION; THENCE RUN S02°57'58"W ALONG SAID LIMITED ACCESS RIGHT OF WAY BOUNDARY A DISTANCE OF 200.36 FEET TO A POINT OF DEFLECTION; THENCE CONTINUING ALONG SAID LIMITED ACCESS RIGHT OF WAY BOUNDARY ON A COURSE OF S44°18'21"W A DISTANCE OF 79.26 FEET TO A POINT OF REFLECTION; THENCE RUN S85°38'44"W ALONG SAID LIMITED ACCESS RIGHT OF WAY BOUNDARY A DISTANCE OF 137.34 FEET TO A POINT OF INTERSECTION WITH THE WEST BOUNDARY OF THE EAST 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 30; THENCE RUN N00°31'23"W ALONG THE LAST DESCRIBED LINE A DISTANCE OF 822.70 FEET TO THE POINT OF INTERSECTION WITH A LINE PARALLEL TO AND 85.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH BOUNDARY OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 30, SAID LINE BEING THE EXISTING SOUTHERLY RIGHT-OF-WAY BOUNDARY OF COCONUT PALM DRIVE; THENCE RUN N89°15'06"E ALONG THE LAST DESCRIBED LINE A DISTANCE OF 256.49 FEET TO THE POINT OF BEGINNING, CONTAINING 4.096 ACRES, MORE OR LESS. TOTAL = 31.32 ACRES±

BEARINGS APPEARING IN FOREGOING DESCRIPTION REFER TO THE PLANE RECTANGULAR COORDINATE SYSTEM FOR EAST ZONE OF FLORIDA.

EXHIBIT "B"

DISCLOSURE OF INTEREST

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

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Manuel C. Diaz

26401 SW 107 Avenue

Homestead, FL 33032

APPLICANT B: Live Oak Partners, LLC

26401 SW 107 Avenue

Homestead, FL 33032

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

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

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A	Manuel C. Diaz	30-6030-000-0091	+/- 2
		30-6030-000-0070	+/- 25
A	Live Oak Partners, LLC	30-6030-000-0051	+/- 4

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

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

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

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

INDIVIDUAL'S NAME AND ADDRESS	PERCENTAGE OF INTEREST
Manuel C. Diaz	100 %

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

CORPORATION NAME Live Oak Partners, LLC, a Florida limited liability company

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Manuel C. Diaz</u>	<u>100 %</u>

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

TRUSTEES NAME: _____

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

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

PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
-------------------------------------	-------------------------------

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

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
-------------------------	-------------------------------

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

PARTNERSHIP NAME: _____

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF OWNERSHIP

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

NAME, ADDRESS AND OFFICE (if applicable)

PERCENTAGE OF INTEREST

Date of Contract _____

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

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

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

MANUEL C. DIAZ

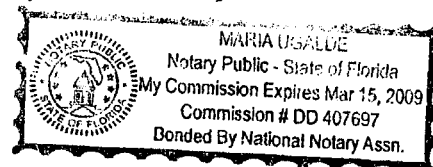
By: _____

Sworn to and subscribed before me

this 23rd day of April, 2008

Maria Usalve
Notary Public, State of Florida at Large (SEAL)

My Commission Expires:




LIVE OAK PARTNERS, LLC, a Florida limited liability company

By:

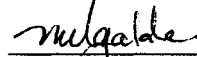
Name:

Title:

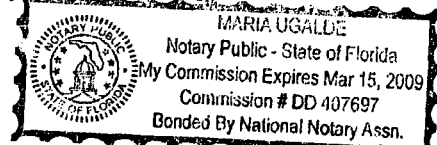

Lourdes Rodriguez
Manager

Sworn to and subscribed before me

this 23rd day of April, 2008


Notary Public, State of Florida at Large (SEAL)

My Commission Expires:



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

5294740_v1

EXHIBIT "C"

LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

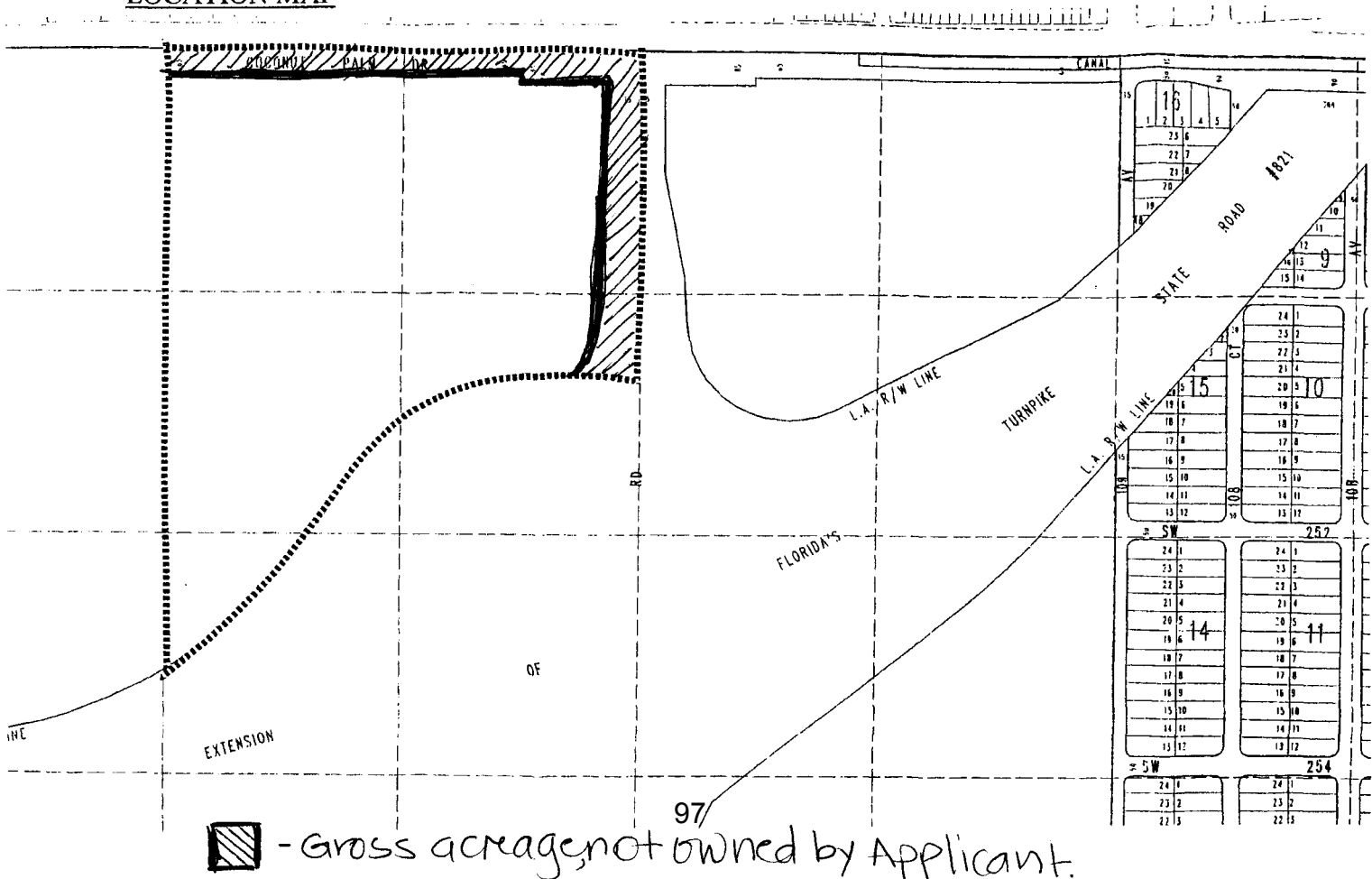
APPLICANTS / REPRESENTATIVE

Manuel C. Diaz and Live Oak Partners, LLC / Joseph G. Goldstein, Esq.

DESCRIPTION OF SUBJECT AREA

The Property consists of approximately ± 35.4 gross acres (± 31.32 net acres) of land located in Section 33, Township 56, Range 40, in unincorporated Miami-Dade County, Florida. Of the total acreage, the Applicants own ± 31.32 acres. The Property, located on the southwest corner of SW 248 Street and SW 112 Avenue, is more specifically described in Exhibit "A" to this application.

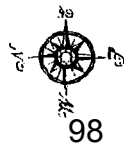
LOCATION MAP



SEC 30
T 56 S
R 40 E

564030

oto Date:
/31/2007



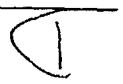
150 300 Feet

1.5 Foot Pixel

is not a survey

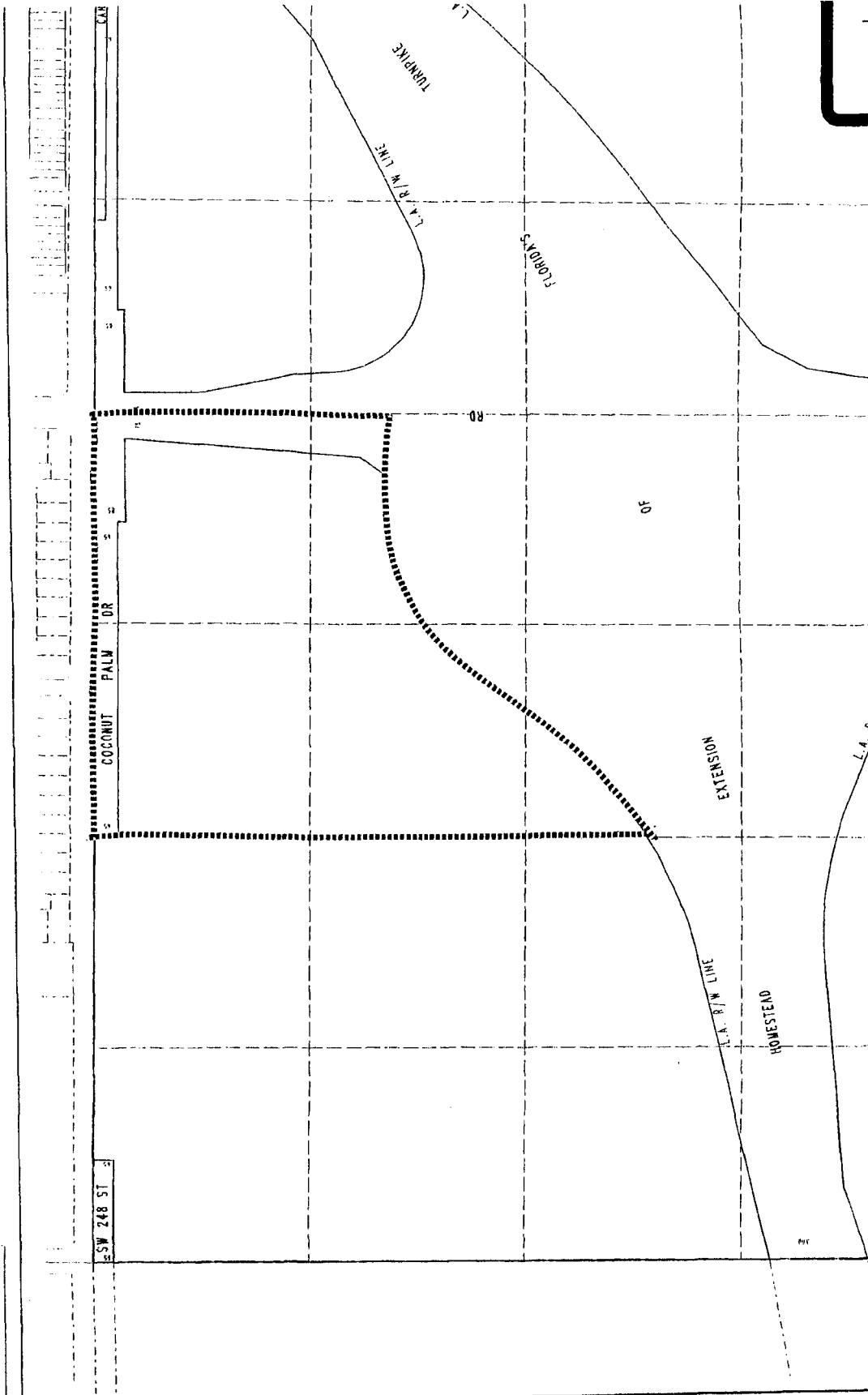


EXHIBIT



plot564030.gra
p/xx00028.tmp

Public Works
Co., Florida



EXHIBIT

F



This instrument was prepared under
the supervision of:

Name: Joseph G. Goldstein, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned (collectively, the "Owner"), holds the fee simple title to that certain parcel of land that is legally described on Exhibit "A" to this Declaration (the "Property"); and

WHEREAS, an application has been filed with the Planning and Zoning Department (the "Planning and Zoning Department") to amend the Comprehensive Development Master Plan ("CDMP") of Miami-Dade County. Said application, officially designated CDMP Application No. ____ (April 2008 Cycle) (the "Application") seeks to redesignate the land use designation on the Overall Parcel from "Office / Residential" to "Business and Office."

NOW, THEREFORE, in order to assure the Miami-Dade County Board of County Commissioners (the "Board of County Commissioners") that the representations made by the Owner during consideration of the Application shall be binding commitments to be performed by the Owner, its successors and assigns, the Owner freely, voluntarily and without duress, makes the following Declaration of Restrictions covering and running with the Property:

- 1) **Multiple Uses**. The Owner agrees, subject to receiving zoning and other approvals, to develop the Property with a mix of uses, which will include retail uses, office uses and

community/institutional uses (community or government offices; community center; library; public, charter or private elementary and secondary schools; park/recreational uses; or similar uses) as may be approved by the County in accordance with the provisions of Paragraph 2. The Owner agrees that any retail uses on the Property will be the type to satisfy the essential and frequent needs of the surrounding residential community, as well as the more specialized commercial facilities which may serve several communities. Nothing herein shall prohibit the Owner from also providing additional uses beyond those listed in the preceding sentence, consistent with the CDMP.

- 2) **Design Guidelines.** The Owner represents that the Property will be developed in a manner that assures a high quality, unified development design in accordance with coordinated and cohesive design principles which incorporate the general guidelines contained in Exhibit "B" ("Design Guidelines"), and that such will take place whether the Property is developed as a single parcel or as multiple parcels. At the time of the initial rezoning of the Property from Agricultural to any other zoning district, the Owners shall proffer a site plan ("Site Plan") for the entire Property which complies with the Design Guidelines, together with a recordable declaration of restrictive covenants in legally sufficient form acceptable to the Department and the County Attorney's Office requiring that development of the Property shall be substantially in accordance with said Site Plan. In the alternative, the Owner, at its election, at the time of the initial rezoning shall instead submit to the Community Zoning Appeals Board (or Board of County Commissioners or successor board, as may have jurisdiction) an architectural code or equivalent design standards ("Architectural Code") governing the development of the

Property, in accordance with the attached Design Guidelines, together with a recordable declaration of restrictive covenants, in legally sufficient form acceptable to the Department and the County Attorney's Office, requiring that the development of the Property shall be substantially in accordance with the Architectural Code and Design Guidelines, and record said declaration of restrictive covenants in the public records.

- 3) **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 that 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 in the public records agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.
- 4) **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the fee simple title to a minimum of (75%) of the land contained within the entire Property (the western portion of the Overall Parcel), provided that the same is also approved by the Board of County Commissioners. Any such modification 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 which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in

Section 2-116.1 of the Code of Miami Dade County, or successor regulation governing amendments to the Miami Dade comprehensive plan. Notwithstanding the previous sentence, in the event that the Property is incorporated within a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications 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. Should this Declaration be so modified, amended or released, the Director of the Planning and Zoning Department 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 effectuating and acknowledging such modification, amendment or release.

- 5) **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.
- 6) **Authorization for Miami-Dade County 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 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.

- 7) **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.
- 8) **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, 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.
- 9) **Covenant Running with the Land.** This Declaration shall constitute a covenant running with the land and shall be recorded, at the 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, including the Applicant, unless and until the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, the then owner(s) of the real property and for the public welfare.
- 10) **Severability.** Invalidity of any one of these covenants, by judgment of Court, shall not affect any of the other provisions that shall remain in full force and effect.

- 11) **Recordation and Effective Date.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the adoption by the Miami-Dade County Board of County Commissioners of an ordinance approving the Application and the expiration of any applicable appeal period. 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 such appeal that results in the denial of the Application, in its entirety,, and upon written request, the Director of the Planning and Zoning Department 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.
- 12) **Acceptance of Declaration of Restrictive Covenants.** The Owner acknowledges that approval of the application and acceptance of the Declaration of Restrictive Covenants does not entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part.

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this _____ day of _____, 2008.

WITNESSES

Signature _____

Printed Name _____

Signature _____

Printed Name _____

Manuel C. Diaz

Address: _____

STATE OF _____)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me by Manuel C. Diaz for the purposes stated herein. He is personally known to me or has produced _____ as identification. Witness my signature and official seal this _____ day of _____, 2008, in the County and State aforesaid.

My Commission Expires:

Notary Public - State of

Printed Name _____

EXHIBIT "A"

Legal Description

PARCEL 1: THAT PART OF SE 1/4 OF NW 1/4 OF SECTION 30, TOWNSHIP 56 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, LYING NORTHWESTERLY OF STATE ROAD N° 821, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION SECTION 87005-2304, SHEET 10 OF 15. AREA = 2.13 ACRES±

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PARCEL 3:

A PORTION OF THE EAST 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 30, TOWNSHIP 56 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NW 1/4 OF SAID SECTION 30; THENCE RUN S00°28'03"E ALONG THE EAST BOUNDARY OF THE NW 1/4 OF SAID SECTION 30 A DISTANCE OF 85.00 FEET TO A POINT; THENCE RUN S89°15'06"W ALONG THE EXISTING SOUTHERLY RIGHT-OF-WAY BOUNDARY OF COCONUT PALM DRIVE A DISTANCE OF 75.00 FEET TO THE POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY BOUNDARY OF STATE ROAD N° 821, SECTION 87005-2304, SAID POINT BEING THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER TO BE DESCRIBED; THENCE RUN S04°44'05"W ALONG THE LAST DESCRIBED LINE A DISTANCE OF 244.43 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF LIMITED ACCESS RIGHT-OF-WAY BOUNDARY OF SAID STATE ROAD N° 821; THENCE CONTINUE ON THE LAST DESCRIBED COURSE AND ALONG THE LAST DESCRIBED BOUNDARY A DISTANCE OF 316.25 FEET TO A POINT OF DEFLECTION; THENCE RUN S02°57'58"W ALONG SAID LIMITED ACCESS RIGHT OF WAY BOUNDARY A DISTANCE OF 200.36 FEET TO A POINT OF DEFLECTION; THENCE CONTINUING ALONG SAID LIMITED ACCESS RIGHT-OF-WAY BOUNDARY ON A COURSE OF S44°18'21"W A DISTANCE OF 79.26 FEET TO A POINT OF REFLECTION; THENCE RUN S85°38'44"W ALONG SAID LIMITED ACCESS RIGHT OF WAY BOUNDARY A DISTANCE OF 137.34 FEET TO A POINT OF INTERSECTION WITH THE WEST BOUNDARY OF THE EAST 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 30; THENCE RUN N00°31'23"W ALONG THE LAST DESCRIBED LINE A DISTANCE OF 822.70 FEET TO THE POINT OF INTERSECTION WITH A LINE PARALLEL TO AND 85.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH BOUNDARY OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 30, SAID LINE BEING THE EXISTING SOUTHERLY RIGHT-OF-WAY BOUNDARY OF COCONUT PALM DRIVE; THENCE RUN N89°15'06"E ALONG THE LAST DESCRIBED LINE A DISTANCE OF 256.49 FEET TO THE POINT OF BEGINNING, CONTAINING 4.096 ACRES, MORE OR LESS. TOTAL = 31.32 ACRES±

BEARINGS APPEARING IN FOREGOING DESCRIPTION REFER TO THE PLANE RECTANGULAR COORDINATE SYSTEM FOR EAST ZONE OF FLORIDA.

Exhibit "B"

Design Guidelines

1. That the proposed buildings shall be designed using compatible and complementary architectural styles and design.
2. That design features be included at appropriate locations at the top of the first floor of retail buildings, in order to maintain architectural and design continuity.
3. That the site be designed to feature a significant roadway internal to the site.
4. That a continuous pedestrian-friendly walkway be provided in front of any retail buildings along the significant internal roadway and any predominantly commercial streets as may intersect it. The walkway may be established by a covered arcade, brick or similar pavers, landscape elements, or similar integrated architectural elements that define and shape the pedestrian-friendly space.
5. That the landscaping within the parking areas be of varying plant materials and heights at time of planting.
6. That consistent sign criteria and standards be established at the time of initial rezoning to encourage aesthetic compatibility within the sign program.
7. Large expanses of opaque or blank building walls shall be minimized and shall have landscaped area providing a visual barrier, to the maximum extent feasible.
8. That the storefronts of each building unit have maximum visibility by maintaining approximately 33% transparency along the pedestrian corridors.
9. That uniform street furniture and lighting standards be provided throughout the development.
10. That the pedestrian crosswalks be clearly delineated on any proposed private roads within the project and shall be designed with consideration to the special needs of the disabled.
11. That no single retail space shall be developed in excess of 95,000 square feet and all other individual retail spaces shall be developed with a maximum area of 75,000 square feet.
12. That the development pattern shall incorporate elements of the Miami-Dade County Urban Design Guidelines.

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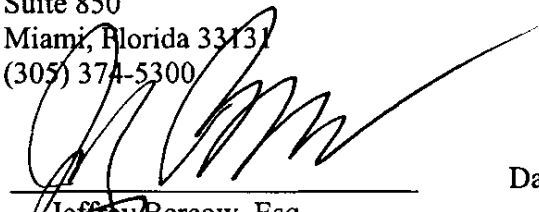

APPLICATION NO. 11
TEXT AMENDMENT REQUEST
TO THE
LAND USE ELEMENT
APRIL 2008-2009 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Builders Association of South Florida
15225 N.W. 77 Avenue
Miami Lakes Florida 33014

2. APPLICANT'S REPRESENTATIVES

Jeffrey Bercow, Esq.
Graham Penn, Esq.
Bercow Radell & Fernandez, P.A.
200 South Biscayne Boulevard
Suite 850
Miami, Florida 33131
(305) 374-5300

By: 
Jeffrey Bercow, Esq.
By: 
Graham Penn, Esq.

Date: April 30, 2008

Date: April 30, 2008

3. DESCRIPTION OF REQUESTED CHANGES

Amendment to Policy EDU-2C of the Comprehensive Development Master Plan
Land Use Element Text is requested (Item F. 4 in the fee schedule).

Requested Changes:¹

The Applicant requests the following changes to Policy EDU-2C of the Educational Element.

¹ The Applicant recognizes that County staff has proposed multiple revisions to the CDMP Education Element text in order to establish public school concurrency in Miami-Dade County. The Applicant has filed this application in the assumption that staff's amendment will be approved by the Board of County Commissioners in coming weeks.

2008 APR 30 P 4:48
PLANNING & ZONING
METROPOLITAN PLANNING SECT

EDU-2C In the event the adopted LOS standard of a CSA cannot be met as result of a proposed development's impact, the development may proceed provided at least one of the following conditions is met:

* * *

c. The development's impact is mitigated in a manner proportionate to the demand for public schools it created, by providing one or more charter school facilities that will provide at least as many student stations as needed by the development. Any charter school mitigation plan shall be subject to the following requirements. The provision of charter school facilities, as well as compliance with the following requirements, must be guaranteed through a development order, a covenant running with the land, or similar legally binding agreement approved by Miami-Dade County and the Miami-Dade County School Board. Grounds for the refusal of Miami-Dade County or the Miami-Dade County School Board to approve a legally binding agreement under this subsection shall be limited to the agreement's compliance with the following requirements.

- i. The construction of the charter school must be phased so that facilities adequate to accommodate the demand created will be in place or under construction within three (3) years after issuance of a final subdivision plat or functional equivalent.
- ii. The land where the charter school will be located shall be clearly identified.
- iii. All charter school facilities must have binding restrictions upon their use that limit enrollment to those students residing within the development or, where the facilities will provide capacity in excess of that created by the proposed development, those students residing within a reasonable distance of the school.
- iv. All charter school facilities must be owned by a non-profit entity or municipality.
- v. All charter school classrooms and related facilities must comply with the life safety requirements of Florida State Requirements for Educational Facilities (SREF). Compliance with SREF standards shall be subject to the review of the Miami-Dade County Public Schools, which shall have the authority to waive SREF requirements in a manner similar to that employed for district-owned facilities.
- vi. In the event that any charter school facility is closed for any portion of an academic year, excepting temporary closures necessitated by Acts of God or natural disasters, Miami-Dade County Public Schools shall have

the option to assume ownership of the charter school facility and land upon which the facility is located in order to operate the former charter facility as a traditional educational facility.

e)d) The development's impact is mitigated by any combination of the options discussed in subsections b) and c).

d)e) The development's impacts are phased to occur when sufficient capacity will be available.

If none of the above conditions is met, the development shall not be approved.

4. REASONS FOR AMENDMENT

In 2005, the Florida Legislature enacted an amendment to Florida's Growth Management regulations that, among other things, obligates local governments to adopt amendments to their comprehensive plans to incorporate public school concurrency. The 2005 law, colloquially known as Senate Bill 360 and codified in Section 163.3180(13), sets forth specific requirements for school concurrency programs. It requires school concurrency to "be established on a districtwide basis and shall include all public schools in the district and all portions of the district, whether located in a municipality or an unincorporated area." Under the statute, "[s]chool concurrency is satisfied if the developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by actual development of the property. . . ." Fla. Stat. Section 163.3180(13)(e). Options for proportionate-share mitigation of impacts on public school facilities must be established in the public school facilities element.

The statutorily recognized mitigation options "include the contribution of land; the construction, expansion, or payment for land acquisition or construction of a public school facility; or the creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits." Fla. Stat. Section 163.3180(13)(e)(1). Under Florida law, charter schools are public school facilities. Fla. Stat. Section 1002.33(1). One of the recognized purposes for the creation of a charter school is to mitigate the impact of new residential development. Fla. Stat. 1002.33(2)(c)(4). The Florida Department of Community Affairs has opined that charter schools are an appropriate mitigation option for school concurrency and multiple large local governments, including Hillsborough and Broward Counties, have incorporated charter schools as part of their comprehensive plan concurrency mitigation strategies.

Charter schools have been an important tool in educating Miami-Dade County's children. Approximately ten percent of the County's public school students attend nontraditional public schools, including magnet schools and charter schools. Despite the valuable role charter schools have played in the County's educational system, the currently proposed mitigation scheme in the CDMP Educational Element does not expressly permit charter schools to be utilized as mitigation.

Miami-Dade County Public Schools has objected to the use of charter schools as mitigation for two major reasons: 1) most Miami-Dade charter schools are "schools of choice" with no attendance boundaries; and 2) charter schools, as private enterprises, can cease business,

forcing children to attend District-owned schools. We believe that the instant amendment resolves both of the District's issues with the construction and operation of charter schools as concurrency mitigation.

Most current charter schools in Miami-Dade County do not have attendance boundaries. That does not mean that a charter school cannot legally set such boundaries. State Statute Section 1002.33(10)(e)(4) provides charter schools with the option to limit enrollment to target "[s]tudents residing within a reasonable distance of the school." Charter schools are therefore permitted to establish attendance boundaries similar to those employed by the District for neighborhood schools.

In order to provide flexibility in design and location, charter schools are currently exempted from the life safety standards of the Florida State Requirements for Educational Facilities (SREF) of Chapter 4, Section 423 of the Florida Building Code. This allows charter schools to be located in structures such as office buildings. The Applicant understands, however, that the SREF life safety exemption would prohibit the District from assuming the operation of the school in the event that the charter school operator closed. The proposed amendment would resolve this issue.

The Applicant has proposed the limited use of charter school facilities as a concurrency mitigation option. A school would need to comply with the following to be applied as mitigation:

1. Limit its attendance boundaries to students residing within the new development or, if the school will offer excess capacity beyond the anticipated impacts of the residential development, students living within a reasonable distance of the school;
2. Be owned by a non-profit entity or local government;
3. Be constructed so that classrooms and related facilities comply with SREF life safety standards; and
4. Provide a mechanism in its charter giving an option to the District to assume operation of the school in the event that the charter school operator ceases operation.

The sum of these requirements would create schools that are essentially identical to District-owned schools except that the schools will enjoy the educational flexibility that is the hallmark of the charter school movement. Charter schools have served an important role in the education of the County's public school students. The Applicant believes that charter schools can, and should be, one of the mitigation options available to a landowner in the event that local schools do not have adequate capacity to serve a particular development. The Applicant further believes that the strong protections proposed in the instant application would ensure that any charter school constructed as mitigation would remain a permanent public school facility serving local children.

5. ADDITIONAL MATERIAL SUBMITTED

None. The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

APPLICATION NO. 12

APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1210
Miami, Florida 33128-1972
(305) 375-2835

2. APPLICANT'S REPRESENTATIVE

Subrata Basu, AIA, AICP, Interim Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1210
Miami, Florida 33128-1972

By:  June 2, 2008
Subrata Basu

3. DESCRIPTION OF REQUESTED CHANGES

The following changes are requested to the Capital Improvements Element (CIE)¹:

- A. In the CIE Schedules of Improvements, Tables of Proposed Projects, modify the following currently adopted tables as indicated in the attached tables: Table 2, Aviation; Table 3, Coastal Management; Table 4, Conservation; Table 5, Drainage; Table 6, Park and Recreation; Table 7, Seaport; Table 8, Sewer Facilities; Table 9, Solid Waste Management; Table 10, Traffic Circulation; Table 11, Mass Transit; and Table 12, Water Facilities.

Proposed additions are listed under the heading "Proposed Additions, April 2008 CDMP Amendment Cycle". Proposed deletions are indicated by ~~striketrough~~ and footnoted accordingly. All other Proposed Projects already exist in the CIE and remain essentially unchanged.

¹ Note: (The proposed updated Tables are not presented in the Applications Report but will be published in the Initial Recommendations Report in August 25, 2008 for reasons noted below.)

- B. Revise any other summary table or related text in the Capital Improvements Element as necessary to be consistent with the additions, deletions, or changes made by Part A of this application.

4. REASONS FOR CHANGE

In accordance with Chapter 163, Part II, Florida Statutes as modified by the Growth Management Act of 2005, addition or deletion of projects along with the deferral or delay the dates of construction projects in the Schedules of Improvements of the Capital Improvements Element must be accomplished by Plan amendment. Changes to the Schedules of Improvements that do not require an amendment but may be adopted by ordinance and transmitted to the Florida Department of Community Affairs (DCA) for record keeping purposes only include the following: a) corrections and modifications concerning costs of a project already included in the adopted schedule; b) corrections and modifications concerning revenue sources; and c) acceptance of facilities pursuant to dedications, which are consistent with the plan.

As conditions and priorities in the community change, the programs of capital facilities for the respective functional areas require modification. The requested changes contained in the application were initiated by the various operating departments and include, when necessary, adjustments to the scheduling, projects costs, or revenue levels and sources.

There are numerous reasons why operating departments propose to add or delete projects or defer or delay the dates of construction projects. Generally, they do so in following their department's capital improvements strategy, which, in turn, is driven by their functional plans and the associated element(s) of the CDMP. Most often, projects are added as needed and deleted as they are finished or no longer needed. The schedule date of construction of capital projects is the time in which construction is projected to be completed and the project becomes operational. The dates of construction projects can be delayed or deferred due to several reasons such as land acquisition, design, or permitting issues. Reasons for specific proposals will be outlined in the Initial Recommendations report.

It should be noted that the CDMP Capital Improvements Element (CIE) is closely coordinated with the production of the County's Resource Allocation and Multi-Year Capital Plan, in particular, the formulation of the County Manager's proposed budget that is published in June. The schedule for publishing April cycle CDMP amendment applications precedes the schedule for preparing the capital budget. Thus, the updated tables of CIE projects are not finalized at the time of printing of this application; the updated CIE tables will be published in the Initial Recommendations Report to be issued in August 2008 and will reflect the

proposed budget. The proposals to be published will be subject to further review and adjustment during the period between their initial publication and prior to their final adoption as CDMP amendments in early 2009, to reflect the Capital Budget adopted in September 2008. Additional changes to these tables will be made to address the requirements of the Growth Management Law of 2005. Those changes are required to demonstrate that the CDMP is financial feasible. Changes to the initial application may be recommended to reflect the adjustments that are made during budget adoption activities or after State-agency review and comment.

5. ADDITIONAL MATERIALS SUBMITTED

None

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APPLICATION NO. 13

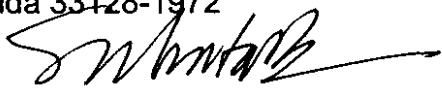
APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Miami- Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972
(305) 375-2840

2. APPLICANT'S REPRESENTATIVE

Subrata Basu, Interim Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972

By:  June 2, 2008
Subrata Basu

3. DESCRIPTION OF REQUESTED CHANGES¹

It is recommended that the Land Use Element be amended as follows:

- A. Revise the text in the Open Land section of the Land Use Element to amend language pertaining to seasonal agriculture, and to correct several scribes' errors. Also, additional agricultural related uses or ancillary uses might be amended.
- B. Revise the text in the Agriculture section of the Land Use Element to amend the language to address value-added agriculture, ancillary uses and agritourism.

¹ Underlined words are proposed additions. ~~Strikethrough~~ words are proposed deletions. All other words exist in the Plan and will remain unchanged.

A. Revisions to the Land Use Element

Text will be created to address several Agricultural issues, including an amendment to the Open Land section of the Land Use Element, and whether or not to allow some additional agricultural related and/or ancillary uses in areas designated as Agriculture. The Open Land issue involves the development of criteria under which agricultural uses could be allowed on a year-round basis in some Open Land sub-areas, rather than a seasonal basis, in areas that are subject to flooding, and where SFWMD is lowering water levels to permit farming during winter months. Value-added agricultural uses, ancillary uses and agritourism will be addressed in the text on the "Agriculture" land use category. This text will be forthcoming within the Initial Recommendations Report for the April 2008 Amendment Cycle.

4. REASON FOR CHANGE

The proposed amendment seeks to provide more flexibility for farmers and allow for innovation in the Agricultural area of the County. Given the volatility in the national and international agricultural goods economy, allowing farmers to have more flexibility will give them a better chance to weather the changing markets and continue to farm. Agriculture is a major portion of the economy in south Miami-Dade County, and protecting it is part of the County Strategic Plan.

APPLICATION NO. 14

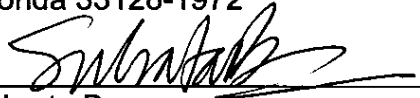
APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Miami- Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
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2. APPLICANT'S REPRESENTATIVE

Subrata Basu, Interim Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972

By:  June 2, 2008
Subrata Basu

3. DESCRIPTION OF REQUESTED CHANGES¹

It is recommended that the Land Use Element be amended as follows:

- A. Revise the text in the Gross Residential Density section of the Land Use Element to add language allowing additional density within residential developments that consist entirely of modular, manufactured or panel-constructed homes, and to correct several scriveners' errors.

¹ Underlined words are proposed additions. ~~Strikethrough~~ words are proposed deletions. All other words exist in the Plan and will remain unchanged.

A. Revisions to the Land Use Element

Revise Gross Residential Density Language, CDMP pp. I-29 through I-31:

Gross Residential Density. The basic unit of measurement of residential density is "dwelling units per gross residential acre." Among the land uses that may be included in the "gross residential acreage" when computing the number of dwelling units permitted per gross acre in a residential communities area are the following: housing; streets; public schools; local public parks; fire stations; police stations; private recreational open spaces that are protected in perpetuity by covenant; public or semipublic utility sites, easements or rights-of-way donated at the time of development approval; and nature preserves and water bodies created as open-space amenities during project development or credited for density purposes during previous development approval, or inland waters¹ wholly owned by the applicant. The sites of these nonresidential uses may be included in the gross residential acreage only if they are under the same ownership or are multiple ownerships that are legally unified (legally unified development) as the site for which gross density is being determined. Among the uses not considered to be part of the "residential" area when computing the number of units permitted are industrial, commercial and office sites; communication facility sites; utility sites; easements and rights-of-way unless expressly permitted elsewhere in this section; expressways; non-local parks and nature preserves; universities, colleges and other institutional use; any land that has been credited for other development; previously dedicated road rights-of-way; and any already-developed parcels whether underdeveloped or not. Hotels and motels may be approved in certain areas designated as Residential Communities only as provided in the following paragraphs. Where approved in Residential Communities, each hotel or motel unit shall count as two thirds (2/3) of a dwelling unit when calculating gross density. (Motels and hotels that are located in areas designated Business and Office or Industrial and Office on the LUP map are considered to be commercial uses and, therefore, their units are not considered in determining the number of residential units permitted in an area). In contrast, net density is the number of housing units per acre of land that is used exclusively for residential units. For example, a ten-acre parcel of land, half of which is devoted to 30 residential units and half to a park, would have residential development at a NET density 6 units per acre and a GROSS density of 3 units per acre. Gross density is used for long-range areawide comprehensive planning because it provides flexibility for design and development of varied unit types, while Net density, typically used in zoning and design regulations, provides greater control over physical characteristics of development such as building massing and height.

The Land Use Plan map includes six residential density categories, each of which is defined in terms of its minimum and maximum allowable gross residential density. Development at a lower than maximum density may be required where conditions

¹ Inland water means all freshwater as defined in Chapter 24 of the Code of Miami-Dade County, and any coastal waters as defined in Chapter 24 having no direct physical connection to Biscayne Bay or to a coastal tributary thereof, except as said connection may occur through ground strata.

warrant. For example, in instances where a large portion of the "gross residential acreage" is not part of the "net" residential building area, the necessity to limit the height and scale of the buildings to that compatible with the surrounding area may limit the gross density. Severable Use Rights (SURs) or Transfer of Development Rights (TDRs) may be transferred to parcels within the designated receiving area. When Severable Use Rights or Transfer of Development Rights are utilized on residentially designated parcels, development will be allowed to exceed the maximum limits designated for the site or affected portions of it; however, this provision does not authorize the granting of a zoning district that, without use of SURs or TDRs, would exceed the Plan density limit. When an inclusionary zoning program required by Policy HO-3F is adopted to promote work force housing, development will be allowed to exceed, by up to 25%, the maximum limits designated for the site or affected portions of it; however, this provision does not authorize the granting of a zoning district or zoning approval that, without the use of the inclusionary zoning program, would exceed the plan density limit.

The Board of County Commissioners, or the appropriate Community Zoning Appeals Board, may approve residential development at a density up to 17 percent above the maximums provided below where the developer is a not-for-profit housing provider and it is certified that no less than 30 percent of the units in the development, excepting accessory dwelling units, will be priced to be affordable to low and very-low income households. In order to efficiently use, and not prematurely deplete, the finite development capacity that exists inside the Plan's Urban Development Boundary (UDB), land should not be developed at densities lower than the minimum established for each category. Exceptions to the minimums may exist outside transportation or transit corridors where such an exception would serve the interest of compatibility or protect the public health, safety, or important resources. For purposes of this paragraph, transportation and transit corridors are land areas located within 660 feet of planned Major Roadways identified on the LUP map, and within one-quarter mile from existing rail transit stations, express busway stops, future transit corridors and planned transit centers identified in the CDMP.

The Board of County Commissioners, or the appropriate Community Zoning Appeals Board, may approve residential development at a one density category increase above the existing designation for residential communities on the Land Use Plan map if the development consists of modular, mobile or panelization homes. Land designated Estate Density Residential Communities shall not be allowed to benefit from this provision. To receive this increase in density, a minimum of 30% of the housing units constructed must be affordable to low and very-low income households, and these units must be distributed spatially throughout the development. The remaining units must be set aside for workforce housing. Construction of the full price range of units must proceed evenly, so that the low or very-low income housing is not all built at one time. Existing mobile or modular home parks may utilize this provision as well, but must ensure that any residents displaced by the redevelopment of the property be given first choice of completed units within their affordable price range, and that a good faith effort is made to accommodate the displaced residents until the construction is complete. The preservation of existing mature canopy trees and/or existing, viable open space is encouraged.

This provision does not apply to the creation of new mobile home parks that are located within Hurricane Evacuation Area A. No new mobile home parks are allowed within that area.

Open space consisting of green spaces such as natural areas, gardens, greens, squares, and plazas; water bodies, and/or recreational facilities shall be provided for each townhouse or multi-family development. Where practical for the planning of new townhouse developments or multi-family developments, an open space network consisting of interconnected active (e.g. play areas, swimming pools and tennis courts) and passive areas shall be provided for. The passive portion of the open space shall include any on-site archaeological or historic sites, environmentally sensitive areas such as wetlands and Natural Forest Communities, water bodies and the shoreline walkway for sites abutting Biscayne Bay or the Atlantic Ocean. The open space for a parcel should be connected to the open space network for the neighborhood, which is built by joining major public and private open spaces into a continuous system. When practical, the open space on a parcel shall be interconnected with adjacent public lands and the open space of adjacent residential parcels. To provide for the open space on a parcel, the clustering of residential structures on the property will be permitted. If a public park with existing recreational facilities or programmed facilities is located within a ¼ mile of a residential parcel, recreational facilities need not be provided on-site. However, the open space requirement must be met, unless authorized after public hearing. The on-site open space shall be maintained by the property owner for rental apartments and by the homeowner association for ownership housing.

4. REASON FOR CHANGE

The proposed amendment seeks to provide incentives to developers to utilize less costly construction techniques and materials to create more low income, very-low income and workforce housing throughout the unincorporated County. By utilizing modular or panel construction techniques, the construction costs can be lowered, and by allowing an increase in density by right, the per unit land costs and administrative costs of creating the housing are also lowered, making it much more viable to create housing for lower income households.

APPLICATION NO. 15

APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Miami- Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972
(305) 375-2840

2. APPLICANT'S REPRESENTATIVE

Subrata Basu, Interim Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972

By:  June 2, 2008
Subrata Basu

3. DESCRIPTION OF REQUESTED CHANGES¹

It is recommended that the Land Use Element be amended as follows:

- A. Revise the text of the "Medium-High Density" land use category in the Land Use Element of the CDMP to allow up to one density increase for affordable multifamily infill housing development
- B. Add a subsection to the Land Use Element entitled "Affordable Multifamily Infill Housing," that may allow one, two or three density increases for certain land use designations in some areas of the County only if certain conditions are met. The amount of density increases awarded will be contingent on the conditions that are satisfied, including available level of transit service, urban design and compatibility with adjacent properties, as well as the percent of units set aside for affordable housing.

¹ Underlined words are proposed additions. ~~Strikethrough words~~ are proposed deletions. All other words exist in the Plan and will remain unchanged.

4. REASON FOR CHANGE

In 2006, the Florida Housing Finance Corporation indicated that Miami-Dade County had the sixth highest housing affordability gap in the State of Florida.² That same year, the American Community Survey of the U.S. Census ranked Miami-Dade County top among all counties nationwide with the highest percentage of homeowners who are severely cost burdened. Severely cost burdened households pay more than 50% of their income on housing costs.³ Although the real estate market has experienced a down turn since 2006, there is still an acute need for affordable housing, particularly for households that are at or below 80% of the area median income. To address this issue, the County adopted several programs intended to increase the supply of affordable housing. Some of the programs called for making County-owned land available for affordable housing. However, density restrictions and the cost of construction have limited the number of units that can be built, causing some sites to remain undeveloped.

The proposed amendment seeks to encourage and facilitate the development of affordable housing by providing significant density bonuses for projects that target households with incomes at or below 80% of the area median income. It also seeks to expedite the development approval process by streamlining the approval process, if the proposed sites meet the development conditions outlined in the Comprehensive Development Master Plan. The amendment also encourages redevelopment in the Urban Infill Area (UIA) and green building. The goal of the amendment is to make housing available to the low-income segments of the community, as well as workforce households, who have been the most affected by the lack of affordable housing opportunities in Miami-Dade County.

5. ADDITIONAL MATERIAL SUBMITTED

- Miami-Dade County Workforce Housing Plan, 2008 to 2015.

² Living in Florida: Florida Housing Finance Corporation, 2006 Annual Report.

³ 2006 American Community Survey of the U.S. Census.

APPLICATION NO. 16

APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Miami- Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972
(305) 375-2840

2. APPLICANT'S REPRESENTATIVE

Subrata Basu, Interim Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972

By:  June 2, 2008
Subrata Basu

3. DESCRIPTION OF REQUESTED CHANGES¹

It is recommended that the Land Use Element be amended as follows:

- A. Revise the text in the Urban Centers section of the Land Use Element to clarify the definition of "core" as used within that section, to ensure consistency in intensity standards between the Urban Centers and the lands surrounding them, to add minimum standards for dwelling units per acre, and to correct several scrivener's errors.

¹ Underlined words are proposed additions. ~~Strikethrough words~~ are proposed deletions. All other words exist in the Plan and will remain unchanged.

A. Revisions to the Land Use Element

Revise Urban Center Language, CDMP pp. I-46 through I-49:

Urban Centers

Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers (UCs) are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.

The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.

The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and areawide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of both jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.

Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban

centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall be, at a minimum, be developed in accordance with the Community Center policies established below.

Following are policies for ~~D~~ development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform ~~with~~ to the guidelines provided below.

Uses and Activities. Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.

Radius. The area developed as an urban center shall extend to a one-mile radius around the core or central transit station of a Regional Urban Center designated on the LUP map. Designated Metropolitan Urban Centers shall extend not less than one-quarter mile walking distance from the core of the center or central transit stop(s) and may extend up to one-half mile from such core or transit stops along major roads and pedestrian linkages. Community Centers shall have a radius of 700 to 1,800 feet but may be extended to a radius of one-half mile where recommended in a professional area plan for the center, consistent with the guidelines herein, which plan is approved by the Board of County Commissioners after an advertised public hearing. Urban Center development shall not extend beyond the UDB.

The specific boundaries of the core in each UC would be determined on a case by case basis, utilizing major streets, greenways, transit lines and other similar features, and considering the locations, size and orientation of the buildings that comprise the

core and the edge. The core would be no larger than 2/3, and no smaller than 1/3, of the diameter of the whole Urban Center. Generally, the core is a high-density/intensity mixed use area centered around a transit station, major intersection, or important public facility (e.g. library, plaza, town hall). The core of each UC should be delineated first, then the remainder of the UC would be the edge.

The specific outer boundaries of the edge would be determined on a case by case basis, utilizing major streets, greenways, transit lines and other similar features, and considering the locations, size and orientation of the buildings that comprise the core and the edge. The edge would generally be the outer 1/3 of the diameter of the Urban Center, but could be as much as 2/3, depending on the size of the core.

Streets and Public Spaces. Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways, and squares, parks and plazas defined by the buildings around them. The street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian access ways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edge landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixtures and bus shelters. Open spaces such as public squares and greens shall be established in urban centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenades, shall be a minimum of 15 percent of gross development area. This public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject urban center to the extent that it would better serve the quality and functionality of the center.

Parking. Shared parking is encouraged. Reductions from standard parking requirements shall be authorized where there is a complementary mix of uses on proximate development sites, and near transit stations. Parking areas should occur predominantly ~~predominately~~ in mid-block, block rear and on-street locations, and not between the street and main building entrances. Parking structures should

incorporate other uses at street level such as shops, galleries, offices and public uses.

Buildings. Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.

Density and Intensity. The range of average floor area ratios (FARs) and the maximum allowed residential densities of development within the Regional, Metropolitan and Community Urban Centers are shown in the table below. The minimum standards inside the UCs should be equal to or higher than the maximums outside to encourage the centralization of commercial and office uses.

	Average Floor Area Ratios (FAR)	Max. Densities <u>Density Ranges</u> Dwellings per Gross Acre
Regional Activity Urban Centers	greater than 4.0 in the core not less than 2.0 in the edge	<u>Core:</u> <u>Max = 500</u> <u>Min = 125 or one category higher than the maximum density allowed in the Edge of the same RUC</u> <u>Edge:</u> <u>Max = density one category higher than adjacent land use category that allows residential development</u> <u>Min = Max Density of adjacent land use category allowing residential development</u>
Metropolitan Urban Centers	greater than 3.0 in the core not less than 0.75 in the edge <u>2.0 inside Urban Infill Area (UIA), and 1.25 inside Urbanizing Area (UA)</u>	<u>Core:</u> <u>Max = 250 Min = 60</u> <u>Edge:</u> <u>Max = density one category higher than adjacent land use category that allows residential development</u> <u>Min = Max Density of adjacent land use category allowing residential development</u>

	Average Floor Area Ratios (FAR)	Max. Densities <u>Density Ranges</u> Dwellings per Gross Acre
Community Urban Centers	greater than 4.5 <u>2.5</u> in the core not less than 0.5 <u>2.0</u> in the edge inside UIA, and not less than <u>1.25</u> in UA	<u>Core:</u> <u>Max = 125 Min = 25</u> <u>Edge:</u> <u>Max = density one category higher than adjacent land use category that allows residential development</u> <u>Min = Max Density of adjacent land use category allowing residential development</u>

In addition, the densities and intensities of developments located within designated Community Urban Centers and around rail rapid transit stations should not be lower than those provided in Policy LU-7F. Height of buildings at the edge of Metropolitan Urban Centers adjoining stable residential neighborhoods should taper to a height no more than 2 stories higher than the adjacent residences, and one story higher at the edge of Community Urban Centers. However, where the adjacent area is undergoing transition, heights at the edge of the Center may be based on adopted comprehensive plans and zoning of the surrounding area. Densities of residential uses shall be authorized as necessary for residential or mixed-use developments in Urban Centers to conform to these intensity and height policies.

As noted previously in this section, urban centers are encouraged to intensify incrementally over time. Accordingly, in planned future rapid transit corridors, these intensities may be implemented in phases as necessary to conform with provisions of the Transportation Element, and the concurrency management program in the Capital Improvement Element, while ensuring achievement of the other land use and design requirements of this section and Policy LU-7F.

4. REASON FOR CHANGE

The proposed amendment is intended to fulfill the guidance of Policy LU-9T, which calls for the County to review, analyze and revise as necessary land use intensity standards in the CDMP to ensure consistency between Urban Centers and areas adjacent to them. As well, the proposed amendment seeks to clarify the definitions of the elements of Urban Centers and analyze the need for minimum as well as maximum standards for the land use intensity within Urban Centers, to ensure that these areas are developed to follow the intent of clustered, medium to high density mixed use centers, as opposed to the spread out, single use districts which surround them.

APPLICATION NO. 17

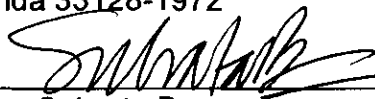
APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Miami-Dade County Department of Planning & Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972
305-375-2840

2. APPLICANT'S REPRESENTATIVE

Subrata Basu, Interim Director
Miami-Dade County Department of Planning & Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972

By:  June 2, 2008
Subrata Basu

3. DESCRIPTION OF REQUESTED CHANGES

It is recommended that the Land Use Element be amended as follows:

- A. Revise the text in the "Industrial and Office" of the Land Use Element to address the conversion of vacant industrial land for commercial purposes. This amendment will either list commercial uses that could be allowed in "Industrial and Office" designated areas or provide criteria or standards for identifying such uses.

4. REASON FOR CHANGE

The 2003 Evaluation and Appraisal Report (EAR) indicated that the depletion year for industrial land could occur sooner than projected, due to the tendency to use industrially designated land for other purposes. Studies showed that only 39-percent of land zoned for industrial use in 1985 had remained vacant or was in industrial use in 2000 and, if that trend were to continue, the countywide depletion year would decline substantially.

The EAR recommended that the text of the Land Use Element be revised to address the conversion of vacant industrial land for other purposes. It also recommended

that permitted commercial uses in Industrial and Office designated areas be identified, or that criteria or standards be developed to identify such uses. A list of proposed commercial uses that would be allowed in Industrial and Office designated land was prepared for the EAR-based amendments during the October 2004 Cycle of CDMP Amendments, but was withdrawn from further review.

The CDMP currently states that very limited commercial uses are allowed in the Industrial and Office land use category in order to serve the firms and workers in industrial areas. However, the department often receives requests for commercial uses beyond what is needed by workers and firms in industrial areas. This amendment attempts to define the type of commercial uses that would be permitted within Industrial and Office designated areas in an attempt to reduce the depletion of industrially designated land.

1. ADDITIONAL MATERIAL SUBMITTED

None

APPLICATION NO. 18

APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

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Miami, Florida 33128-1972

By:  June 2, 2008
Subrata Basu

3. DESCRIPTION OF REQUESTED CHANGES¹

It is recommended that the Housing Element be amended as follows:

- A. Revise the text in the Housing Element to adopt the" Miami-Dade County Workforce Housing Plan, 2008 to 2015" by reference as part of the CDMP, as per 163, 3177, F.S. The State Statute require the plan to be adopted prior to July 1, 2008.

¹ Underlined words are proposed additions. ~~Strikethrough words~~ are proposed deletions. All other words exist in the Plan and will remain unchanged.

A. Revisions to the Housing Element

1. Revise Policy HO-6D after Policy HO-6C on page III-6 as follows:

HO-6E Miami-Dade County shall ~~identify~~ promote the development of sites adequate for workforce housing according to the “Miami-Dade County Affordable Workforce Housing Plan, 2008 to 2015” ~~adopted by July 1, 2008~~ adopted by Resolution No. _____ on June 17, 2008 and incorporated by reference in the CDMP, as amended from time to time.

4. REASON FOR CHANGE

In 2007, the Florida Legislature passed a legislative mandate intended to address the affordable housing needs of workforce households throughout the State. The legislation amended Chapter 163 of the Florida Statutes to require certain counties in the State, such as Miami-Dade County, to adopt a Workforce Housing Plan (Plan) by July 1, 2008. At a minimum, the Plan must identify sites suitable for affordable workforce housing. In compliance with the State requirement, the proposed amendment seeks to adopt “Miami-Dade County Workforce Housing Plan, 2008 to 2015” by reference as part of the Housing Element of the CDMP .

The purpose of the Affordable Workforce Housing Plan is to increase the variety and supply of housing that is affordable to the workforce in Miami-Dade County. The Plan provides an analysis of the current housing market and identifies 688 county-owned sites, 177 privately owned sites, and six urban center districts that suitable for such housing. It also establishes strategies and recommendations aimed at facilitating development. The Affordable Workforce Housing Plan builds on a long list of efforts by Miami-Dade County to address the housing needs of workforce families.

5. ADDITIONAL MATERIAL SUBMITTED