

<h1>Application No. 1</h1> <h2>Commission District 7 Community Council 12</h2>

APPLICATION SUMMARY

Applicant/Representative:	Sunset Cove, LLC/Ben Fernandez, Esq., and Gregory Fontela, Esq.
Location:	±530 feet west of SW 87 Avenue/Galloway Road between SW 72 Street/Sunset Drive and SW 74 Street
Total Acreage:	±5.63 Acres
Current Land Use Plan Map Designation:	"Business and Office"
Requested Land Use Plan Map Designation and other changes:	<ol style="list-style-type: none">1. "Business and Office" on ±3.66 acres and "Medium Density Residential (13 to 25 dwelling units per gross acre)" on ±1.97 acres2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners
Amendment Type:	Small-scale
Existing Zoning District/Site Condition:	RU-4M/existing 200-unit multi-family apartment complex

RECOMMENDATIONS

Staff:	DENY (May 2017)
Kendall Community Council (12):	NO QUORUM (May 22, 2017)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	DENY (June 5, 2017)
Final Action of Board of County Commissioners:	TO BE DETERMINED (June 21, 2017)

Staff recommends to **DENY** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map to redesignate the ±5.63-acre application site from “Business and Office” to “Business and Office” and “Medium Density Residential (13 to 25 dwelling units per gross acre)” land use category for the following reasons:

Principal Reasons for Recommendation:

1. The application proposes a land use change to facilitate the intensified redevelopment of the application site with additional residential units and commercial uses, which is inconsistent with the CDMP policies and Section 24-43 of the Miami-Dade County Code (the Code) that require protection of the County’s wellfields. The application site is developed with 200 multifamily apartment units (built in 1969) and the application proposes to redesignate the southern ±1.97 acres of the site to “Medium Density Residential” (13 to 25 dwelling units per gross acre) to facilitate redevelopment of the site with a mix of over 200 multifamily units and commercial uses. The ±5.63-acre site is located in the Alexander Orr Wellfield Protection Area with a ±5.33-acre portion of the site within the wellfield’s 10-day travel time contour and a ±0.3-acre portion within the 30-day travel time contour (see Alexander Orr Wellfield Protection Area map on page 1-10). The travel time contours indicate the time groundwater pollutants would take to travel to the potable water supply wells in the wellfield. Due to its location within the wellfield protection area, the application site is subject to Section 24-43 of the Code that prohibits hazardous materials and wastes on the site and restricts the amount of sewage that can be generated by development on the site (sewage loading restrictions). The County’s wellfield protection regulations (Section 24-43 of the County Code) were established in 1981 through Ordinance 81-23 adopted by the Board of County Commissioners (BCC).

The existing 200 multifamily units generate sewage flows estimated at 30,000 gallons per day and predated the County’s original wellfield protection ordinance. The maximum sewage loading for the application site is 4,785 gallons per day (gpd), exceeded by the existing development on the site. However, future development on the site would be required to comply with the sewage loading requirements in Section 24-43 of the Code unless a variance from the Code requirements is obtained from the Miami-Dade County Environmental Quality Control Board (EQCB).

The CDMP Conservation, Aquifer Recharge and Drainage Element Objective CON-3 and Policies CON-3A and CON-3B as well as Water, Sewer, and Solid Waste Element Policy WS-1D require the protection of the County’s wellfields and the strict enforcement of regulations governing approved wellfield protection areas. Additionally, Policy WS-6B requires viable potable water wellfields in the County remain available for use and possible expansion. Furthermore, CDMP Land Use Element Policy LU-3B requires all significant natural resources and systems, including potable water-supply wellfield areas, be protected from incompatible land uses. Policy LU-9B requires the County to maintain and enhance regulations which govern the use and development of land, including the protection of potable water wellfields. The CDMP Land Use Element interpretive text speaks to controlling land use and development in wellfield protection areas, and that the County’s wellfield protection regulations and maps must be consulted when applying or interpreting the Land Use Plan map as it relates to wellfield protection areas (page I-78). CDMP Land Use Element Interpretive text also provides that development may be limited to a density or intensity less than the maximum allowed under a particular land use designation depending on the availability of public services and other considerations such

as environmental conditions (pages I-23 & I-28). The Applicant's proposed redevelopment of the application site could impact the wellfield protection area and is inconsistent with the above referenced CDMP objective and policies and Section 24-43 of the County Code. The Applicant must demonstrate how the proposed development could be consistent with the CDMP and Section 24-43 of the Code.

2. Approval of the application would be generally inconsistent with the criteria for evaluating Land Use Plan map amendment applications pursuant to Policy LU-8E of the CDMP Land Use Element due to potential impacts to and a general incompatibility with the Alexander Orr Wellfield. Policy LU-8E requires LUP map amendment applications to be evaluated according to factors such as (i) the ability of the proposed amendment to satisfy a deficiency in the LUP map to accommodate projected population or economic growth of the County, (ii) impacts to County facilities and services, (iii) compatibility with abutting and nearby land uses, (iv) impacts to environmental and historical resources, and (v) the extent to which the proposed land use would promote transit ridership and pedestrianism pursuant to Objective LU-7 and associated policies. Each factor is discussed below.

- i. Need to Accommodate Population or Economic Growth.* The requested redesignation of the application site from "Business and Office" to "Business and Office" and "Medium Density Residential" would not have a significant impact on the supply of residential land in the analysis area, Minor Statistical Area (MSA) 5.5, where the application site is located. The analysis indicates the MSA in 2017 is estimated to have the capacity for about 1,565 single and multifamily dwelling units, with about 92 percent of these units intended for multi-family. In MSA 5.5, the supply of residential land for both single-family and multi-family units is projected to be depleted by year 2027. The redesignation would add a maximum 68 units or approximately 4½ months of supply to the residential land capacity but would not significantly impact the projected depletion year.

The Supply and Demand Analysis indicates that there are 560.10 acres of in-use commercial uses in 2017 and an additional 2.5 acres of vacant land zoned or designated for business uses. The annual average absorption rate for the 2017-2030 period is 0.68 acres per year. At this projected rate of absorption, the analysis area will deplete its supply of commercially zoned land by the year 2021. The approval of the application, while it would reduce the acreage designated "Business and Office" by ±2 acres, would effectively not impact the supply of commercial land given the application site is currently developed with multifamily residences.

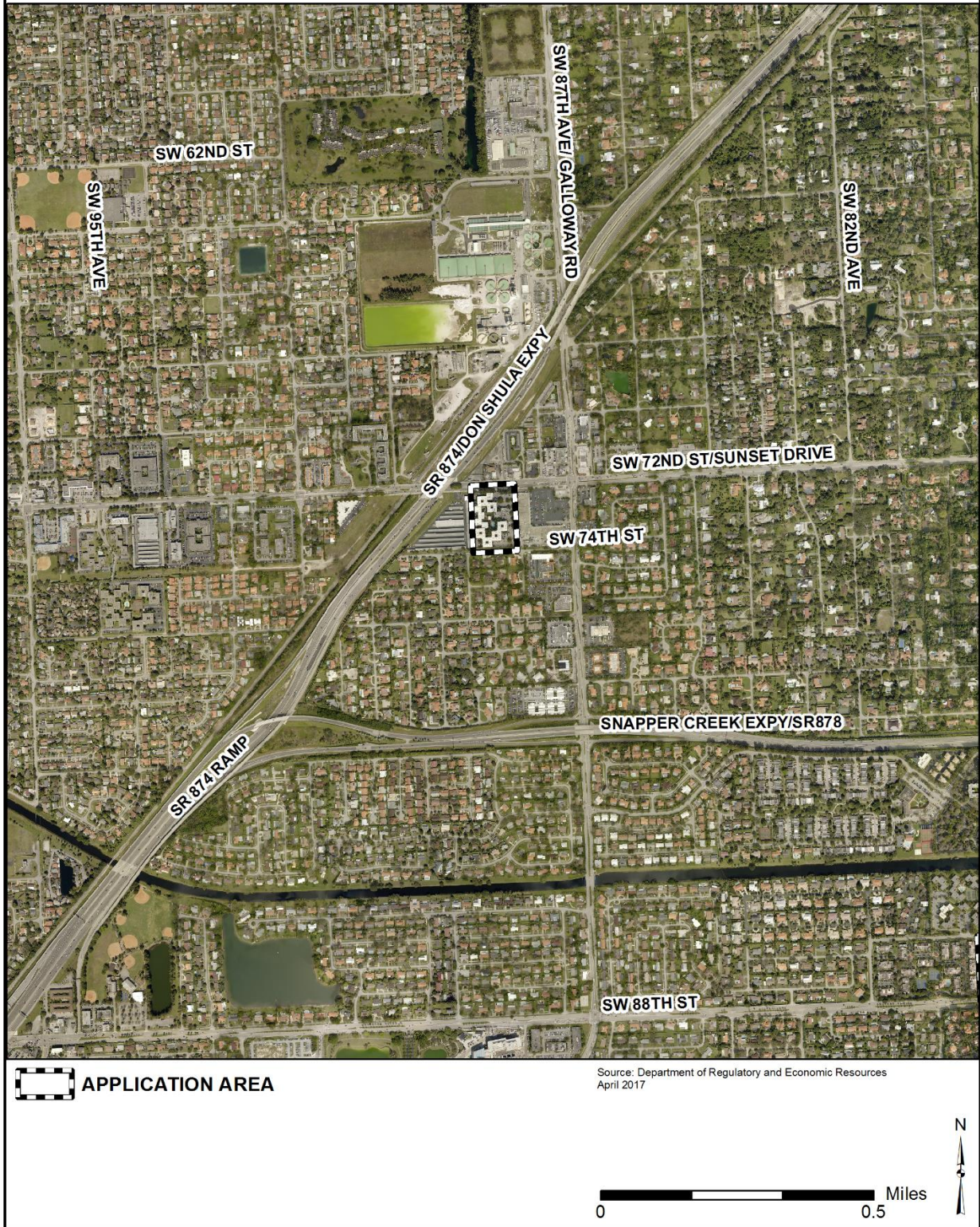
- ii. Public Facilities and Services.* Approval of the application and redevelopment of the application site as proposed could contaminate groundwater thereby negatively impacting the operation and viability of the Alexander Orr Wellfield, as discussed in Principal Reason No. 1 above. The impacts that would be generated by the potential redevelopment of the site would not cause a violation in level of service standards for other public services and facilities.
- iii. Compatibility:* The requested redesignation of the application site and the maximum development that could be developed, if the application is approved, would be generally compatible with the existing uses on the adjacent properties with the exception of the adjacent Alexander Orr Wellfield. To the west, north (beyond SW 72 Street) and east of the application site are properties designated "Business and Office" and developed with a mix of uses including a self-storage site on the west, gas

stations, multifamily apartments and commercial uses to the north beyond SW 72 Street, and a shopping center to the east. Further west of the site is the self-storage facility and beyond SR-874 is the Alexander Orr Wellfield designated “Institutions, Utilities and Communications”. To the south and southeast are properties designated “Low Density Residential” and “Office/Residential” and developed with single family residences and a medical office complex, respectively. The Applicant has proffered a Declaration of Restrictions (covenant) that limits vehicular access to the application site to SW 72 Street and provides for a minimum 10-foot wide landscape buffer adjacent to the single-family homes south of the application site.

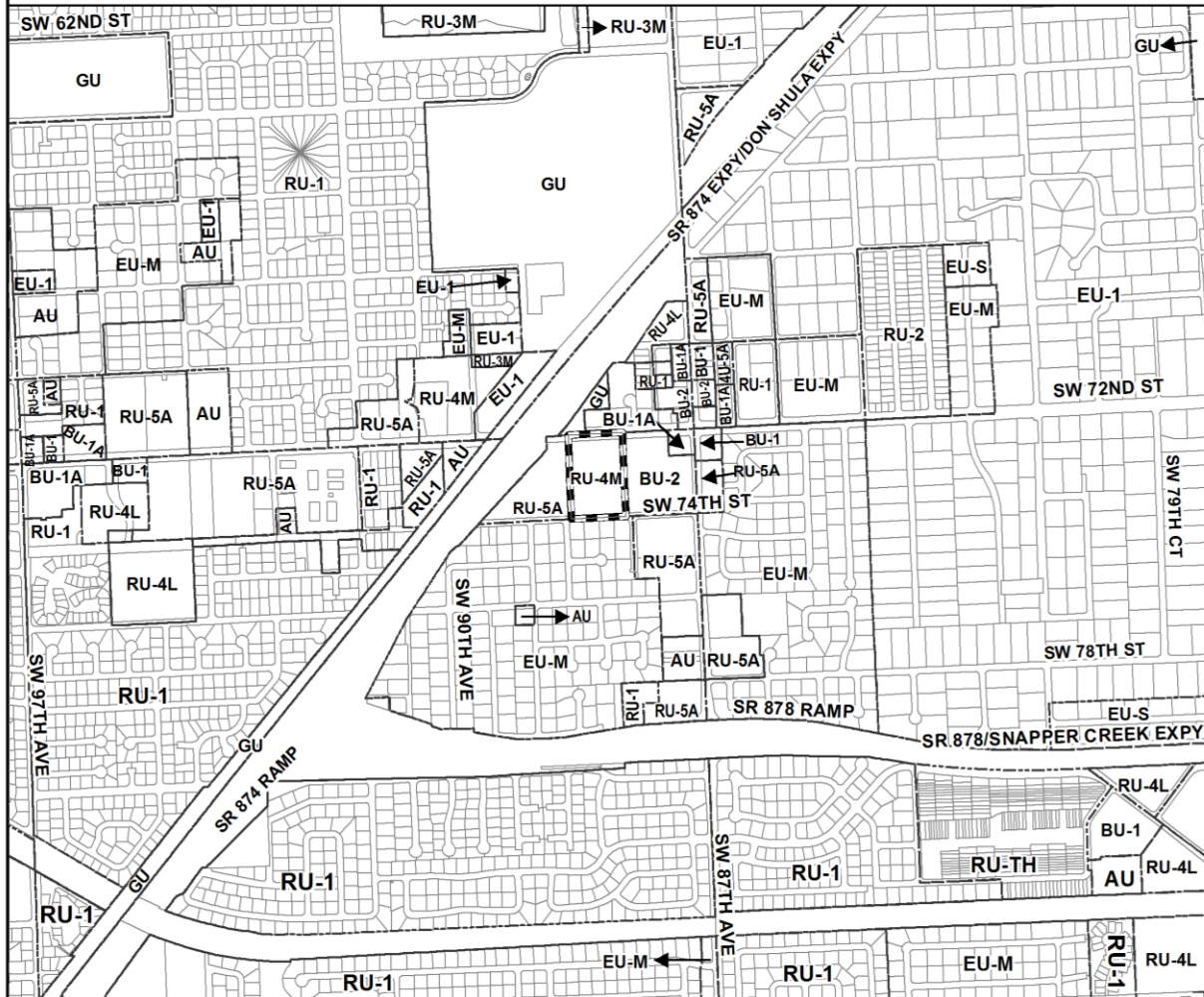
As discussed in Principal Reason No. 1, the application site is primarily located within the 10-day travel time contour of the Alexander Orr Wellfield protection area and is thereby subject to sewage loading restrictions. However, the existing development on the application site currently generates sewage flows that exceed the sewage loading restrictions for properties within the wellfield’s 10-day travel time contour and the proposed additional development would further exceed these restrictions and could potentially contaminate the wellfield and is thereby generally not compatible with the continued operation and long term viability of the wellfield.

- iv. *Environmental and Historic Resources.* Approval of the application would not impact historic or archeological resources, but could impact environmental resources. As discussed in Principal Reason No. 1, the proposed redevelopment of the site with over 200 multifamily units and commercial uses would generate additional sewage flows further in exceedance of the maximum sewage flows allowed for the application site, inconsistent with the CDMP policies and Section 24-43 of the Code requiring protection of County wellfields. Due to its location within the Alexander Orr wellfield the site is limited. Additionally, the application site also contains specimen-sized trees (trunk diameter 18 inches or greater) that are to be preserved pursuant to Section 24-49 of the Code. (See “Environmental Conditions” section on page 1-17.)
- v. *Transit Ridership and Pedestrianism.* The application, if approved, could support transit ridership and pedestrianism. The application site is served by Metrobus Routes 72, 272 and 87. Route 72 provides service at 30-minute headways during the day, and 60-minute headways on weekends. Route 272 provides 20-minute headways during the weekday AM/PM peak hour periods. Route 87 provides 30-minute headways during the weekday AM/PM peak hour periods, 45-minute headways during off-peak hours, and 45- and 60-minute headways on the weekends. There is a Metrobus stop located adjacent to the application site, along SW 72 Street/Sunset Drive. The application site and its surroundings are well accessible by sidewalks.

APPLICATION NO. 1 AERIAL PHOTO



APPLICATION 1 ZONING MAP

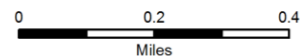


APPLICATION AREA

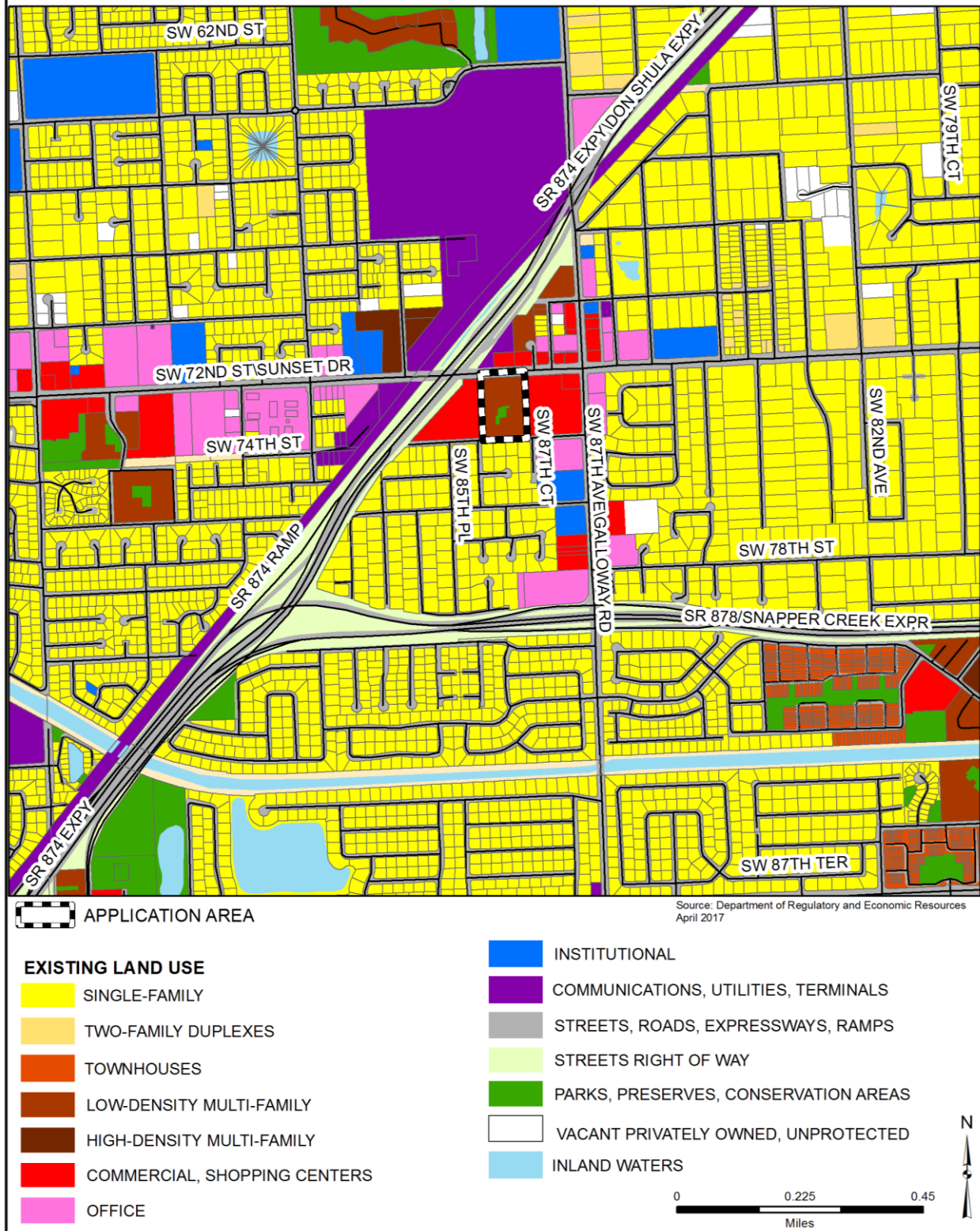
Source: Department of Regulatory and Economic Resources
April 2017

ZONING DISTRICTS

AU	AGRICULTURAL / RESIDENTIAL 5 ACRES GROSS	RU-3M	MINIMUM APARTMENT HOUSE
BU-1	BUSINESS DISTRICTS, NEIGHBORHOOD	RU-4L	LIMITED APARTMENT HOUSE DISTRICT
BU-1A	BUSINESS DISTRICTS, LIMITED	RU-4M	MODIFIED APARTMENT HOUSE
BU-2	BUSINESS DISTRICTS, SPECIAL	RU-5A	SEMI-PROFESSIONAL OFFICE
EU-1	ESTATES, SINGLE-FAMILY	RU-TH	TOWNHOUSE
EU-M	ESTATES MODIFIED, SINGLE-FAMILY		
EU-S	ESTATE USE, SUBURBAN SINGLE-FAMILY		
GU	INTERIM DISTRICT		
RU-1	SINGLE-FAMILY RESIDENTIAL		
RU-2	TWO-FAMILY RESIDENTIAL DISTRICT		

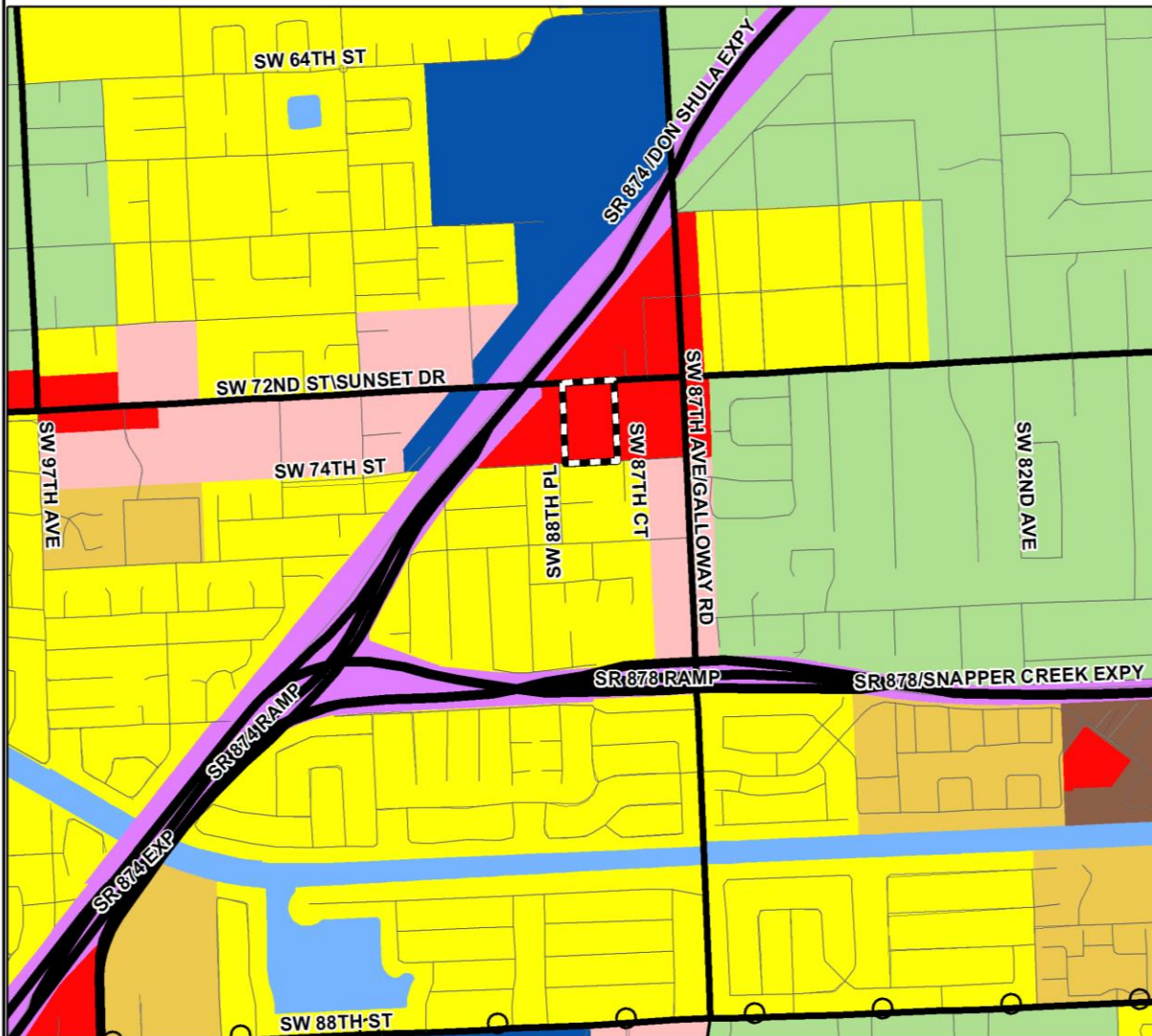


APPLICATION NO. 1 EXISTING LAND USE



APPLICATION NO. 1

CDMP LAND USE



APPLICATION AREA

CDMP LAND USE

- ESTATE DENSITY (1-2.5 DU/AC)
- LOW DENSITY (2.5-6 DU/AC)
- LOW-MEDIUM DENSITY (6-13 DU/AC)
- MEDIUM DENSITY (13-25 DU/AC)
- MEDIUM-HIGH DENSITY (25-60 DU/AC)
- BUSINESS AND OFFICE
- OFFICE/RESIDENTIAL
- INSTITUTIONS, UTILITIES AND COMMUNICATION

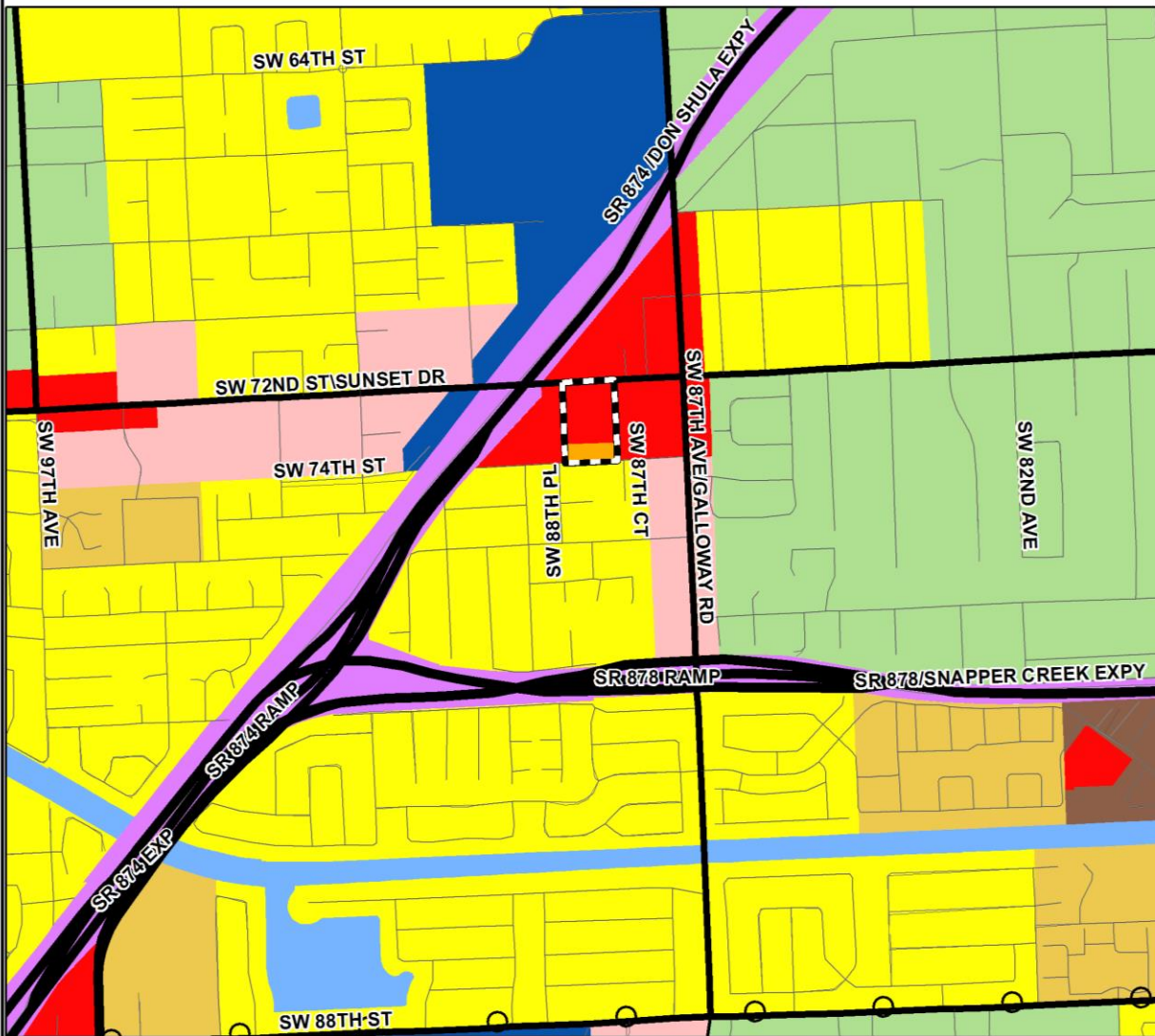
- WATER
- TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)
- EXPRESSWAYS
- MAJOR ROADWAYS (3 OR MORE LANES)
- MINOR ROADWAYS (2 LANES)
- FUTURE RAPID TRANSIT

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Miles



Source: Department of Regulatory and Economic Resources
April 2017

APPLICATION NO. 1 PROPOSED CDMP LAND USE



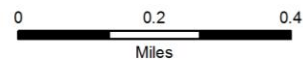
APPLICATION AREA

Source: Department of Regulatory and Economic Resources
April 2017

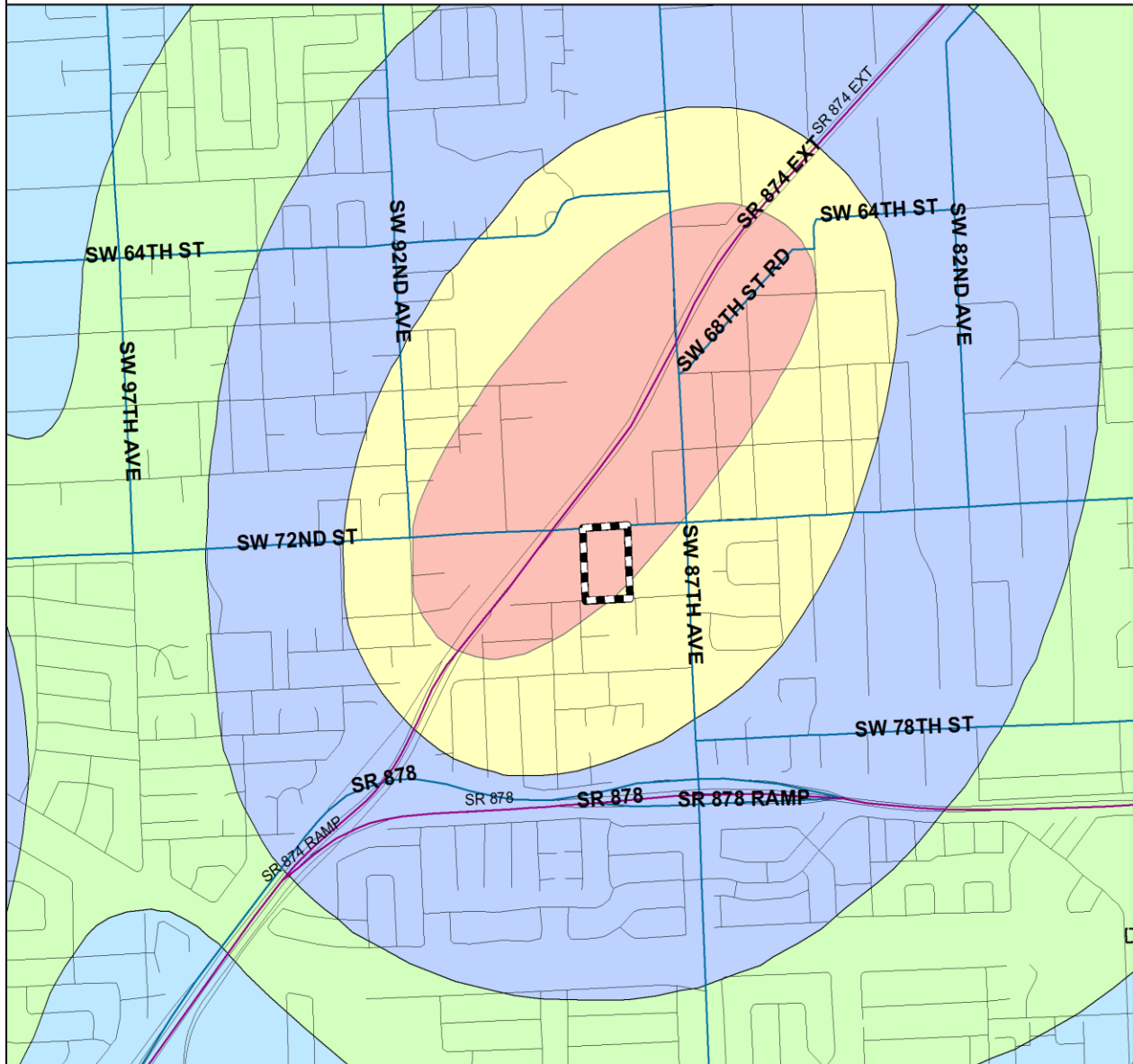
CDMP LAND USE

- ESTATE DENSITY (1-2.5 DU/AC)
- LOW DENSITY (2.5-6 DU/AC)
- LOW-MEDIUM DENSITY (6-13 DU/AC)
- MEDIUM DENSITY (13-25 DU/AC)
- MEDIUM-HIGH DENSITY (25-60 DU/AC)
- BUSINESS AND OFFICE
- OFFICE/RESIDENTIAL
- INSTITUTIONS, UTILITIES AND COMMUNICATION

- WATER
- TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)
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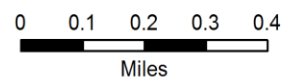
ALEXANDER ORR WELLFIELD PROTECTION AREA



APPLICATION AREA

GROUNDWATER TRAVEL DISTANCE/TIME FROM WELLHEAD

- 10 DAYS
- 30 DAYS
- 100 DAYS
- 210 DAYS
- AVG. (More Than 210 Days)



STAFF ANALYSIS

Application Site

Background

The application was originally filed as Application No. 5 in the October 2016 Cycle of amendments to the Comprehensive Development Master Plan (CDMP), but pursuant to Section 2-116.1(2)(f) of the Miami-Dade County Code and at the request of the applicant was transferred to and is being processed in this January 2017 Cycle.

The County's main source of drinking water is the Biscayne Aquifer, a porous layer of limestone which lies close to the surface of the ground and thus vulnerable to pollution. To protect public health and prevent the contamination of water withdrawn from the aquifer, the County established wellfield protection zones surrounding each of the wellhead areas. The County's wellfield protection regulations (Section 24-43 of the County Code) were established in 1981 through Ordinance 81-23 adopted by the Board of County Commissioners (BCC). The wellfield protection areas impose land use restrictions on properties located within them, for the safety of the County's drinking water supply and to help maintain an adequate supply of water for the current and future residents of the County. These regulations are contained in Section 24-43 of the Code of Miami-Dade County.

The application site is located within the travel time contours of the Alexander Orr Wellfield Protection Area. The majority of the application site (± 5.33 acres) lies within the 10-day travel time contour with the remaining ± 0.3 acres which lies within the 30-day travel time contour of the wellfield (see Alexander Orr Wellfield Protection Area map on page 1-10). The travel time contours indicate the time groundwater pollutants would take to travel to the potable water supply wells in the wellfield. Due to its location within the wellfield protection area, the application site is subject to Section 24-43 of the Code that prohibits hazardous materials and wastes on the site and restricts the amount of sewage that can be generated by development on the site (sewage loading restrictions). Section 24-43 of the Code requires future development on the site to comply with the sewage loading requirements unless variance from the Code requirements is obtained from the Miami-Dade County Environmental Quality Control Board (EQCB).

The existing 200 multifamily units generate sewage flows estimated at 30,000 gallons per day and predates the County's wellfield protection regulations. The maximum sewage loading for the application site is 4,785 gallons per day (gpd), exceeded by the existing development on the site. The maximum residential development allowable on the application site, 268 multifamily units, would generate an estimated sewage flow of 40,200 gpd.

The Alexander Orr wellhead system delivers water to "...nearly all of Miami-Dade County south of approximately Flagler Street and north of SW 248 Street, including Virginia Key, Fisher Island, [and] the Village of Key Biscayne" (*Miami-Dade County Water and Sewer Department 20-Year Water Supply Facilities Work Plan*, November 2014, pg. 2-2).

Location

The application site is a ± 5.63 -acre property is located within the County's Urban Development Boundary (UDB) approximately 530 feet west of SW 87 Avenue/Galloway Road between SW 72 Street/Sunset Drive and SW 74 Street, in unincorporated Miami-Dade County. (See "Aerial Photo" on page 1-5).

Existing Land Use

The application site is developed with a well-maintained ±182,283 square foot, three-story, 200-unit multi-family apartment complex “The Groves at Sunset,” and built in 1969. (See “Existing Land Use” map on page 1-7 and Appendix E: Photos of Site and Surroundings on Appendices Page 37.)

Land Use Plan Map Designation/Request

The application site is currently designated “Business and Office” on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map (See “CDMP Land Use” map on page 1-8). The Business and Office land use category allows the full range of sales and service activities that includes retail, wholesale, personal and professional services, commercial and professional offices, hotels, hospitals, entertainment and cultural facilities, and residences. Under the current land use designation and if all environmental and zoning requirements are met, the application site could be redeveloped with 98,097 square feet of retail uses, or with a maximum of 202 multi-family residential units as permitted under the property’s existing zoning.

The application seeks to retain the “Business and Office” land use category on the northern portion of the site and redesignate on the southern 200 feet of the application site to “Medium Density Residential” land use category. The Applicant states they intend to redevelop the application site with a mixed use development consisting of a combination of commercial and over 200 multifamily residential uses. The “Medium Density Residential” allows densities from 13 to 25 dwelling units per gross acre, and the type of housing structures typically permitted in this category includes townhouses and low-rise and medium-rise apartments. Under the requested “Business and Office” and “Medium Density Residential” land use designations, if all environmental and zoning requirements are met, the application site could be developed with a maximum potential development of either 49 multi-family residential units and 63,771 square feet of retail uses; or with 268 multi-family residential units. (See “Proposed CDMP Land Use” map on page 1-9).

It must be noted the CDMP interpretive text provides that the actual densities or intensities of development approvable on a given site may be significantly lower than the maximum allowed where necessary to conform with an overriding Plan policy, or to ensure compatibility of the development with its surroundings and other site-related considerations. Therefore, the above stated development scenarios may not be attainable on the application site based on the requirements of the applicable land development regulations and compatibility standards, particularly with the Alexander Orr Wellfield Protection area.

Proffered Declaration of Restrictions

The Applicant has proffered a Declaration of Restrictions (covenant) which prohibits vehicular access from SW 74 Street to the application site, and requires a minimum of a ten-foot wide landscape buffer on the southern property line. (See Appendix C: Proffered Declaration of Restrictions on Appendices Page 23)

Zoning

The application site is zoned RU-4M (modified apartment house District), which allow residential dwelling units up to 35.9 units per net acre. (See “Zoning Map” on page 1-6.)

Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938. Based on Miami-Dade County zoning records, the application site was originally part of the larger ±13 acre Tract 1 of the September 1911 Dade County Development Company Subdivision, recorded in Plat Book 1, Page 84 of the Miami-Dade County Official Records, zoned AU (agriculture) and

GU (interim) and rezoned to BU-2A (business district, special) by the Board of County Commissioners (BCC) through Resolution No. 11496 adopted on May 2, 1957. Subsequently the BCC adopted Resolution Z-126-65 on June 10, 1965, which among others, rezoned the subject property to RU-4M (modified apartment house) that remains the property's zoning to date.

Adjacent Land Use and Zoning

Existing Land Uses

The properties to the north, across SW 72 Street/Sunset Drive, are developed with a Citgo and Mobil gas stations, and to the northeast are the Garden Lakes Apartments, the White Star café, the Kampai Japanese Restaurant, reptile store and Sunset Corners Liquor Store. Abutting the application site on the east is the Sunset West shopping center that includes, a Winn-Dixie grocery store, Chase Bank, Shinju Japanese Buffet, Subway, Sunset Animal Clinic, a dental office, UPS store, and a Marathon gas station. Southeast of the application site, across SW 74 Street, is the Galloway Medical Park complex, and to the south and southwest are single-family detached residences in good conditions. Adjacent to the west of the application site is the Extra Space storage facility. Further to the west and northwest is the SR 874/Don Shula Expressway, CSX railroad right-of-way and the County's Water and Sewer Alexander Orr water treatment plant (see Appendix E: Photos of Site and Surroundings on Appendices Page 37).

Land Use Plan Map Designations

The properties to the north, across SW 72 Street/Sunset Drive, the northeast, and adjacent properties to the west of the application site are designated "Business and Office" on the LUP map. Further west is the "Transportation" designated for SR 874/Don Shula Expressway and the Alexander Orr water treatment plant is designated "Institutions, Utilities and Communication." Adjacent properties to the east are designated on "Business and Office", and properties southeast of the application site, across SW 74 Street and fronting SW 87 Avenue, are designated "Office/Residential." Properties south and southwest of the application site, across SW 74 Street, are designated "Low Density Residential (2.5 to 6 dwelling units per gross acre)".

Zoning

The properties to the north and northeast across SW 72 Street/Sunset Drive are developed with Citgo and Mobil gas stations and zoned BU-1A (limited business) and further north zoned RU-1 (single-family residential) and RU-4L (limited apartment). Properties north and further northeast fronting SW 87 Avenue are zoned BU-2 (special business). The Sunset West shopping center adjacent to applicant site on the east is zoned BU-2 with a small parcel zoned BU-1A. The Galloway Medical Park complex southeast of the application site is zoned RU-5A (semi-professional office), and residential properties to the south and southwest are zoned EU-M (single-family estates modified). The Extra Space storage facility to the west is designated RU-5A and further west are zoned EU-1 (estates single family) and the County's water treatment plant zoned GU (interim district, depends on character of neighborhood). (See "Zoning Map" on page 1-6).

Supply and Demand Analysis

The capacity of the CDMP Adopted 2020 and 2030 LUP map to accommodate population or economic growth is generally expressed in acres of vacant land zoned or designated for residential and non-residential development. In the context of this small-scale Application No. 1 land capacity is analyzed at the localized or Minor Statistical Area (MSA) level.

Residential land

The combined vacant land for single-family and multi-family residential development in the Analysis Area (Minor Statistical Area 5.5) in 2017 was estimated to have a capacity for about 1,565 dwelling units, with about 92 percent of these units intended as multi-family. The annual average residential demand in this Analysis Area is projected to increase from 138 units per year in the 2015-2020 period to 177 units in the 2025-2030 period. An analysis of the residential capacity by type of dwelling units shows the depletion of single-family units occurring in 2018 and for multi-family beyond 2030 (see “Residential Land Supply/Demand Analysis table” below). The supply of residential land for both single-family and multi-family units is projected to be depleted by 2027. Given the existing capacity in the Analysis Area, this application, if approved, would add a maximum of 68 units or approximately 4½ months of supply to the residential land capacity in the MSA, which would not significantly extend the projected depletion year for residential land.

Residential Land Supply/Demand Analysis
2015 to 2030: Application 1 (MSA 5.5)

ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2017	121	1,444	1,565
DEMAND 2015-2020	76	62	138
CAPACITY IN 2020	0	1,258	1,151
DEMAND 2020-2025	84	69	153
CAPACITY IN 2025	0	913	386
DEMAND 2025-2030	97	80	177
CAPACITY IN 2030	0	513	0
DEPLETION YEAR	2018	2030+	2027

Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Planning Research Section, April 2017.

Notes: Residential capacity is expressed in terms of housing units. Housing demand is an annual average figure based on population projections.

Commercial Land

The Analysis Area (MSA 5.5) contained 560.10 acres of in-use commercial uses in 2017 and an additional 2.5 acres of vacant land zoned or designated for business uses. The annual average absorption rate for the 2017-2030 period is 0.68 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercially zoned land by the year 2021 (See “Projected Absorption of Land for Commercial Uses” table below). The approval of the application, while it would reduce the acreage designated “Business and Office” would effectively not impact the supply of commercial land given the application site is currently developed with multifamily residences.

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

Analysis Area	Vacant Commercial Land 2017 (Acres)	Commercial Acres in Use 2017	Annual Absorption Rate 2017-2030 (Acres)	Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
					2020	2030
MSA 5.5	2.5	560.10	0.68	2021	6.8	6.5

Source: Miami-Dade County, Regulatory and Economic Resources Department, Planning Division, Research Section, April 2017.

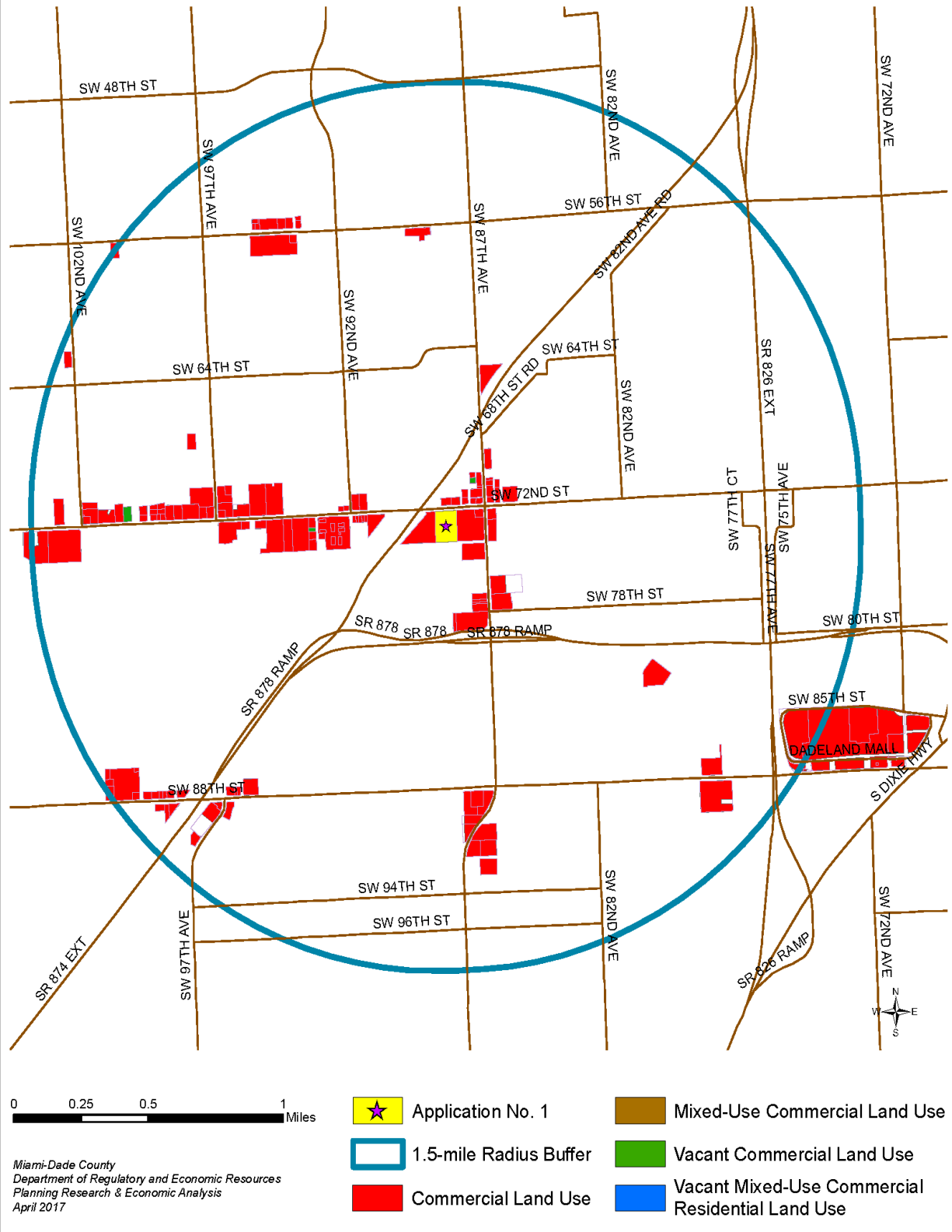
Analysis of the Trade Area

Analysis of the trade area, a 1.5 mile radius around the application site, shows that there are 249.68 acres in existing commercial uses, and 1.58 acres of vacant commercially zoned or designated land (see "Trade Area Analysis" table and below and "Trade Area Map" on page 1-16).

Trade Area Analysis			
Application	Trade Area Radius	Vacant Commercial Land (Acres)	Commercial Acres in Use 2017
1	1.5	1.58	249.68

Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Research Section, April 2017.

TRADE AREA MAP: APPLICATION NO. 1



Environmental Conditions

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

Flood Protection

Federal Flood Zone	AH
Stormwater Management Permit	DERM Surface Water Management Standard Permit
County Flood Criteria, National Geodetic Vertical Datum (NGVD)	8 feet

Biological Conditions

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

Other Considerations

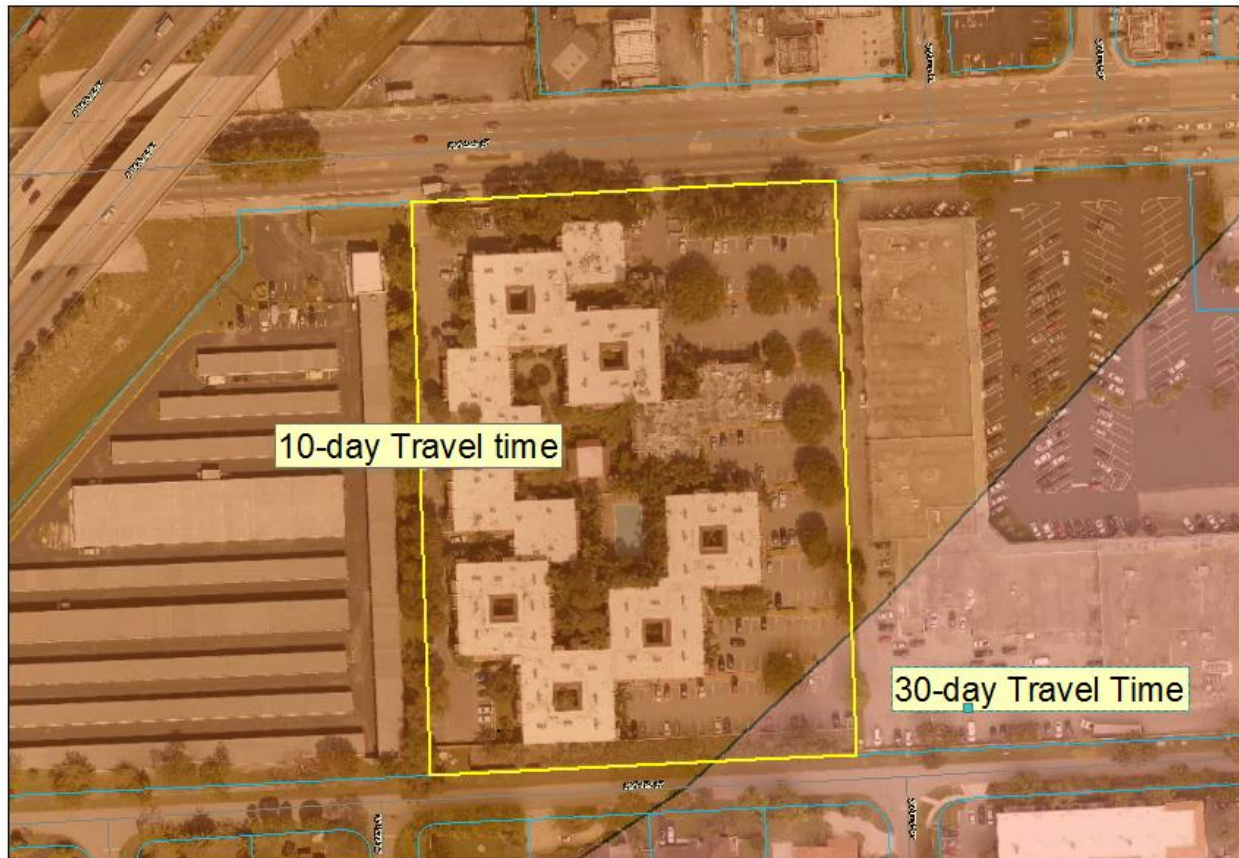
Within Wellfield Protection Area	Yes – Alexander Orr/10-day & 30-day contour
Contaminated Site	No DERM records

Wellfield Protection

Application No. 1 is located within the basic wellfield protection area of the Alexander Orr Wellfield. More specifically, the site is situated within the 10 and 30 day travel time contours of said wellfield. In 1981, the Board of County Commissioners enacted Ordinance 81-23 which established the boundaries and restrictions within this wellfield protection area. According to Miami-Dade County Property Appraiser records, the existing development on the property was established in 1969, prior to the enactment of the wellfield ordinance.

Any new development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code. Pursuant to Section 24-43(5) of the Code, hazardous materials and hazardous wastes are prohibited within this wellfield protection area. Further, any future development must comply with sewage loading restrictions contained in Section 24-43(4)(b) of the Code for properties connected to public sanitary sewers and within the 10 and 30 day travel time contours of a wellfield protection area. Based on the site's net area, the maximum sanitary sewer flow allowed for new development is 4,785 gallons per day. The maximum development allowed by the proposed land use designation would not be in compliance with the sewage loading restrictions in the Code. DERM would not be authorized to approve future development orders that did not comply with sewage loading and/or land uses that utilize hazardous materials and generate hazardous waste. Variances to these requirements may only be granted by the Miami-Dade County Environmental Quality Control Board (EQCB).

CDMP Policy CON-3A prohibits new facilities that use, handle, generate, transport or dispose of hazardous wastes shall be permitted within wellfield protection areas. Since the subject request involves non-residential land uses, the owner of the property shall submit a properly executed covenant in accordance with Section 24-43(5) of the Code which provides that hazardous materials and hazardous wastes shall not be used, generated, handled, discharged, disposed of or stored on the subject property. The above-noted covenant shall be submitted to and approved by DERM prior to approval of future development orders.



Alexander Orr Wellfield Protection Areas – Application No. 1

Pollution Remediation

There are no DERM records of current or historical contamination issues on the property or on sites directly abutting the application site.

Drainage and Flood Protection

Any proposed development with more than 2.0 acres of impervious area within the subject property will require a DERM Surface Water Management Standard Permit for the construction and operation of the required surface water management system. The permit must be obtained prior to development of the site, final plat, and/or prior to obtaining approval of paving and drainage plans. The applicant is advised to contact the DERM Water Control Section for further information regarding permitting. Note that the site is located within the Alexander Orr Wellfield Protection Area, where drainage is limited to dry retention pond only.

The Application is located within Zone AH in FEMA Flood Insurance Rate Maps (FIRM). Any new development planned for the future will have to comply with the requirements of Chapter 11C of the Code for flood protection.

The site shall be filled to a minimum elevation of 8 feet, NGVD or County Flood Criteria. For construction of habitable structures within the subject application, the Lowest Floor Elevation requirement shall be the highest elevation in NGVD of the following references:

- Average crown of road fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- County Flood Criteria 8 feet NGVD, plus 8 inches for residential, or plus 4 inches for commercial.
- Elevation of the back of the sidewalk (if any) fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- The stage generated by retention on-site of the 100-year rainfall event according to stage-storage calculations must be equal or less than the Base Flood Elevation.

For compliance with stormwater quality requirements, all stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event.

For compliance with stormwater quantity requirements designed to prevent flooding of adjacent properties, the site grading and development shall provide for the full on-site retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code and all State and Federal Criteria.

Natural Resources

The Application site contains tree resources including specimen tree resources. Specimen trees are protected by Section 24-49.2(II) of the Code and CON-8A of the CDMP. DERM approval of future site plans must be consistent with the requirements to preserve specimen trees except in cases where DERM has determined that a specimen tree cannot be preserved pursuant to Section 24-49.2(4)(II)(2) of the Code. The approval of this land use designation application shall not be construed as an approval to remove specimen trees due to a determination of unreasonable loss of usable space pursuant to Section 24-49.2(4)(II)(2)(b) of the Code.

In accordance with Section 24-49.9 of the Code and CON-8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species.

Endangered Species

The subject property and adjacent properties are not located within a federally designated critical habitat area. DERM is not aware of any documented threatened and endangered species on this or adjacent properties.

Water and Sewer

Water Treatment Plant Capacity

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

The rated treatment capacity of the Miami-Dade Water and Sewer Department regional water treatment system is 449.74 million gallons per day (MGD). To maintain sufficient capacity in accordance with the level of service standard outlined in CDMP Policy WS-2A, the regional system shall operate with a rated maximum daily capacity no less than two percent above the maximum daily flow for the preceding year and an average two percent above the average daily flow for the preceding five years. Therefore, the total available water treatment plant capacity based on CDMP Policy WS-2A is 76.4 MGD. This is calculated using the available plant capacity (449.74 MGD), subtracting 102% of the maximum day flow (343 MGD) and subtracting the water that is reserved through development orders (30.35 MGD).

As noted in the “Estimated Water Demand/Sewer Flow for Proposed Development by Land Use Scenario” table below, the maximum water demand for retail development (Scenario 1) and residential development (Scenario 2) under the current CDMP Land Use designations, is estimated at 9,810 gallons per day (gpd) and 30,300 gpd, respectively. The maximum water demand for mixed-use development (Scenario 1) or residential development (Scenario 2) under the Requested CDMP Land Use designation, is estimated at 13,727 gpd and 40,200 gpd, respectively. This represents an increase of up to 9,900 gpd over the demand under the current CDMP land use designations. Since the site is located within the 10 and 30 day travel time contour of a wellfield protection area, maximum sanitary sewer flow allowed for new development is 4,785 gallons per day based on Section 24-43(4)(b) of the Code. A Water Supply Certification Letter will be required at the time of development, at which time the proposed project will be evaluated for water supply availability and a water supply reservation will be made.

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

Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier (Section 24-43.1 Miami- Dade Code)	Projected Water Demand (gpd)
Current CDMP Potential				
1	Retail	98,097 sq. ft.	10gpd/100 sq. ft.	9,810 gpd
2	Multi-family	202 units	150gpd/unit	30,300 gpd
Requested CDMP Designation				
1	Multi-family	49 units	150gpd/unit	7,350 gpd
1	Retail	63,771 sq. ft.	10gpd/100 sq. ft.	6,377 gpd
2	Multi-family	268 units	150gpd/unit	40,200 gpd

Source: Miami-Dade Water and Sewer Department; Department of Regulatory and Economic Resources, Planning Division; April 2017

Water Supply and Connectivity:

The Application is located within the MDWASD franchised water service area. The source of potable water for this area is the Alexander Orr Water Treatment Plant which is owned and operated by MDWASD. At the present time, there is adequate treatment and water supply capacity for this application consistent with Policy WS-2 A (1) of the CDMP. The plant is presently producing water that meets Federal, State, and County drinking water standards. The proposed

land use would be required to connect to the public water system pursuant to Chapter 24 of the Code.

If the site develops as a mixed-use project, there is an existing 24-inch water main located at the intersection of SW 87th Avenue and SW 74th Street from where the developer may connect and extend a new 12-inch water main heading westerly along SW 74th Street to the most western boundary of the project site to provide service to the developer's property. If two or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection.

If the site develops as a multi-family development, there is an existing 8-inch water main abutting the proposed site where the development may connect to provide water service. If two or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection. At this time, there are no planned projects within close proximity to this application site.

Sewer Treatment Plant Capacity

The County's adopted LOS standard for wastewater treatment and disposal requires that the regional wastewater treatment and disposal system, consisting of North, Central, and South District Wastewater Treatment Plants, operate with a capacity that is two percent above the average daily flow for the preceding five years and a physical capacity of no less than the annual average daily sewer flow. The wastewater effluent must also meet all applicable federal, state, and county standards and all treatment plants must maintain the capacity to treat peak flows without overflow.

The Miami-Dade County Water and Sewer Department regional wastewater treatment system capacity is the sum of the daily treatment capacity of the three wastewater treatment plants. The regional wastewater treatment system can treat up to 375.5 MGD. The Sanitary Sewer Level of Service (LOS) standard presented in the CDMP requires the regional system to have sufficient capacity to treat 102% of the average daily sewage demand of the preceding 5 years. The available capacity is calculated by subtracting 102% of the annual average flow (310.45 MGD) for the preceding 5 years and the capacity reserved for development orders (37.51 MGD) from the system capacity (375.5 MGD). Therefore, the available wastewater treatment plant capacity is 27.54 MGD.

Sewer System Connectivity:

The Application is located within the MDWASD franchised sewer service area. The wastewater flows for this application will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. Currently, there is average wastewater treatment capacity for this application consistent with Policy WS-2A(2) of the CDMP.

The proposed land use would be required to connect to the public sanitary sewer system pursuant to Chapter 24 of the Code. The County owns and operates an 8-inch gravity sewer main located along SW 74th Street, to which the developer may connect to provide sewer service for the proposed development. Pump station 30-0819 is currently under Approved and Corrected status (AC). Pump stations 30-0559, 30-TANDEM and the South District Wastewater Treatment Plant are currently working within the mandated criteria set forth in the Consent Decree Case: N0. 1:12-cv-24400-FAM, effective Dec 6, 2013.

Solid Waste

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

Level of Service Standard

CDMP Policy SW-2A establishes the adopted Level of Service (LOS) standard for the County's Solid Waste Management System. This CDMP policy requires the County to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long-term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five years. The DSWM assesses the solid waste capacity on a system-wide basis since it is not practical or necessary to make a determination concerning the adequacy of solid waste disposal capacity relative to individual applications. As of FY 2016-2017, the DSWM is in compliance with the Countywide Waste Management System's adopted LOS standard.

Application Impacts

The application requests redesignation of the site from "Business and Office" to "Medium Density Residential" for the southern 200 feet of the property, while the remainder of the property will retain the "Business and Office" designation. The "Medium Density Residential" designation is anticipated to result in development of multifamily establishments, and the "Business and Office" designation may result in the development of either commercial or multi-family residential establishments, as defined in Chapter 15 of the County Code. The DSWM does not actively compete for waste collection servicing multifamily or commercial establishments at this time. Waste collection services will, therefore, most likely be provided by a private waste hauler. The requested amendment will have no fiscal impact or any associated costs.

Parks

The Miami-Dade County Parks, Recreation and Open Space Department has three Park Benefit Districts (PBDs). The subject application site is located inside Park Benefit District 2 (PBD-2), which generally encompasses the area of the County from SW 8 Street south to SW 184 Street.

Level of Service Standard

CDMP Policy ROS-2A establishes the adopted minimum Level of Service (LOS) standard for the provision of recreation open space in the Miami-Dade County. This CDMP policy requires the County to provide a minimum of 2.75 acres of local recreation open space per 1,000 permanent residents in the unincorporated areas of the County and a County-provided, or an annexed or incorporated, local recreation open space of five acres or larger within a three-mile distance from residential development. The acreage/population measure of the LOS standard is calculated for each Park Benefit District. A Park Benefit District is considered below LOS standard if the projected deficiency of local recreation open space is greater than five acres. Currently, PBD-2 has a surplus capacity of 485.19 acres of parkland, when measured by the County's concurrency LOS standard of 2.75 acres of local recreation open space per 1,000 permanent residents.

The "County Local Parks" table below lists the parks within a 3-mile radius of the application site; seven parks (Blue Lakes, Boys and Girls Club of Miami, Continental, Tropical Estates, Rockway, Ron Ehmann, and Snapper Creek) are larger than the required five-acre park.

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

Park Name	Acreage	Classification
Banyan Park	3.09	Neighborhood Park
Blue Lakes Park	6.40	Neighborhood Park
Boys and Girls Club of Miami – Kendall Unit	22.87	Community Park
Cherry Grove Park	1.43	Neighborhood Park
Continental Park	17.20	Community Park
Humble Mini Park	0.48	Mini Park
Kendale Park	3.86	Neighborhood Park
Kendalwood Park	2.71	Neighborhood Park
Killian Library Park	3.44	Mini Park
Miller Drive Park	3.93	Community Park
Rockway Park	5.01	Community Park
Ron Ehmann Park	13.61	Community Park
Snapper Creek Park	5.62	Neighborhood Park
South Dade Trail Mini Park	1.10	Mini Park
Sudlow Park	0.94	Mini Park
Sunkist Park	0.57	Neighborhood Park
Sunset Park	3.81	Neighborhood Park
Tropical Estates Park	9.08	Community Park
Westwood Park	4.33	Community Park

Source: Miami-Dade County Parks, Recreation and Open Space Department, April 2017.

Application Impacts

The potential development of the site under the existing CDMP land use designation has a potential population of up to 345, resulting in an impact of 0.94 acres based on the minimum Level of Service standard for the provision of local recreation open space.

The potential for residential development under the proposed land use designation is estimated at 268 multi-family dwelling units with an estimated population of 396 residents. The concurrency analysis for this scenario results in an impact of 1.8 acres based on the minimum Level of Service standard for the provision of local recreation open space and therefore meets concurrency. This would lower the surplus park capacity in the PBD-2 from 485.19 to 483.39 acres.

Fire and Rescue Service

The application area is currently served by Miami-Dade Fire Rescue (MDFR) Station No. 13 (East Kendall) located at 6000 SW 87 Avenue. The station is equipped with an Engine totaling four (4)

firefighter/paramedics 24 hours a day, seven days a week. The average travel time to incidents in the vicinity of the application site is estimated at approximately 5 minutes and 46 seconds. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8 minutes at 90% of all incidents. Presently, travel time to incidents in the vicinity of the application site complies with the performance objective of national industry standards.

Level of Service Standard for Fire Flow and Application Impacts

CDMP Policy WS-2A establishes the County's minimum Level of Service standard for potable water. This CDMP policy requires the County to deliver water at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi, unless otherwise approved by the Miami-Dade Fire Rescue Department. A minimum fire flow of 1,500 gallons per minute (GPM) is required for the Medium Density Residential designated land uses. Fire hydrants shall be spaced a minimum of 300' from each other and shall deliver not less than 500 GPM. A minimum fire flow of 3,000 GPM is required for Business and Industrial land uses. Fire hydrants shall be spaced a minimum of 300' from each other and shall deliver not less than 1,000 GPM. Presently, there are no fire flow deficiencies in the vicinity of the application.

The MDRF Department has determined that the current "Business and Office" land use designation of the application site would allow a potential development that would generate fifty-seven (57) annual alarms. The proposed "Medium Density Residential" and "Business and Office" designations would allow a proposed potential development anticipated to generate seventy-five (75) annual alarms, and would have a moderate impact to existing fire-rescue services.

Police

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

Public Schools

Level of Service Standard

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

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

Section 7.5 of the ILA provides for "Public Schools Planning Level Review" (Schools Planning Level Review), of CDMP amendments containing residential units. This type of review does not constitute a public school concurrency review and, therefore, no concurrency reservation is

required. Section 7.5 further states that “...this section shall not be construed to obligate the County to deny or approve (or to preclude the County from approving or denying) an application.”

Application Impact

This application, if approved, may increase the student population of the schools serving the application site by an additional thirty-eight (38) students. This number includes a reduction of 24.18% to account for charter and magnet schools (schools of choice). Of the thirty-eight (38) students, seventeen (17) are expected to attend elementary schools, ten (10) are expected to attend middle schools and eleven (11) are expected to attend senior high schools. The students will be assigned to those schools identified in the “Concurrency Service Area (CSA) Schools” table below. At this time, the schools have sufficient capacity available to serve the application.

Concurrency Service Area (CSA) Schools

Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
Kenwood K-8 Academy (Elem Comp)	66	17	17	Yes	Current CSA/
Kenwood K-8 Academy (Middle Comp)	-21	10	0	No	Current CSA/ 5 Year Plan
Glades Middle	19	10	10	Yes	Current CSA
Miami Killian Senior	1,105	11	11	Yes	Current CSA

Source: Miami-Dade County Public Schools, May 2017

Miami-Dade County Department of Regulatory and Economic Resources, May 2017

Note: CSA means Concurrency Service Area

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

Aviation

Miami-Dade County Aviation Department (MDAD) does not object to the proposed CDMP amendment provided that all uses comply with federal, state and local aviation regulations, including the Code of Miami-Dade County, Chapter 33, as it pertains to airport zoning.

Roadways

The application site is a ±5.63-acre property located ±530 feet west of SW 87 Avenue between SW 72 Street/Sunset Drive and SW 74 Street in unincorporated Miami-Dade County. Sunset Drive/SW 72 Avenue, a six-lane divided roadway, provides the only access on the north side of the application site. South of the site is SW 74 Street, a two-lane undivided highway, and east of the site is SW 87 Avenue/Galloway Road, a two-lane divided roadway south of SW 88 Street and four-lane divided roadway north of SW 88 Street. West of the application site is SR 874/Don Shula Expressway with the closest interchange access on SW 88 Street/Kendall Drive.

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

Existing Conditions

Existing traffic conditions on major roadways adjacent to and in the vicinity of the application site, which are currently monitored by the State (Year 2015) and the County (Year 2015), are operating at acceptable levels of service. See “Traffic Impact Analysis on Roadways Serving the Amendment Site” table below.

Trip Generation

Two potential development scenarios under each of the existing and requested CDMP land use designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Business and Office” the application site is assumed to be developed with the 98,097 sq. ft. of retail uses (Scenario 1), or with 202 multi-family residential dwelling units (apartments, Scenario 2). Under the requested CDMP land use designations of “Medium Density Residential (13-25 dwelling units per gross acre)” and “Business and Office” the application site is assumed to be developed with 49 multi-family residential dwelling units (apartments) and 63,771 sq. ft. retail uses (Scenario 1), or with 268 multi-family residential dwelling units (apartments, Scenario 2). The potential development scenarios under the current CDMP land use designation are expected to generate approximately 477 PM peak hour trips (Scenario 1) or approximately 106 PM peak hour trips (Scenario 2). Under the requested CDMP land use designations of “Medium Density Residential (13-25 dwelling units per gross acre)” and “Business and Office” the two development scenarios are expected to generate approximately 373 PM peak hour trips (Scenario 1), or approximately 104 less PM peak hour trips than Scenario 1 under the current CDMP designation; and approximately 137 PM peak hour trips (Scenario 2), or approximately 31 more PM peak hour trips than the Scenario 2 under the current CDMP designation. See “Estimated PM Peak Hour Trip Generation” table below.

Estimated PM Peak Hour Trip Generation
By Current and Requested CDMP Land Use Designations

Application No. 5	Current CDMP Designation and Assumed Use/ Estimated No. Of Trips	Requested CDMP Designation and Assumed Use/ Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
Scenario 1	"Business and Office" ¹ 98,097 sq. ft. retail /	"Medium Density Residential (13-25 du/ac)" and "Business and Office" ³ 49 MF and 63,771 sq. ft. retail /	
	477	373	- 104
Scenario 2	"Business and Office" ² / 202 MF /	"Medium Density Residential (13-25 du/ac)" and "Business and Office" ⁴ / 268 MF	
	106	137	+ 31

Source: Institute of Transportation Engineers, Trip Generation, 9th Edition, 2012; Miami-Dade County Department of Regulatory and Economic Resources, February 2017.

Notes: ¹ Scenario 1 under the current CDMP land use designation assumes the application site developed with its maximum potential development of 98,097 sq. ft. retail uses.

² Scenario 2 under the current CDMP land use designation assumes the application site developed with the maximum potential development 202 multi-family residential housing units (apartments).

³ Scenario 1 under the requested CDMP land use designation assumes the application site developed with the maximum potential development of 49 multi-family residential housing units (apartments) and 63,771 sq. ft. retail uses.

⁴ Scenario 2 under the requested CDMP land use designation assumes the application site developed with the maximum potential development of 268 multi-family residential housing units (apartments).

Traffic Concurrency Evaluation (Concurrency)

An evaluation of peak-period traffic concurrency conditions as of February 2017, which considers reserved trips from approved development not yet constructed, programmed roadway capacity improvements listed in the first three years of the County's adopted 2017 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the two development scenarios assumed to be developed under the requested CDMP land use designation, determined that all roadways—adjacent to and in the vicinity of the application site—that were analyzed have available capacity to handle the additional traffic impacts that would be generated by the application. The "Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation" table below shows that all roadways analyzed are projected to operate at acceptable levels of service.

Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation
Roadway Lanes, Existing and Concurrency PM Peak Period Operating Level of Service (LOS)

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Total Trips With D.O's Trips	Conc. LOS w/o Amend.	Amendment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
Scenario 1: "Medium Density Residential (13-25 du/ac)" and "Business and Office" – 49 multi family residential housing units and 63,771 sq. ft. retail uses													
68	SW 72 St.	SW 107 Ave. to SW 87 Ave.	4 DV	E+20%	4,296	2,659	C	67	2,726	C	37	2,763	C
9658**	SW 72 St.	SW 97 Ave. to SW 87 Ave.	4 DV	D	3,580	2,977	C	9	2,986	C	86	3,072	C
1075	SW 87 Ave.	SW 56 St. to SW 72 St.	4 DV	E	3,580	2,055	C	3	2,058	C	110	2,168	C
1076	SW 87 Ave.	SW 72 St. to SW 88 St.	4 DV	E	3,580	2,155	C	46	2,201	C	82	2,283	C
Scenario 2: "Medium Density Residential (13-25 du/ac)" and "Business and Office" – 268 multi-family residential housing units													
68	SW 72 St.	SW 107 Ave. to SW 87 Ave.	4 DV	E+20%	4,296	2,659	C	67	2,726	C	14	2,740	C
9658**	SW 72 St.	SW 97 Ave. to SW 87 Ave.	4 DV	D	3,580	2,977	C	9	2,986	C	31	3,017	C
1075	SW 87 Ave.	SW 56 St. to SW 72 St.	4 DV	E	3,580	2,055	C	3	2,058	C	40	2,098	C
1076	SW 87 Ave.	SW 72 St. to SW 88 St.	4 DV	E	3,580	2,155	C	46	2,201	C	31	2,232	C

Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources and Florida Department of Transportation, February 2017.

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

* County adopted roadway level of service standard applicable to the roadway segment: D (90% capacity); E (100% capacity); and E+20% (120% capacity).

**2014 counts for this station; all other traffic counts are year 2015.

Scenario 1 assumes the application site developed with 49 multi-family residential housing units (apartments) and 63,771 sq. ft. retail uses; and Scenario 2 assumes the application site developed 268 multi-family residential housing units (apartments).

Application Impact

Two potential development scenarios under each the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Business and Office” the application site is assumed to be developed with the 98,097 sq. ft. of retail uses (Scenario 1), or with 202 multi-family residential dwelling units (apartments, Scenario 2). Under the requested CDMP land use designations of “Medium Density Residential (13-25 du/ac)” and “Business and Office” the application site is assumed to be developed with 49 multi-family residential dwelling units (apartments) and 63,771 sq. ft. retail uses (Scenario 1), or with 268 multi-family residential dwelling units (apartments, Scenario 2). The potential development scenarios under the current CDMP land use designation are expected to generate approximately 477 PM peak hour trips (Scenario 1) or approximately 106 PM peak hour trips (Scenario 2). Under the requested CDMP land use designations of “Medium Density Residential (13-25 du/ac)” and “Business and Office” the two development scenarios are expected to generate approximately 373 PM peak hour trips (Scenario 1), or approximately 104 less PM peak hour trips than Scenario 1 under the current CDMP designation; and approximately 137 PM peak hour trips (Scenario 2), or approximately 31 more PM peak hour trips than the Scenario 2 under the current CDMP designation. See “Estimated PM Peak Hour Trip Generation” table above.

The traffic concurrency evaluation determined that all roadways adjacent to and in the vicinity of the application site analyzed have available capacity to handle the additional traffic impacts that would be generated by the application and are projected to operate at acceptable levels of service. See “Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation” Table above.

Other Roadway Improvements

In January 2017, the Miami-Dade Expressway Authority (MDX) began its Advance Notification to conduct a Project Environmental Impact Report (PEIR) to evaluate a partial interchange at SR 874/Don Shula Expressway and SR 986/SW 72 Street/Sunset Drive. The purpose of the project is to improve system linkage and enhance accessibility to and from the expressway network by providing new ramp connections to/from the north at SR 874/Don Shula Expressway and SR 986/SW 72 Street/Sunset Drive. If approved, the proposed interchange is expected to enhance connectivity within the project area.

Transit

Existing Service

The application site is currently served by Metrobus Routes 72, 87 and 272, with a Metrobus stop on the north side of the application site on SW 72 Street/Sunset Drive. The service frequencies of these routes are shown in the “Metrobus Route Service Summary” table below.

Metrobus Route Service Summary							
Routes	Service Headway (in minutes)					Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8 pm)	Saturday	Sunday		
72	30	30	30	60	60	0.1	L/F
87	30	45	60	45	60	0.25	L/F
272	20	n/a	n/a	n/a	n/a	0.1	E/F

Source: 2016 *Transit Development Plan*, Miami-Dade Transit (December 2015 Line Up), February 2017.

Notes: L means Metrobus Local route service; E means Express or Limited-Stop Metrobus service.

Service Improvements

A weekday running time adjustment was implemented for Metrobus Route 272 in 2016, and Year 2017 service adjustments and improvements are currently under development.

There are no major future transit projects planned for the future in the immediate vicinity of the application area.

Application Impacts

A preliminary analysis performed in the Traffic Analysis Zone (TAZ) 947 where the subject application is located, indicates that if the application is approved, the expected incremental transit impacts generated by the requested land use amendment are minimal and can be handled by the existing transit service in the area.

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

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

- LU Goal Provide the best possible distribution of land use and services to meet the physical, social, cultural, health and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.
- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-3 The location, design and management practices of development and redevelopment in Miami-Dade County shall ensure the protection of natural resources and systems by recognizing, and sensitively responding to constraints posed by soil conditions, topography, water table level, vegetation type, wildlife habitat, and hurricane and other flood hazards, and by reflecting the management policies contained in resource planning and management plans prepared pursuant to Chapter 380, Florida Statutes, and approved by the Governor and Cabinet, or included in the Comprehensive Everglades Restoration Plan approved by Congress through the Water Resources Development Act of 2000.
- LU-3A Development orders in Miami-Dade County shall be consistent with the goals, objectives and policies contained in the Conservation, Aquifer Recharge and Drainage and Coastal Management Elements of this Plan, and with all applicable environmental regulations, as well as all other elements of the CDMP.
- LU-3B. All significant natural resources and systems shall be protected from incompatible land use including Biscayne Bay, future coastal and inland wetlands, future potable water-supply wellfield areas identified in the Land Use Element or in adopted wellfield protection plans, and forested portions of Environmentally Sensitive Natural Forest Communities as identified in the Natural Forest Inventory, as may be amended from time to time.
- LU-4A. When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.
- LU-5 All public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Development Master Plan.

- LU-8D. The maintenance of internal consistency among all Elements of the CDMP shall be a prime consideration in evaluating all requests for amendment to any Element of the Plan. Among other considerations, the LUP map shall not be amended to provide for additional urban expansion unless traffic circulation, mass transit, water, sewer, solid waste, drainage and park and recreation facilities necessary to serve the area are included in the plan and the associated funding programs are demonstrated to be viable.
- LU-9B. Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate:
- i) Land use consistent with the CDMP Land Use Element and CDMP Level of Service Standards;
 - ii) Subdivision of land;
 - iii) Protection of potable water wellfields;
 - iv) Areas subject to seasonal or periodic flooding;
 - v) Stormwater management;
 - vi) Protection of environmentally sensitive lands;
 - vii) Signage; and
 - viii) On-site traffic flow and parking to ensure safety and convenience and that no avoidable off-site traffic flow impediments are caused by development. The provisions of Policy TC-3A of the Traffic Circulation Subelement, which address access management, shall apply.
- CON Goal Provide for the conservation, environmentally sound use, and protection of all aquatic and upland ecosystems and natural resources, and protect the functions of aquifer recharge areas and natural drainage features in Miami-Dade County.
- CON-2 Protect ground and surface water resources from degradation, provide for effective surveillance for pollution and clean up polluted areas to meet all applicable federal, state and County ground and surface water quality standards.
- CON-2A. The basin stormwater master plans produced by Miami-Dade County pursuant to Objective CON-5 will continue to prioritize the listing of stormwater/drainage improvements to correct existing system deficiencies and problems and to provide for future development. At a minimum, these lists shall include:
- Drainage/stormwater sewer systems within wellfield protection areas;
 - Drainage/stormwater sewer systems in industrial and heavy business areas and areas with large concentrations of small hazardous waste generators;
 - Basins and sub-basins that fail to meet the target criteria for the twelve NPDES priority pollutants listed in Policy CON-5A and additional parameters, referenced in CON-5A.
- CON-3 Regulations governing approved wellfield protection areas shall be strictly enforced. The recommendations of the NW Wellfield Protection Plan, and the Lakebelt Planning Process and from other ongoing planning activities aimed at refining and improving protection of local drinking water supplies shall continue to be fully implemented.
- CON-3A. No new facilities that use, handle, generate, transport or dispose of hazardous wastes shall be permitted within wellfield protection areas, and all existing facilities that use,

handle, generate, transport or dispose of more than the maximum allowable quantity of hazardous wastes (as specified in Chapter 24-43 of the Code of Miami-Dade County, as may be amended from time to time) within wellfield protection areas shall be required to take substantial measures such as secondary containment and improved operating procedures to ensure environmentally safe operations.

- CON-3B. The water management systems that recharge regional wellfields shall be protected and enhanced.
- WS-1D. The County shall protect the integrity of groundwater within wellfield protection areas by strict adherence to the Wellfield Protection Ordinances, by rigorous enforcement of sanitary sewer requirements, hazardous waste prohibitions, land use restrictions, and all other applicable regulations, and by supporting system improvements which are designed to protect or enhance the raw water supply. Existing and future wellfields of exceptional quality, such as the Northwest Wellfield, shall be particularly addressed in the regulations to prevent degradation of water quality.
- WS-6B. Miami-Dade County shall take the steps necessary to assure that all viable potable water wellfields in the County remain available for use and possible future expansion. Such steps may include, but shall not be limited to, the renewal of withdrawal permits and the extension of the County's wellfield protection measures.
- CIE-3. CDMP land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels.

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

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- LU-8F. The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption). The estimation of this capacity shall include the capacity to develop and redevelop around transit stations at the densities recommended in policy LU-7F. The adequacy of non-residential land supplies shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the Countywide supply within the UDB. The adequacy of land supplies for neighborhood- and community-oriented business and office uses shall be determined on the basis of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-Tiers and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities.

CHD-2B. Encourage well-designed infill and redevelopment to reduce vehicle miles traveled, improve air quality, and support an outdoor environment that is suitable for safe physical activity.

APPENDICES

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APPENDIX A

Amendment Application

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**SMALL-SCALE AMENDMENT REQUEST TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
OCTOBER 2016-2017 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Sunset Cove, LLC
8818 SW 72nd Street, Unit F-136
Miami, FL 33173-2529

2. APPLICANT'S REPRESENTATIVES

Ben Fernandez, Esq.
Gregory Fontela, Esq.
Bercow Radell & Fernandez
200 South Biscayne Boulevard, Suite 850
Miami, Florida 33131
(305) 374-5300

RECEIVED
2016 OCT 31 P 4: 16
PER-PLANNING DIVISION

By: 
Ben Fernandez, Esq.

Date: October 31, 2016

By: 
Gregory Fontela, Esq.

Date: October 31, 2016

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: Business and Office

Proposed Land Use Designation: Medium Density and Business and Office

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

The Property consists of one parcel (Folio No. 30-4033-001-0012) totaling approximately 6.12 gross acres (5.63 net acres) and located in Section 33,

Township 54, Range 40 in unincorporated Miami-Dade County. See Attached Sketch. The Property is bounded on the north by Sunset Drive (SW 72 Street) and on the south by SW 74 Street. The Property is roughly between SW 87th Court and SW 88th Place.

C. Acreage of Property

Application Area = 6.12 gross acres (5.63 net acres)

Acreage owned by Applicant = 5.63 acres

D. Requested Changes

- 1) The Applicant requests the re-designation of the Property from Business and Office to Medium Density Residential on the southern 200 feet of the Property (the "Medium Density Area") the remaining portion of the Property is proposed to remain Business and Office (the "Business and Office Area").
- 2) It is requested that this Application be processed as a small-scale amendment under the expedited procedures.

4. REASONS FOR AMENDMENT

Approval of the application would facilitate the growth and redevelopment of the property with additional residential uses. The Property is currently developed with a 200 unit multifamily complex. The applicant is requesting the designation of the Property from Business and Office to Medium Density Residential and Business and Office. The applicant is seeking to redevelop the Property with a mixed use development consisting of a combination of commercial and multifamily residential uses intended to meet the growing needs of the area.

The surrounding area consists of a variety of uses. To the east of the Property is a retail shopping center, including a Winn-Dixie's grocery store. To the north of the Property are two gas stations. To the west of the Property there is a storage facility and to the south of the Property there is a residential single-family neighborhood.

The designation of the southern 200 feet of the Property to Medium Density Multifamily Residential will allow the applicant to create a transition in density from the higher density that would be allowed in the Business and Office Area, closest to Sunset Drive, to the lower density allowed in the Medium Density Area to be established along the south, adjacent to the low density residential area.

The Medium Density Residential designation would also be compatible with the commercial and residential land-uses adjacent to the site. The designation would allow the density on the Property to be increased closer to Sunset Drive which will allow for the creation of a buffer area along the south via a declaration of

restrictions that the applicant will proffer in order to protect and insure compatibility with the residential area to the south.

The proposed re-development of the Property would also foster further interaction between the Property and the shopping center on the east and the public storage facility use immediately abutting the property to the west.

With respect to the supply and demand for housing in the area, the proposed application would increase the present multifamily capacity and help to address the multifamily housing deficit for this area that the County has projected will begin in 2018. The combined vacant land for single-family and multifamily residential development in Minor Statistical Area (MSA) 5.4, immediately across from the Property, is estimated to have a capacity for only 138 dwelling units, with about 84% of these units intended as single family based on the May 2015 Cycle Initial Recommendations. At the same time, the annual average residential demand for MSA 5.4 was projected to increase from 40 units per year, in the 2015-20 period, to 49 units in the 2025–2030 period. The depletion of both single-family and multifamily units was projected to occur in 2018.

The proposed amendment would also support transit ridership and pedestrianism. There is a transit stop immediately in front of the property along Sunset Drive served by Metro Bus Route 72 and another stop immediately across Sunset Drive served by Route 272. Another transit stop, serviced by Route 87, serves the application area on Galloway Road. The site is also within a short walk of the commercial intersection of Galloway Road and Sunset Drive.

The application site is within the protection area of the Alexander Orr/snapper Creek southwest wellfield. Hazardous waste are prohibited within the wellfield protection area. Accordingly, the uses permitted under the Medium Density Residential designation are more compatible with the wellfield protection area than the potential range of commercial uses permitted under the present Business and Office designation.

The impact that would be generated by the application would not cause a violation in the level of service standards for public services and facilities. Both Sunset Drive and Galloway Road are presently operating within their respective adopted transportation level of service standard. With respect to parks, the property is located less than half a mile from Kendall Indian Hammocks Park an approximately 135 acre park which was recently improved and expanded.

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 2030 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

The Property is located within a center of activity as it borders one section line road – SW 72 Street – and is in close proximity to another section line road – SW 87 Avenue. The Property also borders single family homes to the south. While the future land use designation of Business and Office fits well for the northern portion of the Property along SW 72 Street, the Property would better serve the character of the surrounding community if the southern 200 feet of the Property had a future land use designation of Medium Density residential. Such a re-designation would allow for a well-designed transition between the single-family neighborhood and the center of activity. To further serve this objective, 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 currently developed with three-story multifamily structures that can be considered substandard with how it complements the character of the community and can be considered underdeveloped considering its location within a center of activity. The Property is contiguous to existing urban development and all necessary urban services and facilities exist in the area to accommodate additional demand.

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 Property is developed with an outdated development of multifamily structures. The re-designation of the southern 200 feet of the Property will allow

for redevelopment with a greater variety of housing types, where Medium Density residential dwellings can be built on the southern portion of the Property and higher intensity residential development can be built on the northern portion of the Property. This will allow for a better transition between the single-family residential area to the south of the Property and the commercial corridor along SW 72 Street.

Policy LU-3B all significant natural resources and systems shall be protected from incompatible land uses including Biscayne Bay, future coastal and inland wetlands, future potable water supply wellfield areas identified in the Land-use element or in adopted wellfield protection plans, and Forrest did portions of Environmentally sensitive natural forest communities as identified in the Natural forest inventory, as may be amended from time to time.

OBJECTIVE LU-4

Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.

The lack of transition between the single family residences with a future land use designation of Low Density Residential to the south of the Property and the commercial corridor with a future land use designation of Business and Office along SW 72 Street is inconsistent with the character of the community.

POLICY LU-8A

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

The amendment will accommodate residential development which supports the recent trends in the shaping of the community and increase the variety of affordable housing options. The designation of the southern 200 feet of the Property as Medium Density residential will facilitate redevelopment of the Property more in line with the Guidelines for Urban Form.

The Guidelines for Urban Form promote a variety of residential types and densities, "with higher densities being located at the periphery, and lower densities in the interior." As the Property is located along one section line—SW

72 Street—and in close proximity to another—SW 87 Avenue, the designation of the northern portion of the Property as Business and Office and the southern portion of the Property as Medium Density residential will support the transition from higher to lower densities.

The Guidelines for Urban Form specify that “intersections of section line roads shall serve as focal points of activity” referred to as activity nodes, and that the higher density residential uses should be located at or near the activity nodes. The Property is located near the intersection of SW 72 Street and SW 87 Avenue, which is an activity node. The proposed amendment will allow for higher density residential uses than are currently present or allowed near the activity node along SW 72 Street, with a better transition from Business and Office to Medium Density to the Low Density residential which is located within the interior of the section.

The Guidelines for Urban Form specifically promote the utilization of areas abutting and adjacent to activity nodes to serve as transition areas suitable for eligible higher residential densities.

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 re-designations of the Property will enhance the distribution of community-serving retail uses while allowing for a better transition between the single-family residential uses to the south of the Property and the commercial corridor that exists along SW 72 Street.

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.

While the Property currently has three-story multifamily structures built upon it, the development is substandard. The current development is old and serves as an eyesore for the single-family houses to the south of it. Additionally, the current development does not do well in transitioning from the Low Density residential to the south of the Property to the high intensity activity center along SW 72 Street. The proposed changes in future land use designations on the Property will serve to facilitate contiguous urban development by providing for a

transition between the Low Density residential area to the south and the high density Business and Office area along the center line roads.

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 helps the County meet this objective and ensure quality transportation options for patrons of the Property.

5. LOCATION MAP FOR APPLICATION

See page 8.

6. 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.

7. LEGAL DESCRIPTION

See page 8.

8. COMPLETE DISCLOSURE OF INTEREST FORM

See page 9.

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: Sunset Cove, LLC, 8818 SW 72 Street, Unit F-136, Miami, FL 33173

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>
A	Sunset Cove, LLC	30-4033-001-0012	5.63

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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE
OF INTEREST

Philip Sigel, 8818 SW 72nd Street,
Unit F-136
Miami, FL 33173-2529

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: N/A

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

N/A

- 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

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: N/A

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
INTEREST

N/A

- 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].

NAME AND ADDRESS

PERCENTAGE OF INTEREST

N/A

Date of Contract: _____

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

N/A

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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

N/A

- b. If the owner 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

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

N/A

- c. If the owner is a TRUSTEE, and 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),

another trust(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].

TRUSTEE'S NAME: N/A

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

N/A

- 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: N/A

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
OWNERSHIP

N/A

- 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

N/A

Date of Contract: _____

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 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.

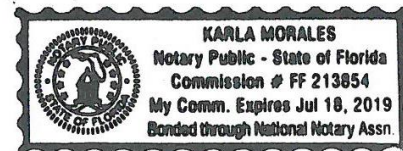
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

Applicant's Signatures and Printed Names

Philip Sigel
Philip Sigel

Sworn to and subscribed before me
this 31 day of OCTOBER, 20 16.

Karla Morales
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.

APPENDIX B

Miami-Dade County Public School Analysis

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Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools

Alberto M. Carvalho

May 23, 2017

VIA ELECTRONIC MAIL

Mr. Ben Fernandez
Bercow Radell & Fernandez, P.A.
200 S. Biscayne Blvd., Suite 850
Miami, Florida 33131

bfernandez@brzoninglaw.com

Miami-Dade County School Board

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

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
SUNSET COVE, LLC., C/O BEN FERNANDEZ, BERCOW RADEL
LOCATED AT 8850 SW 72 STREET
PH3017041200233 – FOLIO No.: 3040330010012**

Dear Applicant:

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

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed development would yield a maximum residential density of 268 multifamily units, which generate 38 students: 17 elementary, 10 middle and 11 senior high students. At this time, all school levels have sufficient capacity available to serve the application. However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. As such, this analysis does not constitute a Public School Concurrency approval.

Should you have any questions, please feel free to contact me at 305-995-7287.

Best regards,

Nathaly Simon
Supervisor

NS:ns

L-293

Enclosure

cc: Ms. Ana Rijo-Conde, AICP
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Miami-Dade County
School Concurrency Master File

Planning, Design & Sustainability

*Ms. Ana Rijo-Conde, Deputy Chief Facilities & Eco-Sustainability Officer • 1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132
305-995-7285 • 305-995-4760 (FAX) • arijo@dadeschools.net*



Concurrency Management System (CMS)

Miami Dade County Public Schools

Miami-Dade County Public Schools

Concurrency Management System Preliminary Concurrency Analysis

MDCPS Application Number: PH3017041200233 Local Government (LG): Miami-Dade

Date Application Received: 4/12/2017 3:01:01 PM LG Application Number: Application 1 January 2017 Cycle

Type of Application: Public Hearing Sub Type: Land Use

Applicant's Name: Sunset Cove, LLC., c/o Ben Fernandez, Bercow Radel

Address/Location: 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131

Master Folio Number: 3040330010012

Additional Folio Number(s):

PROPOSED # OF UNITS 268

SINGLE-FAMILY DETACHED UNITS: 0

SINGLE-FAMILY ATTACHED UNITS: 0

MULTIFAMILY UNITS: 268

CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
2701	KENWOOD K-8 CENTER (ELEM COMP)	66	17	17	YES	Current CSA
2702	KENWOOD K-8 CENTER (MID COMP)	-21	10	0	NO	Current CSA
2702	KENWOOD K-8 CENTER (MID COMP)	0	10	0	NO	Current CSA Five Year Plan
6211	GLADES MIDDLE	19	10	10	YES	Current CSA
7361	MIAMI KILLIAN SENIOR	1105	11	11	YES	Current CSA

ADJACENT SERVICE AREA SCHOOLS

*An Impact reduction of 24.18% included for charter and magnet schools (Schools of Choice).

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

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7634 / 305-995-4760 fax /
concurrency@dadeschools.net

APPENDIX C

Proffered Declaration of Restrictions

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This instrument was prepared by:
Ben Fernandez
200 South Biscayne Blvd., Suite 850
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Sunset Cove, LLC (hereinafter referred to as the "Owner") holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property", which is supported by the Opinion of Title; and

WHEREAS, the Owner applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") in the October 2016 Cycle and said amendment is identified as Application No. 5; and

WHEREAS, the application seeks to re-designate the Property from "Business and Office" to "Medium Density" and "Business and Office" on the Miami-Dade County Comprehensive Development Master Plan adopted Land Use Plan ("LUP") map; and

WHEREAS, the Owner requested and the Regulatory and Economic Resources Department approved the transfer of the application to the January 2017 Cycle, as Application No. 1 (the "Application").

NOW, THEREFORE, in order to assure the Miami-Dade County that the representations made by the owner during consideration of the Application will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

1. Owner shall provide a landscape buffer along the South property line, a minimum of 10 feet wide that shall include a combination of trees and hedges to screen the existing buildings on the property.
2. There shall be no vehicular ingress to the property from SW 74 Street or egress onto SW 74 Street from the property.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-

Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successor and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification. Amendment. Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by

his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

County Inspections. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Authorization for Miami-Dade County (or successor municipality) to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County (or successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or successor municipality), and inspections made and approval of occupancy given by the County (or successor municipality), then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion

is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

Recordation and Effective Date. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application by the Board of County Commissioners. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.

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

[Execution Pages Follow]

IN WITNESS WHEREOF, the undersigned, being the Owner of the Property, SUNSET COVE, LLC, agrees to the terms of this Covenant, hereby create same as a Covenant Running with the Land, and sets its hand and seal unto this Covenant this _____ day of _____, 2017.

WITNESSES:

SUNSET COVE, LLC

Sign

By: _____

Title: _____

Print

Address: _____

Sign

Print

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me this _____ day _____ of _____, by, _____ as _____ of Sunset Cove, LLC, a Florida limited liability company. He or she is personally known to me or has produced _____ as identification and who take an oath.

NOTARY PUBLIC:

State of Florida at Large (Seal)
My Commission Expires:

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APPENDIX D

Fiscal Impact Analysis

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Fiscal Impacts On Infrastructure and Services

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. 1 of the January 2017 Cycle Applications to amend the CDMP from County departments and agencies responsible for supplying and maintaining infrastructure and services relevant to the CDMP. The evaluation estimates the incremental and cumulative costs of the required infrastructure and service, and the extent to which the costs will be borne by the property owner(s) or will require general taxpayer support and includes an estimate of that support.

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

Solid Waste Services

The adopted level of service standard (LOS) for the County Public Works and Waste Management System is as follows: to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five (5) years. As of FY 2016-17, the Department of Solid Waste Management (DSWM) is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the application reviewed here, which is not anticipated to have a negative impact on disposal service.

Residential Collection and Disposal Service

Currently, the household waste collection fee is \$439 per residential unit, which also covers costs for waste disposal, bulky waste pick up, illegal dumping clean-up, trash and recycling center operations, curbside recycling, home chemical collection centers, and code enforcement. The “Medium Density Residential” designation is anticipated to result in development of multifamily establishments, and the “Business and Office” designation may result in the development of either commercial or multi-family residential establishments, as defined in Chapter 15 of the County Code. The DSWM does not actively compete for non-residential waste collection servicing commercial and multi-family residential establishments at this time. Waste collection services will, therefore, most likely be provided by a private waste hauler. The requested amendment will have no fiscal impact or any associated costs.

Fiscal Impact – Waste Disposal Capacity and Service

The cost of providing disposal capacity for WCSA customers, municipalities and private haulers is paid for by System users. In FY 2016-17, the DSWM charges a contract disposal rate of \$66.79 per ton to DSWM Collections and those private haulers and municipalities with long-term disposal agreements. The short-term disposal rate is \$88.06 per ton in FY 2016-17.

These rates adjust annually with the Consumer Price Index, South Region. In addition, the DSWM charges a Disposal Facility Fee to private haulers equal to 15 percent of their annual gross

receipts, which is used to ensure availability of disposal capacity in the System. Landfill closure, remediation and long-term care are funded by a portion of the Utility Service Fee charged to all customers of the County's Water and Sewer Department.

Water and Sewer

The Miami-Dade County Water and Sewer Department (WASD) provides for the majority of water and sewer service needs throughout the county. The cost estimates provided herein are preliminary and final project costs will vary from these estimates. The final costs for the project and resulting feasibility will depend on the actual labor and materials costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. The water impact fee was calculated at a rate of \$1.39 per gallon per day (gpd), and the sewer impact fee was calculated at a rate of \$5.60 per gpd. The annual operations and maintenance cost was based on \$1.3982 per 1,000 gallons for water and \$1.9789 per 1,000 gallons for sewer.

The applicant requests to redesignate the ±5.63 acres application site from "Business and Office" to "Business and Office" and "Medium Density Residential" land use designations. If the application is approved, the application site could be developed with a maximum potential development of either 49 multi-family residential units and 63,771 square feet of retail uses; or with 268 multi-family residential units. If the application site is developed with residential and retail uses, the water connection charge is estimated at \$19,081; and the water service line and meter connection fees would cost \$1,300. The sewer connection charges are estimated at \$76,872 and the annual operating and maintenance costs would total \$16,921. If the application site were developed with all residential uses, the water connection charge is estimated at \$55,878 and the water service line and meter connection fees would cost \$1,300. The sewer connection charges are estimated at \$225,120 and the annual operating and maintenance costs would total \$49,552.

In addition, the estimated cost of installing the required 1,050 linear feet of 12-inch water main to connect the proposed development to the County's regional water system is estimated at \$382,022. Furthermore, the estimated cost of installing the required 20 linear feet of 8-inch gravity sewer main is estimated at \$5,940. The total potential cost for connecting the proposed development to the regional water and sewer system including an engineering fee of 13% is estimated at \$387,962.

Drainage and Flood Protection

The Miami-Dade County Division of Environmental and Resources Management (DERM) is responsible for the enforcement of current stormwater management and disposal regulations. These regulations require that all new development provide full on-site retention of the stormwater runoff generated by the development. The drainage systems serving new developments are not allowed to impact existing or proposed public stormwater disposal systems, or to impact adjacent properties. The County is not responsible for providing flood protection to private properties, although it is the County's responsibility to ensure and verify that said protection has been incorporated in the plans for each proposed development. The above noted determinations are predicated upon the provisions of Chapter 46, Section 4611.1 of the South Florida Building Code; Section 24-58.3(G) of the Code of Miami-Dade County, Florida; Chapter 40E-40 Florida Administrative Code, Basis of Review South Florida Water Management District (SFWMD); and Section D4 Part 2 of the Public Works Manual of Miami-Dade County. All these legal provisions emphasize the requirement for full on-site retention of stormwater as a post development condition for all proposed commercial, industrial, and residential subdivisions.

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

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

Public Schools

The proposed amendment, if approved and the site developed with additional residential units and commercial uses, could result in 38 additional students. The average cost for K-12 grade students amounts to \$9,337 per student. Of the 38 students, 17 will attend elementary schools, 10 will attend middle schools students and 11 will attend senior high schools. The total annual operating cost for additional students residing in this development, if approved, would total \$354,806. In the event that there is not sufficient capacity at the time of final subdivision, site plan or functional equivalent, the ILA and the Educational Element of the CDMP describe a proportionate share mitigation process.

Fire Rescue

The current COMP designation of "Business and Office" will allow a potential development which would generate fifty-seven (57) annual alarms. The proposed "Medium Density Residential" and "Business and Office" designations would allow a proposed potential development anticipated to generate seventy-five (75) annual alarms, and would have a moderate impact to existing fire-rescue services. Presently, Miami-Dade County Fire and Rescue (MDFR) indicates that fire and rescue service in the vicinity of the application site is adequate.

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APPENDIX E

Photo of Site and Surroundings

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View of application site from SW 72 Street/Sunset Drive entrance



Shopping plaza east of the application site



View of application site and further west on SW 72 Street/Sunset Drive



View of application site looking west on SW 74 Street

