

<div><h1>Application No. 2</h1><div>Commission District 9 Community Council 15</div></div>

APPLICATION SUMMARY

Applicant/Representative:	Titan Development Partners, LLC/Ben Fernandez, Esq.
Location:	Northeast corner of the intersection of SW 280 Street and SW 128 Place (±500 feet west of SW 127 Avenue)
Total Acreage:	±7.75 Gross Acres; ±7.29 Net 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. “Low Medium Density Residential (6 to 13 dwelling units per gross acre)” with One Density Increase with Urban Design (DI-1)2. 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:	BU-1A (Limited Business District)/Vacant

RECOMMENDATIONS

Staff:	ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (May 2017)
South Bay Community Council (15):	ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (May 15, 2017)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (June 5, 2017)
Final Action of Board of County Commissioners:	TO BE DETERMINED (June 21, 2017)

Staff recommends to **ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020-2030 Land Use Plan (LUP) map to redesignate the ±7.75-acre application site from “Business and Office” to “Low-Medium Density Residential” (6 to 13 dwelling units per gross acre) with the One Density Increase with Urban Design (DI-1) overlay designation for the following principal reasons:

Principal Reasons for Recommendation:

1. The application seeks to change the land use designation of the vacant application site to allow the site to be developed with residences at a greater density than currently allowed, generally consistent with the provisions of the CDMP. Objective LU-1, Policy LU-1C and Policy LU-10A of the CDMP Land Use Element require the County to 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 urban services and facilities have the capacities to accommodate additional demand. As discussed in Principal Reason No. 2.ii below, the projected impacts that would be generated by the maximum allowable development on the application site, if the requested designation is approved, would not cause a violation in the adopted level of service standards for public services and facilities.

The application site could be developed with 125,801 square feet of retail commercial or 100 single family residential units under the property’s “Business and Office” designation. Under the requested “Low-Medium Density Residential” (6 to 13 dwelling units per gross acre) with the One Density Increase with Urban Design (DI-1) overlay designation, the site could be developed with up to 100 residential units, at the maximum density of the underlying “Low-Medium Density Residential” designation, or up to 193 multifamily units through application of the DI-1 overlay designation. The CDMP Land Use Element provides that property with the DI-1 overlay designation may be developed at one density category higher than the underlying Land Use Plan map designation through the incorporation of sound urban design principles into the design of the proposed project. Therefore, if the application were approved, the site could be developed at a density ranging from 13 to 25 dwelling units per acre if sound urban design principles are incorporated into the design of the proposed development; otherwise, the maximum density (13 units per acre) of the underlying land use designation would apply. Additionally, the Applicant has proffered a Declaration of Restrictions (covenant) that includes a commitment to the incorporation of certain urban design principles into the design of any project that would access the one density increase of the DI-1 overlay designation.

2. Approval of the application would be generally consistent with the criteria for evaluating Land Use Plan map amendment applications pursuant to Policy LU-8E of the CDMP Land Use Element. 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 Economic or Population Growth:* The application, if approved, would not significantly increase the capacity of residential land in the analysis area, Minor

Statistical Area 7.4 (MSA 7.4), where the application site is located. The application, if approved, would increase the residential land capacity by 193 units (approximately 2 months of supply) under the One Density Increase (DI-1) CDMP provisions, which would not significantly alter the year of depletion for housing units in the Minor Statistical Area. An analysis of the residential capacity by type of dwelling units shows the depletion of single-family units occurring in 2022, and for multi-family beyond the year 2030. The supply of residential land for both single family and multi-family units is projected to be depleted by the year 2028 (see Supply and Demand Analysis on page 2-11).

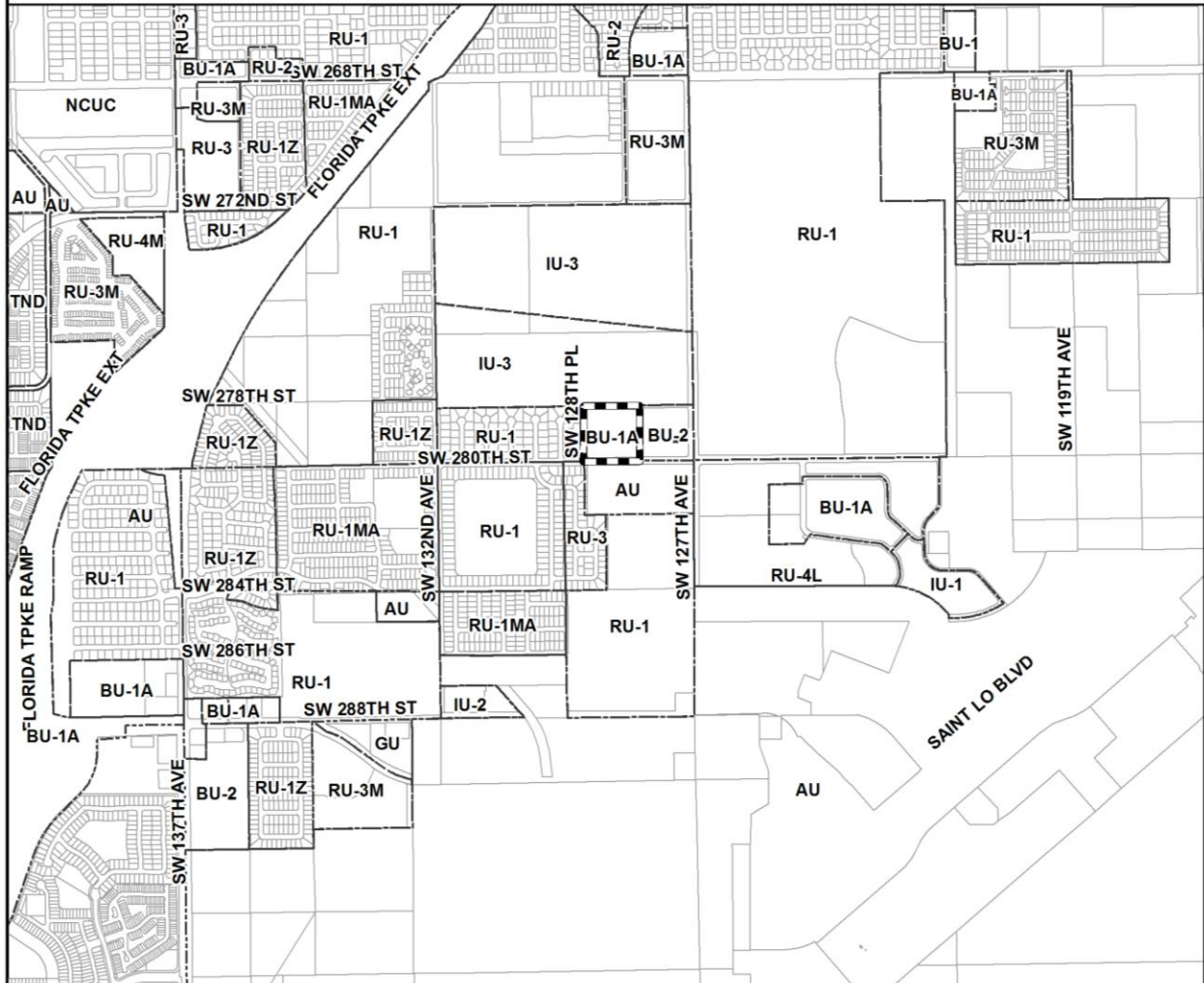
Approval of the application would decrease the vacant land zoned or designated for business uses in MSA 7.4 by ± 7.75 acres (approximately 7 months of supply). The application, if approved would not significantly impact supply of commercial land with the MSA (see "Supply and Demand Analysis" on page 2-11). MSA 7.4 contained 385.10 acres of in-use commercial land and an additional 230.90 acres of vacant land zoned or designated for business uses. At the average absorption rate of 12.74 acres per year, the MSA is projected to deplete its supply of commercial land beyond the year 2030.

- ii. *Public Facilities and Services:* The impacts that would be generated from the maximum allowable development on the application (up to 193 multi-family units), if the application is approved, would not cause a violation in the adopted level of service standards for public services and facilities in the vicinity of the application site. Approval of the application would be consistent with the CDMP provisions that requires land use decisions not to cause a violation in adopted level of standards for public facilities and services.
- iii. *Compatibility:* The requested "Low-Medium Density Residential" with One Density Increase with Urban Design (DI-1) overlay designation and the maximum 193 residential units that could be built on the site, if the application is approved, would be generally compatible with the adjacent properties and development in the area. Abutting the application site to the north and adjacent to the south beyond SW 280 Street are vacant County-owned properties designated "Institutions, Utilities, and Communications" and are part of ± 600 acres conveyed to the County by the US Air Force under a 2004 Economic Development Conveyance Agreement. The abutting property to the north is zoned for industrial/warehouse type uses. Adjacent to the west of the site across SW 128 Place is the Pinewood Manor single family residential development and to southwest beyond SW 280 Street is the Lake Frances residential development, both designated "Low Density Residential" (2.5 to 6 dwelling units per gross acre). The abutting property to the east is designated "Business and Office" and developed with the Airport Plaza shopping center containing uses such as restaurants, convenient stores, a drycleaner, a laundromat, among others.
- iv. *Environmental and Historic Resources:* The subject application, if approved, would not impact historic, archaeological or environmental resources as the application site does not contain any such resources. (See "Environmental Conditions" section on page 2-14.)
- v. *Transit Ridership and Pedestrianism:* The application, if approved and the site developed with up to 193 residential units, could support transit ridership and pedestrianism. Metrobus Route 70 provides local service to the application area at 30-minute AM/PM peak hour service on weekdays and a 60-minute service in the evenings (after 8 PM) and on weekends, and the nearest bus stop is located 0.25 miles from the application site. The Applicant's proffered covenant includes a commitment to developing the property to create a pedestrian friendly environment should the development access the one density category increase provision of the DI-1 overlay designation.

vi.



APPLICATION 2 ZONING MAP

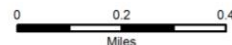


APPLICATION AREA

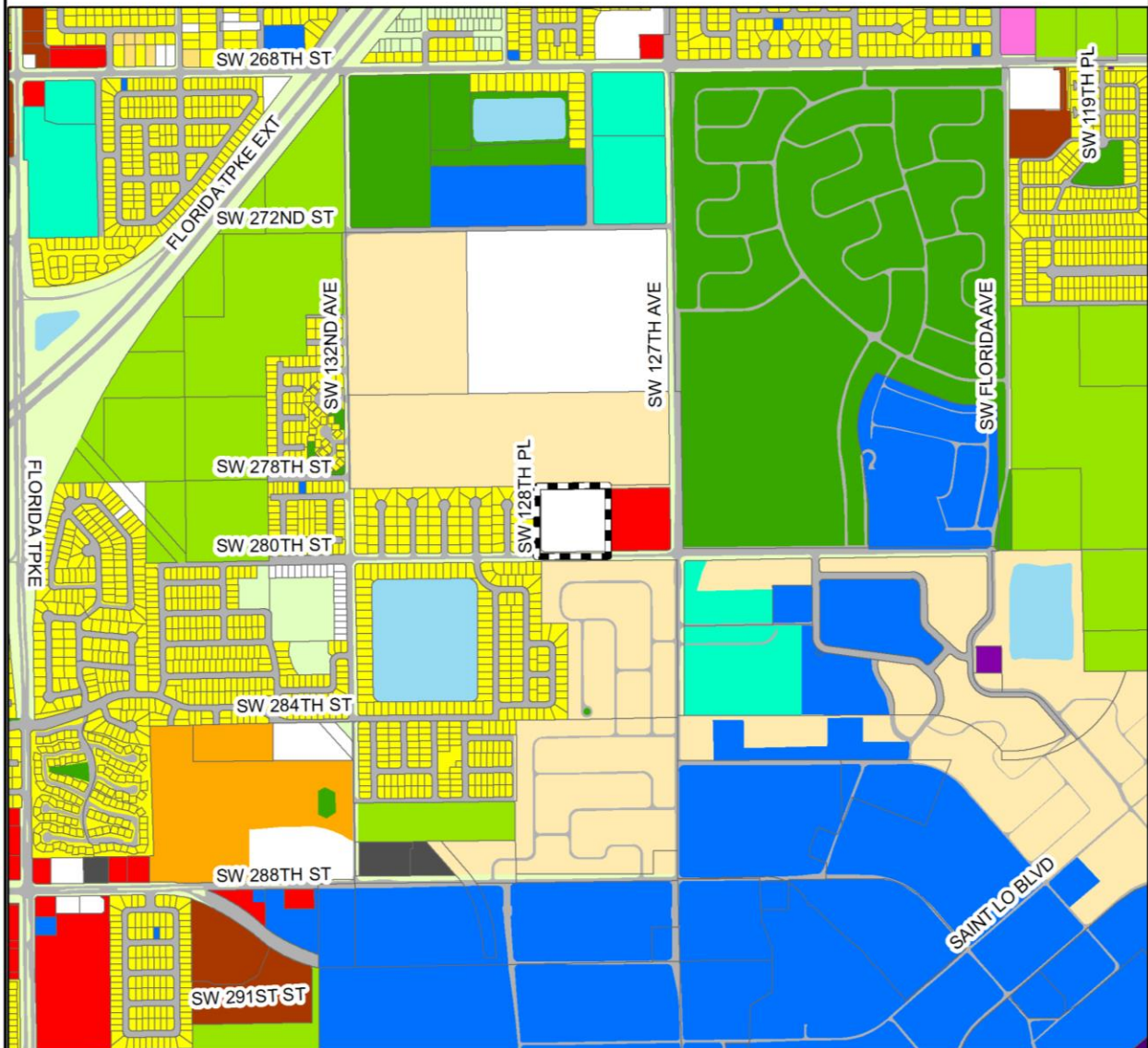
Source: Department of Regulatory and Economic Resources
April 2017

ZONING DISTRICTS

AU	AGRICULTURAL / RESIDENTIAL 5 ACRES GROSS	RU-2	TWO-FAMILY RESIDENTIAL DISTRICT
BU-1	BUSINESS DISTRICTS, NEIGHBORHOOD	RU-3	FOUR-UNIT APARTMENT DISTRICT
BU-1A	BUSINESS DISTRICTS, LIMITED	RU-3M	MINIMUM APARTMENT HOUSE
BU-2	BUSINESS DISTRICTS, SPECIAL	RU-4L	LIMITED APARTMENT HOUSE DISTRICT
GU	INTERIM DISTRICT	RU-4M	MODIFIED APARTMENT HOUSE
IU-1	INDUSTRIAL DISTRICTS, LIGHT MANUFACTURING	TND	TRADITIONAL NEIGHBORHOOD DEVELOPMENT
IU-2	INDUSTRIAL DISTRICTS, HEAVY MANUFACTURING		
IU-3	INDUSTRIAL DISTRICTS, UNLIMITED MANUFACTURING		
NCUC	NARANJA URBAN CENTER		
RU-1	SINGLE-FAMILY RESIDENTIAL		
RU-1(M)(A)	MODIFIED SINGLE-FAMILY RESIDENTIAL		
RU-1Z	SINGLE-FAMILY RESIDENTIAL, ZERO LOT LINE		



APPLICATION NO. 2 EXISTING LAND USE



APPLICATION AREA

EXISTING LAND USE

- SINGLE-FAMILY
- MOBILE HOME PARKS
- LOW-DENSITY MULTI-FAMILY
- RESIDENTIAL-GOVERNMENT OWNED HOUSING
- COMMERCIAL, SHOPPING CENTERS
- OFFICE
- INSTITUTIONAL
- INDUSTRIAL
- COMMUNICATIONS, UTILITIES, TERMINALS

- STREETS, ROADS, EXPRESSWAYS, RAMPS
- STREETS RIGHT OF WAY
- AGRICULTURE
- PARKS, PRESERVES, CONSERVATION AREAS
- VACANT GOVERNMENT OWNED, UNPROTECTED
- VACANT PRIVATELY OWNED, UNPROTECTED
- INLAND WATERS

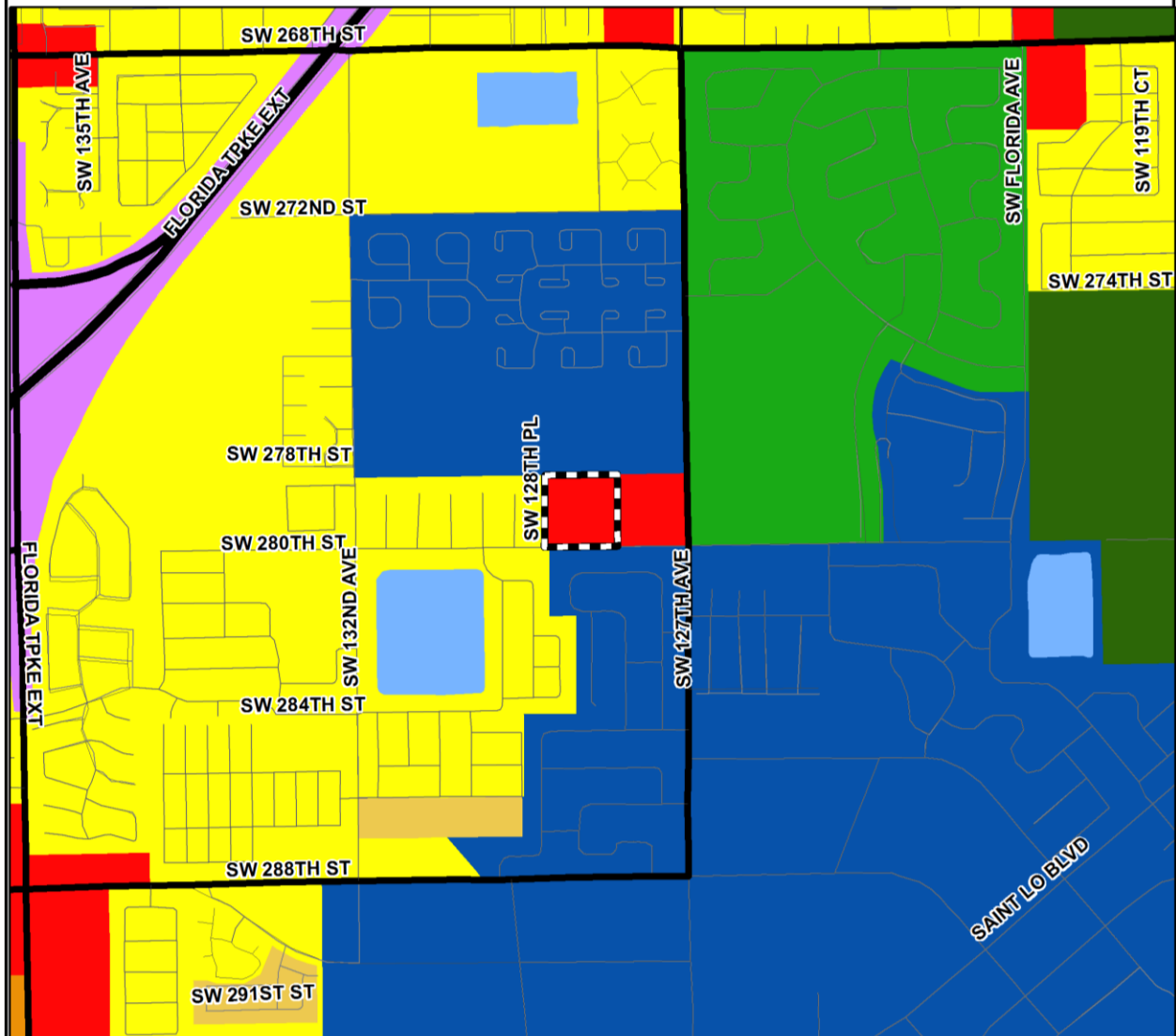
Source: Department of Regulatory and Economic Resources
April 2017

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APPLICATION NO. 2

CDMP LAND USE

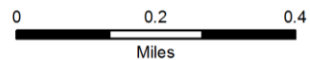


APPLICATION AREA

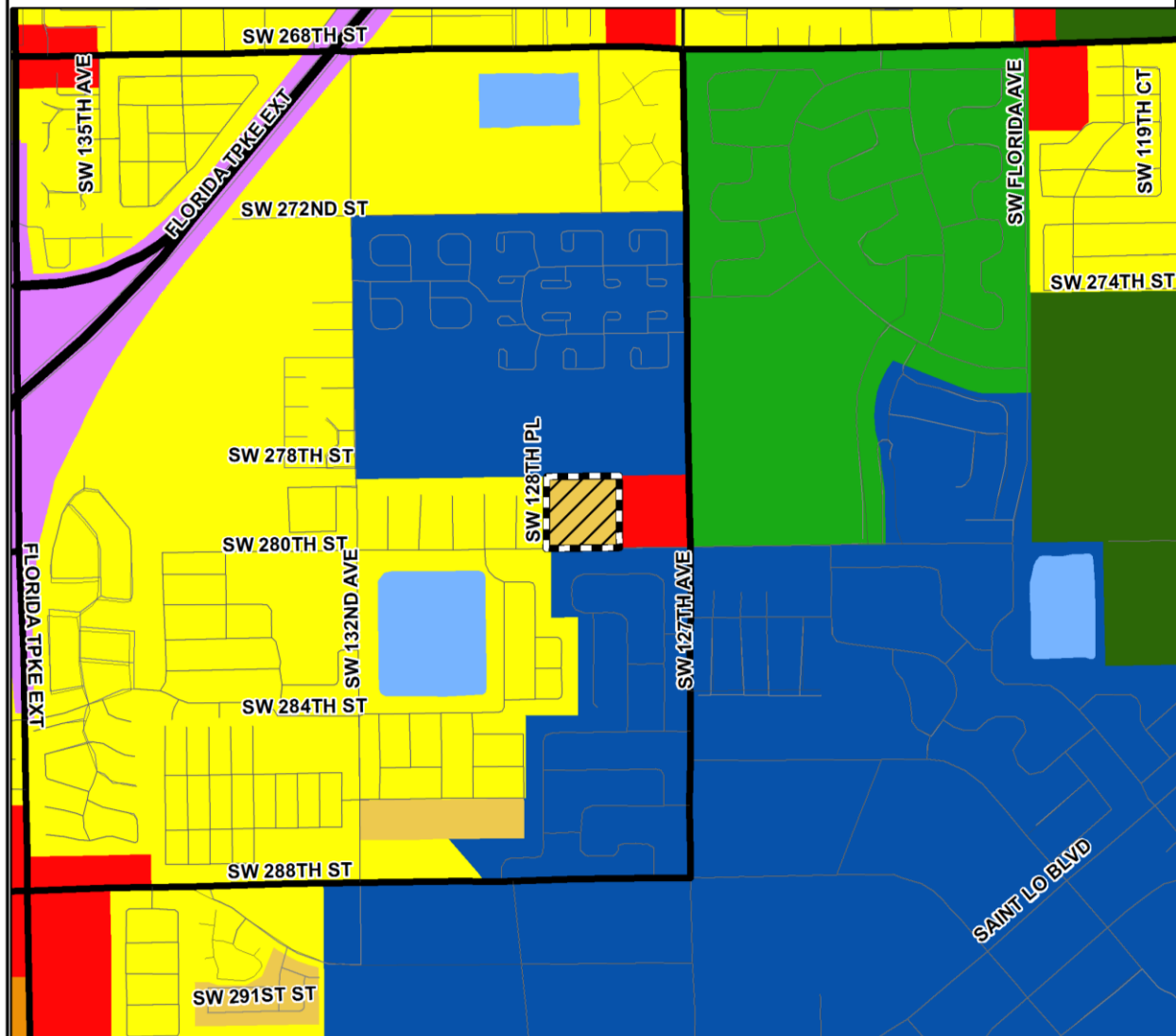
Source: Department of Regulatory and Economic Resources
April 2017

CDMP LAND USE

	LOW DENSITY (2.5-6 DU/AC)		EXPRESSWAYS
	LOW-MEDIUM DENSITY (6-13 DU/AC)		MAJOR ROADWAYS (3 OR MORE LANES)
	BUSINESS AND OFFICE		MINOR ROADWAYS (2 LANES)
	INSTITUTIONS, UTILITIES AND COMMUNICATION		
	PARKS AND RECREATION		
	AGRICULTURE		
	WATER		
	TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)		



APPLICATION NO. 2 PROPOSED CDMP LAND USE



APPLICATION AREA

CDMP LAND USE

- LOW DENSITY (2.5-6 DU/AC)
- LOW-MEDIUM DENSITY (6-13 DU/AC)
- LOW-MEDIUM DENSITY W/ ONE DENSITY INCREASE
- BUSINESS AND OFFICE
- INSTITUTIONS, UTILITIES AND COMMUNICATION
- PARKS AND RECREATION
- AGRICULTURE
- WATER
- TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)

Source: Department of Regulatory and Economic Resources
April 2017

- EXPRESSWAYS
- MAJOR ROADWAYS (3 OR MORE LANES)
- MINOR ROADWAYS (2 LANES)

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STAFF ANALYSIS

Application Site

Location

The ±7.75 -acre application site is located at the northeast corner of the intersection of SW 280 Street and SW 128 Place (±500 feet west of SW 127 Avenue) in unincorporated Miami-Dade County. (See map series on pages 2-4 through 2-8)

Existing Land Use

The application site is a grassy vacant property. (See “Existing Land Use” map on page 2-5.)

Land Use Plan Map Designation/Request

The application site is designated “Business and Office” on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map, (see “CDMP Land Use” map on page 2-7). The “Business and Office” CDMP 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, motels, hospitals, entertainment, cultural facilities and residential development. Under the current designation the site could be developed with 125,801 square feet of retail or a maximum of 100 multi-family residential units at one density higher (6 to 13 units per gross acre) than the adjacent Low Density Residential designated area (2.5 to 6 units per gross acre) as allowed in the CDMP text for developing properties designated “Business and Office”.

The application requests a redesignation of the application site on the LUP map to “Low-Medium Density Residential (13 to 25 dwelling units per gross acre) with One Density Increase with urban design (DI-1)”. The intent is to develop the site with more housing units than allowed under the current designation. The requested “Low-Medium Density Residential with One Density Increase (DI-1)” overlay would allow the application site to be developed at a density ranging from 13 to 25 dwelling units per gross acre if the development of the subject property utilizes sound urban design principles as provided in the CDMP. This would allow a maximum of 193 multi-family residential units. If, however, the proposed development does not incorporate the prescribed urban design principles, the development would be limited to the density of the underlying “Low-Medium Density Residential” category that would allow development ranging from 6 to 13 dwelling units for a maximum of 100 multi-family residential units.

The CDMP Land Use Element text “Density Increase with Urban Design” (CDMP page I-30) provides that property with the One Density Increase (DI-1) designation may be developed at one density category higher than the underlying land use designation only if the development on the designated property utilizes sound urban design principles. These principles are as adopted by County ordinance or incorporated in the Urban Design Manual endorsed by Resolution R-1360-98 as may be amended from time to time, or addresses the urban design concerns contained in another binding instrument approved by action of the Board of County Commissioners, such as a declaration of restrictions.

The Applicant has proffered a Declaration of Restrictions (covenant) that includes commitment to the incorporation of certain urban design principles into the design of any project that would access the one density increase of the DI-1 overly designation.

Zoning

The application site is currently zoned BU-1A (Limited Business District).

Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938. On August 2, 1955, Miami-Dade Board of County Commissioners approved Resolution No. 8601 approving a zoning district boundary change from AU (Agricultural) to BU-1 (Neighborhood Business District) on a larger property (at the northwest corner of the intersection of SW 280 Street (Waldin Road) and SW 127 Avenue (Burr Road) that included the application site. On April 10, 1958 the Miami-Dade Board of County Commissioners approved Resolution No. 1270 approving another zoning district boundary change on the application site from the BU-1 zoning district to its current BU-1A (Limited Business District).

Adjacent Land Use and Zoning

Existing Land Uses

The abutting property to the north of the application site is a vacant county owned property. Adjacent to the west of the site across SW 128 Place is the Pinewood Manor subdivision developed with single family homes in good condition. Adjacent to the southwest of the site across SW 280 Street is the Lake Frances subdivision with single family homes in good condition. Adjacent to the south of the site across SW 280 Street is a vacant county owned land that is a part of the ±600 acres conveyed to the County by the US Air Force under a 2004 Economic Conveyance Agreement. Abutting the application site to the east is the Airport Plaza Shopping Plaza with retail shops including beauty supply and saloons, coin laundry, alterations and dry cleaning stores, children day care (ABC Learning Center), Solid Rock Christian Academy, a convenient store (Village Quik Stop) and an eatery place (DailyDish). (See Appendix G: Photos of Site and Surroundings). Further east beyond SW 127 Avenue is the Homestead Air Reserve Park.

Land Use Plan Map Designations

The County owned land to the north of the application site is designated “Institutions, Utilities, and Communications” on the CDMP Adopted 2020 and 2030 Land Use Plan map. The Pinewood Manor subdivision properties west of the application site and properties in the Lake Frances residential subdivision to the southwest of the site are designated “Low Density Residential”. The County owned land directly south of the site across SW 280 Street is designated as “Institutions, Utilities, and Communications” on the LUP map. The Airport Shopping Plaza properties abutting east of the site are designated “Business and Office”. The Homestead Air Reserve Park properties further east beyond SW 127 Avenue is designated “Parks and Recreation” on the LUP map. (See “CDMP Land Use” map on page 2-7.)

Zoning

The properties abutting north of the site are zoned IU-3 (Unlimited Industry District). The Pinewood Manor single family residential subdivision properties to the west of the site across SW 128 Place are zoned RU-1 (single family homes on 7,500 square-foot lots), and the Lake Frances single family residential subdivision properties to the southwest of the site across SW 280 Street are zoned RU-3 (4-unit apartment on 7,500 square-foot lots). Further west within this subdivision are properties zoned RU-1. The government owned park directly south of the site across SW 280 Street is zoned AU (Agricultural District). The abutting properties to the east of the site within the Airport Plaza area are zoned BU-2 and further east across SW 127 Avenue are properties zoned RU-1. (See “Zoning Map” on page 2-5.)

Supply and Demand Analysis

The capacity of the LUP map to accommodate population or economic growth is generally expressed in acres of vacant land zoned or designated for residential and non-residential development. In the context of this small-scale Application No. 2 land capacity is analyzed at the localized or Minor Statistical Area (MSA) level.

Residential

The combined vacant land for single-family and multi-family residential development in the Analysis Area (Minor Statistical Area 7.4) in 2017 was estimated to have a capacity for about 11,593 dwelling units, with approximately 65 percent of these units intended as multi-family. The annual average residential demand in this Analysis Area is projected to increase from 914 units per year in the 2015-2020 period to 1,189 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 2022 and for multi-family beyond 2030 (see table below). The supply of residential land for both single-family and multi-family units is projected to be depleted by 2028.

Residential Land Supply/Demand Analysis
2015 to 2030: **Application 2 (MSA 7.4)**

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	4,093	7,500	11,593
DEMAND 2015-2020	696	218	914
CAPACITY IN 2020	2,005	6,846	8,851
DEMAND 2020-2025	787	247	1,034
CAPACITY IN 2025	0	5,611	3,681
DEMAND 2025-2030	905	284	1,189
CAPACITY IN 2030	0	4,191	0
DEPLETION YEAR	2022	2030+	2028

Residential capacity is expressed in terms of housing units.

Housing demand is an annual average figure based on population projections.

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

The table above addresses the residential land supply and demand in the Analysis Area without the effect of the projected CDMP amendment. Application 2 is a small-scale amendment requesting a change from "Business and Office" to "Low-Medium Density Residential with One Density Increase". Given the existing capacity in the Analysis Area, this application, if approved, would increase the supply of multi-family units by 193 units or approximately two months of supply that is already expected to have a depletion year beyond 2030.

Commercial

The Analysis Area for Application 2 (MSA 7.4) contained 385.10 acres of in-use commercial uses in 2017 and an additional 230.90 acres of vacant land zoned or designated for business uses. The annual average absorption rate for the 2015-2030 period is 12.74 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercially zoned land beyond the year 2030 (see Projected Absorption of Land for Commercial Uses).

Projected Absorption of Land for Commercial Uses
Indicated Year of Depletion and Related Data
Application 2 Analysis Area

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 7.4	230.90	385.10	12.74	2030+	6.0	4.5

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

Trade Area Analysis

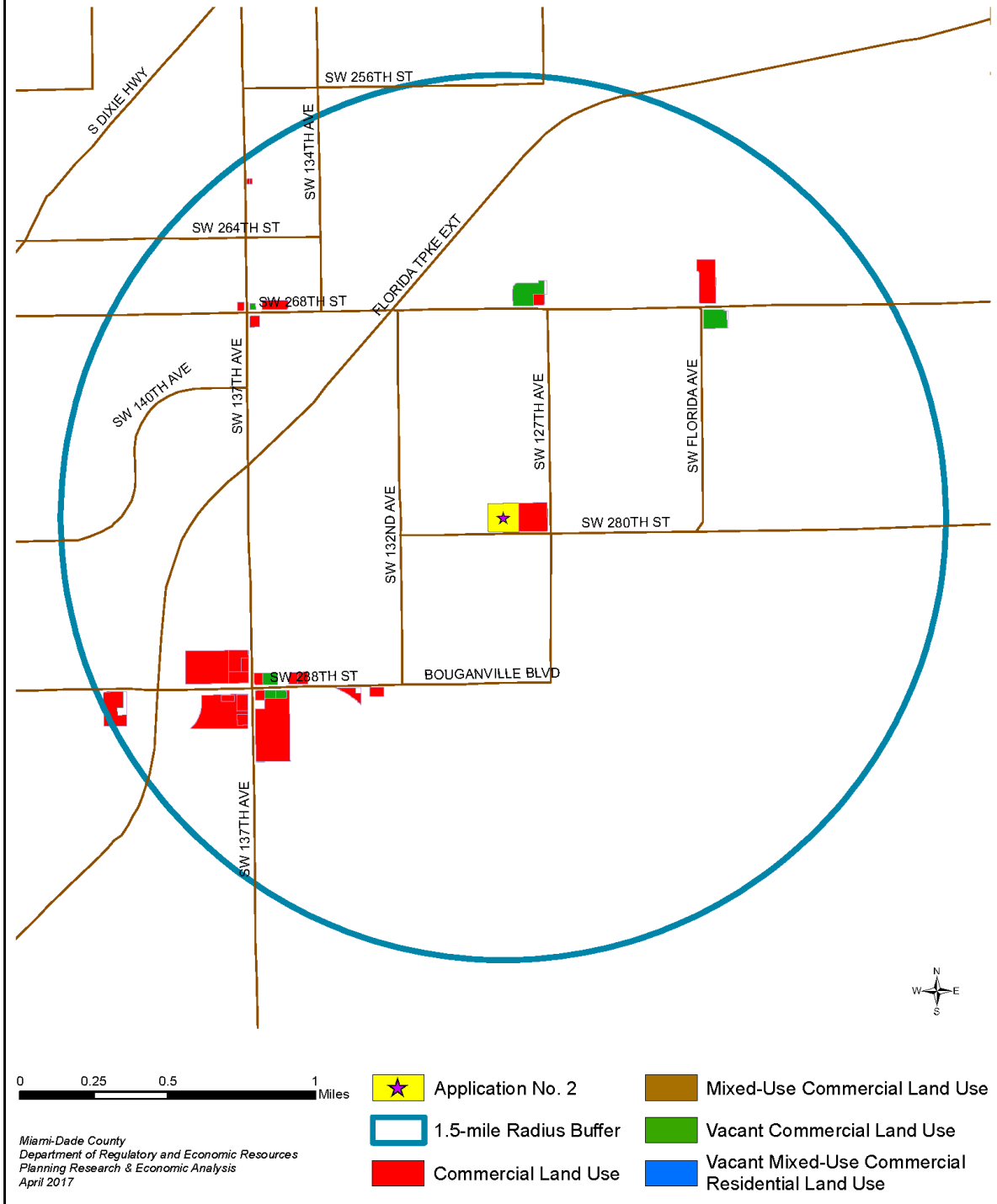
Application 2 is a small scale application. Consequently an analysis of the trade area, 1.5 miles around the proposed project, for Application 2 was conducted. The result of the analysis shows that there are 68.72 acres in existing commercial uses, and 1.51 acres (excluding the proposed site) of vacant commercially zoned or designated land (see Trade Area Analysis and Trade Area Map table below).

Trade Area Analysis			
Application	Trade Area Radius	Vacant Commercial Land (Acres)	Commercial Acres in Use 2017
2	1.5	10.51	68.72

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

It must be noted that this analysis excludes the ±600 acres conveyed to the County by the US Air Force under the 2004 Economic conveyance as these properties are designated “Institutions, Utilities, and Communications” on the CDMP Adopted 2020 and 2030 Land Use Plan map and are not currently zoned for commercial uses.

TRADE AREA MAP: APPLICATION NO. 2



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	X
Stormwater Management Permit	DERM Surface Water Management Permit
County Flood Criteria, National Geodetic Vertical Datum (NGVD)	6 feet

Biological Conditions

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

Other Considerations

Within Wellfield Protection Area	No
Contaminated Site	No DERM records

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 General 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.

Application No. 2 is located within Zone X or above the flood plain in FEMA Flood Insurance Rate Maps (FIRM). Any development 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 6 feet, NGVD (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 6 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

An aerial review of the subject property does not indicate the presence of tree resources. However, the site does contain prohibited species. 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) or residential development (Scenario 2) under the current CDMP Land Use designations, is estimated at 12,580 gallons per day (gpd) and 18,000 gpd, respectively. The maximum water demand for residential development (Scenario 1) under the Requested CDMP Land Use designations, is estimated at 28,950 gpd. This represents an increase of up to 10,950 gpd over the demand under the current CDMP land use designations. 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	125,801 sq. ft.	10gpd/100 sq.ft.	12,580 gpd
2	Townhouse	100 units	180gpd/unit	18,000 gpd
Requested CDMP Designation				
1	Multi-family	193 units	150gpd/unit	28,950 gpd

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

Water Supply and Connectivity:

Application No. 2 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. There is an existing 16-inch water main abutting the property along SW 280th Street, to which the developer may connect to provide service to the property. Any public water main extensions within the property shall be 8-inch minimum diameter. In addition, if the Fire Department requires a new fire hydrant and/or fire lines and/or if services are required along SW 128th Place, an 8-inch water main extension will be required along SW 128th Place. 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 is an active WASD Agreement No. 21896 on the northeastern corner of the intersection of SW 280th Street and SW 127th Avenue for the development of a 417-person public park along with a community center in 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:

Application No. 2 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. There is an existing 8-inch sanitary gravity sewer system abutting the northern boundary of the subject property to which the developer may connect to provide sanitary sewer service provided that there is sufficient depth and there are no obstacles that would preclude construction. In addition, an 8-inch sanitary gravity sewer extension may be required along SW 280th Street from SW 128th Place to the most eastern boundary of the subject property.

The pump station receiving the flows for the proposed development is PS1018. The aforementioned sanitary sewer pump station as well as the South District Wastewater Treatment Plant are owned and operated by MDWASD; in addition, they are currently working within the mandated criteria set forth in the Consent Decree Case: NO. 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 "Low-Medium Density Residential with 1 Density Increase (DI-1)". The requested "Low-Medium Density Residential with 1 Density Increase" designation may result in the development of 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.

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 south of 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-3 has a surplus capacity of 160.91 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; nine parks (Kevin Broils, Live Like Bella, Modello, Naranja, Palmland, Pine Island Lake, Princetonian, Royal Colonial and Silver Palms 7) are larger than the required five-acre park.

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

Park Name	Acreage	Classification
Kevin Broils Park	5.19	Community Park
Leisure Park	1.86	Neighborhood Park
Live Like Bella Park	8.30	Community Park
Modello Park	8.23	Community Park
Modello Wayside Park	2.50	Community Park
Naranja Park	12.70	Community Park
Naranja Lakes Park	1.55	Neighborhood Park
Palmland Park	5.09	Community Park
Pine Island Lake Park	17.45	Neighborhood Park
Princetonian Park	6.54	Neighborhood Park
Royal Colonial Park	26.27	Community Park
Silver Palms Park 2	1.30	Neighborhood Park
Silver Palms Park 3	0.81	Neighborhood Park
Silver Palms Park 4	1.09	Mini Park
Silver Palms Park 6	1.93	Mini Park
Silver Palms Park 7	6.20	Neighborhood Park

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

Application Impacts

The potential development of the site under the existing CDMP land use designation could potentially generate a population of 312, and result in an impact of 0.70 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 to generate a population of 445. The concurrency analysis for this scenario results in an impact of 1.23 acres based on the minimum Level of Service standard for the provision of local recreation open space and therefore meets concurrency.

Fire and Rescue Service

The application area is currently served by Miami-Dade Fire Rescue (MDFR) Station No. 5 (Princeton) located at 13150 SW 238 Street. The station is equipped with one (1) Rescue unit and one (1) Engine totaling seven (7) 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 6 minutes and 51 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 proposed land use. Fire hydrants shall be spaced a minimum of 300' from each other and shall deliver not less than 500 GPM.

The MDFR has determined that the current "Business and Office" land use designation of the application site would allow a potential development that would generate thirty-seven (37) annual alarms. The proposed "Low-Medium Density Residential with 1 Density Increase" designation would allow a proposed potential development anticipated to generate fifty-four (54) annual alarms, and would have a minimal impact to existing fire-rescue services. Currently, fire and rescue service in the vicinity of the subject site is adequate.

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 82 students. This estimated number includes a reduction of 24.18% to account for charter and magnet schools (schools of choice). Of the estimated 82 students, 43 are expected to attend elementary schools, 21 are expected to attend middle schools and 18 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.

Concurrency Service Area (CSA) Schools

Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
Mandarin Lakes K-8 (Elem Comp)	0	43	0	No	Current CSA/5 Year Plan
Mandarin Lakes K-8 (Mid Comp)	130	21	21	Yes	Current CSA
Homestead Senior	292	18	18	Yes	Current CSA
Adjacent Concurrency Service Area School					
William A. Chapman Elementary	47	43	43	Yes	Adjacent 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.

Roadways

The application site is a ±7.75 gross acres (±7.22 net acres) property located at the northeast corner of the intersection of SW 280 Street and SW 128 Place, ±500 feet west of SW 127 Avenue in unincorporated Miami-Dade County. Access to the application site is provided by SW 280 Street to the south and SW 128 Place to the west, both two-lane undivided roadways. SW 280 Street provides connectivity to SW 132 Avenue, which provides connectivity to SW 288 Street, which provides access to the Homestead Extension of Florida’s Turnpike (HEFT). Further west of the HEFT is US-1/South Dixie Highway. Both the HEFT and US-1/South Dixie Highway provide connectivity to other areas in the County.

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

Existing Conditions

Existing traffic conditions on major roadways adjacent to and in the vicinity of the application site, which are currently monitored by the State (Year 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 for the current CDMP land use designation and one potential development scenario for the requested CDMP land use designation 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 125,801 sq. ft. retail uses (Scenario 1) or with 100 single-family attached residential dwelling units (Scenario 2). Under the requested CDMP land use designation of “Low Medium Density Residential with One Density Increase (6-13 du/ac – DI-1)” the application site is assumed to be developed with its maximum potential development of 193 multifamily residential dwelling units (apartments). The potential development scenarios under the current CDMP land use designation are expected to generate approximately 461 PM peak hour trips (Scenario 1) or approximately 60 PM peak hour trips (Scenario 2). Under the requested CDMP land use designation the potential development scenario is expected to generate 124 PM peak hour trips, or 337 less PM peak hour trips than the current CDMP land use designation (Scenario 1) and 64 more PM peak hour trips than the current CDMP land use designation (Scenario 2). See “Estimated PM Peak Hour Trip Generation By Current and Requested CDMP Land Use Designations” table below.

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

Application No. 2	Current CDMP Designation and Assumed Use/ Estimated No. Of Trips	Requested CDMP Designation and Assumed Use/ Estimated No. Of Trips ³	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
Scenario 1	"Business and Office" ¹ 125,801 sq. ft. retail /	"Low Medium Density Residential with One Density Increase (6-13 du/ac – DI-1)" 193 MF /	
	461	124	- 337
Scenario 2	"Business and Office" ² 100 SF attached /	"Low Medium Density Residential with One Density Increase (6-13 du/ac – DI-1)" 193 MF /	
	60	124	+ 64

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

Notes: ¹ Scenario 1 under the current CDMP land use designation assumes the application site developed with its maximum potential development of 125,801 sq. ft. retail uses.

² Scenario 2 under the current CDMP land use designation assumes the application site developed with the maximum potential development of 100 single-family attached residential dwelling units.

³ Scenarios 1 and 2 under the requested CDMP land use designation assumes the application site developed with the maximum potential development of 193 multifamily residential housing units (apartments).

Traffic Concurrency Evaluation (Concurrency)

An evaluation of peak-period traffic concurrency conditions was conducted as of April 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 development scenario assumed to be developed under the requested CDMP LUP map designation. This evaluation determined that all roadways monitored for concurrency 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.	Amend- ment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
"Low Medium Density Residential with One Density Increase (6-13 du/ac – DI-1)" – 193 MF													
9738	SW 112 Ave.	SW 268 St. to HEFT	4 DV	D	1,850	1,143	B	19	1,162	B	49	1,211	B
9922	SW 268 St.	SW 112 Ave. to SW 137 Ave.	4 DV	D	2,480	848	B	257	1,105	B	28	1,133	B
8372	SW 127 Ave.	SW 280 St. to SW 288 St.	4 DV	D	3,222	467	C	0	467	C	12	479	C
9928	SW 288 St.	HEFT to SW 132 Ave.	4 DV	D	3,000	1,701	C	58	1,759	D	32	1,791	D

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.

Traffic counts for all stations are for the Year 2015.

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

The requested CDMP land use designation assumes the application site developed with the maximum potential development of 193 multi-family residential housing units (apartments).

Application Impact

Two potential development scenarios for the current CDMP land use designation and one potential development scenario for the requested CDMP land use designation 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 125,801 sq. ft. retail uses (Scenario 1) or with 100 single-family attached residential dwelling units (Scenario 2). Under the requested CDMP land use designation of “Low Medium Density Residential with One Density Increase (6-13 du/ac – DI-1)” the application site is assumed to be developed with its maximum potential development of 193 multifamily residential dwelling units (apartments). The potential development scenarios under the current CDMP land use designation are expected to generate approximately 461 PM peak hour trips (Scenario 1) or approximately 60 PM peak hour trips (Scenario 2). Under the requested CDMP land use designation the potential development scenario is expected to generate 124 PM peak hour trips, or 337 less PM peak hour trips than the current CDMP land use designation (Scenario 1) and 64 more PM peak hour trips than the current CDMP land use designation (Scenario 2).

The traffic concurrency evaluation determined that all roadways monitored for concurrency 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. See “Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation” table above.

Transit

Existing Service

The application site is served by Metrobus Route 70, with a Metrobus stop located on SW 127 Avenue ±400 feet north of SW 280 Street. The service frequency of this route is shown in the “Metrobus Route Service Summary” table below.

Metrobus Route Service Summary							Proximity to Bus Route (miles)	Type of Service
Routes	Service Headway (in minutes)							
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8 pm)	Saturday	Sunday			
70	30	60	60	60	60	0.25	L	

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

Notes: L means Metrobus Local route service.

Recent Service Improvements

No service improvements were implemented for Metrobus Route 70 in 2016.

Future Service Improvements

Year 2017 service adjustments and improvements are currently under development.

Long-Term Vision: Major Transit Projects

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) 1399 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.

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 Chapter 33, Zoning, of the Code of Miami-Dade County as it pertains to airport zoning.

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

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

- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-2A. All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).
- 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-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.
- LU-8E. Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated for consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:
 - i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
 - ii) Enhance or impede provision of services at or above adopted LOS Standards;
 - iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods; and
 - iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
 - v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes,

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

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

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
JANUARY 2017 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Titan Development Partners, LLC
Attn: Jesus V. Suarez
4095 SW 67th Avenue
Miami, FL 33155
(305) 661-2000

2. APPLICANT'S REPRESENTATIVES

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

By: 
Ben Fernandez, Esq.

Date: January 31, 2017

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3. DESCRIPTION OF REQUESTED CHANGES

- A. A Change to the Land Use Element, Land Use Plan Map is requested
Changes to the Land Use Map. Applicant request a change to the land-use plan (LUP) designation on the subject property from "Business and Office" to "Low Medium Density Residential" with "One Density Increase with Urban Design".
- B. Description of Subject Property
The Property contains approximately 7.75 gross acres (7.29 net acres) and is located on the north side of SW 280th Street, approximately 300 feet west of SW 127th Avenue, in Section 35 Township 56 Range 39 East, and is more particularly described in Exhibit "A" to this application.
- C. Gross and Net Acreage
Application Area: 7.75 gross acres (7.21 net acres)
Acreage Owned by Applicant: same as above.
- D. Requested Change

1. Applicant request that the Property be re-designated on the Land Use Plan map from Business and Office to "Low Medium Density Residential" with "One Density Increase with Urban Design".

4. REASONS FOR AMENDMENT

The property that is the subject of the application is presently undeveloped vacant land that is designated Business and Office on the LUP. The property is undeveloped and the applicant is seeking a re-designation of the property from "Business and Office" to "Low Medium Density Residential" with "One Density Increase with Urban Design" in order to help to meet the growing need for additional residential uses in the area.

The property to the north was previously part of the Homestead Air Reserve Base and is presently designated as Institutions, Utilities and Communications under the LUP. This property was recently the subject of a district boundary change to the most intense industrial zoning district, IU-3, which was approved by the BCC in 2014.

To the east the property abuts the Airport Plaza Shopping Center, which is located on land designated for Business and Office use. Immediately to the south and west of the Property are lands designated for Low Density Residential development.

Approval of the requested land-use change will help to create a residential transition from the Business and Office and Industrial uses to the north and east to the Residential Communities lying south and west of the Property.

The need for additional residential land in this area is supported by the Planning Department's information concerning Minor Statistical Area ("MSA") 7.4. Based on the Department's report for the May 2014 cycle, the supply of residential land for both single-family and multi-family units is projected to be depleted by the year 2026. In addition, the current Miami Dade county population projections estimate that there will be a population increase in this MSA and these new residents will require new housing.

With respect to available transit, the Florida Turnpike lies approximately ¼ mile to the northwest of the property. In addition, mass transit service is available approximately 550 feet from the property, at the intersection of SW 127th Avenue and SW 280th Street, which is presently served by Metrobus Route 70. Route 70 presently provide service from Florida City to Southland Mall and the South Dade Government Center.

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

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.

Objective 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.

Objective 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.

Objective LU-4G. Miami-Dade County shall continue to cooperate with the Homestead Air Reserve Base (HARB) to ensure that future land uses on properties adjacent to HARB maintain or improve compatibility with HARB and its operations.

Objective 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 and cultural 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.

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

5. LOCATION MAP FOR APPLICATION

See page 5.

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 Exhibit A attached hereto.

8. COMPLETE DISCLOSURE OF INTEREST FORM

See page 6.

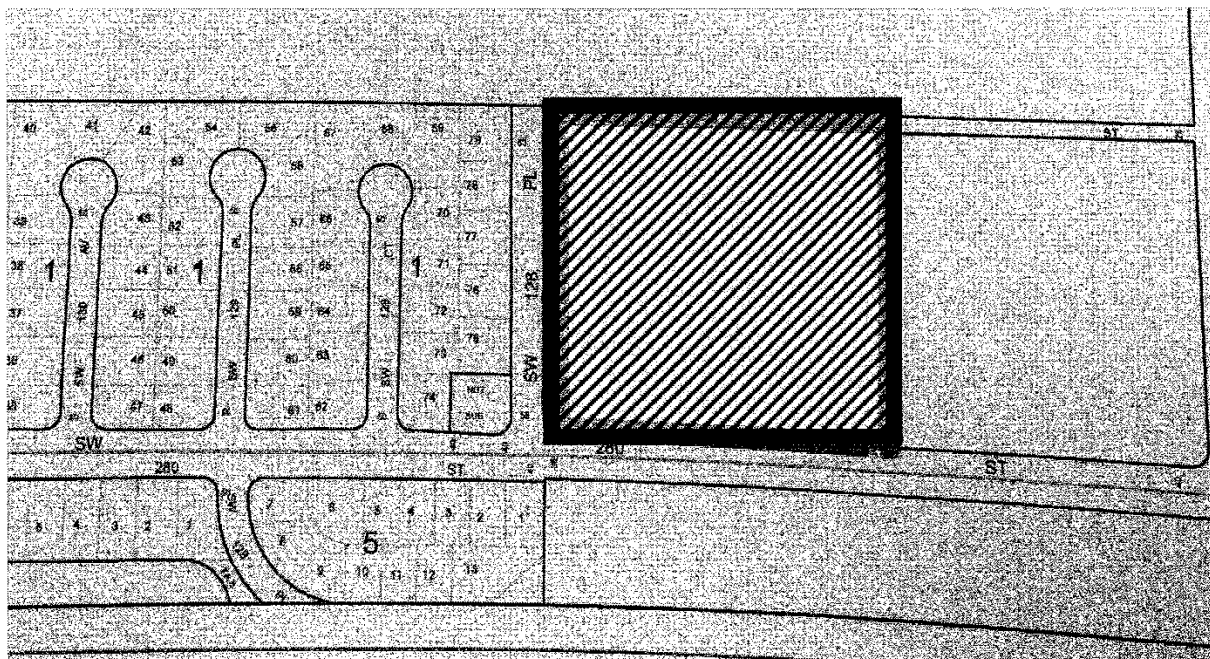
LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANT / REPRESENTATIVE

Titan Development Partners, LLC / Ben Fernandez, Esq.

DESCRIPTION OF SUBJECT AREA

The Property contains approximately 7.75 gross acres (7.29 net acres) and is located on the north side of SW 280th Street, approximately 300 feet west of SW 127th Avenue, in Section 35 Township 56 Range 39 East, and is more particularly described in Exhibit "A" to this application.



Legend



Application Area



Area Owned by Applicant

DISCLOSURE OF INTEREST

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

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Titan Development Partners, LLC, 4095 SW 67 Avenue, Miami, FL 33155

APPLICANT B:

APPLICANT C:

APPLICANT D:

APPLICANT E:

APPLICANT F:

APPLICANT G:

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

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

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
-----------	-----------------	--------------	---------------

A	Titan Development Partners, LLC	30-6935-000-0062
---	---------------------------------	------------------

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

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

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

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

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

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

CORPORATION NAME: Titan Development Partners, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Jesus V. Suarez	99.9%
Jesus V. Suarez Revocable Trust	0.01%
(Veronica Suarez as beneficiary)	

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

TRUSTEES NAME: N/A

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

- 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

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
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].

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

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

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

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

- 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.

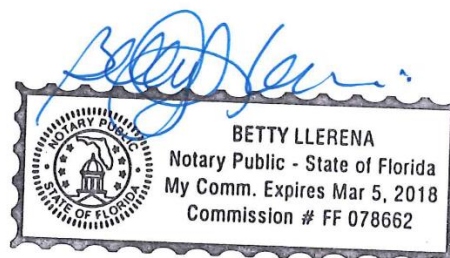
Applicant's Signatures and Printed Names

JESUS V. SUAREZ
TITAN DEVELOPMENT PARTNERS

Sworn to and subscribed before me
this 30th day of January, 2017.

Notary Public, State of Florida at Large (SEAL)

My Commission Expires: 03-05-2018



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

EXHIBIT A

Legal Description

The South 575 feet of the West 613 feet of the east 1150 feet of the southeast $\frac{1}{4}$ of Section 35, Township 56 South, Range 39 East, also less the south 40 feet and the west 25 feet thereof, and less the area bounded by the west line of the east 1125 feet and the north line of the south 40 feet of the southeast $\frac{1}{4}$ of said Section 35, and bounded by a 25 foot radius arc concave to the northeast, said arc being tangent to both of the last described lines, lying and being in Miami-Dade County, Florida.

APPENDIX B

Miami-Dade County Public Schools Analysis

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Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools

Alberto M. Carvalho

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

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

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
TITAN DEVELOPMENT PARTNERS, LLC
LOCATED AT NORTHEAST CORNER OF SW 128 PLACE AND SW 280 STREET
PH3017041200234 – FOLIO No.: 3069350000062**

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 193 multifamily units, which generate 82 students: 43 elementary, 21 middle and 18 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-294

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: PH3017041200234 Local Government (LG): Miami-Dade
Date Application Received: 4/12/2017 3:04:17 PM LG Application Number: Application 2 January 2017
Type of Application: Public Hearing Sub Type: Cycle
Applicant's Name: Titan Development Partners, LLC
Address/Location: 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131
Master Folio Number: 3069350000062
Additional Folio Number(s):

PROPOSED # OF UNITS 193
SINGLE-FAMILY DETACHED UNITS: 0
SINGLE-FAMILY ATTACHED UNITS: 0
MULTIFAMILY UNITS: 193

CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
73	MANDARIN LAKES K-8 ACADEMY (ELEM COMP)	0	43	0	NO	Current CSA
73	MANDARIN LAKES K-8 ACADEMY (ELEM COMP)	0	43	0	NO	Current CSA Five Year Plan
74	MANDARIN LAKES K-8 ACADEMY (MID COMP)	130	21	21	YES	Current CSA
7151	HOMESTEAD SENIOR	292	18	18	YES	Current CSA

ADJACENT SERVICE AREA SCHOOLS

771	WILLIAM A CHAPMAN ELEMENTARY	47	43	43	YES	Adjacent CSA
-----	------------------------------	----	----	----	-----	--------------

*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 D

Proffered Declaration of Restrictions

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This instrument was prepared by:

Name: Ben Fernandez, Esq.

Address: Bercow Radell Fernandez & Larkin, PLLC

200 S. Biscayne Boulevard, Suite 850

Miami, FL 33131

RECEIVED
2017 MAY 18 P 1:37
ZONING & PLANNING DIVISION

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the property in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the submitted attorney's opinion, and

WHEREAS, the Property is the Application Area of Comprehensive Development Master Plan ("CDMP") Amendment Application No. 2 of the January 2017 Amendment Cycle; and

WHEREAS, the Owner has sought to change the designation of the Property from "Business and Office" to "Low-Medium-Density Residential with a DI-1 Overlay."

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

Project Design. The Owner agrees to develop the Property in a manner utilizing sound urban design principles as incorporated in the County's Urban Design Manual endorsed by Miami-Dade County Resolution R-1360-98. Moreover, any development plan for the Property seeking to utilize the density increase provided by the "DI-1 Overlay" shall provide the following:

1. Buildings that are designed using complementary architectural styles and designs and at a scale that is compatible with the surrounding area.
2. Design features to be provided at appropriate locations of the buildings, in order to maintain architectural and design continuity.
3. A limitation of large expanses of opaque or blank building wall to the maximum extent feasible.
4. Uniform street furniture and lighting standards to be provided throughout the Property.

(Space reserved for Clerk)

5. Pedestrian crosswalks that are clearly delineated on any proposed private roads within the Property and are designed with consideration to the special needs of the disabled.
6. Buildings that are built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable, interesting, as well as safe for pedestrians. The Owner may, but will not be mandated to, seek variances of the County's zoning regulations to accommodate this requirement.
7. Architectural elements of the buildings at street level that have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian.
8. On site parking that is, wherever practicable, not located between the street and main building entrances. This shall not prevent the use of on-street parking, if approved by the County.

Water Saving Measures. The Owner shall incorporate the following measures, where practicable, into the design, construction and operation of any development on the Property:

- Minimizing irrigation requirements by utilizing and maintaining native landscaping for the greatest drought resistance.
- Installing water efficient appliances and equipment in initial construction.
- Using the appropriate method to control erosion during construction.
- Using water capture systems for irrigation.
- Installing and managing irrigation systems to provide high level efficiency.
- Designing and constructing buildings on the Property with minimal impacts to the site topography.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

(Space reserved for Clerk)

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 fee simple title to the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification or release shall also be subject to the provisions governing amendments to 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 that amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and the provisions of the municipality's ordinances that apply to the adoption of district boundary changes. Should this Declaration be so modified, amended, or released, the Director of the Department of Planning and Zoning 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 office, 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.

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

(Space reserved for Clerk)

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, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

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. 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 Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

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]

APPENDIX F

Fiscal Impact Analysis

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Fiscal Impacts On Infrastructure and Services

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 the January 2017 Cycle Application No. 2 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 requested “Low-Medium Density Residential with 1 Density Increase” designation may result in the development of 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.

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 2016-16, 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 a ± 7.75 gross acre parcel from "Business and Office" to "Low-Medium Density Residential with One Density Increase (DI-1: 13 to 25 dwelling units per gross acre)" that would allow the application site to be developed at a maximum of 193 multi-family residential units. If the site is developed at a maximum development with 193 multi-family units, the water connection charge is estimated at \$40,241; the water service line and meter connection fees would cost \$1,300; the sewer connection charges are estimated at \$162,120; and the annual operating and maintenance costs would total \$35,685. In addition, the estimated cost of installing the required 630 linear feet of 8-inch water main to connect the proposed development to the County's regional water system is estimated at \$204,517. The estimated cost of installing the required 680 linear feet of sanitary gravity sewer main to connect to the County's regional sewer system is estimated at \$201,960. 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 \$406,477.

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, could result in 82 additional students. The average cost for K-12 grade students amounts to \$9,337 per student. Of the 82 students, 43 will attend elementary schools, 21 will attend middle schools students and 18 will attend senior high schools. The total annual operating cost for additional students residing in this development, if approved, would total \$765,634. 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 Miami-Dade County Fire and Rescue (MDFR) indicates that fire and rescue services in the vicinity of the application site is adequate.

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APPENDIX G

Photos of Site and Surroundings

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Application site with retail properties abutting the eastern boundary in the background



County-owned land abutting north of the Application site maintained with grown shrubs/trees and traces of paved walkways/tracks.



Single family homes in the Pinewood Manor subdivision west of the application site across SW 128th Place



Single family homes in the Lake Frances Subdivision at the southwest corner of the application site across SW 280 Street