

# **Application No. 3**

## **Commission District 7    Community Council 11**

### **APPLICATION SUMMARY**

Applicant/Representative:	Hamlet T. Mendez & Rosanna Mendez / Jorge Navarro, Esq.
Location:	East side of SW 120 Avenue at theoretical SW 91 Street
Total Acreage:	±0.47 Gross Acres; ±0.44 Net Acres
Current Land Use Plan Map Designations:	"Low Density Residential (2.5 to 6 dwelling units per gross acre)"
Requested Land Use Plan Map Designation:	"Medium Density Residential (13 to 25 dwelling units per gross acre)"
Amendment Type:	Small-Scale
Existing Zoning District/Site Condition:	RU-1 (Single Family Residential) / Vacant

### **RECOMMENDATIONS**

Staff:	<b>ADOPT WITH CHANGE AS A SMALL-SCALE AMENDMENT</b> (February 25, 2015)
Kendall Community Council (11):	<b>TO BE DETERMINED</b> (March 31, 2015)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	<b>TO BE DETERMINED</b> (April 20, 2015)
Final Action of Board of County Commissioners:	<b>TO BE DETERMINED</b> (May 6, 2015)

Staff recommends **ADOPT WITH CHANGE** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map that seeks to redesignate the ±0.47 gross-acre site from “Low Density Residential” to “Medium Density Residential.” The recommended change is to redesignate the site as “Low-Medium Density Residential” rather than the requested “Medium Density Residential” designation for the following reasons:

**Principal Reasons for Recommendation:**

1. The staff recommended change to the application is toward assuring compatibility of development on the subject property with the single family residences that abut the property to the south, consistent with Policy LU-4C of the CDMP Land Use Element. Policy LU-4C requires the protection of residential neighborhoods from uses that would disrupt the tranquility, character, and welfare of the neighborhood by creating impacts such as excessive density and noise, among others.

The ±0.47-acre (20,473 square feet) application site currently can be developed with up to two (2) residential units, under its current “Low Density Residential” (6 to 13 dwelling units per gross acre) land use designation. The requested “Medium Density Residential” (13 to 25 dwelling units per gross acre) would allow the site to be developed with a maximum of 11 multifamily units, at a density that is excessive and out of character with the abutting single family residences to the south. Furthermore, and given that the site is only ±70 feet wide, it is unclear how the site could be developed compatibly with the abutting single family residences while providing adequate site requirements such as parking, open space, buffering and building setbacks, among others. Therefore, staff recommends the application be adopted with change by redesignating the property to “Low-Medium Density Residential” that would allow a maximum of 6 units on the application site at a density generally more compatible with the abutting residences.

2. The application proposes infill development on the vacant ±0.47 gross-acre subject property generally consistent with provisions of the CDMP for infill development. Land Use Element Objective LU-1, Policy LU-1C and Policy LU-10A 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, existing public facilities have adequate capacities to accommodate the impacts that would be generated by the development of the site, if the application is approved.
3. Approval of the application with the recommended change would be 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.

- i. *Need to Accommodate Population or Economic Growth.* Approval of the application would not satisfy a deficiency in the LUP map to accommodate population growth and would, in fact, affect a negligible change in the residential land capacity in the area where the application site is located, in Minor Statistical Area 6.2. (See Supply and Demand Analysis on page 3-10.)
- ii. *Public Facilities and Services.* The impacts that would be generated from maximum potential development on the application site, 11 multifamily units if the application is approved as requested or 6 units if approved as recommended, would not cause a violation in the level of service standards for public services and facilities.
- iii. *Compatibility:* The proposed amendment, if approved as requested, would not be compatible with the abutting residences to the south as discussed in Principal Reason No. 2 above, but, if approved with the recommended change would be generally more compatible with the abutting single family residences and other adjacent development. To the west beyond SW 120 Avenue is a townhouse development (2 and 3 stories), abutting to the north is a 1-story preschool with a parking lot and shopping center further north, and the Florida Turnpike is to the west.
- iv. *Environmental and Historic Resources.* The application, if approved, would not impact any historic resources but could impact environmental resources. The property is located within the Basic Wellfield Protection Area of the Southwest Wellfield. Therefore, all proposed development on the application site shall comply with the requirements of Section 24-43 of Miami-Dade County Code.

In addition, the subject property may contain specimen-sized trees (trunk diameter 18 inches or greater). Section 24-49.2(II) of the Code requires these specimen-sized trees to be preserved, where reasonably possible.

- v. *Transit Ridership and Pedestrianism.* The application, if approved, could support transit ridership and pedestrianism. Metrobus Routes 88 and 288 provide transit service within the vicinity of the application site. Metrobus Route 88 provides local route service at 20-minute AM/PM peak period headways service on weekdays, 30-minute headway service after 8 pm, and 30-minute headway service on weekends. Metrobus Route 288 (Kendall Cruiser) provides feeder service to Metrorail at 12-minute AM/PM peak period headway service on weekdays. The application site is approximately 0.45 miles from the nearest bus stop.



# APPLICATION NO. 3 AERIAL PHOTO



**APPLICATION AREA**

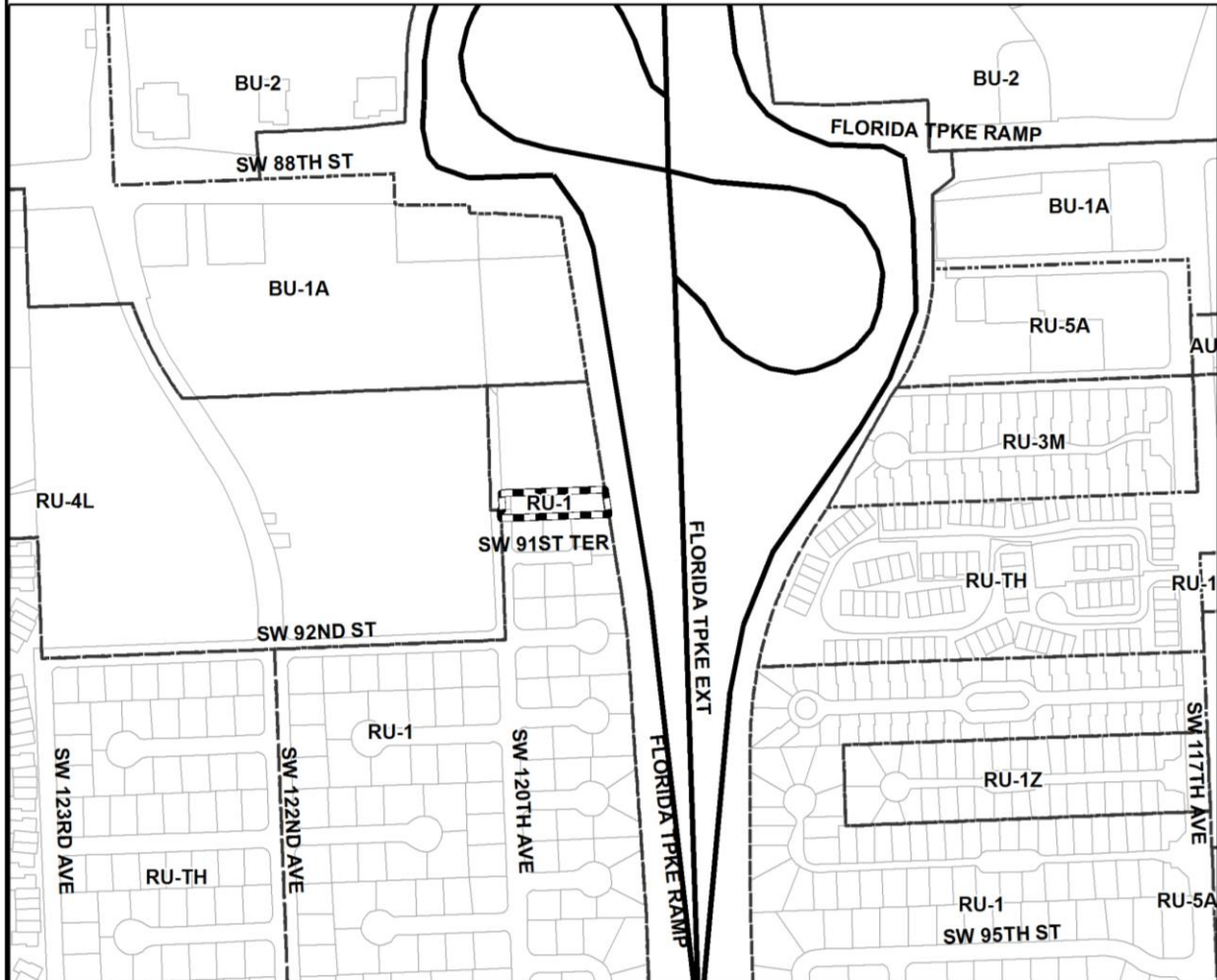
Source: Miami-Dade County  
Department of Regulatory and Economic Resources, January 2015  
2014 Aerial

0 0.1 Miles





# APPLICATION 3 ZONING MAP

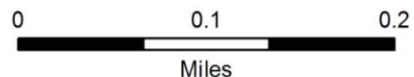


APPLICATION AREA

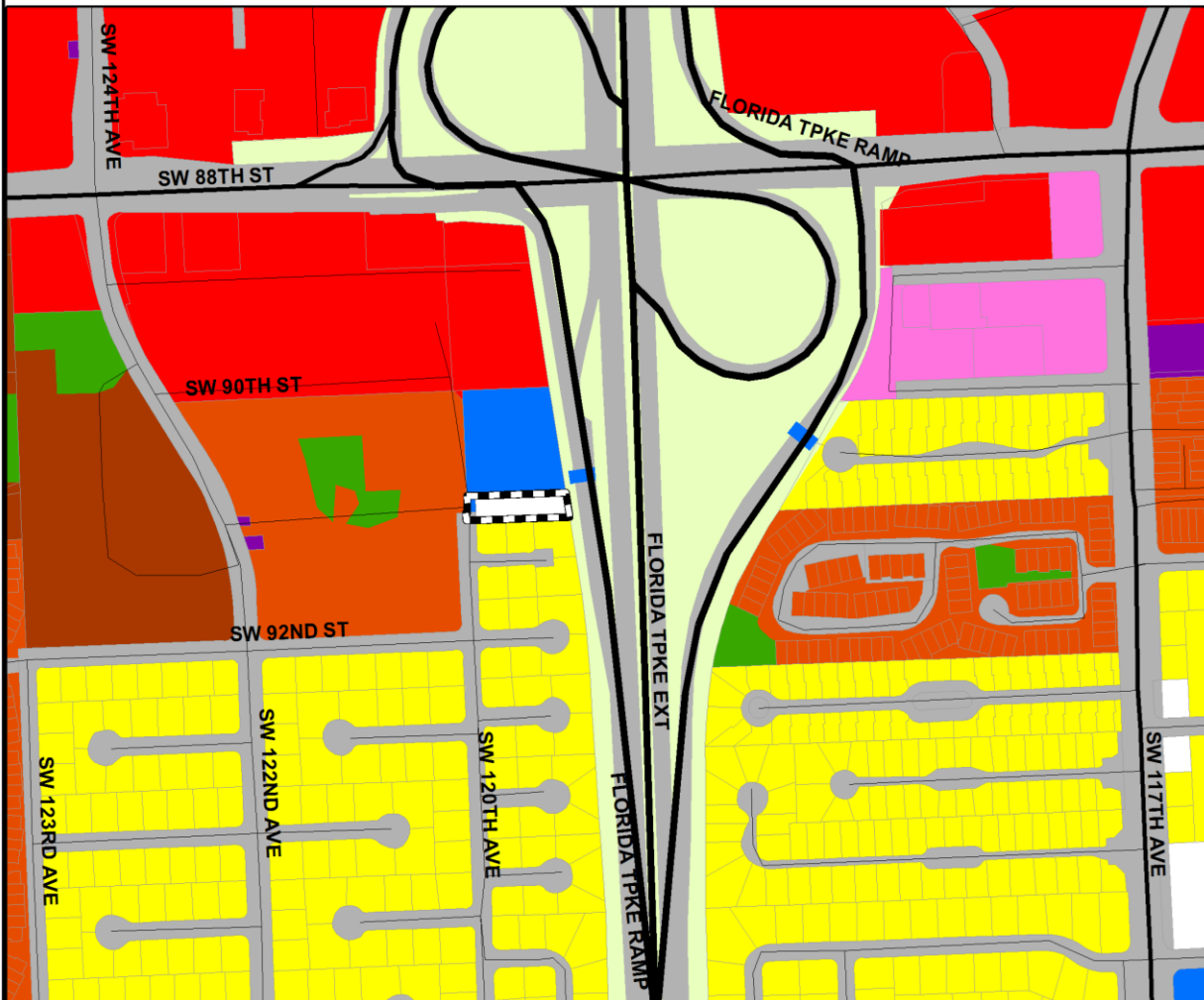
Source: Miami-Dade County  
Department of Regulatory and Economic Resources  
January 2015

## MIAMI-DADE ZONING DISTRICTS

AU	AGRICULTURAL / RESIDENTIAL 5 ACRES GROSS
BU-1A	BUSINESS DISTRICTS, LIMITED
BU-2	BUSINESS DISTRICTS, SPECIAL
RU-1	SINGLE-FAMILY RESIDENTIAL
RU-1Z	SINGLE-FAMILY RESIDENTIAL, ZERO LOT LINE
RU-3M	MINIMUM APARTMENT HOUSE
RU-4L	LIMITED APARTMENT HOUSE DISTRICT
RU-5A	SEMI-PROFESSIONAL OFFICE
RU-TH	TOWNHOUSE



# APPLICATION NO. 3 EXISTING LAND USE



APPLICATION AREA

Source: Miami-Dade County  
Department of Regulatory and Economic Resources  
January 2015

## EXISTING LAND USE

- SINGLE-FAMILY
- TOWNHOUSES
- LOW-DENSITY MULTI-FAMILY
- COMMERCIAL
- OFFICE
- INSTITUTIONAL
- COMMUNICATIONS, UTILITIES, TERMINALS
- STREETS, ROADS, EXPRESSWAYS, RAMPS
- STREETS, EXPRESSWAY
- PARKS, PRESERVES, CONSERVATION AREAS

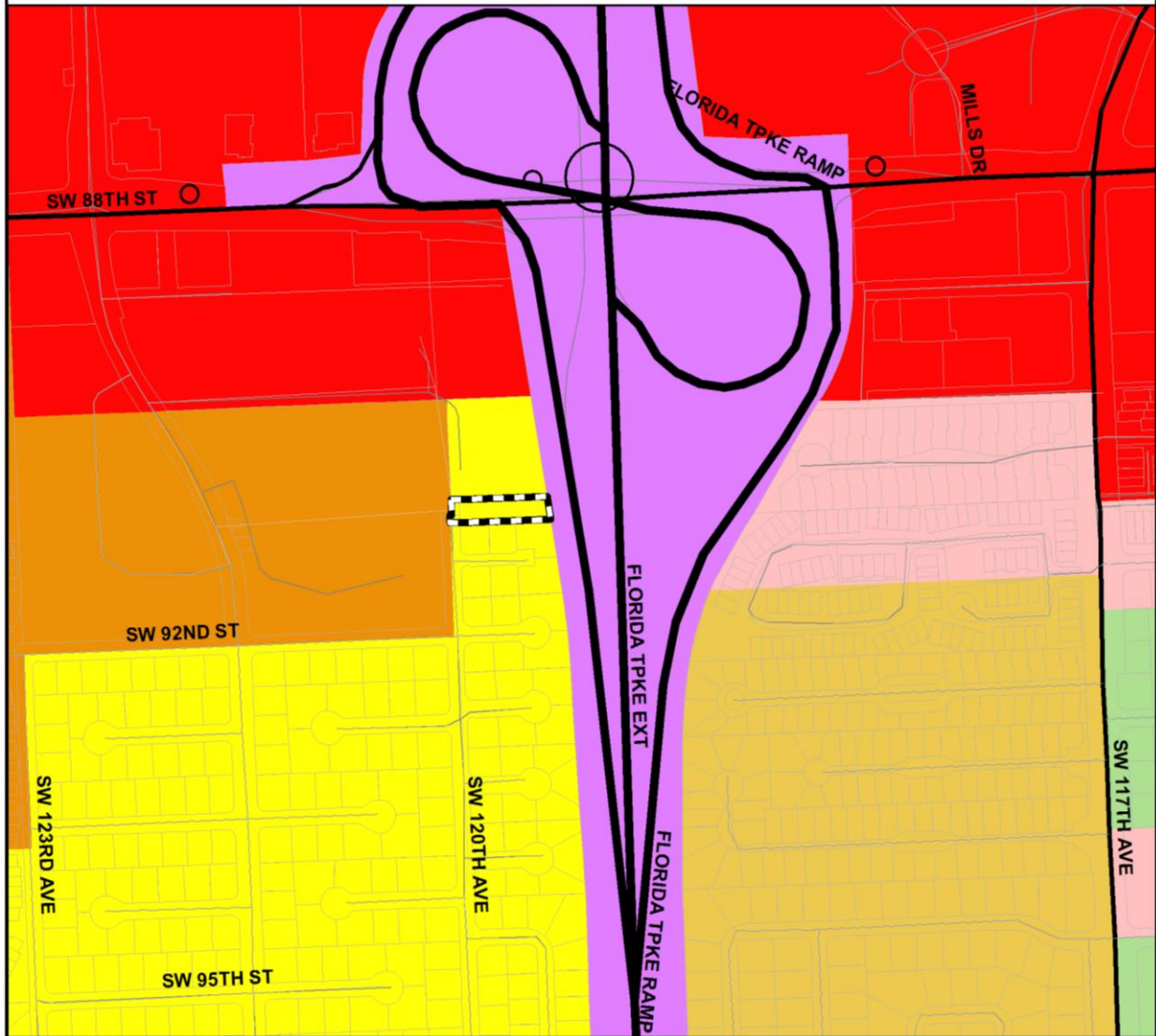
- VACANT PRIVATELY OWNED, UNPROTECTED
- EXPRESSWAYS
- MAJOR ROADWAYS (3 OR MORE LANES)
- MINOR ROADWAYS (2 LANES)

0 0.05 0.1  
Miles



# APPLICATION NO. 3

## CDMP LAND USE



APPLICATION AREA

Source: Miami-Dade County  
Department of Regulatory and Economic Resources  
January 2015

### CDMP LAND USE

- ESTATE DENSITY
- LOW DENSITY (2.5-6 DU/AC)
- LOW-MEDIUM DENSITY (6-13 DU/AC)
- MEDIUM DENSITY (13-25 DU/AC)
- BUSINESS AND OFFICE
- OFFICE/RESIDENTIAL
- TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)

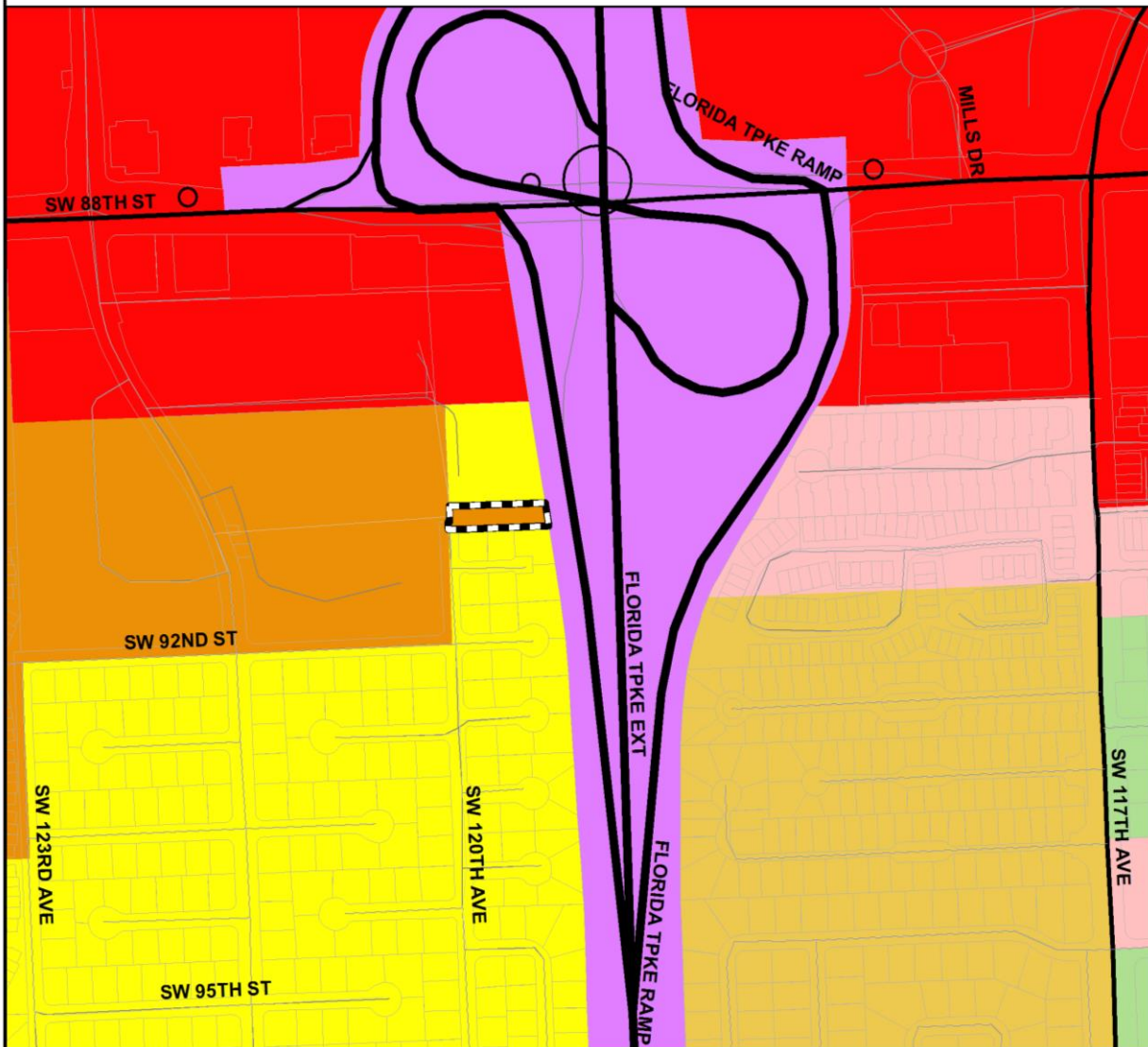
- EXPRESSWAYS
- MAJOR ROADWAYS (3 OR MORE LANES)
- FUTURE RAPID TRANSIT
- METROPOLITAN URBAN CENTER

0 0.05 0.1  
Miles





# APPLICATION NO. 3 PROPOSED CDMP LAND USE



APPLICATION AREA

Source: Miami-Dade County  
Department of Regulatory and Economic Resources  
January 2015

## CDMP LAND USE

- ESTATE DENSITY
- LOW DENSITY (2.5-6 DU/AC)
- LOW-MEDIUM DENSITY (6-13 DU/AC)
- MEDIUM DENSITY (13-25 DU/AC)
- BUSINESS AND OFFICE
- OFFICE/RESIDENTIAL
- TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)

- EXPRESSWAYS
- MAJOR ROADWAYS (3 OR MORE LANES)
- FUTURE RAPID TRANSIT
- METROPOLITAN URBAN CENTER

0 0.05 0.1  
Miles





# STAFF ANALYSIS

## Application Site

### Location

The ±0.47 gross-acre site (±0.44 net) is located on the east side of SW 120 Avenue at theoretical SW 91 Street (see map series on pages 3-4 through 3-8). The property is situated approximately 80 feet west from the Homestead Extension of the Florida Turnpike (HEFT).

### Existing Land Use

The application site is a vacant lot that is narrow with dimensions ±70 feet wide and ±300 feet depth (see “Existing Land Use” map on page 3-6).

### Land Use Plan Map Designation

The application site is currently designated “Low Density Residential” on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map (see “CDMP Land Use” map on page 3-7). The “Low-Density Residential” CDMP land use category allows a range in densities from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre. The types of housing typically found in areas designated “Low Density Residential” includes single family detached, cluster, and townhouses. The applicant requests a land use designation change on the application site to “Medium Density Residential.” The “Medium Density Residential” CDMP land use category allows a range in densities from a minimum of 13 to a maximum of 25 dwelling units per gross acre. The types of housing typically found in areas designated “Medium Density Residential” includes townhouses and low-rise and medium-rise apartments (see “Proposed Land Use” map on page 3-8).

Under the current CDMP land use designation of “Low Density Residential”, the application site could be developed with a maximum of 2 single-family detached homes. Under the requested CDMP land use designation of “Medium Density Residential”, the application site could be developed with a maximum of 11 multifamily dwelling units. The recommended “Low-Medium Density Residential” designation would allow the property to be developed with a maximum of 6 residential units.

### Zoning

The application site is currently zoned RU-1, which permits single-family dwelling units on 7,500 square feet net lots (see “Zoning Map” on page 3-5).

### Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938. Zoning records indicate that the application area was zoned GU (Interim) prior to December 1985. On December 5, 1985, Miami-Dade Board of County Commissioners adopted Resolution No. Z-282-85 approving a district boundary change on the subject property from GU to RU-1 (Single Family Residential); the subject property’s current zoning.

## Adjacent Land Use and Zoning

### Existing Land Uses

The area west of the application site, across SW 120 Avenue, is developed with townhomes that are in good condition. South of the application site are single-family homes that are also in good condition. The property adjacent to the north is developed with a daycare facility, with a

parking lot and a Sports Authority sporting goods store further north within the Kendallgate Shopping Center. East of the application site is the Homestead Extension of the Florida Turnpike (HEFT).

#### Land Use Plan Map Designations

Properties adjacent to the north and south of the application site are designated “Low Density Residential (2.5 to 6 DU/Ac.)” on the CDMP Adopted 2020 and 2030 LUP map. Properties adjacent to the west of the site are designated “Medium Density Residential (13 to 25 DU/Ac.)” To the east of the application site is the HEFT right-of-way depicted as “Transportation” on the CDMP Adopted 2020 and 2030 LUP map (see “CDMP Land Use” map on page 3-7; and “Aerial Photo” on page 3-4).

#### Zoning

The preschool and parking lot north of the site are zoned RU-1 and the Kendallgate Shopping Center properties further north are zoned BU-1A (Limited Business). The single family residences to the south are zoned RU-1 south of the application site are zoned RU-1, and the townhouse development to the west is zoned RU-4L (Limited Apartment House--23 units per acre). The HEFT right-of-way to the east of the site is not zoned. (See “Zoning Map” on page 3-5.)

#### **Supply and Demand Analysis**

The combined vacant land for single-family and multi-family residential development in the Analysis Area (Minor Statistical Area 6.2) in 2014 was estimated to have a capacity for about 3,512 dwelling units, with about 60 percent of these units intended as multi-family. The annual average residential demand in this Analysis Area is projected to increase from 329 units per year in the 2014-2015 period to 523 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 2017 and for multi-family beyond 2030 (see “the Residential Land Supply/Demand Analysis” table below). The supply of residential land for both single-family and multi-family units is projected to by the year 2021.

Residential Land Supply/Demand Analysis  
2014 to 2030: (MSA 6.2)

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 2014	1,406	2,106	3,512
DEMAND 2010-2015	265	64	329
CAPACITY IN 2015	1,141	2,042	3,183
DEMAND 2015-2020	400	96	496
CAPACITY IN 2020	0	1,562	703
DEMAND 2020-2025	406	98	504
CAPACITY IN 2025	0	1,072	0
DEMAND 2025-2030	422	101	523
CAPACITY IN 2030	0	567	0
<b>DEPLETION YEAR</b>	<b>2017</b>	<b>2030+</b>	<b>2021</b>

Residential capacity is expressed in terms of housing units.

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

Source: Miami-Dade Department of Regulatory and Economic Enhancements, Planning Division, Planning Research Section, February 2015.

## Environmental Conditions

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

### Flood Protection

Federal Flood Zone	AH-8
Stormwater Management Permit	SFWMD Environmental Resources Permit
County Flood Criteria, National Geodetic Vertical Datum (NGVD)	8 feet

### Biological Conditions

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

### Other Considerations

Within Wellfield Protection Area	Yes Southwest Wellfield/210-day travel time
Hazardous Waste	No
Contaminated Site	No

### Wellfield Protection

The property is located within the Basic Wellfield Protection Area of the Southwest Wellfield. The site is situated within the 210-days travel time contour of said wellfield. Since the proposed development is a residential land use, a hazardous wastes prohibition covenant is not required. However, all development shall comply with the requirements of Section 24-43 of the Code.

### Drainage, Flood Protection and Stormwater Management

The proposed development is determined to be in Zone AH or above the flood plain as determined by FEMA. 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 8.0 feet, NGVD or County Flood Criteria.

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. The proposed development order, if approved, will not result in the reduction of the Level of Service standards for flood protection set forth in the CDMP.

The change in land use could change the amount of impervious area on each parcel, thereby impacting the Equivalent Residential Unit (ERU) Stormwater utility fee. If the current parcel is altered or developed, the amount of impervious area would need to be re-assessed to re-calculate the Stormwater utility fee. The proposed amendment could result in an increase of impervious areas (typically 6% more), which could generate additional runoff to adjacent properties. A stormwater management system must be constructed on-site to prevent impacts to adjacent properties.



### Tree Preservation

The subject application may contain specimen-sized trees (trunk diameter 18 inches or greater). Section 24-49.2(II) of the Code requires that specimen-sized trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

### **Water and Sewer**

#### Water Supply

The water supply for this application will be provided by the Alexander-Orr Water Treatment Plant. At the present time, there is adequate treatment and water supply capacity for this application. The plant is presently producing water that meets Federal, State and County drinking water standards.

#### Water Treatment Plant Capacity

The County's adopted LOS standard for potable water treatment facilities requires that the regional water treatment system, consisting of 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 regional water treatment system has a rated design capacity of 439.74 million gallons per day (MGD). The regional water treatment system shall operate no less than two percent, which is equivalent to 430.95 MGD. The total available water treatment plant capacity, 55.95 MGD, is calculated using the available plant capacity (430.95 MGD), subtracting the maximum day flow (55.95 MGD) and subtracting the water that is reserved through development orders (22.00 MGD).

As noted in the "Estimated Water Demand/Sewer Flow for Proposed Development by Land Use Scenario" table below, the maximum water demand for Residential (Scenario 1) development under the current CDMP Land Use designation is estimated at 440 gallons per day (gpd). The maximum water demand for Residential (Scenario 1) development under the Requested CDMP Land Use designations, is estimated at 1,650 gpd. This represents an increase of up to 1,210 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	Residential	2 units	220 gpd	440 gpd

Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier (Section 24-43.1 Miami-Dade Code)	Projected Water Demand (gpd)
Requested CDMP Designation				
1	Residential	11 apartments	150 gpd	1,650 gpd

Source: Miami-Dade Water and Sewer Department; Department of Regulatory and Economic Resources, Planning Division; January 2015

#### Water System Connectivity:

Application No. 3 is within MDWASD's service area. The proposed land use would be required to connect to public water pursuant to Chapter 24 of the Code. There is an existing 8-inch water main abutting the property along SW 120<sup>th</sup> Avenue to which the developer may connect and extend a new 8-inch water main as required to serve the proposed development.

Any public water main extensions within the property shall be 8-inch minimum diameter. 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 points of connection. At this time, there are no planned projects within close proximity to this application site.

#### Sewer Treatment Plant Capacity

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

The regional wastewater treatment system can treat up to 375.5 MGD. The sum of the annual average flow (303.81 MGD) for the preceding 5 years and the capacity reserved for development orders (31.27 MGD) is 335.08 MGD. According to the CDMP, the regional system shall have the capacity to treat 102% of the average daily sewage demand of the preceding 5 years which totals 341.78 MGD. Therefore, the available wastewater treatment plant capacity is 33.72 MGD.

#### Sewer System Connectivity:

The subject application is within MDWASD's service area. The wastewater flows for this application will be transmitted to the South District Wastewater Treatment Plan (SDWWTP) for treatment and disposal. Currently, there is average wastewater treatment capacity for this application consistent with Policy WS-2A(2) of the CDMP. Please note that at the time of development, a capacity modeling evaluation may be required for all proposed development within the application area.

The proposed land use would be required to connect to the public sewer system pursuant to Chapter 24 of the Code of Miami-Dade County. There is an 8-inch sanitary gravity sewer system at SW 120<sup>th</sup> Avenue and SW 91<sup>st</sup> Terrace, to which the developer may connect and extend a new 8-inch sanitary sewer gravity line to the property provided there is sufficient depth. Any proposed sanitary sewer extension shall be 8-inch minimum. The development on the

application site would direct sanitary sewer flow to sanitary pump station 30-0869, then to 30-0536 or 30-0559, then to pump station 30-TANDEM and then to the South District Wastewater Treatment Plant. The aforementioned sanitary sewer pump stations as well as the South District Wastewater Treatment Plant are owned and operated by MDWASD and are currently working within the mandated criteria set forth in the new Consent Decree (case 1:12-cv-24400-FAM), effective December 6, 2013.

## **Solid Waste**

The Miami-Dade County Public Works and Waste Management Department (PWWM) Solid Waste Functions 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.

The application site is located inside the PWWM Waste Collection Service Area (WCSA), which consists of all residents of the Unincorporated Municipal Service Area (UMSA) and eight municipalities.

### 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 PWWM assesses the solid waste capacity on system-wide basis since it is not practical or necessary to make determination concerning the adequacy of solid waste disposal capacity relative to individual applications. As of FY 2014-2015, the PWWM is in compliance with the adopted LOS standard.

### Application Impacts

Application No. 3 is requesting the re-designation of the application site from "Low Density Residential" to "Medium Density Residential" on the Adopted 2020 and 2030 LUP map. The "Medium Density Residential" designation will most likely result in the development of 11 multi-family residential units. Per Chapter 15 of the County Code, the PWWM does not actively compete for multi-family or non-residential waste collection services such as commercial, business, office, and industrial services at this time; therefore waste collection services may be provided by a private waste hauler. The PWWM has determined that the requested amendment will have no impact or any associated costs to the County; therefore, the PWWM has no objection to the proposed amendment.

## **Parks**

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

### Level of Service Standard

CDMP Policy ROS-2A establishes the adopted minimum Level of Service (LOS) standard for the provision of recreation open space in the Miami-Dade County. This CDMP policy requires



the County to provide a minimum of 2.75 acres of local recreation open space per 1,000 permanent residents in the unincorporated areas of the County and a County-provided, or an annexed or incorporated, local recreation open space of five acres or larger within a three-mile distance from residential development. The acreage/population measure of the LOS standard is calculated for each Park Benefit District. A Park Benefit District is considered below LOS standard if the projected deficiency of local recreation open space is greater than five acres. Currently, PBD-2 has a surplus capacity of 491.32 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 all the parks within a 3-mile radius of the application site; fifteen parks (Ron Ehmann, Calusa Club, Kings Meadow, Sugarwood, Water Oaks, Arvida, Devon Aire, Millers Pond, McMillan, Kendale Lakes, Snapper Creek, Boys & Girls Club of Miami, West Kendale Lakes, Kendale Green and Three Lakes) are larger than the required five acre park.

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

Park Name	Acreage	Classification
Sabal Chase Park	4.43	Neighborhood Park
Ron Ehmann Park	13.61	Community Park
Calusa Club Park	6.99	Neighborhood Park
Kings Meadow Park	5.44	Neighborhood Park
Sugarwood Park	7.82	Neighborhood Park
Water Oaks Park	5.05	Neighborhood Park
Arvida Park	7.55	Neighborhood Park
Westwood Park	4.33	Community Park
Devon Aire Park	12.43	Community Park
Royale Green Park	3.38	Neighborhood Park
Millers Pond Park	12.85	Community Park
McMillan Park	20.83	Single purpose Park
Kendale Lakes Park	15.53	Community Park
Kendale Park	3.86	Neighborhood Park
Snapper Creek Park	5.62	Neighborhood Park
Boys & Girls Club of Miami - Kendall Unit	22.87	Community Park
Sunset Park	3.81	Neighborhood Park
Kendalwood Park	2.71	Neighborhood Park
West Kendale Lakes Park	5.03	Neighborhood Park
Kendale Green Park	25.89	Neighborhood Park
Cherry Grove Park	1.43	Neighborhood Park
Three Lakes Park	15.72	Single Purpose Park
Kendale Lakes SP Tax Dist. Lot 38	0.44	Mini Park
Kendale Lakes SP Tax Dist. Lot 1	0.57	Mini Park
Rock Ridge Park	4.54	Neighborhood Park

Source: Miami-Dade County Parks, Recreation and Open Space Department, January 2015.

### Application Impacts

The potential development of the site under the existing CDMP land use designation has a potential population of 6, resulting in an impact of 0.02 acres based on the adopted minimum LOS standard for local recreational open space. The potential for residential development under the proposed land use designation is estimated at 11 multi-family dwelling units with an estimated population of 21, resulting in an impact of an additional 0.06 acres of local parkland. This would lower the concurrency LOS from 491.32 acres to 491.26 acres per 1,000 residents but still above the adopted minimum LOS standard. If developed as a non-residential use, there would be no increase in population and there would be no additional impact to the CDMP Open Space spatial standards.

### **Fire and Rescue Service**

The application site is currently served by Miami-Dade County Fire Rescue Station No. 57 (West Kendall), located at 8501 SW 127 Avenue. This station is equipped with a Rescue and a Battalion Chief, and is staffed with four (4) firefighter/paramedics 24 hours a day, seven days a week.

The Miami-Dade County Fire Rescue Department (MDFR) has indicated that the average travel time to incidents in the vicinity of the application site is approximately six (6) minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8 minutes at 90% of all incidents. Travel time to incidents in the vicinity of the application site complies with the performance objective of national industry standards.

### Level of Service Standard for Minimum Fire Flow and Application Impacts

CDMP Policy WS-2A establishes the County's minimum Level of Service standard for potable water. This CDMP policy requires the County to deliver water at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi, unless otherwise approved by the Miami-Dade Fire Rescue Department. A minimum fire flow of 1,500 gallons per minute (gpm) is required for the "Medium Density Residential" CDMP designation. Presently, there are no fire flow deficiencies in the vicinity of the application site.

The current CDMP land use designation of "Low Density Residential" will allow a potential development on the application site that is anticipated to generate approximately one (1) annual alarm. The proposed CDMP land use designation of "Medium Density Residential" is anticipated to generate approximately three (3) annual alarms, and would result in a minimal impact to existing fire rescue services. Presently, fire and rescue service in the vicinity of the application site is adequate, and there are no planned stations in the vicinity of the application site.

### **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, 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.

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

As noted in the Preliminary Concurrency Analysis (see Appendix B: Miami-Dade Public Schools Analysis), the proposed development would yield a maximum residential density of eleven multifamily units. The eleven multifamily units do not generate any students at any of the school levels, this reflects an impact reduction of 22.36% for charter and magnet schools (schools of choice). Therefore, Miami-Dade County Public Schools would not be impacted by the application as proposed.

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 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 ±0.46 gross acre (±0.44 net acre) property located on the east side of SW 120 Avenue at theoretical SW 91 Street in unincorporated Miami-Dade County, inside the County's Urban Development Boundary (UDB).

SW 120 Avenue, a two-lane undivided roadway, provides direct access to the application site. Access to SR 94/SW 88 Street, a major east-west six-lane divided Principal Arterial, north of the application site and to SW 104 Street, another east-west six-lane divided Minor Arterial, south of the application site is via SW 122 Avenue, a two- and four-lane Major Collector. Both SW 88 Street and SW 104 Street provide connectivity to SR 821/Homestead Extension of Florida's Turnpike, SW 117 Avenue, SW 107 Avenue, SW 87 Avenue, and SR 826/Palmetto Expressway to the east of the application site; and to SW 127 Avenue, SW 137 Avenue, SW 147 Avenue, and SW 157 Avenue to the west of the application site. All these major roadways provide connectivity to the rest of 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 2013) and the County (Year 2014), are operating at acceptable levels of service. The roadway segment of SW 127 Avenue between SW 88 Street and SW 104 Street is operating at LOS A (LOS D is the adopted LOS standard); SW 122 Avenue between SW 104 Street and SW 128 Street is operating at LOS C (D is its



adopted LOS standard). The HEFT between SW 40 Street and SW 88 Street is operating at LOS C and between SW 88 Street to SR 874 is operating at LOS B (LOS D is the adopted LOS standard). SW 88 Street between SW 127 Avenue and SW 117 Avenue and between SW 117 Avenue and SW 107 Avenue are both operating at LOS C (E+20% is the adopted LOS standard); SW 104 Street between SW 137 Avenue and SW 127 Avenue and between SW 127 Avenue to SW 117 Avenue are both operating at LOS B (E+20% is the adopted LOS standard); and SW 117 Avenue between SW 72 Street and SW 88 Street is operating at LOS B (LOS D is the adopted LOS standard).

### Trip Generation

The applicant is requesting the re-designation of approximately 0.46 gross acres (0.44 net acres) on the County's adopted 2020 and 2030 Land Use Plan map from "Low Density Residential (2.5-6 DU/Ac)" to "Medium Density Residential (13-25 DU/Ac)." One potential development scenario for each of the current and requested CDMP land use designations were analyzed for traffic impacts. The maximum potential development that may occur on the application site under the existing CDMP designation assumes the application site developed with two (2) single-family detached dwelling units. The maximum development scenario that could occur under the requested CDMP land use designation assumes the application site developed with 11 multifamily dwelling units (apartments). A comparison impact analysis of the two potential development scenarios indicates that if the application were approved and the subject application site developed with apartments it would generate approximately 24 PM peak hour trips, or 21 more PM peak hour trips than the two (2) single-family homes that could be developed under the current CDMP land use designation. See "Estimated PM Peak Hour Trip Generation" table below.

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

	Current CDMP Designation and Assumed Use/ Estimated No. Of Trips	Requested CDMP Designation and Assumed Use/ Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
Scenario 1	"Low Density Residential (2.5-6 DU/Ac)" 2 SF detached <sup>1</sup> /	"Medium Density Residential (13 to 25 DU/Ac)" 11 MF <sup>2</sup> /	
	3	24	+21

Source: Institute of Transportation Engineers, Trip Generation, 9th Edition, 2012; Miami-Dade County Department of Regulatory and Economic Resources, January 2015.

Notes: <sup>1</sup> Under the current CDMP land use designation the application site is assumed to be developed with 2 single-family detached residences.

<sup>2</sup> Under the requested CDMP land use designation the application site is assumed to be developed with 11 multi-family residential dwelling units (apartments).

#### Traffic Concurrency Evaluation (Concurrency)

An evaluation of peak-period traffic concurrency conditions as of January 2015, 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 *2015 Transportation Improvement Program* (TIP), and the PM peak hour trips estimated to be generated by the application under the requested CDMP LUP map designation, determined that all roadways—adjacent to and in the vicinity of the application site—that were analyzed have available capacity to handle the additional traffic impacts that would be generated by the application and are projected to operate at acceptable levels of service. See “Traffic Impact Analysis” table below.

Traffic Impact Analysis on Roadways Serving the Amendment Site  
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.
<b>Development Scenario for the "Business and Office" land use: 14,461 sq. ft. retail</b>													
9782	SW 127 Ave.	SW 88 St. to SW 104 St.	4 DV	D	3,390	1,369	A	0	1,369	A	2	1,371	A
9768	SW 122 Ave.	SW 104 St. to SW 128 St.	4 DV	D	4,030	1,178	C	3	1,181	C	2	1,183	C
2252	HEFT	SW 40 St. to SW 88 St.	8 LA	D	13,390	10,071	C	0	10,071	C	3	10,074	C
2246	HEFT	SW 88 St. to SR 874	8 LA	D	13,390	8,157	B	27	8,184	B	2	8,186	B
62	SW 88 St.	SW 127 Ave. to SW 117 Ave.	8 DV	E+20%	8,652	5,488	C	1	5,489	C	2	5,491	C
592	SW 88 St.	SW 117 Ave. to SW 107 Ave.	6 DV	E+20%	6,468	4,052	C	1	4,053	C	6	4,059	C
9720**	SW 104 St.	SW 137 Ave. to SW 127 Ave.	6 DV	E+20%	7,296	3,551	B	0	3,551	B	2	3,553	B
9718**	SW 104 St.	SW 127 Ave. to SW 117 Ave.	6 DV	E+20%	8,748	4,536	B	2	4,538	B	4	4,542	B
9746	SW 117 Ave.	SW 72 St. to SW 88 St.	4 DV	D	3,470	1,056	B	6	1,062	B	3	1,065	B

Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources and Florida Department of Transportation, January 2015.

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

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

\*\* Traffic counts are for these two stations are for the Year 2013. Traffic counts for all other stations are for the Year 2014.

Development Scenario under the requested CDMP land use designation assumes the application site developed with 14,461 sq. ft. of retail space.

Development Scenario under the requested CDMP land use designation assumes the application site developed with 20 multi-family dwelling units.

### Application Impact

The “Estimated PM Peak Hour Trip Generation” table above shows the estimated number of PM peak hour vehicle trips that would be generated by each of the potential development scenarios that could occur under the existing “Low Density Residential” and requested “Medium Density Residential” land use designations. The trip generation comparison analysis indicates that if the application were approved and the application site developed with 11 multifamily dwelling units (apartments), it would generate approximately 24 PM peak hour trips, or 21 more PM peak hour trips than the trips that would be generated by the two single family detached dwelling units that could be developed on the site under the current CDMP land use designation. Moreover, the traffic concurrency analysis indicates that the roadways in the vicinity of the application site that would be impacted by this application will have enough capacity to handle the additional traffic that would be generated by this application.

### **Transit**

#### Existing Service

The application site and surrounding areas are currently served by Metrobus Routes 88 and 288 (Kendall Cruiser). The service frequencies of these two routes are shown in the “Metrobus Route Service Summary” table below.

Metrobus Route Service Summary

Routes	Service Headways (in minutes)					Proximity to Bus Stop (miles)	Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (midday s)	Evenings (after 8 pm)	Saturday	Sunday			
88	20	30	30	30	30	0.45	0.05	L
288 (Kendall Cruiser)	12	n/a	n/a	n/a	n/a	0.83	0.45	F/E

Source: 2014 Transit Development Plan, Miami-Dade Transit (November 2014 Line Up), January 2015.

Notes: L means Metrobus Local route service

E means Express or Limited-Stop Metrobus service.

#### Future Conditions

Transit improvements to the existing Metrobus service, such as the replacement of an existing route with a new enhanced route and route alignment extensions/expansions are being planned for the next ten years as noted in the 2024 Recommended Service Plan within the 2014 Transit Development Plan. The table below identifies the programmed improvements for the existing routes serving the application area:

Metrobus Recommended Service Improvements and Service Plan

Route	Improvement Description	Implementation Year
88	No planned improvements	n/a
288 (Kendall Cruiser)	Convert to Kendall Enhanced Bus Service	2023
	Phase 2 service improvements will consist of new stations, queue jump and by-pass lanes, transit signal priority and real time “where is the bus?” information	2018

Source: 2014 Transit Development Plan, Miami-Dade Transit (November 2014 Line Up), January 2015.

### Major Transit Projects

Miami-Dade Transit (MDT) is developing premium transit services in the corridors approved by the *People's Transportation Plan* and other major corridors. These services—enhanced bus corridors and express bus services—will incrementally build local ridership first to justify major improvements later. Enhanced bus services include modern-looking, high-tech, buses running straighter, more direct routes, and more frequently with fewer stops. They will appear on various corridors including Kendall Drive (SW 88 Street).

MDT is pursuing incremental improvements along Kendall Drive (SW 88 Street) from West Kendall Transit Center at Kendall Town Center (SW 88 Street and SW 162 Avenue) to Dadeland North Metrorail Station. Phase I was completed in 2010 with the implementation of Route 288/Kendall Cruiser which features 12 minutes peak-hour headways using 60-foot diesel/electric hybrid buses, Wi-Fi, and real time “Where is the bus?” information. Phase II service headways will be 10 minutes during the AM/PM peak hour using nine (9) 60-foot alternative fuel buses. This phase consists of robust stations, queue jump and by-pass lanes, transit signal priority, and real time “Next Bus” arrival information via electronic signs at the stations.

### Application Impacts

A preliminary analysis was performed in the Traffic Analysis Zone (TAZ) 1221 where the application is located. If the application is approved, no transit impact is expected to be generated by this application.

### **Aviation**

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

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

The application would further the following goals, objectives, policies, concepts and guidelines of the CDMP, if approved with change recommended:

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- 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-4C. Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.
- LU-4D. Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements.
- 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.
- LU-10A: Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or undeveloped areas, high intensity activity centers, mass transit supportive development, and mixed used projects to promote energy conservation.
- 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.



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# APPENDICES

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# **APPENDIX A**

## **Amendment Application**

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

PLANNING & ZONING  
METROPOLITAN PLANNING SECT

1. APPLICANTS

Hamlet Tomas Mendez & Rosanna Mendez

2. APPLICANT'S REPRESENTATIVE

Jorge L. Navarro, Esq.  
Greenberg Traurig, LLP  
333 SE 2<sup>nd</sup> Ave, Suite 4400  
Miami, Florida 33131  
(305) 579-0821

By: \_\_\_\_\_

Jorge L. Navarro, Esq.

12-1-14

\_\_\_\_\_  
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. Change the Land Use Plan Map.

A change to the Land Use Element, Future Land Use Plan map is requested. The Applicant is requesting the redesignation of the subject property from "Low Density Residential" to "Medium Density Residential."

B. Description of Subject Area.

The subject property consists of approximately 0.44 +/- net acres (0.47 +/- gross acres) of land located in Section 01, Township 55, Range 39, in unincorporated Miami-Dade County (the "Property"). The subject property is located west of the Florida Turnpike, east of Southwest 120<sup>th</sup> Avenue, north of Southwest 92<sup>nd</sup> Street, and south of SW 88<sup>th</sup> Street (Kendall Drive), as depicted on the location map accompanying the legal description provided herein.



C. Acreage.

1. Subject application area: 0.44 +/- net acres (0.47 +/- gross acres)
2. Acreage owned by applicant: 0.44 +/- net acres (0.47 +/- gross acres)

D. Requested Changes.

1. It is requested that the subject property be re-designated on the Future Land Use Plan map from "Low Density Residential" (2.5 to 6 dwelling units per acre) to "Medium Density Residential" (13 to 25 dwelling units per acre).
2. It is the requested that this Application be processed as an expedited small scale amendment.

4. REASONS FOR AMENDMENT

The requested amendment seeks to redesignate the Future Land Use Map designation for the subject property from "Low Density Residential" to "Medium Density Residential." The proposed amendment will allow for the development of a townhome project on the subject property, which currently consists of vacant and unimproved land. For the reasons below, we believe the proposed amendment is compatible with the proximate land uses, is consistent with the policies and goals of the Comprehensive Plan, and is creating a proper transition between the abutting commercial and low density residential uses. As part of the Application, the applicant will be proffering a covenant which will provide for certain development parameters that will govern the future development of the townhome project on the subject property.

The subject property is located near two major roadways, SW 88<sup>th</sup> Street (Kendall Drive) and the Florida Turnpike. The Property abuts a commercial shopping center to the north which is currently designated "Business and Office" under the Future Land Use Map. The area directly west of the subject property is currently developed with multi-family residential uses at a density of approximately 23 units per acre and is currently designated "Medium Density Residential" under the Future Land Use Map. To the south of the subject property are 3 single family homes and directly to the East is the Florida Turnpike Expressway. Based on the surrounding development and the existing land uses in the area, we believe the subject property is appropriately located for development at a higher density. Specifically, the proposed redesignation of the subject property to "Medium Density Residential" would be consistent and compatible with the existing "Business and Office" uses to the north and the "Medium Density Residential" land uses to the west.

The proposed townhome project will contribute to creating a variety of housing types within the abutting residential community. Additionally, the proposed redevelopment of the subject property with townhomes under the "Medium Density Residential" land use designation will create an appropriate transition and buffer between the commercial shopping center to the north and the existing single family homes to the south. This Application will thereby further the

policies and goals of the Comprehensive Plan which encourages the creation of transition areas between areas of commercial uses and lower density residential uses. The site is also ideally situated for development at higher densities because of its proximity to major infrastructure and its accessibility to nearby employment, commercial, retail and cultural centers.

Based on the foregoing, we believe the proposed change in the Property's land use designation to "Medium Density Residential" would result in an appropriate transition area from the abutting commercial uses and would be compatible with the character of the existing residential community. Additionally, approval of the requested amendment would further the implementation of the following CDMP goals, objectives and policies:

LAND USE OBJECTIVE 1: The Location and configuration of Miami- Dade County's urban growth through the year 2015 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

LAND USE POLICY 1C: Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

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

LAND USE POLICY 1F: To promote housing diversity and to avoid creation of monotonous developments, Miami- Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami- Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.

LAND USE POLICY 8A: Miami- Dade County shall strive to accommodate residential development in suitable location and densities which reflect such factors as recent trends in location and design of residential units; 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.

LAND USE POLICY 9I: Miami-Dade County shall continue to update and enhance its land development regulations and area planning program to facilitate development of

better planned neighborhoods and communities, and well-designed buildings, and shall encourage and assist municipalities to do the same.

5. ADDITIONAL MATERIAL SUBMITTED

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

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "B"

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

**Exhibit "A"**

**Legal Description of Property**

A portion of Tract 2, "Second Amended Plat of Miami Villas, according to the plat thereof, as recorded in Plat Book 34, Page 27, of the Public Records of Miami-Dade County, Florida.

Beginning 555 feet South of the intersection of the Northwest corner of Tract 2 and the South Line of SW 89<sup>th</sup> Street, thence continue South for 66.17 feet to a point; thence continue East 281.70 feet to a point; thence continue North 8 degrees West for a distance of 70.31 feet to a point; thence continue West for a distance 274.03 feet to the point of beginning, all Section 1, Township 55 South, range 39 East.

Folio No. 30-5901-007-0171

# EXHIBIT "B"

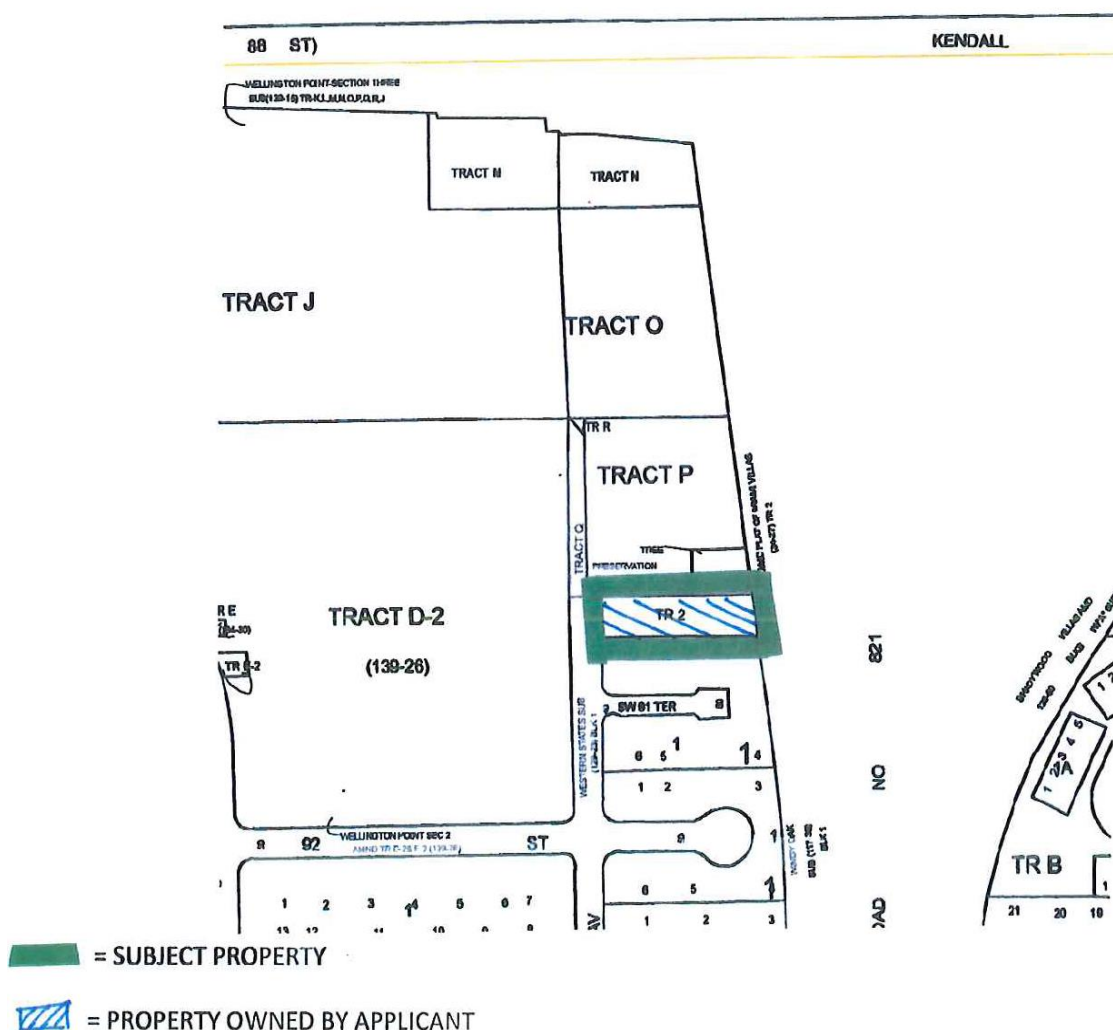
## LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

### APPLICANT / REPRESENTATIVE:

Jorge L. Navarro, Esq.

### DESCRIPTION OF SUBJECT AREA:

The subject property consists of approximately 0.44 +/- net acres (0.47 +/- gross acres) of land located in Section 01, Township 55, Range 39, in unincorporated Miami-Dade County. The Application Site is generally located south of SW 88<sup>th</sup> Street, west of the Florida Turnpike, east of SW 120<sup>th</sup> Avenue, and north of SW 92<sup>nd</sup> Street. The Applicant owns the entire Application Site as illustrated below.



MIA 184209566v1

## EXHIBIT "C"

### 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: Hamlet Tomas Mendez & Rosanna Mendez, 3228 SW 62 Court, Miami, Florida 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 application area in which the applicant has an interest. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE
A	Hamlet Tomas Mendez & Rosanna Mendez	30-5901-007-0171	0.5 acre



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

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER Explanation)	(Attach
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>
Hamlet Tomas Mendez & Rosanna Mendez	100%

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

CORPORATION NAME: N/A

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

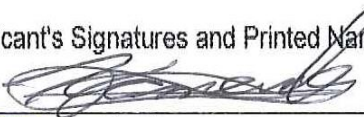
- c. If the applicant is a TRUSTEE, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be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


TRUSTEES  
NAME: N/A

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

IV: 701 # M532-338-51-087-0

  
Hamlet Tomas Mendez

  
Rosanna Mendez

IV: 701 # M632-720-58-528-0

Sworn to and subscribed before me

this 1<sup>st</sup> day of Dec, 2014

  
Notary Public, State of Florida at Large(SEAL)



CARL QUEENER  
MY COMMISSION # FF 022371  
EXPIRES: September 28, 2017  
Bonded Thru Budget Notary Services

**My Commission Expires:**

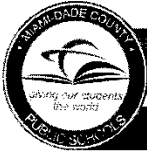
Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests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

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# **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  
Perla Tabares Hantman, Chair  
Dr. Lawrence S. Feldman, Vice Chair  
Dr. Dorothy Bendross-Mindingall  
Susie V. Castillo  
Dr. Wilbert "Tee" Holloway  
Dr. Martin Karp  
Lubby Navarro  
Dr. Marta Pérez  
Raquel A. Regalado

February 25, 2015

**VIA ELECTRONIC MAIL**

Mr. Jorge L. Navarro, Esquire  
Greenberg Traurig, LLP  
333 SE 2 Avenue, Suite 4400  
Miami, FL 33131  
[navarro.jo@gtlaw.com](mailto:navarro.jo@gtlaw.com)

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS  
APPLICATION #3 NOVEMBER 2014 CYCLE  
HAMLET TOMAS MENDEZ & ROSANNA MENDEZ C/O JORGE L. NAVARRO  
LOCATED AT SW 120 AVENUE AND SW 90 TERRACE  
PH3015011500012 – FOLIO No. 3059010070171**

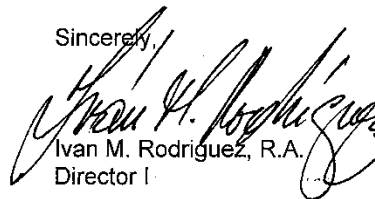
Dear Applicant:

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 11 multifamily units, will not generate any students at any of the school levels. Therefore this application does not impact any of the public schools serving the area. 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 305-995-4501.

Sincerely,

  
Ivan M. Rodriguez, R.A.  
Director I

IMR:ir  
L-395  
Enclosure

cc: Ms. Ana Rijo-Conde, AICP  
Mr. Michael A. Levine  
Ms. Vivian G. Villaamil  
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](mailto:arijo@dadeschools.net)





## Concurrency Management System (CMS)

Miami Dade County Public Schools

### Miami-Dade County Public Schools

#### Concurrency Management System

#### Preliminary Concurrency Analysis

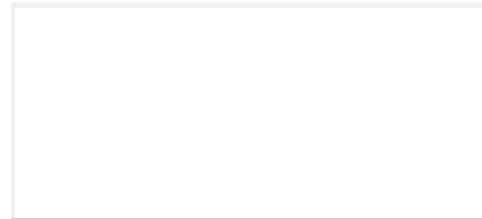
MDCPS Application Number: PH3015011500012 Local Government (LG): Miami-Dade  
Date Application Received: 1/15/2015 4:07:26 PM LG Application Number: Application 3 Nov 2014  
Type of Application: Public Hearing Sub Type: Cycle  
Applicant's Name: Hamlet Tomas Mendez & Rosanna Mendez c/o Jorge L.  
Address/Location: 333 SE 2 Avenue, Suite 4400, Miami, FL 33131  
Master Folio Number: 3059010070171  
Additional Folio Number(s):

PROPOSED # OF UNITS 11

SINGLE-FAMILY DETACHED UNITS: 0

SINGLE-FAMILY ATTACHED UNITS: 0

MULTIFAMILY UNITS: 11



#### CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
2891	WILLIAM H. LEHMAN ELEMENTARY	237	0	0	YES	Current CSA
6021	ARVIDA MIDDLE	-143	0	0	YES	Current CSA
7361	MIAMI KILLIAN SENIOR	854	0	0	YES	Current CSA

#### ADJACENT SERVICE AREA SCHOOLS

\*An Impact reduction of 22.36% included for charter and magnet schools (Schools of Choice).

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

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

# **APPENDIX C**

## **Applicant's Traffic Impact Report**

Not Required for Small-scale Amendments

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# **APPENDIX D**

## **Fiscal Impact Analysis**

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## **Fiscal Impacts On Infrastructure and Services**

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. 3 of the November 2014 Cycle Applications to amend the CDMP from County departments and agencies responsible for supplying and maintaining infrastructure and services relevant to the CDMP. The evaluation estimates the incremental and cumulative costs of the required infrastructure and service, and the extent to which the costs will be borne by the property owner(s) or will require general taxpayer support and includes an estimate of that support.

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

### **Solid Waste Services**

#### Level of Service Standard

The adopted level of service standard (LOS) for the County Public Works and Waste Management System (PWWM) 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 years. As of FY 2014-15, the PWWM 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.

#### Fiscal Impact for Provision of Solid Waste Services - Concurrency

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

#### Fiscal Impact – 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 and code enforcement.

#### Fiscal Impact – Waste Disposal Capacity and Service

The cost of providing disposal capacity for WCSA customers, municipalities and private haulers is paid for by System users. In FY 2014-15, the PWWM charges a contract disposal rate of \$66.34 per ton to PWWM Collections and those private haulers and municipalities with long-term disposal agreements. The short-term disposal rate is \$87.47 per ton in FY 2014-15.

These rates adjust annually with the Consumer Price Index, South Region. In addition, the PWWM 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 \$1.3252 per 1,000 gallons for water and \$1.6987 per 1,000 gallons for sewer.

The applicant requests a change to the CDMP Land Use Plan map to redesignate the subject ±0.47-gross acre site from "Low Density Residential" to "Medium Density Residential," which would allow a maximum of 11 multifamily units. If the application site is developed with the 11 multifamily units, the water connection charges/impact fees are estimated at \$2,294. Sewer connection charges/impact fees would be \$9,240. Total annual operating and maintenance costs would total \$1,821. The estimated cost of installing the required 42 linear feet of 8-inch water main for maximum development to connect to the County's regional water system is estimated at \$6,510. The estimated cost to install the required 192 linear feet of 8-inch sanitary gravity sewer main to connect to the regional sewer system is \$29,760. The total potential cost for connecting to the regional water and sewer system including engineering fees (10%) and contingency fees (15%) is estimated at \$45,882.

### **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**

As noted in the Preliminary Concurrency Analysis (see Appendix B: Miami-Dade Public Schools Analysis), the proposed development would yield a maximum residential density of eleven multifamily units. The eleven multifamily units do not generate any students at any of the school levels, this reflects an impact reduction of 22.36% for charter and magnet schools (schools of choice). Therefore, Miami-Dade County Public Schools would not be impacted by the application as proposed.

### **Fire Rescue**

The Miami-Dade County Fire and Rescue Department indicates that fire and rescue service in the vicinity of the application site is adequate.



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# **APPENDIX E**

## **Photos of Site and Surroundings**

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Application site



Multi-family residential units  
adjacent to the northwest of the application site



Daycare facility adjacent to the north  
of the application site



Residential properties along SW 120 Avenue  
adjacent to the south of the application site