

Application No. 1

Commission District 4 Community Council 7

APPLICATION SUMMARY

Applicant/Representative:	Paloma Property LLC/Stanley B. Price, Esq., Brian S. Adler, Esq., and Wendy Francois, Esq.
Location:	Southeast corner of the intersection of NE 110 Street and East Dixie Highway (east of Biscayne Boulevard)
Total Acreage:	±1.33 Acres
Current Land Use Plan Map Designation:	"Low-Medium Density Residential (6 to 13 dwelling units per gross acre)" and "Business and Office"
Requested Land Use Plan Map Designation and other changes:	<ol style="list-style-type: none">1. "Business and Office"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:	RU-2 and BU-1A/one vacant lot; one single-family residence and one duplex residence

RECOMMENDATIONS

Staff:	ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (AS A SMALL-SCALE AMENDMENT) (September 2016)
Biscayne Shores Community Council (7):	PURSUANT TO MIAMI-DADE COUNTY CODE SECTION 2-116(3)(F), COMMUNITY COUNCIL EXERCISED ITS OPTION NOT TO HOLD A PUBLIC HEARING
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	TO BE DETERMINED (September 19, 2016)
Final Action of Board of County Commissioners:	TO BE DETERMINED (October 2016)

Staff recommends **ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map to redesignate the ±1.33-acre application site from “Low-Medium Density Residential (6 to 13 dwelling units per gross acre)” and “Business and Office” to the “Business and Office” land use category for the following reasons:

Principal Reasons for Recommendation:

1. The application seeks to expand the “Business and Office” designation onto the entirety of the application site to facilitate the site’s redevelopment with commercial uses, consistent with the CDMP Goals, Objectives and Policies. CDMP Land Use Element Objective LU-1 and Policies LU-1C and LU-10A require the County to give priority to infill development and redevelopment of underdeveloped environmentally suitable urban areas where urban services and facilities have the capacity to accommodate additional demand. The application site is located in the County’s Urban Infill Area (UIA), where infill and redevelopment are prioritized, has been vacant for over a year and presents an opportunity for infill/redevelopment as outlined below. Furthermore, as discussed in Principal Reason No. 2 below, existing public facilities have adequate capacities to accommodate the maximum potential development on the site if the application were approved.

The ±1.33-acre application site comprises three contiguous parcels, one single family residence (6,250 square foot lot), a duplex residence (6,200 square foot lot), and a vacant parcel (±1.03 acres) located along the Biscayne Boulevard commercial corridor that is hereby referred to as the Commercial Parcel. The Commercial Parcel was developed with the former La Paloma restaurant that was established in the 1970s and operated for over 25 years, but was recently demolished. The western approximate two-thirds of the Commercial Parcel (±0.67 acre) is designated “Business and Office” and zoned BU-1A (Limited Business) while the remainder of the parcel and the residential parcels are designated “Low-Medium Density Residential” (6 to 13 dwelling units per gross acre) and zoned RU-2 (Two Family Residential). The requested redesignation of the application site to “Business and Office” would be in keeping with the long-standing commercial use of the Commercial Parcel and would allow the entire property, including the two residential parcels, to be rezoned for and redeveloped with 23,625 square feet of commercial uses.

Additionally, the Applicant has proffered a Declaration of Restrictions (covenant) that would limit buildings on the property within 35 feet of the east property line to a maximum height of 45 feet and requires a landscape buffer along the east property. As proffered in the covenant, these provisions would remain in effect so as long as the application site is not within an adopted County urban center district and the properties to the east contain single-family or duplex residential uses.

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 Population or Economic Growth.* The requested redesignation to “Business and Office” would facilitate the application site’s redevelopment for commercial uses, which would not have a significant impact on the supply of residential or commercial land but could support economic growth, generate employment and thus benefit the analysis area (Minor Statistical Area 4.1). The Supply and Demand Analysis on page 1-12 indicates that the analysis area contains 342 acres of land in commercial uses and an additional 40 acres of vacant land zoned or designated for commercial uses, including the ±0.67-acre Business and Office designated portion of the Commercial Parcel. Vacant commercial land within the analysis area is being utilized at a rate of one (1) acre per year and is thereby projected to be depleted beyond year 2030. The approval of the application would add ±0.66 acres, approximately an 8-month supply, to the commercial land supply within the analysis area.
- ii. *Public Facilities and Services.* Approval of the application would not cause a violation in the adopted level of service standards for public facilities and services, in accordance with the CDMP Capital Improvements Element Objective CIE-3.

However, it is noted that the application site is located within the sewer service area of the City of North Miami and thereby development on the site would be required to connect to the City’s sewer network, which then transmits wastewater flows to the County’s North District Wastewater Treatment Plant for treatment and disposal. The City’s sewer network includes a sewer pump station (06-I) that is operating under Conditional Moratorium status. The City has a planned project to install a new 12-inch sanitary sewer force main along Biscayne Boulevard that would address this issue. At time of permitting, DERM will evaluate whether the proposed development can obtain sanitary sewer capacity certification based on the moratorium status and completion of the planned project (see “Sewer System Connectivity” on page 1-18).

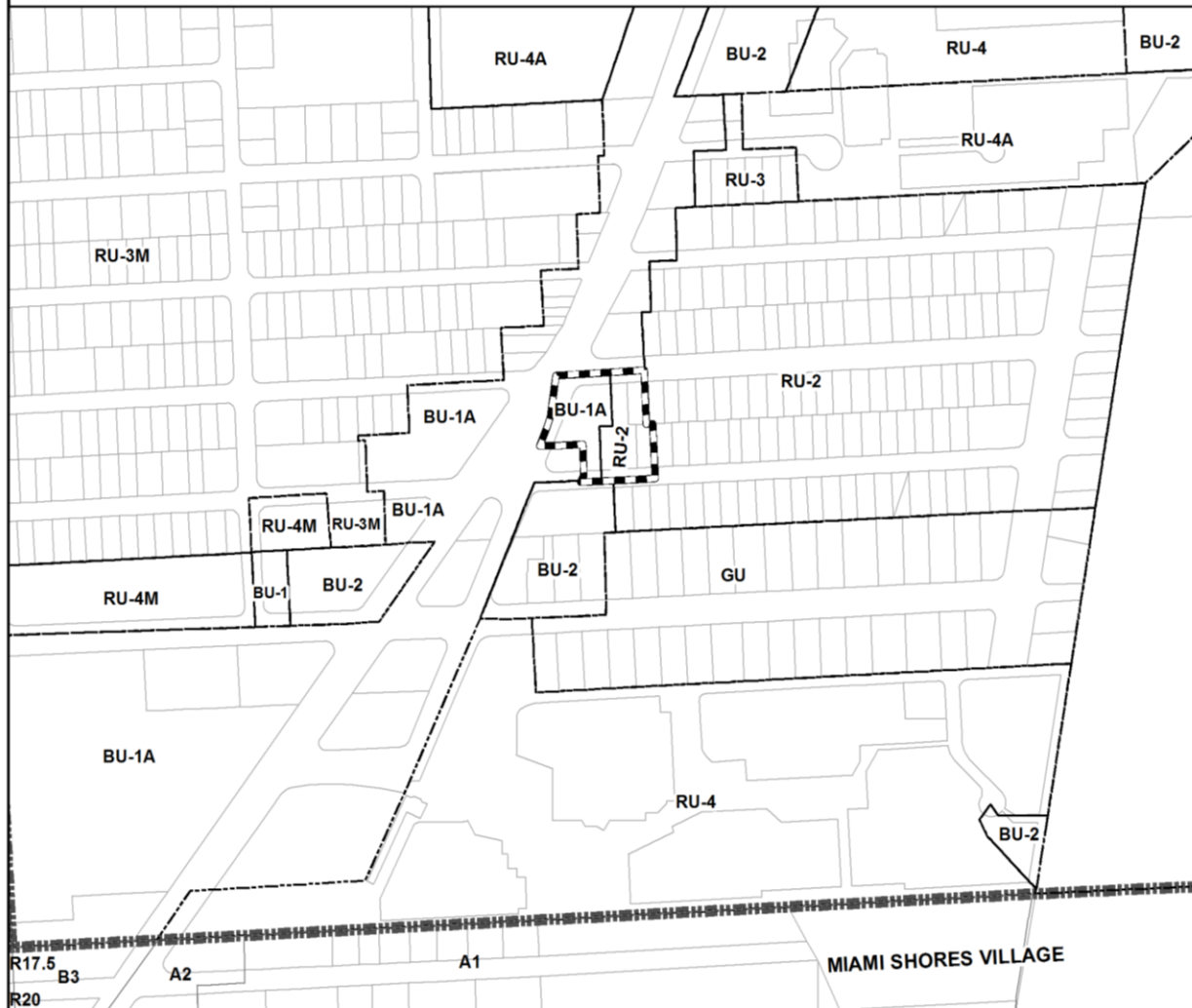
- iii. *Compatibility:* The requested “Business and Office” land use designation and maximum allowable development on the property would be compatible with the existing adjacent business uses along Biscayne Boulevard and generally compatible with the abutting residences to the east. Furthermore, the Applicant has proffered a Declaration of Restrictions limiting buildings within 35 feet of the east property line to a maximum height of 45 feet and providing for a landscape buffer along the east property line toward assuring compatibility of the potential uses on the property with the abutting single-family residences.
- iv. *Environmental and Historic Resources.* The application, if approved, would not impact any historic resources, but could impact environmental resources. The application site contains specimen-sized trees (trunk diameter 18 inches or greater) that are to be preserved pursuant to Section 24-49.2(II) of the Code of Miami-Dade County.
- v. *Transit Ridership and Pedestrianism.* The application, if approved, could support transit ridership and pedestrianism. The application site is well served by Metrobus Routes 3 and 93 (Biscayne Max—weekday limited stop service). Route 3 provides service at 20-minute headways during AM/PM peak and midday off-peak periods, 30-minute headways in the evenings after 8 PM, and 15 and 20-minute headways on Saturdays and Sundays respectively. Route 93 provides weekday service at 15-minute headways

during the AM/PM peak periods and 30-minutes headways during the off-peak period. The closest bus stop is located approximately 300 feet north of the application site along Biscayne Boulevard. The application site and its surroundings are well accessible by sidewalks.

APPLICATION NO. 1 AERIAL PHOTO



APPLICATION 1 ZONING MAP



APPLICATION AREA



MUNICIPAL BOUNDARY

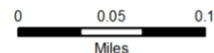
MIAMI-DADE ZONING DISTRICTS

BU-1	BUSINESS DISTRICTS, NEIGHBORHOOD
BU-1A	BUSINESS DISTRICTS, LIMITED
BU-2	BUSINESS DISTRICTS, SPECIAL
GU	INTERIM DISTRICT
RU-2	TWO-FAMILY RESIDENTIAL
RU-3	FOUR-UNIT APARTMENT
RU-3M	MINIMUM APARTMENT HOUSE
RU-4	HIGH DENSITY APARTMENT HOUSE
RU-4A	HOTEL/MOTEL
RU-4M	MODIFIED APARTMENT HOUSE

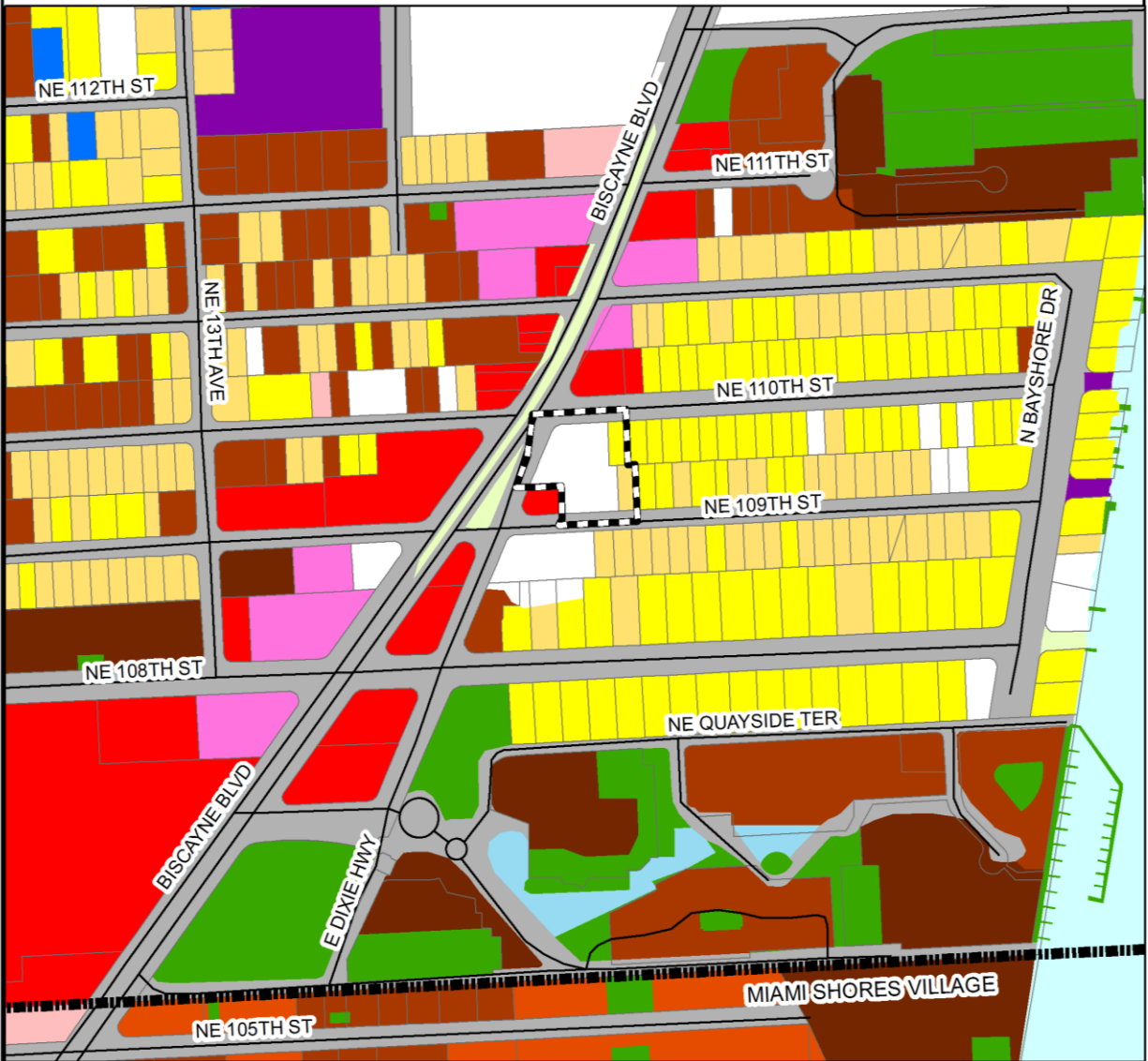
MIAMI SHORES VILLAGE ZONING DISTRICTS

A1	MULTI-FAMILY RESIDENTIAL
A2	MULTI-FAMILY AND HOTEL
B3	BUSINESS
R17.5	ONE FAMILY 17500 CF
R20	ONE FAMILY 20000 CF

Source: Department of Regulatory and Economic Resources
July 2016



APPLICATION NO. 1 EXISTING LAND USE



APPLICATION AREA



MUNICIPAL BOUNDARY

EXISTING LAND USE

SINGLE-FAMILY

TWO-FAMILY DUPLEXES

TOWNHOUSES

LOW-DENSITY MULTI-FAMILY

HIGH-DENSITY MULTI-FAMILY

TRANSIENT-RESIDENTIAL

COMMERCIAL, SHOPPING CENTERS

OFFICE

INSTITUTIONAL

COMMUNICATIONS, UTILITIES, TERMINALS

STREETS, ROADS, EXPRESSWAYS, RAMPS

STREETS, EXPRESSWAY

PARKS, PRESERVES, CONSERVATION AREAS

VACANT PRIVATELY OWNED, UNPROTECTED

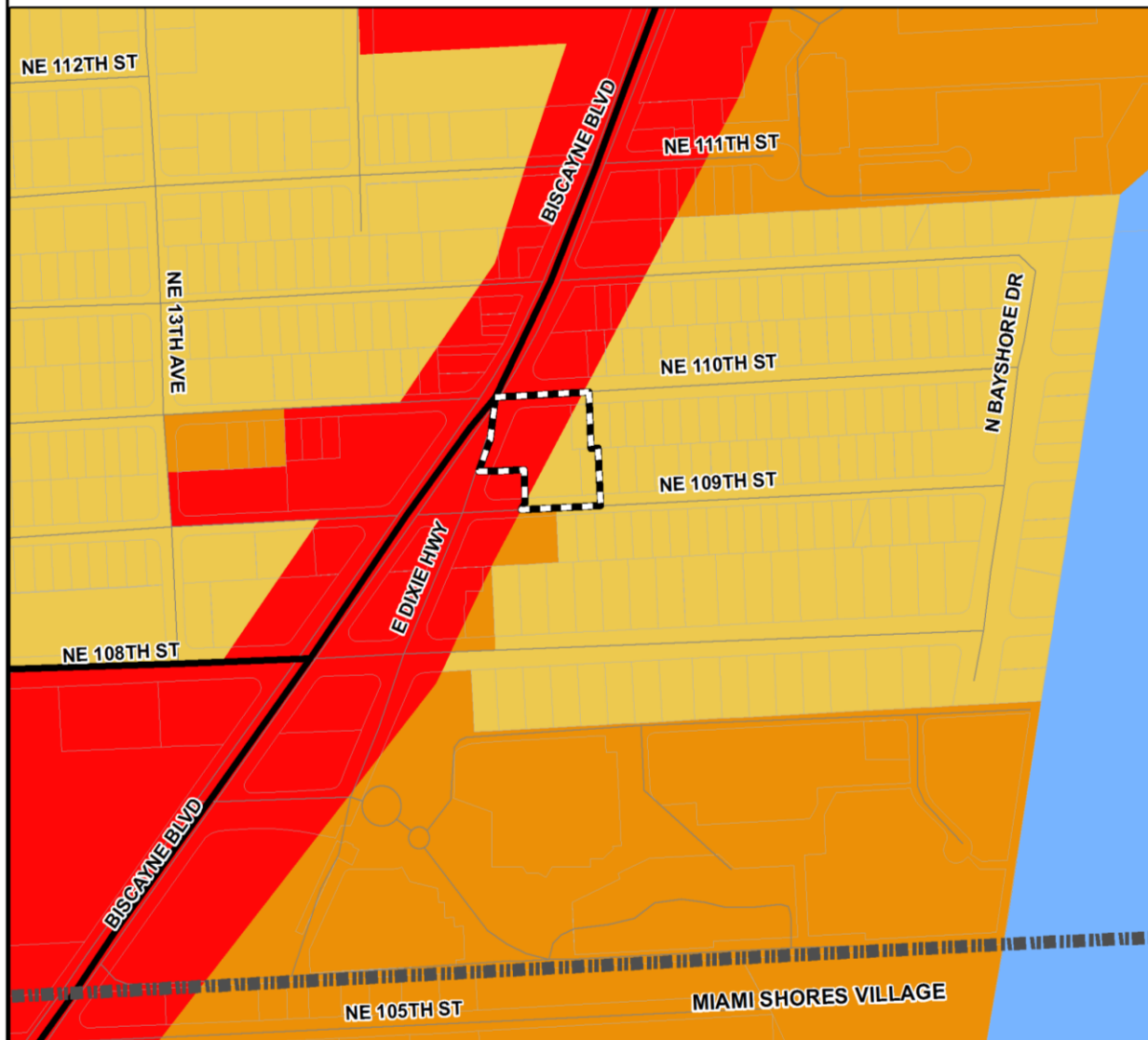
Source: Department of Regulatory and Economic Resources
July 2016

0 0.05 0.1
Miles



APPLICATION NO. 1

CDMP LAND USE



APPLICATION AREA



MUNICIPAL BOUNDARY

CDMP LAND USE



LOW-MEDIUM DENSITY (6-13 DU/AC)



MEDIUM DENSITY (13-25 DU/AC)



BUSINESS AND OFFICE

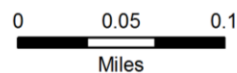


WATER

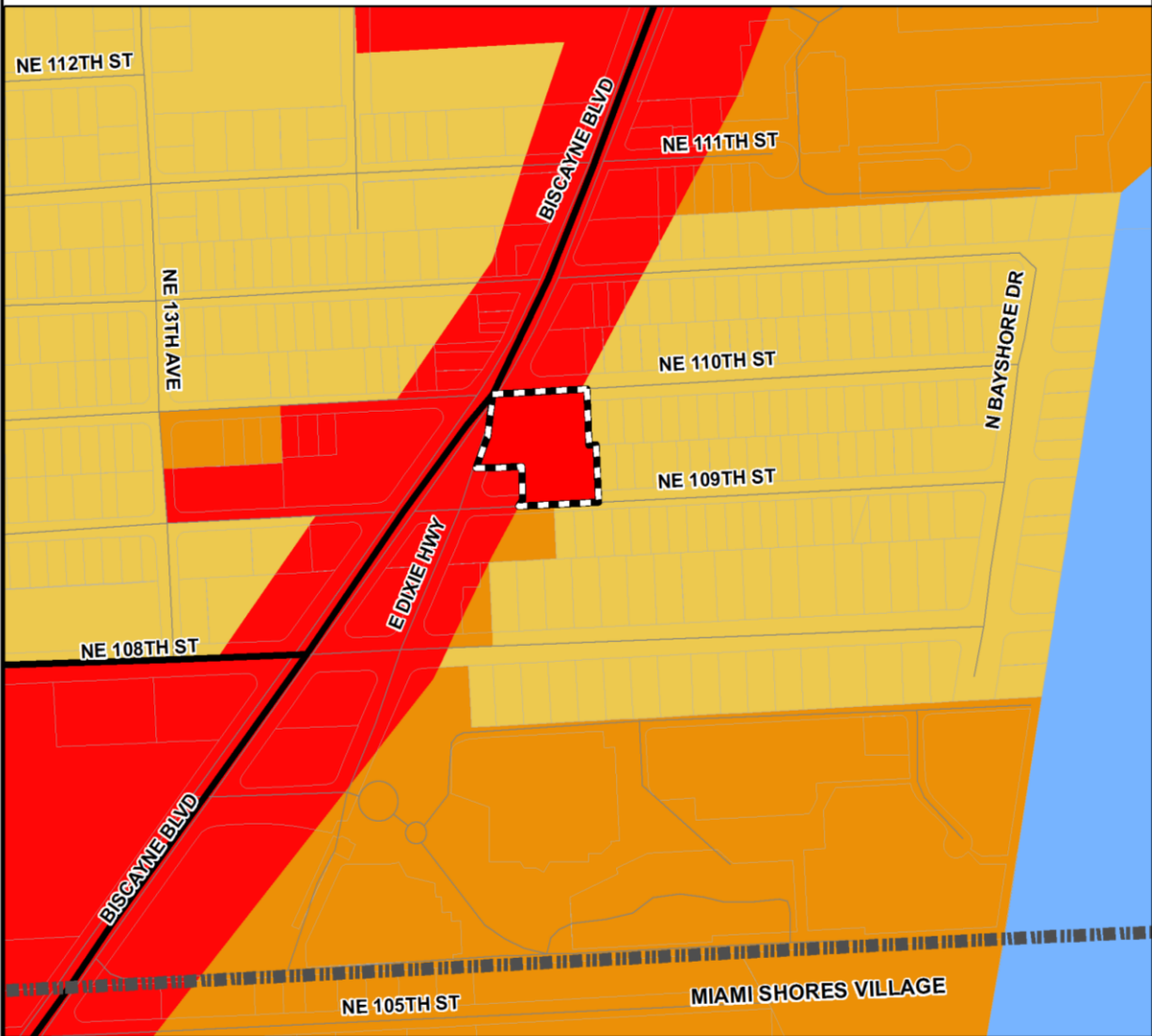


MAJOR ROADWAYS (3 OR MORE LANES)

Source: Department of Regulatory and Economic Resources
July 2016



APPLICATION NO. 1 PROPOSED CDMP LAND USE



APPLICATION AREA



MUNICIPAL BOUNDARY

CDMP LAND USE



LOW-MEDIUM DENSITY (6-13 DU/AC)



MEDIUM DENSITY (13-25 DU/AC)



BUSINESS AND OFFICE

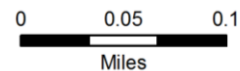


WATER



MAJOR ROADWAYS (3 OR MORE LANES)

Source: Department of Regulatory and Economic Resources
July 2016



STAFF ANALYSIS

Application Site

Location

The application site is a ± 1.33 -acre property comprised of three contiguous parcels located on the east side of East Dixie Highway (east of Biscayne Boulevard) between and abutting NE 109 Street and NE 110 Street. Of the three parcels, the largest is ± 1.03 acres located on the east side of East Dixie Highway (east of Biscayne Boulevard) between and abutting NE 109 Street and NE 110 Street--this parcel is within the commercial corridor along Biscayne Boulevard and is herein referred to as the Commercial Parcel. The remaining two parcels abut the east boundary of the Commercial Parcel and include a 6,200 square feet and a 6,250 square feet residential lot that front NE 109 Street and NE 110 Street, respectively, herein referred to as the Residential Parcels. The Residential Parcels are within the Bay Ridge residential neighborhood east of the Biscayne Boulevard commercial corridor (see "Aerial Photo" on page 1-5). The application site is within the County's Urban Infill Area, where infill and redevelopment is promoted and prioritized.

Existing Land Use

The Commercial Parcel within the application site is currently vacant, but was previously developed with a restaurant (the La Paloma Restaurant) that was recently demolished, and the Residential Parcels are developed with residences--a single-family residence on the parcel fronting NE 110 Street and a duplex on the parcel fronting NE 109 Street.

Land Use Plan Map Designation/Request

The CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map designates the Residential Parcels and the eastern ± 0.36 -acre portion of the Commercial Parcel as "Low-Medium Density Residential" (6 to 13 dwelling units per gross acre) and the remaining ± 0.67 -acre portion of the Commercial Parcel as "Business and Office" (see "CDMP Land Use" map on page 1-8). The "Low-Medium Density Residential" land use category allows densities from 6 to 13 dwelling units per gross acre and housing structures typically permitted in this category includes single-family homes, townhouses, and low-rise apartments. The "Business and Office" 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 and cultural facilities, and residences. Under the current land use designations the application site could be developed with a maximum of 11,674 square feet retail uses and 8 (eight) single-family residential units or with 16 multifamily residential units and 8 (eight) single-family residential units.

The applicant requests a redesignation of the application site on the LUP map to "Business and Office" (see "Proposed CDMP Land Use" map on page 1-9). Under the requested "Business and Office" land use designation, the application site could be developed with 23,625 sq. ft. retail uses or a maximum of 33 multifamily units if residential uses are contemplated.

Proffered Declaration of Restrictions

The applicant has proffered a Declaration of Restrictions (covenant) stipulating that as long as the application site is not within an adopted County Urban Center district and the property to the east contains single-family or duplex residential uses, a 45-foot building height limitation within 35 feet of the east property line and a landscape buffer along the east property line will be required. (See "Proffered Declaration of Restrictions" on Appendix page 29.)

Zoning

The western ±0.61-acre portion Commercial Parcel is zoned BU-1A (Limited Business) and the eastern ±0.42-acre portion is zoned RU-2 (Two Family Residential), see the “Zoning Map” on page 1-6. The BU-1A limited business zoning district provides for retail and service convenience facilities which satisfy the essential and frequent needs of the adjacent residential neighborhood as well as the more specialized commercial facilities which may serve several neighborhoods. The RU-2 zoning district allows two family attached residences on 7,500 net square-foot lots. The Residential Parcels are also zoned RU-2.

Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938. Based on Miami-Dade County zoning records, the Residential Parcels were originally zoned RU-2 (two-family residential, 7,500 sq. ft.) and remain to date. The Commercial Parcel, currently zoned BU-1A and RU-2, was originally zoned BU-2 and RU-2. The Miami-Dade County Zoning Appeals Board in November 1969 approved, through Resolution No. 4-ZAB-596-69, an unusual use to permit non-commercial parking in a residential zone and certain variances from the zoning regulations to permit a restaurant and a liquor, beer and wine bar on the Commercial Parcel. The Board of County Commissioners (BCC) on November 10, 1969 adopted Resolution Nos. Z-352-69 and Z-353-69 that approved the expansion of the BU-2 zoning on the Commercial Parcel and approved unusual uses and variances relating to parking on the parcel including within the RU-2 portion of the property. The BCC on March 30, 1976 approved the County Staff recommendation following a planning study for a zoning district change from BU-2 to BU-1A on the Commercial Parcel.

Adjacent Land Use and Zoning

Existing Land Uses

The adjacent property immediately north of the application site beyond NE 110 Street is an unoccupied commercial property (formerly the Pottery Village business). Further north along Biscayne Boulevard are commercial properties. To the northeast, east, and southeast are single-family residences and duplexes within the Biscayne Shores residential subdivision. South of the application site across NE 109 Street is a vacant parcel, and further southwest is a vacant parcel between East Dixie Highway and Biscayne Boulevard. Immediately adjacent on the west side of the application site at the intersection of NE 109 Street and East Dixie Highway is the Smoke Shop establishment, and further west lies East Dixie Highway and Biscayne Boulevard, with commercial uses developed west of Biscayne Boulevard (see “Photos of Site and Surrounding” on Appendices page 1-43).

Land Use Plan Map Designations

Properties north of the application site and along Biscayne Boulevard are designated “Business and Office” on the LUP map. Properties to the northeast, east, and the southeast are designated “Low Medium Density Residential (6-13 DU/Ac).” Properties south of the application site are designated “Medium Density Residential”, “Business and Office”, and “Low Medium Density Residential” and the properties west of the application site across Biscayne Boulevard are designated “Business and Office.” (See “CDMP Land Use” map on page 1-8).

Zoning

Properties north of the application site and along Biscayne Boulevard are designated BU-1A (limited business), and the properties to the northeast, east, and the southeast are designated RU-2 (two-family residential, 7,500 sq. ft.). Properties south of the application site across NE 109 Street are designated RU-2 and BU-2, the vacant parcel between East Dixie Highway and

Biscayne Boulevard zoned BU-1A, and the properties west of the application site across Biscayne Boulevard are also designated BU-1A. (See “Zoning Map” on page 1-6).

Supply and Demand Analysis

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

Residential land

The combined vacant land for single-family and multi-family residential development in the Analysis Area (Minor Statistical Area 4.1) in 2016 was estimated to have a capacity for about 4,670 dwelling units, with about 89 percent of these units intended as multi-family. The annual average residential demand in this Analysis Area is projected to increase from 209 units per year in the 2015-2020 period to 239 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 2020 and for multi-family beyond 2030 (see “Residential Land Supply/Demand Analysis” table below). The supply of residential land for both single-family and multi-family units is projected to be depleted beyond the year 2030. The proposed application, if approved, is projected to potentially diminish single-family capacity by 8 units or increase multi-family by 17 units. This will not have a significant impact on the capacity of the area.

Residential Land Supply/Demand Analysis
2015 to 2030: (MSA 4.1)

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 2016	503	4,167	4,670
DEMAND 2015-2020	144	104	209
CAPACITY IN 2020	503	3,751	3,834
DEMAND 2020-2025	105	104	209
CAPACITY IN 2025	83	3,231	2,789
DEMAND 2025-2030	120	119	239
CAPACITY IN 2030	0	2,636	1,594
DEPLETION YEAR	2020	2030+	2030+

Source: Miami-Dade County, Regulatory and Economic Resources Department, Planning Division, Research Section, July 2016.

Commercial Land

The Analysis Area (MSA 4.1) contained 342.30 acres of in-use commercial uses in 2016 and an additional 40.40 acres of vacant land zoned or designated for business uses. The annual average absorption rate for the 2015-2030 period is 1.0 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” table below). In addition to the 40.40 acres of commercial vacant land, an additional 37.1 acres of vacant land zoned for mixed-use is also available. If these additional acres were to be used for commercial uses, it will add additional years to the projected depletion date.

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

Analysis Area	Vacant Commercial Land 2016 (Acres)	Commercial Acres in Use 2016	Annual Absorption Rate 2015-2030 (Acres)	Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
					2020	2030
MSA 4.1	40.40	342.30	1.00	2030+	4.2	3.9

Source: Miami-Dade County, Regulatory and Economic Resources Department, Planning Division, Research Section, July 2016.

Analysis of the Trade Area

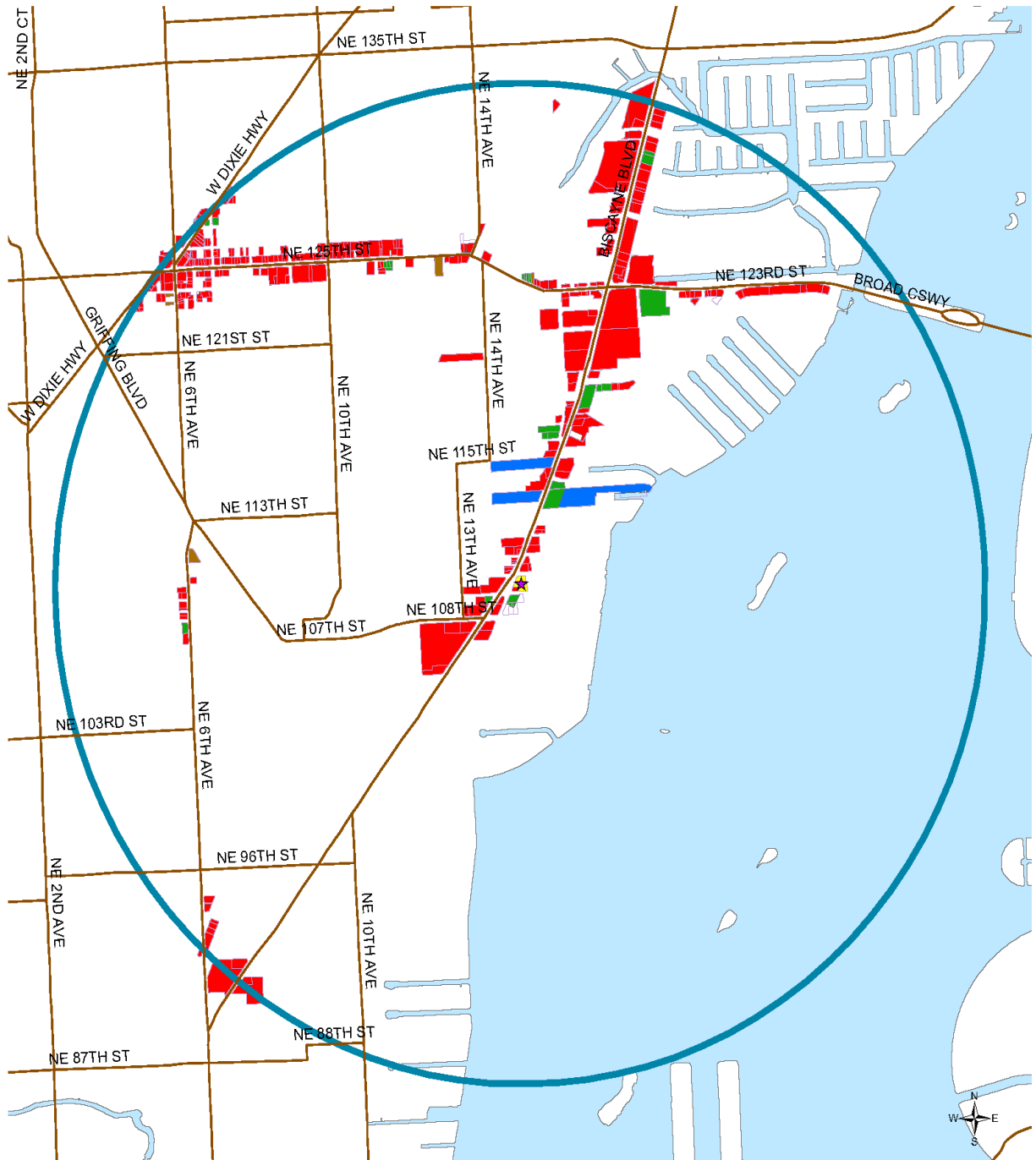
Analysis of the Trade Area, a 1.5 mile radius around the application site, shows that there are 178.16 acres in existing commercial uses and 15.87 acres of vacant commercially zoned or designated land (see "Trade Area Analysis" table below). The majority of the vacant parcels are located to the north along Biscayne Boulevard (See "Trade Area Map" on page 1-13). There is also an additional 14.25 acres that are zoned for mixed uses and could potentially be applied to commercial uses.

Trade Area Analysis			
Application	Trade Area Radius	Vacant Commercial Land (Acres)	Commercial Acres in Use 2016
1	1.5	15.87*	178.16

*This does not include 14.25 acres zoned for mixed-use, that could be utilized for commercial uses.

Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Research and Economic Analysis Section, July 2016.

TRADE AREA MAP: APPLICATION NO. 1



0 0.25 0.5 1 Miles

Miami-Dade County
Department of Regulatory and Economic Resources
Planning Research & Economic Analysis
July 2016



Application No. 1



1.5-mile Radius Buffer



Commercial Land Use



Mixed-Use Commercial Land Use



Vacant Commercial Land Use



Vacant Mixed-Use Commercial
Residential Land Use

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	AE
Stormwater Management Permit	DERM Surface Water Management Standard Permit
County Flood Criteria, National Geodetic Vertical Datum (NGVD)	5 feet

Biological Conditions

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

Other Considerations

Within Wellfield Protection Area	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 property.

Drainage and Flood Protection

Any proposed development with more than 2.0 acres of impervious area within the property will require a DERM Surface Water Management Standard Permit for the construction and operation of the required surface water management system. The permit must be obtained prior to development of the site, final plat, and/or prior to obtaining approval of paving and drainage plans.

The subject property is located within a Special Flood Hazard Area identified as Zone AE in FEMA Flood Insurance Rate Maps (FIRM). Any new development planned for the future will have to comply with the requirements of Chapter 11C of the Code for flood protection.

The site shall be filled to a minimum elevation of 5 feet, NGVD or County Flood Criteria. For construction of habitable structures within the subject application, the Lowest Floor Elevation requirement shall be the highest elevation in NGVD of the following references:

- Average crown of road fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- County Flood Criteria 5 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 Base Flood Elevation for this area is found to be 8.0 feet NGVD (taken from the Flood Insurance Rate Maps (FIRM) for Miami Dade County).
- 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.

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

Natural Resources

Application No. 1 site contains tree resources including specimen tree (trees with a trunk diameter at breast height of 18 inches or greater). Specimen trees are protected by Section 24-49.2(II) of the Code and Con-8A of the CDMP. As required by CDMP Policy CON-8A, specimen tree resources shall be protected in accordance with the Tree Preservation and Protection standards of the Code.

Site development must be consistent with the requirements to preserve specimen trees except in cases where DERM has determined that a specimen tree cannot be preserved pursuant to Section 24-49.2(4)(II)(2) of the Code. The approval of this land use application shall not be construed as an approval to remove specimen trees due to a determination of unreasonable loss of usable space pursuant to Section 24-49.2(4)(II)(2)(b) of the Code.

In accordance with Section 24-49.9 of the Code and Policy CON-8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development/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 maintain a minimum buffer of 2% below the rated design capacity of the system or 440.75 MGD. Therefore, the total available water treatment plant capacity based on CDMP Policy WS-2A is 68.87 MGD. This is calculated using the available plant capacity (440.75 MGD), subtracting the maximum day flow (342.1 MGD) and subtracting the water that is reserved through development orders (29.78 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 and Residential development (Scenario 1) or Residential development (Scenario 2) under the current CDMP Land Use designations, are estimated at 2,607 gallons per day (gpd) and 3,840 gpd respectively. The maximum water demand for Retail (Scenario 1) or Residential (Scenario 2) development under the Requested CDMP Land Use designations, are estimated at 2,363 gpd and 4,950 gpd respectively. This represents an increase of up to 1,110 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	11,674 sq. ft.	10gpd/100 sq. ft.	1,167 gpd
1	Townhouse	8 units	180gpd/unit	1,440 gpd
TOTAL CURRENT (SCENARIO 1)				2,607 gpd
2	Multi-family	16 units	150gpd/unit	2,400 gpd
2	Townhouse	8 units	180gpd/unit	1,440 gpd
TOTAL CURRENT (SCENARIO 2)				3,840 gpd
Requested CDMP Designation				
1	Retail	23,625 sq. ft.	10gpd/100 sq. ft.	2,363 gpd
2	Multi-family	33 units	150gpd/unit	4,950 gpd

Source: Miami-Dade Water and Sewer Department; Department of Regulatory and Economic Resources, Planning Division; August 2016

Water Supply and Connectivity

Application No. 1 is within the City of North Miami’s water service area, but the water is supplied by WASD. The source for this water supply is the Hialeah Preston Water Treatment Plant which is owned and operated by MDWASD. Currently, there is adequate treatment and water supply capacity for the proposed project consistent with Policy WS-2 A (1) of the County’s 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 public water pursuant to Chapter 24 of the Code. There is a 12-inch water distribution main abutting the subject area along East Dixie Hwy and a 6-inch water main inside the property. These water mains are owned and operated by the City of North Miami Water and Sewer Department.

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. 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. 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. Based on the LOS standard, the capacity of the regional wastewater treatment system is equivalent to 368.14 MGD. The available capacity is calculated by subtracting the annual average flow (302.36 MGD) for the preceding 5 years and the capacity reserved for development orders (36.39 MGD) from the system capacity (368.14 MGD). Therefore, the available wastewater treatment plant capacity is 29.39 MGD.

Sewer System Connectivity

Application No. 1 is located within the City of North Miami's sewer service area. There is an 8-inch sanitary sewer force main running along East Dixie Hwy. This force main is owned and operated by North Miami Water and Sewer Department. North Miami is a volume sewer customer of WASD, and the City's wastewater is transmitted to WASD for treatment and disposal at the North District Wastewater Treatment Plant. 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 sewer system pursuant to Chapter 24 of the Code. The North Miami 8-inch sanitary sewer force main directs the sewage flow to sanitary sewer pump stations 06-I, 30-0347 and then to the MDWASD North District Wastewater Treatment Plant. Pump station 30-0347 and the North District Wastewater Treatment Plant are owned and operated by MDWASD and are currently working within the mandated criteria set forth in the Consent Decree Case: N0. 1:12-cv-24400-FAM, effective December 6, 2013. Pump station 06-I is currently operating under Conditional Moratorium status. There is a planned project to be completed by the City of North Miami to install a new 12-inch sanitary force main along Biscayne Boulevard. At the time of permitting, DERM will evaluate whether the proposed development can obtain sanitary sewer capacity certification based on the moratorium status and completion of the planned upgrades.

Solid Waste

The Miami-Dade County Department of Solid Waste (DSWM) Solid Waste 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 DSWM 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 DSWM 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 2015-2016, the DSWM is in compliance with the Countywide Solid Waste Management System adopted LOS standard.

Application Impacts

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

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 1 (PBD-1), which generally encompasses the area of the County north of SW 8 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-1 has a surplus capacity of 149.53 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; one park (Biscayne Shores and Gardens) is larger than the required five-acre park.

Application Impacts

The potential development of the site under the existing CDMP land use designation has a potential population of up to 50 persons, resulting in an impact of 0.14 acres based on the minimum Level of Service standard for the provision of local recreation open space. The potential for residential development under the proposed land use designation is estimated at 33 multi-family dwelling units with an estimated population of 59 persons. The concurrency analysis for this scenario results in an impact of 0.16 acres based on the minimum Level of Service standard for the provision of local recreation open space and therefore meets

concurrency. If developed as a non-residential use, then there would be no increase in population and there will be no additional impact to the CDMP Open Space Spatial Standards.

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

Park Name	Acreage	Classification
Biscayne Shores and Gardens Park	6.16	Neighborhood Park
Gratigny Plateau Park	0.97	Mini-park
Larchmont Park	4.62	Neighborhood Park
Military Trail Park	1.58	Neighborhood Park
North Shorecrest Park	0.53	Neighborhood Park
Oak Park	0.29	Mini-park
Soar Park	3.09	Community Park

Source: Miami-Dade County Parks, Recreation and Open Space Department, July 2016.

Fire and Rescue Service

The application site is currently served by Miami-Dade Fire Rescue Station No. 20 (North Miami East) located at 13000 NE 16 Avenue. The station is equipped with a Rescue, Engine and Battalion totaling eight (8) firefighter/paramedics, 24 hours a day, seven days a week. The Miami-Dade County Fire Rescue Department (MDFR) indicates that average travel time to incidents in the vicinity of the subject application is approximately 6 minutes and 50 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 the vicinity of the application site complies with the performance objective of national industry standards.

The current COMP designations of “Low-Medium Density Residential” and “Business and Office” will allow a potential development which will generate a total of seven (7) annual alarms. The proposed COMP designation (Business and Office) will allow a proposed potential development which is anticipated to generate nine (9) annual alarms, and would have a moderate impact to existing fire rescue services.

In 2015, existing fire stations serving the area experienced a greater number of alarms than in previous years. In an effort to further enhance fire and rescue service in the vicinity, MDRF is planning to construct Station No. 18 (North Miami Central) by seeking to acquire a parcel of land in the vicinity of NE 135 Street between North Miami Avenue and West Dixie Highway, and anticipates that the additional number of alarms will be mitigated upon completion of this station. Pending land purchase negotiations including the design, permitting and construction process, it is estimated that Station No. 18 will be completed in FY 2017/2018.

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 MDRF. The required fire flow for the proposed “Business and Office” land use designation shall be 3,000 gallons per minute (GPM). Fire hydrants shall be spaced a minimum of 300' from each other and shall deliver not less than 1,000 GPM. Presently, there are no fire flow deficiencies in the vicinity of the application.

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 developments impact can be shifted to one or more contiguous CSA that have available capacity, located either in whole in part within the same Geographic Area.

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”.

Concurrency Service Area (CSA) Schools					
Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
David Lawrence Jr K-8 Center (Elem Comp)	-176	3	0	No	Current CSA/ 5 Year Plan
David Lawrence Jr K-8 Center (Middle Comp)	-117	2	0	No	Current CSA/ 5 Year Plan
North Miami Middle	68	2	2	Yes	Current CSA
Alonzo and Tracy Mourning Senior	-131	2	0	No	Current CSA/ 5 Year Plan
Adjacent Concurrency Service Area Schools					
Ruth K Broad-Bay Harbor K-8 Center (Elem)	7	3	3	Yes	Adjacent CSA
North Miami Beach Senior	503	2	2	Yes	Adjacent CSA
Source: Miami-Dade County Public Schools, August 2016.					
Miami-Dade County Department of Regulatory and Economic Resources, August 2016.					
Note: CSA means Concurrency Service Area					

Application Impact

This application contemplate development of the application site with commercial uses, if approved. However, the site may be developed with residential uses as allowed under the requested “Business and Office” designation in which case would increase the student population of the schools serving the application site by an additional seven (7) students – this number reflects an impact reduction of 22.82% for charter and magnet schools (schools of choice). Of the seven (7) students, three (3) will attend elementary schools, two (2) will attend

middle schools and two (2) will attend senior high schools. The students will be assigned to those schools identified in the “Concurrency Service Area (CSA) Schools” table above. At this time, the schools have sufficient capacity available to serve the application.

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

Aviation

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

Roadways

The application site is a ±1.35-acre property located between N.E. 109th Street and N.E. 110th Street, East of Biscayne Boulevard in unincorporated Miami-Dade County. The subject application site is inside the County’s Urban Infill Area (UIA), the County’s designated Transportation Concurrency Exception Area (TCEA). The Concurrency Management Program in the Capital Improvement Element (CIE) of the CDMP states that “A proposed development located within the Urban Infill Area will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted Comprehensive Development Master Plan...” (CIE page IX-17).

NE 109 Street is a two-lane undivided roadway; NE 110 Street is a two-lane divided roadway; and SR-5/Biscayne Boulevard, a four-lane roadway and a major north-south corridor, provide access to the application site. Biscayne Boulevard provides access to other areas 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 2015) and the County (Year 2015), are operating at acceptable levels of service. See “Traffic Impact Analysis on Roadways Serving the Amendment Site” Table below.

Trip Generation

Two potential development scenarios under each the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designations of “Low-Medium Density Residential (6 to 13 DUs/Acre)” and “Business and Office,” the application site is assumed to be developed with the 11,674 sq. ft. of retail use and eight (8) single-family detached residences (Scenario 1), or with 16 single-family attached units (townhouses) and eight (8) single-family detached units (Scenario 2). Under the requested

CDMP land use designation of “Business and Office,” the application site is assumed to be developed with 23,625 sq. ft. of retail uses (Scenario 1), or with 33 multi-family (apartments) dwelling units (Scenario 2). The potential development scenarios under the current CDMP land use designations are expected to generate approximately 96 PM peak hour trips (Scenario 1) or approximately 19 PM peak hour trips (Scenario 2). Under the requested CDMP land use designation of “Business and Office,” the two development scenarios are expected to generate approximately 150 PM peak hour trips (Scenario 1), or approximately 54 more PM peak hour trips than Scenario 1 under the current CDMP designation; and approximately 24 PM peak hour trips (Scenario 2), or approximately five (5) more PM peak hour trips than the Scenario 2 under the current CDMP designation. See “Estimated PM Peak Hour Trip Generation” Table below.

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

Application No. 1	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-Medium Density Residential (6-13 DU/Ac)” and “Business and Office” 11,674 sq. ft. retail / 8 SF ¹	“Business and Office” 23,625 sq. ft. retail ²	
	96	150	+54
Scenario 2	“Low-Medium Density Residential (6-13 DU/Ac)” and “Business and Office” 16 MF and 8 SF	“Business and Office” 33 MF	
	19	24	+ 5

Source: Institute of Transportation Engineers, Trip Generation, 9th Edition, 2012; Miami-Dade County Department of Regulatory and Economic Resources, July 2016.

Notes: ¹Under the current CDMP land use designations the application site is assumed to be improved with the maximum potential development of 11,674 sq. ft. retail use and eight single-family detached residences (Scenario 1), or with 16 multi-family residential units and 8 single-family units (Scenario 2).

²Under the requested CDMP land use designation the application site is assumed to be developed with 23,625 sq. ft. retail uses (Scenario 1) or with 33 multi-family residential units (Scenario 2).

Traffic Concurrency Evaluation (Concurrency)

An evaluation of peak-period traffic concurrency conditions as of July 2016, which considers reserved trips from approved development not yet constructed, programmed roadway capacity improvements listed in the first three years of the County’s adopted 2017 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the two development scenarios assumed to be developed under the requested CDMP 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. The “Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation” Table below shows that all roadways analyzed are projected to operate at acceptable levels of service.

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

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Total Trips With D.O's Trips	Conc. LOS w/o Amend.	Amendment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
Scenario 1: "Business and Office" - 23,625 sq. ft. retail uses													
522	Biscayne Blvd.	NE 79 St. to NE 87 St.	4 DV	E+50%	4,560	2,860	D	166	3,026	E	69	3,095	E+2%
524	Biscayne Blvd	NE 87 St. to NE 123 St.	4 DV	E+50%	4,560	2,597	D	172	2,769	D	81	2,850	D
1023	NE 123 St./Broad Cswy.	N. Bayshore Dr. to US-1	4 DV	E	3,040	1,899	D	0	1,899	D	36	1,935	D
126	NE 125 St.	Ne 6 Ave. to Biscayne Blvd.	4 DV	E	3,040	1,878	D	0	1,878	D	45	1,923	D
105	SR 934/NE 81 St. (WB)	NW 13 Ct. to Biscayne Blvd.	2 OW	E	1,410	1,236	D	0	1,236	D	60	1,296	D
Scenario 2: "Business and Office" - 33 multi-family residential units													
522	Biscayne Blvd.	NE 79 St. to NE 87 St.	4 DV	E+50%	4,560	2,845	D	166	3,026	E	13	3,039	E
524	Biscayne Blvd	NE 87 St. to NE 123 St.	4 DV	E+50%	4,560	2,597	D	172	2,769	D	11	2,780	D
1023	NE 123 St./Broad Cswy.	N. Bayshore Dr. to US-1	4 DV	E	3,040	1,899	D	0	1,899	D	6	1,905	D
126	NE 125 St.	Ne 6 Ave. to Biscayne Blvd.	4 DV	E	3,040	1,878	D	0	1,878	D	7	1,885	D
105	SR 934/NE 81 St. (WB)	NW 13 Ct. to Biscayne Blvd.	2 OW	E	1,410	1,236	D	0	1,236	D	10	1,246	D

Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources and Florida Department of Transportation, July 2016.

Notes: DV= Divided Roadway; UD=Undivided Roadway; OW=one-way.

* County adopted roadway level of service standard applicable to the roadway segment: E (100% capacity); E+50% (150% capacity) for roadways serviced with mass transit having 20 minutes or less headways in the Urban Infill Area (UIA).

Scenario 1 assumes the application site developed with 23,625 sq. ft. retail uses and Scenario 2 assumes the application site developed with 33 multi-family residential dwelling units.

Application Impact

Two potential development scenarios each under the current and requested CDMP land use designations were analyzed for traffic impacts. Under the current CDMP land use designations of “Low-Medium Density Residential (6 to 13 DUs/Acre),” the application site is assumed to be developed with the maximum potential development of 11,674 sq. ft. retail uses and eight (8) single-family detached residences (Scenario 1), or with 16 multi-family residential units (apartments) and eight (8) single-family detached units (Scenario 2). Under the requested CDMP land use designation of “Business and Office,” the application site is assumed to be developed with 23,625 sq. ft. of retail uses (Scenario 1), or with 33 multi-family residential units (Scenario 2). The potential development under the current CDMP land use designations is expected to generate approximately 96 PM peak hour trips under Scenario 1, or approximately 19 PM peak hour trips under Scenario 2. Under the requested CDMP land use designation, Scenario 1 is expected to generate approximately 150 PM peak hour trips, or approximately 54 more PM peak hour trips than under the current CDMP designations; and Scenario 2 is expected to generate approximately 24 PM peak hour trips, or approximately five (5) more PM peak hour trips than under the current CDMP land use designations. See “Estimated PM Peak Hour Trip Generation” Table above.

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

Transit

Existing Service

The application site is currently served by Metrobus Routes 3 and 93 (Biscayne MAX). The service frequencies of these routes are shown in the “Metrobus Route Service Summary” table below.

Metrobus Route Service Summary							
Routes	Service Headways (in minutes)					Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8 pm)	Saturday	Sunday		
3	20	20	30	15	20	0.0	L
93 (Biscayne MAX)	15	30	n/a	n/a	n/a	0.0	E

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

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

Future Conditions

The following transit improvements to the existing Metrobus service, such as the purchase of new buses, are planned for the next ten years as noted in the draft *2016 Transit Development Plan (TDP)*. The draft *2016 TDP* anticipates five 60' articulated buses will be added to the Route 93 (Biscayne MAX) in order to improve capacity of the route beginning in 2021 and this bus purchase is listed as a funded transit improvement project in the draft *2016 TDP*. The “Metrobus Recommended Service Improvements” Table shows the Metrobus service improvements programmed for the existing routes serving this application.

Metrobus Recommended Service Improvements

Route	Improvement Description
3	Replace 5 articulated buses with 5 standard buses in 2021
93 (Biscayne MAX)	Add 5 articulated buses to this route for a total of 15 articulated buses assigned to this route in 2021.

Source: Draft 2016 *Transit Development Plan*, Miami-Dade Transit (December 2015 Line Up), July 2016

Note: Based on the CDMP threshold for traffic and/or transit service objectives within a ½ mile distance; the estimated operating or capital costs of maintaining the existing bus service is not associated with this application.

Major Transit Projects

The Florida East Coast (FEC) corridor is being evaluated for implementation of the Tri-Rail Coastal Link (TRCL) project which will connect Broward and Palm Beach Counties as well as the northwestern parts of Miami-Dade County to densely populated cities located along Florida's Gold Coast Region. It is Miami-Dade's goal to work with FEC and South Florida Regional Transportation Authority (SFRTA) to jumpstart this service with available resources. Miami-Dade has recently invested \$13 million dollars for construction of the downtown terminal for this service in the Brightline (All Aboard) Station in Downtown Miami. The Miami-Dade County Department of Transportation and Public Works (DTPW) will continue to work with our partners to introduce commuter service along the FEC as quickly as possible.

The planned TRCL will service approximately 85 miles from Downtown Miami to Jupiter along the FEC corridor. It will include 25 stations, including six in Miami-Dade County. These stations include the Downtown Miami Central Station, Midtown Design District, 79th Street, North Miami, North Miami Beach and Aventura. The project is designed so that certain segments, such as the Miami-Dade portion, could proceed on a faster track than the tri-county project.

In February 2016, the MPO Governing Board adopted Resolution Number 06-16, unanimously approving a policy to set as highest priority the advancement of Rapid Transit Corridors and transit supportive projects in Miami-Dade County. In April 2016, the MPO Governing Board adopted Resolution Number 26-16 endorsing the *Strategic Miami Area Rapid Transit (SMART) Plan* and directing the MPO Executive Director to work with the MPO Fiscal Priorities Committee to determine the costs and potential sources of funding for Project Development and Environment study for the six priority corridors, one of which is the Miami-Dade County's Portion of the Northeast Corridor.

Application Impacts

A preliminary analysis performed in the Traffic Analysis Zone (TAZ) 196 where the subject application is located, indicates that if the application is approved, the expected incremental transit impacts generated by the requested land use amendment are minimal and can be handled by the existing transit service in the area.

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

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

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- LU-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-2B. Priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the Urban Infill Area and Transportation Concurrency Exception Areas. Second priority shall be given to serve the area between the Urban Infill Area and the Urban Development Boundary. And third priority shall support the staged development of the Urban Expansion Area (UEA).
- 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-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-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-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

	Appendices Page
Appendix A: Amendment Application.....	3
Appendix B: Miami-Dade County Public Schools Analysis	23
Appendix C: Applicant's Traffic Impact Report (Not required)	27
Appendix D: Proffered Declaration of Restrictions.....	29
Appendix E: Fiscal Impact Analysis	37
Appendix F: Photos of Site and Surroundings	43

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX A

Amendment Application

THIS PAGE INTENTIONALLY LEFT BLANK

**APPLICATION FOR AN AMENDMENT
TO THE LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN
SMALL SCALE AMENDMENT
MAY 2016**

RECEIVED

2016 MAY 31 P 2:50

PLANNING DIVISION

1. APPLICANTS

Paloma Property Holdings LLC, a Florida limited liability company
C/O Sanford Reinhard
1290 Weston Road, Suite 201
Weston, FL 33326
786-285-1128

2. APPLICANT'S REPRESENTATIVE

Stanley B. Price, Esq.
Brian S. Adler, Esq.
Wendy Francois, Esq.
Bilzin Sumberg Baena Price & Axelrod LLP
1450 Brickell Ave, Suite 2300
Miami, Florida 33131
(305) 350-2351 (Brian S. Adler)
FAX (305) 351-2206 (Brian S. Adler)

By:


Brian S. Adler

Date

May 31, 2016

3. DESCRIPTION OF REQUESTED CHANGE

A. A change to the Land Use Plan Map. Item A.1 in the fee schedule is requested.

B. Description of the subject property

The subject property (the "Property") comprises 1.3306 +/- net or 2.028 +/- gross acres, and is located between N.E. 109th Street and N.E. 110th Street, East of Biscayne Boulevard in unincorporated Miami-Dade County, Florida, lying in Section 32, Township 52, Range 42. The Property is comprised of the following folio numbers 30-2232-010-1210, 30-2232-010-1200, and 30-2232-006-0160, and is more particularly described as follows:

Lots 1, 2, 6, 7 and 8, Block 3, BAY RIDGE SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 20, Page 8, also all of the 10 foot alley in said Block 3 excepting therefrom the Westerly 5 feet of the Southerly 75 feet, said alley having been closed by occupation, of the Public Records of Miami-Dade County, Florida; and Lots 16, 17, 18, 19, 20 and 21, Block 8, BISCAYNE SHORES AMENDED CORRECTED SUBDIVISION according to the Plat thereof, as recorded in Plat Book 23, Page 52 of the Public Records of Miami-Dade County, Florida.

And

Lot 15, Block 8, Biscayne Shores Corrected Amended Plat, according to the Pl at thereof, as recorded in Plat Book 23, Page 52, of the Public Records of Miami-Dade County, Florida.

And

Lot 9, Block 3, Amended Plat of Bay Ridge, according to the plat thereof, as recorded in Plat Book 20, Page 8, of the Public Records of Miami-Dade County, Florida.

Area Total:

Net: 57,962+/-

Gross: 88,339+/-

C. Gross Acreage

Application area: 88,339+/- sq. ft. = 2.028+/- acres

Acreage owned by applicant: 59,062 sq. ft. +/- = 1.3559+/- acres

D. Requested Change

1. It is requested that the Property be re-designated on the Land Use Plan map from LOW-MEDIUM DENSITY RESIDENTIAL and BUSINESS AND OFFICE to BUSINESS AND OFFICE.
2. It is requested that this application be processed as a Small-Scale Amendment under the expedited procedures.

4. REASON FOR AMENDMENT

The Property is adjoining and located adjacent to commercial property. It fronts on Biscayne Boulevard, which the Comprehensive Development Master Plan Future Land Use Map lists as a Major Roadway. The Property consists of the larger parcel having folio number 30-2232-010-1210 ("Principal Parcel"), and the two adjacent, smaller, and contiguous parcels, the northern one having the folio number 30-2232-010-1200, and the southern one having the folio number 30-2232-006-0160 (together, "Adjacent Parcels"). All of the parcels are under common ownership. The requested Small-Scale Amendment would extend the Business and Office designation of the western portion of the Property creating a Business and Office designation formed by Biscayne Boulevard to the west, NE 110th Street to the north, and NE 109th Street to the South.

The Principal Parcel currently contains a split designation of Business and Office (approximately 66% on the western portion) and Low-Medium Density Residential (approximately 34% on the eastern portion) and had operated as a restaurant and nightclub for several decades.

The Business and Office portion of the Principal Parcel of the Property has been utilized for commercial uses since 1969 when, through Resolutions 4-ZAB-596-69, Z-352-69, and Z-353-69, the County approved a district boundary change from residential to commercial use for a portion of the Property and granted approval for non-commercial parking in a more restrictive zone and the use that it serves for the remaining residential portion of the Principal Parcel. The approvals were for a restaurant, along with a liquor, beer and wine bar. The approvals also included parking variances and unusual use approval to permit non-commercial parking in a more restrictive zone, namely the portion of the Principal Parcel that remained zoned RU-2.

The Principal Parcel was later home to the La Paloma Restaurant for many years. Therefore, while a portion of the Principal Parcel remained zoned residential, historically, the use on the entire Principal Parcel of the Property has actually been a commercial/business use. The unusual use approvals that were granted for the prior commercial/business were issued in 1969 and thus prior to the Growth Management Act's strict compliance rules and would not be attainable today. Therefore, to change the use of the Principal Parcel to a commercial use other than what is permitted under the 1969 approval arguably would first require an amendment to the future land use map.

The Adjacent Parcels, are designated Low-Medium Density Residential with the exception of the northwest corner of folio 30-2232-010-1200 (1490 NE 110th Street) which is also designated Business and Office. The re-designation of the Adjacent Parcels with the Principal Parcel will unify the designation of the Property as a whole and allow the currently jagged designation of the Property to be consistent with the existing depth of Business and Office along the Biscayne Boulevard corridor, consistent with the policies and objectives of the CDMP. Policy LU - 1G of the CDMP Land Use Element's textual components provides that business developments shall preferably be placed in

clusters or nodes in the vicinity of major roadway intersections, such as Biscayne Boulevard.

Extending the Business and Office designation on the Property will be consistent with the depth of commercial on the west and east side of Biscayne Boulevard which angles south in this area. The North side of NE 108th Street is developed with commercial uses extending westward to NE 13th Avenue, and the Kmart located between NE 106th and NE 108th Streets, extends westward to NE 12th Avenue. Further, this particular property is situated at the convergence of Biscayne Boulevard, East Dixie Highway and NE 110th Street creating a triangular island in front of the Property. The convergence of the commercial roadways is more compatible with a deeper commercial development than currently designated on the future land use map.

Further, the unusual use approval on the Principal Parcel allowing commercial parking (and thus really commercial uses) was not unique to this Property. Because the Growth Management Act was not in full force at the time, many of the approvals on similarly situated nearby properties prior to 1989 included unusual use approvals and use variances rather than rezoning the particular properties. A review of the zoning map in the area does not provide the complete picture of the actual depth of the commercial uses along either the East or the West sides of Biscayne Boulevard as many properties, though designated residential on the Future Land Use Map, may actually be used for commercial uses.

Examples of some of these approvals include:

1. Resolution 3-ZAB-445-66: Unusual Use to permit non-commercial parking in zones more restrictive than use (11495 Biscayne Blvd.)
2. Resolution Z-235-83: unusual use to permit BU-1A parking in RU-2 zone for 14 story office building (11620 Biscayne Blvd.)
3. Resolution 4-ZAB-484-85: Use variance for 4 story office/bank building with drive through in RU-3M and BU-1A (11098 Biscayne Blvd.)
4. Resolution 4-ZAB-19-88: Unusual use to permit BU-1A parking in RU-3M zone (1451 NE 110th Terrace and SW corner of NE 111 Street and Biscayne Blvd.)
5. Resolution Z-118-81: Unusual Use for ingress and egress to BU-2 from RU-4A for a package store, etc. (east side of Biscayne Boulevard and NE 107th Street)
6. Resolution 4-ZAB-367-79: Unusual Use to permit BU-1A parking in RU-3M (northwest corner of NE 109th Street and Biscayne Boulevard, since rezoned)
7. Resolution Z-354-74: Unusual Use for non-commercial parking in zone more restricted than use it serves (117th and Biscayne Boulevard)
8. Resolution 4-ZAB-257-72: Unusual Use to permit non-commercial parking (NE 111th Street East of Biscayne Boulevard)
9. Resolution 4-ZAB-626-69: Unusual Use for noncommercial parking in more restrictive zone (NW corner of Biscayne Boulevard and NE 110th Terrace)

Additional rezoning and development approvals in the area over the last several years support re-designation of the Property. These approvals include but are not limited to:

1. The property diagonally across Biscayne Boulevard to the southwest of the Property was re-designated under the October 2005 cycle from Business and Office and Low-Medium Density Residential to Medium-High Density Residential and combined with additional property and rezoned to BU-2 to allow a mixed-use multifamily 7 story development pursuant to Resolution CZAB7-3-08.
2. The property located between NE 112th Street and NE 115th Street, west of Biscayne Boulevard to NE 13th Avenue, was re-designated in the April 2005 Application Cycle to Business and Office and Medium Density Residential to allow for further infill development.
3. The Property located at 11150 and 11190 Biscayne Boulevard is zoned BU-1A, but was approved for a 9 story, 402 residential dwelling unit development pursuant to Resolution CZAB 7-1-14.

Historically, while this section of Biscayne Boulevard has not been the focus of extensive redevelopment, the last decade has seen an increase in development which is anticipated to continue. The proposed redevelopment of the Property will assist in the continued transformation of the corridor. Biscayne Boulevard was recently widened and beautified in this general area and the Property is located to the south of the Biscayne Corridor Community Redevelopment Area. Although not in the actual redevelopment area, utilization of the subject Property will help further the goals espoused by the redevelopment corridor area. Further, with the recent increased interest in residential multifamily development in the area, the re-designation of the Property for commercial use will not negatively impact the residential capacity in the area but will help continue to service the growing residential community. New commercial uses such as Whole Foods have been developed in this area, and have contributed to the overall growing success of redevelopment in the area. The re-designation of the Property will continue that pattern and enhance the livability of this part of the County.

The previous restaurant on the Property was demolished and the Principal Parcel remains vacant. By extending the business and office designation to the east, approval of this application would allow for the meaningful development of the Property. The approval would be consistent with the Miami-Dade County Comprehensive Development Master Plan as it would further the following Goals and Policies:

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-8

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.

Policy LU-8B

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

Policy LU-9H

Miami-Dade County shall continue its special area planning program with emphasis on the preparation of physical land use and urban design plans for strategic and high-growth locations, such as urban centers and certain transportation corridors as defined in the CDMP.

Policy LU-9J

Miami-Dade County shall continue to use the design guidelines established in its urban design manual as additional criteria for use in the review of all applications for new residential, commercial and industrial development in unincorporated Miami-Dade County, and shall consider the inclusion of such guidelines into its land development regulations.

Business and Office: Page I-43 of the CDMP:

The depth of the ribbon for commercial development and other uses permitted under the Business and Office land use category is more generalized. In general, the depth should be limited to the norm for the strip, but may be approved at such other depth that will provide a logical transition to adjacent commercial and residential uses or accommodate vehicular parking to serve an adjacent use, provided that liberal permanent buffering is provided or other site planning or design features are used, to provide compatibility with any adjoining and adjacent residential uses that exist or are designated on the Land Use Plan map, in keeping with the Plan's policies.

5. LOCATION MAP FOR APPLICATION

See attached.

6. ATTACHMENTS:

Disclosure of Interest Form
Aerial Photograph
Location Map

7. COMPLETED DISCLOSURE FORMS

See attached.

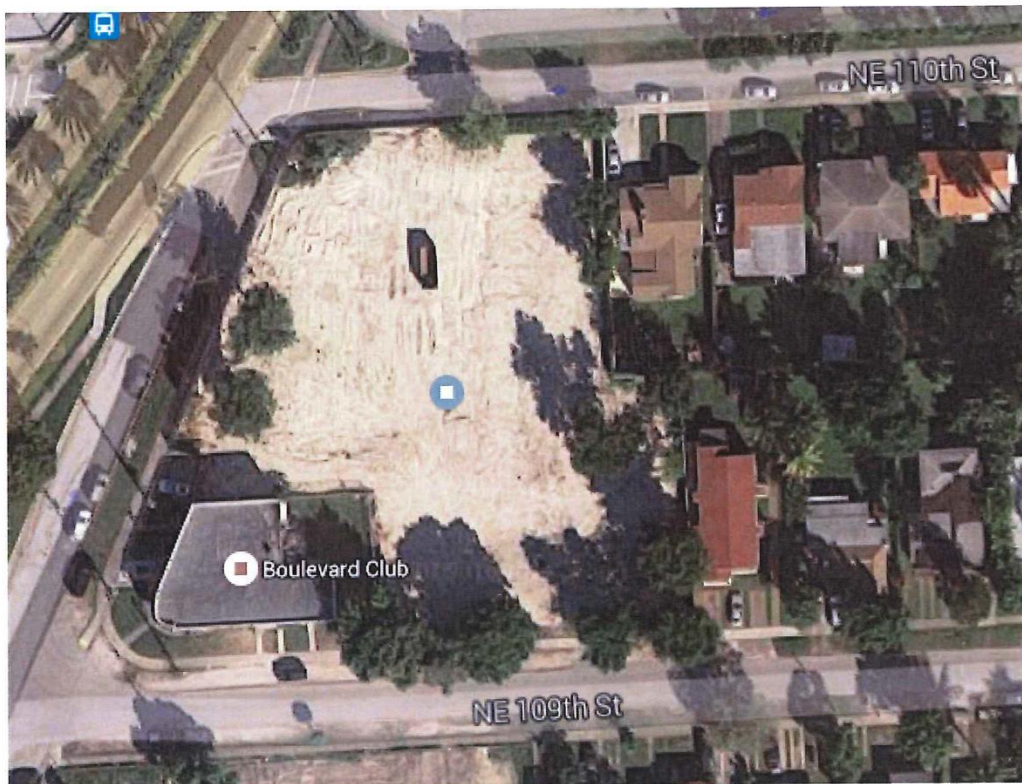
**LOCATION MAP FOR APPLICATION TO AMEND
THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

APPLICANT: Paloma Property Holdings LLC

DESCRIPTION OF SUBJECT AREA:

The Property comprises approximately 2.028 +/- gross acres (1.3559 +/- net acres), and is located at the northeast corner of N.E. 109th Street and Biscayne Boulevard in unincorporated Miami-Dade County, Florida, lying in Section 32, Township 52, Range 42 and being more particularly described on the Property legal description attached hereto and incorporated herein as Exhibit "A".

Folio Numbers: 30-2232-010-1200
 30-2232-006-0160
 30-2232-010-1210



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: Paloma Property Holdings LLC, C/O Sanford Reinhard, 1290 Weston Road, Suite 201, Weston, FL 33326; 786-285-1128

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

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

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
Paloma Property Holdings LLC	X	30-2232-010-1200	.14353 +/- net
Paloma Property Holdings LLC	X	30-2232-006-0160	.14233 +/- net
Paloma Property Holdings LLC	X	30-2232-010-1210	1.07 +/- net
			application property
			1.3559 +/- net total for all folios

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

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
Paloma Property Holdings LLC	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>
_____	_____
_____	_____

- 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: Paloma Property Holdings LLC

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
<u>Adriana Varela</u>	<u>2%</u>
<u>Rafi Design LTD (BVI)</u>	<u>98%</u>
<u>Hugo Belcastro</u>	<u>50% of Rafi Design LTD (BVI)</u>
<u>Adriana Varela</u>	<u>50% of Rafi Design LTD (BVI)</u>

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

TRUSTEES NAME: _____

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

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

PARTNERSHIP NAME: _____

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

- e. If the applicant is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners, [Note: where the principal officers, stockholders, beneficiaries,

or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME AND ADDRESS

PERCENTAGE OF INTEREST

Date of Contract _____

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

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

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

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- 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: _____

NAME, ADDRESS AND OFFICE (if applicable)

PERCENTAGE OF STOCK

- c. If the owner is a TRUSTEE, and list the trustee's name, the 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: _____

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- 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].

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF INTEREST

- e. If the owner is 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 consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME, ADDRESS AND OFFICE (if applicable)

PERCENTAGE OF INTEREST

Date of Contract _____

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

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

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


Applicant's Signature and Printed Name

PALOMA PROPERTY HOLDINGS LLC,
a Florida limited liability company

By:

Martin Djmal, Authorized Signatory
pursuant to Power of Attorney

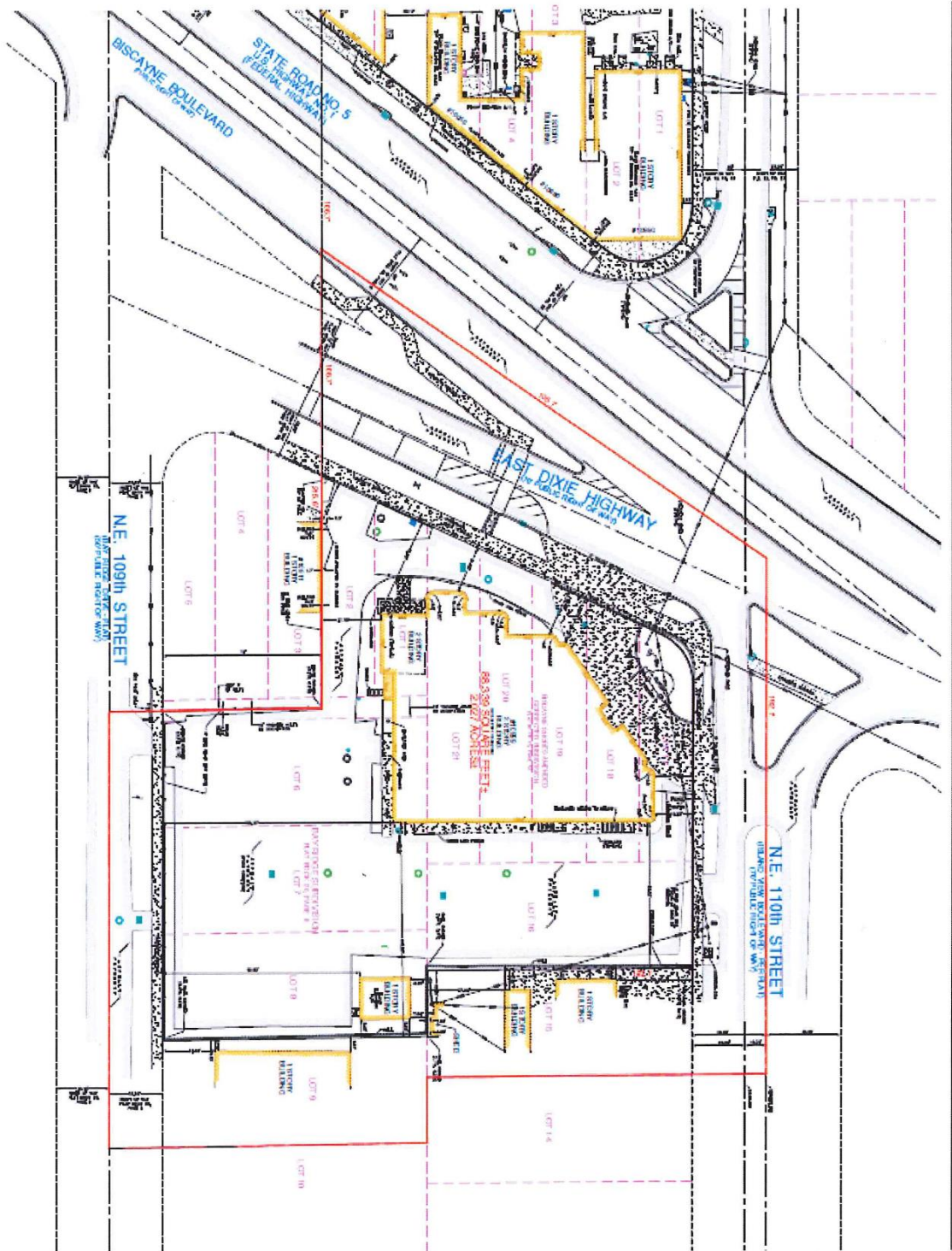
Sworn to and subscribed before me this
26 day of May, 2016


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

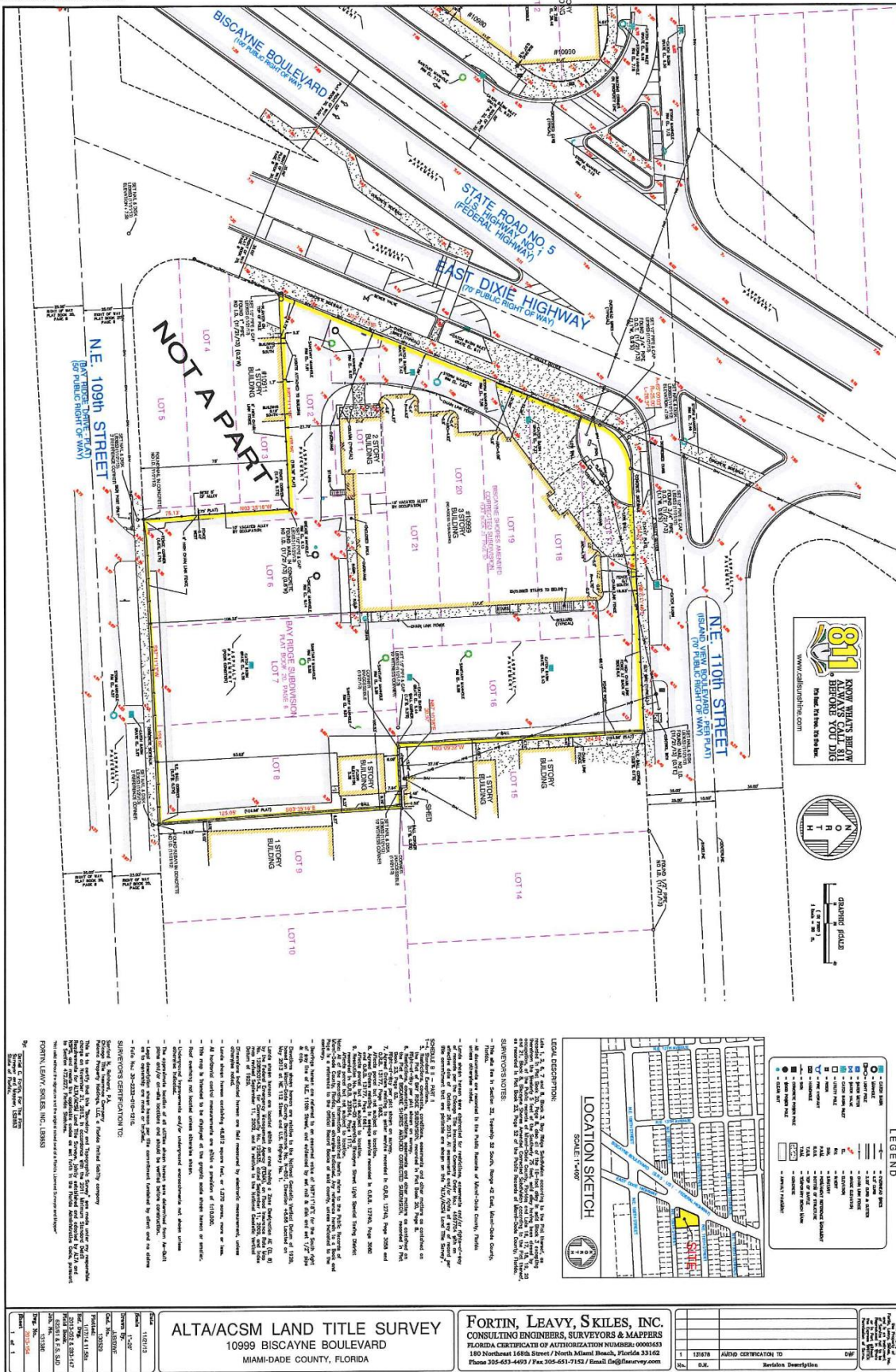


Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) separate interests including all interests at each level of 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.

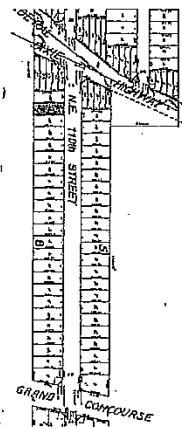
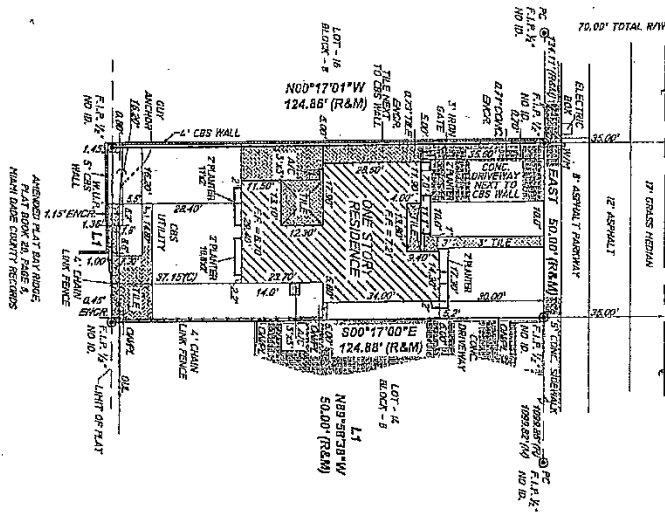
LOCATION SKETCH



MIAMI 4604520.6 81732/46417



N.E. 110th STREET (ACTUAL) ISLAND VIEW BOULEVARD (PLAT)



LEGAL DESCRIPTION:
LOT 15, BLOCK 8, TRISCAYNE SHORES CORRECTED AMENDED PLAT
ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 82,
OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SURVEYOR'S NOTES:

- 1) NOT VALID UNLESS SIGNATURE IS EMPRESSED WITH THE REGISTERED LAND SURVEYOR'S SEAL.
- 2) LEGAL DESCRIPTION PROVIDED BY OTHERS.
- 3) PROPERTIES SHOWN HEREON WERE NOT ADJUSTED FOR ENCUMBRANCES OR OTHER RECORDED INTERESTS.
- 4) ENCUMBRANCES TO WOOD FENCES ARE TO BE REMOVED BY OWNER.
- 5) UNDERGROUND UTILITIES, FOUNDATIONS, OR OTHER IMPROVEMENTS, IF ANY, WERE NOT LOCATED.
- 6) ELEVATIONS, IF SHOWN, ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929.
- 7) ALL MEASUREMENTS TO WIRE FENCES ARE TO CENTER OF WIRE.
- 8) MEASUREMENTS TO WIRE FENCES ARE TO CENTER OF WIRE.
- 9) DRAWING DISTANCES BETWEEN WALLS AND/OR FENCES AND PROPERTY LINES MAY BE EXAGGERATED FOR CLARITY.
- 10) DISTANCES BETWEEN WALLS AND/OR FENCES AND PROPERTY LINES MAY BE EXAGGERATED FOR CLARITY.
- 11) FLOOD INFORMATION WAS OBTAINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INFORMATION SYSTEMS.
- 12) BEARINGS IF ANY SHOWN ARE BASED ON ASSUMED PLAT MERIDIAN AT: SOUTH RIGHT OF WAY OF N.E. 110th STREET - EAST.

CERTIFIED TO:

FRANK WILLEMBORG AND JERRY WILLEMBORG,
SARASOTA N. YERHARDT, ESQ.

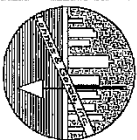
FLOOD ZONE: AE
MAP & PAPER: 1208800143
COMMUNITY NO.: 120835
SUFFIX: L
DATE OF FIRM: 09-11-2009
BASE ELEV.: +8.00 NGVD 1929
L.F. ELEV.: = 6.70 NOTES LOWEST HABITABLE FLOOR ELEVATION
LOWEST ADJACENT GRADE: = 5.20
B.M. # 14-01 ELEV.: = 6.06 (MIAMI-DADE COUNTY)
GARAGE ELEV.: = 5.04
CRP: = 3.04

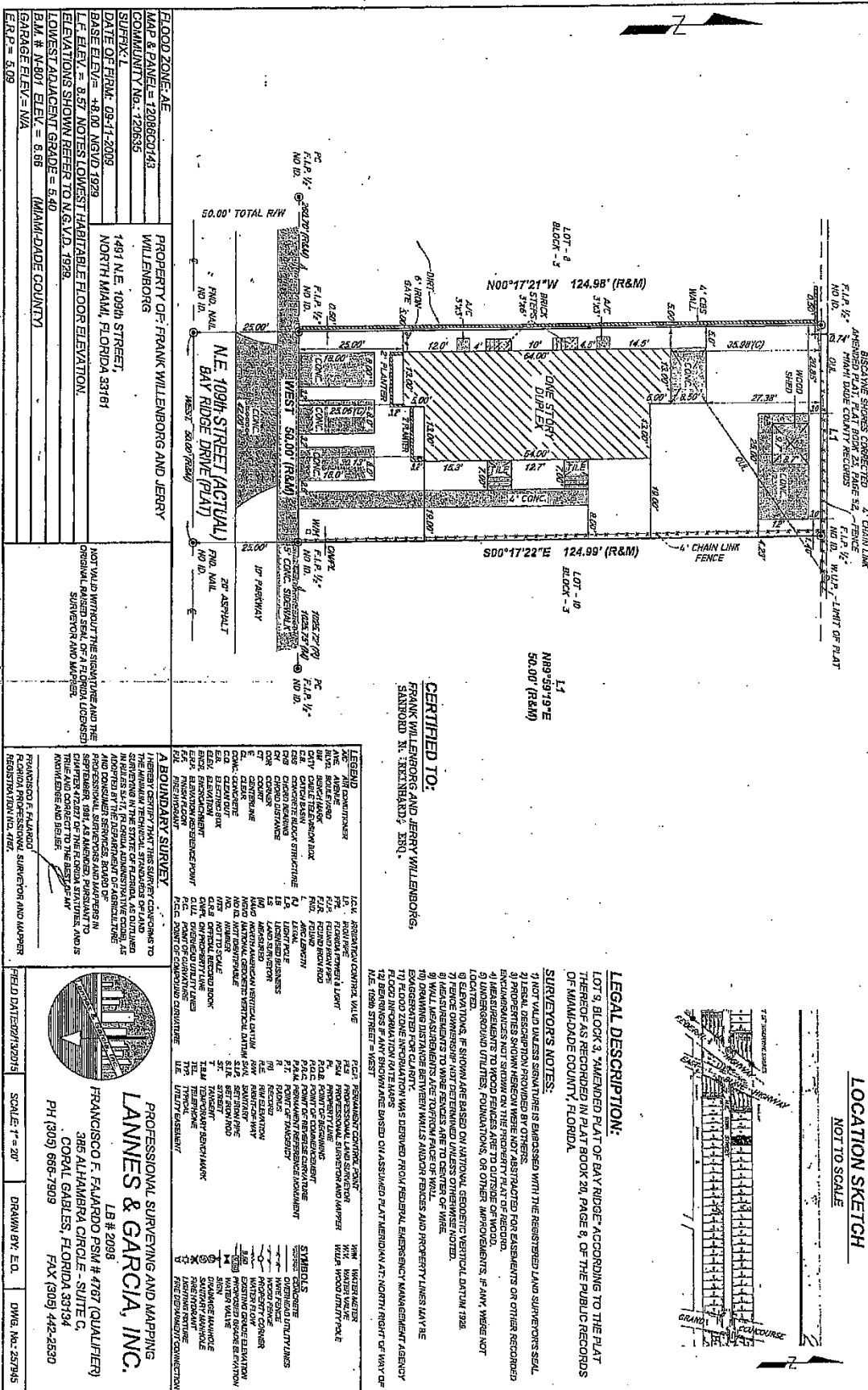
PROPERTY OF: FRANK WILLEMBORG AND JERRY WILLEMBORG
1490 N.E. 110th STREET
NORTH MIAMI, FLORIDA 33161

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

A BOUNDARY SURVEY
I HEREBY CERTIFY THAT THIS SURVEY COMPLIES TO THE MINIMUM REQUIREMENTS OF LAND SURVEYING AS SET FORTH IN THE FLORIDA STATUTES, AS ADOPTED BY THE DEPARTMENT OF AGRICULTURE, PROFESSIONAL SURVEYORS AND MAPPERS IN SEPTEMBER, 1981, AS AMENDED, IN ACCORDANCE WITH THE FLORIDA STATUTES, AND IS THE TRUE AND CORRECT REPRESENTATION OF THE SURVEYED PROPERTY.

FRANCISCO F. FALANGO
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 1197
PROFESSIONAL SURVEYING AND MAPPING
LANINES & GARCIA, INC.
LB # 2098
FRANCISCO F. FALANGO PSM # 4767 (QUALIFIER)
305 ALHAMBRA CIRCLE - SUITE C,
CORAL GABLES, FLORIDA 33134
PH (305) 665-1905 FAX (305) 442-2830
FIELD DATE: 02/20/15 SCALE: 1" = 30' DRAWN BY: C.D. DWG. NO.: 20134





THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX B

Miami-Dade County Public Schools Analysis

THIS PAGE INTENTIONALLY LEFT BLANK



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. Dorothy Bendross-Mindingall, Vice Chair

Susie V. Castillo

Dr. Lawrence S. Feldman

Dr. Wilbert "Tee" Holloway

Dr. Martin Karp

Lubby Navarro

Raquel A. Regalado

Dr. Marta Pérez Wurtz

2016 AUG 18 P 1:30

August 18, 2016

PLANNING DIVISION

VIA ELECTRONIC MAIL

Brian S. Adler, Esquire
Paloma Property Holdings LLC
1450 Brickell Avenue, Suite 2300
Miami FL 33131

badler@bilzin.com

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
PALOMA PROPERTY HOLDINGS LLC - CDMP APPLICATION 1 MAY 2016 CYCLE
LOCATED AT 10999 BISCAYNE BLVD, MIAMI, FL 33161-7459
PH3016072000597 – FOLIO No.: 3022320101210, 3022320101200, 3022320060160**

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 33 multifamily units, which generate 7 students: 3 elementary, 2 middle and 2 senior high students. **At this time, all three 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.

Sincerely,

Nathaly Simon
Supervisor

NS:ns
L-043
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 923 • 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: PH3016072000597 Local Government (LG): Miami-Dade
 Date Application Received: 7/20/2016 12:19:42 PM LG Application Number: CDMP Application 1 May 2016 Cycle
 Type of Application: Public Hearing Sub Type: Land Use
 Applicant's Name: Paloma Property Holdings LLC, 1/o Brian S. Adler,
 Address/Location: 1450 Brickell Avenue, Suite 2300, Miami, Florida 33131
 Master Folio Number: 3022320101210
 Additional Folio Number(s): 3022320101200, 3022320060160,

PROPOSED # OF UNITS 33

SINGLE-FAMILY DETACHED UNITS: 0

SINGLE-FAMILY ATTACHED UNITS: 0

MULTIFAMILY UNITS: 33

CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
5005	DAVID LAWRENCE JR K-8 CENTER (ELEM COMP)	-176	3	0	NO	Current CSA
5005	DAVID LAWRENCE JR K-8 CENTER (ELEM COMP)	0	3	0	NO	Current CSA Five Year Plan
5006	DAVID LAWRENCE JR K-8 CENTER (MID COMP)	-117	2	0	NO	Current CSA
5006	DAVID LAWRENCE JR K-8 CENTER (MID COMP)	0	2	0	NO	Current CSA Five Year Plan
6631	NORTH MIAMI MIDDLE	68	2	2	YES	Current CSA
7048	ALONZO AND TRACY MOURNING SENIOR HIGH BISCAYNE BAY	-131	2	0	NO	Current CSA
7048	ALONZO AND TRACY MOURNING SENIOR HIGH BISCAYNE BAY	0	2	0	NO	Current CSA Five Year Plan

ADJACENT SERVICE AREA SCHOOLS

3341	MIAMI SHORES ELEMENTARY	-19	3	0	NO	Adjacent CSA
4061	OJUS ELEMENTARY	-38	3	0	NO	Adjacent CSA
3661	NATURAL BRIDGE ELEMENTARY	-90	3	0	NO	Adjacent CSA
2081	FULFORD ELEMENTARY	-130	3	0	NO	Adjacent CSA
561	W J BRYAN ELEMENTARY	-182	3	0	NO	Adjacent CSA
241	RUTH K BROAD-BAY HARBOR K-8 CENTER (ELEM COMP)	-234	3	0	NO	Adjacent CSA
92	NORMAN S. EDELCUP/SUNNY ISLES BEACH K-8 (ELEM COMP)	-277	3	0	NO	Adjacent CSA
3341	MIAMI SHORES ELEMENTARY	0	3	0	NO	Adjacent CSA Five Year Plan
4061	OJUS ELEMENTARY	0	3	0	NO	Adjacent CSA Five Year Plan
3661	NATURAL BRIDGE ELEMENTARY	0	3	0	NO	Adjacent CSA Five Year Plan
2081	FULFORD ELEMENTARY	0	3	0	NO	Adjacent CSA Five Year Plan
561	W J BRYAN ELEMENTARY	0	3	0	NO	Adjacent CSA Five Year Plan
241	RUTH K BROAD-BAY HARBOR K-8 CENTER (ELEM COMP)	7	3	3	YES	Adjacent CSA Five Year Plan
7541	NORTH MIAMI BEACH SENIOR	503	2	2	YES	Adjacent CSA

*An Impact reduction of 22.82% 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

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX D

Proffered Declaration of Restrictions

THIS PAGE INTENTIONALLY LEFT BLANK

This instrument prepared by
Brian S. Adler, Esquire
Bilzin Sumberg Baena Price & Axelrod LLP
1450 Brickell Avenue
Suite 2300
Miami, Florida 33131-3456

RECEIVED
2016 AUG 18 A 8:12
PLANNING DIVISION

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Paloma Property Holdings LLC, a Florida limited liability company ("Owner") holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto ("Property"); and

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in the May 2016 Cycle and said amendment is identified as Application No. 1 ("Application"); and

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

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

1. Site Development. Notwithstanding the Business and Office designation of the Property, so long as the Property is not within an adopted County urban center district and so long as the adjacent property to the east is utilized for single family or duplex residential purposes: a) the height of any building or structure within 35 feet of the east Property line shall be limited to 45 feet in height, and b) the Owner shall provide a continuous landscape buffer along the eastern edge of the Property.

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

Declaration of Restrictions

Page 2

3. Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date 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 Declaration in whole, or in part, provided that the Declaration has first been modified or released by the County.

4. Modification, Amendment, Release. This Declaration may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved by the County Board of County Commissioners. Notwithstanding the foregoing, if any portion of the Property has been submitted to the condominium form of ownership or another collective ownership structure ("Submitted Portion"), then such consent shall be given by the condominium association, property owners' association, or other entity governing such Submitted Portion rather than the individual unit, parcel, or lot owners or their mortgagees. Any such modification, amendment or release shall be subject to the provisions governing amendments to the CDMP, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to the CDMP (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the County Code, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the County Code, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration, such modification or deletion shall not be effective until approved by the County Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

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

6. County Inspections. As further part of this Declaration, it is hereby understood and agreed that any official inspector of the County, or its agents duly authorized, may have the

Declaration of Restrictions

Page 3

privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

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

8. 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.

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

10. 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

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

12. 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 County 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.

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

Declaration of Restrictions
Page 4

IN WITNESS WHEREOF, the undersigned have duly executed this Declaration effective as of the ____ day of August, 2016.

WITNESSES:

Signature

Print Name

Signature

Print Name

OWNER:

PALOMA PROPERTY HOLDINGS
LLC,
a Florida limited liability company

By:_____

Name: Martin Djmal

Title: Attorney-in-Fact

STATE OF FLORIDA }
) SS
COUNTY OF MIAMI-DADE }

The foregoing instrument was acknowledged before me this ____ day of August, 2016 by Martin Djmal, Attorney-in-Fact for Paloma Property Holdings LLC, a Florida limited liability company, who is personally known to me or produced a valid driver's license as identification.

Notary Public

Sign Name:_____

Print Name:_____

My Commission Expires:

Serial No. (None, if blank):_____

(NOTARIAL SEAL)

EXHIBIT "A"

LEGAL DESCRIPTION

Lots 1, 2, 6, 7 and 8, Block 3, BAY RIDGE SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 20, Page 8, also all of the 10 foot alley in said Block 3 excepting therefrom the Westerly 5 feet of the Southerly 75 feet, said alley having been closed by occupation, of the Public Records of Miami-Dade County, Florida; and Lots 16, 17, 18, 19, 20 and 21, Block 8, BISCAYNE SHORES AMENDED CORRECTED SUBDIVISION according to the Plat thereof, as recorded in Plat Book 23, Page 52 of the Public Records of Miami-Dade County, Florida.

And

Lot 15, Block 8, Biscayne Shores Corrected Amended Plat, according to the Plat thereof, as recorded in Plat Book 23, Page 52, of the Public Records of Miami-Dade County, Florida.

And

Lot 9, Block 3, Amended Plat of Bay Ridge, according to the plat thereof, as recorded in Plat Book 20, Page 8, of the Public Records of Miami-Dade County, Florida.

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX E

Fiscal Impact Analysis

THIS PAGE INTENTIONALLY LEFT BLANK

Fiscal Impacts On Infrastructure and Services

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. 1 of the May 2016 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

Concurrency

Since the Miami-Dade County Department of Solid Waste Management (DSWM) assesses solid waste disposal capacity on a system-wide basis, in part, on existing waste delivery commitments from both the private and public sectors, it is not possible or necessary to make determinations concerning the adequacy of solid waste disposal facilities relative to each individual application. Instead, the DSWM issues a periodic assessment of the County's status in terms of 'concurrency'; that is, the ability to maintain a minimum of five (5) years of waste disposal capacity system-wide. The County is committed to maintaining this level in compliance with Chapter 163, Part II F.S. and currently exceeds this standard as of FY 2015-2016.

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, litter collection in selected corridors, waste collection at non-sheltered bus stops, trash and recycling center operations, curbside recycling and code enforcement.

Waste Disposal Capacity and Service

The cost of providing disposal capacity for Waste Collection Service Area (WCSA) customers, municipalities and private haulers is paid for by the system users. For FY 2015-2016, the DSWM charges at a contract disposal rate of \$66.27 per ton to DSWM Collections and to those private haulers and municipalities with long-term disposal agreements. The short-term disposal rate is \$87.38 per ton in FY 2015-2016. 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 is funded by a portion of the Utility Service Fee charged to all retail 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 a change to the CDMP Land Use Plan map to redesignate a ±1.3559-acre application site from "Low Medium Density Residential (6-13 du/ac)" and "Business and Office" to "Business and Office," which could allow a maximum of 23,625 sq. ft. retail uses or 33 multi-family residential units. If the site was developed with retail uses the water connection charges/impact fees would be \$3,284 and water service line and meter connection fees would cost \$1,300. The sewer connection charges/impact fees for the retail land use would be \$13,229 and the annual operating and maintenance costs would total \$2,912. If the site was developed with residential uses the water connection charges/impact fees would be \$6,881 and water service line and meter connection fees would cost \$1,300. The sewer connection charges/impact fees for the residential land use would be \$27,720 and the annual operating and maintenance costs would total \$6,102.

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, could result in a total of seven students. The average cost for K-12 grade students amounts to \$9,337 per student. Of the seven students, three will attend elementary schools, two will attend middle schools, and two will attend senior high schools. The total annual operating cost for additional students residing in this development, if approved, would total \$65,359. Since there is sufficient concurrency capacity to accommodate the additional students, there are no capital costs. If at the time of issuing a development order and reserving student stations for the development, pursuant to the school concurrency, there is not sufficient capacity, the capital costs will be addressed at that time.

Fire Rescue

The Miami-Dade County Fire and Rescue Department indicates that fire and rescue service in the vicinity of the subject application is adequate. In addition, in an effort to further enhance fire and rescue service in the vicinity, MDFR is planning to construct Station No. 18 (North Miami Central) by seeking to acquire a parcel of land in the vicinity of NE 135 Street between North Miami Avenue and West Dixie Highway for the construction of this Station No. 18. MDFR anticipates that the additional number of alarms will be mitigated upon completion of Station No. 18.

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX F

Photos of Site and Surroundings

THIS PAGE INTENTIONALLY LEFT BLANK



View of application site on NE 109 Street looking north



View looking northwest on Biscayne Boulevard



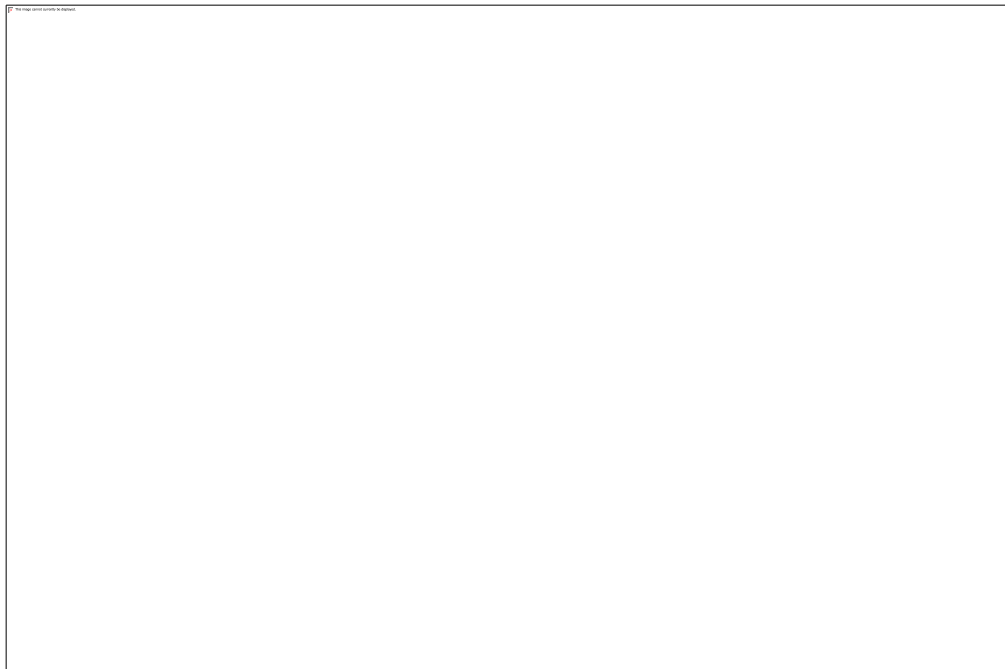
View of former Pottery Village business adjacent to the north



View looking east on NE 109 Street of adjacent Smoke Shop building and residential units further east



View of duplex on NE 109 Street on application site and adjacent residential units further east



View looking south of vacant parcel on south side of NE 109 Street

THIS PAGE INTENTIONALLY LEFT BLANK