

<h1>Application No. 2</h1> <p>Commission District 11 Community Council 11</p>
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APPLICATION SUMMARY

Applicant/Representative:	Century Homebuilders Group, LLC / Juan J. Mayol, Esq., & Gloria M. Velazquez, Esq., Holland and Knight LLP
Location:	South side of SW 136 Street and 200 feet east of SW 157 Avenue
Total Acreage:	±8.92 Gross Acres /±8.39 Net Acres
Current Land Use Plan Map Designation:	"Industrial and Office"
Requested Land Use Plan Map Designation and other changes:	1. Redesignate the application site on the LUP map: From: "Industrial and Office" To: "Medium Density Residential (13 to 25 dwelling units per gross acre)" 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.
Amendment Type:	Small-scale
Existing Zoning District/Site Condition:	BU-1A / Property is vacant

RECOMMENDATIONS

Staff:	DENY (October 2017)
West Kendall Community Council (11):	TO BE DETERMINED (October 23, 2017)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	TO BE DETERMINED (November 6, 2017)
Final Action of Board of County Commissioners:	TO BE DETERMINED (November 8, 2017)

Staff recommends to **DENY** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map to redesignate the ±8.92 gross-acre site from “Industrial and Office” to the “Medium Density Residential” CDMP land use category for the following reasons:

Principal Reasons for Recommendation:

1. The application proposes to change the “Industrial and Office” CDMP land use designation of the ±8.92-gross acre site to facilitate the development of a residential project on the subject property, inconsistent with the CDMP provisions for the conversion of industrial land. The “Industrial and Office” land use category text in the CDMP Land Use Element (on page I-39) provides for the retention of “Industrial and Office” designated land when such land is in a Minor Statistical Area (MSA) that has less than a 15-year supply of industrial land. In instances where there is less than a 15-year supply of industrial land, in order to be considered for approval for a non-industrial use it must be demonstrated that such use will not adversely impact future industrial development. The application site is located in MSA 6.2 that has a 6-year supply of industrial land (see Supply and Demand Analysis of page 2-13), and thereby, it must be demonstrated that conversion of the application site to a non-industrial use will not have a significant negative impact on future industrial development in the area. However, this requirement has not been adequately addressed in the application.

The applicant argues that while designated “Industrial and Office” the subject property and the adjacent parcel to the west are zoned for commercial uses and asserts that because the areas to the south of the application site were developed with residential uses, the subject property is unlikely to ever be developed with industrial uses. On July 24, 2002, the West Kendall Community Council (11) adopted Resolution No. CZAB11-15-02 (reformed through Resolution CZAB11-2-03) approving a zoning district boundary change on the subject property from IU-C (Industrial controlled) to its current BU-1A (Limited Business) zoning. However, it must be highlighted that the subject property is encumbered by a Declaration of Restrictions (recorded in Official Records Book 2058, Page 0244) that limits the commercial uses on the site to uses intended to serve the firms and workers in the surrounding industrial area as allowed by the “Industrial and Office” land use category text (see Adjacent Land Use and Zoning on page 2-12). Furthermore, Approval of the application could trigger the conversion of three adjacent industrially designated parcels totaling ±29.42 acres to non-industrial uses. This acreage includes two contiguous industrially designated parcels east of the site totaling ±18.12 acres and one vacant ±11.3-acre parcel to the west of the site beyond SW 157 Avenue.

3. Approval of the application would be generally inconsistent with the criteria for evaluating Land Use Plan map amendment applications pursuant to Policy LU-8E of the CDMP Land Use Element. Policy LU-8E requires LUP map amendment applications to be evaluated according to factors such as (i) the ability of the proposed amendment to satisfy a deficiency in the LUP map to accommodate projected population or economic growth of the County, (ii) impacts to County facilities and services, (iii) compatibility with abutting and nearby land uses, (iv) impacts to environmental and historical resources, and (v) the extent to which the proposed land use would promote transit ridership and pedestrianism pursuant to Objective LU-7 and associated policies. Each factor is discussed below.
 - i. *Need to Accommodate Economic or Population Growth:* Approval of the application would further deplete the limited industrial land that is available and suitably located for industrial uses and could negatively impact future industrial development and economic

growth in the area. The application site is located in an “Industrial and Office” designated area along SW 136 Street just south the Miami Executive Airport (formerly the Kendall Tamiami Executive Airport). The site is within Minor Statistical Area (MSA) 6.2 which has 127.50 acres of vacant land zoned or designated for industrial uses. The annual average absorption rate for the 2017-2030 period is 20.32 acres per year and at this rate of absorption, vacant land zoned or designated for industrial use is projected to be depleted by the year 2023, within approximately 6-years. (See “Supply and Demand Analysis” on page 2-13.)

The application proposes to redesignate suitable industrial land to “Medium Density Residential” to facilitate the development of residences in an area which is more appropriate for industrial development. Notwithstanding that residential land in MSA 6.2 is projected to be depleted by year 2020, as outlined in the Supply and Demand Analysis, the application site is most appropriate for not an appropriate site for residential development in this area as it could trigger the conversion of the other vacant industrial parcels in the vicinity to residential uses. If the application were approved, the proposed development could negatively impact the abutting and adjacent industrial uses and could thereby negatively impact economic growth in the area.

- ii. *Public Facilities and Services:* Approval of the application would be generally consistent with the CDMP Capital Improvements Element Objective CIE-3 that requires CDMP land use decisions not cause a violation in adopted level of standards for public facilities and services. The impacts that would be generated from maximum potential development on the site (209 residential units, if the application is approved with acceptance of the proffered covenant), would not cause a violation in the level of service standards for public services and facilities.
- iii. *Compatibility:* The requested “Medium Density Residential” land use designation and the maximum residential development, 224 multifamily units, that could be built on the site, if the application were approved, would be generally incompatible with the existing and future uses in the area, primarily the Miami Executive Airport adjacent to the north of the site beyond SW 136 Street. Abutting to the west of the subject property is the C1-Canal and further west is SW 157 Avenue and a vacant parcel, to the east is a gas station, a warehouse condominium plaza and vacant industrial lands, and to the south is the CSX railway beyond which are single family residences. The airport property is designated Transportation Terminals on the CDMP Adopted Land Use Plan map, while the properties to the east and immediate west are designated “Industrial and Office”, and the properties to the south are designated “Low Density Residential”. CDMP Aviation Subelement AV-5 and Policy AV-5G and Land Use Element Policy LU-4B require the County to maximize compatibility between the airports and surrounding communities and to protect uses (such as the airport and industrial uses) that generate significant noise, vibration, or truck or rail traffic from damaging encroachment by new incompatible uses, such as the residential uses proposed for the application site.

The Applicant has proffered a Declaration of Restrictions (covenant) that, among other things, proposes a maximum 209 units on the property and several commitments and limitations aimed at addressing compatibility with the Miami Executive Airport and its operations. Among the covenant provisions are a requirement for the incorporation of at least 25 decibel noise level reduction into the design and construction of any dwelling unit on the property; a commitment to providing an avigation easement to the County allowing flights over the property; and a commitment to providing notice in the initial sale contract

of any residential unit within the property regarding proximity to and impacts from the airport and its operations (see Appendix D: Proffered Declaration of Restrictions). However, while these provisions go some way towards addressing compatibility with the airport, the conversion of the application site to a residential use may not be compatible with the long term viability of the adjacent industrial area and the potential future growth and expansion of the airport and its operations.

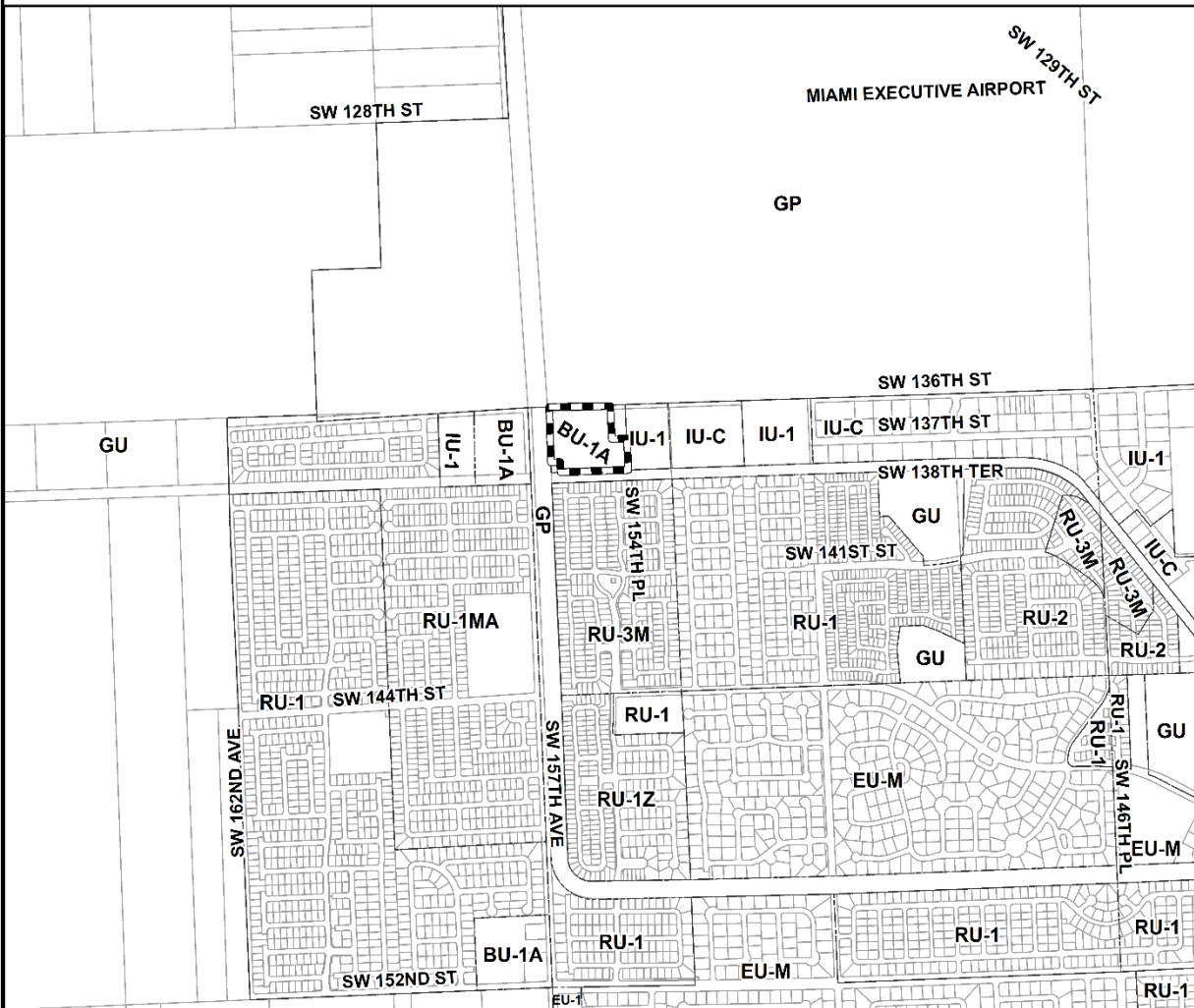
- iv. *Environmental and Historic Resources:* The subject application, if approved, would not impact any environmental or historic resources as there are no such resources on the application site. However, the site does contain prohibited plant species and in accordance with Section 24-49.9 of the Code and CDMP Policy CON-8I, all plant species prohibited by Miami-Dade County shall be removed prior to any development on the property. (See Environmental Conditions section herein on page 2-16.)
- v. *Transit Ridership and Pedestrianism:* The application, if approved, would not support transit ridership and pedestrianism. CDMP Land Use Element Policy LU-8E(v) states (page I-16), "If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein."

Metrobus Routes 137 (West Dade Connection) and 252 (Coral Reef Max) provide service to the general area, where the application site is located, at 30-minute and 20-minute AM/PM headways respectively. Metrobus Route 137 provides local route service in the general area and Route 252 provides express or limited stop service in the area and feeder service to Metrorail. However, the nearest bus stop for Route 252 is located 0.5 miles from the application site and for Route 137 is located 2 miles from the application site (see "Transit Analysis" on page 2-27). The distances of these bus routes, and as discussed above, the application site is located in a primarily industrial area, is not conducive to the creation of a safe and pedestrian friendly environment that would support pedestrianism and transit ridership.

APPLICATION NO. 2 AERIAL PHOTO



APPLICATION 2 ZONING MAP

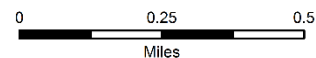


APPLICATION AREA

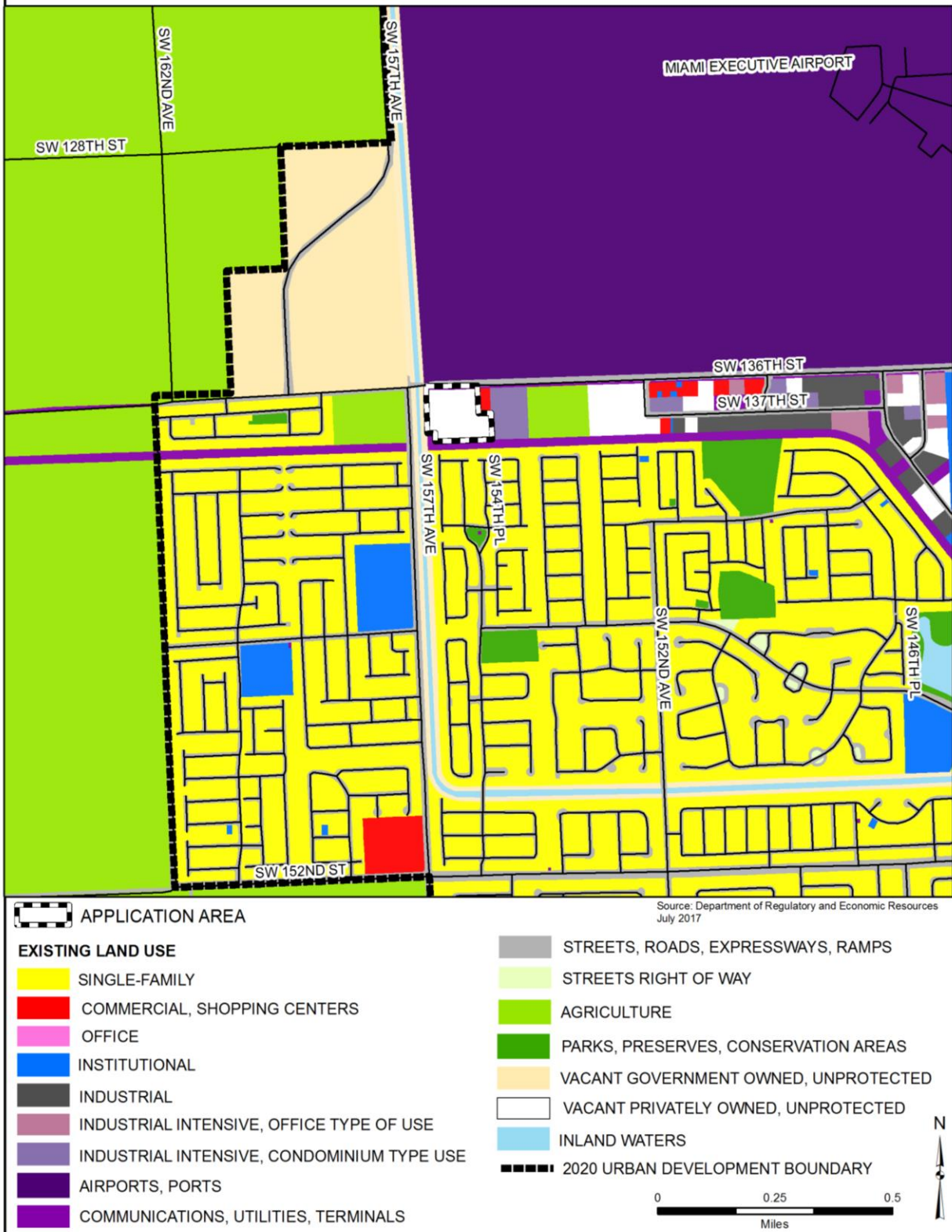
Source: Department of Regulatory and Economic Resources
July 2017

ZONING DISTRICTS

BU-1A	BUSINESS DISTRICTS, LIMITED
EU-1	ESTATES, SINGLE-FAMILY, 1 ACRE OR MORE IN AREA
EU-M	ESTATES MODIFIED, SINGLE-FAMILY
GU	INTERIM DISTRICT
GP	GOVERNMENT PROPERTY
IU-1	INDUSTRIAL DISTRICTS, LIGHT MANUFACTURING
IU-C	INDUSTRIAL DISTRICT, CONDITIONAL
RU-1	SINGLE-FAMILY RESIDENTIAL
RU-1MA	MODIFIED SINGLE-FAMILY RESIDENTIAL
RU-1Z	SINGLE-FAMILY RESIDENTIAL, ZERO LOT LINE
RU-2	TWO-FAMILY RESIDENTIAL DISTRICT
RU-3M	MINIMUM APARTMENT HOUSE

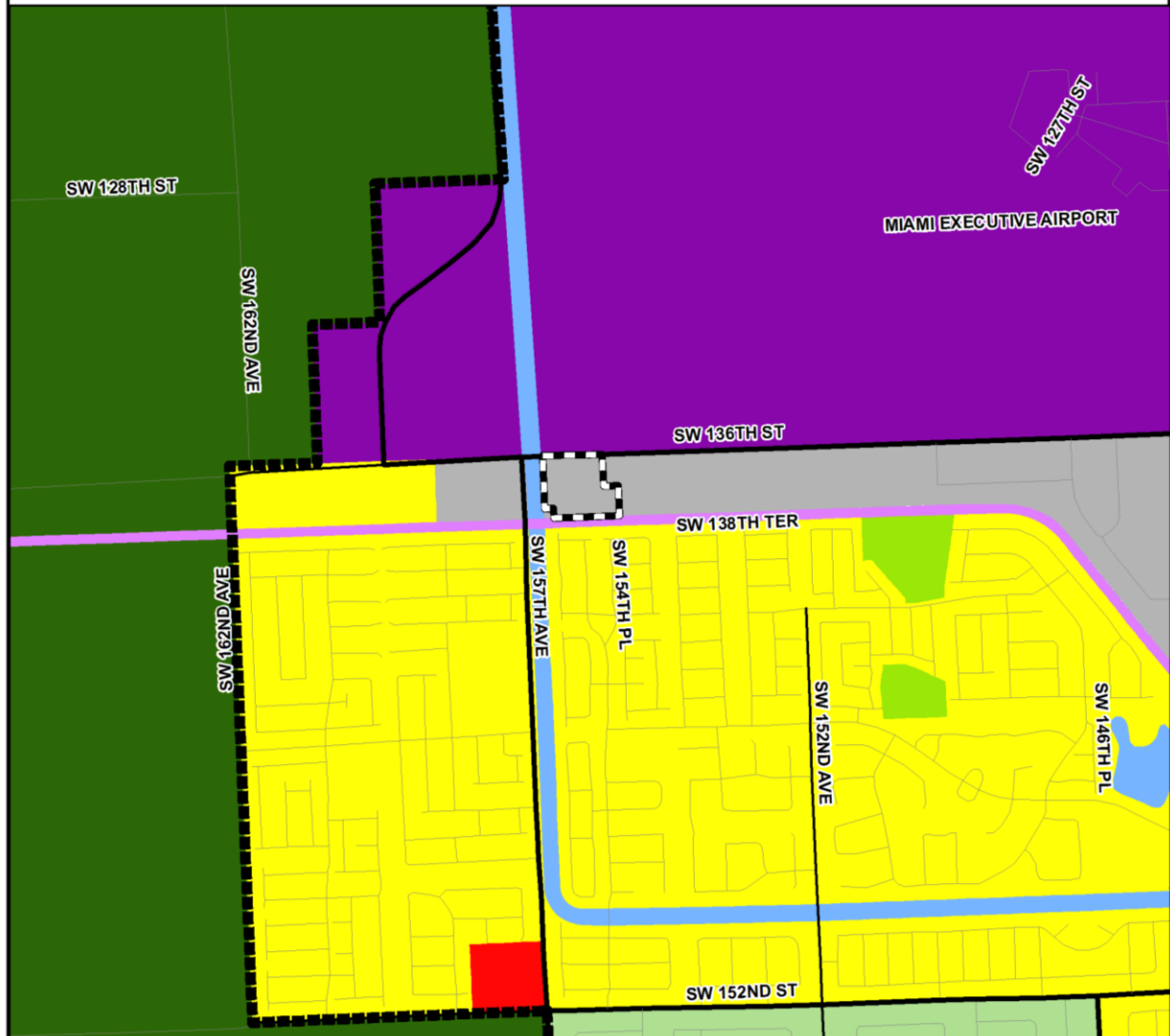


APPLICATION NO. 2 EXISTING LAND USE



APPLICATION NO. 2

CDMP LAND USE



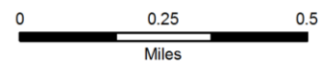
APPLICATION AREA

CDMP LAND USE

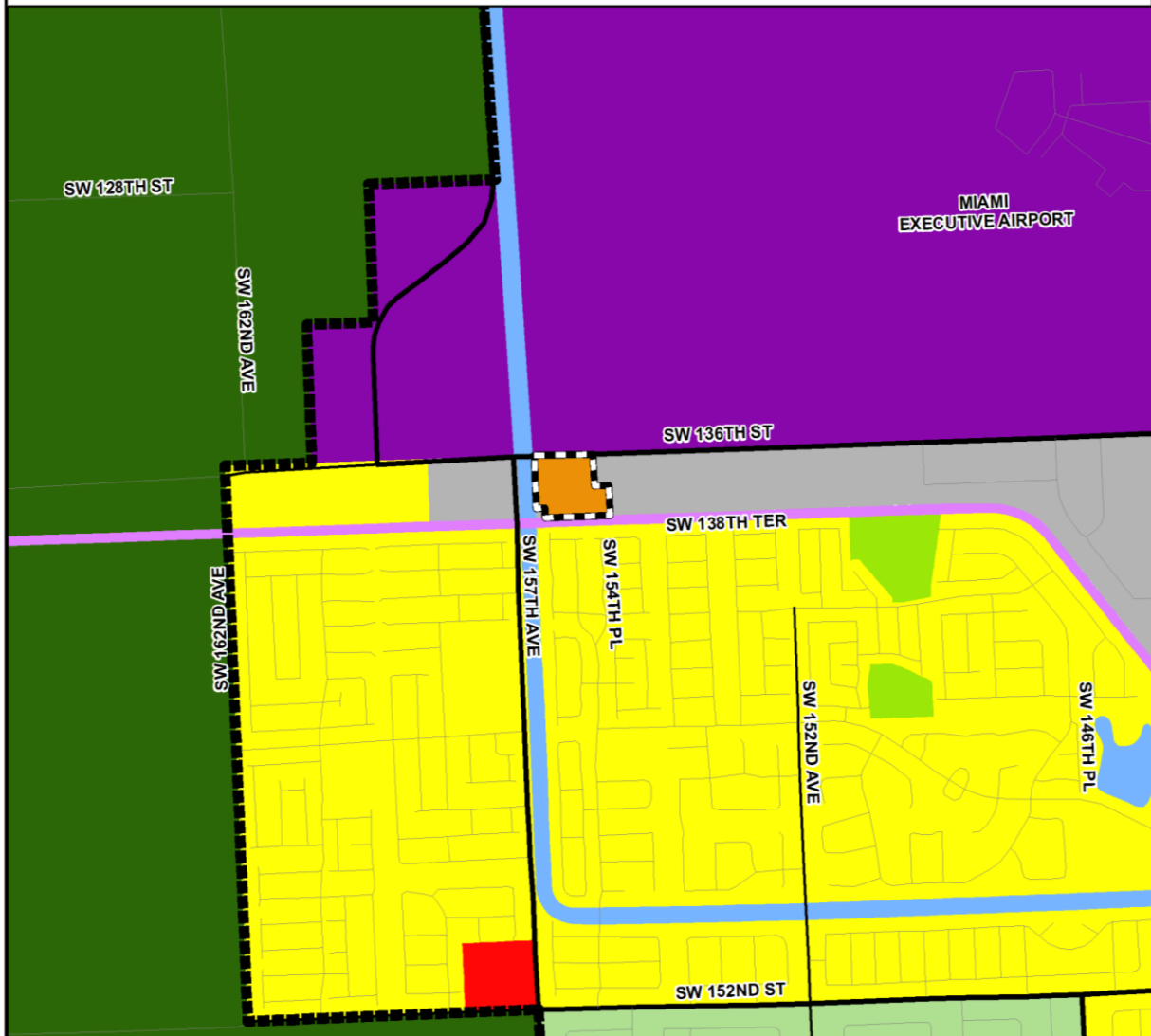
- ESTATE DENSITY (1-2.5 DU/AC)
- LOW DENSITY (2.5-6 DU/AC)
- INDUSTRIAL AND OFFICE
- BUSINESS AND OFFICE
- AGRICULTURE
- ENVIRONMENTALLY PROTECTED PARKS
- WATER
- TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)
- TERMINALS

- MAJOR ROADWAYS (3 OR MORE LANES)
- MINOR ROADWAYS (2 LANES)
- 2020 URBAN DEVELOPMENT BOUNDARY

Source: Department of Regulatory and Economic Resources
July 2017



APPLICATION NO. 2 PROPOSED CDMP LAND USE



APPLICATION AREA

CDMP LAND USE

- ESTATE DENSITY (1-2.5 DU/AC)
- LOW DENSITY (2.5-6 DU/AC)
- MEDIUM DENSITY (13-25 DU/AC)
- INDUSTRIAL AND OFFICE
- BUSINESS AND OFFICE
- AGRICULTURE
- ENVIRONMENTALLY PROTECTED PARKS
- WATER
- TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)

- TERMINALS
- MAJOR ROADWAYS (3 OR MORE LANES)
- MINOR ROADWAYS (2 LANES)
- 2020 URBAN DEVELOPMENT BOUNDARY

Source: Department of Regulatory and Economic Resources
July 2017

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STAFF ANALYSIS

Application Site

Location

The ±8.92-gross acre site is located on the south side of SW 136 Street and 200 feet east of SW 157 Avenue, in unincorporated Miami-Dade County (see “Aerial Photo” on page 2-5). The subject property is located adjacent to the south of the Miami Executive Airport (formerly the Kendall-Tamiami Executive Airport).

Existing Land Use

The application site is currently vacant (See “Existing Land Use” map on page 2-6).

CDMP Land Use Designation

The application site is currently designated “Industrial and Office” on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map, (see “CDMP Land Use” map on page 2-7). The “Industrial and Office” land use category allows manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings, and telecommunication facilities.

The CDMP Land Use Element text on page I-39 provides for the retention of “Industrial and Office” designated land when such land is in a Minor Statistical Area that has less than a 15-year supply of industrial land. In instances where there is less than a 15-year supply of industrial land, in order to be considered for approval of a non-industrial use it must be demonstrated that such use will not adversely impact future industrial development. The application proposes development on the subject property located in Minor Statistical Area (MSA) 6.2, which has 125.5 acres of vacant industrial land remaining with an absorption rate of 20.32 acres of industrial land per year. Therefore, the projected depletion of vacant industrial land in MSA 6.2 is year 2023. This translates to a 6-year supply of industrial land remaining in the subject MSA.

The Applicant requests to redesignate the application site on the LUP map to “Medium Density Residential” (see “Proposed CDMP Land Use” map on page 2-9). The “Medium Density Residential” CDMP land use category allows residential development at a density that ranges between 13 and 25 dwelling units per gross acre.

Under the current CDMP land use designation, the site could be developed with a maximum of 182,734 square feet of industrial uses. Under the Applicant’s requested “Medium Density Residential” designation, the application site could be developed with a maximum of 223 multi-family residential units.

Proffered CDMP Declaration of Restrictions

The Applicant proffered a Declaration of Restrictions that proposes the following commitments limitations on the subject property: 1) The owner shall incorporate at least 25 decibel noise level reduction into the design and construction of any dwelling unit on the property; 2) the owner grants Miami-Dade County an easement and right-of-way for the unobstructed flights of all types of aircraft, from the Miami Executive Airport, through the airspace above the subject property; 3) the owner shall provide notification of the proximity of said airport to future property owners on the application site; and 4) the owner shall restrict residential development on the site to a maximum

of 209 multi-family units. This number of units represents a residential density on the subject property of 23.43 units per gross acre.

Zoning

The application site is currently zoned BU-1A (Limited Business District) and is currently encumbered by a zoning Declaration of Restrictions, executed on June 17, 2002 and recorded in Official Records Book No. 2058, Pages 0244-2056 that limits the commercial uses on the application site to commercial uses that would serve the firms and workers in the industrial and office development in the general vicinity of the application site. (See "Zoning Map" on page 2-5.)

Miami-Dade Aviation Department (MDAD) has determined that the referenced property is within the No School Zone and may be impacted by the Inner Safety Zone and the Outer Safety Zone as defined in the Code of Miami-Dade County, Article XL Kendall-Tamiami Executive Airport Zoning, Section 33-395 (currently Miami Executive Airport). New educational facilities (as defined by Chapter 235, Florida Statutes, as amended, and Miami-Dade County Code) excluding aviation schools, are not permitted within the No School Zone land use classification (see "Miami Executive Airport" zoning map on page 2-11).

Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938. According to County zoning records, the subject property was initially zoned GU (Interim). However, on January 21, 1986, Miami-Dade Board of County Commissioners (Board) adopted Resolution No. Z-289-85 approving a zoning district boundary change on a ±139.99-net acre parcel that included the application area from GU to IU-C (Industry-Controlled). Subsequently, on July 24, 2002, the West Kendall Community Council (11) adopted Resolution No. CZAB11-15-02 approving a zoning district boundary change on the subject property from IU-C to BU-1A (Business Limited), and limited the site to uses that would serve the firms and workers in the industrial area. Resolution No. CZAB11-15-02 was adopted with acceptance of a Declaration of Restrictions (covenant) that includes the limitations, among others, to utilizing the site only for commercial uses of the serve the firms and workers in the industrial area. Subsequent to it approval in July 2002, Resolution No. CZAB11-15-02 was reformed through Resolution No. CZAB11-2-03 to correct a scrivener's error with the legal description advertised in the resolution and maintained the limitation on the use of the property.

Adjacent Land Use and Zoning

Existing Land Uses

The property to the north of the application site is developed with the Miami Executive Airport. To the east of the application site are a Texaco gas station and the Gateway Corporate Plaza warehouse condominium, which contain small businesses, such as a sports bar grill, a pizza restaurant, an auto parts store, an insurance company and an automobile tire shop, among others. To the south of the application site is the CSX railroad, beyond which there are single-family residential communities with homes is that are in good condition (south and west of the site). Adjacent to the west of the site is the C1-W Canal and a cell tower; further west, beyond the canal and SW 157 Avenue, is a vacant property (see "Aerial Photo" on page 2-5).

Land Use Plan Map Designations

The airport properties to the north of the application site, across SW 136 Street, are designated "Terminals" on the LUP map. Adjacent to the west of the site is a canal depicted as "Water" on the LUP map, further west and east of the site are properties that are designated "Industrial and Office." South of the site the CSX railroad is depicted as "Transportation" and, beyond the railroad,

are properties designated “Low Density Residential (2.5 to 6 units per gross acre)” on the LUP map (see “CDMP Land Use” map on page 2-8).

Zoning

The airport properties adjacent to the north of the application site are zoned GP (Government Property). Properties located to the east of the application site are zoned BU-1A (Limited Business) and IU-1 (Light Industrial). Properties adjacent to the east are also within the airport’s No School Zone. The single-family properties to the south, beyond the railroad, are zoned RU-3M (Minimum Apartment House), which permit low-rise apartment buildings at a residential density of 12.9 units per net acre and to the southwest properties are zoned RU-1M(a). The property to the west of the site, beyond SW 157 Avenue, is zoned BU-1A (see “Zoning Map” on page 2-6). Further west, the property is zoned IU-1. Furthermore, properties located to west, beyond SW 157 Avenue, are within the airport’s No School Zone and the Outer Safety Zone (see “Miami Executive Airport” zoning map” on page 2-9.)

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, land capacity is analyzed at the localized or Minor Statistical Area (MSA) level.

Industrial

The Analysis Area for this Application (MSA 6.2) contained 625.70 acres of in-use industrial uses in 2017, and an additional 127.50 acres of vacant land zoned or designated for industrial uses. The annual average absorption rate for the 2017-2030 period is 20.32 acres per year. At the projected rate of absorption, reflecting the past absorption rates of industrial uses, the Analysis Area will deplete its supply of industrially zoned land in the year 2023 – approximately six years (see “Projected Absorption of Land for Industrial Uses” table below).

Projected Absorption of Land for Industrial Uses Indicated Year of Depletion and Related Data				
Analysis Area	Vacant Industrial Land 2017 (Acres)	Industrial Acres in Use 2017	Annual Absorption Rate 2017-2030 (Acres)	Projected Year of Depletion
MSA 6.2	127.50	625.70	20.32	2023

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

Residential

In 2017, the combined vacant land for single-family and multi-family residential development in Minor Statistical Area 6.2 (Analysis Area) was estimated to have a capacity for about 1,532 dwelling units, with about 78 percent of these units intended for multi-family use. The annual average residential demand in this Analysis Area is projected to increase from 496 units per year, in the 2017-2020 period, to 523 units in the 2025-2030 period. An analysis of the residential capacity by type of dwelling units shows the depletion of single-family type units occurring in 2017 and for multi-family type by 2030 (see “Residential Land Supply/Demand Analysis” table below).

The supply of residential land for both single-family and multi-family type units is projected to be depleted by 2020.

Residential Land Supply/Demand Analysis
2015 to 2030: (MSA 6.2)

ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2017	335	1,197	1,532
DEMAND 2015-2020	407	89	496
CAPACITY IN 2020	0	841	0
DEMAND 2020-2025	414	90	504
CAPACITY IN 2025	0	391	0
DEMAND 2025-2030	429	94	523
CAPACITY IN 2030	0	0	0
DEPLETION YEAR	2017	2030	2020

Residential capacity is expressed in terms of housing units.

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

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

Impacts to Supply of Residential and Industrial Lands

An economic analysis report was submitted by Miami Economic Associates (MEA) in support of the application and was reviewed by County planning staff. Comments from this review are as follows:

- The Need for an Increase Supply of Housing

The MEA report, on page 2, discusses Land Use Element Policy LU-8F, which mandates that the County contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption). The most recent EAR was adopted in March 2011. This 15-year supply of residential land requirement is currently satisfied. In addition, the Department encourages and supports infill development where it is appropriate and compatible with existing uses, and where it does not contradict other CDMP policies. Residential supply is constantly evolving and can be impacted by a number of factors including redevelopment.

Furthermore, MEA points to differences in the population projection created in 2013 by the Planning Division of the Department of Regulatory and Economic Resources (RER) and the estimates from the U.S. Census Bureau and the Bureau of Economic and Business Research (BEBR) for 2015. It states that the U.S. Census and BEBR numbers are both higher than the Planning Division's projection for 2015. While it is true that our countywide projection differs from the Census' and BEBR's, it does not necessarily mean that it is less accurate. Population projections are updated regularly and numbers are updated as needed. Yet, no one will be able to tell with certitude its accuracy until the 2020 Decennial Census is released, which is not based on a sample, but a 100 percent coverage. It is worth remembering that both the

Census Bureau and BEBR had to lower their estimates after the 2010 Census numbers were released – both were high.

While it is also true that supply of residential land in MSA 6.2 is expected to be depleted by 2017 for single-family type units, the depletion for multi-family is expected to be in 2030. MSA 7.2, south of the proposed amendment, has a depletion date for single-family housing of 2021 and the depletion for multi-family to be beyond 2030.

- Need for Moderate Price Housing

The MEA report presents the case that there is an urgent need for workforce housing, referred to in the report as moderately priced housing. The numbers support this case. A review of eight zip codes around the proposed amendment show median sales prices in 2016 ranging from \$260,000 to \$370,000 with an average of \$333,000. It bears noting that this average is considerably higher than the \$240,000 to \$275,000 price range represented in the MEA report. The U.S. Department of Housing and Urban Development (HUD) area median income (AMI) for Miami-Dade County is currently \$51,800. Therefore workforce housing is housing affordable at annual incomes from \$31,000 to \$72,500 (60% to 140% of AMI). At \$240,000 a home would be affordable to a household earning 115% or more of the AMI. The \$275,000 house would just be affordable to a household earning 132% or more of the AMI. Therefore, homes provided in the range stated by MEA would address the pressing need for workforce housing.

- Impact on the Supply of Industrial Land

While the re-designation of the subject property, approximately 8.9 acres, will not have a significant impact on the countywide supply of land available for industrial uses, it is much different when the analysis is focused on MSA 6.2 – specifically the strategic area around the Miami Executive Airport. This is a one of the few areas with a significant amount of industrial land and location that could become a cluster for industrial uses. At the July 6th, 2017 meeting of the Board of County Commissions a resolution was passed requesting a report on economic development growth opportunities at the Miami Executive and Miami-Opa Locka Executive Airports.

A vibrant industrial sector is essential to the economic well-being of Miami-Dade County and needed for the economic development of this specific area of the County. Once industrial land is removed from the inventory and used for other purposes, it will not revert back, and its deleterious effect will be felt for decades. If the County's goal is to create a cluster where industrial uses will flourish, creating jobs that usually pay wages higher than the County average, then we should guard against the conversion of the County's industrial land supply for non-industrial uses—specifically in strategic locations such as the proposed amendment site.

Environmental Conditions

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

Flood Protection

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

Biological Conditions

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

Other Considerations

Within Wellfield Protection Area	No
Contaminated Site	No DERM records

Pollution Remediation

There are no DERM records of current contamination assessment/remediation issues on the property or on sites directly abutting the property. Based on the historical agricultural use of the property, it is recommended that a Phase 1 and Phase 2 Environmental Site Assessment be conducted on the property prior to development.

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.

A DERM Class II permit may be required for any proposed drainage system containing an outfall or overflow system in, on, or upon any water body of Miami-Dade County.

The subject property is not located within a Special Flood Hazard Area in FEMA Flood Insurance Rate Maps (FIRM). Any development will have to comply with the requirements of Chapter 11C of the Code for flood protection.

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

- Average crown of road fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- County Flood Criteria 8 feet NGVD, plus 8 inches for residential, or plus 4 inches for commercial.
- Elevation of the back of the sidewalk (if any) fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.

- The stage generated by retention on-site of the 100-year rainfall event according to stage-storage calculations must be equal or less than the Base Flood Elevation.

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

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

Natural Resources

An aerial review of the subject property does not indicate the presence of tree resources, but the site does contain prohibited species. In accordance with Section 24-49.9 of the Code and CON-8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species.

Endangered Species

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

Water and Sewer

Water Treatment Plant Capacity

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

The rated treatment capacity of the Miami-Dade Water and Sewer Department regional water treatment system is 449.74 million gallons per day (MGD). To maintain sufficient capacity in accordance with the level of service standard outlined in CDMP Policy WS-2A, the regional system shall operate with a rated maximum daily capacity no less than two percent above the maximum daily flow for the preceding year and an average two percent above the average daily flow for the preceding five years. Therefore, the total available water treatment plant capacity based on CDMP Policy WS-2A is 72.89 MGD. This is calculated using the available plant capacity (449.74 MGD), subtracting 102% of the maximum day flow (346.61 MGD) and subtracting the water that is reserved through development orders (30.24 MGD).

As noted in the "Estimated Water Demand/Sewer Flow for Proposed Development by Land Use Scenario" table below, the maximum water demand for Industrial development (Scenario 1) under the current CDMP Land Use designation is estimated at 4,568 gallons per day (gpd). The maximum water demand for residential development (Scenario 1) under the Requested CDMP Land Use designation is estimated at 33,450 gpd. However, the Applicant has proffered a Declaration of Restrictions that would limit residential development on the property to 209 dwelling

units. The maximum water demand/sewer flow for Residential development with acceptance of the proffered Declaration of Restrictions (Scenario 2) is 31,350 gpd. This represents an increase of up to 26,782 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	Industrial	182,734 sq. ft.	2.5 gpd/100 sq. ft.	4,568 gpd
Requested CDMP Designation				
1	Multi-family	223 units	150gpd/unit	33,450 gpd
2	Multi-family	209 units	150gpd/unit	31,350 gpd

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

Water Supply and Connectivity:

Application No. 2 is located within the MDWASD franchised water service area. The source of potable water for this area is the Alexander Orr Water Treatment Plant which is owned and operated by MDWASD. 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 an existing 20-inch water main at the northeast corner of the subject property along SW 136th Street to which the developer may connect and extend a new 16-inch water main westerly along SW 136th Street to the northwest corner of the property. Any public water main extension within the property shall be 8-inch minimum diameter. If two or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection.

At this time, there is a planned project at the southwest corner of SW 136th Street and SW 157th Avenue with a WASD Agreement No. 23268 for the new construction of 5,800 square feet of Fast Food Restaurant, 18,000 square feet of Office Building, 30,000 square feet Retail Building and 41,734 square feet for a school.

Sewer Treatment Plant Capacity

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

The Miami-Dade County Water and Sewer Department regional wastewater treatment system capacity is the sum of the daily treatment capacity of the three wastewater treatment plants. The regional wastewater treatment system can treat up to 375.5 MGD. The Sanitary Sewer Level of Service (LOS) standard presented in the CDMP requires the regional system to have sufficient capacity to treat 102% of the average daily sewage demand of the preceding 5 years. The available capacity is calculated by subtracting 102% of the annual average flow (308.44 MGD) for the preceding 5 years and the capacity reserved for development orders (38.76 MGD) from the system capacity (375.5 MGD). Therefore, the available wastewater treatment plant capacity is 28.3 MGD.

Sewer System Connectivity:

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

The proposed land use would be required to connect to the public sanitary sewer system pursuant to Chapter 24 of the Code. There is an existing 10-inch gravity sewer main along SW 136th Street to which the developer may connect to provide sanitary sewer service. Any proposed gravity sewer extension inside the developer's property shall be 8-inch minimum diameter.

The 10-inch sanitary sewer gravity main directs the sewage flow to sanitary sewer pump station 30-0574 and then to the South District Wastewater Treatment Plant. This pump station and the South 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 Dec 6, 2013.

Solid Waste

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

Level of Service Standard

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

Application Impacts

The application requests redesignation of the site from "Industrial and Office" to "Medium Density Residential." The Medium Density Residential designation may result in the development of townhouses and/or low to medium rise apartments. In the event that townhomes or two story condominiums with separate means of ingress and egress are constructed at the site, the DSWM

will provide waste collection service. If, on the other hand, a multifamily residential establishment with common means of ingress and egress is constructed, waste collection services would 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 2 (PBD-2), which generally encompasses the area of the County between SW 8 Street and SW 184 Street.

Level of Service Standard

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

The "County Local Parks" table below lists the parks within a 3-mile radius of the application site; only one park (Sandpiper) is less than the required five-acre park.

County Local Parks Within a 3-Mile Radius of Application Site		
Park Name	Acreage	Classification
Chuck Pezoldt Park	39.88	Community Park
Eureka Villas Park	5.30	Neighborhood Park
Forest Lakes Park	5.67	Neighborhood Park
Hammocks Community Park	21.51	Community Park
Kings Grant Park	6.42	Neighborhood Park
Kings Meadow Park	5.44	Neighborhood Park
Oak Creek Park	5.03	Neighborhood Park
Sandpiper Park	4.74	Neighborhood Park
Sugarwood Park	7.82	Neighborhood Park
Three Lakes Park	15.72	Single Purpose Park
Water Oaks Park	5.05	Community Park
Wild Lime Park	11.81	Community Park

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

Application Impacts

The potential development of the site under the existing CDMP land use designation does not generate a population; thus the concurrency analysis for this scenario has no impact based on the minimum Level of Service standard for the provision of local recreation open space.

The potential for residential development under the proposed land use designation is estimated to generate a population of 442 persons. The concurrency analysis for this scenario results in an impact of 1.22 acres based on the minimum Level of Service standard for the provision of local recreation open space and by reducing the surplus parkland acreage within PB-3 from 485.19 to 483.97 acres. However, the minimum Level of Service standard would continue to be met.

Fire and Rescue Service

The application area is currently served by Miami-Dade Fire Rescue (MDFR) Station No. 36 (Hammocks) located at 10001 SW Hammocks Boulevard. The station is equipped with one Aerial and one Rescue unit totaling seven (7) firefighter/paramedics, 24 hours a day, seven days a week. The average travel time to incidents in the vicinity of the application site is estimated at approximately 6 minutes and 10 seconds. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8 minutes at 90% of all incidents. Presently, travel time to incidents in the vicinity of the application site complies with the performance objective of national industry standards.

Level of Service Standard for Fire Flow and Application Impacts

CDMP Policy WS-2A establishes the County's minimum Level of Service standard for potable water. This CDMP policy requires the County to deliver water at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi, unless otherwise approved by the Miami-Dade Fire Rescue Department. A minimum fire flow of 1,500 gallons per minute (GPM) is required for the proposed land use. Fire hydrants shall be spaced a minimum of 300 feet apart and shall deliver not less than 500 GPM. The Miami-Dade Fire Rescue Department has no objection to this application.

The MDFR Department has determined that the current "Industrial and Office" land use designation of the application site would allow development that would potentially generate eight (8) annual alarms. The proposed "Medium Density Residential" designation is anticipated to generate sixty-two (62) annual alarms, and would have a moderate impact to existing fire-rescue services. Currently, fire and rescue service in the vicinity of the subject site is adequate.

Public Schools

Level of Service Standard

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

A planning level review, which is considered a preliminary school concurrency analysis, was conducted on this application based on the adopted LOS standard for public schools, the Interlocal Agreement (ILA) for Public Facility Planning between Miami-Dade County and Miami-Dade County Public Schools, and current available capacity and school attendance boundaries. If capacity is not available at the school of impact, the 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, as defined in CDMP Policy EDU-2C.

Section 7.5 of the ILA provides for “Public Schools Planning Level Review” (Schools Planning Level Review), of CDMP amendments containing residential units. This type of review does not constitute a public school concurrency review and, therefore, no concurrency reservation is required. Section 7.5 further states that “...this section shall not be construed to obligate the County to deny or approve (or to preclude the County from approving or denying) an application.”

Application Impact

This application, if approved, may increase the student population of the schools serving the application site by an additional 44 students. This number includes a reduction of 24.18% to account for charter and magnet schools (schools of choice). Of the 44 students, 19 are expected to attend elementary schools, 11 are expected to attend middle schools and 14 are expected to attend senior high schools. The students will be assigned to those schools identified in the “Concurrency Service Area (CSA) Schools” table below. At this time, the schools have sufficient capacity available to serve the application.

Concurrency Service Area (CSA) Schools

Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
Norman Butler Bossard Elementary	-177	19	0	No	Current CSA/ Five Year Plan
Arvida Middle	147	11	11	Yes	Current CSA/
Miami Sunset Senior	797	14	14	Yes	Current CSA

Adjacent Concurrency Service Area Schools

Miami Heights Elementary	242	19	19	Yes	Adjacent CSA
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Source: Miami-Dade County Public Schools, July 2017

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

Note: CSA means Concurrency Service Area

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

Aviation

The Miami-Dade Aviation Department (MDAD) has determined that the referenced property is either partially or fully impacted by the following land use restrictive zones as defined in the Code of Miami-Dade County, Article XL Kendall-Tamiami Executive Airport Zoning, Section 33-395:

- Inner District (ILZ): New residential construction and educational facilities, excluding aviation, are not permitted within this land use classification.

- Outer District (OLZ): New residential construction and educational facilities excluding aviation, are required to incorporate at least a 25 decibel (db) Noise Level Reduction into the design/construction of the structure.
- No School Zone (NSZ): New educational facilities, excluding aviation schools, are not permitted within this land use classification.

MDAD is in the process of amending the Miami Executive Airport Zoning. One of the revisions involves replacing the existing ILZ and OLZ boundaries with the 75 and 65 db noise contours. This amendment, if approved by the Board of County Commissioners (BCC) will result in a reduction of the overall land area encumbered by the ILZ and OLZ. The justification for allowing the ILZ and OLZ to be recalculated is based upon Florida State Statute 333.03(2)(c) as follows: "Where an airport authority or other governing body operating a publicly owned, public-use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. Part 150, neither residential construction nor any educational facility as defined in Chapter 1013, with the exception of aviation school facilities, shall be permitted within the area contiguous to the airport defined by an outer noise contour that is considered incompatible with that type of construction by 14 C.F.R. Part 150, Appendix A or an equivalent noise level as established by other types of noise studies".

While it will always be MDAD's preference to support land uses which are considered more compatible with airport operations in close proximity to our airport system, it should be understood that should the BCC choose to adopt MDAD's proposed airport zoning changes, the application site would no longer be encumbered by a land use restrictive zone which would prohibit residential development.

Since the subject property is in close proximity to Miami Executive Airport, the applicant is required to coordinate with MDAD and the Federal Aviation Administration to review any proposed temporary and permanent structures for airspace impacts.

Other Aviation Considerations

The applicant has proffered a Declaration of Restrictions that provides for an aviation easement and requires a 25 decibel noise level reduction in the design and construction of dwelling units, and notice requirements to future owners that references Miami Executive Airport operations in the real estate contract for sale.

Roadways

The application site is a ±8.92-acre property located south of SW 136 Street and 200 feet east of SW 157 Avenue in unincorporated Miami-Dade County. The site is located just outside the boundary of Miami Executive Airport south of the application site. Both SW 136 Street and SW 157 Avenue that run to the north and west of the application site are four-lane divided roadways. SW 136 Street provides the only access on the north side of the application site. South of the site is SW 152 Street, a six-lane divided highway, which provides connection to the Turnpike in the east.

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 2016) and the County (Year 2016), are operating at acceptable levels of service. See “Traffic Impact Analysis on Roadways Serving the Amendment Site” Table below.

Trip Generation

The maximum development potential scenarios under each the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Industrial and Office” the application site is assumed to be developed with 182,734 sq. ft. of industrial uses and under the requested CDMP land use designation of “Medium Density Residential” the application site can be developed with 223 units of Townhomes but the applicant is conditioning the development to 209 units by providing a covenant. The potential development under the current CDMP land use designation of “Industrial and Office” is expected to generate approximately 104 PM peak hour trips and under the requested CDMP land use designation of “Medium Density Residential” is expected to generate approximately 110 PM peak hour trips or approximately 6 more PM peak hour trips than 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. 2	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
Land Use	“Industrial and Office”	“Medium Density Residential” (13-25 du/ac)	
Maximum Development Potential	182,734 sq. ft. Industrial	209 DU (covenant) Townhomes	
Trips Generated	104	110	+ 6

Source: Institute of Transportation Engineers (ITE), Trip Generation, 9th Edition, 2012; [ITE Land Use Codes: 110 & 230] Miami-Dade County Department of Regulatory and Economic Resources, May 2017.

Traffic Short Term Evaluation (Concurrency)

An evaluation of peak-period traffic concurrency conditions as of May 2017, which considers reserved trips from approved development not yet constructed, programmed roadway capacity improvements listed in the first three years of the County’s adopted 2018 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the 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 on page 2-25 below shows that all roadways analyzed are projected to operate at acceptable levels of service.

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

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Total Trips With D.O's Trips	Conc. LOS w/o Amend.	Amend-ment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
Requested CDMP Designation: "Medium Density Residential" – 209 Townhomes (covenant)													
9859	SW 157 Ave.	SW 152 St. to SW 184 St.	4 DV	D	3,222	1,176	C	74	1,250	C	36	1,286	C
9816	SW 137 Ave.	SW 136 St. to SW 152 St.	6 DV	E	5,390	3,764	C	707	4,471	C	13	4,484	C
9814	SW 137 Ave.	SW 120 St. to SW 136 St.	6 DV	E	5,390	4,534	C	507	5,041	C	44	5,085	C
8679 ¹	SW 157 Ave.	SW 136 St. to SW 120 St.	4 DV	D	3,222	1,377	C	0	1,377	0	17	1,394	C

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

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

* County adopted roadway level of service standard applicable to the roadway segment: D (90% capacity); E (100% capacity); E+20% (120% capacity); E+50% (150% capacity) for roadways serviced with mass transit having 20 minutes or less headways in the Urban Infill Area (UIA).

1 - Not a concurrency station hence there are no approved D.O trips.

Application Traffic Impact

The maximum development potential scenarios under the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Industrial and Office” the application site is assumed to be developed with the 182,734 sq. ft. of industrial uses and under the requested CDMP land use designation of “Medium Density Residential” the application site is assumed to be developed with 209 town houses. The potential development scenarios under the current CDMP land use designation are expected to generate approximately 104 PM peak hour trips and the requested change in CDMP land use designation would generate 110 PM peak hour trips, which is 6 PM peak hour trips more than the existing CDMP designation.

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

Other Roadway Improvements

Miami-Dade Expressway Authority (MDX) is currently conducting a PD&E study for the western extension of SR 836 (Dolphin Expressway) from NW 137 Avenue to SW 136 Street.

Transit

Existing Service

The application site is not directly served by Metrobus service. The nearest existing bus services are Metrobus Route 137 (West Dade Connection) which provides service along SW 137th Avenue and Metrobus Route 252 (Coral Reef MAX) which provides service along Country Walk Drive. The closest Metrobus stops are nearly two miles to the east at the intersection of SW 136 Street and SW 137 Avenue and over half a mile to the southeast on Country Walk Drive. The service frequency of these routes is 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		
137 (West Dade Connection)	30	45	60	40	45	2	L
252 (Coral Reef MAX)	20	60	50	60	60	0.5	E/F

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

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

Recent Service Improvements

Service improvements were implemented for Metrobus Route 252 (Coral Reef MAX) in 2016. These improvements included running time adjustments seven days a week as well as the elimination of the route deviation into Zoo Miami seven days a week. Service adjustment was made effective August 27, 2017 which discontinued the western portion along SW 160 Street and to SW 162 Avenue (252A).

Future Service Improvements

The Department of Transportation and Public Works (DTPW) plans to extend Route 137 (West Dade Connection) to the Dolphin Station by late 2017.

Long-Term Vision: Major Transit Projects

As a part of the Strategic Miami Area Rapid Transit (SMART) Plan, DTPW plans to implement a network of Bus Express Rapid Transit (BERT) routes. The SW Miami Dade Express route is planned to provide service between the Dadeland North Metrorail Station and the future Miami Executive Airport Station using SW 120th Street, SR 874/Don Shula Expressway, and SR-878/Snapper Creek Expressway. The exact location of the Miami Executive Airport Station is yet to be determined, but will likely be adjacent to the airport, and thus provide an additional transit alternative for residents of the surrounding area. The Miami Executive Airport Station project is currently unfunded.

Application Impacts

A preliminary analysis performed in the Traffic Analysis Zone (TAZ) 1293 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 as well as the proposed SW Miami Dade Express Route (see “Long-Term Vision: Major Transit Projects” above).

Other Transit Considerations

Reference is made in the Application that if the existing Metrobus routes were extended westward then the “application site could be potentially served by transit” and to that end “bus stops and bus pull out lanes can be accommodated within the proposed development of the property.” However, the applicant did not proffer any such transit provisions in their covenant. Given DTPW’s recent service adjustments outlined in “Recent Service Improvements” above, further westward extension appears unlikely.

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-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.
- CIE-3. CDMP land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels.

The proposed application will impede 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-4B. Uses designated on the LUP map and interpretive text, which generate or cause to generate significant noise, dust, odor, vibration, or truck or rail traffic shall be protected from damaging encroachment by future approval of new incompatible uses such as residential uses.
- LU-8E. Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved would:
- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
 - ii) Enhance or impede provision of services at or above adopted LOS Standards;
 - iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods;
 - iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
 - v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.
- LU-7A. Through its various planning, regulatory and development activities, Miami-Dade County shall encourage development of a wide variety of residential and non-residential land uses and activities in nodes around rapid transit stations to promote mobility, produce short trips, minimize transfers, attract transit ridership, and promote travel patterns on the transit line that are balanced directionally and temporally to promote transit operational and financial efficiencies. Land uses that may be approved around transit stations shall include housing, shopping and offices in moderate to high densities and intensities, complemented by compatible entertainment, cultural uses and human services in varying mixes. The particular uses that are approved in a given station area should, a) respect the character of the nearby community, b) strive to serve the needs of the community for housing and services, and, c) promote a balance in the range of existing and planned land uses along the subject transit line. Rapid transit station sites and their vicinity shall be developed as "urban centers" as provided in this plan element under the heading Urban Centers.
- AV-5 Continue to ensure the compatibility of aviation facilities and operations with the natural environment and surrounding communities.
- AV-5G. To the extent feasible, utilize the CDMP Land Use Element to maximize compatibility of land use around airports and the Homestead Air Reserve Base, reflecting recommendation in the federal and State guidance documents cited in Policy AV-5E.

APPENDICES

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APPENDIX A

Amendment Application

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

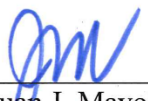
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By:  5/31/17
Gloria M. Velazquez, Esq. Date

3. DESCRIPTION OF REQUESTED CHANGE

A. Changes to the Land Use Plan Map. Applicant requests a change to the Land Use Plan (LUP) map designation on the subject property from "Industrial and Office" to "Medium Density Residential".

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

The Property contains approximately ± 8.92 gross acres (± 8.39 net acres) and is located on the southeast corner of SW 136th Street and SW 157th Ave, in Section 21, Township 55 South, Range 39. The Property is comprised of Tract "A" of TAMIAMI – 157TH AVENUE, according to the Plat thereof, as recorded in Plat Book, 162, Page 2, of the Public Records of Miami-Dade County, Florida

LESS

The North 276.00 feet of the East 141.30 feet of Tract "A" of TAMIAMI - 157TH AVENUE, according to the Plat thereof, as recorded in Plat Book, 162, Page 2, of the Public Records of Miami-Dade County, Florida and is more particularly described in Exhibit "A" to this application.

C. Gross and Net Acreage.

Application area: ±8.92 gross acres (±8.39 net acres)

Acreage Owned by Applicant: ±8.39 acres

D. Requested Change.

1. Applicant requests that the Property be re-designated on the Land Use Plan map from "Industrial and Office" to "Medium Density Residential".

2. Applicant requests that this Application be processed as an expedited small-scale amendment.

4. REASONS FOR AMENDMENT

The Applicant is requesting the re-designation of the Property from "Industrial and Office" to "Medium Density Residential". The Property consists of ±8.92 gross acres (±8.39 net acres) and is located on the southeast corner of SW 136th Street and SW 157th Avenue. The Property is located south of the Kendall-Tamiami Executive Airport, east of SW 157 Avenue. The surrounding area has experienced rapid growth over the last decade. In fact, the Property is one of the last vacant parcels left in this area of the County. The Applicant proposes to re-designate the Property to allow the future development of a residential community. Located at the intersection of two section line roads, the Property is ideally suited to provide additional housing supply inside of the County's Urban Development Boundary.

Under Policy LU-8E, applications seeking amendments to the CDMP must be evaluated for their consistency with the Goals, Objectives and Policies of all of the Elements of the CDMP, and in particular, the extent to which the proposed amendment would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii) Enhance or impede the provision of services at or above adopted LOS Standards;
- iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods;
- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

As discussed below, the proposed amendment would fully satisfy every applicable factor in the LU-8E review criteria.

I. THE APPROVAL OF THE APPLICATION WOULD HELP ACCOMMODATE PROJECTED POPULATION.

The Application proposes to change the “Industrial and Office” Land Use Plan map designation on the ±8.92 gross acre application site to facilitate the development of residential units on the Property. The Property is located in Minor Statistical Area (MSA) 6.2. The residential land capacity in MSA 6.2 is projected to be depleted by 2019. See Supply and Demand Analysis, July 2015 below prepared by Miami-Dade Regulatory and Economic Resources, Planning Division, Planning Research Section.

Residential Land Supply/Demand Analysis 2015 to 2030: (MSA 6.1 & 6.2)			
ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2015	1,768	2,143	3,911
DEMAND 2015-2020	643	174	817
CAPACITY IN 2020	0	1,273	0
DEMAND 2020-2025	649	175	824
CAPACITY IN 2025	0	398	0
DEMAND 2025-2030	674	181	855
CAPACITY IN 2030	0	0	0
DEPLETION YEAR	2017	2027	2019

Residential capacity is expressed in terms of housing units.
Housing demand is an annual average figure based on population projections.
Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Planning Research Section, July 2015.

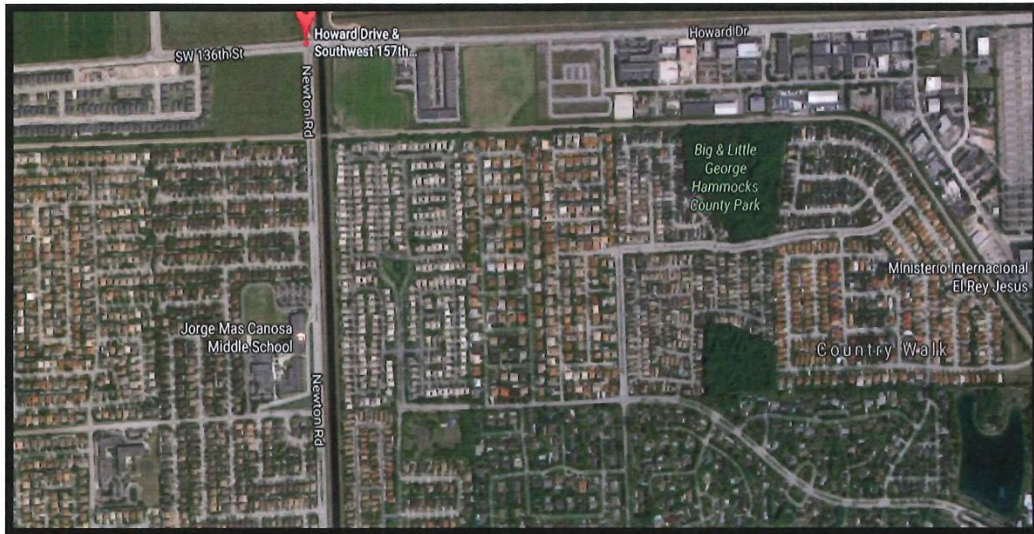
Approval of the Application would add up to 209 residential units to the housing supply in MSA 6.2. The approval of the Application would promote Policy LU-8F, which seeks to maintain within the Urban Development Boundary (UDB) enough developable land to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption).

Conversely, the approval of the Application will not adversely impact future industrial development. The CDMP Land Use Element text provides that when “Industrial and Office” designated land in a Minor Statistical Area with less than a 15-year supply of industrial land is subject to an application, in order to receive approval of a non-industrial use it must be demonstrated that such use will not adversely impact future industrial development. The application proposes non-industrial development on the subject property within MSA 6.2, which has approximately a 4 year supply of industrial land. However, approval of the application would not adversely impact future industrial development for the reasons discussed below.

While designated “Industrial and Office,” the Property and the parcels adjacent and to the west of the Property have been zoned for commercial uses (BU-1A). The Property was zoned BU-1A pursuant to Resolution No. CZAB11-2-03. In essence, no real depletion of industrial lands would occur in the instant case since the Property is already approved for non-industrial uses..

The entire area to the south of the Property has been developed as residential communities and it is unlikely that this ±8.39 acre small-scale application zoned commercial would ever be

developed industrial. The remaining vacant parcels have been zoned commercial or are currently being developed. See Property aerial below depicting surrounding properties.



Additionally, as shown in the Miami-Dade County, Department of Regulatory and Economic Resources, Planning Division, Research Section, June 2015 table below, MSA 6.2 has ± 135.30 acres of vacant industrially designated or zoned land and the countywide supply of industrial land is projected to be depleted beyond the year 2030.

Projected Absorption of Industrial Land Miami- Dade County, Florida 2015 - 2030				
Minor Statistical Area	Vacant Industrial Land 2015 (Acres)	Industrial Land in Use 2015 (Acres)	Average Annual Absorption Rate 2015-2030 (Acres)	Projected Year of Depletion
<u>South-Central Tier</u>				
5.3	12.40	50.90	0.00	--
5.4	0.50	159.70	0.00	--
5.5	0.00	88.00	1.36	2015
5.6	0.60	13.30	0.09	2022
5.7	0.00	2.10	0.17	2015
5.8	0.00	13.40	0.00	--
6.1	0.00	12.20	0.43	2015
6.2	135.30	627.40	21.81	2021
Subtotal	148.80	971.90	23.86	2021
<u>Countywide</u>				
Total	3,731.70	12,396.30	167.82	2030+
-- Insignificant Demand				
Source: Miami-Dade County, Department of Regulatory and Economic Resources, Planning Division, Research Section, June 2015.				

Clearly, the approval of this small-scale application would not significantly affect the countywide supply of industrial land.

II. THE APPROVAL OF THE APPLICATION WILL ENHANCE THE PROVISION OF SERVICES AT OR ABOVE ADOPTED LEVEL OF SERVICE STANDARDS.

The impacts that would be generated from the maximum residential development allowed on the Property would not cause a violation in the level of service standards for public services and facilities. Should the re-designation be approved, there will be a significant reduction in number of vehicle trips. See attached Traffic Impact Study prepared by Langan Engineering & Environmental Services, dated May 25, 2017 attached as Exhibit “F”. Additionally, all required utilities are available to the Property or can be made available at the Applicant’s expense. Moreover, several public schools are located nearby.

III. THE APPROVAL OF THE APPLICATION AND THE PROPOSED RESIDENTIAL DEVELOPMENT OF THE PROPERTY WOULD BE COMPATIBLE WITH ABUTTING AND NEARBY USES AND WOULD NOT DEGRADE THE CHARACTER OF THE ESTABLISHED NEIGHBORHOOD.

The development of the Property under the “Medium Density Residential” designation would be generally compatible with the existing and future development in the surrounding areas. As mentioned previously, the properties to the south are developed with residential communities and the properties to the east are commercial in nature. SW 157th Avenue and a wide canal separate the Property from additional residential communities. In addition, the existing railroad right of way to the south of the Property will function as a buffer between the proposed multifamily development of the Property and the single family community to the south.



The proposed residential development of the Property will also be compatible with the ongoing operations at the Kendall-Tamiami Executive Airport Zoning. Land use regulations are in place to ensure compatibility between the airport operations and surrounding areas. Specifically, the Property is located entirely within the *Outer District (OLZ)* where “[n]ew residential construction

and educational facilities excluding aviation, are required to incorporate at least a 25 db Noise Level Reduction (NLR) into the design/construction of the structure.” In addition, as discussed in comments previously provided by the Miami-Dade Aviation Department (MDAD), MDAD is currently rewriting this section of the County Code to adopt the DNL contours of the 2009 Kendall-Tamiami Executive Airport Noise Mitigation Evaluation Report (“Noise Mitigation Report”) pursuant to Florida Statute 333.03(2)(C) and replace the existing mechanism to determine compatibility.

The Noise Mitigation Report places the noise contours of the Property below the 65 decibel (db) Day-Night Noise Level (DNL) contour. *See* Noise Mitigation Report exhibit labeled Exhibit 3-5 attached as Exhibit “G”. Further, the noise contour Table 3-4 of the Noise Mitigation Report, the airport specifically concluded that residential development is compatible with a noise contour that is less than 65 db. In fact, the report shows the Property partially within the 60 db noise contour and partially outside any noise contour. *See* attached Exhibit “H”.

As in the case of previous approvals for residential development near the airport, the Applicant will submit a Declaration of Restrictions in support of its request, under the terms of which the Applicant will agree (a) to place the Property under an aviation easement, (b) to provide noise mitigation/attenuation in the design and construction of the units to reduce indoor noise levels by 25 decibels, and (c) to provide prospective occupants of the residential units mandatory disclosure regarding potential noise impacts and the frequency of operations at the airport. Moreover, the height of any residential structure on the Property will be well below any maximum height limitations in the airport land use regulation .

IV. THE APPROVAL OF THE APPLICATION WILL NOT DEGRADE ANY ENVIRONMENTAL OR HISTORICAL RESOURCES, FEATURES, OR SYSTEMS OF COUNTY SIGNIFICANCE.

The subject CDMP application, if approved, would not degrade environmental or historical resources, features or systems of County significance. A review of the zoning records for the previous commercial zoning application did not reveal the presence of any environmental or historical resources that would be impacted by the development of the Property.

V. THE APPROVAL OF THE APPLICATION COULD SUPPORT TRANSIT RIDERSHIP AND PEDESTRIANISM AS PROMOTED BY POLICY LU-7.

Development of the Property under the requested “Medium Density Residential” land use category could support transit ridership. Currently, transit extends westward but not directly to the site. However, the site could potentially be served by either Metrobus Route 252 (Coral Reef Max) with limited-stop service or 137 (West Dade Connection) which provide local route services in the vicinity of the Property. Should the existing routes be extended to provide service to the newly developed residential areas west of SW 157th Avenue from SW 152nd Street to SW 136th Street, the Property would potentially be served by public transit. To facilitate the extension of service, bus stops and bus pull out lanes can be accommodated within the proposed development of the Property. *See* diagram below of current transit routes and aerial of residential communities that could support transit ridership.

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

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

LAND USE OBJECTIVE LU-2: Decisions regarding the location, extent and intensity of future land use in Miami-Dade County, and urban expansion in particular, will be based upon the physical and financial feasibility of providing, by the year 2020, all urbanized areas with services at levels of service (LOS) which meet or exceed the minimum standards adopted in the Capital Improvements Element, among other requirements set forth in this plan.

LAND USE POLICY 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), except as otherwise provided in the "Concurrency Management Program" section of the CIE.

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

LAND USE POLICY LU-8A: Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial, cultural, community, and senior centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.

LAND USE POLICY LU-8F: The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption). The estimation of this capacity shall include the capacity to develop and redevelop around transit stations at the densities recommended in policy LU-7F. The adequacy of non-residential land supplies shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the Countywide supply within the UDB. The adequacy of land supplies for neighborhood- and community-oriented business and office uses shall be determined on the basis

of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-Tiers and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities.

LAND USE POLICY LU-9D: Miami-Dade County shall continue to investigate, maintain and enhance methods, standards and regulatory approaches which facilitate sound, compatible mixing of uses in projects and communities.

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

LAND USE POLICY 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.

HOUSING GOAL 1: Ensure the provision of housing that will be affordable to all current and future Miami-Dade County residents, regardless of household type or income.

HOUSING POLICY HO-3I: Encourage the development of residential housing units through infill and expansion of redevelopment opportunities in urbanized areas with existing infrastructure.

5. ADDITIONAL MATERIAL SUBMITTED

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

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "C"

Attachments: Legal Descriptions for the Property and Parcels - Exhibit "A"
Location Map for Application - Exhibit "B"
Disclosure of Interest Form - Exhibit "C"
Aerial Photograph – Exhibit "D"
Section Sheet – Exhibit "E"
Traffic Impact Study prepared by Langan Engineering & Environmental Services,
dated May 25, 2017 – Exhibit "F"
Noise Mitigation Report Exhibit 3-5 - Exhibit "G"
Noise Mitigation Report Noise Contour Table 3-4 – Exhibit "H"

EXHIBIT "A"

LEGAL DESCRIPTION FOR PROPERTY

Tract "A" of Tamiami- 157th Avenue, according to the Plat thereof, as recorded in Plat Book 162, Page 2, of the Public Records of Miami-Dade County, Florida. Less The North 276.00 Feet of the East 141.30 Feet of Tract "A" of Tamiami - 157th Avenue, according to the Plat thereof, as recorded in Plat Book 162, Page 2, of the Public Records of Miami-Dade County, Florida.

EXHIBIT "B"

LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANTS / REPRESENTATIVE

CENTURY HOMEBUILDERS GROUP, LLC / Juan J. Mayol, Jr., Esq. and Gloria M. Velazquez, Esq.

DESCRIPTION OF SUBJECT AREA

The Property contains approximately ± 8.92 gross acres (± 8.39 net acres) and is located on the southeast corner of SW 136th Street and SW 157th Ave, in Section 21, Township 55 South, Range 39.

LOCATION MAP



EXHIBIT "C"

DISCLOSURE OF INTEREST

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

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT:

CENTURY HOMEBUILDERS GROUP, LLC
1805 Ponce De Leon, Suite 100
Coral Gables, Florida 33134

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
CENTURY HOMEBUILDERS GROUP, LLC		30—5921-025-0010	+/- 8.39 net acres

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

APPLICANT	OWNER	CONTRACTOR FOR PURCHASE	LESSEE	OTHER (Attach Explanation)
	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 CENTURY HOMEBUILDERS GROUP, LLC, a Florida limited liability company

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Sergio Pino and Tatiana Pino, Managers 1805 Ponce De Leon, Suite 100 Coral Gables, Florida 33134	100%, as husband and wife

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

TRUSTEES NAME: _____

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

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

PARTNERSHIP NAME: _____

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

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.

CENTURY HOMEBUILDERS GROUP, LLC

By: _____
Name: Sergio Piro
Title: _____

Sworn to and subscribed before me

this 24th day of May, 2017

My Commission Expires:

Diana Manso
Notary Public, State of Florida at Large (SEAL)



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

EXHIBIT "D"

AERIAL PHOTOGRAPH



±8.92 gross acres (±8.39 net acres); located on the southeast corner of
SW 136th Street and SW 157th Ave, in Section 21, Township 55 South, Range 39.

EXHIBIT "E"
SECTION SHEET

EXHIBIT "F"

TRAFFIC IMPACT STUDY

Langan Engineering & Environmental Services

May 25, 2017

EXHIBIT "G"

NOISE MITIGATION REPORT EXHIBIT 3-5

EXHIBIT "H"

NOISE MITIGATION REPORT NOISE CONTOUR TABLE 3-4

TABLE 3-4
LAND USE COMPATIBILITY WITH YEARLY DAY-NIGHT AVERAGE SOUND LEVELS

Land Use	Yearly Day-Night Noise Level (DNL) in decibels					
	Below 65	65-70	70-75	75-80	80-85	Over 85
RESIDENTIAL						
Residential, other than mobile homes and transient lodgings	Y	N(1)	N(1)	N	N	N
Mobile home parks	Y	N	N	N	N	N
Transient lodgings	Y	N(1)	N(1)	N(1)	N	N
PUBLIC USE						
Schools	Y	N(1)	N(1)	N	N	N
Hospitals and nursing homes	Y	25	30	N	N	N
Churches, auditoriums and concert halls	Y	25	30	N	N	N
Government services	Y	Y	25	30	N	N
Transportation	Y	Y	Y(2)	Y(3)	Y(4)	Y(4)
Parking	Y	Y	Y(2)	Y(3)	Y(4)	N
COMMERCIAL USE						
Offices, business and professional	Y	Y	25	30	N	N
Wholesale and retail - building materials, hardware and farm equipment	Y	Y	Y(2)	Y(3)	Y(4)	N
Retail trade - general	Y	Y	25	30	N	N
Utilities	Y	Y	Y(2)	Y(3)	Y(4)	N
Communication	Y	Y	25	30	N	N
MANUFACTURING AND PRODUCTION						
Manufacturing, general	Y	Y	Y(2)	Y(3)	Y(4)	N
Photographic and optical	Y	Y	25	30	N	N
Agriculture (except livestock) and forestry	Y	Y(6)	Y(7)	Y(8)	Y(8)	Y(8)
Livestock farming and breeding	Y	Y(6)	Y(7)	N	N	N
Mining and fishing, resource production and extraction	Y	Y	Y	Y	Y	Y
RECREATIONAL						
Outdoor sports arenas and spectator sports	Y	Y(5)	Y(5)	N	N	N
Outdoor music shells, amphitheaters	Y	N	N	N	N	N
Nature exhibits and zoos	Y	Y	N	N	N	N
Amusements, parks, resorts and camps	Y	Y	Y	N	N	N
Golf courses, riding stables and water recreation	Y	Y	25	30	N	N

Numbers in parenthesis refer to notes.

* The designations contained in this table do not constitute a Federal determination that any use of land covered by the program is acceptable or unacceptable under Federal, State or local law. The responsibility for determining the acceptable and permissible land uses and the relationship between specific properties and specific noise contours rests with the local authorities. FAA determinations under Part 150 are not intended to substitute federally determined land uses for those determined to be appropriate by local authorities in response to locally determined needs and values in achieving noise compatible land uses.

Key to Table 1

SLUCM	Standard Land Use Coding Manual.
Y(Yes)	Land Use and related structures compatible without restrictions.
N(No)	Land Use and related structures are not compatible and should be prohibited.
NLR	Noise Level Reduction (outdoor to indoor) to be achieved through incorporation of noise attenuation into the design and construction of the structure.
25, 30 or 35	Land Use and related structures generally compatible; measures to achieve NLR of 25, 30 or 35 dB must be incorporated into design and construction of structure.

Notes:

- (1) Where the community determines that residential or school uses must be allowed, measures to achieve outdoor to indoor NLR of at least 25 dB to 30 dB should be incorporated into building codes and be considered in individual approvals. Normal residential construction can be expected to provide a NLR of 20 dB, thus, the reduction requirements are often stated as 5, 10, or 15 dB over standard construction and normally assume mechanical ventilation and closed windows year round. However, the use of NLR criteria will not eliminate outdoor noise problems.
- (2) Measures to achieve NLR of 25 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.
- (3) Measures to achieve NLR of 30 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.
- (4) Measures to achieve NLR of 35 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.
- (5) Land use compatible provided that special sound reinforcements systems are installed.
- (6) Residential buildings require an NLR of 25 dB.
- (7) Residential buildings require an NLR of 30 dB.
- (8) Residential buildings not permitted.

Source: FAA

APPENDIX B

Miami-Dade County Public Schools Analysis

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Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools

Alberto M. Carvalho

July 13, 2017

VIA ELECTRONIC MAIL

Mr. Juan Mayol
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131
juan.mayol@hklaw.com

Miami-Dade County School Board

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

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
CENTURY HOMEBUILDERS GROUP C/O JUAN J. MAYOL, HOLL
(CDMP Application 2 May 2017 Cycle)
LOCATED AT SOUTHEAST CORNER OF SW 136 STREET AND SW 157 AVENUE
PH3017070300376 – FOLIO No.: 3059210250010**

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 209 multifamily units, which generate 44 students: 19 elementary, 11 middle and 14 senior high students. At this time, all school levels have sufficient capacity available to serve the application. However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. As such, this analysis does not constitute a Public School Concurrency approval.

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

Best regards,

Nathaly Simon
Supervisor

NS:ns

L-20

Enclosure

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

Planning, Design & Sustainability

Ms. Ana Rijo-Conde, Deputy Chief Facilities & Eco-Sustainability Officer • 1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132
305-995-7285 • 305-995-4760 (FAX) • ariio@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: PH3017070300376 Local Government (LG): Miami-Dade
 Date Application Received: 7/3/2017 9:33:57 AM LG Application Number: CDMP Application 2 May 2017 Cycle
 Type of Application: Public Hearing Sub Type: Land Use
 Applicant's Name: Century Homebuilders Group c/o Juan J. Mayol, Holl
 Address/Location: 701 Brickell Avenue, Suite 3000, Miami FL 33131-2847
 Master Folio Number: 3059210250010
 Additional Folio Number(s):

PROPOSED # OF UNITS 209
 SINGLE-FAMILY DETACHED UNITS: 0
 SINGLE-FAMILY ATTACHED UNITS: 0
 MULTIFAMILY UNITS: 209

CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
125	NORMA BUTLER BOSSARD ELEMENTARY	-177	19	0	NO	Current CSA
125	NORMA BUTLER BOSSARD ELEMENTARY	0	19	0	NO	Current CSA Five Year Plan
6771	JORGE MAS CANOSA MIDDLE	147	11	11	YES	Current CSA
7531	MIAMI SUNSET SENIOR	797	14	14	YES	Current CSA

ADJACENT SERVICE AREA SCHOOLS

3261	MIAMI HEIGHTS ELEMENTARY	242	19	19	YES	Adjacent CSA
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*An Impact reduction of 24.18% included for charter and magnet schools (Schools of Choice).

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

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

APPENDIX C

Applicant's Traffic Impact Report

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5 May 2017

Vinod Sandanasamy, AICP, PTP, EIT
Transportation Planning Section Supervisor
Miami-Dade County Department of Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, Florida 33128

**Re: CDMP Small Scale Land Use Amendment Traffic Methodology
SW 136th Street Residences
Unincorporated Miami-Dade County, Florida
Langan Project No.: 330029601**

Dear Mr. Sandanasamy:

Please accept this letter as the proposed traffic analysis methodology for a small-scale land-use amendment for the SW 136th Street Residences development. The project is at the southeast corner of SW 136th Street and SW 157th Avenue in unincorporated Miami-Dade County. The owner is requesting a land use amendment to change the land use designation from industrial/office to medium-density residential. A copy of the preliminary site plan is provided in Attachment A. **Figure 1** below shows the site location. Langan Engineering and Environmental Services, Inc. (Langan) has been retained to prepare a small-scale traffic impact analysis for this project. Please accept this letter as the proposed traffic analysis methodology for the small-scale land-use amendment.



Figure 1 – Aerial Photograph

Trip Generation

We will use trip generation rates from the Institute of Transportation Engineer's (ITE), Trip Generation Manual, 9th Edition to calculate daily, morning peak hour and afternoon peak hour vehicle trips. The proposed development (156 townhomes) is expected to generate 1,073 daily, 83 AM peak-hour and 97 PM peak-hour trips. Trip generation tables are included in Attachment B. **Table 1** summarizes the trip generation results for the proposed development. We will develop trip generation tables to compare the trip generation rates for the following scenarios:

- Maximum density allowed under current zoning designation
- Maximum density allowed under proposed zoning designation
- Density from proposed site plan

Table 1 - Trip Generation Estimates

USE	Size	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour		
			In	Out	Total	In	Out	Total
Townhomes	156 DUs	1,073	14	69	83	65	32	97

Roadway Improvements

We will identify existing roadway improvements identified in the county's current Transportation Improvement Program. Roadway projects that are programmed to begin within three years will be accounted for in the roadway capacity analysis.

Project Distribution

Project trip distribution will be based on the cardinal distribution for Traffic Analysis Zone 1293 of the Miami-Dade County 2040 Transportation Model. **Table 2** below shows the interpolated cardinal distribution based on a 2020 build out year.

Table 2 - Cardinal Distribution

Year	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW
2010	23.70%	13.40%	12.60%	14.10%	11.00%	8.40%	0.20%	16.70%
2040	28.30%	16.60%	10.00%	15.00%	10.70%	5.80%	0.10%	13.40%
2020	25.23%	14.47%	11.73%	14.40%	10.90%	7.53%	0.17%	15.60%

Roadway Capacity Analysis

We will use available data from the Florida Department of Transportation and county traffic concurrency data to analyze the closest traffic concurrency stations for the proposed development. We will analyze the traffic concurrency stations for the afternoon peak-hour periods for two-way roadway capacity based on the level of service thresholds from the county's comprehensive plan.

Report

The study methodology, analysis and findings will be summarized in a report that will be signed and sealed by a Florida registered professional engineer. The report will identify existing transit routes and stops that are within a half-mile of the proposed development and vehicular accessibility of the site.

If you have any questions regarding the information contained herein, please do not hesitate to contact me at (786) 264-7226.

Sincerely,

Langan Engineering and Environmental Services, Inc.

A handwritten signature in blue ink, appearing to read 'John P. Kim', with a stylized flourish at the end.

John P. Kim, P.E., PTOE
Senior Project Manager

JPK:jpk

Attachments

- Attachment A – Preliminary Site Plan
- Attachment B – Trip Generation Analysis

FL Certificate of Authorization No. 6601

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APPENDIX D

Proffered Declaration of Restrictions

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Application 2

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2017 JUN 22 A 8:45

This Instrument was Prepared by:

Name: Gloria M. Velazquez, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

REPLANNING DIVISION

(Space Reserved for Clerk of the Court)

Tax Folio I.D. 30-5921-025-0010

DECLARATION OF RESTRICTIONS

WHEREAS, Century Homebuilders Group, LLC, a Florida limited liability company (the "Owner"), holds fee simple title to that certain parcel of land in Miami-Dade County, Florida, described in Exhibit "A", attached hereto, and hereinafter referred to as the "Property";

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") in the May 2017 Cycle, which amendment is identified as Application No. ____ (the "Application"); and

WHEREAS, the Application seeks to re-designate the Property from "Industrial and Office" to "Medium Density Residential" (±8.92 gross acres) on the Miami-Dade CDMP Land Use Plan ("LUP") map.

NOW, THEREFORE, IN ORDER TO ASSURE Miami-Dade County, Florida (the "County") that the representations made by the Owner during the consideration of the Application will be abided by, the Owner freely, voluntarily and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Noise Level Reduction.** The Owner shall incorporate at least 25 decibel (db) Noise Level Reduction (NLR) into the design and construction of any dwelling unit on the Property.

2. **Avigation Easement.** The Owner reserves unto itself, its successors, and assigns, for the use and benefit of the public, and hereby grants and conveys to Miami-Dade County an easement and right-of-way for the free and unobstructed flight, and passage, operations and effects thereof of all types of aircraft ("aircraft" being defined for the purpose of this Avigation Easement as any contrivance now known or hereafter invented, used, or designated for navigation of, or flight in or through the air) by whomsoever owned or operated, in and through the airspace above and over the surface of the Property, including, but not limited to, the right to cause in such airspace above or in the vicinity of the surface of the Property such noise, vibration, odors, vapors, fumes, fuel particles (which are incident to normal operations of said aircraft), smoke, dust, fear, interference with sleep and communications and any and all other effects as may be alleged to be incident to or caused by the aircraft engines and the operation of aircraft for navigation of or flight or passage in and through said airspace, and for the use of said airspace by aircraft for approaching, landing upon, taking off from, maneuvering about or operating (which are incident to normal operations of said aircraft) on Kendall Tamiami Executive Airport ("KTEA") and for all other uses allowed or authorized at KTEA.

In furtherance of the easement and rights herein granted, the Owner expressly agrees for itself, its successors, and assigns to restrict the height of structures, objects of natural growth, and other obstructions on the Property to such a height so as to comply with Miami Dade Code Chapter 33, Article XL and Federal Aviation Regulations, Part 77 as currently in effect.

Additionally, the Owner, for itself, its successors, and assigns, covenants at all times hereafter, that it will not take any action, cause or allow any electronic, electromagnetic, smoke, vapor, fume, or light emissions, allow any obstruction to exist, or construct any structure on the Property which would conflict or interfere with or infringe the rights granted hereunder, including the full use and enjoyment of this Avigation Easement.

The Owner expressly agrees for itself, its successors, and assigns, to prevent any use of the Property described herein that would interfere with or adversely affect the operation or maintenance of KTEA, or otherwise constitute an airport hazard.

3. **Notice Requirements.**

A. The Owner shall include the following notice (the "Notice") in every contract for the initial sale of any dwelling unit within the Property:

THIS PROPERTY IS LOCATED IN CLOSE PROXIMITY TO THE KENDALL TAMiami EXECUTIVE AIRPORT ("KTEA"). SPECIFICALLY, PORTIONS OF THE PROPERTY ARE LOCATED WITHIN THE OUTER DISTRICT. AS SUCH, THE PROPERTY AND THE FUTURE RESIDENTS MAY EXPERIENCE FREQUENT AND DIRECT OVERFLIGHTS AT LOW ALTITUDES CREATING NOISE DURING DAYTIME AND NIGHTTIME HOURS.

THE UNDERSIGNED, ON BEHALF OF ITSELF AND ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, AGREES BY TAKING TITLE TO SAID PROPERTY, THAT THEY DO NOT OBJECT TO THE PRESENCE OF KTEA OR THE TWENTY-FOUR HOUR PER DAY OPERATION OF AIRCRAFT FROM ITS RUNWAYS AND TAXIWAYS, HOWEVER MANY AND IN WHATEVER CONFIGURATION THEY MAY BE, AND HEREBY WAIVES ANY RIGHT TO OBJECT TO OR CHALLENGE IN ANY FORUM THE CURRENT OR FUTURE 24 HOUR PER DAY OPERATION OF THE AIRPORT AND ANY IMPROVEMENTS THERETO, INCLUDING, WITHOUT LIMITATION, ALL EXISTING AND FUTURE RUNWAYS AND TAXIWAYS ON THE AIRPORT THE FUTURE EXPANSION OF THE RUNWAYS AT KTEA KNOWN AS RUNWAY 9 LEFT/27 RIGHT (9L/27R), RUNWAY 9 RIGHT/27

LEFT (9R/27L) RUNWAY 13/31 (13/31) AND ANY FUTURE ALTERATIONS, RE-ALIGNMENTS, OR RE-NUMBERING OF THE RUNWAYS AND TAXIWAYS DUE TO OPERATIONAL NEEDS OF THE AIRPORT OR MAGNETIC DEVIATIONS.

THE UNDERSIGNED, ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, ARE PROHIBITED FROM REQUESTING, SUPPORTING OR PARTICIPATING IN ANY EFFORT TO IMPOSE MANDATORY NOISE ABATEMENT PROCEDURES AT KTEA.

THIS COVENANT IS BINDING UPON ALL FUTURE OWNERS, LESSEES AND RESIDENTS HERE AND FOREVER THEREAFTER AND THAT NOTIFICATION OF SUCH IS REQUIRED PRIOR TO THE SALE OR LEASE OF THE PROPERTY.

B. The Owner shall cause every prospective, initial purchaser to acknowledge in writing receipt of the Notice, which acknowledgement may be included in the contract for sale and purchase for each dwelling unit or may be provided by separate instrument prior to or simultaneously with the execution of any such contract. The Notice shall also be prominently displayed in the sales office for the subdivision.

C. In addition to the restrictions and commitments contained in this Declaration, prior to the approval of a final plat for the Property, the Owner shall record a separate instrument in the Public Records of Miami-Dade County, which instrument shall run with title to the Property and be binding on the Owner's successors and assigns and shall provide the following restrictions:

THE PROPERTY IS LOCATED IN CLOSE PROXIMITY TO THE KENDALL TAMiami EXECUTIVE AIRPORT ("KTEA"). SPECIFICALLY, PORTIONS OF THE PROPERTY ARE LOCATED WITHIN THE OUTER DISTRICT. AS SUCH, THE PROPERTY AND THE FUTURE RESIDENTS MAY EXPERIENCE FREQUENT AND DIRECT OVERFLIGHTS AT LOW ALTITUDES CREATING NOISE DURING DAYTIME AND NIGHTTIME HOURS. FURTHER, THE OWNER, ON BEHALF OF ITSELF AND ITS SUCCESSORS AND ASSIGNS,

HEREBY WAIVES ANY OBJECTIONS TO ANY FUTURE EXPANSION OF THE RUNWAYS AT KTEA KNOWN AS RUNWAY 9 LEFT/27 RIGHT (9L/27R), RUNWAY 9 RIGHT/27 LEFT (9R/27L), RUNWAY 13/31 (13/31), AND ANY FUTURE ALTERATIONS, RE-ALIGNMENTS, OR RE-NUMBERING OF THE RUNWAYS AND TAXIWAYS DUE TO OPERATIONAL NEEDS OF THE AIRPORT OR MAGNETIC DEVIATIONS.

THE UNDERSIGNED, ON BEHALF OF ITSELF AND ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, AGREES BY TAKING TITLE TO SAID PROPERTY, THAT THEY DO NOT OBJECT TO THE PRESENCE OF KTEA OR THE TWENTY-FOUR HOUR PER DAY OPERATION OF AIRCRAFT FROM ITS RUNWAYS AND HEREBY WAIVES ANY RIGHT TO OBJECT TO OR CHALLENGE IN ANY FORUM THE CURRENT OR FUTURE 24 HOUR PER DAY OPERATION OF THE AIRPORT AND ANY IMPROVEMENTS THERETO, INCLUDING, WITHOUT LIMITATION, THE FUTURE EXPANSION OF THE RUNWAYS AT KTEA KNOWN AS RUNWAY 9 LEFT/27 RIGHT (9L/27R), RUNWAY 9 RIGHT/27 LEFT (9R/27L), RUNWAY 13/31 (13/31), AND ANY FUTURE ALTERATIONS, RE-ALIGNMENTS, OR RE-NUMBERING OF THE RUNWAYS AND TAXIWAYS DUE TO OPERATIONAL NEEDS OF THE AIRPORT OR MAGNETIC DEVIATIONS.

IT IS FURTHER AGREED THAT THE UNDERSIGNED, ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, WILL NEVER REQUEST, SUPPORT OR PARTICIPATE IN ANY EFFORT TO IMPOSE MANDATORY NOISE ABATEMENT PROCEDURES AT KTEA.

PURCHASER AGREES THAT THIS COVENANT IS ALSO BINDING UPON ALL FUTURE OWNERS, LESSEES AND RESIDENTS HERE AND FOREVER THEREAFTER AND THAT NOTIFICATION OF SUCH IS REQUIRED PRIOR TO THE SALE OR LEASE OF THE PROPERTY.

4. **Controlled Residential Densities.** Notwithstanding the approval of the Application, and subject to all applicable Code requirements, the Owner agrees to limit the density on the Property to two hundred and nine (209) residential dwelling units.

5. **Miscellaneous.**

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

B. **Term.** This Declaration of Restrictions 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 of Restrictions is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded in the public records agreeing to change the Declaration of Restrictions in whole, or in part, provided that the Declaration of Restrictions has first been modified or released by Miami-Dade County.

C. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended, or released as to the land herein described, or any portion thereof, by a written instrument executed by the fee simple owner(s) of the property covered by such modification, amendment or release, provided that the same is also approved by the Board of County Commissioners. Any such modification, amendment, or release shall be subject to the provisions governing amendments to comprehensive plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment, or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth

in Section 2-116.1 of the Code of Miami-Dade County, or successor regulation governing amendments to the CDMP. Notwithstanding anything in this paragraph, in the event that the Property is incorporated within a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration of Restrictions shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures.

D. **Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, the covenants. The prevailing party in any action or suit pertaining to or arising out of this Declaration of Restrictions 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 its attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity, or both.

E. **Authorization of Miami-Dade County (or successor municipal corporation) to Withhold Permits and Inspections.** In the event the terms of this Declaration of Restrictions are not being complied with, in addition to any other remedies available, the County (or any successor municipal corporation) is hereby authorized to withhold any further

permits, and refuse to make any inspections or grant any approvals, until such time as his Declaration of Restrictions is complied with.

F. **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.

G. **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or any successor municipal corporation), and inspections made and approval of occupancy given by the County (or any successor municipal corporation), 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 of Restrictions.

H. **Covenant Running with the Land.** This Declaration of Restrictions shall constitute a covenant running with the land and shall be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the undersigned Owner and its successors and assigns unless and until the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, the then owner(s) of the Property and for the public welfare.

I. **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.

J. **Recordation and Effective Date.** This Declaration of Restrictions shall be filed of record in the public records of Miami-Dade County, Florida at the cost of Owner following the adoption of the Application. This Declaration of Restrictions 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 of Restrictions 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 of Restrictions is null and void and of no further effect.

K. **Acceptance of Declaration.** Acceptance of this Declaration of Restrictions 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 retains its full power and authority to, with respect to the Property, deny each such application in whole or in part and to decline to accept any conveyance.

L. **Owner.** The term "Owner" shall include the Owner and its successors and assigns.

[Signature Page Follow]

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this _____
day of _____, 20____.

WITNESSES:

Century Homebuilders Group, LLC,
a Florida limited liability company

Signature

Printed Name

By: _____

Name: _____

Title: _____

Signature

Printed Name

STATE OF FLORIDA)

) SS

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by _____, as
_____ of Century Homebuilders Group, LLC, a Florida limited liability
company, and for the purposes stated herein on behalf of the corporation. He is personally
known to me or has produced _____ as identification.

Witness my signature and official seal this _____ day of _____, 2017, in
the County and State aforesaid.

My Commission Expires:

Notary Public

Printed Name

EXHIBIT "A"

LEGAL DESCRIPTION

Tract "A" of Tamiami- 157th Avenue, according to the Plat thereof, as recorded in Plat Book 162, Page 2, of the Public Records of Miami-Dade County, Florida. Less The North 276.00 Feet of the East 141.30 Feet of Tract "A" of Tamiami - 157th Avenue, according to the Plat thereof, as recorded in Plat Book 162, Page 2, of the Public Records of Miami-Dade County, Florida.

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APPENDIX E

Applicant's Economic Study

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Miami Economic Associates, Inc.

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PLANNING DIVISION

June 29, 2017

Mr. Jack Osterholt
Director
Department of Regulatory and Economic Resources
Miami-Dade County
Miami, Florida

**Re: Application to Amend the Miami-Dade County CDMP
Application 2 May 2017 Cycle**

Dear Mr. Osterholt:

Miami Economic Associates, Inc. (MEAI) has analyzed the above-referenced application to amend the Miami-Dade County Comprehensive Development Master Plan (CDMP) in order to evaluate whether its request to re-designate a parcel of land in southwestern Miami-Dade County from Industrial and Office to Medium Density Residential should be approved based on economic considerations. The Subject Property, which is 8.39 gross acres in size, is located on the south side of SW 136th Street and separated from SW 157th Avenue to the west by a canal. Adoption of the proposed amendment would allow the Subject Property to be developed with 156 residential units at a density of 18.59 units per acre. The proposed units will be comprised of 30 two-bedroom residences and 126 three-bedroom residences and sell at prices ranging from approximately \$240,000 to approximately \$275,000.

The application cites a number of Goals, Objectives and Policies of the CDMP with which the requested re-designation of use complies, notably including Land Use Policy LU-1C, Land Use Policies LU-8E and LU-8F, Housing Goal 1 and Housing Policy HO-31. The appendix to this report provides the language contained in each of the enumerated citations.

The analysis that MEAI performed focused specifically on: 1) extent to which a general need exists to increase the existing amount of future residential capacity within the Urban Development Boundary (UDB); 2) the extent to which a specific need exists for moderately priced housing such as the proposed units; 3) whether the development of residential units on the Subject Property would be compatible with the existing development in the area where the property is located; and 4) whether the re-designation of the Subject Property from industrial to residential use would have a significant adverse impact on the County's ability to accommodate future industrial growth. As part of our analysis, we also estimated the economic and fiscal benefits that would be generated by the development of the proposed residential units. The materials that follow provide the findings of our analysis.

6861 S.W. 89th Terrace Miami, Florida 33156
Tel: (305) 669-0229 Fax: (866) 496-6107 Email: meaink@bellsouth.net

Mr. Jack Osterholt, Director
Department of Regulatory and Economic Resources
Miami-Dade County
June 29, 2017
Page 2

Summary of Findings

MEAI believes that the referenced application to amend the CDMP should be approved based on the following findings of our analysis:

Need for an Increased Supply of Housing

- Land Use Policy LU-8F mandates that the UDB "should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after the adoption of the most recent Evaluation and Appraisal (EAR) report plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption)". The last EAR was adopted in 2011, which means a capacity that can accommodate population growth through 2026 is required. During the 2011 – 2012 period when the amendment process with respect to the EAR adopted in 2011 was occurring, the County's Planning Department released an analysis which concluded that the then quantity of future residential units was adequate to meet the requirement of Land Use Policy LU-8F because it would not be depleted until 2027. However, that analysis was based on population projections that now appear to have been overly conservative with respect to the population growth. In this regard, we note that the County's projections anticipated that the population of Miami-Dade County in 2015 would approximate 2,607,000 people. However, the Bureau of Business and Economic Research (BBER) at the University of Florida, the State's official source for demographic data, estimates that the population in 2015 approximated 2,654,000 people, or 47,000 more. The U.S. Census estimated that the 2015 population was even greater, approximating 2,694,000.

MEAI recognizes that units have been added to the County's future residential supply since 2011. However, given the accelerated rate at which population has grown relative to what the County's planners had anticipated and the likelihood that the growth rate will continue over at least the next five years to exceed the rate expected in the 2011 projections, we believe it would be prudent to continue to increase supply on appropriate infill sites where doing so would be compatible with the existing development patterns. It would also make sense to do so in those portion of the County such as that in which the Subject Property is located, MSA 6.2, where the depletion of existing supply is expected to occur in the near term. In an analysis published by the County's planners in July 2015, it was estimated that the residential supply of units in MSA's 6.1 and 6.2 would be fully depleted by 2019.

Infill Development

- Land Use Policy LU-1C states in part that Miami-Dade County "shall give priority to infill development on vacant sites in urbanized area", which the Subject Property clearly is. Development has already taken place immediately to its north where Kendall-Tamiami Executive Airport is located, to its east where industrial uses extend from SW 137th Avenue to the adjacent property and to its south where there exists an

Miami Economic Associates, Inc. 6861 S.W. 89th Terrace Miami, Florida 33156
Tel: (305) 669-0229 Fax: (305) 669-8534 Email: meaink@bellsouth.net

Mr. Jack Osterholt, Director
Department of Regulatory and Economic Resources
Miami-Dade County
June 29, 2017
Page 3

established residential neighborhood. Further, the development of a residential subdivision is currently in progress to the west less a block or so away.

Compatibility

- Land Use Policy LU-8E (iii) states that a factor that should be considered when evaluating an amendment to change the County's land use map is the compatibility of the proposed use with abutting and nearby land uses. As discussed in the preceding paragraph, there is an existing residential neighborhood to the south of the Subject Property directly across SW 138th Street from it. That neighborhood extends eastward from SW 157th Avenue for a distance of approximately one mile. For the entirety of that distance, it is across the street from what appear to be in all instances clean industrial and office uses. As also discussed in the preceding paragraph, a new residential use is currently being constructed a short distance to the west of the Subject Property on SW 136th Street directly across the streets from Kendall-Tamiami Executive Airport. The fact that those units were approved by Miami-Dade County demonstrates that mechanisms do exist to buffer residential uses from the noise emitted by the Airport.

Need for Moderately Priced Housing

- An article in *The Miami Herald* on February 9, 2017, entitled Buying a home in Miami-Dade is so expensive, it could hurt the economy discussed the fact that "business leaders are starting to worry that the skilled workers who power Miami's diversifying economy will be lost under the tide of rising home prices". The article features the story of one couple who were having trouble finding a single-family home or townhouse in good shape in the \$250,000 to \$300,000 price range in MSA 6.2 despite the fact that both have college educations and work and they have a combined income of \$120,000. Another article in the *Miami Herald* in 2016 reported that there was a shortage of homes on the market in MSA 6.2 for under \$400,000. On several occasions, the *Herald* also has reported that Miami-Dade County is one of the most expensive in the United States when the median home price is compared to the median income in the County. These stories are testimony to the fact that an urgent need exists for the units that are proposed for development on the Subject Property which will be priced from approximately \$240,000 to approximately \$275,000.

Impact on the Supply of Industrial Land

- The CDMP Land Use Element text on page I-39 provides that when "Industrial and Office" designated land in a MSA with less than a 15-year supply of industrial land is the subject of an application, approval of a non-industrial use will require that it be demonstrated that the re-designation for such use will not adversely impact future industrial development. The Subject Property has been zoned for industrial use since before the CDMP was initially adopted in the 1980's and remains undeveloped to this date. The property's 8.39 gross acres represent less than 6.5 percent of the 129.2 vacant acres that the County's planners estimated still existed in MSA 6.2 as of April,

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Mr. Jack Osterholt, Director
Department of Regulatory and Economic Resources
Miami-Dade County
June 29, 2017
Page 4

2017. They further estimate that those 129.2 acres will be fully depleted by 2023, which means that MSA 6.2 does not have a 15-year supply of industrially-designated vacant land. However, they also estimated in April, 2017, that the vacant industrial land countywide will require more than 21 years to fully deplete at the current countywide rate of absorption. Accordingly, MEAI does not believe that re-designation of the Subject Property for residential use will adversely impact the County's ability to accommodate industrial development to a significant degree.

Economic and Fiscal Benefits

- Development of the proposed residential units on the Subject Property will be economically and fiscally beneficial to Miami-Dade County as discussed below:

Economic Benefits

- The primary economic benefit will be the employment that the project will generate on a non-recurring basis during the period in which the proposed units are being constructed. Information provided to MEAI by the Applicant estimates that that development of the proposed units on the Subject Property will cost \$17.0 million in terms of hard costs for site work, unit construction and project landscaping and amenities. With the assistance of the Minnesota IMPLAN Input-Output Model, MEAI estimates the amount spent on hard costs will support 313 jobs inclusive of 181 direct construction jobs on-site, 66 jobs in businesses related to the construction sector (indirect jobs) and 65 jobs in businesses across the economy in which the direct and indirect workers spend their earnings (induced jobs). The earnings of the direct, indirect and induced workers throughout the construction period will approximate \$15.1 million.
- When the proposed units have been fully constructed and are occupied, their residents will provide support to retail businesses and restaurants in the area where the units are located. MEAI estimates that the owners of the units will have an aggregate annual income approximating \$16.54 million in 2017 Dollars and they will spend \$3.3 million annually on retail goods and in restaurants.

Fiscal Benefits

- Prior the period in which the proposed multi-family units are being constructed, general building permit fees will, according to Miami-Dade County's building permit fees schedule, need to be paid in the amount \$32,419. Additional building permit fees will also need to be paid by the plumbing, electrical, structural, mechanical, roofing, swimming pool and fire safety system contractors. However, insufficient information is currently available to estimate the amount of these trade-related building permit fees. There is also insufficient information available to estimate the water and sewer connection fees that will need to be paid. Finally, impact fees for roads, police, fire and parks will need to

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be paid to Miami-Dade County in the total amount of \$1,342,091 while school impact fees will need to be paid to the Miami-Dade Public School District in the amount of \$289,608.

- Once construction of the proposed multi-family units is completed, ad valorem taxes will need to be paid on an annual recurring basis to the various funds of Miami-Dade County and the Miami-Dade County Public School District as well as to the Children's Trust in the amounts shown in the table below. The taxes estimated assume a taxable value of \$25.2 million for the various funds of Miami-Dade County and the Children's Trust and a taxable value of \$29.1 million for the funds of the Miami-Dade Public School District. These taxable values assume that all of the units qualify for the Homestead Exemption.

Jurisdiction	Rate/\$1000 Taxable Value	Taxes
Miami-Dade County		
General Fund	4.6669	\$ 117,606
Debt Service Fund	0.4000	\$ 10,800
Fire Fund	2.4207	\$ 61,002
Fire Debt Service Fund	0.0075	\$ 189
Library Fund	0.2840	\$ 7,157
UMSA Fund	1.9283	\$ 48,593
Total		\$ 245,347
Miami-Dade County Public Schools		
Operating	7.1380	\$ 207,716
Debt Service	0.1840	\$ 5,354
Total		\$ 213,070
Children's Trust	0.5000	\$ 12,600

Source: Miami-Dade County Property Appraiser; Miami Economic Associates, Inc.

With respect to the table above, the following points are noted:

- In the current fiscal year, Miami-Dade County collected less than \$165 in ad valorem taxes for all its funds on the Subject Property while the Public School District collected less than \$125.
- The ad valorem tax amounts that the proposed residential units will generate are likely to be greater than the amount that would be generated if the property were to be developed with an industrial use at some point in the future.
- Development of the proposed residential units will also generate non-ad valorem revenues for the County on an annual recurring basis, most notably in the form of utility taxes and franchise fees and water and

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sewer service fees. Residential use generally generates greater revenues of these types than industrial use

Closing

MEAI firmly believes that adoption of the referenced amendment to the CDMP is in the best interest of Miami-Dade County, hence merited.

Sincerely,
Miami Economic Associates, Inc.



Andrew Dolkart
President

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**Appendix
Relevant CDMP Citations**

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

Land Use Policy LU – 8E: Applications seeking amendments to the CDMP must be evaluated for their consistency with the Goals, Objectives and Policies of all Elements of the CDMP, and in particular, the extent to which the proposed amendment would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii) Enhance or impede the provisions of services at or above adopted LOS Standards;
- iii) Be compatible with abutting or nearby land uses and protect the character of established neighborhoods;
- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center or within ¼ mile of an existing or planned transit station, exclusive busway stops, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU – 7, herein.

Land Use Policy LU – 8F (Partial): The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide residential demand for a period for a period of 10 years after the adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption).

Housing Goal 1: Ensure the provision of housing that will be affordable to all current and future Miami-Dade County residents, regardless of household type or income.

Housing Policy HO - 31: Encourage the development of residential housing units through infill and expansion of redevelopment opportunities in urbanized areas with existing infrastructure.

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APPENDIX F

Fiscal Impact Analysis

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Fiscal Impacts On Infrastructure and Services

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. 2 of the May 2017 Cycle Applications to amend the CDMP from County departments and agencies responsible for supplying and maintaining infrastructure and services relevant to the CDMP. The evaluation estimates the incremental and cumulative costs of the required infrastructure and service, and the extent to which the costs will be borne by the property owner(s) or will require general taxpayer support and includes an estimate of that support.

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

Solid Waste Services

Waste Disposal Capacity and Service

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

In the event that townhomes or two story condominiums with separate means of ingress and egress are constructed at the site, the DSWM will provide waste collection service. If, on the other hand, a multifamily residential establishment with common means of ingress and egress is constructed, waste collection services would most likely be provided by a private waste hauler.

Waste Disposal Capacity and Service

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

These rates adjust annually with the Consumer Price Index, South Region. In addition, the DSWM charges a Disposal Facility Fee to private haulers equal to 15 percent of their annual gross receipts, which is used to ensure availability of disposal capacity in the System. Landfill closure, remediation and long-term care are funded by a portion of the Utility Service Fee charged to all customers of the County's Water and Sewer Department.

Water and Sewer

The Miami-Dade County Water and Sewer Department (WASD) provides for the majority of water and sewer service needs throughout the county. The cost estimates provided herein are preliminary and final project costs will vary from these estimates. The final costs for the project and resulting feasibility will depend on the actual labor and materials costs, competitive market conditions, final project scope implementation schedule, continuity of personnel and other variable factors. The water impact fee was calculated at a rate of \$1.39 per gallon per day (gpd), and the sewer impact fee was calculated at a rate of \$5.60 per gpd. The annual operations and maintenance cost was based on \$1.4547 per 1,000 gallons for water and \$1.8958 per 1,000 gallons for sewer.

The applicant requests a change to the CDMP Land Use Plan map to redesignate a ±8.92-gross acre site from "Industrial and Office" to "Medium Density Residential (13 to 25 DU/Ac.)." The applicant proffered a Declaration of Restrictions (covenant) limiting the proposed residential development to 209 multi-family apartment units. If the application site is developed as proposed by the applicant, the water connection charges/impact fees would total \$43,577; the sewer connection charges/impact fees would total \$175,560; and the water service line and meter connection fees would total \$1,300. The annual operating and maintenance cost is estimated at \$38,339.

The estimated cost of installing the required 90 linear feet of 8-inch water main and the 575 linear feet of 16-inch water main for the proposed development to connect to the County's regional water system is estimated at \$285,667. The estimated cost of installing the required 70 linear feet of 8-inch sanitary gravity sewer main is \$20,790. The total potential cost for connecting to the regional water and sewer system including engineering fees (10%) and contingency fees (15%) is estimated at \$306,457.

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 is 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 Applicant has proffered a covenant that would restrict residential development to a total of 209 multi-family units, which is estimated to generate 44 students. An analysis of school concurrency requirements indicates there are sufficient student capacity at all levels: elementary, middle and high schools. The average cost for K-12 grade students amounts to \$9,337 per student. Of the 44 students, 19 will attend elementary schools, 11 will attend middle schools students and 14 will attend senior high schools. The total annual operating cost for additional students residing in this development, if approved, would total \$410,828. In the event that there is not sufficient capacity at the time of final subdivision, site plan or functional equivalent, the ILA and the Educational Element of the CDMP describe a proportionate share mitigation process.

Fire Rescue

The Miami-Dade County Fire and Rescue Department indicates that fire and rescue service in the vicinity of the subject application is adequate and that no stations are planned in the vicinity of the application site.

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APPENDIX G

Photos of Site and Surroundings

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Application site



Gas station abutting to the northeast of the application site



Retail operations east of the application site



Typical residence located within
the residential community south of the application site