

Application No. 7

Commission Districts 8 & 9

APPLICATION SUMMARY

Applicant/Representative(s):	Marista Holdings, LLC / Joseph G. Goldstein, Esq., & Alan Krischer, Esq., Holland and Knight
Location:	South side of SW 312 Street between SW 132 and 142 Avenues, Homestead, Florida
Total Acreage:	±78.52 Gross Acres / ±77.66 Net Acres <i>[As Initially filed ±159.87 Gross Acres/±157.24 Net Acres]</i>
Current Land Use Plan Map Designation:	"Agriculture"
Requested CDMP Amendments/Land Use Plan Map Designations:	<ol style="list-style-type: none">1. Expand the 2020 Urban Development Boundary (UDB) to include the application site2. Redesignate Parcel A (±46.42 gross acres) to "Business and Office"3. Redesignate Parcel B (±81.35 gross acres) to remain designated "Institutions, Utilities and Communication" <i>[Parcel withdrawn from application]</i>4. Parcel C (±27.44 gross acres) to remain designated "Agriculture"5. 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:	Standard
Existing Zoning District/Site Condition:	AU (Agriculture)/Cropland, plant nursery, and ±4.66 acres of canal; <i>[farmworker housing on Parcel B]</i>

RECOMMENDATIONS

Staff:	DENY AND DO NOT TRANSMIT (October 2017)
Community Council:	NOT APPLICABLE (Application is within the City of Homestead)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	TO BE DETERMINED (November 6, 2017)
Transmittal Action of Board of County Commissioners:	TO BE DETERMINED (November 8, 2017)
Final Action of Board of County Commissioners:	TO BE DETERMINED (February/March 2018)

Staff recommends **DENY AND DO NOT TRANSMIT** the proposed standard amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020-2030 Land Use Plan (LUP) map. The revised application seeks to: expand the 2020 Urban Development Boundary to include the ±78.52 gross acre application site; redesignate Parcel A ±46.42-acre of the site from “Agriculture” to “Business and Office” while maintaining the “Agriculture” designation on the ±27.44 Parcel C, and; to add the proffered Declaration of Restrictions to the CDMP Land Use Element. The ±81.35-acre Parcel B was withdrawn from the application by the Applicant. Staff’s recommendation on the application is based on the following reasons:

Principal Reasons for Recommendation

1. The application proposes changes to the CDMP and developments that are contrary to and inconsistent with the provisions of the CDMP for determining when to add lands to the 2020 Urban Development Boundary (UDB). The application seeks: to expand the UDB to facilitate the development of the ±46.42-acre Parcel A of the application site with urban development that would include retail, offices, a hotel, and an assisted living facility as outlined in the applicant’s proffered Declaration of Restrictions. The Applicant does not propose a use for the ±27.44-acre Parcel C. The CDMP Land Use Element Policy LU-8G requires that before considering expansion of the UDB, it must first be demonstrated that there is a need to add land to the UDB, in accordance with Land Use Element Policy LU-8F. Policy LU-8F requires the UDB to contain adequate developable land having the capacity to accommodate the County’s projected economic growth. The policy states that the adequacy of non-residential (commercial and/or industrial) 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. Therefore, in addition to the countywide supply, the adequacy of commercial land is determined by Minor Statistical Areas (MSAs) and combinations thereof and the adequacy of industrial land is determined by planning analysis tiers, half-tiers and combinations thereof. Depletion of the non-residential land supply at or after the planning horizon of the UDB (currently year 2020) indicates there is no need to add lands within the UDB for such uses.

The Supply and Demand Analysis, prepared by staff and contained herein on page 7-14, demonstrates that there is adequate commercial land within the UDB to sustain economic growth beyond the year 2030 at both the countywide level and in the commercial study area in which the application site is located (MSA 7.4). Therefore, pursuant to Policy LU-8G, there is no demonstrated need to add land within the UDB and thereby the requested expansion of the UDB and the development proposed in the application are premature and unwarranted at this time.

2. The application is premature because it proposes changing the land use designation of the ±46.42-acre portion of the site identified in the application as Parcel A to “Business and Office”, while retaining the existing “Agriculture” designation on the western ±27.44-acre portion of the site identified as Parcel C. Approval of the application would therefore result in the inclusion of additional lands designated for Agriculture in the UDB, contrary to CDMP policy.

The application as originally filed addressed the ±159.87-gross acre site that comprised three separate properties identified in the application as Parcel A (±46.42 acres), Parcel B (eastern ±81.35 gross acres of the site), and Parcel C (western ±27.44 acres of the site) that is traversed by the north-south aligned ±4.66-acre C-103N-1 canal right-of-way (see Aerial Photo on page 7-6). The application seeks to redesignate the Applicant owned Parcel A on

the CDMP Adopted Land Use Plan (LUP) map from "Agriculture" to "Business and Office". Parcel B is owned by the Homestead Housing Authority, and is developed with a 296-unit farm worker housing project. The application originally sought to redesignate this portion of the site to "Institutions, Utilities, and Communications". However, by letter dated August 15, 2017 the Applicant withdrew its request to redesignate Parcel B to "Institutions, Utilities, and Communications" and stated that the parcel would retain its "Agriculture" LUP map designation. By letter dated September 25, 2017 the Applicant then sought to withdraw the portion of Parcel B that is within the Accident Potential Zone of the Homestead Air Reserve Base runway (see Principal Reason No. 4 below). Subsequently, by letter dated October 4, 2017 the Applicant withdrew Parcel B in its entirety from the application. Finally, the application does not request a land use designation change for Parcel C, although it would be included in the UDB if the application is approved. Parcel C was included in the application to comply with Section 2-116.1 of the Miami-Dade County Code, which provides that no application may be filed to amend the UDB that if approved would create an enclave of land located outside the UDB that would be surrounded on 75% or more of its boundary by lands within the UDB.

3. The application proposes the unwarranted expansion of the UDB and the premature development of viable agricultural land inconsistent with CDMP Land Use Element Policy LU-1P, which requires the County to protect and promote agriculture as viable economic activity. Notwithstanding the fact that a portion of the application site (the western ±41 acres) is within the 2030 Urban Expansion Area, where urban development beyond the UDB may be warranted at some time in the future, the site is in agricultural production and there is no demonstrated need at this time to expand the UDB to facilitate the development proposed in the application.

The application states that the site's location outside the UDB and its "Agriculture" designation are not appropriate due to the site's geographical isolation from the broader agricultural community, and because the site is an enclave of agricultural land surrounded by urbanized existing uses. The application further explains that the ±81.35-gross acre Parcel C of the application site is developed with 296 affordable housing units and that this property should have been within the UDB. The application further states that there is a need and strong demand in the vicinity of the application site for civic and institutional uses, retail office and hotel uses. However, as discussed in Principal Reason No. 1 above, there is adequate land within the UDB to facilitate the development proposed in the application, and there is no demonstrated need at this time to expand the UDB for such proposed development.

Furthermore, the application site is within the area known in the farming community as the "East Glade" that has a long history of agricultural usage, and the site has been and continues to be used for agricultural purposes. The predominate soil types of the parcels in question are considered to be "farmland of unique importance" by the United States Department of Agriculture's Natural Resources Conservation Service.

4. The application proposes development such as a 200-bed assisted living facility on Parcel A of the application site that is generally incompatible with the operations and future growth of the Homestead Air Reserve Base (HARB) and thereby is inconsistent with the CDMP. Land Use Element Policies LU-4G, LU-4I, Aviation Subelement Policies AV-5H, AV-5I, AV-5K and Intergovernmental Coordination Element Policies ICE-3G and ICE-3H require the County to cooperate with HARB and to ensure that future land uses on properties adjacent to HARB and/or within the HARB Military Zone maintain or improve compatibility with the airport and its operations. In addition, the HARB is identified in 'Table 3: Facility of Countywide Significance'

of the CDMP Intergovernmental Coordination Element as a Facility of Countywide Significance. Additionally, Sections 163.3175 and 163.3177, Florida Statutes (F.S.) provide for the protection for military installations and provide that local future land use plan amendments shall be based, in part, on the compatibility of uses on lands adjacent to or closely proximate to military installations, such as HARB.

The application site is adjacent to HARB and as originally filed included property (Parcel B) that is within the accident potential zone of HARB's Runway 06. Consequently, the U.S. Department of the Air Force, in a letter dated July 17, 2017, identified eight (8) mission impacts to HARB that the application would generate if approved. Approval of the application would 1) cause potential loss of or restricted approach procedures for Runway 06, which would restrict or eliminates the opportunity for aircraft to takeoff or land during poor weather conditions; 2) cause potential noise restrictions disallowing afterburner/military power takeoffs; 3) simulated flameout landing training would be restricted to Runway 06 only; 4) the proximity of the application site to HARB (especially Parcel B) poses a security concern to HARB missions and assets; 5) structures which have an unobstructed, elevated view of the base will provide a significant operational security concern for HARB, Customs and Border Protection, U.S. Special Operations Command (south), Florida Air National Guard, Operation Noble Eagle and the U.S. Coast Guard; 6) the proposed development will increase the number of people in the vicinity of the Explosive Ordinance Disposal site increasing public pressure to constrain use of the disposal site; 7) the proposed development may constrain the ability of HARB to accept future missions or future weapons systems, which affects HARB and the Air Force Reserve Command munitions storage capabilities; and 8) the application site is in close proximity to HARB's Explosive Clear Zone, which distance from the Explosive Clear Zone does not provide absolute safety or protection to local residents (see Appendix E: Homestead Air Reserve Base Comments).

Furthermore, approval of the application would generally inconsistent with CDMP Policies LU-4A and LU-4B, which provides that, when evaluating compatibility among proximate land uses, the County shall consider factors such as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety.

In addition, the proposed amendment is not consistent with CDMP Policy LU-8G(i)(d), which provides that areas that are within HARB's accident potential zones, such as the application site, shall not be included within the 2020 Urban Development Boundary.

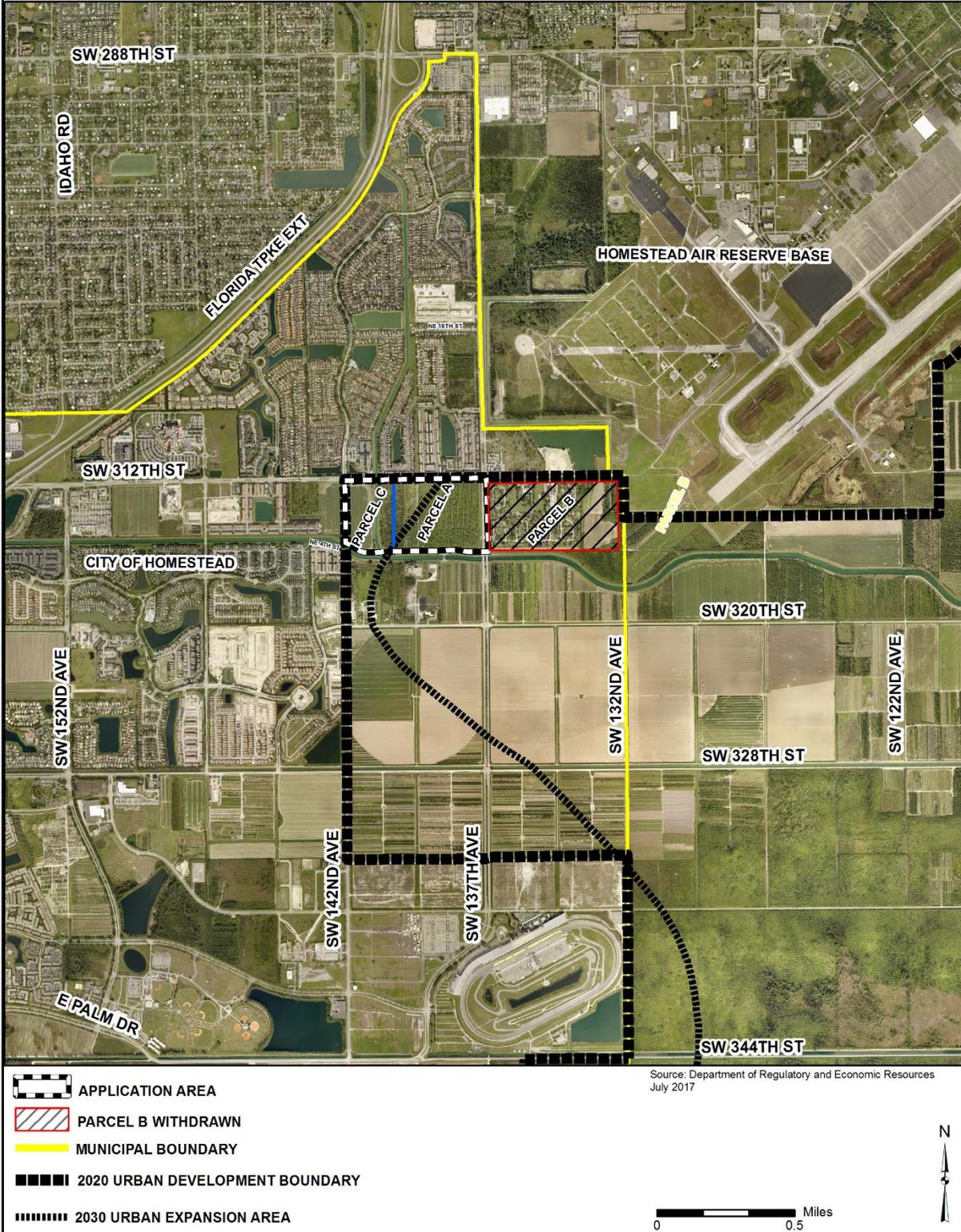
5. The application proposes the unwarranted expansion of the UDB and development that is contrary to the CDMP provisions for properties within Coastal High Hazard Areas. The application site is identified by the 2016 National Hurricane Center Sea, Lake, and Overland Surges (SLOSH) Super Basin data models to be vulnerable to storm surge inundation from a Category 1 and higher hurricane, and thereby is within a Coastal High Hazard Area. Chapter 163.3178(2)(h) of the Florida Statutes defines the Coastal High-Hazard Area as "the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes computerized storm surge model" (see Other Planning Considerations on page 7-31 herein). CDMP Land Use Element Policy LU-3D and Coastal Management Element Objectives CM-9 and CM-10 with associated policies seek to discourage development in the Coastal High Hazard Areas. Furthermore, Land Use Element Policy LU-8G ii(b) provides that Coastal High Hazard Areas shall be avoided when looking to add lands to the UDB. The application as filed, and as subsequently amended by the Applicant as discussed in Principal Reason No. 2 above, is inconsistent with the CDMP objectives and

policies that seek to discourage development in Coastal High Hazard Areas and that require the avoidance of expanding the UDB to include lands that are within a Coastal High Hazard Area.

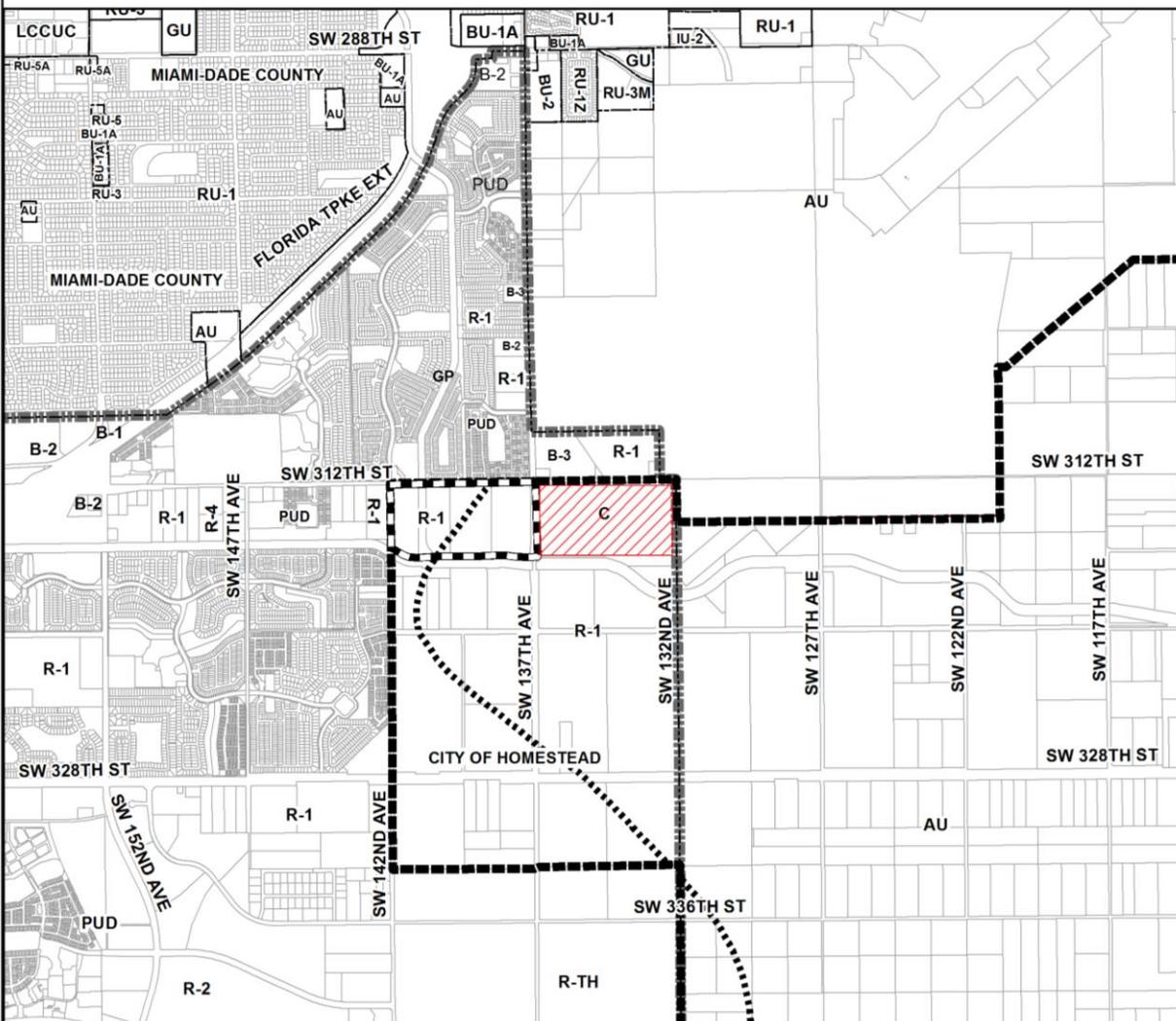
6. The application as filed and as subsequently amended by the Applicant discourages urban infill and redevelopment and encourages urban sprawl. Staff's review indicates that the application does not achieve any of the 8 indicators for the discouragement of urban sprawl but achieves six (6) indicators for the encouragement of urban sprawl. The Miami-Dade County Strategic Plan and the CDMP call for the promotion of urban infill and redevelopment while discouraging urban sprawl. In addition, Chapter 163.3177(6)9, Florida Statutes (F.S.), requires Future Land Use Element and amendments to the Future Land Use Element to discourage urban sprawl. The statute provides 13 indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl and 8 indicators that a plan or plan amendment discourages the proliferation of urban sprawl. The Statute further provides that a Future Land Use Element or plan amendment shall be deemed to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves 4 or more of the 8 indicators for the discouragement of urban sprawl.

Pursuant to Chapter 163.3177(6)9, F.S., the proposed development of the application site, if the application is approved, would not discourage urban sprawl, but instead, would encourage the proliferation of urban sprawl. Therefore, approval of the application would be contrary to the Florida statutory requirement as well as the County's Strategic Plan and CDMP requirements to discourage urban sprawl.

APPLICATION NO. 7 AERIAL PHOTO



APPLICATION 7 ZONING MAP



APPLICATION AREA

PARCEL B WITHDRAWN

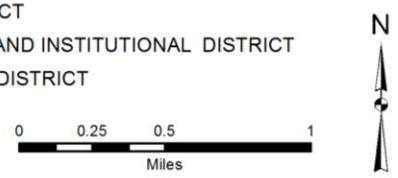
MIAMI-DADE ZONING DISTRICT

- AU AGRICULTURAL / RESIDENTIAL 5 ACRES GROSS
- BU-1A BUSINESS DISTRICT/LIMITED
- BU-2 BUSINESS DISTRICTS, SPECIAL
- GU INTERIM DISTRICT
- LCUC LEISURE URBAN CENTER
- IU-2 INDUSTRIAL DISTRICTS, HEAVY MANUFACTURING
- RU-1 SINGLE-FAMILY RESIDENTIAL
- RU-1Z SINGLE-FAMILY RESIDENTIAL, ZERO LOT LINE
- RU-3 FOUR-UNIT APARTMENT DISTRICT
- RU-5A SEMI-PROFESSIONAL OFFICE
- MUNICIPAL BOUNDARY
- 2020 URBAN DEVELOPMENT BOUNDARY
- 2030 URBAN EXPANSION AREA

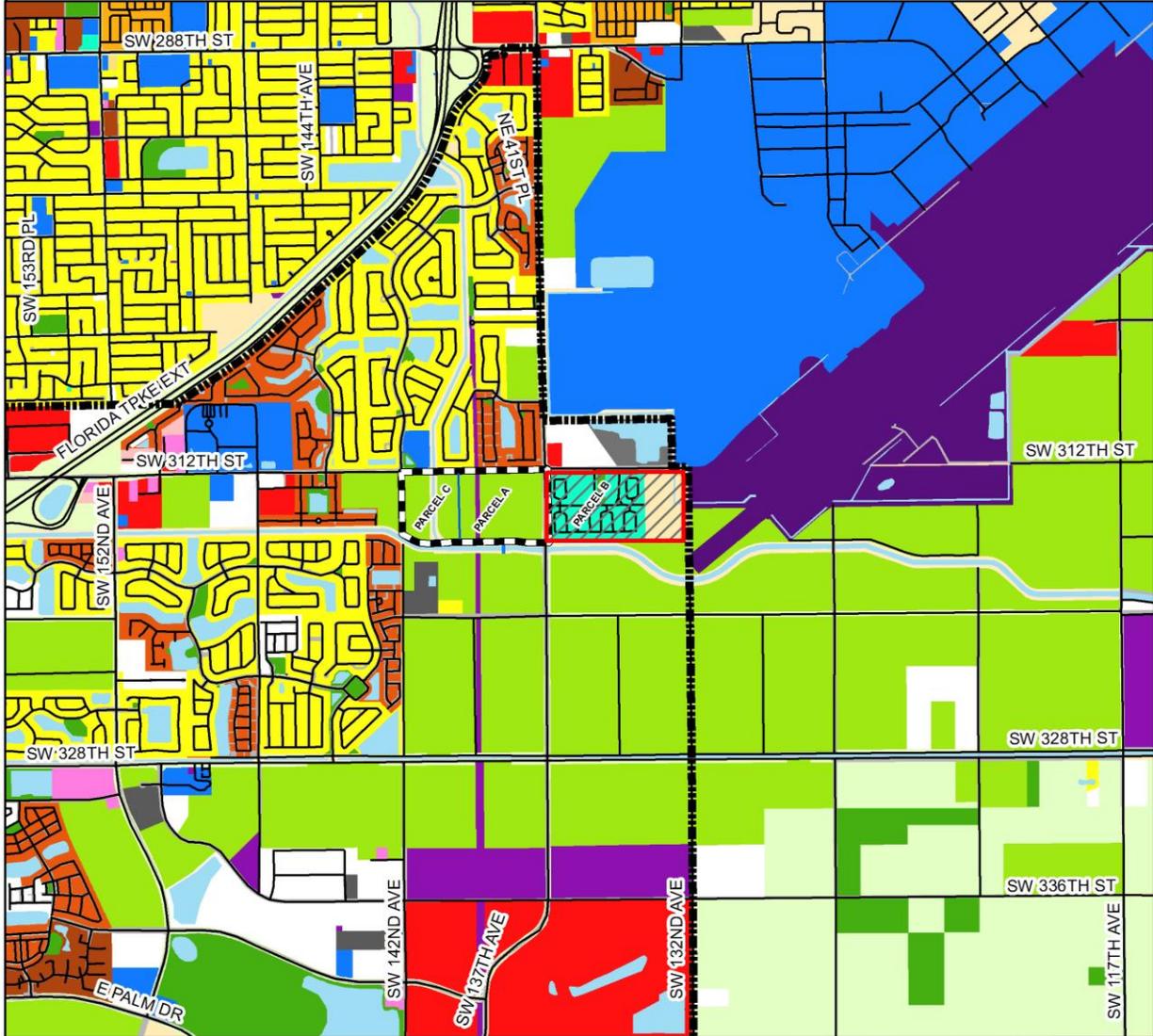
CITY OF HOMESTEAD ZONING DISTRICTS

- BU-2 RETAIL COMMERCIAL RESTRICTED BUSINESS DISTRICT
- BU-3 LIBERAL BUSINESS DISTRICT
- C CITY PROPERTY DISTRICT
- GP GOVERNMENT PROPERTY DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- R-1 ONE FAMILY, SINGLE DISTRICT
- R-2 DUPLEX DISTRICT
- R-4 HOTEL-MOTEL AND INSTITUTIONAL DISTRICT
- R-TH TOWNHOUSES DISTRICT

Source: Department of Regulatory and Economic Resources
July 2017



APPLICATION NO. 7 EXISTING LAND USE



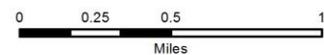
Source: Department of Regulatory and Economic Resources
July 2017

- APPLICATION AREA
- PARCEL B WITHDRAWN

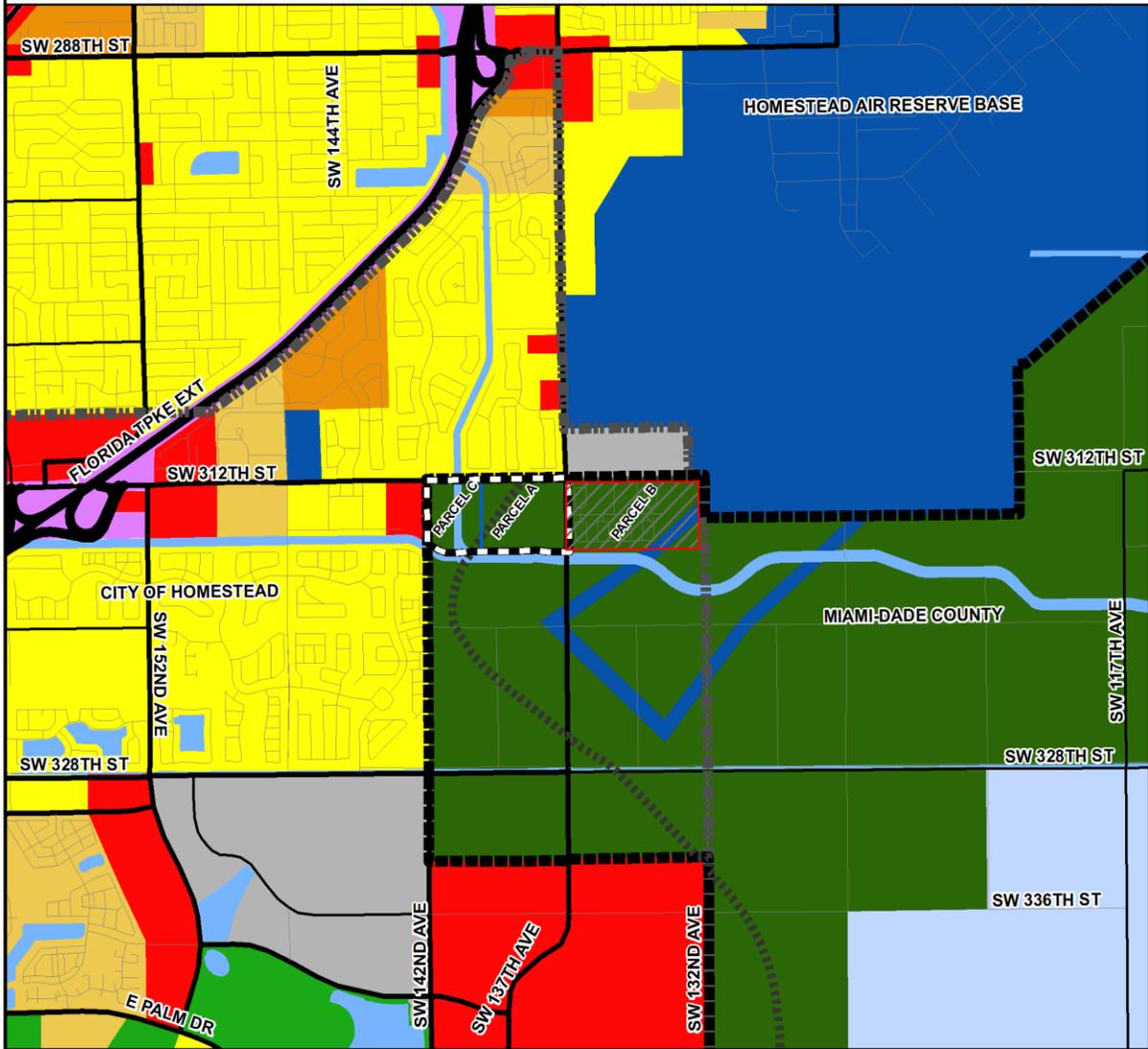
EXISTING LAND USE

- SINGLE-FAMILY
- TWO-FAMILY DUPLEXES
- TOWNHOUSES
- LOW-DENSITY MULTI-FAMILY
- RESIDENTIAL-GOVERNMENT OWNED HOUSING
- HIGH-DENSITY MULTI-FAMILY
- COMMERCIAL, SHOPPING CENTERS
- OFFICE
- INSTITUTIONAL

- STREETS, ROADS, EXPRESSWAYS, RAMPS
- STREETS RIGHT OF WAY
- AGRICULTURE
- PARKS, PRESERVES, CONSERVATION AREAS
- VACANT GOVERNMENT OWNED, UNPROTECTED
- VACANT PRIVATELY OWNED, UNPROTECTED
- INLAND WATERS
- 2020 URBAN DEVELOPMENT BOUNDARY
- 2030 URBAN EXPANSION AREA
- MUNICIPAL BOUNDARY



APPLICATION NO. 7 CDMP LAND USE



 APPLICATION AREA
 PARCEL B WITHDRAWN

CDMP LAND USE

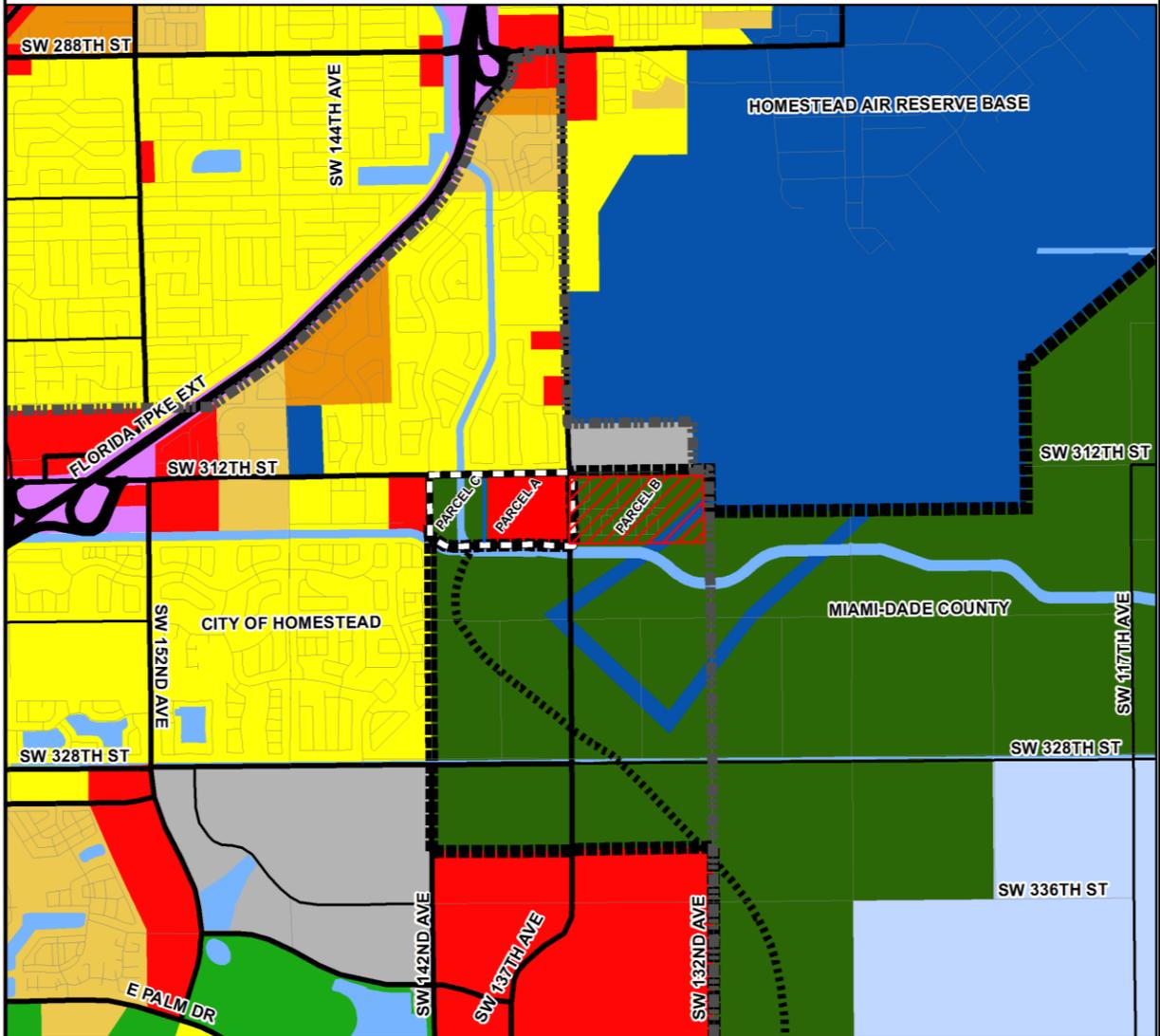
-  LOW DENSITY (2.5-6 DU/AC)
-  LOW-MEDIUM DENSITY (6-13 DU/AC)
-  MEDIUM DENSITY (13-25 DU/AC)
-  INDUSTRIAL AND OFFICE
-  BUSINESS AND OFFICE
-  INSTITUTIONS, UTILITIES AND COMMUNICATION
-  PARKS AND RECREATION
-  AGRICULTURE

-  OPEN LAND
-  WATER
-  TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)
-  EXPRESSWAYS
-  MAJOR ROADWAYS (3 OR MORE LANES)
-  MINOR ROADWAYS (2 LANES)
-  MUNICIPAL BOUNDARY
-  2020 URBAN DEVELOPMENT BOUNDARY
-  2030 URBAN EXPANSION AREA

Source: Department of Regulatory and Economic Resources
July 2017



APPLICATION NO. 7 PROPOSED CDMP LAND USE

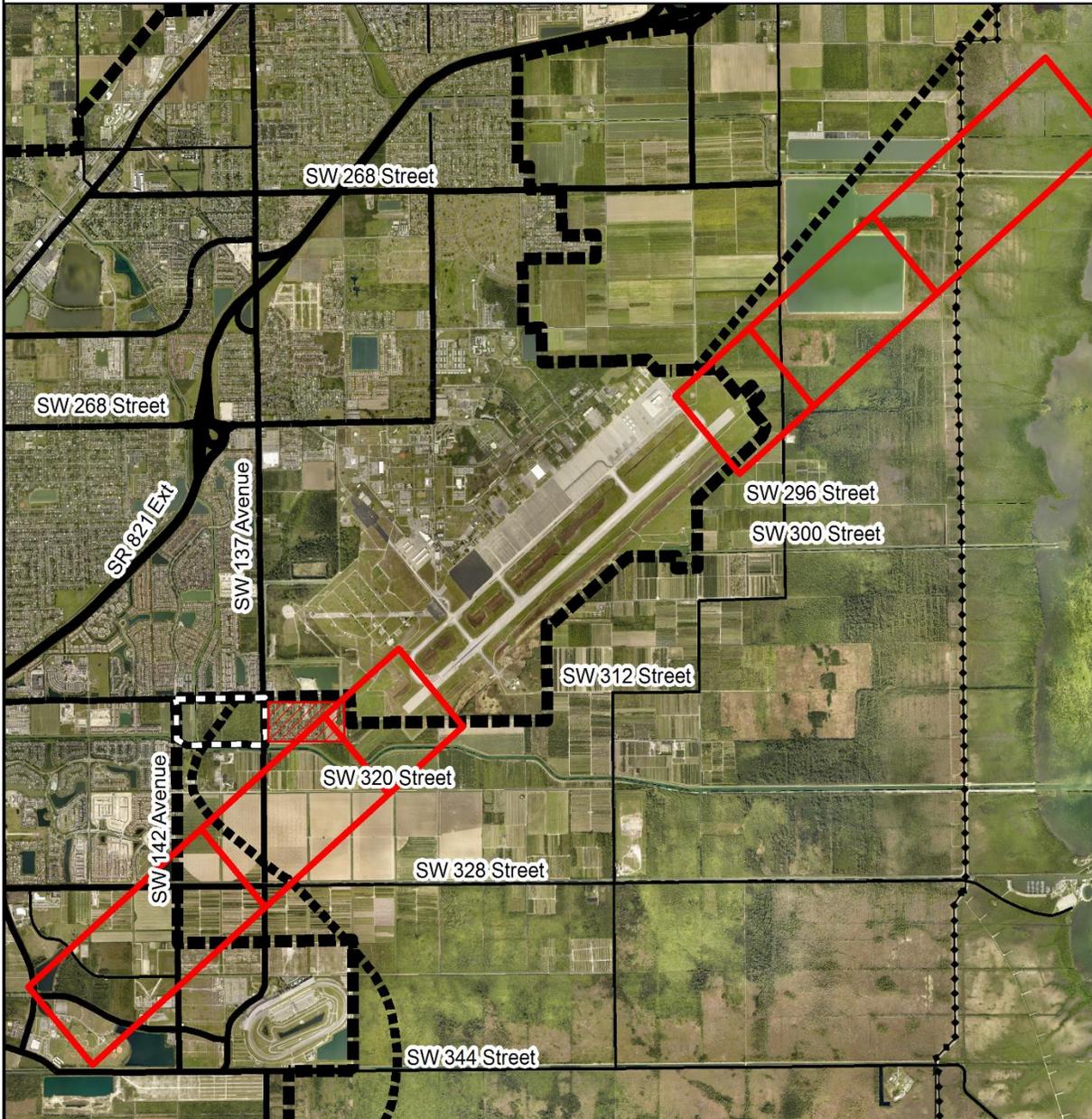


 APPLICATION AREA	Source: Department of Regulatory and Economic Resources July 2017
 PARCEL B WITHDRAWN	
CDMP LAND USE	
 LOW DENSITY (2.5-6 DU/AC)	 OPEN LAND
 LOW-MEDIUM DENSITY (6-13 DU/AC)	 WATER
 MEDIUM DENSITY (13-25 DU/AC)	 TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)
 INDUSTRIAL AND OFFICE	 EXPRESSWAYS
 BUSINESS AND OFFICE	 MAJOR ROADWAYS (3 OR MORE LANES)
 INSTITUTIONS, UTILITIES AND COMMUNICATION	 MINOR ROADWAYS (2 LANES)
 PARKS AND RECREATION	 MUNICIPAL BOUNDARY
 AGRICULTURE	 2020 URBAN DEVELOPMENT BOUNDARY
	 2030 URBAN EXPANSION AREA



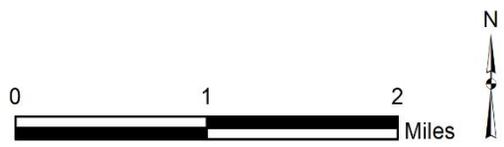
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HOMESTEAD AIR RESERVE BASE ACCIDENT POTENTIAL ZONE



-  APPLICATION AREA
-  PARCEL B WITHDRAWN
-  ACCIDENT POTENTIAL ZONE
-  2020 URBAN DEVELOPMENT BOUNDARY
-  2030 URBAN EXPANSION AREA BOUNDARY

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



STAFF ANALYSIS

Application Site

Background

The application was originally filed addressing a ±159.87-gross acre site that is comprised of three separate properties identified in the application as Parcel A (±46.42 gross acres), Parcel B (±81.35 gross acres), and Parcel C (±27.44 gross acres) traversed by the north-south aligned ±4.66-acre C-103N-1 canal right-of-way. The ±46.42-acre Parcel A is owned by the Applicant and comprises two individual parcels located at the southeast corner of SW 312 Street and SW 137 Avenue. The ±81.35-acre Parcel B is owned by the Homestead Housing Authority, is developed as a 296-unit farm worker housing project and is located at the southeast corner of SW 312 Street and SW 137 Avenue, east of Parcel A. The Parcel C is the western ±27.44 acres of the application site located at the southwest corner of SW 142 Avenue and SW 312 Street. The original application filed May 31, 2017 requested changes to the CDMP Adopted 2020 and 2030 Land Use Plan map (LUP) map to expand the 2020 Urban Development Boundary (UDB) to include the then ±159.87-gross acre application site (Parcels A, B, and C) and to redesignate Parcel A from “Agriculture” to “Business and Office”; Parcel B from “Agriculture” to “Institutions, Utilities, and Communications”; and Parcel C was to remain designated as “Agriculture.”

The Homestead Air Reserve Base, by letter dated July 17, 2017 (see Appendix H: Homestead Air Reserve Base Comments) expressed concerns about the negative impacts that the proposed amendment would have on its operations because of the application site’s location adjacent to the southwest of the Homestead Air Reserve Base. Furthermore, the eastern portion of the site (Parcel B) is within the Accident Potential Zone (APZ) of the Base’s Runway 06, and the Accident Potential Zone is identified in the CDMP Land Use Element Policy LU-8G(i)(d) as an area that shall not be considered for inclusion within the UDB in order to protect the Base. The Applicant, by letter dated August 15, 2017 withdrew its request to re-designate Parcel B to “Institutions, Utilities, and Communications”, then by letter dated September 25, 2017 withdrew the portion of Parcel B that lies within the Accident Potential Zone of the Homestead Air Reserve Base (see Appendix E: Letter Excluding Properties Within Accident Potential Zones). Subsequently, by letter dated October 4, 2017, the Applicant withdrew the ±81.35-acre Parcel B in its entirety from further consideration in the application (see Appendix E: Letter Amending Applicant’s Original Request). Therefore, the application in its current form addresses a total of ±78.52 gross acres inclusive of Parcel A and Parcel C only.

Location

The application site as originally filed is located along the south side of SW 312 Street between SW 132 Avenue and theoretical SW 142 Avenue, in the City of Homestead and within close proximity to the Homestead Air Reserve Base. As outlined above, the application site originally comprised three properties identified as Parcel A, Parcel B, and Parcel C with a ±4.66-acre north-south aligned C-103N-1 canal that traverses Parcel C (the western portion of the original application site) and connects to east west aligned C-103-1 canal running along the southern boundary of the application site.

Notwithstanding the fact the application site, as originally filed and subsequently revised, is located in the City of Homestead, the requested amendment to expand the UDB must be processed by the County pursuant to Section 2.116.1.2 of the Code of Miami-Dade County. Section 2.116.1.2 of the Code provides that the location of the Urban Development Boundary (UDB) and permitted land uses outside the UDB shall be governed by the County’s CDMP and

requires any amendment to the UDB or land uses outside the UDB be filed and processed in accordance the County's procedures for applications seeking to amend the CDMP.

Existing Land Use

Parcels A and C are characterized by row and crop fields and plant nurseries. Parcel B (withdrawn from the application on October 4, 2017) is currently developed with 296 residential units that are owned and operated as farm worker housing by the Homestead Housing Authority and are in good condition.

Land Use Plan Map Designation

The application site and the withdrawn Parcel B are designated "Agriculture" on the Miami-Dade County Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map, and are outside the 2020 Urban Development Boundary (UDB). See "CDMP Land Use" map on page 7-9 above. The principal uses allowed in agriculture-designated areas are agriculture uses and uses ancillary to and directly supportive of agriculture and farm residences. Residential development is allowed under the "Agriculture" CDMP land use designation at a density of one (1) dwelling unit per five gross acres.

The "Business and Office" CDMP land use designation requested for Parcel A allows the full range of sales and service activities that includes retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, entertainment and cultural facilities, and residences.

Under the current CDMP land use designation of "Agriculture," the ±78.52 property may be developed with a maximum of 20 rural single-family detached homes at 1 unit per five (5) gross acres. Under the proposed CDMP land use designation of "Business and Office", Parcel A may be develop with a maximum of 793,837 square feet of retail and office uses or 283 single-family detached homes. Parcel C may be developed with residential uses at 1 unit per five gross acres for a total of 5 rural single-family detached homes under the "Agriculture" land use designation which the application proposes to retain on the property.

Proffered Declaration of Restrictions

The Applicant proffered a Declaration of Restrictions (covenant) which provides a development program that limits development on the site to retail, offices, hotel, and an assisted living facility. The covenant states that the initial adopted development program includes 200 beds of assisted living facility, 150 hotel rooms, 200,000 square feet of office space, and 150, 000 square feet of retail uses and provides that these uses and combinations thereof may vary so long as the maximum development does not exceed 828 net pm peak hour vehicle trips.

According to the Transportation Analysis prepared by Kimley-Horn & Associates in support of the application, dated May 2017, the applicant proposes (see page 5) to develop Parcel A (±46.42 gross acres) of the application site with a 200-bed assisted living facility, a 150-rooms hotel, 200,000 square feet of office space and 150,000 square feet of retail space. The Analysis does not state any proposed development for Parcels B and C.

Zoning

Properties within the application site are zoned AU (Agriculture). See "Zoning Map" on page 7-7.

Adjacent Land Use and Zoning

Existing Land Uses

Properties abutting and adjacent to the application site are within the City of Homestead. North of the site beyond SW 312 Street are single family residences within the Waterstone community and the Waterstone K-5 Charter School. Northeast of the site are a Chevron gas station, a Dunkin Donuts, vacant lots and a rockmining operation, at the northeast corner of SW 312 Street and SW 137 Avenue. Further north, within unincorporated Miami-Dade County, is the Homestead Air Reserve Base. To the east of the site is Parcel B that was initially include but subsequently withdrawn from the original application, the Homestead Housing Authority property developed with 296 farm worker housing units. Further east beyond Parcel B is the Homestead Air Reserve Base property. South of the site are plant nurseries and agricultural produce processing facilities, beyond which are croplands. Abutting to the west of the site, are row and crop fields and further west is the Crystal Lake townhome community. To the southwest are townhomes within the Baywinds community and single family residences (See "Existing Land Use" map on page 7-8.)

Land Use Plan Map Designations

The City of Homestead designates the areas adjacent to the north and west of the application site on its 2030 Future Land Use Map as "Low Density Residential Use" and these lands a similarly depicted on the CDMP LUP map as "Low Density Residential (2.5 to 6 DU/Ac.)", except the property abutting the site to the west that the City designates as Professional Mixed Use which is depicted as "Business and Office" on the LUP map. The gas station, Dunking Donuts and rockmining properties to the northeast are designated "Heavy Commercial Use" and "Industrial Use" by the City and these properties are depicted as "Industrial and Office" on the LUP map. The Homestead Housing Authority's farm worker housing property to the east and properties south of the application are outside the UDB and designated "Agriculture" on the LUP map and the City depicts these areas as "Agriculture" on its 2030 Future Land Use Map. The Homestead Air Reserve Base property is designated on the LUP map as "Institutions, Utilities and Communications". (See "CDMP Land Use" map on page 7-9.)

Zoning

Properties adjacent to the east and northeast of the application site are within the County's unincorporated area and are zoned AU (Agriculture). Properties adjacent to the north of the site are within the City of Homestead and are zoned AU (Agriculture) and B3 (Liberal Business). Properties adjacent to the west and south are within the City of Homestead and are zoned AU (Agriculture). Properties to the northwest and southwest of the site are zoned PUD (Planned Unit Development) and are within the City of Homestead. (See "Zoning Map" on Page 7-7.)

Supply and Demand Analysis

Minor Statistical Area (MSA) 7.4 contained 392.40 acres of in-use commercial uses in 2017 and an additional 228.8 acres of vacant land zoned or designated for business uses. The annual average absorption rate for the 2017-2030 period is 13.41 acres per year. At the projected rate of absorption, the study area will deplete its supply of commercially zoned land beyond the year 2030 (See "Projected Absorption of Land for Commercial Uses" table below).

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

Analysis Area	Vacant Commercial Land 2017 (Acres)	Commercial Acres in Use 2017	Annual Absorption		Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
			Rate 2017-2030 (Acres)			2020	2030
MSA 7.4	228.8	392.40	13.41		2030+	6.1	4.3

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

An economic analysis report (Appendix F; appendices page 65) submitted by Miami Economic Associates (MEA) by letter dated June 29, 2017 in support of the application was reviewed by staff. The points raised in the MEA report are presented below in italics followed by with staff's comments are as follows:

Reasons put forth by the applicant and the consultant, Miami Economic Associates (MEA), to ask for the re-designation of the Property and staff's responses are as follows:

- *The 'Property is isolated from the broader agricultural community in the area.'* The subject property is surrounded on the west and south by agricultural uses and on the east by a residential development owned and operated by the Homestead Housing Authority. The Homestead Housing Authority is not a municipal department, but a quasi-governmental organization. The residential property in question was built specifically for farm workers to support the agricultural area.
- *Because the Property "may not be aggregated to the lands in the south, it creates an inefficiency in the agricultural use and significantly reduces the agricultural sustainability of the Property."* Staff does not agree with this statement. The applicant does not explain what inefficiency is created and how it reduces the agricultural sustainability of the property. A decrease in the profitability of a specific use or financial considerations should not be a justification for expanding the UDB or a re-designation of land use.
- *The analysis states that the "Property is a virtual enclave of agricultural land surrounded by fully urbanized existing uses to the north, east, and west."* The Property is not an enclave. Parcels to the west and south are currently in agricultural use. It is connected to the properties to the south by a bridge, and on 137th Avenue. The Residential parcel to the east was built for farm worker housing and consequently is compatible with other agricultural uses.
- *The application includes Residential Land that is owned and operated by the Homestead Housing Authority, "which erroneously falls outside the UDB".* It is true that there is a residential development to the east of the subject Property. These units are owned and operated by the Homestead Housing Authority, not a municipal entity or department. The units were built to be used for farm workers. Consequently, it could be located inside or outside the UDB. As such the statement that it "erroneously falls outside the UDB" is not accurate.
- *The "City of Homestead which has determined there is a strong demand for lands in the area appropriate for civic and institution, retail, office and hotel uses." "There is a localized deficiency of said commercial uses in the immediate area" which is inadequately served.* The Applicant has not provided any evidence demonstrating this this strong Demand. Nevertheless, staff conducted an analysis of commercial uses within 1.5 and 2 miles of the

Property and found a significant square footage (see “Commercial Space Within 2 Miles of the Subject Property” table below).

Application 7: Commercial Space within 2 miles of Subject Property

	Land Area (AC)	Rentable Building Area
General Retail	47.2	235,007
General Retail (Community Center)	15.8	189,057
General Retail (Neighborhood Center)	16.6	160,536
General Retail (Power Center)	94.4	307,955
General Retail (Strip Center)	1.9	33,329
Hospitality	1.6	207,997
Office	14.9	96,321
Specialty	1.5	14,400
Sports & Entertainment	142.6	81,580
Grand Total	336.6	1,326,182

Data Source: CoStar, Accessed 7/18/2017.

Application 7: Commercial Space within 1.5 miles of Subject Property

	Land Area (AC)	Rentable Building Area
General Retail	25.3	71,196
General Retail (Community Center)	15.8	189,057
General Retail (Neighborhood Center)	12.0	131,020
Hospitality	1.6	207,997
Office	4.4	66,321
Grand Total	59.1	665,591

Data Source: CoStar, Accessed 7/18/2017.

These commercial uses include a Walmart and Publix about 1.5 miles to the north on 137th Avenue, and a Publix less than 1 mile to the west on Campbell drive.

The MEA report provides a reasonable estimate of the economic impact of the nonrecurring basis, of the construction of commercial uses on the property and the permanent impact of the on-site workers upon completion. However, the report then goes on to count the ad valorem taxes and recurring fees such as utility taxes, franchise fees and water and sewer service fees generated to various jurisdictions as fiscal benefits to those jurisdictions. However, these incremental revenues merely offset the incremental expenses to these jurisdictions resulting from the project and these incremental expenses were not considered in the report.

Environmental Conditions

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

Flood Protection

Federal Flood Zone	AH & AE
Stormwater Management Permit	SFWMD Surface Water Management Standard Permit
County Flood Criteria, National	5 feet
Geodetic Vertical Datum (NGVD)	

Biological Conditions

Wetlands Permit Required	Undetermined
Native Wetland Communities	Undetermined
Specimen Trees	No
Endangered Species Habitat	Undetermined
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 within the application area will require a Surface Water Management Standard Permit from the South Florida Water Management District (SFWMD) for the construction and operation of the required surface water management system. The permit must be obtained prior to development of the site, final plat, and/or prior to obtaining approval of paving and drainage plans.

The applicant is responsible for the development of the SW 137 Avenue Canal and the Homestead Air Base Canal. A DERM Class III permit may be required for any proposed work within any canal right-of-way, reservation, easement, or flow rights. Any impacts to the Homestead Air Base Canal would need to be permitted and addressed with the DERM Water Control Section.

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

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

- Average crown of road fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- County Flood Criteria 5 feet NGVD, plus 8 inches for residential, or plus 4 inches for commercial.
- Elevation of the back of the sidewalk (if any) fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- The Base Flood Elevation for this area is found to be 8.0 feet N.G.V.D. (taken from the Flood Insurance Rate Maps (FIRM) for Miami Dade County).
- The stage generated by retention on-site of the 100-year rainfall event according to stage-storage calculations must be equal or less than the Base Flood Elevation.

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

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

Natural Resources

The application site contains tree resources. Based on a review of aerial photographs, portions of the subject site may contain a tree nursery or grove. The removal of the tree nursery for the purposes requested in the land use application will require a Miami-Dade county tree removal permit.

A preliminary DERM review of the property indicates that the subject property may contain wetlands as defined by Section 24-5 of the Code. A Binding Letter of Interpretation by the DERM Coastal and Wetland Resources Section is required to determine whether the site contains wetlands. Therefore, a DERM Class IV permit may be required prior to any work within wetlands on the property.

The applicant is advised that permits from the Army Corps of Engineers, the Florida Department of Environmental Protection and the South Florida Water Management District may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

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

Miami-Dade County approvals for the property must comply with the CDMP and Miami Dade County's Manatee Protection Plan (MPP). Objective CON-9B of the CDMP states that "nesting, roosting and feeding habitats used by federal or State designated endangered or threatened species, shall be protected and buffered from surrounding development or activities and further degradation or destruction of such habitat shall not be authorized." The property is located within the United States Fish and Wildlife Service (USFWS) consultation area for the federally endangered Florida bonneted bat and the core foraging area for the federally threatened wood stork. Even though a survey has not been conducted in this area for presence of the Florida bonneted bat, the site does provide a combination of land and open water that is similar to other sites in Miami-Dade County where foraging has been documented.

Manatees may access to waters of the Mowry Canal that exists along the southern boundary of the subject properties. Pursuant to the MPP all new or replacement culverts and outfalls accessible to manatees shall be designed to prevent entrapment of or injury to manatees. Those outfalls which are greater than 7 inches and less than 60 inches in diameter shall be covered with grates or screens with spaces less than 7 inches wide to prevent entrapment. New culverts installed in areas not previously accessible to manatees shall be covered with flap gates or other devices designed so as to cause no injury to manatees, and to prevent manatees from entering the outfalls or culverts, including during construction. Development projects in the subject parcels must employ turbidity barriers and other means of containment so that materials from the construction site do not enter waters of the adjacent canal. If approved over waters of the Mowry Canal, containment systems shall be designed to account for water currents and wind influence, shall float at all times, and shall be designed to prevent entrapment or injury to manatees.

Please note that the State of Florida Fish and Wildlife Conservation Commission (FWC) requires that all work proposed in waters known to host manatees comply with FWC's Standard Manatee Protection Conditions for In-Water Work.

Consultation with USFWS and any other necessary federal or state agencies is recommended before conducting any work or activities within the subject site. Please be aware that the federal government may require certain actions or protections on the property, and this may result in the need to modify the plans for the property.

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 (WASD) 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/sewer flow for residential development (Scenario 1) under the current CDMP Land Use designations, are estimated at 69,520 gallons per day (gpd). The maximum water demand/sewer flow for residential and retail development (Scenario 1) and residential development (Scenario 2) under the Requested CDMP Land Use designation is estimated at 145,604 gpd and 127,380 gpd, respectively. Therefore, the application is expected to result in an increase of 76,084 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	Single Family Res	316 units	220 gpd/unit	69,520 gpd
Requested CDMP Designation				
1	Retail	793,837 sq. ft.	10 gpd/100 sq. ft.	79,384 gpd

Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier (Section 24-43.1 Miami-Dade Code)	Projected Water Demand (gpd)
1	Single Family Res	296 units	220 gpd/unit	65,120 gpd
1	Single Family Res	5 units	220 gpd/unit	1,100 gpd
SUBTOTAL				145,604 gpd
2	Single Family Res	278 units	220 gpd/unit	61,160 gpd
2	Single Family Res	296 units	220 gpd/unit	65,120 gpd
2	Single Family Res	5 units	220 gpd/unit	1,100 gpd
SUBTOTAL				127,380 gpd

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

Water Supply and Connectivity:

The application site is located outside the UDB, within the WASD water service area. Parcel B is currently connected to WASD’s public water supply. The source of potable water for this area is the Alexander Orr Water Treatment Plant which is owned and operated by WASD. 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. Pursuant to Chapter 24 of the Code, the proposed development would be required to connect to the public water system.

For Parcel A, there is an existing 16-inch water main at the intersection of SW 137 Avenue and SW 312 Street to which the developer may connect and extend a new 16-inch water main heading westerly along SW 312 Street to the northwestern corner of the property. Also, there is an existing 16-inch water main along SW 137 Avenue, abutting the eastern boundary of the site. Additional water main extension will be required to provide water to the property. A 12-inch will be required for retail development, and an 8-inch will be required for single family residential.

For Parcel B, the existing site is currently being served by WASD.

For Parcel C, A new 16-inch water main will be required along SW 312 Street. The developer may connect to the aforementioned proposed 16-inch water main at the northeast corner of the property and extend the same 16-inch water main extensions will be required to provide service to the proposed single family developments.

There are infrastructure improvements planned along SW 137 Avenue and SW 142 Avenue. At this time, a water transmission improvement project along SW 137 Avenue is under design (PCTS No. 14137). In addition, sewer force main improvement projects (PCTS No. 10661 and 10619) are planned along SW 142 Avenue and SW 137 Avenue.

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.

WASD's 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 WASD 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. Pursuant to Chapter 24 of the Code, development of proposed Parcels A and C would be required to connect to the public sanitary sewer system.

For Parcel A, there is an existing 8-inch and 10-inch sewer force main along SW 312 Street to which the developer may connect and extend an 8-inch sewer force main to the property as required. A new pump station will be required. Any proposed gravity sewer extension inside the developer's property shall be 8-inch minimum diameter.

For Parcel B, the existing site is currently being served by WASD.

For Parcel C, there is no gravity sewer main in close vicinity to the subject site. There is a 10-inch force main along SW 312 Street, however, per WASD Rules and Regulations, private pump stations are not allowed for single family residential development. Consequently, the proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded and the property is connected to public water. In accordance with the Code, the minimum lot size for a single family residence served by public water and a septic tank shall be 15,000 square feet (gross).

The flow collected by WASD's sewer system is directed to pump station 30-692B and then to the South District Wastewater Treatment Plant. WASD's pump station 30-692B and the South District Wastewater Treatment Plant are currently working within the mandated criteria set forth in the New Consent Decree Case: No. 1:12-cv-24400-FAM, effective Dec 6, 2013.

Solid Waste

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

Level of Service Standard

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

Application Impacts

The subject property is located outside of the Department’s waste collection service area. The requested amendment will have no impact or any associated costs relative to Solid Waste Collection and Disposal services and facilities; therefore, DSWM has no objection to the proposed changes.

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 3 (PBD-3), which generally encompasses the area of the County south of SW 184 Street.

Level of Service Standard

CDMP Policy ROS-2A establishes the adopted minimum Level of Service (LOS) standard for the provision of recreation open space in the Miami-Dade County. This CDMP policy requires the County to provide a minimum of 2.75 acres of local recreation open space per 1,000 permanent residents in the unincorporated areas of the County and a County-provided, or an annexed or incorporated, local recreation open space of five acres or larger within a three-mile distance from residential development. The acreage/population measure of the LOS standard is calculated for each Park Benefit District. A Park Benefit District is considered below LOS standard if the projected deficiency of local recreation open space is greater than five acres. Currently, PBD-3 has a surplus capacity of 160.91 acres of parkland, when measured by the County’s concurrency LOS standard of 2.75 acres of local recreation open space per 1,000 permanent residents.

The “County Local Parks” table below lists the parks within a 3-mile radius of the application site; three parks (Leisure, Modello Wayside and Naranja Lakes) are less than the required five-acre park.

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

Park Name	Acreage	Classification
Leisure Park	1.86	Neighborhood Park
Live Like Bella Park	8.30	Community Park
Modello Park	8.23	Community Park
Modello Wayside Park	2.50	Neighborhood Park
Naranja Lakes Park	1.55	Neighborhood Park
Naranja Park	12.70	Community Park
Palmland Park	5.09	Neighborhood Park

Park Name	Acreage	Classification
Pine Island Lake Park	17.45	Neighborhood Park
Royal Colonial Park	26.27	Community Park
South Dade Park	8.61	Community Park

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

Application Impacts

The property is currently designated Agriculture and is located outside of the Urban Development Boundary (UDB); however, approximately 79.58 acres have been developed with 296 affordable housing units. The existing potential development of the site under the existing CDMP land use designation could potentially generate a population of 687, and result in an impact of 1.89 acres based on the minimum Level of Service standard for the provision of local recreation open space.

The potential for residential development on 46.42 acres under the proposed Business and Office land use designation, is estimated at 278 single-family attached dwelling units and could potentially generate 867 persons. The 79.58-acre Parcel B, to be designated Institutions, Utilities and Communications, may be limited to the existing 296 residential units. The concurrency analysis for this scenario results in an impact of 2.38 acres based on the minimum Level of Service standard for the provision of local recreation open space and therefore meets concurrency.

Fire and Rescue Service

The application area is currently served by Miami-Dade Fire Rescue (MDFR) Station No. 66 (Villages of Homestead) located at 3100 SE 8 Street. The station is equipped with an Engine and four (4) firefighter/paramedics, 24 hours a day, seven days a week. The average travel time to incidents in the vicinity of the application site is estimated at approximately 5 minutes and 11 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. The required fire flow for the proposed Business and Office designation shall be 3,000 gallons per minute (GPM). Fire hydrants shall be spaced a minimum of 300 feet from each other and shall deliver not less than 1,000 GPM. The required fire flow for the proposed Institutions, Utilities and Communications and Agriculture designations shall be 2,000 GPM. Fire hydrants shall also be spaced a minimum of 300 feet from each other and shall deliver not less than 500 GPM. Presently, there are no fire flow deficiencies in the vicinity of the application.

The MDFR Department has determined that the current "Agriculture" land use designation of the application site would allow a potential development that would generate eighty-seven (87) annual alarms. The proposed "Business and Office," "Institutions, Utilities and Communications" and "Agriculture" designations would generate three hundred and twenty (320) annual alarms, and would have a severe impact to existing fire-rescue services. Currently, fire and rescue service in the vicinity of the subject site is adequate. Based on the current call volume for Station No. 66, and as a result of existing stations within close proximity of the subject application, all stations combined are capable of mitigating the additional number of alarms. Additional stations include Station No. 65 (East Homestead) located at 1350 SE 24 Street, Station No. 6 (Modello) located at 15890 SW 288 Street, and Station No. 16 (Homestead) located at 255 NW 4 Avenue.

Aviation

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

The application site is adjacent to the Homestead Air Reserve Base (HARB) and as originally filed included property (Parcel B) that is within the accident potential zone of HARB's Runway 06. Consequently, the U.S. Department of the Air Force, in a letter dated July 17, 2017, identified eight (8) mission impacts to HARB that the application would generate if approved. Approval of the application would 1) cause potential loss of or restricted approach procedures for Runway 06, which would restrict or eliminates the opportunity for aircraft to takeoff or land during poor weather conditions; 2) cause potential noise restrictions disallowing afterburner/military power takeoffs; 3) simulated flameout landing training would be restricted to Runway 06 only; 4) the proximity of the application site to HARB (especially Parcel B) poses a security concern to HARB missions and assets; 5) structures which have an unobstructed, elevated view of the base will provide a significant operational security concern for HARB, Customs and Border Protection, U.S. Special Operations Command (south), Florida Air National Guard, Operation Noble Eagle and the U.S. Coast Guard; 6) the proposed development will increase the number of people in the vicinity of the Explosive Ordinance Disposal site increasing public pressure to constrain use of the disposal site; 7) the proposed development may constrain the ability of HARB to accept future missions or future weapons systems, which affects HARB and the Air Force Reserve Command munitions storage capabilities; and 8) the application site is in close proximity to HARB's Explosive Clear Zone, which distance from the Explosive Clear Zone does not provide absolute safety or protection to local residents (see Appendix E: Homestead Air Reserve Base Comments).

Roadways

The application site is a ±159.87-acre property consisting of 3 parcels located south of SW 312 Street between SW 132 and SW 142 Avenues in the City of Homestead. The site is located in the south-west corner just outside the boundary limits of the Homestead Air Reserve Base. SW 312 Street/Campbell Drive is a four-lane divided roadway west of SW 137 Avenue and a two-lane undivided roadway east of SW 137 Avenue. Campbell Drive connects to Florida Turnpike and US 1 in the west. SW 137 Avenue is a four-lane divided roadway which connects to Florida Turnpike in the north and SW 344 Street in the south. Access to the site is provided both from SW 137 Avenue and SW 312 Street.

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 potentials under the existing CDMP Land Use Plan designation of Agriculture is 316 Single Family units and under the requested CDMP Land Use Plan designations of "Business and Office" for parcel A, "Institutions, Utilities, and Communications"

for parcel B, and “Agriculture” for parcel C; are 793,837 sq. ft. Retail, 733,252 sq. ft. Institutional, and 5 Single Family Detached units. However, the impacts of the maximum development potentials were not analyzed because the applicant has proffered Declaration of Restrictions (covenant) along with the application to limit the development to 200 beds Assisted Living Facility (ALF), 150 rooms Hotel, 200,000 sq. ft. General Office and 150,000 sq. ft. Shopping Center uses. In the covenant it is also stated that the actual development program and combination of uses may vary from the initial adopted development program but the project will be capped to net trips generated by the Initial Development Program which is 828 net PM Peak Hour trips. The development potential scenarios under the existing CDMP Land Use Plan designation and under the proffered restricted development potential were analyzed for traffic impacts. The potential development under the current CDMP land use designation of “Agriculture” is 316 Single Family units, it is expected to generate approximately 296 PM peak hour trips and under the proffered restrictions of 200 beds Assisted Living Facility, 150 rooms Hotel, 200,000 sq. ft. General Office and 150,000 sq. ft. Shopping Center uses, it is expected to generate approximately 1,222 gross PM Peak Hour trips and 828 net PM Peak Hour trips or approximately 926 more gross PM Peak Hour trips and 532 net PM Peak Hour trips than the current CDMP designation. See “Estimated PM Peak Hour Trip Generation” table below.

Traffic Concurrency 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 scenario assumed to be developed under the proffered Declaration of Restrictions (covenant), determined that all roadways adjacent to and in the vicinity of the application site that were analyzed have available capacity to handle the additional traffic impacts that would be generated by the application. The “Traffic Impact Analysis of Roadways Serving the Amendment Site under the Requested CDMP Designation” table below shows that all roadways analyzed are projected to operate at acceptable levels of service.

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

Application No. 7	Current CDMP Designation and Assumed Use/ Estimated No. Of Trips	Requested CDMP Designation and Assumed Uses/ Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
Land Use	“Agriculture”	“Business and Office” “Institutions, Utilities, & Communications” and “Agriculture”	
ITE Land Use Code	210	254, 310, 710, 820	
Maximum Development Potential	316 Single Family Units	200 beds ALF, 150 rooms Hotel, 200,000 sq. ft. Office & 150,000 sq. ft. Retail	
Net Trips Generated	296	828	+ 532

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

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

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Total Trips With D.O's Trips	Conc. LOS w/o Amend.	Amendment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
Requested CDMP Designation: "Business and Office" - 51,749 sq. ft. retail uses													
9824	SW 137 Ave.	SW 288 St. to SW 268 St.	4 DV	D	3,222	1,858	C	149	2,007	C	314	2,321	C
9928	SW 288 St.	HEFT to SW 137 Ave.	4 DV	D	2,736	1,780	D	80	1,860	D	89	1,949	D
9944	SW 312 St.	HEFT to SW 147 Ave.	4 DV	D	3,222	1,737	C	5	1,742	C	259	2,001	C
9952	SW 328 St.	HEFT to SW 137 Ave.	2 DV	D	1,400	398	C	-	398	C	146	544	C
7064	SW 137 Ave.	SW 328 St. to SW 320 St.	4 DV	C	3,078	720	C	-	720	C	20	740	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).

Application Traffic Impact

The 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 "Agriculture" the application site is assumed to be developed with 316 Single Family units and under the requested CDMP land use designations of "Business and Office" for Parcel A, "Institutions, Utilities, and Communications" for Parcel B, and "Agriculture" for Parcel C the application site can be developed to a maximum potential of 793,837 sq. ft. Retail, 733,252 sq. ft. Institutional, and 5 Single Family units but the applicant has proffered Declaration of Restrictions (covenant) along with the application to limit the development to 200 beds Assisted Living Facility (ALF), 150 rooms Hotel, 200,000 sq. ft. General Office and 150,000 sq. ft. Shopping Center uses. The potential development scenarios under the current CDMP land use designation are expected to generate approximately 296 PM peak hour trips and the requested change in CDMP land use designation along with the proffered restrictions would generate 828 net PM peak hour trips, which is 532 net 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

1. SW 312 Street/Campbell Drive from SW 152 Avenue to SW 137 Avenue is a Priority 1 project in the Miami Dade TPO's 2040 Long Range Transportation Plan for widening to add 2 lanes with left-turn lanes. The total cost of this project is \$14.932 million, programmed for construction between 2021 and 2025.
2. Florida's Turnpike/HEFT/SR 821 from SW 312 Street/Campbell Drive to SW 288 Street is a Priority 2 project in the Miami Dade TPO's 2040 Long Range Transportation Plan for widening to 6 lanes. The total cost of this project is \$66.947 million, programmed for construction between 2026 and 2030.

Applicant's Traffic Study

The traffic study report addresses the impacts that the Diaz Farms project will have on the roadways adjacent to and in the vicinity of the application site. The proposed project is a mixed-use development consisting of Office, Retail, Hotel and ALF uses. A portion of the application site is outside the Urban Development Boundary (UDB). The Traffic Study used the development program listed below to determine the impact on the existing and future roadway network within the study area.

<u>Land Use</u>	<u>Intensity</u>
Assisted Living Facility	200 beds
Shopping Center	150,500 sq. ft.
Office	200,000 sq. ft.
Hotel	150 rooms

The gross PM Peak Hour trip generation from this project would be 1,222 trips, of which 152 trips (12.4%) will remain internal to the site (internal capture) due to the mixture of uses, 242 trips (22.6%) will be pass-by trips for the shopping center, and the remaining 828 trips was distributed to the surrounding roadway network. The site is located on TAZs 1403 and 1425, the cardinal trip distribution for these TAZs were obtained from the MPO's 2040 Cost Feasible Plan. The Traffic

Study includes a Short Term (2020) analysis and a Long Term (2030) analysis as required for a Standard amendment application. The following eleven roadway segments were reviewed for short term and long term impacts.

1. SW 312th Street/Campbell Drive from SW 137th Avenue to SW 147th Avenue.
2. SW 312th Street/Campbell Drive from SW 147th Avenue to SW 152nd Avenue.
3. SW 312th Street/Campbell Drive from SW 152nd Avenue to East of HEFT.
4. Florida's Turnpike/HEFT north of SW 312th Street/Campbell Drive.
5. Florida's Turnpike/HEFT south of SW 312th Street/Campbell Drive.
6. SW 328th Street from west of SW 137th Avenue to HEFT.
7. SW 137th Avenue north of SW 312th Street/Campbell Drive.
8. SW 137th Avenue from SW 312th Street/Campbell Drive to SW 328th Street.
9. SW 137th Avenue south of SW 328th Street.
10. SW 147th Avenue from SW 312th Street/Campbell Drive to SW 328th Street.
11. SW 152nd Avenue from SW 312th Street/Campbell Drive to SW 328th Street.

The 2020 Short Term analysis requires that the applicant review the programmed roadway improvements within the impact area. Based on the applicant's review, Miami-Dade MPO's Transportation Improvement Program (TIP) does not have any roadway improvement projects within the impact area. Short-term and long-term growth on the study area's roadways were determined based on a comparison of the 2010 and 2040 traffic volumes from the Southeast Florida Regional Planning Model (SERPM) and from the 5-year and 10-year historical growth trends calculated from FDOT count stations within the study area. The resulting growth rates from the SERPM, 5-year and 10-year historic growth calculations were 4.0 percent, 1.60 percent, and 1.77 percent respectively. Based on these results, a conservative growth rate of 4.0 percent was selected. The growth rate was applied to the 2016 traffic data and compounded annually to develop the 2020 volumes. Tables 4 and 5, show the short term traffic impacts on the surrounding roadway network with and without the project trips. Long-term (Year 2030) volumes were estimated by linearly applying the growth rate to the 2016 traffic data. Miami-Dade MPO's 2040 Long Range Transportation Plan has two projects namely, SW 312 Street/Campbell Drive from SW 152 Avenue to SW 137 Avenue is a Priority 1 project to add 2 lanes with left-turn lanes and Florida's Turnpike/HEFT/SR 821 from SW 312 Street/Campbell Drive to SW 288 Street is a Priority 2 project programmed for widening to six lanes. Tables 6 and 7, show the long term traffic impacts on the surrounding roadway network with and without the project trips. The analysis show that the short term and long term traffic conditions on major roadways adjacent to and in the vicinity of the application site, would operate at acceptable levels of service.

County Staff Comments

County staff of the Department of Transportation and Public Works, Traffic Engineering Division, reviewed the applicant's Traffic Study and provided the following comments:

1. There is a typographical error in the Trip Generation Table 1 and Appendix for Assisted Living (LUC 254) listing the independent variable as "rooms" where it should be stated as "beds."
2. There seems to be a discrepancy with the Table showing the widening of SW 312 Street from SW 152 Avenue to East of HEFT in the short term analysis (2020) since this project was not referenced in the roadway programmed improvements section of the report nor was it included in the appendix.
3. Please note that further comments may be required on more detailed analysis for intersection operations, site plan, access points, gate parking garage, valet operation, or any other technical studies if applicable such as road closure requests.

County staff of the Department of Regulatory and Economic Resources, Planning Division, reviewed the applicant’s traffic study and provides the following comments:

1. The narrative in Page 8 of the Traffic Study states that a conservative growth rate of 4% was used to develop the 2030 traffic volumes but the growth rates used in Tables 6 & 7 are lesser than 4%.
2. Please provide trip assignment figures/diagrams for internal capture between complimentary land uses within the project site as recommended in ITE’s Trip Generation Handbook.

Transit

Existing Service

The application site is nearly one mile from the nearest Metrobus service. Metrobus Route 35 serves SW 312th Street up to the Homestead Hospital before traveling back west. The service frequency of this route is shown in the “Metrobus Route Service Summary” table below.

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		
35	30	30	30	60	60	0.9	L

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

Notes: L means Metrobus local route service.

The application site is served by the City of Homestead’s East/West Trolley Route which runs along the northern boundary of the application site. The City of Homestead Trolley operates Monday through Friday from 6 a.m. to 6 p.m. and on Saturdays and Sundays from 10 a.m. to 2 p.m. with 120 minute headways.

Recent Service Improvements

Saturday running times were adjusted for Metrobus Route 35 in 2016.

Future Service Improvements

Weekday service frequencies will be reduced from 30 minutes to 40 minutes for Metrobus Route 35 in 2017.

Long-Term Vision: Major Transit Projects

No major transit projects are being planned in the immediate vicinity of the subject site.

Application Impacts

A preliminary analysis performed in the Traffic Analysis Zones (TAZ) 1402, 1403 and 1426 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.

Other Planning Considerations

Coastal High Hazard Area

The 2016 National Hurricane Center Sea, Lake, and Overland Surges (SLOSH) Super Basin data models show that the application site is vulnerable to storm surge inundation for a Category 1 and higher hurricane. Chapter 163.3178(2)(h) of the Florida Statutes defines “the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes computerized storm surge model” as coastal high-hazard areas. Evacuation clearance times for all categories of hurricanes currently exceed the 12 and 16 hour criterion. The application site is also located within the 10 mile Emergency Planning Zone for Turkey Point Nuclear Power Plant and may also have to be evacuated in case of an emergency at the plant. The hotel and an assisted living facility proposed in the application would increase the vulnerable populations that would require evacuation for a number of hazards.

Chapter 393.067 (8) Florida Statutes (F.S.) and Chapter 65G-2.010(3)(a), Florida Administrative Code (F.A.C) requires each group home and residential facility to prepare and annually update a Comprehensive Emergency Management Plan (CEMP). Within this plan the assisted living facility must identify host facilities to evacuate to and resources to utilize to evacuate the residents whenever an evacuation is required. The facilities are to be self-reliant and not require County resources (transportation or sheltering). If the facility includes hospice patients, they may be registered on the County Emergency Evacuation Assistance Program which would increase demand on transportation and sheltering resources utilized for this very vulnerable population.

Tourists who may be in a hotel/motel are another vulnerable population that may not be familiar with the local area and can increase demand for shelter space if they are unable to leave the County prior to the cessation of operations of airport/rail services. Out of County clearance times can also be increased by persons who choose to go elsewhere in the state as may happen with tourists.

CDMP Land Use Element Policy LU-3D and Coastal Management Element Objectives CM-9 and CM-10 with associated policies discourage development in the coastal high hazard areas. Furthermore, Land Use Element Policy LU-8G ii(b) provides that Coastal High Hazard Areas shall be avoided when looking to add lands to the UDB.

Urban Sprawl

The Miami-Dade County Strategic Plan and the CDMP call for the promotion of urban infill and redevelopment while discouraging urban sprawl. In addition, Chapter 163.3177(6)(a)(9), Florida Statutes (F.S.), requires the Future Land Use Element and Future Land Use Element amendments to discourage urban sprawl. The statute provides 13 indicators to demonstrate that a plan or plan amendment does not discourage the proliferation of urban sprawl and 8 indicators to demonstrate that a plan or plan amendment discourages the proliferation of urban sprawl. The Statute further provides that a Future Land Use Element or plan amendment shall be deemed to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves 4 or more of the following 8 indicators for the discouragement of urban sprawl:

Staff's review provided below indicates that the application achieves two (2) of the indicators for the discouragement of urban sprawl but achieves six (6) indicators for the encouragement of urban sprawl. Pursuant to Chapter 163.3177(6)(a)(9), F.S., the proposed amendment does not discourage urban sprawl, but instead, would encourage the proliferation of urban sprawl if approved. Therefore, approval of the application would be in contravention of the statutory requirement to discourage urban sprawl.

Each indicator for the discouragement of the proliferation of urban sprawl is numerically listed below and is followed by an analysis of whether or not the application meets the intent of the indicator:

1. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
 - a. This indicator is met: Development of the site would not negatively impact any natural resources or ecosystems. However, the site may contain tree resources, including specimen tree resources that are to be preserved pursuant to Section 24-49.2(II) of the Code.
2. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
 - a. This indicator is generally met: The proposed development adjacent to existing development, with the exception of transit service, public infrastructure and services are available with the capacity to serve the application site.
3. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
 - a. This indicator is not met. The applicant has not addressed the provision of a multi-modal transportation system in the vicinity of the application site that would provide the infrastructure for bicyclists and promote walkability through an interconnected and compacted form of development.
4. Promotes conservation of water and energy.
 - a. This indicator is not met: CDMP Policy LU-10A states that “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.” The proposed development is at the fringe of the urbanized area and outside of the UDB and is not transit supportive.
5. Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
 - a. This indicator is not met: The proposed development is within an area currently designated “Agriculture” on the CDMP Land Use Plan map. The proposed application would result in the unwarranted conversion of agricultural land for urban uses. Approval of the application may result in the conversion of agricultural use to urban development land that is considered to be “farmland of unique importance”.
6. Preserves open space and natural lands and provides for public open space and recreation needs.
 - a. This indicator is not met. The application proposes commercial and office development on Parcel A of the application site. The applicant does not provide for recreational use or public open space on the application site.
7. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

- a. This indicator is not met. The Land Supply Analysis demonstrates that, within the vicinity of the application site, there is a sufficient supply of vacant commercial land to the year 2030 and beyond. This analysis shows that the proposed commercial and office uses are not needed at this time to meet the nonresidential needs of the area and is indicative of urban sprawl.
8. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in Section 163.3164 F.S.
- a. This indicator is not met. Rather than remediating the existing pattern of sprawl development in the area, the proposed application would proliferate urban sprawl by continuing the expansion of urban development into currently unurbanized areas of the County. As noted previously, the Land Supply Analysis demonstrates that, within the vicinity of the application site, there is a sufficient supply of vacant commercial land to the year 2030 and beyond. This analysis shows that the proposed commercial and office uses are not needed at this time to meet the nonresidential needs of the area.

The application meets six (6) of the indicators that demonstrate the plan amendment does not discourage the proliferation of urban sprawl. Each indicator is numerically listed below and the applicable indicator is followed by a discussion of how the application meets the indicator:

1. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
 - a. This indicator is not met.
2. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
 - a. This indicator is met. The application site is currently located outside of the UDB which distinguishes the areas of the County where urban development may occur from areas where it should not occur. A portion of the application site is located inside of the Urban Expansion Area, which is the area where urban development is likely to be warranted some time between the year 2020 and 2030; however expansion of the UDB is unwarranted at this time. As indicated in the "Supply and Demand Analysis" section on page 7-14 of this report, there is sufficient vacant commercial land within the UDB to sustain the population and economic growth of the County to the year 2030 and beyond. Existing commercial land inside the UDB would be more suitable for the proposed use.
3. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - a. This indicator is not met.
4. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
 - a. This indicator is not met.

5. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
 - a. This indicator is met: There are no significant natural systems detected on the application site; however, the development of the site may affect important foraging habitat for wildlife (see “Endangered Species” section of this report on page 7-18). Furthermore, the proposed development is within an area currently designated “Agriculture” on the CDMP Land Use Plan map. The proposed application would result in the unwarranted conversion of agricultural land for urban uses. In addition, the properties to the east, west and south are designated “Agriculture” on the CDMP Land Use Plan map. Approval of the application may result in additional pressure to prematurely convert adjacent agricultural land for urban uses thus proliferating urban sprawl.
6. Fails to maximize use of existing public facilities and services.
 - a. This indicator is met: The proposed application does not promote the efficient and cost-effective provision of public facilities (as defined in Section 189.012(5), Florida Statute) and services. The proposed development is at the western fringe of the urbanized area and outside of the UDB. The CDMP states that “(g)iven the fundamental influences of infrastructure and service availability on land markets and development activities, the CDMP has since its inception provided that the UDB serve as an envelope within which public expenditures for urban infrastructure will be confined.” Extension of urban infrastructure beyond the current UDB is inconsistent with the policies of the CDMP that seek to contain it and is indicative of urban sprawl. In addition, by promoting the extension of urban infrastructure into currently unurbanized areas, the application may result in additional development pressure for sprawl-type development. Furthermore, the development is proposed to be built on active agricultural land outside the service area of most County services. The development will require new and expanded roadway infrastructure, the expansion of existing water and sewer facilities, solid waste collection services, and transit service.
7. Fails to maximize use of future public facilities and services.
 - a. This Indicator is met. Staff recognizes that there are some roadway improvements are programmed for development in the vicinity of the application site (see “Other Roadways Improvements” section in this report.); however, development of the application site requires the expansion of Miami-Dade County’s water and sewer facilities and solid waste services to serve the proposed development. Also, no major transit projects are being planned in the immediate vicinity of the subject site.
8. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
 - a. This indicator is met: The application site is currently located outside of the UDB which is intended to distinguish the areas of the County where urban development may occur from areas where it should not occur. The application site is located inside of the Urban Expansion Area which is the area where urban development is likely to be warranted sometime between the year 2020 and 2030, however expansion of the UDB is unwarranted at this time. As indicated in the Supply and Demand Analysis herein on page 8-15, there is sufficient vacant commercial land within the UDB to sustain the population

and economic growth of the County to the year 2030 and beyond. Existing commercial land inside the UDB would be more suitable for the proposed use.

In addition, the proposed application does not promote the efficient and cost-effective provision of public infrastructure and services. The proposed development is at the western fringe of the urbanized area and outside of the UDB. The CDMP states that "(g)iven the fundamental influences of infrastructure and service availability on land markets and development activities, the CDMP has since its inception provided that the UDB serve as an envelope within which public expenditures for urban infrastructure will be confined." Extension of urban infrastructure beyond the current UDB is inconsistent with the policies of the CDMP that seek to contain it and indicative of urban sprawl. In addition, by promoting the extension of urban infrastructure into currently unurbanized areas, the application may result in additional development pressure for sprawl-type development.

9. Fails to provide a clear separation between rural and urban uses.
 - a. This indicator is not met.

10. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
 - a. This indicator is met: The application seeks expansion of the UDB to allow for urban development on the application site when adequate commercial land is available within the UDB to facilitate the County's projected growth and development to the year 2030 and beyond. The UDB is critical in achieving the desired pattern of development in the County including the promotion of infill development. By locating outside of the UDB, the proposed application would promote development at the urban fringe, which is inconsistent with CDMP policies that promote infill development within the existing urbanized area. The application's proposed extension of urban development and urban services into this agricultural area exerts development pressures on the abutting farmlands. The Agricultural properties immediately east, south and west of the application site would consequently be adjacent to incompatible non-agricultural uses. The proposed commercial and office uses would encourage the future expansion of urban development into these agricultural areas to the net effect of discouraging urban infill and redevelopment opportunities within the UDB.

11. Fails to encourage a functional mix of uses.
 - a. This indicator is not met.

12. Results in poor accessibility among linked or related land uses.
 - a. This indicator is not met.

13. Results in the loss of significant amounts of functional open space.
 - a. This indicator is not met.

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

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

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-1G. Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.
- LU-1O. Miami-Dade County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agriculture Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.
- LU-1P. While continuing to protect and promote agriculture as a viable economic activity in the County, Miami-Dade County shall explore and may authorize alternative land uses in the South Dade agricultural area which would be compatible with agricultural activities and associated rural residential uses, and which would promote ecotourism and agritourism related to the area's agricultural and natural resource base including Everglades and Biscayne National Parks.
- LU-1S. The Comprehensive Development Master Plan (CDMP) shall be consistent with the Miami-Dade County Strategic Plan adopted by the County Commission on June 3, 2003 by Resolution R-664-03. The Miami-Dade County Strategic Plan includes Countywide community goals, strategies and key outcomes for Miami-Dade County government. Key outcomes of the Strategic Plan that are relevant to the Land Use element of the CDMP include increased urban infill development and decreased urban sprawl, protection of viable agriculture and environmentally-sensitive land, improved community design, reduced flooding, improved infrastructure and redevelopment to attract businesses to underserved and distressed areas, available and high quality green space throughout the County, and more integrated land-use development to decrease dependence on automobiles.

- 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.
- LU-3D. Miami-Dade County shall not sponsor any growth-subsidizing programs which promote future population growth and residential development on the barrier islands of Miami-Dade County or within the coastal high hazard areas (CHHA). Miami-Dade County shall coordinate with municipalities in Coastal High Hazard Areas, and areas with repetitive losses due to flooding or storm damage, to minimize demand for facilities and services that result from redevelopment and increases in residential densities. The provision of facilities and services to accomplish the timely evacuation of already-developed barrier islands in advance of approaching hurricanes shall be a priority of Miami-Dade County's transportation planning and hurricane preparedness programs.
- LU-4A. When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.
- LU-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-4G. Miami-Dade County shall continue to cooperate with the Homestead Air Reserve Base (HARB) to ensure that future land uses on properties adjacent to HARB maintain or improve compatibility with HARB and its operations.
- LU-4I. It is the policy of Miami-Dade County that proposals for future land uses, including the siting of public facilities (such as roads, sewer, schools, and government buildings), on land adjacent to the HARB and/or within the HARB Military Zone shall maintain or improve compatibility with HARB consistent with the provision of Intergovernmental Coordination Element Policies ICE-3G and ICE-3H, and pursuant to the foregoing Policies LU-4A and LU-4B.
- LU-8D. The maintenance of internal consistency among all Elements of the CDMP shall be a prime consideration in evaluating all requests for amendment to any Element of the Plan. Among other considerations, the LUP map shall not be amended to provide for additional urban expansion unless traffic circulation, mass transit, water, sewer, solid waste, drainage and park and recreation facilities necessary to serve the area are included in the plan and the associated funding programs are demonstrated to be viable.
- LU-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.

LU-8G. When considering land areas to add to the UDB, after demonstrating that a need exists, in accordance with foregoing Policy LU-8F:

- i) The following areas shall not be considered:
 - a) The Northwest Wellfield Protection Area located west of the Turnpike Extension between Okeechobee Road and NW 25 Street and the West Wellfield Protection Area west of SW 157 Avenue between SW 8 Street and SW 42 Street;
 - b) Water Conservation Areas, Biscayne Aquifer Recharge Areas, and Everglades Buffer Areas designated by the South Florida Water Management District;
 - c) The Redland area south of Eureka Drive; and
- ii) The following areas shall be avoided:
 - a) Future Wetlands delineated in the Conservation and Land Use Element;
 - b) Land designated Agriculture on the Land Use Plan map;
 - c) Category 1 hurricane evacuation areas east of the Atlantic Coastal Ridge;
 - d) Comprehensive Everglades Restoration Plan project footprints delineated in Tentatively Selected Plans and/or Project Implementation Reports; and
- iii) The following areas shall be given priority for inclusion, subject to conformance with Policy LU-8F and the foregoing provision of this policy:
 - a) Land within Planning Analysis Tiers having the earliest projected supply depletion year;
 - b) Land contiguous to the UDB;
 - c) Locations within one mile of a planned urban center or extraordinary transit service; and
 - d) Locations having projected surplus service capacity where necessary facilities and services can be readily extended.
- iv) Notwithstanding Policy LU-8G (iii), other land may be included to expand an existing unique regional facility, defined as an existing public facility or attraction of regional prominence that has been constructed on publicly owned land with significant public funding and intergovernmental coordination, if it satisfies all of the following criteria:
 - a) The land is within the UEA, is contiguous to the UDB, and is contiguous to a unique regional facility;

- b) The use of the land will be limited to the expansion of the unique regional facility, together with ancillary uses; and
 - c) The expansion will have a positive economic impact, including increased economic development and tourism.

- LU-9B. Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate:
 - i) Land use consistent with the CDMP Land Use Element and CDMP Level of Service Standards;
 - ii) Subdivision of land;
 - iii) Protection of potable water wellfields;
 - iv) Areas subject to seasonal or periodic flooding;
 - v) Stormwater management;
 - vi) Protection of environmentally sensitive lands;
 - vii) Signage; and
 - viii) On-site traffic flow and parking to ensure safety and convenience and that no avoidable off-site traffic flow impediments are caused by development. The provisions of Policy TC-3A of the Traffic Circulation Subelement, which address access management, shall apply.

- AV-5H. The Miami-Dade County shall ensure, through coordination with adjacent municipalities and the Homestead Air Reserve Base, that any concerns regarding the development and redevelopment of the airports and the Air Reserve Base, and/or development and redevelopment of land in their vicinity are addressed on a timely basis to ensure compatibility of land use and zoning with the functions of these facilities.

- AV-5I. Miami-Dade County shall continue to cooperate with the Homestead Air Reserve Base (HARB) to ensure that future land uses on properties adjacent to HARB maintain or improve compatibility with HARB and its operations.

- AV-5K. It is the policy of Miami-Dade County that proposals for future land uses, including the siting of public facilities (such as roads, sewer, schools, and government buildings), on land adjacent to the HARB and/or within the HARB Military Zone shall maintain or improve compatibility with HARB consistent with the provision of Intergovernmental Coordination Element Policies ICE-3G and ICE-3H, and pursuant to Land Use Element Policies LU-4A and LU-4B.

- CON-5G. Miami-Dade County shall actively encourage the creation of buffers between water impoundment areas and development in order to increase the level of flood protection that is provided to developed areas.

- CON-6. Soils and mineral resources in Miami-Dade County shall be conserved and appropriately utilized in keeping with their intrinsic values.

- CM-9. Miami-Dade County shall continue to orient its planning, regulatory, and service programs to direct future population concentrations away from the Coastal High

Hazard Area (CHHA) and FEMA “V” Zone. Infrastructure shall be available to serve the existing development and redevelopment proposed in the Land Use Element and population in the CHHA, but shall not be built, expanded, or oversized to promote increased population in the coastal high-risk area.

- CM-10. Reduce the exposure of life and property in Miami-Dade County to hurricanes through the planning and implementation of pre-disaster hazard mitigation measures. Pre-disaster planning for post-disaster redevelopment shall direct population concentrations away from the undeveloped designated Coastal High Hazard Areas and away from identified high-risk areas during post-disaster redevelopment.
- ICE-3G. Maintain and utilize the authority provided in the Miami-Dade County Home Rule Charter for the County to maintain, site, construct and/or operate public facilities in incorporated and unincorporated areas of the County. Furthermore, in order to protect and promote the health, safety, order, convenience, and welfare of the residents, the County shall retain regulatory control over land use, development and service delivery for all facilities of countywide significance as listed in Table 3. While the County reserves all rights provided by the Miami-Dade County Home Rule Charter, when siting facilities of countywide significance within the boundaries of an incorporated municipality, the County will consider the municipal comprehensive plan and development regulations, as well as the need for the public facility and suitable alternative locations. The County shall at a minimum retain the authority to enforce covenants accepted in connection with Comprehensive Development Master Plan (CDMP) or Zoning approvals to provide facilities of countywide significance in areas subsequently incorporated, or annexed into existing municipalities.
- ICE-3H. Miami-Dade County will maintain, as a particular area of attention in this planning program, the systematic review of the aesthetics and physical conditions along boundaries between incorporated municipalities and unincorporated areas in an effort to improve the appearance of these areas and the compatibility and transition between the adjoining communities. Miami-Dade County will similarly review and approve changes to the land use, development and zoning of properties that surround facilities of countywide significance, as listed in the Table 3, in an effort to maintain or improve the compatibility and transition between the adjoining properties and the facilities. Formal agreement to conduct these reviews or to implement the resulting recommendations will be proposed as warranted.
- CIE-3. CDMP land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels.

APPENDICES

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APPENDIX A

Amendment Application

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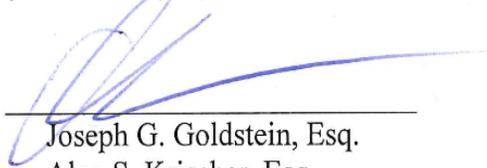
**APPLICATION FOR AN AMENDMENT TO THE
LAND USE ELEMENT OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANTS

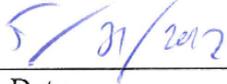
Marista Holdings, LLC
26401 SW 107th Avenue
Homestead, Florida 33032

2. APPLICANT'S REPRESENTATIVES

Joseph G. Goldstein, Esq.
Alan S. Krischer, Esq.
Holland & Knight LLP
701 Brickell Avenue, Suite 3300
Miami, Florida 33131-2847
(305) 374-8500
(305) 789-7799 (fax)

By: 

Joseph G. Goldstein, Esq.
Alan S. Krischer, Esq.



Date

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PER-PLANNING DIVISION

3. DESCRIPTION OF REQUESTED CHANGE

A. The following changes to the Land Use Element Land Use Plan Map (item A.1 (d) in the fee schedule) are being requested:

1. A Change to the Urban Development Boundary. The Applicant requests a change to the Urban Development Boundary (UDB) as depicted on the Land Use Element's Land Use Plan (LUP) map to include the subject property.
2. A Change to the Land Use Element, Land Use Plan Map. To the extent applicable, the Applicant requests a change to the (LUP) map to redesignate the subject property from "Agriculture" to "Business and Office" for Parcel A, from "Agriculture" to "Institutions, Utilities, and Communications" for Parcel B, Parcel C shall maintain its current designation of "Agriculture."

B. Description of the Subject Area.

1. The subject property contains approximately ± 157.24 net acres of land located in Sections 14 and 15, Township 57 South, Range 39, lying east of SW 142nd Avenue and south of SW 312th Street in Homestead, Florida (the "Property"). The Property is more specifically described in Exhibit "A" to this application. Parcel "A" of the subject property is owned by the Applicant and is currently used for ornamental plant agriculture; Parcel "B" of the Property is owned and operated by the Homestead Housing Authority and developed with 296 housing units; Parcel "C" of the Property consists of two smaller agricultural parcels and a portion of the South Florida Water Management District Canal that lie between Parcels A and B and the existing UDB.

All of the subject property lies within the boundaries of the City of Homestead.

2. Acreage.

Gross: ± 159.87 Acres composed of ± 46.42 acres ("Business and Office" Parcel A), ± 81.35 acres ("Institutions, Utilities, and Communications" Parcel B), ± 27.44 acres ("Agriculture" Parcel C), and ± 4.66 acres of canal

Net: ± 157.24 Acres composed of ± 45.56 acres ("Business and Office" Parcel A), ± 79.58 acres ("Institutions, Utilities, and Communications" Parcel B), ± 27.44 acres ("Agriculture" Parcel C), and ± 4.66 acres of canal.

Acreage Owned by Applicant: ± 45.56 net Acres

3. Requested Change.

- a. It is requested that the Urban Development Boundary (UDB) be expanded to include the Property.
- b. It is requested that, to the extent applicable, Parcel A be re-designated on the LUP Map from "Agricultural" to "Business and Office," and Parcel B be re-designated from "Agricultural" to "Institutions, Utilities, and Communications." Parcel C will remain as "Agriculture."

4. REASONS FOR AMENDMENT

The Applicant is seeking to expand the UDB to include the Property, which is located on both sides of SW 137th Avenue and south of SW 312th Street in Homestead, Florida. The Property is designated "Agriculture" on the Land Use Plan (LUP) map of the County's Comprehensive Development Master Plan (the "CDMP"). While the Property is currently designated agricultural and is located outside the UDB, the Applicant strongly believes that this designation and its exclusion from the UDB is not appropriate and that the Property should have been included within the UDB from the onset.

First, the Property is geographically isolated from the broader agricultural community in the area. The canal located on the southern portion of the Property operates as a natural barrier, preventing the Property from being accessed from the agricultural lands to the south, which makes it difficult to transport any materials to and from the Property. In addition, the fact that the Property may not be aggregated to the lands in the south, creates an inefficiency in the agricultural use and significantly reduces the agricultural sustainability and viability of the Property.

Second, the Property is a virtual enclave of agricultural land surrounded by fully urbanized existing uses to its north, east, and west. Within the UDB to the west are single-family homes. To the north is the Waterstone residential Planned Unit Development, which has been fully built out with some 1,300 units and a charter school. At the northeast corner of the property is an industrially-designated site developed with existing office space, a gas station and an automotive repair center.

The Property includes \pm 79.58 acres of developed land, owned and operated by the Homestead Housing Authority, which erroneously fall outside the UDB. The residential use on this portion of Property predates the Management Growth Act by at least three (3) decades. This portion of the Property consists of existing residential use that have been developed at urban densities, containing approximately 296 affordable housing units. Due to the pre-existing urban use, the Property should have been within the UDB from the inception of the urbanization process.

In addition, the Property is located within the City of Homestead, which has determined that there is a need and strong demand for land in the area appropriate for civic and institutional, retail, office and hotel uses. Because there is a localized deficiency of said commercial uses in the immediate vicinity of the Property, farmers and the overall southern Miami-Dade community are inadequately served. Preliminarily, the Applicant anticipates that the Property will be developed with a mix of uses, which may include, but are not limited to, civic and institutional uses, assisted living facility (ALF), hotel, office, and retail. The Land Use Element ("LUE") of the CDMP encourages "Neighborhood Activity Nodes" at the intersections of section line roads for the purpose of serving areas that are not served by adequate transit as well as concentration and intensification of development around centers of activity. As mentioned above, the Property is located at the intersection of two section line roads. This prime location, straddling 137th Avenue and south of SW 312th Street, is an ideal transition area suitable for a mixed-use development that will serve the adjacent uses, including the Homestead Air Reserve Base, the over 1,500 residential units, the agricultural community, and the Homestead-Miami Speedway (where notable auto-racing sports events, including NASCAR, the Verizon IndyCar Series, The WeatherTech

SportsCar Championship series, and the Championship Cup Series, take place), as well as the massive existing Homestead Air Reserve Base which takes up several square miles of land to the north of the Property. The concentration and intensification of development in this Property is appropriate since it is located in a center of activity.

Furthermore, the Property is contiguous to the UDB and is served, or can be easily served at the owner's expense, by all public infrastructure needs (water, sewer, etc.). The Applicant intends to develop the Property in accordance with the criteria set forth in Policy LU-8H, including permitted density, adequate buffering to adjacent agricultural lands and the promotion of bicycle and pedestrian accessibility. Any UDB application must also not discourage or inhibit redevelopment efforts within the UDB, which as we have shown is not the case as this Property's size and location makes it ideal for commercial uses. Additionally, no intervening parcels are left between the Property and the UDB (no 'hole-in-the donut'). A commercial parcel such as the Property will have a net positive fiscal impact on the County. In particular, the development of the Property will create jobs and increase the tax base, benefitting both the City of Homestead and South Dade generally. The owners of the Property will submit under separate cover an economic analysis for staff's consideration. A traffic impact study has also been prepared by Kimley Horn and Associates, Inc., and is enclosed with the application materials.

Based on the foregoing, the UDB should have included the Property since the canal provides for a natural, rational and more efficient boundary that serves to separate urban from rural areas. The UDB line inadequately secluded the Property and affected its economic and agricultural viability.

CDMP Goals, Objectives and Policies Satisfied by Application. Approval of this application would further implementation of the following CDMP objectives and policies:

LAND USE OBJECTIVE LU-1: The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

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-1G: Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by

virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.

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-8B: Distribution of neighborhood or community-serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic and physical considerations.

LAND USE OBJECTIVE LU-9: Miami-Dade County shall continue to maintain, update and enhance the Code of Miami-Dade County, administrative regulations and procedures, and special area planning program to ensure that future land use and development in Miami-Dade County is consistent with the CDMP, and to promote better planned neighborhood and communities and well-designed buildings.

LAND USE POLICY LU-9H: Miami-Dade County shall continue its special area planning program to emphasize preparation of physical land use and urban design plans for strategic and high-growth locations, such as urban centers and certain transportation corridors as defined in the CDMP.

LAND USE POLICY LU-9J: Miami-Dade County shall continue to use the design guidelines established in its urban design manual as additional criteria for use in the review of all applications for new residential, commercial and industrial development in unincorporated Miami-Dade County, and shall consider the inclusion of such guidelines into its land development regulations.

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

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

5. LOCATION MAP for APPLICATION

Please see Exhibit A.

6. COMPLETED DISCLOSURE FORMS

Please see Exhibit B.

7. ADDITIONAL MATERIALS SUBMITTED

Legal Description and Sketch (See Exhibit C)

Section Sheet (See Exhibit D)

Aerial (See Exhibit E)

Additional items in support of this Application will be submitted at a later date.

EXHIBIT A
LOCATION MAP

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

APPLICANTS / REPRESENTATIVE

MARISTA HOLDINGS, LLC / Joseph G. Goldstein, Esq., Alan S. Krischer, Esq., and Vanessa Madrid, Esq.

DESCRIPTION OF SUBJECT AREA

The Property contains approximately ± 153.67 net acres located south of SW 312th Street between 142nd Avenue and 132nd Avenue in Homestead, Florida, in Sections 14 and 15, Township 57 South, Range 39.

LOCATION MAP

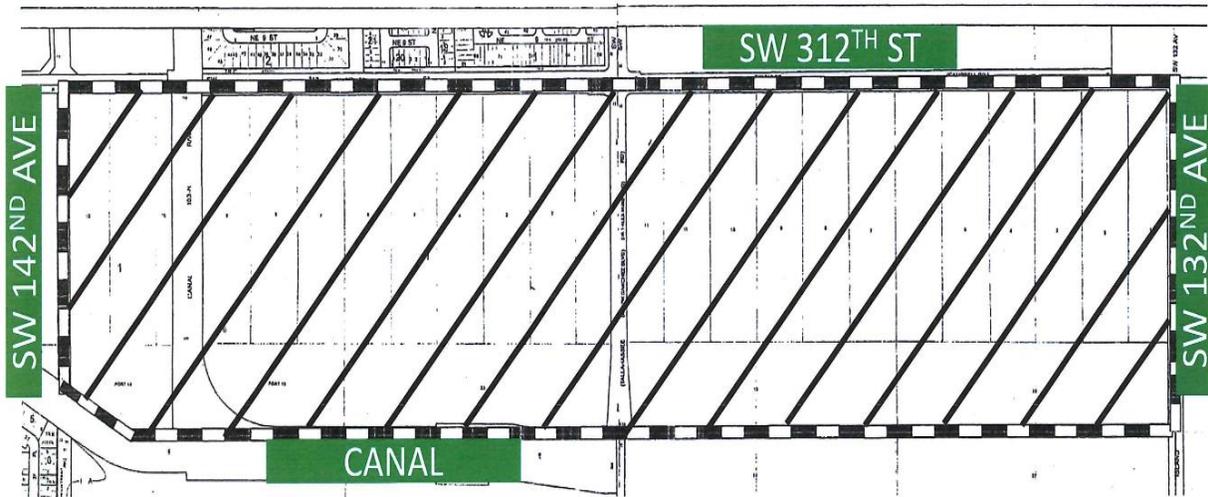


EXHIBIT B
DISCLOSURE FORMS

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: Marista Holdings, LLC
26401 SW 107th Avenue
Homestead, Florida 33032

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.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
X	X	10-7915-001-0010	+/- 22.21
X	X	10-7915-001-0013	+/- 23.21

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
X	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: Marista Holdings, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Manuel Diaz</u>	<u>100%</u>
<u>26401 SW 107th Avenue</u>	
<u>Homestead, FL 33032</u>	

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

TRUSTEES NAME: _____

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

- d. If the applicant is a **PARTNERSHIP** or **LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) 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>

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME AND ADDRESS

PERCENTAGE OF INTEREST

Date of Contract _____

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

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

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

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

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

CORPORATION NAME _____

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

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

TRUSTEE'S NAME: _____

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

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

PARTNERSHIP NAME: _____

NAME AND ADDRESS OF PARTNERS PERCENTAGE OF OWNERSHIP

- e. If the owner is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME, ADDRESS AND OFFICE (if applicable) PERCENTAGE OF INTEREST

Date of Contract _____

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

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

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

MARISTA HOLDINGS, LLC

BY: _____



PRINT NAME: Lourdes Rodriguez

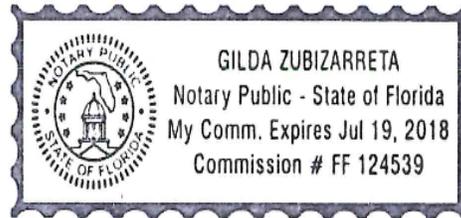
TITLE: Manager

Sworn to and subscribed before me

this 30th day of May, 2017

My Commission Expires:

Gilda Zubizarreta
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 B-1

PROPERTY DESCRIPTION: Provide the following information for all properties in the application area. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
X	MARISTA HOLDINGS, LLC	10-7915-001-0010	+/- 22.21
X	MARISTA HOLDINGS, LLC	10-7915-001-0013	+/- 23.21
	CITY OF HOMESTEAD HOUSING AUTHORITY	10-7914-001-0040	+/- 79.58
	PHOENICIAN STAR VENTURES, LLC	10-7915-001-0012	+/- 14.46
	PEDRO TALAMAS & JUAN E VALDES & W NADIA A	10-7915-001-0020	+/- 12.98
	SO FLA WATER MGMT DIST ATTN: REAL ESTATE MGMT SECTION	10-7915-000-0020	+/- 4.66

EXHIBIT C

LEGAL DESCRIPTION AND SKETCH

LEGAL DESCRIPTIONS:

Folio # 10-7915-001-0010

That portion of Tracts 1, 2, 3, 4, and 28 in Block 1 of "MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION", according to the plat thereof as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, lying in the Northeast 1/4 of Section 15, Township 57 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northeast 1/4 of said Section 15; thence run South 89°15'09" West along the North line of said Northeast 1/4, for a distance of 30.00 feet to a point; thence South 00°33'24" East, along a line 30.00 feet West of and parallel with the East line of said NE 1/4, for a distance of 35.00 feet to the point of intersection of the South right-of-way line of Southwest 312th Street (Campbell Drive) as described in the right-of-way deed recorded in Book 2162, at Page 1771 of the Public Records of Miami-Dade County, Florida, and the Point of Beginning of the hereinafter described parcel of land; thence run S89°15'09"W along said South Right-of-Way, for a distance of 763.61 to a point; thence run S00°44'55"E for a distance of 1314.65 feet to a point on the North Right-of-Way line of Central and Southern Florida Flood Control District Canal C-103, as described in that certain Warranty Deed recorded in Official Records Book 4677, at Page 217, of the Public Records of Miami-Dade County, Florida; thence run along said North Right-of-Way line for the following three course thence run N89°23'17"E for a distance of 257.17 feet; thence S84°52'13"E for a distance of 251.70 feet; thence North 89°21'00" East for a distance of 251.58 feet to a point on the West Right-of-Way line of Southwest 137th Avenue (Tallahassee Road); thence run N00°33'24"W, along said West Right-of-Way line for a distance of 1341.48 feet to the Point of Beginning;

LESS

That portion of Tracts 1 and 28 in block 1 of "MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION", according to the plat thereof as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, lying in the Northeast 1/4 of Section 15, Township 57 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northeast 1/4 of said Section 15; thence run S89°15'09"W, along the North line of said Northeast 1/4, for a distance of 30.00 feet to a point; thence run S00°33'24"E, along a line 30.00 feet West of and parallel with the East line of said NE 1/4, for a distance of 35.00 feet to the point of intersection of the South right-of-way line of S.W. 312 Street (Campbell Drive) as described in right-of-way deed recorded in Book 2162, at Page 177, of the Public Records of Miami-Dade County, Florida, with the West right-of-way line of S.W. 137 Avenue (Tallahassee Road) as described in Deed Book 1683, at Page 307, of the Public Records of Miami-Dade County, Florida, and the POINT OF BEGINNING of the hereinafter described parcel of land thence run S89°15'09"W, along said South right-of-way line, for a distance of 130.00 feet to the point of intersection with the West line of the East 160.00 feet of the N 1/4 of said Section 15; thence run S00°33'24"E, along the West line of the East 160.00 feet of the NE 1/4 of said Section 15, for a distance of 5.00 feet to the point of intersection with the South line of the North 35.00

feet of the NE 1/4 of said Section 15; thence run N89°15'09"E, along the South line of the North 35.00 feet of the NE 1/4 of said Section 15, for a distance of 79.92 feet to the point of curvature of a circular curve concave to the Southwest, having a radius of 25.00 feet and a tangent bearing of N89°15'09"E; thence run Easterly to Southeasterly along the arc of said circular curve concave to the Southwest, through a central angle of 90°11'27", for an arc length of 39.35 feet to the point of tangency with a line 25.00 feet West of and parallel with the West right-of-way line of said S.W. 137 Avenue (Tallahassee Road); thence run S00°33'24"E, along said parallel line, for a distance of 1014.53 feet to a point; thence run S03°51'43"W, for a distance of 297.74 feet to the Northerly right-of-way line of Central and Southern Florida Flood Control District Canal C-103, as described in that certain Warranty Deed recorded in Official Records Book 4677, at Page 217, of the Public Records of Miami-Dade County, Florida; thence run N89°21'18"E, along said Northerly right-of-way line, for a distance of 47.94 feet to the point of intersection with the West right-of-way line of said S.W. 137 AVENUE (Tallahassee Road); thence run N00°33'24"W, along said West right-of-way line, for a distance of 1341.48 feet to the, POINT OF BEGINNING.

Folio # 10-7915-001-0013

That portion of Tracts 4, 13 and 28, and the entirety of Tracts 5, 6 and 7 in Block 1 of "MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION", according to the plat thereof as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, lying in the Northeast 1/4 of Section 15, Township 57 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northeast 1/4 of said Section 15; thence run S89°15'05"W along the North line of said Northeast 1/4, for a distance of 793.73 feet to a point; thence S00°44'55"E, for a distance of 35.00 feet to the Point of Beginning to the hereinafter described parcel of land; thence run S89°15'05"W along said South Right-of-Way, for a distance of 761.85 feet to a point; thence run S00°30'15"E along the West line of Tract 7, for a distance of 1322.86 feet to a point on the North Right-of-Way line of Central and Southern Florida Flood Control District Canal C-10.3, as described in that certain Warranty Deed recorded in Official Records Book 4677, at Page 217, of the Public Records of Miami-Dade County, Florida; thence run N89°23'17"E, along said North Right-of-Way for 658.12 feet to a point; thence run N00°36'43"W for 10.03 feet to a point; thence run N89°23'17"E for 109.34 feet to a point; thence run N00°44'55"W for 1314.65 feet to the Point of Beginning.

Folio# 10-7915-001-0012

Legal Description: That portion of the West 1/2 of the East 1/3 of Lot 13, in Block 1, of Section 15, Township 57 South, Range 39 East, lying Northerly of Canal C-103, as recorded in Official Records Book 4677, at Pages 219 and 220, of the Public Records of Miami-Dade County, Florida, and the entirety of Lot 8, in Block 1 of Section 15, Township 57 South, Range 39 East, all of MIAMI LAND DEVELOPMENT COMPANY'S SUBDIVISION, as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida;

AND

That portion of the West 1/3 of the East 1/2 of Lot 13, in Block 1, of Section 15, Township 57 South, Range 39 East, lying Northerly of Canal C-103, as recorded in Official Records Book 4677, at Pages 219

and 220, of the Public Records of Miami-Dade County, Florida, and the entirety of Lot 9, in Block 1, of Section 15, Township 57 South, Range 39 East, all of MIAMI LAND AND DEVELOPMENT COMPANY'S SUBDIVISION, as recorded in Plat Book 5, at Page 10, of the public Records of Miami-Dade County, Florida.

Less the North 35 feet for road Right of Way and Less Canal C-103 Right of Way.

Folio# 10-7915-001-0020

Legal Description: Lots 10, 11, 12 and the West ½ of Lot 13, Block 1, of MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION, of Section 15, Township 57 South, Range 39 East, according to the Plat thereof, as recorded in Plat Book 5, Page 10 of the Public Records of Miami-Dade County, Florida; Less the North 35 feet for Right of Way.

Folio# 10-7914-001-0040

Legal Description: Tracts One (1) to Thirteen (13), both inclusive, and Tract Twenty-Eight (28) of Block Two (2), of Miami Land & Development Company's Subdivision of Section Fourteen (14), Township Fifty-Seven (57) South, Range Thirty-Nine (39) East, according to the Plat thereof recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida.

Less

The North 40 feet and the West 55 feet and a portion of Lot 13 more particularly described as follows:

Beginning 55 feet East of the Southwest corner of Lot 13; thence run N0°33'24"W a distance of 301.71 feet; thence run S04°58'29"E a distance of 302.59 feet; thence run S89°24'23" a distance of 23.31 feet to the Point of Beginning.

SKETCH: SEE ATTACHED.



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 5/18/2017

Property Information	
Folio:	10-7915-001-0013
Property Address:	
Owner	MARISTA HOLDINGS LLC
Mailing Address	26401 SW 107 AVE HOMESTEAD, FL 33032 USA
PA Primary Zone	9000 AGRICULTURE
Primary Land Use	6981 CONTAINER NURSERY ABOVE-GR : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	1,011,027.6 Sq.Ft
Year Built	0



Assessment Information			
Year	2016	2015	2014
Land Value	\$533,830	\$533,830	\$533,830
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$533,830	\$533,830	\$533,830
Assessed Value	\$46,420	\$46,420	\$46,420

Benefits Information				
Benefit	Type	2016	2015	2014
Agriculture	Classified Value	\$487,410	\$487,410	\$487,410

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description	
15 57 39 23.21 AC M/L	
MIAMI LAND & DEV CO SUB	
PB 5-10	
PORT OF TRS 4 & 13 & 28 & ALL	
LOTS 5 THRU 7 DESC COMM AT NE	

Taxable Value Information			
	2016	2015	2014
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$46,420	\$46,420	\$46,420
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$46,420	\$46,420	\$46,420
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$46,420	\$46,420	\$46,420
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$46,420	\$46,420	\$46,420

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
02/27/2017	\$10,228,400	30446-0569	Qual on DOS, multi-parcel sale
03/29/2015	\$9,333,800	29564-2182	Affiliated parties
12/01/2003	\$1,160,500	21943-2245	Sales which are qualified

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Summary Report

Generated On : 5/18/2017

Property Information	
Folio:	10-7915-001-0010
Property Address:	
Owner	MARISTA HOLDINGS LLC
Mailing Address	26401 SW 107 AVE HOMESTEAD, FL 33032 USA
PA Primary Zone	9000 AGRICULTURE
Primary Land Use	6981 CONTAINER NURSERY ABOVE-GR : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	967,336.92 Sq.Ft
Year Built	0



Assessment Information			
Year	2016	2015	2014
Land Value	\$510,761	\$510,761	\$510,761
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$510,761	\$510,761	\$510,761
Assessed Value	\$44,414	\$44,414	\$44,414

Benefits Information				
Benefit	Type	2016	2015	2014
Agriculture	Classified Value	\$466,347	\$466,347	\$466,347

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
15 57 39 22.207 AC M/L
MIAMI LAND & DEV COS SUB PB 5-10
LOTS 1 THRU 7 LESS E & N30FT &
E1/3 OF E1/2 OF LOT 13 & LOT 28
LESS COMM NE COR OF SEC TH S 89

Taxable Value Information			
	2016	2015	2014
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$44,414	\$44,414	\$44,414
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$44,414	\$44,414	\$44,414
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$44,414	\$44,414	\$44,414
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$44,414	\$44,414	\$44,414

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
02/27/2017	\$10,228,400	30446-0569	Qual on DOS, multi-parcel sale
03/29/2015	\$9,333,800	29564-2182	Affiliated parties
12/01/2003	\$1,132,200	21943-0392	Sales which are qualified

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Summary Report

Generated On : 5/18/2017

Property Information	
Folio:	10-7914-001-0040
Property Address:	4500 NE 8 ST Homestead, FL 33033-5632
Owner	CITY OF HOMESTEAD HOUSING AUTHORITY
Mailing Address	29355 S FEDERAL HWY HOMESTEAD, FL 33033
PA Primary Zone	9000 AGRICULTURE
Primary Land Use	8940 MUNICIPAL : MUNICIPAL
Beds / Baths / Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	699 Sq.Ft
Lot Size	3,317,349.6 Sq.Ft
Year Built	1900



Assessment Information			
Year	2016	2015	2014
Land Value	\$7,614,003	\$7,614,003	\$7,614,003
Building Value	\$6,095,750	\$6,095,750	\$6,095,750
XF Value	\$0	\$0	\$0
Market Value	\$13,709,753	\$13,709,753	\$13,709,753
Assessed Value	\$13,709,753	\$13,709,753	\$13,709,753

Benefits Information				
Benefit	Type	2016	2015	2014
Municipal	Exemption	\$13,709,753	\$13,709,753	\$13,709,753

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
14 57 39 76.16 AC M/L
MIAMI LAND & DEV COS SUB
LOTS 1 THRU 13 & LOT 28 BLK 2
LESS N40FT & LESS W55FT & LESS
PORT OF LOT 13 DESC BEG 55FTE OF

Taxable Value Information			
	2016	2015	2014
County			
Exemption Value	\$13,709,753	\$13,709,753	\$13,709,753
Taxable Value	\$0	\$0	\$0
School Board			
Exemption Value	\$13,709,753	\$13,709,753	\$13,709,753
Taxable Value	\$0	\$0	\$0
City			
Exemption Value	\$13,709,753	\$13,709,753	\$13,709,753
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$13,709,753	\$13,709,753	\$13,709,753
Taxable Value	\$0	\$0	\$0

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description

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Summary Report

Generated On : 5/18/2017

Property Information	
Folio:	10-7915-001-0012
Property Address:	
Owner	PHOENICIAN STAR VENTURES LLC
Mailing Address	10790 SW 74 AVE MIAMI, FL 33156-3832
PA Primary Zone	9000 AGRICULTURE
Primary Land Use	6981 CONTAINER NURSERY ABOVE-GR : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	565,408.8 Sq.Ft
Year Built	0



Assessment Information			
Year	2016	2015	2014
Land Value	\$298,540	\$298,540	\$298,540
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$298,540	\$298,540	\$298,540
Assessed Value	\$172,540	\$172,540	\$172,540

Benefits Information				
Benefit	Type	2016	2015	2014
Agriculture	Classified Value	\$126,000	\$126,000	\$126,000

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description	
15 57 39 12.98 AC M/L	
MIAMI LAND & DEV COS	
SUB PB 5-10	
ALL OF LOTS 8 & 9 LESS N35FT &	
W2/3 OF E1/2 OF LOT 13 BLK 1 LYG	

Taxable Value Information			
	2016	2015	2014
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$172,540	\$172,540	\$172,540
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$172,540	\$172,540	\$172,540
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$172,540	\$172,540	\$172,540
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$172,540	\$172,540	\$172,540

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
11/01/2007	\$4,250,000	26054-0585	Other disqualified
04/01/1999	\$175,000	18589-2562	Sales which are qualified
12/01/1997	\$0	00000-00000	Sales which are disqualified as a result of examination of the deed

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Summary Report

Generated On : 5/15/2017

Property Information	
Folio:	10-7915-001-0020
Property Address:	
Owner	PEDRO TALAMAS & JUAN E VALDES & W NADIA A
Mailing Address	8530 SW GRAND CANAL DR MIAMI, FL 33144
PA Primary Zone	9000 AGRICULTURE
Primary Land Use	5381 VEG CROPLANDS MIXED/ROTATED : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	629,877.6 Sq.Ft
Year Built	0



Assessment Information			
Year	2016	2015	2014
Land Value	\$332,580	\$332,580	\$332,580
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$332,580	\$332,580	\$332,580
Assessed Value	\$28,920	\$28,920	\$28,920

Benefits Information				
Benefit	Type	2016	2015	2014
Agriculture	Classified Value	\$303,660	\$303,660	\$303,660

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
15 57 39 14.46 AC M/L
MIAMI LAND & DEV COS SUB PB 5-10
THAT PT LOT 10 WLY OF C-103-N
R/W & LOTS 11 & 12 & THAT PT
W1/2 LOT 13 LESS RDS BLK 1 LYG W

Taxable Value Information			
	2016	2015	2014
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$28,920	\$28,920	\$28,920
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$28,920	\$28,920	\$28,920
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$28,920	\$28,920	\$28,920
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$28,920	\$28,920	\$28,920

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description

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EXHIBIT D

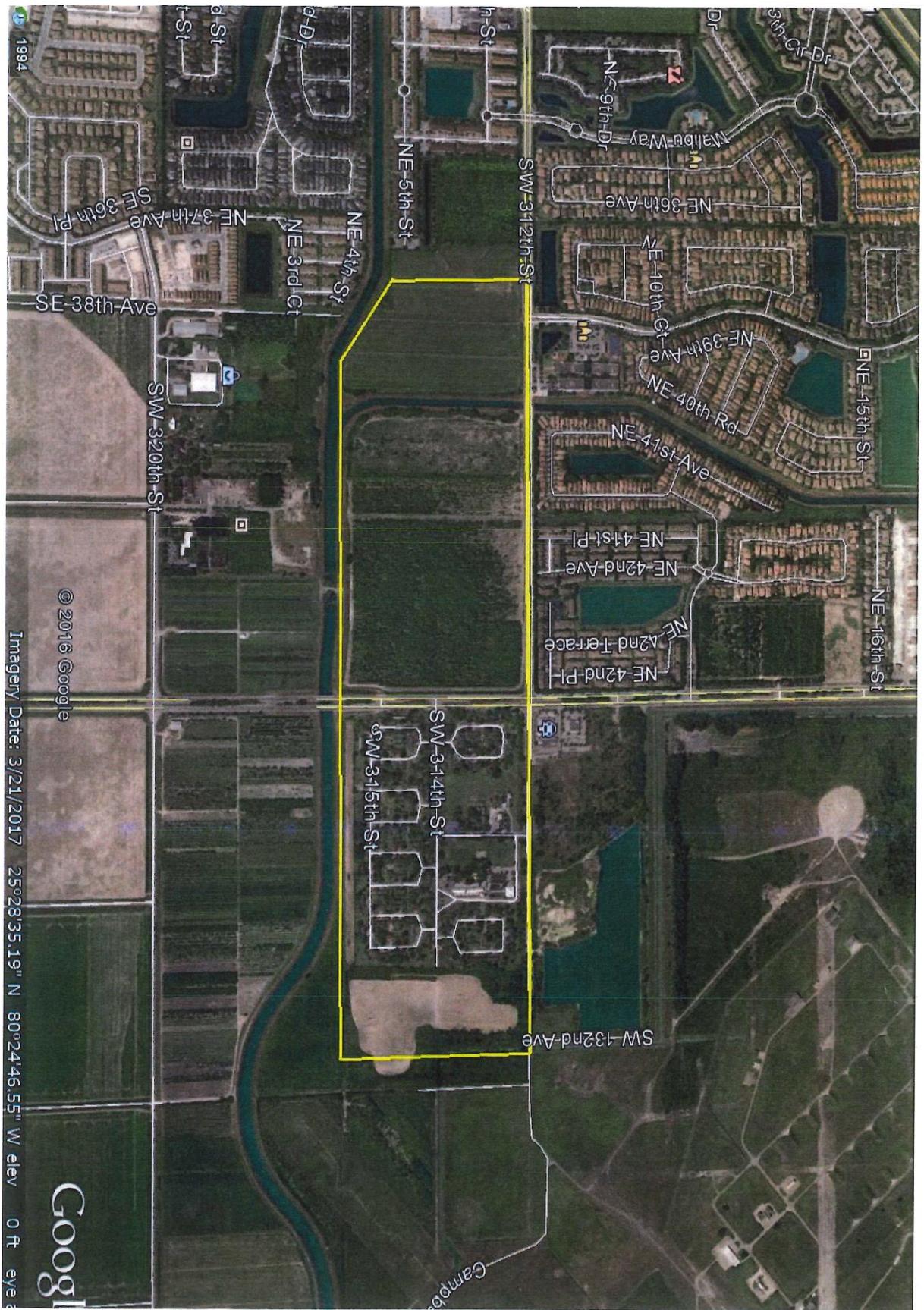
SECTION SHEET

SEE ATTACHED.

EXHIBIT E

AERIAL

SEE ATTACHED.



APPENDIX B

Miami-Dade County Public Schools Analysis

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APPENDIX C

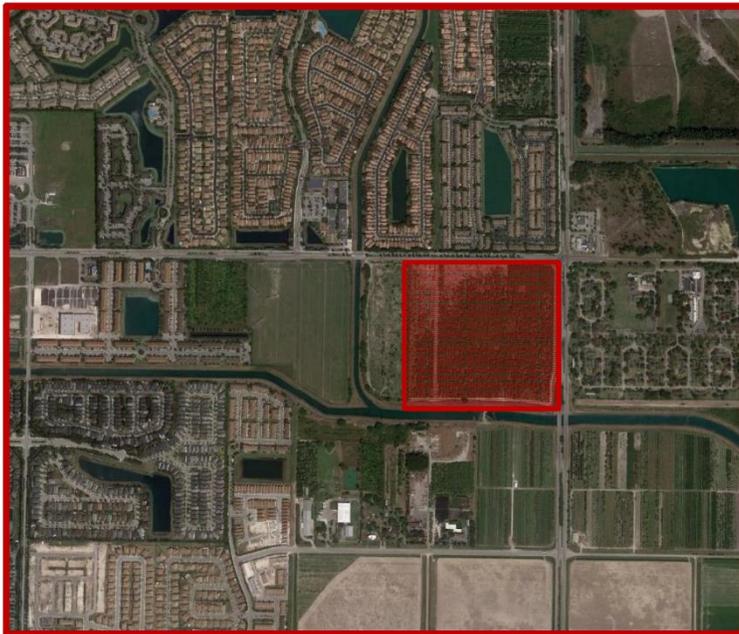
Applicant's Traffic Impact Report

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*Comprehensive Development Master Plan
Amendment Transportation Analysis for
Submittal to Miami-Dade County*

**Diaz Farms
45-Acre Amendment**



Kimley»Horn

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Revised June 2017
043842000

***Comprehensive Development Master Plan
Amendment Transportation Analysis for
Submittal to Miami-Dade County***

**Diaz Farms
45-Acre Amendment**

Prepared by:

Kimley-Horn and Associates, Inc.

Kimley»»Horn

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Revised June 2017
043842000

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 Appendix C: Trip Generation
 Appendix D: Cardinal Distribution
 Appendix E: Growth Rate Calculations

INTRODUCTION

It is proposed to amend the existing Comprehensive Development Master Plan (CDMP) designation for the approximate 45-acre area located on the southwest corner of SW 312th Street/Campbell Drive and SW 137th Avenue. The amendment proposes to change the designation from Agriculture to Business and Office. A location map of the amendment is provided in **Figure 1**.

Kimley-Horn and Associates, Inc. has completed this transportation analysis for the proposed CDMP amendment application. The purpose of the analysis is to assess the impact of the proposed land use designation change on the surrounding roadway network and to determine if adequate capacity is available to support future traffic volumes. This report summarizes amendment trip generation, project trip distribution, and capacity analyses.



Kimley»Horn

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Figure 1
 Location Map
 Diaz Farms - 45-Acre Amendment
 Miami-Dade County, Florida

CONCLUSION

This transportation analysis assessed the impacts of a proposed amendment of the existing Comprehensive Development Master Plan (CDMP) designation for the approximate 45-acre area located on the southwest corner of SW 312th Street/Campbell Drive and SW 137th Avenue. The amendment proposes to change the existing land use designation from Agriculture to Business and Office. In summary, the proposed amendment will result in a net increase of 808 P.M. peak hour trips based upon the planning analysis provided.

A roadway capacity analysis was prepared for existing traffic conditions, short-term (year 2020), and long-term (year 2030) horizons with and without the amendment as appropriate. The results indicate that all significantly impacted roadway segments are expected to operate at adopted levels of service. As a result, the proposed land use designation amendment is not expected to have an adverse impact on the roadway segments.

APPENDIX D

Proffered Declaration of Restrictions

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DRAFT 8/14/17

RECEIVED

This Instrument was Prepared by:

Name: Alan Krischer, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

2017 AUG 28 A 11: 48

RE-PLANNING DIVISION

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

WHEREAS, Marista Holdings, 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, Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the “CDMP”) that is identified as Application No. 7 in the May 2017 CDMP Amendment Cycle (the “Application”);

WHEREAS, the Property is a portion of the overall property (approximately ± 157.24 net acres of land) subject to the Application;

WHEREAS, the Application seeks to amend the urban development boundary (“UDB”) and re-designate the Property from “Agriculture” to “Business and Office” on the Miami-Dade County Comprehensive Development Master Plan Future Land Use Plan Map (“LUP”);

NOW, THEREFORE, IN ORDER TO ASSURE Miami-Dade County, Florida (the “County”) that the representations made by the Applicant 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. **Permitted Uses.** Notwithstanding the re-designation of the Property to “Business and Office” on the County’s LUP map, development on the Property shall be limited

to an assisted living facility (ALF), hotel, office and/or retail uses. The development program for the project reflects a mixed-use development including an assisted living facility (ALF), hotel, office and retail uses. The initial adopted development program for the project contains 200 beds of assisted living facility (ALF), 150 hotel rooms, 200,000 square feet of office space, and 150,000 square feet of retail space (the "Development Program"). The total impact of all development in the project based on the initial adopted Development Program is projected to generate 828 net pm peak hour trips, using the rates contained in the ITE Trip Generation Manual 9th Edition (see representative trip generation rates provided in attached Exhibit "B"; "Representative Trip Rates"). The actual development program and combination of uses may vary from the initial adopted Development Program (the "Actual Development Program") provided that the Actual Development Program for the project shall not generate more than 828 net pm peak hour trips (the "Trip Cap"). Subsequent development orders and development permits, including site plan approvals, may not authorize development of the project in excess of the Trip Cap. A trip generation analysis using the Representative Trip Rates shall be prepared at the time of site plan approval or tentative plat to calculate the total number of net external pm peak hour trips for that portion or stage of the Project and the cumulative net external trip generation for the mixed use Project built to date in order to confirm that the Trip Cap will not be exceeded.

2. Miscellaneous.

A. County Inspection. As further part of this Declaration of Restrictions, it is hereby understood and agreed that any official inspector of the 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 the 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 then owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications,

amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

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 with respect to the portion of the Property not in compliance, and refuse to make any inspections or grant any approvals for such portion until such time as this 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 Owners' expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the undersigned Owners and their 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 the Owners 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 Owners 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. Owners. The term "Owners" shall include the Owners of the Property, their heirs, personal representatives, successors and assigns.

EXHIBIT "A"

LEGAL DESCRIPTION

Folio # 10-7915-001-0010

That portion of Tracts 1, 2, 3, 4, and 28 in Block 1 of "MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION", according to the plat thereof as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, lying in the Northeast 1/4 of Section 15, Township 57 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northeast 1/4 of said Section 15; thence run South 89°15'09" West along the North line of said Northeast 1/4, for a distance of 30.00 feet to a point; thence South 00°33'24" East, along a line 30.00 feet West of and parallel with the East line of said NE 1/4, for a distance of 35.00 feet to the point of intersection of the South right-of-way line of Southwest 312th Street (Campbell Drive) as escribed in the right-of-way deed recorded in Book 2162, at Page 1771 of the Public Records of Miami-Dade County, Florida, and the Point of Beginning of the hereinafter described parcel of land; thence run S89°15'09"W along said South Right-of-Way, for a distance of 763.61 to a point; thence run S00°44'55"E for a distance of 1314.65 feet to a point on the North Right-of-Way line of Central and Southern Florida Flood Control District Canal C-103, as described in that certain Warranty Deed recorded in Official Records Book 4677, at Page 217, of the Public Records of Miami-Dade County, Florida; thence run along said North Right-of-Way line for the following three course thence run N89°23'17"E for a distance of 257.17 feet; thence S84°52'13"E for a distance of 251.70 feet; thence North 89°21'00" East for a distance of 251.58 feet to a point on the West Right-of-Way line of Southwest 137th Avenue (Tallahassee Road); thence run N00°33'24"W, along said West Right-of-Way line for a distance of 1341.48 feet to the Point of Beginning;

LESS

That portion of Tracts 1 and 28 in mock 1 of "MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION", according to the plat thereof as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, lying in the Northeast 1/4 of Section 1, Township 57 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northeast 1/4 of said Section 15; thence run S89°1'09"W, along the North line of said Northeast 1/4, for a distance of 30.00 feet to a point; thence run S00°33'24"E, along a line 30.00 feet West of and parallel with the East line of said NE 1/4, for a distance of 35.00 feet to the point of intersection of the South right-of-way line of S.W. 312 Street (Campbell Drive) as described in right-of-way deed recorded in Book 2162, at Page 177, of the Public Records of Miami-Dade County, Florida, with the West right-of-way line of S.W. 137 Avenue (Tallahassee Road) as described in Deed Book 1683, at Page 307, of the Public Records of Miami-Dade County, Florida, and the POINT OF BEGINNING of the hereinafter described parcel of land thence run S89°15'09"W, along said South right-of-way line, for a distance of 130.00 feet to the point of intersection with the West line of the East 160.00

feet of the N 1/4 of said Section 15; thence run S00°33'24"E, along the West line of the East 160.00 feet of the NE 1/4 of said Section 15, for a distance of 5.00 feet to the point of intersection with the South line of the North 35.00 feet of the NE 1/4 of said Section 15; thence run N89°15'09"E, along the South line of the North 35.00 feet of the NE 1/4 of said Section 15, for a distance of 79.92 feet to the point of curvature of a circular curve concave to the Southwest, having a radius of 25.00 feet and a tangent bearing of N89°15'09"E; thence run Easterly to Southeasterly along the arc of said circular curve concave to the Southwest, through a central angle of 90°11'27", for an arc length of 39.35 feet to the point of tangency with a line 25.00 feet West of and parallel with the West right-of-way line of said S.W. 137 Avenue (Tallahassee Road); thence run S00°33'24"E, along said parallel line, for a distance of 1014.53 feet to a point; thence run S03°51'43"W, for a distance of 297.74 feet to the Northerly right-of-way line of Central and Southern Florida Flood Control District Canal C-103, as described in that certain Warranty Deed recorded in Official Records Book 4677, at Page 217, of the Public Records of Miami-Dade County, Florida; thence run N89°21'18"E, along said Northerly right-of-way line, for a distance of 47.94 feet to the point of intersection with the West right-of-way line of said S.W. 137 AVENUE (Tallahassee Road); thence run N00°33'24"W, along said West right-of-way line, for a distance of 1341.48 feet to the, POINT OF BEGINNING.

Folio # 10-7915-001-0013

That portion of Tracts 4, 13 and 28, and the entirety of Tracts 5, 6 and 7 in Block 1 of "MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION", according to the plat thereof as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, lying in the Northeast 1/4 of Section 15, Township 57 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northeast 1/4 of said Section 15; thence run S89°15'05"W along the North line of said Northeast 1/4, for a distance of 793.73 feet to a point; thence S00°44'55"E, for a distance of 35.00 feet to the Point of Beginning to the hereinafter described parcel of land; thence run S89°15'05"W along said South Right-of-Way, for a distance of 761.85 feet to a point; thence run S00°30'15"E along the West line of Tract 7, for a distance of 1322.86 feet to a point on the North Right-of-Way line of Central and Southern Florida Flood Control District Canal C-10.3, as described in that certain Warranty Deed recorded in Official Records Book 4677, at Page 217, of the Public Records of Miami-Dade County, Florida; thence run N89°23'17"E, along said North Right-of-Way for 658.12 feet to a point; thence run N00°36'43"W for 10.03 feet to a point; thence run N89°23'17"E for 109.34 feet to a point; thence run N00°44'55"W for 1314.65 feet to the Point of Beginning.

APPENDIX E

- **Letter Amending Applicant's Original Request, dated August 15, 2017**
- **Letter Excluding Properties Within Accident Potential Zones, dated September 25, 2017**
- **Letter Withdrawing Parcel B of Application Site, dated October 4, 2017**

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Holland & Knight

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Holland & Knight LLP | www.hklaw.com

RECEIVED

2017 AUG 15 P 3:08

RER-PLANNING DIVISION

Alan S. Krischer
305.789.7758
alan.krischer@hklaw.com

August 15, 2017

VIA E-MAIL AND HAND DELIVERY

Mr. Garrett Rowe, Supervisor of CDMP Administration
Miami-Dade County Department of
Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, Florida 33128

Re: Marista Holdings, LLC - Application No. 7 - May 2013 CDMP Cycle

Dear Mr. Rowe:

Please accept this letter on behalf of Marista Holdings, LLC (the "Applicant"), who has filed Application No.7 of the May 2017 CDMP Amendment Cycle, to request an amendment of the CDMP Land Use Element Land Use Plan (LUP) Map (the "Application") in connection with those certain ± 157.24 net acres of land located in Sections 14 and 15, Township 57 South, Range 39, lying east of SW 142nd Avenue and south of SW 312th Street in Homestead, Florida (the "Property"). A copy of the Application, as filed on May 31, 2017, is attached as Exhibit "A".

The Applicant seeks to amend the Application to withdraw the request to change to the LUP map to re-designate Parcel B, consisting of ± 79.58 acres owned by the Homestead Housing Authority and identified by Miami-Dade Property Appraiser Folio Number 10-7914-001-0040, from "Agriculture" to "Institutions, Utilities, and Communications." Thus, Parcel B shall maintain its current designation of "Agriculture."

The Applicant reaffirms its requests made pursuant to the Application to change the 1) Urban Development Boundary (UDB) as depicted on the LUP map to include the Property; and 2) LUP map to re-designate Parcel A, consisting of ± 45.56 acres owned by the Applicant and as further identified by Miami-Dade Property Appraiser Folio Numbers 10-7915-001-0010 and 10-7915-001-0013, from "Agriculture" to "Business and Office." Parcel C, consisting of ± 27.44 acres and identified by Miami-Dade Property Appraiser Folio Numbers 10-7915-001-0012 and 10-7915-001-0020, shall maintain its current designation of "Agriculture."

Thank you in advance for your considerate attention and please contact our office if you have any questions or require any additional information.

Sincerely,

HOLLAND & KNIGHT LLP



Alan S. Krischer, Esq.

Enclosures

CC: Mr. Jerry Bell, Assistant Director, Dept. of RER
Lourdes Rodriguez
Manuel Diaz
Gilberto Pastoriza, Esq.
Joseph Goldstein, Esq.
Vanessa Madrid, Esq.

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2017 SEP 26 A 8:48
RER-PLANNING DIVISION

Alan S. Krischer
305.789.7758
alan.krischer@hklaw.com

September 25, 2017

VIA E-MAIL AND HAND DELIVERY

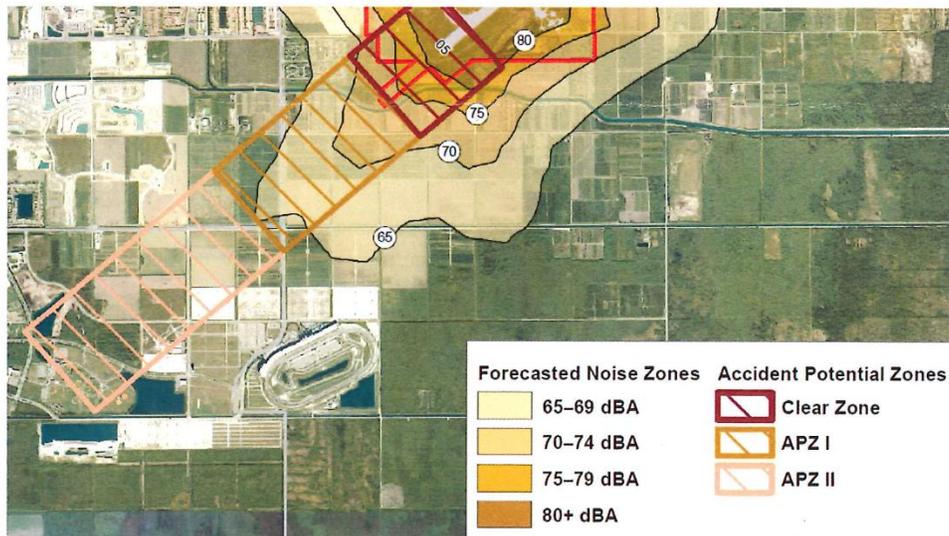
Mr. Garrett Rowe, Supervisor of CDMP Administration
Miami-Dade County Department of
Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, Florida 33128

Re: Marista Holdings, LLC - Application No. 7 - May 2017 CDMP Cycle

Dear Mr. Rowe:

Please accept this letter on behalf of Marista Holdings, LLC (the "Applicant"), who has filed Application No.7 of the May 2017 CDMP Amendment Cycle, to request an amendment of the CDMP Land Use Element Land Use Plan (LUP) Map (the "Application") in connection with those certain ± 157.24 net acres of land located in Sections 14 and 15, Township 57 South, Range 39, lying east of SW 142nd Avenue and south of SW 312th Street in Homestead, Florida (the "Property).

As you know, the Homestead Air Reserve Base (HARB) has provided comments in response to the Application. Among other things, HARB has expressed concern that a portion of the subject property lies within the accident potential zones of the air base, which are described in policy LU-8G(i)(d) of the County's CDMP and the AICUZ report (and are shown in the detail from the AICUZ report below):



To mitigate the concerns expressed by HARB in their comments, the Applicant wishes to exclude from the Application all property that lies within those accident potential zones. Accordingly, the Applicant hereby amends the Application to withdraw from the subject property all of that area located within the HARB accident potential zones.

Please be advised that that portion of the initial application area lying within the HARB accident potential zones is not owned by the Applicant, but by the Homestead Housing Authority (HHA). As indicated in the initial Application, a portion of that area has long been developed with residential housing units and ancillary uses and infrastructure. This withdrawal of that portion of land from the Application in no way constitutes a waiver of any rights that the HHA has with respect to any existing uses or structures, or to any other entitlements to use or develop that property.

Thank you in advance for your considerate attention and please contact our office if you have any questions or require any additional information.

Sincerely,

HOLLAND & KNIGHT LLP



Alan S. Krischer, Esq.

Enclosures

CC: Mr. Jerry Bell, Assistant Director, Dept. of RER
Mr. Lawrence Ventura, Jr., HARB
Mr. Joseph Corradino, Director, Homestead Dept. of Planning and Zoning
Lourdes Rodriguez
Manuel Diaz
Gilberto Pastoriza, Esq.
Edward Martos, Esq.
Felix Lasarte, Esq.
Joseph Goldstein, Esq.
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Alan S. Krischer
305.789.7758
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October 4, 2017

VIA E-MAIL AND HAND DELIVERY

Mr. Garrett Rowe, Supervisor of CDMP Administration
Miami-Dade County Department of
Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, Florida 33128

**Re: Marista Holdings, LLC / Amendment to Application No. 7 - May 2017
CDMP Cycle**

Dear Mr. Rowe:

Please accept this letter on behalf of Marista Holdings, LLC (the "Applicant"), in connection with its request for an amendment to its CDMP Amendment Application of the May 2017 CDMP Amendment Cycle (Application No.7) (the "Application"). Pursuant to various conversations with the Homestead Housing Authority (HHA), the Applicant hereby amends the Application to withdraw from the subject property that certain ± 79.58 net acre parcel of land owned by the HHA, and as further identified by folio number 10-7914-001-0040.

As a result of this amendment, the subject Application property is reduced from ± 157.24 net acres to ± 77.66 net acres. An updated Ownership Disclosure form (Exhibit B-1 to the Application) is enclosed for your consideration and incorporation into the Application file. No other exhibits to the Application require amendment at this time. This withdrawal of land from the Application in no way constitutes a waiver of any rights that the HHA has with respect to any existing uses or structures, or to any other entitlements to use or develop that property.

We sincerely appreciate your continued attention to the Application. If you have any questions or require additional information, please contact me.

Sincerely,

HOLLAND & KNIGHT LLP



Alan S. Krischer, Esq.

Enclosures

CC: Mr. Jerry Bell, Assistant Director, Dept. of RER
Mr. Lawrence Ventura, Jr., HARB
Mr. Joseph Corradino, Director, Homestead Dept. of Planning and Zoning
Lourdes Rodriguez
Manuel Diaz
Gilberto Pastoriza, Esq.
Edward Martos, Esq.
Felix Lasarte, Esq.
Joseph Goldstein, Esq.
Vanessa Madrid, Esq.

EXHIBIT B-1

PROPERTY DESCRIPTION: Provide the following information for all properties in the application area. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
X	MARISTA HOLDINGS, LLC	10-7915-001-0010	+/- 22.21
X	MARISTA HOLDINGS, LLC	10-7915-001-0013	+/- 23.21
	PHOENICIAN STAR VENTURES, LLC	10-7915-001-0012	+/- 14.46
	PEDRO TALAMAS & JUAN E VALDES & W NADIA A	10-7915-001-0020	+/- 12.98
	SO FLA WATER MGMT DIST ATTN: REAL ESTATE MGMT SECTION	10-7915-000-0020	+/- 4.66

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APPENDIX F

Economic Report Submitted by Miami Economic Associates

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RECEIVED
2017 JUN 30 P 1:41
RER-PLANNING DIVISION

June 30, 2017

Via Hand Delivery

Mr. Garrett Rowe
CDMP Administration
Department of Regulatory and Economic
Resources Planning Division
Metropolitan Planning Section
111 NW 1st Street
12th Floor
Miami, FL 33128

RE: Marista Holdings – Miami Economic Associates Report

Dear Garrett:

Enclosed please find a report prepared by Miami Economic Associates, Inc., analyzing the proposed development program and economic benefits of the proposed application to amend the County's Comprehensive Development Master Plan filed on behalf of Marista Holdings. I would appreciate it if you could supplement our application with the revised analysis. If you have any questions or require additional information, please feel free to contact our office.

Respectfully submitted,

HOLLAND & KNIGHT LLP



Alan S. Krischer

Atlanta | Boston | Chicago | Fort Lauderdale | Jacksonville | Lakeland | Los Angeles | Miami | New York | Northern Virginia | Orlando
Portland | San Francisco | Tallahassee | Tampa | Washington, D.C. | West Palm Beach

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

decades, i.e. since before the CDMP was adopted and the UDB established. Accordingly, the major change that the proposed amendment would effectuate, in addition to bringing the Subject Property into the UDB, would be to allow for Parcel A to developed with a mixture of uses. For the purpose of this analysis, it is assumed that those uses would include a retail center, an assisted living facility for the elderly, professional office space, a limited service hotel and a site for a civic, community or institutional use to be determined.

The application cites several Objectives and Policies of the CDMP with which the requested re-designation of use complies, notably including Land Use Objectives LU – 1 and LU – 8 and Land Use Policies LU – 1C, LU – 1G, LU – 8B, LU – 9J and LU – 10A. The appendix to this report provides the language contained in each of these citations.

Summary of Findings

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

- Parcels A and C, which are located on the west side of SW 137th Avenue are geographically separated from the broader agricultural expanse to the south by a canal located along their southern edges. The Applicant, which is owned by one of the mainstays of Miami-Dade County's agricultural sector, maintains that the existence of that barrier renders agriculture activity on the parcels inefficient, hence non-competitive in today's increasingly international agricultural marketplace where the cost of production is a key determinant of success.
- As discussed in the introduction to this letter, Parcel B, which accounts for more than half the gross as well as net acreage of the Subject Property, is currently the site of a 296-unit affordable rental project, which is owned by the City of Homestead and developed at an urban density. Parcel B has been occupied by an urban-scale residential use for at least 3 decades, which means since before the CDMP was adopted and UDB established. MEAI believes that it should have been included in the UDB since that line was established.
- MEAI further found during its physical inspection of the Subject Property that it is a virtual enclave of agricultural land surrounded by existing urban uses to its northeast, north, northwest, west and southwest. The directions in which urbanized uses do not exist are due south and southeast. Urban development in those directions has been precluded by not only the placement of the UDB but also the positioning of the runway on the Homestead Air Reserve Base (HARB). Further, as long that runway being used, those areas are likely to remain unurbanized even if the UDB is expanded to encompass the Subject Property. Hence, approval of the proposed amendment will not create a domino effect.

With respect to the area surrounding the Subject Property, the following observations were made:

- The parcel on the northeast corner of the SW 312th Street/SW 137th Avenue intersection, directly across SW 312th Street from Parcel B, is designated for Industrial and Office uses and occupied by office space, a gas station and automotive repair center.
- The Waterstone Planned Unit Development, which has been fully built out with approximately 1,300 units and a charter school is located on the northside of SW 312th Street directly across the street from Parcels A and C and to the northwest of them. Further to the northwest is Baptist Hospital's Homestead Campus.
- Immediately west of the Subject Property are two parcels that are still in agricultural use; however, they are located within the UDB, designated for commercial use on the Adopted 2020 and 2030 land use map and could be developed with commercial uses at any time. To the west of those two parcels is the Crystal Lakes community with a mixture of for-sale townhouses and garden rental apartments. It, in turn, is adjacent to a fast food restaurant.
- To the southwest of the Subject Property is an area bounded on the north by the canal that borders the Subject property, SW 142nd Avenue on the east, N. Canai Drive on the south and SW 152nd Street on the west that is in the process of being built out with a mixture of single-family detached and single-family attached units with the latter predominating.

The Board of County Commissioners, based on recommendations from the County's professional planning staff, has historically tried to avoid creating enclaves. In this instance, failure to approve the proposed amendment will allow an enclave to continue to exist.

- While analyzing the proposed amendment, MEAI, together with the Applicant's counsel, met with officials of the City of Homestead inclusive of the City Manager, Mr. George Gretsas, and the City's Planning Consultant, Mr. Joseph M. Corradino of the Corradino Group. The purpose of that meeting was to: 1) inform them of the Applicant's intention to include Parcel B in its application; and 2) to solicit their thoughts regarding the development of Parcel A based on their knowledge of the Homestead area and its real estate market. During the course of that meeting, no objection was expressed with respect to the inclusion of Parcel B in the above-referenced application since its inclusion would not necessitate changing the use of the property from City-owned affordable rental apartment project that currently exists. With respect to the future use of Parcel A, their inputs were as follows:
 - There is a need for a park in the portion of the City where the Subject Property is located.

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

- The residents of the Waterstone community feel that their area is underserved in terms of retail uses, particularly with respect to supermarkets.
- The City needs space to accommodate more “higher-paying” jobs with the result that they expressed the hope that at least a portion of the commercial space developed on Parcel A be for professional office space rather than retail space.
- The existing assisted living facilities in the Homestead area are all fully or substantially occupied, indicating that demand may already exist for additional facilities of that kind or likely will in the future.
- The hotels in the vicinity of the Subject Property are doing well and an additional lodging facility would be supportive of both Baptist’s Homestead Campus to the northwest and the Homestead Miami Speedway to the south. Further, they believe that a hotel on the Subject property would benefit from a location between two exits of the Florida’s Turnpike, the Speedway Boulevard at SW 137th Avenue and SW 272nd Street and the exit at Campbell Drive just west of SW 152nd Avenue.

Based on the input received from the City officials MEAI met with and additional market research MEAI performed, we formulated a preliminary development program for the site that envisions the following:

- 150,000 square feet of retail space on 15 acres
- 150,000 to 200,000 square feet of one to two-story professional office space on 10 acres
- 200 beds of assisted living (ACLF and/or nursing home) on 5 acres
- 130 to 150 key limited service hotel on 5 acres
- A 5-acre civic, community or institutional site for a park or other use

This preliminary development program serves as the basis for the economic and fiscal benefits analysis summarized later in this letter and for the traffic analysis that will be submitted in support of the above-referenced application.

- In April, 2017, the Planning Division of Miami-Dade County’s Department of Regulatory and Economic Resources estimated that MSA 7.4, which is the portion of the County in which the Subject Property is located, has approximately 616 acres of commercial land, including approximately 231 vacant acres. It further estimated that despite the fact that MSA 7.4’s projected pace of absorption of vacant commercial acreage is the third highest projected for any of the County’s 31 urbanized MSA’s, 12.74 acres per year, the vacant supply of commercially-designated land would not be fully depleted for 18 years, or until 2035. Finally, it calculated that MSA 7.4 has a ratio of commercial land to population that exceeds that countywide. Based on this information, it may not appear that a need exists to increase the commercial land

supply in MSA 7.4. However, while considering that information, the following facts should be considered:

- Within MSA 7.4, the overwhelming preponderance of the commercially-designated land is located west of SW 152nd Avenue. East of SW 152nd Avenue, there are couple of obsolescent shopping centers located north of SW 280th Street along S. Dixie Highway approximately 4 miles away from the Subject Property. None of those facilities contain a supermarket or, in fact, any major national or regional chain stores such as a Walgreen's, CVS, Walmart or Target. Our analysis further showed that there are two Publix supermarkets located east of SW 152nd including a store at 2950 SW 312th Street and another on the southwest corner of the SW 288th Street/SW 137th Avenue intersection. Walgreen's has stores in close proximity to both Publix facilities. The only other store in the delineated area that offers a significant selection of the goods typically found in a supermarket or major chain pharmacy store is the Walmart on the southeast corner of the SW288th Street/SW 137th Avenue intersection.
- The portion of MSA 7.4 located east of SW 152th Avenue between SW 248th Street and SW 328th Street has, according to data compiled in the 2015 American Community Survey, a resident population of approximately 62,850 people who comprise approximately 16,745 households. Both of these totals can be expected to grow as residential development in the area continues to occur.
- Supermarket chains typically assume that an individual store can serve between 5,000 and 6,000 households depending on the size of individual store as well as the size of the households being served. In the delineated area, the households are large, averaging 3.75 people, which means that the stores in that area would be expected to serve a number of households toward the lower end of the indicated range. On that basis, the delineated area can currently support 3 supermarkets or 2 supermarkets plus the grocery section of the existing Walmart. However, they would be operating at or slightly above peak capacity and additional facilities will be needed as more households are added.
- A review of the inventory of vacant commercially-designated land in the portion of MSA 7.4 located east of SW 152nd Avenue shows that there are no remaining parcels under single ownership of a size capable of accommodating a supermarket-anchored shopping center in the typical range of 100,000 to 150,000 square feet. MEAI believes that this analysis supports the contention of the Waterstone residents who believe their portion of MSA 7.4 is underserved in terms of retailing, particularly with respect to supermarkets.
- MEAI is, of course, aware that Winn Dixie, and Publix as well as Walgreens and CVs have stores near or along S. Dixie Highway in close proximity to SW 312th Street. We are also aware that there is another Walmart store in Florida

City at SW 335th Street and S. Dixie Highway. In this regard, the following points are noted:

- The facilities just identified are approximately 2.5 miles from the Subject Property and in the case of many residents of the portion of MSA 7.4 located east of SW 152nd Avenue 5 or more miles away. It should also be noted that the presence of Florida's Turnpike creates both a physical and/or psychological barrier to travel from area east of SW 152nd Avenue to the stores located along or near S. Dixie Highway in the vicinity of SW 312th Street.
- The stores along S. Dixie Highway enjoy their primary support from people who live between SW 152nd Avenue and S. Dixie Highway as well as from people who live west of S. Dixie Highway. That primary market support will grow as the number of households living in those areas, particularly the one west of S. Dixie Highway, continue to develop.
- Reliance on the stores along or near S. Dixie Highway in the vicinity of SW 312th Street to serve the population living east of SW 152nd Avenue would be inconsistent with Land Use Policy LU – 8B which states that the distribution of neighborhood or community-serving retail sales use and personal and professional offices "shall reflect the spatial distribution of the residential population". It would also be inconsistent with policies of CDMP that encourage development to occur in a manner that fosters energy efficiency.

In summary, MEAI believes that a need exists for additional commercial-designated land in the portion of MSA 7.4 located east of SW 152nd Avenue.

- In addition to addressing a deficiency on the Land Use Map, approval of the above-referenced application would provide significant economic and fiscal benefits for the community as will be discussed below. For the purpose of this portion of MEAI's analysis, it was assumed that Parcels B and C would remain in their current uses, rental apartment units and agriculture, for the foreseeable future. Accordingly, we based our analysis of potential economic and fiscal benefits on the prospective development of Parcel A with 150,000 square feet of retail space, 175,000 square feet of professional office space, a 200-bed assisted living facility and a 140-key limited service hotel. The proposed civic, community or institutional use was not considered since the specific nature of that use has not yet been defined. For the purpose of this analysis, we further assumed the following:
 - The proposed uses will cost \$56.0 million to construct in terms of hard costs.

- When completed a total of 1,140 full-time equivalents will be employed on-site including 390 retail and restaurant workers, 600 office workers, 50 hotel workers and 100 workers in the assisted living facility.¹
- The taxable value of the proposed uses will \$71.25 million, which is an amount equivalent to the moneys spent on hard costs to construct them plus the estimated value of the site when designated and zoned for commercial use, based on a review of properties in comparable use.

Economic Benefits

- The primary economic benefit during the period in which the proposed uses are being developed will be the employment that the project will generate on a non-recurring basis. With the assistance of the Minnesota IMPLAN Input-Output Model, MEAI estimates the expenditure of \$56.0 million on hard costs will support 1,030 jobs inclusive of 595 direct construction jobs on-site, 218 jobs in businesses related to the construction sector (indirect jobs) and 217 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 \$49.7 million in 2017 Dollars.
- As discussed above, there will be a total of 1,140 direct workers on-site on a full-time equivalent basis after development of the proposed uses has been completed. The project will also support a total of 654 indirect and induced workers. The annual earnings of these direct, indirect and induced workers will approximate \$82.86 million.

Fiscal Benefits

- Once construction of the proposed uses is completed, ad valorem taxes will need to be paid on an annual recurring basis to the various funds of the City of Homestead, 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 on the top of the next page. The estimated amounts of ad valorem taxes assume a total taxable value for all the uses of \$71.25 million.

¹ The number of people who actually work on-site is likely to be greater because the retail and hospitality sectors employ significant numbers of part-time workers.

Jurisdiction	Rate/\$1000 Taxable Value	Taxes
City of Homestead		
General Fund	5.9215	\$ 421,907
Debt Service Fund	0.5934	\$ 42,280
Total		\$ 464,187
Miami-Dade County		
General Fund	4.6669	\$ 332,517
Debt Service Fund	0.4000	\$ 28,500
Fire Fund	2.4207	\$ 172,475
Fire Debt Service Fund	0.0075	\$ 534
Library Fund	0.2840	\$ 20,235
Total		\$ 554,261
Miami-Dade County Public Schools		
Operating Fund	7.1380	\$ 508,583
Debt Service Fund	0.1840	\$ 13,110
Total		\$ 521,693
Children's Trust	0.5000	\$ 35,625

Source: Applicant; 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, the City of Homestead and Miami-Dade County collected \$424 and \$538, respectively, in ad valorem taxes for their General Funds from Parcel A while the Public School District collected \$648 for its Operating Fund.
- The ad valorem taxes calculated above take into account only the amounts that will need to be paid on the real property. Additional ad valorem taxes will need to be paid on the personal property contained in each of the proposed uses. MEAI did not have enough data regarding the value of the personal property to be able to estimate the amount of taxes that would be generated.
- Development of the proposed uses will also generate non-ad valorem revenues for the City of Homestead on an annual recurring basis, most notably in the form of utility taxes and franchise fees and water and sewer service fees.

Mr. Jack Osterholt, Director
Department of Regulatory and Economic Resources
Miami-Dade County
June 29, 2017
Page 9

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

Appendix Relevant CDMP Citations

Land Use Objective LU – 1: The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing type and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

Land Use Policy LU – 1C: 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 – 1G: Business development shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business development shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting commercial or other non-residential zoning by the County is necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location of two roadways.

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, Policies of this Plan, which shall provide that the Land Use Map Plan accommodates countywide growth.

Land Use Policy LU – 8B: Distribution of neighborhood or community-serving retail sales uses and personal and professional office throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic and physical considerations.

Land Use Policy LU – 9J: Miami-Dade County shall continue to use the design guidelines established in its urban design manual as additional criteria for use in the review of all applications for new residential, commercial and industrial development in Unincorporated Miami-Dade County, and shall consider the inclusion of such guidelines into its land development regulations.

Land Use Policy LU – 10A: Miami-Dade County shall facilitate contiguous urban development, in-fill, redevelopment of substandard or underdeveloped urban area, high activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. To facilitate and promote such development Miami-Dade County

Mr. Jack Osterholt, Director
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June 29, 2017
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shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.

APPENDIX G

Applicant's Letter Addressing Economic Viability of Agriculture on the Application Site

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Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Alan S. Krischer, Esq.
305-789-7758
alan.krischer@hklaw.com

August 24, 2017

VIA ELECTRONIC MAIL AND HAND DELIVERY

Mr. Manuel Armada
Chief, Planning Resources Section
Department of Regulatory
And Economic Resources
111 NW 1st Street, 11th Floor
Miami, Florida 33128

**RE: Marista Holdings / Application No. 7 / May 2017 CDMP Amendment Cycle /
Economic Viability of Agricultural Uses**

Dear Mr. Armada:

It was a pleasure meeting with you last week to discuss the economic analysis prepared by Andrew Dolkart of Miami Economic Associates, Inc. in connection with the above application to amend the County's Urban Development Boundary. In our conversation, you asked several questions related to the economic viability of the Marista parcel for continued agricultural use. As you are aware, the beneficial owner of Marista – Manuel Diaz – has been a farmer in southern Miami-Dade for nearly six decades, and is both knowledgeable about and an active participant in the farming industry in that region. So Mr. Dolkart and I asked Mr. Diaz to provide more detailed information about the physical and economic characteristics of farming that parcel.

The parcel was only marginally useful for agricultural uses at the time that Marista acquired the property. Because of the parcel's small size and proximity to urban uses, one cannot store the agricultural equipment on-site necessary to actively utilize the property. The property is too small (and geographically isolated from other parcels) for construction of on-site

storage buildings to secure equipment; and it is too close to urban uses to leave equipment in the open fields, since they will be targets of either theft or vandalism. Accordingly, tractors, disc spreaders, sprayers, and other equipment had to be frequently transported to the site from other locations (specifically Diaz Farms' main headquarters on 107th Avenue and 264th Street) in order to cultivate the property.

The parcel entirely contains marl soils, located at an approximately elevation of 8' NGVD. Mr. Diaz has been growing *Veitchia Montgomeryana* (Montgomery Palms) since he acquired the parcel through Marista Holdings. The property's marl soils and low elevation provide a suitable growing environment for these trees and other palms – marl soils are characterized by their poor drainage, and they retain considerable moisture and experience frequent (but irregular) inundation. Diaz acquired the property for the purpose of cultivating these field-grown landscaping and ornamental palms.

The current crop of approximately 8,000 trees was planted in the early 2000's. Since that time less than a third of the crop has been sold. Montgomery palms are most commercially marketable at heights of approximately 12'-14', and are sold primarily to homebuilders and other real-estate developers for use in landscaping new projects. However, the existing crop came to commercial height at the beginning of the economic collapse of 2008; with the collapse of demand for new landscaping at that time, the trees were unsellable. Because they could not be sold at the appropriate time, the trees have grown to a height of more than 30'-35', and are too large for this crop to be commercially viable. Mr. Diaz has indicated that due to the fact that the market for trees 30 feet or more in height is limited, the trees remaining from the crop planted in the early 2000's are essentially "bulldozer-ready".

While the broader economy generally has recovered, permanent changes in both the real estate and landscaping markets have rendered the parcel economically unusable for field-growing palm ornamentals. Broadly, both the real estate market and the planning directives of Miami-Dade County (and other municipalities) have moved away from large-scale green-field development of single-family detached homes. Inventory for such housing has been depleted over the last two decades, and current growth management policy sharply encourages remaining open lands to be developed at higher densities. Thus, the market for landscape ornamental palm trees has diminished significantly, leading to a significant excess of production capacity for that product. Moreover, the landscaping industry itself has moved away from field-grown palm trees in favor of smaller container-grown plants; per Mr. Diaz, only about 20% of the palm trees in the area are produced as field-grown plants, with the overwhelming majority being smaller container product. What demand remains for these palms going forward will be satisfied by container product, not field-grown product. Because this parcel was already marginal (small, geographically isolated, and located adjacent to residential uses), once the current crop of oversized trees is cleared it cannot be economically used for field-grown palm trees.

However, because of its particular characteristics, it cannot be viably used for any other meaningful crops. The expanding segments of agriculture in Miami-Dade are largely tropical fruit trees – lychees, papayas, mangos, avocados, and the like. However, the low elevation and

Mr. Manuel Armada

8/24/2017, 2017

Page 3

the marl soils make the property completely unsuitable for conversion to fruit tree production. The prevailing terrain in this area drops off to the east, and this parcel has an elevation that is several feet lower than that which predominates in other agricultural areas of the County, such as the Redland. The low elevation and marl soil result in excess water retention that will destroy the root systems of trees other than palms.

While the surrounding area in the eastern agricultural area was formerly used for significant potato farming (aimed at the then-sizable chipping industry), high cost of production and low yields together with the impacts of the reniform nematode have led potato production in this area to dwindle away and the chip companies to relocate out of the area. Other types of row crops (like pole beans) are unsuitable for cultivation on the property for the same reason as fruit trees – the low elevations combined with the marl soils create wet conditions that cannot support those crops. It should be noted that the trend in Miami-Dade agricultural uses over the last decade has been a decrease in vegetable cropland, due to economic changes caused by increased global movements in those products. In fact the only crop being farmed in the immediate area is sweet corn and the competition in that market is fierce because the crop can be grown in mucky soil conditions such as those in the vicinity of Lake Okeechobee. Sweet corn also has a limited growing season of about 90 days per year.

The only way the parcel would be appropriate for other forms of agriculture would be for the parcel to be filled to elevation of 11' or 12', i.e. by two to three feet. However, the cost to do so would not be justified by current crop prices. Further, there is cheaper land available. Illustratively, many container trees are grown on land leased from Florida Power and Light under its power lines.

Because of these physical and economic conditions, once the existing crop of oversized trees is cleared (either by sale or by bulldozer), it is exceedingly unlikely that the land will ever be put back into material agricultural use – either by the existing owner or any future owner. The changed economics of ornamental nurseries, and the constraints caused by the parcel size and proximity to residential use, make it impossible to viably use the parcel for the palm trees that can grow in its existing physical condition. It is not economically viable to fill the site so that it could be used for either fruit groves or container plants (much less for row crops). Thus, any purchaser of the property would be acquiring it *solely* for the purpose of holding it for future development potential, with any nominal agricultural use being to qualify for the agricultural exemption rather than a meaningful part of the agriculture industry.

Mr. Manuel Armada

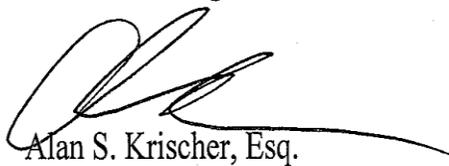
8/24/2017, 2017

Page 4

After our conversations with Mr. Diaz, we believe it would be helpful to arrange a meeting at the site – he would be able to provide far more information about the economics of farming the site directly, and being able to observe the physical conditions is enormously helpful in understanding the challenges that any farmer would face trying to make the site work. Please let me know if you would be willing to participate in an on-site meeting, and we would be happy to coordinate schedules for all the participants.

Sincerely,

Holland & Knight, LLP



Alan S. Krischer, Esq.

Cc: Mr. Jerry Bell
Mr. Garrett Rowe
Mr. Manuel C. Diaz
Mr. Andrew Dolkart
Joseph G. Goldstein, Esq.
Vanessa Madrid, Esq.

APPENDIX H

Homestead Air Reserve Base Comments

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DEPARTMENT OF THE AIR FORCE
AIR FORCE RESERVE COMMAND

RECEIVED



2017 JUL 18 A 8:23

PLANNING DIVISION

Lawrence Ventura, Jr.
Chief, Environmental Flight
29350 Westover Street, Bldg 232
Homestead ARB FL 33039-1299

Jerry Bell
Assistant Director for Planning,
Department of Regulatory and Economic Resources, Miami-Dade County
111 NW 1st Street, 12th Floor
Miami FL 33128

Dear Mr. Bell

Homestead Air Reserve Base (HARB) wishes to inform you of its concerns related to a recent application to Miami-Dade County that seeks to move the Urban Development Boundary and change the land use designation on several parcels. The application in question is Application 7 of the May 2017 amendment cycle to the County Comprehensive Development Master Plan (CDMP). The application area abuts the installation boundary and is partially overlaid by multiple airfield hazard and noise zones. The military impact assessment in Attachment 1 identified concerns regarding the land use changes.

The 482d Fighter Wing, the HARB host unit, flies the F-16C/D Fighting Falcon. Additionally, many other missions are conducted from the HARB airfield, including air defense conducted by the F-15s of the Florida Air National Guard, special operations by Special Operations Command, South, drug interdiction by U.S. Customs and Border Protection, rapid response by the U.S. Coast Guard, and training by the U.S. Army Parachute Team. Also, the Explosive Ordnance Disposal (EOD) team disposes of suspected explosive hazards gathered from a response area stretching from West Palm Beach to Key West.

The airfield mission contours are made public through the Air Installation Compatible Use Zone (AICUZ) report and are reflected in figures included in both County and City code. See Attachment 2 for an illustration of the military contours interacting with the CDMP application area. These noise contours are averages; individual noise events will sound much louder. Also, the depicted noise contours are particular to the F-16C/D; noise contours based on the F-16 replacement aircraft, the F-35, for example, are expected to exceed the current noise contours. Further, the AICUZ noise contours do not include noise associated with the EOD demolitions site, use of which has drawn community complaints.

The State of Florida has enacted legislation to protect the ability of installations to conduct their missions. Florida Statute 163.3175, *Legislative findings on compatibility of development with military installations*, noting that “the economic vitality of a community is affected when military operations and missions must relocate because of incompatible urban encroachment,” creates a number of protections that apply specifically to Homestead Air Reserve Base and Miami-Dade County, per F.S. 163.3175(2)(d). Further, F.S. 163.3177(6)(a), *Required and optional elements of comprehensive plan*, specifies future land use plan amendments shall be based, in part, on “the compatibility of uses on lands adjacent to or closely proximate to military installations.”

HARB’s stake in development in the application area is well-established in local law. Article XXXV, *Homestead Air Reserve Base Zoning*, of the Code of Miami-Dade County defines and illustrates the various mission contours and restricts development in those zones. The 2010 City of Homestead Airport Zoning Ordinance offers even more protection for the military mission. The City ordinance not only restricts the types and manner of development in hazard and noise zones, but also requires compatibility within the “Height and Hazard Zone,” which includes the application area.

HARB’s concern is increased by the fact that this application appears contrary to County policy as expressed in the CDMP. For example, CDMP Land Use Element paragraph LU-8G(i)(d) prohibits moving the UDB to include HARB Accident Potential Zones, which is the stated intent of the application. Additionally, the application appears inconsistent with paragraph LU-4I in the CDMP: “proposals for future land uses ... on land adjacent to the HARB and/or within the HARB Military Zone shall maintain or improve compatibility with HARB...”

As you know, southern Miami-Dade County has experienced a wave of urbanization in the past dozen years. HARB was historically located in an agricultural area that was lightly populated and was highly compatible with military operations. See comparative satellite images in Attachment 3. Urban growth up to installation boundaries, or into defined installation mission contours, is a concern for two reasons. First, the Air Force tries to minimize civilian risk exposure by seeking density and land usage limitations within mission contours. Second, an influx of new residents around other military installations in the nation has resulted in increased calls by the public to curtail the types and timing of military training and operations, resulting in a loss of mission capability. Installations have closed or had missions removed as a result of urbanization. HARB is grateful to Miami-Dade County for its efforts on behalf of the installation, but remains concerned that expansion of the UDB toward the installation and mission contours, and continued urbanization, will put the installation’s ability to train and operate on a negative trend line.

In summary, HARB has concerns from both a public safety and a mission sustainment perspective about the application. The installation has stood up an internal working group to coordinate our actions in this matter. I am available by phone at 786-415-7163 and by email at lawrence.ventura@us.af.mil.

Sincerely

A handwritten signature in black ink, appearing to read 'L. Ventura, Jr.', written in a cursive style.

LAWRENCE VENTURA, JR
Encroachment Manager

3 attachments:

1. HARB Mission Impact Assessment, 14 July 17
2. Figure of proposed land use changes and military contours, 30 June 17
3. Figure of comparative satellite imagery of local HARB development, 13 July 17

cc:

Mr. Garrett Rowe, Supervisor – CDMP, Miami-Dade County
Mr. Joe Corradino, Director, Planning and Zoning Division, City of Homestead
Mr. Ray Eubanks, Plan Processing Administrator, Department of Economic Opportunity
Ms. Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council



DEPARTMENT OF THE AIR FORCE
AIR FORCE RESERVE COMMAND



17 July 2017

MEMORANDUM FOR RECORD

FROM: 482 FW/CC

SUBJECT: Mission Impacts from the Changes Proposed by Application 7 of the May 2017 Comprehensive Development Master Plan (CDMP) Amendment Cycle of Miami-Dade County

1. Homestead Air Reserve Base (HARB) has coordinated with mission partners to identify mission impacts resulting from the changes proposed by Application 7 of the May 2017 Comprehensive Development Master Plan (CDMP) Amendment Cycle of Miami-Dade County.
2. The following impacts were identified:
 - a. **Potential loss of or restricted approach procedures for Runway 06 (RWY06) which restricts or eliminates the opportunity for aircraft to takeoff or land during poor weather conditions.** The Tactical Air Navigation System (TACAN) approach procedure for RWY06 has obstacle clearance restrictions required to pass a Federal Aviation Administration (FAA) Flight Check which deems the instrument approach usable. Any buildings, towers, or other structures built in the application area may affect the instrument approach procedure which may eliminate the ability for aircraft to takeoff or land. This affects real-world 24/7/365 air sovereignty alert missions executed by the Florida Air National Guard (FANG) F-15s and Customs and Border Protection (CBP). In addition, it affects daily flight training missions along with normal transient aircraft operations.
 - b. **Potential noise restrictions disallowing afterburner/military power takeoffs.** If the UDB is moved which allows the construction of office buildings, hotels, and housing for the elderly (proposed uses) off of the departure end of Runway 24 (RWY24), departures to the southwest will create unacceptable noise levels creating health and safety impacts to the community. Additionally, future base growth and Combat Air Forces bed down, such as the fifth generation fighter aircraft will not be acceptable to the population living and working within the urbanized application area. The proposed land use regulatory change will restrict current operations and future base growth.
 - c. **Simulated Flameout Landing (SFO) training would be restricted to RWY06 only.** Currently, RWY24 SFO patterns use right hand turnouts to setup for a left base to avoid the Miami-Dade Landfill bird activity. This would deny any SFO training during RWY24 operations. SFO training has a 3 month currency for pilots and is also accomplished to complete instrument check rides which are required by each pilot every 18 months. HARB would lose its operational readiness by 25 percent if this training is not accomplished.

- d. **Anti-Terrorism/Force Protection (AT/FP).** The proximity of the application area, especially Land Parcel B, poses a security concern to HARB missions and assets to include: CBP, U.S. Special Operations Command, South (USSOCSOUTH), FANG, Operation Noble Eagle (ONE), and the U.S. Coast Guard (USCG). Additionally, access to the canal which runs through Land Parcel B and HARB would need to be addressed and mitigated as new threats emerge.
 - e. **Operational Security (OPSEC).** Structures which have an unobstructed, elevated view of the base will provide a significant OPSEC concern for HARB, CBP, USSOCSOUTH, FANG, ONE, and USCG unless extensive mitigation factors are incorporated. Additionally, due to the nature of zoning or possible business tenants of the proposed UDB, electronic surveillance of HARB and its tenant units would also be a significant concern.
 - f. **EOD range.** The proposed urbanization will increase the number of people in the vicinity of the Explosive Ordinance Disposal (EOD) site. Training and operational use of this site has drawn noise complaints from the neighboring community. Increased numbers of people may increase the frequency and number of complaints. Increasing public pressure to limit or constrain use of the EOD range may result in loss of mission capability for this regional asset.
 - g. **Munitions storage (future mission).** HARB has the only munitions storage site that is owned, maintained, and operated by Air Force Reserve Command (AFRC). Future missions or weapon systems may require modifications to the Explosive Clear Zone. Development of neighboring parcels based on existing Explosive Clear Zones may constrain the ability of the installation to accept future missions or future weapon systems. This not only affects Homestead ARB but AFRC munitions capabilities across the board.
 - h. **Munitions storage (safety).** The application area of this proposal lies outside of the Explosive Clear Zone. However, this is a minimum safety distance. Other DoD guidance notes, "These separation distances do not provide absolute safety or protection," and urge, "Greater distances than those in the QD tables should be used if possible," per US Army Technical Center for Explosives Safety's Tactical Explosives Safety Quick Reference Guide, Revision 7, March 2016. Therefore, to protect the citizenry of Homestead and to ensure full mission capability, HARB's preference is for low density and low urbanization in areas outside the Explosive Clear Zone.
3. In conclusion, identifiable concerns exist regarding the land use changes proposed by Application 7 of the May 2017 CDMP amendment cycle. HARB leadership and its tenants remain committed to executing their real-world air operations missions and daily training missions, and are grateful for the outpouring of support of our troops from Miami-Dade County and the City of Homestead. As always, HARB remains committed to successful military operations and successful community relations.

4. Any questions or the need for any additional information should be directed to my POCs, Col Michael Lesman michael.lesman@us.af.mil DSN 535-6359, Lt Col Josephy Feheley joseph.feheley@us.af.mil DSN 535-8722, and Mr. Jonan Fichera, jonan.fichera@us.af.mil DSN 535-6718.

A handwritten signature in black ink, appearing to read 'DP Garfield', with a large, stylized loop at the end.

DAVID P. GARFIELD, Colonel, USAF



Although every effort has been made to ensure the accuracy of information, errors or omissions may occur. The City of Homestead is not responsible for any errors or omissions. The City of Homestead is not responsible for any errors or omissions. The City of Homestead is not responsible for any errors or omissions.

Removal of title
 This is a preliminary map.
 For Official Use Only.

DATE OF PRINTING
 10/10/2014 11:14 AM
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Investigative representation, professional certification, or signature of the preparer is required for this map to be used for any other purpose. The City of Homestead is not responsible for any errors or omissions. The City of Homestead is not responsible for any errors or omissions.

HARB Military Zones & Proposed County Land Use Changes

Homestead Air Reserve Base

Legend

- 65-69 dB
- 70-74 dB
- Explosive Clear Zone
- Accident Potential Zone 1
- Clear Zone Surface
- URBAN DEVELOPMENT BOUNDARY
- PROPOSED URBAN DEVELOPMENT BOUNDARY
- HARB
- HOMESTEAD CITY LIMITS
- Imaginary Surface Height

City of Homestead
 10000
 0 100 200 300 400 500 600 700 800 900 1000

Scale: 1 inch = 100 feet
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City of Homestead
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Urban growth, 1984 - 2016

- Nearby residential development in 1984 was largely within the boundary of then-Homestead Air Force Base, which was downsized after 1992's Hurricane Andrew
- White circles approximate application parcels



- Imagery credit: Google Earth Engine Timelapse

APPENDIX I

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. 7 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

The subject property is located outside of the Department's waste collection service area. The requested amendment will have no impact or any associated costs relative to Solid Waste Collection and Disposal services and facilities; therefore, the DSWM has no objection to the proposed changes.

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 Parcel A (±46.42 gross acres) of the application site from "Agriculture" to "Business and Office"; Parcel B (±81.35 gross acres) from "Agriculture" to "Institutions, Utilities and Communications"; and Parcel C (±27.44 gross acres) to remain designated "Agriculture." The applicant also requests to expand the 2020 Urban Development Boundary (UDB) to include the application site.

Under the proposed CDMP land use designations, Parcel A of the application site could be developed with a maximum of 793,837 square feet of commercial uses, Parcel B would retain its existing residential development of 296 dwelling units, and Parcel C could be developed with a maximum of 5 single-family detached homes. If the application site is developed with these maximums, the water connection charges/impact fees would total \$111,872; the sewer connection

charges/impact fees would total \$450,709; and the water service line and meter connection fees would total \$1,300. The annual operating and maintenance cost is estimated at \$98,426.

The estimated cost of installing the required 100 linear feet of 8-inch water main, the 100 linear feet of 12-inch water main, and the 2,620 linear feet of 16-inch water main for the proposed development to connect to the County's regional water system is estimated at \$1,237,420. The estimated cost of installing the required 50 linear feet of 8-inch sanitary force sewer main is \$17,100. In addition, a public pump station is required at an estimated cost of \$1,000,000. The total potential cost for connecting to the regional water and sewer system including engineering fees (10%) and contingency fees (15%) is estimated at \$2,254,520.

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.

Fire Rescue

Currently, fire and rescue service in the vicinity of the subject site is adequate. Based on the current call volume for Station No. 66, and as a result of existing stations within close proximity of the subject application, all stations combined are capable of mitigating the additional number of alarms. Additional stations include Station No. 65 (East Homestead) located at 1350 SE 24 Street, Station No. 6 (Modello) located at 15890 SW 288 Street, and Station No. 16 (Homestead) located at 255 NW 4 Avenue.

APPENDIX J

Photos of Site and Surroundings

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