

<h1>Application No. 2</h1> <h2>Commission District 7 Community Council 12</h2>

APPLICATION SUMMARY

Applicant/Representative:	6900 Bird Owner, LLC / Joseph G. Goldstein, Esq., & Tracy R. Slaven, Esq. Holland & Knight, LLP 701 Brickell Avenue, Suite 3300
Location:	West of SW 69 Avenue between SW 40 and 44 Streets
Total Acreage:	±3.86 Net Acres
Current Land Use Plan Map Designation:	"Medium Density Residential (13 to 25 DU/Ac.)" and "Business and Office"
Requested Land Use Plan Map Designation:	1. "Special District - Ludlam Trail Corridor District" 2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.
Amendment Type:	Small-Scale
Existing Zoning District/Site Condition:	RU-1, RU-4M and BU-2 / vacant lot and a 19,000 sq. ft. U.S. Post Office

RECOMMENDATIONS

Staff:	ADOPT AS A SMALL-SCALE AMENDMENT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (March 2018)
Kendall Community Council (12):	DENY (March 20, 2018)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	ADOPT AS A SMALL-SCALE AMENDMENT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (April 9, 2018)
Final Action of Board of County Commissioners:	TO BE DETERMINED (April 25, 2018)

Staff recommends to **ADOPT with Acceptance of the Proffered Declaration of Restrictions** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map to redesignate the ±3.86 gross-acre application site from “Medium Density Residential (13 to 25 DU/Ac.)” and “Business and Office” to the “Special District-Ludlam Trail Corridor District” land use category for the following reasons:

Principal Reasons for Recommendation:

1. The application proposes redevelopment of the site consistent with the CDMP provisions for redevelopment. Objective LU-1, Policy LU-1C and Policy LU-10A of the CDMP Land Use Element require the County to give priority to infill development and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where urban services and facilities have the capacities to accommodate additional demand. Under the current CDMP land use designations of “Business and Office” and “Medium Density Residential,” the application site could be developed with a maximum of 96 multi-family dwelling units or with 83 multifamily dwelling units and 8,886 square feet of retail. Under the applicant’s requested CDMP land use designation of “Special District – Ludlam Trail Corridor District,” the application site could be developed with a maximum of 420,354 square feet of office use or with 231 multi-family dwelling units. As discussed in Principal Reason No. 4(ii) below, public services and facilities are adequate to service the proposed development, thus, approval of the application would not cause a violation of the adopted level of service standards for public services and facilities.
2. Approval of the application would be generally consistent with the criteria for evaluating Land Use Plan map amendment applications pursuant to Policy LU-8E of the CDMP Land Use Element. Policy LU-8E requires Land Use Plan (LUP) map amendment applications to be evaluated according to factors such as (i) the ability of the proposed amendment to satisfy a deficiency in the LUP map to accommodate projected population or economic growth of the County, (ii) impacts to County facilities and services, (iii) compatibility with abutting and nearby land uses, (iv) impacts to environmental and historical resources, and (v) the extent to which the proposed land use would promote transit ridership and pedestrianism pursuant to Objective LU-7 and associated policies. Each factor is discussed below.
 - i. *Need to Accommodate Economic or Population Growth:* The requested redesignation to “Special District - Ludlam Trail Corridor District” could satisfy a deficiency in the Land Use Plan map to accommodate projected population growth. Residential, commercial and the mixing of residential and commercial uses, in addition to offices and hotels are allowed in the Special District Corridor. In Minor Statistical Area (MSA) 5.3, where the application site is located, the annual average demand for housing is projected to increase from 235 housing units per year in the 2017-2020 period to 300 housing units in the 2025-2030 period. An analysis of the residential capacity by type of dwelling units shows the depletion of multi-family type units occurring beyond 2030. Furthermore, the supply of residential land for both single-family and multi-family units is projected to be depleted by the year 2029. The application could add approximately 1 year of supply or 231 residential units. Therefore, approval of the application would satisfy a demand for housing thereby accommodating present and future population growth in the subject MSA.

Approval of the application could also accommodate economic growth in the area as the requested land use designation allows for a mix of uses including commercial uses. MSA 5.3 currently contained ± 14.40 acres of vacant land zoned or designated for commercial uses. The annual average absorption rate of commercial uses in the subject MSA for the 2017-2030 period is ± 1.16 acres per year. At the projected rate of absorption, the subject MSA will deplete its supply of commercially zoned or designated land in year 2029. Furthermore, an analysis of the trade area conducted at 1.5 mile radius from the application site shows that there are only ± 2.80 acres of vacant land zoned or designated for commercial use. Therefore, approval of the application would facilitate commercial development on the application site thereby accommodating projected future economic growth in the subject MSA and be of benefit to the area.

- ii. *Public Facilities and Services:* Approval of the application would be consistent with the CDMP Capital Improvements Element Objective CIE-3 that requires CDMP land use decisions not cause a violation in adopted level of standards for public facilities and services. The impacts that would be generated from the maximum development allowed on the application site, if the application is approved, would not cause a violation in the adopted level of service standards for public facilities and services.
- iii. *Compatibility:* The requested CDMP land use designation of "Special District - Ludlam Trail Corridor" would generally be compatible with the CDMP land use designations in the vicinity of the application site. Uses that would be allowed on the site, if the application were approved, include residential and commercial uses, the mixing of commercial with residential uses, office and hotels. Therefore, the allowable uses on the application site, under the proposed CDMP land use category, would be compatible with the existing CDMP land use categories of "Business and Office" and "Medium Density Residential" of properties abutting to the east of the application site. The allowable uses on the application site, under the proposed CDMP land use category, would also be compatible with CDMP land use category of "Business and Office" in the area adjacent to the north of the site, across SW 40 Street, and with the "Medium Density Residential" CDMP land use category in the area adjacent to the south.

Maximum development on the application site, under the proposed CDMP land use category, which includes multi-family housing at 90 units per acre and commercial uses would also be compatible with the small retail operations and residential uses that currently exist in the vicinity of the application site. For instance, properties adjacent to the north of the site, across SW 40 Street, are a carwash facility, a cafeteria, a coin laundry and an insurance company. Properties adjacent to the west of the site, fronting SW 70 Court, are vacant lots and warehouses; further west, along SW 40 Street, is a Burger King and a Public Storage facility. Adjacent to the southeast of the site, fronting SW 69 Avenue, are townhomes that are in good condition; further south, across SW 44 Street, is the Ludlam Point apartment complex.

- iv. *Environmental and Historic Resources:* The subject application, if approved, would not impact any historic or archaeological resources on the site, but could impact environmental resources. The application site contains specimen-sized trees (trunk diameter 18 inches or greater) that are to be preserved pursuant to Section 24-49.2(II) of the Code of Miami-Dade County.

Furthermore, the application site is located within the US Fish & Wildlife Service (USFWS) consultation area for the federally endangered Florida Bonneted Bat. The site

provides a combination of open land and tree resources where foraging or roosting by the bonneted bat has been documented. Also, the site is adjacent to properties where significant Florida Bonneted Bat activity has been documented. The applicant is advised to include in the proffered Declaration of Restrictions that consultation with the USFWS and state wildlife agencies to mitigate any negative impacts to the Florida Bonneted Bat shall be accomplished well before development proposals on the site are finalized.

- v. *Transit Ridership and Pedestrianism:* The proposed uses on the application site would support transit ridership and promote pedestrianism. CDMP Land Use Element Policy LU-8E(v) states (page I-16), "If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein."

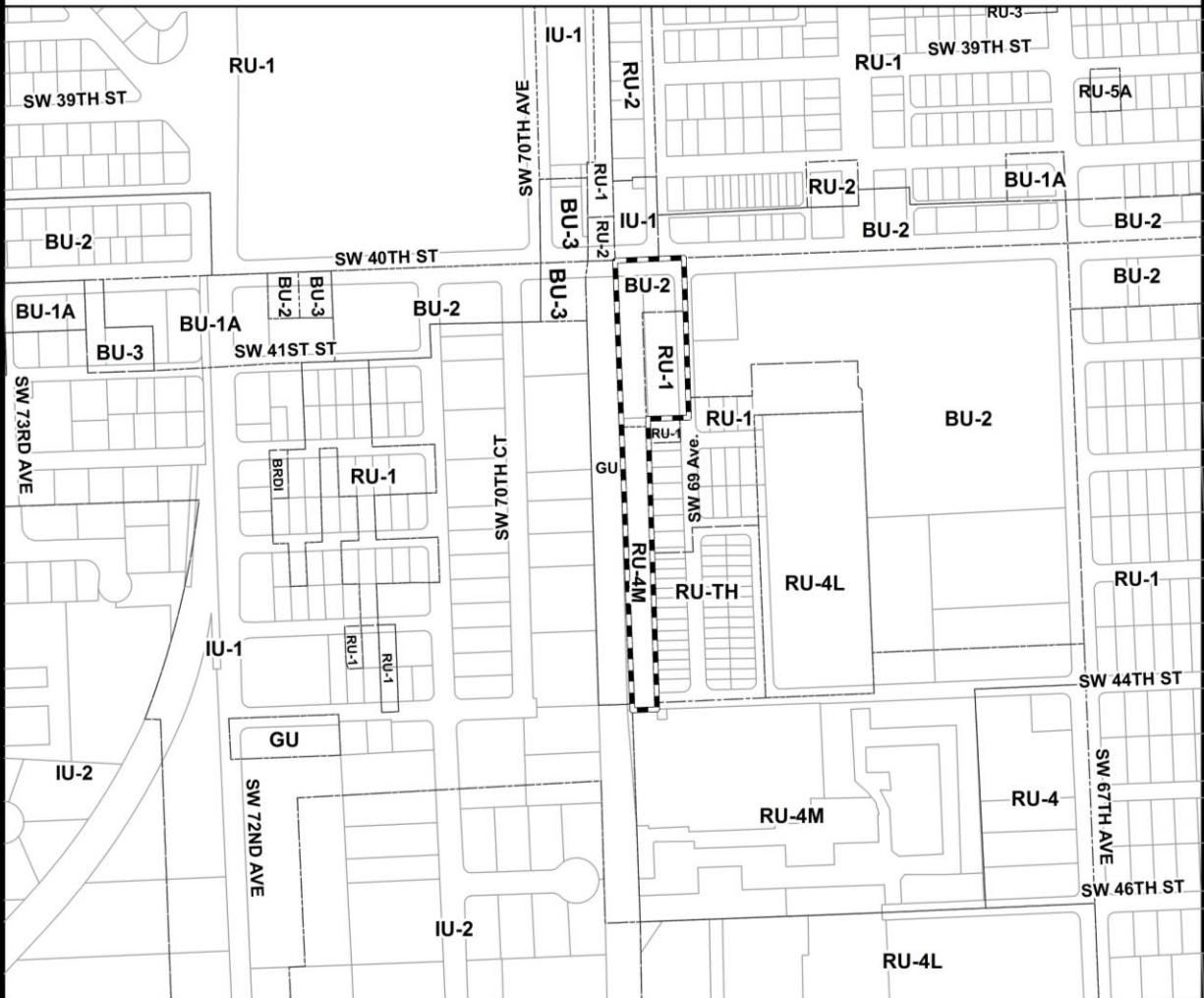
Metrobus Route 40 provides local route and feeder service to Metrorail to the general area, where the application site is located, at 15 minutes headways during peak hours (AM/PM). There is a bus stop on the application site. Therefore, the proposed land use complies with the CDMP requirement for a site to be located within a ¼ mile from a bus stop to be considered a land use that would support transit ridership and pedestrianism.

Furthermore, the purpose of the Ludlam Trail Corridor District is to provide opportunities for physical activity and enhance mobility in the County by facilitating the conversion of the former FEC railway corridor with a continuous pedestrian and bicycle trail and other development including residential, retail and offices at designated areas. Development of the Corridor with the proposed commercial and residential uses would contribute to this objective by providing a link between the recreational trail segments and the local communities.

APPLICATION NO. 2 AERIAL PHOTO



APPLICATION 2 ZONING MAP



APPLICATION AREA

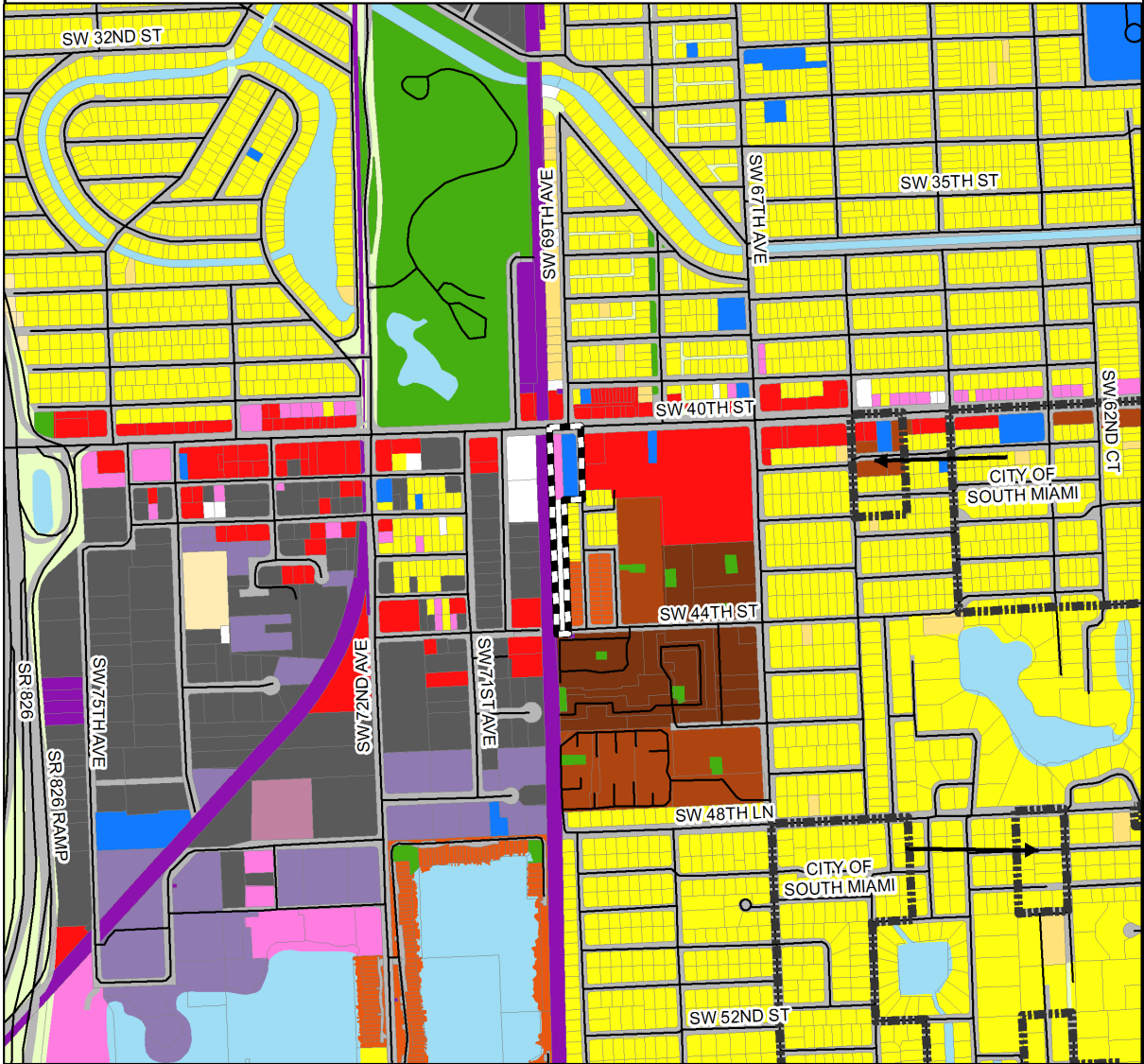
Source: Department of Regulatory and Economic Resources
January 2017

MIAMI-DADE ZONING DISTRICTS

BRDI	BIRD ROAD DESIGN AND INDUSTRIAL DISTRICT
BU-1A	BUSINESS DISTRICTS, LIMITED
BU-2	BUSINESS DISTRICTS, SPECIAL
BU-3	BUSINESS DISTRICTS, LIBERAL
GU	INTERIM DISTRICT
IU-1	INDUSTRIAL DISTRICTS, LIGHT MANUFACTURING
IU-2	INDUSTRIAL DISTRICTS, HEAVY MANUFACTURING
RU-1	SINGLE-FAMILY RESIDENTIAL
RU-2	TWO-FAMILY RESIDENTIAL DISTRICT
RU-3	FOUR-UNIT APARTMENT DISTRICT
RU-4	HIGH DENSITY APARTMENT HOUSE DISTRICT
RU-4L	LIMITED APARTMENT HOUSE DISTRICT
RU-4M	MODIFIED APARTMENT HOUSE
RU-5A	SEMI-PROFESSIONAL OFFICE
RU-TH	TOWNHOUSE



APPLICATION NO. 2 EXISTING LAND USE



APPLICATION AREA



MUNICIPAL BOUNDARY

EXISTING LAND USE

SINGLE-FAMILY

TWO-FAMILY DUPLEXES

TOWNHOUSES

LOW-DENSITY MULTI-FAMILY

COMMERCIAL, SHOPPING CENTERS

OFFICE

INSTITUTIONAL

INDUSTRIAL

INDUSTRIAL INTENSIVE

COMMUNICATIONS, UTILITIES, TERMINALS

STREETS, ROADS, EXPRESSWAYS, RAMPS

STREETS RIGHT OF WAY

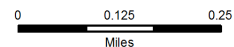
PARKS, PRESERVES, CONSERVATION AREAS

VACANT GOVERNMENT OWNED, UNPROTECTED

VACANT PRIVATELY OWNED, UNPROTECTED

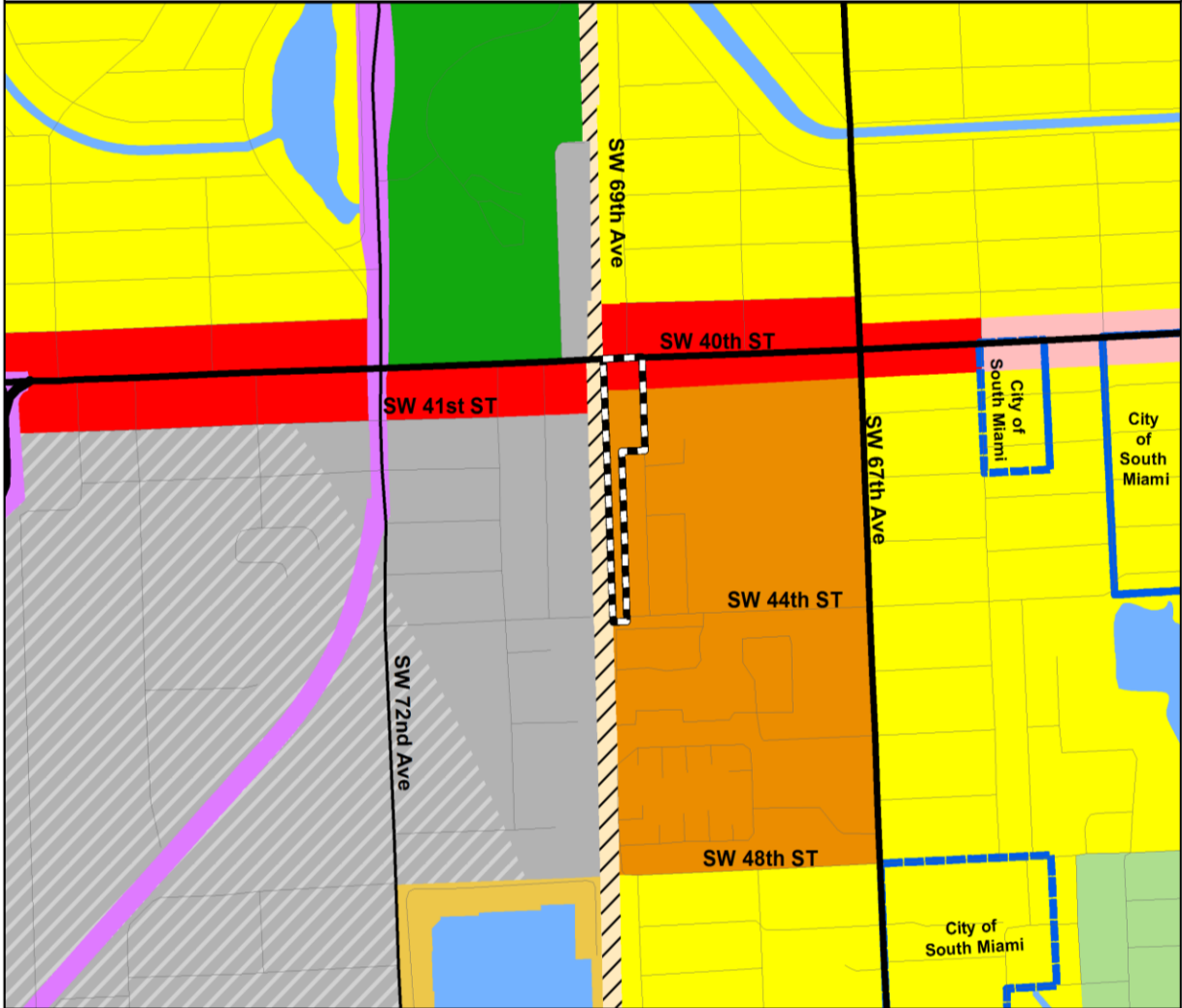
INLAND WATERS

Source: Department of Regulatory and Economic Resources
January 2017

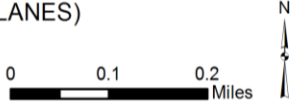
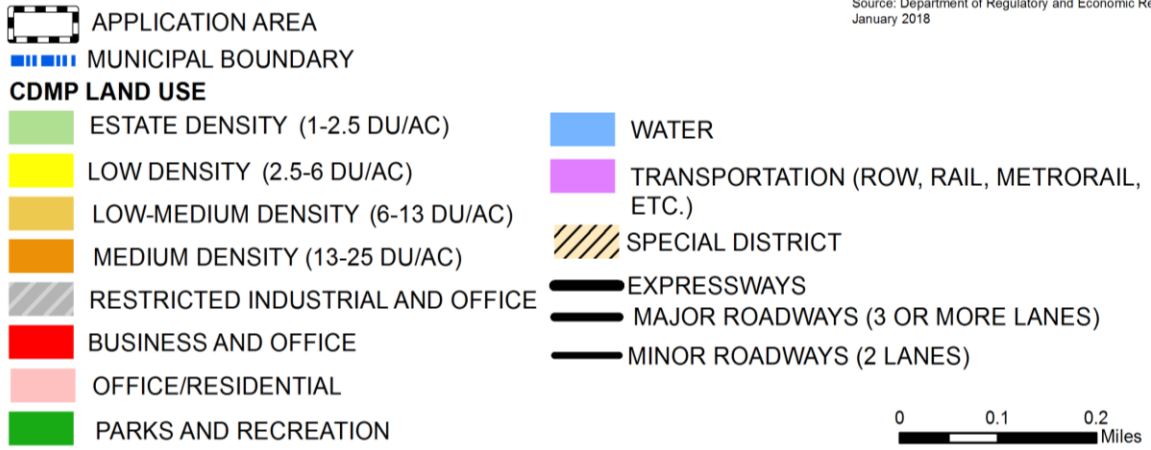


APPLICATION NO. 2

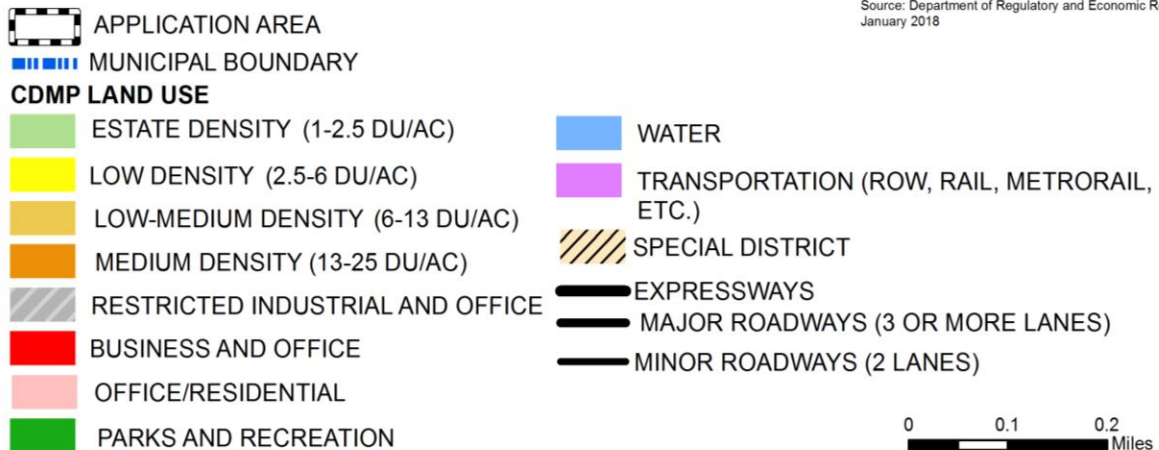
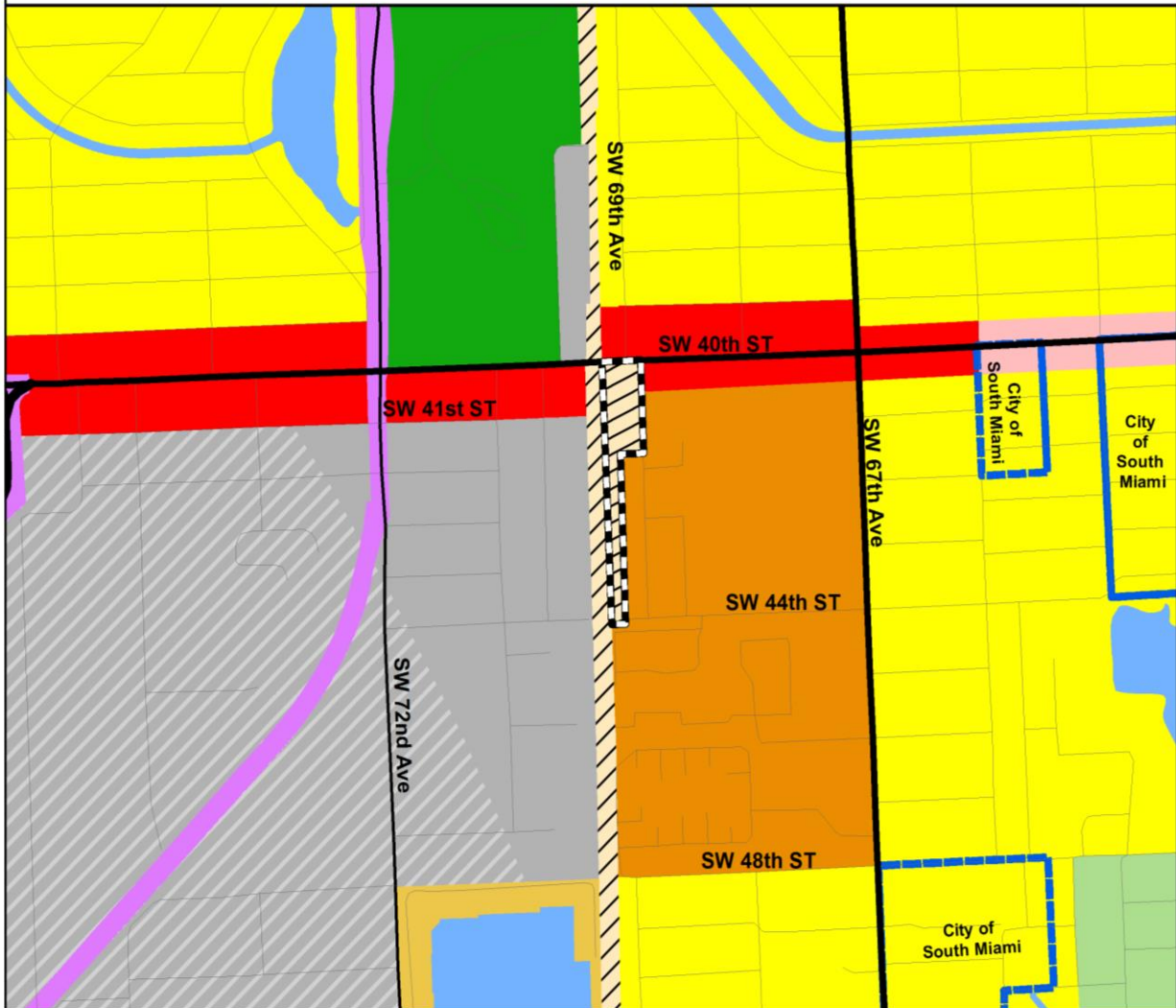
CDMP LAND USE



Source: Department of Regulatory and Economic Resources
January 2018



APPLICATION NO. 2 PROPOSED CDMP LAND USE



Source: Department of Regulatory and Economic Resources
January 2018



STAFF ANALYSIS

Application Site

Background

On July 19, 2017, Miami-Dade Board of County Commissioners (Board) adopted the May 2015 Cycle Application No. 9 (Ordinance No. 17-54) creating a new CDMP land use category titled “Special District” that would be applied to properties with unique characteristics that warrant special land use considerations. The application further amended the interpretive text of the CDMP Land Use Element to create the “Ludlam Trail Corridor District” within the “Special District” land use category. The new CDMP land use designation of “Special District” was applied to the former Florida East Coast (FEC) Railway South Little River Branch spur-line, an approximately 5.8-mile segment (± 68.2 acres) that is generally ± 100 feet wide and extends from SW 80 Street to approximately 400 feet north of NW 7 Street, along theoretical NW/SW 69 Avenue (the “Ludlam Trail Corridor District”). The former FEC railroad corridor is to be developed into a continuous, publicly-accessible pedestrian and bicycle trail, with private development at appropriate locations of the corridor, in a manner that would be compatible with adjacent uses.

Private development in the Corridor is limited to four Development Areas, each of which has its own land use provisions. There are four Development Areas throughout the “Special District Corridor” consisting of the Blue Lagoon Development Area, located between NW 7 Street and the Tamiami Canal; the Tamiami Trail Development Area, located between SW 8 Street and SW 12 Street; the Coral Way Development Area located along both sides of SW 24 Street; and the Bird Road Development Area located on both sides of SW 40 Street and extending southward to just north of SW 48 Street. The remaining portions of the Corridor, including all segments that abut the single family residential neighborhoods, are designated for recreational trail use. This application seeks to add the ± 3.86 -acre application site to the Bird Road Development Area further discussed below.

Location

The application site is a ± 3.86 -acre property comprised of three lots located west of SW 69 Avenue between SW 40 and SW 44 Streets, in unincorporated Miami-Dade County (see “Aerial Photo” on page 2-5). The application site is within the County’s Urban Infill Area (UIA), where infill development and redevelopment are prioritized. Furthermore, the subject property abuts the Ludlam Trail Corridor District adjacent to the Corridor’s Bird Road Development Area.

Existing Land Use

The northern ± 1.8 acre portion of the application site, the lots that front SW 40 Street, are currently developed with a $\pm 19,000$ square feet U.S. Post Office facility and a $\pm 1,000$ square feet commercial building that is unoccupied. The remaining portion of the application site is vacant (see “Aerial Photo” on page 2-5).

Land Use Plan Map Designation

The northernmost ± 0.51 acre portion of application site, that front SW 40 Street, is currently designated “Business and Office” on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map, and the remaining ± 3.35 acre portion of the site is designated “Medium Density Residential” (see “CDMP Land Use” map on page 2-8). Uses allowed in areas designated “Business and Office” on the LUP map include the full range of sales and service activities such as retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, entertainment, cultural facilities and residential uses. The “Medium

Density Residential” CDMP land use category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this CDMP land use category include townhouses, low-rise and medium-rise apartments.

The applicant requests to redesignate the application site on the LUP map from “Business and Office” and “Medium Density Residential” to “Special District - Ludlam Trail Corridor District” (see “Proposed CDMP Land Use” map on page 2-9). As previously stated, the application site abuts the Bird Road Development Area of the Corridor. Uses allowed in the Bird Road Development Area include residential and commercial uses, the mixing of commercial with residential use, office and hotels. Within the Bird Road Development Area, residential development is allowed at a maximum density of 90 dwelling units per gross acre and non-residential development at a maximum Floor Area Ratio of 2.5, with building heights limited to a maximum of six (6) stories, with an additional two stories where a recreational trail is provided.

Under the current CDMP land use designations of “Business and Office” and “Medium Density Residential,” the application site could be developed with a maximum of 96 multi-family dwelling units or with 83 multifamily dwelling units and 8,886 square feet of retail. Under the applicant’s requested CDMP land use designation of “Special District – Ludlam Trail Corridor District” the application site could be developed with a maximum of 420,354 square feet of office use or with 231 multi-family dwelling units.

However, it must be noted that the actual densities or intensities of development approvable on a given site may be significantly lower than the maximum development allowed, where necessary, to conform to an overriding Plan policy, or to ensure compatibility of the proposed development with its surrounding land uses. Therefore, the total permissible development may be significantly less than the maximum development allowed under the CDMP due to land use compatibility and other site-related considerations.

In accordance with the CDMP text, on page I-51.1, all portions of the Ludlam Trail Corridor shall have received final abandonment approval from the U.S. Surface Transportation Board prior to the issuance of the first building permit for vertical construction within the Development Areas.

Declaration of Restrictions

On February 16, 2018, the applicant proffered a Declaration of Restrictions which restricts development on the application site as follows: 1) development of the property shall be limited to those uses allowed within the Bird Road Development Area, as reflected in the CDMP; 2) the combination of uses on the property shall not generate more than the anticipated 446 PM peak hour trips; 3) ultimate development of the program for the property will be established at the time of site plan approval; and 4) subsequent development orders and development permits, including future amendments to site plan approvals, may not authorize development within the property in excess of the “trip cap.”

The applicant is advised that the projected 446 PM peak hour trip stated in the proffered Declaration of Restrictions must correspond with the PM peak hour trips stated in staff’s analysis (see page 2-25 on this report).

Zoning

The application site is currently zoned BU-2 (Special Business) on the portion of the property fronting SW 40 Street, and RU-4M (Modified Apartment House) and RU-1 (Single-Family Residential) and on the remainder of the property. The RU-1 Zoning District permits residential development on 7,500 square feet net lots. The RU-4M Zoning District permits 35.9 apartment

type dwelling units per net acre, and the BU-2 Zoning District permits large scale commercial developments; such as, regional malls and office parks, which serve the needs of large urban areas (see “Zoning” map on page 2-6).

Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938. On October 26, 1948, Miami-Dade Board of County Commissioners (Board) adopted Resolution No. 3003 approving zoning district boundary changes on the entire Section 23-54-40 lying between SW 67 Avenue and SW 77 Avenue, from SW 40 Street to SW 56 Street, which included the subject property. The zoning district was changed on the site from GU (Interim) to RU-1B (1 Family Residential). On December 6, 2005, the Community Council Appeals Board (12) adopted Resolution No. CZAB12-35-05 approving a zoning district boundary change on a portion of the application site 491' south of SW 40 Street, west of SW 69 Avenue and east of the FEC railway right-of-way from GU to RU-4L (Limited Apartment House). On October 13, 2015, the Community Council Appeals Board (12) adopted Resolution No. CZAB12-25-15 approving a zoning district boundary change on a portion of the site at 6950 SW 40 Street from RU-4L to RU-4M (Modified Apartment House). On December 13, 2016, the Community Council Appeals Board (12) adopted Resolution No. CZAB12-13-16 approving a zoning district boundary change on a portion of the application site at 4090 SW 69 Avenue from RU-4M to RU-1 (Single Family Residential).

Adjacent Land Use and Zoning

Existing Land Uses

The area surrounding the application site is characterized by small retail, light industrial operations and single- and multi-family residential uses. For instance, properties adjacent to the north of the application site, across SW 40 Street, are a carwash facility, a cafeteria, a coin laundry and an insurance company. Abutting to the west of the application site is a segment of the FEC Railway South Little River Branch spur-line (the Ludlam Trail Corridor) that is currently not in use for railroad purposes. Further west of the site, fronting SW 70 Court, are vacant lots and warehouses. Further west, along SW 40 Street, is a Burger King and a Public Storage facility. Adjacent to the east of the site, across SW 69 Avenue and along SW 40 Street, is a Wendy's Restaurant; further east is the Bird Ludlam shopping plaza, which include various retail and business operations such as the Goodwill Stores, a Pet Supermarket, liquor store, Jiffy Lube, a CVS Pharmacy a Winn Dixie and other small retail stores. In addition, there are single family residential structures to the east of the site that are in good condition. Adjacent to the southeast of the site, fronting SW 69 Avenue, are townhomes that are in good condition; further south, across SW 44 Street, is the Ludlam Point apartment complex.

Land Use Plan Map Designations

The area adjacent to the north of the application site, across SW 40 Street, is designated “Business and Office” on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map. The area adjacent to the northwest of the site is designated “Industrial and Office” and “Special District – Ludlam Trail Corridor District.” The area adjacent to the east of the site, is designated “Business and Office” and “Medium Density Residential.” The area adjacent to the south is designated “Medium Density Residential. The area adjacent to the west of the site is designated “Special District – Ludlam Trail Corridor District”; further west, the area is designated “Business and Office” and “Industrial and Office” (see “CDMP Land Use” map on page 2-8).

Zoning

Properties located to the east of the application site, between SW 40 and SW 44 Streets, are zoned RU-1 (Single-Family Residential), RU-TH (Townhouse), RU-4L (Limited Apartment House) and BU-2 (Special Business). Properties abutting to the south of the site are zoned RU-4M (Modified Apartment House). The property abutting to the west of the site is zoned GU (Interim); further west, properties are zoned IU-1 (Light Manufacturing) and BU-3 (Liberal Business). Properties adjacent to the north of the site, across SW 40 Street, are zoned RU-2 (Duplexes), IU-1, BU-2 and BU-3(see “Zoning” map on page 2-6).

Supply and Demand Analysis

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

Residential

In MSA 5.3, where the application site is located, the combined vacant land for single-family and multi-family residential development in late 2017 was estimated to have a capacity for about 2,841 dwelling units, with about 87 percent of these units intended for multi-family uses. The annual average residential demand in this MSA is projected to increase from 235 units per year in the 2017-2020 period to 300 units in the 2025-2030 period. An analysis of the residential capacity by type of dwelling units shows the depletion of single-family and multi-family types of units occurring in 2019 and beyond 2030, respectively (see “Residential Land Supply/Demand Analysis”). The supply of residential land for both single-family and multi-family units is projected to be depleted by the year 2029.

Residential Land Supply/Demand Analysis
2017 to 2030: (MSA 5.3)

ANALYSIS DONE SEPARATELY FOR EACH TYPE, I.E. NO SHIFTING OF DEMAND BETWEEN SINGLE & MULTI-FAMILY TYPE	STRUCTURE TYPE		
	SINGLE-FAMILY	MULTIFAMILY	BOTH TYPES
CAPACITY IN 2017	359	2,482	2,841
DEMAND 2015-2020	155	80	235
CAPACITY IN 2020	0	2,242	2,136
DEMAND 2020-2025	171	89	260
CAPACITY IN 2025	0	1,797	836
DEMAND 2025-2030	197	103	300
CAPACITY IN 2030	0	1,282	0
DEPLETION YEAR	2019	2030+	2029

Residential capacity is expressed in terms of housing units.

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

Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Planning Research and Economic Analysis Section, February 2018

The table above addresses the residential land supply and demand in MSA 5.3 without the effect of the projected CDMP amendment. The subject application is requesting a change from Medium Density Residential and Business and Office to “Special District – Ludlam Trail Corridor

District.” Given the existing capacity in MSA 5.3, approval of this application would increase the supply multi-family units by approximately 231 units, but it will not have a significant impact on the on the depletion year for multi-family units or the overall depletion year for the subject MSA.

Commercial

MSA 5.3 contained 578.80 acres of in-use commercial uses in 2017 and an additional 14.40 acres of vacant land zoned or designated for business uses. The annual average absorption rate for the 2017-2030 period is 1.16 acres per year. At the projected rate of absorption, the subject MSA will deplete its supply of commercially zoned or designated land in year 2029 (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 Rate 2017-2030 (Acres)	Projected Year of Depletion	Total Commercial Acres per Thousand Persons	
					2020	2030
MSA 5.3	14.40	578.80	1.16	2029	4.5	4.3

Source: Miami-Dade County, Regulatory and Economic Resources Department, Planning Division, Planning Research and Economic Analysis Section, February 2018.

Trade Area Analysis

An analysis of the trade area was conducted around 1.5 mile radius from the application site. The result of the analysis, excluding the application site area, shows that there are 206.21 acres in existing commercial uses, and 2.80 acres of vacant commercially zoned or designated land (see “Trade Area Analysis” table and the “Trade Area Map” below).

Trade Area Analysis			
Application	Trade Area Radius	Vacant Commercial Land (Acres)	Commercial Acres in Use 2017
2	1.5	2.80	206.21

Source: Miami-Dade Department of Regulatory and Economic Resources, Planning Division, Research Section, February 2018

[illegible]

Environmental Conditions

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

Environmental Conditions:

Flood Protection

Federal Flood Zone	AH and X
Stormwater Management Permit	DERM Surface Water Management Standard Permit
County Flood Criteria, National Geodetic Vertical Datum (NGVD)	7.5 feet

Biological Conditions

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

Other Considerations

Within Wellfield Protection Area	No
Contaminated Site	No DERM records/abutting contaminated site

Pollution Remediation

There are no DERM records of current or historical contamination issues on the property. However, the site is abutting a contaminated site identified as Ludlam Trail Corridor (DERM file HWR-836).

Drainage and Flood Protection

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

The subject property is located within a Special Flood Hazard area identified as Zone AH and Zone X in the 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 7.5 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 non-residential.
- County Flood Criteria 7.5 feet NGVD, plus 8 inches for residential, or plus 4 inches for non-residential.

- Elevation of the back of the sidewalk (if any) fronting the property, plus 8 inches for residential, or plus 4 inches for non-residential.
- The Base Flood Elevation for this area is found to be 9.0 feet N.G.V.D. (taken from the 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 subject property contains tree resources, possibly including specimen tree resources (trees with a trunk diameter 18 inches or greater). The applicant is required to comply with CON-8A of the CDMP and Section 24-49.2(II) of the Code, which requires that specimen trees be preserved whenever reasonably possible. Site plan development must be consistent with the requirements to preserve specimen trees except in cases where DERM has determined that a specimen tree cannot be preserved pursuant to Section 24-49.2(4)(II)(2), of the Code. Therefore, prior to approval of any development order, the applicant shall submit a survey of the existing tree resources within the CDMP application area utilizing professionally recognized sampling methodology and shall be subject to DERM review and approval. The applicant shall, at their expense, revise any site plan as necessary to comply with the requirements of Chapter 24 of the Code and for conformance with provisions of the CDMP.

In accordance with Section 24-49.9 of the Code and CON-8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species.

Endangered Species

The subject property is located within the US Fish & Wildlife Service (USFWS) consultation area for the federally endangered Florida Bonneted Bat. The area addressed provides a combination of open land and tree resources similar to other sites in Miami-Dade County where foraging or roosting by the bonneted bat has been documented. The site is adjacent to properties where significant Florida Bonneted Bat activity has been documented.

Miami-Dade County approvals for the property must comply with the CDMP. Objective CON-9B of the CDMP states that "All 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." Therefore, prior to approval of any development order, the applicant shall submit an approvable acoustic survey monitoring the CDMP application area for Florida Bonneted Bat activity. The applicant shall, at their expense, revise any site plan as necessary to comply with the requirements of Chapter 24 of the Code and for conformance with provisions of the CDMP.

The applicant is advised to include in the proffered Declaration of Restrictions that consultation with the USFWS and state wildlife agencies to mitigate any negative impacts to the Florida bonneted bat shall be accomplished well before development proposals on the site are finalized. The Vero Beach office of the USFWS may be reached at (772) 562-3909. 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 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 72.03 MGD. This is calculated using the available plant capacity (449.74 MGD), subtracting 102% of the maximum day flow (346.6 MGD) and subtracting the water that is reserved through development orders (31.11 MGD).

As noted in the "Estimated Water Demand/Sewer Flow for Proposed Development by Land Use Scenario" table below, the maximum water demand for mixed use development (Scenario 1) under the current CDMP Land Use designation is estimated at 13,339 gallons per day (gpd). The maximum water demand for office development (Scenario 1) or residential development (Scenario 2) under the Requested CDMP Land Use designation is estimated at 21,017 gpd and 34,650 gpd, respectively. This represents an increase of up to 21,311 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	Multi-family	83 units	150gpd/unit	12,450 gpd
1	Retail	8,886 sq. ft.	10gpd/100 sq.ft.	889 gpd
SUBTOTAL				13,339 gpd

Scenario	Use (Maximum Allowed)	Quantity (Units or Square Feet)	Water Demand Multiplier (Section 24-43.1 Miami-Dade Code)	Projected Water Demand (gpd)
Requested CDMP Designation				
1	Office	420,354 sq. ft.	5 gpd/100 sq. ft.	21,017 gpd
2	Multi-family	231 units	150gpd/unit	34,650 gpd

Source: Miami-Dade Water and Sewer Department; Department of Regulatory and Economic Resources, Planning Division; January 2018

Water Supply and Connectivity:

Application No. 2 is located within the MDWASD franchised water service area. The source of potable water for this area is the Alexander Orr Water Treatment Plant which is owned and operated by MDWASD. Currently, there is adequate treatment and water supply capacity for the proposed project consistent with Policy WS-2 A (1) of the County's CDMP. The plant is presently producing water that meets Federal, State, and County drinking water standards.

There is a WASD Agreement No. 23553 associated with Folios No. 30-4023-101-0020 and 30-4023-099-0010 for the development of 77 multi-family residences (apartments). For the development proposed with this application, there is an existing 8-inch water main in SW 44 Street and SW 69 Avenue, and there is an existing 16-inch water main along SW 40 Street, to which the developer may connect and extend a 12-inch water main to the subject property as required within a utility easement or public right-of-way. A Unity of Title may be required.

Any public water main extension within the property shall be minimum 12-inch diameter for retail use and high density residential. If two or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection.

At this time, there is a planned project located at 6827 SW 40 Street with a WASD Agreement No. 23043 for the remodeling of an existing 3,320 square feet of Retail use to 3,320 square feet of physician's office use.

Sewer Treatment Plant Capacity

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

The Miami-Dade County Water and Sewer Department regional wastewater treatment system capacity is the sum of the daily treatment capacity of the three wastewater treatment plants. The regional wastewater treatment system can treat up to 375.5 MGD. The Sanitary Sewer Level of Service (LOS) standard presented in the CDMP requires the regional system to have sufficient capacity to treat 102% of the average daily sewage demand of the preceding 5 years. The available capacity is calculated by subtracting 102% of the annual average flow (310.11 MGD) for the preceding 5 years and the capacity reserved for development orders (38.81 MGD) from

the system capacity (375.5 MGD). Therefore, the available wastewater treatment plant capacity is 26.58 MGD.

Sewer System Connectivity:

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

The proposed land use would be required to connect to the public sewer system pursuant to Chapter 24 of the Code. As per points of connection issued on August 3, 2017, there is an existing 8-inch gravity sewer manhole No. 38 in SW 44 Street west of SW 69 Avenue to which the developer may connect to provide sanitary sewer service. If Unity of Title does not apply, then any gravity sewer within the property shall be public and 8-inch minimum diameter. In addition, there is an 8-inch gravity sewer along SW 40 Street and along SW 69 Avenue to which the developer may connect to provide sewer service.

The gravity sewer system in this area discharges the sewage flow to pump stations 30-0561, 30-0001 and then to the Central District Wastewater Treatment Plant. The aforementioned sanitary sewer pump stations as well as the Central District Wastewater Treatment Plant are owned and operated by Miami Dade Water and Sewer Department; in addition, they are currently working within the mandated criteria set forth in the Consent Decree Case: NO. 1:12-cv-24400-FAM, effective December 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 2017-2018, the DSWM is in compliance with the Countywide Waste Management System's adopted LOS standard.

Application Impacts

The application requests redesignation of the site from "Medium Density Residential" and "Business and Office" to "Bird Road Development Area - Ludlam Trail Corridor District". The "Bird Road Development Area – Ludlam Trail Corridor District" is a new land use category approved by the Board of County Commissioners in July 2017. The Ludlam Trail Corridor will include both recreational trail segments and development areas, one of which is the Bird Road Development Area. Development in the Bird Road Development Area is limited to a maximum density of 90 dwelling units per acre and a maximum building height of six stories, which

translates into potential development of either 231 multifamily units or approximately 420,000 square feet of office space. Adoption of this amendment may thus result in development of either multifamily or commercial establishments, as defined in Chapter 15 of the County Code. The DSWM does not actively compete for multifamily or commercial waste collection service at this time. Waste collection service will, therefore, most likely be provided by a private waste hauler.

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.

Parks

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

Level of Service Standard

CDMP Policy ROS-2A establishes the adopted minimum Level of Service (LOS) standard for the provision of recreation open space in the Miami-Dade County. This CDMP policy requires the County to provide a minimum of 2.75 acres of local recreation open space per 1,000 permanent residents in the unincorporated areas of the County and a County-provided, or an annexed or incorporated, local recreation open space of five acres or larger within a three-mile distance from residential development. The acreage/population measure of the LOS standard is calculated for each Park Benefit District. A Park Benefit District is considered below LOS standard if the projected deficiency of local recreation open space is greater than five acres. Currently, PBD-2, where the application site is located, has a surplus capacity of 473.18 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; two parks (Blue Lakes Park and Brothers to the Rescue Park) are larger than the required minimum provision of five-acres of local recreational open space.

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

Park Name	Acreage	Classification
Banyan Park	3.14	Neighborhood Park
Blue Lakes Park	6.00	Neighborhood Park
Brothers to the Rescue Memorial Park	5.70	Single Purpose Park
Coral Villas Park	0.37	Mini Park
Francisco Human Rights Park	3.78	Mini Park
Humble Mini Park	0.50	Mini-Park
Miller Drive Park	4.07	Community Park
Rockway Park	2.52	Community Park
San Jacinto Park	0.92	Mini Park
Schenley Park	2.00	Neighborhood Park
Sudlow Park	1.12	Mini-Park
Sunkist Park	0.77	Neighborhood Park
Sunset Heights Park	0.32	Mini-Park

Source: Miami-Dade County Parks, Recreation and Open Space Department, January 2018.

Application Impacts

The potential development of the site, under the existing CDMP land use designation, is estimated at 96 multi-family dwelling units, with a potential population of up to 138 persons, resulting in an Impact of 0.38 acres based on the Level of Service standard for the provision of local recreational open space.

The potential for residential development under the proposed land use designation is estimated at 231 multi-family dwelling units with an estimated population up to 333 persons. The concurrency analysis for this scenario results in an impact of 0.92 acres based on the minimum Level of Service standard for the provision of local recreation open space and therefore meets concurrency. The Code provides for density bonuses for the provision of workforce housing units provided that the maximum height authorized in the CDMP is not exceeded. However, the PROS Department analysis did not take potential density bonuses into account.

Fire and Rescue Service

The application area is currently served by Miami-Dade Fire Rescue (MDFR) Station No. 3 (Tropical Park) located at 3911 SW 82 Avenue. The station is equipped with an Engine and Rescue totaling seven (7) firefighter/paramedics 24 hours a day, seven days a week. The average travel time to incidents in the vicinity of the application site is estimated at approximately 6 minutes and 02 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.

MDFR has determined that the current "Medium Density Residential" CDMP land use designation will allow a potential development which will generate 27 annual alarms. The proposed CDMP designation of "Special District – Ludlam Trail Corridor" will allow a proposed potential development which is anticipated to generate 92 annual alarms. The 92 annual alarms will result in a moderate impact to existing fire rescue service. Presently, fire and rescue service in the vicinity of the subject application is adequate.

Based on the current call volume for Station No. 3 and existing stations within proximity of the application site, all stations combined can mitigate the additional number of alarms. Additional stations include Station No. 40 (West Miami) located at 975 SW 62 Avenue and Station No. 14 (South Miami) located at 5860 SW 70 Street.

Level of Service Standard for Fire Flow and Application Impacts

CDMP Policy WS-2A establishes the County's minimum Level of Service standard for potable water. This CDMP policy requires the County to deliver water at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi, unless otherwise approved by the Miami-Dade Fire Rescue Department. The required fire flow for the proposed CDMP designation (Special District – Ludlam Trail Corridor); which per the Development Impact Table will consist of either office space or multi-family units, shall be 3,000 gallons per minute (GPM). Fire hydrants shall be spaced a minimum of 300' from each other and shall deliver not less than 1,000 GPM. Presently, there are no fire flow deficiencies in the vicinity of the application site. MDFR has no objection to this application.

Public Schools

Level of Service Standard

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

A planning level review, which is considered a preliminary school concurrency analysis, was conducted on this application based on the adopted LOS standard for public schools, the Interlocal Agreement (ILA) for Public Facility Planning between Miami-Dade County and Miami-Dade County Public Schools, and current available capacity and school attendance boundaries. If capacity is not available at the school of impact, the developments impact can be shifted to one or more contiguous CSA that have available capacity, located either in whole in part within the same Geographic Area, as defined in CDMP Policy EDU-2C.

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

Application Impact

This application, if approved, may increase the student population of the schools serving the application site by an additional 24 students. This number includes a reduction of 24.18% to account for charter and magnet schools (schools of choice). Of the 24 students, 11 are expected to attend elementary schools, 6 are expected to attend middle schools and 7 are expected to attend senior high schools. The students will be assigned to those schools identified in the “Concurrency Service Area (CSA) Schools” table below. At this time, the schools have sufficient capacity available to serve the application.

Concurrency Service Area (CSA) Schools

Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
South Miami K-8 Center (Elementary)	91	11	116	Yes	Current CSA
South Miami K-8 Center (Middle)	45	6	6	Yes	Current CSA
South Miami Senior	111	7	7	Yes	Current CSA

Source: Miami-Dade County Public Schools, March 2018

Miami-Dade County Department of Regulatory and Economic Resources, March 2018

Note: CSA means Concurrency Service Area

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

equivalent, the ILA and the Educational Element of the CDMP describe a proportionate share mitigation process.

Aviation

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 of the Code of Miami-Dade County as it pertains to airport zoning.

Roadways

The application site is a ±3.86-acre property located to the east of Florida East Coast Railroad, west of SW 69th Avenue, and south of SW 40th Street in unincorporated Miami-Dade County. This property is located to the east of the Ludlam Trail Corridor, there is another property (Application #2) located to the west of Ludlam Trail Corridor, specifically at the south-east corner of SW 71st Avenue and SW 44th Street, coming in simultaneously with this property to amend the CDMP 2020-2030 Land Use Plan Map. The impacts of these two projects on the surrounding roadway network have been analyzed both individually and cumulatively. The site is within the Urban Infill Area (UIA) about 0.7 mile east of Palmetto Parkway (SR 826), typically projects within the UIA are exempt from traffic concurrency. The Concurrency Management Program in the Capital Improvement Element (CIE) of the CDMP states that “A proposed development located within the Urban Infill Area will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted Comprehensive Development Master Plan...” (CIE page IX-17). The project site has access from SW 40th Street (Bird Road), SW 44th Street and SW 69th Avenue. SW 40th Street north of the site is a 6-lane divided roadway having an interchange with SR 826 to the west. Douglas Metrorail station which is at the intersection of US-1 and Douglas Road is about 3.3 miles east of the site. SW 69th Avenue, which is to the east of the site is an undivided 2-lane roadway. SW 44th Street to the south of the site is an undivided 2-lane roadway that extends to the east and west from the site location, the continuity of this roadway is blocked at the site location.

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

Existing Conditions

Existing traffic conditions on major roadways adjacent to and in the vicinity of the application site, which are currently monitored by the State (Year 2016) and the County (Year 2016), are operating at acceptable levels of service. See “Traffic Impact Analysis on Roadways Serving the Amendment Site” Table below.

Trip Generation

The maximum development potential scenarios under each the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of “Medium Density Residential (13-25 du/ac)” and “Business and Office” the application site is assumed to be developed with 83 Multi-family units and 8,886 sq. ft. of Retail uses and under the requested CDMP land use designation of “Special District – Ludlam Trail Corridor” the application site can be developed with 420,354 sq. ft. of Office uses. The potential development under the current CDMP land use designation of “Medium Density Residential (13-25 du/ac)” and “Business and Office” is expected to generate approximately 141 PM peak hour trips and under the requested CDMP land use designation of “Special District – Ludlam

Trail Corridor” is expected to generate approximately 549 PM peak hour trips or approximately 408 more 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 January 2018, which considers reserved trips from approved development not yet constructed, programmed roadway capacity improvements listed in the first three years of the County’s adopted 2018 *Transportation Improvement Program (TIP)*, and the PM peak hour trips estimated to be generated by the development scenarios assumed to be developed under the requested CDMP LUP map designation, determined that all roadways—adjacent to and in the vicinity of the application site—that were analyzed have available capacity to handle the additional traffic impacts that would be generated by the application. The “Traffic Impact Analysis of Roadways Serving the Amendment Site Under the Requested CDMP Designation” Table 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. 2	Current CDMP Designation and Assumed Use/ Estimated No. Of Trips	Requested CDMP Designation and Assumed Use/ Estimated No. Of Trips	Estimated Trip Difference Between Current and Requested CDMP Land Use Designation
Land Use	“Medium Density Residential (13-25 du/ac)” and “Business and Office”	“Special District – Ludlam Trail Corridor”	
Maximum Development Potential	83 Multi-Family ¹ and 8,886 sq. ft. Retail ²	420,354 sq. ft. Office ³	
Trips Generated	141	549	+ 408

Source: Institute of Transportation Engineers (ITE), Trip Generation, 9th Edition, 2012; Miami-Dade County Department of Regulatory and Economic Resources, January 2018.

Notes:

- ¹ – ITE Land Use Code used for Multi-Family is 220.
- ² – ITE Land Use Code used for Retail is 820.
- ³ – ITE Land Use Code used for Office is 710.

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

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Total Trips With D.O's Trips	Conc. LOS w/o Amend.	Amend-ment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
Requested CDMP Designation: "Special District – Ludlam Trail Corridor"– 420,354 sq. ft. office uses													
9240	SW 67 Avenue/ Ludlam Road	South of SW 24 Street/Coral Way	4	E	2730	1523	D	49	1572	D	104	1676	D
9242	SW 67 Avenue/ Ludlam Road	South of Bird Rd/SW 40 Street	2	E	1770	1344	C	14	1358	C	34	1392	C
9243	SW 67 Avenue/ Ludlam Road	North of SW 72 Street	2	E	1400	697	D	6	703	D	77	780	D
9684	SW 72 Avenue	South of Bird Road/SW 40 Street	4	E+50	3345	1287	D	5	1292	D	73	1365	D
9121	SW 24 Street/Coral Way	West of SW 73 Avenue	4	E+50	5370	2757	C	17	2774	C	31	2805	C
F1050	Bird Road	East of SW 73 Court	6	E+20	6468	4651	C	18	4669	C	123	4792	C
F0080	Bird Road	West of SW 57 Avenue	6	E+20	6468	3485	C	27	3512	C	68	3580	C
9261	SW 56 Street/ Miller Drive	West of SW 69 Avenue	4	E	2580	2373	D	2	2375	D	39	2414	D

Source: Compiled by the Miami-Dade County Department of Regulatory and Economic Resources and Florida Department of Transportation, January 2018.

Notes:

* 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 maximum development potential scenarios under the existing and requested CDMP Land Use Plan designations were analyzed for traffic impacts. Under the current CDMP land use designation of "Medium Density Residential (13-25 du/ac)" and "Business and Office" the application site is assumed to be developed with 83 Multi-family units and 8,886 sq. ft. of Retail uses and under the requested CDMP land use designation of "Special District – Ludlam Trail Corridor" the application site can be developed with 420,354 sq. ft. of Office uses. The potential development scenarios under the current CDMP land use designation are expected to generate approximately 141 PM peak hour trips and the requested change in CDMP land use designation would generate 549 PM peak hour trips, which is 408 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

Palmetto Expressway Express Lanes project is in the 2018-2022 Transportation Improvement Program. This project consists of the implementation of variable tolled express lanes along the SR 826/Palmetto Expressway from Flagler Street to NW 154th Street. This project is approximately 13 miles in length and will provide continuity to the I-75 Express Lanes, which extends to I-595 in Broward County and is part of the emerging South Florida Express Lanes network. The total construction cost for the Miami-Dade design build project is \$246 million.

Applicant's Traffic Study

The applicant's transportation consultant, Langan Engineering and Environmental Services, Inc., prepared the *CDMP Amendment Traffic Impact Study* dated January 9th 2018. The Traffic Study analyzes the short term and long term traffic impacts that the proposed projects on the east and west of Ludlam Trail Corridor (Applications 2 and 3) will have on the roadways adjacent to and in the vicinity of the application site. A copy of the Traffic Study's Executive Summary is included in Appendix D. Planning staff conducted a separate traffic analysis for this project (shown above) taking into account the maximum development potential of 420,354 sq. ft. of Office uses that is allowed on this property for the requested land use change. The traffic study submitted by the applicant assumes that the site will be developed at a lesser intensity of 347 multi-family residential housing units (Apartments) and 25,000 sq. ft. of Retail uses for which they will be proffering a covenant. Table 5 of the traffic study analyses the long term PM peak hour traffic impacts on the roadways surrounding the application site and it is determined that the traffic generated from the proposal would have insignificant impact on the roadways. Table 7 of the traffic study analyses the cumulative long term PM peak hour traffic impacts that both projects on the east and west of Ludlam Trail Corridor would have on the roadways surrounding the application site and it is determined that the impacted roadways are projected to operate within the County's adopted LOS standards. Table 5 and 7 from the applicant's traffic study is shown below,

Table 5 - Roadway Significance Analysis Summary (East Parcel)

Roadway	From	To	Number of Lanes	LOS Capacity	Peak Hour	Project Distribution	Project Traffic	Percent Impact	≥ 5% YES/NO
SW 40 Street/SR 976	SW 82 Avenue	SR 826/ Palmetto	6 LD	5,390	PM	10%	15	0.28%	NO
	SR 826/ Palmetto	SW 72 Avenue	6 LD	6,468	PM	41%	62	0.95%	NO
	SW 72 Avenue	Project Driveway	6 LD	6,468	PM	41%	62	0.95%	NO
	Project Driveway	SW 67 Avenue	6 LD	6,468	PM	30%	45	0.70%	NO
	SW 67 Avenue	SW 57 Avenue	6 LD	6,468	PM	25%	38	0.58%	NO
SW 67 Avenue	SW 8 Street	SW 24 Street	4 LD	2,370	PM	5%	8	0.32%	NO
	SW 24 Street	SW 40 Street/ SR 976	4 LD	2,370	PM	14%	21	0.89%	NO
	SW 40 Street/ SR 976	SW 44 Street	2 L	1,770	PM	9%	14	0.76%	NO
	SW 44 Street	SW 56 Street	2 L	1,770	PM	10%	15	0.85%	NO
	SW 56 Street	SW 64 Street	2 L	1,400	PM	5%	8	0.54%	NO
SR 826/ Palmetto Expressway	SW 40 Street/ SR 976	SW 56 Street	4 Expy	8,628	PM	14%	21	0.24%	NO
	SW 24 Street	SW 40 Street/ SR 976	8 Expy	13,390	PM	17%	26	0.19%	NO
SW 72 Avenue	SW 40 Street/ SR 976**	SW 44 Street**	4 LD	3,345	PM	41%	62	1.84%	NO
	SW 44 Street	SW 56 Street	4 LD	3,345	PM	10%	15	0.45%	NO
SW 56 Street	SR 826/ Palmetto	SW 72 Avenue	4 LD	2,990	PM	10%	15	0.50%	NO
	SW 72 Avenue	SW 67 Avenue	2 L	2,580	PM	0%	0	0.00%	NO
	SW 67 Avenue	SW 57 Avenue	2 L	2,250	PM	10%	15	0.67%	NO

* Data Source: Adopted LOS and Capacity from Miami-Dade County Traffic Concurrence Database

** Only Exiting Trips Assigned

Table 7 - Long Term 2022 Afternoon Peak Hour Roadway Capacity Analysis Summary

Roadway	From	To	Adopted LOS	LOS Capacity	Volume 2022	D.O. Trips	2022 Volume + D.O.'s	LOS without Project	East Parcel		West Parcel		Project Significance	Total Volume With Project	LOS with Project	Operates with Adopted LOS
									Project Assignment	Project Trips	Project Assignment	Project Trips				
SW 40 Street	SR 826	SW 72 Avenue	E+20	6,468	5,196	59	5,255	D	41%	62	40%	62	1.91%	5,378	D	YES
SW 40 Street	SW 72nd Avenue	Project Driveway	E+20	6,468	5,196	59	5,255	D	41%	62	40%	62	1.91%	5,378	D	YES
SW 40 Street	Project Driveway	SW 67 Avenue	E+20	6,468	3,893	46	3,939	C	30%	45	28%	43	1.37%	4,028	C	YES
SW 67th Avenue	SW 40th Street	SW 44 Street	E	1,770	1,501	100	1,601	E	9%	14	11%	17	1.73%	1,632	E	YES
SW 67th Avenue	SW 44th Street	SW 56 Street	E	1,770	1,501	100	1,601	E	10%	15	13%	20	1.99%	1,637	E	YES
SW 72nd Avenue *	SW 40th Street	SW 44 Street	E+50	3,345	1,438	29	1,467	D	41%	20	40%	22	1.26%	1,509	D	YES
SW 72nd Avenue	SW 44th Street	SW 56 Street	E+50	3,345	1,438	29	1,467	D	10%	15	8%	4	0.58%	1,486	D	YES

* Only Exiting Trips Assigned

Traffic Impact Conclusion:

The traffic analysis conducted by the Planning staff for the maximum development potential of 420,354 sq. ft. of Office uses that is allowed on this property for the requested land use change for the existing traffic condition and concurrency analysis determined that all roadways adjacent to and in the vicinity of the application site 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. Applicant's Traffic Study which analyzed a less intense development scenario of 347 multi-family residential housing units (Apartments) and 25,000 sq. ft. of Retail uses (covenant being proffered) concludes that all roadway segments analyzed for long-term (Year 2028) conditions are projected to operate within the County's adopted LOS standards.

Transit

Existing Service

The application site is currently served by Metrobus Route 40. There is a Metrobus stop on the north and south side of SW 40 Street, adjacent to the north of the application site. The service frequencies of these routes are shown in the "Metrobus Route Service Summary" table below.

Metrobus Route Service Summary							Type of Service
Route(s)	Service Headways (in minutes)						
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday	
40	15	30	30	n/a	60	60	L/F

Notes: L means Metrobus local route service

F means Metrobus feeder service to Metrorail

August 2017 Line Up

Recent Service Improvements

No service improvements were implemented in 2017 for Metrobus Route 40.

Future Service Improvements

Service adjustments and improvements scheduled for implementation in 2018 are currently under development.

Long-Term Vision: Major Transit Projects

There are no major transit projects planned for the future in the immediate vicinity of the application area.

Application Impacts in the Traffic Analysis Zone

A preliminary analysis was performed in the Traffic Analysis Zone (TAZ) where the application was requested. In TAZ # 1022 where the application is sought, if granted, the anticipated incremental transit impacts generated by the requested land use amendment are minimal and can be absorbed by the existing transit service in the area.

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

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

- LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.
- LU-2A. All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).
- LU-4D. Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements.
- LU-8A. Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial, cultural, community, and senior centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.
- LU-8E. Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated for consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:
 - i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
 - ii) Enhance or impede provision of services at or above adopted LOS Standards;
 - iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods; and
 - iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and

- v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.
- LU-10A. Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, moderate to high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. To facilitate and promote such development Miami-Dade County shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.
- CIE-3. CDMP land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels.
- Objective CHD-2 Miami-Dade County shall apply design standards to private development projects to encourage physical activity across generations.
- CHD-2A. Miami-Dade County will encourage land development to incorporate community design principles that encourage physical activity through the promotion of strategies, when appropriate, but not limited to:
 - 1. Utilization of non-motorized transportation modes;
 - 2. Location of public facilities accessible by multiple transportation modes;
 - 3. Availability and maintenance of quality pedestrian paths or sidewalks;
 - 4. Provision of street furniture and lighting enhancements;
 - 5. Provision of civic and recreational facilities;
 - 6. Establishment of interconnectivity between similar development projects through vehicular and/or pedestrian/bicycle cross access; and
 - 7. Provision of pedestrian and bicycle linkages between existing residential and non-residential land uses.

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APPENDICES

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APPENDIX A

Amendment Application

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

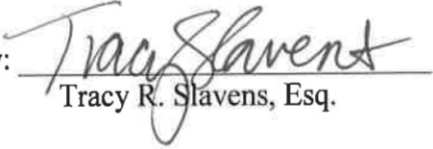
1. APPLICANTS

6900 Bird Owner LLC
150 West Flagler Street, Suite 2300
Miami, FL 33130

2. APPLICANT'S REPRESENTATIVES

Joseph G. Goldstein, Esq.
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(305) 789-7799 (fax)

By:


Tracy R. Slavens, Esq.


Date

3. DESCRIPTION OF REQUESTED CHANGE

A. The following changes to the Land Use Element Land Use Plan Map are being requested:

1. A Change to the Land Use Element, Land Use Plan Map. Applicant requests changes to the (LUP) map designation on the subject property from "Business and Office" and "Medium Density Residential" to "Bird Road Development Area – Ludlam Trail Corridor District."

B. Description of the Subject Area.

The subject property contains approximately ±3.86 acres of land located in Section 23, Township 54, Range 40, lying east of Florida East Coast Railroad, west of SW 69th Avenue, and south of SW 40th Street in unincorporated Miami-Dade, Florida, and as more particularly described in Exhibit "A" to this application (the "Property").

C. Acreage.

Application Area: ± 4.32 gross acres (± 3.86 net acres)

Acreage Owned by Applicant: 0 acres. Applicant is contract purchaser of the Property, as disclosed in Exhibit "D" to this application.

D. Requested Change.

1. It is requested that the application area be re-designated on the LUP map from "Business and Office" and "Medium Density Residential" (13-25 du/ac) to "Bird Road Development Area – Ludlam Trail Corridor District" (90 du/ac).
2. It is requested that this application be processed as a Small-Scale Amendment under the expedited procedures.

4. REASONS FOR AMENDMENT

The Applicant is requesting the re-designation of the Property to "Bird Road Development Area – Ludlam Trail Corridor District." The purpose of this request is to strategically expand, synergize and activate the Bird Road Development Area node of the Ludlam Trail Corridor District (the "Corridor"). The Corridor provides a unique opportunity to transform a 6.2 mile stretch of abandoned rail infrastructure into a community connector, recreational trail, and linear civic space. The creation of the Corridor comes at a time when idle rail infrastructure is being repurposed in urban areas across the country. Similar projects around the country have proven to be dynamic catalysts for growth due to the profoundly positive impacts on health, environment and local economies. Trails provide an irreplaceable neighborhood amenity that enables residents to recreate, exercise, and improve well-being. As usage of these trails increase, natural ecotypes are revitalized in areas that were once derelict. These health and environmental benefits ultimately lead to an increased demand for residential and commercial uses in close proximity to these trails. Likewise, communities develop around and in the vicinity of these trails. The trail is seen as a valuable amenity that contributes a substantial benefit to residents' quality of life and also promotes neighborhood businesses that are attracted to the area in response to the growth of the adjacent community.

The Property is composed of four parcels, which are currently zoned BU-2 (Special Business District), RU-4M (Modified Apartment House District) and RU-1 (Single Family Residential District) and have land use designations of Business and Office & Medium Density Residential. The current uses within the Property consist of a United States Post Office, a single family residence and vacant land. The parcels are located in a transitioning, commercial, residential and quasi-industrial neighborhood with an existing, interconnected street network abutting SW 40th Street (Bird Road) to the North and SW 69th Avenue to the West, and with direct access to SW 70th Court. The application area is also located within the Urban Infill Area

and less than ¼ mile of active County mass transit bus service on SW 40th Street (Bird Road) and SW 72nd Avenues – both with active County mass transit bus service.

The parcels also abut the Corridor to the East, a segment of the abandoned Florida East Coast Railway South Little River Branch spur-line that is generally 100 feet wide and extends from SW 80 Street to approximately 400 feet north of NW 7 Street and generally along theoretical NW/SW 69 Avenue. From its inception and through the 1980s, when its use ceased, the Corridor's main function was to provide freight rail service between southern Miami-Dade County and parts of the north. During that time, several pockets of parcels abutting to the Corridor became light industrial/manufacturing sites given their practical, direct access to deliver and receive goods directly via rail.

The Corridor has not been used as an active railway for several years, and in July 2017, the Corridor's CDMP text and LUP map was amended from "Transportation" to the newly created "Special District" category and more specifically "Ludlam Trail Corridor District" (Corridor) sub-category. The purpose of this designation/sub-category is to enhance regional mobility, provide opportunities for physical activity, and improve the economic vitality of the area by facilitating the conversion of this former railway corridor into a continuous publicly-accessible primarily pedestrian and bicycle trail while ensuring that development along the Corridor occurs at appropriate locations and in a manner that is sensitive to and compatible with adjacent uses. Several regional and local studies have identified an opportunity for a regionally significant trail and greenway along the Corridor that will connect to the County's greenway and trail network, link the surrounding communities, and provide vital neighborhood connections.

This change of the Corridor to the "Ludlam Trail Corridor District" land use category drastically alters the circumstances and conditions of the abutting parcels, in particular on those parcels abutting the Corridor's "Development Areas." The new Corridor is divided into two sections: "Development Areas" and "Trail Corridor", where "Development Areas" shall be developed in a manner that is compatible with adjacent uses. Open space shall be provided in the form of a minimum 15-foot wide continuous trail within each Development Area. Building features oriented toward the recreational trail shall have a human scale, and design variations at short intervals to create interest for users of the trail." The Property is adjacent to the "Bird Road Development Area" where the permitted uses include, "...the full range of sales and service activities, residential uses, and the mixing of residential use with commercial, office and hotels..." with maximum densities up to 90 dwelling units per gross acre, Floor Area Ratio up to 2.5 and Building Height up to six (6) stories.

The addition of the Property to the Bird Road Development Area facilitates and encourages development intended to correspond and be compatible with the Corridor. The areas surrounding it, as a result of this development, become energized and redevelopment of the adjacent parcels is the appropriate next step. Expanding the Bird Road Development Area will trigger the activation of the Corridor beyond its limited width of 100 feet. This request furthers the vision to transform the Corridor into an urban corridor with new housing, supportive community features and services, adequate mobility options, and a unique greenway and trail with safe and direct access to parks, schools, work, shopping, and transit for residents, trail riders, cyclists, and pedestrians. In addition, the Property's prime location presents a unique opportunity to incorporate residential and commercial uses, including the live-work and work-live developments that are encouraged in the

pleasing urban spaces, recreational opportunities, or wildlife benefits. Considered sites should include canal, road or powerline rights-of-way, or portions thereof, particularly where they could link other parklands, wildlife habitats, or other open spaces.

- LU-1T. Miami-Dade County through its land development regulations shall encourage developments that promote and enhance bicycling and pedestrianism through the provision of bicycle and pedestrian facilities and other measures such as building design and orientation, and shall discourage walled and gated communities.

Objective LU-2

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

Policy

- LU-2A. All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE), except as otherwise provided in the "Concurrency Management Program" section of the CIE.

Objective LU-4

Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.

Policy

- LU-4D. Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements.

Objective LU-7

Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a safe, pedestrian and bicycle friendly environment that promotes mobility for people of all ages and abilities through the use of rapid transit services.

Policies

- LU-7D. Redevelopment of property within one-half mile of existing or planned mass transit stations and bus routes shall not cause an increase in walking distances from nearby areas to the transit services and shall, wherever practical, be done by establishing

blocks of walkable scale that form an interconnected network of streets, maximizing connectivity with existing streets and promoting a comfortable and attractive environment for pedestrians of all ages and abilities.

- LU-7I. Miami-Dade County will continue to review development incentives to encourage higher density, mixed use and transit-oriented development at or near existing and future transit stations and corridors, and continue to update its land development regulations to remove impediments and promote transit-oriented development.

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. Policies

Policies

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

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

- LU-8E. Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated for consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

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

ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

Objective LU-10

Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multimodal transportation systems.

Policy

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

Objective LU-12

Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law.

Policies

LU-12D. The County shall consider developing strategies that promote infill development in specific areas.

LU-12E. Miami-Dade County shall continue to investigate and seek opportunities to incentivize infill development, shall publicize available incentives, and make information regarding available incentives easily accessible to developers and property owners, particularly for infill development that is transit supportive and provides workforce housing. Such incentives may include, but not be limited to, joint development agreements at transit stations and transit centers, and flexibility of development standards, particularly for irregular shaped or otherwise substandard lots.

Objective TE-2

In furtherance of pedestrianism and other non-motorized modes of transportation in the planned urban area, Miami-Dade County shall enhance its transportation plans, programs and development regulations as necessary to accommodate the safe and convenient movement of pedestrians, non-motorized vehicles and motorized vehicles. Policies

Policies

TE-2A. The County shall continue to promote and assist in the creation of a Countywide system of interconnected designated bicycle ways, and promote the implementation of the Miami-Dade Bicycle Facilities Plan.

- TE-2B. The County shall continue to develop a comprehensive countywide greenways network providing continuous corridors for travel by pedestrians and non-motorized vehicles incorporating elements of the adopted South Dade Greenway Network Master Plan and the North Dade Greenways Plan.
- TE-2F. The County shall consider the use of utility easements and transit or railroad rights of-way as locations for bicycle ways linking existing and planned major urban activity centers.
- TE-2G. The County shall encourage inclusion in, and review, all plans and development proposals for provisions to accommodate safe movement of bicycle and pedestrian traffic, and facilities for securing non-motorized vehicles in all new development and redevelopment and shall address this as a consideration in development and site plan review.

Objective ROS-1

Provide a comprehensive system of public and private sites for recreation, including but limited to public spaces, natural preserve and cultural areas, greenways, trails, playgrounds, parkways, beaches and public access to beaches, open space, waterways, and other recreational facilities and programs serving the entire County; and local parks and recreation programs adequately meeting the needs of Miami-Dade County's unincorporated population, through 2017.

Policy

- ROS-1A. Areawide park and recreation open spaces shall be provided to meet the diverse needs of all Miami-Dade residents and visitors. They shall continue to be established on the presence or development of regionally significant natural, historic, cultural, or tourism resources. Areawide park and recreation open spaces include Metropolitan Parks, Natural Area Preserves, Special Activity Areas, District Parks and Greenways. Areawide parks may include areas owned by other public agencies but managed by the County for passive public recreational purposes. The County shall be responsible for providing areawide park and recreation open spaces to all Miami-Dade County residents and visitors.

Objective ROS-3

Access to parks and recreational facilities will be improved in Miami-Dade County by 2017.

Policy

- ROS-3B. The County shall improve and promote non-motorized access to existing park and recreation open spaces by implementing the North Miami-Dade Greenways Master Plan and South Miami-Dade Greenway Network Master Plan, as well as improved sidewalks and trails, to improve connectivity between parks and residences, schools, activity centers, and transportation nodes.

Objective ROS-5

Maintain a formal capital improvements planning program that improves and expands the park

and recreation system through the acquisition of land, the renovation and restoration of facilities and natural areas, the development of new park and recreation open space and facilities, and the linking of parks and other public spaces.

Policy

ROS-5F. Continue to implement and consider expansion of segments of the North MiamiDade Greenways Master Plan and South Miami-Dade Greenway Network Master Plan that provide recreation and environmental benefits while improving connectivity to parks, natural areas, and other recreational facilities.

Objective ROS-8

The Miami-Dade County Parks and Open Space System Master Plan (OSMP), through a 50-year planning horizon, shall guide the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities.

Policy

ROS-8E. By 2014, Miami-Dade County shall develop a greenways prioritization plan to prioritize areas to be designated for greenways, trails, and bicycle lanes, and update the North Miami-Dade Greenway Master Plan and South Miami-Dade Greenway Network Master Plan and the CDMP to include such greenways. The update shall include the designation of the Western Greenway and implementation of the Miami-Dade County Trail Design Guidelines and Standards. On an on-going basis, Miami-Dade County shall coordinate with State, regional, federal, and local government agencies to establish a countywide interconnected system of nonmotorized pathways that link neighborhoods, parks, natural areas, civic centers, schools, and commercial areas to achieve goals and objectives through a diverse combination of financing methods, partnerships, and interagency coordination.

Objective 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.

Policy

CIE-3B. Service and facility impacts of new development must be identified and quantified so that sufficient public facilities will be planned and programmed to be available when needed. All development orders authorizing new, or significant expansion of existing urban land uses, shall be contingent upon the provision of services at levels which meet or exceed the adopted LOS standards except as otherwise provided in the "Concurrency Management Program" section of the CIE.

Objective CHD-1

Miami-Dade County shall apply design standards to the public domain to encourage physical activity across generations.

Policies

CHD-1A. Miami-Dade County shall create a network of sidewalks, trails, accessible parks and recreation facilities that establishes a pedestrian-friendly and bicyclist-friendly environment, which encourages physical activity and links destinations, such as restaurants, shops, work places and neighborhood-based retail to each other and residential areas.

CHD-1G. Promote coordination between jurisdictions in the planning and implementation of bicycle, trail, transit, pedestrian and other alternative transportation modes to establish continuous networks that support healthy communities.

Objective CHD-2

Miami-Dade County shall apply design standards to private development projects to encourage physical activity across generations.

Policy

CHD-2A. Miami-Dade County will encourage land development to incorporate community design principles that encourage physical activity through the promotion of strategies, when appropriate, but not limited to:

1. Utilization of non-motorized transportation modes;
2. Location of public facilities accessible by multiple transportation modes;
3. Availability and maintenance of quality pedestrian paths or sidewalks;
4. Provision of street furniture and lighting enhancements;
5. Provision of civic and recreational facilities;
6. Establishment of interconnectivity between similar development projects through vehicular and/or pedestrian/bicycle cross access; and
7. Provision of pedestrian and bicycle linkages between existing residential and non-residential land uses.

Objective CHD-3

Institute safety measures through urban design and material standards.

Policy

CHD-3B. Encourage walking and bicycle riding as a means of transportation to and from school, by implementing capital projects that support the development of safe routes to school.

In addition, and in compliance with the criteria set forth in CDMP Land Use Element Policy LU-8E, approval of this application would allow for infill development (residential and non-residential) that would implement the CDMP Objective LU-1 and Policies LU-1C, LU-10A and LU-12E. The Bird Road Development Area will provide a safe, dedicated and direct route for cyclists and pedestrians to schools, parks, places of employment and shopping. Public facilities and services in the vicinity of the Property have the capacity to adequately serve the Property and

continue to operate within the applicable adopted level of service standards. The requested land use designation for the Property is generally compatible with the adjacent properties. Approval of the proposed request would not impact historic or environmental resources. Lastly, the transit impacts produced by this application will be adequately served by the multitude of existing transit routes that bisect the Property as well as planned improvements to existing transit routes and new bus routes that are planned for implementation.

It is for these reasons that we request a small-scale land use change of these parcels from Business and Office” and “Medium Density Residential” to “Bird Road Development Area – Ludlam Trail Corridor District.”

5. LOCATION MAP for APPLICATION

Please see Exhibit C.

6. COMPLETED DISCLOSURE FORMS

Please see Exhibit E.

7. ADDITIONAL MATERIALS SUBMITTED

Legal Description (See Exhibit A)

Survey (See Exhibit B)

Aerial (See Exhibit D)

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

EXHIBIT A
LEGAL DESCRIPTION

(Nursery)

LEGAL DESCRIPTION:

PARCEL 1:

TRACT "A" OF MENENDEZ TRACTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 167, PAGE 52, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH

(Post Office)

LEGAL DESCRIPTION:

LOTS ONE (1) THROUGH EIGHTEEN (18), INCLUSIVE, OF BLOCK SIX (6) OF BYRWOOD, A SUBDIVISION OF THE WEST ½ OF THE WEST ½ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 54 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 27, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE WESTERLY PORTION ACQUIRED BY FLORIDA EAST COAST RAILWAY FOR RIGHT-OF-WAY PURPOSES, EXCEPT THAT PORTION THEREOF CONVEYED FOR HIGHWAY PURPOSES.

LESS AND EXCEPT THEREFROM: ALL THAT PART OF LOT 1, OF BLOCK SIX (6) OF BYRWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, WHICH LIES WITHIN THE EXTERNAL AREA FORMED BY A 25.00 FOOT RADIUS ARC CONCAVE TO THE SOUTHWEST, TANGENT TO THE EAST LINE OF LOT 1 AND TANGENT TO A LINE THAT IS 50.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH

(Tract "B")

LEGAL DESCRIPTION:

TRACT "B" OF MENENDEZ TRACTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 167, PAGE 52, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE NW CORNER OF SAID TRACT "B"; THENCE N87°52'36"E FOR 87.81 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUE N87°52'36"E FOR 100.00 FEET TO A POINT ON WESTERLY RIGHT-OF-WAY OF S.W. 69TH AVENUE; THENCE S02°07'21"E FOR 50.00 FEET; THENCE S87°52'36"W FOR 100.00 FEET; THENCE N02°07'21"W FOR 50.00 FEET TO THE POINT OF BEGINNING.

THIS LESS AND EXCEPT ALSO KNOWN AS

LOTS 19 AND 20, BYRWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

EXHIBIT B

SURVEY

EXHIBIT C

LOCATION MAP

APPLICANTS / REPRESENTATIVE

6900 Bird Owner LLC / Joseph G. Goldstein, Esq., Tracy R. Slavens, Esq.

DESCRIPTION OF SUBJECT AREA

The Property contains approximately +/- 3.86 net acres, lying east of Florida East Coast Railroad west of SW 69th Avenue, and south of SW 40th Street in unincorporated Miami-Dade, Florida, in Section 23, Township 54, Range 40.

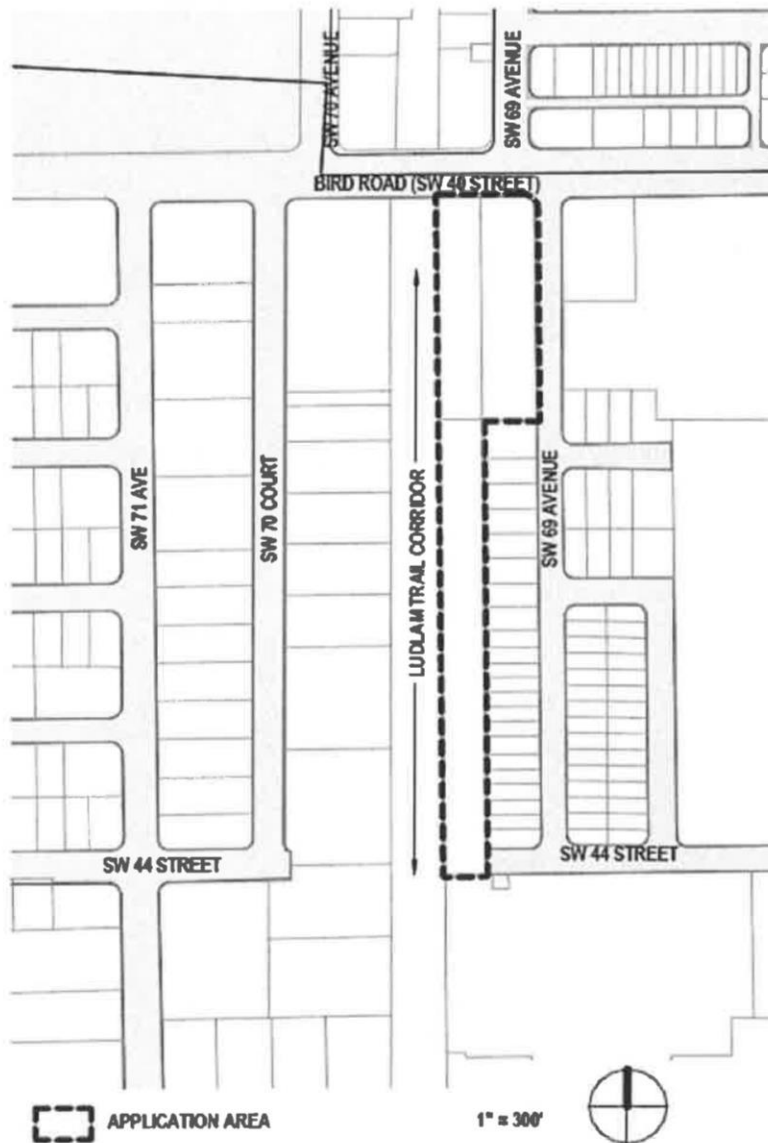


EXHIBIT D

AERIAL

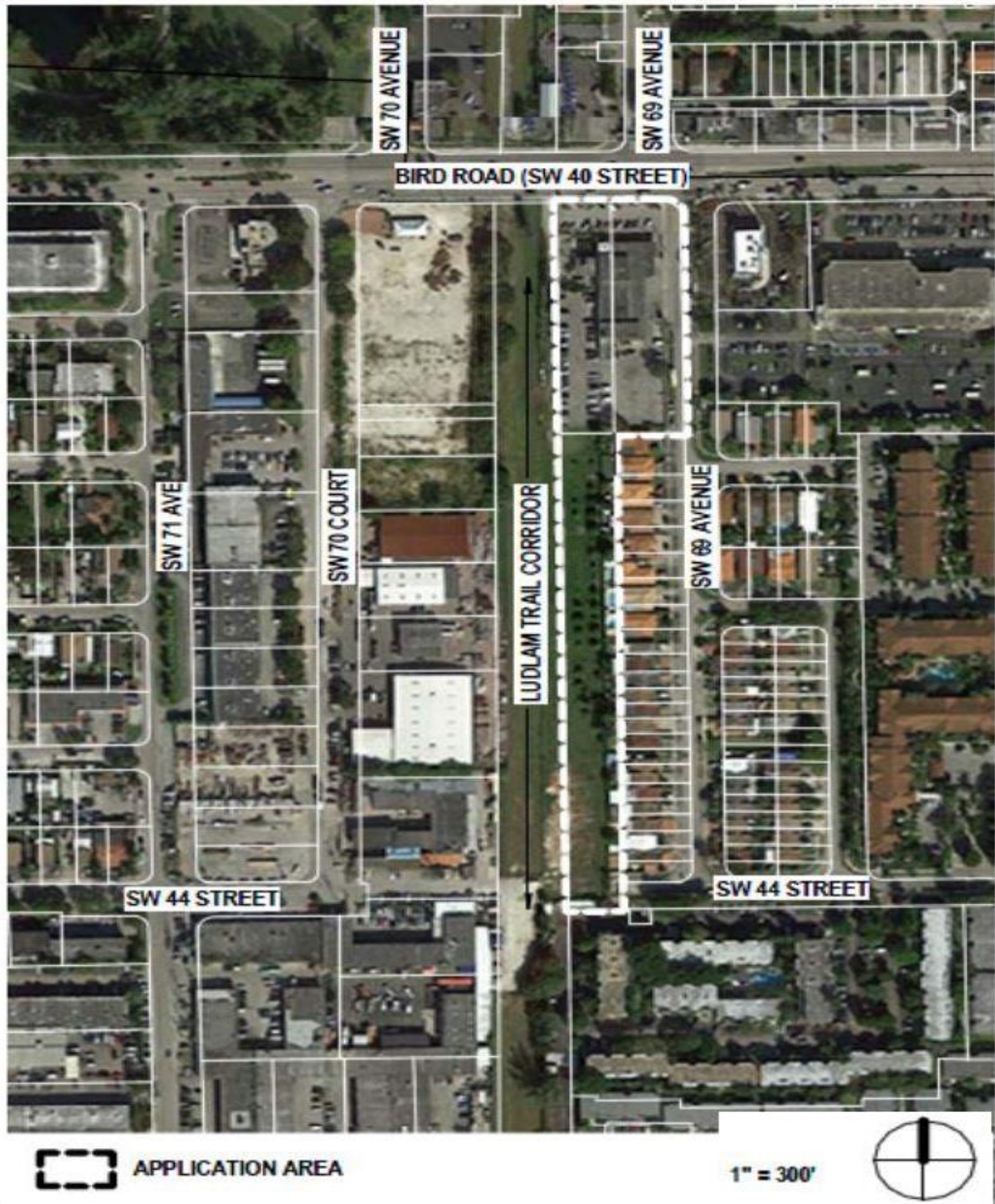


EXHIBIT E
DISCLOSURE FORMS

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: 6900 Bird Owner LLC

150 W Flagler Street, Suite 2300

Miami, FL 33130

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

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

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
	Pancho Menendez Land Trust II	30-4023-009-0060	1.05+/- Acres
	Manuel J. Menendez Revocable Inter-Vivos Trust	30-4023-099-0010	.87+/- Acres
	Manuel J. Menendez Revocable Inter-Vivos Trust	30-4023-101-0020	1.94+/- Acres

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

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
			X	

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

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

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- 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: 6900 Bird Owner LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
6900 Bird Owner LLC	100%
150 W Flagler Street, Suite 2300	
Miami, FL 33130	

- 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].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
6900 Bird Owner LLC	100%
150 W Flagler Street, Suite 2300	
Miami, FL 33130	

Date of Contract February 15, 2017

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

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
6950-40 Owner LLC	100%
150 W Flagler Street, Suite 2300	
Miami, FL 33130	

Date of Contract February 15, 2017

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.

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

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: Manuel J. Menendez, Trustee, under the Pancho Menendez Land Trust II, Dated March 16, 1999

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>Manuel J. Menendez and Teresita Menendez</u> <u>as husband and wife</u> <u>3305 Alhambra Circle,</u> <u>Coral Gables, FL 33134</u>	<u>100%</u>

TRUSTEE'S NAME: Manuel J. Menendez, Trustee, under the Manuel J. Menendez Revocable Inter-Vivos Trust, under agreement dated May 6, 2003

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>Manuel J. Menendez and Teresita Menendez</u> <u>as husband and wife</u> <u>3305 Alhambra Circle,</u> <u>Coral Gables, FL 33134</u>	<u>100%</u>

- 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.

6900 Owner LLC,
a Delaware limited liability company

BY: [Signature]

PRINT NAME: Vincent Signorello

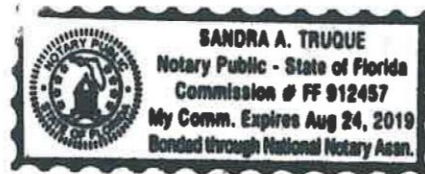
TITLE: President

Sworn to and subscribed before me

this 26 day of October, 2017

[Signature]
Notary Public, State of Florida at Large (SEAL)

My Commission Expires:



6950-40 Owner LLC,
a Delaware limited liability company

BY: [Signature]

PRINT NAME: Vincent Signorello

TITLE: President

Sworn to and subscribed before me

this 26 day of October, 2017

[Signature]
Notary Public, State of Florida at Large (SEAL)

My Commission Expires:

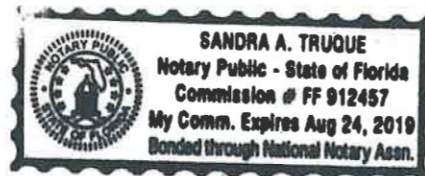


EXHIBIT B-1

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
<input type="checkbox"/>	Pancho Menendez Land Trust II	30-4023-009-0060	1.05+/- Acres
<input type="checkbox"/>	Manuel J. Menendez Revocable Inter-Vivos Trust	30-4023-099-0010	.87+/- Acres
<input type="checkbox"/>	Manuel J. Menendez Revocable Inter-Vivos Trust	30-4023-101-0020	1.94+/- Acres
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

APPENDIX B

Proffered Declaration of Restrictions

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DRAFT 2/16/18

This Instrument was Prepared by:

Name: Joseph G. Goldstein, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

(Space Reserved for Clerk of the Court)

RECEIVED
2018 FEB 16 P 3:02
PER-PLANNING DIVISION

DECLARATION OF RESTRICTIONS

WHEREAS, 6900 Bird Owner, LLC, a Delaware 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. 2 in the October 2017 CDMP Amendment Cycle (the “Application”);

WHEREAS, the Application seeks to re-designate the Property from “Business and Office” and “Medium Density Residential” to “Bird Road Development Area – Ludlam Trail Corridor District” 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. Development of the Property shall be limited to those uses allowed within the “Bird Road Development Area – Ludlam Trail Corridor District” reflected within the CDMP, as amended (the “Planned Uses”). The anticipated traffic impact of the

proposed development of the Property is projected to generate up to 446 PM peak hour trips, using the rates contained in the ITE Trip Generation Manual 9th Edition.

The ultimate development program for the Property will be established at the time of site plan approval, as such plan may be amended from time to time. The combination of uses on the Property may vary provided that the uses are consistent with the Planned Uses and shall not generate more than 446 PM peak hour trips (the “Trip Cap”). However, it is expressly acknowledged that the Property may be developed as part of a unified development plan with adjacent parcels designated as “Bird Road Development Area-Ludlam Trail Corridor District,” in which case, the Planned Uses and Trip Cap may be combined with the allowable density and intensity approved for said parcels and, as such, density and intensity may be averaged across a unified development plan. Subsequent development orders and development permits, including future amendments to site plan approvals, may not authorize development within the Property in excess of the Trip Cap except as permitted pursuant to this Paragraph. A trip generation analysis using the most current edition of the ITE Manual available shall be prepared at the time of site plan approval to calculate the total number peak hour trips for that portion of the Property and the cumulative trip generation for the development of the Property 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. Invalidity 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.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____
day of _____, 2018.

WITNESSES:

6900 BIRD OWNER, LLC,
a Delaware limited liability company

Signature

By: _____
Vincent Signorello, President

Printed Name

Signature

Printed Name

STATE OF _____)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me by Vincent Signorello, as President of 6900 Bird Owner, LLC, and for the purposes stated herein on behalf of the company. She is [] personally known to me or [] has produced _____ as identification.

Witness my signature and official seal this _____ day of _____, 2018, in the County and State aforesaid.

My Commission Expires:

Notary Public

Printed Name

EXHIBIT "A"

LEGAL DESCRIPTION

LEGAL DESCRIPTION:

PARCEL 1:

TRACT "A" OF MENENDEZ TRACTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 167, PAGE 52, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH

LEGAL DESCRIPTION:

LOTS ONE (1) THROUGH EIGHTEEN (18), INCLUSIVE, OF BLOCK SIX (6) OF BYRWOOD, A SUBDIVISION OF THE WEST ½ OF THE WEST ½ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 54 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 27, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE WESTERLY PORTION ACQUIRED BY FLORIDA EAST COAST RAILWAY FOR RIGHT-OF-WAY PURPOSES, EXCEPT THAT PORTION THEREOF CONVEYED FOR HIGHWAY PURPOSES.

LESS AND EXCEPT THEREFROM: ALL THAT PART OF LOT 1, OF BLOCK SIX (6) OF BYRWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, WHICH LIES WITHIN THE EXTERNAL AREA FORMED BY A 25.00 FOOT RADIUS ARC CONCAVE TO THE SOUTHWEST, TANGENT TO THE EAST LINE OF LOT 1 AND TANGENT TO A LINE THAT IS 50.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH

LEGAL DESCRIPTION:

TRACT "B" OF MENENDEZ TRACTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 167, PAGE 52, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE NW CORNER OF SAID TRACT "B"; THENCE N87°52'36"E FOR 87.81 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUE N87°52'36"E FOR 100.00 FEET TO A POINT ON WESTERLY RIGHT-OF-WAY OF S.W. 69TH AVENUE; THENCE S02°07'21"E FOR 50.00 FEET; THENCE S87°52'36"W FOR 100.00 FEET; THENCE N02°07'21"W FOR 50.00 FEET TO THE POINT OF BEGINNING.

THIS LESS AND EXCEPT ALSO KNOWN AS

LOTS 19 AND 20, BYRWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

APPENDIX C

Miami-Dade County Public Schools Analysis

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Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools

Alberto M. Carvalho

Miami-Dade County School Board

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

March 5, 2018

VIA ELECTRONIC MAIL

Ms. Tracy Slavens
Holland & Knight
701 Brickell Avenue, Suite 3300
Miami, Florida 33131
tracy.slavens@hklaw.com

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
6900 BIRD OWNER LLC, JOSEPH G. GOLDSTEIN, HOLLAND
APPLICATION 2 OCTOBER 2017 CYCLE - PH3018022200070
LOCATED AT 6900 BIRD ROAD
FOLIO Nos.: 3040230090060, 3040230990010, 3040231010020**

Dear Applicant:

Pursuant to State Statutes and the Interlocal Agreements for Public School Facility Planning in Miami-Dade County, the above-referenced application was reviewed for compliance with Public School Concurrency. Accordingly, enclosed please find the School District's Preliminary Concurrency Analysis (Schools Planning Level Review).

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed development would yield a maximum residential density of 231 multifamily units, which generate 24 students: 11 elementary, 6 middle and 7 senior high students. At this time, all school levels have sufficient capacity available to serve the application. However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. As such, this analysis does not constitute a Public School Concurrency approval.

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

Best regards,


Nathaly Simon
Supervisor

NS:ns

L-253

Enclosure

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

Planning, Design & Sustainability

*Ms. Ana Rijo-Conde, Deputy Chief Facilities & Eco-Sustainability Officer • 1450 N.E. 2nd Ave. • Suite 525 •
Miami, FL 33132*

305-995-7285 • 305-995-4760 (FAX) • arijo@dadeschools.net



Concurrency Management System (CMS)

Miami Dade County Public Schools

Miami-Dade County Public Schools

Concurrency Management System Preliminary Concurrency Analysis

MDCPS Application Number: PH3018022200070 Local Government (LG): Miami-Dade
Date Application Received: 2/22/2018 11:53:22 AM LG Application Number: Application 2 October 2017 Cycle
Type of Application: Public Hearing Sub Type: Land Use
Applicant's Name: 6900 Bird Owner LLC, Joseph G. Goldstein, Holland
Address/Location: 701 Brickell Avenue, Suite 3000, Miami, Florida 33131
Master Folio Number: 3040230090060
Additional Folio Number(s): 3040230990010, 3040231010020,

PROPOSED # OF UNITS 231
SINGLE-FAMILY DETACHED UNITS: 0
SINGLE-FAMILY ATTACHED UNITS: 0
MULTIFAMILY UNITS: 231

CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
5241	SOUTH MIAMI K-8 CENTER (ELEM COMP)	91	11	11	YES	Current CSA
5242	SOUTH MIAMI K-8 CENTER (MID COMP)	45	6	6	YES	Current CSA
7721	SOUTH MIAMI SENIOR	111	7	7	YES	Current CSA

ADJACENT SERVICE AREA SCHOOLS

*An Impact reduction of 25.28% included for charter and magnet schools (Schools of Choice).

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

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

APPENDIX D

Traffic Impact Study

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EXECUTIVE SUMMARY

Langan was retained by Scout Capital Partners, LLC to prepare a traffic-impact analysis for a proposed change to the Miami-Dade County Comprehensive Development Master Plan for two parcels near the Bird Road Development Area of the Ludlam Trail Corridor District. The property owners request a change in the CDMP land-use designation for the subject properties from "Business and Office" to "Bird Road Development Area – Ludlam Trail Corridor District". The two parcels abut Ludlam Trail, are not contiguous and are south of State Road 976 (SW 40th Street) in unincorporated Miami-Dade County. Both parcels are expected to be developed by 2022.

The maximum development criteria for the Bird Road Development Area of the Ludlam Trail Corridor District include 90 dwelling units per acre, a 2.5 floor to area ratio and a six floor maximum building height. The owner will proffer a restrictive covenant that will limit the development on each parcel to 90-units per acre and 25,000 square feet of retail. The proposed development of both parcels (limited by covenant) is expected to generate the following net-new trips: 4,475 daily, 118 morning peak-hour, and 305 afternoon peak hour. We prepared daily, morning peak-hour and afternoon peak-hour trip estimates for the proposed development using equations from the 9th Edition of the ITE *Trip Generation Manual*. We applied credit for the existing development and internalization and pass-by reductions using ITE rates.

We prepared a 2020 short-term (traffic-concurrency) roadway-capacity analysis and found that the proposed development of both parcels will not cause the Levels of Service of the nearest county stations to exceed their adopted capacities. All of the impacted traffic count stations are expected to operate within their adopted LOS in 2020 with the exception of SW 56th Street west of the Palmetto Expressway. This traffic-count station is operating beyond its capacity in 2020 without the proposed developments. The project meets traffic concurrency because it is within the UIA and is exempt from traffic concurrency requirements.

We prepared long-term afternoon peak-hour roadway-capacity analysis for the build-out year (2022) and found that the roadways in the vicinity of both parcels will operate within their adopted LOS. None of the roadways that will be impacted by the development will be significantly impacted, so we analyzed the three roadways that are expected to be most-impacted by the proposed land use designation change: SW 40th Street; SW 72nd Avenue; and SW 67th Avenue.

INTRODUCTION

Langan was retained by Scout Capital Partners, LLC to prepare a traffic-impact analysis for a proposed change to the Miami-Dade County Comprehensive Development Master Plan for two parcels near the Bird Road Development Area of the Ludlam Trail Corridor District. The property owners request a change in the CDMP land-use designation for the subject properties from "Business and Office" to "Bird Road Development Area – Ludlam Trail Corridor District". The two parcels abut the Ludlam Trail, are not contiguous and are south of State Road 976 (SW 40th Street) in unincorporated Miami-Dade County. **Appendix A** contains the report figures, and **Figure 1** shows the site locations. Both parcels are expected to be developed by 2022.

Both parcels are within the county-designated Urban Infill Area and are not subject to traffic concurrency requirements. The maximum development criteria for the Bird Road Development Area of the Ludlam Trail Corridor District include 90 dwelling units per acre, a 2.5 floor to area ratio and a six floor maximum building height. The owner will proffer a restrictive covenant that will limit the development on each parcel to 90-units per acre and 25,000 square feet of retail. This traffic analysis shows that the proposed development (limited by covenant) under the proposed CDMP land-use designation change will meet traffic concurrency requirements for the short-term and long-term analysis periods. We based the study methodology on the traffic impact study guidelines from the December 2017 CDMP application instructions. We prepared afternoon peak-hour analysis for the following conditions: existing (2016); short term (2020) and long term (2022).

Project Description

The east parcel (folios: 30-4023-009-0060; 30-4023-099-0010; 30-4023-101-0020) is 3.86 acres and between SW 40th and 44th streets and between the Ludlam Trail and SW 69th Avenue. The proposed development for the east parcel will comprise 347 apartments and 25,000 square feet of retail. The west parcel (folios: 30-4023-000-0130; 30-4023-043-0010; 30-4023-043-0020) is 2.83 acres and on the southeast corner of SW 44th Street and SW 71st Avenue just west of the Ludlam Trail. The west parcel is will comprise 255 apartments and 25,000 square feet of retail. Access to the subject parcels is expected to be through SW 40th Street, SW 67th Avenue and SW 72nd Avenue.

EXISTING CONDITIONS

We used afternoon peak-hour data from the Miami-Dade County traffic-concurrency database to analyze roadways in the vicinity of the subject parcels. We conducted two-way afternoon peak-hour analysis of the roadways in the vicinity of the subject parcels and found that they operate at Level of Service D or better. Capacity analysis provides an indication of the adequacy of intersection and roadway facilities to serve traffic demand. The evaluation criteria used to analyze the study the intersections is based on the *2010 Highway Capacity Manual* published by the Transportation Research Board. We used FDOT generalized service volumes from the *2012 FDOT Quality/Level of Service Handbook* to determine LOS values. **Appendix B** contains the data used in the analysis.

Table 1 - Existing Afternoon Peak-Hour Capacity Analysis Summary

Roadway	From	To	Number of Lanes	LOS Capacity	Adopted LOS	Existing Volume	Existing LOS	Meets Capacity
SW 40 Street/ SR 976	SW 82 Avenue	SR 826/Palmetto Expressway	6 LD	5,390	HE	4,966	C	YES
	SR 826/Palmetto Expressway	SW 72 Avenue	6 LD	6,468	E+20	4,651	C	YES
	SW 72 Avenue	Project Driveway	6 LD	6,468	E+20	4,651	C	YES
	Project Driveway	SW 67 Avenue	6 LD	6,468	E+20	3,485	B	YES
	SW 67 Avenue	SW 62 Avenue	6 LD	6,468	E+20	3,485	B	YES
SW 67 Avenue	SW 24 Street	SW 40 Street/SR 976	4 LD	2,370	E	1,523	D	YES
	SW 40 Street/SR 976	SW 56 Street	2 L	1,770	E	1,344	D	YES
	SW 56 Street	SW 64 Street	2 L	1,400	E	697	D	YES
SW 72nd Avenue	SW 40 Street/SR 976	SW 56 Street	4 LD	3,345	E+50	1,287	C	YES
	SW 56 Street	SW 72 Street	2 L	2,190	E+50	889	D	YES

* Data Source: Adopted LOS and Capacity from Miami-Dade County Traffic Concurrency Database

Roadway Characteristics

We visited the site and found the following roadway-network conditions.

- SW 40th Street is a six-lane divided state-maintained roadway classified as an urban principle arterial roadway with a posted speed limit of 40 MPH.
- SW 67th Avenue is a two-lane undivided roadway county-maintained roadway classified as a minor urban arterial roadway with a posted speed limit of 35 MPH.
- SW 72nd Avenue is a four-lane divided roadway county-maintained roadway classified as an urban collector roadway with a posted speed limit of 35 MPH.

FUTURE CONDITIONS

This section of the report covers background traffic growth, site-generated trips, trip distribution, and future traffic volumes. We developed future traffic volumes by applying a compounded growth rate to the existing volumes. Site-generated trips were added to the 2020 no-build traffic volumes to develop 2020 build traffic volumes. The project should be completed by the end of 2022.

Planned Roadway Improvements

We reviewed the Miami-Dade County Metropolitan Planning Organization 2017 Transportation Improvement Program (2017 through 2021) and the FDOT Five Year Work Program (2018 through 2022) and found that there are no planned roadway or intersection improvements in the vicinity of the subject parcels. The TIP shows improvements for the Ludlam Trail bike path.

Site-Generated Trips

The proposed development of both parcels is expected to generate the following net-new trips: 4,475 daily, 118 morning peak hour, and 305 afternoon peak hour. We prepared daily, morning peak-hour and afternoon peak-hour trip estimates for the proposed development using equations from the 9th Edition of the *ITE Trip Generation Manual*. We applied credit for the existing development and internalization and pass-by reductions using ITE rates. The trip-generation estimates for the proposed development of both parcels are summarized in **Table 2**. **Appendix C** contains the trip generation tables, internalization tables and excerpts from the ITE Manual. The covenant restricted development program for each parcel is summarized in Table 2.

Table 2 - Trip Generation Estimates

Parcel	Use	Size	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour		
				In	Out	Total	In	Out	Total
East	Apartments	347 DU	2,041	34	138	172	104	62	166
	General Retail	25,000 SF	2,573	11	4	15	70	58	128
	SubTotal		4,614	45	142	187	174	120	294
West	Apartments	255 DU	1,543	25	103	128	94	44	138
	General Retail	25,000 SF	2,632	11	4	15	66	77	143
	SubTotal		4,175	36	107	143	160	121	281
Total			8,789	81	249	330	334	241	575
Net New Trips*			4,475	-44	162	118	201	104	305

* Proposed development less existing development

Trip Distribution

We determined the directional distribution of site-generated trips based on the cardinal distribution data for TAZ 1022 (east parcel) and TAZ 1021 (west parcel) from the Miami-Dade County 2040 Transportation Model and the development's access to the surrounding roadway network. We interpolated the 2010 and 2040 values of the cardinal distribution to estimate 2022 percentages. **Table 3** shows the development's traffic distributions for each parcel based on the cardinal distributions. **Figures 2** and **3** show the afternoon peak-hour project-traffic distribution and afternoon peak-hour project-traffic assignment for the east and west parcels, respectively.

Table 3 - Cardinal Distribution

Parcel	Year	NNE	ENE	ESE	SSE	SSW	WSW	WNW	NNW
West	2010	17.30%	15.70%	5.40%	9.30%	11.30%	15.00%	10.50%	15.50%
	2040	18.50%	17.30%	4.40%	8.50%	13.00%	11.50%	9.40%	17.50%
	2022	17.78%	16.34%	5.00%	8.98%	11.98%	13.60%	10.06%	16.30%
East	2010	12.90%	19.00%	5.60%	5.40%	14.70%	14.70%	11.00%	16.60%
	2040	15.80%	18.90%	6.40%	5.50%	13.30%	11.10%	11.30%	17.70%
	2022	14.06%	18.96%	5.92%	5.44%	14.14%	13.26%	11.12%	17.04%

Short-Term Analysis

We prepared a 2020 short-term (traffic-concurrency) roadway-capacity analysis and found that the proposed development of both parcels will not cause the LOS of the nearest county stations to exceed their adopted LOS capacities. All of the impacted traffic count stations are expected to operate within their adopted LOS in 2020 with the exception of SW 56th Street west of the Palmetto Expressway. This traffic-count station is operating beyond its capacity in 2020 without the proposed developments. The project meets traffic concurrency because it is within the UIA and is exempt from traffic concurrency requirements.

We used a 1.86 percent annual growth-rate factor to develop future background volumes based on FDOT historical traffic volumes. The growth-rate factor was applied to the existing traffic volumes to develop 2020 and 2022 future-traffic volumes. We added development order trips from the county's traffic-concurrency database to account for approved but unbuilt developments. Appendix B contains the data used to calculate the growth rate. **Table 4** summarizes the results of the short-term afternoon peak-hour capacity analysis.

Table 4 - Short Term 2020 Afternoon Peak Hour Roadway Capacity Analysis Summary

Count Station	Location	Facility Type	Adopted LOS	LOS Capacity	PHP Volume as of 2016	Volume 2020	Development Order Trips	2020 Volume + D.O.'s	LOS without Project	East Parcel		West Parcel		Total Volume With Project	Trips Remaining	LOS with Project
										Project Assignment	Project Trips	Project Assignment	Project Trips			
FDOT-1050	SW 40 Street/SR 976 e/o SW 73 Court	6 LD	E+20	6,466	4,651	5,007	59	5,066	C	41%	62	40%	62	5,190	1,276	C
FDOT-0080	SW 40 Street/SR 976 400' w/o SW 57 Street	6 LD	E+20	6,466	3,485	3,752	46	3,798	C	25%	38	21%	33	3,868	2,600	C
MD-9260	SW 56th Street w/o SW 57 Avenue to SW 67 Avenue	2 L	E	2,250	1,265	1,362	10	1,372	D	5%	8	8%	12	1,392	858	D
MD-9262	SW 56 Street w/o SR 826 to SW 87 Avenue	4 LD	D	2,990	2,906	3,129	8	3,137	F	10%	15	8%	12	3,164	-174	F
MD-9240	SW 67 Avenue s/o SW 24 Street to SW 40 Street	4 LD	E	2,370	1,523	1,640	68	1,708	D	14%	21	18%	28	1,757	613	D
MD-9242	SW 67 Avenue s/o SW 40 Street to SW 56 Street	2L	E	1,770	1,344	1,447	100	1,547	E	9%	14	11%	17	1,578	192	E
MD-9243	SW 67 Avenue n/o SW 72 Street SW 56 Street to US 1	2 L	E	1,400	697	750	54	804	D	5%	8	5%	8	820	580	D
MD-9684**	SW 72 Avenue s/o SW 40 Street to SW 56 Street	4 LD	E+50	3,345	1,267	1,366	29	1,415	D	41%	20	40%	22	1,457	1,688	D

* Data Source: Adopted LOS and Capacity from Miami-Dade County Traffic Congruency Database

** Only Exiting Trips Assigned

Long-Term Analysis

We prepared long-term afternoon peak-hour roadway-capacity analysis for the build-out year (2022) and found that the roadways in the vicinity of both parcels will operate at LOS E or better. None of the roadways that will be impacted by the development will be significantly impacted, so we analyzed the three roadways that are expected to be most-impacted by the proposed land use designation change. A roadway is significantly impacted where the trips assigned to a roadway are five percent or more of the roadways' adopted LOS capacity. **Tables 5** and **6** summarize the results of the significance analysis for each parcel and shows that none of the roadways will be significantly impacted. **Table 7** summarizes the results on the long-term 2022 afternoon peak-hour capacity analysis and shows that none of the roadways will exceed their adopted LOS.

Table 5 - Roadway Significance Analysis Summary (East Parcel)

Roadway	From	To	Number of Lanes	LOS Capacity	Peak Hour	Project Distribution	Project Traffic	Percent Impact	≥ 5% YES/NO
SW 40 Street/SR 976	SW 82 Avenue	SR 826/ Palmetto	6 LD	5,390	PM	10%	15	0.28%	NO
	SR 826/ Palmetto	SW 72 Avenue	6 LD	6,468	PM	41%	62	0.95%	NO
	SW 72 Avenue	Project Driveway	6 LD	6,468	PM	41%	62	0.95%	NO
	Project Driveway	SW 67 Avenue	6 LD	6,468	PM	30%	45	0.70%	NO
	SW 67 Avenue	SW 57 Avenue	6 LD	6,468	PM	25%	38	0.58%	NO
SW 67 Avenue	SW 8 Street	SW 24 Street	4 LD	2,370	PM	5%	8	0.32%	NO
	SW 24 Street	SW 40 Street/ SR 976	4 LD	2,370	PM	14%	21	0.89%	NO
	SW 40 Street/ SR 976	SW 44 Street	2 L	1,770	PM	9%	14	0.76%	NO
	SW 44 Street	SW 56 Street	2 L	1,770	PM	10%	15	0.85%	NO
	SW 56 Street	SW 64 Street	2 L	1,400	PM	5%	8	0.54%	NO
SR 826/ Palmetto Expressway	SW 40 Street/ SR 976	SW 56 Street	4 Expy	8,628	PM	14%	21	0.24%	NO
	SW 24 Street	SW 40 Street/ SR 976	8 Expy	13,390	PM	17%	26	0.19%	NO
SW 72 Avenue	SW 40 Street/ SR 976**	SW 44 Street**	4 LD	3,345	PM	41%	62	1.84%	NO
	SW 44 Street	SW 56 Street	4 LD	3,345	PM	10%	15	0.45%	NO
SW 56 Street	SR 826/ Palmetto	SW 72 Avenue	4 LD	2,990	PM	10%	15	0.50%	NO
	SW 72 Avenue	SW 67 Avenue	2 L	2,580	PM	0%	0	0.00%	NO
	SW 67 Avenue	SW 57 Avenue	2 L	2,250	PM	10%	15	0.67%	NO

* Data Source: Adopted LOS and Capacity from Miami-Dade County Traffic Concurrency Database

** Only Exiting Trips Assigned

Table 6 - Roadway Significance Analysis Summary (West Parcel)

Roadway	From	To	Number of Lanes	LOS Capacity	Peak Hour	Project Distribution	Project Traffic	Percent Impact	≥ 5% YES/NO
SW 40 Street/SR 976	SW 82 Avenue	SR 826/ Palmetto	6 LD	5,390	PM	10%	16	0.29%	NO
	SR 826/ Palmetto	SW 72 Avenue	6 LD	6,468	PM	40%	62	0.96%	NO
	SW 72 Avenue	Project Driveway	6 LD	6,468	PM	40%	62	0.96%	NO
	Project Driveway	SW 67 Avenue	6 LD	6,468	PM	28%	43	0.67%	NO
	SW 67 Avenue	SW 57 Avenue	6 LD	6,468	PM	21%	33	0.50%	NO
SW 67 Avenue	SW 8 Street	SW 24 Street	4 LD	2,370	PM	5%	8	0.33%	NO
	SW 24 Street	SW 40 Street/ SR 976	4 LD	2,370	PM	18%	28	1.18%	NO
	SW 40 Street/ SR 976	SW 44 Street	2 L	1,770	PM	11%	17	0.96%	NO
	SW 44 Street	SW 56 Street	2 L	1,770	PM	13%	20	1.14%	NO
	SW 56 Street	SW 64 Street	2 L	1,400	PM	5%	8	0.55%	NO
SR 826/ Palmetto Expressway	SW 40 Street/ SR 976	SW 56 Street	4 Expy	8,628	PM	14%	22	0.25%	NO
	SW 24 Street	SW 40 Street/ SR 976	8 Expy	13,390	PM	16%	25	0.19%	NO
SW 72 Avenue	SW 40 Street/ SR 976**	SW 44 Street**	4 LD	3,345	PM	40%	62	1.85%	NO
	SW 44 Street	SW 56 Street	4 LD	3,345	PM	8%	12	0.37%	NO
SW 56 Street	SR 826/ Palmetto	SW 72 Avenue	4 LD	2,990	PM	8%	12	0.41%	NO
	SW 72 Avenue	SW 67 Avenue	2 L	2,580	PM	0%	0	0.00%	NO
	SW 67 Avenue	SW 57 Avenue	2 L	2,250	PM	8%	12	0.55%	NO

* Data Source: Adopted LOS and Capacity from Miami-Dade County Traffic Concurrency Database

** Only Exiting Trips Assigned

Table 7 - Long Term 2022 Afternoon Peak Hour Roadway Capacity Analysis Summary

Roadway	From	To	Adopted LOS	LOS Capacity	Volume 2022	D.O. Trips	2022 Volume + D.O.'s	LOS without Project	East Parcel		West Parcel		Project Significance	Total Volume With Project	LOS with Project	Operates with Adopted LOS
									Project Assignment	Project Trips	Project Assignment	Project Trips				
SW 40 Street	SR 826	SW 72 Avenue	E+20	6,468	5,196	59	5,255	D	41%	62	40%	62	1.91%	5,378	D	YES
SW 40 Street	SW 72nd Avenue	Project Driveway	E+20	6,468	5,196	59	5,255	D	41%	62	40%	62	1.91%	5,378	D	YES
SW 40 Street	Project Driveway	SW 67 Avenue	E+20	6,468	3,893	46	3,939	C	30%	45	28%	43	1.37%	4,028	C	YES
SW 67th Avenue	SW 40th Street	SW 44 Street	E	1,770	1,501	100	1,601	E	9%	14	11%	17	1.73%	1,632	E	YES
SW 67th Avenue	SW 44th Street	SW 56 Street	E	1,770	1,501	100	1,601	E	10%	15	13%	20	1.99%	1,637	E	YES
SW 72nd Avenue *	SW 40th Street	SW 44 Street	E+50	3,345	1,438	29	1,467	D	41%	20	40%	22	1.26%	1,509	D	YES
SW 72nd Avenue	SW 44th Street	SW 56 Street	E+50	3,345	1,438	29	1,467	D	10%	15	8%	4	0.58%	1,486	D	YES

* Only Exiting Trips Assigned

CONCLUSIONS

We analyzed the traffic impacts for a proposed future land-use amendment for two parcels that abut the Ludlam Trail corridor south of SW 40th Street. The proposed amendment will change the future land-use designation from "Business and Office" to "Bird Road Development Area – Ludlam Trail Corridor District". The property owner will proffer a restrictive covenant for both parcels that will limit the non-residential maximum-development criteria to 25,000 square feet of retail for each parcel. Both parcels will maintain the maximum residential development criteria of 90 units per acre.

We performed an afternoon peak hour analysis for the proposed development of both parcels and determined it will meet traffic concurrency for 2020. The peak-hour traffic impacts of the proposed development will not significantly impact any of the major roadways in the area. We prepared a 2020 afternoon peak-hour analysis for three major roadways that are expected to be most impacted by the proposed development (limited by covenant) and found that they are expected to operate within their adopted LOS.

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APPENDIX E

Fiscal Impact Analysis

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Fiscal Impacts On Infrastructure and Services

On October 23, 2001, the Board of County Commissioners adopted Ordinance No. 01-163 requiring the review procedures for amendments to the Comprehensive Development Master Plan (CDMP) to include a written evaluation of fiscal impacts for any proposed land use change. The following is a fiscal evaluation of Application No. 2 of the October 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 adopted level of service standard (LOS) for the County Waste Management System is as follows: to maintain sufficient waste disposal capacity to accommodate waste flows committed to the System through long term contracts or interlocal agreements with municipalities and private waste haulers, and anticipated uncommitted waste flows, for a period of five (5) years. As of FY 2017-18, the DSWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the applications reviewed here, which are not anticipated to have a negative impact on disposal service.

Residential Collection and Disposal Service

The “Bird Road Development Area – Ludlam Trail Corridor District” is a new land use category approved by the Board of County Commissioners in July 2017. The Ludlam Trail Corridor will include both recreational trail segments and development areas, one of which is the Bird Road Development Area. Development in the Bird Road Development Area is limited to a maximum density of 90 dwelling units per acre and a maximum building height of six stories, which translates into potential development of either 231 multifamily units or approximately 420,000 square feet of office space. Adoption of this amendment may thus result in development of either multifamily or commercial establishments, as defined in Chapter 15 of the County Code. The Department of Solid Waste Management (DSWM) does not actively compete for multifamily or commercial waste collection service at this time. Waste collection service will, therefore, most likely be provided by a private waste hauler.

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 CDMP land use changes.

Fiscal Impact – Waste Disposal Capacity and Service

The cost of providing disposal capacity for WCSA customers, municipalities and private haulers is paid for by System users. In FY 2017-18, the DSWM charges a contract disposal rate of \$61.01

per ton to DSWM Collections and those private haulers and municipalities with long-term disposal agreements. The short-term disposal rate is \$89.38 per ton in FY 2017-18.

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

Water and Sewer

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

The applicant requests to redesignate a ±3.86 net acre parcel from "Medium Density Residential (13 to 25 DU/Ac.)" to "Special District - Ludlam Trail Corridor" that would allow the application site to be developed at a maximum of 231 multi-family dwelling units or with 420,354 square feet of office use. If the site is developed at maximum office use development, the water connection charge is estimated at \$29,215; the water service line and meter connection fees would cost \$1,300; the sewer connection charges are estimated at \$117,699; and the annual operating and maintenance costs would total \$25,703. If the site is developed at maximum residential development, the water connection charge is estimated at \$48,164; the water service line and meter connection fees would cost \$1,300; the sewer connection charges are estimated at \$194,040; and the annual operating and maintenance costs would total \$42,375. In addition, the estimated cost of installing the required 164 linear feet of 12-inch water main to connect the proposed development to the County's regional water system is estimated at \$59,696. Furthermore, the estimated cost of installing the required 130 linear feet of 8-inch gravity sewer main is estimated at \$38,610. The total potential cost for connecting the proposed development to the regional water and sewer system including an engineering fee of 13% plus all other WASD add-ons incorporated into the fee is estimated at \$98,306.

Drainage and Flood Protection

The Miami-Dade County Division of Environmental and Resources Management (DERM) is responsible for the enforcement of current stormwater management and disposal regulations. These regulations require that all new development provide full on-site retention of the stormwater runoff generated by the development. The drainage systems serving new developments are not allowed to impact existing or proposed public stormwater disposal systems, or to impact adjacent properties. The County is not responsible for providing flood protection to private properties, although it is the County's responsibility to ensure and verify that said protection has been incorporated in the plans for each proposed development. The above noted determinations are predicated upon the provisions of Chapter 46, Section 4611.1 of the South Florida Building Code; Section 24-58.3(G) of the Code of Miami-Dade County, Florida; Chapter 40E-40 Florida Administrative Code, Basis of Review South Florida Water

Management District (SFWMD); and Section D4 Part 2 of the Public Works Manual of Miami-Dade County. All these legal provisions emphasize the requirement for full on-site retention of stormwater as a post development condition for all proposed commercial, industrial, and residential subdivisions.

Additionally, DERM staff notes that new development, within the urbanized area of the County, is assessed a stormwater utility fee. This fee commensurate with the percentage of impervious area of each parcel of land, and is assessed pursuant to the requirements of Section 24-61, Article IV, of the Code of Miami-Dade County. Finally, according to the same Code Section, the proceedings may only be utilized for the maintenance and improvement of public storm drainage systems.

Based upon the above noted considerations, it is the opinion of DERM that Ordinance No. 01-163 will not change, reverse, or affect these factual requirements.

Public Schools

The proposed amendment, if approved and the site developed with residences, could result in 24 additional students. The average cost for K-12 grade students amounts to \$9,337 per student. Of the 24 students, 11 will attend elementary schools, 6 will attend middle schools students and 7 will attend senior high schools. The total annual operating cost for additional students residing in this development, if approved, would total \$242,088. In the event that there is not sufficient capacity at the time of final subdivision, site plan or functional equivalent, the ILA and the Educational Element of the CDMP describe a proportionate share mitigation process.

Fire Rescue

The current CDMP designation (Medium Density Residential) will allow a potential development which will generate 27 annual alarms. The proposed CDMP designation (Special District – Ludlam Trail Corridor) will allow a proposed potential development which is anticipated to generate 92 annual alarms. The 92 annual alarms will result in a moderate impact to existing fire rescue service. Presently, fire and rescue service in the vicinity of the subject application is adequate. Based on the current call volume for Station No. 3 and existing stations within proximity of the subject application, all stations combined can mitigate the additional number of alarms. Additional stations include Station No. 40 (West Miami) located at 975 SW 62 Avenue and Station No. 14 (South Miami) located at 5860 SW 70 Street.

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APPENDIX F

Photos of Site and Surroundings

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Post office facility on the application site



Small retail operations adjacent to the north from the application site



Residential area adjacent to the east of the application site
along SW 69 Avenue



Ludlam Point Apartment complex south of the application site