

**ADDITIONAL ITEMS
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES (DEPARTMENT)
APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP)**

OCTOBER 2017 CYCLE

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Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

August 16, 2018

The Honorable Carlos A. Gimenez
Mayor, Miami-Dade County
Stephen P. Clark Center
111 NW 1st Street, 29th Floor
Miami, Florida 33128

Dear Mayor Gimenez:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for Miami-Dade County (Amendment No. 18-2ESR) received on July 17, 2018. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

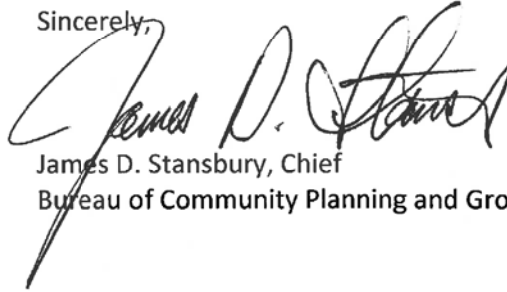
- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **Render the adopted amendment to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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If you have any questions concerning this review, please contact Katherine Beck, Planning Analyst, by telephone at (850)717-8498 or by email at katherine.beck@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large initial "J" and "S".

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/kb

Enclosures: Procedures for Adoption
Review Agency Comments

cc: Jerry Bell, AICP, Assistant Director for Planning
Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

OCTOBER 2017

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

FLORIDA DEPARTMENT of
ECONOMIC OPPORTUNITY
2018 JUL 11 A 9:35

PLANNING DIVISION
July 3, 2018

The Honorable Carlos A. Gimenez
Mayor, Miami-Dade County
Board of County Commissioners
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2910
Miami, Florida 33128

Dear Mayor Gimenez:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Miami-Dade County, Amendment No. 18-1ESR, which was received on June 4, 2018. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

Pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to Miami-Dade County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
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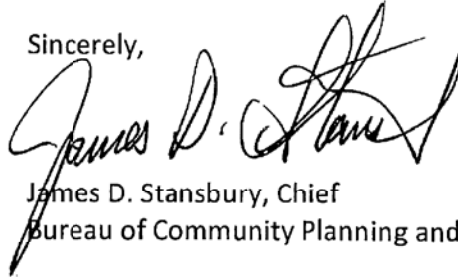
The Honorable Carlos A. Gimenez

July 3, 2018

Page 2

If you have any questions concerning this review, please contact Katherine Beck, at (850) 717-8498, or by email at katherine.beck@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large initial "J" and "S".

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/kb

Enclosure: Procedures for adoption of comprehensive plan amendments

cc: Jerry Bell, AICP, Assistant Director for Planning Designee, Miami-Dade County
Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council

Subject: FW: Miami-Dade County, DEO #18-1ESR Comments on Proposed Comprehensive Plan Amendment Package

From: Manning, Terese [<mailto:tmanning@sfwmd.gov>]

Sent: Monday, July 02, 2018 4:31 PM

To: Osterholt, Jack (Office of the Mayor) <josterholt@miamidade.gov>

Cc: Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>; 'kelly.corvin@deo.myflorida.com' <kelly.corvin@deo.myflorida.com>; Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com) <DCPexternalagencycomments@deo.myflorida.com>; Isabel Cosio Carballo (isabelc@sfrpc.com) <isabelc@sfrpc.com>; Isabel Moreno (imoreno@sfrpc.com) <imoreno@sfrpc.com>

Subject: Miami-Dade County, DEO #18-1ESR Comments on Proposed Comprehensive Plan Amendment Package

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. Please click here if this is a suspicious message reportspam@miamidade.gov **Enterprise Security Office**

Dear Mr. Osterholt:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Miami-Dade County (County). The amendment package includes one Future Land Use Map Amendment, Application #7 (the AMB I-75 site) and one Future Land Use Text Amendment, Application #9 (allowing for the use of recreational motorsport activities at the Decommissioned Opa-Locka West Airport site owned by the County).

There appear to be no regionally significant water resource issues with Application #9 (the Opa-Locka West Airport site); therefore, the District forwards no comments on Application #9.

The District offers the following recommendations for revising the proposed amendment package for Application #7 (the AMB I-75 site) and requests that the County address these recommendations prior to adopting the amendment:

1. The proposed amendment should be revised to include an analysis of storm water management needs and flooding issues, including a demonstration that there will be no adverse offsite impacts and how the integrity of the regional canal systems will be maintained; and an identification of the appropriate stormwater management infrastructure needed for the proposed land uses. A Stormwater Management Permit will be required from the District. Pre-application meetings with District regulatory staff are strongly encouraged to identify issues early in the process.
2. Revise the proposed amendment to demonstrate how water conservation could be utilized to support the non-potable water needs of the proposed land uses. The analysis should include the following:
 - The proposed source of water for landscape irrigation.
 - An explanation of how the proposed land uses could or could not use either on-site wells or reclaimed water for landscape irrigation and for portions of the project that do not require public water supply.
 - If potable water is to be used for landscape irrigation, provide information to demonstrate how the use of potable water is consistent with provisions of the County's Comprehensive Development Master Plan that protect water recharge areas and encourage use of alternative water technologies to meet water demand, including but not limited to Objectives CON-4 and ICE-4 and Policies CON-4A and ICE-4F.
 - If on-site wells or lake pumps are proposed for irrigation, a water use permit will be required, and wetland, pollution and resource impacts will need to be assessed.
3. The proposed amendment does not demonstrate how impacts to the wetlands identified on the site will be avoided and will be mitigated. The site contains identified wetlands. Environmental Resource Permit(s) (ERPs) will be

required from the District. The applicant for development on the site will need to demonstrate that the criteria-in the ERP Applicant's Handbook Volumes I &II, including reduction and elimination of wetland impacts, will be met. Pre-application meetings with District regulatory staff are strongly encouraged to identify issues early in the process.

The District offers its technical assistance to the County and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of adopted amendments to the District. For assistance or additional information, please contact me.

Sincerely,

Terry Manning, Policy and Planning Analyst
South Florida Water Management District
Water Supply Implementation Unit
3301 Gun Club Road
West Palm Beach, FL 33406
Phone: 561-682-6779
Fax: 561-681-6264
E-Mail: tmanning@sfwmd.gov



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

August 10, 2018

Mr. Jack Osterholt, Deputy Mayor/Director
Miami-Dade County Department of Regulatory
and Economic Resources
111 NW 1st Street, 29th Floor
Miami, Florida 33128-1930

**Subject: Miami-Dade County, DEO #18-2ESR
Comments on Proposed Comprehensive Plan Amendment Package**

Dear Mr. Osterholt:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by Miami-Dade County (County) which includes Proposed October 2017 Cycle Application No. 8. The Proposed Application would amend the Land Use Map and the Transportation Element Map Series to include the State Road 836/Dolphin Expressway southwest extension and would propose new polices or modify existing policies in the Land Use, Transportation and Intergovernmental Coordination Elements of the County's Comprehensive Development Master Plan (CDMP). The District based its review on the documents the County submitted in the amendment package.

The proposal is located in the southwestern area of the County and within the general vicinity of the Florida Everglades. A portion of the lands within the proposed study area for the expressway extension have been identified as having potential use with regard to Everglades restoration projects.

The District recognizes that the proposed CDMP amendment occurs during the conceptual phase of a future roadway project. The District's interest is ensuring that any future roadway does not interfere with restoration efforts, or cause impacts to wetlands and other surface waters, regional water supplies, and flood protection and floodplain management. Any future review by the District would require additional information such as the effects on the following areas of concern:

- Wetlands and Other Surface Waters
- Flood Protection and Floodplain Management
- Coordination with the District
- Engineering and design compatibility with potential Everglades restoration projects

Please find attached detailed comments and recommendations in Attachment 1, Comments and Recommendations for Miami-Dade County, DEO #18-2ESR.

The District offers its technical assistance to the County and the Department of Economic Opportunity (DEO) in developing sound, sustainable solutions to meet the County's future water

Mr. Jack Osterholt, Deputy Mayor/Director
August 10, 2018
Page 2

supply needs and to protect the region's water resources. We recommend that staff from the County's Regulatory and Economic Resources Department coordinate with appropriate District staff to provide sufficient information. For assistance or additional information, please contact Terry Manning at (561) 682-6779 or tmanning@sfwmd.gov.

Sincerely,



Terrie Bates, Director
Water Resources Division

Enclosures:

- 1) Comments and Recommendations for Miami-Dade County, DEO #18-2ESR
- 2) Bird Drive Recharge Area Conveyance Concept Graphic

c: Katherine Beck, DEO
Jerry Bell, Miami-Dade County
Kelley Corvin, DEO
Isabel Cosio Carballo, SFRPC
Ray Eubanks, DEO
Kathy Lerch, SFRPC
Lindsey Weaver, DEP

Mr. Jack Osterholt, Deputy Mayor/Director
August 10, 2018
Page 3

bc: Mark Elsner
Jim Harmon
Deb Oblaczynski
Karin Smith
Tia Barnett
Armando Vilaboy
Laura Corry
Internal District Reviewers

Data and analysis needed to support future roadway review

Natural Resources

1. Sufficient data and analysis to determine the final alignment of the expressway extension, potential impacts to natural resources, and potential impacts to restoration projects will be necessary. Exhibits 6 and 7 primarily contain transportation data and analysis and are missing environmental data and analysis. Appendix C of Exhibit 7, Alternative Corridor Evaluation (ACE) Report Project Development and Environment (PD&E) Study, includes evaluations of numerous potential expressway extension alternatives and options for the alignment of the extension. The Appendix contains summaries of transportation data and analysis, and in two charts references an environmental analysis, but supporting environmental data and analysis was not provided. The District cannot make recommendations to address these items until the County:
 - Provides relevant environmental information and studies.
 - Determines the final alignment of the expressway extension.
 - Revises the remainder of the plan amendment package, as applicable, to reflect all completed studies and the final extension alignment.

Wetlands and Other Surface Waters

2. An analysis of the existing wetlands and other surface waters located in the area of the proposed southwest extension of the SR-836/Dolphin Expressway, or information on measures to avoid, minimize and mitigate wetland impacts will be necessary. The County will need to address the following:
 - The proposed general distribution, location and extent of the wetlands and other surface waters to be impacted, including the approximate acreage.
 - Applicable surveys, studies, and data, including the character of undeveloped land.
 - An analysis to demonstrate the suitability for the proposed use considering the character of the undeveloped land, soils, topography, and natural resources.
 - How the natural functions of wetlands will be protected, conserved, and mitigated.

Water Supply

3. An analysis of impacts to the regional water supply will be necessary. The County will need to address the following:
 - Water supply will be needed for the transportation hubs. Because both proposed hubs are outside the Urban Development Boundary and public water supply utility services, it appears a new water supply and new water use permits may be required. Data and analysis indicating the water supply sources and potential water demands for each transportation hub are needed.
 - Water use permits for agricultural permittees within the footprint of the roadway may need to be modified. The shift in withdrawal locations may not have a significant effect

on withdrawal impacts but should be reviewed to identify any potential localized or regional effects.

Stormwater Management

4. An analysis of storm water management needs and flooding issues for the proposed expressway will be necessary. The County will need to address the following:
 - o An analysis of storm water management needs, including a demonstration that there will be no adverse offsite impacts.
 - o An identification of the appropriate stormwater management infrastructure needed for the proposed expressway extension.

Coordination with the District

Rights of Way

1. It appears that a portion of the C-4 Impoundment Area and the C-1W Canal right of way fall within the proposed construction area for the proposed expressway extension. Any planned use of District rights of way or lands must be coordinated with the District to ensure that operation and maintenance of the flood control system is not adversely impacted, and to ensure compliance with District rules and policies for use of such rights of way and lands.

Environmental Resource Permits

2. The proposed expressway extension project will require an Environmental Resource Permit from the District in accordance with Rule 62-330.054, Florida Administrative Code (F.A.C.). This is a separate process from the Comprehensive Plan Amendment as outlined under the Community Planning Act, Chapter 163, F.S. Miami-Dade County and their designated representatives are currently coordinating with the District's Environmental Resource Bureau staff on Environmental Resource Permitting rules associated with the proposed project.

Everglades Restoration Projects

Bird Drive Recharge Area (BDRA)

The Bird Drive Recharge Area (BDRA) features identified in the original CERP Restudy were deemed not feasible by the CERP Project Delivery Team due to the highly transmissive project site and possible flooding impacts to urban areas. As a result, the District, Army Corps of Engineers and Department of Interior developed a BDRA Conveyance Concept that includes seepage collection, groundwater recharge and conveyance to provide benefits consistent with the intent of the CERP Restudy features. The BDRA Conveyance Concept (See Attachment 2) consists of a new canal along the east side of Krome Ave from the C-4 Canal south to the C-1W Canal, a new gated structure at the intersection of the new canal and the C-4 Canal, a new pump station at the intersection of the new canal and C-1W Canal, and a half mile buffer area to facilitate water conveyance. The District owns lands in this area associated with this future CERP project.

Both corridor alignments identified in the proposed amendment are located in or adjacent to the CERP Conveyance Concept. A portion of the proposed alignment of the MDX Kendall Parkway runs through the BRDA project lands. Some portions of the proposed alignment appear to run

adjacent to the buffer area and some portions of the alignment are located within the buffer area. A portion of proposed corridor #2 is located near the location of the proposed pump station. The proposed interchanges would also be adjacent to and within the buffer area.

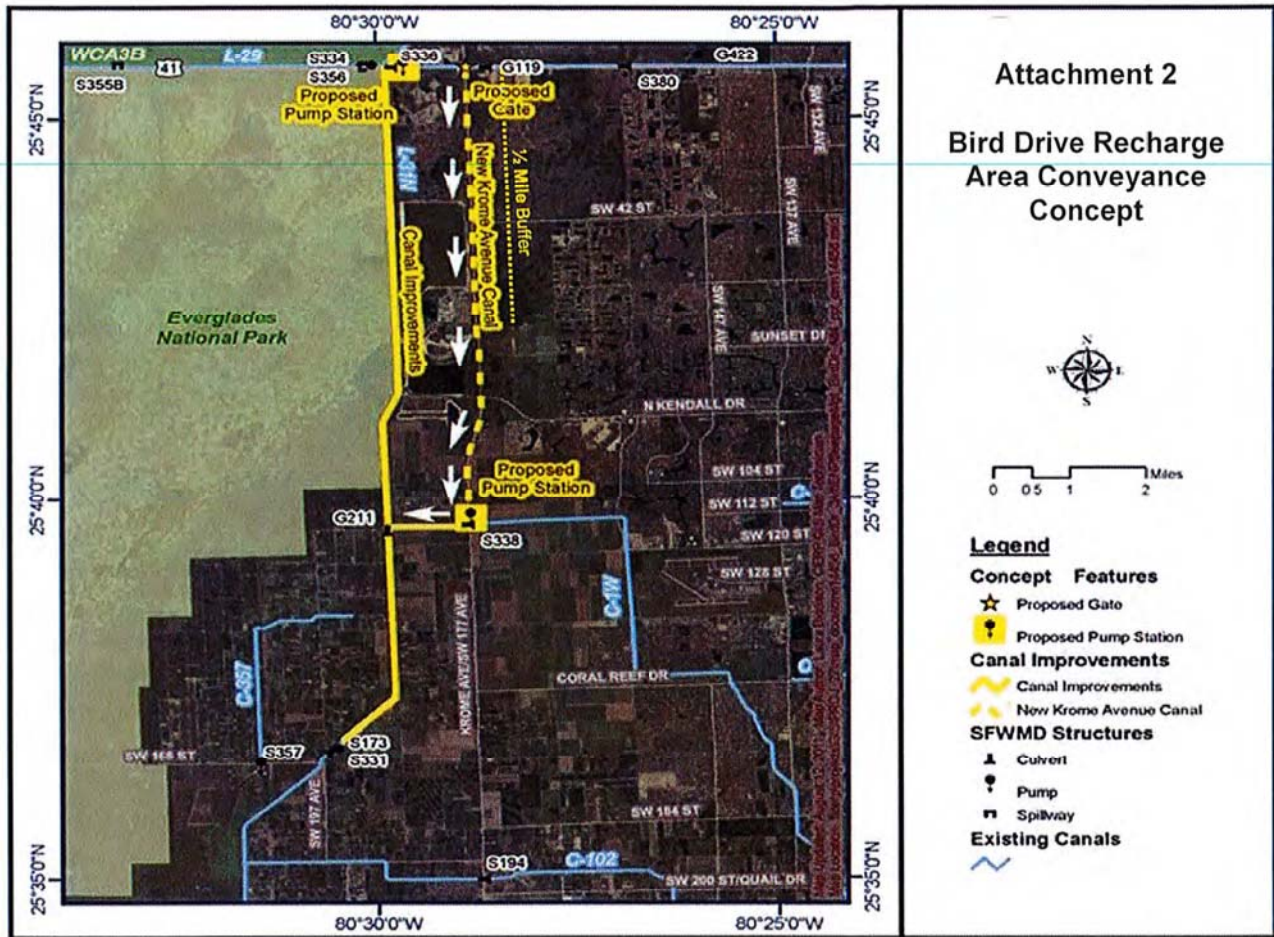
At this time, the District does not yet have detailed enough information, such as the potential for elevated roadways and conveyance features, that would help the District evaluate the proposed project's compatibility with the CERP BDRA Conveyance Concept.

Dade Broward Levee/Pensucco Wetlands

The Dade Broward Levee/Pensucco Wetlands is a CERP project that includes water control structures and modifications to the Dade-Broward Levee and associated conveyance system located in Miami-Dade County. The purpose of this feature is to reduce seepage losses to the east from the Pensucco Wetlands, enhance wetland hydroperiods and provide groundwater recharge to Miami-Dade's Northwest Wellfield.

Based on the information provided, it appears a proposed alignment runs through the southeast corner of the Pensucco Wetlands. The District does yet have sufficient information to determine the proposed project's compatibility with the CERP Dade Broward Levee/Pennsuco Wetlands component.

Attachment 2 Bird Drive Recharge Area Conveyance Concept



Rowe, Garrett A. (RER)

From: Bell, Jerry (RER)
Sent: Thursday, June 28, 2018 3:08 PM
To: Rowe, Garrett A. (RER); Brown, Kimberly (RER)
Subject: FW: Miami-Dade County 18-1ESR Proposed

Jerry H. Bell, AICP, Assistant Director for Planning
Miami-Dade County Department of Regulatory and Economic Resources, Planning Division
111 NW First Street, 12th Floor
Miami, Florida 33128
Phone: (305) 375-2835; Cell: (305) 487-1925
www.miamidade.gov

"Delivering Excellence Every Day"

Please consider the environment before printing this email.

From: Plan_Review [mailto:Plan.Review@dep.state.fl.us]
Sent: Thursday, June 28, 2018 2:47 PM
To: Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>; DCPexternalagencycomments <DCPexternalagencycomments@deo.myflorida.com>
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Miami-Dade County 18-1ESR Proposed

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To: Jerry Bell, Assistant Director

Re: Miami-Dade County 18-1ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@dep.state.fl.us. If your submittal is too large to send via email or if you need other assistance, contact Suzanne Ray at (850) 717-9037.





Rowe, Garrett A. (RER)

From: Bell, Jerry (RER)
Sent: Friday, June 22, 2018 3:02 PM
To: Rowe, Garrett A. (RER); Brown, Helen (RER)
Subject: Fwd: FWC Comments on Miami-Dade County 18-1ESR (Application 7 & 9)

Sent from my iPhone

Begin forwarded message:

From: "Wettstein, Fritz" <Fritz.Wettstein@MyFWC.com>
Date: June 22, 2018 at 2:59:55 PM EDT
To: "jerry.bell@miamidade.gov" <jerry.bell@miamidade.gov>
Cc: "DCPexternalagencycomments@deo.myflorida.com" <DCPexternalagencycomments@deo.myflorida.com>
Subject: FWC Comments on Miami-Dade County 18-1ESR (Application 7 & 9)

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Date: June 22, 2018
To: Jerry Bell, Miami-Dade County
Rc: Florida Fish and Wildlife Conservation Commission (FWC) Comments on Miami-Dade County 18-1ESR (Application 7 & 9)

Dear Mr. Bell,

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment.

If you need any further assistance, please do not hesitate to contact our office by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Christine Raininger at (561) 882-5811 or by email at Christine.Raininger@MyFWC.com.

Sincerely,

Fritz Wettstein, Land Use Planning Program Administrator
Office of Conservation Planning Services
Division of Habitat and Species Conservation
620 South Meridian Street, MS 5B5
Tallahassee, FL 32399-1600
(850) 228-2055

Miami-Dade County 18-1ESR_36479_062218

Rowe, Garrett A. (RER)

From: Kathe Lerch <klerch@sfrpc.com>
Sent: Tuesday, July 24, 2018 4:37 PM
To: Mayor; Osterholt, Jack (Office of the Mayor); Rowe, Garrett A. (RER); Bell, Jerry (RER); boccdis4@monroecounty-fl.gov; Schemper-Emily@monroecounty-fl.gov; hsiegel@ksfla.com; Otis T. Wallace; craexdir@floridacityfl.gov; henry@ilerplanning.com; ccates@cityofkeywest-fl.gov; pwright@cityofkeywest-fl.gov; sjoeph@northmiamifl.gov; tsejour@northmiamifl.gov; dstermer@westonfl.org; Jflint@westonfl.org; Ssinatra@calvin-giordano.com; rmartell@townofmedley.com; ltappen@calvin-giordano.com; DDietch@townofsurfsidefl.gov; ssinatra@cgasolutions.com; jdolan@cgasolutions.com; eweisman@cityofaventura.com; jcarr@cityofaventura.com
Cc: 'tmanning@sfwmd.gov'; 'Lois.bush@dot.state.fl.us'; 'FWCCConservationPlanningServices@myfwc.com'; 'gerry.oreilly@dot.state.fl.us'; 'Deena.Woodward@DOS.MyFlorida.com'; 'complans@freshfromflorida.com'; 'DCPexternalagencycomments@deo.myflorida.com'; Casey, Kylene; Mark.Weigly@fldoe.org; 'kelly.corvin@deo.myflorida.com'
Subject: SFRPC Council Meeting 07/23/18 Agenda Item IV.D. Proposed Miami-Dade County #18-1ESR (Revised and Updated)
Attachments: AgendaJuly18_IV.D. Revised and Updated 7_23_18.pdf

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At its July 23, 2018 meeting, the South Florida Regional Planning Council approved the attached report, finding the proposed amendments to be **generally inconsistent** with the *Strategic Regional Policy Plan* at this time due to insufficient information. We look forward to reevaluating Application Nos. 7 and 9 once the requested information has been received. The Council's recommendations can be found on page 4 of the attached staff analysis.

Miami-Dade County Commission SFRPC Agenda IV.D, #18-1ESR – Applications # 7 and # 9 (Revised and Updated)

Mayor

CC

Carlos A. Gimenez
mayor@miamidade.gov;

B. Jack Osterholt, Jerry Bell, Garrett Rowe
josterholt@miamidade.gov;
jerry.bell@miamidade.gov; rowega@miamidade.gov;

Should you have any questions, or if I can otherwise be of assistance, please do not hesitate to contact me.

Isabel Cosio Carballo, MPA

Executive Director

South Florida Regional Planning Council

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DATE: JULY 23, 2018

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: COMPREHENSIVE PLAN AMENDMENT REVIEW: REGIONAL ISSUES – MIAMI DADE COUNTY #18-1ESR – APPLICATIONS No. 7 AND No. 9

Amendment Review

Pursuant to the Interlocal Agreement creating the South Florida Regional Planning Council in 1974, the Council is directed by its member counties to “assure the orderly, economic, and balanced growth and development of the Region, consistent with the protection of natural resources and environment of the Region and to protect the health, safety, welfare and quality of life of the residents of the Region.”

The South Florida Regional Planning Council (Council) review of proposed Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)* primarily addresses the effects on regional resources or facilities identified in the *SRPP* and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of the affected local government (§163.3184(5), Fla. Stat.). The Council’s review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Community Affairs certifies its completeness.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to 1) adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan for South Florida (SRPP)* and 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region.

A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.

Staff Analysis

Proposed amendment package #18-1ESR was received on June 15, 2018. Nine (9) applications were processed in the October 2017 cycle of amendments to the CDMP seven of which (Applications Nos. 1

through 7) were filed by private parties and two (Application Nos. 8 and 9) were filed by Miami-Dade County. Application No. 1 was withdrawn by the applicant. Application Nos. 2, 3, and 6 were adopted by the Miami-Dade Board of County Commissioners as small-scale amendments on April 25, 2018. Application No. 4 was denied with Applications No. 5 (small-scale) and No. 8 to be transmitted separately.

Background

Application No. 7 proposes a Land Use Map amendment with a proffered Declaration of Restrictions and No. 9 proposed a text amendment to the Miami-Dade County Comprehensive Development Master Plan (CDMP). These applications were transmitted with a recommendation of adoption by the Miami-Dade County Board of County Commissioners on April 25, 2018 by a vote of 11-0 with one absence. Final actions on these amendments are scheduled to occur on July 25, 2018.

Application No. 7

Application No. 7 proposes a redesignation of the subject site on the Land Use Plan map from Industrial and Office to Business and Office and adds a proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element. The Application allows residential, retail, and industrial uses, or a mix of one or more of these uses provide that each use does not exceed the following maximums: 300,000 square feet of retail, 1.2 million square feet of industrial, and / or 700 residential units.

The subject area is 70.82 gross acres located on the west side of I-75, east side of NW 97th Avenue between NW 170th Street and theoretical NW 177th Terrace. It is east of the American Dream Mall/Graham Property site and located within one mile of two Strategic Intermodal System (SIS) corridors (I-75 and Homestead Extension Florida Turnpike (HEFT.) Per Miami-Dade County, the subject property has a Covenant of Restrictions to limit the total number of afternoon peak hour trips generated by the site given the current land use designation.

The Miami-Dade County Department of Regulatory and Economic Resources (RER), Planning Division, provided extensive comments and analysis with respect to Application No. 7 (October 2017 Cycle – Revised and Replaced April 2018). Among other observations, RER states in its report that Miami-Dade County CDMP Policy LU-8E requires LUP map amendment applications to be evaluated according to factors such as 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 public facilities and services; (iii) compatibility with abutting and nearby land uses; (iv) impacts to environmental and historic resources; and how the proposed land use would promote v.) transit ridership and pedestrianism.

Miami-Dade County RER recommended “that the application be transmitted at this time in order to give the applicant the opportunity to address concerns identified by staff regarding the application’s potential impacts”.

In its comments to Miami-Dade County, the South Florida Water Management District (SFWMD) offered the following on July 2, 2018:

The District offers the following recommendations for revising the proposed amendment package for Application No. 7 (the AMB I-75 site) and requests that the County address these recommendations prior to adopting the amendment:

1. The proposed amendment should be revised to include an analysis of storm water management needs and flooding issues, including a demonstration that there will be no adverse offsite impacts and how the integrity of the regional canal systems will be maintained; and an identification of the appropriate stormwater management infrastructure needed for the proposed land uses. A Stormwater Management Permit will be required from the District. Pre-application meetings with District regulatory staff are strongly encouraged to identify issues early in the process.
2. Revise the proposed amendment to demonstrate how water conservation could be utilized to support the non-potable water needs of the proposed land uses. The analysis should include the following:
 - The proposed source of water for landscape irrigation.
 - An explanation of how the proposed land uses could or could not use either on-site wells or reclaimed water for landscape irrigation and for portions of the project that do not require public water supply.
 - If potable water is to be used for landscape irrigation, provide information to demonstrate how the use of potable water is consistent with provisions of the County's Comprehensive Development Master Plan that protect water recharge areas and encourage use of alternative water technologies to meet water demand, including but not limited to Objectives CON-4 and ICE-4 and Policies CON-4A and ICE-4F.
 - If on-site wells or lake pumps are proposed for irrigation, a water use permit will be required, and wetland, pollution and resource impacts will need to be assessed.
3. The proposed amendment does not demonstrate how impacts to the wetlands identified on the site will be avoided and will be mitigated. The site contains identified wetlands. Environmental Resource Permit(s) (ERPs) will be required from the District. The applicant for development on the site will need to demonstrate that the criteria-in the ERP Applicant's Handbook Volumes I & II, including reduction and elimination of wetland impacts, will be met. Pre-application meetings with District regulatory staff are strongly encouraged to identify issues early in the process.

In its letter of June 19, 2018, the Florida Department of Transportation (FDOT) stated that the “maximum threshold number of trips is equal to the maximum potential trips generated by the site given its current land use designation. As a result, the proposed change to a Business and Office designation would not have an impact upon the adjacent SIS facilities since the maximum number of potential PM peak hour trips is unchanged.”

Council staff recommends that given the proximity of the proposed development to ADM/Graham, should transportation impacts to adjacent local governments including Miramar and Broward County be identified in the future, impacts to local governments should be mitigated.

Application No. 9

Application No. 9 seeks to amend the Open Land Subarea 1 interpretive text on page I-67 of the Land Use Element in the October 2013 edition of the County’s adopted CDMP to allow the County owned site for former and decommissioned Opa-Locka West Airport to be used as an area for recreational motorsports, specifically all-terrain vehicle (ATV) use and recreational drag racing.

The subject area is approximately 420 acres of mostly vacant land located south of the Miami-Dade/Broward County line (NW 202nd Street) between SR25/Okeechobee Road and a theoretical NW 132nd Avenue, and north of NW 186th Street. The site is owned by Miami-Dade County Aviation Department. The site, which is currently in use, is located four miles north west of American Dream

Miami, three and a half miles outside the Urban Development Boundary (UDB), and outside of the Urban Expansion Area. According to the Miami-Dade RER's October 2017 Cycle – Revised and Replaced April 2018 staff report, the “application site is part of the ‘Open Land Subarea 1’ land use designation. The ‘Open Land’ designation in this area allows for rural residential uses at one dwelling unit per five acres, limestone quarrying and ancillary uses, compatible institutional uses, public facilities, utility facilities, communications facilities, recreational uses, and seasonal agriculture. It also prohibits any uses that could compromise groundwater quality west of the Turnpike Extension.”

The SFWMD did not identify any significant water resource issues with Application No. 9. In its review of Application No. 9 on June 19, 2018, FDOT noted that “No quantitative transportation analysis was provided to evaluate the maximum potential impacts to SIS and other regional transportation facilities of this amendment per FDOT District 6. The District requests that Miami-Dade County provide sufficient transportation analysis to document the potential impact the proposed land use changes will have on the transportation network.”

As expressed to FDOT by Miami-Dade County RER in an email response to their comment, the proposed amendment is a text amendment, not a map amendment. As such it does not necessitate a traffic study. Necessary traffic studies will be conducted at zoning when a specific project is being proposed and evaluated.

Recommendation

Find Application No. 7 **generally inconsistent** with the Strategic Regional Policy Plan at this time due to insufficient information. Council staff recommends that the questions posed by the Miami-Dade County Department of Regulatory and Economic Resources (Application No. 7 - October 2017 Cycle – Revised and Replaced April 2018) and the SFWMD be fully answered prior to adoption. Council staff recommends that any residential development be required to incorporate a range of housing choices to include affordable and workforce housing. Given the proximity of the proposed development to ADM/Graham, should transportation impacts to adjacent local governments, including Miramar and Broward County, be identified in the future, impacts to local governments should be mitigated. All requirements for the project should be documented and incorporated into a legally binding document.

Find Application No. 9 **generally inconsistent** with the Strategic Regional Policy Plan at this time due to insufficient information. FDOT staff indicates that it is unclear how potential development of the former and decommissioned Opa-Locka West Airport in Northwest Miami-Dade County will impact the adjacent corridors that are part of the Strategic Intermodal System and other regional transportation systems in the future. Recognizing that the proposed amendment is a text amendment, the Council requests that Miami-Dade County provide a transportation analysis regarding the maximum potential impact that the possible addition of a recreational motorsport facility and destination featuring all-terrain vehicle use and recreational drag racing will have on the Strategic Intermodal System, transportation network, and adjacent local governments including Miramar and Broward County.

The Council looks forward to reevaluating Application Nos. 7 and 9 once the requested information has been received.

Approve this staff report for transmittal to the local governments with a copy to the State Land Planning Agency.

Staff Analysis: Revised and updated July 23, 2018

Council Action: Approved July 23, 2018



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- Hon. Greg Ross, 1st Vice Chair
- Hon. Daniela Levine-Cava, 2nd Vice Chair
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- Dat Huynh, FDOT
- Jennifer Smith, FDEP

Executive Director

- Isabel Cosío Carballo, MPA

Legal Counsel

- Sam Goren
- Goren, Cherof, Doody & Ezrol, P.A.

August 13, 2018

Mr. B. Jack Osterholt
 Deputy Mayor/Director
 Regulatory and Economic Resources
 Miami-Dade County
 111 NW 1st Street, 29th Floor
 Miami, Florida 33128

Subject: Miami-Dade County, DEO #18-2ESR

Dear Mr. Osterholt:

The South Florida Regional Planning Council completed its review of proposed amendment package #18-2ESR submitted by Miami-Dade County and received by the Council on July 13, 2018. The Application proposes amendments to the Land Use Map and the Transportation Element Map Series to include the SR 836/Dolphin Expressway southwest extension and adopt new policies or modification of existing policies in the Land Use, Transportation and Intergovernmental Coordination Elements of the County's Comprehensive Development Master Plan (CDMP).

The proposed project is located in the southwestern area of the County and within the general vicinity of the Florida Everglades, Urban Development Boundary, and tribal lands of the Miccosukee Tribe of Indians of Florida. A portion of the lands lies in areas identified as having potential use in Everglades Restoration plans. Council understands that area residents seek relief from cut-through traffic affecting their communities and excessive commutes times from southwestern Miami-Dade County to other parts of the County. Council is also informed of ongoing debates among local and countywide residents, other stakeholders, and elected officials, who are concerned that the project, even with proposed new and modified policies in the CDMP, will have adverse, long-term impacts on Miami-Dade County and South Florida.

The Miami-Dade Police Department's (MDPD) and Miami-Dade Fire Department's (MDFD) review¹ of the proposed project indicates that the proposed 836 extension will "improve roadway system connectivity and promote public safety, by improving hurricane and emergency evacuation times" including decreased response times and enhanced connectivity between the County's south and southwest suburbs. While data and analysis is needed to support the stated benefit and identify potential impacts on State Intermodal System facilities,

¹ April 20, 2018 Miami-Dade Fire Department Memorandum, Analysis of the October 2017 Cycle Applications to Amend the CDMP (Revision No. 3)



staff has identified *Strategic Regional Policy Plan* for South Florida (SRPP) goals that would be advanced by a new north-south transit/expressway corridor serving Southwest Miami-Dade and Monroe County areas as an alternative hurricane and emergency evacuation route to facilitate evacuation. Specifically, staff has focused on SRPP Goal 3 to “Promote the health, safety, and welfare of South Florida’s residents”, Goal 18 “Ensure regional coordination, preparation, and response to emergencies”, and Goal 8 to “Enhance the Region’s mobility, efficiency, safety, quality of life, and economic health through improvements to road, port, and public transportation infrastructure”.

Our Council has considered that, consistent with its statutory and interlocal agreement responsibilities, amendments can only be found generally inconsistent **unless and** until a consistency finding can be supported by adequate data and analysis. On August 8, 2018 the Council found Amendment #18-2ESR (Application #8) to the Miami-Dade County CDMP **generally inconsistent** with the SRPP. Council’s finding is predicated on insufficient data and analysis enabling identification and understanding of the potential impacts the proposed extension may have in the following areas:

- Potential impacts to wetlands, wellfields, drinking water, Everglades/Comprehensive Everglades Restoration Plan (CERP)
- How the proposed extension supports, furthers, and integrates with the SMART Plan and other studies and plans, including whether the proposed dedicated transit lane for regional express buses and perhaps rail in the future will be committed to in perpetuity
- Comparative impacts between MDX Red Corridor versus MDX Red/Blue Corridor on wetlands, wellfields, agricultural lands
- Impact from the loss of agricultural land on the Miami-Dade County agricultural sector
- Extra-jurisdictional impact - how the proposed extension may affect the Miccosukee Tribe of Indians of Florida (Tribe) Tribal Reservation and lands, and how impacts would be ameliorated

Section 163.3184(3)(c)1, F.S., provides that a local government shall hold its second public hearing on whether to adopt proposed comprehensive plan amendments within 180 days of receiving comments from the state and regional review agencies. Otherwise, the proposed amendments shall be deemed withdrawn unless the 180-day timeframe is extended by agreement. The Council respectfully requests that the County consider delaying its second public hearing until such time as additional information, data, and analysis is available for review and consideration, including data and analysis addressing the issues identified by review agencies such as the South Florida Water Management District in its agency review letter of August 10, 2018.

Council staff is committed to working with the County to assist in resolving any data and analysis needs and open items prior to adoption and transmittal to the Council for final review. We look forward to continuing to work with the staff from the County’s Regulatory and Economic Resources Department to secure additional and sufficient information. For assistance or additional information, please contact me (isabelc@sfrpc.com) and Christina Miskis (cmiskis@sfrpc.com) at 954-924-3653.

Mr. B. Jack Osterholt
August 13, 2018
Page 3

Thank you again for your support of the Council.

Sincerely,

A handwritten signature in cursive script that reads "Isabel Cosio Carballo for ICE". The signature is written in black ink and is positioned above the typed name of the sender.

Isabel Cosio Carballo, MPA
Executive Director

Enclosures:

cc: Katherine Beck, DEO
Jerry Bell, Miami-Dade County
Kelley Corvin, DEO
Ray Eubanks, DEO
Javier Rodriguez, P.E., MDX
Lindsey Weaver, DEP



MEMORANDUM

AGENDA ITEM #IV.B2

DATE: AUGUST 8, 2018

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: COMPREHENSIVE PLAN AMENDMENT REVIEW: MIAMI-DADE COUNTY #18-2ESR – KENDALL PARKWAY/PROPOSED 836 SOUTHWEST EXTENSION

Amendment Review

Pursuant to the Interlocal Agreement creating the South Florida Regional Planning Council in 1974, the Council is directed by its member counties to “assure the orderly, economic, and balanced growth and development of the Region, consistent with the protection of natural resources and environment of the Region and to protect the health, safety, welfare and quality of life of the residents of the Region.”

The South Florida Regional Planning Council (Council) reviews Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)* Pursuant to Section 163.3184, Florida Statutes. Council review of amendments to local government comprehensive plans is limited to 1) adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan for South Florida (SRPP)* and 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region. The Council’s review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Economic Opportunity certifies its completeness.

A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.



South Florida Regional Planning Council
1 Oakwood Boulevard, Suite 221, Hollywood, Florida 33020
954-924-3653 Phone, 954-924-3654 FAX
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Introduction

Council staff received proposed amendment package #18-2ESR (Application # 8) on July 13, 2018. The proposed amendment is part of the Miami-Dade County October 2017 cycle of amendments to the CDMP.

The Miami-Dade Board of County Commissioners has transmitted this application to amend its Comprehensive Development Master Plan (CDMP) to include a new expressway outside of the urban development boundary (UDB) to serve the mobility needs of an estimated 600,000 residents in West Dade and West Kendall. (**Exhibit 1 – Map**)

Background

Application # 8 of the Miami-Dade County October 2017 Cycle CDMP Amendment (Revised and Replaced June 2018), seeks “to allow the future construction of the southwest extension of the SR-836 / Dolphin Expressway from its current terminus at approximately NW 12 Street and NW 137 Avenue to SW 136 Street...”. Miami-Dade County seeks to address roadway network capacity deficiencies and improve accessibility in southwest Miami-Dade, particularly in West Dade and West Kendall. According to Exhibit 7 of the transmittal package, this extension is proposed in response to transportation congestion and increased travel times in Southwest Miami-Dade County. The stated intent of the amendment is “to add capacity to the roadway network and significantly improve travel times between the southwest portion of the County and centers of employment, such as the Miami International Airport and the Doral areas, which provides a benefit to the public health, safety, and welfare.” (pg. 8-2)

As currently proposed the SR-836 Southwest Extension would:

- Connect to existing SR-836 at NW 137 Avenue;
- Extend ±13 miles to SW 136 Street;
- Be a tolled expressway facility to be built and operated by MDX;
- Provide inner shoulders to accommodate mass transit;
- Permit mass transit service to connect to service to be implemented on existing SR-836;
- Include a multi-use recreational trail; and
- Include park and ride locations that would be decided through future study.

Source: October 2017 Cycle Applications to amend the CDMP (Jerry Bell, Assistant Director for Planning)

The amendment proposes to:

- change the Land Use Element to include the 836/Dolphin Expressway southwest extension as an “Expressway” on the Land Use Plan map;
- change the Transportation Element map series in the Traffic Circulation Sub-element and Mass Transit Sub-element to include the SR-836/Dolphin Expressway southwest extension;
- incorporate CDMP text changes requiring the alignment of the SR 836 southwest extension remain outside and to the east of the boundary of the 10-day travel time contour of the west wellfield area as well all drainage shall be subject to Miami-Dade Department of Environmental Resources Management approval for conformance to Chapter 24 of the Code; prior to the construction of the roadway, or any phase thereof, MDX shall prepare a surface water sheet flow analysis to demonstrate that the wetlands hydrology in this area shall be adequately retained;

- incorporate CDMP text changes intended to mitigate wetland impacts with the Bird Drive and North Trail Basins through acquisition, restoration, and preservation, including preparing a plan to preserve hydrological connections and surface water flow by using culverts or bridges;
- incorporate CDMP text changes requiring the provision of mass transit services along the proposed extension;
- incorporate CDMP text changes requiring the design of a multi-use recreational trail within the proposed extension with connections to existing and planned trails and greenways networks proximate to the proposed extension;
- incorporate CDMP text changes requiring construction to not restrict farm vehicle and equipment access to agricultural lands and to ensure design and construction do not cause drainage and light spillage on agricultural lands;
- incorporate CDMP text changes requiring the preservation of agricultural lands outside the UDB commensurate to the amount of agricultural lands that would be displaced by the proposed extension;
- incorporate CDMP text changes requiring Miami-Dade County to coordinate with MDX on park and ride facilities and the location of interchanges for the proposed extension;
- incorporate CDMP text changes intended to discourage urban sprawl by prohibiting the associated capacities of the proposed extension from being used for concurrency purposed by new development in the project's Area of Impact;
- incorporate CDMP text changes requiring within one-year of the proposed extension's opening MDX provide Miami-Dade County an analysis of any increases in peak-hour capacity on all roadway links and intersections within the Area of Impact;
- incorporate CDMP text changes requiring Miami-Dade County and MDX to execute an interlocal agreement to implement CDMP changes;
- incorporate CDMP text changes requiring an affirmative vote of at least five members of the Community Zoning Appeals Board and $\frac{2}{3}$ of the total members of the Board of County Commissioners for any proposed zoning change or CDMP amendment for activities other than agriculture or residential and Bed and Breakfast permitted within agricultural land outside of the UDB;
- incorporate CDMP text changes requiring an affirmative vote of at least five members of the Community Zoning Appeals Board and $\frac{2}{3}$ of the total members of the Board of County Commissioners for any CDMP amendment that would modify the provisions, if adopted, of this amendment;
- incorporate CDMP text changes prohibiting lands within the Area of Impact from being included within the UDB if the basis for inclusion is the capacity from the proposed extension; and
- correct Figure 1 (entitled "Planned Year 2030 Roadway Network — Arterials, Collectors and other Significant Paved Roads") to reflect the roadway portion between 8th Street and 88th Street was six-lanes and not four-lanes.

Agency Review

On July 10, 2018 Miami-Dade County distributed to reviewing agencies #18-2ESR for their review and comment. State review agencies wishing to provide comments are required to do so within thirty (30) days. These agencies are the Florida Department of Economic Opportunity / State Land Planning Agency (DEO - SLPA), Florida Department of Transportation (FDOT), Florida Department of Environmental Protection (FDEP), Florida Fish and Wildlife Conservation Commission (FWC), South Florida Water Management District (SFWMD), Florida Department of Agriculture and Consumer Services, and the South Florida Regional Planning Council (SFRPC). These are technical assistance comments consistent with

Section 163.3184 (3), F.S. No technical comments from the review agencies have been received by the Council. The South Florida Water Management District has advised that their comments will be submitted to the Florida Department of Economic Opportunity on August 10, 2018.

Regional Transportation Considerations

SRPP Policy 11.3 Develop and implement incentives for urban redevelopment to promote: a. high density, urban centers; b. flexibility in the expenditure of transportation system capital funds to create a more balanced mix of highways, public transportation, and goods movement; and c. nodes of transit-oriented design of appropriate land use density along major urban corridors of public transportation.

SRPP Policy 20.7 Facilitate pedestrian and bicycle movement, increase the use of public transportation, and decrease the use of single occupant vehicles through such measures as innovative site design and transit-oriented development.

The SR 836 / Dolphin Expressway Extension (also referred to as the “Kendall Parkway”) planning efforts began in 2007/2008 with an Miami-Dade Expressway Authority (MDX) Concept Study. This Study resulted in the identification of four (4) Concept Corridors. MDX initiated a Project Development and Environment (PD&E) Study in December 2013 wherein three (3) Alternative Corridors reflecting north-south alignments were evaluated. The north-south alignments were SW 117th Avenue / Krome Avenue (Western Alignment), an alignment tracking the Urban Development Boundary (Center Alignment), and an alignment tracking 157th Avenue (Eastern Alignment).

The PD&E Alternative Corridor Evaluation (ACE) Report¹ notes its objective was “evaluating the southwest extension of SR 836 from its current terminus at NW 137th Avenue to SW 136th Street. The new facility is envisioned as a limited access, multi-modal, tolled expressway. Several Alternative Corridors were considered in the first stages of the study, including but not limited to those presented in the MDX 83618 SR 836 Southwest Extension Draft Project Concept August 2009 (Rev.) (“MDX Concept Report”) referenced above and developed as a result of coordination with the public and permitting agencies.”

Through this amendment Miami-Dade County seeks to:

- improve system connectivity;
- improve access to and from the area to major employment, education, and commercial centers;
- provide north-south expressway access to serve existing and future travel demand;
- improve hurricane/emergency evacuation routes and travel times; and
- evaluate multi-modal opportunities to improve connectivity to the fast growing southwest area of Miami-Dade County.

In the Alternative Corridor Evaluation (ACE) process the study area was segmented and a link analysis was performed. This resulted in 46 potential Alternative Corridors which eventually was reduced to a total of 10 Alternative Corridors. These 10 corridors were further evaluated along the following criteria: purpose and need evaluation, avoidance and minimization of potential impact to environmental resources, engineering considerations and consistency with Miami-Dade County’s CDMP. Based on MDX’s evaluation, two corridors were recommended for further consideration.

¹ Final Draft – February 2017

Exhibit 2 shows the preferred corridor chosen by the MDX process, an alternate alignment on the southern portion.

Miami-Dade County designates as its preferred alignment MDX Alternate Corridor which goes westward from the Urban Development Boundary to Krome Avenue (SW 177th Avenue) (page 8-1.1, Application 8)

An area-wide operational analysis was conducted to assess the traffic characteristics and identify existing operational deficiencies along critical roadway facilities within the traffic study area. According to the Study, travel speeds within the study area were found to be lower during the AM peak period compared to the PM peak period. Travel speeds lower than 18 mph were observed on Bird Road (SW 42nd Street), Kendall Drive (SW 88th Street), Coral Reef Drive (SW 152nd Street), SW 137th Avenue, and SW 107th Avenue during the AM peak period and Tamiami Trail (SW 8th Street), SW 137th Avenue, and SW 107th Avenue during the PM peak period. The roadways listed above are operating at LOS E and F representative of the level of congestion observed in the area. In addition, the peak hour/peak direction V/C ratios revealed that in 20 and 13 roadway segments, the traffic demand exceeds the available capacity during the AM and PM peak hours, respectively. Besides these overcapacity segments, another 15 segments during AM, and 16 locations during the PM, are also failing from the capacity standpoint.

The Miami-Dade County Department of Regulatory and Economic Resources (RER) staff report states, “the SR-836 southwest extension could have the unintended consequence of increasing development pressure on land outside the UDB, including current agricultural lands, if the proposed amendment only addressed the future construction of the roadway.” (Miami-Dade County RER Exhibit 7, page 8-3, point 2.) In response, Miami-Dade RER is recommending policy changes to the October 2017 CDMP Amendment application to “counterbalance the possibility of increased development pressure and to discourage urban sprawl” and “protect the rural character of land outside of the UDB ...”. (Miami-Dade County RER Exhibit 7, page 8-3, point 2.) Policies to support mass transit and recreation and open space are among the numerous policies proposed. **(Exhibit 3)**

The proposed extension is seen as a measure for existing residents seeking relief from cut-through traffic in their communities and excessive commutes times from western Miami-Dade County to other parts of the county. There is an ongoing debate among local and countywide residents, stakeholders, and elected officials over whether the suggested land use policy changes, including requiring supermajority votes by the Zoning Appeal Board and Board of County Commissioners, are sufficient to protect agricultural and environmental lands from increased development pressure and additional congestion. There is a risk that additional capacity provided by the expressway may be filled quickly through the principle of “latent and induced demand” where increasing the supply of a good, results in higher consumption of the good. There are many studies on the relationship between congestion and roadway growth that can provide guidance. Should future development be auto-centric, this will further exacerbate traffic congestion.

Miami-Dade County employs a multi-prong approach to evaluating and planning its transportation needs. One of the primary Miami-Dade County processes for long-term relief to the County’s transportation challenges is the *Strategic Miami Area Rapid Transit*, or SMART Plan, which depends on transit-based solutions. It is integral to the success of the SMART Plan vision in western Miami-Dade County that any proposed expressway project complement and enhance the viability of the SMART Plan’s associated land use recommendations.

As background, the SMART Plan identifies the development of six (6) rapid transit corridors that directly support the mobility of Miami-Dade County’s future population and employment growth. The six (6) SMART Plan rapid transit corridors include the Beach Corridor, East-West Corridor, North Corridor,

Northeast Corridor, and South Dade Transitway. The Miami-Dade Transit Planning Organization (TPO), recognizing that transit supportive land use in appropriate locations plays a critical role in the success of major rapid transit investments, is also conducting Land Use Planning and Visioning Studies as part of their overall long-term strategy. The intent of these studies is to help achieve community goals through the integration of transportation and land use planning and implementation of land use strategies that will support transit.

The proposed MDX expressway alignment crosses the SMART Plan's Kendall Corridor, which is planned as a rapid transit corridor along State Road (SR) 94/Kendall Drive/SW 88 Street from SR 997/Krome Avenue/SW 177 Avenue to the Dadeland North Metrorail Station. The Florida Department of Transportation (FDOT) is conducting a PD&E study for the implementation of the Kendall Corridor. This study is scheduled to be completed in early 2019. The associated Land Use Planning and Visioning Study for the corridor, will provide recommendations for land use changes that will then be codified.

The SR 836/Dolphin Expressway Southwest Extension's PD&E Study references the SMART Plan but lacks adequate data and analysis regarding how coordination and consistency with the County's holistic transportation needs and planning programs will be achieved. The success of the SMART Plan's Kendall Corridor is predicated on transit-oriented development occurring in the designated activity centers along the designated corridors so that hubs with convenient and safe access to premium transit are built over time. Studies of the proposed SR 836/Dolphin Expressway Southwest Extension should include data and analysis demonstrating that, if ultimately approved, its approval will not impede future transit-oriented development along the Kendall Corridor, or the County's long term, sustainable vision for long lasting traffic congestion relief.

The SMART Plan's East-West Corridor, which will implement transit service along the 836 from the Miami Intermodal Center at Miami International Airport to Florida International University at SW 8th Street and 107th Avenue, would potentially feed into the SR 836/Dolphin Expressway Southwest Extension. The transit provision is expected to be inherently seamless and complimentary, as both facilities would have MDX as the operator. Miami-Dade Transportation and Public Works is studying the implementation of the East-West Corridor, to identify locations for transit terminals, and the implementation of a cost-effective, high-ridership, new premium transit service with supporting pedestrian and bicycle facilities.

As currently proposed the SMART Plan Kendall Corridor extends to SW 167 Avenue on Kendall Drive whereas the corridor alignment for the proposed MDX extension is further west, but east of Krome Avenue at 177th Avenue. **(Exhibit 4)**

Ecological Considerations

SRPP Policy 7.6: Ensure that the recharge potential of land is not reduced as a result of a proposed modification in the existing uses by incorporation of open space, pervious areas, and impervious areas in ratios which are based upon analysis of on-site recharge needs.

SRPP Policy 14.3: Protect native habitat by first avoiding impacts to wetlands before minimizing or mitigating those impacts. Development proposals should demonstrate how wetland impacts are being avoided and what alternative plans have been considered to achieve that objective.

SRPP Policy 14.4: Direct land uses that are not consistent with the protection and maintenance of natural resource values away from Natural Resources of Regional significance, adjacent buffer areas.

SRPP Goal 15: Restore and protect the ecological values and functions of the Everglades Ecosystem by increasing habitat area, increasing regional water storage, and restoring water quality.

SRPP Policy 15.1: Encourage land uses and development patterns that are consistent with Everglades Ecosystem restoration and with the protection of Natural Resources of Regional Significance.

While the proposed SR 836/Dolphin Expressway Southwest Extension does not directly intersect SRPP Natural Resources of Regional Significance, the northern parts of the extension do intersect or encroach upon Everglades National Park Seepage Management East Coast Buffer, the C-4 Detention Reservoir, East Bird Drive Basin, West Bird Drive Basin, and the Pennsuco Wetlands. The proposed Extension, up until it passes south of SW 67th Terrace, poses impacts to wetland habitats and Comprehensive Everglades Restoration.

Roadways are impervious surfaces which not only impede groundwater seepage but place polynucleic aromatic hydrocarbons and other contaminants into the ecosystem, both of which undermine the goals of Comprehensive Everglades Restoration Plan. The proposed project has the potential to reduce aquifer recharge and diminish the quality of the water which does seep into the aquifer.

All wetland impacts must be mitigated. Impacts to the Pennsuco Wetlands must be approached with the appropriate complexity. The Pennsuco Wetlands was acquired for wetland loss elsewhere, and as such, any loss of this wetland is doubly impactful as it is the replacement for the historic loss of wetlands elsewhere.

Agricultural Impactss

SRPP Policy 12: Encourage the retention of the Region's rural lands and agricultural economy.

A portion of the developable land between the proposed SR 836 / Dolphin Expressway Southwest Extension and the Urban Development Boundary is agricultural land. Miami-Dade County boasts the second greatest number of acres in agricultural production within the state, totaling 63,175 acres in 2017. According to the USDA Agricultural Census, Miami-Dade agriculture also accounts for the second highest value of agricultural products sold in the state, second only to Palm Beach County with their large-scale sugarcane production². South Dade agriculture produces tropical fruits, snap beans, tomatoes, and other crops which supply much of the United States throughout the winter. Additionally, Miami-Dade agriculture produces the greatest number of sweet potatoes, avocados, nursery stock crops, snap beans, and quail in the state³. The agricultural industry has shaped the unique character of South Dade communities which is celebrated by residents, producers, and the *South Dade More to Explore* civic group.

² 2012 USDA Agricultural Census. <https://www.freshfromflorida.com/Divisions-Offices/Marketing-and-Development/Education/For-Researchers/Florida-Agriculture-Overview-and-Statistics>

³ 2012 USDA Agricultural Census.

https://www.agcensus.usda.gov/Publications/2012/Online_Resources/County_Profiles/Florida/cp12086.pdf

The SR-836 Southwest Extension would directly impact agriculture in Miami-Dade by the loss of 300-400 acres of agricultural land⁴ through construction.

Extra-jurisdictional Considerations

The Miccosukee Tribe of Indians of Florida (Tribe) has Tribal Reservations and lands in the area and within the corridor of Miami-Dade Expressway Authority's proposed plans for SR 836/Dolphin Expressway Southwest Extension. The concerns expressed by the Tribe on the proposed expressway include degradation of wetlands in the immediate vicinity of the road, as well as the further degradation of the wetlands and wellfields from the long-term operation of the expressway through polluted runoff.

The Miccosukee Tribe has proposed its preferred alternative for the 836 Extension: an elevated extension of the 836 west through the Pennsuko Wetlands and connecting to Krome Avenue, which is currently being widened. The Florida Department of Transportation (FDOT) is widening Krome Avenue from two- to four-lanes with a 40-foot median at a total cost of approximately \$280 million. The 36-mile Krome Avenue corridor has been divided into 12 separate projects and is expected to be completed by 2022.

On June 27, 2018 the Miccosukee Tribe of Indians of Florida submitted a letter to the Governor detailing its concerns accompanied by a map of its proposed alternative (**Exhibit 5**). Also included in Exhibit 5 is a letter from the Miami-Dade Expressway Authority to the Governor, dated August 6, 2018, to "address the concerns expressed by the Tribe as well as provide detailed information about the selection process and considerations for the Kendall Parkway project."

Public Input

Miami-Dade County has received significant written and verbal comments in support and opposition for the proposed expansion. The amendment package documents what was received by the County at its June 20, 2018 public hearing:

- Exhibit 5 (d) Petition containing 415 names of residents submitted in opposition
- Exhibit 5 (f) Resolution in support from the Greater Miami Chamber of Commerce
- Exhibit 5 (g) Letter of support from the Oak Creek at Kendall Homeowners Association (Victoria Park)
- Exhibit 5 (h) Letter of support from the Oak Creek North Community Association
- Exhibit 5 (i) Resolution of support from the Walk Master Homeowners Association
- Exhibit 5 (j) Letter of opposition to the proposed 836 extension addressed to Mayor Carlos Gimenez and Chairman Esteban Bovo containing maps, graphs, and table submitted by the Law Firm of Coffey Burlington representing a coalition of organizations including: 1000 Friends of Florida, Friends of the Everglades, Michelle Garcia, Izaak Walton League Florida Keys Chapter, Izaak Walton League Mangrove Chapter, Laura Reynolds, Sierra Club Miami Group, Tropical Audubon Society, and Urban Environment League.
- Exhibit 5 (k) Petitions and other correspondence submitted in support of the SR 836 extension
 - As reported by MDX (the Applicant) this includes 5,924 cards of support; 70 petitions to MDX; and letters to the Board of County Commissioners or the Miami-Dade Expressway Authority.
- Exhibit 5 (l) Resolutions of support submitted by the Kendall Federation Homeowners Association; Venetian Isles Community Development District; Country Walk Homeowners Association; Concerned Citizens of West Dade; Oak Creek North Community Association; and Oak Creek at Kendall Homeowners Association (Victoria Park)

⁴ Personal conversation with Jerry Bell, Assistant Director MDC RER, August 7, 2018,

There are numerous newspaper articles, editorials, and “letters to the editors”. As an example, **Exhibit 6** contains an editorial by Miami-Dade County Mayor Carlos Gimenez and a Miami Herald Editorial offering contrasting views on the proposed expansion.

Summary

Miami-Dade residents living in West Dade and West Kendall are extremely burdened by traffic congestion, gridlock, and excessive commute times. This has a significant, adverse impact on residents and their families, businesses and the economy, environment, community, and quality of life. Council staff acknowledges the need to provide relief and the good faith, professional effort to address these issues by the Miami-Dade County Board of County Commissioners, Miami-Dade County staff, and the Miami Dade Expressway Authority through its planning process and proposed inclusion of additional protective land use policies in the CDMP.

Council staff also acknowledges the serious concerns voiced by opponents of the proposed 836 / Kendall Parkway Extension. These concerns include, but are not limited to, the potential for increased development pressure and urban sprawl into sensitive environmental lands including wetlands and wellfield recharge areas, the loss of agricultural land and impacts to the agricultural community, and questions related to regional transportation policies and implementation of the SMART Plan. Extra-jurisdictional considerations raised by the Miccosukee Tribe of Indians of Florida remain to be addressed.

Staff Recommendation

At its July 23, 2018 meeting, the Council reinforced the practice that amendments lacking adequate data and analysis for review will be found generally inconsistent until such time that adequate data and analysis is available. Therefore, staff recommends that the Council find Amendment #18-2ESR (Application #8) to the Miami-Dade County CDMP **generally inconsistent** with the *Strategic Regional Policy Plan for South Florida* (SRPP) because it is not adequately supported by data and analysis indicating the potential impacts the proposed extension may have to the following areas:

- Potential impacts to wetlands, wellfields, drinking water, Everglades / CERP
- How the proposed extension supports, furthers, and integrates with the SMART Plan and other studies and plans, including whether the proposed dedicated transit lane for regional express buses and perhaps rail in the future will be committed to in perpetuity
- Comparative impacts between MDX Red Corridor versus MDX Red/Blue Corridor on wetlands, wellfields, agricultural lands
- Impact from the loss of agricultural land
- Extra-jurisdictional impact - how the proposed extension may affect The Miccosukee Tribe of Indians of Florida (Tribe) Tribal Reservation and lands, and how impacts would be ameliorated

Council staff is committed to working with the County to assist in resolving any data and analysis needs and open items prior to adoption and transmittal to the Council for final review.

Exhibit 1

Exhibit 2


Kendall PARKWAY


LEGEND

 2020 Urban Development Boundary

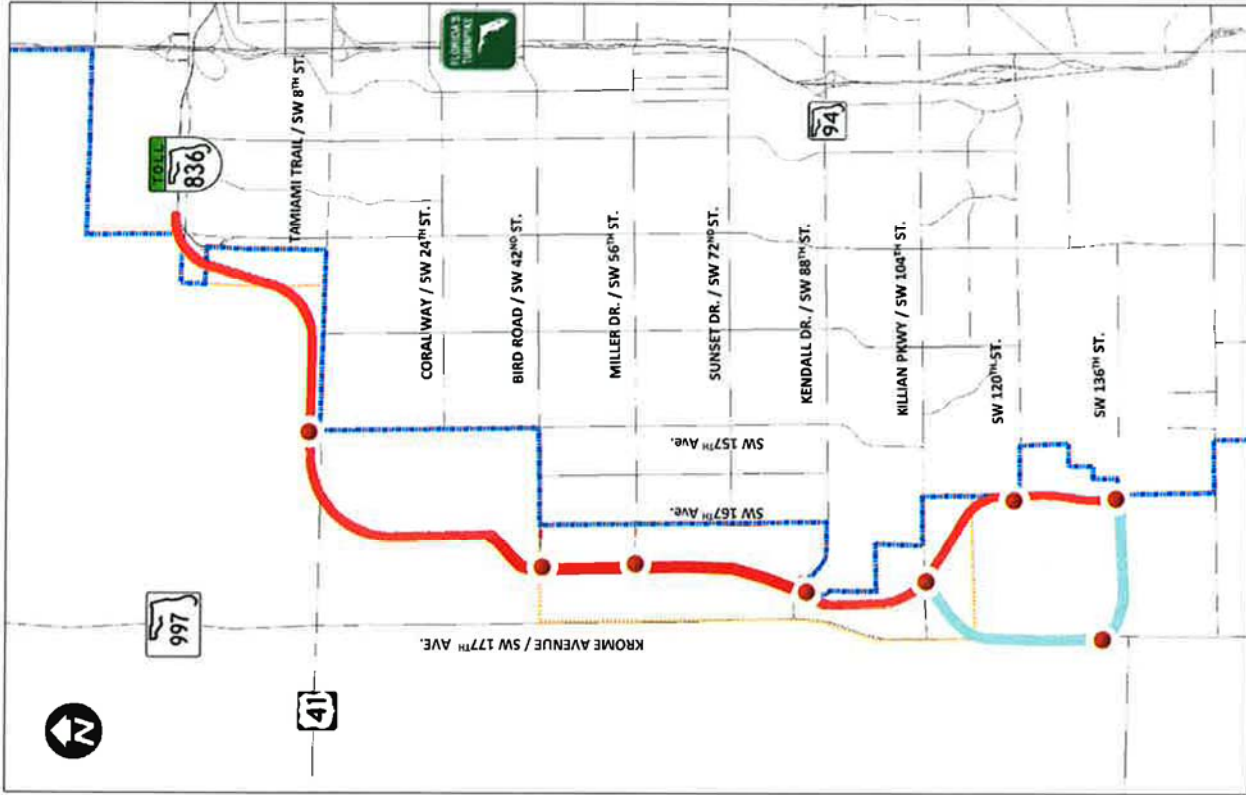
 2030 Urban Expansion Area

 Corridor

 Alternate

 Potential Interchange Locations

- **Unincorporated Miami-Dade**
- **Study area bounded by**
 - NW 12th Street to the north
 - SW 136th Street to the south
 - SW 152nd Avenue to the east
 - SW 177th Avenue (Krome Ave.) to the west
- **15-mile New Transportation Link**
- **Multimodal corridor**



Kendall Parkway



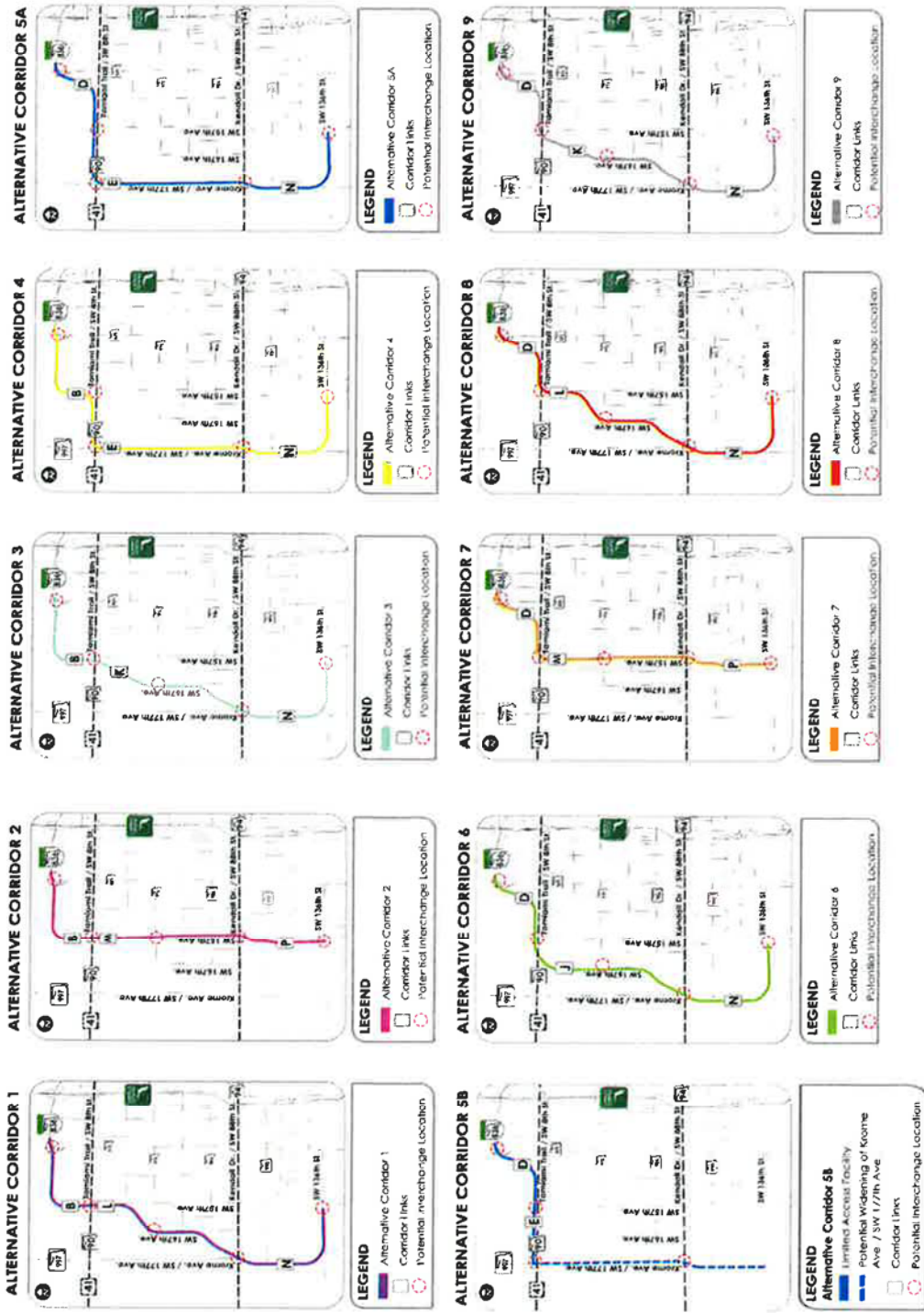


FIGURE 1 – ALTERNATIVE CORRIDORS CONSIDERED

TABLE 23 – NARRATIVE ASSESSMENT BY ALTERNATIVE CORRIDOR

ALT. CORRIDOR	ENVIRONMENTAL IMPACTS			ENGINEERING CONSIDERATIONS				UNIQUE ISSUES
	Social and Economic	Cultural	Natural & Physical	Construction Cost	Right of Way Cost	User Benefits		
1	HIGH TO MODERATE BENEFIT: Moderate improvement of mobility for people and goods and highest benefit to the remaining parameters.	HIGH BENEFIT: Involvement with moderate probability archaeological zones.	MODERATE TO LOW BENEFIT: Greatest potential for impacts to Wetlands. Moderate potential for impacts to wetlands in Segment I. Greatest potential for impacts to wetlands in Segment II. Potential for conflict with eastern Bird Drive Recharge Area CEPP project.	MODERATE BENEFIT: Third highest construction cost.	MODERATE BENEFIT: Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	HIGH TO MODERATE BENEFIT: User Benefit Cost ratio equal to or above 1.0.	MODERATE BENEFIT: Moderate potential to induce development.	
2	HIGH BENEFIT: Greatest number of affected residential parcels and community facilities. Greatest potential to impact community cohesion.	MODERATE TO LOW BENEFIT: Potential impact to 1 recorded archeological site and involvement with moderate and high probability archaeological zones.	LOW BENEFIT: Lowest potential for impacts to natural features in Segment II. Greatest potential for impacts to Pennasco Wetlands. Least potential for impacts to farmlands. Greatest potential for noise impacts.	MODERATE TO LOW BENEFIT: Second highest construction cost.	LOW BENEFIT: Highest ROW cost.	LOW BENEFIT: User Benefit Cost ratio below 0.6.	HIGH BENEFIT: Lowest potential to induce development.	
3	HIGH TO MODERATE BENEFIT: Moderate improvement of mobility for people and goods and highest benefit to the remaining parameters.	HIGH BENEFIT: Involvement with moderate probability archaeological zones.	MODERATE TO LOW BENEFIT: Greatest potential for impacts to Pennasco Wetlands. Moderate potential for impacts to wetlands in Segment II. Greatest potential for impacts to farmlands. Potential for conflict with eastern Bird Drive Recharge Area CEPP project.	MODERATE BENEFIT: Third highest construction cost.	MODERATE BENEFIT: Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	HIGH TO MODERATE BENEFIT: User Benefit Cost ratio equal to or above 1.0.	MODERATE TO LOW BENEFIT: High to moderate potential to induce development.	
4	MODERATE BENEFIT: Moderate benefit to Support Economic Development, Improve Mobility for People and Goods and Enhance Multimodal Connectivity and highest benefit to the remaining parameters.	MODERATE TO LOW BENEFIT: Potential impact to 1 recorded archeological site and to the L and L Archeological Zone, which are directly adjacent to the corridor. Involvement with several areas of moderate probability archaeological zones.	LOW BENEFIT: Greatest potential for impact to Pennasco Wetlands. Greatest potential for conflict with reformulated Bird Drive Recharge Area CEPP project. Highest amount of Railroad involvement (number of crossings). Greatest potential for wetland impacts in Segment II. Potential for moderate impacts to farmlands.	LOW BENEFIT: Highest construction cost.	MODERATE BENEFIT: Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	MODERATE BENEFIT: User Benefit Cost ratio between 0.93 to 0.99.	LOW BENEFIT: High potential to induce development.	
5A	MODERATE BENEFIT: Moderate benefit to Support Economic Development, Improve Mobility for People and Goods and Enhance Multimodal Connectivity.	LOW BENEFIT: Potential impact to 2 recorded archeological sites and to the Lehigh Archeological Zone. Also potential involvement with the L and L Site and Archeological Zone, which are directly adjacent to the corridor. Involvement with moderate and high probability archaeological zones.	MODERATE BENEFIT: Greatest potential for conflict with reformulated Bird Drive Recharge Area CEPP project. Highest amount of railroad involvement (number of crossings). Greatest potential for wetland impacts in Segment II. Potential for moderate impacts to farmlands.	LOW BENEFIT: Highest construction cost.	MODERATE BENEFIT: Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	MODERATE BENEFIT: User Benefit Cost ratio between 0.99 to 0.99.	LOW BENEFIT: High potential to induce development.	
5B	LOW BENEFIT: Minimal benefits to Support Economic Development and Improve Mobility for People and Goods and moderate benefits to the remaining parameters.	HIGH BENEFIT: Potential impact to 2 recorded archeological sites and to the Lehigh Archeological Zone. Also potential impact to the L and L Site and Archeological Zone, which is directly adjacent to the corridor. Involvement with several areas of moderate and high probability archaeological zones.	MODERATE BENEFIT: Assumes widening of Krome Avenue to 6 lanes is required. Greatest potential for conflict with reformulated Bird Drive Recharge Area CEPP project. Greatest potential for wetland impacts in Segment II. Potential for moderate impacts to farmlands.	HIGH BENEFIT: Lowest construction cost.	HIGH BENEFIT: Lowest ROW cost.	HIGH BENEFIT: Highest User Benefit Cost Ratio.	LOW BENEFIT: High potential to induce development.	
6	HIGH TO MODERATE BENEFIT: Moderate improvement of mobility for people and goods and highest benefit to the remaining parameters.	MODERATE TO LOW BENEFIT: Potential impact to 2 recorded archeological sites and to the Lehigh Archeological Zone. Involvement with moderate to high probability archaeological zones.	HIGH TO MODERATE BENEFIT: Potential for conflict with eastern Bird Drive Recharge Area CEPP project. Moderate potential for impacts to farmlands.	HIGH TO MODERATE BENEFIT: Fourth highest construction cost.	MODERATE BENEFIT: Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	HIGH TO MODERATE BENEFIT: User Benefit Cost ratio equal to or above 1.0.	MODERATE TO LOW BENEFIT: High to moderate potential to induce development.	
7	HIGH BENEFIT: Highest benefit on all Purpose and Need parameters.	LOW BENEFIT: Potential impact to 3 recorded archeological sites and to the Lehigh Archeological Zone. Involvement with moderate and high probability archaeological zones.	LOW BENEFIT: Lowest potential for impacts to natural features in Segment II. Greatest potential for noise impacts. Least potential for impacts to farmlands.	MODERATE TO LOW BENEFIT: Second highest construction cost.	LOW BENEFIT: Highest ROW cost.	LOW BENEFIT: User Benefit ratio below 0.6.	HIGH BENEFIT: Lowest potential to induce development.	
8	HIGH TO MODERATE BENEFIT: Moderate improvement of mobility for people and goods and highest benefit to the remaining parameters.	MODERATE TO LOW BENEFIT: Potential impact to 2 recorded archeological sites and to the Lehigh Archeological Zone. Involvement with moderate and high probability archaeological zones.	HIGH TO MODERATE BENEFIT: Potential for conflict with eastern Bird Drive Recharge Area CEPP project. Moderate potential for impacts to farmlands.	MODERATE BENEFIT: Third highest construction cost.	MODERATE BENEFIT: Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	MODERATE BENEFIT: User Benefit Cost ratio between 0.93 to 0.99.	HIGH TO MODERATE BENEFIT: Moderate to low potential to induce development.	
9	HIGH TO MODERATE BENEFIT: Moderate improvement of mobility for people and goods and highest benefit to the remaining parameters.	MODERATE TO LOW BENEFIT: Potential impact to 2 recorded archeological sites and to the Lehigh Archeological Zone. Involvement with moderate and high probability archaeological zones.	HIGH TO MODERATE BENEFIT: Potential for conflict with eastern Bird Drive Recharge Area CEPP project. Moderate potential for impacts to farmlands.	MODERATE BENEFIT: Third highest construction cost.	MODERATE BENEFIT: Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	HIGH TO MODERATE BENEFIT: User Benefit Cost ratio equal to or above 1.0.	MODERATE BENEFIT: Moderate potential to induce development.	

LEGEND: **HIGH BENEFIT** **HIGH TO MODERATE BENEFIT** **MODERATE BENEFIT** **MODERATE TO LOW BENEFIT** **LOW BENEFIT**



Florida Department of Transportation

RICK SCOTT
GOVERNOR

1000 NW 111 Avenue
Miami, FL 33172-5800

MIKE DEW
SECRETARY

June 19, 2018

Mr. Jack Osterholt
Deputy Mayor/Director
Miami-Dade County - Department of Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, FL 33128

**Subject: Comments for the Miami-Dade County Comprehensive Development
Master Plan (CDMP) - Applications #7 & #9
FDEO No. 18-1ESR**

Dear Mr. Osterholt:

The Department has reviewed the proposed amendment to the Comprehensive Development Master Plan (CDMP) for Applications #7 and #9. This includes supplemental information provided by Miami-Dade County staff in support of both applications on June 12, 2018.

Although both applications are jointly included in the proposed comprehensive plan amendment submittal package, they are separate amendments with their own set of impacts. In accordance with ss. 163.3161(3) and 163.3184(3)(b), Florida Statutes, the focus of our review of both applications was on major transportation issues, including adverse impacts to transportation facilities of state importance. These facilities include the Strategic Intermodal System (SIS) and significant regional resources and facilities identified in the Strategic Regional Policy Plan by the South Florida Regional Planning Council. These facilities are vital to the economic vitality, growth and quality of life of the county, region and state. Local governments with transportation concurrency are required under ss. 163.3180(5)(h)1.a., Florida Statutes, to consult with the Department when proposed amendments affect facilities on the SIS.

A summary of comments regarding each application is provided.

Application #7

Application #7 is located west of I-75 and east of NW 97 Avenue between NW 170 Street and theoretical NW 177 Terrace, adjacent to the Graham Properties and near the American Dream Miami (ADM) sites. This Application is situated near several SIS corridors, include I-75 and the Homestead Extension of Florida's Turnpike (HEFT). The proposed amendment would change the approximate 70.82-acre site from an Industrial and Office designation to a Business and Office. The Application allows residential, retail, and industrial uses, or a mix of one or more of these uses, provided that each use does not exceed the following maximums: 300,000 square feet of retail, 1.2 million square feet of industrial, and/or 700 residential units.

Application #7 is situated within one mile of two SIS corridors (I-75 and HEFT). According to Miami-Dade County, the subject property has a Covenant of Restrictions placed upon it that limits the total number of PM peak hour trips. This maximum threshold number of trips is equal to the maximum potential trips generated by the site given its current land use designation. As a result, the proposed change to a Business and Office designation would not have an impact upon the adjacent SIS facilities since the maximum number of potential PM peak hour trips is unchanged.

Application #9

Application #9 is approximately 420 gross acres of mostly vacant land located south of the Miami-Dade/Broward County line (NW 202 Street) between SR 25/Okeechobee Road and theoretical NW 132 Avenue and north of NW 186 Street. The site is situated adjacent to two SIS corridors, SR 997/Krome Avenue and SR 25/Okeechobee Road, and the property's sole access connection is via SR 25/Okeechobee Road just north of SR 997/Krome Avenue.

The proposed amendment would change the text in the Open Land Subarea 1 of the CDMP Land Use Element to allow for outdoor vehicle recreational areas and/or recreational motorsport facilities on the decommissioned Opa-Locka West Airport site. It would also function as a venue that allows drag racing on the site, as well as permit parking and storage of vehicles.

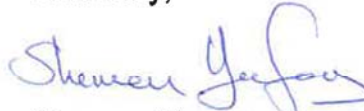
Since Application #9 is located adjacent to two SIS corridors and has direct access to SR 25/Okeechobee Road, a quantitative transportation analysis of the amendment's maximum potential impact is necessary. However, no such analysis was included in this submittal package. Consequently, the District is unable to assess

Mr. Jack Osterholt
June 19, 2018
Page 3

the proposed amendment's maximum potential impact upon SIS and other transportation facilities of state importance.

The District requests that Miami-Dade County provide sufficient transportation analysis to document the maximum potential impact the proposed land use changes will have upon the transportation network. Please contact me at 305-470-5393 if you have any questions concerning our comments.

Sincerely,



Shereen Yee Fong
Transportation Planner

Cc: Harold Desdunes, P.E., Florida Department of Transportation, District 6
Dat Huynh, P.E., Florida Department of Transportation, District 6
Kenneth Jeffries, Florida Department of Transportation, District 6
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August 7, 2018

VIA E-MAIL

Terry Manning, Policy and Planning Analyst
South Florida Water Management District (SFWMD)
Water Supply Implementation Unit
3301 Gun Club Road
West Palm Beach, FL 33406

Re: Application No. 7 October Cycle / AMB I-75, LLC

Dear Ms. Manning:

Below please find the response to the comments provided by SFWMD regarding AMB I-75, LLC's Application No. 7 of the Comprehensive Development Master Plan. This response was prepared with the assistance of the applicant and the engineering consultant, Arsenio Milian, P.E., I believe that any analysis of the attached response will be well-served with necessary context and background information.

It is important to note that ERP Permit No. 13-04602-P issued to AMB I-75 Business Park for the subject property was due to expire June 11, 2014. Prior to said date, the SFWMD issued an extension to May 9, 2019. As such, the subject property is under a current and valid ERP permit and the site is currently designed for 100% on-site retention and no outfalls to the canal systems of Miami-Dade or the District. The current application seeks to amend the land use designation on the property to "Business and Office" thus allowing retail and commercial uses, as well as residential uses. There is already an already-approved development plan and in no way does the existing application seek to exceed what has already been approved. The remaining information sought in the comments is premature and will be ascertained later in subsequent development phases with Miami-Dade County. The response to your comments is provided as follows:

- 1. The proposed amendment should be revised to include an analysis of storm water management needs and flooding issues, including a demonstration that there will be no adverse offsite impacts and how the integrity of the regional canal systems will be maintained; and an identification of the appropriate stormwater management infrastructure needed for the proposed land uses. A Stormwater Management Permit will be required**

from the District. Pre-application meetings with District regulatory staff are strongly encouraged to identify issues early in the process.

The current plans that are in the approved and open ERP permit show what will most likely be the most impervious area that will be built on the site. The site is in the C-9 Basin in Miami-Dade County which calls for certain cut and fill criteria and a certain pervious/impervious ratio. As such, the site is currently designed for 100% on-site retention and no outfalls to the canal systems of Miami-Dade or the District. Good percolation rates have been found on-site and were provided with the application so therefore the use of exfiltration trenches, outfall into the on-site wet retention areas and storage on-site will be sufficient to maintain up to a 100-year storm on-site, therefore not causing any adverse effect offsite in regard to stormwater.

As SFWMD correctly points out, this site is required to obtain a Stormwater Management Permit from the district. The analysis of stormwater will be performed by the district and not usually performed as part of a CDMP review. DERM will verify that any proposed development complies with the permit issued by the district as well as compliance with the Florida Building Code and Miami-Dade County Code Chapter 11C for flood regulations. That level of review is performed at the building permit and not as part of a CDMP or site plan review. DERM is aware that the existing canal system, NW 170th Canal, requires improvements. Part of the DA for ADM and Graham require improvements and canal interconnections at 97th Avenue and 170th Street.

2. Revise the proposed amendment to demonstrate how water conservation could be utilized to support the non-potable water needs of the proposed land uses. The analysis should include the following:

a. The proposed source of water for landscape irrigation.

This information has not been provided by the applicant and may not be known at this time. There are two main ways and that is either from the public water supply from the Hialeah-RO plant or from irrigation wells. No reclaimed water is available at this time from Miami-Dade County.

b. An explanation of how the proposed land uses could or could not use either on-site wells or reclaimed water for landscape irrigation and for portions of the project that do not require public water supply.

On-site wells are a possible means to irrigate for this site and have not been decided if this will be the means of irrigation at this time. Reclaimed water is not currently available, and it is unclear when Miami-Dade WASD will extend that service to the site at any point.

- c. **If potable water is to be used for landscape irrigation, provide information to demonstrate how the use of potable water is consistent with provisions of the County's Comprehensive Development Master Plan that protect water recharge areas and encourage use of alternative water technologies to meet water demand, including but not limited to Objectives CON-4 and ICE-4 and Policies CON-4A and ICE-4F.**

The water for this application will be provided by the Hialeah R.O. plant, from the Floridan Aquifer which is an alternative water supply source. Regarding Policy ICE-4F, WASD continues to coordinate with SFWMD issues pertaining to water supply planning and water use permitting. Currently, coordination efforts with SFWMD are underway for the LEC Plan Update and Water Use Permit modification.

- d. **If on-site wells or lake pumps are proposed for irrigation, a water use permit will be required, and wetland, pollution and resource impacts will need to be assessed.**

If on-site wells or lake pumps are considered to be the preferred form of irrigation, a water use permit will be applied for at that time. The current wetland permit for the site has a wetland mitigation area and a mitigation requirement for the woodstork. The proposed land use amendment will require modification of the existing wetland permit pursuant to Miami Dade Code and DERM will evaluate appropriate mitigation requirements. During the permit modification DERM will require an endangered species survey to determine presence of endangered species and appropriate mitigation. These permits are required prior to DERM approval of a final plat or approval of site plans.

- 3. **The proposed amendment does not demonstrate how impacts to the wetlands identified on the site will be avoided and will be mitigated. The site contains identified wetlands. Environmental Resource Permit(s) (ERPs) will be required from the District. The applicant for development on the site will need to demonstrate that the criteria-in the ERP Applicant's Handbook Volumes I & II, including reduction and elimination of wetland impacts, will be met. Pre-application meetings with District regulatory staff are strongly encouraged to identify issues early in the process.**

The site currently has an existing ERP and ACOE dredge and Fill permits open for the site and has been extended until May 2019. The site does contain wetlands but they have been delineated, scored and mitigated for by purchasing credits from the FPL mitigation bank. No additional impacts to wetlands on- or offsite is anticipated with any change in the site plan of the project.

During our telephone conference of July 10, there was a brief discussion regarding adding language to the Declaration of Restrictions vis-a-vis SFWMD's comments. It is our position that

the application does not create any additional burdens nor exceeds what has already been approved, therefore, there are no restrictions to add beyond the existing ones. We believe that the County would agree with our position on this issue.

It is our hope that these responses satisfy the expressed concerns. This application will be before the Board of County Commissioners on September 27, 2018 for final approval and there is a critical need to ensure that the comments from SFWMD amended prior to this hearing.

Sincerely,

THE LASARTE LAW FIRM



 Felix M. Lasarte, Esq.

FML/gc

cc: A. Milian
T. Harvis
R. Davis
G. Rowe
I. Cosio
C. Velazquez

August 3, 2018

Mr. Travis Harvey
 AMB I-75, LLC
 Pier 1, Bay 1
 San Francisco, CA 94111

**Re: Miami-Dade County Comprehensive Development Master Plan Amendment
 Northwest Corner of Interstate 75 and NW 170th Street
 Revised Trip Generation Summary**

Dear Mr. Harvey:

It is our understanding that AMC I-75, LLC desires to amend the Miami-Dade County Comprehensive Development Master Plan to change the existing land use of the subject property from Industrial and Office to Business and Office. Currently, the subject parcels total 58.08 net acres (2,529,965 square feet). Per Miami-Dade County Department of Regulatory and Economic Resources staff, a maximum floor area ratio of 0.5 was considered for the existing allowable industrial space. Therefore, 1,264,982 square feet of industrial space was considered as the maximum allowable development for the existing land use designation in this analysis. A site location map is provided in Attachment A.

TRIP GENERATION

Trip generation calculations were performed using the Institute of Transportation Engineer's (ITE's) *Trip Generation Manual*, 9th Edition. Trip generation for the existing land use designation was determined using ITE Land Use Code (LUC) 110 (General Light Industrial). The maximum potential allowable development for the proposed land use designation was determined based on trip generation calculations for two (2) scenarios including i) all residential using ITE LUC 220 (Apartment) and ii) all retail using ITE LUC 820 (Shopping Center). The residential units were limited to 13 units per acre and the retail space was limited to a maximum floor area ratio of 0.4. Note that these proposed development plan scenarios are included for comparison purposes only and not intended as actual proposed development plans for the site.

As shown in Table 1, the trip generation calculations indicate that the existing maximum allowable development represents 1,403 A.M. peak hour trips and 1,652 P.M. peak hour trips. Detailed trip generation calculations are contained in Attachment B.

Table 1: Trip Generation Summary		
Development Plan	A.M. Peak Hour	P.M. Peak Hour
Existing Maximum Allowable	1,403	1,652
Proposed Land Use Potential Maximum Allowable (All Residential)	374	433
Proposed Land Use Potential Maximum Allowable (All Retail)	640	2,825

RECOMMENDATIONS AND CONCLUSIONS

It is recommended that a covenant be proffered allowing for any combination of uses allowable under Business and Office provided that the actual development program for the site shall not generate more than 1,403 A.M. peak hour net new trips and 1,652 P.M. peak hour net new trips. For reference, a trip equivalency matrix for potential uses based on the maximum of 1,652 P.M. peak hour trips is provided in Attachment C.

It should be noted that the development will be limited by the lower resulting intensity from a) the maximum trip generation potential and b) the land use regulations. For example, using the retail land use, a) the maximum trip generation potential limits the intensity to 454,500 square feet and b) the land use regulations limit the intensity to 1,011,986 square feet. Therefore, the retail land use is limited to the lower intensity of 454,500 square feet. Conversely, for the apartment residential use, a) the maximum trip generation potential limits the intensity to 2,971 units and b) the land use regulations limit the intensity to 755 units. Therefore, the apartment residential use is limited to the lower intensity of 755 units. Note that the proposed covenant also includes a stipulation density that limits the residential development intensity on the property to 1,200 units if there is a future land use change that would increase the allowable residential.

For purposes of quantifying the impact of the proposed land use designation beyond the trip generation aspect, the all residential land use scenario should be considered as 755 dwelling units based on 13 units per acre and the all retail land use scenario should be considered as 454,500 square feet based on the proposed covenant.

In addition to this trip generation summary letter, a transportation analysis has been prepared for the Comprehensive Development Master Plan Amendment and was submitted to the Miami-Dade County Department of Regulatory and Economic Resources in May 2018. The report was first revised in July 2018 to address comments from the Miami-Dade County Department of Transportation and Public Works and then revised in August 2018 to address comments from the Miami-Dade County Department of Regulatory and Economic Resources. This report is included as Attachment D for reference.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Ali N. Hanes, P.E.

Attachments

08 03 18 AMB I75 trip gen ltr.docx



Ali N. Hanes, P.E.
Florida Registration Number 77731
Kimley-Horn and Associates, Inc.
600 North Pine Island Road, Suite 450
Plantation, Florida 33324
CA # 00000696

Attachment A



Figure 1
Site Location Map
AMB 1-75
Miami-Dade County, FL

Attachment B

TABLE 2: EXISTING AM PEAK HOUR TRIP GENERATION

ITE TRIP GENERATION CHARACTERISTICS				DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS				
ITE	Edition	ITE Code	Scale	ITE Units	Percent		In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total	
					In	Out														
1	General Light Industrial	9	110	1264.982	KSF	89%	12%	1,235	168	1,403	0.0%	0	1,235	168	1,403	0.0%	0	1,235	168	1,403
2																				
3																				
4																				
5																				
6																				
7																				
8																				
9																				
10																				
11																				
12																				
13																				
14																				
15																				
Total:								1,235	168	1,403	0.0%	0	1,235	168	1,403	0.0%	0	1,235	168	1,403

LUC
110
RATE/EQUATION
Y=1.18*(X)+-89.28

TABLE 3: EXISTING PM PEAK HOUR TRIP GENERATION

ITE TRIP GENERATION CHARACTERISTICS				DIRECTIONAL DISTRIBUTION		DRIVEWAY VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS				
ITE	Edition	ITE Code	Scale	ITE Units	Percent		In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total	
					In	Out														
1	General Light Industrial	9	110	1264.982	KSF	12%	88%	198	1,454	1,652	0.0%	0	198	1,454	1,652	0.0%	0	198	1,454	1,652
2																				
3																				
4																				
5																				
6																				
7																				
8																				
9																				
10																				
11																				
12																				
13																				
14																				
15																				
Total:								198	1,454	1,652	0.0%	0	198	1,454	1,652	0.0%	0	198	1,454	1,652

LUC
110
RATE/EQUATION
Y=1.43*(X)+-157.36

TABLE 4: ALL RESIDENTIAL AM PEAK HOUR TRIP GENERATION

ITE TRIP GENERATION CHARACTERISTICS				DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE			EXTERNAL TRIPS			PASS-BY CAPTURE			NET NEW EXTERNAL TRIPS				
Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent		In	Out	Total	Percent	Trips	IC	In	Out	Total	Percent	Trips	PB	In	Out	Total	
					In	Out																
1 Apartment	9	220	755	du	20%	80%	75	299	374	0.0%	0	75	299	374	0.0%	0	75	299	374	75	299	374
2																						
3																						
4																						
5																						
6																						
7																						
8																						
9																						
10																						
11																						
12																						
13																						
14																						
15																						
Total:							75	299	374	0.0%	0	75	299	374	0.0%	0	75	299	374	75	299	374

LUC
220
RATE/EQUATION
Y=0.49*(X)+3.73

TABLE 5: ALL RESIDENTIAL PM PEAK HOUR TRIP GENERATION

ITE TRIP GENERATION CHARACTERISTICS				DIRECTIONAL DISTRIBUTION		DRIVEWAY VOLUMES			INTERNAL CAPTURE			EXTERNAL TRIPS			PASS-BY CAPTURE			NET NEW EXTERNAL TRIPS				
Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent		In	Out	Total	Percent	Trips	IC	In	Out	Total	Percent	Trips	PB	In	Out	Total	
					In	Out																
1 Apartment	9	220	755	du	65%	35%	281	152	433	0.0%	0	281	152	433	0.0%	0	281	152	433	281	152	433
2																						
3																						
4																						
5																						
6																						
7																						
8																						
9																						
10																						
11																						
12																						
13																						
14																						
15																						
Total:							281	152	433	0.0%	0	281	152	433	0.0%	0	281	152	433	281	152	433

LUC
220
RATE/EQUATION
Y=0.55*(X)+17.65

TABLE 6: ALL RETAIL AM PEAK HOUR TRIP GENERATION

ITE TRIP GENERATION CHARACTERISTICS				DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS			
Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent		In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
					In	Out													
1 Shopping Center	9	820	1011.986	Ksf	62%	38%	397	243	640	0.0%	0	397	243	640	0.0%	0	397	243	640
2																			
3																			
4																			
5																			
6																			
7																			
8																			
9																			
10																			
11																			
12																			
13																			
14																			
15																			
Total:							397	243	640	0.0%	0	397	243	640	0.0%	0	397	243	640

LUC RATE/EQUATION
 820 LN(Y) = 0.61*LN(X)+2.24

TABLE 7: ALL RETAIL PM PEAK HOUR TRIP GENERATION

ITE TRIP GENERATION CHARACTERISTICS				DIRECTIONAL DISTRIBUTION		DRIVEWAY VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS			
Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent		In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
					In	Out													
1 Shopping Center	9	820	1011.986	Ksf	48%	52%	1,356	1,469	2,825	0.0%	0	1,356	1,469	2,825	0.0%	0	1,356	1,469	2,825
2																			
3																			
4																			
5																			
6																			
7																			
8																			
9																			
10																			
11																			
12																			
13																			
14																			
15																			
Total:							1,356	1,469	2,825	0.0%	0	1,356	1,469	2,825	0.0%	0	1,356	1,469	2,825

LUC RATE/EQUATION
 820 LN(Y) = 0.67*LN(X)+3.31

Attachment C

TABLE 8: Trip Generation Equivalency Matrix

Land Use	Net External PM Peak Hour		TO: Units	Shopping Center	Apartment	Low-Rise Townhouse	General Light Industrial	General Office Building	Hotel
	Equivalency Rates ⁽¹⁾	Units							
	FROM:		3.635						
Shopping Center	3.635	ksf	1.000	6.538	4.660	2.783	3.091	6.058	
Apartment	0.556	du	0.153	1.000	0.713	0.426	0.473	0.927	
Low-Rise Townhouse	0.780	du	0.215	1.403	1.000	0.597	0.663	1.300	
General Light Industrial	1.306	ksf	0.359	2.349	1.674	1.000	1.111	2.177	
General Office Building	1.176	ksf	0.324	2.115	1.508	0.900	1.000	1.960	
Hotel	0.600	room	0.165	1.079	0.769	0.459	0.510	1.000	

Note: (1) Based on P.M. peak hour trip generation equivalency rate developed in Table 9.

Example Equivalency Calculations

Apartment to Shopping Center	The exchange rate between 1 dwelling unit for every 0.153 ksf, where 100 dwelling units is equal to 15,300 sf of retail and 1,000 dwelling units is equal to 153,000 sf of retail.
Shopping Center to General Office Building	The exchange rate between retail is 1 ksf of retail for every 3.091 ksf of office, where 1,000 sf of retail is equal to 3,091 sf of office and 10,000 sf of retail is equal to 30,910 sf of office.
Shopping Center to Hotel	The exchange rate between retail is 1 ksf of retail for every 6.058 hotel rooms, where 1,000 sf of retail is equal to 6,058 hotel rooms and 10,000 sf of retail is equal to 60,580 hotel rooms.
General Office Building to Apartment	The exchange rate between office is 1 ksf of office for every 2.115 dwelling units, where 1,000 sf of office is equal to 2,115 dwelling units and 10,000 sf of office is equal to 21,150 dwelling units.

TABLE 9: P.M. Peak Hour Trip Generation for Maximum P.M. Peak Hour Trips

Land Use	ITE Edition	ITE Code	Scale ⁽²⁾	ITE Units	ITE Equation	Net New Trips	Equivalency Rate
Shopping Center	9	820	454.5 ⁽³⁾	ksf	$LN(Y) = 0.67 * LN(X) + 3.31$	1652	3.635 trips/ksf
Apartment	9	220	297 ⁽⁴⁾	du	$Y = 0.55 * (X) + 17.65$	1652	0.556 trips/du
Low-Rise Townhouse	9	231	218 ⁽⁴⁾	du	$Y = 0.78 * (X)$	1652	0.780 trips/du
General Light Industrial	9	110	1265.0	ksf	$Y = 1.43 * (X) + 157.36$	1652	1.306 trips/ksf
General Office Building	9	710	1405.0	ksf	$Y = 1.12 * (X) + 78.45$	1652	1.176 trips/ksf
Hotel	9	310	2754	room	$Y = 0.6 * (X)$	1652	0.600 trips/room

Notes: (2) Scale values based on maximum P.M. peak hour trip generation potential of 1652. Note that actual development potential will be limited by the lower resulting intensity from a) the maximum trip generation potential and b) the land use regulations. For example, for the retail land use: a) the maximum trip generation potential limits the intensity to 454,500 sf and b) the land use regulations limit the intensity to 1,011,966 sf.

(3) The retail land use is limited to the lower intensity of 454,500 sf, as explained in Note 2 above.

(4) The maximum residential units allowed on the site is limited to 755 units based on a density of 13 units per acre, notwithstanding the maximum trip generation potential noted above. Per the proposed covenant, should a future land use change modify the allowable residential land use density, the maximum number of units shall not exceed 1,200 residential units.

REFER TO NOTES (3) AND (4) ABOVE RELATED TO THE COVENANT RESTRICTIONS.

Attachment D



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

**Northwest Corner of Interstate 75 and
NW 170th Street Amendment**



Kimley»»Horn

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August 2018
144089001

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

**Northwest Corner of Interstate 75 and
NW 170th Street Amendment**

Prepared by:

Kimley-Horn and Associates, Inc.

Kimley»Horn

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May 2018
Revised August 2018
144089001

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- Appendix A: Concurrency Tables/Traffic Data
- Appendix B: Programmed Roadway Improvements
- Appendix C: Trip Generation
- Appendix D: Cardinal Distribution

INTRODUCTION

It is proposed to amend the existing Comprehensive Development Master Plan (CDMP) designation for the 58.08 net acre area located on the northwest corner of Interstate 75 (I-75) and NW 170th Street. The amendment proposes to change the designation from Industrial and Office to Business and Office. A location map of the amendment is provided in **Figure 1**.

Kimley-Horn and Associates, Inc. has completed this transportation analysis for the proposed CDMP amendment application. The purpose of the analysis is to assess the existing and short-term concurrency conditions for the surrounding roadway network. As the proposed amendment does not result in a net new increase in trips, long-term analysis is not required. This report summarizes amendment trip generation, project trip distribution, and capacity analyses.



Figure 1
Amendment Location Map
AMB 1-75
Miami-Dade County, FL

DATA COLLECTION

Roadway segment traffic data was obtained from the Miami-Dade County concurrency management system tables for the following roadway segments:

- Florida's Turnpike/HEFT/SR 821 north of Okeechobee Road to County Line Road (Station 2248)
- Interstate 75/SR 93 south of Florida's Turnpike/HEFT/SR 821 to Broward County Line (Station 2502)
- NW 154th Street west of NW 87th Avenue to NW 92nd Avenue (Station 9546)
- NW 170th Street east of NW 87th Avenue to NW 77th Avenue (Station 9552)

Roadway segment data was gathered from FDOT Florida Traffic Online for the following roadway segment:

- W 68th Street/W 36th Avenue (NW 97th Avenue) south of NW 130th Street (Station 8243)

The traffic data is provided in **Appendix A**.

PROGRAMMED ROADWAY IMPROVEMENTS

Local transportation plans were reviewed to gather planned and programmed short-term transportation improvement information in the amendment area. The purpose of the plan review is to identify programmed capacity improvements for consideration in this analysis. The following transportation plans were reviewed as part of the background research:

- Miami-Dade County Transportation Planning Organization (TPO) Transportation Improvement Program (TIP)
- FDOT Five-Year Work Program

Note that the Miami-Dade County TPO Long Range Transportation Plan (LRTP) was not reviewed as this study does not include a long-term analysis. Relevant information from these plans is summarized below.

Miami-Dade County TPO TIP

The Miami-Dade County TPO TIP includes programmed improvements to be implemented within Miami-Dade County over the next five (5) years. The 2018 TIP is for fiscal years 2018 to 2022. Improvements identified in the TIP are characterized as intermodal, highway, transit, aviation, seaport, and non-motorized. Based on the review of the 2018 Miami-Dade TPO TIP, two (2) projects were identified within the study area, including:

- Florida's Turnpike/HEFT/SR 821 from NW 106th Street to I-75 is programmed for widening from 6 to 10 lanes. This project is programmed for year 2018/2019. (TP4355421)
- NW 97th Avenue from NW 154th Street to NW 170th Street is programmed as a new 2 lane roadway. This project is programmed for year 2017/2018. (PW000961) Per direction from Miami-Dade County Department of Transportation and Public Works, NW 97th Avenue is assumed to be widened to 4 lanes south of NW 170th Street and 6 lanes north of NW 170th Street.
- SR 93/I-75 from NW 170th Street to south of HEFT Interchange is programmed for widening from 8 lanes to 10 lanes. This project is programmed for prior to 2018 to year 2018/2019. (DT4217072)
- SR 93/I-75 from south of HEFT Interchange to Miami-Dade County Line is programmed for widening from 8 lanes to 10 lanes. This project is programmed for prior to 2018 to year 2017/2018. (DT4217078)

Detailed programmed roadway improvement projects are provided in **Appendix B**.

FDOT Five-Year Work Program

The 2018-2023 FDOT Five-Year Work Program includes State roadway improvements to be implemented over the next five (5) years. Based on the review of the 2018-2023 FDOT Work Program, no additional projects beyond what was found in the Miami-Dade County TPO TIP were identified within the study area.

AMENDMENT SITE TRAFFIC

Amendment site traffic is defined as the vehicle trips expected to be generated by the proposed amendment, and the distribution and assignment of this traffic over the roadway network.

Existing and Proposed Land Uses

The amendment site is generally located on the northwest corner of I-75 and NW 170th Street. The amendment site is currently designated as Industrial and Office. The subject parcels total 58.08 net acres (2,529,965 square feet). Per Miami-Dade County Department of Regulatory and Economic Resources staff, a maximum floor area ratio of 0.5 was considered for the existing allowable industrial space. Therefore, 1,264,982 square feet of industrial space was considered as the maximum allowable development for the existing land use designation in this analysis.

Business and Office is the proposed land use designation for the area in which the site is located.

Trip Generation

Trip generation calculations were performed using the Institute of Transportation Engineer’s (ITE’s) *Trip Generation Manual*, 9th Edition. Trip generation for the existing land use designation was determined using ITE Land Use Code (LUC) 110 (General Light Industrial). **Appendix C** contains the trip generation calculations.

Table 1 summarizes the existing and proposed trip generation potential for the weekday P.M. peak hour. Note that a covenant has been proffered allowing for any combination of uses allowable under Business and Office provided that the actual development program for the site shall not generate more than 1,652 gross P.M. peak hour trips equivalent to the existing maximum development potential under Industrial and Office. Therefore, this project is expected to result in a net increase of 0 new trips during the P.M. peak hour. However, the short-term concurrency analysis has been prepared using two (2) scenarios: 1) 0 net new P.M. peak hour trips and 2) 1,652 gross P.M. peak hour trips.

Table 1: CDMP Amendment Trip Generation

P.M. Peak Hour				
Land Use (ITE Code)	Scale	Total Trips	Entering Trips	Exiting Trips
<i>Existing Allowable Conditions</i>				
General Light Industrial (110)	1,264,982 s.f.	1,652	198	1,454
<i>Proposed Allowable Conditions</i>				
Proposed Business & Office Gross Trips		1,652		
<i>Net Change (Proposed – Existing)</i>				
Net New Trips		0		

Trip Distribution and Assignment

The likely distribution of amendment traffic was forecast for the trips generated by the proposed maximum development potential. The trip distribution was obtained from the TPO’s 2040 *Cost Feasible*

Plan and was based on the cardinal trip distribution for the amendment site's traffic analysis zone (TAZ 6). The cardinal distribution for the year 2010 is not provided for TAZ 6. Therefore, the cardinal distribution for the year 2040 is provided in **Table 2**. The detailed cardinal distributions are contained in **Appendix D**. The amendment distribution provided by the Miami-Dade County Department of Regulatory and Economic Resources is shown in **Figure 2**.

Table 2: Cardinal Trip Distribution

Cardinal Direction	Percentage of Trips
North-Northeast	13.7%
East-Northeast	14.8%
East-Southeast	17.4%
South-Southeast	36.6%
South-Southwest	13.4%
West-Southwest	0.0%
West-Northwest	0.3%
North-Northwest	3.7%
Total	100%



ROADWAY SEGMENT CAPACITY ANALYSIS

The existing and short-term concurrency conditions were examined for the surrounding roadway network.

Existing Conditions

Table 3 provides a summary of the results of the P.M peak hour roadway segment capacity analysis under existing conditions. The results indicate that all roadway segments currently operate at adopted levels of service (LOS D or better).

Short-term (Concurrency) Conditions

Short-term (concurrency) conditions were analyzed for two (2) proposed amendment scenarios: 1) 0 net new P.M. peak hour trips and 2) 1,652 gross P.M. peak hour trips. **Table 4** and **Table 5** contain the results of the short-term (concurrency) roadway segment capacity analysis. The results indicate that all roadway segments are expected to operate at the adopted level of service (LOS D or better) with the amendment in place.

Table 3 : Existing Conditions Peak Hour Roadway Segment Capacity Analysis

Roadway	Count Station	Segment		Lanes	Adopted LOS Standard	Existing Volume	LOS B Threshold	LOS C Threshold	LOS D Threshold	Existing LOS
		From	To							
NW 170 th Street	MDC 9552	Florida's Turnpike	NW 97 th Avenue	-	D	-	-	-	-	-
		NW 87 th Avenue	NW 77 th Avenue	2	D	904	-	594	1197	D
NW 154 th Street	MDC 9546	NW 87 th Avenue	NW 92 nd Avenue	2	D	378	-	594	1197	C
NW 97 th Avenue	FDOT FTO 8243	NW 154 th Street	NW 170 th Street	2	D	741	-	594	1197	D
		North of NW 170 th Street		-	D	-	-	-	-	-
Florida's Turnpike	FDOT 2248	US 27	NW 170 th Street	6	D	3238	6130	8370	10060	B
		NW 170 th Street	I-75	6	D	3238	6130	8370	10060	B
I-75	FDOT 2502	South of HEFT		8	D	9321	8230	11100	13390	C
		HEFT Broward County Line		8	D	9321	8230	11100	13390	C

Notes: "MDC" - Data obtained from Miami-Dade County concurrency tables provided by Miami-Dade County on 4/24/2018.
 "FDOT" - Data obtained from FDOT concurrency tables provided by Miami-Dade County on 4/24/2018.
 "FDOT FTO" - Data obtained from FDOT Florida Traffic Online.
 "-" - Indicates segment is not an existing segment.

Table 4 : Short-Term (Concurrency) Peak Hour Roadway Capacity – Zero Net New Trips

Roadway	Count Station	Segment		Lanes	Adopted LOS Standard	Existing Volume	DOS Trips	Distribution	Project Trips	Total Volume	LOS B Threshold	LOS C Threshold	LOS D Threshold	Short-Term LOS
		From	To											
NW 170 th Street	MDC 9552	Florida's Turnpike	NW 97 th Avenue	6	D	904	7	15%	0	911	-	4725	4851	C
		NW 87 th Avenue	NW 77 th Avenue	2	D	904	7	16%	0	911	-	594	1197	D
NW 154 th Street	MDC 9546	NW 87 th Avenue	NW 92 nd Avenue	2	D	378	0	18%	0	378	-	594	1197	C
NW 97 th Avenue	FDOT FTO 8243	NW 154 th Street	NW 170 th Street	4	D	741	0	25%	0	741	-	1179	2628	C
		North of NW 170 th Street		6	D	741	0	20%	0	741	-	1881	4050	C
Florida's Turnpike	FDOT 2248	US 27	NW 170 th Street	10	D	3238	0	5%	0	3238	10330	14040	16840	B
		NW 170 th Street	I-75	10	D	3238	0	10%	0	3238	10330	14040	16840	B
I-75	FDOT 2502	South of HEFT	HEFT	8	D	9321	0	5%	0	9321	10330	14040	16840	B
		HEFT	Broward County Line	8	D	9321	0	5%	0	9321	10330	14040	16840	B

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Table 5 : Short-Term (Concurrency) Peak Hour Roadway Capacity – 1,652 Gross Trips

Roadway	Count Station	Segment		Lanes	Adopted LOS Standard	Existing Volume	DOS Trips	Distribution	Project Trips	Total Volume	LOS B Threshold	LOS C Threshold	LOS D Threshold	Short-Term LOS
		From	To											
NW 170 th Street	MDC 9552	Florida's Turnpike	NW 97 th Avenue	6	D	904	7	15%	248	1159	-	4725	4851	C
		NW 87 th Avenue	NW 77 th Avenue	2	D	904	7	16%	264	1175	-	594	1197	D
NW 154 th Street	MDC 9546	NW 87 th Avenue	NW 92 nd Avenue	2	D	378	0	18%	297	675	-	594	1197	C
NW 97 th Avenue	FDOT FTO 8243	NW 154 th Street	NW 170 th Street	4	D	741	0	25%	413	1154	-	1179	2628	C
		North of NW 170 th Street		6	D	741	0	20%	330	1071	-	1881	4050	C
Florida's Turnpike	FDOT 2248	US 27	NW 170 th Street	10	D	3238	0	5%	83	3321	10330	14040	16840	B
		NW 170 th Street	I-75	10	D	3238	0	10%	165	3403	10330	10330	14040	16840
I-75	FDOT 2502	South of HEFT		8	D	9321	0	5%	83	9404	10330	14040	16840	B
		HEFT	Broward County Line	8	D	9321	0	5%	83	9404	10330	14040	16840	B

A-77

CONCLUSION

This transportation analysis assessed the impacts of a proposed amendment of the existing Comprehensive Development Master Plan (CDMP) designation for the 58.08 net acre area located on the northwest corner of Interstate 75 (I-75) and NW 170th Street. The amendment proposes to change the existing land use designation from Industrial and Office to Business and Office.

A roadway capacity analysis was prepared for existing traffic conditions and short-term (concurrency) conditions. The results indicate that the surrounding roadway segments are expected to operate at adopted levels of service with the amendment in place. As a result, the proposed land use designation amendment is not expected to have an adverse impact on the roadway segments.

Richard Grosso, Esq.
Richard Grosso, P.A.

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Davie, FL 33317
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954-801-5662

RECEIVED
2018 SEP 17 A 9 30
MAYOR'S OFFICE DIVISION

September 12, 2018

Mayor Carlos Gimenez
Office of the Mayor Miami Dade County
Stephen P. Clark Center,
111 N.W. 1st Street, 29th Floor, Miami, Florida 33128

Chairman Esteban Bovo
Miami Dade County Board of County Commissioners
Stephen P. Clark Center,
111 NW 1st Street, Suite 320, Miami, Florida 33128

RE: CDMP Application for Proposed 836 Extension

Dear Honorable Mayor Gimenez & Chairman Bovo,

I write on behalf of, 1000 Friends of Florida, Friends of the Everglades, Michelle Garcia, Laura Reynolds, Sierra Club Miami Group, Tropical Audubon Society, Izaak Walton League Mangrove Chapter and Urban Environment League of Greater Miami to express our dismay that the Board of County Commissioners is scheduled to vote on the SR 836 CDMP amendments on September 27. Several matters that have become known since the initial transmittal of the amendment to the state on June 20 make clear that both a lack of information and misleading information about the proposal preclude a meaningful and transparent assessment of the claims being used to support the concept. The County Commission should vote to deny this proposal, as lacking the necessary technical support, or, at a minimum, defer this matter until later in the fall.

First, throughout the initial consideration process, the proponent of the highway expansion, MDX, continuously represented that it had been *closely coordinating* the project with the agency's responsible for the Comprehensive Everglades Restoration Plan. This was despite the fact that the U.S. Department of the Interior had written a Nov. 3, 2017 letter documenting its extensive concerns over the project, including impacts on Everglades National Park and listed species. The DOI explained the problem of the proposed highway traversing over lands being planned for, and being in "direct conflict with" the Bird Drive Basin CERP project. It explained that much of that land had been purchased by the state and federal government for restoration

and expressed concern that the proposed highway is “in conflict with the legally mandated purpose for which these lands were acquired.”¹

Similarly, the CERP projects coordinator for the South Florida Water Management District had stated publicly, just days before the June 20 County Commission hearing, that without a final route, the District cannot determine the highway’s impact on restoration projects or the County’s drinking water wellfield. The District has also stated that the required compensation for any use of this public land remains unidentified.²

Despite these and many other concerns and unknowns about the project, the BOCC voted to transmit the proposed plan amendment for preliminary state review in order to receive the benefit of the state agency comments.

Those comments have now been submitted. They completely refute the prior claim that the proposed highway expansion had been closely coordinated with Everglades Restoration, and they make clear, as our organizations have been explaining, that the project could have substantial adverse impacts on the Everglades.

The Aug. 10, 2018 comment letter from the So. Fla. Water Management District, the state sponsor of the CERP project, confirmed that the proposed highway implicated lands acquired and being planned for restoration. It explained that it must be “ensure[d] that any future roadway does not interfere with restoration effort, or cause impacts to wetlands or other surface waters, regional water supplies, and flood protection and floodplain management.” The District found that the proposed comprehensive plan amendment was insufficient to allow a full determination of the impacts on those issues. The District included several pages of specific information deficiencies and other concerns, including, among other things, the complete lack of any environmental data and analysis, including that regarding wetland, drinking water and stormwater impacts, the uncertainty created by alternative corridors, and the impact on the Bird Drive Basin and Dade Broward Levee/ Pensucco Wetlands restoration projects. See Attachment B.

The August 13, 2018 letter from the Fla. Department of Environmental Protection “fully support[ed]” the Districts comments and concerns, saying that it is “critical that this amendment ensures protection of the Everglades.” The DEP explained in further detail the proximity and overlap of the proposed highway with several restoration projects and environmentally sensitive wetlands and water management features. It recommended a “thorough environmental suitability analysis and environmental impact assessment ...including, a rigorous analysis of other planned roadway improvements and the implementation of coordinated growth management and transportation demand strategies.” Further undermining the claim that MDX had closely coordinated the highway with Everglades Restoration, the Department enclosed comments provided in **June 2009 and January 2011 about the highway, which still had not been**

¹ See attachment A

² Staletovich, Jenny. ‘It was once part of the Everglades. Now Miami-Dade wants to use it for a highway’. Miami Herald. June 8th, 2018.

<http://www.miamiherald.com/news/local/environment/article209648459.html>

addressed and encouraged that the “close coordination” the public had been told had already occurred be done at this point. See Attachment C.

Next, the South Florida Regional Planning Council has found the project to be inconsistent with the Regional Policy Plan, finding that the project could harm the Everglades, water quality, and farmland, and may result in induced traffic demand, that consistency with the County’s SMART Plan has not been demonstrated.

Notably, during the August 9 hearing of the Regional Planning Council, at which it acted upon its staff report, it came to light that a November 1, 2017 letter from the Miccosukee Tribe to MDX had raised concerns about impacts to Tribal lands and the Everglades, but that this information had never been brought to the attention of the County Commission. Attachment D

Finally, on the prior evening, US Senator Marco Rubio had issued a statement opposing the highway because it has not been shown to be compatible with the restoration of the Everglades.

These official comments and objections make clear that, contrary to the repeated claims made by MDX, it had not coordinated its proposed highway with the restoration of the Everglades, and the project obviously does not protect the integrity and success of the impacted restoration projects.

Beyond that, MDX has failed to comply with public records requests first made on June 22, 2018, and reiterated up to and including August 17, 2018, which sought all records related to its interactions with the federal and state agencies responsible for the restoration of the Everglades and drinking water and wetlands permitting. The requested records also included those related to MDX’s public campaign in support of the proposed highway and its inter-actions with County officials.

Given all of these circumstances, particularly given the great and long-terms implications of this decision, we urge the Board of County Commissioners to remove this item from the September 27 agenda.

Thank you for your consideration.

Richard Grosso
/s/Richard Grosso

Attachment A:
U.S. Department of Interior comment letter
November 3, 2017



U.S. Department of the Interior
Office of the Assistant Secretary for Fish, Wildlife and Parks
Office of Everglades Restoration Initiatives

November 3, 2017

Javier Rodriguez
Executive Director,
Miami-Dade Expressway Authority
3790 N.W. 21st Street,
Miami FL 33142

Dear Mr. Rodriguez:

The United States Department of the Interior (Department) wishes to take this opportunity to document concerns we raised at an October 13, 2017 meeting regarding proposed alternatives for the Miami-Dade Expressway Authority (MDX) SR836/Dolphin Expressway Southwest Extension. The purpose of this letter is to document the specific concerns raised at the October 13, 2017 meeting and is not meant to be an exhaustive discussion of the concerns of the Department and its bureaus including for example those related to listed species or to the construction of a major, multi-lane highway so close to Everglades National Park. The Department appreciates the ongoing coordination with MDX.

At the October 13, 2017 meeting, MDX presented the *October 2017 MDX SR 836/DOLPHIN EXPRESSWAY SOUTHWEST EXTENSION Project Development and Environment Study Update* (Study Update). The Study Update shows Corridors 1 and 2 and their Alternative Corridor Segments located within the Bird Drive Basin shown on the attached MDX PowerPoint slide 33 (Slide 33).

The Department raised concerns that both Corridor 1 and 2 features in Bird Drive Basin are proposed to be constructed within the planning footprint of an existing Comprehensive Everglades Restoration Plan (CERP) project, and specifically on Department Grant Lands purchased for that project. To facilitate Everglades Restoration, the Department provided grant funds, appropriated by Congress and pursuant to grant agreements, to the State of Florida and the South Florida Water Management District (SFWMD) to acquire lands needed for restoration projects (Grant Lands). The Department is concerned that placement of a 4 to 6 lane high-speed paved highway on these lands is in conflict with the legally mandated purpose for which these lands were acquired.

Currently the CERP Project contemplates a water management project to be constructed in the westernmost ½ mile portion of the Bird Drive Recharge Area Project. The project shown on the attached *Proposed Conveyance Concept* slide does not currently have an implementation timeframe. Both Corridor 1 and Corridor 2 are located within this ½ mile portion of the Bird Drive Basin on Grant Lands. Corridor 1 appears to be in direct conflict with and is very likely to

compromise the integrity of the project. While Corridor 2 also encroaches on the project, we recognize that the encroachment is smaller and the Department is willing to continue discussions with MDX staff regarding Corridor 2. Since its coordination meetings began with MDX in 2015, Department has consistently stressed the importance of protecting both the federal grant investments and the footprint of the future Bird Drive Basin CERP project.

Similarly, the Department provided grant funding to the State of Florida for the purchase of parcels in the Pennsuco wetlands, the restoration of which has long been a goal shared by the state and federal governments, and which has been the subject of federal court decisions. Again, the grant funds were provided by Congress for the protection and restoration of the Everglades ecosystem. The proposed highway corridors encroach on the Pennsuco wetlands and specifically on parcels purchased with federal conservation grant funding.

Finally, the Department reiterated its long held concern that the Alternate Corridor Segments may conflict with the Florida Power and Light use of the West Consensus Transmission Line Corridor which is also located within the central Bird Drive Basin. The Location of the West Consensus Corridor is in the federal interest as it was the result of efforts to lessen impacts to Everglades National Park and to endangered species. The Alternate Corridor Segments also appear to be located on the Department's Grant Lands.

I and my staff are available for any follow up discussions that the MDX may want to convene. If you have any questions regarding this letter, please contact me or Joan Lawrence at 786-390-8087.

Sincerely,

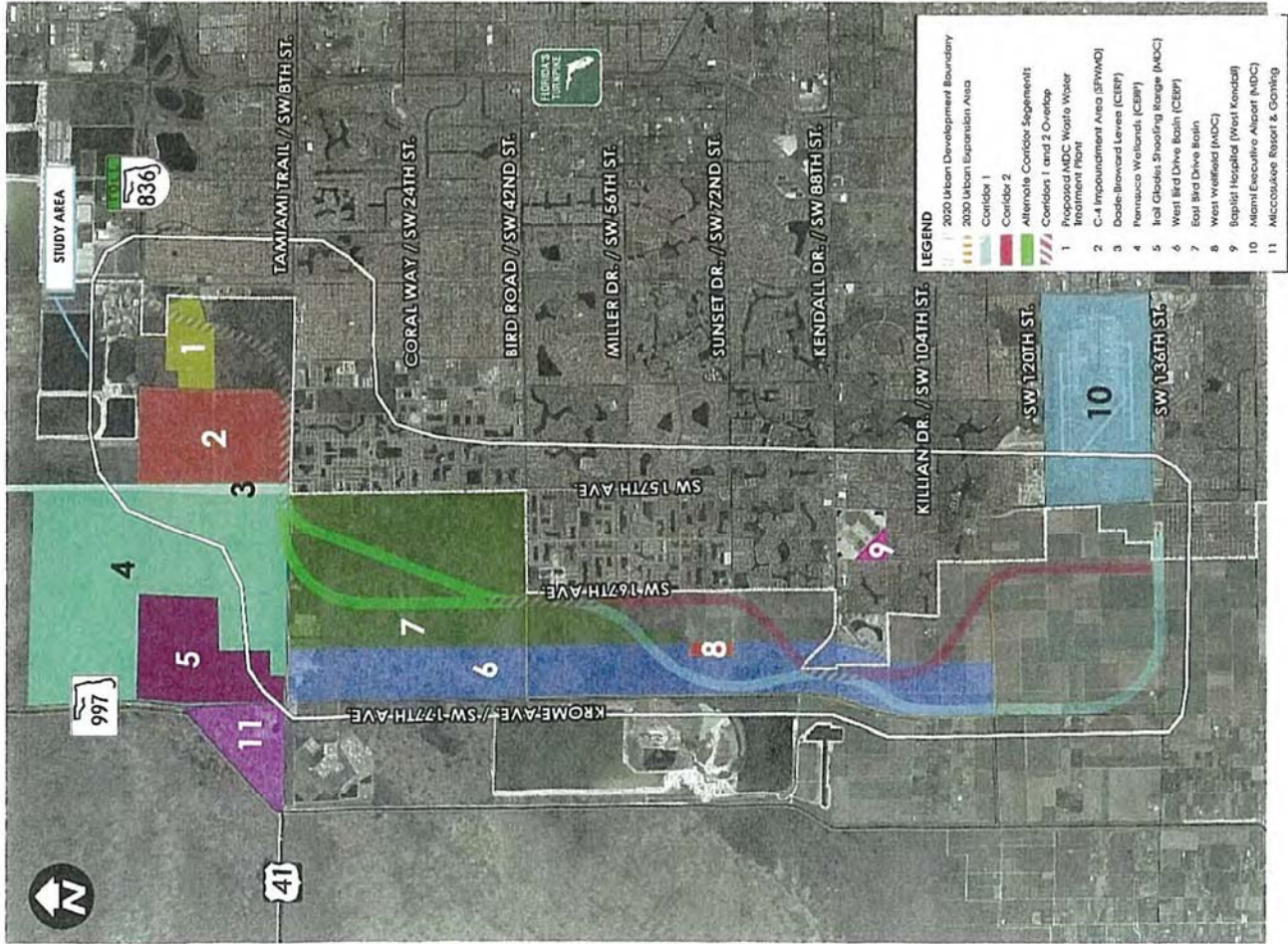
A handwritten signature in black ink, appearing to read 'Shannon A. Estenoz', with a stylized, cursive flourish at the end.

Shannon A. Estenoz
Director, Office of Everglades Restoration Initiatives
United States Department of the Interior

Cc: Mayra Diaz

Natural and Physical Features

- 1 Proposed Waste Water Treatment Plant
- 2 C-4 Impoundment (SFWMD)
- 3 Dade-Broward Levee (CERP)
- 4 Pennsuco Wetlands (CERP)
- 5 Trail Glades Shooting Range (MDC)
- 6 West Bird Drive Basin (CERP)
- 7 East Bird Drive Basin (CERP)
- 8 West Westfield (MDC)
- 9 Baptist Hospital (West Kendall)
- 10 Miami Executive Airport (MDC)
- 11 Miccosukee Resort & Gaming



Attachment B:
South Florida Water Management District
comment letter
August 10, 2018



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

August 10, 2018

Mr. Jack Osterholt, Deputy Mayor/Director
Miami-Dade County Department of Regulatory
and Economic Resources
111 NW 1st Street, 29th Floor
Miami, Florida 33128-1930

**Subject: Miami-Dade County, DEO #18-2ESR
Comments on Proposed Comprehensive Plan Amendment Package**

Dear Mr. Osterholt:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by Miami-Dade County (County) which includes Proposed October 2017 Cycle Application No. 8. The Proposed Application would amend the Land Use Map and the Transportation Element Map Series to include the State Road 836/Dolphin Expressway southwest extension and would propose new polices or modify existing policies in the Land Use, Transportation and Intergovernmental Coordination Elements of the County's Comprehensive Development Master Plan (CDMP). The District based its review on the documents the County submitted in the amendment package.

The proposal is located in the southwestern area of the County and within the general vicinity of the Florida Everglades. A portion of the lands within the proposed study area for the expressway extension have been identified as having potential use with regard to Everglades restoration projects.

The District recognizes that the proposed CDMP amendment occurs during the conceptual phase of a future roadway project. The District's interest is ensuring that any future roadway does not interfere with restoration efforts, or cause impacts to wetlands and other surface waters, regional water supplies, and flood protection and floodplain management. Any future review by the District would require additional information such as the effects on the following areas of concern:

- Wetlands and Other Surface Waters
- Flood Protection and Floodplain Management
- Coordination with the District
- Engineering and design compatibility with potential Everglades restoration projects

Please find attached detailed comments and recommendations in Attachment 1, Comments and Recommendations for Miami-Dade County, DEO #18-2ESR.

The District offers its technical assistance to the County and the Department of Economic Opportunity (DEO) in developing sound, sustainable solutions to meet the County's future water

Mr. Jack Osterholt, Deputy Mayor/Director
August 10, 2018
Page 2

supply needs and to protect the region's water resources. We recommend that staff from the County's Regulatory and Economic Resources Department coordinate with appropriate District staff to provide sufficient information. For assistance or additional information, please contact Terry Manning at (561) 682-6779 or tmanning@sfwmd.gov.

Sincerely,



Terrie Bates, Director
Water Resources Division

Enclosures:

- 1) Comments and Recommendations for Miami-Dade County, DEO #18-2ESR
- 2) Bird Drive Recharge Area Conveyance Concept Graphic

c: Katherine Beck, DEO
Jerry Bell, Miami-Dade County
Kelley Corvin, DEO
Isabel Cosio Carballo, SFRPC
Ray Eubanks, DEO
Kathy Lerch, SFRPC
Lindsey Weaver, DEP

Mr. Jack Osterholt, Deputy Mayor/Director
August 10, 2018
Page 3

bc: Mark Elsner
Jim Harmon
Deb Oblaczynski
Karin Smith
Tia Barnett
Armando Vilaboy
Laura Corry
Internal District Reviewers

Data and analysis needed to support future roadway review

Natural Resources

1. Sufficient data and analysis to determine the final alignment of the expressway extension, potential impacts to natural resources, and potential impacts to restoration projects will be necessary. Exhibits 6 and 7 primarily contain transportation data and analysis and are missing environmental data and analysis. Appendix C of Exhibit 7, Alternative Corridor Evaluation (ACE) Report Project Development and Environment (PD&E) Study, includes evaluations of numerous potential expressway extension alternatives and options for the alignment of the extension. The Appendix contains summaries of transportation data and analysis, and in two charts references an environmental analysis, but supporting environmental data and analysis was not provided. The District cannot make recommendations to address these items until the County:
 - Provides relevant environmental information and studies.
 - Determines the final alignment of the expressway extension.
 - Revises the remainder of the plan amendment package, as applicable, to reflect all completed studies and the final extension alignment.

Wetlands and Other Surface Waters

2. An analysis of the existing wetlands and other surface waters located in the area of the proposed southwest extension of the SR-836/Dolphin Expressway, or information on measures to avoid, minimize and mitigate wetland impacts will be necessary. The County will need to address the following:
 - The proposed general distribution, location and extent of the wetlands and other surface waters to be impacted, including the approximate acreage.
 - Applicable surveys, studies, and data, including the character of undeveloped land.
 - An analysis to demonstrate the suitability for the proposed use considering the character of the undeveloped land, soils, topography, and natural resources.
 - How the natural functions of wetlands will be protected, conserved, and mitigated.

Water Supply

3. An analysis of impacts to the regional water supply will be necessary. The County will need to address the following:
 - Water supply will be needed for the transportation hubs. Because both proposed hubs are outside the Urban Development Boundary and public water supply utility services, it appears a new water supply and new water use permits may be required. Data and analysis indicating the water supply sources and potential water demands for each transportation hub are needed.
 - Water use permits for agricultural permittees within the footprint of the roadway may need to be modified. The shift in withdrawal locations may not have a significant effect

on withdrawal impacts but should be reviewed to identify any potential localized or regional effects.

Stormwater Management

4. An analysis of storm water management needs and flooding issues for the proposed expressway will be necessary. The County will need to address the following:
 - o An analysis of storm water management needs, including a demonstration that there will be no adverse offsite impacts.
 - o An identification of the appropriate stormwater management infrastructure needed for the proposed expressway extension.

Coordination with the District

Rights of Way

1. It appears that a portion of the C-4 Impoundment Area and the C-1W Canal right of way fall within the proposed construction area for the proposed expressway extension. Any planned use of District rights of way or lands must be coordinated with the District to ensure that operation and maintenance of the flood control system is not adversely impacted, and to ensure compliance with District rules and policies for use of such rights of way and lands.

Environmental Resource Permits

2. The proposed expressway extension project will require an Environmental Resource Permit from the District in accordance with Rule 62-330.054, Florida Administrative Code (F.A.C.). This is a separate process from the Comprehensive Plan Amendment as outlined under the Community Planning Act, Chapter 163, F.S. Miami-Dade County and their designated representatives are currently coordinating with the District's Environmental Resource Bureau staff on Environmental Resource Permitting rules associated with the proposed project.

Everglades Restoration Projects

Bird Drive Recharge Area (BDRA)

The Bird Drive Recharge Area (BDRA) features identified in the original CERP Restudy were deemed not feasible by the CERP Project Delivery Team due to the highly transmissive project site and possible flooding impacts to urban areas. As a result, the District, Army Corps of Engineers and Department of Interior developed a BDRA Conveyance Concept that includes seepage collection, groundwater recharge and conveyance to provide benefits consistent with the intent of the CERP Restudy features. The BDRA Conveyance Concept (See Attachment 2) consists of a new canal along the east side of Krome Ave from the C-4 Canal south to the C-1W Canal, a new gated structure at the intersection of the new canal and the C-4 Canal, a new pump station at the intersection of the new canal and C-1W Canal, and a half mile buffer area to facilitate water conveyance. The District owns lands in this area associated with this future CERP project.

Both corridor alignments identified in the proposed amendment are located in or adjacent to the CERP Conveyance Concept. A portion of the proposed alignment of the MDX Kendall Parkway runs through the BRDA project lands. Some portions of the proposed alignment appear to run

adjacent to the buffer area and some portions of the alignment are located within the buffer area. A portion of proposed corridor #2 is located near the location of the proposed pump station. The proposed interchanges would also be adjacent to and within the buffer area.

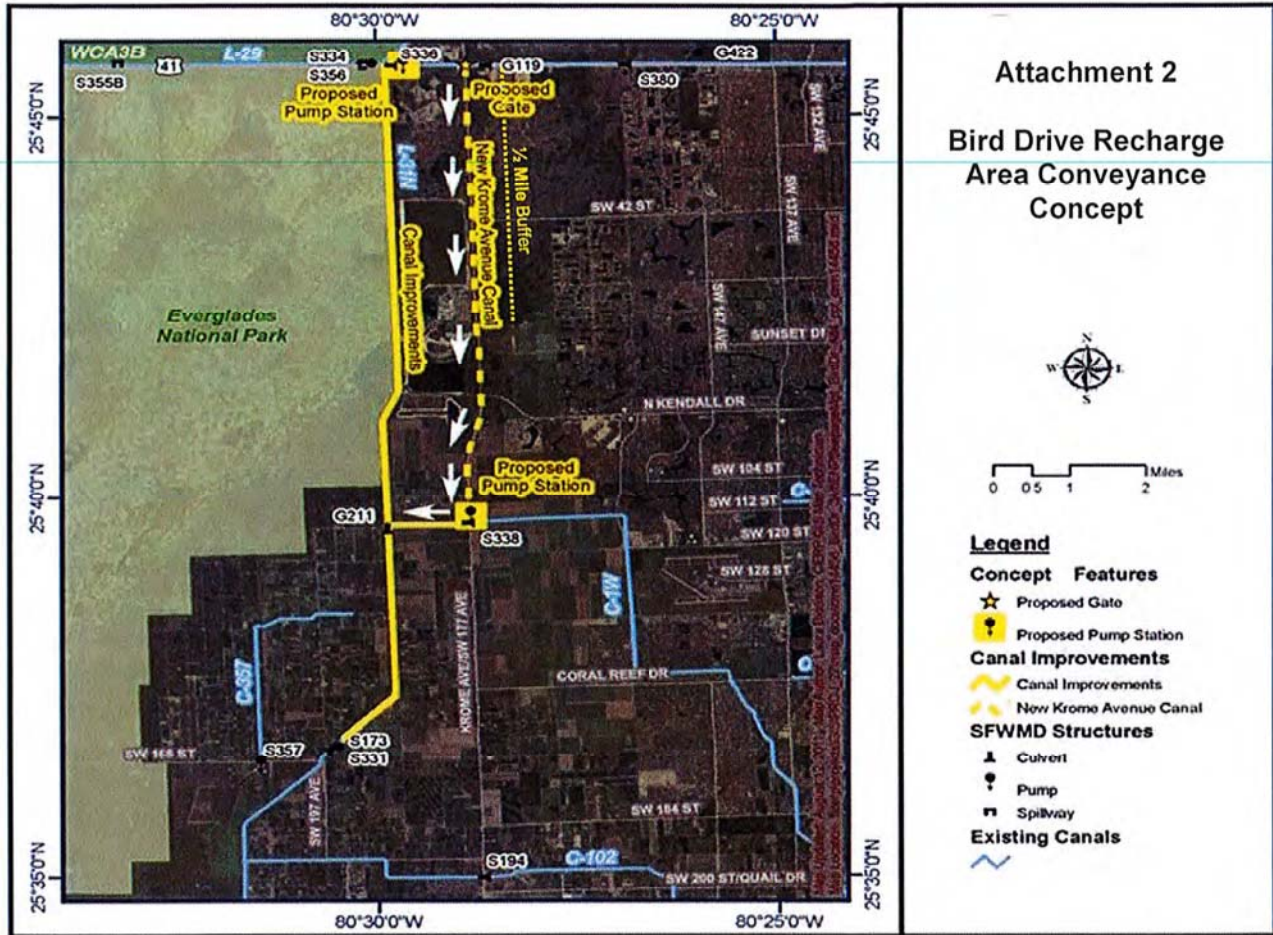
At this time, the District does not yet have detailed enough information, such as the potential for elevated roadways and conveyance features, that would help the District evaluate the proposed project's compatibility with the CERP BDRA Conveyance Concept.

Dade Broward Levee/Pensucco Wetlands

The Dade Broward Levee/Pensucco Wetlands is a CERP project that includes water control structures and modifications to the Dade-Broward Levee and associated conveyance system located in Miami-Dade County. The purpose of this feature is to reduce seepage losses to the east from the Pensucco Wetlands, enhance wetland hydroperiods and provide groundwater recharge to Miami-Dade's Northwest Wellfield.

Based on the information provided, it appears a proposed alignment runs through the southeast corner of the Pensucco Wetlands. The District does yet have sufficient information to determine the proposed project's compatibility with the CERP Dade Broward Levee/Pennsuco Wetlands component.

Attachment 2 Bird Drive Recharge Area Conveyance Concept



Attachment C:

FL Department of Environmental Protection
comment letter

August 13, 2018



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor
Carlos Lopez-Cantera
Lt. Governor
Noah Valenstein
Secretary

August 13, 2018

Mr. Jerry Bell
Assistant Director for Planning
Miami-Dade County Department of Regulatory and Economic Resources
111 NW 1st Street – 12th Floor
Miami, Florida 33128-1930

Re: Miami-Dade County 18-2ESR Proposed Comprehensive Plan Amendment Expedited Review

Dear Mr. Bell:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment in accordance with the provisions of Chapter 163, Florida Statutes (F.S.). The Department's review of the proposed policies focused on important state resources and facilities that would be adversely impacted if the amendment is adopted, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails and conservation easements; solid waste; and water and wastewater treatment.

In addition to the important state resources listed above, it is critical that this amendment ensures protection of the Everglades. Florida has demonstrated its commitment to Everglades restoration by investing approximately \$2 billion in projects over the past eight years, and more than \$2.3 billion in Comprehensive Everglades Restoration Plan (CERP) funding. The State of Florida's restoration efforts are critical to restoring the habitat and ecology of the Everglades, which is vital to Florida's water resources and economy.

On August 10, 2018, the South Florida Water Management District provided comments and recommendations on the proposed amendment, which the Department fully supports. The Department provides the following additional comments and recommendations and requests that Miami-Dade County (County) address these issues prior to adopting the amendment.

PROPOSED AMENDMENTS

The amendment application proposes adding the southwest extension of SR-836/Dolphin Expressway to the Land Use Map and the Transportation Element map series of the Miami-Dade County Comprehensive Development Master Plan (CDMP). The proposed corridor would connect the existing terminus of SR-836 at NW 12th Street to SW 136th Street, and would be 500 feet wide, covering approximately 780 acres, most of which is outside of the County's Urban Development Boundary (UDB). The purpose of the proposed amendment is to improve connectivity and alleviate traffic congestion in the area. Recommended policy amendments are also included to mitigate some of the impacts of the project, including:

- **LU-1U:** Prevents construction from reducing access to agricultural properties.
- **LU-1V:** Requires the Miami-Dade Expressway Authority to preserve agricultural lands outside of the UDB.
- **LU-3Q:** Creates supermajority requirement for any zoning/amendment that would approve non-agricultural uses in an area designated agriculture.
- **LU-3T:** Requires mitigation for the SR-836 extension to be accomplished through acquisition, preservation, and restoration of wetlands within Bird Drive and North Trail Basins, outside of the UDB. Also requires a plan to preserve hydrological connection and surface water flow of the remaining wetlands.
- **LU-8G:** Prevents the roadway capacity created by this extension from creating a basis for the addition of areas into the UDB.

- **TE-3C:** States that the SR-836 extension only addresses existing roadway capacity deficiencies and is not intended to support or encourage future development.
- **TC-1B:** States that Level of Service C is the minimum acceptable peak period operating Level of Service
- **TC-1L:** Requires the County to coordinate with the Miami-Dade Expressway Authority and the Transportation Planning Organization (or successors) in the planning and construction of the SR-836 extension and park and ride facilities.
- **TC-1M:** States that in order to discourage urban sprawl, the new capacity generated by the SR-836 extension will not count toward concurrency.
- **TC-1N:** Requires the Miami-Dade Expressway Authority to conduct an analysis of the increase in peak hour trip capacity on all roadway links and intersections within a year of opening the SR-836 extension.
- **MT-4D:** Requires the Miami-Dade Expressway Authority to provide for mass transit service within the corridor.
- **MT-4E:** Requires the Miami-Dade Expressway Authority to design a multi-use recreational trail within the corridor.
- **ROS-3F:** Requires that the Miami-Dade Expressway Authority provide a parallel, multi-use recreational trail facility in conjunction with the opening of the SR-836 extension.
- **ICE-31:** States that the County will enter into a Interlocal Agreement with the Miami-Dade Expressway Authority to implement policies related to the SR-836 extension.

IMPORTANT STATE RESOURCES

The proposed alignments for the SR-836 extension are proximate to Everglades National Park and several CERP projects including the Bird Drive Basin, C-4 Detention Basin, 8.5 Square Mile Area and West Miami-Dade Wastewater Treatment Plant. These alignments are also proximate to several of the East Coast Buffer/Water Preserve Area/Lake Belt projects (Everglades National Park Seepage Management, L-30 Canal Upgrade, L-31 Seepage Management, Pennsuco Wetlands) and mining areas. The best data available to the Department, including the National Wetlands Inventory and aerial photos, indicates that the area north of SW 64th Street, between Krome Avenue to the West and SW 167th Avenue to the East, known as the Bird Drive Basin/Recharge Area and designated Open Space on the CDMP Land Use map, consists almost entirely of wetlands. These wetlands provide an important recharge function to the Biscayne Aquifer, an important state resource and the source of drinking water for the County. Additionally, state-owned parcels associated with the East Coast Bay Buffer conservation project are located within the proposed alignment of the corridor.

DEPARTMENT COMMENTS

The proposed amendment will need to demonstrate how impacts to the wetlands will be minimized and mitigated, and ensure that the alignment of the extension does not adversely impact CERP project areas and state lands. Should SR-836 be extended, the Department encourages project elements to be constructed and maintained so as to not adversely affect adjacent lands with regards to water quantity, water quality, and/or flooding.

The state-owned parcels within the proposed corridors may have been acquired for the purpose of conservation with funds provided by the Secretary of the Department of the Interior (DOI) pursuant to Federal Agriculture Improvement and Reform Act of 1996 (Section 390, Pub.L.104-127, 110 Stat. 1022). These parcels were intended to be managed for the restoration of the Everglades, and should they become encumbered by the proposed corridor, coordination with DOI will be required.

It is the Department's understanding that the Miami-Dade Expressway Authority is in the process of conducting a Project Development and Environment Study, to be followed by the completion of a Project Environmental Impact Report. The Department recommends that a thorough environmental suitability analysis and environmental impact assessment be conducted as a part of this process, including a rigorous analysis of other planned roadway improvements and the implementation of coordinated growth management and transportation demand management strategies.

In addition to the comments provided above, the Department has enclosed comments provided in June 2009 and January 2011 on this project. The Department suggests that careful consideration be given to these comments as well to ensure the proposed amendment will not adversely impact Florida's land, water and natural resources. Additionally, close coordination with the South Florida Water Management District is encouraged to ensure that the full environmental benefits of Everglades restoration projects will not be constrained by the proposed alignments.

CONCLUSION

The Department is providing technical assistance comments consistent with Section 163.3168(3), F.S. The comments will not form the basis of a challenge. They are offered as suggestions which can strengthen the County's comprehensive plan and provide assurance that any construction of the development will adequately protect important state resources.

If you should require assistance or additional information, please contact me at (850) 717-9037 or Lindsay.Weaver@FloridaDEP.gov

Sincerely,



Lindsay Weaver, Environmental Specialist II
Office of Intergovernmental Programs

Enclosures

cc: Jack Osterholt, Miami-Dade County Department of Regulatory and Economic Resources
Katherine Beck, Florida Department of Economic Opportunity
Kelly Corvin, Florida Department of Economic Opportunity
Terese Manning, South Florida Water Management District

Attachment D:
Miccossukee Tribe comment letter
November 1, 2017



Miccosukee Tribe of Indians of Florida

Transportation
OPB-TED cc'd Mark Krusa
ENV
K. Craven
S. Peely

Business Council Members

Billy Cypress, Chairman

Roy Cypress Jr., Assistant Chairman
Jerry L. Cypress, Treasurer

Gabriel K. Osceola, Secretary
William M. Osceola, Lawmaker

June 27, 2018

Rick Scott, Governor
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

694076
DU: 7.31.18
KJ

2018 JUL 10 AM 10:11
OFFICE OF THE GOVERNOR
CITIZEN SERVICES

RE: Tribe's Alternative for State Road 836/Dolphin Expressway Southwest Extension

Dear Governor Scott,

As you may be aware, a plan to expand State Road 836, commonly known as the Dolphin Expressway, was approved on Wednesday, June 20, 2018, by the Miami-Dade County Commissioners. The Miccosukee Tribe of Indians of Florida ("Tribe") has Tribal Reservations and lands in the area and within the corridor of Miami-Dade Expressway Authority's proposed plans for State Road 836/Dolphin Expressway Southwest Extension.

Since the Tribe is one of the largest single interested party with land holdings within the project limits, discussions and consultation with the Tribe is required. Thus far, limited discussions have taken place and the Tribe's preferred alternative has not been adequately analyzed prior to the Commissioners' vote. We understand that approval of the project by the State of Florida is pending and the Tribe would like its concerns and proposed alternative to be sufficiently considered during this process.

The Tribe has already provided the Miami-Dade Expressway Authority with the attached letter which illustrates our preferred alternative. The Tribe's alternative is to bridge the proposed road west thru the Pennsuco Wetlands to an existing roadway, specifically Krome Avenue which was recently widened. This alternative would impact far less wetlands due to a road not impeding the flow of water, should cost less money and take less time to build, does not impact Tribal lands, and would not require taking of homes through Eminent Domain.

The current proposed expressway is inconsistent with federal, state and local policies. At the Federal and State level, the project is inconsistent with the Comprehensive Everglades Restoration Plan ("CERP") as well as section 404 of the Clean Water Act ("CWA") the National Environmental Policy Act ("NEPA") and the Endangered Species Act ("ESA"). The project is flatly inconsistent with Chapter 24 wellfield protection requirements. At the local level, the

proposal conflicts with the Miami Dade County Comprehensive Development Master Plan (“CDMP”), The Miami-Dade County Transportation Planning Organization’s Strategic Miami Area Rapid Transit (“SMART”) plan, the Seven50 plan, the recommendations of the County’s Sea Level Rise Task Force, the 100 Resilient Cities program, of which Miami Dade County is a member, and other county programs.

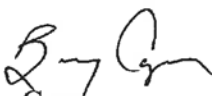
As proposed, Miami-Dade Expressway Authority’s extension would take a southwest turn and move past Miami-Dade’s Urban Development Boundary (“UDB”), an imaginary line intended to shield the sensitive wetlands of the Everglades and agricultural land from potential contamination, residential subdivisions and strip malls. Consequently traversing “lands designated Environmental Protection”, which are characteristically high-quality marshes, swamps and wet prairies, and are not suited for urban or agricultural development. The CDMP clearly prioritizes urban infrastructure inside the UDB and discourages it outside of the UDB for the express purpose of maintaining farmland and buffering the Everglades and a county wellfield from suburban development. This proposed project is contrary to the CDMP goals, objectives and policies. Miami-Dade Expressway Authority itself has acknowledged that this expressway expansion will create developmental pressure in the area between the proposed road and the 2020 Urban Development Boundary, stating (without evidence) that this road could serve as “a final western boundary for sprawl”. This area is already under significant development pressure. Regardless of the plan policies RER may put in place to allay the developmental pressure created by this project, once in place the road will constitute an undeniable fact-on-the-ground that will spur the conversion of the entire highly sensitive area to urban sprawl.

The immediate impact of this road’s development is the degradation of wetlands in the immediate vicinity of the road, as well as the further degradation of these wetlands from the long-term operation of the expressway. Runoff from roads and highways can contain polycyclic aromatic hydrocarbons, polychlorinated biphenyls, hydrocarbons, metals. Such chemicals have been known to cause cancer and birth defects. The proximity of this source of large amounts of highly toxic materials to this important source of drinking water is concerning.

In light of all of the concerns with federal, state and local policies that Miami-Dade Expressway Authority’s proposed plan has, the Tribe’s alternative is a viable solution that would allow the expansion to move forward quickly with less encumbrances. The Miccosukee Tribe urges you to deny MDX’s proposal and review the Tribe’s alternative.

To schedule a meeting on this matter and for additional questions or concerns, please contact my staff at 305-223-8380, Jeanine Bennett, Esq., In-House General Counsel, JeanineB@miccosukeetribe.com or Kevin Donaldson, Real Estate Director, KevinD@miccosukeetribe.com. Thank you for your time and consideration of this issue.

Thank you,


Billy Cypress,
Chairman

cc: Business Council



Miccosukee Tribe of Indians of Florida

Business Council Members

Billy Cypress, Chairman

Roy Cypress Jr., Assistant Chairman
Jerry L. Cypress, Treasurer

Gabriel K. Osceola, Secretary
William M. Osceola, Lawmaker

November 1, 2017

Javier Rodriguez, P.E.
Executive Director
Miami-Dade Express Authority
3790 N.W. 21 St
Miami, FL 33142

RE: Alternatives for State Road 836/Dolphin Expressway Southwest Extension

Dear Mr. Rodriguez:

The Miccosukee Tribe of Indians of Florida (Tribe) has Tribal Reservations and lands in the area and within the corridor of the conceptual alternatives of the State Road 836/Dolphin Expressway Southwest Extension Project Development and Environmental Study (PD&E) area. The Tribe received a letter dated October 6, 2017 providing a notification of an Alternatives Workshop and a brochure giving a basic summary of the PD&E Study. The brochure describes commitments of the Miami-Dade Express Authority (MDX) to actively engage the community, civic, environmental organizations, and other interested parties in an ongoing and open dialogue about the SR 836/Dolphin Expressway Extension. Be aware the Tribe is a direct stakeholder.

Thus far, the MDX has failed to formally engage the Tribe in any meaningful discussions regarding this project in accordance with Executive Order 13175 requiring consultation with Tribal governments. The Tribe is one of the largest single interested party with land holdings within the project limits. Any failure to engage the Tribe may be deemed disrespectful to the Tribe's sovereignty and its rights. Enclosed, please find the enclosed figure *State Road 836/Dolphin Expressway Extension Alternatives*. Please accept this letter as formal notification of the Tribe's position to include an additional corridor to the PD&E study. The Tribe's Preferred alternative as referenced in the attached figure impacts far less wetlands, should cost less money, does not impact Tribal lands and utilizes an existing roadway.

To schedule formal consultation on this matter and for additional questions or concerns, please contact my staff at 305-223-8380, Jeanine Bennett, JeanineB@miccosukeetribe.com or Kevin

Donaldson, kevind@miccosukeetribe.com. Thank you for your time and consideration of this issue.

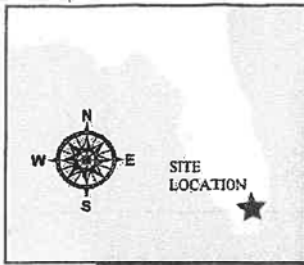
Sincerely,

A handwritten signature in black ink, appearing to read "Billy Cypress". The signature is fluid and cursive, with the first name "Billy" being more prominent than the last name "Cypress".

Billy Cypress
Tribal Chairman

Cc: Miccosukee Business Council
Florida Governor Rick Scott
Bruce Maytubby, BIA Regional Director
Jeanine Bennett, In House Counsel, Legal
Kevin Donaldson, Land Resources Director, Real Estate Services
Miami-Dade County Board of Commissioners

STATE ROAD 836/DOLPHIN EXPRESSWAY EXTENSION ALTERNATIVES



0 2 MILES



MICCOSUKEE TRIBAL LANDS



MAP PRODUCED BY REAL ESTATE SERVICES
This MAP is not a survey and is
meant for reference purposes only OCT 2017



**Miccosukee Tribe of Indians
of Florida**

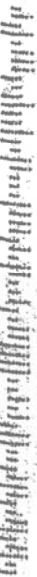
P.O. BOX 440021, TAMAMI STA., MIAMI, FLORIDA 33144

Rick Scott, Governor
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001



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Jerry Bell



BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

Direct: 305-377-6220
E-Mail: JBercow@brzoninglaw.com

VIA E-MAIL AND U.S. MAIL 2018 JUN 25 12 1: 53
REC-PLAN DIVISION

RECEIVED
JUN 25 2018
MIAMI-DADE COUNTY
OFFICE OF THE MAYOR

June 20, 2018

Mr. Jack Osterholt
Deputy Mayor and Director
Department of Regulatory and Economic Resources
Miami-Dade County Office of the Mayor
111 NW First Street, 29th Floor
Miami, Florida 33128

Re: Application No. 8 October 2017 Cycle of CDMP Amendments
Relating to Proposed Extension of State Road 836/Kendall Parkway

Dear Mr. Osterholt:

This letter will confirm the concerns we expressed in our meeting with you, the Mayor and Planning staff earlier this week, and which we have previously expressed to the Planning Director, regarding proposed Traffic Circulation Sub-Element Policy TC-1M. This proposed policy accompanies the captioned proposal to amend the County's Comprehensive Development Master Plan (CDMP) Land Use Plan to reflect a new expressway, the southwest extension of SR 836, also known as the "Kendall Parkway."

SR 836 AOI. As proposed, TC-1M will create the "State Road 836 Area of Impact" (SR 836 AOI). This area is approximately 80 square miles in size, 80% of which is inside the Urban Development Boundary. See attached Exhibit A. After the Kendall Parkway is constructed, any development within SR 836 AOI would not be able to utilize any additional transportation capacity that has become available as a result of the Kendall Parkway. This policy is intended to prevent further pressure to expand the UDB as a result of Kendall Parkway construction, but would also apply inside the Urban Development Boundary.

Urban Sprawl. While we support the creation of SR 836 AOI as it applies to the area outside the UDB, we have strong concerns regarding the application of this policy to the portion of SR 836 AOI inside the UDB. This area largely encompasses the unincorporated West Kendall area of Miami-Dade County, which is characterized by suburban development resulting in extensive urban sprawl. Much of this area was developed years ago with large residential

A-105

Mr. Jack Osterholt
Deputy Mayor and Director
Department of Regulatory and Economic Resources
June 20, 2018
Page 2

tracts, and very little commercial development. Strip centers are the primary form of commercial development in this area; there is very little mixed-use construction in West Kendall. Urban sprawl creates directionality of traffic flow; that is, traffic moves east in the morning (and then north) and west during the evening peak hours. Residents therefore experience long trip lengths to and from downtown, Doral/airport area and other employment centers. They also experience the same type of longer trip lengths driving to non-work activities like fine dining, better shopping and entertainment, in areas such as Coral Gables, Coconut Grove and Miami Beach.

In order to correct the ills of the past, Miami-Dade County needs to encourage and incentivize mixed uses and commercial uses, especially office, to reduce directionality of traffic flow and trip lengths. By encouraging mixed-use and commercial development in the West Kendall area, the County can create counter flow to reduce trip lengths and traffic congestion.

Land Use Element Objectives and Policies. The CDMP recognizes the importance of intensifying development within this area. For example, there is a Metropolitan Urban Center at the intersection of the Homestead Extension of Florida's Turnpike and Kendall Drive. CDMP Land Use Element Policy LU-1A provides that "high intensity, well-designed urban centers shall be facilitated by Miami-Dade County at locations having high Countywide multimodal accessibility." The Metropolitan Urban Center at this location is a prime example of such an urban center. In addition, Land Use Element Policy LU-1S also emphasizes the importance of "increased urban infill development and urban center development." Most important, Land Use Element Objective LU-1 states that

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.

Further examples of the County's efforts to implement Objective LU-1 and the Land Use Element policies mentioned above within the SR 836

Mr. Jack Osterholt
Deputy Mayor and Director
Department of Regulatory and Economic Resources
June 20, 2018
Page 3

AOI, include the Bird Road Urban Corridor <http://www.miamidade.gov/zoning/library/reports/bird-road-corridor-district-regulations.pdf>, the West Kendall Charrette <http://www.miamidade.gov/zoning/library/reports/west-kendall-corridor-planning-report.pdf>, and the Smart Plan for the Kendall Corridor <http://www.miamidadetpo.org/library/smartplan-brochure-2018.pdf>, which calls for intensification of uses surrounding the future transit corridors and creation of tax increment financing.

The CDMP consistently emphasizes concentration and intensification of development around urban centers, transit and encouraging well designed, mixed-use communities. CDMP Goals, Objectives and Policies, in this manner, effectively coordinate land use and transportation considerations, by incentivizing development in areas where infrastructure already exists, and encouraging other areas to intensify to reduce trip lengths and impacts on arterial roads.

Impact of TC-1M. The proposed Kendall Parkway provides a unique opportunity to provide additional transportation capacity to facilitate well-designed mixed-use communities consistent with CDMP Objective LU-1 and the policies under LU-1, the West Kendall Charrette, the Bird Road Urban Area Corridor, and the SMART Plan. However, proposed Traffic Circulation Sub-Element Policy TC-1M provides that in the SR 836 AOI, the County's concurrency management system:

...shall be amended to remove the additional LOS/capacity generated by the SR 836 southwest extension in the Area of Impact. Accordingly, any increase in LOS/capacity that the roadways in the Area of Impact would experience due to the diversion of trips resulting from the construction of this new expressway facility could not be used to demonstrate concurrency.

Instead of incentivizing the development community to create employment opportunities and other non-residential uses within areas currently characterized by urban sprawl, the policy does the complete opposite. As stated, "the purpose of this policy is to assure that the additional capacity attributable to

Mr. Jack Osterholt
Deputy Mayor and Director
Department of Regulatory and Economic Resources
June 20, 2018
Page 4

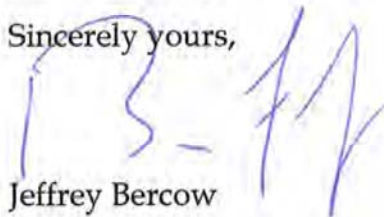
the SR 836 southwest extension cannot be used to support further development in the Area of Impact.”

Proposed Policy TC-1M adds obstacles to achieving the laudable goals established through Objective LU-1 and its related policies, the Metropolitan Urban Center located within SR 836 AOI, and legislative initiatives such as the West Kendall Charrette, the Bird Road Urban Corridor and the County’s SMART Plan. At the very least, proposed Policy TC-1M is inconsistent with the directives of Land Use Element Policy LU-1A, which states that “high intensity, well-designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multimodal accessibility.” The proposed policy also is inconsistent with Objective LU-1 and the policies referenced in this letter.

Conclusion. Miami-Dade County should be encouraging development in the portion of SR 836 AOI inside the UDB, not making such development more difficult. We support Application No. 8 and the amendment of the Land Use Plan map to include the State Road 836 southwest extension as an expressway. We also believe that bringing employment and non-residential uses to the SR 836 AOI, with the additional LOS/capacity generated by Kendall Parkway, will help solve congestion issues in the West Kendall area and not result in additional pressure to expand the UDB.

Thank you for your courtesy and consideration. Please do not hesitate to call me should you have any questions regarding the matter set forth in this letter.

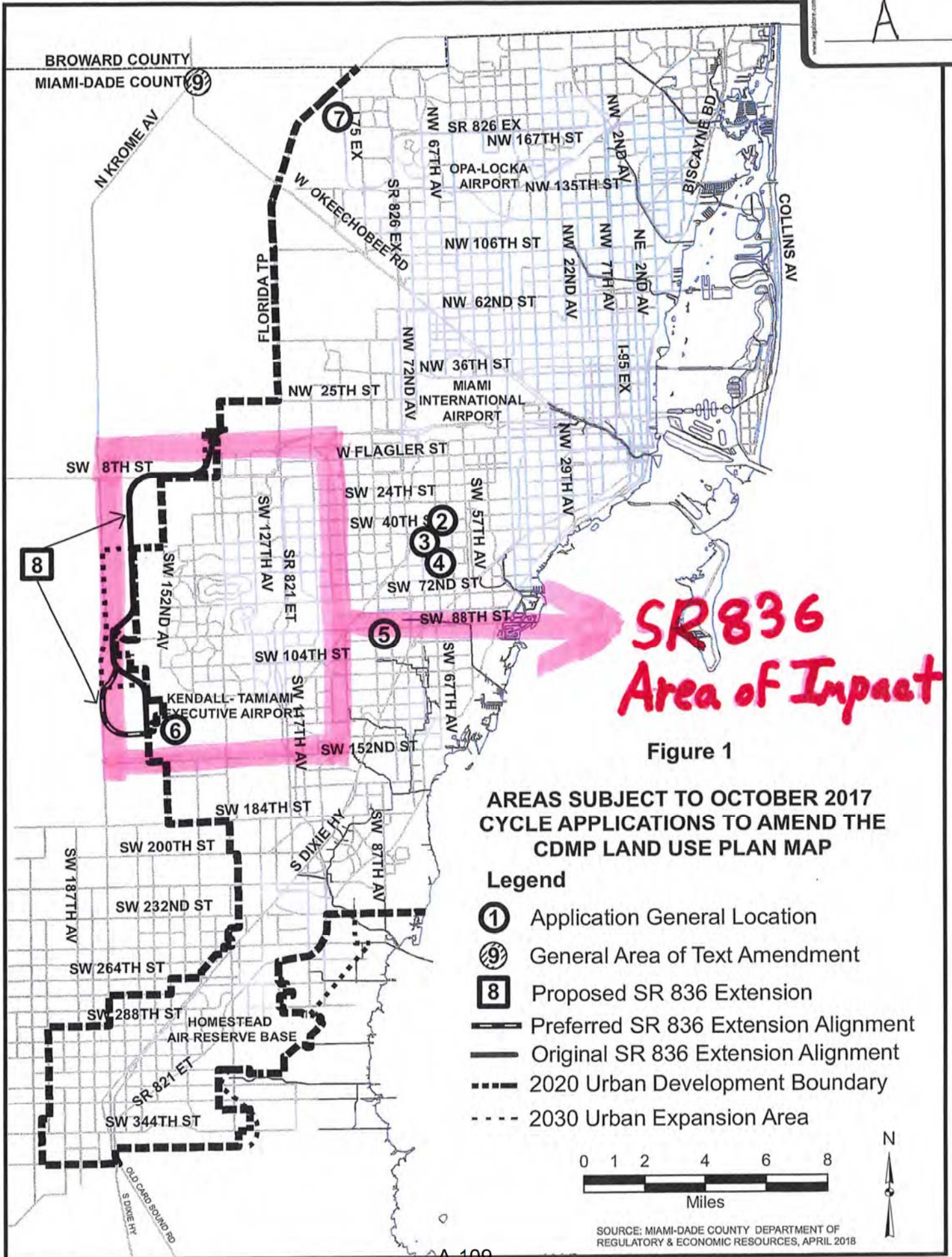
Sincerely yours,



Jeffrey Bercow

JB/cg

cc: Jerry Bell, AICP
Garrett Rowe
Isabel Cosio Carballo, SFRPC
James Stansbury, DEO





TORRE CONSTRUCTION & DEVELOPMENT, LLC

208 Andalusia Ave, FL 33134
Phone: (305) 442-9494 Fax: (305) 442-9497
www.torrecompanies.com

2018 JUN 19 P 2:13

RENT LEARNING DIVISION

June 18th, 2018

Mayor Carlos Gimenez
Office of the Mayor, Miami-Dade County
Stephen P. Clark Center,
111 N.W. 1st Street, 29th Floor, Miami, Florida 33128

Chairman Esteban Bovo
Miami-Dade County Board of County Commissioners
Stephen P. Clark Center,
111 NW 1st Street, Suite 320, Miami, Florida 33128

RE: Kendall Parkway Implications to Infill and Transit Oriented Development

Dear Honorable Mayor Gimenez, Chairman Bovo, and Miami-Dade County Commissioners:

I am the principal at Torre Companies, comprised of Torre Development Group Inc., Torre Construction and Development, and Network Investments of South Florida. Since 1994, we have led visionary projects with a proven track record in planning, designing, developing, and executing projects in South Florida.

This correspondence is transmitted to you to urge you not to move forward with the proposed Kendall Parkway. I am opposed to the project for numerous reasons, not least of which is the project's anticipated impact on infill development within the Urban Development Boundary.

Higher residential density and infill continue to face a level of community resistance. Infill is now a significant and growing share of residential construction in many metropolitan regions. It allows communities to maximize property tax revenue without raising tax rates: properties near transit and compact, walkable, mixed-use development in established town and city centers are associated with higher property values.

As such, the County should be approving and encouraging projects that implement smart growth strategies. These strategies help local governments build on existing assets and maximize the return on investment while helping to protect the environment and human health.

Inexpensive, low-density residential and commercial development in remote areas contribute to sprawl and inefficient investment in infrastructure and transportation systems, such as roads and transit. Urban

sprawl exacerbates traffic congestion. The style of development that predominates on the county's western periphery is highly vehicle-centric, as there are currently few nearby employment opportunities or reliable mass transit options. Studies show that induced sprawl puts even more cars on the road and counteracts congestion relief provided by new roads.

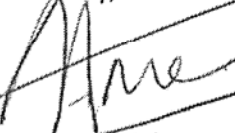
Moreover, projects on infill sites have environmental benefits because they can reduce development pressure on outlying areas, helping to safeguard lands that serve important ecological functions. Investing in infill development is a smart strategy approach, while sprawling patterns of development pose a risk to Florida's economy, infrastructure, and natural resources. Infill development and smart growth are antidotes to inefficient and costly patterns of land use, utilizing an integrated approach to transportation planning, land use planning, and community design to foster quality of life and economic development.

Finally, the counterintuitive relationship between road infrastructure and traffic congestion driven by 'induced demand' and 'induced development' should also persuade you not to move forward with the proposed Kendall Parkway. 'Induced demand' refers to the phenomenon whereby the addition of road capacity incentivizes travelers to travel farther distances, take more frequent vehicle trips, and rely more heavily upon their automobiles for transportation, resulting in increased pressure on roadways and a reversion to congested conditions.

'Induced development' refers to the inherent development pressure which road improvements exert on adjacent areas. MDX itself has acknowledged that this road will create developmental pressure in the area between the proposed road and the 2020 Urban Development Boundary.

The Kendall Parkway would create more obstacles to infill development and smart growth, and it would not solve the County's traffic woes. Please do not allow this project to move forward. Thank you for your time, and please do not hesitate to contact me should you wish you discuss this further. You can reach me at 305-442-9494

Sincerely,

A handwritten signature in black ink, appearing to read "Venny", is written over two horizontal lines that serve as a signature line.

Venny Torre/ President
Torre Construction and Development, LLC

RESOLUTION NO. 18-34

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO DENY THE PROPOSAL TO EXTEND THE SR-836 "KENDALL PARKWAY" PROJECT PAST THE 2020 URBAN DEVELOPMENT BOUNDARY AND EXPRESSING CONCERN OVER THE POSITION TAKEN BY THE MIAMI-DADE COUNTY DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES AS THE APPLICANT OF THIS PROPOSAL

WHEREAS, the Town of Cutler Bay (the "Town") is one of the leading environmental stewards within Miami-Dade County; and

WHEREAS, the Town Council has taken a strong stand in protecting environmentally sensitive lands throughout Miami-Dade County; and

WHEREAS, the Miami Dade County Urban Development Boundary ("UDB") is a planning tool established in 1983 to protect the wetlands, agricultural land, and open space land lying between the County's urban core and the wetlands of Everglades National Park to the West, as well as Biscayne National Park to the East; and

WHEREAS, the expansion of urban development outside the current UDB boundary places strain upon county fresh-water, ecological, agricultural, and fiscal resources; and

WHEREAS, Miami Dade Expressway Authority ("MDX") is currently pursuing county approval for a proposal to extend the SR-836 outside of the 2020 UDB; and

WHEREAS, the proposed road passes over many highly resource-critical areas outside the 2020 UDB, including a large portion of the West Wellfield, thousands of acres of active farmland and South Florida Water Management District ("SFWMD") designated Comprehensive Everglades Restoration Plan ("CERP") buffer zones; and

WHEREAS, the Miami-Dade County Commissioners have previously rejected this proposal with concerns about extension past the UDB on two separate occasions in 2017, and now the Miami-Dade County Department of Regulatory and Economic Resources has submitted a proposal to amend the Comprehensive Development Master Plan to allow for this project; and

WHEREAS, the Town Council finds that this Resolution is in the best interest of the health, safety and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, THAT:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Recommendation. The Town Council of the Town of Cutler Bay, Florida recommends that the proposal to extend the SR-836 "Kendall Parkway" project past the 2020 Urban Development Boundary be denied.


Section 3. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this 18th day of April, 2018.



PEGGY R. BELL
Mayor


Attest



DEBRA E. EASTMAN, MMC
Town Clerk



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:



WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: Council Member Coriat
Seconded By: Council Member Mixon

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell	YES
Vice Mayor Sue Ellen Loyzelle	YES
Council Member Mary Ann Mixon	YES
Council Member Michael P. Callahan	YES
Council Member Roger Coriat	YES

JAN 2018 App'ls.
445

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

1/18/2018 P 2:27
REGISTRATION DIVISION

September 11, 2018

The Honorable Carlos A. Gimenez
Mayor, Miami-Dade County
111 NW 1st Street, 29th Floor
Miami, Florida 33128-1930

Dear Mayor Gimenez:

The Department of Economic Opportunity ("Department") has reviewed the Miami-Dade County proposed comprehensive plan amendment (Amendment No. 18-04 ESR), received on August 14, 2018, pursuant to the expedited state review process in Section 163.3184(2) - (3), Florida Statutes (F.S.). We have identified no comment related to adverse impacts to important state resources and facilities within the Department's authorized scope of review.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S. The technical assistance comment will not form the basis of a challenge. It is offered either as a suggestion which can strengthen the County's comprehensive plan in order to foster a vibrant, healthy community or are technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comment is:

The Comprehensive Development Master Plan contains the following objectives and policies (among others):

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

Objective HO-6: Increase affordable housing opportunities for extremely low, very low, low, moderate-income households, including workforce housing options, within reasonable proximity to places of employment, mass transit and necessary public services in existing urbanized areas.

Policy HO-6D: Miami-Dade County shall continue to identify sites adequate for workforce housing and promote the development of such sites according to the "Miami-Dade County Affordable Workforce Housing Plan, 2008 to 2015" adopted by Resolution No. R-746-08 on July 1, 2008 and adopted by reference in the CDMP.

The impact of doubling the maximum number of allowed dwelling units would increase the capacity of residential land available, however, there is no specific requirement to comply with objectives and policies contained within the Housing Element encouraging development of affordable or workforce housing. The County should consider encouraging inclusion of affordable and/or workforce housing when increasing allowable density through a future land use map amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

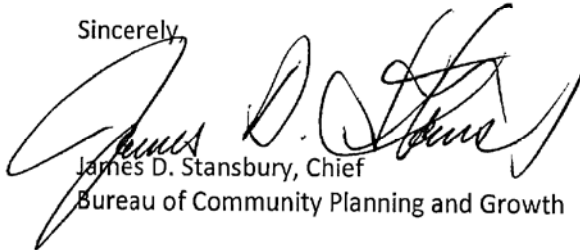
The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments, or the amendment will be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1, F.S.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the proposed amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption.

If the amendment is adopted, please note that pursuant to Sections 163.3184(3)(c)2 and 4, F.S., the amendment does not become effective until 31 days after the state land planning agency notifies the local government that the plan amendment package is complete or, if it is challenged, until the amendment is found to be in compliance by the Department or the Administration Commission.

If you have any questions concerning this review, please contact Katherine Beck, Planning Analyst, by telephone at (850) 717-8498 or by email at katherine.beck@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/ kb

Enclosure(s): Procedures for Adoption
Agency Comments

cc: Jerry Bell, Assistant Director for Planning, Miami-Dade County
Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Vargas, Rommel (RER)

From: Bell, Jerry (RER)
Sent: Wednesday, September 5, 2018 1:41 PM
To: Rowe, Garrett A. (RER); Brown, Kimberly (RER); Dorsey, Mark (RER); Brown, Helen (RER)
Subject: FW: Miami-Dade County Proposed Comprehensive Plan Amendment #18-4ESR

Jerry H. Bell, AICP, Assistant Director for Planning
Miami-Dade County Department of Regulatory and Economic Resources, Planning Division
111 NW First Street, 12th Floor
Miami, Florida 33128
Phone: (305) 375-2835; Cell: (305) 487-1925
www.miamidade.gov

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Please consider the environment before printing this email.

From: Manning, Terese [mailto:tmanning@sfwmd.gov]
Sent: Wednesday, September 05, 2018 1:38 PM
To: Osterholt, Jack (Office of the Mayor)
Cc: Bell, Jerry (RER) ; Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com) ; 'kelly.corvin@deo.myflorida.com' ; Isabel Cosio Carballo (isabelc@sfrpc.com) ; Isabel Moreno (imoreno@sfrpc.com)
Subject: Miami-Dade County Proposed Comprehensive Plan Amendment #18-4ESR

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. Please click here if this is a suspicious message
reportspam@miamidade.gov **Enterprise Security Office**

Dear Mr. Osterholt:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Miami-Dade County (County). The amendment package includes one Future Land Use Map Amendment and one Text Amendment for the Ludlam Trail Corridor District land use category. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package.

The District offers its technical assistance to the County and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of adopted amendments to the District. For assistance or additional information, please contact me.

Sincerely,

Terry Manning, Policy and Planning Analyst
South Florida Water Management District
Water Supply Implementation Unit
3301 Gun Club Road
West Palm Beach, FL 33406
Phone: 561-682-6779

Fax: 561-681-6264
E-Mail: tmanning@sfwmd.gov

Vargas, Rommel (RER)

From: Bell, Jerry (RER)
Sent: Tuesday, September 11, 2018 4:42 PM
To: Rowe, Garrett A. (RER); Brown, Helen (RER); Pass, Shirley (RER)
Subject: FW: Miami-Dade County 18-4ESR Proposed

Jerry H. Bell, AICP, Assistant Director for Planning
Miami-Dade County Department of Regulatory and Economic Resources, Planning Division
111 NW First Street, 12th Floor
Miami, Florida 33128
Phone: (305) 375-2835; Cell: (305) 487-1925
www.miamidade.gov

"Delivering Excellence Every Day"

Please consider the environment before printing this email.

From: Plan_Review [mailto:Plan.Review@dep.state.fl.us]
Sent: Tuesday, September 11, 2018 4:34 PM
To: Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>; DCPexternalagencycomments@deo.myflorida.com
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Miami-Dade County 18-4ESR Proposed

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. Please click here if this is a suspicious message reportspam@miamidade.gov **Enterprise Security Office**

To: Jerry Bell, Assistant Director

Re: Miami-Dade County 18-4ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@dep.state.fl.us. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.

Lisly Ann





Florida Department of Transportation

RICK SCOTT
GOVERNOR

1000 NW 111 Avenue
Miami, FL 33172-5800

MIKE DEW
SECRETARY

August 17, 2018

Mr. Jack Osterholt
Deputy Mayor/Director
Miami-Dade County - Department of Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, FL 33128

**Subject: Comments for the Miami-Dade County Comprehensive Development
Master Plan (CDMP) – Ludlam Trail Corridor Text Amendment
FDEO No. 18-4ESR**

Dear Mr. Osterholt:

The Department has reviewed the proposed text amendment to the Comprehensive Development Master Plan (CDMP) for the Ludlam Trail Corridor Application. The proposed amendment seeks to allow an interim rails-to-trails agreement approval as an alternative to the currently required U.S. Surface Transportation Board final abandonment approval. The Ludlam Trail Corridor District is an approximately 5.8-mile segment of the former Florida East Coast Railway South Little River Branch spur-line that is generally 100 feet wide and extends from SW 80 Street to NW 7 Street, along the theoretical NW/SW 69 Avenue, in Miami-Dade County.

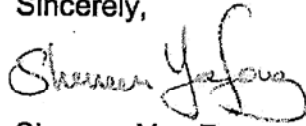
In accordance with ss. 163.3161(3) and 163.3184(3)(b), Florida Statutes, the focus of our review of the application was on major transportation issues, including adverse impacts to transportation facilities of state importance. These facilities include the Strategic Intermodal System (SIS) and significant regional resources and facilities identified in the Strategic Regional Policy Plan by the South Florida Regional Planning Council. These facilities are vital to the economic vitality, growth and quality of life of the county, region and state. Local governments with transportation concurrency are required under ss. 163.3180(5)(h)1.a., Florida Statutes, to consult with the Department when proposed amendments affect facilities on the SIS.

Mr. Jack Osterholt
August 17, 2018
Page 2

Since the potential development intensities within the Ludlam Trail Corridor are unchanged as a result of this proposed amendment, it is concluded that the proposed text amendment will not have an adverse impact upon facilities of state importance.

Please contact me at 305-470-5393 if you have any questions concerning our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Shereen Yee Fong". The signature is fluid and cursive, with the first name being the most prominent.

Shereen Yee Fong
Transportation Planner

Cc: Harold Desdunes, P.E., Florida Department of Transportation, District 6
Dat Huynh, P.E., Florida Department of Transportation, District 6
Kenneth Jeffries, Florida Department of Transportation, District 6
Ray Eubanks, Department of Economic Opportunity
Isabel Moreno, South Florida Regional Planning Council

Beck, Katherine

From: Corvin, Kelly D.
Sent: Monday, August 27, 2018 3:13 PM
To: Beck, Katherine
Subject: FW: Miami-Dade County 18-4ESR (Applications No. 4 and No. 5)

Thank you,

Kelly D. Corvin
Regional Planning Administrator, Southeast Region
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
Office: 850-717-8503



www.floridajobs.org

From: DCPexternalagencycomments
Sent: Monday, August 27, 2018 2:01 PM
To: Corvin, Kelly D. <Kelly.Corvin@deo.myflorida.com>
Subject: FW: Miami-Dade County 18-4ESR (Applications No. 4 and No. 5)

D. Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
107 East Madison Street MSC 160
Tallahassee, FL 32399-4120
850-717-8483
Ray.Eubanks@deo.myflorida.com



From: Hight, Jason [<mailto:Jason.Hight@MyFWC.com>]
Sent: Monday, August 27, 2018 1:32 PM
To: jerry.bell@miamidade.gov; DCPexternalagencycomments <DCPexternalagencycomments@deo.myflorida.com>
Cc: Garcia, Vicki <Vicki.Garcia@MyFWC.com>; Wallace, Traci <traci.wallace@MyFWC.com>
Subject: Miami-Dade County 18-4ESR (Applications No. 4 and No. 5)

Mr. Bell:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment.

If you need any further assistance, please do not hesitate to contact our office by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Vicki Garcia at (561) 882-5711 or by email at Vicki.Garcia@MyFWC.com.

Sincerely,

Jason Hight
Biological Administrator II
Office of Conservation Planning Services
Division of Habitat and Species Conservation
620 S. Meridian Street, MS 5B5
Tallahassee, FL 32399-1600
(850) 228-2055

36972, Miami-Dade County 18-4ESR

Vargas, Rommel (RER)

From: Juan.Mayol@hkllaw.com
Sent: Friday, September 14, 2018 4:34 PM
To: Bell, Jerry (RER)
Cc: Brown, Helen (RER); Davis, Rosa (RER); Pedro.Gassant@hkllaw.com; Hugo.Arza@hkllaw.com
Subject: Lennar Homes / CDMP Application No. 4 (January 2018 Cycle) -- Response to DEO's Affordability Comment

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Jerry,

As a follow up to our meeting of yesterday, I wanted to address the technical assistance comment issued by the Florida Department of Economic Opportunity (DEO) on Application No. 4. Specifically, DEO has indicated that “[t]he impact of doubling the maximum number of allowed dwelling units would increase the capacity of residential land available, however, there is no specific requirement to comply with objectives and policies contained within the Housing Element encouraging development of affordable or workforce housing. The County should consider encouraging inclusion of affordable and/or workforce housing when increasing allowable density through a future land use map amendment.” DEO correctly notes that the approval of the application would increase the supply of available housing units inside of the UDB which, of course, promotes a number of important goals, policies and objectives of the CDMP. As you are aware, after a long legislative process, the County Commission has elected twice not to require new residential development to include or set aside affordable or workforce housing units as part of a new residential community. Instead, the County Commission has adopted a comprehensive workforce housing voluntary program, which provides very robust density bonuses and other incentives in exchange for setting aside a percentage of the units as housing that is affordable to the workforce. Notwithstanding the proposed re-designation of the subject property, the applicant could avail itself of the provisions of the workforce housing program. However, even outside of the program and without additional bonuses and incentives, the proposed development has already been designed by Lennar to cater to the very workforce households that the program is intended to help.

The County’s Housing Department uses the chart below to determine levels of affordability.

The core variable for the chart is the size of the household. For a workforce family of 4, at 140% of Area Median Income (AMI), the estimated purchase price could be as high as \$250,000. For a workforce family of 6, at 140% AMI, the estimated purchase price would be \$290,160. For a workforce family of 8, at 140% AMI, the estimated purchase price would be \$318,400.

Lennar anticipates that the average sales price of the proposed attached single family residences will be \$255,000, a price that is well within the workforce housing target. Of course, this is only possible through the re-designation of the property from Low Density to Low-Medium Density. Without the re-designation, the development would be limited to no more than 6 units per gross acre and the sales price of those homes would be well above the workforce housing target.

I hope I have adequately addressed DEO’s technical assistance comment. Please let me know if you need any additional information.

Juan Mayol | Holland & Knight

Equity Partner

Holland & Knight LLP

701 Brickell Avenue, Suite 3300 | Miami, Florida 33131

**INCOME CHART ANALYSIS FOR
 MORTGAGE
 FAMILY SIZE OF TWO (2)**

Area Median Income (AMI %)	Area Median Income (\$ Amt.)	Estimated Purchase Price
60%	\$36,240.00	\$95,130.00
80%	\$48,350.00	\$126,900.00
100%	\$60,400.00	\$158,550.00
120%	\$72,480.00	\$190,260.00
140%	\$84,560.00	\$221,970.00

**INCOME CHART ANALYSIS FOR
 MORTGAGE
 FAMILY SIZE OF FOUR (4)**

Area Median Income (AMI %)	Area Median Income (\$ Amt.)	Estimated Purchase Price
60%	\$45,300.00	\$118,912.50
80%	\$60,400.00	\$158,550.00
100%	\$75,500.00	\$198,187.50
120%	\$90,600.00	\$237,825.00
140%	\$105,700.00	\$250,000.00

**INCOME CHART ANALYSIS FOR
 MORTGAGE
 FAMILY SIZE OF SIX (6)**

Area Median Income (AMI %)	Area Median Income (\$ Amt.)	Estimated Purchase Price
60%	\$52,560.00	\$137,970.00
80%	\$70,100.00	\$184,000.00
100%	\$87,600.00	\$229,950.00
120%	\$105,120.00	\$248,700.00
140%	\$122,640.00	\$290,160.00

**INCOME CHART ANALYSIS FOR
 MORTGAGE
 FAMILY SIZE OF EIGHT (8)**

Area Median Income (AMI %)	Area Median Income (\$ Amt.)	Estimated Purchase Price
60%	\$89,820.00	\$157,027.50
80%	\$79,750.00	\$209,343.75
100%	\$99,700.00	\$235,800.00
120%	\$119,640.00	\$283,000.00
140%	\$134,580.00	\$318,400.00

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unless it contains a specific statement to that effect and do not disclose anything to H&K in reply that you expect it to hold in confidence. If you properly received this e-mail as a client, co-counsel or retained expert of H&K, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.

303018

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

August 24, 2018

The Honorable Carlos A. Gimenez
Mayor, Miami-Dade County
111 NW 1st Street, 29th Floor
Miami, Florida 33128-1930

2018 AUG 31 AM 8:40
OFFICE OF THE EXECUTIVE DIRECTOR
FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

Dear Mayor Gimenez:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for Miami-Dade County (Amendment No. 18-03ESR) received on August 14, 2018. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

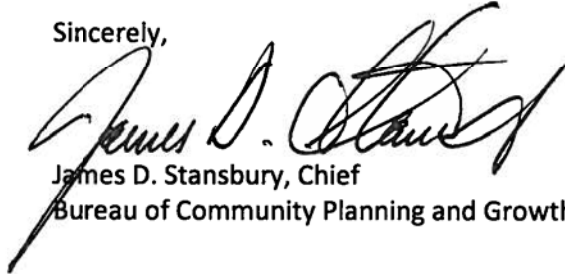
- Section 163.3184(3)(b), Florida Statutes (F.S.), authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Katherine Beck, Planning Analyst, by telephone at (850) 717-8498 or by email at katherine.beck@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/kb

Enclosure(s): Procedures for Adoption

cc: Jerry Bell, Assistant Director for Planning, Miami-Dade County
Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Rowe, Garrett A. (RER)

Subject: Miami-Dade County Proposed Comprehensive Plan Amendment #18-3ESR

From: Manning, Terese [<mailto:tmanning@sfwmd.gov>]

Sent: Wednesday, September 05, 2018 3:38 PM

To: Osterholt, Jack (Office of the Mayor) <josterholt@miamidade.gov>

Cc: Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>; Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com) <DCPexternalagencycomments@deo.myflorida.com>; 'kelly.corvin@deo.myflorida.com' <kelly.corvin@deo.myflorida.com>; Isabel Cosio Carballo (isabelc@sfrpc.com) <isabelc@sfrpc.com>; Isabel Moreno (imoreno@sfrpc.com) <imoreno@sfrpc.com>

Subject: Miami-Dade County Proposed Comprehensive Plan Amendment #18-3ESR

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Dear Mr. Osterholt:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Miami-Dade County (County). The amendment package includes one Future Land Use Map Amendment. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package.

The District offers its technical assistance to the County and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of adopted amendments to the District. For assistance or additional information, please contact me.

Sincerely,

Terry Manning, Policy and Planning Analyst
South Florida Water Management District
Water Supply Implementation Unit
3301 Gun Club Road
West Palm Beach, FL 33406
Phone: 561-682-6779
Fax: 561-681-6264
E-Mail: tmanning@sfwmd.gov

Vargas, Rommel (RER)

From: Bell, Jerry (RER)
Sent: Tuesday, September 11, 2018 4:42 PM
To: Rowe, Garrett A. (RER); Brown, Helen (RER); Pass, Shirley (RER)
Subject: FW: Miami-Dade 18-3ESR Proposed

Jerry H. Bell, AICP, Assistant Director for Planning
Miami-Dade County Department of Regulatory and Economic Resources, Planning Division
111 NW First Street, 12th Floor
Miami, Florida 33128
Phone: (305) 375-2835; Cell: (305) 487-1925
www.miamidade.gov

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From: Plan_Review [mailto:Plan.Review@dep.state.fl.us]
Sent: Tuesday, September 11, 2018 4:31 PM
To: Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>; DCPexternalagencycomments@deo.myflorida.com
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Miami-Dade 18-3ESR Proposed

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reportspam@miamidade.gov **Enterprise Security Office**

To: Jerry Bell, Assistant Director

Re: Miami-Dade 18-3ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@dep.state.fl.us. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.

Lisly Ann





Florida Department of Transportation

RICK SCOTT
GOVERNOR

1000 NW 111 Avenue
Miami, FL 33172-5800

MIKE DEW
SECRETARY

August 17, 2018

Mr. Jack Osterholt
Deputy Mayor/Director
Miami-Dade County - Department of Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, FL 33128

**Subject: Comments for the Miami-Dade County Comprehensive Development Master Plan (CDMP) – Application #CDMP20180005
FDEO No. 18-3ESR**

Dear Mr. Osterholt:

The Department has reviewed the proposed amendment to the Comprehensive Development Master Plan (CDMP) for Application #CDMP20180005. The proposed amendment is located in the southwest corner of SW 136 Street and SW 157 Avenue in Miami-Dade County, and includes approximately 10.3 acres. The application seeks to re-designate the site from Industrial and Office to Low Density Residential.

In accordance with ss. 163.3161(3) and 163.3184(3)(b), Florida Statutes, the focus of our review of the application was on major transportation issues, including adverse impacts to transportation facilities of state importance. These facilities include the Strategic Intermodal System (SIS) and significant regional resources and facilities identified in the Strategic Regional Policy Plan by the South Florida Regional Planning Council. These facilities are vital to the economic vitality, growth and quality of life of the county, region and state. Local governments with transportation concurrency are required under ss. 163.3180(5)(h)1.a., Florida Statutes, to consult with the Department when proposed amendments affect facilities on the SIS.

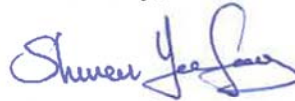
The Application is situated within one mile of the Miami Executive Airport, which is a designated SIS General Aviation Reliever Airport, and about two miles from SR 825, which is a designated SIS Highway Connector. According to Miami-Dade County, the subject property has a reduced maximum trip generation potential if the site's designation is changed consistent with this application. As a result, the proposed

Mr. Jack Osterholt
August 17, 2018
Page 2

change to a Low Density Residential designation would not have an adverse impact upon facilities of state importance since the maximum number of potential peak hour trips has been reduced.

Please contact me at 305-470-5393 if you have any questions concerning our comments.

Sincerely,



Shereen Yee Fong
Transportation Planner

Cc: Harold Desdunes, P.E., Florida Department of Transportation, District 6
Dat Huynh, P.E., Florida Department of Transportation, District 6
Kenneth Jeffries, Florida Department of Transportation, District 6
Ray Eubanks, Department of Economic Opportunity
Isabel Moreno, South Florida Regional Planning Council

CDMP AMENDMENT COMMENTS

Local Government/Development:	Miami Dade County CDMP – Application #CDMP20180005
DEO Amendment No.:	18-3ESR
Date of FDOT Receipt:	August 15, 2018
Review Comment Deadline:	September 14, 2018
Today's Date:	August 17, 2018

OVERVIEW

The Department has reviewed the proposed amendment to the Comprehensive Development Master Plan (CDMP) for Application #CDMP20180005. The proposed amendment is located in the southwest corner of SW 136 Street and SW 157 Avenue in Miami-Dade County, and includes approximately 10.3 acres. It is proposed to re-designate the site from Industrial and Office to Low Density Residential.

The site of the Application is situated within one mile of the Miami Executive Airport, which is a designated SIS General Aviation Reliever Airport, and about two miles from SR 825, which is a designated SIS Highway Connector.

Under the current CDMP land use designation of "Industrial and Office", the site could be developed with a maximum of 225,205 square feet of industrial uses, or with 93,654 square feet of industrial uses and 105,240 square feet of retail uses. Under the requested "Low Density Residential" designation, the application site could be developed with up to 62 single family residential units at a density of between 2.5 and 6 dwelling units per gross acre.

ANALYSIS

Trip Generation – Miami-Dade County evaluated the maximum trip generating potential of the site given its current designation and the proposed designation. Under the current CDMP land use designation of "Industrial and Office", the application site is assumed to be developed with 93,654 sq. ft. of industrial uses and 105,240 sq. ft. of retail uses. Under the proposed CDMP land use designation of "Low Density Residential (2.5-6 du/ac)", the application site can be developed with 62 Single-Family attached residential units.

The potential development under the current CDMP land use designation of "Industrial and Office" is expected to generate approximately 501 PM peak hour trips while under the requested CDMP land use

designation of "Low Density Residential" it is expected to generate approximately 40 PM peak hour trips. As a result, the maximum trip generating potential of the site will be reduced by approximately 461 fewer PM peak hour trips given the proposed designation.

CONCLUSIONS

The District reviewed the proposed Application per Chapter 163 Florida Statutes. Since the maximum peak hour trip generation potential for the site is less than the current designation, it is concluded that the proposed application will not have an adverse impact upon nearby facilities of state importance.

RECEIVED

2018 SEP 11 P 5:40

REPLANNING DIVISION

This Instrument was Prepared by:

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

(Space Reserved for Clerk of the Court)

Tax Folio I.D. 30-5920-000-0060

DECLARATION OF RESTRICTIONS

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

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") as an expedited CDMP application on May 4, 2018 which amendment is identified as Application No. 201800005.

WHEREAS, the Application seeks to re-designate the Property from "Industrial and Office" to "Low Density Residential" (±10.34 gross acres) on the Miami-Dade CDMP Land Use Plan ("LUP") map.

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

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

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

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

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

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

3. Notice Requirements.

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

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

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

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

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

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

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

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

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

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

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

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

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

4. **Miscellaneous.**

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

the building and zoning regulations and the conditions herein agreed to are being complied with.

B. **Term.** This Declaration of Restrictions is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration of Restrictions is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded in the public records agreeing to change the Declaration of Restrictions in whole, or in part, provided that the Declaration of Restrictions has first been modified or released by Miami-Dade County.

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

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

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

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

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

F. **Election of Remedies.** All rights, remedies, and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies, or privileges.

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

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

I. **Severability.** Invalidation of any one of these covenants by judgment of Court shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

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

K. **Acceptance of Declaration.** Acceptance of this Declaration of Restrictions does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the County retains its full power and authority to, with respect to the Property, deny each such application in whole or in part and to decline to accept any conveyance.

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

[Signature Page Follow]

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this 7 day of August, 2018.

WITNESSES:

Century Homebuilders Group, LLC,
a Florida limited liability company

[Signature]
Signature
Francis Lopez
Printed Name

By: [Signature]
Name: Sergio Pino
Title: Manager

[Signature]
Signature
SANDRA M. ALBO
Printed Name

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

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

Witness my signature and official seal this 7 day of August, 2018, in the County and State aforesaid.

My Commission Expires:

[Signature]
Notary Public
Diana Manso
Printed Name



EXHIBIT "A"

LEGAL DESCRIPTION

A portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc., Under File No. SD-136 A.J. and based on that certain "Agreed Final Judgment" as recorded in Official Records Book 15074, Page 1044, of the Public Records of Miami-Dade County, Florida and being more particularly described as follows: Bounded on the East by the East line of said Section 20; Bounded on the North by the North line of Said Section 20, based on aforesaid Agreed Final Judgment; Bounded on the West by the West line of the East 1/2 of the East 1/2 of said Section 20, based on aforesaid "Agreed Final Judgment"; and Bounded on the South by the North line of a 100.00 foot Right -of-Way for the Seaboard Airline Railroad, as built and in place.

LESS:

That portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc., Under File No. SD-136 A.J. and based on that certain "Agreed Final Judgment" as recorded in Official Records Book 15074, Page 1044, of the Public Records of Miami-Dade County, Florida, lying North of the Seaboard Airline Railroad Company Right-of-Way and more particularly described as follows:

Begin at the agreed Northwest corner of the East 1/2 of the East 1/2 of said Section 20; according to said Agreed Final Judgment; thence run N86°20'38"E along the North line of said East 1/2 of the East 1/2 of said Section 20, according to said Agreed Final Judgment, for a distance of 568.85 feet; thence run S02°27'12"E, for a distance of 583.43 feet to a point on the North Right-of-Way line of said Seaboard Airline Railroad; thence run S88°08'59"W along said North Right-of-Way line for a distance of 568.76 feet to a point on the agreed West line of the East 1/2 of the East 1/2 of said Section 20; thence N02°27'12"W along said agreed West line of the East 1/2 of the East 1/2 of said Section 20; according to said Agreed Final Judgment for a distance of 565.60 feet to the Point of Beginning.

AND LESS Right-Of-Way Deed recorded in O.R. Book 21791, Page 2843, more particularly described as follows:

The East 45.00 feet of a portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc., Under File No. SD-136 A.J. and based on that certain "Agreed Final Judgment" as recorded in Official Records Book 15074, Page 1044, of the Public Records of Miami-Dade County, Florida and being more particularly described as follows: Bounded on the East by the East line of said Section 20; Bounded on the South by the North line of a 100.00 foot Right-of-way for the Seaboard Airline Railroad, as built and in place. Bounded on the West by a line 45.00 feet West of and parallel with the East line of said Section 20, based on aforesaid "Agreed Final Judgment"; and bounded on the North by the North line of the East 1/2 of the East 1/2 of said Section 20, based on aforesaid "Agreed Final Judgment".

AND LESS Right-Of-Way Deed recorded in O.R. Book 24096, Page 246, more particularly described as follows:

A parcel of land being a portion of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast Corner of said Section 20; thence S86°20'39"W departing from the North Line of said Section 20, along the agreement line according to the Final Judgment recorded in Official Records Book 15074, Page 1044, of the Public Records of Miami-Dade County, Florida, for 45.01 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence S86°20'39"W continuing along said agreement line for 810.10 feet to the Northeast corner of the real property described in Official Record Book 21635, Page 3911; thence S02°27'12"E for 40.01 feet; thence N86°20'39"E along a line 40.00 feet south of and parallel with said agreement line for 784.61 feet to a point of curvature of a circular curve concave to the Southwest; thence Southeasterly along the arc of said curve to the right, having a radius of 25.00 feet through a central angle of 91°10'20" for an arc distance of 39.78 feet to a point of tangency with a line 45.00 feet westerly of and parallel with the East line of said Section 20; thence N02°29'01"W along said line parallel with the East line of said Section 20 for 65.53 feet to the POINT OF BEGINNING.

OPINION OF TITLE

To: Miami-Dade County

With the understanding that this Opinion of Title is furnished to Miami-Dade County, as inducement for acceptance of the Declaration of Restrictions, pursuant to CDMP Public Hearing No 201800005, it is hereby certified that I have examined Owner's Title Insurance Policy issued by Old Republic National Title Insurance Company under Policy #OF6-8586986 covering the period from the beginning to the 23rd day of July 2018, at the hour of 9:03 A.M., inclusive, and title update covering the period from the 23rd day of July 2018, to the 17th day of August 2018 @ 11:00 P.M., inclusive, of the property described on **Exhibit A** hereto. All title instruments, policies, and documents referenced above are collectively referred to as the "Title Evidence". I know of no reason that this Title Evidence is inaccurate or incomplete.

I am of the opinion, based on my review of the Title Evidence that on the last-mentioned date, the fee simple title to the above-described real property was vested in:

Century Homebuilders Group, LLC, a Florida limited liability company,

I am of the opinion that Sergio Pino is the Manager of Century Homebuilders Group, LLC, and is authorized to sign agreements, covenants, deeds and easements, as applicable, on behalf of Century Homebuilders Group, LLC.

Subject to the following encumbrances, liens and other exceptions (If "none" please indicate):

1. RECORDED MORTGAGES:

- a. Mortgage and Security Agreement recorded 7/24/18, in O. R. Book 31070, Page 4762, Public Records of Miami-Dade County, Florida.
- b. Collateral Assignment of Leases and Rentals recorded 7/24/18, in O. R. Book 31070, Page 4780, Public Records of Miami-Dade County, Florida.
- c. UCC-1 recorded 7/24/18, in O. R. Book 31070, Page 4784, Public Records of Miami-Dade County, Florida.

2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:

None

3. GENERAL EXCEPTIONS:

- a. Real Estate Taxes for the year in which this opinion is rendered and subsequent years.
- b. Applicable zoning restrictions.
- c. Rights of persons other than the above owners who are in possession.

- d. Any unrecorded labor, mechanics' or materialmen's liens.
- e. Facts that would be disclosed upon accurate survey.
- f. Zoning and other restrictions imposed by governmental authority.
- g. Any unpaid municipal liens, taxes or assessments, which are not recorded in the public records.

4. **SPECIAL EXCEPTIONS:**

- a. Any lien provided by County Ordinance or by Chapter 159, F.S., in favor of any city, town, village or port authority, for unpaid service charges for services by any water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality.
- b. Reservations in favor of the State of Florida, as set forth in the deed from the Trustees of the Internal Improvement Fund of the State of Florida recorded July 1, 1925 in Deed Book 674, Page 58, and partially released by Quit Claim Deed recorded September 25, 1981, in O.R. Book 11224, Page 1125; Public Records of Miami-Dade County, Florida; however, the right of entry and exploration associated with the oil and mineral reservation has been released pursuant to Sec. 270.11, F.S.
- c. Reservations in favor of the State of Florida, as set forth in the deed from the Trustees of the Internal Improvement Fund of the State of Florida recorded October 14, 1952, under Deed Book 3660, Page 521, Public Records of Miami-Dade County, Florida; however, the right of entry and exploration associated with the oil and mineral reservation has been released pursuant to Sec. 270.11, F.S.
- d. Covenants, conditions, restrictions, limitations, easements, terms, and other provisions contained in Easement to Seaboard Air Line Railroad Company, filed September 14, 1956, recorded in Deed Book 4331, Page 282, Public Records of Miami-Dade County, Florida.
- e. Covenants, conditions, restrictions, limitations, easements, terms, and other provisions contained in Easement to Seaboard Air Line Railroad Company, filed December 4, 1956, recorded in Deed Book 4371, Page 323, Public Records of Miami-Dade County, Florida.
- f. Resolution 83-24, adopts and accepts the Agricultural Land Use Plan for Metropolitan, Miami-Dade County recorded in O.R. Book 11781, Page 1422, re-recorded in O.R. Book 12046, Page 481 and as affected by Resolution 1452-85 recorded in O.R. Book 12694, Page 2061, Public Records of Miami-Dade County, Florida.
- g. Easement(s) granted to Florida Power & Light Company, filed May 1, 2002 in O.R. Book 15005, Page 2666, as affected by Subordination of Utility Interests and Agreement for Reimbursement for Additional Facility Relocations, recorded in O.R. Book 29598, Page 4795, Public Records of Miami-Dade County, Florida.

- h. Agreed Final Judgment Miami-Dade County Case No. 86-40255(CA-12), recorded June 21, 1991, in O.R. Book 15073, Page 2991; and recorded June 20, 1991 in O.R. Book 15074, Page 1044, Public Records of Miami-Dade County, Florida.
- i. Declaration of Restrictions establish and provide without limitation for easements, charges, covenants, terms, conditions and restrictions recorded in O.R. Book 20422, Page 757, Public Records of Miami-Dade County, Florida, together with Modification of Declaration of Restrictions recorded in: O.R. Book 20546, Page 1445, and affected by Release of Declaration of Restrictions, recorded in O.R. Book 21326, Page 1314, Public Records of Miami-Dade County, Florida.
- j. Resolution R-909-02, adopting preliminary assessment roll providing for annual assessments against real property located within boundaries of a special taxing district known as Milon Venture Street Lighting Special Taxing District recorded in O.R. Book 20622, Page 3436, Public Records of Miami-Dade County, Florida.
- k. Resolution R-910-02, adopting preliminary assessment roll providing for annual assessments against real property located within boundaries of a special taxing district known as Milon Venture Multipurpose Special Taxing District recorded in O.R. Book 20622, Page 3443, Public Records of Miami-Dade County, Florida.
- l. Declaration of Restrictions establish and provide for covenants, terms, conditions and use restrictions recorded in O.R. Book 20422, Page 757, Public Records of Miami-Dade County, Florida.
- m. Rights of the lessees under unrecorded leases.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions and that none of them hinder or affect the recording or enforcement of the Declaration of Restrictions.

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the Declaration of Restrictions a valid and binding covenant on the lands described herein.

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
Century Homebuilders Group, LLC	Owner	N/A
FirstBank Puerto Rico d/b/a	Mortgagee	


The following is a description of the aforementioned abstract and its continuations:

<u>Number</u>	<u>Company Certifying</u>	<u>No. of Entries</u>	<u>Period Covered</u>
1	Old Republic National Title Insurance Co.		Beginning to 7/23/18
2	Attorneys Title Insurance Fund		7/23/18-8/17/18

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

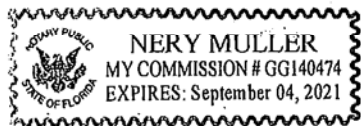
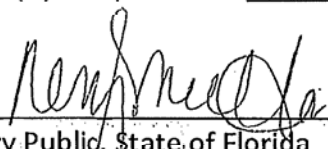
Respectfully submitted this 9th day of September 2018



Eugenio Duarte
 Florida Bar #0276820
 999 Ponce de Leon Blvd., Suite 735
 Coral Gables, FL 33134
 (305 444-1958

STATE OF FLORIDA
 COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 9th day of September 2018, by Eugenio Duarte (X) who is personally known to me or () has produced _____, as identification.

Notary Public, State of Florida

EXHIBIT "A"
LEGAL DESCRIPTION

A portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc., Under File No. SD-136 A.J. and based on that certain "Agreed Final Judgment" as recorded in Official Records Book 15074, Page 1044, of the Public Records of Miami-Dade County, Florida and being more particularly described as follows: Bounded on the East by the East line of said Section 20; Bounded on the North by the North line of Said Section 20, based on aforesaid Agreed Final Judgement; Bounded on the West by the West line of the East 1/2 of the East 1/2 of said Section 20, based on aforesaid "Agreed Final Judgment"; and Bounded on the South by the North line of a 100.00 foot Right -of-Way for the Seaboard Airline Railroad, as built and in place.

LESS:

That portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc., Under File No. SD-136 A.J. and based on that certain "Agreed Final Judgment" as recorded in Official Records Book 15074, Page 1044, of the Public Records of Miami-Dade County, Florida, lying North of the Seaboard Airline Railroad Company Right-of-Way and more particularly described as follows:

Begin at the agreed Northwest corner of the East 1/2 of the East 1/2 of said Section 20; according to said Agreed Final Judgment; thence run N86°20'38"E along the North line of said East 1/2 of the East 1/2 of said Section 20, according to said Agreed Final Judgment, for a distance of 568.85 feet; thence run S02°27'12"E, for a distance of 583.43 feet to a point on the North Right-of-Way line of said Seaboard Airline Railroad; thence run S88°08'59"W along said North Right-of-Way line for a distance of 568.76 feet to a point on the agreed West line of the East 1/2 of the East 1/2 of said Section 20; thence N02°27'12"W along said agreed West line of the East 1/2 of the East 1/2 of said Section 20; according to said Agreed Final Judgment for a distance of 565.60 feet to the Point of Beginning.

AND LESS Right-Of-Way Deed recorded in O.R. Book 21791, Page 2843, more particularly described as follows:

The East 45.00 feet of a portion of the East 1/2 of the East 1/2 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc., Under File No. SD-136 A.J. and based on that certain "Agreed Final Judgement" as recorded in Official Records Book 15074, Page 1044, of the Public Records of Miami-Dade County, Florida and being more particularly described as follows: Bounded on the East by the East line of said Section 20; Bounded on the South by the North line of a 100.00 foot Right-of-way for the Seaboard Airline Railroad, as built and in place. Bounded on the West by a line 45.00 feet West of and parallel with the East line of said Section 20, based on aforesaid

Opinion of Title

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"Agreed Final Judgement"; and bounded on the North by the North line of the East 1/2 of the East 1/2 of said Section 20, based on aforesaid "Agreed Final Judgement".

AND LESS Right-Of-Way Deed recorded in O.R. Book 24096, Page 246, more particularly described as follows:

A parcel of land being a portion of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast Corner of said Section 20; thence $S86^{\circ}20'39''W$ departing from the North Line of said Section 20, along the agreement line according to the Final Judgment recorded in Official Records Book 15074, Page 1044, of the Public Records of Miami-Dade County, Florida, for 45.01 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence $S86^{\circ}20'39''W$ continuing along said agreement line for 810.10 feet to the Northeast corner of the real property described in Official Record Book 21635, Page 3911; thence $S02^{\circ}27'12''E$ for 40.01 feet; thence $N86^{\circ}20'39''E$ along a line 40.00 feet south of and parallel with said agreement line for 784.61 feet to a point of curvature of a circular curve concave to the Southwest; thence Southeasterly along the arc of said curve to the right, having a radius of 25.00 feet through a central angle of $91^{\circ}10'20''$ for an arc distance of 39.78 feet to a point of tangency with a line 45.00 feet westerly of and parallel with the East line of said Section 20; thence $N02^{\circ}29'01''W$ along said line parallel with the East line of said Section 20 for 65.53 feet to the POINT OF BEGINNING.

**JOINER BY MORTGAGEE
CORPORATION**

The undersigned **FirstBank Puerto Rico d/b/a FirstBank Florida**, a _____ corporation and Mortgagee under that certain mortgage from **Century Homebuilders Group, LLC**, a Florida limited liability company, dated the 17th day of January, 2018, and recorded July 23, 2018, in Official Records Book 31068, Page 3918, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this _____ day of September 2018.

Witnesses:

Signature

Print Name

Signature

Print Name

FirstBank Puerto Rico d/b/a FirstBank Florida
Name of Corporation

Address:
701 Waterford Way
Suite 800
Miami, FL 33126

By _____
(President, Vice-President or CEO*)

Print Name and Title: _____

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by _____ (Name) the _____ (Title) of FirstBank Puerto Rico d/b/a FirstBank Florida, on behalf the corporation. He/She is personally known to me or has produced _____, as identification.

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

Notary Public-State of Florida

Print Name
My Commission Expires:

RESOLUTION NO. CC 12-6-18
 KENDALL COMMUNITY COUNCIL (12) ISSUING
 RECOMMENDATION ON EXPEDITED APPLICATION NO.
 CDMP20180006 (ALTIS LUDLAM – MIAMI, LLC)
 REQUESTING AMENDMENT TO THE COMPREHENSIVE
 DEVELOPMENT MASTER PLAN

WHEREAS, Section 20-40 of the Code of Miami-Dade County establishes Community Councils in the unincorporated area; and

WHEREAS, the Section 2-116.1 of the Code of Miami-Dade County provides exclusive procedures for amending the Comprehensive Development Master Plan (CDMP) consistent with requirements of Chapter 163, Part 2, Florida Statutes; and

WHEREAS, the Community Councils may, at their option, make recommendations to the Planning Advisory Board and the Board of County Commissioners on proposed amendments to the CDMP that would directly impact the Council's area; and

WHEREAS, the Section 2-116.1(3)(e) of the Code of Miami-Dade County provides that Community Council recommendations may address the decisions to be made by the Board of County Commissioners regarding and adoption, adoption with change, or denial of the application, or transmittal of the application as a small scale amendment to the State Land Planning Agency and other reviewing agencies for review and comment; or

WHEREAS, at its meeting of September 4, 2018, the Kendall Community Council (12) conducted a public hearing as authorized by Section 20-41 of the County Code;

NOW, THEREFORE, BE IT RESOLVED THAT THE KENDALL COMMUNITY COUNCIL (12) recommends that the Expedited Application No. CDMP20180006 (Altis Ludlam – Miami, LLC) be to Adopt, with the condition that the height of structures fronting SW 40 Street (Bird Road) be limited to 6 stories and transition to no more than 4 stories on the southernmost portion of the property.

The foregoing resolution was offered by Council Member Jose I. Valdes, who moved its adoption and was seconded by Council Member Peggy Brodeur, and upon being put to a vote, the vote was as follows:

Peggy Brodeur	Yes	Jose I. Valdes	Yes
Angela M. Vazquez, Vice Chair	No		
Elliott N. Zack, Chair		Yes	

Council Chair Elliott N. Zack thereupon declared the resolution duly passed and adopted this 4th day of September 2018.

I hereby certify that the above information reflects the action of the Council.


 Helen A. Brown, Executive Secretary

RESOLUTION NO. CC 10-3-18
 WESTCHESTER COMMUNITY COUNCIL (10) ISSUING
 RECOMMENDATION ON EXPEDITED APPLICATION NO.
 CDMP20180013 (LION MIAMI TERRACE, LLC)
 REQUESTING AMENDMENT TO THE COMPREHENSIVE
 DEVELOPMENT MASTER PLAN

WHEREAS, Section 20-40 of the Code of Miami-Dade County establishes Community Councils in the unincorporated area; and

WHEREAS, the Section 2-116.1 of the Code of Miami-Dade County provides exclusive procedures for amending the Comprehensive Development Master Plan (CDMP) consistent with requirements of Chapter 163, Part 2, Florida Statutes; and

WHEREAS, the Community Councils may, at their option, make recommendations to the Planning Advisory Board and the Board of County Commissioners on proposed amendments to the CDMP that would directly impact the Council's area; and

WHEREAS, the Section 2-116.1(3)(e) of the Code of Miami-Dade County provides that Community Council recommendations may address the decisions to be made by the Board of County Commissioners regarding and adoption, adoption with change, or denial of the application, or transmittal of the application as a small scale amendment to the State Land Planning Agency and other reviewing agencies for review and comment; or

WHEREAS, at its meeting of September 5, 2018, the Westchester Community Council (10) conducted a public hearing as authorized by Section 20-41 of the County Code;

NOW, THEREFORE, BE IT RESOLVED THAT THE WESTCHESTER COMMUNITY COUNCIL (10) recommends that the Expedited Application No. CDMP20180013 (Lion Miami Terrace, LLC) be Adopted with Acceptance of the Proffered Declaration of Restrictions.

The foregoing resolution was offered by Council Member Richard Gomez, who moved its adoption and was seconded by Council Member Manuel A. Valdes, and upon being put to a vote, the vote was as follows:

Toufic Zakharia	Absent	Manuel A. Valdes, Vice Chair	Yes
Richard Gomez	Yes	Gerardo Rodriguez	Yes
Omar Fernandez, Chair		Yes	

Council Chair Omar Fernandez thereupon declared the resolution duly passed and adopted this 5th day of September 2018.

I hereby certify that the above information reflects the action of the Council.


 Helen A. Brown, Executive Secretary

