



NORTH MIAMI PLANNING COMMISSION AGENDA

Tuesday, September 3, 2013, 7:00PM

Council Chambers

776 NE 125th Street, North Miami, FL 33161

I. ASSEMBLY AND ORGANIZATION:

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call of Board Members
- D. Amendments to the Agenda

II. APPROVAL OF MINUTES: July 2, 2013

III. COMMUNICATIONS:

IV. CONTINUED PUBLIC HEARINGS: NONE

V. PUBLIC HEARINGS:

PC 14-13: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI FLORIDA, AMENDING THE CITY OF NORTH MIAMI'S COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BY UPDATING THE FUTURE LAND USE MAP IN ORDER TO ASSIGN APPROPRIATE LAND USE CATEGORIES TO NEWLY ANNEXED PROPERTIES IN AN AREA BORDERED ON THE WEST-SIDE BY THE BISCAYNE CANAL, ON THE EAST-SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH-SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH-SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS "AREA 3"); PROVIDING FOR TRANSMITTAL OF THE COMPREHENSIVE PLAN AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ALL OTHER REVIEW AGENCIES , AS REQUIRED UNDER CHAPTER 163.3184, FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

- 1. Staff Report
- 2. Commission Action

PC 15-13: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING THE CITY'S OFFICIAL ZONING MAP, REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF THE NEWLY ANNEXED PROPERTIES BORDERED ON THE WEST-SIDE BY THE BISCAYNE CANAL, ON THE EAST-SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH-SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH-SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS "AREA 3"), IN ORDER TO ASSIGN APPROPRIATE ZONING CATEGORIES THAT ARE CONSISTENT WITH THE CITY'S LAND DEVELOPMENT

REGULATIONS AND COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS,
SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

1. Staff Report
2. Commission Action

PC 16-13: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 4, DIVISION 3 ENTITLED "NON-RESIDENTIAL DISTRICTS", SPECIFICALLY AT SECTION 4-302 ENTITLED "USES PERMITTED", TO ESTABLISH 'RECREATION/ENTERTAINMENT, OUTDOOR' AS A SPECIAL EXCEPTION USE IN THE M-1 ZONING DISTRICT, TO ENCOURAGE ECONOMIC GROWTH CONSISTENT WITH THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

1. Staff Report
2. Commission Action

VI. COMMITTEE REPORTS: None

VII. OLD BUSINESS: None

VIII. NEW BUSINESS: None

IX. ADJOURNMENT

Interested parties may appear at the meeting and be heard with respect to the matter. Any person wishing to appeal the recommendations of the Planning Commission will need a verbatim record of the meetings proceedings, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286.0105 F.S.)

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Community Planning & Development Department no later than four (4) days prior to the proceeding. Telephone (305) 893-6511, Ext. 12252, for assistance. If hearing impaired, telephone our TDD line at (305) 893-7936 for assistance.

MINUTES
NORTH MIAMI PLANNING COMMISSION
7:00 P.M.
Tuesday, July 2, 2013
COUNCIL CHAMBERS

The meeting was called to order at 7:05 p.m. After the pledge of allegiance, a roll call of the members was taken.

	Name	Present:	Excused	Absent
1	Kevin Seifried	X		
2	Charles Ernst	X		
3	Maureen Harwitz		X	
4	Kenny Each	X		
5	Jean Castor		X	
6	Bonnie Schwartzbaum		X	
7	Jason James	X		

Staff was represented by:

Tanya Wilson-Sejour, City Planner
 Roland Galdos, Deputy City Attorney
 Wisler Pierre-Louis, City Engineer
 Arceli Redila, Board Secretary
 Dunia Sanzetenea, Information Technology

I-D. Assembly and Organization – Amendments to the Agenda: None

II. Approval of Minutes:

Commissioner Harwitz who was unable to attend the meeting, requested a minor change to the minutes of the June 6, 2013 special meeting involving her participation in the discussion on the proposed Griffing area right of way abandonment on page 5 of 7 of the minutes. First amendment was to insert the words “Open Space and...” right before the words ”public access.” Second amendment was to insert her opinion that “the City Parks and Recreation Study states that North Miami is deficient in Open Space.” after the sentence “This issue should be brought to the Parks and Recreation Commission.”

The minutes of the June 6, 2013 special meeting were unanimously approved as amended. The motion was made by Commissioner Ernst, seconded by Commissioner Each.

III. Continued Public Hearings: None

V. Public Hearings:

PC 11-13: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE AMENDED CONDITIONAL USE PERMIT FOR THE PRECISE PLAN CONSTITUTING PHASE I OF THE BISCAYNE LANDING MASTER PLAN, IN SUBSTANTIALLY THE ATTACHED FORM, AND IN ACCORDANCE WITH ARTICLE 3, SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, FOR THE INSTALLMENT OF A NEW SPINE-ROAD TO SERVE THE FUTURE MIXED USE DEVELOPMENT ON THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Ms. Tanya Wilson-Sejour from Community Planning and Development Department gave the staff report stating that staff recommends approval of the proposed Resolution approving the precise plan for Phase 1 as well as an amendment to the Master Plan Conditional Use Permit, with conditions, for the Biscayne Landing Development in accordance with Article 3, Section 3-405 of the City's Land Development Regulations (LDR) and forward said Resolution to City Council for final consideration.

Through Resolution R-2012-67, the Mayor and Council of the City of North Miami authorized the execution of a Lease Agreement between the City and Oleta Partners, LLC (the Developer) for the master development of the Biscayne Landing plat, consisting of approximately 184 acres in size. Section 7.14 of said agreement stipulates that the "tenant shall dedicate a spine road for the perpetual use of the public." As such the applicant included the Spine Road (known as Biscayne Landing Boulevard) as the first of the four phases in the overall Master Plan Development as referenced in the Conceptual Master Plan (adopted by Council on June 25, 2013).

Additionally, Section 3-401.B of the City's Land Development Regulations, requires that all Planned Developments must obtain a Conditional Use Permit which outlines specific guidelines and development standards (as established by City Council) for the implementation of the proposed development. Given the foregoing, the developer filed an application with the City's Community Planning & Development Department requesting approval of the precise plan for Phase 1 as well as an amendment to the Master Conditional Use Permit to include additional conditions for Phase 1. The precise plan was reviewed by the City's Development Review Committee which included a recommendation of conditional approval with comments from various City departments.

Biscayne Landing Boulevard will provide two main ingress and egress points to and from the site. As presented in Attachment A, the applicant proposes to build a spine road segment with typical 68 feet wide lanes. The proposed segment extends 4200 linear feet and connects to the already existing northern portion of right of way previously built as part of the original Biscayne Landing Development with existing access from NE 151 Street. The newly extended roadway will include a series of 10 feet wide medians with landscaping, 10 wide sidewalks, activity lanes and decorative cross walks to provide visual interest for pedestrians and bicyclists.

All requests for Conditional Use approval must be consistent Article 3, Section 3-405 of the City's Land Development Regulations. Based on staff's analysis, staff is of the opinion that the proposed precise plan and conditional use application is consistent with the requirements of Section 3-405 of the City's Land Development regulations and is compatible with the future land use goals, objectives and policies identified in the City's adopted Comprehensive Plan. Therefore the Community Planning and Development Department requests that the City Council approves the attached resolution, subject to the following conditions:

1. In addition to the April 12, 2013 traffic due diligence assessment previously provided, prior to the commencement of Phase 2 the applicant agrees to provide a study with applicable traffic modeling for the future uses contemplated for the development.
2. Applicant agrees to construct the proposed spine road segment (Biscayne Landing Boulevard) in compliance with the minimum specifications as set forth in Section 17-13 and of the City's Code of Ordinances.
3. Applicant shall provide a drainage master plan to the City Engineer for review prior to pulling building permits.
4. Comply with all DRC comments issued by all City Departments and/or Consultants as provided in written form by the City's Zoning Administrator, Joanne Martin.

Mr. Herbert Tillman, executive officer of Oleta Partners located at 15045 Biscayne Boulevard, was present and stated that this application is for the completion of a project that was started by the previous developer which was the spine road, to provide main roadway access and utility infrastructure support for the entire Biscayne Landing development. The proposed roadway segment extends 4200 linear feet and connects to the already existing 1700 linear feet road. The intention is to add similar roadway with bike paths, sidewalks, medians and the utility infrastructure to service the entire site as well as provide exit at a secondary point on 143rd Street and Biscayne Boulevard.

Mr. Victor Herrera from Atkins North America located at 2001 NW 107th Avenue, Miami, provided a brief presentation of the project. In addition to the proposed roadway, the water and sewer lines along with the associated electrical and landscaping will be built as the first phase of the overall development.

Mr. Eduardo Smith, Vice President of SCS Engineers located at 15103 NW 74th Place Palmetto Bay, provided additional explanation about the storm water master plan. The storm water master plan for this project was designed to have retention along the perimeter of the landfill. There will be drainage wells located within the retention areas designed at the 25-year, 3-day storm event. In addition, the drainage wells will have outfalls that go into the wetlands to the east of the site.

Public Hearing:

Mr. Frank Wolland of 12865 West Dixie Hwy expressed concerns of the traffic condition of the whole development. He suggested that the developer prepares a complete comprehensive traffic study for the entire development prior to the construction of the spine road.

Mr. Dresback of 1840 NE 124th Street expressed similar concerns regarding traffic conditions on 151st Street and Biscayne Boulevard.

Mr. Bill Prevatel of 11950 North Bayshore Drive expressed his dismay at the lack of creativity and vision for the overall development. He stated that the proposed spine road does not look like a great idea; in his opinion it looks like it was a garbage path from when the site was still a landfill.

Commission Discussion:

The Planning Commission reviewed and discussed the proposed resolution amending the conditional use permit for the Biscayne Landing Development. There were several concerns coming from the Commission similar to the testimonies heard from the public. There were concerns of the potential flooding that could occur with the design of the entire project. The developer's consultants replied that the storm water design would follow all State and County regulations. The site is not a FEMA flood zone and will be at 17 feet above sea level. Additionally, pre and post site development analysis will be done to ensure that post development discharge cannot be more than pre-development condition.

Commissioner Each requested further discussion on the traffic study requirement. City Planner, Tanya Wilson-Sejour replied that a traffic assessment was done for the whole development, which identifies the total number of trips anticipated from the site and the intersections that are problematic. The applicant is required to provide a detailed, in-dept traffic study prior to any vertical construction on the site. Commissioner James reiterated the need to ensure proper coordination with other County and State agencies.

Commissioner Each stated that traffic is a fact of life. He wants to see developments in North Miami. He hoped that the developers and the traffic engineers, in good faith will design the project outside the box and create ways to expedite the flow of traffic.

Commissioner Ernst made a motion to adopt the proposed resolution approving the precise plan for Phase 1 as well as an amendment to the Master Plan Conditional Use Permit for the Biscayne Landing development as presented, seconded by Commissioner Each. The motion carried unanimously, 4-0.

LAND USE PLAN AMENDMENT TO THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN FUTURE LAND USE MAP, FOR A PROPERTY CONSISTING OF APPROXIMATELY 4.24 ACRES IN SIZE AND LOCATED AT 1850 NORTHEAST 123RD STREET, FROM COMMERCIAL LAND USE DESIGNATION TO MIXED USE HIGH LAND USE DESIGNATION, IN ORDER TO ALLOW FOR THE PROPOSED REDEVELOPMENT OF THE VACANT PROPERTY SITE, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE SUBJECT SMALL SCALE LAND USE PLAN AMENDMENT, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

Ms. Tanya Wilson-Sejour from Community Planning and Development Department gave the staff report stating that staff recommends approval of the proposed ordinance to amend the Comprehensive Plan, Future Land Use Map for the subject lot, from Commercial to Mixed use High land use and forward to City Council for final consideration.

The subject site, consisting of 4.24 acres in size is a vacant parcel located at 1850 NE 123 Street, currently designated on the City's Future Land Use Map (FLUM) as Commercial land use. The property owner (Causeway Village LLC) has filed an application for a Small Scale Land Use Plan (Map) Amendment, for a change in designation from Commercial to Mixed Use High land use, in order to redevelop the vacant site and create the first residential/retail mixed use complex along the corridor in recent years.

To that end, Policy 1.12.2 of the Comprehensive plan encourages mixed use along major corridors such as NE 123 Street. The applicant proposes to construct a mixed use complex to include residential multifamily units, with ground floor retail/office use.

As required by the City's Land Development Regulations all requests for land use plan amendments must be consistent with Article 3, Section 3-1105 of the City's Land Development Regulations. Staff has provided an analysis in the staff report outlining how this project satisfies the criteria in Section 3-1105 of the code. As such, staff is recommending approval of the proposed ordinance amending the Comprehensive Plan (Future Land Use Map) of the subject property from Commercial to Mixed Use High land use subject to the following conditions:

1. The applicant shall submit a draft declaration of restrictive covenant containing the restriction as outlined in subsection f in the staff report, to the office of the City Attorney at least 30 days from final Council approval date for review prior to final recordation. The applicant will also furnish a copy of the recorded document to the Director of Community Planning & Development once the instrument has been recorded with Miami Dade County.
2. The applicant shall consolidate the subject lot with the abandoned alleyway running across the City by use of a unity of title. Said document shall be submitted to the office of the City Attorney for approval prior to final recordation. The applicant will also furnish a copy of the recorded document to the Director of Community Planning & Development once the instrument has been recorded with Miami Dade County.

3. The applicant is required to obtain site plan review and approval for the proposed new development prior to obtaining final building permits. As such the applicant shall contact the City's Zoning Administrator in order to submit plans for Development Review Committee (DRC) review.

Mr. Mickey Marrero from the law firm of Bercow Randell and Fernandez located at 200 South Biscayne Blvd., was present representing Causeway Village, LLC, the owner of the subject property. He provided an overview of the proposed project. He agreed with all of staff's recommendations and pointed out that this is an opportunity for this major corridor to have new residential development that would certainly help property values in the area and enhance the commercial uses that surround the property.

Mr. Javier Font of Behar Font and Partners located at 135 San Lorenzo Avenue Suite 610, Coral Gables stated that the intended use of the project is a mixed-used project of approximately 10,000 sq. ft. commercial uses on the ground and 190 residential units above. It will have a maximum height of 75 feet and probably a maximum of 7 storeys. It will be an upscale development with market rate units of approximately 40% one-bedrooms, 55% two-bedrooms, and 5% three-bedrooms. The developer will build the units, not subsidized, and leases it at a market rate.

Public Hearing:

Mr. Dresback of 1840 NE 124th Street stated that the Causeway Square building located across the street of the subject site is very ugly. It has a parking garage that only creates an amphitheater, the lighting is terrible. The owner has no regard for the city, the neighbors, and the environment.

Dr. Annette Toledano, the owner of 1875 NE 125th Street located across the street of the subject site stated that the proposed site is very close to her building. As it is currently with the LA fitness site, she is already experiencing severe flooding. She is concerned that this development would put her building at a much lower downstream position and the flooding situation will become even worse that it is now.

Ms. Elizabeth Vavra of 1817 NE 121 Street expressed her disappointment over the proposed development. She was hoping it would be something better and not rental apartments. There is no need for more rental apartments in the area. There are already a lot of transient people in the area.

Commission Discussion:

The Planning Commission reviewed and discussed the proposed ordinance to allow the proposed land use change on the subject site located at 1850 NE 123rd Street. They echoed similar concerns with the neighbors that spoke during the public hearing. Although most of the concerns are regarding the Causeway Square building located across the street of the subject site, the Commission suggested that the applicant cooperate with the neighbors and ensure that the project does not adversely impact the surrounding neighborhood in terms of drainage and traffic. They are pleased that the developer intends to develop this into an upscale development. Commissioner Each made a motion to approve the proposed Ordinance, seconded by Commissioner James. The motion carried unanimously, 4-0.

PC 13-13: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING THE CITY OF NORTH MIAMI OFFICIAL ZONING MAP REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF A PROPERTY CONSISTING OF APPROXIMATELY 4.24 ACRES IN SIZE, LOCATED AT 1850 NORTHEAST 123RD STREET, FROM THE CURRENT C2BE (COMMERCIAL) ZONING DESIGNATION TO PD (PLANNED DEVELOPMENT) ZONING DESIGNATION, IN ORDER TO PROVIDE CONSISTENCY WITH THE LAND DEVELOPMENT REGULATIONS, IN ACCORDANCE WITH THE INTENT OF THE COMPREHENSIVE PLAN OF THE CITY OF NORTH MIAMI; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

This is the same project as the previous item PC 12-13. The previous item PC 12-13 was a request for land use change, this item is a request for the rezoning of the subject site to ensure the zoning and land use are consistent.

Ms. Tanya Wilson-Sejour from Community Planning and Development Department gave the staff report stating that staff recommends approval of the proposed ordinance to rezone the subject site from C2BE (Commercial) to PD (Planned Development) and forward to City Council for final consideration.

Based on staff’s analysis, staff is recommending approval of the proposed rezoning request with the following conditions:

1. The applicant shall submit a draft declaration of restrictive covenant containing the restriction as outlined in subsection 3.B above, to the office of the City Attorney at least 30 days from final Council approval date for review prior to final recordation. The applicant will also furnish a copy of the recorded document to the Director of Community Planning & Development once the instrument has been recorded with Miami Dade County.
2. The applicant shall consolidate the subject lot with the abandoned alleyway running across the City by use of a unity of title. Said document shall be submitted to the office of the City Attorney for approval prior to final recordation. The applicant will also furnish a copy of the recorded document to the Director of Community Planning & Development once the instrument has been recorded with Miami Dade County.
3. The applicant is required to obtain site plan review and approval for the proposed new development prior to obtaining final building permits. As such the applicant shall contact the City’s Zoning Administrator, Joanne Martin in order to submit plans for Development Review Committee (DRC) review.

Public Hearing: There was no member of the public who spoke on the item.

Commission Discussion:

The Planning Commission reviewed the proposed Ordinance to rezone the subject site from C2BE (Commercial) to PD (Planned Development) and rendered a unanimous vote recommending approval. The motion to recommend approval was made by Commissioner Each, seconded by Commissioner Ernst.

VI. Committee Reports: None

VII. Old Business: None

VIII. New Business: None

IX. Communications: None

X. Adjournment:

There being no further business to come before the Planning Commission, the meeting adjourned at 9:10 p.m.

Respectfully submitted:

Attest:

Commissioner Kevin Seifried, Chair
Planning Commission

Tanya Wilson-Sejour, AICP, City Planner
Community Planning & Development

Prepared by:

Arceli Redila, LEED AP, Board Secretary
Community Planning & Development

To: The Planning Commission
From: Maxine Calloway, *MCC* Director of Community Planning & Development
Date: September 3, 2013
Re: Comprehensive Plan Map Amendment (Large Scale), For Annexation Area 3

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING THE CITY OF NORTH MIAMI'S COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BY UPDATING THE FUTURE LAND USE MAP IN ORDER TO ASSIGN APPROPRIATE LAND USE CATEGORIES TO NEWLY ANNEXED PROPERTIES IN AN AREA BORDERED ON THE WEST-SIDE BY THE BISCAYNE CANAL, ON THE EAST-SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH-SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH-SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS "AREA 3"); FURTHER AUTHORIZING THE TRANSMITTAL OF THE COMPREHENSIVE PLAN AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ALL OTHER REVIEW AGENCIES AS REQUIRED UNDER SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

STAFF RECOMMENDATION

Staff recommends that the Mayor & City Council approve the proposed ordinance to amend the City's Comprehensive Plan, Future Land Use Map in order to assign the appropriate land use categories to the newly annexed properties in the area bordered on the west-side by the Biscayne Canal, on the east-side by Northeast 4th Avenue, on the south-side by Northeast 131st Street, and on the north-side by Northeast 135th Street (otherwise known as "Annexation Area 3"); and transmit said amendment to the Florida Department of Economic Opportunity and all other applicable agencies, as required by Florida Statutes 163.3184.

BACKGROUND

Chapter 163, Florida Statutes, requires that each local government prepares a Comprehensive Plan and Future Land Use Map and Section 163.3184 specifically includes guidelines addressing how said plans must be amended overtime as land use changes occur at the municipal level. On November 22, 2011, the Mayor and City Council passed and adopted Resolution # 2011-150, authorizing City administration to file a formal annexation application with Miami-Dade County

for the area bordered on the west-side by the Biscayne Canal, on the east-side by Northeast 4th Avenue, on the south-side by Northeast 131st Street, and on the north-side by Northeast 135th Street otherwise known as "Annexation Area 3" (see attached location map). Consistent with the City's Code of Ordinances, Land Development Regulations (LDRs), a temporary designation of Residential Estate District (R-1) was assigned to the entire area. The City subsequently transmitted an annexation application and report for Area 3 to Miami Dade County for review and consideration.

On April 2, 2013, Miami-Dade Board of County Commissioners passed and adopted Ordinance Number 13-31, approving the annexation of Area 3 into the City, in accordance with Section 6.04(b) of the Miami-Dade County Charter and Chapter 20 of the Miami-Dade County Code of Ordinances. The adoption of annexation Area 3 necessitated not only the rezoning of the parcels to be consistent with the built environment but also, the need to amend the City's Comprehensive Plan Future Land Use Map in order to assign the appropriate Land Use designation to each parcel within the subject area to conform with the proposed zoning designations. Attached is a copy of the proposed land use designations recommended for each parcel based on the former County land use designation as well as the current built environment.

CONCLUSION

Florida Statutes require that the City transmit the proposed amendments to the Department of Economic Opportunity (DEO) and other applicable agencies for review and comment. The DEO has 30 days from receipt of the City's submittal in which to issue comments regarding the proposed amendments. After DEO's comments are sent to the City, staff has 180 days to adopt the final Comprehensive Plan amendments (second public hearing) and transmit within 10 days of the public hearing. Within 5 days of receipt of the City's plan amendment submittal, DEO must notify the City in writing as to whether or not its amendment is complete. If in compliance, the plan amendment becomes effective within 31 days of the DEO's notification letter/final order of sufficiency. Staff believes the proposed amendment satisfies the requirements of Chapter 163, F.S. and as such, recommends approval of the proposed ordinance.

TWS: mc

Attachments:

1. Proposed Ordinance
2. Location Map of Annexation Area
3. Proposed Land Use Map of Area
4. Previous County Land Use Plan Amendment

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING THE CITY OF NORTH MIAMI'S COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BY UPDATING THE FUTURE LAND USE MAP IN ORDER TO ASSIGN APPROPRIATE LAND USE CATEGORIES TO NEWLY ANNEXED PROPERTIES IN AN AREA BORDERED ON THE WEST-SIDE BY THE BISCAYNE CANAL, ON THE EAST-SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH-SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH-SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS "AREA 3"); FURTHER AUTHORIZING THE TRANSMITTAL OF THE COMPREHENSIVE PLAN AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ALL OTHER REVIEW AGENCIES AS REQUIRED UNDER SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, requires that each local government prepare a Comprehensive Plan and Future Land Use Map in compliance with the Local Government Comprehensive Planning and Land Development Act, as amended; and

WHEREAS, Policy 8.1.7 of the City of North Miami ("City") Comprehensive Plan, encourages the City to actively pursue development and growth-management opportunities through several mechanisms including, but not limited, to the potential of annexations where necessary; and

WHEREAS, on November 22, 2011, the Mayor and City Council passed and adopted Resolution Number 2011-150, authorizing the City administration to file a formal annexation application with Miami-Dade County for the area bordered on the west-side by the Biscayne Canal, on the east-side by Northeast 4th Avenue, on the south-side by Northeast 131st Street, and on the north-side by Northeast 135th Street (otherwise known as "Area 3"), and temporarily

designating Area 3 as R-1, in accordance with Section 1-106B.3 of the City Code of Ordinances, Land Development Regulations (“LDRs”); and

WHEREAS, on April 2, 2013, the Miami-Dade Board of County Commissioners passed and adopted Ordinance Number 13-31, approving the annexation of Area 3 into the City, in accordance with Section 6.04(b) of the Miami-Dade County Charter and Chapter 20 of the Miami-Dade County Code of Ordinances; and

WHEREAS, City administration analyzed the subject area and recommends that the City’s Future Land Use Map be amended to reflect the appropriate land use categories for all lands within Area 3, as depicted in the partial Future Land Use Map (attached hereto as “Exhibit 1”); and

WHEREAS, the City Administration has taken the necessary steps to comply with the requirements specified in Section 163.3184, Florida Statutes, which outline procedures for the adoption of Comprehensive Plan amendments; and

WHEREAS, on September 3, 2013, after a duly noticed public hearing, the Planning Commission found the proposed ordinance consistent with the goals, policy and objectives of the Comprehensive Plan and recommended approval to the Mayor and City Council; and

WHEREAS, on _____ the Mayor and City Council, after a duly noticed public hearing, determined that the proposed ordinance amending the City’s Comprehensive Plan, Future Land Use Map, is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. Amendment to the Comprehensive Plan. The Mayor and City Council or the City of North Miami, Florida, hereby amend the City of North Miami’s Comprehensive Plan pursuant to Chapter 163, Florida Statutes, by updating the Future Land Use Map in order to

assign appropriate land use categories to newly annexed properties bordered on the west-side by the Biscayne Canal, on the east-side by Northeast 4th Avenue, on the south-side by Northeast 131st Street, and on the north-side by Northeast 135th Street (otherwise known as “Area 3”), as provided in the attached “Exhibit 1”.

Section 2. **Transmittal.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the transmittal of the Comprehensive Plan Amendment to the Florida Department of Economic Opportunity and all other review agencies as required under Section 163.3184, Florida Statutes.

Section 3. **Conflicts.** All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are repealed.

Section 4. **Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Codification.** It is the intention of the City Council of the City of North Miami and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

Section 6. **Effective Date.** This Ordinance shall not become effective until thirty one (31) days after the state land planning agency notifies the city that the plan amendment packet transmitted is complete if not otherwise challenged.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this _____ day of _____, 2013.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this _____ day of _____, 2013.

LUCIE M. TONDREAU
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

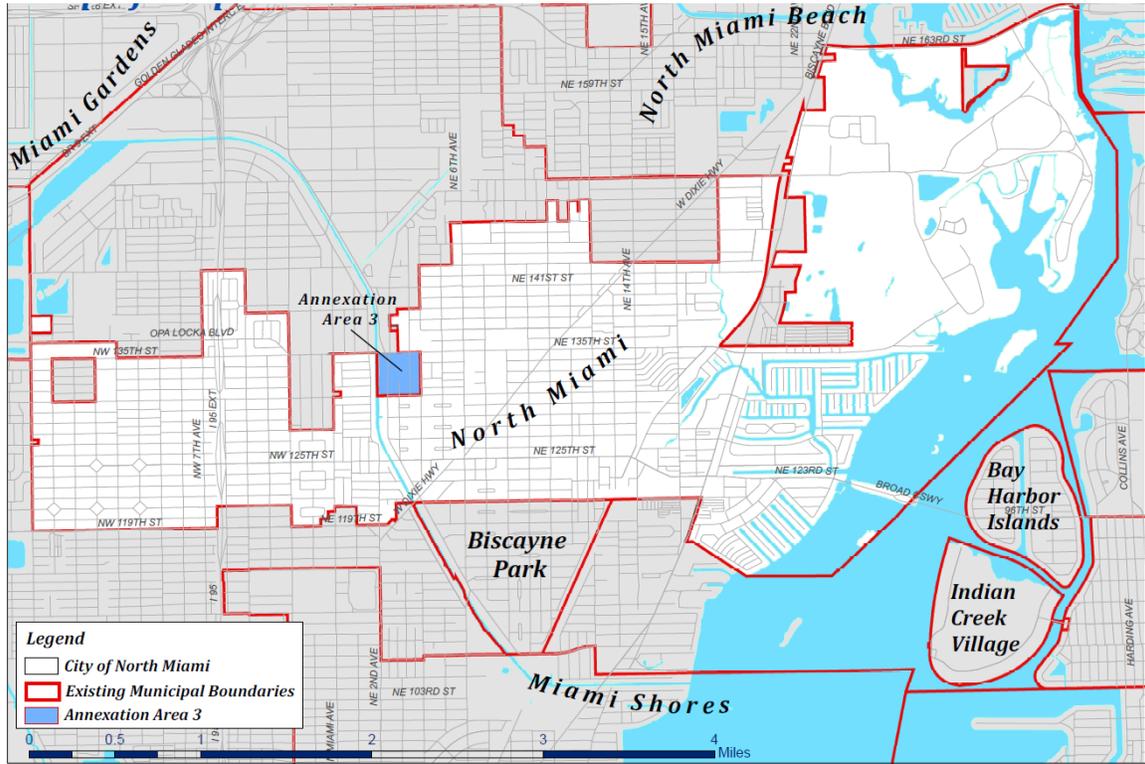
Seconded by: _____

Vote:

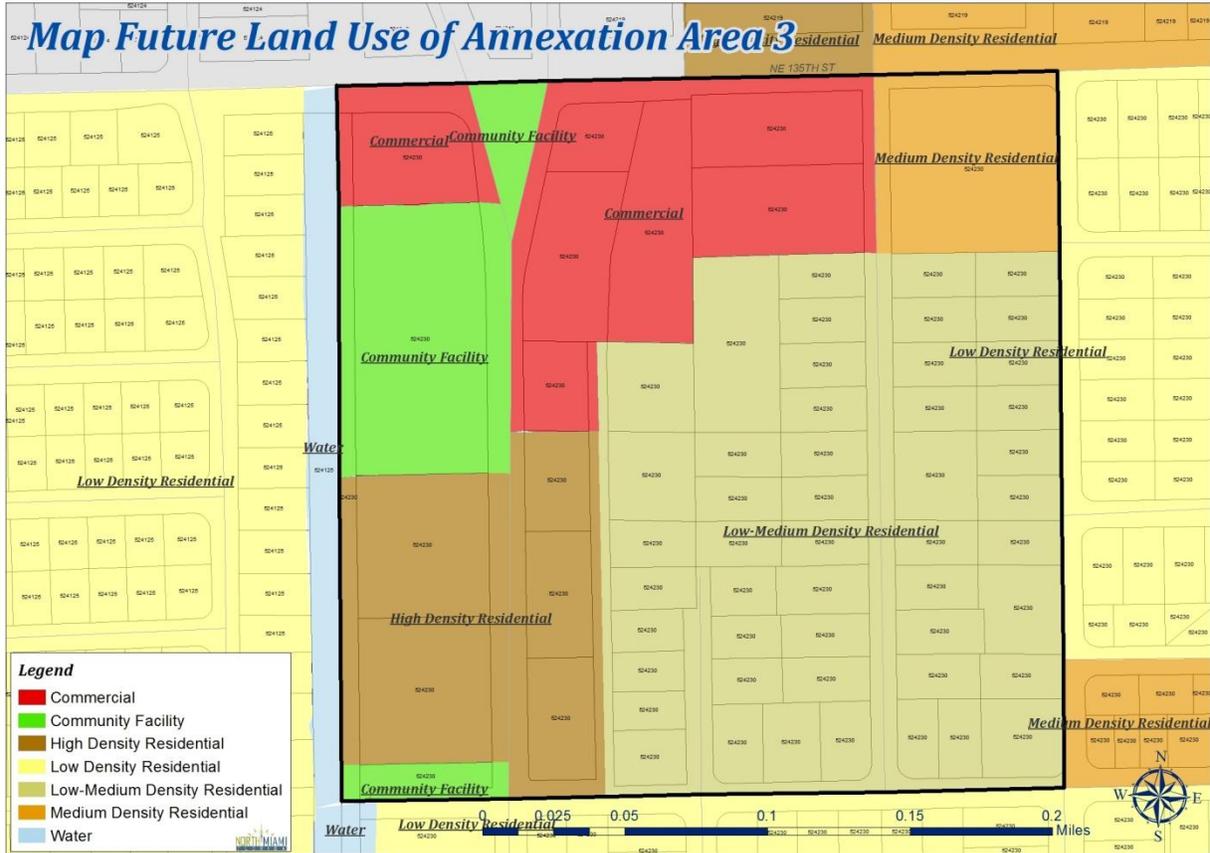
Mayor Lucie M. Tondreau	_____ (Yes)_____ (No)
Vice Mayor Marie Erlande Steril	_____ (Yes)_____ (No)
Councilperson Carol Keys, Esq.	_____ (Yes)_____ (No)
Councilperson Scott Galvin	_____ (Yes)_____ (No)
Councilperson Philippe Bien-Aime	_____ (Yes)_____ (No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.

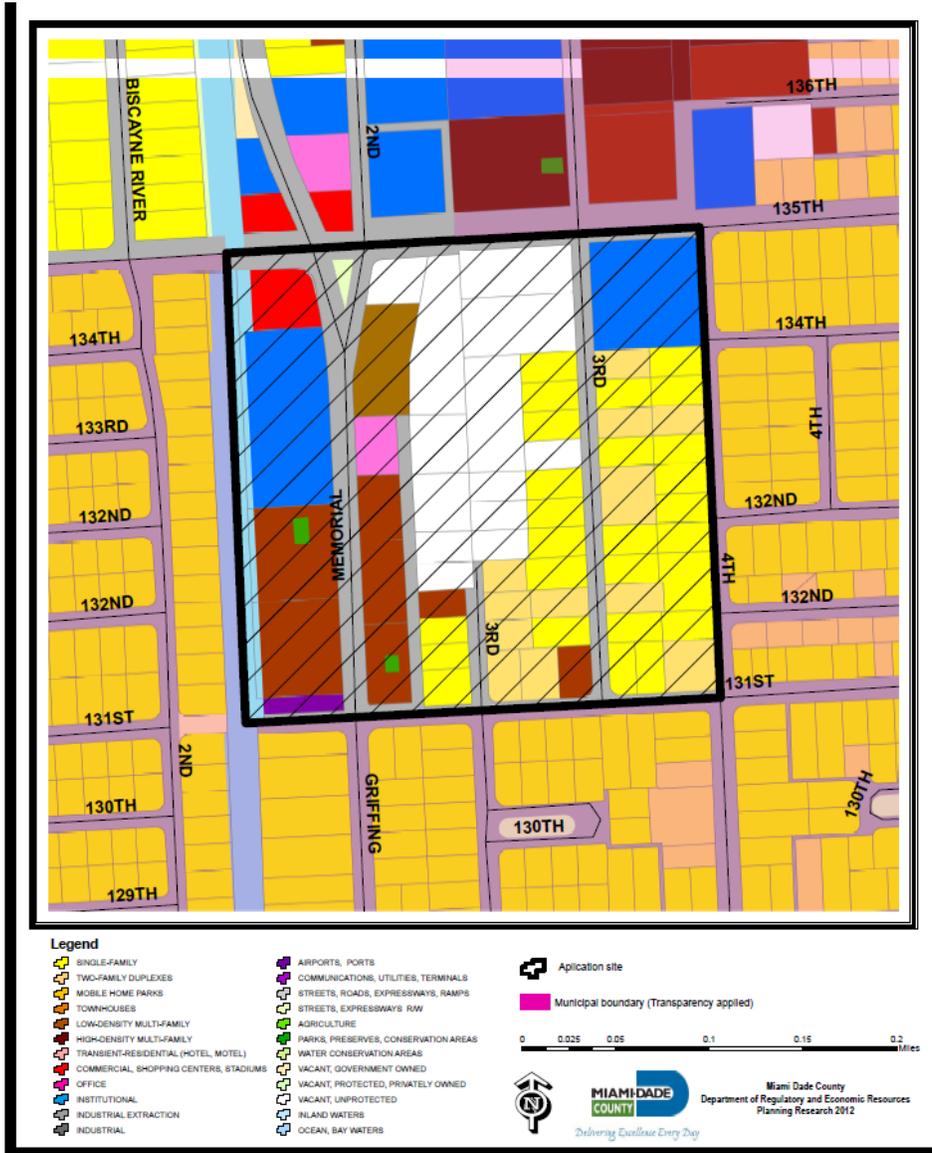
Location Map of Newly Annexed Area 3



Map Future Land Use of Annexation Area 3



MIAMI DADE COUNTY – PARTIAL FUTURE LAND USE MAP



To: The Planning Commission
From: Maxine Calloway, A.C.P., Director of Community Planning & Development
Date: September 3, 2013
Re: Rezoning/ City Initiated Map Amendment, For Annexation Area 3

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING THE CITY'S OFFICIAL ZONING MAP, REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF THE NEWLY ANNEXED PROPERTIES BORDERED ON THE WEST-SIDE BY THE BISCAIYNE CANAL, ON THE EAST-SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH-SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH-SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS "AREA 3"); IN ORDER TO ASSIGN APPROPRIATE ZONING CATEGORIES THAT ARE CONSISTENT WITH THE CITY'S LAND DEVELOPMENT REGULATIONS AND COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

STAFF RECOMMENDATION

Staff recommends that Planning Commission approves the proposed ordinance to amend the city's official zoning map, referenced in Article 1, Section 1-106, to reflect the rezoning of the newly annexed properties in the area bordered on the west-side by the Biscayne Canal, on the east-side by Northeast 4th Avenue, on the south-side by Northeast 131st Street, and on the north-side by Northeast 135th Street (otherwise known as "Annexation Area 3"); and forward said ordinance to City Council for final approval.

BACKGROUND

Chapter 163, Florida Statutes, requires that each local government shall adopt and enforce land development regulations that are consistent with and implements their adopted Comprehensive Plan which regulates the use of land which is typically done in the form of a zoning map. .

On November 22, 2011, the Mayor and City Council passed and adopted Resolution # 2011-150, authorizing City administration to file a formal annexation application with Miami-Dade County for the area bordered on the west-side by the Biscayne Canal, on the east-side by Northeast 4th Avenue, on the south-side by Northeast 131st Street, and on the north-side by Northeast 135th Street, otherwise known as "Annexation Area 3" (see attached location map). Consistent with the Section 1 106B.3 of the City's Land Development Regulations, the

area was temporarily assigned an R-1 zoning. The City subsequently transmitted an annexation application and report for Area 3 to Miami Dade County for review and consideration.

On April 2, 2013, Miami-Dade Board of County Commissioners passed and adopted Ordinance Number 13-31, approving the annexation of Area 3 into the City, in accordance with Section 6.04(b) of the Miami-Dade County Charter and Chapter 20 of the Miami-Dade County Code of Ordinances. The adoption of annexation Area 3 necessitated the need for the City to amend not only the land use map but also to subsequently rezone said lands from the temporary R-1 (residential estate district) zoning to more appropriate zoning categories in order to ensure consistency with the City's Comprehensive Plan (Future Land Use Map) and the built environment. Attached is a copy of the City's partial zoning map depicting the proposed zoning categories for the lands within the subject area, as well as a map of the prior Miami Dade County zoning classifications before the area was annexed into the City's limits.

Section 3-1004 of the City's Land Development Regulations requires that all City initiated Map Amendments to the LDR must meet the following minimum criteria:

1. Promotes the public health, safety and welfare;

The proposed rezoning is necessary in order to assign the appropriate zoning classification to the commercial and residential parcels located within the boundaries of the newly annexed area (known as Annexation Area 3). Staff believes the proposed zoning map amendment ensures consistency with the Comprehensive Plan and the built environment thereby enhancing the City's overall health, safety and welfare.

2. Does not permit uses the Comprehensive Land Use Plan prohibits in the area affected by the zoning map change or text amendment

The uses associated with the proposed zoning map amendment are consistent with the proposed underlying uses contemplated in the Comprehensive Plan Future Land Use Map amendment that is simultaneously being considered for the subject annexation area.

3. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property;

The proposed zoning map amendment does not exceed the densities and intensities that are proposed in the underlying land use designation. Policy 1.1 of the City's Comprehensive Plan (Future Land Use Element) establishes maximum densities and intensities in each land use category which restricts proposed developments throughout the City to certain minimum development standards. Additionally, Section 4-203 and 4-303 of the LDR provides maximum density and intensity standards for proposed developments in all residential and non-residential zoning districts. As such, all future developments must comply with the maximum densities and intensities standards outlined permitted in the City's Comprehensive Plan and the LDR.

4. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Land Use Plan;

The subject area is currently within the City's water service area and is served by the City of North Miami. As proposed, the subject zoning map amendment will not cause a decline in the City's level of service for public infrastructure below the City's minimum standards. Per State Law, Section 163.3202 no local government shall issue a development order which reduces the level of service below the minimum standard established by the Comprehensive Plan. Furthermore, any new development proposed within the newly annexed area will be subject to review and must meet applicable concurrency requirements to ensure that the City's public facilities are not adversely impacted. If determined that any future development may adversely impact the City's current or future infrastructure, the applicant will be required to mitigate the impacts that exceed the established level of service for a given public facility.

5. Does not directly conflict with any goal, objective or policy of the Comprehensive Land Use Plan;

The proposed zoning map amendment is consistent with the goals, policies and objectives of the City's Comprehensive Plan. Specifically, Policy 8.1.7 which encourages the City to actively pursue development and growth management opportunities through several mechanisms including, but not limited to, the potential of annexations where necessary". The proposed ordinance directly satisfies the City's objective to annex certain lands and ensure their consistency with all City regulations.

6. The proposed amendment furthers the orderly development of the City of North Miami.

The adopted Comprehensive Plan establishes the overall vision to guide all future development in the City. As the implementing mechanism, the LDR must be consistent and work in sync with the goals and objectives and policies of the Comprehensive Plan. The recommended zoning map changes would allow the City to more easily achieve its goal to create a more orderly development pattern throughout its residential and nonresidential districts. Staff believes the proposed map amendment is consistent with the proposed future land use map and is necessary to maintain a seamless transition between the newly annexed lands and the surrounding City neighborhoods.

CONCLUSION

Staff believes the proposed amendment satisfies the requirements of Section 3-1004 of the LDR and is consistent with the City's Comprehensive Plan. As such, staff recommends approval of the proposed ordinance.

TWS: mc

Attachments:

1. Proposed Ordinance
2. Exhibit 1 - Location Map of Annexation Area
3. Proposed Zoning Map of Area 3
4. Former County Zoning Map

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING THE CITY’S OFFICIAL ZONING MAP, REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF THE NEWLY ANNEXED PROPERTIES BORDERED ON THE WEST-SIDE BY THE BISCAYNE CANAL, ON THE EAST-SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH-SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH-SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS “AREA 3”), IN ORDER TO ASSIGN APPROPRIATE ZONING CATEGORIES THAT ARE CONSISTENT WITH THE CITY’S LAND DEVELOPMENT REGULATIONS AND COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, Policy 8.1.7 of the City of North Miami (“City”) Comprehensive Plan, encourages the City to actively pursue development and growth management opportunities through several mechanisms including, but not limited to, the potential of annexations where necessary; and

WHEREAS, Section 1-106B.3 of the City Code of Ordinances, Land Development Regulations (“LDRs”), further requires that all lands annexed into the City shall automatically be zoned R-1 until such time that the appropriate zoning is assigned, consistent with the City’s Comprehensive Plan; and

WHEREAS, on November 22, 2011, the Mayor and City Council passed and adopted Resolution Number 2011-150, authorizing the City administration to file a formal annexation application with Miami-Dade County for the area bordered on the west-side by the Biscayne Canal, on the east-side by Northeast 4th Avenue, on the south-side by Northeast 131st Street, and on the north-side by Northeast 135th Street (otherwise known as “Area 3”), and temporarily designating Area 3 as R-1, consistent with the requirements of the LDRs; and

WHEREAS, on April 2, 2013, the Miami-Dade Board of County Commissioners passed and adopted Ordinance Number 13-31, approving the annexation of Area 3 into the City, in accordance with Section 6.04(b) of the Miami-Dade County Charter and Chapter 20 of the Miami-Dade County Code of Ordinances; and

WHEREAS, City administration analyzed the subject area and recommends that the properties be rezoned to appropriate zoning categories that complement existing uses as depicted in the partial zoning map (attached hereto as “Exhibit 1”); and

WHEREAS, the City Administration has taken the necessary steps to comply with the requirements specified in Section 166.041, Florida Statutes, which outline procedures for the adoption of ordinances that change the actual zoning map designation of parcels of lands involving ten (10) or more contiguous acres; and

WHEREAS, on September 3, 2013, after a duly noticed public hearing, the Planning Commission found the proposed ordinance consistent with the requirements of Section 3-1004 of the LDRs, and recommended approval to the Mayor and City Council; and

WHEREAS, on _____ the Mayor and City Council, after a duly noticed public hearing, determined that the proposed ordinance amending Article 1, Section 1-106 of the Code of Ordinances, is consistent with the City’s Comprehensive Plan and in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. Amendment to Official Zoning Map. The Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 29 of the City of North Miami Code of Ordinances, entitled “Land Development Regulations”, by amending the City’s Official Zoning Map, referenced in Article 1, Section 1-106, to reflect the rezoning of the newly annexed properties bordered on the west-side by the Biscayne Canal, on the east-side by Northeast 4th

Avenue, on the south-side by Northeast 131st Street, and on the north-side by Northeast 135th Street (otherwise known as “Area 3”), in order to assign appropriate zoning categories that are consistent with the City’s Land Development Regulations and Comprehensive Plan, as depicted in Exhibit 1, attached hereto.

Section 2. **Conflicts.** All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are repealed.

Section 3. **Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. **Codification.** It is the intention of the City Council of the City of North Miami and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

Section 5. **Effective Date.** This Ordinance shall not become effective until thirty one (31) days after the state land planning agency notifies the City that the Comprehensive Land Use Map amendment submitted to the state is complete if not otherwise challenged.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this _____ day of _____, 2013.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this _____ day of _____, 2013.

LUCIE M. TONDREAU
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

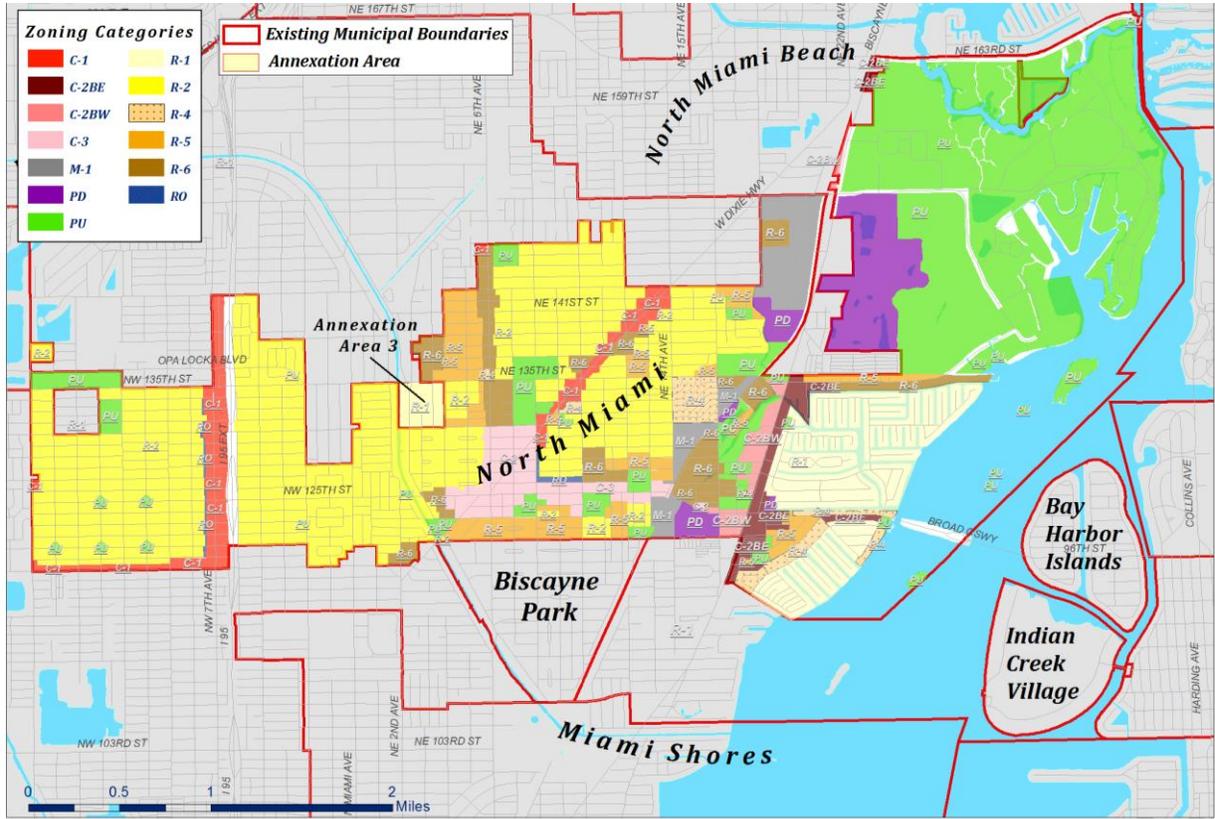
Seconded by: _____

Vote:

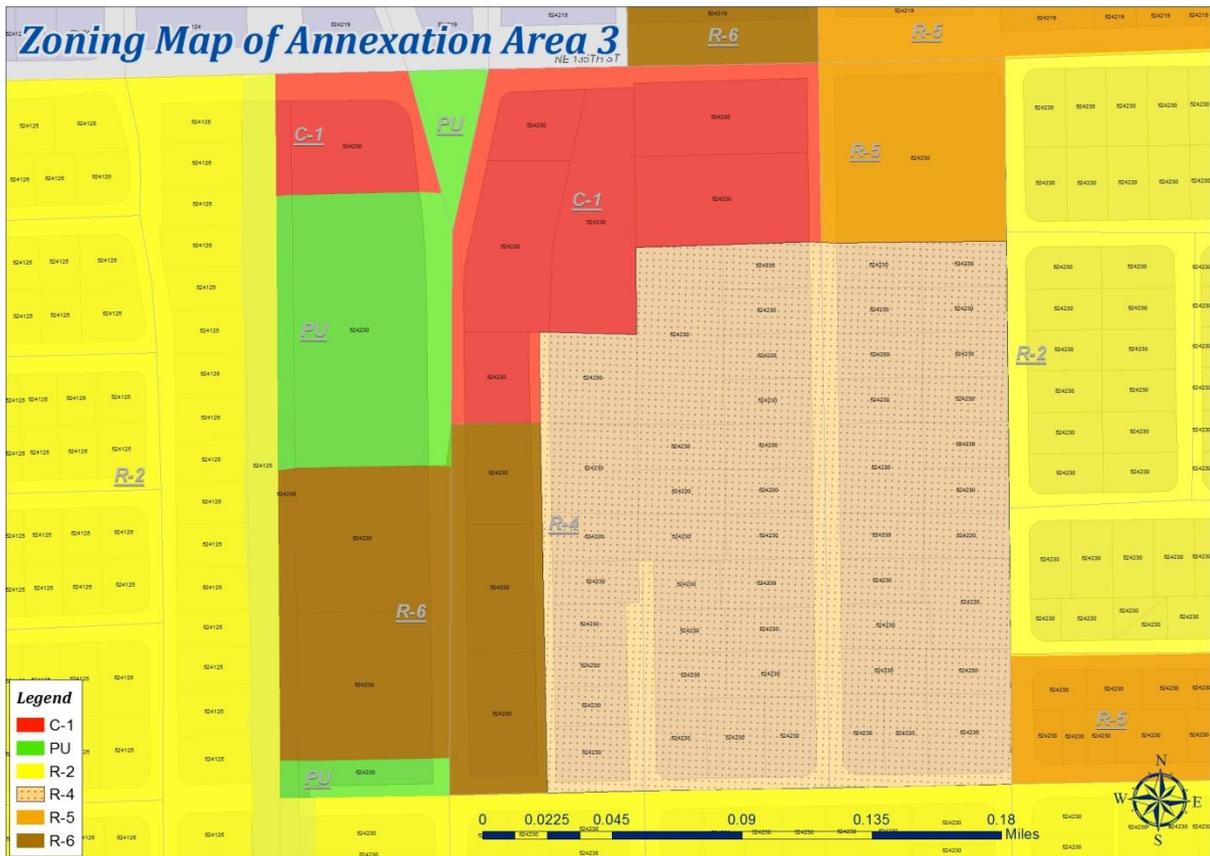
Mayor Lucie M. Tondreau	_____ (Yes)	_____ (No)
Vice Mayor Marie Erlande Steril	_____ (Yes)	_____ (No)
Councilperson Carol Keys, Esq.	_____ (Yes)	_____ (No)
Councilperson Scott Galvin	_____ (Yes)	_____ (No)
Councilperson Philippe Bien-Aime	_____ (Yes)	_____ (No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.

LOCATION MAP OF NEWLY ANNEXED AREA 3



PROPOSED ZONING MAP OF NEWLY ANNEXED AREA 3



To: The Planning Commission

From: Maxine Calloway  Director of Community Planning & Development

Date: September 3, 2013

Re: Amendment to Section 4-302, to allow Recreation/Entertainment Outdoor in the M-1 (Industrial) District.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 4, DIVISION 3 ENTITLED "NON-RESIDENTIAL DISTRICTS", SPECIFICALLY AT SECTION 4-302 ENTITLED "USES PERMITTED", TO ESTABLISH RECREATION/ENTERTAINMENT, OUTDOOR AS A SPECIAL EXCEPTION USE IN THE M-1 ZONING DISTRICT, TO ENCOURAGE ECONOMIC GROWTH CONSISTENT WITH THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

RECOMMENDATION

That the Planning Commission recommend approval of the proposed ordinance to amend Article 4 Section 4-302 of the City's Land Development Regulations (LDRs) to permit *Recreation/Entertainment, Outdoor* as a Special Exception use in the M-1 Zoning District, and forward said changes to the City Council for final consideration.

PURPOSE & INTENT

The applicant Michael Dezer who owns an M-1 industrial zoned property at 1890 NE 146 St in the City of North Miami, is desirous of amending Chapter 29, Section 4-302 entitled "Uses Permitted", to establish *Recreation/Entertainment, Outdoor* as a special exception use in the M-1 zoning district in order to provide a recreational use to the public that is not within an enclosed building and further encourage business expansion in the City's industrial district.

BACKGROUND INFORMATION

The applicant currently operates the Dezer Car Museum at 2000 NE 146 Street, located east of the subject property. As such, the applicant seeks to establish a drive in theater to provide an additional recreational activity that will complement the existing car museum and attract new visitors to the area. Based on Article 7 "Definitions" of the City's Land Development Regulations, such uses are

categorized as "Recreation/Entertainment, Outdoor" which is defined as:

"a business which is open to the public where customers pay for the use of recreational facilities or equipment on site but not within an enclosed building."

Although the LDR provides a definition for the aforementioned use in Article 7, *Recreation/Entertainment, Outdoor uses*, it is not listed anywhere in the "Permitted Uses" chart. Customarily, this type of use would be permitted through a special exception process under the now repealed zoning code. If approved, the current request would permit recreation/entertainment by Special Exception in the M-1 District.

ANALYSIS

Section 3-1004 of the City's Land Development Regulations requires that all text amendments to the LDR must meet the following minimum criteria:

1. Promotes the public health, safety and welfare;

The proposed text amendment to include Recreation/Entertainment, Outdoor as a Special Exception use in the M-1 District is in keeping with the spirit and intent of the City's Comprehensive Plan which encourages "the creation of land use designations and zoning regulations that encourage the retention, attraction and expansion of business and industry". Staff believes that the proposed amendment would help to complement the applicant's existing businesses, spur redevelopment within certain dormant areas of the City and open up additional business options for property owners within the industrial district. The proposed use is anticipated to create new employment, and enhance the overall quality of life within the City. If approved the proposed amendment is anticipated to spur redevelopment on a currently vacant site, increase the City's tax base and help to improve the City's public health, safety and welfare.

2. Does not permit uses the Comprehensive Land Use Plan prohibits in the area affected by the zoning map change or text amendment

The proposed use is consistent with the underlying Industrial Land Use designation which permits Entertainment under Policy 1.13.5 of the City's Comprehensive Plan.

3. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property;

Policy 1.1. of the City's Comprehensive Plan (Future Land Use Element) establishes maximum densities and intensities in each land use category which restricts proposed developments throughout the City to certain minimum development standards. Also Section 4-303 of the LDR provides maximum density and intensity standards for proposed developments in all non-residential zoning districts. E.g. uses in the M-1 district have maximum lot coverage of 75% with a maximum height of 55 ft. As such, all future uses associated with the proposed text amendment must comply with the maximum densities and intensities permitted in the City's Comprehensive Plan and Section 4-303 of the LDR.

4. **Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Land Use Plan;**

Based on the traffic assessment prepared by Richard Garcia & Associates dated June 13, 2013 the trips anticipated from the proposed outdoor use (Movie Theater) would yield an AM Peak hour of 3 gross vehicle trips and PM peak hour of 26 gross trips. At those low levels the impacts would be considered deminimis. Additionally, any future permitted uses associated with the proposed text amendment will be subject to concurrency requirements. If it is determined that any proposed development may potentially cause adverse impacts on the City's current or future infrastructure, the developer would be required to mitigate these impacts that exceed the established level of service for a given public facility.

5. **Does not directly conflict with any goal, objective or policy of the Comprehensive Land Use Plan; and**

The proposed text amendment is consistent with the goals, policies and objectives of the City's Comprehensive Plan. Specifically, Policy 9.4.6 of the Economic Element requires that the City create land use and zoning regulations that encourage the retention, attraction and expansion of businesses. Furthermore Goal 9 also requires that the City create an environment that will enhance the economic prosperity of local businesses and attract new business while improving the quality of life for all of its citizens.

6. **The proposed amendment furthers the orderly development of the City of North Miami.**

The proposed amendment furthers the orderly development of the City's industrial districts. Additionally, staff believes the Recreation/Entertainment, Outdoor use should be permitted by Special Exception. As such, all future Recreation/Entertainment, Outdoor use will be reviewed on a case by case basis and be required to go before the City's Board of Adjustment for consideration. This allows the City to impose conditions and mitigate any unintended impacts.

Staff believes this amendment provides greater flexibility within the City's industrial district and gives these areas a competitive edge, particularly along major corridors where there have been a high number of vacancies in the last few years.

CONCLUSION

North Miami's Industrial District accounts for only 3% of the City's total land area. The majority of the uses include many of the region's film, video, and Recording/Telecommunications Industrial Park with over 250 businesses related to the industry. Over 70 companies provide studio space, post-production facilities, sound stages, equipment rentals, camera operators, writers, producers, and music arrangers to the many productions taking place in North Miami every year. In addition, many other businesses provide support services such as legal, accounting, and catering. If approved the proposed ordinance will complement many of the existing businesses within the industrial district, attract a larger customer base and eventually increase and diversify the City's tax base through future redevelopment.

Staff recognizes the importance of maintaining a viable industrial district as industrial properties pay more in taxes and often consume less in services than residential uses. Given the foregoing, the proposed amendment would make the City's industrial districts more attractive to potential investors and help revitalize certain areas of the City that have experienced stagnation. As such, staff believes the proposed amendment is in keeping with the goals, policies and objectives of the City's Comprehensive Plan and would promote economic growth within the City. Therefore, staff requests that the Planning Commission recommends adoption of the proposed ordinance.

TWS/mc

Attachments

1. Ordinance
2. Letter of intent
3. Traffic Report

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE 4, DIVISION 3 ENTITLED “NON-RESIDENTIAL DISTRICTS”, SPECIFICALLY AT SECTION 4-302 ENTITLED “USES PERMITTED”, TO ESTABLISH ‘RECREATION/ENTERTAINMENT, OUTDOOR’ AS A SPECIAL EXCEPTION USE IN THE M-1 ZONING DISTRICT, TO FOSTER ECONOMIC GROWTH CONSISTENT WITH THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, on April 28, 2009, the Mayor and City Council of the City of North Miami (“City”), passed and adopted the Land Development Regulations under Chapter 29, City Code of Ordinances (“LDRs”); and

WHEREAS, Mr. Michael Dezer, the applicant and owner of a property situated within the M-1 Industrial Zoning District, specifically at 1890 Northeast 146th Street, North Miami, is desirous of amending Chapter 29, Section 4-302 entitled “Uses Permitted”, to establish ‘*Recreation/Entertainment, Outdoor*’ as a Special Exception Use in the M-1 Zoning District (“Amendment”), in order to provide a recreational use to the public that is not within an enclosed building, and further encourage business expansion in the City’s Industrial Zoning District; and

WHEREAS, Policy 9.4.6 of the City’s Comprehensive Plan (“Comprehensive Plan”), requires that the City “create land use designations and zoning regulations that encourage the retention, attraction and expansion of business and industry”; and

WHEREAS, the City administration finds that the proposed Amendment furthers the vision of the City’s Comprehensive Plan and does not adversely affect the public’s health, safety and welfare; and

WHEREAS, the proposed Amendment furthers the orderly development of the City, encourages future economic growth, and does not directly conflict with any goal, objective or policy of the Comprehensive Plan; and

WHEREAS, on September 3, 2013, after a duly noticed public hearing, the Planning Commission reviewed the proposed Amendment and recommended approval to the Mayor and City Council, in accordance with Section 3-1006, LDRs; and

WHEREAS, the Mayor and City Council, after duly noticed public hearings, accept the Planning Commission’s recommendation and find that the proposed Amendment to establish ‘*Recreation/Entertainment, Outdoor*’ as a special exception use in the M-1 Zoning District, is consistent with the Comprehensive Plan and is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. Amendment to Land Development Regulation. The Mayor and Council of the City of North Miami, Florida, hereby amend Chapter 29 of the City of North Miami Code of Ordinances, entitled “Land Development Regulations”, by amending Article 4, Division 3 entitled “Non-Residential Districts”, specifically at Section 4-302 entitled “Uses Permitted”, to establish ‘*Recreation/Entertainment, Outdoor*’ as a Special Exception Use in the M-1 Zoning District, to foster economic growth consistent with the City of North Miami Comprehensive Plan, as follows:

CHAPTER 29. LAND DEVELOPMENT REGULATIONS

* * * * *

ARTICLE 4. ZONING DISTRICTS

* * * * *

Division 3. Non-Residential Districts

* * * * *

Section 4-302. Uses Permitted

The following chart establishes the uses permitted in the non-residential zoning district in the City. No use is permitted which is not listed as permitted on this chart. “P” indicates whether the use is permitted, subject to review and approval in accordance with Article 3 of this Code. “P*” indicates that the use is permitted with administrative site plan review. “SE” indicates that the use is permitted but only through special exception review. No use is permitted unless it complies with the provision of the zoning district in which it is located and the applicable development standard in Article 5 of this Code.

NON-RESIDENTIAL DISTRICTS					
PERMITTED USES	C1	C2BE	C2BW	C3	M1
ACCESSORY USES AND STRUCTURES	P	P	P	P	P
ADULT BUSINESSES					SE
ADULT DAYCARE (STAND ALONE BUILDING)	P*	P*	P*	P*	
ANIMAL BOARDING	P*	P*	P*		P*
ANIMAL GROOMING ESTABLISHMENT	P	P	P	P	
APPLIANCE, FURNITURE, ELECTRONIC RENTALS AND REPAIR	P				P
AUTO SERVICE STATION	SE				SE
BANQUET	P*			P*	
BAR, LOUNGE OR TAVERN**	P	P	P	P	SE
BOAT REPAIR					P*
CATERING KITCHEN	P				P
CHECK CASHING STORE					P
CHILD CARE CENTERS	SE			SE	
COMMUNITY FACILITIES	SE	SE	SE		
CONSIGNMENT SHOPS	P*	P*	P*	P*	
CONVENTION CENTER	SE		SE	SE	
DAY SPA	P	P	P	P	
DRIVE THROUGH	SE	SE	SE	SE	
DRY CLEANING PLANT					P
EDUCATIONAL FACILITIES	SE*		SE*	SE*	
FUNERAL HOMES SE	SE				
GOVERNMENT USES	P	P	P	P	P
GUN SHOPS					SE
HOSPITALS	SE	SE	SE	SE	
HOTEL	P*	P*	P*	P*	
INDUSTRIAL					P
INSTITUTIONAL USES	P*	P*	P*	P*	
LIGHT INDUSTRIAL	SE				P

NON-RESIDENTIAL DISTRICTS					
PERMITTED USES	C1	C2BE	C2BW	C3	M1
LIQUOR PACKAGE STORES***	SE	SE	SE		
MANUFACTURING					P
MARINAS		P*			
MECHANICAL CAR WASHING	SE				P
MEDICAL	P	P	P	P	
MUSEUMS				P*	P*
NIGHTCLUBS	SE	SE	SE	SE	SE
NURSING AND CONVALESCENT HOMES	P*		P*		
OFFICE	P	P	P	P	
OUTDOOR STORAGE (AS MAIN USE)					SE
PUBLIC FACILITIES	P	P	P	P	P
PUBLIC PARK	P	P	P	P	P
RECORDING AND TV/RADIO	P	P	P	P	P
RECREATION, INDOOR	P*	P*	P*	P*	P*
<u>RECREATION, OUTDOOR</u>					<u>SE</u>
RELIGIOUS INSTITUTIONS	SE				
RESEARCH & TECHNOLOGY USES	P				P
RESTAURANTS	P	P	P	P	P*
RETAIL, SALES, SERVICES	P	P	P	P	P
SCHOOLS	SE	SE	SE	SE	
SCHOOLS, SPECIAL & TECHNICAL	SE	SE		SE	
SELF-SERVICE LAUNDRIES	SE				
SELF STORAGE					P
STUDIOS (FINE ARTS)					P*
TEMPORARY USES	P	P	P	P	P
TOW TRUCK YARD					P*
VEHICLE SALES/DISPLAYS	SE				SE
VEHICLE SALES/DISPLAYS, MAJOR					SE
VEHICLE RENTAL	P*				P*
VEHICLE SERVICE, MAJOR					P*
VEHICLE SERVICE, MINOR	P*				P*
VETERINARY CLINICS	P*	P*	P*		P*
P = PERMITTED USE					
P* = ADMINISTRATIVE SITE PLAN REQUIRED					
SE = SPECIAL EXCEPTION					

* If a college/university dormitory was included in a master plan approved by the City prior to the adoption of these LDRs, administrative site plan shall be required.

** Subject to chapter 3 of the city's Code.

*** Prohibited in the arts, culture and design overlay district (AOD) subject to section 4-403E and chapter 3 of the city's Code.

**** Retail and personal service uses larger than one (1) acre in size are prohibited in the industrial district, in an effort to minimize a depletion of the industrial land supply. Retail sales and service uses one (1) acre and less in size should front on major east west corridors including NE 146 Street and NE 151 Street.

***** Prohibited in C-1 zoned areas that abuts a single family residential district and on major C-1 commercial corridors such as Dixie Highway, NW 7th Avenue and NW 119th Street.

* * * * *

Section 2. Conflicts. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Codification. The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “article” or any other appropriate word.

Section 5. Effective Date. This Ordinance shall become effective immediately upon

adoption on second reading.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this _____ day of _____, 2013.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this _____ day of _____, 2013.

LUCIE M. TONDREAU
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Mayor Lucie M. Tondreau	_____ (Yes)	_____ (No)
Vice Mayor Marie Erlande Steril	_____ (Yes)	_____ (No)
Councilperson Carol Keys, Esq.	_____ (Yes)	_____ (No)
Councilperson Scott Galvin	_____ (Yes)	_____ (No)
Councilperson Philippe Bien-Aime	_____ (Yes)	_____ (No)



Letter of Intent

To: City of North Miami
Community Planning & Development

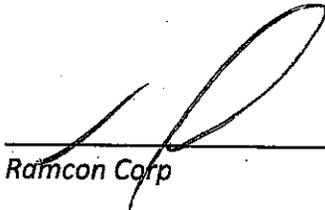
Date: March 15, 2013

RE: Dezer Drive-In Movie

Ramcon proposes to initiate and process the applications for the proposed drive in movie at the vacant lot across and west of the Dezer Museum located at 1890 NE 146th Street, North Miami, Florida to amend Art. 4, sect. 4-302 to the M-1 District to allow Outdoor Recreation which is currently prohibited.

Ramcon Corp. will coordinate all the necessary governmental agencies that are required to be involved in the process, in order to procure approval from the City of North Miami.

Should you need additional information, please don't hesitate to contact us.



Ramcon Corp

5/20/2013
Date

RECEIVED
JUN 19 2013
COMMUNITY PLANNING
& DEVELOPMENT

FOUNTAINHEAD
SUB PARCEL 1, LLC

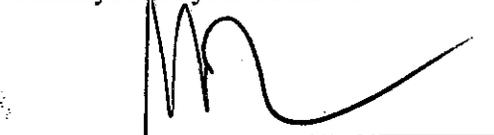
18001 Collins Avenue
Sunny Isles Beach, FL 33160
Phone: 305-692-5600

April 29, 2013

To Whom It May Concern:

As owners of the property, Fountainhead Sub Parcel 1, LLC, hereby gives authorization to Ramcon Corp to provide pricing, permit plans, and for the construction of a Drive In Move Theater in its lot locates at 1890 NE 146th Street, North Miami, FL 33160

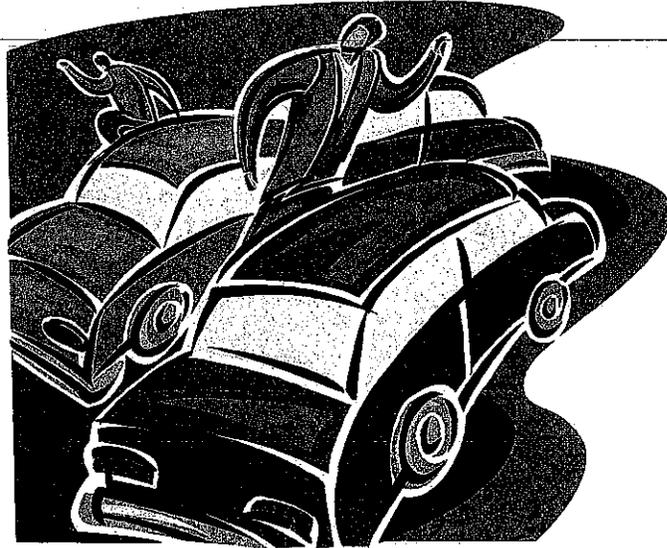
Thank you for your consideration in this matter.



Michael Dezer
Manager



Trip Generation Report



Richard Garcia & Associates, Inc.

Dezer Drive-In Movie Theater

1890 NE 146 Street
North Miami, Florida

June 13th, 2013

ENGINEER'S CERTIFICATION

I, Richard Garcia, P.E. # 54886, certify that I currently hold an active Professional Engineers License in the State of Florida and am competent through education and experience to provide engineering services in the civil and traffic engineering disciplines contained in this report. In addition, the firm Richard Garcia & Associates, Inc. holds a Certificate of Authorization # 9592 in the State of Florida. I further certify that this report was prepared by me or under my responsible charge as defined in Chapter 61G15-18.001 F.A.C. and that all statements, conclusions and recommendations made herein are true and correct to the best of my knowledge and ability.

Project Description: Dezer Drive-In Movie Theater - Trip Generation Report

Project Location: 1890 NE 146 Street
North Miami, Florida

[Handwritten Signature]
 Florida Registration No, 54886
 Date 13/2013

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- Appendix B: Trip Distribution / Assignments

Executive Summary

This report is being prepared to evaluate the traffic generation for the subject project. The subject site is located at 1890 NE 146th Street in the City of North Miami, Florida. This site is currently vacant and is planned to be developed as a Drive-In Movie Theater. The subject project has proposed two driveways along NE 19th Avenue of which the north driveway will operate as entrance only and the south driveway as exit only.

The Institute of Transportation Engineers (ITE) Trip Generation Manual does not have any data for Drive-In Movie Theater. Therefore, our trip generation analysis was performed utilizing Land Use (LU) 444: Movie Theater with Matinee which most closely resembles the proposed use. The trip generation characteristics were obtained from ITE's **Trip Generation Manual, 9th Edition**. Moreover, the Trip Generation calculations were performed for the AM and PM peak hour of the adjacent street traffic.

The proposed Drive-In Movie Theater is expected to have capacity for 125 vehicles. Our analysis assumes an average of 3 persons per vehicle which is an equivalent of 375 total persons that can be accommodated at the Drive-In Movie Theater. As such, we have utilized LU 444: Movie Theater with Matinee and 375 seats to estimate the vehicle trips for the Drive-In Movie Theater. As a result, the AM peak hour yielded 3 gross vehicle trips while the PM peak hour calculations resulted in 26 gross vehicle trips of which 11 vehicles are entering and 15 vehicles will exit the site.

The above peak hour trips were further distributed consistent with the distribution percentages for TAZ 205. This TAZ distribution was based on interpolation of the 2005 and 2035 Directional Trip Distribution Report from the Miami-Dade 2035 Long Range Transportation Plan for the design year of 2016.

Based on the trip generation and trip distribution results, the subject project will have virtually no traffic impact during the AM peak hour and a "De Minimus" traffic impact during PM peak hour. Therefore, no further traffic analysis is recommended.

Introduction

The purpose of this study is to provide an estimate of the project's Trip Generation characteristics for the proposed development. The subject site is located at 1890 NE 146th Street in the City of North Miami, Florida. This site is currently vacant and is planned to be developed as a Drive-In Movie Theater. As such, trip generation calculations were performed for the proposed condition during the adjacent street AM and PM peak hour. In addition, this report has identified the Traffic Analysis Zone (TAZ) for the subject project which was utilized to distribute the proposed project traffic and driveway assignments.

Lastly, this report follows the methodologies adopted by the **Institute of Transportation Engineer's (ITE) Trip Generation** and has evaluated the following:

- AM Peak Hour Trip Generation
- PM Peak Hour Trip Generation
- Driveway Vehicle Trips

Project Description / Location

The subject site is located on the southwest corner of NE 146th Street and NE 19th Avenue/NE 20th Lane within the City of North Miami limits. As previously mentioned this site is currently vacant and is planned to be developed as a Drive-In Movie Theater. The subject project has proposed two driveways along NE 19th Avenue of which the north driveway will operate as entrance only and the south driveway as exit only.

The Institute of Transportation Engineers (ITE) Trip Generation Manual does not have any data for Drive-In Movie Theater. Therefore, our trip generation analysis was performed utilizing Land Use (LU) 444: Movie Theater with Matinee which most closely resembles the proposed use. The Trip Generation section of this report details the approach taken to calculate the vehicle trips for the Drive-In Movie Theater during the AM and PM peak hour. Figure 1 below depicts the location map of the subject project. Figure 2 is the site plan provided for illustrative purposes only.

Figure 1: Location Map

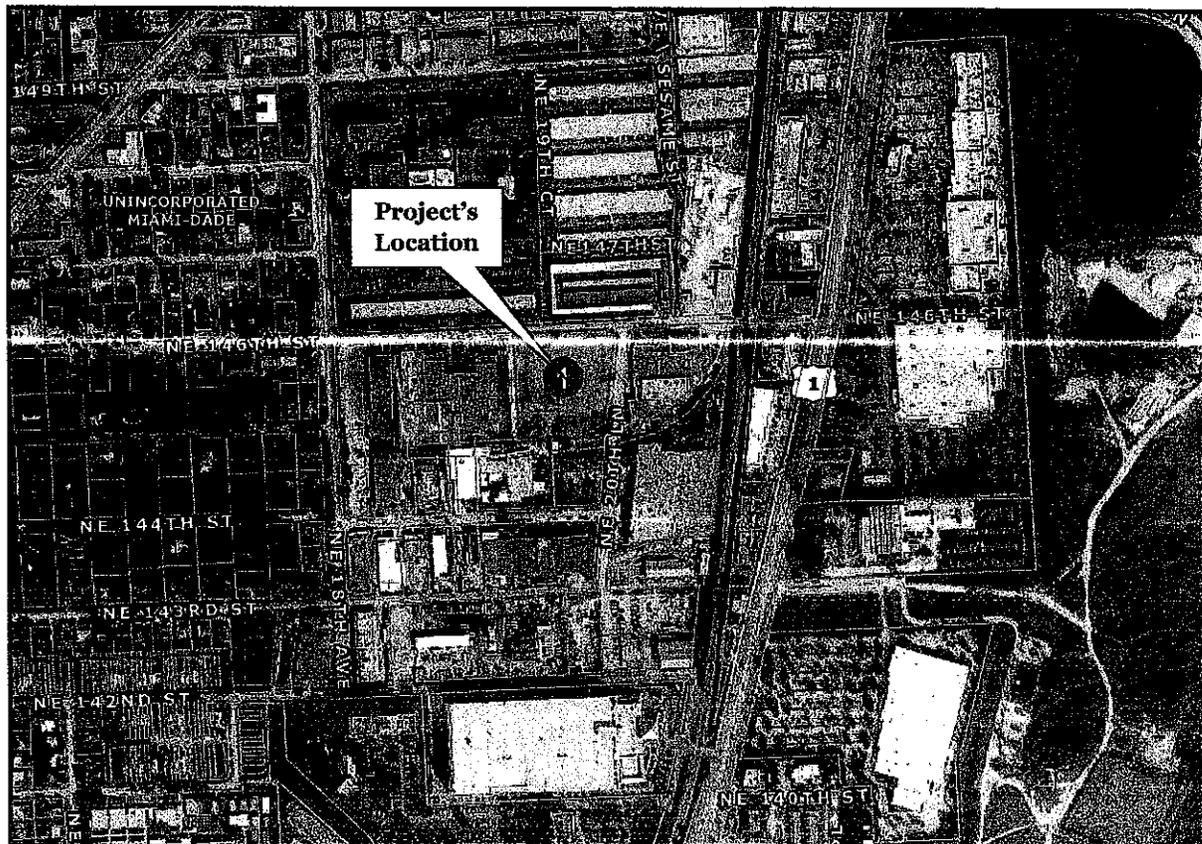
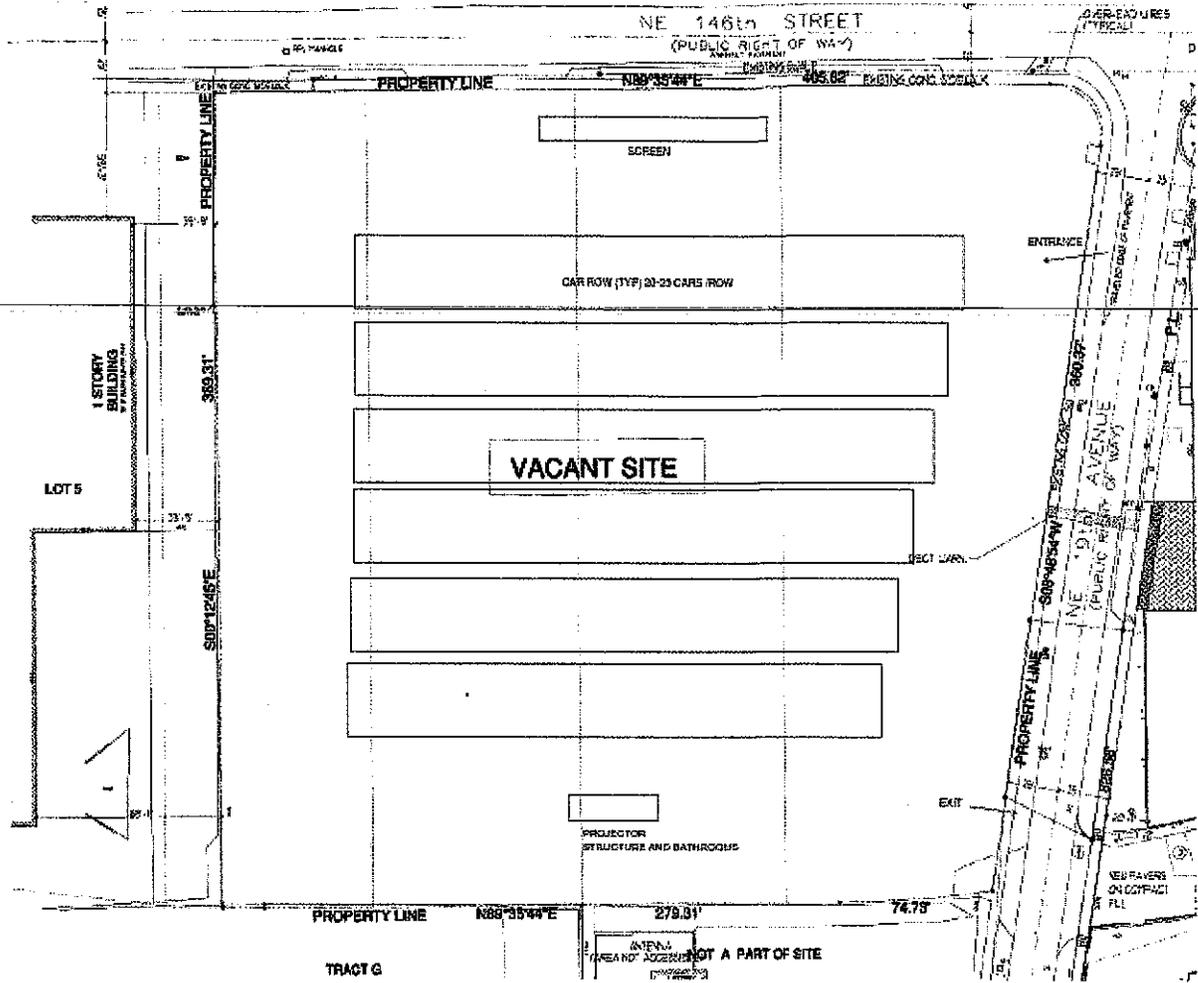


Figure 2: Site Plan



Trip Generation

As previously mentioned the Institute of Transportation Engineers (ITE) Trip Generation Manual does not have any data for Drive-In Movie Theater. Therefore, our trip generation analysis was performed utilizing Land Use (LU) 444: Movie Theater with Matinee which most closely resembles the proposed use. The trip generation characteristics were obtained from ITE's **Trip Generation Manual, 9th Edition**. Moreover, the Trip Generation calculations were performed for the AM and PM peak hour of the adjacent street traffic.



The proposed Drive-In Movie Theater is expected to have capacity for 125 vehicles. Our analysis assumes an average of 3 persons per vehicle which is an equivalent of 375 total persons that can be accommodated at the Drive-In Movie Theater. As such, we have utilized LU 444: Movie Theater with Matinee and 375 seats to estimate the vehicle trips for the Drive-In Movie Theater. As a result, the AM peak hour yielded 3 gross vehicle trips while the PM peak hour calculations resulted in 26 gross vehicle trips of which 11 vehicles are entering and 15 vehicles will exit the site. The ITE rates and percentages for the AM and PM peak hour are included in Appendix A. Table 1 below summarizes the Trip Generation results for the AM and PM peak hour. The ITE rates and percentages for the AM and PM peak hour are included in Appendix A. Table 1 below summarizes the Trip Generation results for the AM and PM peak hour.

Table 1: AM / PM Trip Generation Summary

LAND USE (LU)	UNITS	AM / PM PEAK HOUR					
		ITE LU CODE	PEAK HOUR	ITE TRIP GENERATION RATE	IN	OUT	TOTAL
Proposed Movie Theater w/ Matinee (Drive-in Movie Theater)	375 Seats	444	AM	0.01	1	2	3
			PM	0.07	11	15	26
Net Vehicle Trips (Proposed Gross - Existing Trips)*					1	2	3
					11	15	26

NOTES:

Sources: ITE Trip Generation, 9th Edition.

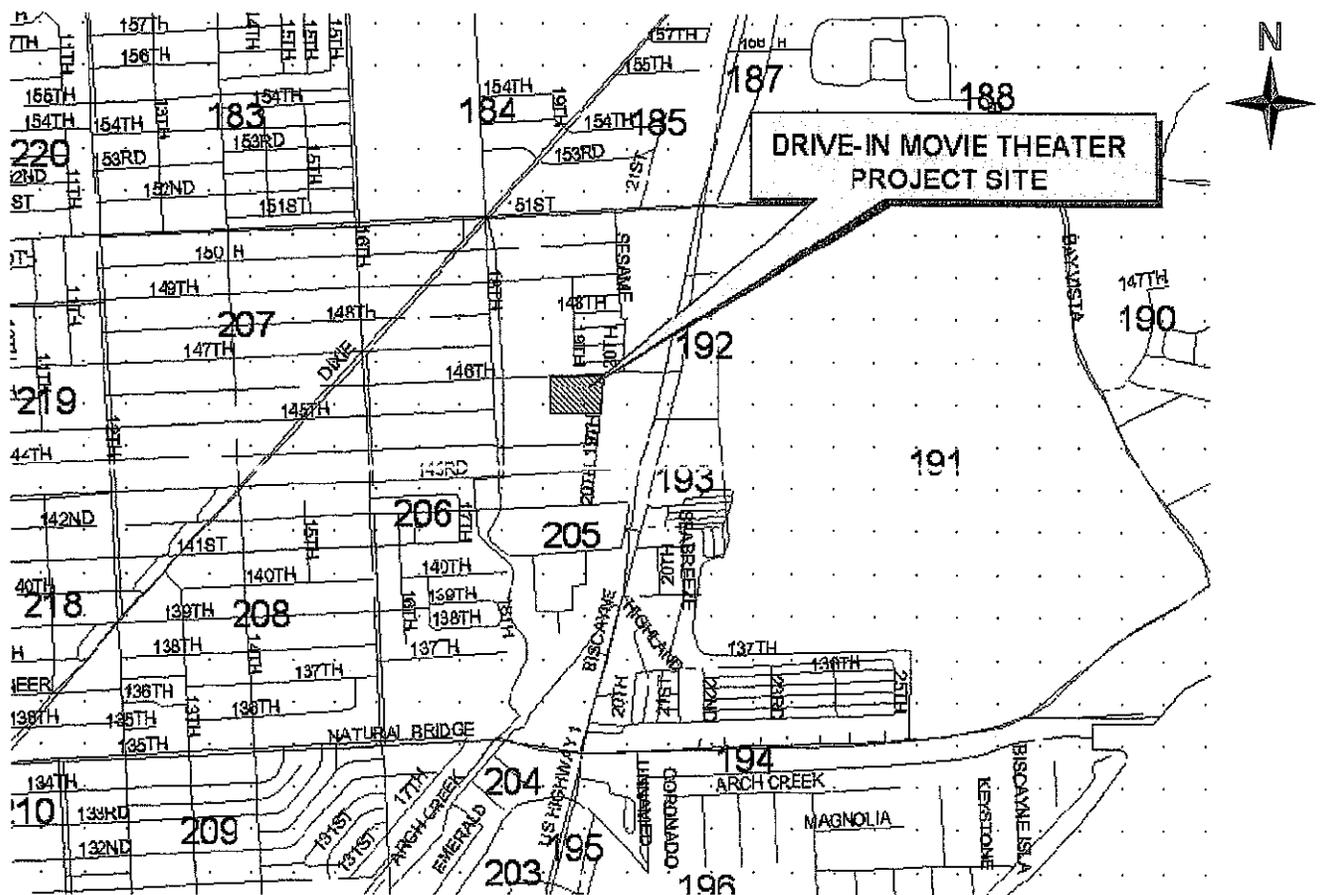


Trip Distribution/Assignment

The Traffic Analysis Zone (TAZ) for the subject project is TAZ 205 as assigned by the Metropolitan Planning Organization's (MPO) on the Miami-Dade Transportation Plan (to the Year 2035) Directional Trips Distribution Report, October 2009. The corresponding traffic distribution percentages were determined by interpolating between the 2005 TAZ and 2035 TAZ data for the design year of 2016.

The County's TAZ map was obtained using the available GIS (Graphical Information System) and is included in Appendix B. Figure 3 below depicts the TAZ map and the current Miami Urban Area Transportation Study (MUATS) for the study area.

Figure 3: Traffic Analysis Zone (TAZ) Map



The corresponding traffic distribution being assigned to the eight (8) cardinal directions are outlined in Table 2 below. Again this TAZ distribution is based on interpolation of the 2005 and 2035 Directional Trip Distribution Report from the Miami-Dade 2035 Long Range Transportation Plan for the design year of 2016. Appendix B includes a TAZ Map and the corresponding Directional Distribution Summary for this zone.

Table 2: Directional Traffic Distribution

DIRECTION	DISTRIBUTION PERCENTAGES (%)		
	MIAMI-DADE LRTP MODEL YEAR		DESIGN YEAR
	2005	2035	2016
NNE	20.44	25.60	22.33
ENE	4.16	4.70	4.36
ESE	1.54	1.18	1.41
SSE	5.92	6.58	6.16
SSW	19.74	18.53	19.30
WSW	17.03	12.47	15.36
WNW	13.49	13.07	13.34
NNW	17.67	17.87	17.74
TOTAL	100.00	100.00	100.00

Project Traffic Assignments

The AM and PM peak hour trips from Table 1 have been further distributed into the four quadrants. Table 3 includes the traffic distribution with the corresponding assignments while Figure 4 is the ingress and egress traffic distribution with the corresponding assignments to the North, South, East and West for the AM and PM Peak hour trips. Lastly, Figures 5 and 6 include the site traffic assigned to the project driveways for the AM and PM peak hour, respectively.

Table 3: Directional Distribution Assignments

DIRECTION	DISTRIBUTION	AM PEAK HOUR			PM PEAK HOUR		
		IN	OUT	TOTAL	IN	OUT	TOTAL
NORTH	40.08%	1	1	2	4	6	10
EAST	5.77%	0	0	0	0	1	1
SOUTH	25.46%	0	1	1	3	4	7
WEST	28.69%	0	0	0	4	4	8
	100.00%	1	2	3	11	15	26



Figure 4: AM / PM Peak Hour Ingress and Egress Trips

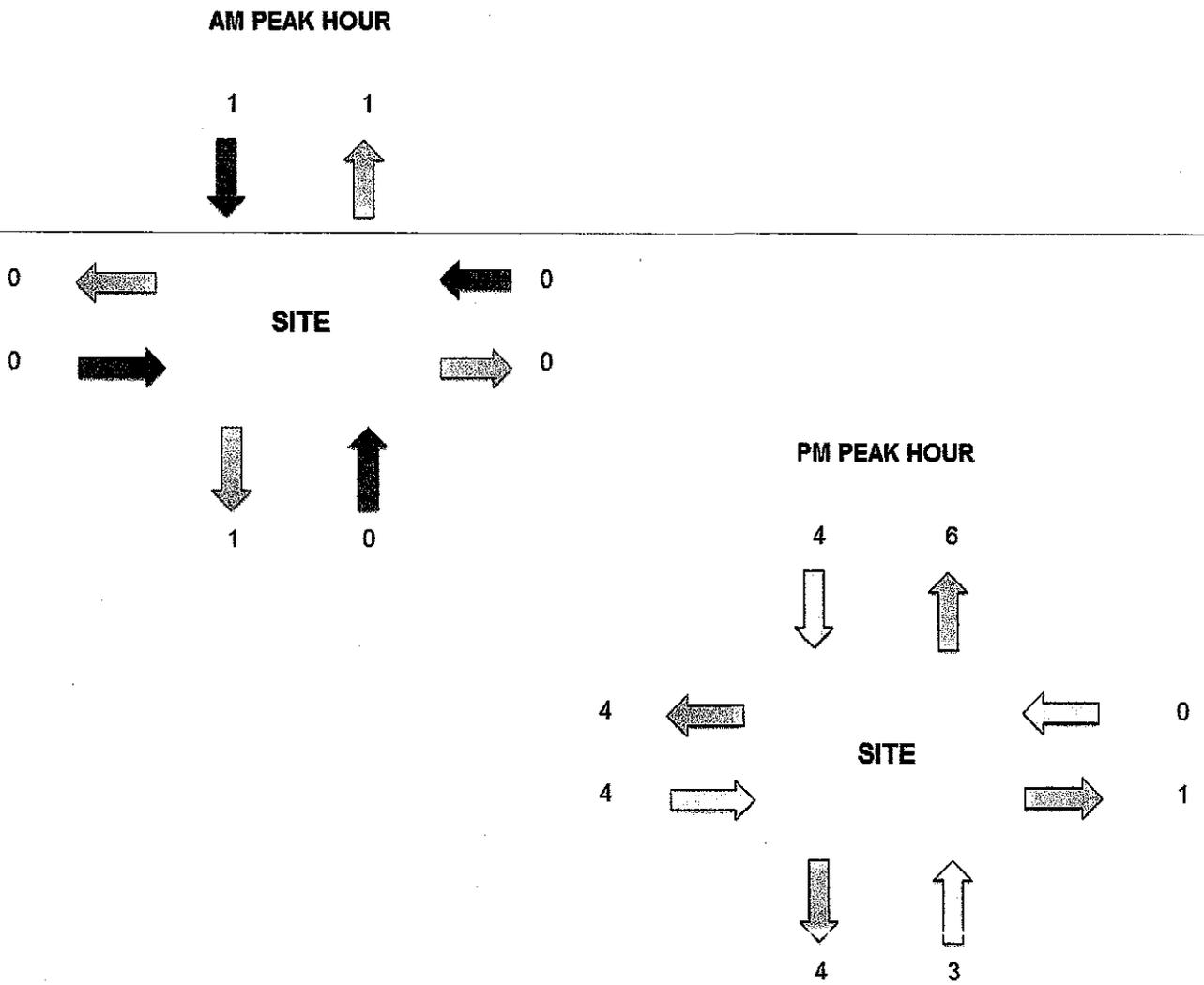


Figure 5: AM Peak Hour Driveway Trips

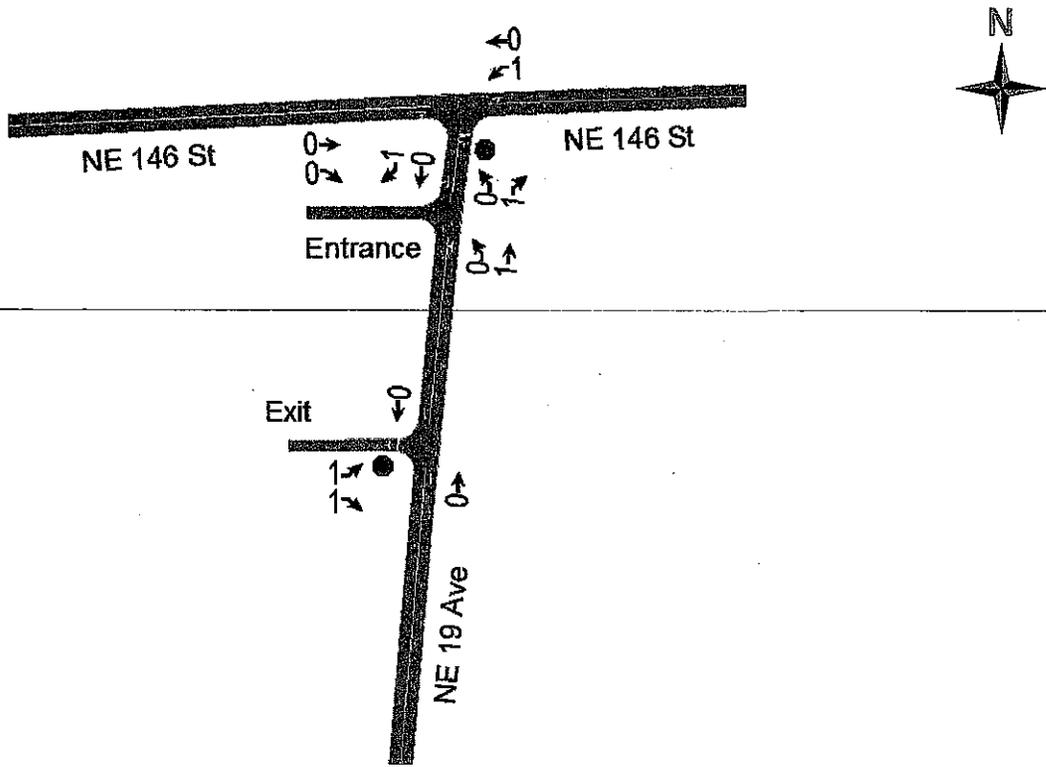
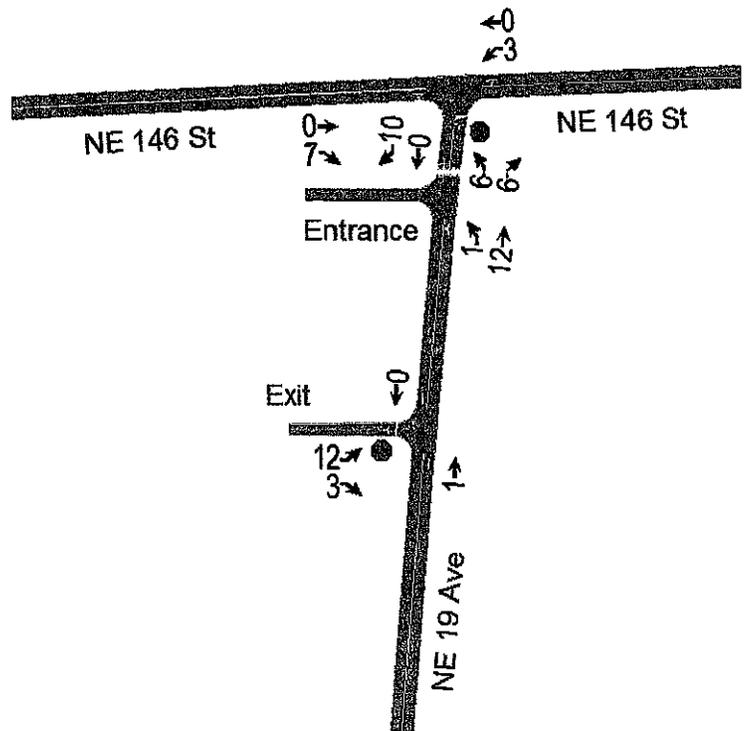


Figure 6: PM Peak Hour Driveway Trips



Conclusion

In conclusion, we have estimated that the subject project will generate 3 gross vehicle trips during the AM peak hour and 26 gross vehicle trips during the PM peak hour. Based on the trip generation and trip distribution results, the subject project will have a "De Minimus" traffic impact on the adjacent roadways and intersections. Therefore, no further traffic analysis is recommended.

Appendix A: Trip Generation



TABLE A1

Drive-in Movie Theater

TRIP GENERATION ANALYSIS - AM & PM PEAK HOUR

LAND USE (LU)	UNITS	ITE LU CODE	PEAK HOUR	ITE TRIP GENERATION RATE	AM / PM PEAK HOUR				
					%	IN	%	OUT	TOTAL
Proposed Movie Theater w/ Matinee (Drive-in Movie Theater)	375 Seats	444	AM	0.01	33%	1	67%	2	3
			PM	0.07	43%	11	57%	15	26
OR Movie Theater w/ Matinee (Drive-in Movie Theater)	1 Movie Screens	444	AM	2.02	40%	1	60%	1	2
			PM	20.22	40%	8	60%	12	20
Net Vehicle Trips (Proposed Gross - Existing Trips)*					33%	1	67%	2	3
					43%	11	57%	15	26

NOTES:

Sources: ITE Trip Generation, 9th Edition.

* Total trips of 375 Seats was utilized in this analysis.

13-042 Drive-In Movie Proposed
 Summary of Trip Generation Calculation
 For 1 Movie Screens of Movie Theatre with Matinee
 June 05, 2013

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	0.00	0.00	1.00	0
7-9 AM Peak Hour Enter	0.81	0.00	1.00	1
7-9 AM Peak Hour Exit	1.21	0.00	1.00	1
7-9 AM Peak Hour Total	2.02	0.00	1.00	2
4-6 PM Peak Hour Enter	8.09	0.00	1.00	8
4-6 PM Peak Hour Exit	12.13	0.00	1.00	12
4-6 PM Peak Hour Total	20.22	0.00	1.00	20
AM Pk Hr, Generator, Enter	0.00	0.00	1.00	0
AM Pk Hr, Generator, Exit	0.00	0.00	1.00	0
AM Pk Hr, Generator, Total	0.00	0.00	1.00	0
PM Pk Hr, Generator, Enter	0.00	0.00	1.00	0
PM Pk Hr, Generator, Exit	0.00	0.00	1.00	0
PM Pk Hr, Generator, Total	0.00	0.00	1.00	0
Friday 2-Way Volume	348.33	0.00	1.00	348
Fri 4-6 PM Peak Hour Enter	25.25	0.00	1.00	25
Fri 4-6 PM Peak Hour Exit	20.66	0.00	1.00	21
Fri 4-6 PM Peak Hour Total	45.91	37.26	1.00	46
Fri PM Pk Hr of Gen. Enter	59.66	0.00	1.00	60
Fri PM Pk Hr of Gen. Exit	43.21	0.00	1.00	43
Fri PM Pk Hr of Gen. Total	102.87	26.01	1.00	103
Saturday 2-Way Volume	0.00	0.00	1.00	0
Saturday Peak Hour Enter	0.00	0.00	1.00	0
Saturday Peak Hour Exit	0.00	0.00	1.00	0
Saturday Peak Hour Total	0.00	0.00	1.00	0
Sunday 2-Way Volume	0.00	0.00	1.00	0
Sunday Peak Hour Enter	0.00	0.00	1.00	0
Sunday Peak Hour Exit	0.00	0.00	1.00	0
Sunday Peak Hour Total	0.00	0.00	1.00	0

Note: A zero indicates no data available.
 Source: ITE - Trip Generation Manual, 9th Ed.

TRIP GENERATION BY MICROTRANS

13-042 Drive-In Movie_ Proposed
 Summary of Trip Generation Calculation
 For 375 Seats of Movie Theatre with Matinee
 June 05, 2013

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	0.00	0.00	1.00	0
7-9 AM Peak Hour Enter	0.00	0.00	1.00	1
7-9 AM Peak Hour Exit	0.00	0.00	1.00	2
7-9 AM Peak Hour Total	0.01	0.00	1.00	3
4-6 PM Peak Hour Enter	0.03	0.00	1.00	11
4-6 PM Peak Hour Exit	0.04	0.00	1.00	15
4-6 PM Peak Hour Total	0.07	0.00	1.00	26
AM Pk Hr, Generator, Enter	0.00	0.00	1.00	0
AM Pk Hr, Generator, Exit	0.00	0.00	1.00	0
AM Pk Hr, Generator, Total	0.00	0.00	1.00	0
PM Pk Hr, Generator, Enter	0.00	0.00	1.00	0
PM Pk Hr, Generator, Exit	0.00	0.00	1.00	0
PM Pk Hr, Generator, Total	0.00	0.00	1.00	0
Friday 2-Way Volume	0.00	0.00	1.00	0
Fri 4-6 PM Peak Hour Enter	0.04	0.00	1.00	15
Fri 4-6 PM Peak Hour Exit	0.03	0.00	1.00	12
Fri 4-6 PM Peak Hour Total	0.07	0.26	1.00	26
Fri PM Pk Hr of Gen. Enter	0.20	0.00	1.00	76
Fri PM Pk Hr of Gen. Exit	0.16	0.00	1.00	59
Fri PM Pk Hr of Gen. Total	0.36	0.00	1.00	135
Saturday 2-Way Volume	0.00	0.00	1.00	0
Saturday Peak Hour Enter	0.26	0.00	1.00	98
Saturday Peak Hour Exit	0.20	0.00	1.00	75
Saturday Peak Hour Total	0.46	0.00	1.00	173
Sunday 2-Way Volume	0.00	0.00	1.00	0
Sunday Peak Hour Enter	0.00	0.00	1.00	0
Sunday Peak Hour Exit	0.00	0.00	1.00	0
Sunday Peak Hour Total	0.00	0.00	1.00	0

Note: A zero indicates no data available.
 Source: ITE - Trip Generation Manual, 9th Ed.

TRIP GENERATION BY MICROTRANS

Land Use: 444

Movie Theater with Matinee

Independent Variables with One Observation

The following trip generation data are for independent variables with only one observation. This information is shown in this table only; there are no related plots for these data.

Users are cautioned to use data with care because of the small sample size.

<u>Independent Variable</u>	<u>Trip Generation Rate</u>	<u>Size of Independent Variable</u>	<u>Number of Studies</u>	<u>Directional Distribution</u>
-----------------------------	-------------------------------------	---	----------------------------------	---------------------------------

1,000 Square Feet Gross Floor Area

Friday P.M. Peak Hour of Generator	26.70	31	1	56% entering, 44% exiting
Saturday	99.28	28	1	50% entering, 50% exiting
Sunday	81.90	28	1	50% entering, 50% exiting
Sunday Peak Hour of Generator	10.75	28	1	Not available

Movie Screens

Weekday P.M. Peak Hour of Generator	37.83	6	1	52% entering, 48% exiting
Friday	348.33	6	1	50% entering, 50% exiting

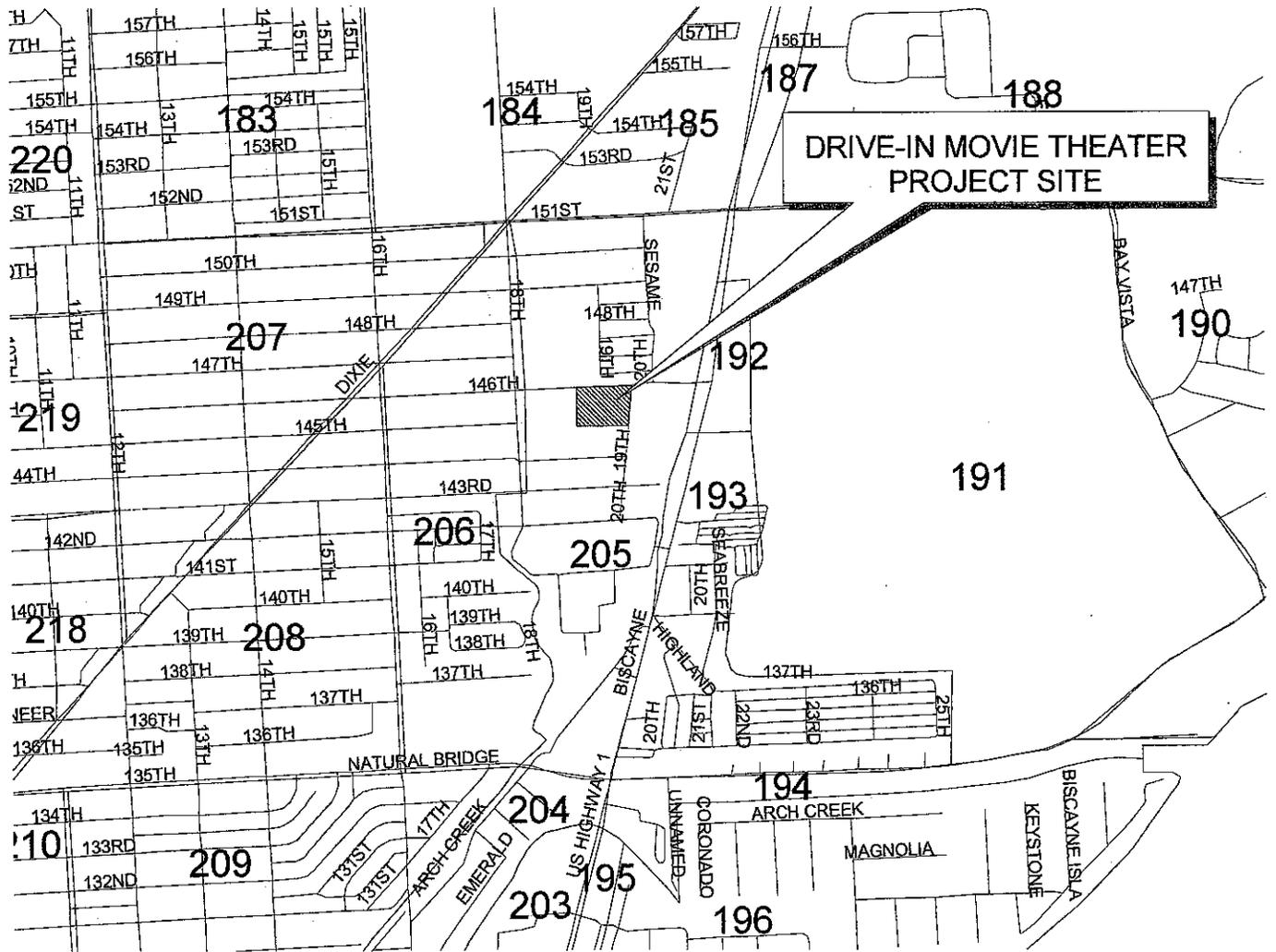
Seats

Friday P.M. Peak Hour of Generator	0.36	2,250	1	56% entering, 44% exiting
Saturday	2.24	1,236	1	50% entering, 50% exiting
Sunday	1.85	1,236	1	50% entering, 50% exiting
Sunday Peak Hour of Generator	0.24	1,236	1	Not available

Appendix B: Trip Distribution / Assignments



TRAFFIC ANALYSIS ZONE TAZ 205



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St_roads.shp
Dade_av.shp

TABLE: A2

Drive-in Movie Theater
Project Quadrant Distribution (AM Peak Hour)
(TAZ 205)

DIRECTION	DISTRIBUTION (%) DESIGN YEAR	DIRECTION	DISTRIBUTION	AM PEAK HOUR		
				IN	OUT	TOTAL
NNE	22.33	NORTH	40.08%	1	1	2
ENE	4.36					
ESE	1.41	EAST	5.77%	0	0	0
SSE	6.16					
SSW	19.30	SOUTH	25.46%	0	1	1
WSW	15.36					
WNW	13.34	WEST	28.69%	0	0	0
NNW	17.74					
TOTAL	100.00		100.00%	1	2	3

AM PEAK HOUR

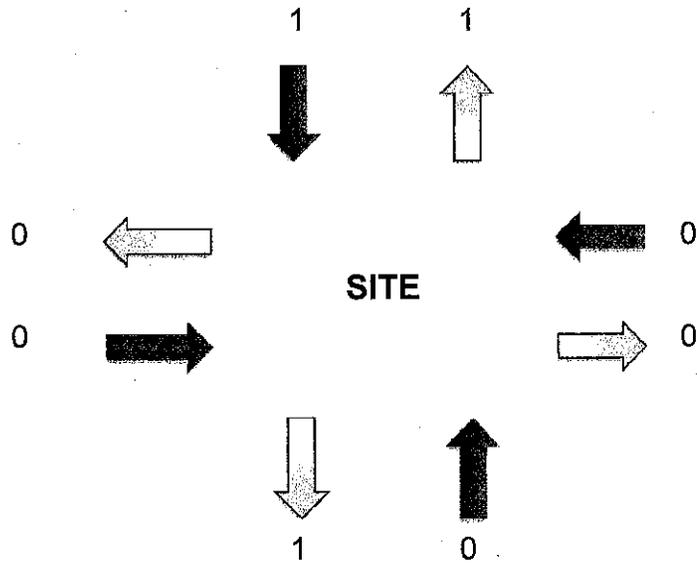


TABLE: A2-1

Drive-in Movie Theater
Project Cardinal Distribution (AM Peak Hour)
(TAZ 205)

DIRECTION	DISTRIBUTION PERCENTAGES (%)			AM PEAK HOUR		
	MIAMI-DADE LRTP MODEL YEAR		DESIGN YEAR	IN	OUT	TOTAL
	2005	2035	2016			
NNE	20.44	25.60	22.33	1	0	1
ENE	4.16	4.70	4.36	0	0	0
ESE	1.54	1.18	1.41	0	0	0
SSE	5.92	6.58	6.16	0	0	0
SSW	19.74	18.53	19.30	0	1	1
WSW	17.03	12.47	15.36	0	0	0
WNW	13.49	13.07	13.34	0	0	0
NNW	17.67	17.87	17.74	0	1	1
TOTAL	100.00	100.00	100.00	1	2	3

Note:

Based on Miami-Dade Transportation Plan (to the Year 2035) Directional Trip Distribution Report, October 2009. Since the current data is only available for the model years 2005 and 2035, the eight (8) cardinal directions were interpolated to the design year of 2014.

NOT USED

TABLE: A2-2

AM PEAK HOUR	IN	OUT	TOTAL
VOLUME:	1	2	3
PERCENT:	33.33%	66.67%	(Calculated)

DIRECTION	DISTRIBUTION %	INGRESS		EGRESS		TOTAL
		CALCULATED	USED	CALCULATED	USED	
NNE	22.33	0.22332	1	0.44664	0	1
ENE	4.36	0.04358	0	0.08716	0	0
ESE	1.41	0.01408	0	0.02816	0	0
SSE	6.16	0.06162	0	0.12324	0	0
SSW	19.30	0.192963333	0	0.385926667	1	1
WSW	15.36	0.15358	0	0.30716	0	0
WNW	13.34	0.13336	0	0.26672	0	0
NNW	17.74	0.177433333	0	0.354866667	1	1
TOTAL	100.00	0.999936667	1	1.999873333	2	3

