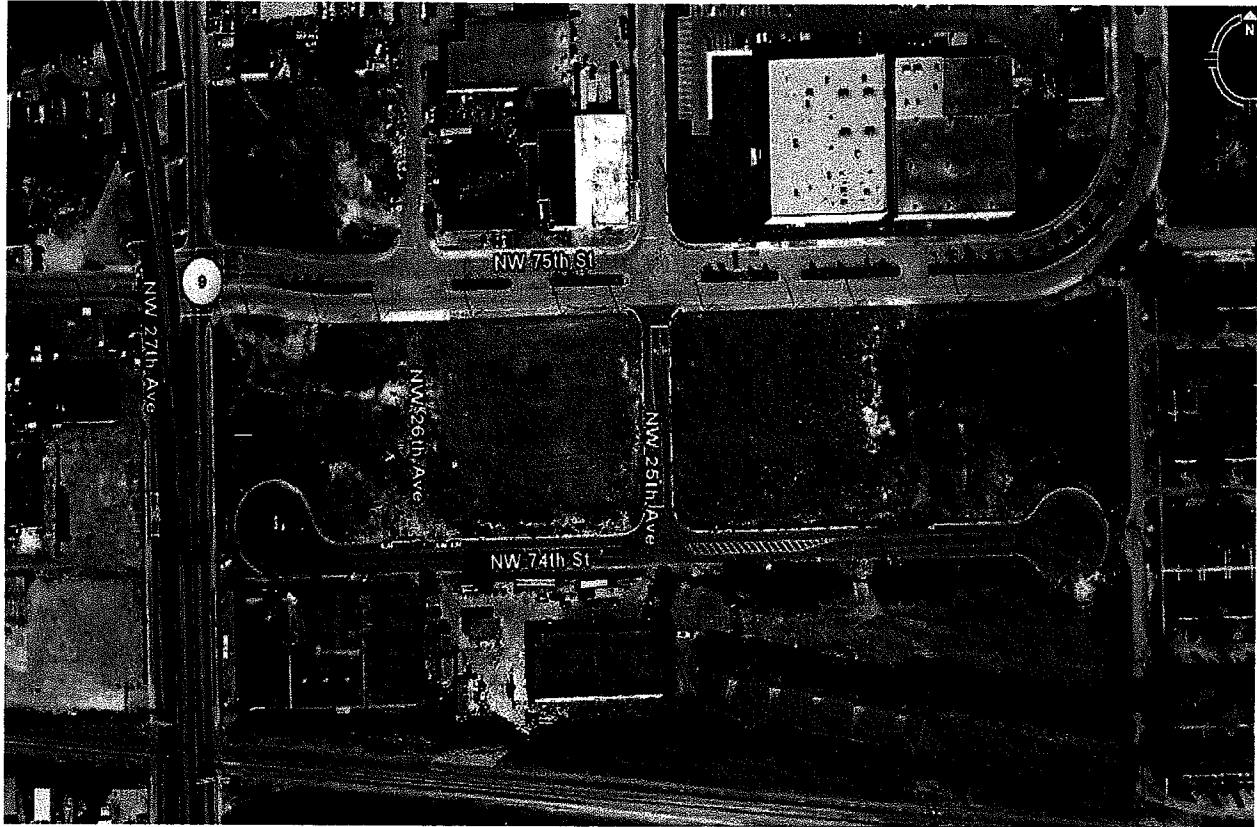


REQUEST FOR PROPOSALS (RFP) No. 695
FOR
DEVELOPMENT - POINCIANA INDUSTRIAL CENTER



PRE-PROPOSAL CONFERENCE TO BE HELD:

July 24, 2009, 2009 at 11:30 AM (local time)
111 NW 1st Street, 10th Floor, CITT Conf. Rm., Miami, Florida, 33128

ISSUED BY: MIAMI-DADE COUNTY

Department of Procurement Management (DPM) for
General Services Administration Department

COUNTY CONTACT FOR THIS SOLICITATION:

Contracting Officer: Andrew Zawoyski, CPPO - Chief Negotiator
Telephone: (305) 375-5663
E-mail: azawoy@miamidade.gov

PROPOSALS ARE DUE AT THE CLERK OF THE BOARD NO LATER THAN:

August 13, 2009 at 2:00 PM (local time)

at

CLERK OF THE BOARD
Stephen P. Clark Center
111 NW 1st Street, 17th Floor, Suite 202
Miami, Florida 33128-1983

The Clerk of the Board business hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. Additionally, the Clerk of the Board is closed on holidays observed by the County.

All Proposals received and time stamped by the Clerk of the Board prior to the proposal submittal deadline shall be accepted as timely submitted. The circumstances surrounding all Proposals received and time stamped by the Clerk of the Board after the proposal submittal deadline will be evaluated by the procuring department in consultation with the County Attorney's Office to determine whether the Proposal will be accepted as timely. Proposals will be opened promptly at the time and date specified. The responsibility for submitting a Proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. The County will in no way be responsible for delays caused by mail delivery or caused by any other occurrence. All expenses involved with the preparation and submission of Proposals to the County, or any work performed in connection therewith, shall be borne by the Proposer(s).

The submittal of a Proposal by a Proposer will be considered by the County as constituting an offer by the Proposer to perform the required services. A Proposer may submit a modified Proposal to replace all or any portion of a previously submitted Proposal up until the Proposal Due Date. The County will only consider the latest version of the Proposal.

Requests for additional information or inquiries must be made in writing and received by the County's contact person for this Solicitation. The County will issue responses to inquiries and any changes to this Solicitation it deems in written addenda issued prior to the Proposal Due Date. Proposers who obtain copies of this Solicitation necessary from sources other than the County's Department of Procurement Management website at www.miamidade.gov/dpm or the Vendor Assistance Unit risk the possibility of not receiving addenda and are solely responsible for those risks.

1.0 PROJECT OVERVIEW AND GENERAL TERMS AND CONDITIONS**1.1 Introduction**

This is a re-solicitation of previously issued RFP 681. The contents remain the same. The County will forward Notice of this RFP to a larger segment of potential proposers.

Miami-Dade County, hereinafter referred to as the County, as represented by the General Services Administration ("GSA"), is soliciting developers to submit Proposals for the financing, design, construction and management of a development on three (3) parcels of contiguous County-owned land located in Liberty City, an unincorporated neighborhood in Miami-Dade County, Florida. The Proposal must include a strong element of job creation, producing a minimum of 97 wage paying opportunities (full-time or part-time equivalent permanent jobs) for the surrounding neighborhood, and enhance the community's revitalization efforts. The Project should serve as an outstanding example of high-quality sustainable design and construction that is socially conducive and responsible to the community. This Solicitation includes additional suggestions and requirements for creating economic opportunities, building design, resource conservation, and construction practices.

It is the County's preference to issue one award for all three parcels. However, the County will consider Proposals received for the development of one, two or all three parcels. The County may select a single Developer, or two (2) or three (3) separate and independent Developers. The County's ultimate goal is to select a development(s) that will best utilize the Site, taking into consideration zoning, sustainability, and the esthetic nature of the development, along with creation of long term wage paying opportunities for a large number of employees, as well as the financial benefit(s) to the County. The County, in its sole discretion, reserves the right to do whatever the County considers to be in its best interest. If there are two (2) or more separate Developers that work on the Site, they must work cooperatively with one another and together work on and resolve the parking needs that maybe required for the entire Site. In the instance the County selects more than one Developer for the Site the County reserves the right to determine the order of development. Hereinafter, this Solicitation may refer to a single Developer, for convenience purposes; which shall not in any way limit the County from awarding a developer agreement to one or more than one Developer, as the County so chooses in its sole discretion.

Additionally, the Proposer may elect to acquire or lease the Site from the County; however, any Proposer proposing to acquire the Site must still submit its Proposal in a manner that meets the County's goals (zoning, sustainability, the esthetic nature of the development, creation of long term wage paying opportunities for a large number of employees) and as further stated within this Solicitation. If there is a lease agreement, the term of the lease will depend on the type of development proposed.

The anticipated schedule for this Solicitation is as follows:

Solicitation issued:	July 17, 2009
Pre-Proposal Conference:	See front cover for date, time and place. Attendance is recommended but not mandatory. If you need a sign language interpreter or materials in accessible format for this event, please call the DPM ADA Coordinator at (305) 375-1564 at least five days in advance.
Deadline for receipt of questions:	July 28, 2009

Proposal Due Date: See front cover for date, time and place.
Evaluation process: Begins August 2009
Projected award date: December 2009

1.2 Definitions

The following words and expressions used in this Solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

1. The word "Contractor" to mean the Proposer that receives any award of a contract from the County as a result of this Solicitation, also to be known as "the selected Developer".
2. The word "County" to mean Miami-Dade County, a political subdivision of the State of Florida.
3. The words "Development Site" or "Site" to mean the property being offered for development under this Solicitation. The Site consists of three (3) parcels of land, bounded by N.W. 75 Street to the north, N.W. 24th Avenue to the east, N.W. 25th Avenue to the west, and theoretical N.W. 73rd Terrace to the south.
4. The words "Development Team" to mean the Developer and the professional, technical, and construction entities [e.g. general contractor, architect, engineer, legal counsel, not-for-profit organization (if desired), marketing agent, and managing agent] that will participate in the design, development, construction, marketing, operation and/or management of the development Project.
5. The word "Project" to mean a retail, commercial, industrial, office, or a manufacturing business and/or any combination thereof, or other permitted development, which contains a substantial job creation element to it, whereby at least 97 full-time or part time equivalent permanent jobs (33 jobs per each of the three (3) parcels) are created and maintained, coupled with sufficient structured parking as required by the County's zoning code.
6. The word "Proposal" to mean the documentation submitted by the Proposer as the offer in response to this Solicitation for the development of the Site.
7. The word "Proposer" (also "Developer") to mean the person, firm, entity or organization, as stated on Form A-1, submitting a response to this Solicitation.
8. The words "Scope of Services" to mean Section 2.0 of this Solicitation, which details the work to be performed by the Contractor.
9. The word "Solicitation" to mean this Request for Proposals (RFP) document, and all associated addenda and attachments.
10. The word "Subcontractor" to mean any person, firm, entity or organization, other than the employees of the Contractor, who contracts with the Contractor to furnish labor, or labor and materials, in connection with the Services to the County, whether directly or indirectly, on behalf of the Contractor.
11. The words "Work" and "Services", to mean all matters and things that will be required to be done by the Contractor in accordance with the Scope of Services and the terms and conditions of this Solicitation.

1.3 General Proposal Information

The County may, at its sole and absolute discretion, reject any and all or parts of any or all responses; accept parts of any and all responses; further negotiate the Project scope and any fees and/or funding; postpone or cancel at any time this Solicitation process; or waive any irregularities in this Solicitation or in the responses received as a result of this process. Proposers may take exceptions to any of the terms of this Solicitation unless the Solicitation specifically states where exceptions may not be taken. The County may accept or reject the exceptions at its sole discretion and the Proposer's proposal shall be binding on the Proposer as if submitted without exception. The County reserves the right to request and evaluate

additional information from any respondent after the submission deadline as the County deems necessary.

Proposals shall be irrevocable until contract award unless the Proposal is withdrawn. A Proposal may be withdrawn in writing only, addressed to the County contact person for this Solicitation, prior to the Proposal Due Date or upon the expiration of 360 calendar days after the opening of Proposals.

Proposers are hereby notified that all information submitted as part of, or in support of Proposals will be available for public inspection after opening of Proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the "Public Record Law". The Proposer shall not submit any information in response to this Solicitation which the Proposer considers to be a trade secret, proprietary or confidential. The submission of any information to the County in connection with this Solicitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to Proposer. In the event that the Proposer submits information to the County in violation of this restriction, either inadvertently or intentionally and clearly identifies that information in the Proposal as protected or confidential, the County shall endeavor to redact and return that information to the Proposer as quickly as possible, and if appropriate, evaluate the balance of the Proposal. The redaction or return of information pursuant to this clause may render a Proposal non-responsive.

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be found non-responsible. To request a copy of any ordinance, resolution and/or administrative order cited in this Solicitation, the Proposer must contact the Clerk of the Board at (305) 375-5126.

1.4 Cone of Silence

Pursuant to Section 2-11.1(t) of the Miami-Dade County Code, as amended, a "Cone of Silence" is imposed upon each RFP or RFQ after advertisement and terminates at the time a written recommendation is issued. The Cone of Silence prohibits any communication regarding RFPs or RFQs between, among others:

- potential Proposers, service providers, lobbyists or consultants **and** the County's professional staff including, but not limited to, the County Manager and the County Manager's staff, the Mayor, County Commissioners or their respective staffs;
- the Mayor, County Commissioners or their respective staffs **and** the County's professional staff including, but not limited to, the County Manager and the County Manager's staff; or
- potential Proposers, service providers, lobbyists or consultants, any member of the County's professional staff, the Mayor, County Commissioners or their respective staffs **and** any member of the respective selection committee.

The provisions do not apply to, among other communications:

- oral communications with the staff of the Vendor Assistance Unit, the responsible Procurement Agent or Contracting Officer, provided the communication is limited strictly to matters of process or procedure already contained in the solicitation document;
- oral communications at pre-proposal conferences, oral presentations before selection committees, contract negotiations during any duly noticed public meeting, public presentations made to the Board of County Commissioners during any duly noticed public meeting; or

- communications in writing at any time with any County employees, official or member of the Board of County Commissioners unless specifically prohibited by the applicable RFP or RFQ documents.

When the Cone of Silence is in effect, all potential vendors, service providers, bidders, lobbyists and consultants shall file a copy of any written correspondence concerning the particular RFP or RFQ with the Clerk of the Board, which shall be made available to any person upon request. The County shall respond in writing (if County deems a response necessary) and file a copy with the Clerk of the Board, which shall be made available to any person upon request. Written communications may be in the form of e-mail, with a copy to the Clerk of the Board at CLERKBCC@MIAMIDADE.GOV.

1.5 Public Entity Crimes

Pursuant to Paragraph 2(a) of Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two (\$10,000) for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

1.6 Lobbyist Contingency Fees

- A) In accordance with Section 2-11.1(s) of the Code of Miami-Dade County, after May 16, 2003, no person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee.
- B) A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation which is dependent on or in any way contingent upon the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the County Commission; 2) any action, decision or recommendation of the County Manager or any County board or committee; or 3) any action, decision or recommendation of any County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission or a County board or committee.

1.7 Collusion

Where two (2) or more related parties, as defined herein, each submit a Proposal for any contract, such Proposals shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such proposals. Related parties shall mean Proposer or the principals thereof which have a direct or indirect ownership interest in another Proposer for the same contract or in which a parent company or the principals thereof of one Proposer have a direct or indirect ownership interest in another Proposer for the same contract. Furthermore, any prior understanding, agreement, or connection between two or more corporations, firms, or persons submitting a Proposal for the same services shall also be presumed to be collusive. Proposals found to be collusive shall be rejected. Proposers who have been found to have engaged in collusion may be considered non-responsible, and may be

suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.

2.0 SCOPE OF SERVICES

The development Project is envisioned as a retail, commercial, industrial, office, or manufacturing business, and/or any combination thereof, or other permitted development, which contains a substantial job creation element to it, whereby at least 97 job opportunities are created for the three (3) parcels (and developed with the understanding that such employment positions will be maintained); coupled with sufficient parking and which development Project is properly and creatively delineated by a thoughtfully planned linkage of the development component(s) and any and all open spaces. The creation of the 97 full-time (or full-time equivalent) job opportunities (or 33 jobs per parcel) within the five (5) year period of full execution of the lease agreement with the County or conveyance of the Property by the County to the selected Developer(s) is a requirement of this solicitation; there are no exceptions allowed for this requirement, and should the selected Developer(s) fail to create and maintain such employment opportunities it will be a violation of this requirement. Furthermore, the County will impose a fee of \$35,000 for each job not created by the deadline and the selected Developer(s) may be subject to other default provisions of the terms of any lease or conveyance agreement. The selected Developer(s) should communicate with community residents and businesses and local organizations to gain their input and participation into the development Project. And the selected Developer(s) shall, if and/or when requested by the County, attend public meetings, forums, discussions and/or events to educate community residents about the development Project. Also, Federal, State and/or potentially County funding or subsidies may be available to enhance the development Project, as further detailed herein.

2.1 Background

The following information is intended to inform Proposers about the Development Site, its history, and the character of the surrounding neighborhood.

- A. Development Site - The "Site" or "Poinciana Industrial Center" located in the northwestern edge of Liberty City, comprises approximately 289,456 square feet or 6.644 acres (the approximate size is based upon the County's records, not a survey). Attachment A - Site Map includes an area map with the general location of the Site. The Site is bounded by N.W. 75 Street to the north, N.W. 24th Avenue to the east, N.W. 25th Avenue to the west, and theoretical N.W. 73rd Terrace to the south. Also, along the southern edge of one of the properties there is an active railroad spur owned by the Florida East Coast Railway (Note: access to the railroad spur adjacent to the Site is not part of or otherwise offered in connection with this Solicitation). The County property folio numbers for the three (3) parcels are the following: 30-3110-073-0040; 30-3110-073-0050; and 30-3110-073-0060. The County has installed certain infrastructure on or about the Site consisting of water and sewer lines, and street drainage. Attachment B - "As-built" Drawings is a copy of the "as-built" drawings for the water distribution system.
- B. Neighborhood Context - Zoning - The Site is zoned IU-2 Industrial, Heavy Manufacturing District. The current zoning permits the Site to be utilized as an industrial center for significant job training and job creation. Such zoning permits the development of commercial and manufacturing facilities that are not only permissible in the IU-2 Industrial, Heavy Manufacturing District, but also all of the permitted uses in the IU-1 Industrial Light

Manufacturing District. Additional information regarding the zoning for the Site is in Attachment C - Zoning Information for Site.

The zoning information provided herein and in Attachment C is for the Proposer's convenience and for informational purposes only and should not be relied upon by the Proposer. The Proposer is both expected and required to perform its own due diligence with regard to the proper and most current zoning on the Site.

Zoning changes and/or changes to the comprehensive master development plan, if reasonably anticipated to receive approval by the County, may be suggested as part of the Proposer's Proposal. However, suggested changes must be clearly indicated in the Proposal (**in bold type**), and that the suggested Project is not in conformance with the current zoning requirements, and why the Proposer reasonably believes that such a zoning change, zoning variance, and/or comprehensive development master plan amendment would be received favorably by the County, and the likelihood of it being readily approved.

- C. Land Use - The Development Site is located adjacent to several ongoing businesses, including, but not limited to, a demolition business, Pan-Am Supply Company, Red's Auto-Truck Customizing Center, and LEASA Industries Co., Inc. (a private grower, manufacturer, processor and packager of food products). To the east of the Site is vacant land, which was formerly the location of a portion of the Scott-Carver public housing apartments (owned by the Miami-Dade Public Housing Agency). The County is in the process of returning housing to that location. Following a competitive selection process a developer was selected in December 2008 and it is anticipated that "shovels will be in the ground" by May 2010. Further, as previously stated, a portion of the Site, the south end, is also immediately adjacent to a railroad spur, owned by Florida East Coast Railway. The entire Site is located within Liberty City. This portion of Liberty City is in the unincorporated area of Miami-Dade County. Further, to the north of the Site is an area called North Central Miami-Dade. North Central Miami-Dade is also an unincorporated area in Miami-Dade County. To the South of the Site is the City of Miami and in particular a neighborhood called Liberty City or the Model City/Brownsville area. Together, these neighborhoods are primarily residential communities consisting of single family homes and low to mid-rise apartment buildings. The Liberty City area as a whole (including Model City/Brownsville), experienced a period of significant decline and disinvestment over the past several decades. Liberty City, as of the 2000 census, comprises a population of 23,009 residents, with 7,772 households, and 5,428 families residing in the area.

The Site is three (3) blocks from N.W. 79th Street. N.W. 79th Street is a major thoroughfare, and a state road (934), which extends eastward literally to the coastline of the Atlantic Ocean on Miami Beach (despite it changing names), and westward (again, despite changing names) into Hialeah, ending at the Hialeah Park Racetrack, a former horse racing track that is now listed on the U.S. National Register of Historic Places. According to the Florida Department of Transportation (FDOT), N.W. 79th Street, west of 27th Avenue has a daily traffic count of 27,000 vehicles (year 2007). Also according to FDOT, 79th Street, east of 27th Avenue has a daily traffic count of 48,000 vehicles (year 2007). N.W. 79 Street coupled with N.W. 27th Avenue, together serve as the primary source for locating businesses in the neighborhood. The Site is approximately $\frac{3}{4}$ of a mile from the County Metrorail train station at N.W. 79th Street and 32nd Avenue (commonly known as the Northside Station). For more information about Metrorail, visit the County's website at: (www.miamidade.gov/transit/).

D. Neighborhood Access and Transportation**Metrorail and Tri-rail trains**

The County, in addition to its Metrorail train station located at N.W. 79th Street and 32nd Avenue (Northside) as noted above, also has a Metrorail Station at N.W. 79th Street and 37th Avenue, less than one and one-half (1½) miles from the Site. This Metrorail station (also known as the Metrorail Transfer Station) is currently the only Metrorail station in Miami-Dade County that connects with the Tri-Rail train, a commuter train that travels through three (3) different counties (Miami-Dade, Broward and Palm Beach counties). For more information about Tri-rail, contact the South Florida Regional Transportation Authority (www.tri-rail.com).

Amtrak

In addition, Amtrak's only Miami stop and the last train station on its southern line is located approximately one and one-half (1½) miles from the Site, at N.W. 37th Avenue and N.W. 83rd Street (8303 N.W. 37th Avenue). For more information about Amtrak, contact Amtrak (www.amtrak.com).

Federal East Coast Railway Spur

As stated earlier, immediately adjacent to the southern portion of the Site are railroad tracks, which are part of an active railroad spur owned by the Florida East Coast Railway (the schedule and frequency of trains on the railroad tracks is unconfirmed; however, it is believed that the freight trains run mostly at night and rarely on the weekend). For more information regarding the Florida East Coast Railway spur, contact the Florida East Coast Railway (www.railamerica.com).

Bus System and Routes

Currently, there are a minimum of four (4) bus routes that are in a three (3) block radius of the Site. All of the buses are part of the Miami-Dade County Transit Department Metrobus system. There are bus routes along N.W. 79th Street, and N.W. 27th Avenue. For more information regarding the Miami-Dade County Transit Department Metrobus system, visit the County's website at: (www.miamidade.gov/transit/).

Interstate 95

Elevated Interstate 95 (I-95) is located approximately two (2) miles east of the Site. There are exits for both on and off vehicular traffic for I-95 at N.W. 79th Street (the nearest exit to the Site). According to the Florida Department of Transportation (FDOT), the I-95 roadway, south of the Golden Glades interchange, has a traffic count of over 290,000 vehicles per day, with traffic volumes expected to exceed 360,000 vehicles per day by 2030. I-95 is the main highway on the east coast of the United States, paralleling the Atlantic Ocean from Florida to Maine, consisting of 1,917 miles. In Florida, I-95 connects the eastern shore of Florida, beginning in southern Miami at U.S. Route 1, linking with Jacksonville in the north, and with Fort Lauderdale, West Palm Beach, Melbourne, the Space Coast near Titusville, Daytona Beach and St. Augustine, along the way. I-95 passes through fifteen different states, more states than any other interstate highway system. The eastern region that is served by I-95 is densely populated, and according to the I-95 Corridor Coalition (www.i95coalition.org), the region, per square mile, is over three (3) times more densely populated than the average U.S. area per square mile. The proximity of I-95 to the Site represents a significant business asset and an opportunity for the Selected Developer(s).

E. Businesses Community

The businesses in the community are primarily local, serving the needs of the immediate community. The Northside Shopping Center is located at the intersection of N.W. 27th Avenue and 79th Street. Businesses such as Walgreens, Foot Locker, Wachovia Bank and Citibank, etc., have long histories in the 500,000 square foot shopping center. N.W. 79th Street, and N.W. 27th Avenue are commercial corridors that serve the immediate needs of the community. Nearby businesses on N.W. 27th Avenue include, as an example, the following: Burger King, Wendy's, McDonald's, Pollo Tropical, Family Dollar Stores, and Royal Castle. Moreover, there is a large business community immediately west of N.W. 27th Avenue, which is primarily industrial, manufacturing and commercial distribution warehouses.

F. Demographics - Demographics

The 2000 Census revealed that for a five (5) mile radius surrounding the Site, there was a total population of 61,214 residents, with 18,678 households, and 13,833 families. The median household income was \$21,655.00. The area comprises nearly one-half of Miami-Dade Counties African American and West Indian communities. Please see Poinciana Demographic information in Attachments D1 and D2 - Poinciana Demographic Information, for additional information regarding the demographics of the area surrounding the Site.

G. Environmental Site Conditions

In the early 1980's the County acquired the Site along with several others in the area. In 1996, the County undertook the responsibility for securing a Phase I environmental site assessment for the Site. Based upon the findings in the assessment, the County began environmental remediation, and over a three (3) year period, the Site and surrounding County-owned properties were cleaned up under the direction of the County's Department of Environmental Resources (DERM) by a company named Groundwater Technology, Inc. The three (3) properties which comprise the Site have each received a No Further Action letter from DERM stating that further remediation is not necessary, see Attachments E1, E2 and E3 - DERM Remediation Letters. However, the remediation which did occur has not removed all contamination from the Site, and, as a result, and at a minimum, residential housing may not be built on the Site. The selected Developer(s) will be solely responsible to perform and/or coordinate any further testing, analysis and/or remediation desired or necessary on the Site.

2.2 Objective

The objective of this Solicitation is to establish a contract(s) to develop the Site as further detailed herein, and for job creation.

A. Property Use

Property use shall be as stated herein and the County reserves the right to negotiate any and all terms and conditions of a lease or sale agreement with the selected Developer(s).

B. Development Program

The County envisions a retail, commercial, office, industrial, or manufacturing business, and/or a combination of such uses on the Site.

C. Infrastructure

The selected Developer(s) is solely responsible for funding the construction of any new roads and infrastructure, including but not limited to the placement or relocation of utilities, on or about

the Site.

D. Parking

Parking for all uses, including a structured parking garage, must comply with all Miami-Dade County codes, rules, laws, and regulations; including but not limited to Miami Dade County Department of Public Works, Planning and Zoning and the Department of Environmental Resource Management.

E. Design Guidelines

The County conducted two (2) charrettes in nearby neighborhoods, North Central Miami-Dade and Model City/Brownsville. Information regarding each of the charrettes is attached as Attachment F1, F2, F3, F4, F5 and F6 – Charrettes.

Proposers should note, in summary, that the North Central Miami-Dade area consists of approximately a four (4) mile vicinity located north of the Site beginning at N.W. 79th Street. In early 2002, the County, in conjunction with the Treasure Coast Regional Planning Council, conducted a seven (7) day charrette and formulated design schemes for the neighborhood.

For Model City/Brownsville, in 2003, the County, in conjunction with the Model City/OCED Community Advisory Committee also conducted a seven (7) day public workshop design charrette. The Model City/Brownsville area is, according to the report from the charrette, specifically designated as a Neighborhood Revitalization Strategy Area by the U.S. Department of Housing and Urban Development (HUD). As a result of the charrette, the community identified the neighborhood's key redevelopment areas and main corridors with developed ideas and plans for improvement, including how the neighborhood will hopefully look in the future.

Proposers should understand that while the North Central Miami-Dade and Model City/Brownsville charrette areas neither offer nor represent requirements for the Site, they do epitomize how adjacent communities are planning for their growth and revitalization, and equally important present design guidelines that are worthy of an Proposer's consideration.

At minimum, the design of the development Project should help to bring economic development and activity into the neighborhood, and otherwise serve as a catalyst for other economic development projects and activities in and around the community.

F. Zoning/Rezoning

Proposals for the Site must comply with the County's Zoning Code. Zoning changes and/or changes to the comprehensive master development plan, if reasonably anticipated to receive approval by the County, may be suggested as part of the Proposer's Proposal. However, suggested changes must be clearly indicated in the Proposal (**in bold type**), and that the suggested Project is not in conformance with the current zoning requirements, and why the Proposer reasonably believes that such a zoning change, zoning variance, and/or comprehensive development master plan amendment would be received favorably by the County, and the likelihood of it being readily approved.

G. Green and Sustainable Design

The County desires that the design incorporates high performance building concepts and technologies in order to enhance the overall design and construction, while simultaneously making the building(s) environmentally responsible. The design should consider incorporating resource conservation, energy efficiency, high indoor air quality, responsible construction practices, and improved esthetic conditions of the Site and the surrounding community as a

goal.

2.3 Obligations of the Selected Developer(s)

The selected Developer(s) shall perform the following obligations prior to the conveyance or leasing of the Site:

1. Provide a Development Team including a lead architect, contractor, marketing agent, and other relevant partners. The Development Team will design, construct, and if necessary sell or lease the development Project, or portions thereof.
2. Determine if any further environmental remediation of the Site is necessary, and if the selected Developer(s) determines that further remediation is required, then cleanup the Site, at its sole cost and expense.
3. Prepare a complete final set of schematic site plans, floor plans, elevations, and cost estimates, including any subsequent modifications thereof to the original set of plans included in the Proposal in response to this RFP, and submit them to the County for review and approval within six months (6) after Notice to Proceed.
4. Prepare a complete set of final site plans, floor plans, elevations, samples of exterior building materials, and detailed specifications, and submit them to the County for review and approval prior to disposition or leasing of the Site.
5. Apply for and secure all necessary permits and approvals for the development Project.
6. Whenever requested by the County, participate in any and all public forums, meetings, discussions and/or events regarding the development Project.
7. Pay all transfer taxes, stamps, fees and related cost(s) associated with the conveyance of the Site to the selected Developer(s), and all transfer and recording taxes associated with the financing for the development Project or pay all taxes associated with the leasing of the Site.
8. If desired or deemed or determined necessary, subdivide or re-plot the Site.
9. Take affirmative steps to include local contractors (general and sub-contractors), and minority and women owned County certified businesses in the construction of the development Project. The selected Developer(s) shall, in all solicitations for bids for subcontractors (laborers and materialmen) provide due consideration for qualified subcontractors without regard to race, color, religion, sex, national origin, disability, age, handicap, marital status, or military service.
10. Arrange for timely commencement and completion of the development Project. The selected Developer(s) is accountable for the schedule(s) outlined in the Proposal and agreed upon with the County. Failure of the selected Developer(s) to timely meet the schedule(s) may result in a termination of the leasehold interest or in the case of a conveyance, a reversion of the Site back to the County.
11. Arrange for the timely creation of the 97 full-time (or full-time equivalent) job opportunities (or 33 jobs per parcel) within the five (5) period of a Notice to Proceed being issued by the County to the selected Developer(s) for the Site, which employment

opportunities will be maintained for at least a three (3) year period.

12. Post any required payment and performance bonds as required by Florida State Statute and meet other requirements of Section 255 of the Florida Statutes as applicable.

2.4 Leasing or Conveyance

The lease or conveyance of the Site will depend on the following:

2.4.1 Leasing

The Site will be leased to the selected Developer(s) after the County and the Selected Developer(s) have agreed upon the relevant terms and conditions (including, but not limited to the requirements listed in Section 2.3 above), and will be leased in its "as-is" condition, including without limitation, all environmental conditions and hazards. The lease agreement will contain, among other things, conditions that require the selected Developer(s) to commence construction of the development Project by a certain date, meet annual milestones (benchmarks), and complete construction by a certain date and create and maintain the relevant employment opportunities as herein described elsewhere.

2.4.2 Conveyance

2.4.2.1. The Site will be conveyed to the selected Developer(s) after the selected Developer(s) has secured receipt of all requisite construction and/or building permits and a bona fide commitment for construction financing.

2.4.2.2. Following County approval of the conveyance, the selected Developer(s) must execute and return documents necessary to complete the conveyance process within the time period specified by the County. These documents include, but are not limited to a Land Conveyance Agreement, which outlines the parties' respective duties and obligations. The selected Developer(s) is responsible for the payment of any and all transfer fees, costs, stamps, and such related cost(s).

2.4.2.3. The Site will be conveyed in its "as-is" condition, including without limitation, all environmental conditions and hazards. The Land Conveyance Agreement, and the conveyance document (deed), will contain conditions that require the selected Developer(s) to commence construction of the development Project by a certain date, meet annual milestones (benchmarks), complete construction by a certain date and create and maintain the relevant employment opportunities as herein described elsewhere. The deed will also contain the County's reversionary interest in the Site, in the event the selected Developer(s) fails to timely meet its various obligations.

2.4.2.4. The County may require a simultaneous closing of the transfer of ownership for the Site and the construction loan.

2.5 Financing

The selected Developer(s) is solely responsible to obtain all financing necessary to develop the Site, including construction and permanent financing. The selected Developer(s) shall obtain all necessary financing in amounts consistent with the development. The requirement includes meeting equity contribution amounts and any guarantees as required by the construction lender, as well as meeting any other terms and conditions as may be required by any lender(s). The selected Developer(s) can use different lenders for construction and permanent financing. The amount of the selected Developer's(s') equity will be determined by the lender(s). The selected

Developer(s) shall submit a term sheet and a letter of intent from a lender for construction financing of the Project no later than thirty (30) days prior to commencement of construction.

2.6 Funds, Incentives and Grants

There is no County funding available for the development of this Project. There are other general incentives, funding and/or tax incentives that may be available for the development Project. It is the sole responsibility of the selected Developer(s) to apply for and secure any such incentives. The following is information concern known funding possibilities, without any County presupposed commitments.

Currently, the Site is located within an Empowerment Zone, which provides tax incentives to encourage businesses to open and/or expand and to hire local residents. Empowerment Zone incentives include employment credits, low-interest loans through EZ facility bonds, reduced taxation on capital gains, and other incentives. There are sunset provisions, currently scheduled for December 31, 2009, pertaining to this program and it is suggested the Proposer obtain further information regarding the benefits of a business operating in an empowerment zone, by contacting the United States Office of Housing and Urban Development, and visiting the website at: www.hud.gov. Further, it is possible that the Empowerment Zone designation on the Site may be extended beyond the current sunset date. However, the requisite decisions in this regard have not been concluded, and therefore the Proposer is further encouraged to contact the United States Office of Housing and Urban Development.

The site is also located in the State/County Enterprise Zone. The Enterprise Zone also offers incentives to businesses that open/expand businesses and create jobs for local residents. For more information on the Enterprise Zone, go to <http://www.miamidade.gov/ced/ezone.asp>

Florida Qualified Target Industry (QTI) Tax Refund

The Qualified Target Industry program provides an incentive for target industries to locate new facilities in Florida or to expand existing facilities in Florida. The program provides tax refunds of Three Thousand (\$3,000.00) Dollars per new job created. This is increased to Six Thousand (\$6,000.00) Dollars per job if the company locates in an Enterprise Zone. Higher award amounts are available to companies paying high wages. To qualify for the QTI program, a company must create at least ten (10) new jobs (or a ten (10) percent increase for Florida expanding companies), pay an average of at least 115 percent of area wages, have a significant positive impact on the community, and have local support. For further information, please contact the Beacon Council (www.beaconcouncil.com).

Florida Quick Response Training (QRT)

The Quick Response Training program provides grant funding for customized training to new or expanding businesses. The program is flexible and structured to respond quickly to meet business training objectives. A local training provider – community college, area technical center or university – is selected and available to assist in the application process and program development or delivery. If the business has a training program in place, a state training provider will supervise and manage the training program and serve as the fiscal agent for the grant funds. Reimbursable training expenses include: instructors'/trainers' salaries, curriculum development, text/manuals, and materials/supplies. For further information, please contact the Beacon Council (www.beaconcouncil.com).

Miami-Dade County Targeted Jobs Incentive Fund

The Targeted Jobs Incentive Fund is a Miami-Dade County (County) program and an initiative

of the Beacon Council patterned after the State of Florida's QTI program. Targeted Jobs Incentive Fund program provides tax refunds to expanding or relocating companies that create full-time equivalent jobs in the County (not County employees). Under this locally funded program, the County may provide the company with an incentive equalling to or up to one hundred (100%) percent of the incremental Countywide *ad valorem* property taxes generated by the company's location or expansion in excess of \$3 million in capital investment. The company may also be eligible for incentives of Three Thousand (\$3,000.00) Dollars per new job created. This is increased to Four Thousand Five Hundred (\$4,500.00) Dollars per job if the company locates in a Designated Priority Area and an additional One Thousand Five Hundred (\$1,500.00) Dollars for each new employee that resides in a Designated Priority Area. The program provides up to Nine Thousand (\$9,000.00) Dollars per new job created in an Enterprise Zone. There is also a bonus of up to One Thousand Five Hundred (\$1,500.00) Dollars per job for companies with a facility that qualifies as "green construction" and an additional One Thousand Five Hundred (\$1,500.00) Dollars per job if the company is in the business of Solar Thermal and Photovoltaic manufacturing, installation, and repair. To qualify, a company must create at least ten (10) new jobs (or a minimum of five (5) jobs or a ten (10%) percent increase for expanding Florida companies, whichever is greater) and pay a Living Wage, as outlined in the Miami-Dade Living Wage Ordinance. For further information, please contact the Beacon Council (www.beaconcouncil.com).

Incumbent Worker Training (IWT) Program

The Incumbent Worker Training program provides employers with funds to train currently employed workers in an effort to keep their firms and workers competitive. The program addresses retraining to meet changing skill requirements caused by new technology, retooling, new product lines, and new organizational structuring. For further information, please contact the Beacon Council (www.beaconcouncil.com).

Florida Economic Development Transportation Fund

The Economic Development Transportation Fund ("Road Fund") provides up to \$2 million to local governments for the construction or improvement of transportation infrastructure needed to accommodate new or existing industry. This is an incentive designed to alleviate transportation problems that adversely impact a specific company's location or expansion decision. The elimination of the problem must serve as an inducement for a specific company's location, retention, or expansion project in Florida and create or retain job opportunities for Floridians. The actual amount funded is based on the cost of the necessary improvements and is limited to Five Thousand (\$5,000.00) Dollars per job created and/or retained. A waiver of the per job limit may be granted if the project is located in an area experiencing severe economic distress. For further information, please contact the Beacon Council (www.beaconcouncil.com).

Florida Sales Tax Exemption on Electricity & Steam

Sales Tax Exemption on Electricity & Steam provides for an exemption for electricity charges used directly and exclusively at a fixed location to operate machinery, and equipment that is used to manufacture, process, compound, or produce items of tangible personal property for sale, or to operate pollution control equipment, recycling equipment, maintenance equipment, or monitoring or control equipment used in such operations, may be exempt from sales tax. For further information, please contact the Beacon Council (www.beaconcouncil.com).

Florida Capital Investment Tax Credit

The Capital Investment Tax Credit is used to attract and grow capital-intensive industries in Florida. It is an annual credit, provided for up to twenty (20) years, against the corporate income tax. The amount of the annual credit is based on the eligible capital costs associated

with a qualifying project. Eligible capital costs include all expenses incurred in the acquisition, construction, installation, and equipping of a project from the beginning of construction to the commencement of operations. To be eligible, the company must create at least one hundred (100) new jobs in Florida in connection with the project, make a cumulative investment of at least \$25 million in connection with the project during the period from beginning of construction to the commencement of operations and operate within designated high impact portions of the following sectors: Life Sciences, Financial Services, Information Technology, Transportation Equipment Manufacturing, and Semiconductors. For further information, please contact the Beacon Council (www.beaconcouncil.com).

New Market Tax Credits

The New Markets Tax Credit Program (NMTC) is a community development lending tool designed to stimulate the flow of investment in underserved communities by creating new jobs and accelerating economic revitalization. The program was created as part of the Community Renewal Tax Relief Act of 2000 (P.L. 106-554, 113 Stat. 2763) which encourages private capital investment in low income communities by providing a 39% federal tax credit to investors. The program is based on the idea that there are viable business opportunities in low-income communities and that a federal tax credit would provide attractive incentive to increase the flow of investment capital to such areas. The NMTC set out in Section 45D of the Internal Revenue Code provides a 39% income tax credit for qualified equity investments in certain community development entities so long as those entities in turn lend or invest substantially all those dollars into qualified businesses that are active in low-income communities. It shall be the sole responsibility of the selected Developer(s) to determine whether the Site is in a qualified area to receive NMTC, and if so, whether the proposed development Project is qualified to receive any investment.

Brownfield Economic Development Initiative (BEDI)

Miami-Dade County, depending upon application and availability may provide Brownfield Economic Development Initiative (BEDI) loan funds for the Site. The County's Office of Community and Economic Development administers the BEDI loan program. The selected Developer(s) may apply for loans up to \$500,000 to be used for remediation and redevelopment of environmental conditions of a site. The guidelines further require that for each \$35,000 loaned, at least one (1) new permanent full time job must be created.

Other Funding

Other funding may be available from an agency of the Federal Government, the State of Florida and/or the County for the development Project, including, but not limited to County Community Development Block Grants (CDBG), and a proposed new federal program entitled "Choice Neighborhood Initiative". However, it shall be the sole responsibility of the selected Developer(s) to seek out and apply for such funding.

Disclaimer

Regarding the above-mentioned funding and/or tax incentives, the County hereby disclaims having any knowledge and/or eligibility requirements of the foregoing incentives, except those that are directly administered by the County. The information provided herein above is merely for the convenience of the Proposers; should a selected Developer(s) have a desire to apply for any of the aforementioned funding and/or incentives, it should conduct its own due diligence to determine if such incentive(s) is currently in existence and if so, the current eligibility requirements. This Solicitation and the County make no warranties regarding the accuracy and/or availability of any of the above mentioned funding and/or incentives.

2.7 Real Property Taxes and Charges

The Site is currently not subject to County *ad valorem* taxes due to its present ownership. However, such tax exempt status of the Site is subject to change when the selected Developer(s) acquires or leases the Site. Proposers and the selected Developer(s) must be aware that should there be a change in the tax exempt status of the Site, it will be the sole responsibility of the selected Developer(s) to pay for such taxes. Further, it is the responsibility of the selected Developer(s) to apply for and meet the requirements of any taxes, assessments and/or fees charged against or to the Site or any improvements on or to the Site. The County makes no representations or warranties as to the continued availability of any tax exemption or tax benefits currently available to the County, or as to the selected Developer's(s') eligibility to receive these benefits.

2.8 Marketing, Leasing and Sales

The selected Developer(s), should it elect or desire to sell or lease a portion of the Site and/or of the development Project to a different person or entity, any such sale or lease shall be subject to the prior written approval of the County, and the selected Developer(s) shall be solely responsible for the marketing of any sale or leasehold interest in the development Project to any person or entity.

Should the selected Developer(s) elect or desire to sell, lease or sub-lease a portion of the Site and/or of the development Project to a different person or entity, it shall fairly consider potential tenants and/or owners without regard to race, color, religion, sex, national origin, disability, age, handicap, marital status, or military service. Further, the selected Developer(s) must acknowledge and agree that, when and where applicable, it will comply with all of the County's requirements for small and disadvantage businesses. The selected Developer(s) must also ensure that the entity/entities create or participate in the creation of the 97 full-time, or part-time equivalent, permanent jobs for the Site, as required by federal regulations. The selected Developer(s), along with any other entity/entities on the Site must report information about the jobs annually to the County's Office of Community and Economic Development (OCED). The report must include: a) title of job; b) name of employees; c) home address of employees; d) salary of employees; and e) whether employees had jobs before the job on the Site or any other information as requested by OCED or the United States Department of Housing and Urban Development. The selected Developer(s), along with any other entity/entities on the Site must annually report the foregoing information to OCED for a minimum of five (5) consecutive years, commencing one year from the Notice to Proceed Date, regarding job creation on the Site, or if leased or sold separately then on each of the three (3) parcels. And after the creation of all 97 jobs, the selected Developer(s) must report the status of each of the position to OCED for a minimum of 2 years thereafter.

All Attachments referenced in this Section 2, are attached as part of Section 6 herein.

3.0 RESPONSE REQUIREMENTS

3.1 Submittal Requirements

In response to this Solicitation, Proposer should **return the entire completed Proposal Submission Package** (see attached). Proposers should carefully follow the format and instructions outlined therein. All documents and information must be fully completed and signed as required.

The Proposal shall be written in sufficient detail to permit the County to conduct a meaningful

evaluation of the proposed services. However, overly elaborate responses are not requested or desired.

4.0 EVALUATION PROCESS

4.1 Review of Proposals for Responsiveness

Each Proposal will be reviewed to determine if the Proposal is responsive to the submission requirements outlined in this Solicitation. A responsive proposal is one which follows the requirements of this Solicitation, includes all documentation, is submitted in the format outlined in this Solicitation, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in the proposal being deemed non-responsive.

4.2 Evaluation Criteria

Proposals will be evaluated by an Evaluation/Selection Committee which will evaluate and rank proposals on criteria listed below. The Evaluation/Selection Committee will be comprised of appropriate County personnel and members of the community, as deemed necessary, with the appropriate experience and/or knowledge, striving to ensure that the Evaluation/Selection Committee is balanced with regard to both ethnicity and gender. The criteria are itemized with their respective weights for a maximum total of one hundred (100) points per Evaluation/Selection Committee member.

<u>Criteria</u>	<u>Points</u>
1. Proposer's relevant experience, qualifications, and past performance	10
2. Relevant experience and qualifications of Proposer's key personnel, including key personnel of the Development Team that will be assigned to this Project	15
3. Proposer's financial capability including stability, capability to provide project equity, ability to secure financing for completion of the Project, and leverage Project financing (through completion) and efficacy of proposed financing plans	15
4. The proposed development Project's quality of design, layout, landscaping, and projected use, (including sustainability of the Project – implementation of "green" principles)	25
5. The workforce component of the development Project, including the number and type of full-time jobs, salaries, ability to utilize learned employment skills outside of the development Project. (Project must create 97 new permanent full time jobs at a minimum)	15
6. The benefits of the proposed development Project to the improvement and revitalization of the surrounding community	10
7. Financial considerations (purchase price/lease rental amount) proposed to the County	10

Proposals that include a competitive purchase price for the Site will be given preference.

4.3 Oral Presentations

Upon completion of the criteria evaluation indicated above, rating and ranking, the Evaluation/Selection Committee may choose to conduct an oral presentation with the Proposer(s) which the Evaluation/Selection Committee deems to warrant further consideration based on, among other considerations, scores in clusters and/or maintaining competition. (See **Form A-2** regarding registering speakers in the proposal for oral presentations.) Upon completion of the oral presentation(s), the Evaluation/Selection Committee will re-evaluate, re-rate and re-rank the proposals remaining in consideration based upon the written documents combined with the oral presentation.

4.4 Not Applicable

4.5 Financial Consideration

The financial proposal will be evaluated subjectively in combination with the technical proposal, including an evaluation of how well it matches Proposer's understanding of the County's needs described in this Solicitation, the Proposer's assumptions, and the value of the development. The pricing evaluation is used as part of the evaluation process to determine the highest ranked Proposer. The County reserves the right to negotiate the final terms, conditions and financials of the lease agreement or contract as may be in the best interest of the County.

4.6 Local Preference

The evaluation of competitive solicitations is subject to Section 2-8.5 of the Miami-Dade County Code, which, except where contrary to federal or state law, or any other funding source requirements, provides that preference be given to local businesses (see **Form A-4**). If, following the completion of final rankings by the Evaluation/Selection Committee, a non-local Proposer is the highest ranked responsive and responsible Proposer, and the ranking of a responsive and responsible local Proposer is within 5% of the ranking obtained by said non-local Proposer, then the Evaluation/Selection Committee will recommend that a contract be negotiated with said local Proposer.

4.7 Negotiations

The County may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the Proposer's best terms from a monetary and technical standpoint.

The Evaluation/Selection Committee will evaluate, score and rank proposals, and submit the results of their evaluation to the County Manager with their recommendation. The County Manager or designee will determine with which Proposer(s) the County shall negotiate, if any, taking into consideration the Local Preference Section above. In his sole discretion, the County Manager or designee may direct negotiations with the highest ranked Proposer, negotiations with multiple Proposers, or may request best and final offers.

Notwithstanding the foregoing, if the County and said Proposer(s) cannot reach agreement on a contract, the County reserves the right to terminate negotiations and may, at the County Manager's or designee's discretion, begin negotiations with the next highest ranked Proposer(s). This process may continue until a contract acceptable to the County has been executed or all proposals are rejected. No Proposer shall have any rights against the County arising from such negotiations or termination thereof.

Any Proposer recommended for negotiations shall complete a Collusion Affidavit, in accordance with Sections 2-8-1.1 and 10-33.1 of the Miami-Dade County Code as amended by Ordinance 08-113. (If a Proposer fails to submit the required Collusion Affidavit, said Proposer shall be ineligible for award.)

4.8 Contract Award

Any contract, resulting from this Solicitation, will be submitted to the County Manager or designee for approval. All Proposers will be notified in writing when the County Manager or designee makes an award recommendation. The Contract award, if any, shall be made to the Proposer whose proposal shall be deemed by the County to be in the best interest of the County. Notwithstanding the rights of protest listed below, the County's decision of whether to make the award and to which Proposer shall be final.

4.9 Rights of Protest

- A. A recommendation for contract award or rejection of all proposals may be protested by a Proposer in accordance with the procedures contained in Sections 2-8.3 and 2-8.4 of the County Code, as amended, and as established in Implementing Order No. 3-21.
- B. A written intent to protest shall be filed with the Clerk of the Board and mailed to all participants in the competitive process and to the County Attorney within three (3) County workdays of the filing of the County Manager's recommendation. This three day period begins on the County workday after the filing of the County Manager's recommendation. Such written intent to protest shall state the particular grounds on which it is based and shall be accompanied by a filing fee as detailed in Para C below.
- C. The written intent to protest shall be accompanied by a non-refundable filing fee, payable to the Clerk of the Board, in accordance with the schedule provided below:

<u>Award Amount</u>	<u>Filing Fee</u>
\$25,000-\$250,000	\$500
\$250,001-\$500,000	\$1,000
\$500,001-\$5 million	\$3,000
Over \$5 million	\$5,000

- D. For award recommendations greater than \$250,000, the County's recommendation to award or reject will be immediately communicated (via mail, fax or e-mail) to all participants in the competitive process and filed with the Clerk of the Board.
- E. For award recommendations from \$25,000 to \$250,000, each County workday, as appropriate, recommendations to award or reject will be posted in the lobby of the Stephen P. Clark Center, located at 111 NW 1st Street, Miami, FL. Participants may also view recommendations to award on-line at the DPM website or call the contact person as identified on the cover page of the Solicitation.

Any question, issue, objection or disagreement concerning, generated by, or arising from the published requirements, terms, conditions or processes contained or described in the solicitation document shall be deemed waived by the protester and shall be rejected as a basis for a protest unless it was brought by that Proposer to the attention, in writing, of the procurement agent, buyer, contracting officer or other contact person in the County department

that issued the solicitation document, at least two working days (not less than 48 hours) prior to the hour of the due date for proposal submission.

5.0 TERMS AND CONDITIONS

A. Vendor Registration

Prior to being recommended for award, the Proposer shall complete a Miami-Dade County Vendor Registration Package. Effective June 1, 2008, the new Vendor Registration Package, including a Uniform Affidavit Packet (Affidavit form), must be completed. The Vendor Registration Package, including all affidavits can be obtained by downloading from the DPM website at www.miamidade.gov or from the Vendor Assistance Unit at 111 N.W. 1st Street, 13th Floor, Miami, FL. The recommended Proposer shall affirm that all information submitted with its Vendor Registration Package is current, complete and accurate, at the time they submitted a response to the Solicitation, by completing an Affirmation of Vendor Affidavit form.

B. Insurance Requirements

The Contractor shall furnish to the County, Department of Procurement Management, prior to the commencement of any work under any agreement, Certificate(s) of Insurance which indicate insurance coverage has been obtained that meets the any requirements that shall be submitted to the selected Proposer.

C. Inspector General Reviews

According to Section 2-1076 of the Code of Miami-Dade County, as amended by Ordinance No. 99-63, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits on all County contracts, throughout the duration of said contracts, except as otherwise indicated. The cost of the audit, if applicable, shall be one quarter (1/4) of one (1) percent of the total contract amount and the cost shall be included in any proposed price. The audit cost will be deducted by the County from progress payments to the Contractor, if applicable.

6.0 ATTACHMENTS

Proposal Submission Package

Attachment A - Site Map

Attachment B - "As-built" Drawings for the Water Distribution System

Attachment C - Zoning Information for Site

Attachments D1 and D2 - Poinciana Demographic Information

Attachment E1, E2 and E3 - DERM Remediation Letters

Attachment F1, F2, F3, F4, F5 and F6 - Charrettes

PROPOSAL SUBMISSION PACKAGE

REQUEST FOR PROPOSALS (RFP) NO. 695

FOR

DEVELOPMENT OF POINCIANA INDUSTRIAL CENTER

In response to the Solicitation, Proposer shall RETURN THIS ENTIRE PACKAGE completed as follows:

1. Form A-1, Cover Page of Proposal

Complete and sign (by Proposer or representative of the Proposer who is legally authorized to enter into a contractual relationship in the name of the Proposer) as required.

2. Proposer Information

Complete the Proposer Information section following the requirements therein.

Note: The Proposer Information document is available in an electronic format (Word) by submitting a written request via e-mail to the County contact person for this Solicitation.

3. Affidavits/Acknowledgements

Complete and sign the following forms:

Form A-2, Lobbyist Registration for Oral Presentations

Form A-3, Acknowledgement of Addenda

Form A-4, Local Business Preference

Form A-5, Proposer's Disclosure of Subcontractors and Suppliers

Form A-6, Fair Subcontracting Policies

4. Proposal Submission

Submit in hardcopy format an original, complete Proposal Submission Package and ten (10) copies of the complete package **by the Proposal Due Date** (see front cover of Solicitation) in a sealed envelope/container addressed as follows:

Proposer's Name
Proposer's Address
Proposer's Telephone Number

Clerk of the Board
Stephen P. Clark Center
111 NW 1st Street, 17th Floor, Suite 202
Miami, FL 33128-1983

RFP No.:
RFP Title:
Proposal Due Date:

Proposer Information

Proposer's Experience and Past Performance

1. Describe the Proposer, all members of the Development Team and the association between the Proposer and all members of the Development Team including lead architect, construction contractor, marketing agent, financier, and other relevant partners.
2. Describe the Proposer's qualifications, past performance and experience in performing development projects, the types of development projects and state the number of years that the Proposer has been in existence, the current number of employees, and the primary markets served.
3. Provide a detailed description of development projects Proposer has performed that is similar in scope of the development project addressed in this solicitation) which the Proposer has either ongoing or completed within the past seven years. The description should identify for each project: (i) client, (ii) description of the development, (iii) total dollar value of the agreement, (iv) dates covering the term of the development and agreement, (v) client contact person and phone number, (vi) statement of whether Proposer was the prime contractor or subcontractor, (vii) the results of the development project. Where possible, list and describe those projects performed for government clients or similar size private entities (excluding any work performed for the County – covered in 4 below).
4. List all contracts which the Proposer has performed for Miami-Dade County. The County will review all contracts the Proposer has performed for the County in accordance with Section 2-8.1(g) of the Miami-Dade County Code, which requires that "a Bidder's or Proposer's past performance on County Contracts be considered in the selection of Consultants and Contractors for future County Contracts." As such the Proposer must list and describe all work performed for Miami-Dade County and include for each project: (i) name of the County Department which administers or administered the contract, (ii) description of work, (iii) total dollar value of the contract, (iv) dates covering the term of the contract, (v) County contact person and phone number, (vi) statement of whether Proposer was the prime contractor or subcontractor, and (vii) the results of the project.
5. Describe Proposer's experience dealing with complying with all State of Florida and Miami-Dade County codes, rules, laws, and regulations as it pertains to public works, planning and zoning, environmental issues, and other such related issue including FS 255.
6. Provide Proposer information that demonstrates their ability to develop, finance, build and manage the Project on their own and for the duration of any lease agreement (and any subsequent renewals thereof), or during its long term ownership of the Site.

Development Team Key Personnel and Subcontractors

7. State the Proposer's Development Team including a lead architect, contractor, marketing agent, financier, and other relevant partners and present all information concerning this Development Team. Provide company brochures for all Developmental Team Members. Describe also qualifications, past performance and experience of all Development Team members, especially on similar type projects.
8. Provide an organizational chart showing all members of the Proposer and the Developmental Team, including their titles, and roles to be assigned to this project. This chart must clearly identify the Proposer's employees and those of the Development Team members, including any partners, subcontractors or subconsultants and shall include the functions to be performed by the key personnel of each. All key

Proposer Information

personnel includes all partners, managers, seniors and other professional staff that will perform work and/or services in this project.

9. List the names and addresses of all Team Members, and describe the extent of work to be performed by each Member.
10. Describe the experience, qualifications and other vital information, including relevant experience on previous similar projects, of all key personnel for the Developmental Team, including those of any subcontractors, who may be assigned to this project.
11. Provide resumes, if available with job descriptions and other detailed qualification information on all key personnel who will be assigned to this project, including any key personnel of subcontractors.

Note: No member of the Development Team may be removed or replaced after submission of the Proposal without the prior expressed written permission of the County. Further, should the County determine, for any reason, that it is in the best interest of completing the Project to replace a member of the Development Team, then the County, in consultation with the Developer, shall replace that member of the Development Team. Should the County determine that one or more of the members of the Development Team are barred or otherwise prevented from participating as a vendor with the County, then the County shall, in its sole discretion decide to disqualify the individual member or members or the entire Development Team.

After proposal submission, but prior to the award of any agreement issued as a result of this Solicitation, the Proposer has a continuing obligation to advise the County of any changes, intended or otherwise, to the key personnel identified in its proposal.

Proposed Development

12. Clearly state if the Proposer is proposing for the Site, or a portion of the Site [if only a portion, specifically state what parcel(s)].
13. Clearly state if the Proposer proposes to purchase or lease the Site from the County. If Proposer proposes to lease the Site state the desired length of the lease term.
14. Clearly state what the Proposer proposes to develop (retail, commercial, office, industrial, manufacturing, or another active use(s) on the Site). Describe the feasibility, practicality, capability, and possibility of the proposed development.

Provide original ideas and designs, and a comprehensive plan or scheme for the entire Site, or that portion of the Site that the Proposer seeks to develop. The Proposal shall also incorporate all plans for landscaping, open space, roadways, streets, pathways and/or walkways.

Proposers shall include in its Proposal clear and comprehensive illustrations of what the buildings and improvements on the Site will look like upon completion of the development Project.

15. Describe how the proposed development addresses matters such as (a) job creation (b) the sustainability of those jobs and the development, and (c) the esthetic nature of the Project.
16. Prepare and submit a preliminary set of schematic site plans, floor plans, elevations, and cost estimates.
17. Describe how the proposed development addresses zoning.

As noted, the Proposer may, in its Proposal suggest that the Site be re-zoned and submit its Proposal

Proposer Information

based upon such potential re-zoning. Should the Proposer elect to base its Proposal upon the re-zoning of Site, it must be clearly indicated in the Proposal (in bold type) that the suggested Project is not in conformance with the current zoning, and why the Proposer reasonably believes that such a zoning change, zoning variance, and/or comprehensive development master plan amendment would be received favorably by the County, and the likelihood of it being readily approved. Further, the Proposer must understand that such proposed re-zoning must be seen as being reasonable to the County, taking into consideration the Site and the surrounding property and community, and further that will be a strong likelihood that such re-zoning would be granted if requested by the selected Developer. Further, should the Proposer/Developer elect to re-zone or attempt to re-zone the Site, it shall do so at its sole cost and expense.

18. Describe the development as it pertains to the current and any necessary infrastructure, specifically the construction of any new roads and any infrastructure, including but not limited to the placement of all utilities, on or about the Site.
19. Describe Proposer's concept for parking for all uses; include all necessary requirements pertaining to State and Miami-Dade County codes, laws, regulations, etc.
20. Describe how Proposer's development affects the local residents' neighborhood revitalization strategy considering the many Charrettes that have taken place over the years. Describe the Proposer's strategy for the design guidelines and how Proposer intends to deal with any issues concerning these design guidelines.
21. Describe Proposer's strategy to comply with County desires to incorporate "Green" efforts. Describe how the Proposer plans to incorporate high performance building concepts and technologies in order to enhance the overall design and construction, while simultaneously making the building(s) environmentally responsible. Describe how Proposer will incorporate resource conservation, energy efficiency, high indoor air quality, responsible construction practices, and improved esthetic conditions of the Site and the surrounding community, which is a County goal.
22. Describe the schedule and time frame (identify specific phase of the development and the duration of each) for development and how the Proposer anticipates timely commencement and completion of the development Project.
23. Describe the funding requirements of the entire development project, include breakdown of all costs associated with the development and operation of the Project.
24. Describe Proposer's approach to project organization and management, including the responsibilities of Proposer's management and staff personnel that will perform work in this project.
25. Describe other matters that may be relevant with respect to the development both from the County and the Proposer perspective.
26. Identify if Proposer has taken any exception to the terms of this Solicitation. If so, indicate what alternative is being offered and the cost implications of the exception(s). In addition, should the Proposer reasonably believe that there are important terms and/or conditions that the County should take into consideration regarding the proposed lease agreement, the Proposer shall make note of such important terms and conditions in the Proposal.

Proposer Information

27. Its most recent certified business financial statements as of a date not earlier than the end of the Proposer's preceding official tax accounting period, together with a statement in writing, signed by a duly authorized representative, stating that the present financial condition is materially the same as that shown on the balance sheet and income statement submitted, or with an explanation for a material change in the financial condition. A copy of the most recent business income tax return will be accepted if certified financial statements are unavailable.
28. Information concerning any prior or pending litigation, either civil or criminal, involving a governmental agency or which may affect the performance of the services to be rendered herein, in which the Proposer, any of its employees or subcontractors is or has been involved within the last three years.
29. Financial Considerations to the County:
- If the Proposer seeks to acquire the Site from the County, the Proposer shall state the amount it proposes to the County to purchase the Site. If the Proposer seeks to lease the Site from the County, the Proposer shall state both a proposed term (length of lease) and the propose rental rate.
- a) Acquire the Site from the County: Acquisition Price paid to County: \$ _____
- or
- b) Lease the Site from the County: Lease term: _____ years
- Monthly Lease Amount paid to County: \$ _____ *
- * Propose for the term of proposed lease period.

Proposers are responsible for assembling a Development Team that includes members with the requisite expertise in commercial development (including, but not limited to retail, office, industrial, and manufacturing), and for undertaking the design, construction, and on-going management of the development Project. The County may, in its sole and absolute discretion, select one, or more than one, Developer to develop the entire Site, based upon an evaluation of professional qualifications, feasibility of the Proposal(s), experience in development, quality of design and construction, and proposed rent for the leasehold interest in the Site, or the proposed payment for the acquisition of the fee simple interest in the Site.

The Proposer is limited only by its creativity, market forces, and the limitations mentioned in this RFP. Preference will be given to the proposed use(s) which best utilizes the Site, taking into account matters like zoning, sustainability, and the esthetic nature of the Project, coupled with job creation and the financial benefit(s) to the County.

Form A-1

PROPOSER'S NAME (Name of firm, entity or organization):**FEDERAL EMPLOYER IDENTIFICATION NUMBER:****NAME AND TITLE OF PROPOSER'S CONTACT PERSON:**

Name:

Title:

MAILING ADDRESS:

Street Address: _____

City, State, Zip: _____

TELEPHONE:

(____) _____

FAX:

(____) _____

E-MAIL ADDRESS:

PROPOSER'S ORGANIZATIONAL STRUCTURE:

____ Corporation ____ Partnership ____ Proprietorship ____ Joint Venture

____ Other (Explain): _____

IF CORPORATION,

Date Incorporated/Organized: _____

State Incorporated/Organized: _____

States registered in as foreign corporation: _____

PROPOSER'S SERVICE OR BUSINESS ACTIVITIES OTHER THAN WHAT THIS SOLICITATION REQUESTS FOR:**LIST NAMES OF PROPOSER'S SUBCONTRACTORS OR SUBCONSULTANTS FOR THIS PROJECT:****CRIMINAL CONVICTION DISCLOSURE:**

Pursuant to Miami-Dade County Ordinance No. 94-34, any individual who has been convicted of a felony during the past ten years and any corporation, partnership, joint venture or other legal entity having an officer, director, or executive who has been convicted of a felony during the past ten years shall disclose this information prior to entering into a contract with or receiving funding from the County.

☐ Place a checkmark here only if Proposer has such conviction to disclose to comply with this requirement.

PROPOSER'S AUTHORIZED SIGNATURE

The undersigned hereby certified that this proposal is submitted in response to this solicitation.

Signed By: _____ Date: _____

Print Name: _____ Title: _____

Form A-2
AFFIDAVIT OF MIAMI-DADE COUNTY
LOBBYIST REGISTRATION FOR ORAL PRESENTATION

(1) Project Title: _____ Project No.: _____
 (2) Department: _____
 (3) Proposer's Name: _____
 Address: _____ Zip: _____
 Business Telephone: (____) _____

(4) List All Members of the Presentation Team Who Will Be Participating in the Oral Presentation:

NAME	TITLE	EMPLOYED BY	TEL. NO.
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(ATTACH ADDITIONAL SHEET IF NECESSARY)

The individuals named above are Registered and the Registration Fee is not required for the Oral Presentation ONLY.

Any person who appears as a representative for an individual or firm for an oral presentation before a County certification, evaluation, selection, technical review or similar committee must be listed on an affidavit provided by the County. The affidavit shall be filed with the Clerk of the Board at the time the response is submitted. The individual or firm must submit a revised affidavit for additional team members added after submittal of the proposal with the Clerk of the Board at least two days prior to the oral presentation. Any person not listed on the affidavit or revised affidavit may not participate in the oral presentation.

Other than for the oral presentation, Proposers who wish to address the county commission, county board or county committee concerning any actions, decisions or recommendations of County personnel regarding this solicitation in accordance with Section 2-11.1(s) of the Code of Miami-Dade County MUST register with the Clerk of the Board and pay all applicable fees.

I do solemnly swear that all the foregoing facts are true and correct and I have read or am familiar with the provisions of Section 2-11.1(s) of the Code of Miami-Dade County as amended.

Signature of Authorized Representative: _____ Title: _____
 STATE OF _____
 COUNTY OF _____

The foregoing instrument was acknowledged before me this _____,
 by _____, a _____, who is personally known
 (Individual, Officer, Partner or Agent) (Sole Proprietor, Corporation or Partnership)
 to me or who has produced _____ as identification and who did/did not take an oath.

 (Signature of person taking acknowledgement)

 (Name of Acknowledger typed, printed or stamped)

 (Title or Rank)

 (Serial Number, if any)

Form A-3
ACKNOWLEDGEMENT OF ADDENDA

Instructions: Complete Part I or Part II, whichever is applicable.

PART I: Listed below are the dates of issue for each Addendum received in connection with this solicitation.

Addendum #1, Dated _____, 200__

Addendum #2, Dated _____, 200__

Addendum #3, Dated _____, 200__

Addendum #4, Dated _____, 200__

Addendum #5, Dated _____, 200__

Addendum #6, Dated _____, 200__

Addendum #7, Dated _____, 200__

Addendum #8, Dated _____, 200__

Addendum #9, Dated _____, 200__

PART II:

____ No Addendum was received in connection with this solicitation.

Authorized Signature: _____ Date: _____

Print Name: _____ Title: _____

Firm Name: _____

Form A-4

LOCAL BUSINESS PREFERENCE

The evaluation of competitive solicitations is subject to Section 2-8.5 of the Miami-Dade County Code, which, except where contrary to federal or state law, or any other funding source requirements, provides that preference be given to local businesses. A local business, for the purposes of receiving the aforementioned preference above, shall be defined as a Proposer which meets all of the following.

1. Proposer has a valid Local Business Tax Receipt (formerly know as an Occupational License), issued by Miami-Dade County at least one year prior to proposal submission, that is appropriate for the goods, services or construction to be purchased.

Proposer shall attach a copy of said Miami-Dade County Local Business Tax Receipt hereto. (Note: Current and past year receipts, or occupational licenses, as may be applicable, may need to be submitted as proof that it was issued at least one year prior to the proposal due date.)

2. Proposer has a physical business address located within the limits of Miami-Dade County from which the Proposer operates or performs business. (Post Office Boxes are not verifiable and shall not be used for the purpose of establishing said physical address.)

Proposer shall state its Miami-Dade County (or Broward County if applicable, see note below) physical business address _____

3. Proposer contributes to the economic development and well-being of Miami-Dade County in a verifiable and measurable way. This may include but not be limited to the retention and expansion of employment opportunities and the support and increase in the County's tax base. To satisfy this requirement, the Proposer shall affirm in writing its compliance with any of the following objective criteria as of the proposal submission date:

Check box, if applicable:

- ☐ a) Proposer has at least ten (10) permanent full time employees, or part time employees equivalent to 10 FTE ("full-time equivalent" employees working 40 hours per week) that live in Miami-Dade County, or at least 25% of its employees that live in Miami-Dade County.
- ☐ b) Proposer contributes to the County's tax base by paying either real property taxes or tangible personal property taxes to Miami-Dade County.
- ☐ c) Proposer contributes to the economic development and well-being of Miami-Dade County by some other verifiable and measurable contribution by _____

Proposer shall check the box if applicable and, if checking item "c", shall provide a written statement, above, defining how Proposer meets that criteria.

By signing below, Proposer affirms that it meets the above criteria to qualify for Local Preference and has submitted the requested documents.

Note: At this time, there is an interlocal agreement in effect between Miami-Dade and Broward Counties until September 30, 2009. Therefore, a Proposer which meets the requirements of (1), (2) and (3) above for Broward County shall be considered a local business for the purposes outlined herein.

Federal Employer Identification Number: _____

Firm Name: _____

Address: _____

City/State/Zip: _____

I hereby certify that to the best of my knowledge and belief all the foregoing facts are true and correct.

Signature of Authorized Representative: _____

Print Name: _____ Title: _____

Date: _____

STATE OF _____
COUNTY OF _____

SUBSCRIBED AND SWORN TO (or affirmed) before me on _____,
(Date)

by _____, He/She is personally known to me or has
(Affiant)

presented _____ as identification.
(Type of Identification)

(Signature of Notary)

(Serial Number)

(Print or Stamp Name of Notary)

(Expiration Date)

Notary Public _____
(State)

Notary Seal

FORM A-5
SUBCONTRACTOR/SUPPLIER LISTING
(Ordinance 97-104)

Name of Proposer _____

This form, or a comparable listing meeting the requirements of Ordinance No. 97-104, **MUST** be completed by all bidders and proposers on County contracts for purchase of supplies, materials or services, including professional services which involve expenditures of \$100,000 or more, and all bidders and proposers on County or Public Health Trust construction contracts which involve expenditures of \$100,000 or more. **This form, or a comparable listing meeting the requirements of Ordinance No. 97-104, must be completed and submitted even though the bidder or proposer will not utilize subcontractors or suppliers on the contract. The bidder or proposer should enter the word "NONE" under the appropriate heading in those instances where no subcontractors or suppliers will be used on the contract.** A bidder or proposer who is awarded the contract shall not change or substitute first tier subcontractors or direct suppliers or the portions of the contract work to be performed or materials to be supplied from those identified except upon written approval of the County.

Business Name and Address of First Tier Subcontractor/Subconsultant	Principal Owner	Scope of Work to be Performed by Subcontractor/Subconsultant	(Principal Owner)	
			Gender	Race
Business Name and Address of Direct Supplier	Principal Owner	Supplies/Materials/Services to be Provided by Supplier	(Principal Owner)	
			Gender	Race

I certify that the representations contained in this Subcontractor/Supplier Listing are to the best of my knowledge true and accurate.

Signature of Proposer's
Authorized Representative

Print Name

Print Title

Date

(Duplicate if additional space is needed)
Form A-5(new 5/7/99)

Form A-6

FAIR SUBCONTRACTING POLICIES
(Ordinance 97-35)

FAIR SUBCONTRACTING PRACTICES

In compliance with Miami-Dade County Ordinance 97-35, the Proposer submits the following detailed statement of its policies and procedures for awarding subcontracts:

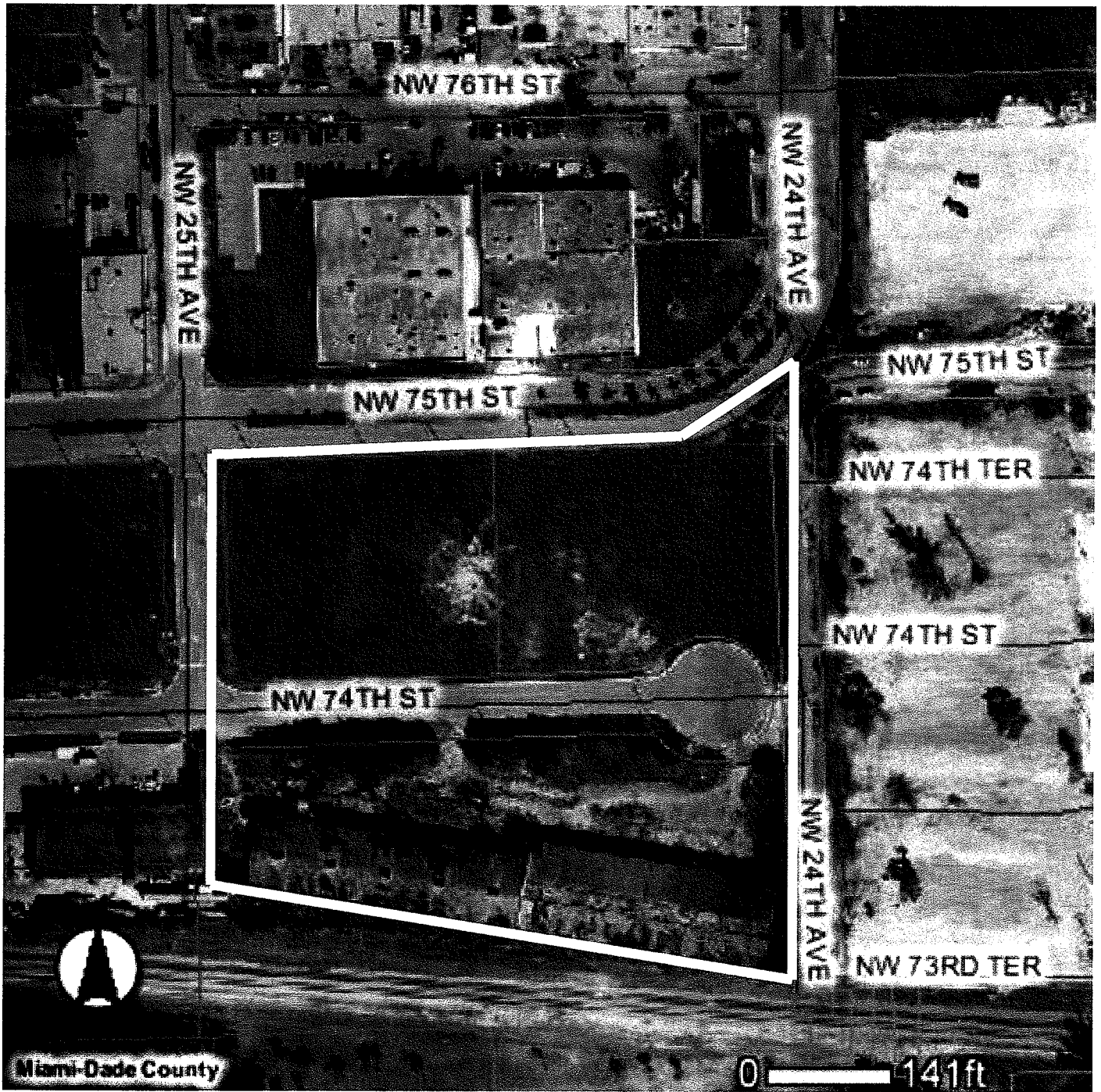
I hereby certify that the foregoing information is true, correct and complete.

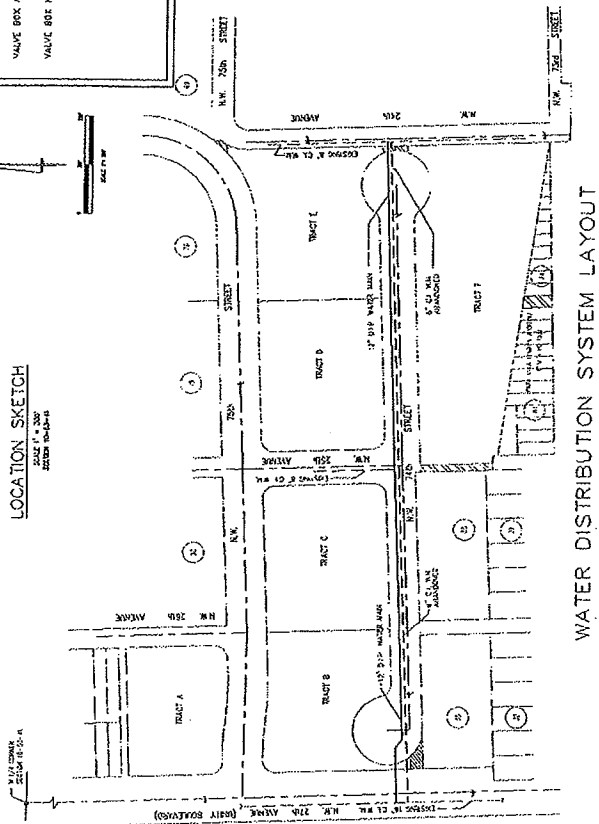
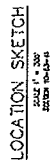
Signature of Authorized Representative: _____

Title: _____ Date: _____

Firm Name: _____

Attachment A
Site Map





WATER DISTRIBUTION SYSTEM LAYOUT

H-9
E-1281-3

SUNCOAST WATER PUMPING INDUSTRIAL PARK
SUNCOAST'S NOTES:
THE PLOUGH, STATE VALVE COORDINATES (CUTTEN REFINED FOR
PUMP AND GEAR) FOR THIS ASSET ARE AS FOLLOWS:

COORDINATE	VALVE IN FIELD
ABSOLUTE PUMPING INDUSTRIAL PARK	
INTERSECTION OF CENTRALES AND W. 75th ST. AND W. 25th AVE.	NORTHING (Y)=49284.0140 EASTING (X)=46934.0140
INTERSECTION OF CENTRALES AND W. 75th ST. AND W. 25th AVE.	NORTHING (Y)=49321.6580 EASTING (X)=46972.3520
INTERSECTION OF CENTRALES AND W. 75th ST. AND W. 25th AVE.	NORTHING (Y)=49371.1210 EASTING (X)=46992.1435
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INTERSECTION OF CENTRALES AND W. 75th ST. AND W. 25th AVE.	NORTHING (Y)=48802.3480 EASTING (X)=46822.3480
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INTERSECTION OF CENTRALES AND W. 75th ST. AND W. 25th AVE.	NORTHING (Y)=48468.0299 EASTING (X)=46511.2810
INTERSECTION OF CENTRALES AND W. 75th ST. AND W. 25th AVE.	NORTHING (Y)=48469.4456 EASTING (X)=46514.7887
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INTERSECTION OF CENTRALES AND W. 75th ST. AND W. 25th AVE.	NORTHING (Y)=48484.3425 EASTING (X)=46533.3425

WATER PLAN
ASBUILT DRAWING
DW# 2002-101

ABOVE: AGRICULTURE

Sheet

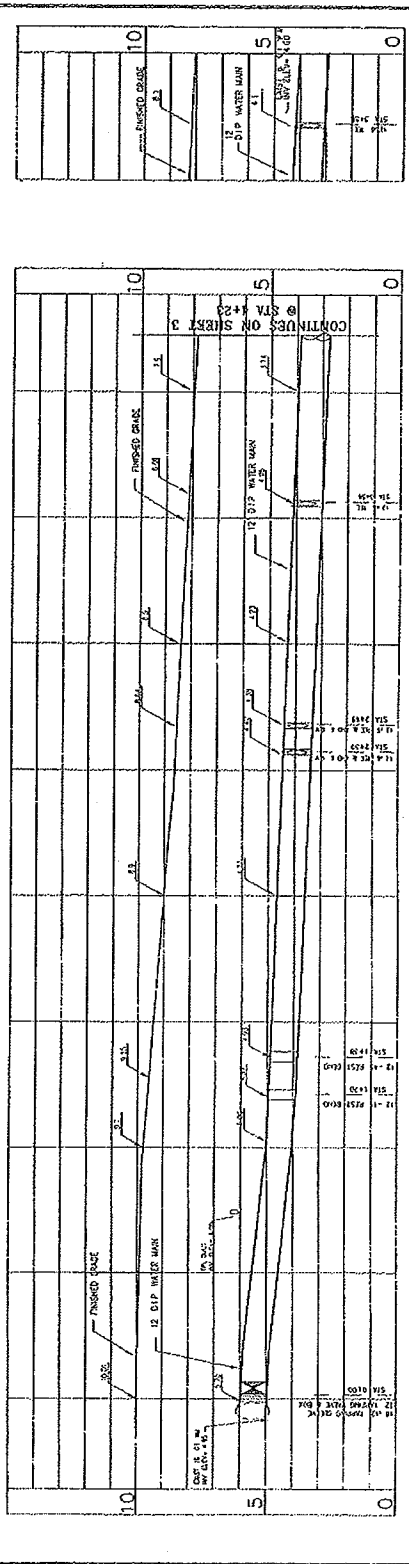
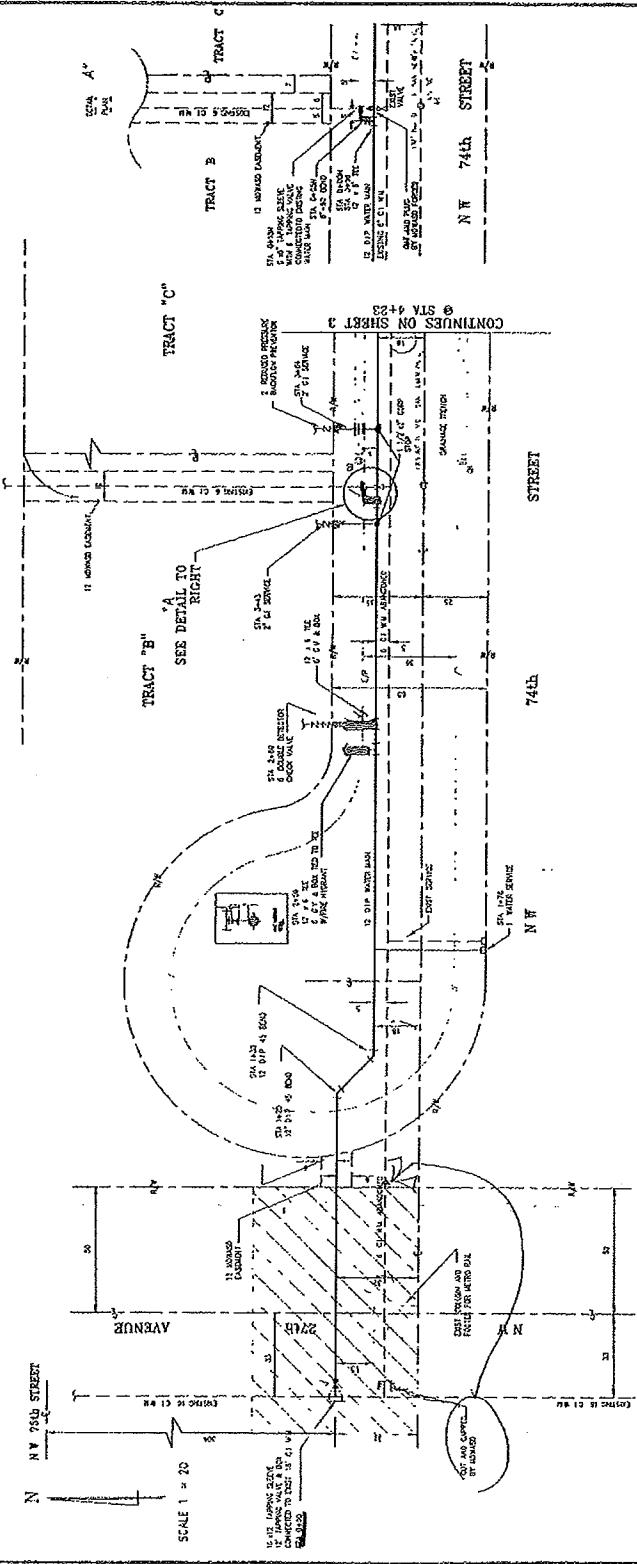
11-26-03

POINCIANA INDUSTRIAL CENTER PHASE V
WATER DISTRIBUTION SYSTEM PLAN/PROFILE
PREPARED FOR
METROPOLITAN DADE COUNTY, FLORIDA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
1401 N.W. 7th STREET MIAMI, FL

WATER PLAN
ASBUILT DRAWING
DW# 2002-101

ASBUILT DRAWING
DW# 2002-101
DATE: 08/25/02
BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

Sheet
W-2

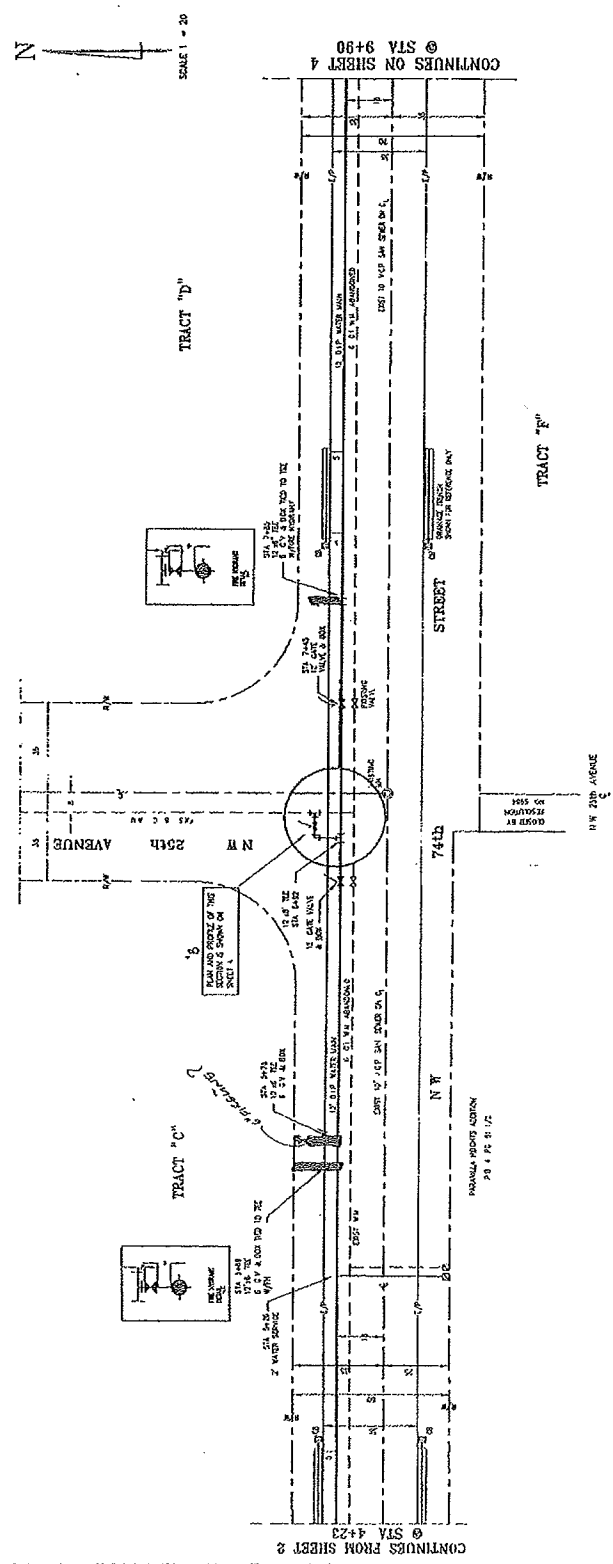
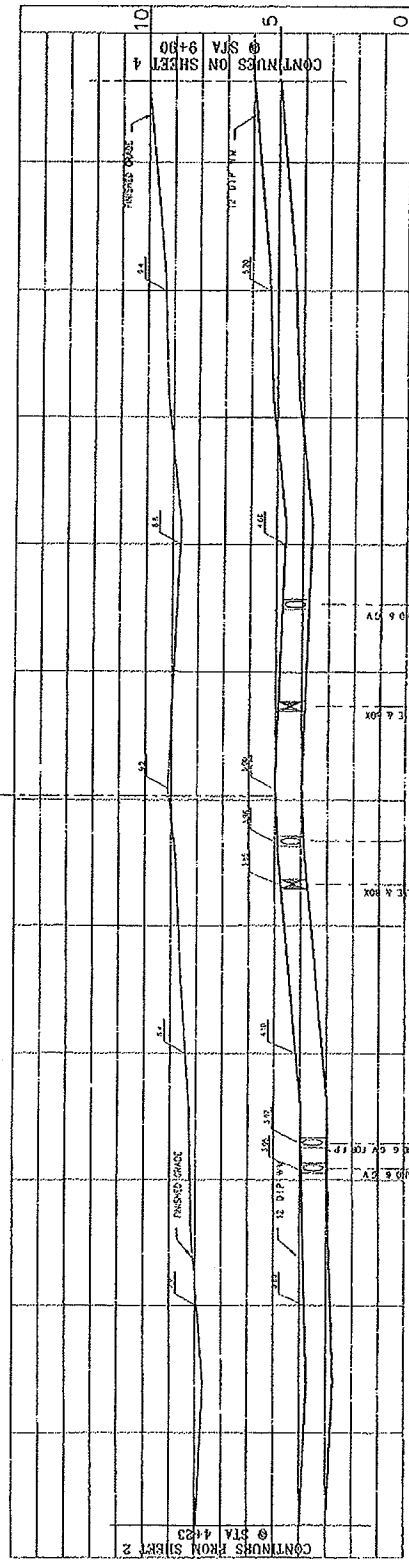


Sheet
W-3

WATER PLAN
ASBUILT DRAWING
DW# 2002-101

PONCAIA INDUSTRIAL CENTER PHASE V
WATER DISTRIBUTION SYSTEM PLAN/PROFILE
PREPARED FOR
METROPOLITAN DADE COUNTY FLORIDA
DEPARTMENT OF PUBLIC WORKS AND DEVELOPMENT
1401 N.W. 7th STREET MIAMI, FL

E-12187-3
PROFILES
H-9
1"=20' HORIZ
1"=2' VERT



SCALE 1"=20'

N

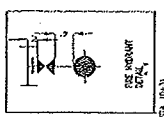
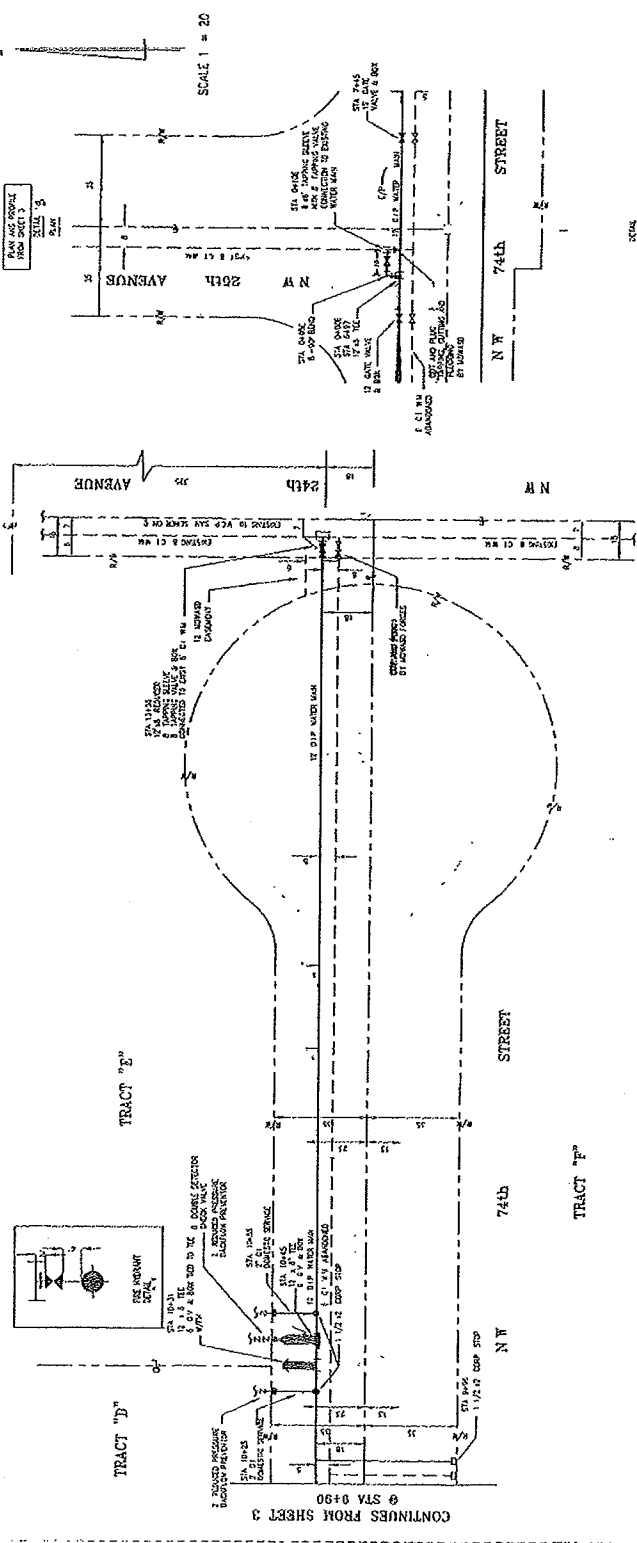
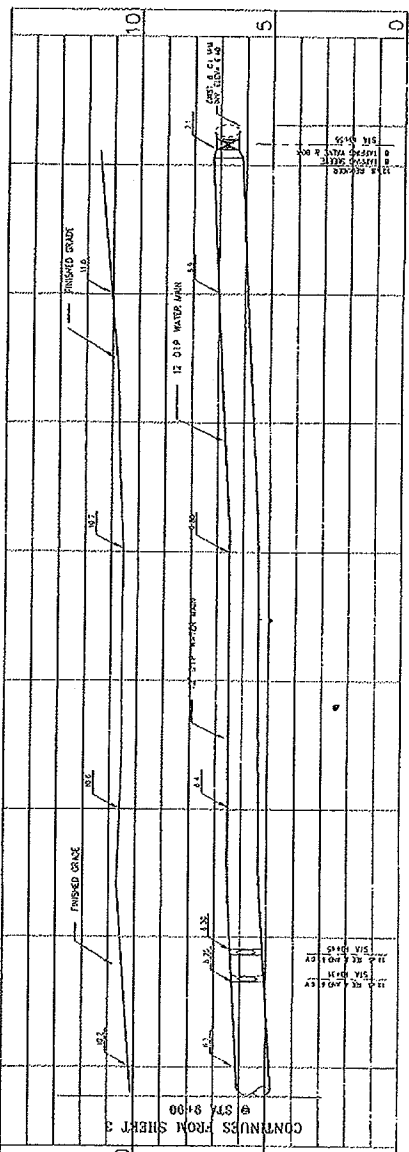
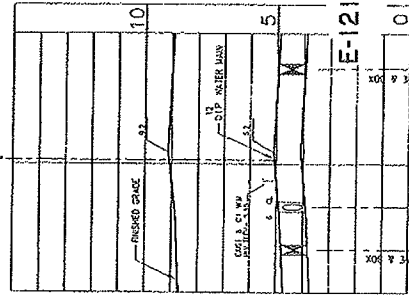
W-4

WATER PLAN
ASBUILT DRAWING
DW# 2002-101

POINCIANA INDUSTRIAL CENTER PHASE V
WATER DISTRIBUTION SYSTEM PLAN/PROFILE
PREPARED FOR
METROPOLITAN DADE COUNTY FLORIDA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
1101 N.W. 7th STREET MIAMI, FL

PROFILES
1" = 20' HORIZ
1" = 2' VERT

E-12187-4
H-9



TRACT "E"

TRACT "D"

TRACT "E"

CONTINUES FROM SHEET 3
@ STA 8+90

CONTINUES FROM SHEET 3
@ STA 8+00

Attachment C - Zoning Information for Site

ARTICLE XXIX. IU-1, INDUSTRIAL, LIGHT MANUFACTURING DISTRICT*

***Cross references:** Barbed wire fences in IU Districts, § 33-11(i); fence in lieu of wall in IU District, § 33-11(j).

Sec. 33-259. Uses permitted.

No land, body of water or structure shall be used or permitted to be used and no structure shall be erected, constructed, moved or reconstructed, structurally altered, or maintained, which is designed, arranged or intended to be used or occupied for any purpose, unless otherwise provided herein, in IU-1 District, excepting for one (1) or more of the following:

- (1) Residential uses as a watchman's or caretaker's quarters in connection with an existing industrial use located on the premises concerned.
- (2) Adult entertainment uses as defined in Section 33-259.1, subject to all the restrictions and spacing requirements contained in said Section 33-259.1.
- (3) Aircraft hangars and repair shops, aircraft assembling and manufacturing.*

***Note:** See note at end of schedule of uses contained in this section.

- (4) Animal hospitals within soundproof, air-conditioned buildings.
- (5) Armories, arsenals.
- (6) Auditoriums.
- (7) Auto painting, top and body work.*
 - (7.2) Automobile self-service gas stations shall be permitted only on major access roads, including major roadways (three or more lanes) and frontage roadways serving limited access expressways, and shall be subject to the conditions enumerated in Section 33-247(6) of this code.
 - (7.3) Automobile service stations shall be permitted only on major access roads, including major roadways (three or more lanes) and frontage roadways serving limited access expressways, and shall be subject to the conditions enumerated in Section 33-247(5) of this code.
- (8) Automobile and truck sales for new and/or used vehicles including as ancillary uses automobile and truck rentals, wholesale distribution and automobile repairs, provided that no more than fifteen (15) percent of the total gross building area is devoted to repair/service bays, subject to the following conditions:
 - (a) That a continuous, densely planted greenbelt of not less than fifteen (15) feet in width, penetrated only at points approved by the Directors of the Planning and Zoning and Public Works Departments for ingress and egress to the property, shall be provided along all property lines abutting public rights-of-way or

properties zoned residential. Said greenbelt shall have shade trees planted at a maximum spacing of thirty (30) feet on center and a hedge of a minimum of six (6) feet in height abutting residentially zoned property and a minimum of three (3) feet in height abutting public rights-of-way. The shade trees shall have a minimum caliper of two and one-half (2 1/2) inches at time of planting.

(b) A minimum of twenty (20) percent of the net lot area of the site shall be developed as landscaped open space.

(c) That such uses be located only on major access roads, including major roadways (three (3) or more lanes) and frontage roadways serving limited access highways and expressways.

(d) That such uses on sites of ten (10) acres or more shall be approved only after public hearing.

(e) That such uses be conducted on sites consisting of at least two (2) acres.

(f) That attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers and all fluttering, spinning advertising devices (either mobile or stationary) are prohibited, except as permitted under point of sale sign regulations, or as approved at public hearing.

(g) That outdoor loudspeakers are prohibited.

(h) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

(i) That no vehicular test drives shall be conducted on residential local traffic streets (fifty-foot right-of-way or less).

(9) Automotive repairs.*

(10) Automobile and truck rentals and wholesale distribution.

(11) Bakeries--wholesale only with incidental retail uses.

(12) Banks.

(13) Blacksmith, gas steam fitting shops.

(14) Boat or yacht repairing or overhauling, or boat building.*

(15) Boat slips used for the tying up of boats for the purpose of overhauling or repairing.

(16) Bottling plants.

(17) Brewery.

(18) Cabinet shops.*

(19) Canning factories.*

(20) Carpet cleaning.

(21) Caterers.

(22) Clubs, private.

(23) Cold storage warehouses and precooling plants.

(24) Commercial chicken hatcheries.*

(25) Concrete, clay or ceramic products, hand manufacture or involving only small mixer where all such manufacturing and equipment is within an approved building and

storage and drying areas are enclosed as provided in this chapter.

(26) Contractors' offices and yards.

(27) Day nursery, kindergarten, schools and after school care licensed by the State of Florida Department of Health and Rehabilitative Services and established in accordance with the requirements of Article XA provided, however, that schools may only be located on a site consisting of at least five (5) acres and adjacent to a major roadway (three (3) or more lanes).

(27.1) Dog kennels, as an exception to Section 33-260, subject to the following conditions:

(a) All outdoor exercise runs shall be set back fifty (50) feet from property lines and shall not be located closer than five hundred (500) feet from residentially zoned or residentially developed property. Where outside exercise runs are provided, a landscaped buffer or decorative masonry wall shall enclose the runs, and use of the runs shall be restricted to use during daylight hours.

(b) Where outside exercise runs are not provided, an outside area shall be designated for dogs (or cats) to relieve themselves, and that area shall be enclosed by a landscape buffer or masonry wall. Additionally such area shall be set back fifty (50) feet from property lines and shall not be located closer than five hundred (500) feet from residentially zoned or residentially developed property.

(c) All kennel buildings shall be soundproofed and air-conditioned.

(d) An administrative site plan review (ASPR) shall be required. The site plan shall show all fencing, berms, and soundproofing designed to mitigate the noise impact of the kennel on the surrounding properties.

(28) Dredging base or place where dredging supplies are kept and where dredges or boats or machinery are stored, repaired or rebuilt.*

(29) Dry cleaning and dyeing plants.

(29.1) Electric substation.

(30) Engine sales and service, gas, oil, steam, etc.

(31) Fertilizer storage.†

(32) Food products, including the grinding, cooking, roasting, preserving, drying, smoking or airing of meats, fish, fruits or vegetables (where more than five (5) persons are employed on premises).

(33) Fruit packing and fruit preserving.*

*Note: See note at end of schedule of uses contained in this section.

(34) Furniture manufacturing.*

(35) Furniture refinishing.

(36) Garages--storage mechanical, including trucks, buses, heavy equipment.

(37) Glass installations.

(38) Grinding shops.*

(39a) Hotel and motel use (freestanding); the use shall comply fully with all provisions,

pertaining to the use, of the RU-4A District.

(39b) Hotel and motel use (mixed use, i.e., connected with, and attached to a structure containing another use permitted in the industrial district); subject to the following conditions:

- (1) Minimum lot width and area: The minimum lot width shall be three hundred thirty (330) feet and the minimum lot area five (5) acres including right-of-way dedications made from the property.
- (2) Lot coverage: There shall be no restriction on lot coverage except as it might be controlled by other specific requirements.
- (3) Setbacks: The setbacks shall be as follows:
 - (a) Thirty-five (35) feet from all property lines to that portion of the structure not exceeding three (3) stories in height and not exceeding thirty-five (35) feet in height.
 - (b) A distance from all property lines to any portion of the tower structure above three (3) stories in height equal to seventy (70) percent of the overall height of the tower, the height being measured from the third-floor level (but not exceeding thirty-five (35) feet) to the top of the tower structure.
- (4) Height: There shall be no limitation as to height except those applicable under the airport zoning regulations.
- (5) Floor area ratio: No limitation.
- (6) Maximum number of units: The number of dwelling units shall not exceed a density of seventy-five (75) dwelling units per net acre, based on thirty-three and one-third (33 1/3) percent of the entire building site.
- (7) Parking: Parking shall be provided for the combined uses in a total number as may be required elsewhere in the Code for each of the uses on the property.
- (8) Open space: There shall be provided open landscaped space equal to a minimum of fifteen (15) percent of the lot area (entire site) in all the industrial districts except that in the IU-C District a minimum of twenty (20) percent shall be provided.
- (9) Accessory uses:
 - (a) Business or commercial establishments of the BU-1 type, bars and cabarets shall be permitted in motels and hotels provided they are located within the principal building, which contains at least one hundred (100) units, and provided the exterior of any such principal building shall not have storefronts or give the appearance of commercial or mercantile activity as viewed from the highway: in the event the use contains windows which may be seen from the street or highway, said windows shall be of fixed, obscure glass. Such business or commercial establishments and bars in this district shall be entered only through the lobby, and no additional entrances shall be permitted except when the same opens into a courtyard or patio (away from the street side) which is enclosed and which is not visible from the street, and except that a fire door or emergency exit shall be permitted.
 - (b) Hotels and motels with one hundred fifty (150) or more guest rooms may contain liquor package use on the premises for the accommodation and use of their guests only, provided the establishment housing such

use is entered only through the lobby within the building and does not have the appearance of commercial or mercantile activity as viewed from the highway. No advertisement of the use will be permitted which can be seen from the outside of the building.

(c) Hotels and motels with two hundred (200) or more guest rooms under one (1) roof may contain a night club on the premises, provided the exterior of any such building shall not have storefronts or give the appearance of commercial or mercantile activity as viewed from the highway. In the event the use contains windows which may be seen from the highway, said windows shall be of fixed obscure glass. Such night club shall be entered only through the lobby, and no additional entrance shall be permitted except when the same opens into a courtyard or patio (away from street side) which is enclosed and which is not visible from the street, and except that a fire door or exit shall be permitted.

(40) Ice manufacturing.*

***Note:** See note at end of schedule of uses contained in this section.

- (41) Insecticide, mixing, packaging and storage.*
- (42) Laboratories, material testing.
- (43) Leather goods manufacturing, excluding tanning.
- (44) Livery stables, for riding clubs, or a stable for sheltering horses, not closer than three hundred (300) feet to an RU or EU District.
- (45) Locksmiths.
- (46) Lumberyards.*
- (47) Machine shops.
- (48) Marine warehouses.
- (49) Mattress manufacturing and renovating.
- (50) Metalizing processes.
- (51) Milk or ice distributing station from which extensive truck or wagon deliveries are customarily made.
- (52) Millwork shops.*
- (53) Motion picture production studios.
- (54) Novelty works.*

***Note:** See note at end of schedule of uses contained in this section.

- (55) Office buildings.
- (56) Ornamental metal workshops.*
- (57) Oxygen storage and filling of cylinders.

- (58) Parking lots--commercial and noncommercial.
- (59) Passenger and freight--stations and terminals--boats, trucks, buses, and railroads.
- (60) Pharmaceutical storage, subject to compliance with the following conditions:
 - (a) That the applicant secure a license from the State of Florida Department of Health and Rehabilitative Services (HRS) for such pharmaceutical storage.
 - (b) That the pharmaceutical storage area shall be air conditioned to continuously control temperature and humidity as required by HRS for pharmaceutical products.
 - (c) That the premises be secured with a security system as required by HRS for the storage of pharmaceutical products.
 - (d) That a declaration of use be provided permitting a building and zoning enforcement officer to enter the premises to conduct inspection to assure compliance.
 - (e) That upon compliance with the conditions enumerated above, a certificate of use and occupancy is secured from the Department.
- (61) Police and fire stations.
- (62) Post offices, which shall include self-service post offices, stations and branches, and mail processing centers.
- (63) Power or steam laundries.*

*Note: See note at end of schedule of uses contained in this section.

- (64) Printing shops.
- (65) Radio and television transmitting stations and studios.
- (66) Religious facilities located inside the Urban Development Boundary. Religious facilities outside the Urban Development Boundary will be permitted only upon approval after public hearing.
- (67) Restaurants.
 - (67.1) Restaurants with an accessory cocktail lounge-bar use, subject to compliance with Article X, Alcoholic Beverages, of this code.
- (68) Salesrooms and storage show rooms--wholesale.
- (69) (a) Salesrooms and showrooms, subject to the prohibitions and limitations in Subsection (b), incorporated as a part of a permitted industrial use upon compliance with the following conditions:
 - (1) Any industrial use and its related retail sales/showroom uses in different units or bays within the same building must be under one (1) certificate of use and occupancy, and all areas under one (1) such certificate must be connected by communicating doors between units or bays.
 - (2) Only merchandise which is warehoused, stored, manufactured or assembled on the premises can be sold on a retail basis.

(3) The size of retail sales/showroom floor area must be less than fifty (50) percent of the total floor area of the subject premises under a single certificate of use and occupancy. Outside storage areas are to be excluded from consideration in determining the percentage of uses.

(4) A solid wall shall separate retail sales/showroom area from the balance of the industrial area which shall prevent public access to the industrial portion of the building. The industrial use area shall not be accessible to the general public.

(5) Required parking is to be calculated based upon the floor area assigned to the use classifications within the building in accordance with the provisions of Section 33-124.

(6) A declaration of use in a form meeting with the approval of the Director shall be submitted to the Department prior to the issuance of a certificate of use and occupancy specifying compliance with the foregoing conditions. Said declaration of use shall include a floor plan for the intended use as required by the Department.

(b) Subsection (a) above is intended to permit retail salesrooms and showrooms in recognition of the compatibility and reasonableness of incorporating certain retail uses into the other uses permitted in this district. To assure said compatibility and reasonableness, the retail uses hereinafter enumerated, and uses similar thereto, shall be subject to the following additional conditions: (1) the primary and permitted industrial use shall be the manufacture or assembly of the products being offered for sale; and (2) the retail sales area shall not exceed fifteen (15) percent of the total floor area of the subject premises under a single certificate of use and occupancy. The retail uses subject to the conditions of this subsection are:

- (1) Antique and secondhand goods shops.
- (2) Apparel stores.
- (3) Art and crafts supplies and finished products.
- (4) Art galleries.
- (5) Bait and tackle shop.
- (6) Bakeries.
- (7) Bicycle sales, rentals and repairs (nonmotorized).
- (8) Card shops.
- (9) Confectionery, ice cream stores and dairy stores.
- (10) Drugstores.
- (11) Florist shops.
- (12) Furniture stores less than ten thousand (10,000) square feet.
- (13) Gift stores.
- (14) Grocery stores, supermarkets, fruit stores, health food stores, meat and fish markets and other similar food stores.
- (15) Hardware stores less than ten thousand (10,000) square feet.
- (16) Jewelry stores.

- (17) Leather goods and luggage shops.
- (18) Liquor package stores.
- (19) Optical stores.
- (20) Paint and wallpaper stores less than ten thousand (10,000) square feet.
- (21) Photograph studio and photo supply.
- (22) Pottery shops.
- (23) Shoe stores and shoe repair shops.
- (24) Sporting good stores.
- (25) Tobacco shops.
- (26) Variety stores and junior and major department stores.
- (27) Retail uses determined by the Director to be similar to those enumerated above. In determining similarity between a proposed use and the uses enumerated above the Director shall be guided by the intent of this Subsection (62) and shall consider common characteristics including the nature of products offered for sale, the generation of pedestrian and vehicular traffic, and incompatibility with the primary uses permitted in this district.

(c) Failure to comply with any of the provisions of Subsection (a) or (b) shall be deemed a change in use from an industrial to retail business use for which a use variance shall be required.

(d) Any ancillary retail sales use pursuant to a lawful, valid, permanent certificate of use and occupancy issued by the Department prior to July 29, 1983, which use is in compliance with the Department's percentage of use and parking requirements on said effective date will be considered a legal, nonconforming use. Legal, nonconforming use status will also be granted to any ancillary retail sales use for which a certificate of use and occupancy has not been issued as of July 29, 1983, where the property owner or tenant:

- (1) Has obtained a building permit based on the submission of plans on which the intended retail sales area has been clearly represented by physical separation from the industrial use through placement of a solid wall, and adequate parking for the retail sales use and landscaping has been provided, and said permit remains valid in accordance with the provisions of the South Florida Building Code; or
- (2) Has submitted a declaration of use, parking plan and floor plan for an existing building which have been approved by the Department provided that a physical separation of the retail and industrial uses has been effected through placement of a solid wall and a temporary certificate of use and occupancy as provided in the South Florida Building Code has been obtained from the Department before July 29, 1983. Legal nonconforming use status will not be perfected if the temporary certificate of use and occupancy is not converted to a permanent certificate of use and occupancy before it expires.
- (3) Has a covenant, accepted and approved by Miami-Dade County on or before July 5, 1983, and recorded in the public records, providing assurances to Miami-Dade County to comply with the provisions of

Subsection (a) above and has materially changed his position in reliance thereon. The property owner or tenant shall be permitted sixty (60) days to obtain a building permit and an additional sixty (60) days to complete construction in compliance therewith.

(70) School--technical trade schools, such as, but not limited to aviation, electronic, mechanics; also physical training schools, such as, but not limited to gymnastics and karate. (All school uses shall be subject to compliance with off-street parking requirements and shall comply with sections 33-151.12.1 through 33-151.22 of this code.)

(71) Ship chandlers.

(72) Shipyards and dry docks.

(73) Sign painting shops.

(74) Steel fabrication.*

***Note:** See note at end of schedule of uses contained in this section.

(75) Storage warehouse for food, fodder, etc.

(76) Taxidermy. Use will be permitted only within a fully enclosed, air-conditioned building.*

(77) Telecommunications hubs:*

(1) At least eighty-five (85) percent of the gross floor area of a telecommunications hub building shall be designated for equipment or machinery; no more than fifteen (15) percent of the gross floor area shall be designated for employees and support personnel;

(2) A declaration of use in a form meeting with the approval of the Director and specifying compliance with the conditions set forth in subsection (1), above, shall be submitted to the Department prior to the issuance of a building permit. Said declaration of use shall include a floor plan and site plan for the intended use as required by the Department.

(78) Telephone exchanges.

(79) Telephone service unit yards.

(80) Textile, hosiery and weaving mills not closer than two hundred (200) feet to an RU or EU District.

(81) Upholstery shops.

(82) Utility work centers--power and telephone, etc.

(83) Vending machine sales and service.

(84) Veterinarians.

(85) Vulcanizing.*

(86) Warehouses for storage or products in the form sold in a BU District.

(87) Warehouse, membership, subject to the following minimum standards, unless otherwise approved by public hearing as a non-use variance:

- (a) The area of such occupancy shall contain no less than one hundred thousand (100,000) square feet of gross floor area;
 - (b) The subject use shall be located on a major or minor roadway as depicted on the adopted Land Use Plan map and shall be within one quarter (1/4) mile of that roadway's intersection with another major or minor roadway; and
 - (c) Site plan review criteria set forth in Section 33-261.1 shall be met.
 - (d) Subject to compliance with Article X (Alcoholic Beverages) of this Code, liquor package sales shall be permitted. Package sales areas shall be divided from the rest of the membership warehouse area by a solid floor-to-ceiling wall and shall have a separate exterior entrance.
- (88) Welding shops.*
 - (89) Welding supplies.
 - (90) Wood and coal yards.
 - (91) The operation of an equipment and appliance center for the testing, repairing, overhauling and reconditioning of any and all equipment, appliances, and machinery sold by the operator/occupant; provided such may be manufactured at the location of the operation and in connection therewith individual customers bringing equipment to the site for such repairing, overhauling or reconditioning, may purchase parts for such equipment, appliances, or machinery.

*NOTE: Provided no such establishment is located within five hundred (500) feet of any RU or EU District except after approval after public hearing. Provided that this spacing limitation shall be two hundred fifty (250) feet if the use is confined within a building and an exterior wall or walls of the building located on the establishment is not penetrated with any openings directly facing the RU or EU District. It is further provided that, except for exterior uses, such distances shall be measured from the closest point of the subject use in the building to the RU or EU District. In connection with exterior uses, the distance of five hundred (500) feet shall be measured from the closest point of the IU District to the RU or EU District. For purposes of establishing such distances, the applicant for such use shall furnish a certified survey from a registered surveyor, which shall indicate such distances. In case of dispute, the measurement scaled by the Director of the Department of Planning and Zoning shall govern.

(Ord. No. 57-19, § 23(A), 10-22-57; Ord. No. 67-84, § 1, 11-7-67; Ord. No. 69-51, § 1, 9-3-69; Ord. No. 70-8, §§ 1, 2, 2-11-70; Ord. No. 76-20, § 1, 2-3-76; Ord. No. 76-80, § 1, 9-21-76; Ord. No. 76-90, § 1, 10-5-76; Ord. No. 77-69, § 1, 9-20-77; Ord. No. 80-36, § 1, 5-6-80; Ord. No. 83-62, § 1, 7-19-83; Ord. No. 92-81, § 2, 7-21-92; Ord. No. 93-62, § 1, 6-15-93; Ord. No. 93-126, § 5, 11-16-93; Ord. No. 95-123, § 1, 7-11-95; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 96-103, § 1, 7-2-96; Ord. No. 96-129, § 1, 9-10-96; Ord. No. 97-197, § 1, 11-4-97; Ord. No. 98-125, § 21, 9-3-98; Ord. No. 00-74, § 1, 6-6-00; Ord. No. 01-41, § 1, 3-8-01; Ord. No. 01-99, § 2, 6-5-01; Ord. No. 01-227, § 2, 12-20-01; Ord. No. 02-46, § 6, 4-9-02; Ord. No. 02-23, § 3, 2-12-02; Ord. No. 02-103, § 2, 6-18-02; Ord. No. 02-176, § 3, 10-8-02; Ord. No. 03-79, § 1, 4-8-03; Ord. No. 03-116, § 1, 5-6-03; Ord. No. 06-85, § 1, 6-6-06; Ord. No. 08-11, § 4, 1-22-08)

Cross references: Circuses and carnivals permitted in IU Districts without public hearing, § 33-13(f).

Sec. 33-259.1. Additional uses permitted.

- (a) In the development and enforcement of this section it is recognized that there are uses which because of their very nature are recognized as having serious objectionable characteristics, particularly when several of them are concentrated in any given location, thereby having a deleterious effect upon the adjacent business and residential areas. It is desirable, therefore, to locate these adult oriented activities away from residential areas and

public facilities that are used frequently by minors such as schools, churches, parks, libraries, day care centers or nurseries.

(b) For the purpose of this section the following definitions for terms used herein shall apply:

(1) *Adult bookstore*. Any business engaged in displaying, distributing, bartering, renting or selling printed matter, pictures, films, graphic or other materials which activity requires the exclusion of minors pursuant to Chapter 847, Florida Statutes, unless such activity comprises no more than fifteen (15) percent of the total floor area and is kept from clear view of minors.

(2) *Adult theater*. Any business engaged in presenting films, theatrical productions, performances, recitals, displays, printed matter or other entertainment which activity requires the exclusion of minors pursuant to Chapter 847, Florida Statutes.

(3) *Adult entertainment club*. Any business which features live entertainment requiring the exclusion of minors pursuant to Chapter 847, Florida Statutes.

(4) *Adult video store*. Any business engaged in displaying, renting or selling videotapes which activity requires the exclusion of minors pursuant to Chapter 847, Florida Statutes, unless such activity comprises no more than fifteen (15) percent of the total floor area and is kept from clear view of minors.

(5) *Massage establishment*.

a. Any shop, parlor, establishment or place of business wherein all or any one (1) or more of the following named subjects and methods of treatments are administered or practiced: Body massage either by hand or by any mechanical or electrical apparatus or device (excluding fever therapy), applying such movements as stroking, friction, rolling, vibration, kneading, cupping, petrissage, rubbing, effleurage or tapotement.

b. Nothing in this section shall be construed as applying to State of Florida licensed massage therapists, barbers, cosmetologists, manicurists, pedicurists, physical therapists' assistants, midwives, practical nurses, agents, servants or employees in licensed hospitals or nursing home or other licensed medical institutions, licensed physicians, osteopaths, chiropractors, podiatrists, naturopathic physicians or other licensed medical practitioners, or their agents, servants, or employees acting in the course of such agency, service or employment under the supervision of the licensee.

c. Provided, however, that, for the purpose of this section, the term "massage establishment" shall not include any massage establishment wherein at least one (1) State of Florida licensed massage therapist is employed and on duty full time during the hours open for business.

(6) *Adult modelling establishments*. Any establishment offering nude or partially nude modelling sessions or lingerie, swimwear or photography modelling sessions between two (2) or more persons requiring the exclusion of minor pursuant to Chapter 847, Florida Statutes.

(7) *Encounter studio*. All establishments offering nude or partially nude encounter sessions between two (2) or more persons, nude or partially nude dance encounter sessions between two (2) or more persons, and sexual consultation requiring the exclusion of minors pursuant to Chapter 847, Florida Statutes.

(c) The following additional uses shall be permitted in the IU-1 zone:

(1) Adult bookstore;

(2) Adult theater;

- (3) Adult entertainment club;
- (4) Adult video store;
- (5) Massage establishment;
- (6) Adult modelling establishment;
- (7) Encounter studio.

(d) Unless approved as a special exception, none of the uses set forth in Subsection 33.259.1(c) shall be permitted (i) within one thousand (1,000) feet of a private school as defined in Section 33-151.11, public school, church, public park, public library, day care center or nursery for children; (ii) within one thousand two hundred (1,200) feet of any of the uses described in Subsection 33.259.1(c); and (iii) within seven hundred fifty (750) feet of any residential zoning (with the exception of AU) district located within either the unincorporated areas of Miami-Dade County or within a municipality; provided, however, that the spacing requirements above shall not apply where the adult entertainment use is separated from the uses set forth at Subsection 33.259.1(d)(i) and Subsection 33.259.1(d)(iii) above by a county or state road of not less than six (6) lanes, or an expressway. All other distance and spacing requirements pursuant to the Code shall apply, as well as those spacing requirements imposed by State Statute, if such State spacing requirements are more restrictive than the regulations contained herein. Any application seeking a variance from State imposed spacing requirements shall be heard directly by the Board of County Commissioners pursuant to Section 33-314(C)(8).

(e) The distance and spacing requirements set forth in Subsection (d) shall be measured as follows:

- (1) From a church, the distance shall be measured by following a straight line from the nearest point of the proposed place of business, whether it is the structure itself or the parking lot used by the patrons of the proposed place of business, to the nearest point on the church property.
- (2) From a private or public school, the distance shall be measured by following a straight line from the nearest point of the proposed place of business, whether it is the structure itself or the parking lot used by the patrons of the proposed place of business, to the nearest point on the school grounds.
- (3) From another Subsection 33.259.1(b) use, the distance shall be measured by following a straight line from the front door of the proposed place of business to the nearest point of the existing Subsection 33.259.1(b) use.
- (4) From residential zoning districts, the distance shall be measured by following a straight line from the nearest point of the proposed place of business, whether it is the structure itself or the parking lot used by the patrons of the proposed place of business, to the nearest boundary of the residential zoning district.
- (5) From a public park, the distance shall be measured by following a straight line from the nearest point of the proposed place of business, whether it is the structure itself or the parking lot used by the patrons of the proposed place of business, to the nearest point on park grounds.
- (6) From a public library, the distance shall be measured by following a straight line from the nearest point of the proposed place of business, whether it is the structure itself or the parking lot used by the patrons of the proposed place of business, to the nearest point of the library property.
- (7) From day care centers or nurseries for children, the distance shall be measured by following a straight line from the nearest point of the proposed place of business, whether it is the structure itself or the parking lot used by the patrons of the proposed

place of business, to the nearest point on the property of the day care center or the nursery.

(f) For the purposes of establishing the distance between the uses set forth in Subsection 33.259.1(b), and between such uses and private schools as defined in Section 33-151.11, public schools, churches, public parks, public libraries, day care centers or nurseries for children, or residential zoning districts, the applicant for such use shall furnish a certified survey from a registered surveyor. Such sketch shall indicate the distance between the proposed place of business, and any existing Subsection 33.259.1(b) use, any church, public school, private school, public park, public library, day care center or nursery for children or residential zoning district. Each sketch shall indicate all such distances and routes. In case of dispute, the measurement, scaled by the Director of the Department of Planning and Zoning shall govern.

(g) *Exemptions to spacing requirements.* This section shall not apply to accredited universities, accredited colleges or other accredited educational institutions, museums, art exhibits, arts and cultural performance theaters and playhouses or commercial professional photography and portrait studios which may use nude subjects for their photographs or portraits.

(h) *Legally existing nonconforming uses.* The following uses shall be deemed legally existing, whether or not such uses comply with the regulations enacted by this section, provided however, that nothing contained herein shall exempt such uses from complying with Section 33-35 of the Code Miami-Dade County.

(1) Any adult entertainment use for which a building permit has been issued to establish such use prior to January 1, 2002, provided the work authorized by the building permit is completed and a Certificate of Use and Occupancy ("CO") is issued within the time prescribed by applicable regulations; or

(2) Any adult entertainment use for which a CO has been issued prior to January 1, 2002, provided such CO is valid (not expired or revoked) as of January 1, 2002.

(Ord. No. 02-23, § 2, 2-12-02)

Sec. 33-260. Uses confined to building.

At all manufacturing establishments or rebuilding, storage or repair places permitted in an IU-1 District, all materials and products shall be stored and all manufacturing, rebuilding, storing or renovating operations shall be carried on entirely within an enclosed building or confined and completely enclosed within masonry walls not less than six (6) feet in height; provided the water frontage of shipyards, dry docks, boat slips, and like uses may be open.

(Ord. No. 57-19, § 23(B), 10-22-57; Ord. No. 64-19, § 5, 5-5-64; Ord. No. 68-3, § 1, 2-6-68; Ord. No. 69-51, § 1, 9-3-69)

Sec. 33-261. Minimum landscaped open space, greenbelts, trees, and maintenance.

(a) *Landscaped open space.* A minimum of ten (10) percent of the net lot area of the site shall be developed as landscaped open space; provided, however, that an industrial-zoned site that abuts residentially zoned or developed property shall provide fifteen (15) percent of the net lot area as landscaped open space. It is further provided, however, that if the industrial-zoned site abuts property which is depicted as "Industrial & Office" on the Land Use Plan map of the Comprehensive Development Master Plan, is zoned GU and no building permit has been issued for a residence at the time of the approval of the building permit for the industrial use, the landscape open space requirement shall be ten (10) percent of the net lot area. Said landscaped open space may include entrance features, greenbelts, unpaved passive and active

recreation areas, and other similar landscaped open space at ground level. Open space areas may also include tree preservation zones of "natural forest communities" as defined in Section 26B-1, Code of Miami-Dade County. Tree preservation zones shall be delineated on all plans submitted to Miami-Dade County for site plan review under Section 33-261.1 of the Code of Miami-Dade County, for the purposes of determining overall preservation area and percent of overall landscaped area. The requirements contained herein do not replace or substitute for any requirements contained within Chapter 18A, Code of Miami-Dade County.

Water bodies may be used as part of the required landscaped open space but such water areas shall not be credited for more than twenty (20) percent of the required open space. The specific areas within enclosed or unenclosed malls which are landscaped with grass, trees and/or shrubbery, water areas therein and areas therein with permanent art display may be used as part of the required landscaped open space, but such areas shall not be credited for more than ten (10) percent of the required landscaped open space. For approved structures exceeding four (4) stories in height, additional landscaped open space shall be provided equivalent to twenty-five (25) percent of the gross floor area of each floor above four (4) stories.

(b) *Greenbelts.* Continuous, extensively planted greenbelts, penetrated only at approved points for ingress or egress to the property, shall be provided along all property lines abutting public rights-of-way or properties zoned residential, in accordance with the following minimum standards:

TABLE INSET:

Size of Net Lot Area	Width of Greenbelts
Up to 3 acres	8 feet
More than 3 acres	10 feet

It is provided, however, that this greenbelt requirement shall not apply along property lines abutting property which is depicted as "Industrial & Office" on the Land Use Plan map of the Comprehensive Development Master Plan, is zoned GU and no building permit has been issued for a residence at the time of the approval of the building permit for the industrial use.

(c) Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.

(d) *Maintenance.* All landscaped areas shall be continuously maintained in a good, healthy condition, and sprinkler systems of sufficient size and spacing shall be installed to serve all required landscaped areas except within tree preservation zones of "natural forest communities," as defined in Section 26B-1, Code of Miami-Dade County. Tree preservation zones shall also be maintained in a healthy natural condition free from trash, debris and disturbance of understory vegetation.

(Ord. No. 79-97, § 1, 11-20-79; Ord. No. 85-87, § 4, 10-1-85; Ord. No. 95-223, § 1, 12-5-95; Ord. No. 03-76, § 1, 4-8-03)

Sec. 33-261.1. Site plan review.

(A) *[Responsibility; purpose; procedures generally.]* The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and encourage the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon request made in writing to the Department. Denials shall be in writing and shall specifically set forth the

grounds for denial. Receipt of applicant's plans for fifteen (15) days without formal written denial shall constitute approval. If the plan is disapproved, the applicant may appeal to the appropriate Community Zoning Appeals Board. Appeals by the applicant shall be filed within thirty (30) days of the date the project was denied.

(B) *Required exhibits.* The following exhibits shall be prepared by design professionals such as architects and landscape architects and submitted to the Department of Planning and Zoning:

(1) Dimensioned site plan(s) indicating, as a minimum, the following information:

- (a) Existing zoning on the site and on adjacent properties.
- (b) The basic use, height, bulk and location of all buildings and other structures with setbacks.
- (c) Vehicular and pedestrian circulation systems, including connection(s) to existing or proposed roadway and sidewalk system and the layout of parking, service and loading areas.
- (d) Graphics and/or notations indicating the site planning or structure design methods used to minimize the impact of those industrial activities that could have a negative impact on existing or proposed adjacent land uses.
- (e) Sketches of design elements to be used for buffering surrounding uses.

(2) Elevation of the proposed buildings and other major design elements.

(3) Landscape plans: Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.

(4) Figures indicating the following:

- (a) Proposed uses.
- (b) Gross floor area:..... square feet
- (c) Gross floor area above four (4) floors:..... square feet

(d) Land area:

Gross:

..... square feet

..... acres

Net:

..... square feet

..... acres

(e) Landscaped open space:

Required:

..... square feet

..... % of net land area

Provided:

..... square feet

..... % of net land area

(f) Trees:

Required:

Provided

(g) Off-street parking spaces:

Required:

Provided:

(C) *Criteria.* The following shall be considered in the plan review process:

(1) *Planning studies:* Planning studies approved by the Board of County Commissioners that include development patterns or environmental and other design criteria shall be considered in the plan review process.

(2) *Landscape:* Landscape shall be preserved in its natural state insofar as is practicable by minimizing removal of existing vegetation. Landscape shall be used to shade and cool, enhance architectural features, relate structure design to the site, visually screen noncompatible uses and ameliorate the impact of noise.

(3) *Compatibility:* The architectural design and scale of the proposed structures shall be compatible with surrounding existing or proposed uses or shall be made compatible by the use of screening elements. Screening elements can include such devices as trees and shrubs, walls and fencing, berming or any combination of these elements. Visual buffering shall be provided between parking and service areas and adjacent nonindustrial uses.

(4) *Emergency access:* Unobstructed on-site access for emergency equipment shall be considered.

(5) *Circulation:* Internal vehicular and pedestrian circulation systems shall be designed to function with existing and/or approved systems outside the development. Vehicular traffic generated from the industrial activity should be routed in such a manner as to minimize impact on residential development.

(6) *Energy conservation:* Applicants are advised to consider requirements of Chapter 52 of the South Florida Building Code.

(7) *Visual screening for decorative walls:* In an effort to prevent graffiti vandalism, the following options shall be utilized for walls abutting zoned or dedicated rights-of-way:

(a) *Wall with landscaping.* The wall shall be setback two and one-half (2 1/2) feet from the right-of-way line and the resulting setback area shall contain a continuous extensively landscaped buffer which must be maintained in a good healthy condition by the property owner, or where applicable, by the condominium, homeowners or similar association. The landscape buffer shall contain one (1) or more of the following planting materials:

(1) *Shrubs.* Shrubs shall be a minimum of three (3) feet in height when measured immediately after planting and shall be planted and maintained to form a continuous, unbroken, solid, visual screen within one (1) year after time of planting.

(2) *Hedges.* Hedges shall be a minimum of three (3) feet in height when measured immediately after planting and shall be planted and maintained to form a continuous, unbroken, solid, visual screen within one (1) year after time of planting.

(3) *Vines.* Climbing vines shall be a minimum of thirty-six (36) inches in height immediately after planting.

(b) *Metal picket fence.* Where a metal picket fence abutting a zoned or dedicated right-of-way is constructed in lieu of a decorative wall, landscaping shall not be required.

Sec. 33-261.2. Reserved.

Editor's note: Section 33-261.2, pertaining to expansion of existing commercial structures, has been deleted as obsolete: The section was derived from Ord. No. 79-97, § 1, adopted Nov. 20, 1979.

Sec. 33-261.3. Validity of site plans.

Where a site plan has been or is submitted to the Department for review and approval, and the same has been or is approved, and no construction has yet commenced, the site plan shall be valid for a period of twelve (12) months, within which time the applicant must file complete plans for building permit.

(Ord. No. 79-97, § 1, 11-20-79; Ord. No. 95-215, § 1, 12-5-95)

ARTICLE XXX. IU-2 INDUSTRIAL, HEAVY MANUFACTURING DISTRICT*

***Cross references:** Barbed-wire fences in IU Districts, § 33-11(f); height of fences, walls and hedges in IU Districts, § 33-11(i); fence in lieu of wall in IU Districts, § 33-11(j); metal buildings in IU-2 Districts, § 33-32.

Sec. 33-262. Uses permitted.

No land, body of water or structure shall be used or permitted to be used and no structure shall be hereafter constructed, reconstructed or structurally altered, maintained or moved in any IU-2 District, which is designed, arranged or intended to be used for any purpose, unless otherwise provided herein, except for one (1) of the following uses:

- (1) Every use permitted in IU-1 District, except adult entertainment uses as defined in Section 33-259.1, and private schools and nonpublic educational facilities as defined in Section 33-151.11 are prohibited in the IU-2 District.
- (2) Asphalt drum mixing plants which produce less than one hundred fifty (150) tons per hour in self-contained drum mixers.
- (3) Rock and sand yards.
- (4) Cement and clay products, such as concrete blocks, pipe, etc.
- (5) Soap manufacturing, vegetable byproducts, only.
- (6) Railroad shops.
- (7) Sawmills.
- (8) Petroleum products storage tank not exceeding 30,000-gallon capacity or a group of such tanks with an aggregate capacity not in excess of thirty thousand (30,000) gallons.
- (9) Petroleum products storage tank with a capacity of over thirty thousand (30,000) gallons or a group of such tanks with an aggregate capacity in excess of thirty thousand (30,000) gallons if approved after public hearing or if placed below the surface of the ground or in a rockpit.
- (10) Dynamite storage.
- (11) Construction debris materials recovery transfer facility, provided such use shall be conducted entirely within an enclosed building consisting of a minimum of 15,000 square feet. Counted toward this minimum floor area shall be areas set aside for office shop space and equipment storage associated with the construction debris materials recovery transfer facility.

(Ord. No. 57-19, § 24(A), 10-22-57; Ord. No. 68-37, § 1, 6-4-68; Ord. No. 69-51, § 2, 9-3-69; Ord. No. 92-98, § 1, 9-15-92; Ord. No. 01-227, § 3, 12-20-01; Ord. No. 02-23, § 4, 2-12-02; Ord. No. 02-103, § 3, 6-18-02; Ord. No. 04-56, § 2, 3-16-04)

Cross references: Storage, use, sale, possession of explosives, Ch. 13; circuses and carnivals permitted in IU Districts without public hearing, § 33-13(f).

Sec. 33-263. Location of industrial use; use confined to building; location of petroleum tanks; residential uses limited.

(a) No establishment or industrial use permitted in this district, however, shall be located within five hundred (500) feet of any RU, EU, or BU-1 District, except after a public hearing. Provided that the spacing limitation shall be two hundred fifty (250) feet if the use is confined within a building and an exterior wall or walls of the building located on the establishment is not penetrated with any openings directly facing the RU, EU or BU-1 District. It is further provided that, except for exterior uses, such distances shall be measured from the closest point of the subject use in the building to the RU or EU or BU-1 District. In connection with exterior uses, the distance of five hundred (500) feet shall be measured from the closest point of the IU District to the RU or EU or BU-1 District. For purposes of establishing such distances, the applicant for such use shall furnish a certified survey from a registered surveyor, which shall indicate such distances. In case of dispute, the measurement scaled by the Director of the Department of Planning and Zoning shall govern.

(b) At all manufacturing establishments or rebuilding, processing, packaging, storage or repair places permitted in an IU-2 District, all materials and products shall be stored and all manufacturing, rebuilding, processing, packaging, storing or renovating operations shall be carried on entirely within an enclosed building or confined and completely enclosed within masonry walls not less than six (6) feet in height, excepting only shipyards, dry docks, boat slips, and the like, where necessary frontage on the water may be open.

(c) In no case shall petroleum storage tanks be located closer than three hundred (300) feet to a residential building.

(d) No residential uses will be permitted, except a watchman's or caretaker's quarters used in connection with industrial use on the premises concerned.

(Ord. No. 57-19, § 24(B), (C), 10-22-57; Ord. No. 68-3, § 2, 2-6-68; Ord. No. 69-51, § 2, 9-3-69; Ord. No. 96-129, § 1, 9-10-96; Ord. No. 00-74, § 1, 6-6-00)

Sec. 33-263.1. Minimum landscaped open space, greenbelts, trees, maintenance.

(a) *Landscaped open space.* A minimum of ten (10) percent of the net lot area of the site shall be developed as landscaped open space; provided, however, that an industrial-zoned site that abuts residentially zoned or developed property shall provide fifteen (15) percent of the net lot area as landscaped open space. It is further provided, however, that if the industrial-zoned site abuts property which is depicted as "Industrial & Office" on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), is zoned GU and no building permit has been issued for a residence at the time of the approval of the building permit for the industrial use, the landscape open space requirement shall be ten (10) percent of the net lot area. Said landscaped open space may include entrance features, greenbelts, unpaved passive and active recreation areas, and other similar landscaped open space at ground level. Open space areas may also include tree preservation zones of "natural forest communities" as defined in Section 26B-1, Code of Miami-Dade County. Tree preservation zones shall be delineated on all plans submitted to Miami-Dade County for site plan review under Section 33-263.2 of the Code of Miami-Dade County, for the purposes of determining overall preservation area and percent of overall landscaped area. The requirements contained herein do not replace or substitute for any requirements contained within Chapter 18A, Code of Miami-Dade County.

Water bodies may be used as part of the required landscaped open space, but such water areas shall not be credited for more than twenty (20) percent of the required open space. The specific areas within enclosed or unenclosed malls which are landscaped with grass, trees and/or shrubbery,

water areas therein and areas therein with permanent art display may be used as part of the required landscaped open space, but such areas shall not be credited for more than ten (10) percent of the required landscaped open space. For approved structures exceeding four (4) stories in height, additional landscaped open space shall be provided equivalent to twenty-five (25) percent of the gross floor area of each floor above four (4) stories.

(b) *Greenbelts.* Continuous, extensively planted greenbelts, penetrated only at approved points for ingress or egress to the property, shall be provided along all property lines abutting public rights-of-way or properties zoned residential, in accordance with the following minimum standards:

TABLE INSET:

<i>Size of Net Lot Area</i>	<i>Width of Greenbelts</i>
Up to 3 acres	8 feet
More than 3 acres	10 feet

It is provided, however, this greenbelt requirement shall not apply along property lines abutting property which is depicted as "Industrial & Office" on the LUP map of the CDMP, is zoned GU and no building permit has been issued for a residence at the time of the approval for the building permit for the industrial use.

(c) *Trees.* Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.

(d) *Maintenance.* All landscaped areas shall be continuously maintained in a good, healthy condition, and sprinkler systems of sufficient size and spacing shall be installed to serve all required landscaped areas except within tree preservation zones of "natural forest communities," as defined in Section 26B-1, Code of Miami-Dade County. Tree preservation zones shall also be maintained in a healthy natural condition free from trash, debris and disturbance of understory vegetation.

(Ord. No. 79-98, § 1, 11-20-79; Ord. No. 85-87, § 5, 10-1-85; Ord. No. 95-223, § 1, 12-5-95; Ord. No. 03-76, § 2, 4-8-03)

Sec. 33-263.2. Site plan review.

(A) *[Responsibility; purpose; procedures generally.]* The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and encourage the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon request made in writing to the Department. Denials shall be in writing and shall specifically set forth the grounds for denial. Receipt of applicant's plans for fifteen (15) days without formal written denial shall constitute approval. If the plan is disapproved, the applicant may appeal to the appropriate Community Zoning Appeals Board. Appeals by the applicant shall be filed within thirty (30) days of the date the project was denied.

(B) *Required exhibits.* The following exhibits shall be prepared by design professionals such as architects and landscape architects and submitted to the Department of Planning and Zoning:

(1) Dimensioned site plan(s) indicating, as a minimum, the following information:

- (a) Existing zoning on the site and on adjacent properties.
 - (b) The basic use, height, bulk and location of all buildings and other structures with setbacks.
 - (c) Vehicular and pedestrian circulation systems including connection(s) to existing or proposed roadway and sidewalk system and the layout of parking, service and loading areas.
 - (d) Graphics and/or notations indicating the site planning or structure design methods used to minimize the impact of those industrial activities that could have a negative impact on existing or proposed adjacent land uses.
 - (e) Sketches of design elements to be used for buffering surrounding uses.
- (2) Elevation of the proposed buildings and other major design elements.
- (3) Landscape plans: Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.
- (4) Figures indicating the following: Another one (1) of those crazy looking "things" follows from page 1012.13. Put in the markup I could but left off what I didn't know. Please fill it in.

- (a) Proposed uses.
- (b) Gross floor area:..... square feet
- (c) Gross floor area above four (4) floors:..... square feet
- (d) Land area:
Gross:
..... square feet
..... acres
Net:
..... square feet
..... acres
- (e) Landscaped open space:
Required:
..... square feet
..... % of net land area
Provided:
..... square feet
..... % of net land area
- (f) Trees:
Required:
Provided:
- (g) Off-street parking spaces:
Required:.....
Provided:.....

(C) *Criteria.* The following shall be considered the plan review process:

- (1) *Planning studies:* Planning studies approved by the Board of County Commissioners that include development patterns or environmental and other design criteria shall be considered in the plan review process.
- (2) *Landscape:* Landscape shall be preserved in its natural state insofar as is

practicable by minimizing removal of existing vegetation. Landscape shall be used to shade and cool, enhance architectural features, relate structure design to the site, visually screen noncompatible uses and ameliorate the impact of noise.

(3) *Compatibility*: The architectural design and scale of the proposed structures shall be compatible with surrounding existing or proposed uses or shall be made compatible by the use of screening elements. Screening elements can include such devices as trees and shrubs, walls and fencing, berming or any combination of these elements. Visual buffering shall be provided between parking and service areas and adjacent nonindustrial uses.

(4) *Emergency access*: Unobstructed on-site access for emergency equipment shall be considered.

(5) *Circulation*: Internal vehicular and pedestrian circulation systems shall be designed to function with existing and/or approved systems outside the development. Vehicular traffic generated from the industrial activity should be routed in such a manner as to minimize impact on residential development.

(6) *Energy conservation*: Applicants are advised to consider requirements of Chapter 52 of the South Florida Building Code.

(7) *Visual screening for decorative walls*: In an effort to prevent graffiti vandalism, the following options shall be utilized for walls abutting zoned or dedicated rights-of-way:

(a) *Wall with landscaping*. The wall shall be setback two and one-half (2 1/2) feet from the right-of-way line and the resulting setback area shall contain a continuous extensively landscaped buffer which must be maintained in a good healthy condition by the property owner, or where applicable, by the condominium, homeowners or similar association. The landscape buffer shall contain one (1) or more of the following planting materials:

(1) *Shrubs*. Shrubs shall be a minimum of three (3) feet in height when measured immediately after planting and shall be planted and maintained to form a continuous, unbroken, solid, visual screen within one (1) year after time of planting.

(2) *Hedges*. Hedges shall be a minimum of three (3) feet in height when measured immediately after planting and shall be planted and maintained to form a continuous, unbroken, solid, visual screen within one (1) year after time of planting.

(3) *Vines*. Climbing vines shall be a minimum of thirty-six (36) inches in height immediately after planting.

(b) *Metal picket fence*. Where a metal picket fence abutting a zoned or dedicated right-of-way is constructed in lieu of a decorative wall, landscaping shall not be required.

(Ord. No. 79-98, § 1, 11-20-79; Ord. No. 95-19, § 14, 2-7-95; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 95-223, § 1, 12-5-95; Ord. No. 96-127, § 20, 9-4-96; Ord. No. 98-125, § 21, 9-3-98; Ord. No. 99-38, § 15, 4-27-99)

Sec. 33-263.3. Reserved.

Editor's note: Section 33-263.3, pertaining to the expansion of existing commercial structures, has been deleted as obsolete. It was derived from Ord. No. 79-98, § 1, adopted Nov. 20, 1979.

Sec. 33-263.4. Validity of site plans.

Where a site plan has been or is submitted to the Department for review and approval, and the same has been or is approved, and no construction has yet commenced, the site plan shall be valid for a period of twelve (12) months within which time the applicant must file complete plans for building permit.

(Ord. No. 79-98, § 1, 11-20-79; Ord. No. 95-215, § 1, 12-5-95)

Attachment D1 Demographic Information

	Brownsville	Gladview	W L R	
DEMOGRAPHIC				
Population	14,453	14,474	32,287	61,214
Households	4,830	4,364	9,484	18,678
Families	3,255	3,198	7,380	13,833
EDUCATIONAL ATTAINMENT				
Population 25 years and over	7,962	7,654	19,763	35,379
Less than 9th grade	1,224	1,361	3,956	6,541
9th to 12th grade, no diploma	2,495	2,393	5,680	10,568
High school graduate (includes equivalency)	2,546	2,552	5,636	10,734
Some college, no degree	1,043	891	2,749	4,683
Associate degree	255	150	628	1,033
Bachelor's degree	223	228	672	1,123
Graduate or professional degree	176	79	442	697
				1,820
				5.1%
RESIDENCE IN 1995				
Population 5 years and over	13,301	13,265	30,226	56,792
Same house in 1995	7,793	8,634	18,864	35,291
Different house in the U.S. in 1995	5,243	4,227	9,578	19,048
Same county	4,859	4,018	8,421	17,298
Different county	384	209	1,157	1,750
Same state	165	37	590	792
Different state	219	172	567	958
Elsewhere in 1995	265	404	1,784	2,453

Attachment D1 Demographic Information

EMPLOYMENT STATUS

Population 16 years and over	9,888	9,760	24,310	43,958	
In labor force	4,539	4,194	12,509	21,242	48.3%
Civilian labor force	4,539	4,194	12,505	21,238	
Employed	3,765	3,224	10,774	17,763	
Unemployed	774	970	1,731	3,475	16.4%
Percent of civilian labor force	17.1	23.1	13.8	54	
Armed Forces	0	0	4	4	
Not in labor force	5,349	5,566	11,801	22,716	51.7%

INCOME IN 1999

Median household income (dollars)

16,902	15,981	26,686	59,569	\$
81,636,660	69,741,084	253,090,024	404,467,768	21,655

Median family income (dollars)

19,703	17,625	29,013	66,341	\$
64,133,265	56,364,750	214,115,940	334,613,955	24,190

POVERTY STATUS IN 1999 (below poverty level)

Persons

6,118	7,590	9,260	22,968	37.5%
-------	-------	-------	--------	-------

OCCUPANTS PER ROOM

Occupied housing units

1.00 or less

1.01 to 1.50

1.51 or more

4,783	4,357	9,463	18,603	
3,628	2,857	6,806	13,291	
616	623	1,295	2,534	
539	877	1,362	2,778	28.6%

Attachment D1 Demographic Information

Specified owner-occupied units
Median (dollars)

1,674	1,287	5,667	8,628
62,800	64,000	78,400	205,200
105,127,200	82,368,000	444,292,800	631,788,000
			\$ 73,225

SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN 1999

Less than 15 percent	434	434	1,632	2,500
15 to 19 percent	187	133	842	1,162
20 to 24 percent	175	97	527	799
25 to 29 percent	117	76	535	728
30 to 34 percent	154	59	283	496
35 percent or more	546	429	1,686	2,661
				8,346
Not computed	61	59	162	282
				3,157
				37.8%

GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN 1999

Less than 15 percent	441	506	446	1,393
15 to 19 percent	236	210	292	738
20 to 24 percent	190	185	327	702
25 to 29 percent	330	192	365	887
30 to 34 percent	227	140	211	578
35 percent or more	1,162	797	1,343	3,302
				7,600
Not computed	214	427	308	949
				3,880
				51.1%

Attachment D2
Demographic Information
SOCIAL AND ECONOMIC INDICATORS FOR 5 MILE VICINITY
AROUND POINCIANA INDUSTRIAL PARK

DEMOGRAPHIC

Population	61,214
Households	18,678
Families	13,833

EDUCATIONAL ATTAINMENT

less than high school graduate	48.4%
Bachelor's degree and above	5.1%

EMPLOYMENT STATUS

Unemployed	16.4%
Not in labor force	51.7%

INCOME IN 1999

Median household income (dollars)	\$ 21,655
Median family income (dollars)	\$ 24,190

POVERTY STATUS IN 1999 (below poverty level)

Persons	37.5%
---------	-------

OCCUPANTS PER ROOM

1.01 and greater*	28.6%
-------------------	-------

Specified owner-occupied units

Median value	\$ 73,225
--------------	-----------

**SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF
HOUSEHOLD INCOME IN 1999**

30% and greater**	37.8%
-------------------	-------

GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN 1999

30% and greater**	51.1%
-------------------	-------

Note: *This is a measure of overcrowded housing units.

**These are a measure of cost burdened owner-occupied and rental housing.

Source: Census 2000, Summary File 3.

Attachment E - Remediation Letters

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Summary Details:

Folio No.:	30-3110-073-0040
Property:	
Mailing Address:	MIAMI-DADE COUNTY OCED 701 NW 1 CT 14TH FLOOR MIAMI FL 33136-

Property Information:

Primary Zone:	7300 INDUSTRIAL-HEAVY
CLUC:	0080 VACANT LAND-GOVERNMENTAL
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	75,533 SQ FT
Year Built:	0
Legal Description:	POINCIANA INDUSTRIAL CENTER WEST PB 159-23 T- 17340 TRACT D LOT SIZE 1.734 AC +/- FAU 30-3110-028-1881

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

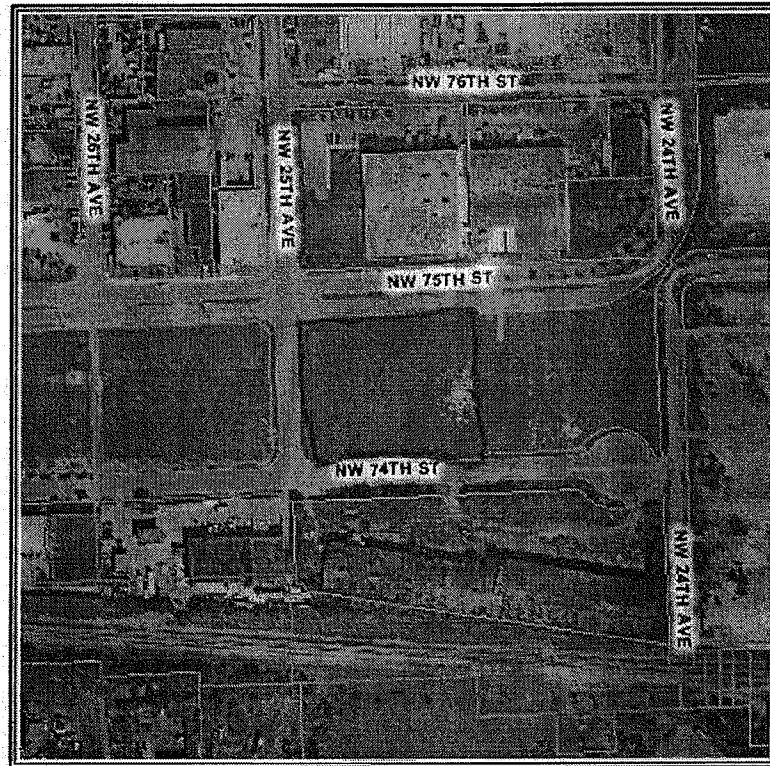
Assessment Information:

Year:	2008	2007
Land Value:	\$1,057,462	\$604,264
Building Value:	\$0	\$0
Market Value:	\$1,057,462	\$604,264
Assessed Value:	\$1,057,462	\$604,264

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$1,057,462/ \$0	\$604,264/\$0
County:	\$1,057,462/ \$0	\$604,264/\$0
School Board:	\$1,057,462/ \$0	\$604,264/\$0

Additional Information:

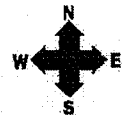


Digital Orthophotography - 2007

0 131 ft

Legend

- Property Boundary
- Selected Property
- Street
- Highway
- Miami-Dade County
- Water



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| [My Neighborhood](#) | [Property Appraiser](#)

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If you experience technical difficulties with the Property Information application,
or wish to send us your comments, questions or suggestions
please email us at [Webmaster](#).

Web Site
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PIC
TRACT DW
UT-5668
HWR-0440
FILE# 16364

MIAMI-DADE COUNTY, FLORIDA



ENVIRONMENTAL RESOURCES MANAGEMENT
POLLUTION CONTROL DIVISION
33 S.W. 2nd AVENUE
SUITE 800
MIAMI, FLORIDA 33130-1540
(305) 372-6817

November 10, 1998

CERTIFIED MAIL NO. Z428 460 815
RETURN RECEIPT REQUESTED

Mr. Tony Crapp, Director
OCED
140 West Flagler Street
Suite 1000
Miami, Florida 33130

RE: Site Assessment Report/No Further Action Proposal (SAR/NFAP) dated October 30, 1998 and prepared by The Joint Venture ESA/R&A for the Poinciana Industrial Center Tract DW (UT-5668/File #16364/DEP Not Registered) located at, near, or in the vicinity of N.W. 27 Avenue & N.W. 75 Street, Miami, Miami-Dade County, Florida.

Dear Mr. Crapp:

The Department of Environmental Resources Management (DERM) has reviewed the above referenced document received November 2, 1998 and hereby approves the SAR Portion of the document.

Be advised that a letter recommending no further action has been forwarded to the Florida Department of Environmental Protection (FDEP) for review. This recommendation pertains only to that area of this site addressed in the NFAP and does not relieve the responsibility for any other areas of this site that may be found to be contaminated. The FDEP will determine final approval or disapproval of the NFAP and will notify the responsible parties by mail.

If you have any questions concerning the above, please contact David B. Shapiro, P.G. of the Pollution Remediation Section at (305) 372-6700.

Sincerely,

A handwritten signature in black ink, appearing to read "Wilbur Mayorga".

Wilbur Mayorga, P.E., Chief
Pollution Remediation Section

DBS

pc: Hamp Pridgen - FDEP
M. Paul Voight, P.G. - DERM
Virginia Walsh - ESA



MEMORANDUM



TO: Hamp Pridgen, Environmental Manager
FDEP/Petroleum Cleanup Section

DATE: November 10, 1998

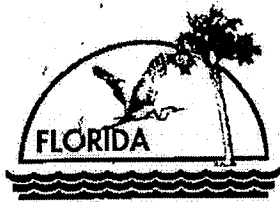
FROM: Wilbur Mayorga, P.E., Chief
Pollution Remediation Section

SUBJECT: NFAP Approval Order for
the Poinciana Industrial Center
Tract DW
N.W. 27 Avenue & 79 Street
UT-5668/File #16364
DEP Facility Not Registered

Enclosed for John Ruddell's signature is a NFAP Approval Order for the above referenced site. Current contaminant levels as reported in the document indicate that the site is eligible for no further action.

If you have any questions concerning the above, please contact David B. Shapiro, P.G. of the Pollution Remediation Section at (305) 372-6700.

DBS
Enclosure



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

December 2, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

MR. Tony Crapp, Director
OCED
140 West Flagler Street
Suite 1000
Miami, Florida 33130

Subject: Site Rehabilitation
Completion Order
Poinciana Industrial Center, Tract DW
NW. 27 Avenue & NW 75 Street
Miami, Miami-Dade County
FDEP Facility ID: Not Registered
(UT-5668/File-16364)

Dear Mr. Crapp:

The Miami-Dade County Department of Environmental Resources Management (DERM) has reviewed the Site Assessment Report (SAR) and No Further Action Proposal (NFAP) dated October 30, 1998 (received November 2, 1998), prepared and submitted by The Joint Venture of ESA/R&A for the discharge discovered on August 31, 1998 at this site. Documentation submitted with the NFAP confirms that criteria set forth in Rule 62-770.680(1), Florida Administrative Code (F.A.C.), have been met. The NFAP is hereby incorporated by reference in this Site Rehabilitation Completion Order (Order). Therefore, you are released from any further obligation to conduct site rehabilitation at the site, except as set forth below.

1. In the event concentrations of petroleum products' chemicals of concern increase above the levels approved in this Order, or if a subsequent discharge of petroleum or petroleum product occurs at the site, the Department may require site rehabilitation to reduce concentrations of petroleum products'

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Mr. Tony Crapp
Page two of five

chemicals of concern to the levels approved in the NFAP or otherwise allowed by Chapter 62-770, F.A.C.

2. Additionally, you are required to properly abandon all monitoring wells, except compliance wells required by Chapter 62-761, F.A.C., for release detection, within 60 days after receipt of this Order. The monitoring wells must be abandoned in accordance with the requirements of Rule 62-532.500(4), F.A.C.

Persons affected by this Order have the following options:

If you choose to accept the above decision by the Department you do not have to do anything. This Order is final and effective as of the date on the top of the first page of this Order.

If you disagree with the decision, you may do one of the following:

1. File a petition for administrative hearing with the Office of the General Counsel of the Department within 21 days after receipt of this Order;

OR

2. File a request for an extension of time to file a petition for hearing with the Office of the General Counsel of the Department within 21 days after receipt of this Order. Such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing.

Please be advised that mediation of this decision, pursuant to Section 120.573, Florida Statutes (F.S.), is not available.

How to Request an Extension of Time to File a Petition for Hearing

A request for an extension of time to file a petition for hearing must be filed (received) in the Office of the General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, within 21 days after receipt of this Order. Pursuant to Rule 28-106.111(3), F.A.C., a request for extension of time shall contain a certificate that the moving party has consulted with all other parties, if any, concerning

Mr. Tony Crapp
Page three of five

the extension and that the Department and any other parties agree to said extension. Petitioner, if different from Mr. Crapp, shall mail a copy of the petition to Mr. Crapp at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be filed until the request is acted upon.

How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of the General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, within 21 days after receipt of this Order. Petitioner, if different from Mr. Crapp, shall mail a copy of the petition to Mr. Crapp at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under Sections 120.569 and 120.57, F.S.

Pursuant to Rules 62-103.155 and 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

- a) The name, address, and telephone number of each petitioner, the name, address, and telephone number of the petitioner's representative, if any, the site owner's name and address, if different from the petitioner, the FDEP facility number, and the name and address of the facility;
- b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- d) A statement of the material facts disputed by the petitioner, if any;
- e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- f) A statement of which rules or statutes petitioner contends requires reversal or modification of the Department's action or proposed action; and

Mr. Tony Crapp
Page four of five

- g) A statement of the relief petitioner seeks, stating precisely what petitioner wants the Department to do regarding the Department's action or proposed action.

This Order is final and effective as of the date on the top of the first page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a Final Order pursuant to an administrative hearing or an Order Responding to Supplemental Information provided pursuant to meetings with the Department.

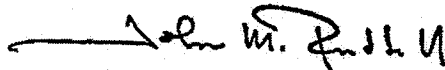
Judicial Review

Any party to this Order has the right to seek judicial review of this Order pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Department clerk in the Office of the General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. Simultaneously with filing a Notice of Appeal with the Department, petitioner must file a copy of the Notice of Appeal with the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be received by the Department clerk within 30 days from the date this Order was signed by the Department clerk (see below).

Questions

Should you have any questions regarding the legal processes, please contact the Office of the General Counsel at (850) 488-9730. Any questions regarding the review of your No Further Action Proposal should be directed to David B. Shapiro, P.G. at (305) 372-6700. Contact with any of the above does not constitute a petition for administrative hearing.

Sincerely,



John M. Ruddell, Director
Division of Waste Management

JMR/dba

Mr. Tony Crapp
Page five of five

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52 Florida Statutes, with the
designated Department Clerk, receipt
of which is hereby acknowledged.

Joanie Diestelhorst
Clerk
(or Deputy Clerk)

12-2-98
Date

pc: Hamp Pridgen, FDEP - BPSS

~~Wilbur Mayorga~~, P.E. - Miami-Dade County DERM

M. Paul Voight, P.G. - Miami-Dade County DERM

Virginia Walsh, ESA, 8390 N.W. 53 Street, Suite 200, Miami,
Florida 33166

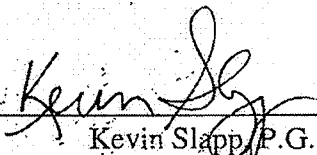
P.G. CERTIFICATION

The Site Assessment Report/No Further Action Proposal for Poinciana Industrial Center Tract DW, DEP Facility No. (Not Registered), (UT-5668/File-16364) located at, near or in the vicinity of N.W. 27 Avenue & N.W. 75 Street, Miami, Miami-Dade County, Florida has been reviewed.

I hereby certify that in my professional judgment, the components of this Site Assessment Report/No Further Action Proposal satisfy the requirements set forth in Chapter 62-770, F.A.C., and that the geological information contained within this report provides reasonable assurances of achieving the objectives stated in Chapter 62-770, F.A.C. However, I have not evaluated and do not certify aspects of this report that are outside of my area of expertise.

☐ I personally completed this review

☒ This review was conducted by David B. Shapiro, P.G. working under my direct supervision.


Kevin Slapp, P.G.

11-10-98

Date

DBS

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miamidade.gov

ACTIVE TOOL: SELECT



Show Me:

Property Information

Search By:

Select Item

☐ Text only

☐ Property Appraiser Tax Estimator

Summary Details:

Folio No.:	30-3110-073-0050
Property:	
Mailing Address:	MIAMI-DADE COUNTY OCED 701 NW 1 CT 14TH FLOOR MIAMI FL 33136-

Property Information:

Primary Zone:	7300 INDUSTRIAL-HEAVY
CLUC:	0080 VACANT LAND-GOVERNMENTAL
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	77,450 SQ FT
Year Built:	0
Legal Description:	POINCIANA INDUSTRIAL CENTER WEST PB 159-23 T-17340 TRACT E LOT SIZE 1.778 AC +/- FAU 30-3110-028-1881

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

Year:	2008	2007
Land Value:	\$1,084,300	\$619,600
Building Value:	\$0	\$0
Market Value:	\$1,084,300	\$619,600
Assessed Value:	\$1,084,300	\$619,600

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$1,084,300/\$0	\$619,600/\$0
County:	\$1,084,300/\$0	\$619,600/\$0
School Board:	\$1,084,300/\$0	\$619,600/\$0

Additional Information:



Digital Orthophotography - 2007

0 136 ft

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If you experience technical difficulties with the Property Information application, or wish to send us your comments, questions or suggestions please email us at [Webmaster](#).

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PIC
TRACT EW
HWR-0031
FILE# 15990



MEMORANDUM



TO: M. Paul Voight, P.G.
Program Manager
Cleanup Contracts Program

DATE: October 2, 1998

FROM: Wilbur Mayorga, P.E., Chief
Pollution Remediation Section

SUBJECT: SAR/NFAP for Poinciana
Industrial Center Tract EW
(HWR-0031/15990) located
in the vicinity of NW 24 Ave.
and NW 75 Street, Miami, FL

The Pollution Remediation Section of the Department of Environmental Resources Management (DERM) has reviewed the analytical results received September 14, 1998, for the above-referenced site. Based on the information contained in the report and the previous investigative work conducted during the Phase I and Phase II assessments, no further remedial action is required by the Pollution Remediation Section at this time. This approval pertains only to that area of this site addressed in the above-referenced report and does not relieve responsibility for any other areas of this site that may be found to be contaminated.

The on-site monitoring wells are the responsibility of the property owner(s) and must either be properly abandoned or equipped with tight-sealing, locking caps and maintained to prevent any direct discharge to the groundwater of Miami-Dade County. If well abandonment is desired, said abandonment shall be performed in accordance with the requirements of Rule 62-532.500(4) F.A.C.

~~If you have any questions regarding this letter, please contact David B. Shapiro, P.G. of the~~
Pollution Remediation Section at (305) 372-6700.

DBS

Attachment

pc: Margaret Meyer, P.G. - DERM
Virginia Walsh - ESA

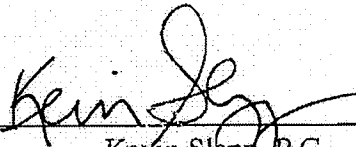
P.G. CERTIFICATION

The Site Assessment Report/No Further Action Proposal for Poinciana Industrial Center Tract EW, (HWR-0031/File #15990) located at, near or in the vicinity of NW 24 Avenue and NW 75 Street, Miami, Miami-Dade County, Florida has been reviewed.

I hereby certify that in my professional judgment, the components of this Site Assessment Report/No Further Action Proposal satisfy the requirements set forth in Chapter 24, Environmental Protection Ordinance, and that the geological information contained within this report provides reasonable assurances of achieving the objectives stated in Chapter 24, Environmental Protection Ordinance. However, I have not evaluated and do not certify aspects of this report that are outside of my area of expertise.

☐ I personally completed this review

☒ This review was conducted by
David B. Shapiro, P.G. working
under my direct supervision.


Kevin Slapp, P.G.

10-2-98

Date

My Home

miamidade.gov

ACTIVE TOOL: SELECT



Show Me:

Property Information

Search By:

Select Item

Text only

Property Appraiser Tax Estimator

Summary Details:

Folio No.:	30-3110-073-0080
Property:	2430 NW 74 ST
Mailing Address:	MIAMI-DADE COUNTY OCED 701 NW 1 CT 14TH FLOOR MIAMI FL 33136-

Property Information:

Primary Zone:	7300 INDUSTRIAL-HEAVY
CLUC:	0047 DADE COUNTY
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	46,264
Lot Size:	3 ACRES
Year Built:	1947
Legal Description:	POINCIANA INDUSTRIAL CENTER WEST PB 159-23 T- 17340 TRACT F LOT SIZE 3.133 AC M/L FAU 30-3110-032-0130

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

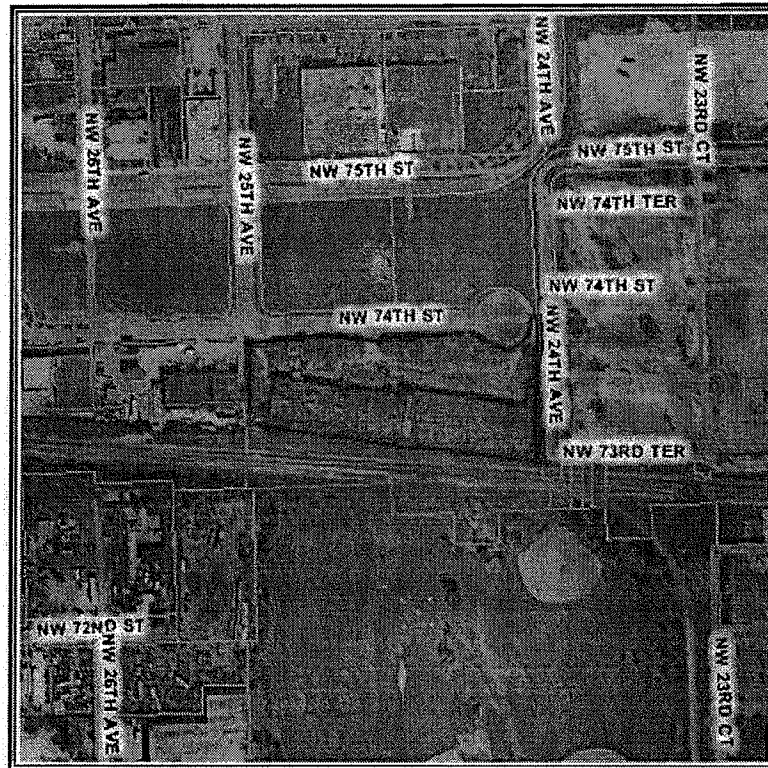
Assessment Information:

Year:	2008	2007
Land Value:	\$1,910,622	\$1,091,784
Building Value:	\$924,556	\$869,030
Market Value:	\$2,835,178	\$1,960,814
Assessed Value:	\$2,835,178	\$1,960,814

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$2,835,178/ \$0	\$1,960,814/ \$0
County:	\$2,835,178/ \$0	\$1,960,814/ \$0
School Board:	\$2,835,178/ \$0	\$1,960,814/ \$0

Additional Information:

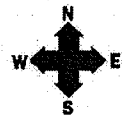


Digital Orthophotography - 2007

0 166 ft

Legend

- Property Boundary
- Selected Property
- Street
- Highway
- Miami-Dade County
- Water



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 or wish to send us your comments, questions or suggestions
 please email us at [Webmaster](#).

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PIC
 TRACT FW
 HWR-0032
 FILE # 15991



MEMORANDUM



TO: M. Paul Voight, P.G.
Program Manager
Cleanup Contracts Program

DATE: October 1, 1998

FROM: Wilbur Mayorga, P.E., Chief
Pollution Remediation Section

SUBJECT: SAR/NFAP for Poinciana
Industrial Center Tract FW
(HWR-0032/15991) located
in the vicinity of NW 27 Ave.
and NW 75 Street, Miami, FL

The Pollution Remediation Section of the Department of Environmental Resources Management (DERM) has reviewed the analytical results received September 14, 1998, for the above-referenced site. Based on the information contained in the report and the previous investigative work conducted during the Phase I and Phase II assessments and the October 1, 1998 memo from Ray Gordon of the Air Facilities Section (copy attached), no further remedial action is required by the Pollution Remediation Section at this time. This approval pertains only to that area of this site addressed in the above-referenced report and does not relieve responsibility for any other areas of this site that may be found to be contaminated.

The on-site monitoring wells are the responsibility of the property owner(s) and must either be properly abandoned or equipped with tight-sealing, locking caps and maintained to prevent any direct discharge to the groundwater of Miami-Dade County. If well abandonment is desired, said abandonment shall be performed in accordance with the requirements of Rule 62-532.500(4) F.A.C.

If you have any questions regarding this letter, please contact David B. Shapiro, P.G. of the Pollution Remediation Section at (305) 372-6700.

DBS

Attachment

pc: Margaret Meyer, P.G. - DERM
Virginia Walsh - ESA

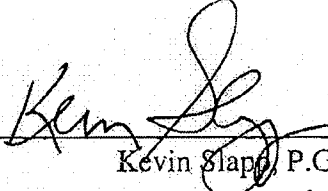
P.G. CERTIFICATION

The Site Assessment Report for Poinciana Industrial Center Tract FW, (HWR-0032/File #15991) located at, near or in the vicinity of NW 27 Avenue and NW 75 Street, Miami, Miami-Dade County, Florida has been reviewed.

I hereby certify that in my professional judgment, the components of this Site Assessment Report satisfy the requirements set forth in Chapter 24, Environmental Protection Ordinance, and that the geological information contained within this report provides reasonable assurances of achieving the objectives stated in Chapter 24, Environmental Protection Ordinance. However, I have not evaluated and do not certify aspects of this report that are outside of my area of expertise.

☐ I personally completed this review

☒ This review was conducted by
David B. Shapiro, P.G. working
under my direct supervision.


Kevin Slapp, P.G.

10-1-98

Date

DBS

Memorandum

To: M.Paul Voight
Program Supervisor, Cleanup Contracts Program

From: Ray A Gordon,
Project Supervisor, Air Facilities Section

Date: 10/01/98

Re: OCED Poinciana Tracks AE and FW

A review of the asbestos abatement reports on the above mentioned buildings and our inspection records indicate that the abatement was conducted within all applicable regulations. Air sampling results indicates fiber counts to be <.004 fibers/cubic centimeter, which is below the industry standard of .010.

These results indicate that the building presents no immediate asbestos related health hazard to construction workers or future occupants of the buildings.

If you have any questions on the above please give me a call at ext.6925