Memorandum

MIAMI-DADE COUNTY

Date: November 3, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 2(B)(6)

From: Carlos A. Gimenez
Mayor

Subject: Report on May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

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Recommendation

It is recommended that the Board of County Commissioners (Board) approve the six (6) Ordinances on first reading that pertain to small-scale Application Nos. 1, 2, 3, 4, 5 and 6 filed in the May 2015 Cycle of amendments to the Comprehensive Development Master Plan (CDMP). The Ordinances will subsequently be presented to the Board for final action on the referenced small-scale amendment applications at the Board's scheduled November 18, 2015 CDMP public hearing.

APPLICATION NUMBER	ITEMS FOR CONSIDERATION BY THE BOARD
Application No. 1	Ordinance (First Reading)
Application No. 2	Ordinance (First Reading)
Application No. 3	Ordinance (First Reading)
Application No. 4	Ordinance (First Reading)
Application No. 5	Ordinance (First Reading)
Application No. 6	Ordinance (First Reading)

Small Scale Applications

Background

The referenced ordinances provide for the Board's actions on small-scale amendment Application Nos. 1, 2, 3, 4, 5 and 6 filed in the May 2015 Cycle of Applications requesting amendment to the CDMP, as indicated in the table above. State law allows the adoption of the referenced small-scale applications at the Board's CDMP public hearing currently scheduled for November 18, 2015. A CDMP amendment application is eligible, under Section 163.3187, F.S., to be processed as a small-scale amendment to the local comprehensive plan if it involves 10 or fewer acres and the maximum total acreage in a calendar year for small-scale amendments does not exceed 120 acres. Since the County has not exceeded the acreage limitations for small-scale amendments to the CDMP for calendar year 2015, the Board has the ability to approve the proposed small-scale amendment Application Nos. 1, 2, 3, 4, 5 and 6 totaling 29.89 gross acres without prior review by the State Land Planning Agency.

A description of each small-scale application and a summary of the recommendations of the Department of Regulatory and Economic Resources' Planning Division and the affected community councils are provided in Attachment A.

At the November 18, 2015 public hearing, the Board will take final action on the referenced ordinances providing for final disposition of the May 2015 Cycle of small-scale applications. Such action may be to adopt, adopt with change or not adopt each of the referenced small-scale amendment applications. If the Board does not adopt Application Nos. 1, 2, 3, 4, 5 and 6 filed as small-scale amendments, the Board may elect, by separate resolutions, to transmit the proposed small-scale amendments to the State Land Planning Agency and other State and regional agencies for review and comments, and then take final action in February/March 2016 after State and regional agency review. Denial or failure to adopt a small-scale amendment and failure to transmit a CDMP amendment application to the reviewing agencies for review effectively denies approval of the application for the amendment cycle.

Scope
The CDMP is a broad-based countywide policy-planning document created to guide future growth and development to ensure the adequate provision of public facilities and services for existing and future populations in Miami-Dade County, and to maintain or improve the quality of the natural and man-made environment in the County. While the adopted text of the CDMP generally applies countywide, some text amendment applications and individual, site-specific Land Use Plan map amendment applications may have localized impact on one (1) or more Commission Districts. Application No. 1 is located within District 3 (Commissioner Audrey M. Edmonson); Application Nos. 2 and 3 are located within District 10 (Commissioner Javier D. Souto); Application Nos. 4 and 5 are located within District 9 (Commissioner Dennis C. Moss); and Application No. 6 is located within District 8 (Commissioner Daniella Levine Cava).

Fiscal Impact
There is no direct fiscal impact associated with Application Nos. 1, 2, 3, 4, 5 and 6. However, the CDMP amendment applications may have varying impacts on County services. These impacts are discussed in the document titled, "Initial Recommendations, May 2015 Applications to Amend the Comprehensive Development Master Plan," dated August 2015.

Social Equity Statement
The recommendations of the Director on Application Nos.1, 2, 3, 4, 5 and 6 as contained in the document titled "Initial Recommendations, May 2015 Applications to Amend the Comprehensive Development Master Plan," dated August 2015, which was prepared in accordance with Section 2-116.1 of the Code of Miami-Dade County, includes, among other things, a compatibility analysis and conclusion that satisfies the requirements of Ordinance No. 15-83, regarding social equity, to the extent applicable to these applications.

Track Record/Monitor
Amendments to the CDMP do not involve contracts so a track record/monitor is not applicable.

Jack Osterholt, Deputy Mayor

Attachment A

Summary of Recommendations
May 2015 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
September 2015

Application Number / Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation August 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 19, 2015	BCC Action/ Recommendation November 18, 2015
1/ small-scale	Mayres LLC, a Florida limited liability company/Stanley B. Price, Esq., Brian S. Adler, Esq. & Wendy Francois, Esq. Northeast corner of the intersection of NE 109 Street and NE 13 Avenue (1.16 gross acres; 0.828 net acres) Requested Amendment to the LUP Map: 1. Redesignate the application site From: "Medium Density Residential (13 to 25 dwelling units per gross acre)" To: "Business and Office" 2. Revise the Restrictions Table in Appendix A on page I-95 of the CDMP Land Use Element to include the Proffered Declaration of Restrictions, if accepted by the Board of County Commissioners.	3/ Edmonson	Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment)	Biscayne Shores CC7: Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment) Resolution No. 07-1-15 (09-30-15)		
2/ small-scale	TEPA Properties LLC/Jonathan J. Coto, Esq. & Rene J. Garcia, Jr. Esq. Southeast corner of the intersection of SW 56 Street (Miller Road) and SW 89 Avenue (2.46 gross acres; 1.87 net acres). Requested Amendment to the LUP Map: 1. Redesignate the application site From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)" To: "Business and Office" 2. Revise the Restrictions Table in Appendix A on page I-95 of the CDMP Land Use Element to include the Proffered Declaration of Restrictions, if accepted by the Board of County Commissioners.	10/ Souto	Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment)	Kendall CC12: Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment) with the recommendation that the Declaration of Restrictions limit the Business and Office use of the property to the restaurant use and uses ancillary to a restaurant, and be at all times compatible with the surrounding residential area. Resolution No. 12-2-15 (09-21-15)		

Application Number / Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation August 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 19, 2015	BCC Action/ Recommendation November 18, 2015
3/ small-scale	Southeast Investments, Inc/Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Richard A Perez, Esq., Alejandro J. Arias, Esq. & Pedro Gassant, Esq Southeast corner of the intersection of SW 56 Street (Miller Road) and SW 127 Avenue. (10.0 gross acres; 8.45 net acres) Requested Amendment to the LUP map 1. Redesignate the application site From: "Agriculture" To: "Business and Office" 2. Revise the Restrictions Table in Appendix A on page I-95 of the CDMP Land Use Element to include the Proffered Declaration of Restrictions, if accepted by the Board of County Commissioners.	10/ Souto	Deny	West Kendall CC11: Deny Resolution No. 11-1-15 (09-24-15)		
4/ small-scale	TCAG, LLC, a Florida limited liability company/Alberto J. Parlade, Esq. & Parlade J. Corral, Esq. West side of SW 132 Avenue and ±300 feet north of SW 136 Street (±10.00 gross acres; ±9.9 net acres) Requested Amendment to the LUP map Redesignate the application site From: "Industrial and Office" To: "Office/Residential"	9/ Moss	Deny	West Kendall CC11: Adopt (as a Small-scale Amendment) Resolution No. 11-2-15 (09-24-15)		

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Application Number / Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation August 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 19, 2015	BCC Action/ Recommendation November 18, 2015
5/ small-scale	Brown Development Group LLC/Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Richard A Perez, Esq., Alejandro J. Arias, Esq. & Pedro Gassant, Esq. Northeast corner of the intersection of SW 184 Street and SW 112 Avenue / (±1.98 net acres) Requested Amendment to the LUP Map: 1. Redesignate the application site From: "Office/Residential" To: "Business and Office" 2. Revise the Restrictions Table in Appendix A on page I-95 of the CDMP Land Use Element to include the Proffered Declaration of Restrictions, if accepted by the Board of County Commissioners.	9/ Moss	Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment)	Redland CC14: Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment) Resolution No. 14-2-15 (09-22-15)		
6/ small-scale	Otto E & Barbara J. Kaufmann, Co-Trustees of The Kaufmann Family Trust/Tracy R. Slavens, Esq. Northeast corner of the intersection SW 200 Street (Quail Roost Drive) and SW 177 Avenue (±4.08 gross acres; ±3.17 net acres) Requested Amendment to the LUP map Redesignate the application site From: "Business and Office" and "Agriculture" To: "Business and Office"	8/ Levine Cava	Adopt (as a Small-scale Amendment)	Redland CC14: Adopt (as a Small-scale Amendment) Resolution No. 14-3-15 (09-22-15)		

Source: Miami-Dade County Department of Regulatory and Economic Resources (Department)

Notes:

BCC: Board of County Commissioners; LPA: Local Planning Agency