

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(A)
07-20-16

RESOLUTION NO. R-749-16

RESOLUTION PERTAINING TO AMB CODINA BEACON LAKES, LLC, APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN, FILED FOR CONCURRENT PROCESSING WITH A NOTICE OF PROPOSED CHANGE TO THE BEACON LAKES DEVELOPMENT OF REGIONAL IMPACT; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO AMB CODINA BEACON LAKES, LLC, APPLICATION LOCATED GENERALLY BETWEEN NW 137 AVENUE AND THE HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE AND BETWEEN NW 25 STREET AND SR 836 EXTENSION; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners (“Board”) adopted the Miami-Dade County Comprehensive Development Master Plan (“CDMP”) in 1988; and

WHEREAS, pursuant to Chapter 380.06(6), Florida Statutes, any local government comprehensive plan amendments related to a proposed development of regional impact may be initiated by a local planning agency or the developer and must be considered by the local governing body at the same time as the application for development approval; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources (“Department”) by private parties or by the County; and

WHEREAS, the AMB Codina Beacon Lakes, LLC, Application to amend the CDMP (the Application) was filed April 7, 2016 in accordance with Section 2-116.1, Code of Miami-Dade County; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations in a report titled “Initial Recommendation AMB Codina Beacon Lakes, LLC to Amend the Comprehensive Development Master Plan”, dated May 26, 2016, and kept on file with the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of the Application; and

WHEREAS, the Department may issue final recommendations addressing the Application if it is transmitted to the State Land Planning Agency and other state and regional agencies (reviewing agencies); and

WHEREAS, this Board desires to further evaluate, without prejudice, the AMB Codina Beacon Lakes, LLC, Application to amend the CDMP filed for concurrent processing with the Notice of Proposed Change to the Beacon Lakes Development of Regional Impact, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
<p>AMB Codina Beacon Lakes, LLC</p>	<p>AMB Codina Beacon Lakes, LLC/Tracy R. Slavens, Esq./Joseph G. Goldstein, Esq./Holland & Knight LLP</p> <p>Generally located between NW 137 Avenue and the Homestead Extension of the Florida Turnpike, and between NW 25 Street and SR 836 Extension.</p> <p>Southwest Parcel: NE corner of NW 137 Avenue and NW 12 Street within the existing DRI;</p> <p>East Parcel: NW corner of the Homestead Extension of the Florida Turnpike and NW 12 Street,</p> <p>Requested Amendment to CDMP Text and Land Use Plan (LUP) Map:</p> <ol style="list-style-type: none"> 1. Re-designate ±48 gross acres on the Southwest Parcel on the CDMP Adopted 2020 and 2030 LUP map: from “Business and Office” to “Restricted Industrial and Office”; 2. Re-designate ±63 gross acres on the East Parcel on the LUP map: from “Restricted Industrial and Office” to “Business and Office”; and 3. Release an existing CDMP Declaration of Restrictions recorded in Official Records Book 27747 at Page 3899 of the Public Records of Miami-Dade County, Florida. 4. Add the new proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners <p>Standard Amendment</p>	<p>Transmit and Adopt with release of the Declaration of Restrictions as requested and with Acceptance of the new proffered Declaration of Restrictions</p>

Section 3. If the instruction is to transmit, the Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. If the instruction is to transmit, the Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. If the instruction is to transmit, the Board declares its intention to advertise and conduct one or more public hearings in calendar year 2016 to address the AMB Codina Beacon Lakes, LLC, Application to amend the CDMP.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz** , who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** , and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	aye		
Esteban L. Bovo, Jr., Vice-Chairman	absent		
Bruno A. Barreiro	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	absent
Sally A. Heyman	absent	Barbara J. Jordan	absent
Dennis C. Moss	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye	Xavier L. Suarez	absent
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of July, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of July, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "DK", is written over a horizontal line.

Dennis A. Kerbel