

Memorandum



Date: April 1, 2014

To: Wayne Rinehart, Chair
and Members, Planning Advisory Board

From: *Mark R. Woerner*
Mark R. Woerner, AICP, Assistant Director for Planning
Department of Regulatory and Economic Resources

Subject: Planning Advisory Board Transmittal Hearing addressing the November 2013 Cycle Applications to Amend the Comprehensive Development Master Plan.

The Planning Advisory Board (PAB), acting as the Local Planning Agency, is scheduled to conduct a public hearing on **Monday, April 14, 2014, at 2:00 PM or immediately following the PAB's regular meeting in the Commission Chamber**, to address the November 2013 Cycle of Applications to amend the Comprehensive Development Master Plan (CDMP). The purposes of this hearing are to receive public comments on proposed CDMP amendments (Application Nos. 1 through 6) filed in the November 2013 Cycle of Applications; on the recommendations of the Department of Regulatory and Economic Resources (Department) contained in the document titled "Initial Recommendations November 2013 Applications to Amend the Comprehensive Development Master Plan," dated March 10, 2014; and for the PAB to formulate recommendations to the Miami-Dade Board of County Commissioners (Commission).

The Planning Advisory Board will formulate its recommendations to the Commission regarding one (1) small-scale amendment (Land Use Plan map Application No. 2); address the transmittal of five (5) standard amendments (Application No. 1 - modification to an existing covenant; Land Use Plan map Application Nos. 3 and 4; Land Use Element text amendment Application No. 5; and Conservation, Aquifer Recharge and Drainage Element text amendment Application No. 6) to the State Land Planning Agency and other state and regional agencies for review and comment; and subsequent final action by the Commission on the transmitted applications. The details of these six CDMP amendment applications, along with their individual analyses and recommendations as processed by the Department, are described in the above mentioned "Initial Recommendations" report. The report and the other enclosed documents constitute the agenda package for the April 14, 2014, public hearing.

Documents enclosed herein:

- A Draft Agenda;
- Resolutions of the Country Club of Miami, Westchester, and Kendall Community Councils (scheduled public hearing of the South Bay Community Council had no quorum);
- A Draft Resolution with which to adopt the Planning Advisory Board's recommendations on the referenced CDMP amendment applications;
- Additional Items (Letters, Covenants, etc...); and
- "Initial Recommendations, November 2013 Applications to Amend the Comprehensive Development Master Plan" report, dated March 10, 2014.

Please bring with you to the public hearing your agenda package, including the "Initial Recommendations" report, for your reference. If you have any questions regarding this transmittal, please contact Garrett A. Rowe, Section Supervisor, in the Department's Metropolitan Planning Section at 305-375-2835.

MRW:GAR:rov

AGENDA
MIAMI-DADE COUNTY PLANNING ADVISORY BOARD
ACTING AS THE LOCAL PLANNING AGENCY
PUBLIC HEARING ON
NOVEMBER 2013 CYCLE APPLICATIONS TO AMEND
THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

2:00 PM – Monday, April 14, 2014
Or Immediately Following the PAB's Regular Meeting
Miami-Dade County Commission Chamber
111 NW 1 Street, Miami, Florida

1. Opening Remarks.

Role of the Planning Advisory Board, acting as Local Planning Agency, and Purpose of this Hearing – Wayne Rinehart, Chairperson, Planning Advisory Board

Comprehensive Development Master Plan (CDMP) Amendment Process: November 2013 Cycle Applications and Review of Relevant Documents – Mark R. Woerner, AICP, Assistant Director for Planning, Department of Regulatory and Economic Resources

HEARING OPEN TO PUBLIC COMMENTS

2. Applications to Amend the Land Use Plan Map, Text and Policies of the CDMP:

Modification to Existing Covenant

- Application No. 1; CJUF III Flagler, LLC

Land Use Plan Map Amendments

- Application No. 2; TLG FL., LLC
- Application No. 3; Miami-Dade County
- Application No. 4; Miami-Dade County

CDMP Text Amendments

- Application No. 5; Miami-Dade County
- Application No. 6; Miami-Dade County

PUBLIC HEARING CLOSED

3. Planning Advisory Board Action.

Adoption by the Planning Advisory Board, by Resolution, of its initial recommendations to Miami-Dade Board of County Commissioners, regarding the November 2013 Cycle CDMP Amendment Applications.

4. Old Business

5. New Business

PUBLIC HEARING PROCEDURES

Persons wishing to speak, including applicants and their representatives, must sign in and indicate which application(s) they wish to address before entering the public hearing. Staff will be available to assist with this process.

Applications will be heard in numeric order. For each application, the Department of Regulatory and Economic Resources (Department) will summarize each application, the Department's recommendation and the recommendations of the affected Community Councils. The applicant or representative will then be heard (Application Nos. 1 & 2 only), followed by other speakers who will be called in order of sign-in.

At the conclusion of the public hearing, the Planning Advisory Board, acting as the Local Planning Agency, will adopt by resolution its recommendations to the Board.

NOTICE OF COUNTY COMMISSION HEARING ON THE CDMP APPLICATIONS

The next public hearing to address the November 2013 Cycle of Applications is currently scheduled to be conducted by the Board of County Commissioners on **Wednesday, May 21, 2014, beginning at 9:30 AM** in the Commission Chamber.

RESOLUTION NO. CC 10-01-14

RESOLUTION OF THE WESTCHESTER COMMUNITY COUNCIL (10) ISSUING RECOMMENDATION ON NOVEMBER 2013 CYCLE AMENDMENT APPLICATION NO. 1 REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

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

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

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

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

WHEREAS, at its meeting of March 18, 2014, Westchester Community Council (10) conducted a public hearing as authorized by Section 20-41 of the County Code;


NOW, THEREFORE, BE IT RESOLVED THAT WESTCHESTER COMMUNITY COUNCIL (10) recommends that the November 2013 Cycle Standard CDMP amendment Application No. 1 be Transmitted with Change and Adopted (to allow only fitness facilities and food establishments on the application site to begin daily business operations at 5 am instead of 6 am).

The forgoing resolution was offered by Council Member Rodriguez, who moved its adoption and was seconded by Council Member Valdes, and upon being put to a vote, the vote was as follows:

Julio Caceres	Absent	Gerardo Rodriguez	Yes
Miriam Planas, Vice Chair	Yes	Toufic Zakharia	Yes
Manuel Valdes	Yes	Robert J. Suarez	Yes
Richard M. Gomez, Chair, Absent			

Council Vice Chair Planas thereupon declared the resolution duly passed and adopted this 18th day of March 2014.

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


Garrett Rowe, Executive Secretary

RESOLUTION NO. CC 12-01-14

RESOLUTION OF THE KENDALL COMMUNITY COUNCIL (12)
ISSUING RECOMMENDATION ON NOVEMBER 2013 CYCLE
AMENDMENT APPLICATION NO. 4 REQUESTING
AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT
MASTER PLAN

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

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

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

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

WHEREAS, at its meeting of March 25, 2014, Kendall Community Council (12) conducted a public hearing as authorized by Section 20-41 of the County Code;

NOW, THEREFORE, BE IT RESOLVED THAT KENDALL COMMUNITY COUNCIL (12) recommends that the November 2013 Cycle Standard CDMP amendment Application No. 4 be Transmitted and Adopted with conditions as follows:


1. Application site to be kept as passive park use; and
2. The placement of a 6 foot high chain-link fence and a 6 foot high hedge along the property line of the site and the adjacent Police and Fire Rescue Stations.

The forgoing resolution was offered by Council Member Valdes, who moved its adoption and was seconded by Council Member Garciga, and upon being put to a vote, the vote was as follows:

Jorge Luis Garciga	Yes	Peggy Brodeur	Yes
Alberto Santana, Vice Chair	Yes	Matthew Larsh	Yes
Jose I. Valdes	Yes	Angela Vazquez	No
Elliott N. Zack, Chair, Yes			

Council Chair Zack thereupon declared the resolution duly passed and adopted this 25th day of March 2014.

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



Garrett Rowe, Executive Secretary

RESOLUTION NO. CC 5-01-14

RESOLUTION OF THE COUNTRY CLUB OF MIAMI COMMUNITY COUNCIL (5) ISSUING RECOMMENDATION ON NOVEMBER 2013 CYCLE AMENDMENT APPLICATION NO. 3 REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

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

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

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

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

WHEREAS, at its meeting of March 20, 2014, Country Club of Miami Community Council (5) conducted a public hearing as authorized by Section 20-41 of the County Code;

NOW, THEREFORE, BE IT RESOLVED THAT COUNTRY CLUB OF MIAMI COMMUNITY COUNCIL (5) recommends that the November 2013 Cycle Standard CDMP amendment Application No. 3 be Transmitted with Conditions, as follows:

1. Miami-Dade County to retain ownership of the application site for 99 years;
2. Conduct a charrette for the site to provide residents the opportunity to address their concerns and give their input on the future development of the property;
3. A cohesive large scale development should be built on the site rather than several small projects;
4. Address the severe impact to fire and rescue service;
5. Prohibit residential development on the site;
6. Ensure funding for the widening of NW 47 Avenue from NW 186 Street to north of the County line and permit no development on site until the roadway improvement is complete;
7. County to provide a 99-year lease to His House and designate adequate area on the rear of the site to accommodate His House with its planned expansion; and
8. The County should not allow the property to be annexed.

The forgoing resolution was offered by Council Member Alexander Senderoff, who moved its adoption and was seconded by Council Member Joseph Francis Fernandes, and upon being put to a vote, the vote was unanimous as follows:

Alexander Senderoff	Yes	Leonardo A. Perez	Yes
Jessica Fortich	Absent	Juan A. Garcia, Vice Chair	Absent
Lissett M. Caraza Borges	Absent	Joseph Francis Fernandes	Yes
Joanne Carbana, Chair Yes			

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING
ADVISORY BOARD ACTING AS THE LOCAL PLANNING
AGENCY ISSUING RECOMMENDATIONS TO THE BOARD OF
COUNTY COMMISSIONERS REGARDING FINAL DISPOSITION
OF SMALL-SCALE AMENDMENT APPLICATION AND
TRANSMITTAL TO THE STATE LAND PLANNING AGENCY
OF THE STANDARD NOVEMBER 2013 CYCLE APPLICATIONS
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER
PLAN, AND ADOPTING RECOMMENDATIONS AS TO
SUBSEQUENT FINAL ACTION.

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

WHEREAS, Section 2-116.1 of the Code of Miami-Dade County, Florida, provides procedures for amending the CDMP, which comply with the requirements of the Florida Statutes referenced above; and

WHEREAS, six (6) applications were filed in the November 2013 Cycle of Amendments to the CDMP; and

WHEREAS, of the six (6) applications, one (1) is a modification to an existing Declaration of Restrictions (Application No. 1), three (3) are Land Use Plan map amendments (Application Nos. 2, 3 and 4), and two (2) are text amendments to the Land Use Element and the Conservation, Aquifer Recharge and Drainage Element (Application Nos. 5 and 6, respectively); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments as defined in section 163.3187, Florida Statutes; and

WHEREAS, of the three (3) Land Use Plan map amendments filed in the November 2013 CDMP Amendment Cycle, Application No. 2 requested expedited adoption, if eligible, as a small-scale CDMP amendment; and

WHEREAS, Miami-Dade County's Department of Regulatory and Economic Resources (Department) has published its initial recommendations addressing the referenced CDMP amendment applications in the report titled "Initial Recommendations November 2013 Applications to Amend the Comprehensive Development Master Plan," dated March 10, 2014; and

WHEREAS, affected Community Councils have conducted optional public hearings pursuant to Section 2-116.1 (3)(e), Code of Miami-Dade County, Florida, to address the CDMP amendment applications that would directly impact their respective council areas and issued recommendations to the Planning Advisory Board and the Commission; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accord with the referenced State and County procedures, and has conducted a duly noticed public hearing to receive public comments and to address the referenced CDMP amendment applications, the initial recommendations of the Department, the transmittal by the Commission of standard CDMP amendments to the State Land Planning Agency and other state and regional agencies (the reviewing agencies) for review and comment, and to address the subsequent final action on standard CDMP amendments by the Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD ACTING AS THE LOCAL PLANNING AGENCY:

This Agency hereby makes the following recommendations to the Commission regarding the adoption of small-scale Land Use Plan map amendment Application No. 2; the transmittal to the reviewing agencies of the standard CDMP amendment Application No. 1, Land Use Plan map amendment Application Nos. 2, 3 and 4, and standard text amendment Application Nos. 5 and 6; and the recommendations regarding the subsequent final actions by the Commission.

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	<ul style="list-style-type: none"> • Transmittal Recommendation • Recommendation as to Subsequent Action
1	CJUF III Flagler, LLC/Juan J. Mayol, Jr., Esq. and Hugo Arza, Esq. North side of West Flagler Street between NW 87 and 97 Avenues / (±39.51 Gross; ±36.27 Net) <u>Requested CDMP Amendment</u> Modify existing Declaration of Restrictions listed in the Restrictions Table in Appendix A of the CDMP Land Use Element to: <ol style="list-style-type: none"> 1. Allow businesses on the application site to begin daily operations at 5:00AM, rather than at 6:00AM as currently allowed. 2. Revise the “Modification, Amendment, Release” clause. 	
<u>Standard Amendment</u>		

The motion to recommend _____ was moved by Board Member _____.
 Board Member _____ seconded the motion. The motion _____ as follows:

Carla Ascencio-Savola
 Aida G. Bao-Garciga
 Jose Bared
 Reginald Clyne
 Peter DiPace

Horacio Huembes
 Joseph James
 Serafin Leal
 Raymond Marin
 Javier Muñoz

Georgina Santiago
 Jesus R. Vazquez
 Paul Wilson

William A. Riley, Vice Chair
 Wayne Rinehart, Chair

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	Recommended Action on Small-Scale Amendment
2	TLG FL., LLC/Eric Milne, President Southwest corner of the intersection of SW 224 Street and SW 112 Avenue / (±2.643 Gross; ±1.954 Net) <u>Requested CDMP Amendment</u> Redesignate application site on the Land Use Plan (LUP) map: <p>From: “Low Density Residential (2.5 to 6 dwelling units per gross acre)”</p> <p>To: “Business and Office”</p>	
<u>Small Scale Amendment</u>		

The motion to recommend _____ was moved by Board Member _____.
Board Member _____ seconded the motion. The motion _____ as follows:

Carla Ascencio-Savola
Aida G. Bao-Garciga
Jose Bared
Reginald Clyne
Peter DiPace

Horacio Huembes
Joseph James
Serafin Leal
Raymond Marin
Javier Muñoz

Georgina Santiago
Jesus R. Vazquez
Paul Wilson

William A. Riley, Vice Chair
Wayne Rinehart, Chair

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	<ul style="list-style-type: none"> • Transmittal Recommendation • Recommendation as to Subsequent Action
3	<p>Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources; and Lester Sola, Director, Internal Services Department.</p> <p>West side of NW 47th Avenue between Snake Creek Canal and NW 199 Street / (±165.9 Gross±; ±162.7 Net)</p> <p><u>Requested CDMP Amendment</u></p> <ol style="list-style-type: none"> 1. Redesignate application site on the LUP map: From: “Institutions, Utilities, and Communication” To: “Business and Office” 2. Add text to the CDMP Land Use Element limiting development on the site to a maximum floor area ratio (FAR) of 0.35. <p>Standard Amendment</p>	

The motion to recommend _____ was moved by Board Member _____.
Board Member _____ seconded the motion. The motion _____ as follows:

Carla Ascencio-Savola
Aida G. Bao-Garciga
Jose Bared
Reginald Clyne
Peter DiPace

Horacio Huembes
Joseph James
Serafin Leal
Raymond Marin
Javier Muñoz

Georgina Santiago
Jesus R. Vazquez
Paul Wilson

William A. Riley, Vice Chair
Wayne Rinehart, Chair

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	<ul style="list-style-type: none">• Transmittal Recommendation• Recommendation as to Subsequent Action
4	<p>Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources; and Jack Kardys, Director, Department of Parks, Recreation and Open Space.</p> <p>East side of SW 117 Avenue and south of SW 76 Street. (±20.8 Gross; ±18.84 Net).</p> <p><u>Requested CDMP Amendment</u></p> <p>Redesignate the application site on the LUP map From: “Institutions, Utilities, and Communication” To: “Parks and Recreation”</p> <p>Standard Amendment</p>	

The motion to recommend _____ was moved by Board Member _____.
Board Member _____ seconded the motion. The motion _____ as follows:

Carla Ascencio-Savola
Aida G. Bao-Garciga
Jose Bared
Reginald Clyne
Peter DiPace

Horacio Huembes
Joseph James
Serafin Leal
Raymond Marin
Javier Muñoz

Georgina Santiago
Jesus R. Vazquez
Paul Wilson

William A. Riley, Vice Chair
Wayne Rinehart, Chair

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	<ul style="list-style-type: none">• Transmittal Recommendation• Recommendation as to Subsequent Action
5	<p>Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources.</p> <p><u>Requested CDMP Amendment</u></p> <ol style="list-style-type: none">1. Revise the Agriculture text in the CDMP Land Use Element to provide that uses in the South Dade Agricultural Area that promote ecotourism and agritourism are not restricted to locating on an existing arterial roadway and;2. Revise the Agricultural text in the CDMP Land Use Element to allow wineries to utilize imported products for winemaking. <p>Standard Amendment</p>	

The motion to recommend _____ was moved by Board Member _____.
Board Member _____ seconded the motion. The motion _____ as follows:

Carla Ascencio-Savola
Aida G. Bao-Garciga
Jose Bared
Reginald Clyne
Peter DiPace

Horacio Huembes
Joseph James
Serafin Leal
Raymond Marin
Javier Muñoz

Georgina Santiago
Jesus R. Vazquez
Paul Wilson

William A. Riley, Vice Chair
Wayne Rinehart, Chair

Application Number	Applicant/Representative Location (Size)			<ul style="list-style-type: none">• Transmittal Recommendation• Recommendation as to Subsequent Action
	Requested Standard Amendment to the CDMP			
6	Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources.			
	<u>Requested CDMP Amendment</u>			
	Revise the text in the Conservation, Aquifer Recharge and Drainage Element of the CDMP to correct the Miami-Dade County Code reference in Policy CON-8I.			
	<u>Standard Amendment</u>			

The motion to recommend _____ was moved by Board Member _____.
Board Member _____ seconded the motion. The motion _____ as follows:

Carla Ascencio-Savola
Aida G. Bao-Garciga
Jose Bared
Reginald Clyne
Peter DiPace

Horacio Huembes
Joseph James
Serafin Leal
Raymond Marin
Javier Muñoz

Georgina Santiago
Jesus R. Vazquez
Paul Wilson

William A. Riley, Vice Chair
Wayne Rinehart, Chair

The motion to adopt the foregoing resolution was moved by Board Member _____.
Board Member _____ seconded the motion. The motion _____ as follows:

Carla Ascencio-Savola
Aida G. Bao-Garciga
Jose Bared
Reginald Clyne
Peter DiPace

Horacio Huembes
Joseph James
Serafin Leal
Raymond Marin
Javier Muñoz

Georgina Santiago
Jesus R. Vazquez
Paul Wilson

William A. Riley, Vice Chair
Wayne Rinehart, Chair

The above action was taken by the Planning Advisory Board, acting as the Local Planning Agency, at the conclusion of its public hearing on April 14, 2014, and is certified correct by Jack Osterholt, Executive Secretary to the Planning Advisory Board.

Jack Osterholt, Director
Department of Regulatory and Economic
Resources

ADDITIONAL ITEMS RECEIVED
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES (DEPARTMENT)
NOVEMBER 2013 CYCLE APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP)

- Photos in support of Application No. 1 submitted by Hugo Arza, Esq.

