Application No. 5
Commission District 6 Community Council (10)

APPLICATION SUMMARY

Applicant/Representative:	Doral Court Enterprises, Inc. and M & S Development, L.L.C./ Felix M. Lasarte, Esq.
Location:	East and west side of SW 65 Avenue between 40th Street (Bird Road) and SW 39th Terrace
Total Acreage:	2.48 Gross Acres, ± 1.60 net acres
Current Land Use Plan Map Designation:	Parcel A (0.54 net acres)- Business and Office Parcel B (0.53 net acres)- Low Density Residential (2.5 to 6 DU/Ac.) Parcel C (0.53 net acres)- Low Density Residential and Office/Residential
Requested Land Use Plan Map Designation:	Parcel A (0.54 net acres)- Business and Office Parcel B (0.53 net acres)- Business and Office Parcel C (0.53 net acres)- Business and Office
Amendment Type:	Small-scale
Existing Zoning/Site Condition:	Zoning- Parcel A- BU-2 (Business-special); Parcel B- RU-1 (Single-family Res.) and Parcel C- RU-1 Site Condition—Parcel A- Vacant and retail (portion not owned by applicants); Parcel B- Vacant; and Parcel C- Parking lot

RECOMMENDATIONS

Staff:	**DENY** (August 25, 2006)
Westchester Community Council:	**ADOPT WITH CHANGE** by limiting the northern portion to surface parking (September 6, 2006)
Planning Advisory Board (PAB) acting as Local Planning Agency:	**NO RECOMMENDATION** (October 16, 2006)
Final Action of Board of County Commissioners:	**WITHDRAWN** (November 20, 2006)

Staff recommends: **DENIAL** of the proposed small-scale Land Use Plan Map amendment based on the Staff Conclusions located at the end of this report and summarized below:

- A draft covenant has been submitted for the portion of the application site that is owned by the applicants that will limit the use of the property to offices. The current land use designations on the application site already allows for offices, thus, there is no need to amend the adopted LUP map to provide for this use.

- Extending the "Business and Office" designation to SW 39 Terrace would set a precedent along this residential road that could adversely the character of residential area. In addition, extension of the "Business and Office" designation to SW 39 Terrace strip could authorize vehicular access to the residential street.

- Both the existing land use designations on the Land Use Plan map, "Business and Office" and "Office/Residential", and the proposed redesignation to "Business and Office" can be supportive of transit ridership.

- The application site has limited impact on environmental or historic resources.